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DEPARTMENT OF THE INTERIOR,

UNITED STATES INDIAN SERVICE,

Official File Copy

Aberdeen, Washington.

Enclosures Files

90-2-20

May 11, 1911.

DEFENDANT'S EXHIBIT NO. H-1

Court of Claims

Docket No. \_\_\_\_\_

Hon. Wesley L. Jones,

United States Senate,

Washington, D. C.

My dear Senator:

Will you ascertain for me if funds will be available to carry on allotment work on the Quinaielt reservation for the fiscal year of 1912. The fiscal year begins July 1, 1911, and ends June 30, 1912.

The amount necessary for doing the years work will be about Eighteen thousand (\$18,000.00) dollars. If ample provision for this allotment work was not made during the session of Congress which ended March 4/11, can an appropriation be gotten through during the present session? Of course, if I have no funds available for this fiscal year, it will necessitate a years delay before allotment work can be done, as there will be no funds with which to pay the field forces and myself.

There should not be very much trouble in getting monies for work of this kind, for all allotment work is paid for, from the Appropriation Allotments Under Act of February 8, 1887, and are re-imbursed back into the Treasury from sales of the Unallotted lands remaining after all allotments have been made to the Indians of the reservation. If the amount stated is thought to be excessive, I will say that existing conditions on the Quinaielt reservation are not conducive to either economy or speedy work.

*W.L.*

42757

We have the greatest rainfall in the United States, the maximum fall being a little over thirteen, (13) feet annually. With the exception of the months of July and August, there is hardly a day in the year but what some trace of precipitation can be found, and during the months named, there is an unceasing conflict between Sun and fog.

Beside a heavy growth of timber, the ground is covered with almost a solid wall or mat of vegetation, through which every foot of the trails and sub-division lines must be cut.

There are no roads on the reservation. The Indians use the Ocean beach from Taholah, (The Agency) to Moclips, the terminus of the Northern Pacific Railway, and by this route, they get their supplies, etc

These Indians are not farmers; they make an excellent livelihood by salmon fishing at the mouths of the Quinaliet and Queets rivers, therefore, in this undisturbed jungle, all roads necessary for allotment work, have to be constructed by the allotting crew for the use of the pack horses when transporting camp equipage, subsistence, etc.

These roadways have first to be slashed, the logs and brush removed, and owing to the heavy rainfall, stringers cut and placed on the ground, then planked with corduroy, and the planks spiked down to the stringers. We have had allotment camps where pack animals could not be gotten in, and in such cases, every pound of food, bedding and other camp equipage must be carried into camp on the backs of the allotting crew.

Bridges must be built over streams, and very often these water-courses, after but a few hours of heavy rainfall, become swollen torrents, carrying away bridges and portions of the planked roads, thus necessitating re-construction of parts of these roads several times

during the year.

All camp equipage carried in on the backs of pack animals receives very severe usage. Stoves and other hardware gets broken, tents are chafed and torn, and owing to the excessive moisture, tents will often mildew and rot even when pitched for use, and occupied.

I think I have given you an idea of conditions as they are, and you can readily see why allotment work on the Quinaielt reservation, is slow and expensive.

I have not yet received my appointment, but hope to get it some time this month.

Please make a special effort for me in this matter, as you can readily see that it is of vital importance that the funds for work be available.

Very sincerely yours,

A handwritten signature in cursive script, appearing to read "A. R. Archer". The signature is written in dark ink and is positioned to the right of the typed closing "Very sincerely yours,".

February 20, 1912.

Hon. F. R. Archer,  
Aberdeen, Washington.

My dear Archer:

I am just in receipt of the clipping giving a description of your narrow escape from drowning on the Quiniault River. The experience had in this case shows the wisdom of the officials here in selecting men who can take care of themselves in our mountain streams as well as to blaze and hold trails through the forest. I want to congratulate you upon your narrow escape and also upon the heroism you have displayed on behalf of others.

With best wishes for your success, believe me to be,

Very sincerely yours,

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90-2-20	
DEFENDANT'S EXHIBIT NO.	<u>H-10</u>
Court of Claims	
Docket No.	

REFER IN REPLY TO THE FOLLOWING:

ADDRESS ONLY THE COMMISSIONER OF INDIAN AFFAIRS.

3-28

DEPARTMENT OF THE INTERIOR,

Land-  
Allotments  
22367-1912  
W A M  
OFFICE OF INDIAN AFFAIRS,  
WASHINGTON.

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Allotments,  
Quinaliet Reser-  
vation.

MAR -8 1912

Official File Copy  
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90-2-20  
DEFENDANT'S EXHIBIT NO. 4-12  
Docket No.

Hon. W. L. Jones,

United States Senator,  
of Claims

Sir:

The Office has the honor to acknowledge the receipt of your letter of March 5, 1912, enclosing a letter from P. G. McIntosh, Secretary of the Commercial Club, South Bend, Washington, wherein he asks certain questions regarding allotments on the Quinaliet Reservation.

The questions are answered in the same order as propounded, namely:

1. Allotments are being made under the provisions of what are known as the general allotment acts, a pamphlet containing these acts being enclosed. Allotments are being considered also to those Indians who may be entitled to land on the Quinaliet Reservation under authority of the Act of March 4, 1911 (36 Stats. L., 1545). A copy of this Act is enclosed.

2. The Quinalt Reservation was established primarily for the Quinalt, Quileute and affiliated bands under authority of the Treaty of 1855 and 1856 (12 Stats. L., 971). At the time the allotting agent received his instructions from this Office approved by the Department, reports indicated that the Queet or Quaitso, Georgetown, and Mumtulp tribes resided on the reservation in addition to the Quinalt and Quileute tribes, and these Indians, if carried on the rolls of the reservation, have no doubt been allotted also.

The allotting agent was instructed further to consider the applications of members of the Hoh, or other tribes of fish-eating Indians on the Pacific Coast. This, of course, would apply only to — Indians who were duly enrolled at the reservation as having rights thereon.

Any Indian who has erected improvements on a particular piece of land or otherwise used it, would be entitled to select the tract as his allotment; but one enrolled tribe would not be entitled to prior consideration over another in selecting allotments.

3. The percentage of Indian blood has no bearing, enrollment with the tribes having rights on the reservation being the sole prerequisite to allotment.

L-22367-3

4. Allotments have been made in the ratio of 80 acres of agricultural land or 160 acres of grazing land as authorized by the general allotment acts.

5. When an adoption into a tribe is proposed, the application is submitted to the tribal council in open session. The proceedings are then transmitted by the Superintendent, with his recommendation, to this Office for consideration. The action of the council is then submitted to the Department for approval or disapproval. It may be said, however, that while this Office and the Department have in some instances over-ruled the action of the Indians on these applications, yet the wishes of the Indians expressed in council, have always received due consideration.

The letter of Mr. McIntosh is returned herewith.

Respectfully,



Second Assistant Commissioner.

S-VAR-7

Copy.

5-1100

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COMMISSIONER OF INDIAN AFFAIRS

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DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS

WASHINGTON December 11, 1912.

Hon. Commissioner  
of Indian Affairs,  
Pension Bldg.,  
Washington, D. C.

Sir:

As requested, I have the honor to submit herewith, a report upon the allotment work and general conditions on the Quinalielt Reservation, State of Washington, as follows:

The Quinalielt reservation adjoins or wedges into the Olympia National Forest, and extends from that Forest to the Pacific Ocean. The elevation is rather low, but slopes gradually up to the Olympic Mountains.

We have here the greatest rainfall in the United States, a maximum of thirteen feet with a minimum annual fall of eleven feet.

Rain falls almost daily during the year, save for a few days during the months of July and August, and during this time there is a never ending conflict between sun and fog.

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DEFENDANT'S EXHIBIT NO.	<u>H-6</u>
Court of Claims	
Docket No.	



The reservation is cut up by large rivers and numerous watercourses, which a few hours rain will change small streams easily forded to swollen torrents that are impassible.

The soil along the river bottoms is of a rich alluvial character or silty deposit, on the upper lands those of an agricultural character are a black beaver mold or loam and are excellent when cleared for farming purposes. The timber consists of cedar, spruce, hemlock, and some fir, the quantities of each kind in the order above stated.

The underbrush is dense, a matter wall of vegetation, making the country a veritable jungle.

There are no roads except the ocean beach and narrow trails built by the reservation Indians or the allotting forces, these trails are planked with corduroy, spiked down to stringers, and includes the necessary bridges built over streams. In making allotments, whenever tides would permit, the ocean beach route was utilized, water transportation was also taken advantage of wherever possible, using canoes for the purpose.

These boats had to be propelled over the numerous rapids by poling, which made navigation at all times tedious, slow, and in many cases extremely

dangerous. But as all of these matters have previously been presented to you in detail by the Special Agents investigating the subject, it is unnecessary for me to say much more in the matter, other than that the conditions or obstacles encountered in making allotments in this part of Western Washington beggars description. To know and understand the Quinaielt country, one must go there.

The agricultural lands are hard to clear of brush and stumpage and for this reason the Indians do little or no farming, merely raising a few vegetables and hay in small patches along the rivers.

Wherever an attempt has been made at cultivation, the soil shows extraordinary fertility.

The Indians are almost totally dependent upon salmon fishing for a living and as no attempt has been made for artificial propagation of these fish the supply is fast becoming exhausted.

The reservation was set aside by Executive Order of November 4, 1873, as well as by treaty, and the Order says in part:

In accordance with the provisions of the treaty with the Quinaielt and Quillehute Indians, concluded July 1, 1855, and January 25,

1856 (Statutes at Large, Vol. 12, page 971), and to provide for other Indians in the locality, it is hereby ordered that the following tract of country in Washington Territory (which tract includes the reserve selected by W. W. Miller, Superintendent of Indian Affairs for Washington Territory, and surveyed by A. C. Smith under contract of September 16, 1861) be withdrawn from sale and set apart for the use of the Quinaielt, Quillehute, Hoh, Quit and other tribes of fish eating Indians on the Pacific Coast.

Article 6 of the treaty of July 1, 1855, and January 25, 1856, seems to provide for a reservation large enough to place thereon all other Indians on Puget Sound who had not otherwise been provided with allotments, as on its face it contemplates the consolidation of other tribes with the Quinaielt and Quillehute tribes.

When the Executive Order of November 4, 1873, was issued, all the Indians in Western Washington, except those at Neach Bay, were under one jurisdiction, and there can hardly be a reasonable doubt but that it was the intention to include in the Executive Order all Indians in Western Washington who up to that time had not been definitely located on some reservation. Senate Bill 5269 approved March 4, 1911, provides that allotments be made to the Quillehutes, Hoh, and Ozette tribes who may elect to take lands on the Quinaielt Reservation. This latter work

was begun July 1, 1911, and is yet unfinished, about 350 Indians remaining to be allotted.

The president authorized allotments to the Indians of the Quinaielt reservation on May, 1905, and field work was actually begun on September 1 of the same year, continuing with more or less interruptions-- from various causes--until the present time.

A total of 842 allotments have been made. 690 approved, and 152 tentative.

No person was permitted to take an allotment who could not furnish satisfactory evidence of affiliation with, actual residence among or blood relationship to some member of one of the tribes or bands of Indians mentioned in your letter of instructions bearing date of June 8, 1905. Every effort was made to personally show each allottee of mature age (and if not of age or physically incapacitated, to some one designated by them) the boundaries of their individual allotments, the lines of which boundaries were slashed, posts set, and corners plainly marked, involving considerable work, so that there could exist no reasonable grounds for future misunderstanding.

Notwithstanding the effort made but twenty per cent of the Indians allotted have actually seen the

boundaries of their allotments, the remaining eighty per cent having a general idea only of the location of these allotments. Very few allotments have been made but what contains some timber thereon, but in every instance great care was taken to see that the lands were suitable for agricultural purposes.

The Indians were permitted to make their own selections, and in any portion of the reservation they saw fit.

If upon examination the lands selected by them were found to be more valuable for the timber thereon than for agriculture, the applicant was so informed, and was allowed to make other selections until satisfactory acreage was gotten.

Upon instructions from your Office, dated September 23, 1912, all active field work was suspended, pending further instructions, and a small force retained to care for the pack horses and property.

As elsewhere stated, there are about 350 Indians members of the Quillehutes, Hoh, and Ozette Tribes, yet to be given their allotments under Senate Bill 5269, approved March, 1911.

There are also some 1800 persons of Indian blood members of the various tribes of Western Washington who have never received any benefits at the hands of the

Government, these people are asking recognition and should receive either a monetary consideration or its equivalent in lands. The Quinaielt reservation is the only tract of land upon the public domain on the west side of the Cascades upon which these people can be located.

Your attention is again invited to the Executive Order of November 4, 1873, the language of which is plain, providing for allotments of land on the Quinaielt reservation to "fish eating Indians on the Pacific Coast". The fish eating Indians, though divided up in numerous bands from Puget Sound to the shores of the Columbia River, are more or less affiliated. If it be determined that these people should be awarded allotments of lands on the Quinaielt Reservation, I would recommend that the Department formulate definite and comprehensive regulations determining eligibility to enrollment. These regulations should touch on the question of the degree of Indian blood to be recognized; also whether or not Indians should be recognized who have secured homes by their own efforts. Also as to whether recognition should be extended to the present generation of tribes who were allotted in the past and whose surplus lands have been disposed of.

In my judgment when a tribe has been allotted and its land affairs closed up, the coming generations have no claim to further recognition.

Clear and comprehensive regulations regarding eligibility will materially lessen the specific cases which would otherwise be submitted for action of the Department.

There are a number of tribes, particularly the Clallam and the Cowlitz, who have become scattered through not having any reservation ties. The enrollment of such tribes will be somewhat difficult. Documentary evidence cannot be obtained in many instances. In my judgment the most practicable way to deal with such tribes is to assemble the Indians in council at some central point and make enrollment by tribal action.

I would also suggest that in future allotments the family history be compiled for the agency records before allotments are made.

From the reasons given in the first portion of this report, allotment work on the Quinalt has been exceedingly slow and expensive, if further allotment work be contemplated-- and not to continue work would be to discriminate between those Indians already allotted under act of March 4, 1911, and the remaining 350 members

of the Hoh, Ozette, and Quillehite tribes-- I respectfully suggest that the present comprehensive method of surveying, slashing the boundary lines, and marking the four corners thereof be eliminated and substitute therefor the classification of the lands by such field and Office forces as is necessary, this for the reason that under existing conditions, the Indians mostly refusing to live on their allotments, the added expense of running and slashing the lines is wholly unnecessary, if this suggestion be adopted a saving can be effected of from thirty to forty per cent on the cost of allotment work.

In regard to the disposal of the timber on the allotted and unallotted lands of the reservation, I would strongly urge no action be taken towards the sale of them until immediately after the opening of the Panama Canal as at that time it is expected that timber stumpage on the Pacific will have reached its highest point.

In conclusion, it may be proper to state, that an examination of the Quinaielt reservation,-- assuming the timber to be removed therefrom--would show that two-thirds of the entire area to be specially fitted for



agricultural purposes, about one-sixth of the area for grazing purposes, and the remaining one-sixth on account of steep slopes and gravelly soils fitted for neither of the above named uses.

Respectfully submitted.

(Sgd)

Finch R. Archer,

Special Allotting Agent  
for Quinaielt Indians.

I concur in the recommendations made in the above report.

(Sgd)

H. H. Johnson

Superintendent of Cushman  
Trades School.

5-1100

ADDRESS ONLY THE  
COMMISSIONER OF INDIAN AFFAIRS

REFER IN REPLY TO THE FOLLOWING:

Land-Allotments  
29828-1913 DEPARTMENT OF THE INTERIOR  
W A M

OFFICE OF INDIAN AFFAIRS

Allotments,  
Quinaielt.

WASHINGTON

MAR 13 1913

3-28

copy  
24/10/13

Hon. W. L. Jones,  
United States Senate.

Sir:

I have the honor to advise you that under date of March 5, 1913, the Department approved the recommendation of this Office that authority be granted to allot on the Quinaielt Reservation, Washington, unallotted members of the Clallam, Cowlitz, Squaxon Island and other "fish-eating" Indians in Washington. Superintendent Johnson in charge of the Cushman school has been notified accordingly, and instructed to advise Special Allotting Agent Finch R. Archer now working on the Quinaielt Reservation.

Respectfully,

Second Assistant Commissioner

3-VAR-13

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

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5-1100

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ADDRESS ONLY THE  
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REFER IN REPLY TO THE FOLLOWING:

Land-Cont.

53493-15

C C B

DEPARTMENT OF THE INTERIOR

Allotment. OFFICE OF INDIAN AFFAIRS

WASHINGTON

MAY 15 1915

Hon. W. E. Jones,

United States Senate.

My dear Senator:

I have your letter of May 12, 1915, inclosing one from Mrs. William Voy, desiring to know what steps should be taken to receive an allotment on the Quinaielt Indian Reservation.

Allotment work on this reservation was discontinued about two years ago mainly for the reason that all the land suitable for grazing or agricultural purposes has been disposed of, and because all the Indians then found to be entitled had been cared for.

The law under which the land suitable for grazing or agricultural purposes was allotted does not specifically provide for the allotment of the timber land.

The Office is unable to state when allotment work will be resumed, and it may be necessary to procure

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90-2-20

DEFENDANT'S EXHIBIT NO. H-16

Court of Claims

Docket No. \_\_\_\_\_

additional legislation. For these reasons, the Office would not care to take action at this time on applications for enrollment with a view to making allotments. This would naturally be a matter for consideration when allotment work is resumed.

The letter of Mrs. Voy is returned together with a copy of this communication.

Very truly yours,

A handwritten signature in cursive script, appearing to read "E. P. Merrill". The signature is written in dark ink and is positioned to the right of the typed name.

Assistant Commissioner.

5-HEW-14

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F. L. MORGAN

L. H. BREWER

# MORGAN & BREWER

LAWYERS

HOQUAM, WASHINGTON

SENATOR WESLEY J. JONES

WASHINGTON

Official File Copy

Enclosures Files  
902-20

DEFENDANT'S EXHIBIT NO. #32

Court of Claims  
Docket No.

My dear Senator:--

Enclosed herewith you will find a letter in relation to a patent in fee to William Mason of Taholah (commonly known as "Chief Mason". Billy is the chief of the Quinilt Tribe). We have been trying for a number of years to get permission from the Department of the Interior for him to sell some of his lands or to be issued patent in fee for his allotment. The Government have all the time either refused to do so, or they have disregarded it. Now this man is just as capable as the ordinary average man of attending to his own business and handling his own affairs, and he should have the right to sell this property and get the money for it and live on it. The man's health is not good; he has to hire help to do his fishing; and he owns by inheritance a number of heirship lands, and the Government ought to see to it that he is given patent to this land so that he can sell it, get the money and derive some benefits now.

Your assistance is solicited. I am asking the other members of the delegation from this state to confer and then see the Indian Department and see if they cannot break over their man-made laws and regulations and give this Indian and this claim at least some consideration.

For God's sake, what is wrong with some of our petty, pin-headed servants, that they think they are the owners of all God's creation? I would like to know who they are and what they are, whether they are IT, or the people who make up this great and good country are the rulers. Some of these Department clerks and Department heads (I trust I may be forgiven for using this language) seem to think that they are the rulers of all the universe, and do not pretend to be the servants of the people.

Why, oh why, should these lands and this property on this reservation be cared for and conserved by the Government for these Indians who are dying off very rapidly (and it will be a question of a very few years until there will be but a handful of them left), while the poor Indian receives no benefit from any of such lands. The lands and timber will be left for this beneficent Government under the direction of these Departments; to do what with? Put up and sell to some rich men in a great body all of this land, and they in turn will log it and make several hundred thousand or million dollars from the operation, while the poor old Indian will lie rotting in his grave, having gone through life with scant raiment and with a hungry stomach many, many times when he

**MORGAN & BREWER**

LAWYERS

HOQUIAM, WASHINGTON

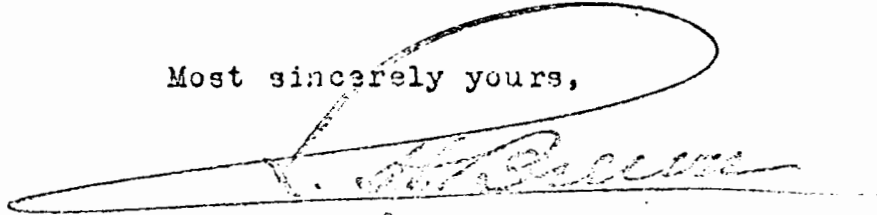
#2

could just as well have been kept in good clothing, kept and cared for in a good house and fed good food.

I trust I have made myself somewhat clear, and I want to ask your pardon for writing as I have, but I have been at this matter of trying to help these poor devils for the past ten or fifteen years, and with such little success, that when I get started to even thinking of it I am inclined to want to do like the Red Men did in the early days, - go on the warpath.

Thanking you for considering this matter, and with deep appreciation for all past favors, I am

Most sincerely yours,

A handwritten signature in cursive script, appearing to read "L. H. Brewer", is written over a horizontal line. A large, loopy flourish extends from the top of the signature, looping back over the text.

Dec. 1, 1917

HB/BF

Enc.....1

4-221

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Feb. 20, 1918.

Honorable L. H. Brewer,  
Hoquiam, Wash.

My dear Brewer:

Your favor of February 12th with reference to the attitude of the Indian Department regarding the sale of timber on the Quinault Indian Reservation and with reference to the Waukenas allotment at hand.

It is hard to get the Indian Office to change its views as to what ought to be done with reference to the handling of Indian property. I have very nearly to the conclusion that the Indian Office will do everything it can to insure the continuance of the Indian Office. If the Indians were allowed to handle their lands themselves there wouldnt be anything for the Indian Office to do and a lot of fellows would be without jobs and so, under the pretense of looking out for the Indians they are looking out for themselves. I may be unjust to them in giving this opinion but it looks very much that way. If they would handle the Indians' timber just like an individual would handle his own, and sell it now that there is a good sale for such timber, they could get some money for the Indians but they seem to want to handle it themselves and put such terms upon it as will prevent private people from doing so.

I think the best course for you to take with reference to Waukenas and Mason is to ~~have them apply for fee simple patents.~~ I think there is a regular form of application and a regular procedure to be followed which no doubt

Enclosures Files

90-2-20

DEFENDANT'S EXHIBIT NO. H-33

Court of Claims

Docket No. \_\_\_\_\_

--3.

you could secure from the agent in charge of the Reservation.

I will see, however, if I can get the proper blanks here and send to you. Of course, if you could show that they are competent it may be that patent in fee can be secured for them and then of course, they could sell their land themselves.

Very sincerely yours,

jh.



Centralia, Wash.

Mar. 25, 1920.

Mr. Fred E. Pape,  
Olympia, Wash.

Dear Sir:-

Your letter of recent date received.

In regard to the forest protection I referred to, I will state briefly that if men who have had experience along the line of work that is accustomed to burning brush and experience in clearing land were allowed to choose their time when in their judgment the fire would not spread to amount to any trouble and burn strips out to clear out the dead and dry stuff when only the small stuff is dry enough to burn, the forests could soon be made safe from fire. This may seem doubtful to one unaccustomed to such work but any man with the proper experience can determine without any guesswork just how much of the brush will burn and it will not kill anything to hurt. It is absolutely the wrong thing to do as everyone has been doing - to try to keep the fire out of the timber as long as possible and thereby save up all the old dry brush and everything to make a real fire when it does get a fire and there is no use trying to stop it. Last summer I saw hundreds of acres in Oregon and California before the fire started and saw the ground after it was burned over, which would have been easy for a few men to have made it safe from fire.

The Indians raised the timber in the west here and this is practically the plan they followed. The Indians, when I was a boy, all over the west kept the country burned out so the fire would not run enough to do any damage.

If I could see you and have a talk I could explain my idea in a more practical manner I think, but if this suggestion is of use the result will be the same.

Very respectfully,

(Signed) J. G. Grainger

COPY  
For Information

Official File COPY  
MAR 25 1920  
H-91

# STATE OF WASHINGTON

DEPARTMENT OF FORESTRY  
OLYMPIA

W. W. EMERY, NAPAICK  
CHAIRMAN  
E. G. ENGLISH, MOUNT VERNON  
PAT MCCOY, SEATTLE  
FRANK E. COLE, TACOMA  
C. V. SAVIDGE  
Commissioner of Public Lands  
EX-OFFICIO

783/31

March 30, 1930.

MAR 31 1930  
RECEIVED  
STATE DEPARTMENT OF FORESTRY

Mr. J. G. Grainger,  
Centralia, Washington.

Dear Sir:-

I have your letter of the 25th inst., explaining proposed plan of protecting our forests by ground burning.

This method of protection is seriously questioned, although in yellow pine and sparsely timbered fir forests such burning has been done with little if any loss to old growth timber, but if a clean burn is obtained, it usually results in killing young timber.

There are very few places in Western Washington where this method could be practised without great danger and I doubt very much if timber owners would consent to or tolerate such an experiment, and besides it would be a tremendously expensive undertaking.

I should be pleased to have you call and talk this matter over any time that you are in Olympia.

Very truly yours,

*Frank E. Pape*  
STATE FORESTER

Original File Copy COPY  
for Information  
Date: 4-9-30

R. SMITH, PRESIDENT  
J. E. SAMPSON, VICE PRESIDENT

CLERICAL ERROR SUBJECT TO CORRECTION QUOTATIONS SUBJECT TO CHANGE WITHOUT NOTICE NOT RESPONSIBLE FOR DELAYS OF LUMBER IN TRANSIT, NOR FOR EXCESSIVE DELAYS BEYOND OUR CONTROL

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F. STICKEL JR., TREASURER  
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# M. R. Smith Lumber & Shingle Co.

CAPITAL \$300,000.00 FULLY PAID

MANUFACTURERS OF

**RED CEDAR SHINGLES**

WHOLESALE DEALERS IN

FIR, SPRUCE AND CEDAR LUMBER

GENERAL OFFICE  
KANSAS CITY, MO.  
BRANCH OFFICE - TOLEDO, O.  
MILLS AT  
MINERAL AND MOCLIPS WASH.

WESTERN OFFICE  
STUART BLDG  
SEATTLE WASHINGTON  
J. E. SAMPSON, MANAGER

SEATTLE WASH. September 27, 1920.  
**Official File Copy**  
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90-2-20  
DEFENDANT'S EXHIBIT NO. H-29  
Court of Claims  
Docket No. \_\_\_\_\_

Aloha Lumber Company  
Aloha, Wash.

Gentlemen:-

We enclose our Director's Authorization covering our timber transactions, which we trust will be satisfactory.

Referring to your letter to Jake Freeman about the allotment of Amy James in Section 29, I just received word from him through our Mr. Thompson at Moclips, stating that he wants to sell his timber at the price appraised by the Government, which is a trifle over \$5000.00. I wrote him advising that provided the cruise checked out alright, the price would be satisfactory, if he were willing to sell on the terms of the Government, which is 10% cash and the balance when the timber is cut, without any interest, but that we would have to figure a considerably lower price if he wanted all cash. I also told him I had a cruiser at Moclips now and he would cruise this within the next few days and when I got this cruise and compared it with the Government cruise, I would be in a better position to make him a definite offer. When I make him an offer I will let you know how much it is, so you can make him a bluff offer accordingly.

