

## MARINE HOSPITAL—BOSTON AND CHARLESTOWN.

[To accompany Bill H. R. No. 427.]

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MAY 4, 1858.

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Mr. WINSLOW, from the Committee on Naval Affairs, made the following

### REPORT.

*The Committee on Naval Affairs, to whom was referred "A bill authorizing the Secretary of the Treasury to ascertain and pay the balance due on a tract of land heretofore ceded for the purpose of a marine hospital for the district of Boston and Charlestown, to the credit of the naval hospital fund," have had the same under consideration and thereupon report :*

It will be seen from the letter of the chief of the Bureau of Medicine and Surgery, transmitted through the Secretary of the Navy, and from extracts from the annexed report of the late Secretary of the Navy, that the hospital estates at Chelsea, Massachusetts, were purchased with the proceeds of the naval hospital fund, which fund was constituted from a tax of twenty cents per month deducted out of the pay of the officers, seamen, and marines of the service. The treasury of the United States has never contributed a dime to this fund. By a clause attached to the general appropriation bill, March 3, 1855, Congress alienated from the estate at Chelsea ten acres of land, and donated the same to the marine hospital of Boston and Charlestown, Massachusetts.

The present bill authorizes the Secretary of the Treasury to ascertain the value of the land thus alienated, and to pass the sum to the credit of the hospital fund.

The committee recommend its passage, with an amendment, which they herewith report.

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[From Secretary Dobbin's Annual Report.]

"I invite your attention also to the recommendations of my last report, that some measure should be adopted to secure for the hospital fund the value of the ten acres of land alienated from the hospital estate at Chelsea, Massachusetts, and applied to the purposes of a

marine hospital for the district of Boston and Charlestown, by act of Congress approved March 3, 1855.

"This property was purchased by authority of the Secretary of the Navy in the year 1823, and paid for out of the hospital fund. This fund was established by act of Congress of March 2, 1799, which directed the Secretary of the Navy to deduct twenty cents per month from the pay of every officer, seaman, and marine, and to pay the same quarter annually to the Secretary of the Treasury; and again, on the 26th of February, 1811, Congress enacts that the money collected in virtue of the former law shall be paid to the Secretary of the Navy, Secretary of the Treasury, and Secretary of War, who are appointed a board of commissioners, by the name and style of commissioners of navy hospitals, and shall constitute a fund for navy hospitals; the commissioners are also required to procure, at suitable places, 'proper sites for navy hospitals.'

"By an act approved July 10, 1832, Congress directed the commissioners of the hospital fund to close their accounts as trustees of that fund, and to transfer all balances of cash, or other property belonging to the fund, to the Treasurer of the United States, for the use of the Secretary of the Navy, for expenditures on account of navy hospitals, &c. It then constituted the Secretary of the Navy trustee of the hospital fund, making it his duty to 'direct and control the expenditures out of the navy hospital fund.'

"It was therefore out of a fund created by a tax upon the pay of the navy that the Chelsea estate was purchased, and not with any appropriation by Congress *from the treasury*, as the phraseology of the 6th section of an act making appropriations for the civil and diplomatic expenses of the government, approved March 3, 1855, would imply, when it refers to the land heretofore 'purchased by the United States,' for the purposes of a naval hospital. The United States bought the land through agents appointed under the act of February, 1811, to take charge of a fund which had been already created for certain definite purposes; and the deeds of conveyance are made out in the names of the persons specified in the act, by direction of the then Secretary of the Navy, as commissioner of the naval hospital fund.

"It will thus be seen that the United States had no other connexion with the purchase of the Chelsea estate than to authorize a trusteeship, with certain expressed powers, of a fund raised by a deduction or tax upon the pay of the navy, to be applied to specific purposes, as 'the purchase of sites for naval hospitals, or other means of relief for sick or disabled seamen of the navy.'

"I repeat the suggestion, that application be made to Congress to reimburse the hospital fund for this diversion of its means, or for authorizing the Secretary of the Treasury to transfer the ascertained value of the land to the hospital fund, out of any non-appropriated money in the treasury. The value of the land can be ascertained in such way as the department may deem most advisable."

The law to which the Secretary refers is in the following words:

"SEC. 6. That a tract of ten acres of land heretofore purchased by the United States for the purposes of naval hospital at Chelsea, Massachusetts, be selected and set apart, under the direction of the President

of the United States, for the use of the marine hospital of the district of Boston and Charlestown."

