

COPY

Seattle Federal Archives and Records
Center, GSA

6125 Sand Point Way, NE

Record Group No. 75

Additional Information Taholah Box 315

copy

FORESTRY D.A. READING FILE

1925-32

Taholah Indian Agency,
Hoquiam, Wash.,
April 14, 1930.

Mr. Ray C. Quast, Forest Ranger,

Aloha, Wash.

Dear Mr. Quast:

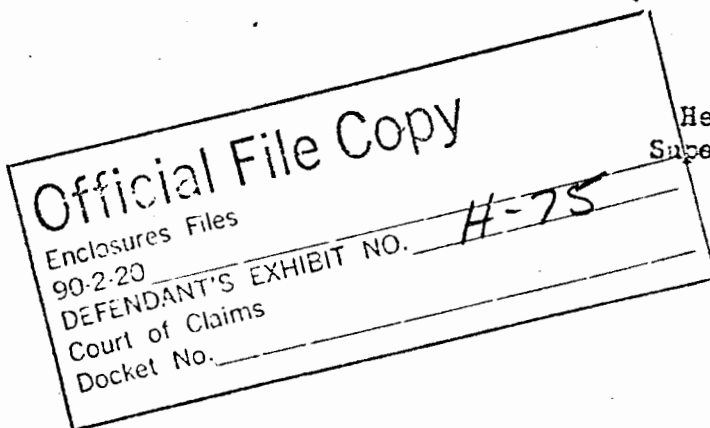
With reference to your letter of April 10th., you are advised that trees standing along the Quinaielt River which cannot be felled without falling in the river should not be cut but should be left standing. These trees will not very very numerous, and will serve the dual purpose of re-seeding portions of the cut over areas, and of preserving, in a minor degree, the scenic value of the river.

We have taken the same position with regard to trees standing along the Quinaielt River and Quinaielt Lake where the Ozette Railway Company is now logging; that is we are leaving trees which lean so badly toward the water that they would fall in the water if cut.

Please have the Aloha Lumber Company utilize every reasonable precaution to keep tops, logs, etc., out of the waters of the Quinaielt River, especially at this season of the year, for such material, if allowed to drift down the river, would do many hundreds of dollars worth of damage to the nets of the Indian fishermen at Taholah.

Very truly yours,

Henry B. Steer
Supervisor of Forests



UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
OLYMPIC NATIONAL FOREST



ADDRESS REPLY TO
FOREST SUPERVISOR
AND REFER TO

OLYMPIA, WASHINGTON

S
Sales-Olympic
Merrill & Ring Lumber Co.
9-30-27

October 3, 1930

Mr. T. Jerome, Secretary
Merrill & Ring Lumber Company
920 White Building
Seattle, Washington

Dear Mr. Jerome:

Further reference is made to your letter of August 27
requesting an extension of time for the timber sale near Pysht.

It is realized that the lumber industry is in a precarious
condition, and that Mr. Stamm recently informed me that your Company
would probably not operate on the National Forest until sometime
after the first of the year.

We have found through experience that wherever it is possible,
it is best to burn the slash and also that our practice of leaving
seed trees has not been entirely satisfactory, since most of the seed
trees either blow down or are burned up in the slash burning operations.
It is also an advantage to the operator if he does not have to
protect the seed trees. Unless seed trees are left however, it is
necessary that the area be planted to be certain of a quick return
of a forest cover. Therefore if your Company would be willing to deposit
20¢ per M in a cooperative fund to be used for tree planting purposes,
I would be glad to recommend that this system be used in lieu of leaving
seed trees. If this is satisfactory with your Company, please inform
me and I will recommend these changes to the Regional Forester. If
this deposit of 20¢ per M is made, it will be made with the understanding
that the stumpage prices will remain as at present.

Very truly yours,

H. L. PLUMB, Forest Supervisor.

50000
16
Official File Copy
Enclosures Files
90-2-20
DEFENDANT'S EXHIBIT NO. H-89
Court of Claims
Docket No.

H 0 8/05

Forestry-Quinalt
Grazing Report

Taholah Indian Agency
Hoquiam, Washington
November 24, 1930

Official File Copy

90-2-20
DEFENDANT'S EXHIBIT NO. 4-1
Court of Claims
Docket No. _____

The Commissioner of Indian Affairs

Washington, D. C.

Sir:

Circular No. 2635, dated June 6, 1930, and the instructions of the Forestry Branch later issued, require a report from each reservation, to be submitted by December 1, 1930, together with maps, showing grazing use and possibilities of the reservation and a plan of grazing management. This agency has not been asked for such a report, probably because of the knowledge by the Forestry Branch that there is no grazing on the reservation and that such use is economically not possible. However, we believe it proper to submit at this time a brief statement of the conditions showing why there is not and cannot be grazing on the Quinalt Reservation. We have not at hand an outline of the form in which the regular report should be submitted so cannot follow that outline in this brief report.

The Quinalt Reservation embraces 139,621 acres on the Pacific Coast of the State of Washington. It is heavily timbered, excepting only the logged-off lands and a few prairies that are marshy ground and inaccessible for grazing. The timbered area and prairies and logged-off lands are covered with a vegetation not suitable for grazing.

The timber is a jungle of tall trees, windfalls, deep duff, brush growing on old windfalls and much of the ground is marshy because of the holding back of the runoff from the abundant rains. The brush in the timber is mostly not edible and consists principally of salal, but where there is less heavy shade there is salmon and huckleberry, alder, cascara, vine maple, thorn and ferns.

The logged-off areas are obstructed by the smaller timber that is pulled over by the high lead system of logging so that cattle or sheep can hardly get through it. More than half of the logged area has been burned over one or more times and has come up, not to grass and edible brush, but principally to brake ferns, salal, salmon berry and alder, together with cascara, huckleberry, thorn, and vine maple.

The prairies are really marshes and the grasses are coarse and mostly inedible.

Trails, suitable for driving sheep across the reservation or to grazing areas within the reservation do not exist. The only trails are narrow foot trails that have mostly been neglected and are now obstructed by brush growth and windfalls so that it would be impossible to drive sheep over them.

About two-thirds of the reservation is allotted or reserved. Only 60,875 acres are unreserved tribal lands. These tribal lands are subject to selection for allotments regardless of character of land or timber growing on it.

There is no grazing on the reservation aside from about 25 head of Indian horses around Taholah, and including a few head on Baker Prairie.

There is no grazing of stock of any kind on similar lands in the vicinity of the reservation. It is very difficult to keep cleared lands fit for pasture as they revert easily and rapidly to brack ferns and inedible brush and eventually to timber land.

It appears to us, therefore, that grazing is not practical nor practicable on the Quinalt Indian Reservation.

Sincerely yours,

JAH:I.

Superintendent.

c.c. to Lee Muck
Spokane, Washington

*Forestry
General*

Tekolah Indian Agency
Hoquiam, Washington
December 31, 1930

Official File Copy
Enclosures Files
90-2-20
DEFENDANT'S EXHIBIT NO. H-14
Court of Claims
Docket No. _____

Mr. E. Morgan Price
c/o Indian Office
Washington, D. C.

Dear Morgan:

I received your letter and inclosures regarding the forest possibilities of the Quinalt Indian Reservation, and am very glad of the interest shown in this particular reservation.

As one becomes more thoroughly acquainted with conditions on the Quinalt Reservation and in this entire locality one is forced to the conclusion that not only is this entire reservation ideally adapted for permanent forest growth, but that the land, so far as is known at present, has no real value for any other purpose. I will gladly work with you and assist in the collection of any data that is possible, bearing on this subject. I will have some of the information requested in your letter compiled and sent to you shortly.

I would like, very much, to undertake the task of going out and getting growth and yield figures on the reservation or on similar areas. I hope to be able to keep up my interest in forestry work, but at the present time it appears that routine Indian work so fully occupies my time that I am unable to take a very active part in any compilation or gathering of forestry data myself. Mr. Howarth, will, I know, be interested in your idea regarding the possibilities of this reservation from a forestry standpoint and, possibly between the bunch of us here, we may be able to send you some data that is not available from other sources.

Sincerely yours,

H. O. NICHOLSON
Superintendent

COPY

Seattle Federal Archives and Records
Center, GSA
6125 Sand Point Way, NE
Record Group No. 73
Additional Information Box 344

*Tekolah Ind. Agcy.
Forestry Daily Reader File*

Forestry-Quinalt
New Timber Sales

Taholah Indian Agency
Hoquiam, Washington
January 13, 1931

The Commissioner of Indian Affairs
Washington, D. C.

Dear Sir:

Official File Copy
Enclosure Files
90-220
DEFENDANT'S EXHIBIT NO. #63

During the past few weeks we have had opportunity to sound the four companies that in 1929 bid on the four new timber units then offered, to learn whether they would be interested to bid again, should the Office decide to readvertise, and the results of our inquiries are as follows:

Admitted

Mr. Alex Polson said that after the log market took the slump he was very glad that his company did not have the new unit on its hands and that he had been intending to invite the Aberdeen Chamber of Commerce to a dinner on him and thank them for their success in having bids thrown out. He was not, apparently, bitter at the outcome but rather genuinely pleased that they did not have the needed money invested in the new unit. He did not criticize the prices, but said that he was not interested in the unit right now.

Mr. Brandis, of the Mobi Timber Company, said that his company was not interested in the new units as financing was too difficult at this time.

Mr. Dole, of the Northwestern and Aloha Lumber Companies, said he did not see how he could finance the new unit if offered now nor how they could have carried it if the 1929 sale had been approved.

Mr. P. L. Smith, of the M. R. Smith Lumber & Shingle Company, said that they did not want to have the new units put up now because of the difficulty in financing, but if they were put up they wanted to be informed, of course, so they could have a chance to bid, if able to do so.

COPY

It appears, therefore, that this is not a good time to readvertise these four units - the Cape Elizabeth, Raft River, Lunch Creek, and Joe Creek. We feel sure that the four companies would try to buy them to insure future timber, but we think it likely that more than one of them might find financing too difficult and so fail to bid.

Seattle Federal Archives and Records Center, CS4
6125 Sand Point Way, NE
Record Group No. 7
Additional Information Box 344

Sincerely yours,

J. L. Howarth
J. L. Howarth
Forest Supervisor.

Taholah Ind. Agency
Forestry Section
Mr. S. Nicholson
Superintendent.

*Forestry
4/22/31*

UNITED STATES
DEPARTMENT OF THE INTERIOR

INDIAN FIELD SERVICE

Taholah Indian Agency
Hoquiam, Washington
January 26, 1931

Mr. James A. Howarth
Forest Supervisor
Taholah Indian Agency
Hoquiam, Washington

Official File Copy
Enclosures Files
90-2-20
DEFENDANT'S EXHIBIT NO. *H-73*
Court of Claims
Cocket No.

Dear Sir:

I recently noticed that in the marking of timber along the Quinaielt River on the Quinaielt Lake Logging Unit that the timber has been cut right down to the river bank. The timber situated on the river bank generally involves, in that the timber has to be carefully felled away from the river and pulled up a steep bank, and a clean logging of the area directly adjoining the river detracts from the scenic value of the river, and it has been contended--and possibly with much merit--that the logging of the timber on areas directly adjoining the river will affect the salmon run and the fishing of salmon on or along the Quinaielt River.

The general timber sale regulations provide authority for the leaving of timber along streams and even though there would be some loss to the individual Indians affected through the leaving of timber along the Quinaielt River, it is believed that this loss would not be material in any case and that the unquestionable advantages resulting from the leaving of timber along the river will make such a policy worth while. In the event that there are particularly choice or large trees directly adjoining the river bank, such trees could, and probably should, be cut, but it is believed that in the general run of timber our policy should be to leave a strip of timber directly adjoining the river banks on areas to be logged.

Sincerely yours,

N. O. Nicholson

N. O. NICHOLSON
Superintendent

COPY

Seattle Federal Archives and Records
Center, CSA
6125 Sand Point Way, NE

Recopy Group No. *508-344*
Additional Information *permit us to reserve a strip*
20 ft in width on each side of streams, road &
Taholah Ind. Agency
Forestry Daily Reader File
Jan 31

COPY

July

Seattle Federal Archives and Records
Center, GSA
6125 Sand Point Way, NE
Record Group No. 75
Additional Information TALAMAH Box 345

Forestry-Quinalt
1931 Planting
J.P.K.

FORESTRY DAILY READING FILE

1925-32

Hoquiam, Washington
March 11, 1931

Commissioner of Indian Affairs
Washington, D. C.

Dear Sir:

Enclosed is a progress map on small scale, of the Quinalt Forest Experiment Station, showing the areas planted to date which is herewith summarized.

<u>Year</u>	<u>Acres</u>	<u>Seedlings</u>	<u>Per acre</u>
1929	12	3,500	
1930	129	46,500	
1931	153	43,770	
Total	294	93,770	

Official File Copy
 292-366
 292-20
 312-20
 Measures Files
 DEFENDANT'S EXHIBIT NO. H-84
 of Claims

Following is a more detailed statement of the planting to date as compiled by Mr. Willis Shull, who was directly in charge of the planting each year.

<u>Year</u>	<u>Hemlocks</u>	<u>Spruce</u>	<u>Cedar</u>	<u>D. Fir</u>	<u>W. Pine</u>	<u>Misc.</u>	<u>Total</u>
1929	--	3,500	--	--	--	--	3,500
1930							
Area 1	450	300	440				1,190
" 2		13,395	3,315	4,525	2,000		23,235
" 3		3,930	2,650	2,675			9,455
" 4	1,050	3,050	500				4,600
" 5		3,800	2,395	300			6,495
" 6		1,200				P.O. Cedar 25	1,225
" 7						" 100)	300
						Big Tree 100)	
						Redwood 100)	
Total	1,500	25,675	9,500	7,500	2,000	325	46,500
1931							
Area 1 *		1,885	1,040				2,925
" 2		3,922	2,150	830			6,902
" 3		5,630	5,399	290			11,020
" 4		7,502	1,700	7,395	50		16,647
" 5		4,745		1,230			6,076
	--	23,685	10,190	9,845	50	--	43,770
3 yr. Total	1,500	52,860	19,690	17,345	2,050	325	93,770

*Erroneously reported in 1930 as planted that year.

The actual planting time by the planting crew and excluding the cook and the time of the pulling and transportation of seedlings, was 81½ days so that the average planting was 537 seedlings per man day.

The expense of this planting project was as follows;

Tree pulling, salaries of regular employees	\$356.38
Tree planting, " " " " including cook	665.11
Tree planting, travel expense	.90
Transportation, 2700 miles auto travel at 7¢ per mile	189.00
" " by Hobi Timber Company on RR.	-----
Two days time of Forest Supervisor	19.44
Total cost	<u>\$1230.83</u>

This shows a total cost of \$8.04 per acre for planting including pulling and transportation and supervision. There was no added expense for purchased stock this year. The two pounds of Port Orford Cedar seed purchased at \$7.00 will be planted in seed beds and the cost does not enter into the above 1932 planting expense.

The planting crew consisted of Mr. Willis A. Shull, foreman and Messrs. Ernest A. Perin, Clay O. Cogswell, Ogden E. Brooks and Ole H. Fromes with Mr. Jeremiah J. Roth as cook. The men boarded themselves on this job.

The crew at pulling wild stock and transporting the same was Messrs. Lester C. McKeever, Frank E. Briggs and Franklin P. Branson.

These men were available because of the shut down of two of the operators on the reservation, Ozette Railway Co. and M. R. Smith Lumber and Shingle Co. It will be noted that our planting was nearly all done in the month of January which, though it is the middle of winter, was a mild and rainy month. The ground was not frozen or covered with snow at any time and the seedlings standing out at night in the boxes were not injured by frosts. Better weather could not have been found for the jobs of pulling the wild stock or for planting it.

The wild stock planted varied in size from about four inches to about two feet tall above ground. It was gathered in the vicinity of Quinaielt Lake along the roads and logging railroads. No tools were used to loosen or lift the seedlings. They were grasped by hand and pulled directly from where they grew. The soil was so loose that the damage to little roots was not noticable.

3.

The pulling of the spruce was much slower than hemlock pulling would have been because the spruce grew singly in the thick hemlock reproduction. It would have been possible to pull ten or more hemlock to one spruce. Moreover the known places are exhausted where spruce seedlings can be pulled in quantity within reasonable packing distance of a highway or point that can be reached by a car. We hope during the year to discover other sources of supply that will last us until we have grown to a suitable age, sufficient stock of our own in our own nursery.

Each man carried his own seedlings and planting tools, a long handled round point shovel. He made the holes, planted the seedlings and tamped the earth about them with his feet. Nearly 300 seedlings per acre were planted which is an average spacing of about 12½ feet each way. Care was exercised that each planting hole was made in mineral earth. The seedlings were planted in rotten wood or moss as they would not have survived the drought of summer. The heavy growth of ferns and other brush will compete strongly with planting done hereafter and will make it more difficult to find bare spots of mineral earth in which to plant.

No new trail construction was done this year. The weather in January was favorable for the planting and since then the time of the spare scalers and rangers has been occupied with other projects, such as construction of new telephone line from this experiment station to Moclips, the road to Point Grenville Lookout Tower, building of substantial Raft River forest guard station.

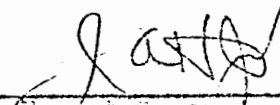
We plan to post the planted areas with signs designating the year of planting, species and source of the seedlings and size and age of same.

The previous planting has been quite successful up to the present time. Hemlock has suffered most by failure from drought or frost, possibly a 15% loss. At first sight the cedar appears to have failed but most of the brown colored cedar seedlings are alive. Spruce has survived best of all, probably over 95% being alive. Douglas Firs reputed to suffer heavily from rabbit nibbling, but observations on our planted area do not show any appreciable damage of this sort. Also it has survived frost and drought conditions very well. The few big tree and redwood seedlings have survived exceptionally well. Judging by color our wild stock planted in 1930 is in better health than the nursery stock planted at the same time. None of the acorns planted has sprouted.

A nursery site had been selected, before I came here, on the high ground across the track from the cabin and considerable time was spent partially clearing a spot sufficient for a few seed beds. Since then, after examination we are convinced that a place we have selected below the cabin nearer Moclips River will be much easier cleared, has much better soil and is nearer the river where it can be watered. Accordingly the nursery beds will be constructed at the latter place during the summer by the forest guard located at this station.

Attention is drawn to elimination of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 31 T 21 N R11W from the present map of the experiment station as the correspondence on file here does not disclose that this forty acres was requested for the station or set aside for the purpose.

Respectfully submitted,



Forest Supervisor.

Approved:

Superintendent.

Tsholsh Indian Agency
Hoquiam, Washington
March 12, 1931

Official File Copy

Enclosures Files

90-2-20

DEFENDANT'S EXHIBIT NO. H-62

Court of Claims

Docket No.

Mr. Leo Muck
424 Federal Building
Spokane, Washington

Dear Mr. Muck:

I received a copy of the report you submitted to the Indian Office regarding the readjustment of the Point Grenville Unit, and note that you partially approved the suggestions made by Howarth in his report.

You know, of course, that cedar and hemlock constitute the bulk of the timber in the Point Grenville Unit, and reduction of one of these prices to the original contract price will assist materially in bringing stumpage prices in line with conditions prevailing throughout this locality. Frankly, though, conditions on the Harbor appear to be in such a deplorable state that I believe it would have been entirely justifiable to have approved the suggestion that the price of the hemlock be reduced to the original contract price; namely, .60%.

Certainly, however, no objection can be made to recommendations made in your report, and I am in hopes that this reduction will permit of the M. H. Smith Lumber & Shingle Company starting operations in the near future. I have been advised, unofficially, that they do not expect to be able to start up under present conditions unless the stumpage prices on this unit be reduced to those effective at the time the sale was made. This statement, which I recently heard, could, however, in no way effect any decision in this matter on the merits of this case.

Should you be in Washington in the near future, please give my regards to Steer, Kinney and Byron, Price, Bolton and such other persons as I might know.

COPY I have recently written to the Indian Office requesting establishing of an additional clerk (stenographer) position under Seattle Federal Archives and Records suggested that one-half of the salary of this Center position be paid from agency and the other half from forestry funds. 6125 S. Main Street, Seattle, Wash. Nelson will, quite probably, be referred to Kinney, and in Record Group 90. If you hear of it I would request that if you can possibly Additional Information for 344 knowledge of conditions at this agency and the facts contained in my report and in this letter, I would appreciate

Tsholsh Ind. Agency
Forestry Daily Reader File

very much any efforts you might make in behalf of the establishment of this position.

Those who would have occasion to pass on this request, together with yourself, might question the need of an additional clerk position at this agency in view of the fact that it has been possible to perform this work without this position in the past. I do know, however, that it is now necessary for numbers of employees to frequently put in much over-time work. Effective January 1, 1931, it is now necessary to prepare and issue "bank statements" covering the Individual Indian Money accounts and, as this involves some 400 separate accounts, with the issuance of some 300 monthly checks, it results in considerable added work. It is further proposed that this agency will from now on handle all but the more involved heirship cases, and as we have some 2000 Indians, most of whom have allotments, the handling of these heirship cases will result in much additional work, and I am certain that it would be physically impossible to properly do this additional work without more help. The additional office work, resulting from these two new lines of work is, of course, in no way forestry and would not justify the request that one-half of the salary of this position be paid from forestry funds.

