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SENATE

{ REPORT
No. 786

AUTHORIZING EXCHANGE OF LANDS WITH STATE OF WASHINGTON

JUNE 6, 1924.—Ordered to be printed

Mr. DILL, from the Committee on Public Lands and Surveys,
submitted the following

REPORT

[To accompany H. R. 5318]

The Committee on Public Lands and Surveys, to whom was referred the bill (H. R. 5318) to authorize an exchange of lands with the State of Washington, having considered the same, report it to the Senate with the recommendation that it do pass without amendment.

The reasons for the enactment of the above legislation are fully set forth in letters to the chairman of the House Committee on the Public Lands from the Attorney General, the Secretary of the Interior, and the Secretary of Agriculture, which are herein set out in full for the information of the Senate, as follows:

FEBRUARY 6, 1924.

HON. N. J. SINNOTT,
*Chairman Committee on the Public Lands,
House of Representatives.*

DEAR MR. SINNOTT: Reference is made to your request of January 24 for a report upon the bill H. R. 5318, to authorize an exchange of lands with the State of Washington.

This measure would authorize the State of Washington to convey to the Government 360 acres of land situated on McNeil Island and within 1 mile of the Federal penitentiary, and in exchange therefor the State would be given title to 120 acres of land within the Olympic National Forest.

It is the understanding of the department that the object of the exchange is to enable the Government to increase its holdings within the vicinity of that Federal penitentiary so as to provide employment and food and fuel for the inmates. Due to the need for enlarging the institution so as to put it upon a self-supporting basis and the exceedingly high valuation placed by private owners on lands adjoining the penitentiary, the warden has sought to obtain title to the 360 acres which are owned by the State of Washington. The State officials have agreed to reconvey this land to the Government if the State can be compensated for its holdings.

Competent Government officers have appraised the values of both the areas under consideration. The reports show that the land which the Government

will acquire through this exchange is valued at approximately \$9,300, whereas the land and timber to be selected by the State is valued at approximately \$7,435.

Since the acquisition of this tract by the Government and its use as a part of the penitentiary will be largely in the public interests, and the officials of the State of Washington are satisfied with the selection which will be obtained from the Olympic National Forest, the department has no objection to the passage of the bill.

Sincerely yours,

HENRY C. WALLACE, *Secretary.*

DEPARTMENT OF THE INTERIOR,
Washington, January 29, 1924.

HON. N. J. SINNOTT,
*Chairman Committee on the Public Lands,
House of Representatives.*

MY DEAR MR. SINNOTT: I have your request of January 16, 1924, for a report on House bill 5318. This bill proposes to authorize the Secretary of the Interior to issue a patent to the State of Washington for the N. $\frac{1}{2}$ NW. $\frac{1}{4}$, E. $\frac{1}{2}$ of SW. $\frac{1}{4}$ of NW. $\frac{1}{4}$, and E. $\frac{1}{2}$ of NW. $\frac{1}{4}$ of SW. $\frac{1}{4}$, sec. 25, T. 22 N., R. 10 W., W. M., in that State, containing 120 acres, upon delivery to the Secretary of the Interior by said State of its properly executed conveyance to the United States of America in fee simple of 360 acres of land in sec. 16, T. 20 N., R. 1 E., W. M., described by regular legal subdivisions, with the provision that such lands as soon as title thereto is vested in the United States shall be under the care and control of the Attorney General of the United States, to be administered by him as a part of the Federal penitentiary on McNeil Island.

Title to the lands proposed to be conveyed by the State appears to have passed to the State on its admission into the Union, under the grant of lands for the support of common schools contained in section 10 of the act of February 22, 1889 (25 Stat. 676). The tracts proposed to be patented to the State are shown by the records of the General Land Office to be vacant public lands of the United States within the boundaries of the Olympic National Forest.

I see no objection to the passage of the bill providing it meets with the approval of the Attorney General of the United States and the Secretary of Agriculture.

Very truly yours,

HUBERT WORK.

DEPARTMENT OF JUSTICE,
Washington, D. C., January 19, 1924.

HON. N. J. SINNOTT,
*Chairman Committee on the Public Lands,
House of Representatives.*

MY DEAR MR. CHAIRMAN. In reply to your letter of the 16th instant, requesting my views on H. R. 5318, authorizing an exchange of lands with the State of Washington, permit me to say that the enactment of this bill into law is recommended. Indeed, negotiations for this exchange of land with the State of Washington were conducted by this department and the introduction of the bill by Congressman Johnson has my approval.

The need of additional farm land at the United States penitentiary, McNeil Island, Wash., has been keenly felt for some time. The population at that institution has more than doubled within the last eight years, while the acreage of the farm land, which was always inadequate, has remained the same. Rather than ask Congress for a sum of money to purchase additional farm land, which is high priced on McNeil Island, it seemed both more economical and fitting to effect an exchange of public lands with the State of Washington.

With the additional land provided in this bill, it will be possible to effect a great saving in the cost of subsisting the inmates of the United States penitentiary at McNeil Island. While the bill is thus primarily an economic measure, I may say that it incidentally will furnish helpful and useful occupation to a considerable number of the inmates. This phase of it is also worthy of consideration.

Respectfully,

H. M. DAUGHERTY, *Attorney General.*

A copy of Senate bill 170, approved by the Governor of the State of Washington on March 7, 1923, with reference to the land involved, is also made a part of this report, as follows:

[Senate bill 170]

CHAPTER 61.—STATE LANDS

AN ACT Authorizing the commissioner of public lands to exchange State land in section 16, township 20 north, range 1 east, Willamette meridian, for Government land in section 25, township 22 north, range 10 west, Willamette meridian

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That the commissioner of public lands of the State of Washington is hereby authorized and directed to transfer the following school lands of the State of Washington, to wit: The northwest quarter of the northeast quarter, the northeast quarter of the northwest quarter, the south half of the northwest quarter, the southwest quarter and the northwest quarter of the southeast quarter, all in section 16, township 20 north, range 1 east, Willamette meridian, in exchange for the following Government land: The north half of the northwest quarter, the east half of the southwest quarter of the northwest quarter, the east half of the northwest quarter of the southwest quarter, all in section 25, township 22 north, range 10 west, Willamette meridian.

Passed the senate February 16, 1923.

Passed the house February 26, 1923.

Approved by the governor March 7, 1923.

