

Burial expenses, veterans dying prior to March 20, 1933.  
*Ante*, p. 11.

Filing claim.

Finality of Board decision.

Percentage of payments made on March 20, 1933, to continue.

*Proviso.*  
Extension of time for Board decision.

Rules governing reviews and hearings.  
Payment of salaries and expenses.

Limitation on reduction of payments for directly service-connected disabilities.  
*Ante*, p. 8; *post*, p. 324.

Death compensation.

Minimum pension, 50 per centum disabled veteran of Spanish-American War, etc.

Short title.

action and one appeal may be had in such cases. Where a veteran died prior to March 20, 1933, under conditions which warrant the payment of, or reimbursement for, burial expenses, such payment or reimbursement may be made in accordance with the laws in effect prior to March 20, 1933, provided that claim for such payment or reimbursement must be filed within three months from the date of passage of this Act.

Notwithstanding the provisions of Public Law Numbered 2, Seventy-third Congress, the decisions of such special boards shall be final in such cases, subject to such appellate procedure as the President may prescribe, and, except for fraud, mistake, or misrepresentation, 75 per centum of the payments being made on March 20, 1933, therein shall continue to October 31, 1933, or the date of special board decision, whichever is the earlier date: *Provided*, That where any case is pending before any one of the special boards on October 31, 1933, the President may provide for extending the time of payment until decision can be rendered. The President shall prescribe such rules governing reviews and hearings, as may be deemed advisable. Payment of salaries and expenses of such boards and personnel assigned thereto shall be paid out of and in accordance with appropriations for the Veterans' Administration.

Notwithstanding any of the provisions of Public Law Numbered 2, Seventy-third Congress, in no event shall the rates of compensation payable for directly service-connected disabilities to those veterans who entered the active military or naval service prior to November 11, 1918, and whose disabilities are not the result of their own misconduct, where they were except by fraud, mistake, or misrepresentation, in receipt of compensation on March 20, 1933, be reduced more than 25 per centum, except in accordance with the regulations issued under Public Law Numbered 2, Seventy-third Congress, pertaining to Federal employees, hospitalized cases and cases of beneficiaries residing outside of the continental limits of the United States; and in no event shall death compensation, except by fraud, mistake, or misrepresentation, being paid to widows, children, and dependent parents of deceased World War veterans under the World War Veterans' Act of 1924, as amended, on March 20, 1933, be reduced or discontinued, whether the death of the veteran on whose account compensation is being paid was directly or presumptively connected with service.

Notwithstanding any of the provisions of Public Law Numbered 2, Seventy-third Congress, any veteran of the Spanish-American War, including the Boxer rebellion and the Philippine insurrection, who served ninety days or more, was honorably discharged from the service, is fifty-five years of age or over, is 50 per centum disabled, and in need as defined by the President, shall be paid a pension of not less than \$15 per month.

SEC. 21. This Act hereafter may be referred to as the "Independent Offices Appropriation Act, 1934."

Approved, June 16, 1933, 1:25 p.m.

[CHAPTER 102.]

AN ACT

June 16, 1933.

[S. 813.]  
[Public, No. 79.]

To remove the limitation on the filling of the vacancy in the office of senior circuit judge for the ninth judicial circuit.

Ninth Judicial Circuit.  
Filling vacancy of judgeship in, authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President is authorized, by and with the advice and consent of the Senate, to appoint a circuit judge to fill the vacancy in the United States Circuit Court of Appeals for the Ninth Judicial Circuit occasioned

by the death of Honorable William B. Gilbert. A vacancy<sup>1</sup> occurring at any time in the office of circuit judge referred to in this section is authorized to be filled.

Vacancy hereafter to be filled.  
Vol. 45, p. 1414

Approved, June 16, 1933 4 p.m.

## [CHAPTER 103.]

## AN ACT

To provide for the survival of certain actions in favor of the United States.

June 16, 1933.

[S. 815.]

[Public, No. 80.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That no civil action to recover damages, brought by the United States or in its behalf, or in which the United States shall be directly or indirectly interested, and pending against any defendant prior to the time of his death, in any court of the United States, shall abate by reason of the death of any such defendant; but any such action shall survive and be enforceable against the estate of any such deceased defendant. This Act shall not be construed to deprive the plaintiff in any such action of any remedy which he may have against a surviving defendant.

United States Courts.  
Survival of civil actions for damages.

Rights against surviving defendant not affected.

Approved, June 16, 1933, 4:15 p.m.

## [CHAPTER 104.]

## AN ACT

To amend Public Act Numbered 435 of the Seventy-second Congress, relating to sales of timber on Indian land.

June 16, 1933.

[S. 1613.]

[Public, No. 81.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Public Act Numbered 435 of the Seventy-second Congress entitled "An Act to authorize the Secretary of the Interior to modify the terms of existing contracts for the sale of timber on Indian land when it is in the interest of the Indians so to do" is hereby amended by adding to the first section thereof the following proviso: "*Provided,* That the restrictions as to reducing prices below the basic sales prices shall not apply to the Klamath Indian Reservation in Oregon: *And provided further,* That the authority granted herein shall terminate one year from the date of enactment of this Act."

Timber sales, Indian lands.  
Terms of existing contracts may be modified with consent of Indians.  
Vol. 47, p. 1548.  
Post, p. 397.  
Previous.  
Klamath Indian Reservation, Oreg., excluded from provisions herein.  
Time limitation.

Approved, June 16, 1933, 5 p.m.

## [CHAPTER 105.]

## AN ACT

To legalize the manufacture, sale, or possession of 3.2 per centum beer in the State of Oklahoma when and if the same is legalized by a majority vote of the people of Oklahoma or by act of the Legislature of the State of Oklahoma.

June 16, 1933.

[H.R. 5690.]

[Public, No. 82.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the manufacture, sale, and/or possession of 3.2 per centum beer is legalized in the State of Oklahoma when and if the same is legalized by a majority of the legal votes cast at an election held in said State, or by an act of the Legislature of the State of Oklahoma, and all Acts or parts of Acts in conflict therewith are hereby repealed.

Oklahoma.  
Sale of 3.2 beer in, legalized.

Approved, June 16, 1933.

<sup>1</sup> So in original.