

THE TIDELANDS ARE NATIONAL PROPERTY

Mr. RUPERT MASON, San Francisco, writes: "The Supreme Court of the U.S., on June 23rd announced its ruling in the anxiously awaited case, 'United States v. California.' The Court decided that the so-called 'Tidelands,' commencing at low tide line, belong to the nation, and not to the State Government.

"Although only the title to certain land was actually resolved by the Court, in this action the principle of constitutional law which determined the dispute will no doubt apply equally to all the so-called tidelands fronting the Atlantic and Pacific Oceans.

"Much of this land is rich in oil and other natural resources, and some of it is the base of now 'filled in' land, which forms the heart of numerous cities, and the site of many wharves, etc.

"The value of the land involved, directly or indirectly, is estimated at a thousand million dollars. Title deeds to much of it were long ago granted by the State governments, under the supposition that the title belonged to the States.

"Any and all such land title deeds are made null and void by this Supreme Court decision, or placed in serious jeopardy. All leases executed by the State to companies that have long engaged in extracting oil from the land, are made null and void by the decision.

"It is said that many such leases obtained from the State have been procured by political insiders, who have made fortunes by sub-letting the land to operators at a higher figure, thus getting rich without risking any capital, or applying any labour. To such interests, the decision came as a bolt from the blue, and one would imagine from some complaints in the Press that it was Jo Stalin and not Uncle Sam whom the Court had declared to be the lawful owner of this land."

"An editorial in the *Los Angeles Examiner*, June 27th, 1947, says:—

"For more than a century and a half all of the American States having coastal or navigable waters have exercised the rights of sovereignty . . . in these lands, and have conveyed title in accordance with those rights. All of the important coastal cities have been built in substantial part on reclaimed lands, with security of title reasonably and rightfully assumed. Some of the most valuable and productive business, residential and industrial areas of urban America are entirely situated on reclaimed lands. In fact, it is authoritatively and conservatively estimated that at least one hundred thousand million dollars in American productive property has been put under a cloud of uncertainty . . . by the Federal claim which the Supreme Court has upheld. . . ."

"Already, the losers in this lawsuit are brazenly predicting that they can get our National Legislature to give this land away, and without any compensation whatever to the Federal Treasury for it.

"It will be interesting to see how those Members of Congress who have been demanding lower FEDERAL taxes, vote on this land grab. Will they refuse the hundred thousand million reduction in Federal taxes that the prudent administration of this land by its present owners (which are all the people) would assure?"

"The value of Alaska is small indeed, by comparison. So is the value of the people's gold now buried at Fort Knox. Our highest Court has ruled it belongs to all the people, and thus a new part of the public domain."

In the *Daily News*, Los Angeles, June 28th, Mr. Harold Ickes reflects on this judgment and writes: "I hope that I will not be regarded as immodest in saying that I had much to do with the starting of this case. After I became convinced, as Secretary of the Interior, that these oil lands belonged to the United States, I could have done one of three things. Edwin W. Pauley, unhappily nominated for Under-Secretary of the Navy, tried to persuade me not to urge a suit to determine whether the United States or the State of California had title to these lands. Mr. Pauley assured me that if I would not stir up the question he would be able to obtain large contributions from the California oil operators for the 1944 campaign. I was not moved by his plea. Then I considered letting one or more leases, thus making it possible for the lessees to go into court and fight it out with the oil operators.

"In the end, I decided that the surest and quickest route was a beeline to the Supreme Court itself. . . ."

"Now the Congress and the President will have to decide what to do with this oil which belongs to the people of the United States. For a number of years, under an erroneous assumption of ownership, the State of California has been granting leases for the pumping of what it asserted to be its oil. Millions of barrels of oil belonging to the United States have already been withdrawn.

"I have said, and I still believe, that where leases have been acquired legally and in good faith, and where the operation thereunder has been orderly and lawful, the Federal Government ought to assume them without any question as to their validity. Any claim for back royalties should be against the State of California, or the political subdivision thereof that has accepted them.

"Already there are reports that an effort will be made to have the Congress enact a law which will give these valuable properties back to California. Such a Bill should not pass. If it should, it ought to be vetoed without question by President Truman. Congress has no right to give away valuable property that belongs to all of the people.

"The taxpayer of Maine or Maryland or of Nevada has an equity in these rich oil lands. It would be outrageous even to suggest that rich dividend-paying properties, the income from which could go to reduce the national debt, or in mitigation of taxes, should be given away.

"Moreover, the alienation of these federal properties would create a bad precedent. It is pretty generally known that Senator McCarran, who was so interested, at last session of the Congress, in putting through a Bill that in effect would have quit-claimed all such lands to the adjacent States, has been waiting for a good opportunity to slip through a Bill dispossessing the United States of ownership, or at least of the jurisdiction and control, of our vast public domain. Senator McCarran, and some other members of the Congress, too, seem to think that their principle duty is to represent special interests, especially if they are local.

"The people should be on guard. If they permit this rich treasure—that the Supreme Court has held to be the people's—to be given away, they may as well prepare themselves to see the exploiters run off with every other national asset upon which they can get their hands. The loot would not even be limited to what is moveable."

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