In the case of Indians who have allotments six or seven miles up the Moclips River, when they ask me to make them an offer on their allotments, I think I might just as well tell them the same as I told the attorney for one of them last week, copy of letter being sent to you. Where their allotments adjoin allotments we own, such as in the case of the Halberts', however, I believe I should make them a bluff offer for appearance sake.

Yours very truly,  
M. R. SMITH LUMBER & SHINGLE COMPANY.

BY *Paul R. Smith*

PRS/C.

RECEIVED  
SEP 30 1920  
U.S. DEPT. OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

September 30, 1920.

M. R. Smith Lumber & Shingle Co.,  
Stuart Building,  
Seattle, Washington.

Gentlemen;

Official File Copy

Enclosures Files

90-2-20

DEFENDANT'S EXHIBIT NO.

4-19

We have Paul Smith's letter of the 27th, and think his idea on individual allotments is proper, and will be governed accordingly.

For your information will say that we have Mr. McCutcheon cruising for us in sections 24 and 25, and in every instance but one find his report underrunning the Government cruise. This particularly applying to the claim offered by Martin through his attorney's office. This unit being cruised by Mr. McCutcheon shows approximately one-half the Government cruise. Under this condition think, in any instance where either of us can have an outside cruiser look at the timber, it would be wise rather than make the purchase on the Government cruise.

The writer also had a talk with Mr. Bidwell, who, as you probably recall, was connected with this cruise for over a year and a half. He states he would consider the Government figures approximating a close guess, but nothing more; that he knows of instances, particularly where a 40 was generally looked at from the top of a ridge, the next 40 being approximated as containing less or more than that just looked at. While, in the long run, it might not make any difference, it does appear to us very dangerous to pay on anywhere near full stumpage value based on the Government cruise. The allotment which Martin is handling, he asks \$16,000.00 for, and we have offered him \$7,000.00.

Yours very truly,

K.

ALONA LUMBER COMPANY,

BJW/J.

B. J. Wooster.

M. R. SMITH, PRESIDENT  
J. E. SAMPSON, VICE PRESIDENT

CLERICAL ERRORS SUBJECT TO CORRECTION. QUOTATIONS SUBJECT TO CHANGE WITHOUT NOTICE. NOT RESPONSIBLE FOR DELAYS OF CARDS IN TRANSIT, NOR FOR EMERGENCIES BEYOND OUR CONTROL.

R. L. SMITH, SECRETARY  
F. A. STICKEL, JR., TREASURER

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# M. R. Smith Lumber & Shingle Co.

CAPITAL \$300,000.00 FULLY PAID

MANUFACTURERS OF

**RED CEDAR SHINGLES**

WHOLESALE DEALERS IN

**FIR, SPRUCE AND CEDAR LUMBER**

GENERAL OFFICE:  
KANSAS CITY, MO.  
BRANCH OFFICE - TOLEDO, O.  
MILLS AT  
MINERALAND MOCLIPS, WASH.

WESTERN OFFICE  
STUART BLDG  
SEATTLE, WASHINGTON  
J. E. SAMPSON, MANAGER

SEATTLE, WASH. October 8th, 1920.

Mr. B. J. Wooster,  
C/o Aloha Lumber Company,  
Aloha, Washington.

Dear Sir:-

Answering your notation on your letter of the 5th to Mr. Fred Pope, I do not know anything about this allotment more than the Reservation cruise shows. As this is a poor season of the year for employing a cruiser, I doubt if we will have a cruiser in there again for some time, but if Mr. Pope or any one else who has an allotment with only a small amount of timber asks me for an offer, I will deduct about 40% from the reservation cruise and make them an offer accordingly.

I bought two allotments before I was able to get a cruise, as you probably know yourself it was slow work getting a cruiser all summer. I only deducted 20% from the Government cruise on these allotments and while I know from personal examination that I did not pay for any more timber than I got, at the same time I know Noble's cruise will average 40% less than the reservation cruise, and believe I will make my offers accordingly in any cases where I make an offer without having a reliable cruiser examine the allotments first.

Yours very truly,

M. R. SMITH LUMBER & SHINGLE COMPANY

By

*Paul R. Smith*

PRS/c.

<b>Official File Copy</b>	
Enclosures Files	
90-2-20	
DEFENDANT'S EXHIBIT NO.	<u>  #-20  </u>
of Claims	
et No.	

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M. R. Smith Lumber &  
Stuart Building,  
Seattle, Washington.

Enclosure Files  
Enclosure Co.

90-2-20  
DEFENDANT'S EXHIBIT NO.  
Court of Claims  
Locker No.

H-37 Nov. 2, 1920.

Attention Mr. Paul Smith.

Gentlemen;

We are still unable to furnish you with contracts on the individual allottees units which the first payment has been advanced on. The Indian Department at Washington has not yet returned the O.K'd contracts, and thought it useless to make formal contract with you until they had definitely decided just what form was to be used. You, of course, are receipted for the payment made, and, with ourselves, would prefer a proper contract being issued when we learn just what is necessary.

It was our intention to start a railroad extension north from our mill this Fall, but, as you are aware, weather conditions since the middle of August have not permitted this to be started. Our trestle could have been built in rainy weather, and it was our intention to do the dirt work required on such approaches during the ordinary good weather of August and September to permit trestles to be constructed when dirt work was impossible.

As it now stands we have lost practically two months, and have not turned a single shovelfull of dirt. It is now useless to attempt such construction before Spring, as, while we may get a month or so of good weather, one never knows that a second day's sunshine will follow the first at this time of the year.

Owing to this delay, we are going to be seriously handicapped in getting into the Reservation in time to complete the obligation of our first year's contract, and it may be necessary for us to call upon you to do all or part of this in accordance with our contract with you. You, of course, know that we do not want to make this burdensome, and it is not our intention to impose on you. Have thought that it might be practical for us to combine on an operation, going in from Hoquiam, to permit reserving the required amount the first year, or possibly more.

It is the writer's understanding that you have intended to construct a logging road of standard gauge connecting with

M.R. Smith Lbr. & Shingle Co. - 2.

the Northern Pacific at Moelips. If this is to be done, it would be a material relief to you to have our equipment construct this road and furnish the necessary logging equipment.

Have also considered that it might be to our mutual advantage to pool our holdings on the Reservation, and in that vicinity, and combine a logging company of sufficient capacity to care for mutual needs. This to be organized as a separate corporation, and to bear relation to the holding companies as their interests were decided. This could be made an extremely strong company, and could be operated, we believe, to a satisfactory profit. It also would permit of timber purchases and other arrangements which would, no doubt, be more profitable than if we operated independently.

The writer has been attempting to get to Seattle for the past three weeks, but at each attempt has been unavoidably detained. Will try and get up there some time next week, and it might be advisable for you to give considerable thought to such an amalgamation, or such a new company, and we will both be prepared to consider each other's ideas on the subject.

It might also be possible for us to buy your Moelips possession in its entirety if you would care to sell, or it might also be possible, in addition to the benefits derived from a joint operation, to work your sales organization in connection with our production.

Yours very truly,

ALOHA LUMBER COMPANY,

---

B. J. Webster.

BJW/J.

K.

STATE OF WASHINGTON  
DEPARTMENT OF CONSERVATION  
AND DEVELOPMENT

OLYMPIA

No. C-334  
DIVISION OF RECLAMATION  
DIVISION OF FORESTRY  
DIVISION OF WATER RESOURCES  
DIVISION OF GEOLOGY, PULLMAN  
DIVISION OF COLUMBIA BASIN  
SURVEY, SPOKANE

File 5/5/21

COPY

May 5, 1921.

For Information

DeLos W. Fowler,  
Color Sgt., Wash. N.G.,  
General Delivery,  
Seattle, Washington

Official File Copy

Enclosures Files

DEFENDANT'S EXHIBIT NO. 5-1921

Court of Claims

Docket No.

Dear Sir:-

Your letter to Governor Hart under date of April 30th with enclosures as stated has been referred to this department. We thank you for the booklet and supplement thereto.

The paragraphs mentioned are nearly all covered by State Laws and forest regulations.

Laws were passed by the last legislature forbidding persons building fires in the forests, or dangerously near forest material except at designated camping grounds without first obtaining a written permit to do so. In this connection it will be the policy of this department to discourage building fires in the forests and to direct campers and tourists to a safe place to build fires rather than to issue them permits.

Concerning a position in the state forest fire service, you are advised that we have many more applications than we have positions to offer as the state employs less than one-fourth of the entire force. We refer you to the Washington Forest Fire Ass'n, 949 Henry Building, Seattle; U. S. Forest Service, 553 Henry Building, Seattle; U. S. Forest Supervisors located in the Federal Buildings in the following cities: Tacoma, Bellingham, Olympia, Wenatchee, Republic, and Newport, Washington; also to the District Forester, Post Office Building, Portland, Oregon.

Very truly yours,

DEPARTMENT OF CONSERVATION & DEVELOPMENT.

D. A. SCOTT, DIRECTOR.

BY

*J. E. Pope*  
Supervisor of Forestry.

FEP:M



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LIBRARIES.  
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LIBRARY.

September 22, 1921.

Mr. J. L. Sims,  
Superintendent, Taholah Indian School,  
Taholah, Wash.

Official File Copy  
Enclosures Files  
90-2-20  
DEFENDANT'S EXHIBIT NO. H-30  
Court of Claims

Dear Sir:

With reference to ~~Docket No. 90-2-20~~ ~~conversation~~ today we will make a cash offer of \$4500.00 on the Tom Wilsons allotment including all timber, standing or down, and a similar offer of \$7200.00 for the Kelly Wilsons allotment.

These two units were included in the Area which was purchased from your department in the sale of June 1920 but the heirs and direct owners would not sign Powers of Attorney at that time for disposition with the general sale unit. These people still have our permission to accept the terms and conditions of the original sale though the prices of stumpage and logs have gone off materially since this sale was made. At the original sale prices would figure materially higher than our cash offer, but you realize that when a fee patent is issued that our taxes, interest and holding charges immediately start, all of which together with possible wind and fire damage make it of less value than when paid for at the rate of a ten percent down payment and the remainder as logged and only for what timber the claims actually produce.

We would still prefer that these two units be handled as was first intended and are making this cash offer only as something that might be more attractive to the owners. These two claims will be among the first logged, if secured and will give returns completely within two or three years. Also it will be necessary for us to move through them and if not logged in proper order will have less value to us if it is necessary to return at some future time and log.

It would be against our interest to have a patent issued and sale permitted to any one interested and this we would oppose as we have acted in good faith in this sale and it would not be considered fair if these particular units were patented and sold to others to our injury.

This offer will be good for sixty days only, which time you consider will be ample to have a reply from your office.  
Yours very truly,

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March 20, 1922.

Mr. Paul R. Smith,  
c/o S. S. Smith Lumber & Shingle Co.,  
Stuart Bldg.,  
Seattle, Wash.

Dear Sir:

Official File Copy

Enclosures Files

90-2-20

DEFENDANT'S EXHIBIT NO. H-39

Court of Claims

Docket No.

Answering your letter of the 17th will say that we are writing up a memorandum of agreement as pertains to the reservation timber and will enclose with this.

There has been some talk of the Northern Pacific extending their line north from Seattle but so far no foundation has been found for these rumors other than from the "man on the street". It has been said that the Northern Pacific might be agreeable to this extension providing it could be financed with a bond issue, each issue to be taken up by harbor investors with the cost estimated at something over two millions. On the face of it it hardly appears probable that the Northern Pacific would make a short line extension as it is obvious that what ever tonnage the district produces would necessarily move over their road and from a stand point of competitive revenue, it would be necessary for them to extend such a line to the Northern end of the Peninsula in order to forestall the Milwaukee from tapping the district that might be theirs. You may be able to get something definite from the Seattle officials out on the face of it, would hardly consider the possibilities as an influencing factor on this next timber sale.

I had a talk with Morley of the Saginaw Timber Company a few days ago and flatly asked him if he was interested in the joint Greaville Unit and he stated he had been mildly but that he had sent a man into the Vreck Creek district and that it didnt look good to him and that he was not going to bid on it. If he isnt a liar that eliminates him. I also asked if he had had any negotiations, or had figured with Schaeffer Bros. on it and he said no that it had never been mentioned between them, so evidently they are not figuring together as we had heard.

Mr. Steer and Mr. Nicholson were here yesterday

Paul R. Smith -2-

and said that a party of cruisers with camp material had gone in through Treck Creek and that Mr. Ed Shaffer was with them, that they had been in there at least a week and that Jerry Mc Gillicuddy was in the party. This looks like business on their part and if the stuff looks good to

them will probably be the competitor. Nicholson and Steer both say that a good deal of interest has been shown and that the office has been asked for considerable information out as far as they know no one has gone in to look the situation over other than Morley's men and this Shaeffer party and Morley declares he isn't interested.

If at all possible will try and find out something from Albert Shaeffer but will wait until their party comes out.

Am also enclosing with this a communication from Washington which has to do with information we had asked for. This might hold possibilities for us on a joint bid or for us to bid it in for you in case it was not to your interest to remove the stumpage from the Granville Area as fast as the contract calls for. The letter will explain itself.

May be up to Seattle this week, if not will see you when you come down on the 25th.

Please send me a list of the fee simple lotments that you own in the south of this town and if I have a talk with Shaeffer may be able to discourage him with these, the information we have regarding that part of the district and our own situation.

Yours very truly,

ALPHA LUMBER COMPANY.

MP/S

B. J. Wooster.

COPIED FROM ORIGINAL IN  
OFFICE OF THE  
SPECIAL AGENT IN CHARGE

May 9, 1922.

W. B. Sams,  
Supt. Taholah Indian School,  
Taholah, Washington.

Dear Sir:

Official File Copy  
Enclosures Files  
2-20  
PLAINTANT'S EXHIBIT NO. H-49

Please be referred to past correspondence and conversations relative to the Sally Williams Allotment, the East 1/2 of the SB 1/2 Section 4, 20, 12 and note that we have made every reasonable attempt to have this claim signed up on the general Hoclips Logging Unit sale and have also made a cash offer to induce release to us.

Sally Williams the Indian owner will not listen to reason on this and has further been approached by your Mr. Steer and Mr. Nicholson without satisfactory results. The report of their interview with her, has we believe, been submitted to you.

This claim being with held is working a hardship on us as it is necessary to enter this Sale Unit through her claim. The route and conditions being in part explained on the map attached. We have attempted to route our Railroad other than through her claim but owing to the Hoclips River on one side and a Hemlock ridge on the other, the route through this allotment is the only practical location. This portion of the road will also serve the entire area and will be operated on for several years. Also as shown by the enclosed map, it will be necessary to cross the South Fork of the Hoclips river at a point within this claim as bank and other conditions on this river do not offer a practical or economical crossing.

It will therefore be necessary for you to secure for us either the control of this timber to be logged in accordance with the balance of the timber coming within this Sale Unit, require her to accept our offer or grant us a right of way for our logging road. It will be a heavy additional expense to us if it is necessary to build a half mile of road through this allotment without the timber being removed and it would seem to us under the conditions that the department could force this sale to be made. If the timber cannot be secured, kindly consider this our application for right of way and advise us as to your requirements.

Yours very truly,

ALOHA TIMBER COMPANY.

BJW/S

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Forestry  
58218-19  
JEX

Tahleah, Wn.,  
May 10, 1918.

The Commissioner of Indian Affairs  
Washington, D. C.

Official File Copy

Enclosures Files  
90-2-20

DEFENDANT'S EXHIBIT NO. H-50

Court of Claims

Docket No.

Sir:

There is attached hereto a letter addressed to Supt. A. B. Stone from the Aloha Lumber Company concerning the allotment of Sally Williams, Quindelt Allottee #453, described as Lot 1 and the NE1/4 of Section 4, T20N R12W S. 2. Washington.

With regard to granting necessary rights of way across this allotment to the Aloha Lumber Company, when Sally Williams executed a Power of Attorney for the sale of the timber on the allotment of Enoch Williams #452, deceased, in which she inherited one half interest, she agreed to grant any contractor reasonable rights of way over any lands in which she holds any interest, provided reasonable compensation (to be determined by the Commissioner) be paid for any damage done or incurred through such rights of way. In view of this fact it would appear that no further permission need be granted for the construction of the necessary logging railroad across the Sally Williams allotment. However, since the Aloha Lumber Company has no contract for the Sally Williams timber, and in view of Office and Departmental instructions, it has been deemed advisable to make proper application for such rights of way across the allotment in question as may be necessary in the logging of the timber in the Modlipa Unit.

It is therefore recommended that in accordance with the attached map and letter from the Aloha Lumber Company that the Company be granted necessary rights of way across the Sally Williams Allotment #453.

The matter of damages and compensation to the allottee can be determined later, however it may be pertinent to briefly discuss this phase of the question at this time. The allotment in question is classified as non-agricultural land. Were the timber thereon contracted, there would be no damages for which compensation should be made because of railroad construction. Since the allottee refuses to dispose of her timber in accordance with Departmental regulations, and the timber has consequently

not been sold, the only possible damage resulting from the construction of a logging railroad across the allotment will consist of the value of the merchantable timber cut from the right of way. In constructing logging railroads through uncut timber in this district, it is the universal practice to cut the trees which must be removed from the right of way into log lengths and pull the logs back away from the cleared right of way where they are left until the timber adjacent to the track is felled, yarded, and loaded out. It is not feasible nor practicable to load out only those logs which are cut from trees in the right of way proper until the balance of the adjacent timber is cut and removed. Unless the Sally Williams allotment is sold to the Aloha Lumber Company and is logged this summer and fall, the logs which are cut from trees in the right of way proper must necessarily be left to be loaded out at such time as the balance of the allotment is logged. Cedar logs will not deteriorate to any appreciable degree. It is felt that damages necessitating compensation by the construction of a logging road through the Sally Williams allotment will consist of the value of the merchantable Spruce, Hemlock and other species excepting Cedar that is removed from the right of way, such value to be computed on actual scale content at the prices bid for the Hoopla Unit.

Previous reports have been made to the Office concerning the unwillingness of Sally Williams to execute either a Power of Attorney or a contract for the sale of the timber on her allotment to the Aloha Lumber Company. Supt. Sams, Mr. Nicholson, Mr. Crooster of the Aloha Company, and myself have made every possible effort to obtain her signature to either a Power of Attorney or contract for the sale of her timber. Very recently Supt. Sams and myself made a special trip to Copalis Beach to see her. Sally Williams speaks no English and her brother, Allen Chenois, interprets for her. She steadfastly refuses to sign unless the sale be for cash and the entire amount be immediately turned over to her for her unrestricted use. The matter of a cash sale was referred to the Office on October 1, 1921, by Supt. Sams, and this plan did not meet with the approval of the Office, as expressed in Office letter of October 12, 1921, (Forestry 53213-19 20553-21). Office instructions in the letter just mentioned have been very specifically carried out. Every possible effort has been made to induce Sally Williams to sign a Power of Attorney. Her brother, Allen Chenois, with whom she lives, is in favor of the sale, and has done his best to induce her to sign, but to no avail.

She refuses to sign unless the sale is made for cash and all the money immediately given to her for her unrestricted use.

The attached map will very graphically show that the Sally Williams allotment is the "key" allotment of the Moelips Logging unit. The only feasible and practical railroad location is that shown on the map. The Aloha Lumber Company plans to log that part of the Tom Williams allotment #452 lying south of the Moelips River first, and would like to have their first extensive operations on the Sally Williams allotment. Were it possible to log the Sally Williams allotment as the Aloha Company desires to, this allotment would be entirely logged within one year, and all monies derived from the sale would be placed to the credit of the allottee. This has all been explained to her, but to no avail.

The Aloha Lumber Company is anxious to begin operations on the Moelips Unit. As evidence of this desire on the part of the company, the fact that they have been building railroad all winter at a cost considerably above that of summer construction and at a time when railroad building in this vicinity is normally at a standstill is called to the attention of the Office. I recently submitted a photographic report on this subject to the Office. Unless the Aloha Company can log the allotment of Sally Williams this summer, commencing about August 15th, it will mean that they will have to build approximately one half a mile of good railroad through her allotment and put a heavy bridge across the Moelips River, and logging operations will be delayed at least six weeks. This will mean a substantial financial loss to the Company, for if they could log her claim promptly, the usual good weather encountered during August and September could be taken full advantage of, while without her claim extensive logging cannot be commenced until the railroad has been built through her land and timber beyond opened up which will be about the time the heavy rains commence.

The Office expressed the opinion that every reasonable consideration should be given to the wishes of individual Indians is the disposal of timber in a letter to Supt. Gans dated December 12, 1921. (Forestry 58213-19 97243-21 JIK). There is nothing reasonable in the idiotic obstinacy of Sally Williams.

On May 24, 1920 the Assistant Secretary of the Interior wired former Supt. Hill in part as follows:

" No allottee will be permitted to interfere with or obstruct timber operations of successful bidder Moelips Unit. "

While the subject of this telegram was intended, I believe, to

refer primarily to rights of way, yet in refusing to give her consent to the sale of the timber from her allotment in accordance with the wishes of the Commissioner, Sally Williams is not only very seriously obstructing the operations of the Aloha Lumber Company, the successful bidder for the Hoelips Logging Unit, but is also bringing the timber sales of the Department into disrepute and making the sale of additional units more difficult. It is a fact that can be very easily substantiated that one reason why there was but one bid on both the Hoelips and St. Grenville Units was because prospective purchasers knew that all the allotments included in the sale areas had not been signed up and they were reluctant to bid on timber which they were not assured of getting.

The Sally Williams case is known to several prospective bidders on the Cook Creek Unit and the disposition of this case will not only be watched with keen interest on the part of such interested parties, but will have a very decisive effect on bids for the Cook Creek timber.

The interests of the Indian wards of the government should be protected and safeguarded in every possible way, but the purchaser of a tract of Indian timber has also some rights and is entitled to fair and just treatment both by the Indians and the Department. Unless such fair and just treatment is accorded the firms that purchase our timber, it will be increasingly more difficult for the Department to make advantageous sales of Indian timber and the Quinalt Indians separately and as a tribe will suffer as a direct result.

Sally Williams has already caused much embarrassment and inconvenience to local officials of the Service and to the Aloha Lumber Company, and if she is allowed to persist in and maintain her present uncompromising attitude she will not only obstruct and interfere with logging operations on the Hoelips Unit, but will cause the successful bidder for this unit a substantial monetary loss and bring the Service, insofar as the administration of our timber contracts is concerned, into disrepute--with far reaching effects.

The prices bid for the Hoelips Unit were exceptionally high as compared to present stumpage prices generally in this locality and very specifically when compared with those bid on the St. Grenville Unit and the appraised prices on the Cook Creek Unit. There is no reason except the maleish stubbornness of an old Indian woman why the timber on the Sally Williams allotment should not be sold to the Aloha Lumber Company at this time. I am convinced that the Hoelips Unit could not be sold to-day for a price as high as was



bid in June 1920 by the Aloha Lumber Company.

The Aloha Lumber Company has been granted one year's extension of time in which to remove 10,000,000 feet of timber from the sale area. The Company has been making and is now making every possible effort to remove the 10 million required before March 31, 1923. However if the Company cannot obtain the most accessible timber in the unit in which their operations should naturally start the requirement that 10 million feet should be removed prior to March 31, 1923 should in all fairness be waived by the Office if the Company, through no fault of theirs, cannot comply with such requirement.

When Sally Williams executed a Power of Attorney for the sale of the timber on the allotment of Theo. Williams #452, deceased, in which she inherited a half interest, she not only granted rights of way across all other lands in which she is interested, but she also gave her approval to the sale of her timber, at least as far as her inherited lands are concerned, in accordance with Departmental regulations. Every effort has been made to induce her to sign up for her own allotment but she has not, and I am convinced that she will not.

It is therefore recommended and urgently requested that authority be granted the Superintendent of the Taholah Indian School to enter into a contract with the Aloha Lumber Company for the purchase of the timber on the allotment of Sally Williams, Quinalt allottee #453 described as Lot 1 and the NESE of Section 4 T20N R12W E. M. upon the terms and conditions of the contract for the McClips Logging Unit approved July 15, 1920 by the Assistant Secretary of the Interior.

Because of the fact that the plans of the Aloha Lumber Company will depend entirely upon the decision of the Office in this matter, the Office is requested to expedite its decision.

Very respectfully,

*Henry B. Steer*

C.C. Taholah

Forest Examiner at Large.

Taholah, Wn. May 11, 1922.

I concur in the above report and recommendations.

*W. B. Jones*

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June 5, 1922.

W. B. Stone, Supt,  
Taholah Indian School,  
Taholah, Wash.

Dear Sir:

Enclosures Files

10-2-20

DEFENDANT'S EXHIBIT NO. 4-53

Court of Claims

Docket No.

We have your letter of the 1st and relative to the location of our Railroad through the Sally Williams claim, will say that full information including tracing and blue print were given Mr. Steer on his last trip through here.

We more than appreciate the effort you have made to secure the Sally Williams claim and it is against all interests concerned, here particularly that this could not be handled in accordance with the other units.

Owing to a discrepancy in near by cruises it was not practical to buy the Tom Williams claim outright without further cruising and it is impossible to have this done at this time. This may later be arranged and we also have found that it is not imperative that her claim be logged until probably early next Spring. At that time she may be more disposed to sale or some other plan may present itself which may be feasible and acceptable.

Again thanking you for your interest and activity in this matter, we are

Yours very truly,

ALOHA LUMBER COMPANY.

B. J. Webster.

BJW/S

DEPARTMENT OF THE INTERIOR  
UNITED STATES INDIAN FIELD SERVICE

OTHER FIELD SERVICE  
UNITED STATES INDIAN FIELD SERVICE  
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Taholah Indian School,  
Taholah, Washn Oct. 26th 1922.

Aloha Lumber Co.,  
Aloha, Washn.

Dear Sirs:

I have just received the following wire  
from the office of the Secretary of the Interior:

" Washington D.C. Oct. 25, 1922.  
Sams Superintendent,  
Hoquiam, Washn.

You wire twenty-fourth in order to conserve the prop-  
erty of Sally Williams an incompetent Indian permis-  
sion revokable my discretion is hereby granted Aloha  
Lumber Company to begin logging ~~operations~~ timber  
her allotment.

(Sgd) Goodwin Assistant Secretary"

The timber removed from the Sally Williams claim  
should be accounted for on the same basis as that  
taken from other allotments within the Moclips Logging  
Unit.

Sincerely yours,



Superintendent.

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DEFENDANT'S EXHIBIT NO. # 51  
Court of Claims  
Docket No. \_\_\_\_\_

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Sept. 29, 1922.

Personal

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90-2-20

DEFENDANT'S EXHIBIT NO. H-34

Court of Claims

Postal No.

Hon. Albert Johnson,

House of Representatives.

