

April 9, 1926.

My dear Mr. President:

The year 1926 is the sesqui-centennial of many stirring events in the history of our country. And, perhaps, it is due to the fact that ancestors on both the paternal and maternal sides of my family participated in some of these events, that makes me feel so keenly the necessity of adhering to the fundamental principles upon which our government was founded and causes me to reflect that "A frequent recurrence to fundamental principles is necessary."

In particular, I feel the importance of recognizing and sustaining the fact that this government is made up of sovereign states and that the federal government derives its authority from powers conferred upon it by the states, rather than the federal government being all powerful and governing forty-eight subject states.

While the doctrine of states' rights has long been the primary doctrine of the particular political party with which I have been affiliated all my life, yet many ardent Republicans have also enunciated and sustained the doctrine of states' rights, among whom may be listed Abraham Lincoln; and I note that in several of your state documents, Mr. President, a reference to the necessity of maintaining the integrity of our state governments.

I am addressing you at this time for several reasons:

First, because of the occurrence of the 150th anniversary of many of the historical events which go to make up the early history of our nation, a record in which all American citizens take a deep and lasting pride, and which constitutes the fount from which we imbibe the spirit of liberty and the ideals of our country.

Second, because I see the continual encroachment and building up of the federal government, at the expense of the states, and the consequent weakening of the power and influence of the states.

Third, because the state of which I have the honor of being Chief Executive, has been one of the chief sufferers from the policy of federal aggrandizement; and

Fourth, because there appears to be a definite, well-defined movement under way, which is sustained by several of the members of your Cabinet, to perpetrate a crime against the state of Arizona and to violate one of the most sacred and fundamental principles of our Constitution.

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It needs no statement from me, Mr. President, to impress you with the fact that this nation was not built by a race of men who were nurtured and coddled by any group of federal bureaucrats.

The men who conquered the West and girdled it with bands of steel, who bridged our rivers, tamed mountain torrents and wrested from the mountain and desert fastnesses the mineral treasures they contained; who have conquered the desert and made it bloom and produce for mankind; these men did not want, and their progeny do not want, to be nursed by any federal bureaus. In fact, Mr. President, the experience in my state, and I think the same is true of other Western States, is that federal bureaus do not nurse and protect the builder. They act as a drag to sap his vitality, and thus prevent the conquering of nature, and retard the putting of the resources of nature to the use and benefit of mankind.

In the state of Arizona 67 per cent of the area, Mr. President, is still in the control of the United States government, in spite of the fact that we were granted statehood and sovereignty 15 years ago.

I direct your attention, Mr. President, to the treaty with Mexico, in which that nation ceded a considerable portion of the territory which now constitutes the state of Arizona. That treaty provides that the territory

" shall be formed into free, sovereign and independent states and incorporated into the Union of the United States as soon as possible and the citizens thereof shall be accorded the enjoyment of all the rights, advantages and immunities as citizens of the original states."

It is pertinent at this point to inquire, how it can be contended by anyone that the state of Arizona and other Western States have been admitted to this Union on a parity with the other states in the Union where no reservations of lands were made, in view of the fact that the original price paid for the territories that were acquired by the federal government, and out of which the Western States were formed, was nominal and the national treasury has been repaid many fold.

This 67 per cent of the area of the state of Arizona, which is controlled by the federal government in one way or another, pays no taxes to assist in maintaining the state government or in developing the state; and if the land were in private ownership, Mr. President, and the private owner did no more to develop the territory owned by him than the federal government is doing to develop the West, that citizen would receive and merit the condemnation of his neighbors.

But that is not the worst phase of the situation, Mr. President. There now appears to be a tendency in the bureaus, which now to such a large ex-

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tent control our federal government,- to sponsor legislation which will create a monstrous condition in the West, in the shape of the United States government, as the permanent landlord of all this vast domain. A permanent landlord, leasing the public domain, exacting rents and royalties from those who undertake to make a living by grazing livestock, cutting timber, or developing minerals upon the public domain within the borders of sovereign states and paying no taxes to those states.

