

Calendar No. 522

70TH CONGRESS }
1st Session }

SENATE

} REPORT
No. 511

UNITED STATES VETERANS' BUREAU HOSPITAL, MUSKOGEE, OKLA.

MARCH 6 (calendar day, MARCH 10), 1928.—Ordered to be printed

Mr. THOMAS, from the Committee on Finance, submitted the following

REPORT

[To accompany S. 1768

The Committee on Finance, to whom was referred the bill (S. 1768) to authorize the city of Muskogee, Okla., to remove and retain title to the boilers from the Municipal Hospital Building recently conveyed by the city to the United States Veterans' Bureau Hospital No. 90, at Muskogee, Okla., having had the same under consideration, report it back to the Senate with an amendment and recommend that the bill do pass.

The bill is amended by adding at the end thereof the following sentence:

That such removal shall be at the expense of the city and shall not be undertaken until other arrangements for heating this hospital have been made by the United States Veterans' Bureau.

The following letter was submitted by the Director of the United States Veterans' Bureau as a report on the bill:

JANUARY 11, 1928.

Hon. REED SMOOT,

*Chairman Committee on Finance,
United States Senate, Washington, D. C.*

MY DEAR SENATOR SMOOT: Reference is made to your letter of December 20, 1927, transmitting copy of S. 1768, "A bill to authorize the city of Muskogee, Okla., to remove and retain title to the boilers from the Municipal Hospital Building recently conveyed by the city to the United States Veterans' Bureau Hospital No. 90, at Muskogee, Okla.," requesting a report as to the merits thereof.

In response to your request you are advised that under date of March 10, 1925, the city council of Muskogee offered to sell to the Government the Municipal Hospital Building, including all permanent equipment and fixtures, for the sum of \$150,000, possession to be given on two weeks' notice. The matter of the purchase of this hospital was under consideration by the bureau for a considerable length of time and the conclusion was finally reached that if the purchase was

made the cost should not be in excess of \$100,000. In March, 1926, the council of the city of Muskogee met in special session to consider the offer of the bureau, and thereafter, on March 6, 1926, the city manager addressed a letter to the director stating that the offer of \$100,000 for the hospital property, exclusive of equipment and boilers, was accepted. Subsequently, the Federal Board of Hospitalization approved the purchase of the hospital, and on May 8, 1926, the city manager was requested to transmit all necessary papers for consideration by the Attorney General. Although it was clearly the intention of the city of Muskogee to exclude the boilers from the transfer to the Government when the conveyance of the property was made, the following provision was inserted in the deed:

"Together with the improvements thereon and the appurtenances thereunto belonging * * * further and in order to answer the grantee's requirements of a warranty deed, with full covenants, the grantor conveys not only the premises above described but appurtenances thereunto belonging or in any wise appertaining. * * *"

In view of the facts above outlined, the bureau is inclined to favor the enactment of legislation which will permit the return of the boilers to the city of Muskogee. To safeguard the interests of the bureau, however, the legislation should provide that the actual removal shall not be made until other arrangements for heating this hospital have been accomplished by the bureau. In this connection the committee is further advised that no funds will be available for the construction of a central heating plant at this hospital until July 1, 1928. It is understood, of course, that any expense incident to the removal of these boilers shall be borne by the city.

A copy of this letter is inclosed for your use.

Very truly yours,

FRANK T. HINES, *Director.*