My dear Congressman:

There has recently been presented to the Indian Bureau contracts for employment, by the Quinaielt tribe of Indians, of F. L. Morgan and Webster Ballinger as attorneys to represent them (the Indians) in matters pertaining to their tribal affairs before the Department and the Committees of Congress. The compensation stipulated in the contract is \$6,000 a year and expenses, and the contracts run for three years. There is not a single proposition covered by the proposed contracts that is anything more than the usual details that pertain to a tribe of Indians, and I am very sure that, with your active interest in their affairs and your able Senators, any legislation that may be required for their benefit, or any matters that ought to be changed with reference to their administration, can be worked out without the assistance of any attorneys.

The Quinaielt tribe consists of 747 members, and it would be nothing short of absurd for them to be permitted to employ attorneys at \$6,000 per year and expenses to see that their affairs are properly administered. To authorize such a contract would establish a precedent that would be followed by a class of lawyers throughout the country that do not represent the best element of the profession, in seeking to get contracts to represent Indian tribes, which would only be expensive to the Indians and without doing them any good would create discord and embarrassing conditions that would be deplorable.

I am writing you for the purpose of requesting that, before you commit yourself on the subject of recommending that the Quinaielt Indians be permitted to employ counsel, you wait until you return to Washington, when the matter can be made the subject of a personal conference.

Hon. Albert Johnson --- #2.

9/29/22

Under the regulations of the Department, before attorneys can negotiate for a contract with a tribe of Indians, they are required to get permission from the Department to do so. Mr. Morgan had a council called of the Quinalt Indians without the consent of the Department and without consulting the Superintendent, and, in addition to having a contract authorized as indicated, he solicited and collected a considerable sum of money, \$500 of which was remitted to his associate, Mr. Ballinger, of this city. You can readily see what will be the result if attorneys can go upon Indian reservations, assemble the Indians, hold out to them representations of what they can do for them, and take up a collection in cash as was done by Mr. Morgan. We are constantly compelled to take action restraining individuals and organizations that are attempting to solicit funds from Indians for different purposes.

Knowing that you will appreciate what prompts me in writing you as I have, and hoping that until I see you you will not commit yourself in favor of the proposed contract with Morgan and Ballinger, I am

Yours sincerely,

(Sgd) Chas. H. Burke

Commissioner.

9 VVM 29

Copy to Senator Jones. ✓

*Handwritten notes:*  
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October 31, 1932.

Mr. Paul Smith,  
M. R. Smith Lumber & Shingle Co.,  
Stuart Bldg.,  
Seattle, Wash.

Dear Sir:

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Enclosures Files

90-2-20

DEFENDANT'S EXHIBIT NO. #41

Court of Claims

Docket No.

I have your letter of the 28th and regret very much that I have missed you on your late calls as there were several things that I have wanted to talk over with you. Will probably be in Seattle within the next week or so but if you are coming down ahead of such a time, if you would phone the office would meet you either here or in toclips.

From anything that can be seen so far there should be no active interest in the Guinault Lake Unit other than Polson. Some operators have approached us on this but we have not talked favorable or offered any outlet through our road. This should be Polsons though could be joined up with Hobies unit and brought out this way. Donot think we will incur any disfavor from the polsons interest on this account.

Thos. Saule was looking for a show and we had made him an offer on the timber purchased from you in Sec. 9 and 10 and had told him that if this was logged by him that it was to be understood that it was under contract from you. We had not taken this up with you for the reason that we did not consider him sufficiently interested to complete trade and this has since proven to be the case. If his interest should revive, will give you the details.

Regarding the Spruce along our Railroad. This of course should be loaded by us but it could also be skidded or yarded to our tracks, cheaper we believe, than you could do it with horses. We will either log it for you, load it for you, or buy it outright which ever is mutually agreeable. Will talk this over when we see you.

Yours very truly,

ALONG LUMBER COMPANY.

Forestry  
WVB

P. O. Box 676,  
Hoquiam, Wn.,  
Dec. 26, 1922.

Official File Copy  
Enclosures Files  
90-2-20  
DEFENDANT'S EXHIBIT NO. H-31  
Court of Claims  
Docket No.

The Commissioner of Indian Affairs,  
Washington, D. C.

Sir:

There are being forwarded to the Office to-day by Supt. Sams 10 allotment contracts for allotments included within the Ft. Grenville Logging Unit which was contracted on May 25th, 1922 to the M. E. Smith Lumber and Shingle Company. These 10 contracts include all the allotments of the Garfield family that are included within the unit, or a total of 6, and two of the Hoh family which are influenced practically <sup>by</sup> Wm. J. Garfield.

With the forwarding of these contracts to the Office, the main resistance to timber sales on the part of the Indians residing at Taholah has vanished. The Office is aware that the main source of opposition to timber sales on the part of Taholah Indians originated with, and was fostered by William Mason and William J. Garfield. Please refer to a letter of Nov 5, 1921 to the Office (Forestry 31250-21) signed by Mr. Nicholson and myself, and also to a letter of Nov 25, 1922 (same file) signed by Supt. Sams, Mr. Nicholson and myself referring to this matter. Wm. Mason has signed up (with his wife) for the allotments in which he has an interest, and now the Garfield allotments are signed up.

Because there is opposition similar to this coming up on the part of outside Indians whose allotments are included within the Quinalt Lake Logging Unit, it seems advisable to discuss briefly 1st the attitude of these Indians, 2nd the policy which has been pursued by Supt. Sams, and 3rd the results.

When the Ft. Grenville Unit was being advertised last Spring, **COPY** Wm. Mason and myself had long talks with Wm. Mason and Garfield concerning the sale. Both of these Indians ~~seem to be~~ <sup>are</sup> ~~not~~ <sup>able</sup> to understand the terms of sale, etc. However every means at their disposal to block the sale, not only ~~try to~~ <sup>try to</sup> ~~prevent~~ <sup>prevent</sup> their allotments and those of their family to be included within the unit, but also by spreading malicious propaganda ~~and~~ <sup>and</sup> ~~misleading~~ <sup>misleading</sup> information ~~regarding~~ <sup>regarding</sup> allotments were included, making many mis-statements which rendered our work here more difficult to accomplish. ~~Wm. Mason has~~ <sup>Wm. Mason has</sup> ~~been~~ <sup>been</sup> ~~at~~ <sup>at</sup> ~~his~~ <sup>his</sup> ~~disposal~~ <sup>disposal</sup> to force the Office to issue fee patents, through the retaining of "legal" advice, and by ~~Forestry~~ <sup>Forestry</sup> ~~Daily~~ <sup>Daily</sup> ~~News~~ <sup>News</sup> ~~and~~ <sup>and</sup> ~~other~~ <sup>other</sup> ~~publications~~ <sup>publications</sup>.

Congressional influence. William *Mason* has been largely responsible for the retaining of Mr. F. L. Morgan of Hoquiam as Attorney for the Indians, and has caused considerable dis-satisfaction among the Indians.

Supt. Sams has consistently maintained to these Indians and others that he will be pleased to forward their application for a fee patent to the Office whether or not their allotment is included within a sale area (timber) but that where allotments are included within a timber sale area which has been made, or that will be made in the near future, that he cannot and will not recommend the issuance of a fee patent. The reason for this is because the prices which are obtained for Indian timber when such timber is sold under government supervision in units is vastly in excess of the price that can be obtained by the Indian for land and timber by an outright sale through the issuance of a fee patent. I am convinced, and can very easily prove that hundreds of thousands of dollars have been lost by Quinalt Indians in recent years through the issuance of fee patents and the sale of heavily timbered allotments for a fraction of their value. Being very familiar with the Quinalt Indians I am also prepared to state and prove that only in exceptional instances has the money obtained through such sales been of any real assistance to the Indians receiving it--in fact in most cases it has been a detriment. Supt. Sams is endeavoring to stop this forced sale of allotments with their heavily timbered land (for the best timber on the reservation is allotted) at less than the real value of the same, and if his efforts and mine are to be successful, we must have the sympathetic understanding and complete co-operation of the Office. Only in instances of extreme need will applications for fee patents receive the approval of this Office, but such applications will be forwarded to the Office promptly in accordance with the regulations.

Because this stand of Supt. Sams "holds water" and is indisputably to the best interests of the Indians involved, William Mason and William Garfield have been unable to undermine our constructive work and to seriously impair (at least up to the present) the proper administration of sales which have been made.

Finally, the Office is aware that the prices bid by the Ozette Railway Company for the Quinalt Lake Logging Unit are the highest in the Northwest for a unit of timber of this size, especially for Hemlock. The Ozette Company has executed 56 allotments. Notwithstanding these exceptionally liberal advance payments on allotments, which are at least 50% more liberal to the Indians than ~~any other~~ of the 85 allotments included within this unit are "signed up". Practically all the Taholah Indians have

*Taholah Ind. Agents*  
*Forestry Daily Radio File*

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Additional Information only 48



signed up, but the opposition is on the part of Indians residing at Bay Center and other outside points who have never been under the care of a Superintendent and who chafe at any government restriction of their funds. Where patents in fee have been issued to these Indians, particularly to the Charley family of Tokeland, the allotments are immediately sold for whatever can be obtained for them and the money squandered.

Mrs. Sphia Reed Foster #540 and her family, comprising in all about 8 allotments, have retained a Mr. Norman S. Richards of Portland who has requested applications for patents in fee to be filled out and forwarded as to Office. These allotments are all included within the Quinalt Lake Logging Unit, and it is probable that similar applications will be made as to other allotments.

On Nov 13, 1922, Supt. Sams forwarded a communication received from Mr. Richards to the Office (Forestry 60202-22) and enclosed a copy of his reply.

It is hoped that this letter will give the Office a clearer understanding of the difficulties under which we are working here, and that in our policy of endeavoring to fully protect the property of the Indians and to obtain for them the full value of such property, that we may have the <sup>valuable</sup> co-operation and ~~assistance~~ <sup>assistance</sup> of the Indian Office *which we have experienced in the past,*

Very respectfully,

*WBS*

Approved:

Forest Examiner at Large.

*WBS*

Superintendent.

**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*

Daily

Taholah Indian Agency  
Hoquiam, Washington, February 20, 1923

Official File Copy

Supt. W. B. Sams  
Hoquiam, Washington

Enclosures Files  
90-2-20  
DEFENDANT'S EXHIBIT NO. H-18  
Court of Claims  
Docket No.

Dear Mr. Sams:

In connection with the forwarding to Washington of applications for patents in fee with recommendations that the same be granted, an interesting matter came to my attention a short time ago. I am aware of the fact that it is not your policy to recommend patents in fee as to timbered allotments unless the Indians are obviously in need of funds and there is no prospect of effecting a timber sale in the near future which will include that allotment. We both realize that more money can be obtained for an Indian's allotment when the same is sold through the Superintendent rather than by the Indian through the issuance of a fee patent.

Mr. W. C. Peebles was recently in my office in connection with timber matters. Mr. Peebles has been the official cruiser for the Tolson Logging Co. for a great many years and is very familiar with the Reservation. He has spent, to my knowledge, two continuous years cruising reservation timber, principally in the Cook Creek and Quinalt Lake Districts. While Mr. Peebles was in my office the accuracy of the Government cruise was brought up and Mr. Peebles made some statements which I believe should be called to your attention. Allotment #119 described as the W<sup>1</sup> SW<sup>1</sup> 17-22-11 was estimated in the summer of 1915 by the Government cruising party as containing practically no timber, showing 12 M of cedar, 15 M of pine, 180 cords of cedar bolts, 12 M linear feet cedar poles. Mr. Peebles informed me that he found in excess of one million ft. of cedar on the south one half of this allotment and recommended its purchase by the Tolson Logging Co. In your letter of July 6, 1921 to the Commissioner, recommending the issuance of fee patents to Johnson Haukenas and Rosa Garfield, the heirs of this allotment, you stated that there was very little timber on the allotment in question, which I believe with all the information at your disposal. Allotment #172 described as the SW<sup>1</sup> SW<sup>1</sup> 12-22-12 was estimated in the summer of 1915 by the Government cruising party. The Government cruise on this allotment shows practically no timber, as follows: 6125 cords of pine, 172 M, Amabilis 50 M, Cedar Bolts 1000, Cedar Poles 1000 linear feet. While Mr. Peebles did not give me the def- Additional information which he found on this allotment, he did state that it was very much in excess of the Government cruise, and

**COPY**

Seattle Federal Archives and Records Center

6125 1st Ave. S.W. Seattle 172 M, Amabilis 50 M, Cedar Bolts 1000, Cedar Poles 1000 linear feet.

Additional information which he found on this allotment, he did state that it was very much in excess of the Government cruise, and

Taholah Ind. Agency

Forestry Daily Record File

Page 2, Supt. W. B. Sams

that he bought the property himself from William & Amy Mason, heirs thereof, to whom a patent in fee had been issued.

I find, from the county records that the present owners of these allotments are the Tolson Logging Co., allotment #191 and W. G. Peebles, allotment #472.

In order to understand how this great difference in estimating timber occurred, it is necessary that one be familiar with the method employed by the government cruising party. We used what is called the strip system, the inaccuracies of which are well known. A "commercial" cruiser covers the ground a great deal more thoroughly than did the man who used the strip system for the government.

I suggest to you that before an application for a fee patent is being forwarded to the office with your recommendation that the fee patent be issued, that wherever there is any question of doubt as to the stand of timber on the same, that the application for a fee patent be delayed until the allotment in question can be re-cruised.

Very truly yours,

HBS:LK

Forest Examiner

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Center, CSA

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Additional Information Box 344

Tolson Ind. Ag.

Forestry Daily Lead, Etc.

Taholah Indian Agency  
Hoquiam, Wash.

March 7, 1923

Supt. Charles E. Coe  
Dixon, Montana

Dear Mr. Coe:

I have your letter of March 1st requesting a statement as to the timber cut during 1922.

You are advised that we cut 7,374,520 feet of timber with a value of \$24,119.58 on the Quinalt Indian Reservation during the calendar year 1922. It is presumed that you desire this data for the purpose of comparison, and for that reason, other factors must be taken into consideration. We sold three units having a total in excess of one billion feet of timber during 1922, on which operations were naturally not started during last year. The figures given as our cut, represents the cut of only one concern for five months. You are advised that the minimum annual cut on the Quinalt Reservation, when operations are under way, will be one hundred and twenty-five million feet per year with a total value of at least four hundred thousand dollars.

The total estimated stand of timber on the Quinalt Indian Reservation is approximately five billion feet, one billion and one quarter of which is now under contract.

Very truly yours,

~~HE-112~~  
COPY

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Additional Information Box 344

Superintendent

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90-2-20

DEFENDANT'S EXHIBIT NO. H-38

Court of Claims

Docket No.

Taholah Ind. Agency  
Forestry Daily Reader File

*Daily*

Tabolah Indian Agency,

Hoquiam, Wash., June 1, 1923.

Supt. W. B. Sams,

Hoquiam, Washington.

Dear Mr. Sams:

Official File Copy  
Enclosures Files  
90-2-20  
DEFENDANT'S EXHIBIT NO. H-27  
of Claims

In accordance with your request, the following is submitted for your attention in connection with the application of the heirs to allotment No. 623 for a fee patent.

This allotment is situated in the W/2 SE/4, Sec. 24, T. 21 N, R. 12 W, and is in a locality where I believe, other parties than Mr. Geertz would be interested in it. The Aloha Lumber Company owns a number of fee patented claims in the vicinity of the allotment in question, and would undoubtedly be interested in the purchase of the same. At a conservative estimate the timber on this allotment alone is worth \$4800.00.

I believe that the owners of this allotment could obtain a better price for the same if a sale were made through this office, and patent in fee simply issued direct to the purchaser. Individuals are not generally able to secure as fair a price for their timber as can be secured through this office.

The Quinalt Reservation was as you know, allotted, cruised, and mapped at a large expense to the United States. I think it no more than fair that sales of this kind should be made through this office in order that the allottees may be called upon to defray a part of the expenses of this work, and I believe that the greater price which they will obtain for their allotment will more than warrant this plan of pro-

**COPY**

Very truly yours,

Seattle Federal Archives and Records Center, CSA  
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Forest Examiner at  
Large.

*Tabolah Ind. Agency*  
*Forestry Daily Record File*

Forestry  
J P K

*Daily*

P. O. Box 198,  
Hoquiam, Wn.,  
Jan. 23, 1923.

The Commissioner of Indian Affairs,  
Washington, D. C.

Official File Copy  
Enclosures Files  
90-2-20  
DEFENDANT'S EXHIBIT NO. H-22  
Court of Claims  
Docket No.

Sir:

In connection with timber sale administration in this jurisdiction a question has come up which it seems advisable to refer to the Office for instructions.

Many Indians, whose allotments are under contract, or included in proposed sale units, have requested, and undoubtedly will continue to request, a statement of the estimated stand of timber on their allotment. I do not see any logical way that this information can be refused under our present instructions, yet I can very easily see how the possession of such information by an Indians may lead in the future to a situation which will be hard for an Indian to comprehend.

Estimates of timber are not guaranteed by the Indian Service, and while a white man of intelligence, and rarely an Indian, may understand that the estimate of his timber is an approximation only, and that the actual scale of timber cut from a certain description of land may either over or under run an estimate, the majority of Indians, when they have in their possession the government cruise of their timber will believe, if the actual amount of timber cut from their allotment is less than the estimated amount, that they have been defrauded, and no amount of explanation will change their opinion.

Former Superintendents in this jurisdiction continually gave Indians the amount of the timber which was estimated to stand on their allotments, and in some cases which have come to my attention, this information has been inaccurate.

Further, if we are to furnish each Indian who has his own allotment or a deceased allotment in which he has an interest under contract with a statement of the estimated stand of timber, and carrying it a little further (which I am sure will come up) with a statement as to the amount of timber cut and disposition of the moneys received, we will need the services of an additional clerk.

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Center, CSA  
6125 Sand Point Way, NE  
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Additional Information Box 244

Very respectfully,

Approved, *W. S. ...* Forest Examiner at Large  
*Forestry Daily ...*  
Superintendent

**Official File Copy**

Enclosures Files  
 90-220  
 DEFENDANT'S EXHIBIT NO. H-25  
 Court of Claims  
 Docket No. Taholah Indian Agency  
Hoquiam, Wash., February 20, 1923

*Reid*

Mrs. W. L. Montgomery  
 415 N. Kellogg Street  
 Portland, Oregon, St. Johns Sta.

Dear Madam:

With reference to your letter of February 15th, you are advised that your allotment adjoins the Cook Creek Logging Unit which was purchased by the Hobi Brothers of Aberdeen, Wash. Frank D. Hobi, Aberdeen, Wash., is the address to which you should write concerning your claim.

You are undoubtedly aware that individual owners of allotments can obtain larger amounts of money from the sale of their timber, when such sale is made through the Government, than they can through a private sale. This is because all your timber would be scaled by government men and you would get credit for all the timber which actually stood on your claim.

While this allotment is not included within the Cook Creek Unit, it may be possible for you to dispose of it at Cook Creek prices which are very high. If you desire to sell your timber through the Government, or if there is any further information which I can give you, please write me.

Very truly yours,

HBS:LX

Superintendent

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 Record Group No. 73  
 Additional Information Box 344

*Taholah Ind. Agency  
 Forestry District, Hoquiam, Wash.*

Daily

Taholah Indian Agency,

Hoquiam, Wash., June 6, 1923.

Commissioner of Indian Affairs,

Washington, D. C.

Sir:

**Official File Copy**

Enclosures Files  
90-2-20

DEBENT'S EXHIBIT NO. H-54

to the Office for decision.

Docket No.

In connection with timber operations in this jurisdiction a question has come up which it seems advisable to refer to the Office for decision.

In railroad construction in this country it is necessary because of the large amount of rain fall to ballast the tracks with a large amount of gravel. It is generally more convenient to obtain this gravel from gravel banks which occur very frequently on the Reservation. The question has come up as to whether we should charge the Railroad Company for this gravel which they need for railroad construction in removing the timber covered by their several contracts.

It does not seem logical that the Companies should be charged for this gravel when the individual Indian land from which it is taken, is not depreciated in value thereby. To contemplate charging any logging company for gravel taken from an Indian's allotment if the allotment is damaged by the removal of this gravel, but it seems obviously unfair to charge a company for gravel taken from an individual allotment if the allotment is not damaged thereby. Especially in view of the fact that this gravel is absolutely necessary for railroad construction for the removal of the timber.

The Aloha Lumber Company desires to remove some gravel from the bed of the Moclips river in several allotments included within the Moclips Unit. This gravel will be used in the construction of the logging railroad of this company on the Reservation. The removal of this gravel will in no way damage any of the allotments in question, and unless instructed to the contrary by the Office we will make no charge for this gravel to the Aloha Lumber Company.

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Very truly yours,

SUPERINTENDENT.

*For History Daily Record File*



Forestry  
7329-22

*Daily*

Official File Copy  
EXHIBIT NO. H-55  
The Commissioner of Indian Affairs,  
Washington, D. C.

Tanolah Indian Agency,  
Hoquiam, Wash.,  
November 2, 1925.

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

FORESTRY DEPT READING FILE  
1925-32

Sir:

Reference is made to Office letter of October 28, 1925 in reply to ours of October 19, 1925 concerning the payment by the Hobi Timber Company for gravel removed from Indian allotments needed for ballasting purposes in the construction and maintenance of logging railroads necessary for the removal of Indian timber.

Instructions of your Office will be complied with, and no charge will be made for the gravel so removed and used by the Hobi Timber Company.

It is the belief of this office that uniformity in such matters should be practised on all five timber sales in effect on the Quinalt Indian Reservation, and the attention of the Office is invited to Office letter of August 1, 1923, which was approved on the same date by the Assistant Secretary, instructing us to charge the Aloha Lumber Company \$.05 per cubic yard for gravel removed from the bed of the Moclips River under circumstances exactly similar to those under which the Hobi Timber Company requested to be permitted to remove gravel from the bed of Cook Creek. It should be stated that during the summer and fall of 1922, the Grays Harbor County Commissioners experienced considerable difficulty in obtaining gravel in the western end of the county for road work, and the Aloha Lumber Company thought it might be possible for them to remove gravel from the bed of the Moclips River and sell the same to the County, delivery to be made at the point where the Aloha logging railroad crosses the county road. Under date of October 26, 1922, this matter was referred to your Office, and it is felt that the decision of August 1, 1922 that a charge of \$.05 per cubic yard be made for gravel used in ballasting logging railroads was largely a result of the proposed plan to use some of this gravel for county road work. It was found, after proper investigation, that the gravel in the Moclips River (in the allotment of Sally Williams) would be too costly, because of the high expense to remove it, to sell to the county, and none has been sold.

In accordance with instructions contained in Office letter of August 1, 1923, an accurate record was kept of the amount of gravel removed by the Aloha Lumber Company from the bed of the Moclips River, and the same was charged to them at \$.05 per cubic yard. To date the Company has paid \$287.35 for 5,747 yards of gravel so removed, the amount of money being credited to the allottee.

In the summer of 1923 it became necessary for the M. R. Smith Lumber and Shingle Company to establish a gravel pit on the reservation to obtain gravel for use in their logging railroad (built to log Indian timber contained in the Pt. Grenville Unit which they purchased), and with the Aloha case as a precedent, they were advised that they would be required to pay \$.05 per cubic yard for gravel where it was removed from an allotment. The Smith Company has paid to date \$543.60 for 10,872 cubic yards of gravel removed from the allotment of Andy Wain or Wing, and the money has been credited to the estate of the deceased.

In the summer of 1925 it became necessary for the Hobi Timber Company to obtain gravel for use in their logging railroad (built to log timber in the Cook Creek Unit in the Quinalelt Reservation which they had purchased). The site of their first gravel pit was on tribal land in Section 15-21-11, and the gravel used by them was so obviously useless for other purposes and so necessary for use in making a large body of Indian timber accessible, that no charge was made for the gravel so used. We notified the Company, however, that in view of the Office ruling in the matter, that should they locate a gravel pit on allotted land, that a charge of \$.05 per cubic yard would be made for the gravel so removed. As a result of a strong protest on the part of the Company, the matter was referred to the Office under date of October 19, 1925.

If this Office continues to charge the Aloha and Smith Companies \$.05 for gravel and makes no charge to the Hobi Timber Company for gravel removed under the same conditions and for the same purpose, the Aloha and Smith Companies will feel that they are being discriminated against, and it is our belief that the manner of handling this matter should be uniform in all cases.

It does not seem proper that a charge for gravel should be made to the companies operating in Indian timber on the reservation except where there is an actual damage done to the allotment from which the gravel is removed. As the Office is aware there are very few allotments on the reservation which are adapted to agricultural purposes, and deposits of gravel do not generally occur on agricultural land. On the other hand the gravel is an absolute necessity to the operating logging companies, and the interests of the Indians are augmented by the construction of railroads necessary for the development and removal of Indian timber. There are many cases in this county where railroad grades which have been abandoned after the removal of the timber have been made into roads with very little work, and the logging railroads on the reservation may be put to this use in years to come, after the timber has been removed.

It is therefore recommended that in the future no charge shall be made for gravel used in the construction and maintenance of logging railroads on the Quinalelt Reservation except in cases where actual damage is done to agricultural land.

Very respectfully,

Supervisor of Forests

Superintendent

Forestry  
JPK

*Handwritten:* Bailey

P. O. Box 198,  
Hoquiam, Wn.,  
Oct. 25, 1923.

The Commissioner of Indian Affairs,  
Washington, D.

**Official File Copy**

Enclosures Files  
20-2-20

DEFENDANT'S EXHIBIT NO. H-47  
Court of Claims

Sir:

The Office is ~~to-day~~ being advised of the resignation of Mr. Ray C. Quast from the position of Forest Ranger (11) in the Taholah jurisdiction effective at noon October 22, 1923. Mr. Quast, who was employed at a basic salary of \$1500, was directly in charge of the operations of the Aloha Lumber Company, who are operating in the Hoclips Logging Unit. His work with the Lumber Company will consist of scaling logs behind the fallers and buckers, and will entail less responsibility than his position with the Indian Service. However his salary with the lumber company will be \$200 a month, or \$2400 a year.

The resignation of Mr. Quast, who has been employed by the Service during recent years in various positions on the Quinalt and Tulalip Reservations brings up a question and condition which has been called to the attention of the Office frequently. The Service lost a valuable man when Mr. Quast resigned, for he was especially capable and competent for the duties of the position in which he was employed. As Mr. Quast stated in his resignation, the only reason for his leaving the Service was the inadequacy of his salary.

In the fourteen months that the Aloha Lumber Company has been operating in the Hoclips Unit, a total of thirteen scalers have been employed. The operations of the Aloha Lumber Company normally calls for two scalers. We have not been able to secure the services of competent scalers at the salaries which we are ~~able~~ to pay, and an exceptionally high turn-over must ~~be~~ **COPY** continued.

Seattle Federal Archives and Records Center, GSA  
HOWEVER serious the turn-over in scalers may be, it is of ~~consideration~~ **consideration** when compared to the advisability and necessity of securing the continuous services of competent ~~information~~ **information** in the positions of Forest Ranger. Please be referred to the report of May 21, 1923 of Mr. Leo Huck, Supervisor of Forests, ~~by~~ **by** ~~and~~ **and** make a thorough investigation and ~~report~~ **report**.