You doubtless know, however, that during the time when Steer was located here he typed most of the forestry correspondence, and the present need of having this work done by the one available stenographer doubles up on employees already overloaded. There are some 500 to 900 letters, exclusive of any special documents, sent out from this office each month, many of them dealing with various phases of forestry and timber correspondence. I believe we were justified, both in requesting the establishing of this position and that one-half of the salary of this position be paid from forestry funds, and believe that both Kinney and the Indian Office could be satisfied as to the need of this position and the suggested manner of payment of the salary of the position, and I am merely suggesting it to you, on the chance that you may hear of it, with the request that you endorse the same if you possibly can.

There seems to be no special news from this locality to warrant the telling. Conditions on the Harbor have gone from bad to worse and, except that one naturally would suppose that things must change and improve, there appears to be nothing to warrant the belief of any immediate improvement. Very few of the Harbor camps are running and, except for the fact that the Eureka Mill is running part time on

Seattle Federal Archives and Records Center
6125 S. Jackson Way
Record Group No. 73
Additional Information Box 344

Taholah Ind. Agency
Forestry Daily Reading File

less than an average amount of rainfall. There is the further fact that we are more nearly approaching the time when you Democrats will be able to go on record and express your opinion of the present Republican Administration.

We have, as far as I know, no special or particularly urgent forestry problems facing the quinquennial during the next year. You and Kinney will doubtless, however, be planning places that you will have to visit and inspect this coming season, and I would suggest and urge that either one or both of you try to plan on stopping here as there will, doubtless, be several matters you would like to look into and on which you would be able to offer suggestions which would result in improved conditions.

Sincerely yours,

E. O. NICHOLSON
Superintendent

NCH:I.

COPY

Seattle Federal Archives and Records
Center, GSA
6125 Sand Point Way, NE
Record Group No. 73
Additional Information Box 344

Taholah Ind. Agency
Forestry Daily Reader File

Forestry-Quinalt
 Profit and loss by
 4 companies 3 years

COPY
 Seattle Federal Archives and Records
 Center, GSA
 6125 Sand Point Way, NE
 Record Group No. 175
 Additional Information TA-314H Box 315

FORESTRY DATA READING FILE

Maquiam, Washington. March 23, 1931. 32

Commissioner of Indian Affairs,
 Washington, D. C.

Official File Copy
 Enclosures Files
 90-2-20
 DEFENDANT'S EXHIBIT NO. H-68

Dear Sir;

There follows a statement of the profit and loss of the four companies operating on the Quinalt Indian Reservation. The figures cover the results of logging operations and incidental business such as management of camp cook house and commissary, sale of pulpwood, poles, piling and export bolts and excludes the manufacturing business, sale of timber, rental of houses at Aloha to mill hands etcetera.

The results are shown for each company by years since its operations began on the reservation and the final total profit or loss by each. Then follows a summary of the operations of the four companies.

It appears that the M. R. Smith Lumber and Shingle Company has during the past six years consistently lost money totalling \$193,374.93; that the Ozette Railway Company has lost money four years out of five; that the Kobi Timber Company as reorganized made money the four years, 1925 - 28, but has since been losing money; that the Aloha Lumber Company has made money five years out of eight due principally to its export log business. When both the logging and manufacturing business of this latter company are considered the showing for the past six years is a loss of \$34,547.45 and there is an indicated loss on the combined manufacturing and logging business of the four companies during the whole period covered by the reports in so far as the reports show the manufacturing business.

Profit and Loss of the
 M. R. Smith Lumber and Shingle Company.

Year	Volume	Total Profit (P) or Loss (L)	Per M, P or L
		(P)	
1923	15,057,973	(P) \$30,362.74	(P) \$2.02
1924	23,033,185	(P) 6,375.01	(P) .23
1925	21,027,735	(L) 45,547.34	(L) 2.17
1926	21,615,149	(L) 41,133.19	(L) 1.90
1927	19,539,076	(L) 55,793.25	(L) 2.86
1928	25,620,639	(L) 11,707.38	(L) .46
1929	26,856,466	(L) 12,083.88	(L) .45
1930	14,084,321	(L) 29,134.89	(L) 2.07
3 yrs.	166,836,094	(L) \$193,374.93	(L) \$.95

Profit and Loss of the
Aloha Lumber Company,,
From logging business.

1923	35,749,729	(P)	\$51,273.17	(P)	\$1.43 per M
1924	15,128,374 *	(P)	35,860.53	(P)	2.37
1925	34,979,474 **	(L)	799.52	(L)	.02
1926	50,857,569	(P)	74,819.13	(P)	1.47
1927	52,350,710	(P)	73,643.97	(P)	1.41
1928	64,244,000	(P)	41,105.23	(P)	.64
1929	48,694,956	(L)	16,910.53	(L)	.25
1930	33,110,936	(L)	31,198.90	(L)	.94
<u>8 yrs</u>	<u>335,115,748</u>	<u>(P)</u>	<u>\$227,793.06</u>	<u>(P)</u>	<u>\$0.68 per M</u>

* See 1920 report for sales data of 1924

** P & L eliminates shingles, saw mill, rents, bad debts, discounts.

Profit and Loss of the
Aloha Lumber Company,
From manufacturing business,
Including items excluded above.

1925	34,979,474	(L)	\$ 5,370.62	(L)	\$.15 per M
1926	50,857,569	(L)	46,879.57	(L)	.92
1927	52,350,710	(L)	50,668.40	(L)	.97
1928	64,244,000	(L)	4,630.01	(L)	.07
1929	48,694,956	(P)	2,912.32	(P)	.60
1930	33,110,936	(L)	70,671.03	(L)	2.15
<u>5 yrs</u>	<u>284,257,645</u>	<u>(L)</u>	<u>\$175,306.31</u>	<u>(L)</u>	<u>\$.62</u>

Profit and Loss of the
Hobi Timber Company,
Logging Business.

1923	14,372,000	(L)	\$31,900.67	(L)	\$2.22 per M
1924	36,357,517	(L)	53,184.52	(L)	1.46
1925	55,854,681	(P)	64,189.25	(P)	1.15
1926	101,699,239	(P)	54,391.75	(P)	.53
1927	98,732,010	(P)	132,415.63	(P)	1.34
1928	84,567,137	(P)	24,349.69 *	(P)	.29
1929	68,737,484	(L)	39,349.48 *	(L)	.57
1930	56,453,538	(L)	32,518.73	(L)	.53
<u>8 yrs</u>	<u>516,628,506</u>	<u>(P)</u>	<u>\$118,392.95</u>	<u>(P)</u>	<u>\$.23 per M</u>

* Costs adjusted to the volume of sales.

Profit and Loss of the
Ozette Railway Company
From Logging Business.

1926	8,417,213	(L)	\$38,793.21	(L)	\$4.61 per M
1927	25,440,155	(L)	1,203.53	(L)	.05
1928	32,797,255	(L)	9,887.52	(L)	.130
1929	52,333,230	(P)	30,509.02	(P)	.58
1930	47,391,073	(L)	25,512.35	(L)	.54
<u>5 yrs</u>	<u>156,378,926</u>	(L)	<u>\$44,378.70</u>	(L)	<u>.27 per M</u>

Summary of the
Profit and Loss of the
Four Operating Companies
From the logging business.

Aloha	335,115,748	(P)	\$227,793.06	(P)	\$.68 per M
Smith	166,835,094	(L)	158,637.18	(L)	.95
Hobi	516,528,506	(P)	113,392.95	(P)	.23
Ozette	166,378,926	(L)	44,378.70	(L)	.27
<u>4 Co's</u>	<u>1,184,959,274</u>	(P)	<u>\$142,570.13</u>	(P)	<u>.12 per M</u>

Aloha 6 yr manufacturing losses \$175,306.81

" 1923-24 mfg. P. & L. not reported

From the above known and reported figures there is shown to have been a loss from combined logging and manufacturing of the timber on the Quinaloit Indian Reservation from 1923 to 1930 of \$32,636.68

Respectfully Submitted,

James A. Howarth Jr.
Forest Supervisor.

Approved

M. O. Nicholson.
Superintendent.

Taholah Indian Agency
Hoquiam, Washington
March 25, 1931

Official File Copy

Enclosures Files
90-2-20

DEFENDANT'S EXHIBIT NO. H-100

Court of Claims
Docket No.

Mr. J. P. Kinney
Chief Supervisor of Forests
U. S. Indian Service
Washington, D. C.

Dear Mr. Kinney:

Many thanks for your memo regarding the extra \$2600.00 that was recently sent this jurisdiction.

At the time we received this allotment I spoke to Mr. Howarth about using some of this money for the improvement of the road between Moclips and Taholah. This road is quite rough and choppy and needs considerable work before it is placed in proper shape. Mr. Howarth thought that objections might be raised to the use of any of this money on roads of this character, but I thought the fact that this road serves as the only means of entrance to the Point Grenville lookout tower road, that it is frequently patrolled during the fire season by forestry men and that the heavy traffic thereon and the large number of campers along the beach adjacent to this road, with resulting danger of fire spreading to the entire area logged by the H. R. Smith Lumber and Shingle Company, would amply justify the use of forestry funds for that purpose, and it was, accordingly, agreed that a portion of this money, at least, would be used in repairing the section of road between Moclips and the point where the Point Grenville tower road leads off. Your memo would apparently indicate that no objections would have been made to the use of part of this money for that purpose.

Many of the Indians on the Guinsietl have been hard pressed for the means of obtaining a livelihood during the past year, and we have taken every possible step so that employment of any kind would be made available to them until such time as fishing started again. Work, however, has been scarce throughout this entire region and this source of employment will be very much appreciated by this agency and the Indians affected.

Seattle Forest Service and Records no difficulty in obtaining Indian labor Center for CSAY amount of this fund that we will have occasion to use for road 6125 Sandoz at Yakima. Complete record will be kept of both the names and amounts Record group. The various Indians from this fund.
Additional Information Box 344

Taholah Ind. Agency
Forestry Daily Reader File

You will appreciate that as a result of the heavy curtailment of logging operations on the Quinsigt Reservation during the past winter that we have had quite a number of forestry men available for miscellaneous work. These men have been used on various forestry projects; both the current work and proposed improvements have been brought forward as far as weather conditions will permit. There accordingly was no real shortage of funds for carrying out the desired forestry improvement work prior to the receipt of the allotment recently sent to this jurisdiction. A fairly large amount of planting was recently completed; a new section of telephone line built; a splendid ranger station completed at Raft River, and several of the forestry men have been engaged in repairing the Point Grenville lookout road.

During the curtailment, which is still in effect, we have desired and made special plans to see to it that all forestry men, not required in connection with current timber operations were kept busy, and I told Mr. Howarth that any time he had any men he did not need for current or other forestry work that we could use them to good advantage on road work, and this has been done from time to time. No attempt has been made to crowd "forestry work" on agency road projects, but the road work has both served to keep the men busy and to improve a piece of road used to a large extent in connection with fire protection and other forestry work, and I believe this use of the men is justified.

I was, of course, shocked to hear of Von's action. I saw a short statement in the local papers but heard no more until I received a clipping from the Washington paper from Heinie. Prior to that time I had the impression that Mrs. Von Bayer had been fatally wounded. I trust that she will recover, both from the wound and from the shock, but am inclined to think that she will feel somewhat morally bound not to recover from the shock.

This will, I suppose, necessitate some reorganization in your office, and I sincerely hope that you will be able to so arrange your office personnel as to take some of the burden off of your shoulders. Von's burdens added to yours probably will make more than one man can bear, be he Democrat or otherwise.

Sincerely yours,

COPY

Seattle Federal Archives and Records
Center, GSA
6125 Sand Point Way, NE
Record Group No. 75
Additional Information Box 344

N. O. NICHOLSON
Superintendent

Taholah Ind. Agency
Forestry Daily Reader File

COPIED FROM ORIGINAL IN
UNIV. OF WASHINGTON LIBRARIES.
NOT TO BE REPRODUCED WITHOUT THE
PERMISSION OF THE LIBRARY.

Copy to R. D. Merrill, Ambassador Hotel
Los Angeles,

Official File Copy

March 26, 1931.

Mr. C. L. Ring,
1210 2nd National Bank Building
Saginaw, Michigan.

Enclosures Files
90-289

DEFENDANT'S EXHIBIT NO. # 710

Court of Claims
Docket No.

My dear Mr. Ring:

You may be interested in knowing that Mr. T. D. Merrill and I drove to Hoquiam yesterday and back again this morning. We wanted to see Mr. Plumb, of the United States Forest Service in Olympia, and drove down there to see him by appointment yesterday morning. Then being so close to Hoquiam we drove there. Robert Polson had written regarding the advisability of their resuming logging and also the advisability of the saw mill cutting up some of the fir logs they have had on hand since the first of the year. So partially at Robert's request we made the trip.

Mr. T. D. Merrill was closeted with Mr. Robert Polson for a couple of hours yesterday afternoon while I was busy with some other matters, but it is my understanding that Robert does not propose to operate the logging camps until he has some order for logs and does not propose to cut up any of the fir in the hemlock mill until he has some orders for fir lumber. This morning Sam Anderson was visiting with Robert Polson when I went in the office, and from the way Anderson talked and especially from the conversation I had with him, I arrived at the conclusion he was considering the purchase of some of the logs now on hand. I told him that we were selling our fir logs at \$10.00- \$15.00 & \$22.00 but that the market price on Puget Sound was considered \$10.00- \$15.00 & \$20.00. Anderson said no mill paying us \$22.00 for

the No. 1 logs could get by. He said the market price on Grays Harbor he would say was \$8.00- \$14.00 & \$19.00, and it seems to me that Robert should sell his logs at those prices to Anderson if he wants them. We came away, of course, before we had an opportunity to talk to Robert, and possibly Anderson was not there to purchase logs but to gossip, and possibly Robert wanted to delay until after he found out something about cutting the logs in the hemlock mill. I don't know but I am just giving you the conversation for what it is worth. Yesterday afternoon while Robert, T. D. Merrill and I were talking, Mr. Alex Polson came in. He had driven to Seattle yesterday morning arriving here about 9:30, but just what business he attended to I do not know. He could not have stayed here very long at any rate. When he came into the office I thought he looked very very badly. He had hardly any color at all in his face and a wild look in his eyes. I happen to know that an oil company in which he is interested made a request to borrow some additional money upon Polson's endorsement and that the oil company had virtually been turned down, or at least turned down until Mr. Polson had taken the matter up with the bank. So, of course, I wondered right away if that was the reason for his visit to Seattle, and I further wondered if the wild look in his eyes and the lack of color in his face was caused by worry over that situation. Possibly I will be able to get a little information on this point. After he had been in the office for a half or three quarters of an hour the color returned to his face and he looked pretty well. This morning, however, he told me he was not sleeping at all at night, and I am sure from what I gathered that he is worried over something and worried badly and that he is having more or less trouble with his

hood. I do not mean to be alarming, but I merely mean to give you the information so that if anything comes up on which we wish to consult you, you will understand the situation. I hope Mr. Folsen will be able to get away on a good long vacation. I think he needs it and needs it badly, and while it would be a great mistake to let him know anything about my fears and especially about my writing a letter of this kind, I think if Dwight could get word to him to take a little rest, it would be a fine thing. Possibly Dwight can do this on his return home. You know he is in California.

Bill Chisholm has been sick for the past few weeks and part of the time has been confined to his home. I think he is in very bad shape, and I do not believe he is going to get better until he gets away from here. I think he should go down into some warm dry country where he can get over his flu and over his cough and where he would be away from the worries of business.

We resumed operations at Pysht last week. It is our idea to operate just as strong as we possibly can so as to put in as many logs while we are operating as we possibly can. We hope to be able to keep going until the July shutdown and we may have to store some of our logs. There has been quite a cut in wages and we are trying to cut every corner we possibly can, and think we are better off running than to close down because taxes, insurance, rent, salaries and depreciation mount up very rapidly and they are going along whether we are operating or not. We have sold all of the logs we had on hand when we closed down in December, and have received for them a little bit more than the prices at which we inventoried them. We are selling our fir at \$10.00- \$15.00 and \$22.00, but are not sure we will be able to get \$22.00 for the number

ones very long. In other words, think we probably will have to reduce our price to \$10.00- \$15.00 & \$20.00. We are going to have quite a good deal of cedar and plan to work as much of it through the little shingle mill at Ballard as we possibly can. We have some orders for Japanese bolts, which will help out some, as shingles are lower than they have been for a great many years, and it is impossible to get much out of the logs at the present price of shingles.

I have just learned this morning (the 27th) that Mr. Polson got an additional \$35,000.00 from the bank day before yesterday, which no doubt was the reason he came to Seattle. He has promised to give the bank One Hundred Thousand Dollars par value of Polson Logging Company preferred stock as collateral to this loan. This will make him owe this particular bank \$155,000.00, for which he will have up as collateral Two Hundred Twenty Thousand Dollars par value Polson Logging Company preferred stock. I do not know how much, if anything, he owes other banks, but think I might be able to get some information from one or two of them, which I will try to do.

Yours very truly,

T. JEROME:M

COPY

Seattle Federal Archives and Records
Center, GSA
6125 Sand Point Way, NE
Record Group No. 75
Additional Information TA-344 Box 315

11. 11/11

FORESTRY DATA READING FILE

1925-32

Hoquiam, Washington, March 30, 1931.

Commissioner of Indian Affairs,
Washington, D. C.

Dear Sir;

Official File Copy
Enclosures Files
90-2-20
DEFENDANT'S EXHIBIT NO. H-85
Court of Claims
Docket No.

On Friday last, March 27, 1931, about 250 boy scouts from the cities around Grays Harbor from South Bend to Montesano planted an area of the Olympic National Forest just east of the Olympic Highway about eight miles south of Quinalt Lake.

It is we believe the third year that this kind of work has been done in this vicinity under the direction of the Forest Service, Olympia office. Its purpose is of course to make the boys and their elder folks reforestation minded. We have assisted each year. This year the day before planting, Mr. L. C. McKeever and I pulled about 2800 seedlings, wild ones, of spruce and cedar, as we had agreed with Mr. H. L. Plumb, the Forest Supervisor to do. The National Forest supplied 2500 douglas fir seedlings from nursery stock. All these were planted in less than two hours time by the large crew of boys.

Mr. Willis Shull of this agency as well as Mr. McKeever and I assisted the National Forest men to show the boys how to plant and trying to keep them to their initial direction and distances apart. We believe that the planting was fairly well done but there were not enough of us leaders to keep the boys from wandering too far ahead, behind, and to one side so that much of the area was unplanted. We believe that free labor by such young boys, mostly apparently 9 to 14 years old, is not a good way to get an area planted. But the interest and sympathy developed is a very valuable thing. Our cooperation with the Forest Service men was appreciated and we hope that it may lead to much friendly cooperation along many lines all through the year.

The weather was bad with rain and snow falling all the time we were out. The boys were worked in crews of two, one using the planting tool, a grub hoe, and the other doing the planting and carrying the bag of seedlings.

Respectfully Submitted,

Approved

H. O. Nicholson,
Superintendent.

James A. Howarth Jr.
Forest Supervisor.

Forestry
42534-31

Tsholah Indian Agency
Hoquiam, Washington
August 3, 1931

Official File Copy
Enclosures Files
90-2-20
DEFENDANT'S EXHIBIT #12 H-76
Court of Claims
Docket No.

The Commissioner of Indian Affairs
Washington, D. C.

Dear Sir:

Reference is made to a letter from Mr. Archie J. Bonham, submitted to Hon. Albert Johnson, regarding serious damage to his property by log jams in the Upper Quinaieilt River.

I do not know the exact area referred to by Mr. Bonham, but inasmuch as the Quinaieilt Reservation includes only Quinaieilt Lake and does not in any way touch any of the Upper Quinaieilt River this Department would have no obligation or jurisdiction over these areas. It is known, however, that much drift comes down both the Upper and Lower Quinaieilt Rivers and that this drift continues to pile up in various places and create jams which deflect the current and at times results in washing of land areas. I am not familiar with the condition of the log jams in the Upper Quinaieilt River.

This Department did, however, recently clean out a log jam in the Lower Quinaieilt River in order that the Indians would be able to go up and down the river to better advantage. This log jam had piled up for a period of several years and was several hundred feet long and extending completely across the river, but it was opened so that the Indians can go up and down the river freely. It does not appear that the Indian Service should be expected to take any steps towards clearing the jams in the Upper Quinaieilt River, but the clearing of the upper river would be a local problem for the settlers or the county, and that it may be necessary for the settlers to get out with saws, axes, and power saws to clear the jam as we did on the reservation.

COPY

Sincerely yours,

Settle Federal Archives and Records
Center, GSA
6125 Sand Point Way, NE
Record Group No. 75
Additional Information
1:1001

Superintendent

FORESTRY & READING FILE
1931-38

Forestry

Daily

Taholah Indian Agency
Hoquiam, Washington
October 13, 1931

Official File Copy

90-2-20
DEFENDANT'S EXHIBIT NO. 7-65
Court of Claims
Docket No. _____

The Commissioner of Indian Affairs

Washington, D. C.

Dear Sir:

There are inclosed herewith letters of September 24 and October 6, 1931, from the Polson Logging Company (Ozette Railway Company) requesting that the date for making advance payments due on individual Indian allotments within the Guinaiekt Lake Logging Unit be postponed.

