Public Law 412 CHAPTER 316

AN ACT

June 18, 1954
[H. R. 6328]

Authorizing the exchange of certain public lands in the vicinity of Waimea, county of Hawaii, in the Territory of Hawaii for certain privately owned lands.

Waimea, Hawaii.
Land exchange.
42 Stat. 116.
48 USC 663 and notes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any limitations imposed by section 73 of the Hawaiian Organic Act, as amended, to the contrary notwithstanding, the Commissioner of Public Lands, with the approval of the Governor and two-thirds of the members of the Board of Public Lands, is hereby authorized and empowered to transfer and convey to Richard Smart, a United States citizen, in exchange and return for the transfer and conveyance in fee simple of all or any portion of the lands owned by said Richard Smart described in section 2, all or any portion of the public land described by the following metes and bounds, but subject to minor variations therein:

Being a portion of the land of Lalamilo at Waimea, South Kohala, Hawaii.

Beginning at a pipe at the southeast corner of this piece of land on the west side of Mamalahoa Highway and on the boundary between the lands of Lalamilo and Waikoloa, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU PA" being 7907.51 feet North and 9579.87 feet East, thence running by azimuths measured clockwise from true South:

1. 61° 19′ 379.12 feet along the land of Waikoloa to a pipe at fence;
2. 95° 47′ 449.04 feet along fence, along the remainder of the land of Lalamilo;
3. 126° 30′ 2104.59 feet along the remainder of the land of Lalamilo to a concrete post marked +;
4. 126° 30′ 1160.00 feet along the land of Lihue, Grant 1157 to G. W. Macy and James Louzada to a concrete post marked +;
5. 124° 39′ 15″ 1937.06 feet along the remainder of the land of Lalamilo;
6. 151° 55′ 2665.00 feet more or less along the remainder of the land of Lalamilo to the South side of the Kamuela-Mahukona Road, Federal Aid Project No. E–11–A;
7. 275° 22′ 110.00 feet along the South side of the Kamuela-Mahukona Road, Federal Aid Project E–11–A;
8. 274° 51′ 267.20 feet along same;
9. 4° 51′ 375.90 feet along Executive Order 1554 (Public Works Department Corporation Yard);
10. 274° 51′ 270.00 feet along Executive Order 1554 (Public Works Department Corporation Yard);
11. 184° 51′ 187.46 feet along Executive Order 1554 (Public Works Department Corporation Yard);
12. 274° 51′ 693.50 feet along County Garage Lot, Executive Order 1190;
13. 184° 51′ 188.44 feet along same; Thence along the South side of the Kamuela-Mahukona Road, Federal Aid Project No. E–11A on a curve to the left with a radius of 6030 feet, the chord azimuth and distance being,
14. 274° 29′ 34″ 75.20 feet;
15. 4° 51′ 78.20 feet along Grant 10307 to Wm. S. Lindsey, et al.;
16. 274° 51′ 213.60 feet along same;
17. 184° 51′ 84.65 feet along same; Thence along the South side of the Kamuela-Mahukona Road, Federal Aid Project No. E–11–A on a curve to the left with a radius of 6030 feet, the chord azimuth and distance being,