*Handwritten:* Forestry Division File

inspection of the timber sales, organization, etc., in this jurisdiction, more especially to part 7 of his report headed "Organization and Administration" (Page 19) and recommendation #1 in part 8 (Page 29). These Forest Rangers are directly in charge of the sale area on which they are placed (under the immediate supervision and direction of the forest officer designated by the Office to be in charge of the entire timber work) and are directly responsible for the work of the scalers and the general administration of the sale area, including the re-running of allotment lines, the proper branding of logs to insure the correct crediting of the same to the proper allottees, the making of the pick-up scale, and the keeping of proper records including costs of administration, progress maps, etc. If the administration of timber sales in this jurisdiction is to be conducted in an efficient manner, we cannot afford to have the incumbents of these positions changing, for in leaving, they will take with them an intimate knowledge of the sale area which will not be easily acquired by the new incumbent.

It is believed that the size of the operations which are now under way on this reservation together with the peculiar conditions in administration which we have to contend with, among which are the large number of allotments in very heavy timber and the absolute necessity of scaling the logs as they are loaded, warrant higher salaries than are now being paid. It is practically one year since operations started on this reservation, yet we are now removing timber at the rate of 100 million feet a year and our annual cut will not fall below this figure for the next 20 years.

In view of these facts the following recommendations are respectfully made to the Office-----

1. A complete and thorough investigation of conditions, administration, etc., by an inspecting forestry official with special reference to the positions needed for proper timber sale administration and the salaries that should be paid, and

2. The abolishment of the position of Forest Guard (10) at \$1500 per annum, which position is now filled by Mr. Lester C. McKeever and the establishment in lieu thereof of the following position of Forest Ranger (10) at a basic salary of \$1500 per annum, Seat of the position is at the "Timber" (funds being available) and Center of the position of Mr. McKeever to this position immediately. Mr. McKeever recently obtained Civil service standing. Mr. McKeever, who is currently in charge of the operations of the H. R. Smith Lumber and Shingle Company operating in the St. Grenville Unit, has been considered a position with the Smith Company exactly similar

*Foresty Daily News File.*

to the position recently accepted by Mr. [redacted] with the Aloha Lumber Company. Mr. McKoever is thoroughly competent for the duties of the position in which he is now employed, and it is recommended that the new position be created and Mr. McKoever be appointed therein.

Very respectfully,

Forest Examiner

Superintendent

COPY

Seattle Federal Archives and Records Center, GSA

6125 Sand Point Way, NE

Record Group No. 75

Additional Information 508 344

Taholah Ind. Agcy.  
Forestry Daily Record File.

Forestry  
JWA

*File*

Taholah Indian Agency,  
Hoskins, Wn.,  
Feb. 3, 1934.

The Commissioner of Indian Affairs,

Washington, D. C.

Official File Copy

Enclosures Files

90-2-20

DEFENDANT'S EXHIBIT NO. H-48

Court of Claims

Docket No.

Sir:

This is to advise the Office that Francis Murphy, who has been temporarily employed in this jurisdiction as a log scaler at a basic salary of \$1000 per month, has resigned, effective February 2nd, to accept a position as scaler with the Mohi Lumber Company at \$7.00 per day. Mr. Murphy's place has been filled by the employment, temporarily, of Mr. Phillip A. Stover, a graduate of Willamette University at Salem, Oregon who has had experience as a scaler in this vicinity and who it is believed will make an efficient employee.

This letter is to call the attention of the Office to the difficulty which we are constantly experiencing here in obtaining and keeping the services of competent scalers at the salaries now authorized.

The turn-over of Forestry employees on timber sale work during the calendar year 1933 was 1394, and will continue to be as high until such time as adequate salaries can be paid. Efficient administration cannot be expected under these conditions.

The Office is requested to again give attention to the recommendations of Mr. Lee Mack, in which we concurred, that the salaries (basic) of scalers in this jurisdiction be made \$1200, and the basic salaries of men in charge of timber sale units be made \$1400.

Very respectfully,

Supervisor of **COPY** at Large

Superintendent

Seattle Federal Archives and Records Center, CSA

6125 Sand Point Way, NE

Record Group No. 75

Additional Information Box 344

*Taholah Ind. Agency*  
*Forestry Daily Report File*

Forestry

*File*

Taholah Indian Agency,  
Hoquiam, Wa.,  
Feb. 23, 1924.

The Commissioner of Indian Affairs,

Washington, D. C.

Official File Copy

Enclosures Files

10-2-20

DEFENDANT'S EXHIBIT NO. H-52

Court of Claims

Sir:

There is attached hereto <sup>check No.</sup> a letter from the Aloha Lumber Company concerning the timber on the allotment of Isaac P. Bastian, deceased, a final allottee # 618, described as the ~~3 1/2~~ <sup>3 1/2</sup> of Section 34, T2LN R12W.

This allotment is included within the boundaries of the Moclips Logging Unit which was sold to the Aloha Lumber Company.

The heirs of this allotment (77038-13) are as follows;

Isaac Bastian, Father  $\frac{1}{2}$   
Orellia Bastian, Mother  $\frac{1}{2}$

Orellia Bastian has been declared insane, committed to an asylum, and her husband, Isaac Bastian, has been named as her guardian.

Repeated attempts have been made to induce Isaac Bastian to execute a Power of Attorney for the sale of this timber, but he has declined, and has never answered letters addressed to him at Roy, Washington, his home. On one occasion he came to this Office accompanied by an attorney who informed me that he was going to obtain the patent in fee to this allotment for Mr. Bastian. Mr. Bastian declines to have anything to do with a timber sale unless the entire proceeds of the sale are immediately turned over to him.

The facts of the case are these—the timber in question is entirely surrounded by trust allotments under contract or fee patented allotments owned by either the Aloha Lumber Company or the M. R. Smith Lumber and Shingle Company. **COPY** All of the surrounding timber will be logged within the next year.

Unless the timber on the allotment in question is logged at this time it will be exposed to fire, heavy winds, and because of the fact that it will be isolated, will unquestionably depreciate in value to a considerable extent.

Record Group No. 75  
Additional information that the Aloha Lumber Company desires a right of way through the allotment in question. It is not the policy of the Department to allow any individual allottee to obstruct the operations of a bona fide company operating on Indian lands, and such right of way should be granted in the event that the

*Forestry Dept. Hoquiam, Wash.*

Forestry  
7329-22

Taholah Indian Agency,  
Hoquiam, Wash.,  
May 25, 1924.

Official File Copy

The Commissioner of Indian Affairs,

Washington, D. C.

Enclosures Files  
90-2-20

DEFENDANT'S EXHIBIT NO. H-58

Court of Claims  
Docket No.

Sir:

There is submitted herewith a letter from the Hobi Timber Company, dated May 23, 1924, in which the Company asks for an extension of time of one year in which to remove the first ten million feet of timber from the Cook Creek Logging Unit. The contract, which was approved on the 2nd of September 1922 by the Assistant to the Secretary of the Interior, provides for the removal of at least ten million feet of timber prior to March 31, 1925. The Company asks that this date be extended to March 31, 1926 because of adverse market conditions and the extensive logging operations carried on by them in the Moclips Logging Unit.

When the Cook Creek Logging Unit was purchased by the Hobi Timber Company, they entered into an agreement with the Aloha Lumber Company for the operation of a joint railroad for a distance of about six miles, three of which is inside the Moclips Logging Unit. Due to the topographical location of the Moclips and Cook Creek Logging Units, the purchaser of the Cook Creek Unit would have to build approximately two miles of dead railroad through Moclips Unit timberland if the Aloha Lumber Company were to log the entire Moclips Unit. Realizing this condition, an agreement was reached between the two companies whereby the Hobi Timber Company was to log approximately 1200 acres of tribal timber in the East end of the Moclips Unit. The Hobi Timber Company would then continue their railroad to tap the Cook Creek Unit. In a little less than nine months time the Hobi Timber Company has removed over thirty four million feet of tribal timber from the Moclips Logging Unit. The Hobi Timber Company has let a contract for their main line railroad construction into the Cook Creek Unit, and it is estimated that this road will be completed this summer. Had the log market remained stable, the company planned on finishing logging the tribal timber from the East end of the Moclips Unit (which they are logging for the Aloha Lumber Company) by early fall, after which they would move the scene of their operations to the Cook Creek Unit. Had they been able to carry this plan out, an extension of time would not have been necessary.

COPY

Seattle The Office Archives and Records  
center, 2345 Considerable extent. The operators which are curtailing the  
most 25-30% of their logs to ship their logs over a common carrier and those  
whenever not over or control sawmills, thereby being enabled to handle their  
production through a complete cycle of manufacture. The Aloha Lumber Company has  
been operating to only 50% capacity for the last three months and will shut down  
indefinitely by about the first of June. The Hobi Timber Company is operating  
to only 50% capacity at this time, and as soon as they have removed the timber



which is felled and bucked, they also will close down their major logging operations indefinitely. (This will be not later than the first of July). The reason for this is the adverse condition of the log market in this locality at the present time. There is no demand at all for either Hemlock or Cedar, and it is probable that logging operations in this locality will continue to be curtailed or shut down until such time as normal conditions are again in effect.

The fact that the Hobi Timber Company is logging tribal timber within the Moclips Unit is to all intents and purposes the same as though they were logging in the Cook Creek Unit, for the first three miles of the Cook Creek Unit which will be logged (representing approximately three years logging) is entirely tribal timber. The money derived from the cutting of tribal timber from either the Moclips or Cook Creek Units goes into the same fund, and tribal money has been available earlier by reason of the Hobi operations in the Moclips Unit, for it would have been sometime before the Aloha Lumber Company would have logged this timber, and the Hobi Timber Company would not have been logging yet had they waited until their railroad was into the Cook Creek Unit before starting operations.

The granting of an extension of time of one year will not delay the logging of any allotments to any appreciable extent and it is not felt that additional advance payments on any allotments should be made by reason of the extension.

It is therefore recommended, in view of the conditions set forth above, that the extension of time as requested by the Hobi Timber Company be granted.

Very respectfully,

Supervisor of Forests.

Superintendent

COPY

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

Tribal Ind. Agency  
Forestry Daily Reader File

Hoguisan, Wn.,  
June 12, 1924.

*Handwritten signature*

The Aloha Lumber Company,

Aloha, Wash.

Gentlemen:

A complaint has reached me concerning the dumping of refuse into the Mooliga River at your camp as well as that of the Hobi Timber Company.

I find that this matter is very specifically covered in the regulations which are made a part of every timber contract, and will have to ask you to discontinue the present practice and either burn or bury garbage and other refuse from the camps.

Very truly yours,

C. C. to Hobi Timber Co.

Supervisor of Forests

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Enclosures Files

90-2-20

DEFENDANT'S EXHIBIT NO. H-77

Court of Claims

Docket No.

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 Record File

*Final Report*

P. O. Box 676,  
Hoquiam, Wash.,  
June 28, 1924.

Mr. Lee Muck,  
Forest Valuation Engineer,  
Spokane, Wash.

Official File Copy  
Enclosures Files  
932-20  
DEFENDANT'S EXHIBIT NO. H-45  
Court of Claims  
Docket No.

Dear Mr. Muck;

In accordance with the request contained in your letter of June 1st, there is enclosed herewith a comparative statement of the activities on the Olympic National Forest and the Quinalt Indian Reservation which has been prepared along the lines you suggested.

I am forwarding the statement and this letter in duplicate in order that you may retain a copy for your files.

While the enclosed statement is, in a large measure, self-explanatory, there are one or two phases of the work which should probably be briefly discussed in order that a clear understanding of the same may be had.

The grazing problem on the Olympic National Forest is practically negligible, and there is none on the Quinalt Reservation.

Fire protection is vastly more of a problem on the Olympic National Forest than it is on the Quinalt Indian Reservation. The National Forest includes practically the entire Olympic peninsula and is visited by thousands of campers and tourists each year. There is considerably more fire hazard on the eastern slope of the Olympics than there is on the western. Fire protection work on the reservation is practically negligible, due to the climate, the proximity of the ocean, and the inaccessibility.

There is approximately three times the activity in timber sales on the reservation that there is on the Olympic, and I am advised by Forest Service officials that no large sales of National Forest timber are contemplated in the near future. I have discussed the scaling problem with Forest Service officials in Portland, Seattle, and Olympia, and the reason why our cost of scaling on the reservation is so much higher than it is on the National Forest is that we have individual allotments to keep ~~center~~ necessitating the segregation and branding of every log. Were all ~~our~~ <sup>our</sup> timber ~~un~~ <sup>un</sup>allotted, scaling would cost one third as much per thousand feet as it does now. This same condition makes the cost of administration much higher on the reservation than it is on the National Forest, because all

*T. H. ... Ind. Agency  
Forestry Division*

allotment lines must be resurveyed. The allotment survey on the Quinalt is very poor. We have found sections that have never been sub-divided although the entire section was allotted. This necessitates a great deal of work in connection with timber sales, and raises our cost of administration considerably more than would be the case if the timber were tribal or unallotted.

Our cost in 1922 was high because of the fact that operations were just getting under way and there was considerable preliminary work to do. I believe the 1923 cost will be about average.

Very truly yours,

Supervisor of Forests at Large.

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

*copy*

Taholah Indian Agency,  
Hoquiam, Wn.,  
August 8, 1924.

The M. R. Smith Lumber and Shingle Co.,

Stuart Bldg.,

Seattle, Wash.

Official File Copy  
Enclosures Files  
90-2-20  
DEFENDANT'S EXHIBIT NO. H-69  
Court of Claims  
Docket No.

Gentlemen:

I went over part of your ~~logging~~ operations to-day with Mr. McKeever for the purpose of investigating reports which have been made to me of the amount of Hemlock which you evidently intend to leave uncut in the woods. No Hemlock has been cut, except a very few trees, on Allotment #600, and there are small areas of allotments #609 and 671 on which little or no Hemlock has been felled. This Hemlock is I believe of better grade than the average removed to date from the St. Granville Unit, and while I can appreciate the fact that the present condition of the log market does not make Hemlock a particularly desirable species, I had not expected such a radical change in your cutting policy without notice.

I talked the matter over with Mr. Eagle to-day, and it is evidently not intended to log this Hemlock, which I would roughly estimate will amount to approximately five hundred thousand feet. There are three settings to log parts of the allotments given above, one for the Lidgerwood and two for the unit, and if the Cedar only is logged (which is, I understand, the present intention) the Hemlock will be knocked down and broken (especially where the unit logs) in such a way as to preclude the chance of making a pick-up scale after logging.

I have thought it advisable to refer this matter to you, principally because of the great change in your cutting policy, before starting to make a pick-up of the uncut Hemlock. If the present plan of the Company is followed we will have to scale the standing and windthrown timber of merchantable size and soundness before logging operations commence **COPY** unit and the Lidgerwood will be logging in the area of uncut Hemlock within the next ten days, I would appreciate an early statement ~~to the~~ ~~Investment~~ ~~and~~ ~~Record~~ ~~to~~ this matter.

Center, CSA  
6125 Sand Point Way, NE Very truly yours,  
Record Group No. 73  
Additional Information Box 344

Supervisor of Forests

*Taholah Ind. Agency*  
*Forestry Daily Record File*

M.R. Smith Lumber & Shingle Company.

Seattle, Wash, August 9, 1924.

Taholah Indian Agency  
Hoquiam, Wash.

Gentlemen:

Attention: Mr. Henry B. Steer.

Answering yours of the 8th, I regret that I didn't make it clear to you that we were changing our policy with regard to hemlock. After going over the hemlock situation thoroly with Mr. Engel we decided that for the present we would not fall any more patches of timber which are practically all hemlock, but would leave our track in as long as possible in hopes the market would improve before the winter is over. If not, I trust that we will be allowed to leave these straight patches of hemlock, paying stumpage on same.

Where scattering hemlock is mixed with cedar and a rigging crew would have to cover the ground anyway, however, I think we should cut every tree that has a good 40' log of fair diameter. In some cases even after a machine is set up for logging there are small patches of hemlock on the edge of a setting which can be left without being knocked down or getting in the rigging crew's way. I think it pays us to leave those now because our loss when we take them is greater than the stumpage plus the cost of building the railroad, setting up the machinery and any other expenses which are the same regardless of the amount of timber removed.

I expect to be in Moclips again in about 10 days and will go over these settings carefully with Mr. Engel. Meantime, I am sending him copy of this letter asking him to go over the ground again and if any good hemlock has been left where the ground has to be gone over anyway he should have it cut. However, under present conditions, there will be a good many patches of hemlock on which we would rather pay stumpage, leaving in the woods, in preference to logging.

As you doubtless know, the price on hemlock was smashed on Grays Harbor and in B.C. ahead of Puget Sound. In shipping to the Sound now we can only get enough over the Grays Harbor price

COPY

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

*Taholah Ind. Agency*  
*Forestry Daily Record File*

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Enclosures Files

90-2-20

DEFENDANT'S EXHIBIT NO. H-67

Court of Claims

Docket No.

#2-Taholah Indian Agency,  
Hoquiam, Wash.

8/9/24

of \$10.00 to pay the difference in freight altho some loggers who have been supplying regular customers for a number of years are in position to get a little more than I can., I have called on all the principal users of hemlock on the Sound recently and found they are well supplied with logs and not inclined to pay me much of a price. As soon as the Woodlawn dump is in working order again we will ship our hemlock there and sell it for the best price we can get. There will have to be some improvement in the hemlock market either in Japan or on the Atlantic coast before hemlock logs can be raised very much in price. I hope the situation will improve this fall but until it does we hope you will permit us to leave a good deal of hemlock even tho we have to pay stumpage for it.

Yours very truly,

M.R.Smith Lumber & Shingle Co.

By Paul R. Smith

FBS/B  
CC-Moclips Mill.

P.S.-

With reference to the quality of our hemlock we certainly would be money ahead to sell it on grade at present and I hope the new Scaling Bureau will get it established on that basis. The way they have been selling hemlock there, however, with hemlock from a number of camps mixed in the same raft, some good and some poor, a man with good hemlock didn't have much advantage over the man with poor hemlock.

COPY

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

Taholah Ind. Agency  
Forestry Daily Leader File

*daily*

Taholah Indian Agency,  
Hogiam, Wash.,  
August 12, 1924.

Mr. Lester C. McKeever,  
Moclips, Wash.

Dear Mr. McKeever;

As per our conversation to-day, Mr. Smith's letter of the 9th (concerning the logging of Hemlock) does not agree with the conditions in the woods. Mr. Smith is evidently of the opinion that all the Hemlock is to be logged where the ground has to be gone over for the Cedar, but this opinion is not borne out by an examination of the area in question.

Mr. Engel evidently intends to have some of the Hemlock felled before logging starts, but as per our conversation we cannot waive or change the contract provisions because of a temporary depression in the log market. Hemlock merchantable under the provisions of the St. Grenville contract must be scaled and paid for if left in the woods, either standing or felled.

We discussed the manner of making the pick-up of standing trees before they are knocked down by the logging machinery, and this is merely to make our conversation a matter of record.

Very truly yours,

Supervisor of Forests

**COPY**

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

*Taholah Ind. Agency*  
*Forestry District Office*

Official File Copy  
Enclosures: Files  
90-2-20  
DEFENDANT'S EXHIBIT NO. H-70  
Court of Claims  
Docket No.



Forestry  
58213-19

*Daily*

Taholah Indian Agency,  
Hoquiam, Wash.,  
August 14, 1934.

The Commissioner of Indian Affairs,  
Washington, D. C.

Official File Copy  
Enclosures Files  
90-2-20  
DEFENDANT'S EXHIBIT NO. H-57  
Court of Claims  
Docket No.

Sir:

Reference is made to the attached letter from the Aloha Lumber Company, which has been referred to an orientant agent and myself for report and return. The Lumber company requests that the stumpage price of Hemlock, which was increased on April 1, 1934 from \$0.90 to \$1.25, be reduced to the former figure because of the poor market existing for logs of that species at this time.

The provisions of the contract of the Hoopline Logging Unit, which was approved on July 18, 1930 by the Assistant Secretary of the Interior, covering an application of this kind are as follows:

" In the discretion of the Commissioner a reduction in the stumpage price of any species may subsequently be made to correct any error or to afford the purchaser relief from a market depression that deprives the purchaser of a substantial margin of profit; PROVIDED THAT the stumpage price of no species will ever be reduced below the rate bid for the initial period of the contract. "

The stumpage prices of the Hoopline Logging Unit were re-adjusted effective April 1, 1934 as follows:

	<u>Original Price</u>	<u>New Price affect. April 1.</u>	<u>Increase</u>
Seattle Federal Archives and Records Center, GSA	\$3.00	\$3.00	None
6125 Sand Point Way	3.10	3.10	None
Record Group No. 242	.90	1.25	\$0.35
Additional Information	3.00	3.00	.90

The only one percent of the timber in the Hoopline unit is white pine, the only material increase in stumpage price was made in Hemlock, which forms about

*Forestry Daily*

twenty three percent of the timber in the said unit. (Please be referred to my report of February 11, 1924)

The Office is aware that there has been a depressed condition in the log and lumber market universally since last spring. This depression has not been confined to Grays Harbor and to the Pacific North West, but has also occurred in the Pine country east of the mountains. The general opinion as expressed by lumber and logging journals and individuals closely associated with the business has been that this condition has been primarily due to over production resulting in an excess of supply over demand. When such an economic condition exists, prices automatically drop, and will remain at a low level until the demand catches up with the supply and the market stiffens.

The situation on Grays Harbor since January 1 has been briefly as follows. Up until about April 1, the logging camps and mills were running to full capacity. About April 1 there was a general slackening in log and lumber prices which rapidly became acute. Log and lumber prices dropped precipitously, and mills curtailed their production and in some cases closed down for extended repairs, while logging camps also curtailed production or suspended operations. Hemlock was not the only species affected, as inferred by the lumber company. Camp run Cedar logs have been perhaps harder to dispose of than Hemlock, while Spruce has been the only species to remain in active demand at normal prices.

The logging companies who dispose of their logs on the open market were forced to close down first. Loggers who have been in the business for years and have old customers or who manufacture their own logs are not affected by price changes as rapidly as comparatively new logging companies, who dispose of their output in the open log market. The logging operations of both the Alpha and Hobi Companies were curtailed in May and suspended in June, and the Alpha shingle mill closed down, as did several others in this locality.

I have made an investigation of the Hemlock log market on Grays Harbor for the first six months of 1924 along similar lines to that made in compiling the data given in my report of February 11, 1924 (mentioned above). The firms **COPY** its for 1924 was obtained are the same as those from whom the 1921-22 data was obtained, and has been compiled in exactly the same manner. **COPY** and this data, be authentic and as complete as can be obtained. **COPY** follows a tabulation of Hemlock log prices for the last 6 months

8125 3rd Point Way, NE  
Record Group No. 73  
Additional Information Box 344

Taholah Ind. Agcy.  
Forestry Daily Record File.

HOMLOCK LOG PRICES FIRST SIX MONTHS OF 1924

GRAY HARBOR WASHINGTON

<u>Month</u>	<u>Feet B. M.</u>	<u>Total Price</u>	<u>Average Price</u>
1	5,045,089	\$ 69,589.94	\$13.59
2	1,410,863	19,073.74	13.52
3	2,776,457	38,187.99	13.75
4	24,324,000	312,281.04	12.84
5	2,521,427	37,509.99	14.87
7	4,103,710	59,220.27	14.11
8	23,949,727	355,890.26	14.86
9	570,799	8,059.42	14.07
10	2,439,431	32,697.21	13.40
12	6,035,025	87,407.22	14.48
13	9,453,596	124,051.45	13.23
15	4,411,216	61,593.93	13.97
<b>Total</b>	<b>67,079,402</b>	<b>1,203,991.81</b>	<b>13.63</b>

A comparison between the above figures and those of 1921-22-23 (taken from Exhibit 22 of my report of February 11th) is given below:

COMPARISON OF HOMLOCK LOG PRICES

	<u>1921</u>	<u>1922</u>	<u>1923</u>	<u>av 21-3-23</u>	<u>1st 6 mos. '24</u>
<u>Average Price</u>	\$8.31	\$10.57	\$14.98	\$12.01	\$13.63

This data shows that the average Homlock prices for the 1st 6 months of 1924 are \$1.62 above the average for the three year period 1921-1922 and 1923, and \$1.65 lower than the price for the year 1923. The monthly prices for Homlock in the Gray Harbor log market have been about as follows. (For the 1st 6 months of 1924)

Seattle Federal Archives and Records Center, GSA  
 6125 Sand Point Way, N.W.  
 Record Group No. 75  
 Additional Information: Box 344  
 January \$15.00  
 February 15.00  
 March 15.00  
 April 12.00 to 13.00  
 May 12.00 to 10.00  
 June 11.00 to 10.00

For further information, see Seattle Daily Times with by far the highest volume of sales in the first three months of the year than

In the last three when operations have been curtailed or suspended

In this connection it is interesting and pertinent to note the monthly cut of Hemlock from the Koolips Logging Unit as shown by the records of this Agency and the reports which are submitted to the Office monthly----

January 1924	1,581,370	
February	2,451,780	
March	1,564,860	
Total 1st 3 mos		5,598,480
April	1,556,420	
May	1,900,790	
June	1,008,550	
Total 2nd 3 mos		4,465,560
July	144,260	

The ruling price for Hemlock logs in the open Greys Harbor Log Market is about \$10.00 at this time, although in some cases a higher price is paid by old customers or where a mill is owned by the same concern that logs the timber. The market is stiffening, however, in the case of Cedar and Fir as well as Hemlock, and it is believed that prices will advance in the near future. The mill of the Hoquiam Lumber and Shingle Company, which has been closed down since last May will re-open on or about the 20th of this month. The shingle mill of the Aloha Lumber Company will re-open on the same date and woods operations will be resumed very soon thereafter.

In case the price of Hemlock logs should remain at the present low level during the balance of 1924 I would feel that the request of the Aloha Lumber Company should again receive very careful consideration. However I do not feel that the present condition has existed long enough to upset a re-adjustment of stumpage prices based on log values and logging costs over three year periods.

Very respectfully,

Approved

**COPY**

Seattle Federal Archives and Records  
Center, <sup>CSA</sup> Superintendent,  
6125 Sand Point Way, NE  
Record Group No. 73  
Additional Information Box 344

Supervisor of Forests

*W. S. G. Ind. Agcy.*  
*Forestry Daily Record File*

COPY

M. R. SMITH LUMBER & SHINGLE COMPANY

Seattle, Washington

August 27, 1924

TAHOLAH INDIAN AGENCY,

Hoquiam, Wash.

Dear Mr. Steer:-

**Official File Copy**  
 Enclosures Files  
 90-2-20  
 DEFENDANT'S EXHIBIT NO. H-68  
 Court of Claims  
 Serial No.

After we left you Monday Engel told me about the Hemlock in the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 5, most of which blew down before we bought the Point Grenville Unit. Naturally he and I both think that we should not be charged stumpage on this owing to the fact that so much of it did blow down before we bought the timber. He seemed to think there was a good deal of doubt in your mind as to the proper procedure but that you might have to do something in order to pacify the Indians. He also said that you would really like to have us make a protest if you find it advisable to make a pick-up scale on this Hemlock. If you should find that you have to make a pick-up, therefore, I wish you would let me know so I can write a letter on the subject. In the absence of advice to the contrary I assume that such a letter would be addressed to you and forwarded by you to the Department in Washington, D. C.