In their letter of September 24, 1931, they request that the time for making these payments be extended for a period of three years, but in my letter to them of September 28, 1931, a copy of which is inclosed, I suggested that numbers of Indians who would benefit through these advance payments are now, and would during the next three years be in actual need of portions of these funds for support and other purposes, and in their letter of October 6, 1931, they suggested making these payments in six installments.

My letter of September 28 gives the total of the advance payments as \$51,347.00. This amount, however, covers only payments due during the present fiscal year. During the period from July 13, 1932, to March 22, 1933, additional advance payments in the amount of \$9,165.10 will be due, making the total amount involved in this three-year period \$60,512.10 as shown on the inclosed list.

The Ozette Railway Company (Polson Logging Company) is a large concern and is probably in a better position to survive the present depression than are many other companies. It is possible that assistance on our part that the entire amount of these payments be made when due would result in the total amount being paid and made available for the Indians. Many of the Indians who would benefit from these advance payments will be in real need of some of these funds. Fully half of them, however, already have balances to their credit at this office and it is believed that approval of the suggestion of the Polson Logging Company—that they be allowed to make these payments in six installments—would be consistent with the interests of the Indians.

At the time the bids were opened for the Quinalt Lake Logging Unit the Ozette Railway Company bid \$5.00 per M. for all cedar, spruce, white pine, Douglas fir and Amabilis fir, and \$3.00 per M. for hemlock. These prices were then high (\$2.00 per M. above the advertised prices), and recent developments in the lumber industry would make the difference between the prices paid for this timber and the actual value represented therein, greater than formerly.

This company is not now cutting on the reservation and is unable to operate in any timber involving any payment of stumpage, and would probably be hard pressed to make a payment in the amount of \$51,347.00, the amount required during the present fiscal year. I doubt that insistence on our part—that full payment be made on the dates when due—would result in the Ozette Railway Company taking steps to give up their contract.

This company has in the past lived up to every requirement of their contract. They have made each and every payment promptly when called for. It is believed that the needs of the Indians who would benefit from these payments would generally be taken care of through payments being made in six installments and, in view of the present depression in the lumber industry, that it would be entirely proper to grant their request and it is, accordingly, recommended that they be allowed to make the advance payments in six installments, as requested in the inclosed letter.

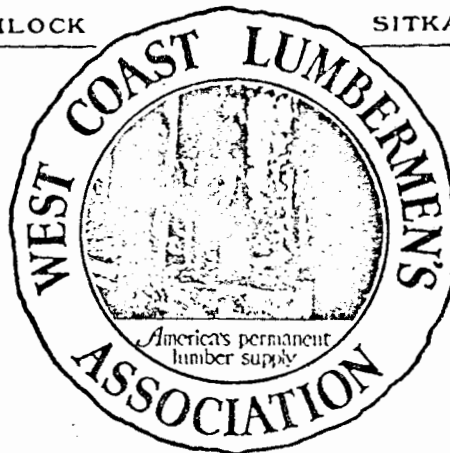
Sincerely yours,

Superintendent.

NON:I.

Incl.

COPIES OF THIS DOCUMENT
 ARE NOT TO BE REPRODUCED WITHOUT THE
 PERMISSION OF THE LIBRARY.



364 STUART BUILDING
 SEATTLE, WASHINGTON, U. S. A.

October 28, 1931

Official File Copy

Enclosures Files

90-2-20

DEFENDANT'S EXHIBIT NO. H-80

Case No.

Doc. No.

Mr. R. D. Merrill,
 Merrill & Ring Lumber Company,
 White-Henry-Stuart Building
 Seattle, Washington.

My dear Mr. Merrill:

You are somewhat familiar with the work that has been done by Mr. Brandstrom in connection with the School of Forestry at the University of Washington, or later with the United States Forest Service, in developing the idea of selective logging. I think that some of his work has been done on your properties. Messrs. Mason and Stevens, as well as others including practical loggers, have also contributed a good deal to the recent discussion of this subject.

It is my impression that the general theory of selective logging has been pretty well developed; but that we are not making much headway in its practical application. This is doubtless due mainly to the practical difficulties in fitting it into the prevailing methods of railroad and power logging in the Douglas fir territory.

I have a good deal of faith in the possibilities of selective logging - practically and intelligently applied - provided it can be shown to prove out from the standpoint of costs and returns in actual demonstrations. As I see it, what we most need now is a number of actual examples, carefully worked out for the type of timber, topography, equipment, etc., and with sufficient data to demonstrate their financial results.

There is a possibility that one of the educational institutions in the country, interested in promoting commercial forestry, might make funds available to employ a local logging engineer for a year or two to work out with the operators a number of practical tests, or demonstrations, of selective logging under the varying circumstances as to timber, topography, types of equipment available, etc. His job would be to find the best places to make such tests, where the operators are sufficiently interested to carry them out; give such assistance as he could in working out a plan for a sample job of

selective logging, to be subject, of course, to the approval of the operator; and then get the descriptive and cost data necessary for a conclusive showing of the results in costs and returns. If undertaken, this work would be done in collaboration with Mr. Brandstrom; and the interest and cooperation of organizations like the West Coast Lumbermen's Association and Pacific Logging Congress would be invited.

The operations where such sample jobs might be conducted would have to take the risk of their proving financially sound. The logging engineer working on it ought to be helpful and resourceful in suggesting the handling of the job; but, of course, it would rest with each operator concerned to determine whether the plan suggested appeared sufficiently practical and worth while to warrant a trial. It might be limited to a small area.

The man assigned to this project would - under whatever arrangements made with each operator - work up the results, and would want to assemble and use them for the benefit and information of the northwestern logging industry.

I am rather taken with this idea, as it may be a means of extending our knowledge of the possibilities of selective logging along direct, practical lines.

The purpose of this letter is to ascertain if, in the event such an assignment is made, you would be interested in the general possibilities of working out one or more sample jobs of selective logging in your operations. This, of course, without any commitment as to any specific plan until it shall have been developed and submitted to you for approval.

Very sincerely yours,



W. B. Greeley,
Secretary-Manager.

WBG N

Western Washington Indian Agency
2020 Market Avenue
Everett, Washington

May 10, 1966

Through: Area Director, Portland, Oregon
Commissioner, Bureau of Indian Affairs
Washington 25, D. C.

Attention: James H. Officer, Associate Commissioner

Dear Sir:

This has reference to your letter of May 7, 1966 to Marvin L. Scheraga and me regarding George Sandars and Sidney Sandars.

This office has forwarded a completed case for approval of the Portland Area Office to correct the oversight as to Mr. Sandars' marital status. I am sure this will be forthcoming soon and will allay the fears of Mrs. Helen Mitchell.

I know that you are aware that this office has worked with Mr. George Sandars on his timber problems and also has sponsored and worked with Rayenier in the hopes that we could arrange him in some way. I am attaching a memorandum to me from Mr. Libby, our Forest Manager, which covers the problem quite well. The amount of funds received by George Sandars from this office is for information only, and we do not mean to infer that these funds have been excessive or inadequate, but it is presented as part of the picture.

I believe that if this type of service is to be furnished to Quinalt allottees whose timber is under the Crane Creek or Taholah timber contracts, we would definitely have to set up a priority system of trying to help those people whose timber was not included in cutting patterns and were set aside for acid and fire break purposes. What disturbs me most is the fact that should we be successful in persuading Rayenier to log one of these set aside areas, I am afraid this would leave the government in a position of extreme liability if a fire should occur and damage the adjoining properties, reforested areas, or other allotments.

Mr. Libby also advises us that they have a plan for the future and are providing in future cuts a plan for the future. They will not be set aside for cutting and they will have a portion of 3 or 4 allotments. This plan is to provide alternate and revenue from his timber allotment. Mr. Libby says that if he had a complete allotment was better it would be better than a cutting cost and it was easier to keep track of. He will be fully due each allotment. Our system of allotments will be changed to share this is no longer necessary and they will cooperate on this in future planning.

There is not much that can be done if the company still has the same timber since they have followed the cutting plan which we have approved, and it follows that when they start the cutting plan, it increases their cost of operation to quite an extent. I also feel that we could have control of the situation in forestry management practice if we were to deviate much from the cutting plan as proposed and approved.

I can appreciate the individual Indian's problem-solving all this potential wealth and not being able to utilize it. The last paragraph of Mr. Libby's memorandum mentions "A Proposed Program of Action for the Taholah and Crane Creek Timber Sale Area" as one approach to solving the dilemma on this reservation. I hope you will have time to review and discuss this report when it is forwarded to the Washington Office by the Area Office.

Sincerely yours,

(Sgd.) George L. Felkner

Superintendent

Enclosure

Noted and forwarded:

Area Director, Portland

cc:
Area Director, Portland w/enc.

Agency Forest Manager

MLSchwarzer

Subject File
Green Chony

Note: Forestry File No. 339.5

Taholah Indian Agency
Hogiam, Washington
July 15, 1932

Official File Copy

Enclosures Files
90-2-20

DEFENDANT'S EXHIBIT NO. H-90

Court of Claims.
Docket No.

Mr. J. P. Kinney
Director of Forests
Indian Office
Washington, D. C.

Dear Sir:

In accordance with the recent wire advising us of the need of a Scaler at Neah Bay, arrangements were made to have Mr. Gentry leave for Neah Bay and he arrived there the day following receipt of your wire.

It appears that the only cutting operations proposed by any of the companies on the Quinalt Reservation will be those of the M. R. Smith Lumber & Shingle Company, which are expected to start up again the latter part of this month. We had thought that the Hobi Timber Company would start up again in July. We now understand that they will not operate again for some time. Failure to do so will probably make it possible to furlough one more Scaler, Mr. Brooks.

Mr. Brooks at the present time is engaged in patrolling the Cook Creek fire and, while his services are not needed as a Scaler, either his services or those of some person in another position will be needed for fire patrol and for fire fighting purposes.

You will doubtless appreciate that any attempt to keep fires out of any large slash areas or any areas subject to forest fires will present a real problem this season in view of the fact that there is very little employment available and hundreds and hundreds of men are in need of and **COPY** employment, and would again today start forest fires in a minute if they thought it would make employment available to them or others. **COPY** forest fires.

Seattle Federal Archives and Records Center, CSA

6125 Sand Point Way, N.E. on July 1, for instance, we received a report of Record Group No. 75 Cook Creek Unit. These fires were in a row, about Additional Information. No camps were running in this unit and, while it is impossible to definitely prove the origin of the fire there is no question but what they were incendiary. With a stiff wind behind them, these fires soon ran together and by nightfall covered a four mile front and were one-half mile wide. We already had two men in the area and

immediately detailed all of our other "regular" men to this fire with a view towards trying to keep it within bounds so that no improvements would be lost or any standing timber injured.

We had previously decided that our policy for this year would have to be one that would call for "no hiring of fire fighters." We had decided that if we should once start out by hiring a crew of fire fighters, particularly early in the season, that we would have fires upon fires all season long, and that it would be impossible to obtain either men or money enough to cope with the fire situation. We had issued various newspaper statements to the effect that funds would not be available for fighting fires this year. We appreciate that there is a real element of danger involved in carrying out any such policy, but felt certain that we would end up with less fires, less damage and less expenditure with such a policy than would be the case were we to plan on attempting to throw in sufficient men to handle fires in this heavy slash area.

On this particular fire we, accordingly, sent in only our regular and available men (8), all of whom worked hard, back fired, and actually did keep the fire within reasonable bounds and from spreading into any areas other than slashing areas. Weather favored us in this particular case. We received a light rain the evening of the 2d and a heavy rain on the 3d, and have had several light showers since, and while portions of the fire are still smoldering it is, at the present time, as nearly safe as such a fire could be. In this case we "got a break" in the weather. From the start though it would have taken 200 or more men to have made any showing in actually "fighting" this fire, and as it now stands our total cost consists of the wages of our regular men and the only damage is the burning of an area of heavy slash and it's still a moot question whether that is a danger or a benefit.

At the time of the fire we announced that no men would be hired for fighting this fire and that funds were not available for such work. I now understand that the Polson Logging Company is adopting the same policy on its slash areas and, also, the Forest Service. This spring has not been particularly dry and, under present conditions, fire will burn only in slash areas. Aside from the fact that any policy involving the hiring of fire-fighters will, this year at least, invite more and more fires and necessitate heavy expenditures, there is the question of whether the copy policy in the Pacific Coast region should be one of burning slash areas rather than allowing slash to accumulate and develop hazardous fire situations.

Center, GSA
6125 Sand Point Way, N.W.
Record Group No. 75
Additional information Forest policy if fires could be kept out. The

question is whether the danger attendant upon allowing large areas of slash to accumulate offsets the silvicultural advantages obtained through leaving slash on the ground. Mr. Plumb, Supervisor of the Olympic National Forest, believes that the slash should be burned. He believes that the risk of fire is too great and that the fires are too hard to handle when started and that it is accordingly impracticable to allow large areas of slash to accumulate as a means of saving small amounts of reproduction left after logging in this Pacific Coast region.

Although our present policy may result in a greater burned-over slash area this year, which I doubt, we unquestionably will have fewer fires and will unquestionably save thousands of dollars that would have to be expended if we attempted to fight and control all fires that would develop on the Guinaielt Reservation this summer.

With reference to employment of Forestry men on Forestry work, none of our Forestry men are engaged in other than Forestry work nor have they been so engaged for a long time. Mr. McFeever has been doing a little road work, but as this involves putting in a piece of road that will make a new portion of the reservation accessible for fires, etc., it should be called Forestry work. All of our other men are now engaged in actual patrolling or fighting fire, and for the summer, at least, we will not only need all of them for such work but should, I believe, have more men for patrolling our dangerous slash areas and turning all people back from these areas.

Sincerely yours,

N. O. Nicholson
Superintendent.

NON:I.

COPY

Seattle Federal Archives and Records
Center, GSA
6125 Sand Point Way, NE
Record Group No. 75
Additional Information _____

R. D. EMERSON
PRESIDENT

COPIED FROM ORIGINAL IN
UNIV. OF WASHINGTON LIBRARIES.
NOT TO BE REPRODUCED WITHOUT THE
PERMISSION OF THE LIBRARY.

W. H. DOLE
SECRETARY AND GEN. MANAGER

D. A. KURIA
SALES MANAGER

WESTERN RED CEDAR

POLES AND PILING
EXPORT LOGS
AND FLITCHES
TIES AND TIMBERS
LUMBER AND
SHINGLES

ALOHA LUMBER CO.

ALOHA, WASH.

LOGGERS AND MANUFACTURERS OF
WESTERN WOODS

SPECIALISTS IN WESTERN RED CEDAR PRODUCTS



Oct. 5, 1933

Production Committee,
Pacific Northwest Loggers Ass'n.
Seattle, Wash.

Official File Copy
Enclosures Files
MOUNTS' EXHIBIT NO. H-148

Handwritten:
and cover
✓

Gentlemen:

ALL AGREEMENTS CONTINGENT UPON FIRES, STRIKES, INABILITY TO OBTAIN LOGS AND OTHER CLAUSES BEYOND OUR CONTROL. STENOGRAPHIC AND CLERICAL ERRORS SUBJECT TO CORRECTION. ALL QUOTATIONS SUBJECT TO PREVIOUS BIDS AND CHANGE WITHOUT NOTICE. ALL CONTRACTS SUBJECT TO APPROVAL BY HOME OFFICE.

Our logging operations are tied into three
Logging Contracts with the Government Indian Service, and
under these contracts we are required the following footage:
Mounts Unit - 25,000 M Annually, Hall Unit- 8,000M and
Upper Wreck Creek Unit- 3,000M or a total of 36,000 M.

Under previous administrations, if we found that we could not log all the timber annually required by our contracts, we would apply to the Commissioner of Indian Affairs for acceptance of a lesser amount as complying in full with our contracts. This has always been given, so as to keep our contracts in good standing.

We now hand you a copy of a letter written by the new commissioner of Indian Affairs, John Collier, to the superintendent of the Taholah Indian Agency, which will be self explanatory, similar letters also covered the other Units.

It would seem as though we stand in a peculiar position between two Government powers, namely the N.R.A. and the Department of the Interior, one requiring that we log our full contract requirements and the other limiting our production to 50 % or less of these requirements, We are perfectly willing to abide by the quotas given us by the Production Committee, if it will be possible to convince the Department of the Interior that it would be the best policy for all concerned if they allowed us to log less than our contract requirements and still keep our contracts in good standing.

This also will involve extending the contract period from three to five years depending on how long this curtailment will be necessary. This relief has been asked for, from the Commissioner of Indian Affairs, through the Taholah Agency, and we are writing to you to ask that your influence be used to the utmost, through the N.R.A., to have this relief granted.

If we cannot accomplish this the only other move we can make is to ask you for a high enough quota to keep our contracts out of default.

Yours very truly

WHD/S

ALOHA LUMBER CO.

Handwritten signature: W. H. Dole, J. R.

Employees
TJB

Taholah Indian Agency
Hoquiam, Washington
March 15, 1934

The Commissioner of Indian Affairs
Washington, D. C.

Sir:

Reference is made to your communication of March 8, 1934 recommending the transfer of Ray C. Quast, Forest Ranger No. 10 A, Grade 9, and James E. Overton, Forest Ranger No. 10 F, Grade 9, from the Taholah Agency, Washington to the Klamath Agency, Oregon.

Mr. Quast and Mr. Overton have, for a number of years, been engaged in and supervised the logging activities of the M. R. Smith Lumber and Shingle Company and the Aloha Lumber Company, respectively. Both of these operators are cutting the maximum amount of timber allowed them under the N.R.A. code and expect to continue cutting timber. The Aloha Lumber Company cut 1,601,420 feet on the Mounts Logging Unit during the month of February and the M. R. Smith Lumber and Shingle Company cut 1,433,300 feet on the Point Grenville Unit during February. Both these operators would increase their output if they could receive an increased quota under the N.R.A.

You are aware that the supervision of logging operations on the Quinalt Reservation presents many specialized problems peculiar to the Coast type of timber. The stands of timber are heavy and brush is exceedingly dense; there is much breakage in the timber in logging, particularly the cedar timber which predominates on these two units, and the scaling of these "chunks" calls for special experience in this particular type of timber. The reservation is, further, entirely allotted and it is necessary to carefully run and re-run all allotment lines in this area so as to segregate the timber. It is impossible to scale timber on the ground. It has to be scaled at landings and the need of segregating the timber to the separate allotments at times when timber from three or four allotments comes into one landing at the same time, calls for careful field work, careful scaling and special experience on the part of the men in charge of these operations.

Additional Information _____

Official File Copy
Enclosures
93-2-20
DEFENDANT'S EXHIBIT NO. H-46
Court of Claims
Docket No.

Seattle Federal Archives and Records Center
6125 Central Expressway
Record of Case No. 75-115

It is felt that in view of the special experience that these men have had in this type of work and on these particular operations which are now operating, and which are expected to continue operating, that the transfer of these men would not be in the interests of forestry operations on this particular reservation. Some provision will have to be made to take care of the work that these men are now performing every day and it would not seem wise to transfer these men from places where they are thoroughly experienced in the work to new activities, making necessary the assigning of new men to their work.

There is, I know, another feature involved in the supervision of forestry work on the reservation; namely, that with the completion of operations on the Cook Creek Unit and the cessation of cutting on the Quinalt Lake Unit, our overhead is too large. I am compelled to admit that we are now in need of the amount of supervisory overhead that we had at the time logging operations were actively conducted on the Cook Creek and Quinalt Lake Unit. However, the fact remains that thoroughly experienced and competent men should be in charge of the operations of the M. R. Smith Lumber and Shingle Company and the Aloha Lumber Company. The work of both Mr. Quast and Mr. Overton has been so excellent; they are both so competent, so willing and able to work hard, as to make it difficult to replace them in their particular positions.

Practically all the experience that Mr. Quast has had, which is large, has been in Coast timber and his particular experience, notwithstanding his marked ability, would not benefit him much in other types of timber. (During his assignment on the Flathead Reservation he was largely engaged in keeping the "Forestry accounts" and actually had little field experience in yellow pine timber.)

In connection with these transfers it should be borne in mind that both Mr. McKeever and Mr. Briggs, Senior Rangers, who formerly had charge of timber sale and general forestry activities under this jurisdiction, have been assigned to Emergency Conservation Work, are paid from these funds and devote all their time to these activities. Our E. C. W. projects are so extensive as to make it impossible for them to give these projects the supervision necessary and to further give to our logging operations the personal and detailed supervision they require. If either of these men are to again actually supervise timber sale and other forestry activities it will be necessary that provision be made for someone to take care of the Emergency Conservation work they are now supervising.

6125 Sand Point Way, NE
Record Group 175
Additional information
While I appreciate the need of experienced men for work on the
Alamogordo operations there is similar need of experienced men on the
operations on this reservation where cutting is now being conducted

and expected to continue. The transfer of two men who have for a number of years been in charge of field work on our two active operations would seriously detract from the proper conduct of forestry operations on this reservation without resulting in proportionate benefits to the Klamath Reservation. I wish to urge that further consideration be given the needs of this reservation before definite action is taken towards the transfer of these men.

Sincerely yours,

H. O. Nicholson
Superintendent

NON:S

COPY

Seattle Federal Archives and Records
Center, GSA
6125 Sand Point Way, NE
Record Group No. 75
Additional Information _____

Taholah Indian Agency
Hoquiam, Washington
August 6, 1934

Official File Copy

Enclosures Files
90-2-20

DEFENDANT'S EXHIBIT NO. H-111

Court of Claims

Docket No.