18. 270° 37′ 39″ 310.95 feet;
19. 269° 09′ 562.60 feet along the South side of the Kamuela-Mahukona Road, Federal Aid Project No. E–11–A;
20. 359° 09′ 350.00 feet along Grant 11059, Apana 1 to A. W. Carter, Trustee;
21. 269° 09′ 894.40 feet along same;
22. 179° 09′ 282.10 feet along same;
23. 280° 27′ 228.40 feet along the South side of the Kamuela-Mahukona Road, Federal Aid Project No. E–11–A; Thence still along the South side of the Kamuela-Mahukona Road, Federal Aid Project No. E–11–A on a curve to the right with a radius of 970 feet, the chord azimuth and distance being,
24. 285° 31′ 171.30 feet;
25. 290° 35′ 267.07 feet along the South side of the Kamuela-Mahukona Road, Federal Aid Project No. E–11–A;
26. 33° 12′ 756.60 feet along the Northwest side of 40 foot road reservation and same extended to the north bank of the Waikoloa Stream; Thence following along the north bank of the Waikoloa Stream in all its turns and windings, along General Lease No. 3365, the direct azimuth and distance being,
27. 313° 30′ 30″ 799.50 feet;
28. 319° 30′ 240.00 feet along General Lease No. 3381;
29. 70° 30′ 157.55 feet along Grant 10171 to A. W. Carter, Trustee, to a concrete post marked +;
30. 65° 31′ 721.59 feet along L. C. Aw. 3202–B to Jose Bowers to a concrete post marked +;
31. 338° 57′ 456.70 feet along same to a concrete post marked +;
32. 58° 05′ 30″ 691.00 feet along L. C. Aw. 8513–B to Kuamoo Hoolulu to a concrete post marked +;
33. 323° 10′ 396.00 feet along same to a concrete post marked +;
34. 313° 24′ 865.00 feet along same to a concrete post marked +;
35. 219° 26′ 798.50 feet along same to a concrete post marked +;
36. 226° 34′ 30″ 323.30 feet along same to a concrete post marked +;
37. 317° 24′ 30″ 797.30 feet along General Lease No. 3381;
38. 308° 40′ 140.00 feet along same;
39. 276° 10′ 700.00 feet along same;
40. 250° 30′ 580.00 feet along same;
41. 265° 00′ 200.00 feet along same;
42. 290° 50′ 250.00 feet along same;
43. 11° 00′ 97.20 feet along Mamalahoa Highway;
44. 31° 37′ 442.35 feet along same;
45. 77° 00′ 248.56 feet along the land of Waikoloa to a concrete post marked +;
46. 347° 06′ 252.36 feet along the land of Waikoloa;
47. 31° 37′ 255.94 feet along Mamalahoa Highway;
48. 54° 51′ 131.43 feet along the land of Waikoloa to a concrete post marked +;
49. 14° 05′ 83.80 feet along the land of Waikoloa to a concrete post marked +;
50. 347° 24′ 47.88 feet along the land of Waikoloa; Thence along the West side of Mamalahoa Highway on a curve to the left with a radius of 1180.92 feet, the chord azimuth and distance being,
51. 15° 44′ 03″ 399.33 feet;
52. 6° 00′ 106.86 feet along the West side of Mamalahoa Highway to the point of beginning and containing a gross area of 292.50 acres and a net area of 288.00 acres after deducting therefrom L. C. Aw. 989 to John Davis (4.50 acres).

SEC. 2. Subject to minor variations therein the aforementioned lands owned by Richard Smart are described by the following metes and bounds:

PARCEL I

Being a portion of the land of Waikoloa situated on the west side of Mamalahoa Highway (Federal Aid Project No. 10–D) at Waimea, South Kohala, Hawaii.

Beginning at a pipe at the northeast corner of this piece of land, on the west side of Mamalahoa Highway (80 feet wide) Federal Aid Project No. 10–D, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU PA" being 7694.64 feet north and 9552.47 feet east, thence running by azimuths measured clockwise from true south:

1. 6° 00′ 1798.44 feet along the west side of Mamalahoa Highway (80 feet wide) Federal Aid Project No. 10–D;
2. 96° 00′ 2400.00 feet along the remainder of the land at Waikoloa;
3. 244° 17′ 1448.44 feet along the land of Lalamilo to a concrete post marked +;
4. 214° 54′ 343.30 feet along the land of Lalamilo to a concrete post marked +;
5. 230° 44′ 508.10 feet along the land of Lalamilo to a concrete post marked +;
6. 213° 20′ 204.60 feet along the land of Lalamilo to a concrete post marked +;
7. 229° 50′ 99.00 feet along the land of Lalamilo to a concrete post marked +;
8. 241° 19′ 212.90 feet along the land to Lalamilo to a pipe at fence;
9. 275° 47′ 306.77 feet along fence, along the remainder of the land of Waikoloa to the point of beginning and containing an area of 49.93 acres.