With reference to other Hemlock which we have left where mixed with Cedar, while it is true that the Hemlock has not been cut quite as closely as I thought it had been, after investigating carefully I doubt very much if we would be as well off to cut it and think it might pay us better to pay the stumpage and leave it standing. If Hemlock should go up \$2.00 before any of the settings which we went over Monday are logged, we will go back and cut it closely but with Hemlock at \$10.00 per M we would rather pay the stumpage and send fallers over this ground again.

COPY

Yours very truly,

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

M. R. SMITH LUMBER & SHINGLE CO.

BY Paul R. Smith

*Taholah Ind. Agency*  
*Forestry Daily Record File*

*daily*

Forestry

Taholah Indian Agency,  
Hoquiam, Wash.,  
Sept. 6, 1924.

The Commissioner of Indian Affairs,  
Washington, D. C.

Official File Copy  
Enclosures Files  
90-2-20  
DEFENDANT'S EXHIBIT NO. H-98  
Court of Claims  
Docket No.

Sir:

Last fall a thorough inspection of timber sales and office records at this Agency was made by Mr. Lee Luck, Forest Valuation Engineer. The inspection made by Mr. Luck resulted in a great deal of good and was of considerable help in the administration of timber sales and other forestry work.

The Office is requested to have Mr. Luck come here again this fall for a thorough inspection of all operations and records and more particularly to make a thorough investigation of one or two special matters.

The M. R. Smith Lumber and Shingle Company is leaving about two thirds of the merchantable Hemlock standing in the woods. This timber is being scaled and charged to the company at contract prices. While it is believed that this matter is being handled properly, inasmuch as the practise of leaving considerable Hemlock is apt to be continued for some time due to unsatisfactory market conditions, it is thought that an investigation of our method of handling this matter should be made by some outside official to insure that the interests of the Indians are being fully protected and no injustice is being done to the logging company. This matter has been reported to the Office on the reverse side of form 5-486 (Report of Timber Cut) for the Pt. Grenville Unit for the months of July and August.

As the various logging companies proceed with their contracts, the cut over area constantly becomes greater, and it is thought that a special study of the situation with regard to forest fires should be made and a program of fire protection for these cut over areas outlined.

COPY

Very respectfully,

Seattle Federal Archives and Records  
Center, GSA  
6125 West Belmont Street  
Record Group No. 73  
Additional Information Box 344

Superintendent

*Taholah Ind. Agency*  
*Forestry Daily*

*daily*

Taholah Indian Agency  
Hoquiam, Wash.,  
December 18, 1924.

The M. R. Smith Lumber and Shingle Company,

Stuart Bldg.,

Seattle, Wash.

**Official File Copy**  
Enclosures Files  
90-2-20  
DEFENDANT'S EXHIBIT NO. H-71  
Court of Claims  
Docket No.

Gentlemen:

The leaving of standing hemlock in large quantities on the Point Grenville Unit by your Company has been reported by us to the Indian Office and was recently investigated by a representative of that Office. In a recent letter the Office states that the trees left not only constitute a serious fire danger but that the cost of estimating the standing trees and scaling the material left on the ground involves a heavy expense to the Indian Service, with the result that the payment by the Company of the full value of the material left does not meet the situation.

The Office has also stated that it realizes that for many months the market for hemlock logs has been very low, but that it is believed that the average cost of logging, through the obtaining of more material from each logging unit, will be enough to absorb the apparent loss on hemlock.

We are instructed to insist upon the removal from the sale area of all the hemlock that is sound and may fairly be considered merchantable within the terms of the contract governing the sale of the Point Grenville Unit.

You are therefore requested to immediately instruct your logging superintendent to cut and remove from all portions of the Pt. Grenville Logging Unit all the hemlock that is sound and may fairly be considered merchantable within the terms of your contract, as under the instructions which we have received we cannot permit you to leave any more standing hemlock on partially logged ground.

Very truly yours,

Supervisor of Forests **COPY**

Superintendent

Seattle Federal Archives and Records  
Center, CSA  
6125 ~~Carto~~ ~~Plan~~ ~~Map~~ ~~Office~~, Moolips  
Record Group No. 73  
Additional Information Box 344

*Taholah Ind. Agency  
Forestry Daily Report File*

Forestry  
58213-19

*File*  
**COPY**

**Official File Copy**  
The Commissioner of Indian Affairs,  
Washington, D. C.  
Enclosure  
NOV 20 1925  
U. S. DEPARTMENT OF THE INTERIOR  
Bureau of Indian Affairs  
H-57

Department, Wash.,  
June 13, 1925.

Seattle Federal Archives and Records  
Center, GSA  
6125 Sand Point Way, NE  
Record Group No. 475  
Additional Information ALPHA Box 345

FORESTRY DEPT. READING FILE  
1925-32

Sir:

Reference is made to Office letter of February 21, 1925 and to previous correspondence concerning the application of the Aloha Lumber Company, purchasers of the Moclips Logging Unit in the Quinalalt Indian Reservation, for a reduction in the stumpage price of Hemlock which was made effective on April 1, 1924.

Under date of March 16th, 1925, the Office wired for a price report on the matter which had been requested in the letter of February 21, 1925. On March 19, 1925 we advised the Office that the matter had been taken up with the Aloha Lumber Company immediately upon receipt of Office letter of February 21, 1925, and that our report and recommendations would be forwarded immediately upon receipt of financial statements from the Aloha Lumber Company, which had been requested in Office letter of February 21, 1925 to the Lumber Company.

There is attached to this report a complete audited financial statement of the operations of the Aloha Lumber Company for the year 1924 which has just been received from the Company.

It seems advisable to review this case somewhat before discussing the information now at hand. The Moclips Logging Unit in the Quinalalt Indian Reservation was advertised for sale in 1920, and the bid of the Aloha Lumber Company was accepted for this Unit was accepted and the contract approved by the Assistant Secretary of the Interior on July 16, 1920. The original stumpage prices provided for in the contract were as follows:

Cedar \$3.60; Douglas Fir and Spruce \$3.10; White Pine \$2.10 Hemlock \$.90.

The contract provided, among other things, for a re-adjustment of stumpage prices by the Commissioner on April 1, 1924. On February 20, 1924 the Aloha Lumber Company was advised that the Commissioner had decided to increase the price of White Pine stumpage to \$3.00 and to increase the price of Hemlock stumpage to \$1.25. This re-adjustment was based largely on a report dated February 11, 1924 which had been made after a thorough investigation on the log market and logging conditions on Grays Harbor. This investigation conclusively showed that there had been a marked increase in the prevailing prices of logs in the general log market on Grays Harbor for the three year period 1921-23 (inc) over the three year period 1917-19 (inc) after taking into consideration the increased cost of logging in the three year period 1921-23 (inc). This increase in stumpage prices of White Pine and



Hemlock, which was to be effective on April 1, 1924, was accepted without protest to your Office by the Aloha Lumber Company, for had general operating conditions remained as they had been from 1922 until early 1924 (and it was the general consensus of opinion that the lumber industry was facing prosperous times) the Lumber Company would have been able to pay the increased stumpage prices and still have a comfortable margin of profit on their operations as a whole. Early in 1924, however, due in a large measure to over production, the prices of logs in the open log market rapidly declined together with lumber prices, and mills and logging camps curtailed production for operations could not be carried on extensively at a profit. On June 6, 1924, the Lumber Company requested a reconsideration of the case and that the stumpage price on Hemlock be reduced to the former figure of \$.90. Under date of September 23, 1924, the Office advised the Company that adverse conditions had not existed long enough to upset a readjustment of stumpage prices based on three year averages, but that should the low level of prices continue during the balance of 1924 that further consideration would be given to the request for a reduction. On November 27, 1924 the Company again asked the Office to reconsider the matter and to reduce the price of Hemlock to the original \$.90, and again on February 11, 1925 a similar request was made by the Company. On February 21, 1925 the Company was requested to furnish complete operating statements and we were notified, on the same date, to submit these financial reports with our recommendations in the premises. As mentioned above the financial statement of the Company has just been received.

Under date of February 27, 1925, there was submitted to your Office by Mr. Steer a complete report of his investigation of the Grays Harbor log market and logging conditions for the year 1924. Under date of February 11, 1924 a similar report for the years 1917-1923 inclusive was submitted to your Office in connection with the readjustment of stumpage prices on the Hooplips Unit to be effective April 1, 1924.

1925 conditions in the logging and milling industry in the Grays Harbor region have been to date considerably more unfavorable than they were in 1924. In December 1924, due primarily to the usual curtailment of log production around the Holiday season, the price of logs, especially Hemlock, was increased somewhat, but as soon as operations were resumed after the Xmas shut-down, the price went back to the former low level. Log prices which might be compiled for 1925 to date would be of little value, for the price of logs, which always an important factor has not been the important factor in this case which has been the ability to sell at any figure. At the present writing the operations of the Aloha Lumber Company are entirely suspended; the operations of the H. R. Smith Company are only 50%; while those of the Hobi Company are also only 50%. All of Hobi's logs, and the majority of Smith's are sold on Puget Sound. As to general Grays Harbor conditions the Office is advised that many of the large logging companies are completely shut down for an indefinite period including the Saginaw, Wyncoche, Clemons, Hamptulips, River, and Greenwood Companies. Other companies have materially curtailed operations.

The Office states (under date of February 21st) that "The question of average prices and average costs has ceased to be of primary importance..... If the investigation shows that the operation will not, under efficient management, earn a

reasonable profit, a reduction of part or all of the increase may be made in order to protect the Purchaser from serious losses on account of adverse market conditions .....

We have made a very careful study of the attached financial statement of the Aloha Lumber Company for the year 1924 and believe that it represents a complete and accurate statement of the Company's operating costs. We are informed by officials of the Company that operations to date in 1925 show a more decided loss than did the 1924 operations, which is the reason why operations have been entirely suspended. We believe that the operations of the Aloha Lumber Company have been under efficient management, and that the loss sustained in 1924 and 1925 is no greater than the average loss in this locality, for not since the depression of late 1920 and early 1921 have logging operations been so generally suspended or curtailed in this locality.

If no increase in the stumpage price of Hemlock had been made effective April 1, 1924 the Aloha Lumber Company would have operated during the year 1924 at a decided loss, but a reduction in the price of Hemlock stumpage to the former figure of \$.90 would unquestionably be of some assistance to the Company when operations are resumed.

It is therefore recommended that as a relief to the Aloha Company due to unfavorable market conditions and to the inability of the Company to earn a margin of profit due to unfavorable market conditions, that the stumpage price of Hemlock in the Hoclips Unit be reduced to the former figure of \$.90 to be effective July 1, 1925.

Very respectfully,

Supervisor of Forests

Superintendent

# DE FRYER & COMPANY

~~EXCLUSIVE REPRESENTATIVE~~

LUMBER EXCHANGE, SEATTLE, U. S. A.

MOVED TO 1105 SECOND AVENUE

FRYER SERVICE  
SINCE 1900

ADDRESS ANSWER TO SEATTLE OFFICE

Official File Copy

Enclosures Files  
90-2-20

Court of Claims

Docket No.

DEFENDANT'S EXHIBIT NO. H-97

to the Honorable Roland H. Hartley,  
Governor of the State of Washington,  
Olympia, Washington.

January 15, 1925.

Dear Sir:

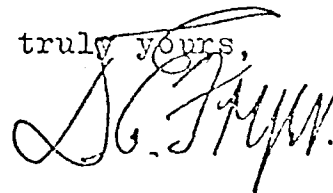
In re: Clearing by farmers in Olympic Peninsula.

When on a trip about a year ago in the Olympic Peninsula, I interviewed Mr. C. A. Hansen, who lives near Clalam Bay, and discovered that he was suffering very much of a hardship due to the fact that the forest regulations in that district would not allow him to burn any logs in doing clearing. Most of these farmers have more or less land which should be cleared and in many instances additional cleared land is necessary to make their farms a success, but the fire Warden is so rigid and so arbitrary in his regulations that he prevents these farmers burning up the logs and clearing the land.

These regulations work a hardship, and indeed a pronounced injustice to many of these hard working and persistent farmers, who are trying to make a living in the isolated districts in the Olympic Peninsula, and from my observation I believe that your Administration should make a careful examination to see whether regulations cannot be established whereby the farmers can do the necessary clearing, and this without endangering the very valuable forests of the Olympic Peninsula.

Trusting that you may see fit to have this matter investigated, and the proper attention given to the same, I am,

Very truly yours,



DEF:S

# COPY

Seattle Federal Archives and Records  
 Center, GSA  
 6125 Sand Point Way, NE  
 Record Group No. 175  
 Additional Information ALPHA BY 315

*Handwritten signature*

FORESTRY DEPARTMENT READING FILE

1925-32

Taholah Indian Agency,  
 Hoquiam, Wash.,  
 August 1, 1925.

The Commissioner of Indian Affairs,  
 Washington, D. C.

**Official File Copy**

Enclosures Files  
 90-2-20

DEFENDANT'S EXHIBIT NO. H-56

Court of Claims  
 Docket No.

Sir:

As your Office is fully advised, the State of Washington is constructing a highway, known as the Olympic Highway, across the Quinalt Indian Reservation from Quinalt Lake in a generally westerly direction to the Queets. About six miles of this highway has been completed, namely from Quinalt Lake to Lunch Creek. It is believed that the right of way for this portion of the road was granted in 1916, before the present Superintendent and Forest Officer were here, and a search of the Office files in Hoquiam fails to reveal the correspondence. It was found, this spring, that in constructing this road the contractors had taken a considerable amount of timber for construction purposes (bridges, culverts and the like) from lands outside of the right-of-way, and had also established a gravel pit and removed considerable gravel from land other than that in the right-of-way. Permission was not given by this Office for the cutting of timber or the removal of gravel from lands other than those in the right-of-way. No damages were assessed against the State for this stretch of road, for it was shown that the benefits to the land through the construction of the road would more than equal the amount of damage done by the removal of the timber from the right-of-way. Under instructions from the Hoquiam Office and the personal supervision of Mr. Steer, Mr. Frank H. Briggs has made a careful stump and top cruise of the timber cut by the State from lands not included in the right of way from Quinalt Lake to Lunch Creek, and has also estimated the amount of gravel removed from the gravel pits which are also off the right-of-way. A complete list of this material is attached to this report. In computing the value of the timber, stumpage prices obtained for the Quinalt Lake Logging Unit have been used, since practically all of the timber removed was from lands included within the said unit. The State Highway Department has indicated its willingness to pay for the material so removed, but before making a statement to the Highway Department, instructions are desired from the Indian Office.

Work is now under way on the highway from Lunch Creek to the Queets River, about twelve miles. It is necessary for the contractors to obtain construction material from lands other than the right-of-way, and we are scaling and recording the timber so cut by parties pending the receipt of instructions from your Office which were requested by the Superintendent under date of July 20, 1925.

It has been suggested by the State Highway Department that since the construction of this road will be of inestimable benefit to the Guinaielt Reservation and the Indians allotted thereon, and that since part of the expense of building this road is being borne by the Federal Government, that no charge should be made for this timber and gravel (both that which has been removed in the construction of the road from the Lake to Lunch Creek and also that which will be needed in the construction of the road from Lunch Creek to the Queets River) although the timber and gravel were removed from lands outside of the right-of-way.

It is also felt that the attention of the Office should be invited to the fact that <sup>the</sup> status of the land through which the road passes is now about 90% tribal land, <sup>and</sup> that practically every foot of land along this highway has been selected for allotments.

The Office is requested to issue the necessary instructions both as to the bill which is to be presented to the Highway Department (if any) for the materials which were removed in the construction of the Highway from the Lake to Lunch Creek, and also as to how the matter is to be handled in the construction of the highway from Lunch Creek to the Queets River.

Very respectfully,

Supervisor of Forests

Superintendent

Official File Copy

Enclosures Files

90-2-20

DEFENDANT'S EXHIBIT NO. H-29

Court of Claims

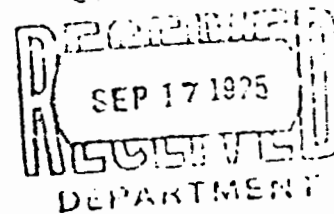
Docket No.

Gentlemen:-

Victor H. Beckman

TIMBER LANDS

517 18th Ave. North,



Seattle, Wash.  
September, 1925.

I beg to enclose copy of a pamphlet relating to the value of the lumber industry to the State of Washington, which should be read carefully and preserved for future comparison.

I have spent several months in gathering the data embraced in this pamphlet, at a considerable expense in money and time in its compilation and preparation. It is the first authentic statement of this great industry, and you will find it interesting to the lumberman as well as the layman.

I have been assisted in this work by the County Assessors of the various counties, to whom great credit is due. The data as to each County will be used in the fight to prevent forest fires and will, therefore, be of public benefit.

The matter of taxation is gone into, as there is room for the reduction in taxes, so that the lumber industry be perpetuated.

The statement shows that the value of the lumber industry is practically as large as the entire assessed valuation of all property in the counties included.

Two years ago I called attention to the rapid depletion of our forests, and I am again emphasizing this in calling attention to forest fire prevention and reforestation.

I hope the pamphlet will be of benefit to all concerned.

In view of the fact that this pamphlet has cost considerable money in its preparation together with the fact that I shall follow up the subject of forest fire prevention by enlisting the aid of the different counties in showing how much the counties will lose by forest fires, caused by carelessness, I am charging \$10.00 per copy for this pamphlet.

If you are interested and deem it of value please forward me check for \$10.00 upon receipt of the pamphlet. If you are not interested please return the copy sent you, so I can sell it to someone who is interested.

If you have timber land or mills for sale send me details. I have a number of customers. Or if you need timber let me hear from you.

Sincerely yours,  
Victor H. Beckman,

Enclosure

517-18th Avenue North, Seattle, Wash.

VALUE OF WESTERN WASHINGTON'S LUMBER INDUSTRY

By far the largest source of wealth to the State of Washington is the lumber industry in the 21 counties in Western Washington. It is paramount in the 33 industries enumerated by the State Industrial Insurance Commission. Its payroll in 1924, amounting to \$113,734,023.73, was five times as large as that of the next industry -- metal trades -- and which had in the same year a pay roll of \$22,126,139.26. The 33 industries listed by the Industrial Insurance Commission had a combined pay roll of \$246,477,633.58. The combined 32 industries had a pay roll of \$13,909,541.12 over that of the lumber industry, and the latter had a pay roll in excess of the combined totals of 30 industries.

There has never been any detailed data compiled as to the value of the lumber industry, but the ever increasing danger of complete destruction of the standing timber by forest fires brought about the necessity of awakening the public to a realization of what the careless camper, the man with the cigarette, or the farmer who clears his land in the dry season may do to the greatest industry in the state. Therefore, I asked the county assessors of the 21 counties interested to forward data as to the value of the industry and what would be jeopardized in dollars and cents by forest fires, and went after further data from reliable sources, and hence this most interesting and accurate report.

The value of the lumber industry in Western Washington is as follows:

Value of privately owned Timber - - - - -	\$256,993,048.
Value of Forest Reserves and State Timber - - -	202,464,019.
Annual Value of Lumber Output, 1924 - - - - -	130,788,133.
Annual Value of Shingle Output, 1924 - - - - -	16,832,000.
Value of Plants and Equipment - - - - -	88,888,354.
Annual Pay roll in Lumber Industry - - - - -	113,734,023.
Value logs shipped out of State - - - - -	8,960,000.

The item regarding the shipment of logs out of the state refers to 560,000,000 feet that were cut in the counties bordering on the Columbia and shipped to Orgeon Mills at Portland and along Columbia river.

Eliminating the payroll, which is included in the statement as to the value of the lumber and shingle output, the value of the lumber industry to the State of Washington is summarized as follows:

Value of privately owned timber - - - - -	\$256,993,048
Value of Forest Reserves and State owned timber	
lands - - - - -	202,464,019
Value of plants and equipment - - - - -	88,888,354
Value of lumber output, 1924 - - - - -	130,788,133
Value of Shingle output, 1924 - - - - -	16,832,000
Value of logs shipped out of the State - - - - -	8,960,000
<u>Total - - - - -</u>	<u>704,925,554</u>

This approximates the assessed valuation of all real and personal property in the 21 counties of Western Washington and is well worth preserving. If the standing timber is destroyed by forest fires it automatically nullifies this tremendous investment in plants, output and pay roll, as well as throwing out the 76,685 wage earners and their families of 226,658 out of employment and loss of payroll of \$113,734,023. Each tree has a value. An ordinary tree will produce 2,500 feet of merchantable lumber, which at \$23.09 per 1000 feet, is worth \$57.72. Therefore, every tree is worth in labor and value \$57.72. If 100 trees are burned the loss will be \$5,772 or 1,000 trees at 2,500 feet per tree and an actual value of \$23.09 per 1000 feet represents 25,000,000 feet or a loss of \$57,720, which cannot be replaced in 100 years. Therefore, the person who throws a lighted cigarette in the brush, or the camper who neglects to put out his fire, the farmer who burns his slashings for a potato patch and neglects to keep it within bounds may jeopardize this great investment and destroy the biggest industry in the state. In the same category comes the small logger who will operate his donkey engine without a spark arrester, the automobile owner who flips a cigarette along the roadside adjoining timber, picnic parties and tourists who will make camp fires in the brush instead of in gravel and along creek bottoms.

Therefore, I shall volunteer my services in making up a statement for each county, showing the value each county has in the lumber industry, and enlist the services of the daily and weekly newspapers in each county to print this statement so that it will get before all the people in the county, and also enlist the aid of some 700 commercial clubs to send out forest fire propaganda. This should be in full swing before the season is over and renewed next year.

The schools, county granges and secret societies should make forest fires, prevention and reforestation, subjects to be brought up at their meetings. County and state officials, city employes and all citizens should do their share in posting notices as to forest fire dangers; railroads and interurban lines, telegraph companies and public utilities of all kinds should post notices along their property, at stations and public places. In this way most valuable results surely ensue.

The county officials can do effective work in sending forest fire prevention propaganda to all tax payers, calling their attention to the fact that if the assets of the lumber industry are destroyed the county will lose its biggest taxpayers.

Especially efforts should be made to reforest logged off areas. Nature is doing a wonderful thing in growing new forests, and if fires be kept out of growing timber lands, we will have a new forest in years to come.

Local, county and state ordinances should be passed putting a heavy penalty on carelessness in the matter of lighted cigarettes, camp fires and clearings. Public opinion will help.

Along highways save the trees and plant trees in bare spots and in years



to come the highways and roads will be a mass of foliage and a pleasure to travel over.

In some countries in Europe, state officials set aside tracts for reforestation, and schools are closed one day in the year and the children and their parents spend the day in planting trees supplied by the state forester. If each child in each county would plant a tree a year the logged off lands would soon become reforested.

At all oil stations printed matter in regard to forest fires should be given to all tourists who buy oil, and in this way many fires may be prevented.

The statistics presented elsewhere are well worth reading and I trust you will make use of them.

The lumber industry is not only vitally interested in forest fire prevention, but they should be equally interested in reforestation and perpetuation of our timber resources. Mill men should not operate when market conditions point to a loss, and it is better to have 10% more orders on their books than the supply of lumber. Low prices creates waste and bankruptcy. Save your timber until you have obtained a decent price for your product. Don't run extra shifts because it leads to over-production and over-production is as bad as forest fires from a financial standpoint.

Think of the future supply, and leave a few seed trees on every 40 acre tracts and in 50 years you will have a fine growing stand of timber for your children and your children's children.

While you have the machinery on the ground clear off the debris and you will prevent fires. Have a state commission appointed, with power to close down operations when forest fires constitute a jeopardy.

Encourage reforestation on the logged off lands. Interest the school children in reforestation and have the Board of Education consider the advisability of declaring a public holiday once a year, and have the counties transport the school children to a selected place and have each child plant a tree. Invite their parents to go along and make a useful picnic of the day by planting trees for posterity. In this way thousands of trees will be planted yearly, and as the timber planted by the children grow keep up the good work by preventing forest fires and promote the growth by thinning the stand whenever needed.

This custom is followed in several European countries, and the result is that Europe has forests enough to supply their population. Talk it over with your school directors and public officials.

VALUE OF THE LUMBER AND SHINGLE OUTPUT AND WAGE EARNERS BY COUNTIES

Attached will be found a conservative estimate of the value of the lumber industry to the different Western Washington Counties as of the year 1924. The 1925 report is not available.

This estimate is based on an 8 - hour capacity, at an average selling price of \$23.09 per 1000 feet for lumber and \$3.02 per 1000 for shingles. This is given by the West Coast Lumbermen's Association and reports of their members for 1924. This same source gives the cost of production of lumber in 1924 as \$23.55 -- showing a loss of 46 cents per 1000 feet last year. This loss has been absorbed so far this year.

VALUE OF OUT PUT BY COUNTIES

	Value 1924 Lumber Output	Value 1924 Shingle Output	Firms	Men Employed	Men Pay Roll 1924	Total Value Lumber and Shingle Output
GRAYS HARBOR	21,195,500	1,068,000	112	11,244	\$16,957,200	\$22,263,500
SNOHOMISH	18,139,750	1,011,000	130	9,067	13,820,501	19,150,750
KING	17,064,200	3,343,000	162	8,746	12,637,932	20,407,200
PIERCE	15,963,800	994,600	127	7,700	10,963,072	16,958,400
LEWIS	10,635,200	1,362,000	92	6,034	8,239,000	11,997,200
SKAGIT	5,033,600	2,840,600	62	5,183	7,014,417	7,874,200
WHATCOM	9,305,200	2,020,200	130	4,740	6,777,010	11,325,400
CLARKE	3,001,600	220,000	37	1,644	2,238,500	3,221,600
CLALLAM	3,186,400	673,400	42	1,740	2,471,604	3,859,800
KLICKITAT	2,393,000	NONE	30	900	1,028,000	2,393,000
COWLITZ	7,527,200	839,400	35	5,262	7,545,000	8,366,600
PACIFIC	2,902,413	832,800	54	2,991	4,279,460	3,735,215
THURSTON	8,958,900	1,148,200	104	4,825	7,045,424	10,107,100
KITSAP	2,239,600	103,600	35	1,241	1,958,843	2,343,200
MASON	785,000	78,400	34	1,469	2,327,200	863,400
YAKIMA	640,000	NONE	9	200	640,000	640,000
SKAMANIA	646,000	36,200	12	352	521,241	682,200
ISLAND	69,270	33,200	13	141	163,720	107,470
JEFFERSON	796,900	200,000	43	1,306	1,453,032	996,900
SAN JUAN	166,200	36,200	6	77	100,065	202,400
WAHKIACUM	138,400	131,200	12	719	894,500	319,600
<b>TOTAL</b>	<b>\$130,783,133</b>	<b>\$16,832,000</b>	<b>1,281</b>	<b>76,586</b>	<b>\$109,125,721</b>	<b>\$147,320,333</b>

The foregoing figures include the log output, payroll and men employed. Elsewhere will be found a statement giving the lumber payroll as \$113,734,023.73. The apparent discrepancy between these figures and the foregoing summary is due to the fact that paper and pulp products and retail lumber and fuel is not tabulated in the \$109,125,721 given as the payroll, while \$113,784,023.73 includes everything in the line of products of woods.