NAVY DEPARTMENT,  
*Bureau of Medicine and Surgery, April 7, 1858.*

SIR: In reply to your communication of the 5th instant, inquiring from what source the "necessary funds were collected for the original purchase of the United States hospital lands at Chelsea, and if any means were resorted to except the tax called the hospital tax, deducted from the monthly pay of officers, seamen, and marines," I have the honor to say, that the original purchase money was derived exclusively from the hospital fund.

It may be pertinent to the inquiry to state, that as early as March 2, 1799, Congress passed an act directing the Secretary of the Navy to deduct twenty cents per month, after the 1st day of September ensuing, from the pay of the officers, seamen, and marines of the navy of the United States, and to pay the same quarter-annually to the Secretary of the Treasury, to be applied to the temporary relief and maintenance of the sick and disabled seamen in hospitals or other proper institutions, and when the fund shall be sufficient, to *purchase grounds, &c.*

In February, 1811, Congress established a board of commissioners, "by name and style commissioners of navy hospitals," consisting of the Secretary of the Navy, Secretary of the Treasury, and Secretary of War, who were empowered to take charge of the funds collected under the act of March 2, 1799, and were required "to procure, at suitable places, proper sites for navy hospitals."

In pursuance of this enactment, Smith Thompson, then Secretary of the Navy, purchased the estate at Chelsea, Massachusetts, on the 11th August, 1823, and directed the agent, William L Rogers, then a purser in the navy, to have the deed of conveyance made out in the names of the Secretary of the Navy, Secretary of the Treasury, and Secretary of War, "for the time being commissioners of naval hospitals and trustees of the navy hospital fund."

On the 16th of October following, Constant Freeman, then Fourth Auditor of the Treasury Department, notified Mr. Rogers that the purchase money had been remitted and debited to the *navy hospital fund*.

It would thus appear that the hospital fund, accruing from a tax upon the pay of the navy, was the only means resorted to for the acquisition of the property, the best portion of which has been alienated for objects not contemplated by the statutes authorizing this deduction from the pay of the navy.

Very respectfully, your obedient servant,

W. WHELAN.

Hon. WARREN WINSLOW,  
*House of Representatives, Washington.*

of the United States, for the use of the marine hospital of the district of Boston and Charleston.

NAVY DEPARTMENT,  
BOSTON, July 7, 1854.

Sir: In reply to your communication of the 5th instant, inquiring how what source the "necessary funds were collected for the purchase of the United States hospital lands at Chelsea, and if any means were resorted to except the tax called the hospital tax, deducted from the monthly pay of officers, seamen, and marines," I have the honor to say, that the original purchase money was derived exclusively from the hospital fund.

It may be pertinent to the inquiry to state that as early as 1783, the Congress passed an act directing the Secretary of the Navy to obtain twenty acres per month, after the 1st day of September next, from the tax of the officers, seamen, and marines of the navy of the United States, and to pay the same exclusively to the Secretary of the Treasury, to be applied to the purchase and the maintenance of the sick and disabled seamen in hospitals or other proper institutions, and where the land shall be returned to private owners, &c.

In February, 1811, Congress established a board of commissioners "to raise and settle accounts of navy hospitals," and in the Treasury of the Navy, Secretary of the Treasury, and Secretary of War, who were empowered to take charge of the funds collected under the act of March 3, 1793, and were required "to provide as much of the hospital fund for navy hospitals."

In pursuance of the enactment, John Thompson, then Secretary of the Navy, purchased the lands at Chelsea, Massachusetts, on the 11th August, 1822, and directed the agent, William A. Brown, then a partner in the navy, to have the deed of conveyance made out in the name of the Secretary of the Navy, Secretary of the Treasury, and Secretary of War, "in the time being commissioners of navy hospitals and trustees of the navy hospital fund."

On the 10th of October following, Charles Francis, then Secretary of the Treasury Department, notified Mr. Brown that the purchase money had been received and directed to the navy hospital fund.

It would thus appear that the hospital fund, amounting then to \$200,000, was the only source resorted to for the purchase of the property, the first portion of which has been since distributed from the pay of the navy.

Very respectfully, your obedient servant,

W. WHELAN.

John W. Brown, Esq.,  
Secretary, Government Hospital.