This policy, I think, Mr. President, is repugnant to every vital and fundamental principle underlying the Constitution of the United States and the principles upon which this nation is founded.

A careful perusal of the ideas and the spirit which actuated the early statesmen of this nation in acquiring the territory which constitutes the public domain, indicates beyond any question of doubt, that it was their intent to divest the federal government of control over public lands as rapidly as the country could be settled and the lands sold.

When Thomas Jefferson executed the Louisiana Purchase he recognized the fact that this act of his administration was consummated without authority of law, and he proposed an amendment to the Constitution of the United States to ratify the act.

Many of the ablest statesmen this nation has produced, and who were imbued with the spirit and principles of the founders of this Republic, have denied the constitutional authority of the federal government to hold lands within the limits of the states except for such purposes as forts, arsenals, dock yards and other needful buildings, and for the purpose of maintaining a place for the Capitol of the United States.

I have asked attorneys to advise me under what authority the United States continues to hold dominion over the vast areas in the Western States, and I am advised that there are only four sections of the Federal Constitution upon which such authority rests:

1. Article 1, Section 8, Paragraph 17, reads as follows:

" To exercise exclusive legislation in all cases whatsoever over such district (not exceeding ten miles square) as may by cession of particular states and the acceptance of Congress become the seat of government of the United States, and to exercise like authority over all places purchased, by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock yards, and other needful buildings. And to make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by this constitution in the government of the United States or in any department or officer thereof."

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2. Article 3, Section 2, provides:

" The judicial power shall extend to controversies "*****" between citizens of the same state claiming lands under grant of different states."

3. Article 4, Section 3, Paragraph 2, provides:

" The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States and nothing in this constitution shall be so construed as to prejudice any claims of the United States or of any particular State."

But I am told by attorneys that the full scope of this paragraph has never been construed or settled by the Supreme Court.

4. Article XI provides:

"The judicial power of the United States shall not be construed to extend to any suit in law of equity commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign state."

Attorneys have advised me that these are the only powers ever granted by the states or the people of the United States to the general government regarding lands.

But the fact remains that the whole tendency and policy of the federal government in the early years of this nation was to recognize the proposition of creating new independent sovereign states from the public lands, as early as possible, and to dispose of the public domain within the states by sale, homestead, or other means, as rapidly as the lands could be absorbed into private use.

The outstanding menace to the development of the West, in the matter of state sovereignty, is the new policies being discussed and formulated by bureaus in Washington and by Congress which seek to perpetuate federal ownership of the public domain in Western States.

It is a ridiculous proposition, Mr. President, in addition to being disheartening and destructive to the building up of the West, to have some young man -whose chest and head have recently been expanded because he has received a beribboned diploma, - announcing that he has been graduated from some school of forestry in the East and that he is able to fill a swivel chair position as a forestry expert-with his diploma, burnished puttees and semi-military uniform, decorated with gold buttons and insignia, undertaking to tell a gray-haired, sun-burned and frost-bitten stockman, who has survived the exper-

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iences of marauding Indians, of drouths, fire, epizootic and other epidemics of disease, how to run his business.

It is even more discouraging to the development of the West to have some self-conscious highly important graduate of a school of forestry advising and instructing men who have lived in the woods 40 and 50 years, and who know the timber industry from the tree to the market, how to run their business, and informing some of them that they have been in the business too long and that they should retire and give someone else a chance.

It is exceedingly exasperating to the sour-dough prospector, who has survived a diet upon which only the hardiest could survive- yea, who has even undergone the pangs of hunger and thirst because of his optimism that the vein of metal was only anothe day's labor away- those days piling one upon another, running into years- when applying for a patent upon his claim to be required to prove to some swivel-chair bureaucrat that he is not a crook trying to rob the government.

The men who have built the West and wrested it from savage nature for the use of man; the men from the west who enlisted under the banner of Roosevelt and fought at San Juan, whose breed and progeny still live in the West, were not men, as I have already said, who were nurtured by federal bureaucrats.