In the value of lumber and shingles it will be noted that Grays Harbor County leads in the value of lumber, King County in shingles, Grays Harbor County leads in the number of men employed and payroll

Eastern Washington is next included in this compilation, although two Counties - Yakima and Klickitat -- are given place as being tributary to Western Washington.

The United States Forest Service gives the lumber output of Washington at 5,759,414,000 ft. and shingles at 6,054,000,000 pieces. Wash. leads list in shingles.

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 AGGREGATE VALUE STANDING TIMBER AND LUMBER AND SHINGLE OUTPUT
 

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Following is a statement of the aggregate value of the standing timber and lumber and shingle output in the counties named. Elsewhere is the assessed valuation as given by the county assessors. This is based on 50% of the actual value, and using this as a basis and multiplying same by two the figures given herewith is the actual value.

## TIMBER AND OUTPUT

COUNTY	Actual value	Value 1924	value 1924	TOTAL
	Standing timber	Lumber Output	Shingle Output	
Grays Harbor	\$ 24,497,670	\$ 21,195,500	\$ 1,068,000	\$ 46,761,170
Snohomish	8,712,300	18,139,750	1,011,000	27,863,050
King	14,000,000	17,064,200	3,343,000	34,407,200
Pierce	11,159,700	15,963,800	994,600	28,118,100
Lewis	18,000,000	10,635,200	1,362,000	28,635,200
Skagit	10,356,570	5,033,600	2,340,600	18,730,770
Whatcom	4,312,336	9,305,200	2,020,200	15,638,036
Clarke	1,174,530	3,001,600	220,000	4,396,130
Clallam	17,395,430	3,186,400	673,400	21,255,230
Klickitat	2,577,990	2,393,000	None	4,970,990
Cowlitz	18,602,730	7,527,200	839,400	26,969,330
Pacific	12,701,250	2,902,413	832,800	16,436,443
Thurston	6,075,416	8,953,900	1,148,200	16,177,516
Kitsap	2,014,790	2,239,600	108,600	4,362,990
Mason	5,918,460	785,000	78,400	6,781,860
Yakima	200,000	640,000	None	840,000
Skamania	4,000,000	646,000	36,200	4,682,200
Island	217,410	69,270	38,200	324,880
Jefferson	14,066,740	796,900	200,000	15,063,640
San Juan	None	166,200	36,200	202,400
Wahkiakum	3,952,000	138,400	131,200	4,221,600
<b>TOTAL</b>	<b>\$ 133,437,352</b>	<b>\$ 130,738,133</b>	<b>\$16,832,000</b>	<b>\$ 326,392,394</b>

The figures of the foregoing are conservative. The actual value of standing timber is given \$2.00 per 1000 feet, whereas it will probably average 50 cents per 1000 feet above the figures given. In regard to the valuation of the lumber and shingle output the United States Forest Service gives the output of lumber in 1924 as 5,759,414,000 feet and 6,054,000,000 shingles. Using the average sales price of \$23.09 per 1000 feet for lumber and \$3.02 for shingles, as given by the West Coast Lumbermen's Association, the value of the lumber output was \$ 132,984,869.26 and that of shingles at \$ 18,233,080, or a total of \$ 151,267,949.26 for the two items. It will be noted that my figures show a lumber output valuation of \$ 130,738,133 and of shingles \$ 16,832,000 or a total of \$ 147,620,133 for the two, which shows that the figures are conservative.

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 ASSESSED VALUATION AND TAXES
 

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Following is a statement of the assessed valuation of all property in the counties named, the assessed valuation of standing timber, saw mills, shingle mills and logging equipment; the totals, taxes paid on all property and the taxes paid by the lumber industry in 1924. These are official figures from the county assessors in the different counties, and are accurate:

COUNTY	Assessed Value All Property	Assessed Value Standing Timber	Assessed Value Mills & Equip.	Total Assessed Value Lumber Industry	Taxes Paid On all Property in County	Taxes Paid By Lumber Industry
King	315,000,000	7,000,000	7,650,000	14,650,000	20,548,173.14	930,000.00
Pierce	92,353,796	5,579,850	7,938,096	13,517,946	6,373,551.02	555,668.72
Snohomish	43,273,108	4,355,150	7,213,400	11,569,550	3,079,333.21	769,953.30
Grays Harbor	37,363,549	12,243,335	9,527,525	21,776,360	2,315,969.43	193,414.13
Lewis	27,099,373	9,000,000	3,000,000	12,000,000	1,717,553.57	760,560.00
Skagit	22,740,721	5,428,285	1,122,345	6,550,630	1,509,563.95	434,843.92
Cowlitz	21,095,701	9,301,365	1,643,915	10,950,280	1,113,274.92	563,393.73
Whatcom	19,997,419	2,156,413	2,015,000	4,171,413	-----	-----
Clarke	18,206,031	537,290	186,500	723,790	1,095,846.10	48,743.70
Clallam	15,510,160	3,697,715	1,000,000	4,697,715	869,907.00	610,560.45
Klickitat	13,790,926	1,233,995	200,000	1,433,995	590,787.95	63,400.00
Pacific	13,377,530	6,350,615	1,532,159	7,882,774	927,610.40	546,596.35
Thurston	13,315,120	3,037,708	515,595	3,553,293	1,094,920.43	209,644.23
Kitsap	10,350,070	1,007,395	639,144	1,646,539	737,077.96	103,731.95
Mason	5,733,619	2,959,230	331,953	3,291,183	349,302.17	197,475.23
Yakima	49,000,000	100,000	100,000	200,000	2,340,000.00	15,000.00
Skamania	4,820,000	2,000,000	400,000	2,400,000	262,000.00	110,000.00
Island	2,703,440	103,705	13,150	126,855	162,206.00	7,611.00
Jefferson	3,213,535	4,033,000	132,400	4,215,400	400,364.12	205,761.42
Wahkiakum	-----	1,976,000	-----	-----	-----	-----
San Juan	-----	None	-----	-----	-----	-----
TOTAL	\$737,502,153	\$37,317,556	\$45,221,177	\$130,462,733	\$465,444,46.45	\$822,2095.82

Three counties did not report all of the details.

It will be noted that the assessed valuation of standing timber and mill equipment is given at \$130,462,733, of a total of \$737,502,153 for all property in these counties. The lumber industry paid in taxes for standing timber and mill equipment the sum of \$8,222,095.82 in these counties. This is an important item to be considered in connection with the possible losses incurred by forest fires.

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 Actual Value Mills and Equipment - Dependents on Lumber Industry
 

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The following tabulation deals with the capital invested in mills and logging camps, the number of employes and direct dependents, on a basis of 3 to the family, census population of each county and the percentage of lumber workers and families to the population:

COUNTY	Actual Value and Shingle Sawmill and Log Equipment	Men Employed in Lumber Industry	Dependents 3 to Family	Popu- lation 1920 US. Census	Percent Direct Dependents to Population
Grays Harbor	\$ 15,055,050	11,244	33,732	52,366	64.3%
Snohomish	14,426,800	9,067	27,201	67,690	41.3%
King	15,300,000	3,746	26,236	339,273	6.7%
Pierce	15,876,192	7,700	23,100	144,127	16.0%
Lewis	6,000,000	6,034	13,102	36,840	49.0%
Sagit	2,244,690	5,188	15,564	33,373	46.6%
Whatcom	2,015,000	4,740	14,220	50,600	28.0%
Clarke	373,000	1,644	4,932	32,205	15.0%
Clallam	2,000,000	1,740	5,220	11,368	45.9%
Klickitat	400,000	900	2,700	9,268	9.6%
Cowlitz	3,297,830	5,262	15,736	24,000	65.5%
Pacific	3,064,313	2,991	3,973	14,891	62.0%
Thurston	1,031,170	4,825	14,475	44,745	35.9%
Kitsap	1,273,238	1,241	3,723	33,162	11.2%
Mason	663,916	1,469	4,407	4,919	80.9%
Yakima	200,000	200	600	63,710	1.0%
Skamania	800,000	352	1,056	2,357	44.5%
Island	36,300	141	423	5,849	7.0%
Jefferson	364,300	1,306	3,918	6,557	59.7%
San Juan	45,000	73	231	3,605	6.4%
Wahkiakum	416,000	719	2,157	3,472	62.1%
TOTAL	\$ 88,833,354	76,685	226,653	1,034,977	Av36.2

The low percentage in four counties brings the average down to 36.2%. Many of the county assessors claim that 30% of the population of their counties depend directly or indirectly upon the lumber industry. Therefore, the figures are interesting, as showing the necessity for perpetuating this great industry.

The highest percentage of lumber dependents to population is in Mason, Jefferson, Grays Harbor, Wahkiakum, Cowlitz and Pacific counties.

In the valuation of the mills and plants the assessed value of same was obtained from the county assessors and multiplied by 2 as representing the actual value. It will be observed that Grays Harbor leads, followed closely by King, Pierce and Snohomish counties.

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 Payroll of All Industries in State
 

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The Washington State Industrial Insurance Commission supervises by law industrial accidents and compensation for injuries, and compels all employers of labor in hazardous occupations to file an annual report of the number of employes, payroll and days worked. This report forms the basis of assessments, by class, to provide a fund for injured workmen in each particular class. This commission also supervises safety appliances for dangerous machinery, and provides for doctors in different localities to care for injured workmen.

Following was the payroll for 1924 in all hazardous occupations as reported officially to the commission:

INDUSTRY	1924 Payroll
Lumber and its products	\$ 113,784,023.73
Metal Trades and Machine Shops	22,126,139.22
Building and Construction	21,762,628.77
Street and Highways	11,593,356.51
Coal Mines	6,261,022.09
Bakeries and Food Stuff	6,019,737.66
Printing and Jewelry	5,443,441.42
Railroads and Street Cars	5,016,486.25
Flour Mills, Feed, Etc.	4,974,390.23
Laundries and Dye Works	4,934,390.23
Power Plants, Telephone and Telegraph	4,763,322.72
Sewers, Land Clearing, Etc.	4,493,202.50
Textiles, Cordage, Etc.	4,019,956.02
Milk and Creameries	3,305,143.96
Paper and Pulp Mills	2,907,413.34
Metal and Packing	2,965,315.14
Wharf Operations	2,774,273.15
Electrical Work	2,659,353.96
Team and Trucking	2,376,310.00
Smelters and Rolling Mills	2,216,693.43
Inside Occupations	2,073,139.97
Stone and Cement	1,745,733.38
Brick and Tile	1,377,656.09
Mines and Quarries	1,316,876.25
Peace Officers	953,860.00
Gas Works	921,944.24
Bridges	916,995.09
Fish and Fish Products	895,643.63
Ice and Cold Storage	832,231.53
Theaters	563,304.43
Power Works	358,019.54
Bottling Works	417,407.35
Dredging	152,999.24
Total all Industries	\$246,477,638.58

Taking the different branches of the lumber industry and adding to them other products of wood, the segregation is as follows as to the payroll involved:

Saw, Shingle Mills and Equipment -----	\$ 47,900,145.23
Logging Operations -----	45,516,812.01
Sash, Doors, Cooperage, Furniture and Wood Working -----	14,810,721.43
Paper and Pulp Mills -----	2,907,413.34
Retail Lumber and Fuel -----	2,253,310.11
Paper Products -----	415,621.56
<u>Total -----</u>	<u>\$ 113,784,023.73</u>

This data is from the records of the Industrial Insurance Commission.

It will be noted that the lumber industry constitutes 46.2 per cent of the entire state payroll.

In 1924 the days worked in all the industries were 49,390,494. By dividing 250 days into 49,390,494 days worked it will be found that 197,162 men were employed in all of the industries, of which approximately 40% were in the lumber industry.

The days worked in all industries during the last five years, as given by the Industrial Insurance Commission were as follows:

1920 -----	41,822,280 days worked
1921 -----	31,116,550 " "
1922 -----	41,336,550 " "
1923 -----	43,414,413 " "
1924 -----	49,390,494 " "
<u>Average -----</u>	<u>42,426,057 Days Worked</u>

Lumber is first in payroll and number of wage workers. Next comes metal trades and machine shops and building and construction - both depending greatly on the welfare of the lumber industry.

Coal mines and the fish industry has always been classed as being nearly as important as lumber. A glance at the payroll statement shows that coal is fifth in importance, while fish and fish products stand 23th in the list.

This comparison of the different items in the Industrial Insurance Commissions report is simply to show the value of the lumber industry to the State.

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 COUNTY MILLAGE BASIS
 

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The tax millage basis is not uniform, and is based on the actual cost of operation. This naturally varies with conditions and outlay. Following is the millage basis in the counties named, as reported by the county assessors:

COUNTY	Average Levy Mills
Grays Harbor	74.76
Snohomish	66.50
King	65.00
Pierce	60.50
Lewis	
Szagit	66.38
Whatcom	
Clarke	
Clallam	63.00
Klickitat	48.33
Cowlitz	52.62
Pacific	69.34
Thurston	53.72
Kitsap	63.00
Mason	60.55
Yakima	75.43
Skamania	55.00
Island	57.00
Jefferson	43.30
San Juan	
Wahkiakum	
Average Levy in Mills	61.17

Five counties did not report their tax levy.

These counties rely almost entirely on the lumber industry, as it distributes annually over \$153,000,000 to the state and is the stabilizer of all the industries. The county and state authorities should make the tax burden on this industry as light as possible. The man who builds a saw mill requires a 10 year supply of timber to start with, and it is not fair that he should pay a high tax for 10 to 20 years on a crop that matures once in a life time. The wheat and fruit growers enjoy a yearly crop, and in timber the crop is harvested once in 100 years. High taxes for growing timber means the cutting off the best and burning the rest. Possibly a minimum tax on growing timber and a higher tax when cut may be worth considering. This is known in British Columbia as a severance tax. It is a subject that must be carefully considered.



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 The Logging Industry
 

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Elsewhere is given the valuation of lumber and shingles, and the logging costs are included in the value of these two commodities. It will be found, however, that the payroll in the logging camps run neck and neck with the lumber industry. The saw and shingle mills had a payroll of \$47,900,145.23 in 1924, while the logging camp payroll was \$45,516,812.01. Some of the saw and shingle mills have their own logging operations, but following is a statement of the number and payroll of the straight loggers in Western Washington:

Straight Loggers

COUNTY	Number Firms	Daily Log Capacity, Ft.	Men Employed	Annual Payroll
Grays Harbor	49	4,344,000	4,553	\$6,819,900
Snohomish	79	3,897,000	3,139	4,514,564
King	71	2,259,000	2,074	3,193,700
Pierce	65	1,261,000	1,207	1,922,200
Lewis	36	1,320,000	1,324	1,765,500
Skagit	25	2,023,000	2,064	3,193,700
Whatcom	76	1,319,500	1,287	1,806,500
Clarke	12	475,000	442	533,000
Clallam	21	715,000	711	1,017,900
Klickitat	--	-----	-----	-----
Cowlitz	24	1,525,000	1,407	1,935,700
Pacific	31	1,305,000	1,173	1,306,500
Thurston	59	1,471,000	1,565	2,236,400
Kitsap	26	430,000	473	595,412
Mason	27	1,470,000	1,383	2,220,700
Yakima	--	-----	-----	-----
Skamania	4	85,000	85	121,141
Islani	9	101,000	101	120,740
Jefferson	36	1,717,000	1,206	1,309,555
San Juan	2	25,000	25	33,765
Wahkiakum	9	820,000	665	829,000
TOTAL	661	26,562,500	24,944	\$35,339,177

This gives an average of 1.044 feet per man per day; the average annual wages at \$1,436.73 or \$5.66 per man per day of 250 days per year.

Included in the production is 560,000,000 feet of logs cut in the State of Washington and manufactured into lumber in Oregon.

In the saw mills the average production per man is 956 feet.

Added to the lumber output should be included 1,931,033,959 feet of cordwood, hewn material, poles and piling, valued at \$10,564,730, employing 10,565 men, to whom are paid in wages \$3,452,000 annually.

The aggregate payroll in the lumber industry in Western Washington is as follows:

	Men	Wages
In Saw Mills, Logging camps and Shingle Mills -----	76,536	\$ 109,125,721
In Cordwood, hewn material, poles and Piling -----	10,565	3,452,000
In Transportation of lumber products, rail and sea 25,000	25,000	40,500,000
<u>TOTAL -----</u>	<u>112,101</u>	<u>\$ 153,077,721</u>

In arriving at these totals a basis of \$5.60 per day per man was given in the compilation as to the saw mills, shingle mills and transportation. A less compensation was given wood cutters and piling men.

Remaining Timber

The remaining stand of timber in Western Washington five years ago was estimated as follows:

Privately Owned Timberlands

COUNTY	Acres Privately Owned	County Cruise Remaining Timber
Grays Harbor	402,825	15,000,000,000 Feet
Snohomish	150,542	6,021,680,000 "
King	375,000	14,000,000,000 "
Pierce	290,537	7,623,081,233 "
Lewis	411,692	20,000,000,000 "
Skaagit	225,380	9,015,200,000 "
Whatcom	94,500	3,323,730,000 "
Clarke	15,000	499,995,000 "
Challam	375,254	14,000,000,000 "
Klickitat	40,296	1,283,995,000 "
Cowlitz	259,832	9,500,000,000 "
Pacific	305,436	7,000,000,000 "
Thurston	149,469	2,897,442,000 "
Kitsap	43,065	861,300,000 "
Mason	153,376	3,696,361,000 "
Yakima	12,000	300,000,000 "
Skanania	181,479	5,444,370,000 "
Island	6,118	15,000,000 "
Jefferson	167,779	5,053,370,000 "
San Juan	None	None
Wahkiakum	52,000	1,976,000,000 "
<u>TOTAL</u>	<u>3,711,590</u>	<u>128,496,524,353 Feet</u>

My authority for the foregoing statement is the county assessors, County

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 SUMMARY
 

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An 8 hour day is generally observed in the lumber operations of the Pacific Northwest. It has worked very well in most cases, but it has proven to be a temptation for some operators to run their plants on extra shifts. This is wrong in principle as well as financially, and is due to the fact that many operators were accustomed to running their plants day and night in the Eastern states, and climatic conditions here are ideal for continuous running. But it is a fact that in the East there are only six months' building season, while there is a productive capacity of 12 months on the Pacific Coast. There is absolutely no excuse for operating on the coast more than nine months in the year. It is better to have 10% more orders on the books than to run and eventually put the lumber in the pile. When lumber accumulates the banker has a habit of asking for deferred payments, and then prices are cut.

For forest fire protection the state should appoint a commission to close down logging operations in any given section when there is a bad fire hazard until the danger is removed.

The ever increasing tax burden needs the attention of the state, legislature and county commissioners. An increase of 130% in taxes since the war end is not justified, and the taxes need a horizontal reduction. Some progress has been made in reducing taxes, but much more is necessary.

The two years past have been <sup>her</sup> from I.W.W. and other labor troubles. There is a more and better understanding between the wage earners and the employers, and this will probably continue. Nowhere are better wages paid or better treatment given than in the Pacific Northwest, and the agitator has apparently lost his job.

Every lumberman should take an interest in two subjects that are vital - prevention of forest fires and reforestation.

This data was compiled with the view of showing how valuable the lumber industry is to the state, and how easily same can be wiped out by forest fires. Tell forest fire prevention to everyone you meet.

I am indebted to the county commissioners of the various counties for much of the data contained in this pamphlet.

I have spent a good deal of time and money in getting at the facts in this pamphlet, and propose sending the information as to each county to all the commercial bodies and the newspapers in the counties named: hence I am asking you to send me a check for \$10.00 if you are interested, which I'll apply in continuing the good work.

If the pamphlet does not interest you please return to me so I can sell it to someone else.

If you want additional copies write me.

Victor H. Beckman

517 18th Ave. North,  
Seattle, Wash.

Forestry  
31250-21  
59369-23

Original Copy  
files  
Tabolah Indian Agency,  
Loguian, Wash.,  
Sept. 23, 1925.  
4-61

*Handwritten signature*

COPY

The Commissioner of Indian Affairs,  
Washington, D. C.

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

Sir:

FORESTRY DATA READING FILE

The contract for the sale of the Pt. Grenville Logging Unit in the  
Quinalt Indian Reservation, which was approved on May 25, 1922 by the Assis-  
tant Secretary of the Interior, provided, among other things, for the removal  
of at least fifteen million feet of timber prior to March 31, 1924, and for the  
removal of at least twenty five million feet each twelve months thereafter.

Under date of August 16, 1923 the M. R. Smith Lumber and Shingle Com-  
pany, the successful bidders for the unit, were relieved of the provision  
requiring the removal of fifteen million feet prior to March 31, 1924 by the  
Assistant Secretary upon payment of an additional Advance Deposit of 10% on  
six allotments.

We are now submitting a request of the M. R. Smith Lumber and Shingle  
Company for an additional extension of time dated September 22, 1925. The  
reasons given as the necessity for this request are the condition of the log  
market and the advance in freight rates of approximately \$1.00 per thousand  
which went into effect recently but is being fought out in the courts.

There follows a statement of the logs removed to date from the Pt.  
Grenville Unit:

Date of contract to March 31, 1924 - - - - -	8,200,880	
March 31, 1924 to March 31, 1925 - - - - -	16,952,330	25,053,210
March 31, 1925 to August 31, 1925 - - - - -	7,632,850	
Aug. 31, 25 to Mch 31, 26 (estimated)* - - - - -	10,500,000	13,332,850
*One side, 7 months @ 1 1/2 million per month		43,386,060

While Office letter of August 16, 1923 which was approved by the  
Department (referred to above) did not state whether or not the extension of  
time, or the relieving of the provision for the removal of fifteen million  
feet prior to March 31, 1924, was for one year or more, generally one year's  
extension of time is given, which would make it necessary for the Smith Company

to remove fifteen million feet of timber prior to March 31, 1925, and twenty five million feet each twelve months thereafter, or a total of forty million feet by March 31, 1926.

If the Smith Company continues to operate with one side during the seven months prior to March 31, 1926, they will remove about 10,500,000 feet (at the rate of 1,500,000 per month), and will have removed from the sale area a total in excess of 40,000,000 feet. It is not known, however, whether the Office will consider that the 10 million feet which were removed in excess of the requirements of the contract and the extension of time prior to March 31, 1925 may be considered to apply on <sup>future</sup> cutting requirements. If it does not, then the Smith Company will be approximately 7,000,000 feet behind in the amount of timber that should be removed between March 31, 1925 and March 31, 1926 provided they keep logging at their present rate.

The only unsatisfactory condition which will result from the postponement of cutting operations on a large timber unit in which are included a large number of allotments, is that revenue will not come in for the individual Indians as fast as they expected under contract provisions. In periods of market depression such as that which has been experienced during the past twelve months, this condition cannot be helped.

It is recommended that the M. R. Smith Lumber and Shingle Company be requested to continue operations with at least one side during the balance of the cutting year, and that the excess cut prior to March 31, 1925 be considered as applying on the amount to be cut during the year March 31, 1925 to March 31, 1926.

Very respectfully,

Supervisor of Forests

Superintendent

Taholah Indian Agency  
Hoquiam, Washington  
November 13, 1926

*copy*

Official File Copy  
In. Figures Files  
90220  
DEFENDANT'S EXHIBIT NO. H-94  
Court of Claims  
Docket No.

Ozette Railway Company  
Hoquiam  
Washington

Gentlemen:

Under instructions from the Indian Office, the general policy hereafter on the Quinaliet Indian Reservation will be to leave the slash unturned on logged areas. The burning of unrestricted areas for the protection of logging camps, bridges, and other structures or equipment will be allowed under written permits from the Forest Officers in charge at the Taholah jurisdiction and under careful supervision.

In line with the policy to endeavor to increase fire protection, all logging companies will be required, hereafter, to fall all snags on the logged-off areas which are more than 12' high. This policy of falling snags will be made effective immediately.

Very truly yours,

Supervisor of Forests

Superintendent.

HBS:I.

**COPY**

Seattle Federal Archives and Records  
Center, GSA  
6125 Sand Point Way, NE  
Record Group No. 75  
Additional Information Taholah Res 315  
FOREST-04 D.F. & READING FILE  
1927-32

*Handwritten:* Justice General

Taholah Indian Agency,  
Hoquiam, Wash.  
February 3, 1927.

**Office Copy**

Enclosures Files  
90-2-20

DEFENDANT'S EXHIBIT NO. H-44

Court of Claims  
Docket No.

Mr. Henry Roe Cloud,  
of the  
Institute of Government Research

Dear Sir:

In accordance with your request, the following information is given you with regard to the method of paying for the necessary expense in connection with the sales of timber which have been made on the Quinalt Indian Reservation, and the present situation at this Agency.

Eight percent (8%) of the gross revenue derived from the sales of timber; that is 8% of the stumpage price that is paid to members of the Quinalt Tribe for their timber; is taken by the Indian Service to pay the expenses of scaling, surveying, administration, cost of equipment, etc., in connection with the timber sales. In other words the Quinalt timber sales are self supporting in that all costs incidental thereto are paid from the proceeds of the sale of the timber.

Prior to July 1, 1926, the amount of the 8% deduction was deposited to the credit of the Superintendent of the Taholah Agency in a fund designated as "Expense Account, Timber", and money from this fund could be expended by the Superintendent, upon authority of the Indian Office, for all expenses necessary in the carrying on of the timber sales. As has been explained to you these sales of timber are made on the actual scale of the timber, at fixed rate per thousand feet log scale, and included in the expenses heretofore paid by the Superintendent from "Expense Account, Timber" were such items as salaries of Forest Rangers and Scalers; salary of the Timber Clerk in the Agency office; automobile expense; purchase of necessary equipment; and all expenses incidental to the timber operations.

Effective July 1, 1926, the fund "Expense Account, Timber", was discontinued, and the balance in that fund held on June 30, 1926 by the Superintendent was deposited in the U. S. Treasury as "Sundry Receipts". 8% deduction to June 30, 1926 have also been deposited in the Treasury. **COPY** The money necessary for the administration of timber sales, since July 1, 1926, must be appropriated by the Congress before it is available for expenditure, and the fund is now called "Expenses, Sale of Timber, Reimbursable".  
Seattle Federal Archives and Records Center  
6125 Sand Point Way, NE.

Record Group No. 73 Fiscal Year 1927 (July 1, 1926 to June 30, 1927) the Taholah Agency requested the amount of \$26,420.00 from the fund "Expenses Sale of Timber, Reimbursable", and it was estimated that this amount would be necessary to carry on the timber work should all of our contracting

*Handwritten:* Forestry Dept. made file.

Companies operate to capacity necessitating the employment of a large number of scalers. We were given an allotment of funds of \$13,210.00 for the year or just 50% of the amount requested. Due to the fact that the operating companies have not been running to full capacity, our funds will last until the end of February, and unless additional funds are placed to our credit prior to February 28th we will find ourselves in a very difficult position.

