

In the case of *Cameron v. United States* 252 U.S. 450, Justice Van Devanter held—

That the Land Department has no power to strike down any claim arbitrarily, but so long as legal title remains in the government it does have power, after proper notice and an adequate hearing, to determine whether the claim is valid and if it is found invalid to declare it null and void.

I want to point this out that, with respect to any one of Mr. Zweifel's claims or of the claims of his various associates, we must find the claim, make a bona fide assertion in a contest within the Department, that there are grounds justifying its cancellation, and give him notice and an opportunity to be heard so that he will have due process of law. As valuable as I regard the resources of the United States to be, I think the principles our Constitution guaranteeing due process of law to an individual, to be more important. At that time, if evidence can be produced that supports the validity of the claim, we are under a legal obligation to recognize it and we will accept its validity as long as I have anything to say about it. If we find that it is not a valid claim, we will take such steps as may be necessary to have it declared null and void by the Government and canceled, and we will pursue Mr. Zweifel and anyone else who tries to occupy and use the claims until we have assured the rights of this resource to the United States.

Now, Mr. Zweifel has had a checkered career. He has been in this business for some time. I am quite sure he does not deny that he was convicted at some previous time of mail fraud. I do not know anything about the merits of the case, and I am not bringing this up to use against him but to point out that notwithstanding that we intend to see to it that he along with any other claimant in the public lands gets due process.

We have had investigations made and these are—let me summarize in a nutshell—I am not free to turn over the investigations, but I can quote a conclusion from a number of interrogations that were made.

This is a summary of the investigation: He has given no assurance to anyone of the existence of valuable minerals. The amounts that have been paid to him have been minimal and have been consistent with the amounts of money that he had to pay to record claims and buy location notices, and that sort of thing. The payments have been nonrecurring. His interest in the matter apparently is to give himself an interest in the claims if they should turn out to be valuable. He has agreed to bear his share of the development costs and he has not assessed any to others. The funds have been advanced to Zweifel by persons who advanced them for expenses of recording and are considered pure speculation by them, and his desire to obtain a patent or his intention to obtain a patent is entirely secondary. His primary purpose is to be rich.

Incidentally, he filed a group of claims on the Outer Continental Shelf for whatever value they might have had just before the last sale off Louisiana, the one alluded to yesterday.

The CHAIRMAN. Does he hope to have someone come in and buy him out?

Mr. BARRY. I do not know. There are all kinds of motives. I cannot attribute them to anybody. The Bureau of Public Roads finds that