Mr. Lee Muck
Assistant Director of Forestry
Federal Building
Spokane, Washington

Dear Mr. Muck:

Both the Indian allottees and the Polson Lumber Company are anxious to enter into negotiations towards the readjustment of stumpage rates on the Quinalt Lake Logging Unit and if you could possibly set a date now when you would be able to meet with us in this matter I will appreciate it very much.

The Indians, of course, are anxious that something be done in order that logging operations may be resumed so that funds will start coming in for their use. Even though market conditions are not too good the Ozette Railway Company is definitely planning on starting operations on this unit at an early date if a satisfactory price agreement can be arrived at. We hope to see you soon.

We had had a very dry spring and towards the last of July the woods got so dry as to make us afraid of a bad fire season. Recently, however, we have had two good rains and it now appears that we have enough moisture in the ground to carry us through at least most of the fire season.

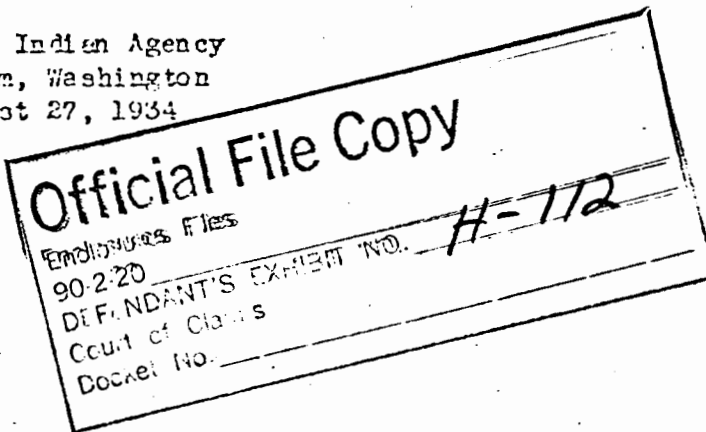
Sincerely yours,

COPY

Seattle Federal Archives and Records
Center, GSA
6125 Sand Point Way, NE
Record Group No. 75
Additional Information _____

N. O. Nicholson
Superintendent

Taholah Indian Agency
Hoquiam, Washington
August 27, 1934



Mr. Lee Muck
Assistant Director of Forestry
424 Federal Building
Spokane, Washington

Dear Mr. Muck:

I am very much disappointed in again being advised that you will be unable to visit the Quinaielt for the purpose of meeting with representatives of the Quinaielt Indians and the Ozette Railway Company in the matter of adjusting stumpage rates on the Quinaielt Lake Logging Unit. In the event that some special difficulties are encountered you will appreciate the advisability of having someone present directly representing the Office, and as we stated to the Indians at the meeting at which the delegates were selected that a representative from the Indian Office would be present your inability to attend might make it somewhat more difficult to come to some agreement.

The Indians very generally believe that a readjustment should be made. The only possible question appears to be that of advance payments. The Ozette Railway Company will insist that they are in no position to make any advance payments on areas that were "tribal" at the time the original timber was sold. This appears to me to be quite reasonable. I am inclined to think that they will attempt to have advance payments previously made by them on areas that were allotted at the time the contract was originally made, credited back to them on the basis of such new stumpage rates as may be agreed upon. This does not appear to me to be reasonable and we will probably take the position that inasmuch as these payments have already been made on the basis of the old stumpage rates that they must be credited back to the Company at such rates. Unless this were the case many of the Indians who received advance payments would probably not consent to any modification.

Seattle Federal Archives and Records

Center already definitely notified the committee selected by the Board of Indian Affairs that a meeting will be held at Taholah on Wednesday, August 29, 1934, at 10:00 a.m. for discussing terms for presentation to the General Allotment Commission for individual Indian allottees.

Sincerely yours,

N. O. Nicholson
Superintendent

Forestry
56777-22

Taholah Indian Agency
Hoquiam, Washington
April 17, 1935

The Commissioner of Indian Affairs
Washington, D. C.

Sir:

Further reference is made to your letter of March 13, 1935 relative to the proposed modification of the Sunlight Lake timber contract.

I believe it necessary that we have further information in order that we can point out to the Indians the proposed methods of logging this timber and in order that we may be able to answer such questions as the allottees will raise. I believe it would be advisable that Mr. Muck be detailed here for the purpose of discussing this matter with us, the Polson Logging Company and with some of the allottees.

The matter of explaining these matters to the various allottees will be rendered more difficult because of the fact that the allottees affected reside over a large area and it would be impossible to get a majority group of them together at any one meeting for a discussion of the matters. There are 178 allottees interested in this unit, either through their original allotment or heirship interest. Seventy-three of these (including minors) reside at Taholah. The remainder reside in twenty-five different towns in both Western and Eastern Washington, two towns in Oregon and one in California.

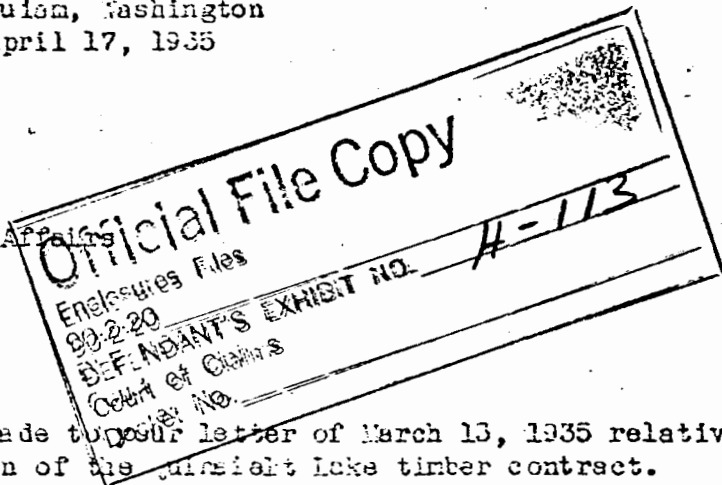
In order, therefore, that we can take these matters up with the allottees and ascertain their views we urge that Mr. Muck be detailed here at an early date to discuss these matters with us.

COPY

Seattle Federal Archives and Records
Center, GSA
6125 Sand Point Way, NE
Record Group No. 75
Additional Information Taholah

Sincerely yours,

N. O. Nicholson
Superintendent



Forestry
56777-22

424 Federal Building
Spokane, Washington
May 11, 1935

Commissioner of Indian Affairs
Washington
D. C.

Sir:-

Reference is made to Office wire of April 23, 1935, requesting the writer to cooperate with the Superintendent of the Taholah Indian Agency in explaining to the Indians the system of selective logging proposed for application in connection with the modification of the timber contract covering the Quinalt Lake Unit.

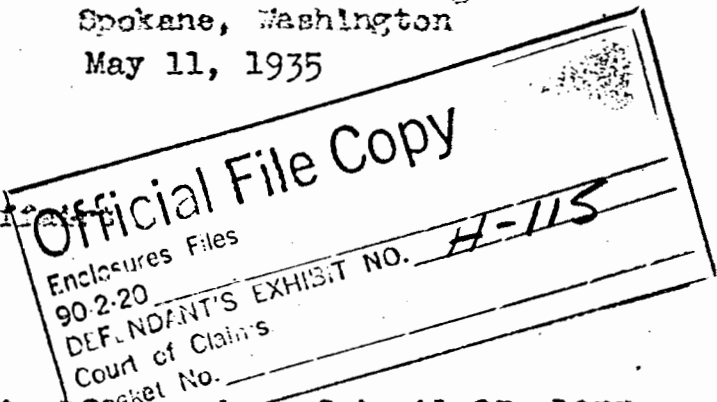
In view of the fact that the plan of selective logging as proposed in Office letters of March 13, 1935, could not be successfully executed without the full cooperation of the contractor, the position of the Ozette Railway Company was ascertained before presenting the details to the Indians. It developed at this conference that the Ozette Railway Company was in accord with the general principles of the plan and willing to make an effort to give practical expression thereto, provided the Indians would agree to a system of partial logging.

Accordingly the details of the entire setup were placed before the Indians at Taholah, Washington, on May 1, 1935, the meeting having been previously arranged by the Superintendent after consultation with the writer. A total of 74 Taholah Indians attended the conference, 32 of whom were either allottees holding allotments with the Quinalt Lake Unit, guardians of such allot-

Seattle Federal Archives and Records inherited interest in lands Center in the sale area.

6125 Sand Point Way, NE

Record Group No. 75
Additional information: a number of interested Indians present who were opposed to a reduction in the price of the



stoppage or to any form of modification whatsoever - a state of mind which we had not anticipated as existing, by reason of former expressions of opinion, and one which if sufficiently dominant would obstruct all possibility of proceeding with the modification of the contract as proposed and as now pending before your Office. The Quinalelt Lake Unit is nearly 100 per cent allotted, and a modification of the contract in such manner as to permit of practical operations under authority thereof will require that fully 90 per cent of the allottees involved execute allotment contract modifications - in fact, the entire setup requires full cooperation from all parties in interest if the project is to be a success.

Action thus far initiated has proceeded without definite assurance that a large majority of the allottees would execute allotment contract modifications, and it appears futile to attempt to conduct further negotiations until all of the allottees involved have gone on record with respect to their position on all phases of the proposal.

However, after carefully explaining the entire situation to the Indians, including the proposed plan of selective logging, two definite questions were placed before the interested allottees present at the Council of May 1, 1935, namely the following:

1. Do you favor a modification of the Quinalelt Lake Unit contract which will permit of a reduction in the stoppage prices from \$5.00 to \$3.00 per thousand for cedar, spruce, Douglas fir and pine, and from \$3.00 to \$1.00 per thousand for Amabilis fir and hemlock?

2. Do you favor a modification of the Quinalelt Lake Unit contract which will require development of the unit under sound forestry principles and result in a cutting of approximately 60 per cent of the timber?

Seattle Federal Archives and Records Center, GSA, 6125 Sand Point Way, N.E., Seattle, Wash. 98148
The count with respect to query No. 1 disclosed 8 interested and 11 for modification, with 5 interested of the 32 present not voting. The count for No. 2 showed 14 against and 3 for, with 15 not voting. The verbal opposition to the proposed plan of selective logging was almost entirely concerned with the possibility of losses which would result from windthrow. However, we are inclined to the opinion

that the reduction in income which would occur under this system is the principal reason for it not being received with more favor.

In view of the fact that the outcome of the Council of May 1, 1935, was unconclusive with respect to the position of all the Indians directly involved, as has been the case with councils held on this question of modification in the past, the Superintendent and the writer suggested that a questionnaire be formulated and sent to all Indians holding lands in the Quinalt Lake Unit, in order that a definite decision might be reached. All of the Indians present favored this plan, and we have accordingly formulated a definite questionnaire and are submitting it to all allottees for action. A copy of the questionnaire is attached hereto for the information of the Office, and a report on the results obtained will be submitted to the Office when the returns are complete.

It is regretted that this further delay has been occasioned. However, there is no other possible procedure through which this proposed modification can be acted upon with any degree of certainty or definiteness. The fact that the Quinalt Lake Units all allotted makes individual action on each holding essential, since it is only through this means that an agreement can ultimately be definitely drawn and definitely acted upon by the Indian Service and the Department.

Respectfully,

LH/STJ
Enc.

Lee Muck
Asst. Director of Forestry

COPY

Seattle Federal Archives and Records
Center, GSA
6125 Sand Point Way, NE
Record Group No. 75
Additional Information

COPIED FROM ORIGINAL IN
UNIV. OF WASHINGTON LIBRARIES.
NOT TO BE REPRODUCED WITHOUT THE
PERMISSION OF THE LIBRARY.

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
NORTH PACIFIC DISTRICT

IRVING CLARK, SR. MSS.
UNIV. OF WASH. LIBRARY

ADDRESS REPLY TO
DISTRICT FORESTER
AND REFER TO



POST OFFICE BUILDING
PORTLAND, OREGON

L
Recreation

May 24, 1935

Mr. Irving M. Clark,
Chairman, Comm. on Public Affairs
The Mountaineers,
Bellevue, Washington.

Official File Copy

Enclosures Files

SO-2-20

DEFENDANT'S EXHIBIT NO. H-128

Court of Claims
Doc. No. Letter of May 2.

Dear Mr. Clark:

Reference is made to your

Our records show that the bottom lands along the Bogachiel River for about ten miles inside the Forest are in private ownership. These lands along the Bogachiel, with similar lands along the Elwha, Calawah, Soleduck, Hoh, Queets, Quinault, Humptulips, Wynoochee, Skokomish, and other drainages, were privately acquired under the various land laws between 1890 and the creation of the Olympic National Forest. Areas about Lakes Crescent and Quinault were also acquired during this period.

Under the Act of June 11, 1906, a few tracts of agricultural land on these drainages were opened to homestead settlement, some of which are still occupied by the original settlers. There has been no further acquisition of timber land by private parties since the creation of the Forest. In fact, the Forest Service has acquired some lands under the land exchange laws. However, there still exist 116,372 acres of alienated land inside the boundaries of the Forest.

Our information is that the Washington Pulp & Paper Company of Port Angeles is a heavy owner of the private timber on the Bogachiel.

There has been no sale of National Forest timber to any operator on the Bogachiel. Sales involving more than \$500 worth of stumpage require advertisement in local papers. Large sales are also advertised in the important newspapers of the state, and in trade and forestry journals. Operators who buy National Forest stumpage are allowed only a limited time for the construction necessary to start logging. In short, the public is kept informed of proposed sales and is protected from speculative purchases, or from needlessly long holding periods.

(N.B. Find out how much stumpage has been sold)

[NOTE: Total area of the National Forest is 1,440,000 acres]

Mr. Irving M. Clark

Certain roads are planned in the Olympics for fire protection purposes. Certain others will be needed for timber removal purposes. A large amount of timber is felled every decade in the Olympics by windstorms, and unless removed it is wasted and is also a fire hazard. Many billions of feet have been laid low in this way in the last twenty five years.

The interior of the Olympics has been definitely planned for years as an area of no roads, and much effort has been made by this office to convince people that the highest value of the interior Olympics is as a wilderness area. And finally several years ago the people agreed with us and approved a definite plan. This plan is on file at our offices at Olympia and Portland. I would be glad to have you see it and comment on it for our advice.

Very truly yours,

C. J. BUCK, Regional Forester,

By  Acting.

Forestry-Quinalt
Slash disposal.

Taholah Indian Agency,
Hogaman, Washington.
September 25, 1925

Official File Copy
Enclosures Files
90-2-20
DEFENDANT'S EXHIBIT NO. H-137
Court of Claims
Docket No.

Mr. Robert Marshall,
Director of Forestry, U.S.I.S.
Care Supt. Alameda Agency, Oregon.

Dear Mr. Marshall:

On your visit here last week you brought up the subject of slash disposal under the contracts on the Quinalt Indian Reservation and asked that we write you a letter giving the contract provisions etc. on each of the units, which statement follows:-

Quinalt Lake Unit Contract was approved Jan. 18, 1923 by the Assistant Secretary of the Interior. It reads that "The slash on the sale area, both that already on the ground and that resulting from logging operations, shall be burned by the purchaser () at such times and in such manner as the officer in charge may direct" (There is nothing written about piling the slash.)

The same provision appears in same language in the following six contracts:-

Mounte unit approved	8/25/23	by	assistant Secretary,
Point Granville "	5/25/22	by	" "
Eclipse unit "	7/15/20	by	" "
Cook Creek unit "	9/2/22	by	" "
Hall unit "	3/13/23	by	" "
Hatch unit "	5/26/27	by	" Commissioner,

() On the eighth contract, Upper Wreck Creek Unit approved 9/17/27 by the Assistant Commissioner there was inserted an additional qualification as follows where the () appears: "if the Commissioner of Indian Affairs shall require it"

On October 19, 1926 The Commissioner of Indian Affairs wrote to Supt. Dams that "Pending instructions from the Office to the contrary the general policy hereafter on the Quinalt will be to leave the slash and regard the logged areas. The burning of rest-
sited areas for the protection of logging camps, bridges and other
Additional forest officer in charge at the Taholah jurisdiction and under
careful supervision." (22597-23)

Sincerely yours

James A. Howarth Jr.

Forestry

Taholah Indian Agency
Hoquiam, Washington
September 23, 1935

Official File Copy
Enclosures Files
90-2-20
DEFENDANT'S EXHIBIT NO. H-116
Court of Claims
Docket No.

The Commissioner of Indian Affairs
Washington, D. C.

Sir:

During the recent visit of Mr. Robert Marshall, Director of Forestry, the matter of adjusting the Quinalt Lake contract was studied. It was thought that one of the first steps to be taken should be a careful study and analysis of the timber market with a view towards determining what would now be a fair valuation of the various stumpage species included within this unit.

It was suggested that an Indian group of four or five, selected from owners of timber within this sale unit, work with Mr. Muck or Mr. Gray in making this analysis. It was thought that this committee should be composed of one person from La Push, on the Quilaute Reservation, one each from Queets and Taholah, on the Quinalt Reservation, and one from Bay Center, at each of which places there are a substantial number of allottees having allotments or interests in this unit.

It is not proposed that this committee be authorized to take any action whatsoever on behalf of either the tribe or individual Indians. It is desired, however, that they take part in this analysis, both in order that we may have the benefit of their assistance and in order that they may have the educational benefit of the detailed information obtained in making such an analysis.

If this committee is to function over the two-weeks period that will probably be required for this analysis some provision should be made for paying them for their services and in order that their subsistence needs can be provided for during this study.

Seattle Federal Archives and Records Center, GSA
Under date of May 25, 1935 (Forestry, 23037-35) our budget 6125 Sand Point Way, No. 1
Record Group 50 was modified so as to permit the expenditure of an additional \$175 from the fund "Expenses, Sale of Timber (Reimb.), 1935-1936", for the employment of labor and purchase of necessary equipment, materials and supplies to be used in connection with forestry work on the Quinalt and Makah Indian Reservations.

Handwritten signature

There is sufficient money in this fund to take care of the expenses above referred to, which it is estimated will amount to \$150.00. Authority is requested to use this fund for this purpose.

If this fund is not available for this purpose we have a sufficient balance in the fund "Indian Moneys, Proceeds of Labor, Taholah Agency" to take care of the above expenditure.

Sincerely yours,

N. O. Nicholson
Superintendent

NON:S

COPY

Seattle Federal Archives and Records
Center, GSA

6125 Sand Point Way, NE

Record Group No. 75

Additional Information Taholah

William J. ...
...

Forestry-Tahle
"Selective Logging"

Wholesale Indian-Agency,
Hogulum, Washington,
September 24, 1968.

Mr. Robert Marshall,
Director of Forestry,
Indian Office,
Washington, D. C.

Official File Copy

Enclosures Files

90-2-20

DLF. NDANT'S EXHIBIT NO. H-79

Court of Claims

Docket No.

Dear Bob:-

This will refer to the conversation when you were out on the Quinalt Lake Unit last week regarding our authority to enforce selective logging on this and other contracts.

The Quinalt Lake contract (56777-22) approved 1/18/23 by the Assistant Secretary of the Interior reads on the first page that "The Superintendent ***express to well to the purchaser ***all the merchantable live timber marked or otherwise designated by the officer in charge for selective logging as required by the attached General Timber Sale Regulations, comprising trees fourteen inches and larger in diameter at a point four and one half feet from the ground, estimated to be *****"

The other seven contracts including the three completed ones all read identically. From the first, fourteen inches was designated by the officer in charge and pick up was made of all trees of that size and larger left by the contractors. We do not know of any correspondence in the files between this agency and the Washington Office or with the several contractors that touches on the matter of selective logging. In 1960 when logging along the shore of Quinalt Lake consent of the allottee was obtained before putting signs on about twenty trees along the lake shore requesting the fallers to leave them,

Heretofore all logging has been by donkeys and high lead which system levels all the timber and with that system selective tree logging is impossible. Only areas of timber too small to put logging into, meaning very young stands, escaped levelling.

Seattle
Center
6125
Record
Additional Information

on the buying of timber. We have ample authority in the contract and the law to enforce selective logging over protests of the allottees. The only question that would appear to be our right to enforce the buying

[Handwritten signature]

of expensive new equipment by a company that had been permitted for years to buy and use donkeys on their units with never a hint from us that they might not be permitted to use them.

Certainly where the contractor is willing to buy and use caterpillars, as I believe is the case with the Ozette Railway Company, we should ask that future logging be done selectively. In this discussion I am referring to logging under terms of the present contracts and not discussing how logging should be done in case of revision of stumpage prices downward. At present it seems very doubtful if revision can be accomplished and we must soon put it up to the contractor that since there cannot be revision of price they must get going under the terms of present contracts. By selective logging on allotments where they have paid in 43% and should pay the additional 4% of estimate they can selectively log to our satisfaction and have not much to pay down. It is when they get into the contracts or rather the allotments made after they contracted the area and on which they have no advances that they must pay in full for all the timber to be taken out. For your convenience I will submit a map showing the area of new allotments in distinctive color.

Sincerely,

H. S. Nicholson,
Superintendent.

JLNjr.

COPY

Seattle Federal Archives and Records
Center, GSA
6125 Sand Point Way, NE
Record Group No. 75
Additional Information

Report to Indians Allotted in the Quinalt Lake Unit
and Others allotted North of Quinalt River

November 9, 1902

Official File Copy

Edgess Files
90-2-20

DEFENDANT'S EXHIBIT NO. H-117
Court of Claims
Pocket No.