There are four large companies operating on the reservation, namely the Aloha Lumber Company, the H. R. Smith Lumber and Shingle Company, the Hobi Timber Company, and the Ozette Railway Company. These companies are removing timber at the rate of approximately fifteen million feet per month, and we have a force of eleven men in the field scaling the logs, re-running allotment lines and branding logs, and engaged in other work incidental to these timber sales. It is not understood how these men can continue in the employ of the government when there are no funds to pay their salaries. After complete and what is believed to be thorough discussion, it has been decided that in the absence of definite instructions from the Indian Office as to how this situation may be handled, our only course is to furlough our employees and request the companies to suspend operations until such time as additional moneys may be appropriated. You will understand that this will mean an enormous loss to the operators, a substantial loss to the Indian owners of the timber, and a great loss in efficiency to the service, for our force of trained men will be disbanded and it is doubtful if they will be available for future work if they are furloughed on the first of March.

It may be possible that the Indian Office has taken the necessary steps to secure additional funds for our use, but we have not been so advised.

In order that you may realize that our operations are self supporting, that is that all expenses of timber administration are paid from the 8% deduction, the following information is given you.

Deposited to the U. S. Treasurer on June 30, 1926	
unexpended balance in the fund "Expense Account, Timber"	\$20,906.44
Deposited to the U. S. Treasurer July 1, 1926 to	
December 31, 1926, the same being 8% of the gross	
revenue from timber sales	\$19,296.90
Total of the 8% fund in the U. S. Treasury	\$40,203.34
Amount allotted the Taholah Agency for fiscal year	
1927 <del>at the rate of \$13,210.00</del> <del>for the year</del> <del>for the year</del> <del>for the year</del> <del>for the year</del> <del>for the year</del>	\$13,210.00
Center, CSA	
Balance <del>at the end of the year</del> <del>at the end of the year</del> <del>at the end of the year</del> <del>at the end of the year</del> <del>at the end of the year</del>	\$26,993.34

Additional Information \$33,244.00 which was allotted the Taholah Agency for the fiscal year 1927, all but about \$300.00 will be spent by the end of February and we will be unable to carry on our work because of lack of funds.

*Forestry Daily Record File*



As mentioned above, this information is given you at your request, and also in accordance with instructions received from the Indian Office that we place all available information before members of the Institute of Government Research who are making an independent survey of Indian affairs.

Very respectfully,

H. B. SEEB

Superintendent

COPY

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

Taholah Ind. Agency  
Forestry Daily Record File

Taholah Indian Agency,  
Hoquiam, Wash.,  
February 5, 1927

Official File Copy

Enclosures Files

90-2-20

DEFENDANT'S EXHIBIT NO. H-26

Court of Claims

Docket No.

Mr. Henry R. Cloud,  
of the  
Institute of Government Research.

Dear Sir:

In accordance with your request I am handing you a copy of the report of Forestry activities on the Quinalt Indian Reservation for the fiscal year 1926. You will find all of the information that you have requested concerning our timber operations, estimated resources, remaining timber, present sales by contractors with the stumpage prices obtaining on all units, etc., incorporated in your report. The amount and value of our year cut, by calendar years since operations started on this reservation in 1922 is as follows;

Year	Cut in Bd Ft	Value
1922	7,374,520	\$ 24,119.38
1923	57,057,870	155,970.03
1924	74,207,130	197,534.50
1925	87,910,890	242,300.58
1926	143,627,960	458,413.22
Total	378,178,370	1,079,337.81

You will find attached to the annual report, a map of the Quinalt Reservation showing the five timber sales that have been made to date. You are also advised, as per your request, that the South boundary of the reservation, from the Pacific Ocean to Quinalt Lake, has been re-run by forestry employees of this Agency and that we have had no difficulty in re-tracing the boundary surveys which were made and approved by the Surveyor General. The most recent of these surveys (by the Surveyor General) was in 1902.

Please also find attached a sample timber contract, the General Timber Sale Regulations which are attached to and made a part of every contract for the sale of Indian Timber, and a sample copy of the Power of Attorney by which individual Indians authorize the Superintendent to enter into contracts for the sale of their timber.

**COPY**  
I have observed yourself as being very much interested in the policy of selling timber in large units as compared to that of issuing patents in fee simple to individual Indians to sell their own allotments insofar as the financial interests of the Indian wards of the government are concerned. You have been independent that the records of this office show that the financial interests of individual allottees who sold their allotments, both land and timber, was from 10 to 25% of the amount realized for timber only under the policy of selling timber in large units. Several specific instances of this nature have

Forestry Daily Reader File

been given you. The future policy on this reservation, if individual allottees are to receive the full value for their timber, should be one calling for the sale of timber in large units as soon as there is a market for the same. The Superintendent has advised you that only in cases of extreme necessity should sales of individual allotments be made.

You will notice, from the sample contract that has been furnished you, that advance payments are provided for with respect to allotted timber, so that the allottees begin to realize some financial return within thirty days of the time their timber is sold. Should the timber on an allotment be cut prior to the date when additional advance payments are called for under the contract, the allottee received the full value of the timber as the same is cut.

You have asked for details of the Sally Williams (453) case. Briefly- this allottee refused to consent to the sale of her timber, which was included in the Mochirs Unit. She was willing to accept a cash price of \$6700 for the same, but the Superintendent and myself refused to recommend the acceptance of this offer. To conserve her interests, the Secretary of the Interior authorized the sale of her timber and the same was cut and sold to the Aloha Lumber Company. Within two years after the timber was sold, there had been placed to her credit the sum of \$9,976.96, and in addition to this amount, \$657.47 had been taken by the government as expenses incidental to the administration of the sale. This allottee received approximately one third more for her timber alone under government supervision than she was willing to sell both land and timber for a cash price. This case is not unusual, but is rather conservative.

If there is any further information in connection with timber matters under this jurisdiction that you desire, I will do my best to furnish you with the same. Supt. Sams, as you know, has been called to Portland by the serious illness of his daughter, and although this letter bears my signature, the same has been thoroughly discussed with Mr. Sams prior to his departure.

Very respectfully,

Supervisor of Forests

COPY

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

T. S. Sams, Sr. Agent  
Forestry Subhead. File

Taholah Indian Agency  
Toquiam, Washington  
February 18, 1927

Official File Copy

Enclosures Files

90-2-20

DEFENDANT'S EXHIBIT NO. H-42

Court of Claims

Docket No. \_\_\_\_\_

Mr. Lewis Meriam  
Institute for Government Research  
Toquiam, Washington

Dear Mr. Meriam:

Reference is made to my letter of February 3, 1927, to Mr. Cloud in connection with the 3% deduction of the gross revenue derived from sales of timber to cover the expense of timber sale administration. In this letter information was given as to the total on hand in the United States Treasury as of December 31, 1925.

A question has arisen since the above mentioned letter was written to Mr. Cloud as to whether or not the 3% deduction was more than was needed for the carrying on of timber sale work, and in accordance with your request the following information is given you in order that you may be correctly advised as to this matter:

Every individual Indian whose allotment is under contract agreed to the sale of the timber before the same was made by signing a power of attorney for the sale of the timber. A sample of this blank was furnished Mr. Cloud and you will note that the allottees agree that the proceeds arising from the sale of the timber "may be disposed of in accordance with the regulations of the Department of the Interior, including those providing for the payment of the cost of administration and protection of Indian timber lands".

The above statement applies to allotments existing before the sales of timber were made. As to the allotments which were made subsequent to the sale of the timber, you are advised that every allottee has agreed to the allotment on which he filed, subject to the contract for the sale of timber, and in every instance such agreement was signed before Mr. Toblin, the Special

Seattle Federal Archives and Records Center, GSA

6125 Sand Point Way, NE, John Doe, further hereby agree to accept Record Group No. 238 and my allotment subject to all the Additional Information 238-1 provisions of the existing contract for the sale

Taholah Ind. Agency  
Forestry Daily Record File

of the timber thereon, with the understanding and assurance that the value of the said timber removed therefrom under the provisions of the contract, after deducting the authorized administrative expenses of the sale, shall be deposited to the individual credit of myself."

In all cases the deduction of the 9% of the gross proceeds of timber sales is in accordance with existing regulations of the Interior Department, and in every instance this deduction has been agreed to in writing by the Indian whose timber has been sold.

The manner of making sales in allotted timber—i.e., allotments which were made prior to the sale of the timber in units—has been fully explained to you and you have been furnished with a sample contract. You will note that on each allotment 10% advance payments are made within thirty days, three years, and six years respectively, from the date of approval of the contract, and 20% within nine years from the approval of the contract, providing no timber has been cut. When these 10% payments are made, 9% of the amount of the payment is credited to the Indian and 1%, in accordance with the regulations, is deducted to cover the cost of timber sale administration. It is intended that the 9% deduction shall be held in reserve and not used until operations are under way on that allotment.

The balance of the 9% fund held in the Treasury on December 31, 1926 (see my letter of February 3 to Mr. Glavin), was \$26,993.54. Of this amount \$22,027.64 represents the 9% deduction from advance payments on allotments on which there has been no cutting, leaving a balance of approximately \$5,000.00, which is our net surplus in the fund "Expenses due of Timber, Reimbursable", which it has taken us five years to accumulate. Included in this \$5,000.00 is a considerable amount which has been deducted from the gross proceeds of timber sales on reservations other than the Quinalt. It is impossible in the time available to give you the exact figure which is represented by timber sales on other reservations, but the same will reduce the amount of surplus very materially when the matter is considered in the light of the Quinalt Reservation. In order that you may understand exactly how this figure is arrived at, the following information is given you:

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

*Taholah Ind. Agency  
Forestry District, Bilt.*

<u>Unit</u>	<u>Amount of advance payment on hand December 31, 1926.</u>
Woolips.....	\$3,049.51
Point Grenville.....	55,401.81
Mounts.....	59,139.30
Cook Creek.....	80,102.42
Quinnsett Lake.....	<u>97,652.72</u>
Total.....	375,345.45
	<u>.08</u>
	\$ 22,027.6668

83 of the total amount given above is the figure used above.

It is believed that you can readily see from this information that the 83 deduction is more too large to properly take care of the administration of our timber sales and, as was explained to you at Hobi's Camp, where you saw the actual field work of Government Rangers and Sealers, our cost of administration of timber sales at this agency is very high, because of the denseness of the timber and the painstaking labor which must be performed in order to keep the logs from separate allotments segregated, and to credit each allottee with the timber that is cut from his allotment.

It is hoped that this will give you the information which you requested but, if the same is not clear to you, I shall be very pleased to write you further giving any additional information which you may desire.

Very truly yours,

(SIGNED) W. B. SAMS

Superintendent.

RES-71.

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 Reading File

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

*copy*

FORESTRY DISTRICT READING FILE

1925-32 Wholch Indian Agency

Hoquiam, Washington  
April 20, 1927

Official File Copy

Enclosures Files

90-2-20

DEFENDANT'S EXHIBIT NO. #-99

Court of Claims

Docket No.

The Commissioner of Indian Affairs

Washington, D. C.

Sir:

Reference is made to your letter of April 20, 1927, containing instructions for the preparation and submission of complete estimates for improvements, supplies, and personnel needed for a five-year program having as its object forest fire protection and suppression on the Quinalt Indian Reservation. In this connection our report in duplicate and a map of the reservation, showing improvements, is respectfully submitted. The attached map shows the following information:

- Logging railroads.
- Highways.
- Trails to be repaired.
- Trails to be built.
- ..... Government phone lines.
- ..... Private phone lines.
- ..... Phone line to be built.
- Possible look-out stations.

The Quinalt Indian Reservation, for purposes of fire protection, be divided into two parts, namely; the area on which the timber has been sold, and the area of unsold timber. Practically all of the timber

south of the Quinalt River and all of T. 23 N., R. 20 W., north of the river has been sold. There remains in this area two tracts of timber which are at the present time unsold. One of these areas has been recommended for sale, namely; the Upper Wreck Creek Unit, and it is highly probable that this unit will be sold in the near future. There remains about twelve sections in T. 21 N., R. 11 W., unsold at this time, but this area will, unquestionably, be sold within a relatively short length of time. Even if these areas were to remain unsold, they will be relatively accessible, being surrounded by timber which has been sold and which will be exploited and removed in the near future. In the large area which has been sold, it is not felt that many improvements in the line of trails, etc., should be built by the Government for the railroad right-of-ways which have been or will be constructed within the next five years will form a net work over the area, affording a better means of access and egress than trails would give. Similarly, all of the contracting companies maintain telephone lines which are connected with the Bell and associated companies and afford direct communication between the various camps and Hoquiam.

The area to which it is felt we must give our attention in formulating a program such as is under contemplation is the area north of the Quinalt River, lying west of the range line between ranges 10 and 11 West.

The Olympic Highway between Quinalt Lake and the Quets will be completed and open for travel this fall, and the United States Forest Service



will maintain a telephone line over this road from the Quets to Quinalolt Lake. This road affords the main line of travel into the area in question, and we must either build or repair trails between this highway and the Quinalolt River and the ocean beach.

Some thought and attention has been given to the feasibility and advisability of primary control in fire detection by means of lookout towers. Sufficient time to completely investigate this matter is not available prior to the date on which this report must be submitted to the Office, but it is felt that this matter is of sufficient importance to warrant thorough investigation this summer. However, estimates as closely as we can make them at this time of the cost of lookout towers are submitted herewith. Five possible locations are shown on the attached map, not to exceed three of which should possibly be used.

No. 1 is located on the summit of Long Mountain, with an elevation of approximately 1,000 feet.

No. 2 is located in the headwaters of Lunch Creek, with an approximate elevation of 1,000 feet.

It will require a field examination to determine which one of these first two locations, if either, should be used, and if a station is established at one of these points the same can be used jointly by the Indian Service and the United States Forest Service, for this station will overlook as much national forest territory as it will Indian reservation. Either one of these stations could be connected with the Olympic Highway by trail and with the Forest Service Quets-Quinalolt telephone line.

Lookout stations 3 and 4 are located on the highest points of the divide between the Quinalt drainage and the streams flowing directly into the ocean. It will take a field examination to determine which one of these stations should be built, if either. They can be reached by the building of a short trail from the Northern Pacific trail and tied into a phone line which should be built from Taholah to the Quets over the Northern Pacific trail.

Lookout station No. 5 can be built on the crest of a divide in Sec. 16, T. 21 N., E. 12 W. A hundred foot tower erected here will overlook considerable territory and it may be possible to establish direct control between this station and either station 1 or 2 and 3 or 4. Station 5 can be connected by phone line with the Taholah-Medlip phone, and will be accessible by the use of the M. J. Smith logging railroad.

As mentioned above, the determination of whether or not primary control by means of lookout stations is feasible and practicable will determine, in a large measure, the plan of fire detection to be used and will also determine to a certain extent the location of new telephone lines and trails.

We have very little information as to the approximate cost of building and equipping a lookout tower, but from the information which we have it is estimated that these lookout towers will cost about \$2,000.00 each--\$1,500.00 being the cost of construction, including materials, and \$500.00 the cost of equipment, such as range finders, etc.

We are recommending the construction of about 25 miles of new trail, approximately 25 miles of new telephone line, the repairing of about 70 miles of existing trail, and the construction and equipment of three lookout towers, if a thorough field investigation shall prove that the same is feasible.

A permanent ranger station should be built on Lot 2, Sec. 7, T. 21 N., R. 11 W. This point is on the Olympic Highway, midway between the Quetzels and Quinsiekt Lake and is the best place for such a station. In case the three lookout towers are built, a cabin must be built at the base of each. In case lookout stations are not built, three cabins should be built at strategic points on the reservation.

Each one of these projects will be discussed in turn.

#### New Trails--

1. The Camp Creek trail to be built from the mouth of Camp Creek in an easterly direction about eight miles to the Northern Pacific trail.
2. A new trail to be built from Taholah to the intersection of the Northern Pacific trail with the Quinsiekt River, a distance of about five miles.
3. The Milwaukee-Quinsiekt Lake trail to be built from the Milwaukee trail in a general easterly direction to the center of T. 23 N., R. 10 W., approximately eight miles, this trail to join a trail which has been built by the Gratto Railway Company from their bridge site to the Quinsiekt River north to the Olympic Highway.
4. Such short trails as may be necessary to connect lookout towers with existing trails or roads, total of about four miles.

Telephone Lines—

A new telephone line from Taholah to Hoopliys has been recommended to the Office and is not included in this estimate.

1. The building of a new telephone line from Taholah to the Quaits by way of the Northern Pacific trail, this phone line to tie in with the Forest Service line at the point where the Northern Pacific trail intersects the Olympic Highway—about 20 miles in length. It would enable a patrolman to report a fire to Taholah or to the Quaits or to Quinalolt Lake very promptly by the use of a field phone.
2. Such phone lines as may be necessary to connect the lookout stations with the existing or proposed phone line, total about five miles.

The repairing of approximately 70 miles of existing trails, as shown on the attached map.

The following estimate of costs of the above is submitted:

25 miles of new trail @ \$500.00 a mile.....	\$12,500.00
25 miles of phone line @ \$400.00 a mile.....	10,000.00
Repairing 70 miles of trail @ \$300.00 a mile...	21,000.00
Building and equipping 5 lookout towers @ \$2,000.00 each.....	6,000.00
Purchase of equipment.....	5,000.00
Supplies, etc.....	1,000.00
1 permanent Ranger station.....	1,500.00
5 cabins @ \$750. each.....	2,250.00
Trucks.....	3,000.00
<b>T o t a l.....</b>	<b>\$62,250.00</b>

Personnel—

It is estimated that the following additional yearly personnel will be needed, after the above program is carried out:

5 lookout men, 5 months @ \$125.00 a month....	\$ 1,875.00
3 patrolmen, 5 months @ \$125.00 a month.....	1,875.00
1 Senior Ranger, per annum.....	2,300.00
<b>T o t a l.....</b>	<b>\$ 6,050.00</b>

The cost of labor required in construction of the above improvements has been included in the above estimate of costs, said labor to be hired locally at rates generally paid in this vicinity. In addition, it is felt the telephone line should be built by a competent telephone engineer.

It is believed that the above five-year program, if carried out, will afford the best possible protective plan for that part of the reservation on which the timber is now unseeded, and the area included within the Quinsigt Lake and St. Granville logging units. The Hoelips, Mounts, and Cook Creek units, with the large area in between them, is very flat and when the operating timber companies are through with their operations these areas must be patrolled. The contracting companies will be operating in these areas for the next five or ten years, and at the conclusion of operations, the old rights-of-way can be easily converted into trails and existing phone lines either be taken over from the companies or rebuilt by the Government.

Very respectfully,

Supervisor of Forests.

Superintendent.

WLS:I.

Inclosure as above.

P. O. Box 676,  
Hoquiam, Wash.,  
June 4, 1927.

Colonel Chas. Van Way  
U. S. Spruce Production Corporation  
Wood-Lark Building  
Portland, Oregon.

Dear Sir:

With reference to your letter of June 2, 1927, you are advised that the policy of logging on the Quinalt Reservation is the same as generally practised in this locality, namely clean cutting of all merchantable timber. No selective logging is practised, nor can it be practised successfully, for the use of high speed steam machinery prohibits this practise, and even if it were possible to leave isolated individual trees, or clumps of trees, experience has shown that the trees so left soon blow over because of exposure to the winds and also because of the extremely shallow root system of all trees in this locality.

Very truly yours,

HBS/S

Supervisor of Forests

COPY

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

Official File Copy

Enclosures Files

90-2-20

DEFENDANT'S EXHIBIT NO. H-78

Court of Claims

Docket No.

Taholah Ind. Agency  
Forestry Daily Trade File

L-A  
27101-27  
J B

*Forestry  
Daily*

RECEIVED

JUN 14 1927

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90-2-20

DEFENDANT'S EXHIBIT NO. H-17

Court of Claims

Docket No. JUN 10 1927

Messrs. Miller, Wilkinson & Miller  
U. S. National Bank Building,  
Vancouver, Washington.

Gentlemen:

Receipt is acknowledged of your letter of May 26, 1927, requesting information concerning three specific questions relative to allotments on the Quinalt Reservation and the disposition of the proceeds derived from the sale of timber on individual allotments and on tribal lands. Answer is made in the order in which the questions are set out in your letter:

1. There has been cut on the Quinalt Reservation 426,843,570 feet of timber with a value of \$1,248,123.15. The greater part of this timber has been cut from allotted land and the net proceeds from such allotments are placed to the credit of the Indians entitled to the allotment and are expended for their benefit, under the supervision of the Superintendent and in accordance with the regulations governing the handling of individual Indian moneys.

2. During the year 1919 there was collected \$305.70 for timber cut or damaged. There were no further collections on tribal timber until 1924. The total deposits in the Treasury of the United States as receipts from tribal timber to May 31, 1927, have been \$164,045.57. From this amount \$10,340.89 was used to adjust the accounts of Indian allottees who had made selections of land prior to the time when the timber was cut therefrom. This leaves a net credit of funds deposited in the Treasury of \$153,704.78. On May 31, 1927, there remained in the Treasury \$45,594.01. This there had been expended from tribal timber funds \$110,010.77. These funds have been used for roads, educational and agency expenditures, and other purposes beneficial to the Quinalt Indians as a tribe.

If a member of the tribe qualified to receive an allotment has not applied for an allotment selection, but subsequently makes application for an allotment of land from which the timber has been

Seattle ~~United~~ ~~Bank~~ ~~and~~ ~~North~~ ~~Shore~~ ~~and~~ ~~Records~~ is not entitled to any of the money Center ~~derived~~ from the prior sale of the timber from the land applied for. 6125 ~~Saint~~ ~~Ann~~ ~~Street~~ ~~and~~ ~~unreserved~~ land, together with the timber thereon Record Group No. 75  
Additional Information Box 344

*Taholah Ind. Agency*  
*Forestry Daily Leader File*

is tribal property and in the event the timber has been sold, the proceeds from the sale thereof automatically becomes part of the tribal fund, which was heretofore stated is expended for the benefit of the tribe in common. No prorata distribution from this fund has been made to the unallotted Indians.

In regard to your statement that a great many Indians on the reservation have been able to select valuable timber land, whereas only isolated tracts of poor timber land now remain available for allotment, it may be said that at the close of allotment work in 1910 it was concluded by this Department that the remaining tribal lands, practically all of which contain valuable timber, were not subject to allotment under existing laws and that the merchantable timber should be disposed of for the benefit of the tribe in common before making further allotments. This policy was also followed because of the fact that data on hand showed that it would be impossible to allot the lands in such a manner as to give each eligible Indian an allotment containing timber of an approximate equal value. It was realized that one Indian would receive land with valuable timber on it, while some other Indian would be compelled to receive an allotment of little or no timber value.

However, several Indians were dissatisfied with the policy of conserving timber as a tribal asset and brought suit to compel the allotting of the land, together with the timber thereon, to individual Indians qualified to receive an allotment. Under date of April 7, 1924, the United States Supreme Court rendered a decision in favor of the Indians, *Tommy Payne vs. United States* (264 U. S. 446). Subsequently allotment work was resumed and the land allotted in accordance with the court's decision. Thus it will be seen that the present situation has been brought about by the Indians themselves and while it is unfortunate that the timber lands cannot be allotted in an equitable manner, there is nothing under existing law which can now be done to remedy the matter.

Respectfully,

(Signed) *Chas. H. Burke*  
Commissioner.

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*Forestry Daily Reading File*



Forestry  
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**Official File Copy**  
Indian Affairs Files  
INDIAN'S EXHIBIT NO. H-74  
Date of Claim  
No. No.

*daily*

**COPY**

The Commissioner of Indian Affairs,  
Washington, D. C.

Taholah Indian Agency,  
Eggnium, Wash.,  
Sept. 21, 1927.

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

FORESTRY DATA READING FILE  
1925-32

Sir:

Reference is made to Indian Office letters of June 22, July 19, and August 5, 1927, regarding the advisability of reserving from logging a strip of timber not exceeding three hundred feet in width along the shore of Quinaielt Lake, especially to Office letter of August 5, which extended the study of the advisability of reserving a strip of timber of about three hundred feet in width to include areas adjacent to the Olympic Highway, other roads and streams. In this connection my report in two parts -- (1) Quinaielt Lake, and (2) Olympic Highway, is respectfully submitted.

1. Quinaielt Lake.

Exhibit #1, attached to this report, is a blueprint of a map which I have prepared of Quinaielt Lake showing the ownership of lake frontage. The distance around the lake, following the shore line, is about twelve miles. Of this distance about two miles, or one-sixth, is held in trust for Indians; the remaining ten miles being either privately owned, or under the jurisdiction of the United States Forest Service of the Department of Agriculture. This map has been prepared and is attached to this report in order that the Office may have full information as to the relative importance of the Indian owned lands; privately owned lands; and national forest lands bordering on Quinaielt Lake.

Exhibit #2, attached to this report, is a blueprint of a map which I have prepared of that portion of the Quinalt Indian Reservation bordering on Quinalt Lake. This map shows the reservation shore line on Quinalt Lake; the Quinalt River near the lake; The Olympic Highway near the lake; the logging railroad of the Ozette Railway Company (Polson) now under construction; the former Indian allotments now owned in fee simple by the Polson Logging Company and W. A. Jones; and trust Indian allotments.

Plans for the logging of the timber near Quinalt Lake by the Ozette Railway Company to this date include only that portion of the reservation shown on exhibit #2, lying south and east of the Quinalt River. The allotments included in this special study are as follows:

<u>Allotment #</u>	<u>Allottee</u>	<u>Heirs</u>	<u>I. O. Contract File #.</u>
29	Jonas Hyasman	- - -	23517-23
30	Daisy Hyasman	Jonas Hyasman	23438-23
292	Lucy Hyasman	Jonas Hyasman	23380-23
28	Pauline Hyasman	(Joe Capoman) (Frank Hyasman)	23440-23

All of these contracts were approved by the Indian Office on March 29, '23.

We are not concerned with regard to leaving a strip of timber along the shore of Quinalt Lake with regard to allotment #30, for there has apparently been an error made in the meander line of Quinalt Lake. Exhibit #2, which has been prepared in accordance with Land Office maps, shows the northeast corner of allotment #30 as right on the shore of the lake. This corner is approximately two hundred feet due south of the lake shore, and only about seventy five feet due north of the Olympic Highway.

Upon receipt of Indian Office letter of July 19th, which mentions that

the general timber sale regulations, which are attached to and made a part of every timber sale contract, provide that a strip of timber not exceeding three hundred 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, the matter of leaving a three hundred foot strip bordering the lake on allotments 29, 28, and 292 (north and east of the bridge site) was given very careful consideration. It was found that the reserving of a three hundred foot strip along the lake shore in which no cutting would be allowed would leave the following amounts of timber, worth a certain sum which is determined by using the stumpage prices now being paid for timber within the Quinalt Lake Unit.

