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HOUSE OF REPRESENTATIVES

} REPORT
No. 1326

**BENEFICIARIES OF LIEUT. LEWIS WESLEY KITCHENS,
DECEASED**

MAY 27, 1926.—Committed to the Committee of the Whole House and ordered
to be printed

Mr. WINTER, from the Committee on War Claims, submitted the
following

REPORT

[To accompany H. R. 10807]

The Committee on War Claims, to whom was referred the bill (H. R. 10807) to provide for payment of the amount of a war-risk insurance policy to the beneficiaries designated by Lieut. Lewis Wesley Kitchens, deceased, having considered the same, report thereon with a recommendation that it do pass without amendment.

The facts are fully set forth in a letter from the Director, United States Veterans' Bureau, addressed to the chairman of the Committee on War Claims, under date of April 29, 1926, which is appended hereto and made a part of this report.

UNITED STATES VETERANS' BUREAU,
Washington, April 29, 1926.

HON. JAMES G. STRONG,
*Chairman Committee on War Claims,
House of Representatives, Washington, D. C.*

MY DEAR MR. STRONG: The Secretary of War has transmitted to this bureau your letter of April 12, 1926, submitting copy of (H. R. 10807) a bill to provide for payment of the amount of a war-risk insurance policy to the beneficiaries designated by Lieut. Lewis Wesley Kitchens, deceased. In accordance with the request of the Secretary of War I have the honor to advise your committee as follows with reference to Lieutenant Kitchens's war-risk insurance:

The records of the bureau show that Lewis Wesley Kitchens applied for war-risk insurance in the amount of \$10,000 on September 25, 1918, while in the active military service at Jefferson Barracks, Mo. This application was made after the expiration of 120 days after this deceased soldier's entrance into the active military service and was thus invalid under the provisions of the war risk insurance act. Although a certificate of insurance was issued, no deductions for premiums were ever made from the soldier's pay and the insurance was therefore never brought within the terms of the provision of section 401 of the war risk insurance act as amended, which provided that in a case where application was

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made after the expiration of the 120-day time limit the insurance shall be held valid in the event the application was accepted, a policy issued thereon, and premiums collected from the insured.

Lieutenant Kitchens died of pneumonia in France on October 31, 1918, and although the designated beneficiaries under the policy, which included the wife, two children, mother, and father of the soldier, have made claim therefor, it has been impossible for the bureau to award insurance. Compensation, however, was allowed to the wife and children and also to the father. The wife has remarried and the award in her favor has been terminated.

From this report the committee will be able to judge for itself the merits of this bill. If there had been deduction from this soldier's pay to cover the premiums on this insurance, payment would be authorized under the law.

A copy of this letter is inclosed for your use.

Very truly yours,

FRANK T. HINES, *Director.*