PARCEL II

Being all of the land of Lihue Grant 1157 to G. W. Macy and James Louzada situated at Waimea, South Kohala, Hawaii.

Beginning at a concrete post marked + at the most easterly corner of this piece of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU PA" being 8359.31 feet north and 7238.68 feet east, thence running by azimuths measured clockwise from true south:

1. 43° 12′ 3436.45 feet along the land of Lalamilo to a concrete post marked +;
2. 104° 09′ 30″ 1666.40 feet along the land of Lalamilo to a concrete post marked +;
3. 184° 47′ 10″ 3706.80 feet along the land of Lalamilo to a concrete post marked +;
4. 259° 13′ 1225.00 feet along the land of Lalamilo to middle of stonewall;
5. 350° 19′ 925.00 feet along the middle of stonewall, along the land of Lalamilo to a pipe in the middle of stonewall, thence following up along the middle of stonewall along the land of Lalamilo, the direct azimuth and distance being,
6. 250° 31′ 1318.00 feet to a concrete post marked +;
7. 306° 30′ 1160.00 feet along the land of Lalamilo to a concrete post marked +;
8. 349° 20′ 675.00 feet along the land of Lalamilo to the point of beginning and containing an area of 258 acres more or less.

Easements.

SEC. 3. The lands transferred and conveyed by the Territory in exchange shall contain in the transfer and conveyance reservations to the Territory of appropriate easements for pipelines and utilities.

Appraisals.

SEC. 4. The exchange which is provided for in this Act shall not be effected by the commissioner of public lands unless and until the values

of the lands involved in the proposed exchange are first determined by appraisals to be made by three competent appraisers to be appointed by the Governor of the Territory of Hawaii showing that the lands belonging to Richard Smart are of equal or greater value than the public lands above mentioned.

Status.

SEC. 5. The lands received by the Territory hereunder shall have the same status and be subject to the same laws as the lands transferred and conveyed in exchange for them.

Effective date.

SEC. 6. This Act shall take effect on and after the date of its approval.

Approved June 18, 1954.

Public Law 413 — CHAPTER 317

June 18, 1954
[H. R. 2849]

AN ACT

To amend the Act entitled "An Act to authorize the transfer of land from the War Department to the Territory of Hawaii", approved June 19, 1936.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize the transfer of land from the War Department to the Territory of Hawaii" approved June 19, 1936, is amended by substituting for the word "park" where the same appears in the last line but one thereof the word "port".

49 Stat. 1535.

Approved June 18, 1954.

Public Law 414 — CHAPTER 318

June 18, 1954
[H. R. 5913]

AN ACT

To simplify the handling of postage on newspapers and periodicals.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provision of section 25 (20 Stat. 361, as amended; 39 U. S. C. 286), requiring the manual affixing of postage stamps to certain types of publications with second-class entry be amended by striking the following words: "by stamps affixed".

SEC. 2. This Act shall take effect thirty days after enactment.

Approved June 18, 1954.

Public Law 415 — CHAPTER 319

June 18, 1954
[H. R. 5831]

AN ACT

To enable the Hawaiian Homes Commission of the Territory of Hawaii to exchange available lands as designated by the Hawaiian Homes Commission Act, 1920, for other publicly owned lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 204 of the Hawaiian Homes Commission Act, 1920, as amended, be further amended by amending Public Law 297, Eighty-third Congress, second session (68 Stat. 16, 17) to read as follows:

Hawaiian Homes Commission.
Exchange of lands.

48 USC 698.

"(4) The Commission may, with the approval of the Governor and the Secretary of the Interior, in order to consolidate its holdings or to better effectuate the purposes of this Act, exchange the title to available lands for land, publicly owned, of an equal value. All land so acquired by the Commission shall assume the status of available lands as though the same were originally designated as such under section