

Department of Justice  
Office of the Deputy Attorney General  
Washington

April 10, 1951

Honorable Carl Hayden  
United States Senate  
Washington 25, D. C.

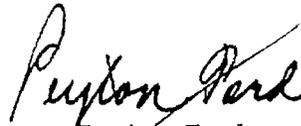
My dear Senator:

This refers to your letter of March 19, 1951, with which was enclosed a telegram addressed to you by Governor Pyle of the State of Arizona. In his telegram, Governor Pyle inquires as to whether title to that portion of Ft. Huachuca transferred to the State of Arizona by deed dated January 14, 1949, reverted in the United States by reason of the notification of recapture contained in the letter from Acting Secretary of the Air Force McCone, received by the Governor on January 23, 1951, and, if so, whether title could be reconveyed to the State, notwithstanding the provisions of Public Law 910, 81st Congress, if the Air Force would agree to execute a deed of reconveyance.

Although this Department has been pleased to look into this matter for you, it is now understood informally that the Department of the Army, under whose jurisdiction Ft. Huachuca recently has been placed, has addressed a letter to Governor Pyle covering the points of his inquiry. The Department of the Army has been requested to forward to you a copy of the letter aforementioned.

The telegram forwarded with your letter is returned, in accordance with your request.

Yours sincerely,



Peyton Ford  
Deputy Attorney General

Enclosure  
No. 498265

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# WESTERN UNION

W. P. MARSHALL, PRESIDENT

1201

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PFA051 GOVT DL PD=SN WASHINGTON DC 19 101P= 1954 MAR 10 AM 11 25

HON J HOWARD PYLE=

GOVERNOR OF ARIZONA STATE HOUSE PHOENIX ARIZ=

REURTEL HAVE TODAY ASKED ATTORNEY GENERAL FOR INFORMATION YOU REQUESTED AND WILL FURNISH IT TO YOU AS SOON AS I CAN=

CARL HAYDEN=

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

DOMESTIC SERVICE	
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# WESTERN UNION

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INTERNATIONAL SERVICE	
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FULL RATE	DEFERRED
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JOSEPH L. EGAN, PRESIDENT

NO. WDS.-CL. OF SVC.	PD. OR COLL.	CASH NO.	CHARGE TO THE ACCOUNT OF	TIME FILED
			GOVERNOR'S OFFICE, CAPITOL BLDG.	

Send the following message, subject to the terms on back hereof, which are hereby agreed to

March 16, 1951

Honorable Carl Hayden  
 United States Senator  
 Senate Office Building  
 Washington, D. C.

WILL YOU GET OPINION FROM ATTORNEY GENERAL RE FOLLOWING: DID THE RECEIPT OF THE LETTER ON JANUARY 23, 1951 FROM ACTING SECRETARY OF THE AIR FORCE MCCONS BY THE GOVERNOR OF THE STATE OF ARIZONA AUTOMATICALLY TRANSFER TITLE TO THAT PORTION OF FORT HUACHUCA RECEIVED BY ARIZONA THROUGH DEED FOR CONSERVATION OF WILD LIFE DATED JANUARY 14, 1949 RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF COCHISE COUNTY, DOCKET 22, PAGE 422. WE DID NOT ACKNOWLEDGE IN ACQUESCENCE. IF THE TITLE DID VEST IN THE UNITED STATES CAN A DEED BE IMMEDIATELY EXECUTED TO THE STATE OF ARIZONA DESPITE PUBLIC LAW 910, 81ST CONGRESS, 2ND SESSION. IF A DEED CAN BE EXECUTED WILL THE AIR FORCE AGREE TO IMMEDIATELY EXECUTE SUCH DEED. CLARIFICATION NECESSARY BEFORE CONTINUING LEASE PROCEDURE WE DISCUSSED.

HOWARD PYLE  
 GOVERNOR OF ARIZONA

MAR 31 Rec'd

DEPARTMENT OF THE AIR FORCE  
WASHINGTON

OFFICE OF THE UNDER SECRETARY

MAR 27 1951

Dear Governor Pyle:

This is in reference to your letter of January 29 granting the Government right of entry to certain land and facilities at Fort Huachuca and raising some question as to status of title to the premises.

Since receipt of your letter the Department of the Army has indicated an urgent requirement for this installation, and accordingly it has been determined to assign the facility to that Department.

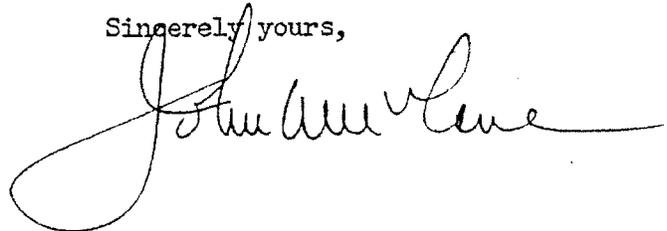
With respect to the titles, the deed dated January 14, 1949, to the State of Arizona for the conservation of wildlife, specifies that when it is determined the premises are needed for national defense purposes, title thereto reverts to the United States with immediate right of possession thereof. The deed dated April 18, 1950, to the State for use of the National Guard, provides that the United States shall have the right during the existence of a declared national emergency to unrestricted possession, control and use of the property without charge.

Pursuant to provisions contained in the deeds of conveyance, and by virtue of my letter of January 18, 1951, title to the premises conveyed in the deed dated January 14, 1949, reverted to the Government; whereas, the Government has only the right to unrestricted use of the premises conveyed in the deed of April 18, 1950. Use of the property by the Department of the Army does not affect the reversion of title.

In view of the decision to assign the jurisdiction and control of the installation to the Department of the Army, representatives of the Office of the Division Engineer, South Pacific Division, 130 Sutter Street, San Francisco, California, will confer with you or your representatives in the immediate future to resolve any questions relating to the use of the premises, movement of buffalo, other matters and agreements.

We are grateful for your courtesy and cooperation in this matter.

Sincerely yours,



Honorable Howard Pyle  
Governor of Arizona  
Phoenix, Arizona

USFH-00002209