

69TH CONGRESS }
1st Session }

HOUSE OF REPRESENTATIVES

{ REPORT
No. 462

JOHN H. BOLTON

MARCH 5, 1926.—Committed to the Committee of the Whole House and ordered
to be printed

Mr. LETTS, from the Committee on the Public Lands, submitted the
following

REPORT

[To accompany S. 1938]

The Committee on the Public Lands, to whom was referred the bill (S. 1938) to issue a patent to John H. Bolton, having considered the same, report it favorably to the House with the recommendation that it do pass without amendment.

The report of the Senate Committee on Public Lands and Surveys, (Report No. 119, 69th Cong., 1st sess.) containing a letter from the Secretary of the Interior to Hon. Robert N. Stanfield, chairman of that committee, explaining the reasons for the enactment of the bill, is herein set out in full for the information of the House, as follows:

The Committee on Public Lands and Surveys, to whom was referred the bill (S. 1938) to issue a patent to John H. Bolton, having considered the same, report favorably thereon with the recommendation that the bill do pass with the following amendment:

In line 7, after the word "east" and before the period, insert a comma and the following: "upon payment thereof at the rate of \$1.25 per acre."

The above amendment was recommended by the Secretary of the Interior as set forth in the following letter:

DEPARTMENT OF THE INTERIOR,
Washington, January 8, 1926.

HON. ROBERT N. STANFIELD,
*Chairman Committee on Public Lands and Surveys,
United States Senate.*

MY DEAR SENATOR STANFIELD: I have your letter of December 24, 1925, submitting for a report thereon a copy of S. 1938, entitled "A bill to issue a patent to John H. Bolton," which has for its purpose the issuance of a patent to John H. Bolton, of Cowley County, Kans., for the SE. $\frac{1}{4}$ NW. $\frac{1}{4}$ sec. 3, T. 33 S., R. 6 E., sixth principal meridian, Kansas.

From the records it appears that John H. Bolton on September 3, 1924; filed Osage preemption declaratory statement, Topeka 05679, for the tract described, alleging settlement on March 19, 1902. With said declaratory statement he filed a supplemental affidavit in which he stated that he had been in peaceful possession of the land since 1902, ownership being secured by warranty deed

from his father, W. H. Bolton, who acquired title to the land by purchase from Henry F. Hicks. In July, 1924, Bolton learned that the final certificate issued by the Government to Henry F. Hicks had been canceled because the land was not subject to private cash entry.

Bolton is not qualified to perfect his declaratory statement.

Inasmuch as Bolton, relying on what he regarded as perfect title to the tract has paid the taxes thereon since 1902, I recommend favorable action on the bill, but that it be so amended as to require payment for the land at the rate of \$1.25 per acre, which Bolton would have been required to pay had he been qualified to perfect his preemption entry.

Very truly yours,

HUBERT WORK, *Secretary.*