Dear Friends:

Following the suggestion of the Director of Forestry, Mr. Robert Marshall at a meeting at Taholah some weeks ago a committee of reservation Indians was recently chosen to go with the Forest Supervisor, Mr. James A Howarth Jr. and interview the Forest Service in Olympia and other stumpage owners, buyers and sellers, to learn what is the present value of stumpage of quality and location similar to that on the Quinalt Lake Unit, this committee to report back to the allottees of that unit the information they gathered so that the latter could if they chose to do so give lower prices to the contractor, Ozette Railway Company, Of course everyone will understand that whatever the committee finds is the fair present value of stumpage does not put anyone under obligation to reduce his or her contract prices accordingly.

Two members were appointed to this committee by the Taholah Indians, Messers Ed Scarborough and Herbert Caposman. The LaPush Indians chose as their representative Mr. Jack Ward and the Queets Indians were represented by Mr. Harry Sams. On the days chosen for the interviewing of the timber owners, November 8th and 9th only the members from LaPush and Queets were present.

The Weyerhaeuser Timber Company at Tacoma was interviewed and also the Saginaw Timber Company of Aberdeen; but the data they furnished was too vague to be of value. From four other sources indicated below we got definite figures below.

	Albert Schafer (Montesano)	Art Shelgreen (Aberdeen)	State Land Commissioner (Olympia)	Olympic National Forest
Douglas pine	\$2.50 to 3.00	\$2.50 to 3.00	\$2.50 to 3.00	\$3.00
Cedar	4.00	\$2.50 to 3.00	\$2.50 to 3.00	3.00
Spruce	4.00	\$2.50 to 3.00	\$2.50 to 3.00	3.00
White pine			no sales	
Sample at Way, NE	1.00		.75 to 1.00	1.00
Record			no sales	1.00
Additional Information				

Indian Names
Portland, Ore.

It was agreed by all that the Schafer Douglas Fir is the best that grows and is much better than the Indian Reservation Douglas Fir. Also it should be noted that the Schafer timber does not run a high percentage of cedar or spruce.

The Art Shelgreen prices are of value because they are sales made within the past two months and the timber is near Copalis and similar to much of the reservation cedar and spruce.

We learned that on Grays Harbor there is a surplus of Hemlock offered so that the price of the logs is \$3.00 less than on Puget Sound. By the October "timberman" quotations the hemlock logs on Grays Harbor sold for \$6.50 while on Puget Sound they sold for \$9.50 with better sales bringing 50% higher at each place. Accordingly many people claim that hemlock is worth a dollar less than nothing if sold on Grays Harbor because they do not bring the cost of logging. But the parties interviewed said that on the basis of Puget Sound values for hemlock logs the hemlock stumpage is worth \$1.00 per M.

The average of the prices quoted us on the first page of our report are \$3.50 for Douglas Fir, Spruce and Cedar and with White Pine included at same price and \$1.00 for hemlock and white fir. We think that these are fair prices for the timber in the Quinalt Lake Unit.

Also we think that these same prices are fair ones at which to advertise additional timber at this time. This last recommendation is made because at the meeting in Taholah on October 30 when the Taholah representatives were nominated for this committee it was requested that the committee report back also to the Indians as a whole and especially those with timber unsold north of Quinalt River so that they could decide what is a fair price to get for the remaining timber in view of the present application of pulp mill organizers to buy reservation timber.

COPY

Seattle Federal Archives and Records
Center, GSA
6125 Sand Point Way, NE
Record Group No. 75
Additional Information Final

Respectfully reported.

Jack Ward.

Harry Sams.

For the Commission
For the Commission

Report on Taholah Meeting
November 16, 1935.

Supt. H. O. Nicholson,
Hoquiam, Washington.

Dear Sir:-

Official File Copy
Enclosures Files
90-2-20
DEFENDANT'S EXHIBIT NO. H-118
Court of Claims
Docket No. 21,1935

This is a report on the meeting of Indians in Taholah
2 PM Saturday November 16, 1935 in the gymnasium, called by the
Business Committee to hear a report of the committee of four
Indians appointed, (two from Taholah and 1 from Queets and 1 from
Lafush) about two weeks ago to go with me to interview stumpage
owners and arrive at the value of reservation stumpage.

None of the committee of four being present at this
meeting, I read a copy of the report of the committee dated Nov.
9th and attach a copy of same to this report.

The purpose of this meeting of Nov. 16th in receiving
the report of the committee of four was principally in its rela-
tion to the sale of additional timber north of Quinalt River
rather than the revision of prices in the Quinalt Unit. But
part of the discussion of the meeting was this ~~revision~~ revision.

At the first count only 6 of those present, (30 adults
with four of the 30 being non-Indian) had any interest in uncom-
pleted contracts in the Quinalt Lake Unit. Later in the after-
noon with only 23 Indian adults present it was voted 14 to 0 that
the allottees of the Quinalt Lake Unit should be solicited by
an office letter and also by a small committee of the Indians to
learn

- 1- whether they would lower the stumpage prices from \$5.00
and \$3.00 to \$3.50 and \$1.00
- 2- whether they approved selective logging their timber
- 3- whether they would stick out for prices of \$5.00 and \$3.00
- 4- whether they desired the contract cancelled by the De-
partment if in a few months there is neither revision
nor operation under present contract terms.

NEXT the meeting discussed the proposition to sell more
timber north of the Quinalt River and finally it was voted by
18 to 0 out of the 30 all told then present, favoring a sale of
the balance of the timber of the reservation on terms below:-

Seattle Federal Archives and Records
Center, GSA, 6125 Sand Point Way, NE
Record Group No. 75
Additional Information 1368

20-20 years to complete logging rather than 30 years
50 percent of estimate to be paid each three years to
allottee until 50% of the estimate is paid
price to be not below \$3.50 and \$1.00 with the
provision for raising the price each three years if the
market conditions justify

4- NO SELECTIVE LOGGING
5- One twentieth of volume of whole unit to be cut annually.

The meeting turned down my proposition for logging any additional units that might be put up and especially the large unit that the pulp people are desirous to contract which was:-

- 1- a thirty year contract to log over the whole area and with right of the purchaser to meet the high bid if the timber was again advertised for another period.
- 2- SELECTIVE LOGGING looking to permanent operation on the big unit.
- 3- deeding all the allotments to the United States in TRUST FOR THE TRIBE thus to permit the United States to reforest the area.
- 4- pooling their interests in the proportion that their present estimates bear to the present total estimate on the area so that each would receive each year that proportion of the value of the years logging receipts regardless of where the timber was out and each would receive that proportion during the first thirty years operation but not thereafter.

(See the form of petition that I had drawn to be used in requesting the Department to advertise this big unit.)

I should add that though it was not voted on yet many of the speakers advocated that the purchaser should put up the full value of the timber at the start rather than ten percent- That would be about \$1,800,000.00 for stumpage at \$3.50 and \$1.00.

I called attention to the fact that all contracts to date on the Quinalt Reservation provided for selective logging and read the clauses heretofore used, that the Superintendent sells to the purchaser "all the merchantable dead timber standing or fallen and all the merchantable live timber marked or otherwise designated by the officer in charge for selective logging..." and explained the different ways that this would be worked out;- clean logging of selected strips or sometimes logging the bigger and more valuable trees and leaving the balance and generally using caterpillars rather than donkeys as heretofore. But their argument was that the balance would blow down and go to waste. The most positive reaction of the meeting was the opposition to selective logging.

COPY

Respectfully reported,

Seattle Federal Archives and Records
Center, GSA
6125 Sand Point Way, NE
Record Group No. 75
Additional Information Forest

James A. Howarth Jr.
Forest Supervisor.

William J. Gorman
Forest Supervisor

Forestry-Guinaielt
55777-22
Modification T.L. Unit.

Taholah Indian Agency
Hogwian, Washington
December 9, 1935

Commissioner of Indian Affairs,
Washington D. C.

Dear Sir:-

Reference the proposed revision of the Guinaielt Lake Unit contract there is enclosed herewith a copy of the report of Indian committee after interviewing Forest Service office in Olympia and a number of larger stumpage buyers and sellers with timber in the Grays Harbor region making recommendations as to stumpage values on this reservation at this time. Also there is a report by the Forest Supervisor, Mr. James A. Howarth Jr. of a meeting of the Indians at Taholah on November 16, 1935. In reference to the proposal at this meeting that the Indians be again canvassed as to their (the allottees) wishes as to revision, it seems to us that all that would come of an additional canvass would be more delay and that there has been delay enough already. We believe that we should try now to direct the steps that will bring about a definite conclusion.

More than a year ago we submitted to the Washington Office a form of modification of the general contract on this unit that had been drafted in cooperation with a committee of Indians appointed therefor by the General Council and which was thereafter approved by the General Council. Some months afterward the Office injected a plan for selective area logging into the contract revision with the proposition also that all of the allottees whose timber was not yet logged should pool their interests so that, regardless of where the logging should thereafter take place, they would all share annually in the proceeds of the logging each in proportion that the present value of the timber on his land as now estimated bears to the value now of the total remaining stand.

This pooling of interest and annual sharing in proceeds seems an ideal plan but it is opposed by the majority of the Indians interested and therefore cannot be worked out because all must consent before any work.

Seattle Federal Archives and Records Center, GSA It seems to us that it is possible to get somewhere with the 6125 Sand Point Way, Seattle, Wash. revision of the contract as follows;- Just as on the Klamath, it is Record Group No. 25 not necessary that all the allottees should modify their contracts if Additional Information modified along the lines of the Klamath modifications. Those who do not agree to reduced prices would still be entitled to get the present

Office File Copy
EXHIBIT NO. H-119
Enclosures Files
90-220-100-100-100
DEFENDANT
Court of Claims Washington
Docket No.

higher prices when their allotments are logged but we could let the company log somewhere in the unit, during the next year or two of hard times, where there are enough allottees signed up for reduced prices so that its losses might not be too heavy and yet we can enforce the selective logging feature under the present contract terms. The company is now preparing a plan for selective logging, taking all the timber in some strips and taking out some of the larger timber in the intervening strips, as much as we would designate with the idea that the remaining timber would be windfirm and also a fire barrier. This plan is to be submitted in considerable detail soon.

The present general contract on this unit reads like all the other general contracts made on the Quinalt since large timber sales started. The first page reads that the superintendent sells to the purchaser "all the merchantable dead timber standing or fallen and all the merchantable live timber marked or otherwise designated by the officer in charge for selective logging as required by the attached General Timber Sale Regulations, comprising trees fourteen inches and larger/20 1/2" four and a half feet from the ground, estimated to be 247,000,000 feet on unallotted land within a tract having a total estimated stand as follows-----Total 336,000,000 feet B.M."

Only our practice heretofore to disregard this selective logging provision seems now to stand in the way of our enforcing it against the wishes of the allottees. And they do more and more object to any system that will hold them from logging any substantial volume of their timber. They will turn down any proposition along selective logging lines that we might submit to them. Our only hope seems to be to enforce selective logging by the terms of the present contracts and to not inject anything new on the subject into the revision of contracts.

I hope that we may have returned to us at an early date the revised form approved by the Office and omitting new selective logging paragraphs so that we can get the Tribal Council to formally approve the revision on terms that they have shown willingness already to do. Then we will be in position to negotiate with individual allottees for revision. As to prices in revised general contract, the recommendation of the small committee in attached report should be followed:- \$3.50 for douglas fir, spruce, cedar and white pine and \$1.00 for hemlock and white fir.

COPY

Seattle Federal Archives and Records, respectively reported,
Center, GSA
6125 3rd Point Way, NE
Record Group No. 75
Additional Information _____
N. O. Nicholson,
Superintendent.

Official File Copy
 Enclosures Files
 90-220
 DEFENDANT'S EXHIBIT NO. # 43
 Court of Claims
 Docket No.

daily file

English Indian Agency,
 Hogueian, Washington.
 January 6, 1936.

Commissioner of Indian Affairs,
 Washington, D. C.

Dear Sir:-

We are forwarding a copy of a letter received recently from the H. R. Smith Lumber and Shingle Company protesting in general against the use of Indians for scalars. They do not set out any special objection to any of the men we have had scaling their timber. The letter is submitted merely for Office information. We think that the Indians employed as assistants and scaling under strict supervision of experienced scalars while learning the business of scaling, have done very well and have shown no disposition to favoritism as feared by Mr. Paul E. Smith. We do

not recommend any change. Mr. Dole of the Alpha Lumber

COPY

Seattle Federal Archives and Records
 Center, GS Observations and send curamendians to another reserve-
 6125 Sand Point Way, NE
 Record Group 161-25 we are not recommending that either.
 Additional Information

JANER

Respectfully submitted.

Copy to Lee Mack,

Conference Between Quinaielt Indian Delegation and Forestry
Division in Washington Office -- January 11, 1935.

Official File Copy
Enclosures Files
90-2-20
FRONDANT'S EXHIBIT NO. H-119

A conference was held this morning concerning various timber problems on the Quinaielt Reservation between Harry Shale, William Penn and Oscar McLeod, representing the Quinaielt Indians; Superintendent Nicholson of the Enclah Agency; and Messrs. Lee Muck, J. D. Lambert and Robert Marshall of the Forestry Division.

Robert Marshall read the following statement as indicating the present views of the Forestry Division concerning what should be done to make it possible for the Polson sale to go ahead;

"1. Mr. Muck should make a reappraisal of stumpage values on the Quinaielt as soon after he returns to Spokane as possible.

"2. The general contract for this sale should be put up to the Indians in general council for modification of the stumpage prices determined in this reappraisal. At the time of putting up this modification it should be clearly explained to the Indians that the old method of clear cutting will no longer be pursued. The new cutting policy will include the following features;

"a. Spots generally equal in size to what can be covered from one setting will be cut out and substantial blocks of timber on the side left standing, instead of clear cutting the entire area as before.

"b. Areas skipped the first time over the operation will be returned to when the first set of spots is cut out.

"c. Somewhat more than 50% of the area will be cut out during the first time over the unit.

"d. It is anticipated that it should take 10 to 12 years to go over the unit the first time. This should give ample opportunity for the spots to seed in and grow a stand of timber large enough to eliminate the severe fire hazard which comes on freshly cut-over areas.

COPY

Seattle Federal Archives and Records adapted to selective logging by
Center GSA
6125 Sand Point Way, NE
Record Group No. 75
Additional information
without any logging in them at all.

"3. If the General Council agrees to modify the contracts under these terms, then the individual allotment contracts should be put up to the allottees for modification".

It was brought out in the discussion that such a program would mean that all of the timber in this unit would be cut over by the end of the sale. However, instead of cutting off everything at the end of the unit first and making those Indians at the other end of the unit wait for additional money until the very end of the sale, by this method most allottees would have part of their allotments cut over the first time over the area and the rest of the allotments cut over the second time. Consequently the payments to the allottees would not all come at ~~the same~~ ^{one} time. Furthermore, all allottees should get some payment within ~~some~~ ^{15 or} 12 years instead of having to wait until the very end of the cutting.

Another point brought out was that instead of windfall to the timber left standing it will be easy to come back and pick up the timber which has blown down, because the routes of transportation through the ~~area~~ will be built with the idea of using them again when the second cutting is made. The great advantage of this system of cutting is that large areas will not be opened up at one time, involving a fire hazard so great as to make it almost certain that a large share of the cut-over area will be burned and devastated. If cutting is done in the way suggested there should be a good chance for most of the land cut over not to burn but to remain productive and growth is so rapid in the moist area left, because that half of the area escapes fire, it will be ready for a second cutting for pulp in 40 or 50 years or for saw timber in about 60 years.

The value of keeping the Quinzielt lands continuously productive instead of ruining the possibility of future income at one cutting, cannot be over-emphasized. For this reason the Office is unwilling to see a continuation of the present method of clear cutting everything. It was suggested that a committee be appointed to study in particular detail the figures which Mr. Luck obtains from reappraised stumpage values.

A small amount of young hemlock which would have been cut under the previous system of logging will be preserved for second growth under the proposed system. The volume, however, would only amount to a small percent of the total stand.

The cost of logging under the proposed method of cutting should be slightly higher than by the present method of going over the area at one time, because it will be necessary to do a good deal of brushing out of rail road ~~right of way~~ ^{at} the time of the second cutting and of course it will be necessary to ~~rely~~ ^{use} the steel.

Seattle Federal Archives and Records Center, discussion was also had of the advisability of selling the timber ~~near the Point Barlow River~~. It was agreed that there is little likelihood of ~~making a favorable~~ ^{making a favorable} sale of this timber if it is broken up into several
Additional Information _____

different units. However it might be possible to sell it if it is sold in one block to some pulp company. It was felt that if it is sold to a pulp company it should be sold on at least a 40-year basis in order to make it possible for the pulp mill to get a long time supply of timber and create a permanent industry. It was felt that this timber should be cut by alternate spots as proposed for the remainder of the timber on the unit.

It was also suggested that the Indians owning allotments in the North half of the reservation should pool their interest together. Each Indian would be paid from the main cut over area, after the legitimate expenses were deducted, the same proportion of the income that his timber holdings represented of the total timber holdings. In other words, if there should turn out to be two billion feet on this unit and a given Indian had one million feet on his allotment then that Indian would be entitled to $1,000,000/2,000,000,000$ of the income for each year; or in other words $1/2,000$ part. If the value of the timber cut in a given year was \$100,000 then this particular Indian would receive \$50.00. Another Indian with twice as much timber on his allotment would receive \$100, while one who had only half as much timber would get only \$25. In this way every Indian would receive the same proportion of the total income from the sale that he would receive under the present system.

However, there would be two differences. An Indian with an allotment on the last part of the unit to be cut would not have to wait 25 years or 40 years from any income other than the 10 per cent advance payments; and all the Indians instead of receiving one large lump sum payment at the time their allotments were cut and nothing thereafter would have a continuous income, but on a much smaller scale in any one year. It is the feeling of the Office that this would be a more satisfactory system all around.

It was pointed out that the present time is a very poor time to make a sale of Indian Stumpage because of the low stumpage prices now being paid. There is so much privately owned timber in northwestern Washington being dumped on the market at the present time that the market seems to be saturated. Many white operators who have to pay taxes are willing to sell ~~their timber~~ ^{timber} at almost any price in order to get what they can and stop the heavy drain on their resources which taxes involve. This procedure while it may be good for white men who have to pay taxes, does not seem desirable for Indians who do not. It is especially true when one considers that due to relief projects there is more of an income on the reservation today without such a sale than there would be in the future after relief is stopped. It might be better to wait a little while until relief funds go out before

Seattle Forest Service Archives and Records Center, CSA

6125 East Roosevelt, that if such a sale should be made for the north half of Reservation Clause should certainly be inserted giving qualified Indians ~~Additional information work~~ in the woods and the mill. When relief

work ends it will be necessary to find some other means of work for the Indians if starvation is to be avoided in many cases.

Because no definite proposal has yet been made by those companies which have suggested the desirability of such a sale, we all decided that no positive opinion could be passed until a specific offer was made. The points mentioned are merely facts to be considered at that time.

Director of Forestry.

COPY

Seattle Federal Archives and Records
Center, GSA
6125 Sand Point Way, NE
Record Group No. 75
Additional Information

MEMORANDUM OF HISTORY OF MODIFICATION
EFFORTS OF THE CULMINANT LAKE UNIT OF GRETTE RAILWAY CO.

Supt. E. O. Nicholson,
Wapatom, Washington.

Dear Sir:-

Below is a history gathered from our files of the efforts of the past two years to modify the prices on the Culminant Lake Unit contract of the Grette Railway Company.

March 3, 1934 Taholah meeting of General Council favored reduction from \$5.00 to \$3.00 on Fir, Cedar and Spruce and from \$3.00 to \$1.00 on Hemlock and Amabilis Fir, see telegram of Frank W. Law to Senator C. J. Dill dated March 7, 1934.

June 6, 1934 is date of the Act 294-731 Congress (H.R. 8494.)

August 20, 1934 Taholah meeting of General Council appointed a committee of five to draft revised forms of contract on Culminant L. Unit, committee being, Herbert Cooper, Ronnie Charley, Johnson Black, Oscar Malcol, Chester Hillett.

August 29, 1934 this committee adopted forms of revision for general contract and allotment contracts.

September 15, 1934 Taholah meeting of General Council approved these forms. (Letter of 10/2/34 by mistake refers to this meeting as Sept. 23th)

September 17, 1934 supplementary meeting of the Quillicate Indians at Lapush called to give additional CKEH were satisfied to accept action of Taholah General Council.

September 24, 1934 this was reported thru Mr. Lee Mack to Commissioner
October 2, 1934 additional letters (two) accompanying transmittal.

April 24, 1935 Commissioner sent maps explaining methods of logging proposed in his letter of March 13, 1935.

May 1, 1935 Taholah General Council meeting, 78 present, was not favorable to revision and total 13 to it against price reduction and 11 to 3 against proposed selective area logging removing about 60% cally of timber. ^{Seattle National Archives and Records Center} ^{1125 Sand Point Way, Seattle, Wash.} Record Group No. 75

Additional Information
May 9, 1935 date of questionnaire to allottees, heirs and guardians of cars whether they approved price reduction and selective area logging.

