

Calendar No. 300

72D CONGRESS
1st Session

SENATE

REPORT
No. 282

THOMAS BEVERLY CAMPBELL

FEBRUARY 24, 1932.—Ordered to be printed

MR. REED, from the Committee on Finance, submitted the following

REPORT

[To accompany S. 1103]

The Committee on Finance, to whom was referred the bill (S. 1103) to extend the benefits of the World War veterans' act, 1924, and acts amendatory thereof, to Thomas Beverly Campbell, having considered the same report it back to the Senate and recommend that the bill do not pass.

This bill would give compensation to a National Guard man who was injured by being kicked by a horse at a time when he was not in the Federal service.

The report of the Veterans' Administration is as follows:

VETERANS' ADMINISTRATION,
Washington, January 12, 1932.

HON. REED SMOOT,
Chairman Committee on Finance,
United States Senate, Washington, D. C.

MY DEAR SENATOR SMOOT: This is in reply to your communication of December 29, 1931, with which you forwarded for report a copy of S. 1103, Seventy-second Congress, a bill to extend the benefits of the World War veterans' act, 1924, and acts amendatory thereof to Thomas Beverly Campbell.

The purpose of this bill is to make the provisions of the World War veterans' act, as amended, applicable to Mr. Campbell, who suffers from a disability due to an injury received while serving with the Virginia National Guard during the first week of April, 1917.

The facts of record show that Mr. Campbell filed claim for disability compensation December 15, 1920, alleging that he was suffering from blindness of his right eye and injury to the sight of his left eye as the result of a fall from a horse at the company stables, Richmond, Va., during the first week of April, 1917. The records of the War Department and of the adjutant general of the Commonwealth of Virginia show that Mr. Campbell enlisted in the Virginia National Guard as a private, Signal Corps, August 21, 1915, that he reported at the company rendezvous June 19, 1916, and was mustered into the Federal service July 6, 1916, as a stable sergeant, type D Signal Corps, and that he was mustered out of the Federal service with Company A, Signal Corps, Virginia National Guard, on March 21, 1917. He was recalled to the Federal service July 25, 1917, under the Executive order of July 3, 1917, and was honorably discharged July 28, 1917, on

a surgeon's certificate of disability. A report from the War Department reads as follows:

"1. The records of this bureau show that Company A, Signal Corps, Virginia National Guard, was mustered out of the Mexican border service on March 21, 1917, and that it was again called into Federal service on July 25, 1917. During the period March 21, and July 25, 1917, the status of the organization and members thereof was that of a National Guard organization not in Federal service.

"2. If this soldier was detailed by his organization commander as a caretaker of the equipment and animals of the organization during the period the organization was not in Federal service he received pay for his services from funds appropriated for the support of the National Guard. Such service is not, however, considered as Federal Service."

The evidence furnished by the claimant shows that he was treated for an injury incurred during the first week of April, 1917, which was during the interim between his two periods of service with the Federal forces. His compensation claim was disallowed because of the fact that his disability was not incurred while in the military service of the United States between April 6, 1917, and July 2, 1921, as required by the existing legislation.

From the foregoing it is believed the committee will be able to determine the merits of this bill and the propriety of its passage.

I wish to suggest, however, that it does not appear from the records that this claim presents any greater merit than the many others in which members of the National Guard received injuries before entering or after leaving the Federal service.

A copy of this letter is inclosed for your use.

Very truly yours,

FRANK T. HINES, *Administrator.*

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