The father of the senior United States Senator of this state, who lost his life in the Grand Canyon of the Colorado, or the junior United States Senator whose brother recovered the body of Senator Ashurst's father, and the Senator himself who built the Bright Angel Trail; the distinguished father of Congressman Hayden, who pioneered and built the Hayden Mills in the Salt River Valley where his distinguished son was raised in intercourse with the Indians and who learned to speak their language- these men and others of their type, did not come West under tutelage, guidance and bureaucratic direction of underpaid clerks in Washington. Their type and breed have made America, and the West has been developed under their guidance.

The present policies, if pursued and carried out to their ultimate conclusion, Mr. President, can only result in the change of the ideals of America, and instead of men taking pride in their hardships and labor in wresting a continent from nature and making it productive for a new race of men, we shall set up in their place a system that is very graphically illustrated by Emil Jannings in the "Last Laugh" in which it is illustrated that under some circumstances the worth of a man is judged by the uniform he wears.

You can render a great service to this nation, Mr. President, during this year, when our people have their minds attracted to the great historic principles upon which our government is founded, by directing their attention to the fact that we have departed from the principles of the fathers, and by urging a return to those principles. You can render a great service to this nation, Mr. President, by urging that the intent of the fathers be fulfilled

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and the territory within the borders of the Western States be ceded to them to be administered by the states in the interest of the people within the states where the territory lies, and accomplish the completion of the establishment of forty-eight sovereign states.

If the federal government sets out on the path of becoming a perpetual, permanent landlord, deriving rents and royalties from the public domain, the time will come-it must come -in the West, when the whole foundation upon which state sovereignty rests, must break down.

One cannot walk the streets, enter any public building, or go anywhere within the state of Arizona today- and I presume the same is true of other Western States- that he does not collide with federal employees of every type, form and character.

There is scarcely a public activity in the state of Arizona that does not impinge upon some federal bureau or department. There is not an industry but is affected thereby. The horde of federal employees continues to grow- New additions are made every year, and the trouble is, Mr. President, that the greater number of these employees are wholly non-productive.

I am writing, Mr. President, not as one who believes in the exploitive theory concerning the resources of our country, but as one who has been a staunch advocate of conservation.

As a young man, a member of the legislature of Arizona, when it was still a territory, I advocated and supported the turning into a forest reservation of some of our mountain country, of the county which I represented, which had been cut over to secure timber for the mines.

I have supported many of the other conservation ideas and policies, but when I observe the stock industry of our state driven to the verge of bankruptcy by governmental policies; when I was informed by the Manager of the Saginaw-Manistee Lumber Company, which has been operating in the state for the past forty years, that due to new policies in the department which are instituted over night without any consultation with the men who are in the lumber business and which are based upon mere interpretations of leases and regulations of the department, that his company has been operating at a loss for the past several years, due to these policies, and that if such policies continue it means the company must cease operations; when I observe some of the most progressive men among our mining engineers and prospectors seeking locations and spending their money in the nation south of the Arizona line, rather than put up with and contend with the harassment and with the policies formulated by the federal government within our own state concerning mineral ground; when I see the money being paid by our stockmen as grazing fees and the money paid by the lumber industry for the purchase of timber being utilized to pay a lot of uniformed non-productive federal employees, I cannot see the benefit to either

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our state, our industries or our nation of the present governmental policies.

And, finally, Mr. President, when I contemplate the activities in Washington of members of your Cabinet, and others, in connection with the proposals for development of the Colorado River, and the plans they have put forward to invade the state of Arizona and the state of Nevada without the consent of those states for the purpose of enriching and aggrandising another state, I pause to inquire what has become of the principles which underlie the government of this Republic?

I note from Associated Press reports of April 6, that an amendment to the proposed Boulder Canyon bill proposed by a representative of the sovereign state of Nevada was brusquely brushed aside by the chief of one of the bureaus--the Secretary of the Interior--who proposes that the federal government shall regulate the matter of controlling the Colorado River, a matter which vitally concerns the interests of two sovereign states.

I, as Governor of Arizona, have repeatedly protested against the pending legislation. The legislature of the state of Arizona has twice refused to ratify the Colorado River compact without another compact first being made between the three states in the lower basin which would fully carry out the provisions of the law enacted by Congress, which authorized the making of a compact which would apportion the water of the Colorado River "AMONG THE STATES".