July 23, 1935 date of Mr. Lee Mack's report on results this questionnaire.

Official File Copy
April 20 1935
Enclosures Files
99-2-20
DEFENDANT'S EXHIBIT NO. #120

ge 2, History Quinalt Lake Contract Revision.

23, 1935 no submitted to the Commissioner, forms for acceptance no logging during past two contract years but no action was taken.

ut September 20, 1935 Mr. Robert Marshall attended Taholah meeting Indians in General Council. A committee of four was suggested to ly present stumpage value of Quinalt Lake Unit. The committee or chosen was Herbert Capowman, Ed Scarborough, Jack Ward and ry Sams.

of the Committee, Messrs Jack Ward and Harry Sams accompanied the est Supervisor, meeting the State Land Commissioners assistant and est Service Assistant Supervisor in Olympia and a few timber owners mill operators on November 8 and 9, 1935 and dated their report ember 9, 1935 advocating \$3.50 and \$1.00 for revised prices.

ember 15, 1935 Taholah General Council meeting heard the report of ars. Ward and Sams but no action was taken except to recommend another slience.

ary 11, 1936 General Council meeting at Taholah elected 3 delegates to Washington, D. C. on timber and other matters. Delegates were ry Shale, Cesar Moleed and William Loan who left here Jan. 17, 1936.

uary 29, 1936 Taholah General Council meeting heard the report of a committee and took no action because Mr. Leo Mack was to come here nize an appraisal of the value of the timber on the Quinalt L. Unit

il 19, 1936 Taholah General Council meeting was attended by about 140 ans who after an all day session finally voted modify the general tract with new prices of \$3.00 for cedar, spruce, douglas fir and te pine and \$1.00 for hemlock and white fir. As I remember the vote was 65 for revision and 41 against. Some Indians protested that the ars did not all understand what they had voted for but motion calling a new vote on the question was not seconded. Minutes of this meeting e not yet been turned in.

COPY

Seattle Federal Archives and Records
Center, GSA
6125 Sand Point Way, NE
Record Group No. 75
Additional Information: W. A. Howarth Jr.
Forest Supervisor.

C O P Y

Moclips, Washington.
August 17, 1936.

Supt. N. O. Nicholson,
Taholah Indian Agency,
Hoquiam, Washington.

Dear Sir;

We are enclosing four copies of a letter of protest adopted at a meeting we held last Saturday at Taholah, which is self explanatory.

I wish you would forward the original to the Commissioner and others to whomever you think would do the most good, keeping one copy for your own files.

If you think, as we do, that this action is unjust to the Indians, a protest from your office to the right officials would no doubt carry a lot of weight and we would appreciate it very much.

We would like to avoid any legal action in this matter but if the Department insists on carrying out this order, the Indians are fully determined to have a show-down thru the courts.

Yours very truly,

(Signed) Cleveland Jackson.

Official File Copy	
Enclosures Files	
90-2-20	
DEFENDANT'S EXHIBIT NO.	<u>A-133</u>
Court of Claims	
Docket No.	

Taholah Indian Agency,
Hoquiam, Washington,
August 19, 1936.

Commissioner of Indian Affairs,
Washington, D. C.

Dear Sir:-

Enclosed herewith is a resolution of August 15, 1936 by the Quinalt Indian Council at meeting in Taholah and with it I also enclose the letter of the "President" Mr. Cleveland Jackson to me asking that I forward the resolution. This all refers to paragraph 22 of the new General Forestry Regulations which were approved May 18, 1936. The meeting was the result of our telling several of the Indians who have started logging along the Olympic Highway that the new regulations contained this prohibitory paragraph and we had sought advice on it from the Office and if enforced literally we would have to shut down on logging anything but dead and dying timber within a quarter mile of the Olympic Highway on allotments, all of them.

Our position is discussed at some length in a letter of August 3, 1936 (additional copy enclosed) sent thru Mr. Lee Luck. We presume that the same was forwarded. We are heartily in sympathy with preservation of virgin stands of timber along highways and streams. But where this timber is privately owned we do not see how this can be done by regulation alone. This timber has a high value to the owners and the Government must pay the owners all that it is worth. A regulation that permits only the larger timber to be cut now and holds smaller timber for future cutting provides that the owner will ultimately get all it is worth and is not confiscatory. But to say that private timber shall never be cut is something else entirely and we do not think it can stand in the courts where the Government does not provide a way for paying its full worth.

COPY

Respectfully forwarded,

Seattle Federal Archives and Records
Center, GSA
6125 Sand Point Way, NE
Record Group No. 75

H. C. Nicholson,
Superintendent.

Additional Information
copy to Mr. Lee Luck,
Spokane, Wash.

Official File Copy

Enclosures Files

90-2-20

DEFENDANT'S EXHIBIT NO. H-134

Court of Claims

Docket No.

LOCATIONS AND NAMES OF ALL CCC CAMPS IN WASHINGTON

file

<u>CAMP NAME</u>	<u>FOREST, PARK OR COUNTY (WORK AREA)</u>	<u>POSTOFFICE SERVING CAMP</u>
Lookout	Columbia NF	Carson
Twin Buttes	Columbia NF	White Salmon
Deception Pass	Island County	Oak Harbor
Narada	Mt. Rainier NP	Longmire
Naches	Snoqualmie NF	Naches
Ohanapecosh Hot Springs	Mt. Rainier NP	Packwood
Darrington	Mt. Baker NF	Darrington
Saltwater	King County	Zenith (Seattle RFD #2)
Humtulips	Olympic NF	Humtulips
Pt. Townsend	Jefferson County	Pt. Townsend
St. Andrews	Mt. Rainier NP	Longmire
Quilcene	Olympic NF	Quilcene
Gold Creek	Chelan NF	Carlton
Carbon River	Mt. Rainier NP	Fairfax
Index	Snoqualmie NF	Index
Elma	Grays Harbor County	Elma
Icicle	Wenatchee NF	Leavenworth
White River	Mt. Rainier NP	Enumclaw
Millersylvania	Thurston County	Olympia (RFD #4)
Moran	San Juan County	Olga
Lewis-Clarke	Lewis County	Winlock (RFD #1)
Sultan (VET)	Snohomish County	Sultan
Lake Cle Elum (VET)	Wenatchee NF	Roslyn
North Bend	Snoqualmie NF	North Bend
Tahoma Creek	Mt. Rainier NP	Longmire
Glacier	Mt. Baker NF	Bellingham (Star Rt.)
Snider R. S.	Olympic NF	Pt. Angeles
Electron	Pierce County	Electron
Boulder	Chelan NF	Winthrop
Upper Cispus	Columbia NF	Randle
Seven Mile	Spokane County	Ft. Geo. Wright
Pierre Lake	Colville NF	Orient
McMann Creek	Colville NF	Republic
Mt. Spokane	Spokane County	Colbert
Gypsy Meadows	Kaniksu NF	Metaline Falls
Valley	Stevens County	Valley
Sullivan Lake	Kaniksu NF	Metaline Falls

Official File Copy
 enclosures Files
 30-2-20
 DEFENDANT'S EXHIBIT NO.
 Court of Claims
 Docket No.

Total of 37 camps in State of Washington

Number of Washington men now in camp- 6623. Of this number approximately 1600 are experienced men.

Since the beginning of the CCC camp program, we have enrolled 13,292 juniors. Of this number it is estimated that approximately 10,000 different boys from this State have had CCC experience.

Ages of boys now being accepted 18 to 28 years.

C. F. Ernst

June 11, 1935.

daily

Taholah Indian Agency,
Hoquiam, Washington.
December 19, 1934.

Official File Copy
Enclosures Files
90-2-20
BIF IDENT'S EXHIBIT NO. H-141
100-10-10

Mr. W. H. Cole,
Alaska Lumber Company,
Alona, Washington.

Dear Mr. Cole:-

This will acknowledge your letter of Dec. 14 in which you say that our new scaler (or Indian Assistant as we designate them) Mr. James Bryson, is overscaling from 600 to 1500 feet per acre. We have called your letter to the attention of Mr. F. W. Briggs, our senior Forest Ranger, who is in charge of timber sale work and of the training of our Indians as scalars. In view of your letter we have asked him to concentrate on the training and checking of Mr. Bryson and expect a detailed report shortly.

We certainly do not want any scaler, either white or Indian, to overscale or underscale by any such large percentage as your letter sets out.

As to employment of local Indians to scale, I believe you understand that it is the policy of the present administration in Washington to train Indians as scalars and eventually for all forestry positions in the Indian Service. We have fallen in line with this policy and have a number of our local Indians in training here and at Peah Bay. Of course we could arrange in our service to take men from other reservations into training here and send our men to some other reservation for training and eventual permanent employment elsewhere. If the operators as a whole feel that they cannot trust the local Indians to do their scaling we would present that view to the Bureau Office and see what the reaction there is to such a proposal. Your letter raises this point.

Seattle Federal Archives and Records Center, GSA
We hope that Mr. Bryson turns out to be a good scaler and that in the training you are not penalized by his Report Group No. 75. Dr. Briggs' report indicates that there has Additional information scale we may have to figure our some adjustment thereof. We can take that up later.

Sincerely yours,

JAHjr.

N. O. Nicholson, Supt.

COPY

M. R. SMITH LUMBER & SHINGLE COMPANY

SEATTLE, WASHINGTON.

Dec. 23, 1935

Official File Copy

Enclosures Files
90-2-20
DEFENDANT'S EXHIBIT NO. H-142
Court of Claims
Docket No. _____

Taholah Indian Agency,
Hoquiam, Washington.

Attention: Mr. E. O. Nicholson, Supt.

Gentlemen;

Recently we had some discussion with Mr. Dole about the question of using Indians for scalers and other forestry officials in the Indian Service. We agree with Mr. Dole that it is not fair to the operators to use Indians for this purpose, because they would naturally have a bias in favor of the Indians who are selling the timber. It would be practically the same proposition as a saw mill buying logs on the loggers scale instead of on the Bureau scale.

Where such a large percentage of the timber is cedar it is particularly important that the timber be scaled by an experienced and unbiased scaler because scaling cedar is so much a matter of good judgment.

We hope very much that you will be able to convince the Indian Department that it is not fair to us to use the Indians for scalers or other officials in the Indian Forestry Service.

Yours very truly

M. R. SMITH LUMBER & SHINGLE COMPANY

(Signed) By Paul R. Smith

FRS/R

COPY

Seattle Federal Archives and Records
Center, GSA
6125 Sand Point Way, NE
Record Group No. 75
Additional Information _____

dine, file

Taholah Indian Agency
Hoquiam, Washington
September 9, 1937

Official File Copy
Enclosures Files
90-2-20
DEFENDANT'S EXHIBIT NO. H-149
Court of Claims
Docket No. _____
Received.

W. H. Dole
Vice Pres., Aloha Lumber Company
Aloha, Washington

Dear Mr. Dole:

Your letter of September 8, 1937,

We have already resubmitted to the Washington Office for consideration your request for a waiver of the cutting requirements on the (Amounts) Unit without any penalty assessment because of failure to cut the required amount.

Neither this office nor the Washington Office are desirous of imposing any undue hardships on you. You should realize, however, that the Indian owners of this stumpage are entitled to some consideration. They entered into these contracts with the expectation that the amounts specified in the contracts would reasonably be cut, and that these amounts would be distributed for the benefit of the individual Indians effected. Year after year now these amounts have not been cut, and the Indians have been denied the opportunity to use the money they would have been entitled to had these amounts been cut, and they very naturally feel that they are entitled to some consideration in the matter.

You will appreciate that even though the cutting requirements have been waived in the past without requiring any additional advance payments that there is nothing inconsistent in the Department taking the position that this policy should not be followed indefinitely.

Sincerely yours,

N. O. Nicholson
Superintendent.

COPY

Seattle Federal Archives and Records
Center, GSA
6125 Sand Point Way, NE
Recon Group No. 75
Additional Information _____

Taholah Indian Agency
Hoquiam, Washington
September 10, 1937

Official File Copy
Enclosures Files
90-2-20
DEFENDANT'S EXHIBIT NO. H-121
Court of Claims
Docket No.

The Commissioner of Indian Affairs
Washington, D. C.

Sir :

Reference is made to your letter of August 24, 1937, relative to the practice of selective logging on the Quinalt Reservation.

You refer to the modified instructions contained in Office letter of July 12 and state * * * "the Office therefore assumes that the matter has now been disposed of to the satisfaction of the Indians". I have today discussed this matter with the Business Committee representing the Quinalt Indians. They were agreed that the authorization to continue the development of the Upper Wreck Creek Unit under the same policy as pursued in the past was entirely agreeable to them. They assumed that this means permission to clear-cut merchantable timber on an area selection basis, which would mean the clear-cutting of all merchantable timber before logging operations within the unit were completed, but which would mean the distribution of cutting in such a manner as to insure reproduction and promote a reasonable degree of protection.

Office letter of July 12, 1937, did not state whether this statement as to policy would apply in cutting operations on other parts of the reservation. They feel that inasmuch as the reservation is all allotted and the timber on these allotments represents practically their entire value, that the cutting policy on these allotted, timbered areas should be the policy which has been in effect on the reservation and other coastal areas for many years. They feel that their allotments, or at least part of the timber thereon, should not be sacrificed in experiments involving other methods of cutting. They are entirely agreeable to the policy of area selection, involving clear-cutting of areas so distributed as to obviate large, continuous accumulations of slash, and to encourage reproduction and make more readily possible a reasonable degree of protection against fire. They feel that the policy should be to cut substantially all merchantable timber, but are agreeable to leaving areas where timber is all small and immature, or where the percentage of large timber is small. Any attempt to remove it would result in the destruction of excessive amounts of reproduction and immature timber.

COPIES

Seattle Federal Archives and Records Center
6125 Sand Point Way, NE

Record Group No. 75

Additional Information

I was advised by the committee that, inasmuch as Office letter of July 12 made no definite statement as to the cutting policy that should now be in effect on units other than those under contract to the Aloha Lumber Company or as to the policy that would be made operative on the large bodies of timber on the North half of the reservation, they still feel that a suit might be necessary for them to "protect their interests" and, while definite steps for entering the suit have not been taken, their plans were for the initiation of such a suit.

In reply to my suggestion to them that there would appear to be little that could be gained from a suit if the Department should agree with them substantially as to cutting policies, they agreed that, if the Department would approve clear-cutting on an area selection basis on present operations and such other sales as may be made, that there would be no reason for any suit.

The committee that called to discuss this matter represented a good cross-section of the Quinalt allottees. Some had allotments on which the timber had all been cut, another had an allotment within the Mounts Timber Sale Area, another had a child with an allotment in the Quinalt Lake Unit, and one had an allotment not within a sale area.

There appeared to be no special bitterness on their part or any special desire to fight the Department. They did feel though that in view of the drastic changes in cutting policies, established without consultation with them, they owe it to themselves to take some steps to protect their property rights and to determine what rights, if any, they have in the disposition of their timber. To summarize, this is what they wish and what they think should be done in carrying out a business-like cutting policy on the Quinalt Reservation:

- (1) The clear-cutting of all merchantable timber on areas to be logged, with the understanding that this will permit of leaving areas where the major part of the growth consists of reproduction and merchantable timber; "merchantability" to be dependent on the saleability of timber rather than any arbitrary size figure, such as 14" DEH as might be included in any given contract.

- (2) Area selection so as to encourage reproduction and promote a better system of fire protection, even though this would result in the need of more railroad

Seattle Federal Archives and Records Center, GSA
6125 Sand Point Ave., NE

Record Group No. 75

- (3) That it further suggested that if plans are considered for the sale of large bodies of timber on the reservation or if drastic changes in cutting policies are contemplated, that a representative group of Quinalts

be permitted to enter and discuss these matters with Indian Bureau officials who are conversant with coast timber, logging practices, and coast logging practices.

Probably your letter of July 12, 1937, was intended to authorize clear-cutting operations on all sales. We did not so interpret it. May we receive, at an early date, a statement as to the cutting policy that will be permitted on sales under sale other than the Aloha Lumber Company on the Quinalt Reservation?

I might state here that the recent, rapid advances in truck-logging in the coast area will, unquestionably, materially affect the types of sales and methods of operation of future cuttings of timber. The many small sales -- one including 12 MM feet of timber -- that have been sold on the Quinalt Reservation in recent years are an indication of what is going to happen. Rather than being faced with the need of making one or two large unit sales, covering the major part of the remaining timber on the north part of the reservation, we will have opportunity, and it will doubtless be advisable, to make a larger number of smaller sales, such that our logging will automatically become one of area selection and will tend to insure reproduction and promote reasonable protection.

Sincerely yours,

N. O. Nicholson
Superintendent.

NON:I.

c.c. to Frank B. Lezie
Regional Forester
Spokane, Washington

COPY

Seattle Federal Archives and Records
Center, GSA
6125 Sand Point Way, NE
Record Group No. 75
Additional Information _____

Forestry-Quinnell
Timber Sale # 277
Lizsle Howeattie.

INDIAN LAND AGENCY,
HOLMAN, WASHINGTON.
DECEMBER 5, 1937.

Mr. H. J. Nicholson,
Indian Land Agency,
Holman, Washington.

Dear Sir:-

This is the presentation of a request for the sale of the spruce timber on the Lizsle Howeattie (deceased) allotment No. 277, lot 13, section 29 and lot 11, section 29 and 30 of 277 section 29 in T 24 N, R 12 W, W.M. This timber which is appraised at \$ 2,550.00 and offered as a single sale will require authority for advertising in a news paper. It will be the first of our so called Olympic Highway sales presented in a size requiring news-paper advertising and therefore I desire to give here a short and general history of these sales.

The log market picked up a few months ago and with it there has been an increase in the demand by small outfits of track loggers for Indian timber along the Olympic Highway. Generally the loggers contact the Indian owners who come in and urge us to sell their timber. Often the parties plan a sale to an Indian who takes on the white people to finance him and do much of the work and the bona fide status of the Indian purchaser has sometimes been questionable. Our sales generally provide that the work to point of loading for transportation be done at least half by Indians or whites who are married to Indians. This results in considerable employment of Indians.

Up to the present time and following a policy adopted in conference with the then Regional Forester some two years ago most of our Olympic Highway sales have been small ones of about ten acres each and, when advertised for white competition, they have also been under one thousand dollars in value. This thousand dollar limit permits advertising by circulars and posters and it saves the expense, and delays of prior authority, for newspaper advertising. Circulars are sent to all who have shown interest in such sales and we believe we get all the timber is worth.

Seattle Federal Archives and Records

Center, CSA These small sales have been expensive to handle and they require close supervision of the advance deposits as well as of the Records. A large part of the time of the Forest Supervisor is spent in advertising, contracts, securing signatures, etc.

Eventually they will result in logging all the better timber along the highway and will be an obstacle to needed contents of the owners to road and railroad construction by purchasers of the blocks

Official File Copy

Enclosures Files
90-2-20

DEFENDANT'S EXHIBIT NO.

Court of Claims
ocket No.

H-147

of timber farther from the highway. We have not from the first been in favor of these small sales for the reasons stated and at present we are so short of funds that we cannot afford to assign men to supervise and scale this logging.

But we have been subjected to pressure to develop this highway timber since 1932, and our opposition to the first application resulted in the allottee, Dorothy J. Wilson, and her white father-in-law, Clyde Pope, establishing a shingle mill on her allotment without consent or knowledge of this Agency office early in 1934. Eventually we got the parties signed on a special form of contract. For about a year now that operation has been shut down. Also a trespass by Carl Larson and others occurred a year ago on the Anna Kay Bradford allotment within the Rainier Unit and this case we took into the U. S. court. But the district attorney doubted that we could win the case and recommended dropping it, which we did on the promise of the parties to discontinue the trespass.

Edl Markes logged certain acre pieces of the Caesar Markes allotment without contract. One other family has so far without contract approval been operating on a small scale on the wife's allotment (#1072, Josephine J. Elliott) and this family appears to us to be the only one with bona fide intention to make the allotment the permanent family home. A test case against them we believe would be the least likely of success and we still have hope that they will execute contract with regular approval.

There has been threat for nearly two years that the Indians here will finance a test case of our right to control the allottees in the sale of their timber along this highway but so far we have avoided the clash. If a test case is made we will be very seriously handicapped in having to depend upon the U. S. assistant district attorney in Tacoma who believes that the Indians cannot be controlled in the logging or sale of their timber. The above statement of the threat of court struggle is in explanation of our making these small contracts notwithstanding our original and continued disapproval of them as a general policy of selling the timber.

We have before us **COPY** now applications to advertise the timber on nine allotments, usually 50 acres each, along the Olympic Highway and a host of other unappraised value of the timber is about \$200,000. These allotments are scattered and so cannot be sold as a unit. We see the necessity for numerous test case allotments presented as a case for advertising all the merchantable timber on the eighty acres by newspaper advertising with the understanding that others, many others, will be likely to follow shortly.

Reference the proposed sale of the spruce timber on the allotment 7277 (lot 10, sec. 20 and lot 11, sec. 20 and 21, sec. 23, T. 24 N., R. 11 E., S. 23.) of Lizzie Howettie, deceased, one Raymond W. James (a white man who was in logging deals along this highway a year ago with William E. Fern, Indian) while dragging spruce just north of this allotment and outside the reservation last March, felled and stacked about 2000 of the spruce of this allotment in trespass, believed to have been unintentional. We billed him for it preventing removal of the logs meanwhile. He has not made effort to pay so we advertised the logs for sale on September 30, 1937. Mr. J. A. Sandell of Forts, Washington bid in the logs and contract 1-101-ini-091 for \$90.00 more or less has been entered into. Attached to these contracts are the powers of attorney dated Sept. 17, 1937 to sell all the timber on the allotment.

The present owners of the allotment are as follows:-
 1/4 Washington Howettie, age 70 and 1/4 Mattie Howettie, age 68, both without funds, and 1/2 Ernest (31, age 61 with a small but unsettled balance to his credit on our books. A sale of the timber will greatly aid these old people. It is estimated that there is 300 M of spruce to be removed, it being overmature and about 50% of the spruce stand. There is also estimated 800 M of hemlock that is of poor grade and so has no market value as distant from market. Below are the estimated costs and value of the timber.

30000	SALE VALUE FULLY LOGGED
13.00 spruce stumps	41-70 x 24.00 = 12.33
1.00 fall and buck	50-50 x 17.00 = 9.55
2.00 yard and load	35-20 x 12.00 = 4.55
.25 road construction	stumpage average 25.00
5.50 haul	less costs 24.20
.50 load on cars	Apparent profit 7.33
1.55 freight works to Fort Angeles.	
.75 scaling, booming, towing.	
14.99 total costs	

The price of \$3.00 per M is a good one for spruce so far from a market at either Grays Harbor or Super Canal. The hemlock, at this distance and especially for low grade, has no stumpage value. The allotment will be left in good reproductive condition. The present owners are not at all short of money. The contract should provide for half Indian share benefiting other Indians. No harm appears will result to the Federal Archives and Records by its removal. This contract alone will give increase war work materially. Accordingly this one should be approved for newspaper advertising.

Record Group No. 75
 Additional Information Respectfully submitted,

James A. Howarth Jr.
 Forest Supervisor.

Forestry Quinzelt
Hall Unit Waiver Cutting 1937-8
44695-27

Official File Copy

Enclosures Files
90-2-20

DEFENDANT'S EXHIBIT NO. H-15 C
Court of Claims
Docket No.

Taholah Indian Agency,
Hoquiam, Washington.
April 21, 1938.

Commissioner of Indian Affairs,
Washington, D. C.

thru Regional Forester, U.S.I.S.
424 Federal Building,
Spokane, Washington.

Dear Sir:-

Herewith are forwarded for approval five copies of request by Aloha Lumber Company that logging and paying for timber from the Hall Unit during the contract year ended on March 31, 1938, be waived and with the bonding company's endorsement thereof.

The Office will remember that there has been very little timber cut on this unit since it was contracted ten years ago and that during this time Aloha Lumber Company has operated in its other units. Also it will be remembered that last year a similar request for waiver of logging was not approved for a number of months and until after a conference in Hoquiam between the Acting Director of Forestry and the vice president of Aloha Lumber Company. At that conference it was promised by the latter, Mr. Wilfred F. Dole, that his company would do its utmost to get a logging railroad built into the Hall unit and logging started therein during the contract year to end March 31, 1938.

We have talked this situation over with Mr. Dole and he has told us that his company was so very hard pressed to raise current operating funds that it had been unable to lay steel into the Hall Unit. The Office fully understands the hard position this company is in to operate during last few years. They have steel to lay but cannot afford the advance construction of railroad very far ahead of the need of the same. We have gone over the development plans with Mr. Dole and report as follows. Aloha has approximately one million feet to come off the Pt. Grenville Unit and eighteen million feet to come off the Mounts Unit over its present main line of steel and then must back up and lay steel thru the Hall Unit to reach the balance of the Mounts Unit and then would be in position to log the Hall Unit before going beyond. Aloha in the last contract year logged a total of about thirty million feet of reservation timber on three different units as shown on next page and therefore if the current year is as good, it would take about eight months for Aloha to be getting into the

Hall Unit. This statement of the situation by Mr. Dale conforms with our own judgment as to the way logging of the two units, Mounts and Hall, should progress. There is no other timber from other units that stands in the way as was the case last year and which Alpha would be expected to try to get out in advance of getting into the Hall Unit. The Upper Wreck Unit is practically completed with M. E. Smith getting out the balance of the timber on it from the west side.

As of March 31, 1938 our records show the cutting of reservation timber by Alpha Lumber Company in the contract year was as follows:-

11,885,770 feet from the Mounts Unit,
15,997,020 feet from the Point Grenville Unit,
1,221,790 feet from the Upper Wreck Creek Unit,
29,805,480 feet total.

From our information and belief as to the financial ability of the Alpha Lumber Company and the market conditions we are confident that the company did all that it was able to do in the past contract year to perform its obligations under contracts; also that if penalties in the way of additional advances are put upon its failure to log on the Hall Unit the company could not meet them. Since the prices on the Hall Unit are all that we figure the timber is worth and more that it would likely sell for at this time, and because there is nothing but possible financial disaster to the company that stands in the way of its getting into the Hall Unit to log after logging about twenty million feet of timber on its present railroad spurs; we recommend that the application for relief from logging on the Hall Unit during the past contract year be approved without penalties.

Respectfully submitted,

Jahjr

H. O. Nicholson,
Superintendent.

Forestry- uinaiait
64095-42-37

Taholah Indian Agency,
Hoquiam, Washington.
September 22, 1938.

Official File Copy
ER 100-100000-100000
9-22-38
DEF. NO. 100000-100000
Court of Claims
Exhibit No. H-122

Commissioner of Indian Affairs
Washington, D. C.

thru Regional Forester
Spokane, Washington

Dear Sir:-

Reference Office letter of September 15, 1938 above file number and the proposed sale of some of the spruce timber on the Lizzie Howatt's allotment No. 277 on the Uinaiait reservation located on north boundary of the reservation near the Meats River. The Office cites a general report by Mr. C. R. Patrie of June 28, 1938 in regard to logging practices on the Uinaiait reservation in tree selection cutting in old growth Douglas fir or spruce, that removing more than 25% of stand results in an unjustifiable amount of windfall. Accordingly the Office hesitates to authorize this sale if it results in 80-90% removal and asks if removal of 20% or not to exceed 20% would be practicable in this particular area.

First, we would state that our present estimates of costs and realization indicate a heavy loss by whoever should log this spruce at present costs and log market, and that in view of this showing we may be able to persuade the applicant, Mr. Harvey Eastman, not to press for contract

Second, regardless of this outcome, and answering Office questions, I will state that our observations of the resistance of species after logging on a tree selection basis is that there has been considerable windfall of hemlock and of Douglas fir but not of spruce. The spruce logging by tree selection method has been only on the Sandell sales near the mouth of Clearwater River and the William K. Penn sales in section 24, T 23 N, R 11 W, Frederick Woodruff, # 1146 and Martha Gray # 1104.

COPY

Seattle Federal Archives and Records
Center, GSA
6125 Sand Point Way, NE
Record Group No. 75
Additional Information _____

Examination during the past season of these spruce areas logged by tree selection method, shows almost NO windthrow or breakage from wind, certainly no more than we would expect on the same areas if there had been no logging of the spruce for there had been some severe wind storms since the logging.

On the Harlow allotments adjacent the Lizzie Howeattle allotment approximately 60% of the spruce volume was logged. Now about a year after completion of this logging Mr. Frank Harlow is making strenuous objections to the leaving of the 40% and tells us that he has protested personally to our congressman, Martin P. Smith about our reserving this large percentage of the merchantable timber.

We must look at the situation from the allottees' point of view for otherwise we will run into great opposition and our objectives may be defeated in the courts ultimately. We are sure that almost none of the allottees will long remain quiet after logging their allotments if much of the value are left. We are favorable to a light tree selection cut in this type of timber on the coast applied to TRIBAL LANDS, and to Government owned lands like National Forests. But since this reservation is about 98% allotted we do not advocate it here. Instead we advocate the removal during the first operation on any place, of practically all the timber having value and leaving timber of size that it has negative value and species that have negative value at the time of logging.

Applying this view to the Lizzie Howeattle allotment, ~~if a timber sale is made, we recommend that all the timber of value be removed.~~ ^{The form of contract which we submitted} with our letter of October 5, 1937 proposed logging "all the live spruce and hemlock marked for cutting by the proper officer, estimated to be 350 M feet of spruce and 80 M feet of hemlock" meaning that this amount would be marked for taking. Comparing these volumes with the original cruise shows:-
850 M spruce is 63% of original estimate of 1343 M
80 M hemlock is 9% of original estimate of 904 M

It is noted that Office letter of Sept. 15, 1938 ~~as stated in~~ ^{the} ~~proposal for maximum cut of 200 M would be only 9%~~ ^{original cruise which we believe is a fairly good estimate.}
Seattle and the ~~proposal for maximum cut of 200 M would be only 9%~~ ^{original cruise which we believe is a fairly good estimate.}
Center of ~~the total stand by~~ ^{original cruise which we believe is a fairly good estimate.}
6125 ~~Saint~~ ^{NE}
Record Group No. 75
Additional Information _____

Office letter also states that the allotment is located within a quarter mile of the Olympic Highway whereas the nearest corner of the allotment is a quarter mile distant and, there being no timber in the corner, the timber to be cut will all be from 3/8 to 5/8 mile from the highway.

From a silvicultural standpoint the timber is not crowded and there is no need of thinning. Also removal of all the spruce values will not result in spruce windthrow of the remaining stand judging by what we have seen of selective tree logging in spruce, and removing 9% only of the hemlock, which is about all that is now merchantable so far from market, (60 miles from log dump in Hoquiam) should not result in increased windfall of hemlock.

If a sale is made it is our view that all the values should be removed. This would be approximately 350 M of spruce (63%) and 50 M of hemlock (9%)

We repeat what we have said on other occasions, that we do not like the individual sales in the north half of the reservation; they are costly to administer; they need much closer watching to prevent the smaller and less responsible operators from getting behind in payments; when the operators are Indians they are more apt to ignore our instructions as to where and what to log and leave. But until all this north half timber is under contract to some big and wealthy operator or bought up by the tribe or Government we will be continually pressed to sell in small bits as often as market conditions pick up a little so that loggers can see a profit. And if we prevent sales or leave most of the values standing we will soon have a test case in the courts. We here seriously question whether the Indians would not win the right to have practically all the values logged when there is opportunity to sell.

Since the north half is now about 100% allotted it would take an investment of over two million dollars in advance payments to individual allottees (being 50% of the estimated values) during the first ten years by the large operators that might contract it. We doubt very much that large operators having that much money to tie up are going to be soon in the market for this timber.

Office letter of Sept. 16, 1938 asked that we submit thru the Regional Forester our views on a proposition to log a small percent of the timber on Lizzie Howeattle allotment and we have made the ~~case~~ case broader than the present case and, since the application by ~~Harvey Eastman~~ Harvey Eastman may fall by reason of his not getting ~~Seattle~~ Seattle ~~authority~~ authority to advertise.

6125 Sand Point Way, NE

Record Group No. 75

Additional Information _____

Respectfully submitted

H. O. Nicholson, Superintendent.

1077
1077
1077

English Indian Agency
Hoquiam, Washington
April 6, 1938.

Official File Copy
Enclosures Files
90-2-20
DEFENDANT'S EXHIBIT NO. H-140
Court of Claims
Packet No. _____
1077019

Washington Pulp and Paper Corporation,
Nash Bay, Washington.

Attention Mr. J. E. [unclear]

Dear Sirs:-

I have your letter of April 4, 1938 protesting our sending to Nash Bay, a Makah Indian, Robert Soeneko, who will make Makah reservation timber and putting the protest on the ground of precedent rather than personal objection.

In reply I will state that the present administration insists that Indians be trained in forestry as well as in other lines to fill jobs in the Indian Service. Other agencies are doing as we are expected to do, train local Indians of 1/4 or more Indian blood, to scale logs and putting them to work on the home reservations. We have one of our Colville Indians now appointed a scaler here and a second qualified for examination and appointment here. Mr. Soeneko, a Makah, had some of his scaler training on the Makah but mostly here and under careful supervision. We have full confidence in his ability and in his character, that he is a man who will be fair to both parties to the contract, as much so as our other scalers, Indian or white. If we should question the intelligence or fairness of any of the Indians applying for or put in training as scaler, or his strength to resist pressure from either party to the contract, we would either not accept him in training or would weed him out during the training period.

We see no reason why we should except the Makah Reservation from the policy adopted in the Indian Service generally as we have above explained it.

Very truly

COPY

Seattle Federal Archives and Records
Center, GSA
6125 Sand Point Way, NE
Record Group No. 25
Additional Information on [unclear]

E. C. Nicholson,
Superintendent.

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY
WASHINGTON

21570-2710/24

October 13, 1933

Mr. Hels O. Nicholson, Supt.,
Taholah Indian Agency,
Hoquiam, Washington.

Official File Copy

Dear Mr. Nicholson:

Enclosures Files

EXHIBIT NO. H-82

Receipt is acknowledged on 10/20/33
which you discuss the forest policy for the Quinalt Indian Reservation and request my advice as to whether or not I believe it would be desirable for you to suggest a conference at Washington with the Quinalt Indians with the view to formulating a forest policy for the Quinalt Indians Reservation which would be agreeable to the Department and the Quinalt Indians.

The policy with respect to the practice of selective logging on the Quinalt Indian Reservation is quite fully established and it is our opinion that all future sales should be made with a clear understanding that destructive methods will not be permitted and that a policy of light selection cutting must prevail. As you know the Quinalt Indians are organized under the authority of the Indian Reorganization Act and that Act provides for the practice of sustained-yield forest management. In view of the fact we believe the Department is in a position which will not permit of compromising itself in connection with the practice of sound forestry on the Quinalt Indian Reservation and that the development of their forests must proceed under sound forestry principles. We recognize the fact that contracts which were in force, making exception of the Quinalt Lake Unit contract, at the time the organization of the Quinalt Indians was effected, probably will not be developed under selection cutting methods. However, this condition should not deter us from forcing the practice of forestry on all sales which may be made in the future. I doubt under the circumstances, therefore, if it would be advisable to attempt to reconcile the position which has been taken by the Indians on this question.

In ~~reply~~ ~~to~~ me that little but a difference of opinion could be developed at a conference held on this question
Seattle Federal Archives and Records Center, RGSP
6125 Sand Point Way, NE
Record Group 175
Additional Information _____

we must not lose sight of the fact that Section 6 of the Reorganization Act is mandatory and that there is no alternative other than to practice sustained-yield forestry on the Quinalt Indian Reservation--a requirement which when viewing the problem from a practical standpoint reduces the issue to the development of the Quinalt in accordance with practical selective logging methods.

I realize that the Indians will probably oppose the further introduction of selective cutting on the Quinalt Indian Reservation, yet when viewing the problem from the broader aspect I can not help but conclude that we have no alternative other than to insist on the practice of selective logging on all contracts in the future. After all, experience has demonstrated that the old destructive methods of cutting produces little in the way of real forestry and leaves the land in a state which at best will take many years to reforest successfully.

With kind personal regards to you and May and hoping that we may be able to convince the Quinalt Indians of the soundness of selective logging, especially in view of the progress which we have already made, I remain

Sincerely yours,

Lee Muck,
Director of Forests.

COPY

Seattle Federal Archives and Records
Center, GSA
6125 Sand Point Way, NE
Record Group No. 75
Additional Information _____

Taholah Indian Agency,
Hoquiam, Washington.
November 10, 1938.

SUSTAINED YIELD POLICY IN ITS APPLICATION TO THE
QUINAILELT INDIAN RESERVATION

Supt. N. O. Nicholson,
Hoquiam, Washington.

Dear Sir:-

Official File Copy
Enclosures Files
90-2-20
DEFENDANT'S EXHIBIT NO. H-122
Court of Claims
Docket No.

This discussion is as to whether it is possible to work out a sustained yield policy on the Quinalelt reservation which is nearly one hundred percent allotted to Indians.

The Wheeler-Howard Act (48 Stat. 984) of June 18, 1934 in sec. 6 reads "The Secretary of the Interior is directed to make rules and regulations for the operation and management of Indian forestry units on the principal of sustained yield management" Under date of May 18, 1936 the Secretary of the Interior approved new "General Forest Regulations" for Indian Forests. The following are quotations from these regulations;-

"The following objectives are to be sought in the management of Indian Forests; (a) The preservation of Indian Forest lands in a perpetually productive state providing effective protection, preventing clear cutting of large contiguous areas, and making adequate provision for new forest growth when the mature timber is removed."---

"Whenever practicable, from 25 to 60 percent of the merchantable timber volume will be left standing in order to protect the site, provide seed for a new stand and make possible a second cut before the reproduction matures."

"Clear cutting of large contiguous areas will not be permitted, except on lands which will be used for agricultural development. It is the policy of the Indian Service to promote the use of logging methods which will ensure a reasonable degree of protection for reserve stands and to limit the use of donkey engines and other high power machinery to areas upon which the use of animal or tractor logging is not feasible. Whenever circumstances necessitate the use of high power machinery which results in destructive logging, cuttings will be so broken up by stands of green timber as to secure adequate protection against fire and ample provision for reseeding the cutover area."

Seal of the Federal Archives and Records Center
6125 Sand Point Way N.E.
Record Group No. 75

Additional Information _____

"Inferior species of low commercial values should generally be withheld from cutting until a reasonable consumer demand develops. Species of this character are ordinarily most valuable when left standing in the forest because they protect the ground, provide seed, and do not lower the general value of the stumpage to be harvested. Accordingly such species should generally be reserved for utilization at a later date when they will have a positive value and only those trees marked for cutting which if left standing would be injurious to the future value of the forest. Areas containing large volumes of inferior species should be excluded from sales wherever possible".

"23. Recreation. In the making of timber sales careful consideration should be given as to whether it will be more beneficial for the Indians to have a specific area logged or reserved for recreational and scenic purposes. Cutting of timber along stocked streams should be carried out conservatively so as to disturb the environment of the fish as little as possible. A strip of timber should be reserved for at least 250 feet on the side of all highways in the ponderosa pine timber type and in the Lake States forests. In the large west coast timber the reserved strip should be at least 200 feet wide on either side of the road and timber areas back of these strips must be cut selectively. In these strips no trees other than those that are dead and down can be cut. Timber operations should never be permitted to interfere with Indian Ceremonial sites." (Note that the underscored phrases just above agree with the revision of this paragraph by the Assistant Secretary on November 17, 1936. Forestry 845157)

The Indian Service publication entitled "The Status of Indian Forests in Relation to a National Program of Sustained Yield" written in 1931 by Mr. Lee Muck now our Director of Forestry, proposes a policy of adjusting the annual cut on Indian Reservations, along with privately owned and nationally- and state owned timber, on a cutting cycle basis and for the Grays Harbor Unit he proposes a sixty year rotation. (see page 50) For the Indian timber which is practically all quinalt reservation, he proposes a cut of seventy million per year for forty years. Growth would enter into the amount cut during the next twenty years. He estimated the stand of old growth timber on the reservation in 1931 as 3,103 million feet.

COPY

Seattle Federal Archives and Records Center, CSA For the Olympic Peninsula as a whole Mr. Muck's report 612512ada For a sixty year rotation, a possible growth of 23 M on fair Record 12-19-32 M 725 good soils. This averages 700 board feet per Additional measurement and so totals 122,500,000 feet per annum growth for the 175,000 acres of the quinalt reservation that are still under U. S. control.

From the Technical Bulletin 201, U.S. Dept. Agr., page 24 we note that for douglas fir on sites II and III the average growth on a 60 year rotation is about 1,000 bd, ft. per acre-year for fully stocked areas. We have no independent data for the other species but if we assume for all the species growing on the reservation a factor of 70% of the above to fit the average stocked acre we have an average growth equalling that gotten from averages in the publication by Mr. Muck and it therefore appears that the proposal to log on the Quinalt reservation for the next forty years at the rate of seventy million feet a year is conservative since the growth figured to be 122½ million feet per year when the cutting cycle is established.

We now have three large units with a number of years logging in sight and two that are right now being completed. The logging requirements of the contracts are as follows;-

25	"	"	"	Mounts Unit
8	"	"	"	Hall Unit
<u>53</u>	"	"	"	three units with years to run
28	"	"	"	two units now winding up
<u>85</u>	"	"	"	five units has been required up to this year.

The Director of Forestry in a letter of October 15, 1938 to Superintendent N. O. Nicholson replying to the suggestion that a conference be had in Washington, D.C. with some of the Quinalt Indians states "that all future sales should be made with a clear understanding that destructive methods will not be permitted and a policy of light selection cutting must prevail" This decision as to light selection cutting may rest largely upon the report and recommendations of Mr. Carthon R. Patrie, Forester, dated June 28, 1938 and we here question the sufficiency of data by Mr. Patrie and the correctness of his observations and conclusions. Also we note inconsistencies.

Mr. Patrie found the 80% volume cut was OK in old growth of douglas fir on the Scott Clark allotment and this allotment was split its entire length by a wide clear cut right of way for railroad. Yet in the "conclusions" he later recommended for old growth douglas fir (and spruce) removing less than 25%. As to the spruce selective logging he reported the results quite satisfactory on the Harlow allotments (located) by Sandell and where he estimated 20 to 30% of the original volume was cut. The percent cut was really much more and ~~Source of the volume removed is about 60%~~

Center, GSA
 6125 Sand Point cutting of old growth douglas fir and spruce must be less than 25% (May 30, 1938) and of successive cuttings ~~Additional logging is restricted to a like percentage of the original volume then it would be 120 years after the first cutting before the last of the original stand is cut. This is far beyond a human life span and such a rule if enforced would in effect be depriving~~

the owner of the use of his property without compensation and so unconstitutional as a law or regulation. We expect that it will not be long before some Indian or group finances a test case if the percent of timber that can be removed is held even as low as 50%. Such a test would likely try the constitutionality of the Wheeler-Howard Act which deprives Indians of their right to fee patents to lands allotted them with a promise of fee patent to follow.