The state of California which will profit most from the pending legislation in Congress, concerning the Colorado River, has repeatedly refused to negotiate, and has obstructed the carrying out of the provisions of the law, enacted by Congress and the seven states in the Colorado River basin, to make such a compact. And when a committee was finally appointed by California to negotiate it undertook to make conditions precedent to negotiating which would give that state everything it wanted.

It is true that a member of your Cabinet, a gentleman from California, has undertaken to assure you and the country that the state of Arizona is adequately protected under the provisions of the Colorado River compact. I pause to inquire of you, Mr. President, who, under the provisions of the Constitution of the United States, is best able to determine whether this state is protected by the compact-- a citizen of another state who will profit by the despoiling of this state, or the legislature and the Governor of the state of Arizona.

I think, Mr. President, that the time has come to call a halt upon proposals to increase the powers of the federal government and that it be definitely recognized that the safety of this government lies in maintaining 48 sovereign, strong and virile states; that the strength of this nation is dependent upon its citizens enjoying to the utmost the benefits of local self-government so that they may be self-reliant and ready to fight, if necessary, for the maintenance of ideals and principles upon which the government of this nation is founded.

If we continue to travel the path we have been on for the past several years, we will eventually adopt the goose-step.

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I also pause to inquire, Mr. President, why any of the sovereign states of this nation should place their destiny in the keeping of any member of the President's Cabinet, especially, Mr. President, of the Secretary of the Interior, irrespective of who he may be, or what political party he may belong to.

The record of Secretaries of the Interior during the past generation is not one, Mr. President, to give confidence to the states. And I particularly direct your attention to the fact that if enlarged powers are to be given to the Secretary of the Interior, and the government continues to maintain in the West the vast public domain it still possesses, and in addition becomes a Shylock landlord, collecting rents and royalties, that the West will be at the mercy of the Secretary of the Interior, and be without protection, as our Senators and Congressmen now spend a great amount of their time as messengers among the Bureaus.

I have been so bold, upon several occasions, Mr. President, as to suggest that the public domain in the Western States be ceded to the states. Last year I addressed a communication to the Governors of the Western States suggesting that they join me in advocating that this policy be urged upon the Congress of the United States.

The government has been in the land business nearly a century and a half, and I think the time has arrived when the remaining unreserved, unappropriated and non-irrigable public domain should be disposed of in the quickest manner for the benefit of the people of the states in which the lands are located. A considerable portion of the land will never be worth very much-- acres of it being required to graze a single cow. But, instead of keeping it as the property of the federal government to produce revenue to maintain a horde of non-productive clerks and uniformed traveling inspectors, the citizens of this country should be permitted to acquire the property so that it may be placed upon the tax rolls of the several states for the benefit of those states.

If this policy is not adopted, I would advocate that you recommend to Congress that the surface rights in these lands be sold and disposed of at a nominal cost, and that the homestead law be amended so as to permit a homesteader to take up adequate land to permit of some farming and stock raising, so that the Western States may grow, increase in population and that this territory in the West may be developed. If the latter policy is adopted, provision should be made to have the policy conform to state laws governing sheep drive-ways, etc. and the right to prospect for minerals retained.

The youth of this country should be permitted its opportunity to suffer hardships and heart breaks, to have its soul tested, to undergo discouragements and to anticipate and taste the fruits of victory which come from having achieved success in making useful for mankind what have been condemned as desert wastes.

I have confidence in the West, Mr. President. I love its deserts and its mountains, and I believe the time will come when even some of the

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least productive sections can be made to sustain and grow produce which will be useful to men , and I think and believe that the youth of our nation will find a means of utilizing this domain, provided it is given the opportunity, and that opportunity, Mr. President, will not come with the government as a land leasing landlord.

I commend these thoughts to you in connection with many of the great problems which confront our country.

Very respectfully yours,

GOVERNOR.

Honorable Calvin Coolidge,
President of the United States,
Washington, D.C.