It is not because we are opposed to conservation or the Wheeler-Howard Act that we make the statements above but because we know the Indians point of view and believe he can win out in a test case.

Turning now to the older timber sales on the Quinalt Reservation we note that the interpretation put upon them by all concerned, purchaser, Indians, Taholah Indian Agency and Washington Office, has been that they were clear cutting contracts to a 14" d.b.h. diameter limit notwithstanding that all those contracts read on the front page "that the superintendent---agrees to sell to the purchaser --- all the merchantable live timber marked or otherwise designated by the officer in charge for selective logging as required by the attached General Timber Sale Regulations comprising trees fourteen inches and larger".

These General Timber Sale Regulations in paragraph 10 include the provision that "In the discretion of the Officer in Charge a strip not exceeding three hundred (300) feet in width on each side of streams, roads and trails and in the vicinity of camping places and recreation grounds may be reserved in which little or no cutting will be allowed." These regulations are capable of just as severe (from the Indian allottee point of view) interpretation as is proposed under the Wheeler-Howard Act and regulations of May 13, 1936.

None of us desire to see a continuation of the practice of logging clean over wide areas even if fire can be kept out, and we believe that fire rarely can be kept out. Instead we favor leaving a good looking stand on the ground and this includes the use of tractors instead of donkeys and cable. But there must be some kind of compromise between the very light selection cutting and the older methods of cutting or knocking down everything. The Indians want all their timber is worth and they want it now. If the individual Indian title is extinguished by the United States buying his land and timber, all problems will be solved. The idea that all these whose land is included in future large sales pool their interests in proportion to the worth of their individual timber interests and accept annual shares in the income from the sale, (this idea) has been proposed but discussion with the Indians has not developed any enthusiasm for the plan. It would solve the forestry difficulties but not the book keeping and inheritance problems.

Seattle Federal Archives and Records Center, 6125 Sand Point Way, NE, Record Group No. 73, Additional Information

We should, as soon as possible, get away from numerous small sales because they are;-

1. Expensive to handle, far exceeding the 8% deductions,
2. Often sold to operators who are poorly financed and the danger is high that timber will be cut and left on the ground unpaid for,
3. Sometimes made to Indians who claim to be the real contractor but in fact are lending their name to some white logger,
4. Removing the more valuable and accessible timber alongside or near the highway and lessening the value of timber further back,
5. Sure to make it difficult later to get rights for purchasers to get into the timber back from the highway.

ONE BIG SALE of the timber in the north-west half of the reservation appears to be the best solution in sight since we doubt that the Government will buy up the timber. But this will take an operator with a big pocket book. This area, advertised as four units in 1929, shows stand and values estimated as follows;-

Hemlock	421,000,000 ft.	@ \$1.00	\$ 421,000.00
Cedar	1,005,000,000 ft.	3.00	3,015,000.00
Spruce	126,000,000 ft.	3.00	378,000.00
Douglas fir	31,000,000 ft.	3.00	93,000.00
White fir	240,000,000 ft.	1.00	240,000.00
White pine	23,000,000 ft.	3.00	69,000.00
	<u>1,846,000,000 ft.</u>		<u>\$ 4,216,000.00</u>

The unit contracts heretofore made here apparently contemplated removing all the timber the first time that the land was logged over and they called for advance payments three years apart till 50% was paid in. But the newer contracts hereafter will contemplate removing 50%, or maybe less, of the timber during the first time logged over and accordingly it seems fair that they should call for not more than a total of 25% in advance payments on individual allotment contracts, same to be in five payments of not less than three years apart and to be five percent each. Even then the purchaser will pay in 12 years \$1,054,000.00 or more in advance payments. Though he might have done 12 years logging he would still have probably much over half a million dollars so still invested.

If the first cutting over the entire big unit is provided to be completed in thirty years and the overrun factor proves 50% and 50% of the stand is cut during this first 30 years there would be an average annual cut of 67 1/2 million ft., ignoring growth. To cut over the big unit in twenty years would mean an average yearly cut of 67 1/2 million ft. practically the average limitation proposed in the plan of 1931 before mentioned. But there are still under contract and with a number of years to run and a present annual cut requirement totalling 58 million ft. This would result in reducing cut permitted under a new contract.

Below is a rough estimate of the life of these three units based on the approximate area logged to date and an overrun of 50% and assuming that the cut each year will equal the required minimum; also that when the Ozette Railway Co. finishes operations on the revised Quinalt Lake unit contract it will have cut only about 67% of the now remaining stand including overrun. All the figures below are in million feet.

Unit	Original Estimate	Uncut Approximately	Adding 50% Overrun	Required Annual Cut	Years to finish logging
Mounts	156	80	120	25	5 years
Hall	121	100	150	8	19 years
Quinalt Lake	388	180	(270)	25	7 years
	665	360	(540)	39	

Holding strictly to the 70 million per annum total, the new big unit would be restricted to 12 million feet for the first five years, then increased by 25 million for two years and then increased by another 25 million. This restriction on cutting in so big a unit would be unfair to the buyer required to make such big investment in advances on individual allotment contracts and there would be strong opposition by the Indians. It appears that it would be necessary to considerably increase the 70 million ft. total limitation on the reservation annual cut and that the new big unit contract would better provide for 30 to 50 million feet limits for the first five years and then for two years be 50 to 75 million feet and be 75 to 100 million feet thereafter. These figures are proposed to run from the present time and therefore if a number of years elapse before such a contract is made the limitations would be made to fit.

Arguments that should have weight with the Indians in submitting a big sale, especially in favor of selectively logging only 50% of the volume the first time over the land, are that thus in a much shorter number of years all the allotments would be once logged over and, the money being probably spent, there would still be timber left to be removed the next time over the land.

Whatever the difficulties and opposition we must stick out for improved forestry practices. There must be tractor logging wherever it can be done even though it will restrict the length of the logging season. Only in too swampy places and where the land is too steep should donkey logging be hereafter permitted. Tractors leave the stand in condition to grow and log again and the roads will be useful in confining fires to small areas and also permit setting out wire if it should be bad in some later year.

Additional Information _____

Seattle Federal Archives and Records Center
 6125 Sand Point Way
 Seattle, WA 98148
 Record Group No. 73

You have presented two questions substantially thus;-

1. How should the logging be done following present regulations, fitting them if we can to the individual ownership of the timber?
2. How much change in regulations appears necessary to protect the Indian interests and forestall contest in the courts?

It is assumed that this applies to the Quinalt Lake unit and north-west half of the reservation only because Mr. Muck in his letter of October 15, 1938 says "contracts which were in force, making exception of the Quinalt Lake Unit contract, at the time the organization of the Quinalt Indians was effected, probably will not be developed under selection cutting methods". Our suggestions are therefore as follows;-

1. (Conforming as closely as possible to new regulations)
 - a- Avoid logging the stands of pure or nearly pure hemlock and/or white fir in most cases until there is a good consumer demand and price for the species;
 - b- In other types, log at least 50% of the volume, which often would be as high as 70% of the values considering that there would often be hemlock and white fir in the stands left uncut;
 - c- Establish a minimum of 50 million and maximum of 100 million per year cut with average of 70 million enforced.
2. (Modifying to meet the interests and demands of Indians)
 - a- Log 20 to 50% of the old growth hemlock and white fir but generally nothing in younger stands of these species;
 - b- In other types, log up to 75% of the volume, which often would be 85% to 90% of the values because of hemlock and white fir;
 - c- Increase the average per annum cut under contracts to not less than 100 million feet.

Respectfully submitted

L. C. McKeever,
Senior Forest Ranger.

COPY

Frank E. Briggs,
Senior Forest Ranger.

Seattle Federal Archives and Records
Center, GSA
6125 Sand Point Way, NE
Record Group No. 75
Additional Information _____

James A. Howarth jr.
Forest Supervisor.

Forestry-Quinalt
Suit by Indians

Taholah Indian Agency,
Hoquiam, Washington.
March 23, 1939.

Commissioner of Indian Affairs,
Washington, D. C.

Official File Copy

Enclosures Files
90-2-20

Court of Claims
DEFENDANT'S EXHIBIT NO. H-123

Dear Sir:-

Yesterday I was served with a complaint in a suit by some of the Indians of this jurisdiction in Civil Action File No. 43 in the District Court of the United States for Western District of Washington, Southern Division. The United States of America is also included as a party in the suit as a defendant. The suit is brought to test the right of the Government to impose selective logging and other restrictions upon timber sales.

I sent a copy of the complaint to the Assistant U. S. District Attorney, Mr. Oliver Halm, in Tacoma and enclose herewith an additional copy, the one served on the forest supervisor, for the information of the Office. I am informed by Mr. W. A. Ackerman of Aberdeen, attorney for the plaintiffs, that he sent a copy of the complaint to the Attorney General in Washington, D. C. It is noted that the United States has 60 days in which to make answer in the suit.

I await any special instructions as to further action on my part in this case.

Very truly,

N. O. Nicholson,
Superintendent.

jahjr

COPY
copy of letter only

to National Forester,
Federal Archives and Records
Center, 604 Federal Building,
6030, Washington,
6125 Sand Point Way, NE

Record Group No. 75
Additional Information

UNIVERSITY OF MICHIGAN LIBRARIES
NOT TO BE REPRODUCED WITHOUT THE
PERMISSION OF THE LIBRARY

(COPY)

Mr. Hutchinson,
Chairman Sub-Committee
Planning Commission in re
Extension of Olympic National Monument

Official File Copy

Enclosures Files

90-2-20

DEFENDANT'S EXHIBIT NO. H-107

General Claims
Doc. No.

Carrying out my request at the last meeting of your Committee to put my ideas in writing in regard to the Olympic National Monument, which is now up for consideration by the Federal Government, as to whether it is to be administered by the Park Board or by the Forest Service, and also as to the problem of whether the monument should be extended in its boundaries or not.

The Emergency Conservation Committee, of #734 Lexington Avenue., New York, of which Mrs. C. H. Edge is Chairman, published a bulletin in which she not only recommends that the National Monument be taken over by the Park System, but that this be extended to take in approximately thirteen billion more feet of timber than is now within the National Monument.

If it were only a recreational question, there is no doubt in my mind but that the Park Board should control the Olympic National Monument, and perhaps add to its boundaries, as they are the best qualified of any Department of the National Government to exploit the recreational possibilities, as that is their business. But, there are other things to be considered in the Olympic Peninsula and the area which is now known as the Olympic National Forest, including the Monument.

First, there are the recreational possibilities, the equal of which I do not think can be found anywhere in America.

Second, there are mineral resources which are undetermined. Owing to the heavy vegetation and rough country, no adequate survey of minerals has ever been made in the Olympic Peninsula. It is known that there are large deposits of manganese, but just how extensive these are, has not been determined. There are also known deposits of copper and a showing of gold. Oil seepages seem to indicate the presence of oil in the area. Large sums of money are being spent at the present time in exploration.

Third, Power possibilities enough to develop the mineral and timber resources have not been fully surveyed and dam sites determined.

Last, but I think the greatest resource of the Olympic area is its timber resources.

I think the world timber situation is little realized by the average layman. According to Federal figures, the total stand in the United States is approximately 1,500,000,000,000 feet and at the rate of cut for 1929, thirty years would see the entire stand of virgin timber used up. While the use of sawed lumber has not materially changed in that time, the use of Veneers and the cellulose use of woods has very materially increased, showing an average increase of 400,000,000,000 feet a year for the last thirty days (years).

Government statistics show that the United States has more standing timber than any other country in the world with the exception of Russia. Russia is divided into two separate units, Asiatic Russia and European Russia. The European Russia which is the part that is being manufactured, shows a less stand than the United States has and there is no question at all that with the development of Russia, which has a larger population than the United States, they are going to demand more and more of this timber for themselves, and the matter of exportation from that country has only a few more years to go. In entire Sweden, their cruise shows only fifty billion feet of timber, which is less than is in the Olympic Peninsula by about twenty billion feet, and under normal world conditions, Europe will not have timber enough to supply its own needs.

Canada is beginning to feel the pinch and just lately an embargo has gone into effect shutting out Hemlock from the American Mills.

At the recent TAPPI Convention in Portland, a statement was made by both Mr. Collins, Vice President of the International Paper Company, and John Cornell, Associate Editor of the Pulp & Paper Mill, to the effect that within the next ten years the mills on the Pacific Coast would practically have to be doubled to take care of the increased demand for pulp, and with the depletion which is going on in the east. In other words, the United States has got to depend more and more in the future upon its present stand of timber and its ability to re-grow, and lumbering is going to change from sawed timber to wall boards, veneers and the cellulose use of wood for numerous articles, which we little dream of at the present time. Under those circumstances, the mere thirteen billion feet of timber which Mrs. Edge wishes to take over into the National Monument, together with the three billion feet in the Monument, become of more value than she gives credit for, and especially is this true when it is taken into consideration that this area with its 145 inches of rainfall represents an area with the most rapid growth of timber anywhere in the United States.

This thirteen billion feet as far as volume and cubical content is concerned can be renewed every thirty-five years. It will perpetually maintain a capacity of 1500 tons of pulp a day, or 450,000 tons a year, approximately half of the importations that we are at present receiving from European countries.

The Grays Harbor Pulp Company with a capacity of 150 tons of pulp and 50 tons of paper has a monthly payroll of \$67,000 or A YEARLY PAYROLL of \$804,000. Multiply this by ten, the possibilities of this disputed area, and we have an annual payroll of \$8,040,000, saying nothing about the logging payroll which should be in the neighborhood of \$2,250,000 or a total of \$10,290,000.

At the present time, the lumber business of the Olympic Peninsula, running at the capacity of 1928, had a yearly payroll in Grays Harbor County of \$20,500,000; Clallam County \$6,750,000; Jefferson County, a payroll of \$1,100,000; and Mason County, \$3,250,000, or approximately \$31,600,000.

With the complete utilization of wood, based on the sustained yield, this payroll will not only be maintained, but be increased in the next few years. These communities are rapidly developing wood working plants for the complete utilization of the wood, and in a few years there will be no waste.

The large areas of the Peninsula are at present owned by the Federal Government and the State. These forests are going on a sustained yield and complete utilization basis. If there is any necessity for the Federal Forests, the Olympic Peninsula in its natural forests offers the best opportunity for scientific management of any similar area in America. There are areas in the Monument that should be administered for forest purposes only. There is no question but what certain areas of forest now in the Monument as well as in the National Forest should be maintained in its natural state. The impracticability of separating the Monument from the Forest is shown by the map. Take for instance, the Queets and Elwha valleys, they extend far into the present Monument outside of the timber for perhaps 1000 feet on each side of the trail. There is no earthly use in keeping the rest of the timber for scenic purposes. Then, on the other hand, the ridge on both sides of the Elwha has a high value for scenic purposes, yet a large part of this under the proposed set up would be under the jurisdiction of the Forest Service. This is true all over the Forest. You have the Quinault and Lake Crescent areas, the various Hot Springs, all of which are outside of the proposed Park area. Proper timber reservations should be made for all of these places.

As I see it, the trouble is that the people of the United States have so little idea of the possibilities of a large forest such as the Olympic National Forest could become. To my notion, a forest is a broader idea than a park. It can furnish everything that a park can as far as protection of the high places is concerned, as well as a game sanctuary, and at the same time can make all the other resources available.

On the other hand, the American lumberman has no conception of a sustained forest, especially with the new uses of wood which increased over 800% from 1899 to 1929. A sustained yield to be practicable for the industries of the Olympic Peninsula means that the entire area should be opened up as a unit. It will take fifty years at the present rate of operation to use up the virgin stands and then comes the period of selective logging out of a perpetual forest. The moist climate and good site combine to make this area particularly favorable to successful forestry, first because of the large yield per acre and rapid growth of the timber, and second, because of the lower risks of fire loss.

The new forest growing up is just as scenic and, if anything, forms a better game sanctuary than the old. With proper reseeding and care, the hills would be covered with a new coat of green in five years. In a region as favorable as this to forest growth, there is no reason why recreational development and lumbering under forestry regulation can not go hand in hand. There is ample precedent for such a

procedure. The lakes region of northern Michigan, Wisconsin and Minnesota has always been, and still is, a popular and heavily used recreation area regardless of the fact that lumbering without forestry practice has cut over the entire region. Within our own state much of the highly valued and heavily used recreation lands on the shores and islands of Puget Sound and Hood's Canal are cutover lands, now covered with second growth timber.

The Olympic area is in no way comparable with the various park areas of the United States, such as Rainier and Crater Lake where definite boundaries can be determined. Mt. Rainier is the center with everything around it secondary. The same is true of Crater Lake. Who is going to say what is the most important thing in the Olympic area? Here is an intermingling of mountains and valleys, of large glacier fields, alpine meadows, and dense timber stands, reaching to the Ocean itself. This area can become one of the most magnificent operating forests of the world, as well as an ideal playground. If so managed, it will contribute largely not only to the industrial stability and prosperity of the state and its people, but also to the social welfare of the people through offering the widest possible range of recreational facilities.

The National Forests have encouraged the recreational development, and as a playground, as I said before, the Olympic Peninsula is not equalled anywhere and I see no reason why for its all around development, it is necessary to have it under the jurisdiction of two different governmental bodies. If it is necessary to segregate this forest area into parts to be administered by different government bureaus necessitating duplication of forest administrative and protective organizations with separate rules and regulations for each, because parts of the area are primarily of recreational value, it is logical that similar diversions will ultimately be made, in the other forests of the Cascade mountains of this state. Will this not complicate the public's development, use and enjoyment of the recreational facilities, and at the same time prohibit and limit other forms of economic or social development of our mountain forest areas?

At the present time, I am head of the Olympic Chalet Company, an organization of Grays Harbor residents for the development of recreational facilities in the National Forest, which contemplates the building of about ten shelters and three chalets which together with base camps at Quinault Lake, Lake Crescent, the Queets and the Hoh, Brinnon and Hood'sport, will practically cover the entire National Forest. We have offers of money to heavily finance this company. Surveys and a large part of the planning work has been made. Under the new set up, this Company, if allowed to operate, would be operating part of the time under the National Forest and part of the time under the National Parks, which I think would be entirely unsatisfactory.

It seems to me that if I clearly understand the functions and limitations of National Forests and National Parks, the economic future of the people of the Olympic Peninsula and of the Grays Harbor Region will be vitally affected by any decisions reached or action taken to

create a park of part of the area. I am heartily in accord with your committee's decision to ask the authorities to postpone any action until a full study of all economic and social values involved has been made by your committee.

In this, it would appear that the Forest and Park services should cooperate by furnishing copies of reports or data they may have on file, as well as written statements which would indicate the character of economic and recreational uses permitted or encouraged and those restricted, denied, or ultimately to be eliminated under their policies or principles of administration. This would eliminate any uncertainty and would give us a positive basis on which to work.

Might I suggest that a study of the economic returns as measured by taxable investment, revenues received, profits, labor payrolls over a period of years, and of local families or people regularly supported or benefitted wholly or in part from the various activities within some existing park, of the same general character as the Olympics, such as Mount Rainier, would offer an equitable basis for comparison with that of a similar area managed on a forestry basis where lumbering and logging, game management and recreational development are correlated into a carefully made and permanently sustained lands use plan.

Yours very truly,

W. C. Mumaw, Manager,
Special Industries Committee,
of Grays Harbor.

WCM/H

September 8, 1939

Official File Copy

Enclosures Files
90-2-20

DEFENDANT'S EXHIBIT NO. H-108

Court of Claims
Docket No.

Mr. F. E. Balzer
Director of Extension and
Chairman, State Land Use Committee
Pullman, Washington

Dear Sir:

Upon reading through proceedings of second meeting of Land Use Subcommittee, held in Pullman on June 26 and 27, 1939, we note the following recommendations, which appear on page 10:

"Disposition of forest land: When tax delinquent forest or timber lands revert to the county, the board of commissioners, without a protesting voice, must relinquish title to the State Forestry Department. In order to circumvent the provisions of the statute, the Land Use Committee recommends that four or more contiguous sections of county deforested or forested land be sold by the commissioners to an appointed county forestry board at a nominal rate per acre with sufficient monies budgeted yearly for fire patrol tax. The area could be enlarged by addition of adjoining county tracts and the county, eventually, will realize on the proceeds from the sale of timber products."

During the peak of depression, when there was in excess of 1,500,000 acres of forest land in the State of Washington subject to tax foreclosure, the State Forest Board tried to devise a remedy and consequently drew up a bill whereby the counties could turn over their foreclosed forest lands to the state for administration. This relieved the counties of liability for forest fire protection, for which none of them are properly equipped.

To date some 13 western Washington counties have voluntarily transferred to the State Forest Board approximately 500,000 acres of forest land. The state returns to the counties about 80 per cent of all net receipts from sale of forest products or leases on these lands. This arrangement has apparently been satisfactory to both the counties and state.