Allot. No.	Cedar		Spruce		Hemlock		D. Fir		Value
	No. Trees	M Ft	No. Trees	M ft	No. Trees	M ft	No. Trees	M ft	
29	79	120	146	439	36	36	1	5	\$2,923.00
28	114	228	322	1,610	176	176	10	50	9,968.00
292	1	1	11	35	7	7	-	-	191.00
Total	194	349	479	2,081	219	219	11	55	\$13,082.00

The above cruise, which was made by Senior Forest Ranger McKeever and myself, includes only live standing timber, and is very conservative. Snags or windfalls are not included in the above estimate.

It became immediately apparent that the Indian owners of this timber could not be reasonably expected to leave timber to the value given above unless it was distinctly to their advantage to do so.

The allotments listed above, especially that portion of the same lying between the Olympic Highway and Quinalt Lake, are very desirable sites for summer homes. Would the leaving of at least thirteen thousand dollars worth of timber increase

the value of these allotments as summer home sites an equal amount? The stumpage prices paid for timber in the Quinalt Lake Unit, in which these allotments are included, are so high that it is a reasonable certainty that the Indians can never sell again any timber which is not cut at this time for equal prices. In determining this question, the silvicultural characteristics of the forest type standing on these lands, in-so-far as wind resistance is concerned, should properly be considered. The typical tree on the area under consideration (lying between the Olympic Highway and Quinalt Lake), is very tall and will average at least two hundred feet in height, with a small crown and an unusually small and shallow root system. While it cannot be definitely determined at this time, it is my belief that the majority of these trees, if left standing, would be blown down in the course of a very few years and would be a direct economic loss, both to the Indian owner and to the community. The Indian lands under consideration are now, and will become more, valuable as summer home sites, and it is doubtful if people familiar with wind storms in this locality would erect summer homes in a strip of timber three hundred feet in width such as would remain if this timber were left. It is an entirely different thing to build a house in an untouched forest and to build a house along the edge of an old cutting. The danger of windfall in the latter case far exceeds that in the first. If this three hundred foot strip of timber were left, I do not believe that the property, as summer home sites, would be enhanced in value to the extent of the stumpage value of the timber left standing. I further believe that the Indian owners of this timber would not consent to the leaving of this amount of timber were they fully advised as to the stumpage value of the same.

At this point in my investigation, this matter was taken up with the

Joint committee of the Hoquiam and Aberdeen Chambers of Commerce, and there is attached to this report a report of that committee modifying their request which was submitted to the Indian Office through Congressman Albert Johnson. The report of this committee, as enclosed, was adopted by the Hoquiam Chamber of Commerce and the committee was discharged. The whole matter was gone over in detail with this committee, and their intention was invited to the fact that it is entirely possible to practise selective logging in the three hundred foot strip of land directly adjacent to the lake, for an examination on the ground reveals the fact that there are numbers of wind firm trees; that is young or middle aged trees with well developed crowns, standing close to the water's edge which can be reserved from cutting and which will preserve, to a certain degree, a green fringe around the lake front.

From the standpoint of the logging company, there is no reasonable reason why this practise of selective logging cannot be put into effect for the three hundred foot strip will be at the extreme end of the yarding area in all directions, and the leaving of trees in this area will cause a minimum amount of trouble to the logging crew. Furthermore, there is approximately one-half a mile of lake frontage on the extreme northern part of allotment #28 on which there is no merchantable timber on a strip three hundred feet wide next to the lake.

The contracts for the sale of the timber on allotments #29 and #292, and the Powers of Attorney which are attached thereto, provide that five acres on each allotment, will be reserved from cutting. On allotment #292 the five acre area is designated as the five acres lying at the east end of the bridge across the Quinalt River directly south of the Olympic Highway.

On allotment #29, the exact location of the five acre tract was not designated in either the contract or the Power of Attorney, but Jonas Hyasman, the allottee, agreed to designate the five acres to be reserved prior to April 1, 1927. The Superintendent and I have, on numerous occasions, tried to get Mr. Hyasman to go to the lake with us and designate the five acres on his allotment which he desires to reserve from cutting, but to date he has not complied with our request. On exhibit #2 of this report, in allotment #29, the little "x" in black India ink, denotes the location of a small shingle mill which is operating under the permission of the department. The area in Allotment #29 bounded on the west by this shingle mill site; on the South and west by the Olympic Highway; on the south-east by the reservation boundary; and on the north by the shore of Quinalt Lake, contains approximately six acres and, in my opinion, should be reserved from any cutting for two reasons:

First: because it is my understanding that Jonas Hyasman desires a homesite and this, from a topographic standpoint, is the best area for this purpose on his allotment, and

Second: because if the timber in this six acre area is logged, the only feasible way to log it, due to the topography of the country, is directly into the waters of the lake, then tow the logs to the shoreline of allotment #29, sky-line them to the railroad spur and load them out.

The area in allotment #29 lying south of the Olympic Highway can be sky-lined to the end of the railroad spur in allotment #20. Due to a ridge running in a north-westerly direction through the center of allotment #29, the cost of building a railroad spur

across allotment #29 to tap the six acres in question is prohibitive, in view of the small amount of timber involved, and the timber on the six acre tract in question cannot be logged across the state highway.

It is believed that Jonas Hyasman will designate this six acre tract as the area to be reserved from cutting. In case he is not willing to do this, the matter will be reported to the Office with the recommendation that the area shall be reserved and no cutting allowed in it. The balance of the timber on allotment #29 north of the Olympic Highway, can be sky-lined to the end of the railroad spur in allotment #28.

The following recommendations are respectfully made as to the plan of logging the timber adjacent to Quinalt Lake and east of the Quinalt River in the Quinalt Indian Reservation:

- (1) That the six acres on the extreme north-east corner of the allotment of Jonas Hyasman, #29, be reserved from cutting.
- (2) That no slash shall be burned in this area in accordance with the present policy now in vogue, and that all snags in the area between the Olympic Highway and Quinalt Lake be felled. (The Ozette Railway Company, through Mr. Robert Polson, has orally agreed to do this).
- (3) That selective logging be practised in a strip of timber three hundred feet in width adjacent to Quinalt Lake, which is feasible and possible both from a logging standpoint and from the standpoint of practical forestry, and obviously to the advantage of the Indian owners.

As to the area near Quinalelt Lake lying west of the Quinalelt River to the reservation boundary, all of the land fronting on the lake is privately owned with the exception of approximately five-eighths of a mile, which is on allotments #31, Mary Hyaman, deceased, and #438 Mrs. Lottie Wain. I am informed that the Polson Logging Company has contracted for the timber on the allotment which H. A. Jonas purchased from Addie Hyaman, and that they will log this allotment and former allotments #57, #493, #492, and #86, which they own in fee simple, clear.

However, it is recommended that the same policy be pursued on allotments #31 and 438 which has been recommended for allotments lying east of the river, principally that selective logging be practised where-ever possible in the three hundred foot strip bordering on the lake.

## 2. Olympic Highway.

Office letter of August 5, 1927, instructs me to report on the practicability of conservative selective logging along the Olympic Highway. The practicability of conservative selective logging in areas bordering on the Olympic Highway and other roads and streams, depends upon a number of factors, among which are the following:

- (1). The ownership of the land and timber.
- (2). The silvicultural characteristics of the forest type, and
- (3). The feasibility of such a plan with reference to the system of logging generally used in the locality.

These points and their bearing upon the reserving of timber along the Olympic Highway will be discussed in turn.

(1). Nearly all of the land on both sides of the Olympic Highway between Quinalelt Lake and the northwestern boundary of the Quinalelt Indian Reservation, either has been allotted or has been selected for allotment by individual Indians.



The reservation of a strip of timber three hundred feet in width on both sides of the Olympic Highway would mean the leaving uncut of a very considerable amount of timber, which is the property of individual Indians. Because of the exceptionally high stumpage prices prevailing in the Quinalt Lake Logging Unit, and the prices which will in all probability be paid for timber not yet sold, the stumpage value of this timber will run into thousands of dollars on each allotment, and it is doubtful in my mind whether any individual Indian can reasonably be expected to assume an economic loss in the amount that would be necessary were a strip of timber six hundred feet in width be left on his allotment adjacent to the Olympic Highway.

(2). The silvicultural characteristics of the Quinalt type of forest are of such a nature that a plan of reserving a strip of timber three hundred feet in width on each side of the highway in its entirety is not feasible in most localities. The root system of our forest trees is very small in extent and very shallow. The average root system is certainly not over two feet in depth. This is due to the abundant moisture in the ground which does not necessitate trees throwing out a large rambling tap root in order to obtain sufficient moisture. Our trees are generally very high, heights of from two hundred and fifty to three hundred and fifty feet being common. The atmospheric conditions are such that where trees of such height and with such shallow root systems are left exposed to winter storms, it is a moral certainty that a large part of them will be wind thrown within a few years after logging operations in the vicinity cease. There may be places where the timber is poor, due to poor soil conditions (generally poor drainage) where a minimum of wind-fall would occur in a three hundred foot strip of timber if the same were left, but in the average stand of merchantable timber I feel that a large part of the timber on a

three hundred foot strip would be blown down in a very short lapse of time if the same were left in its entirety.

(3). The system of logging universally used in this locality is that commonly known as high-lead logging with high powered steam donkeys. It would be entirely feasible from a logging standpoint to leave a three hundred foot strip of timber in its entirety along roads, but it is a very difficult thing to practise selective logging, that is, to remove part of the timber in a certain designated area and leave part of the timber standing under this system of logging.

I believe it may be possible to practise selective logging, to a certain degree, along the Olympic Highway, other roads and streams in the Quinalt Indian Reservation. I believe that whenever a tree which has a well developed crown, is of not over middle age, and not too tall, occurs along any road or stream, that this tree should be left and that it can be left, but I do not believe it is either feasible or practicable to reserve a three hundred foot strip on either side of the Olympic Highway or along any other road or any stream on the Quinalt Indian Reservation, nor can selective logging, in the generally accepted interpretation of the term, be practised, due to the system of logging. I am, however, very strongly in favor of leaving occasional wind firms, young or middle aged trees along roads or streams wherever it is practicable to do so.

Very respectfully,

HBS/S

Supervisor of Forests

I concur in the above report and recommendations.

Superintendent

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REFER IN REPLY TO THE FOLLOWING:

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ADDRESS ONLY THE  
COMMISSIONER OF INDIAN AFFAIRS

UNITED STATES  
DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

WASHINGTON

File Copy

DEFENDANT'S EXHIBIT NO. H-11

AUG 15 1928

My dear Senator:

Further reference is made to your letter of July 21st with which you enclosed one received by you from Johnson Waukenas of Taholah, Washington, concerning the situation among the Indians on that reservation.

This matter has been looked into and we find that Johnson Waukenas has no funds to his personal credit. He is a fee patented Indian and funds belonging to him are always paid over to him upon receipt of the same. He is referring to the funds to the credit of his wife, Annie Waukenas, who is as yet trust patented. Funds are being issued to her pursuant to the regulations, and she receives from \$50 to \$100 per month. In their late bereavement in the loss of a son and later a daughter, the Superintendent at the Taholah Agency did all that he could to assist them in a financial way, treating the matters as emergencies.

Both Johnson Waukenas and his wife are addicted to the liquor habit and it is not deemed advisable to issue large checks to them. They have been authorized by the Superintendent to select a trading place where they can get such merchandise, including groceries, as they require, within the limit of authority. They are both old and unable to do very much in the way of earning anything. Johnson Waukenas is 71 years of age and Annie is 69 years of age. For that reason it is believed necessary to conserve any money for their support which may come to them through inheritance.

The complaint of Johnson Waukenas that he did not receive a 160-acre allotment is not well taken, as no one received an allotment of more than 80 acres, more or less, 80 acres being designated as the proper number of acres for allotment purposes in the Quinalt reservation. His further complaint that the former Allotting Agent, Mr. Finch R. Archer, gave the best claims to the half-breeds living outside the reservation is in part true. The first allottees were the Indians living in Taholah and vicinity. They were most given lands that were at least in part suitable for agricultural purposes, and we are advised that the Allotting Agent declined to allot the heavily timbered lands during the first years of his work, but appears to have given out allotments later to applicants from outside points that are very valuable for the timber thereon. However, there is nothing that can be done about the matter at this time as the allotments were approved in 1910 and prior thereto and patents issued.

His complaint for another 80-acre allotment cannot be favorably con-

sidered, and he has been so advised by this Office on numerous occasions. He has written to this Office many times on this same subject and received full and complete answer to his request for an additional allotment of 80 acres of land on the Quinaliet Reservation.

Under the circumstances, we regret that there is nothing further that can be done in connection with Mr. Waukena's request.

Cordially yours,

  
Commissioner.

Hon. Wesley L. Jones,

United States Senate.

Official File Copy

Enclosures 1/5

90-2-20

NO. H-28  
D/F NDANI'S EXHIBIT  
Indian Agency,  
Hoquiam, Wash.,  
October 2, 1928

Cc. of Claims  
e. No.

*copy*  
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Center, GSA

6125 Sand Point Way, NE

Record Group No. 75

Additional Information PA-144 Box 315

The Commissioner of Indian Affairs,

Washington, D. C.

FORESTRY DEPT READING FILE

1925-32

Sir:

Within the past month four applications for fee patents as to trust allotments in the Quinalt Indian Reservation have come to my attention. I believe many more applications will be made in the near future, and that I should invite the attention of the Office to the difficulties now being encountered by concerns engaged in logging Indian timber because of the number of fee patents issued prior to the sale of large units of timber, and also as to what may be expected if many fee patents are issued in the timbered area on the Quinalt now unsold.

The reason why concerns engaged in logging Indian timber are now encountering difficulties because of the number of allotments fee patented before the timber sale was made is because of the greater difficulty in economically locating, constructing, and maintaining the logging railroads necessary in logging Indian timber. When allotments are fee patented, they almost invariably pass to private ownership right away, and the Indian Service has no further jurisdiction over them. The Quinalt Reservation is very heavily timbered, and presents, especially in some portions of it, peculiar problems from the standpoint of a logging concern principally because of the great amount of railroad that must be built to advantageously log the timber.

Eight units of timber on the Quinalt Reservation have been sold, having a total estimated stand of timber of about one and one half billion feet with a stumpage value of approximately five million dollars. Due to the number of fee patents granted prior to the making of these sales, the Indian Service could not guarantee the rights-of-way necessary for railroad construction to either prospective bidders, or to concerns whose bid was accepted. Bidders for units of timber on the Quinalt have assumed, in submitting their bid and developing their sales areas, that they would be able to secure the rights-of-way necessary in logging the timber, which has not always been the case. The Quinalt Indians have been very fortunate, in view of the above condition, in making as advantageous sales as have been made since 1921.

In building a main line railroad into the Ft. Grenville Unit, the M. B. Smith Lumber and Shingle Company had to cross several fee patented allotments, and the necessary rights-of-way were obtained only after considerable trouble. The south central part of this unit consists of a solid block of fee patented allotments,

which must be logged around and dodged by a railroad at a greater cost than if no allotments were fee patented.

The Aloha Lumber Company, purchasers of the Moelips, Mounts, Hatch, Hall, and Upper Wreck Creek Units, have been to no end of trouble and have incurred a very large expense in locating their main line logging railroad due to the very large number of fee patented allotments along the Moelips River.

In logging the Cook Creek Unit, the Moki Timber Company has been put to great expense both in locating their logging railroad and in actually logging the Indian timber, due to the large number of fee patented allotments now owned by a rival concern and which are not for sale. I do not believe the Moki Company can log the Indian timber in the West-central part of the Cook Creek unit without resorting to legal processes in order to get railroad rights-of-way, for so many fee patents have been granted that sufficient railroad to log the remaining Indian timber cannot be built without crossing former Indian allotments which are now private land.

So many allotments in that area of the Quinalt Lake Unit lying South of the Quinalt River have been fee patented and are now owned by the Polson Logging Company, that it would be an utter impossibility for any concern not a subsidiary of, or in co-operation with, the Polson Logging Company to log the remaining Indian timber.

The above statement of conditions now existing on sales on which operations are now in progress is not in the least overdrawn, but represents a conservative picture of the actual conditions as I personally know them to be. Any unit of timber becomes less desirable and less valuable as the ownership becomes vested in more than one person or concern. Every fee patent issued not only detracts from the value of the surrounding timber, but it makes the surrounding timber harder to actually log and to build railroad into and increases the cost of administration, as well as the difficulty of administration, of sales of the remaining timber. In discussing future timber sales to be made in the remaining three or four billion feet of timber now unsold on the Quinalt Indian Reservation, officers of one of our largest operators told me they would not be interested in future offerings unless the Department would guarantee rights-of-way necessary to log the timber and if the amount of fee patented land was proportionately as large as it is in areas now sold. If we cannot obtain competitive bidding on future sales we cannot hope for prices as high as those received in the past.

The best interests of the Quinalt tribe of Indians both collectively and individually (except in most unusual circumstances) would be served by not granting fee patents as to heavily timbered allotments in the unsold area as well as in the areas that have been sold. It is imperative that such a policy be adopted if future timber sales are to be made advantageously. Such a policy will unquestionably be against the wishes of some allottees of mixed blood who have never lived on the Reservation and who give no thought to the best interests of the tribe.

The timber on about 750 heavily timbered trust allotments has not been sold as yet. Over 500 hundred of these allotments were recently made by Chas. E. Hoblin in schedules approved not long ago. The situation with regard to these allotments can briefly be stated as follows:

1. The issuance of fee patents interferes with and hinders subsequent sales of Indian timber as we know from experience.
2. The issuance of fee patents lessens the value of surrounding Indian timber, and makes units of timber less desirable through mixed ownership.
3. The big majority of these allotments are in unopened and inaccessible portions of the reservation as far as logging the timber is concerned. A purchaser of a single fee patented allotment can afford to pay only a fraction of its real value for the allotment must be held until the surrounding timber is cut, and taxes and interest in the meantime must be met.
4. If allottees obtaining fee patents are unwilling to sell at prices offered by investors, they will, in the majority of instances be unable to pay the taxes, which are very high, and will be forced to sell at any figure.
5. Four separate companies are now engaged in logging Indian timber at the rate of almost 200 million feet per year. It will be but a short time until there will be a normal market for the Indian straggles now unsold. The average allottee could not have a better investment than 80 acres of timber on the Quinalt Reservation.
6. We know that the timber can, in the not too distant future, be sold for more than both land and timber will bring at this time through individual sales.

In view of the above, it is respectfully recommended that a most conservative policy be followed with respect to the issuance of fee patents on the Quinalt Reservation and to the sale of individual allotments. I feel that only under most exceptional and unusual circumstances should fee patents be granted or allotments be sold.

Very respectfully,

Henry E. Stear  
Supervisor of Forests

C. C. to Supt. Sams

Taholah Indian Agency

Hoquiam, Washington

October 9, 1928

Official File Copy

Enclosures Files

90-2-20

DEFENDANT'S EXHIBIT NO. 1-72

Court of Claims

Docket No. \_\_\_\_\_

The Commissioner of Indian Affairs

Washington, D. C.

My dear Sir:

There is transmitted herewith a report from Mr. E. B. Steer, Supervisor of Forests at this agency, in reply to Indian Office letter of October 3, 1928, and circular letter No. 2492.

In concurring with Mr. Steer in his report, I also desire to state that the present arrangement whereby Scalpers and Rangers receive meals and sleeping quarters is, in my opinion, a very advantageous one—both from the standpoint of the logging companies and the Service. I desire to state further that no charge or intimation has been made by anyone that this arrangement has ever affected in any way the work of the Government Forestry employees as to efficiency or integrity.

I also desire to invite attention to the fact that the cost to the Government to increase the salaries of seventeen Forestry employees at the camps so that their present salaries would not be reduced by requiring them to pay for their meals and quarters, would amount to approximately \$17,000.00 a year. To reduce their present salaries for the cost of the meals and quarters, neither of which are furnished by the Government, would mean the loss of practically our entire personnel in the Forestry work of this agency and make it impossible to get competent employees to fill their places.

Our annual average scale reports show that the Government employees' scale is from 3% to 5% above the commercial scale of the logs shipped from the Quinalt Reservation, and no charge of underscaling or of favoring the contractors can possibly be made in the light of this fact.

A highly efficient personnel, such as has been gathered and trained on the Quinalt Reservation, would be difficult to replace, and we feel that the Office should not make rulings that would tear down such an organization but assist us to maintain it.

Under our contracts with operating companies, the Government is required to scale the logs as rapidly as they are loaded on the cars for shipment. A reduction in salary to the employees of the amount represented



by meals and quarters would mean the loss of our competent, trained Scalers and Rangers, and would place a heavy burden on the Government to comply with its contract and scale the logs as produced by the operating companies.

It is respectfully recommended that the present arrangement be not changed, but that the gross salary be paid in the future as in the past.

Sincerely yours,



Superintendent.

WBS:I.

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6125 Sand Point Way, NE

Record Group No. 75

Additional Information TALAH Box 315

FORESTRY DEPARTMENT READING FILE

1925-32

Forestry  
5451-29

Taholah Indian Agency,  
Hoquiam, Wash.,  
March 5, 1929.

The Commissioner of Indian Affairs,

Washington, D. C.

Official File Copy

Enclosures Files

90-2-20

DEFENDANT'S EXHIBIT NO. H-86

Court of Claims

Bucket No.

Sir:

Reference is made to Indian Office instructions concerning Forest Fire Protection Plans to be outlined for the coming fire season and forwarded to the Office by March 15, 1929. Copies of Office instructions were mailed to all forestry employees at this Agency, and they were requested to confer on this matter at their various stations, and on Saturday February 23rd, a conference of Rangers was called at the Hoquiam Agency office with the following attending McKeever, Quast, Briggs, Gilbreath and Shull, for the purpose of discussing fire plans for the coming season. These men were all requested to bring fire plans for their respective sale areas for open discussion. Many good suggestions were made at this conference, and some of them are included in this report.

Attached hereto please find a small scale map of the Quinaliet Indian Reservation showing:

1. The sale areas by contractors.
2. Highways.
3. Logging Railroads.
4. Ranger Stations.
5. Look-Out Towers.

The fire danger on the Quinaliet Reservation occurs, in my opinion, only in two locations: First along the highways, due to campers, etc., and Second in cut over land. I do not believe there is any forest fire danger in green, uncut timber, for the records of this Agency not only do not show any fires in green timber to have occurred, but in several instances known to me fires in slashings have stopped when they ran into the green timber. Our fire plan for the coming season should be based, therefore, on the protection of the two greatest dangers as given above.

There are two highways on the Quinaliet Reservation, as follows:

1. The Olympic Highway from Quinaliet Lake to the Quast River.

During the last fire season, a great deal of work was done on the Forest Administrative Site at Raft River. About one acre of land was cleared

for a camp ground, camp stoves were erected, toilets built, and the stream bed cleared. A camper's ground was designated at the scene of this work, and notices were posted at the reservation boundary and frequently along the highway that camping was allowed only at the designated Raft River Camp Ground. This is a preventitive measure of great importance, and was further augmented by the assigning of a forest patrolman to the highway between the Queets River and Quinalt Lake to prevent campers from building fires or from camping except at the designated ground. A phone connection was made at Raft river with the Queets-Quinalt phone line which connects with the Bell line at Lake Quinalt, and a fire pump, hose, and tools were kept at Raft River ready for an emergency.

It is planned to continue with this work during the coming season. Further work is needed at the camp site, and a Forest Guard will be stationed at this point, furnished with a telephone, fire pump and hose, and fire fighting tools ready for instant use. The highway will also be patrolled.

2. The Indian Service road from Moclips to Taholah.

This road constitutes as great a menace as the Olympic Highway, for many people use the beach for picnics, etc., and frequently build fires along the beach in the drift logs with the ever present danger of the fire spreading to the woods or to some improvement, especially the highway bridges across the several streams, more especially the one at Wreck Creek. The Forest Ranger stationed at Moclips patrolled this beach as frequently as possible during the past season, but we should have a patrolman during this coming season to make at least two trips during the fire season over this road every day. Signs prohibiting camping and the building of fires on the beach have been posted, as they were last year, but unless a patrolman enforces the ruling, people pay no attention to signs. We have established a ranger station at Moclips where fire pumps, hose and tools are kept ready for an emergency, and have also a light Ford truck available for instant use. We had several fires along this road last year which could have been avoided if we had had a patrolman, and it is hoped that we will have sufficient funds to employ a patrolman this year.

The attached map shows the four cutting areas, by contractors, and our plans for each area will be discussed in detail, after a general discussion of the entire problem. For the coming fire season, and perhaps for a few years yet to come, the logging crews of companies engaged in logging Indian timber will be available in case of fire, and the fire fighters can be taken care of at the logging camps. We must, however, constantly have in mind the fact that as cut-over lands are released by contractors, the Indian Service must take over the fire protection of these lands, and we must develop an efficient plan of protection and suppression.

The following preventitive measures have<sup>been</sup> or will be taken before the coming fire season:

1. Smoking in the woods will be prohibited during the fire season and

the rule will be enforced both by the companies and the Indian Service. Signs like the one attached will be posted in numerous prominent places.

2. The Rangers in charge of each respective unit are now compiling a fire map of their respective sale areas which will show the natural and artificial fire lines which may be used in case of a fire. The fire lines include streams, railroad grades both those being used and those abandoned, swampy areas, and old logging roads. By logging roads is meant the "roads" made by hauling logs from a cold deck to a landing, for where many logs are dragged over the same trail by a high lead logging machine, a strip of mineral earth is exposed which may be several feet wide and up to a thousand feet long. With these maps brought up to date and constantly added to as logging proceeds, in case of a fire we could tell at a glance what part, if any, of the above natural or artificial fire lines could be used, and how much fire line it would be necessary to make to join up the natural or artificial fire lines to control the fire. This would enable the Ranger or other officer in charge of a fire to lay his plans for the controlling of a fire very promptly after its inception, and will give information which will be valuable for many years to come in this work.

3. The Supervisor of Forests, Senior Forest Ranger, four Forest Rangers, (one on each logging operation), and two Forest patrolmen, will be appointed deputy State Fire Wardens or Rangers with authority to enforce the State laws. This policy has been followed for several years previous, and enables us to enforce the state law as well as the federal regulations on the reservation for every operator has removed and will continue to remove private timber which comes under the state forest laws. At the beginning of the fire season the Rangers will be instructed to see that the provisions of the Indian Service contract and that the State regulations with regard to the amount and kinds of fire equipment are on hand ready for instant use and that all precautions are taken with regard to fire. It shall be the duty of each scaler to see that the logging machines on which he works shall be always properly equipped with fire tools etc., and in case any of these are missing, and the side foreman shall not replace the equipment immediately, that machine shall be shut down until the fire regulations are complied with. The Rangers will maintain supervision over this work on their respective units, will check up on the scalers, and will personally see that locomotives and other machines on which scalers do not work are properly equipped. In this matter all operating companies have expressed their desire to co-operate to the fullest extent.

4. During the coming season the method of employing smoke chasers will be continued and enlarged upon. The companies, in co-operation with the Indian Service, will employ patrolmen to follow up logging trains, and generally patrol the places of greatest danger. The Aloha Lumber Company especially will be requested to double their patrol on Sundays. Patrolmen will be supplemented by at least two look-out stations, and possibly three, as follows:

1. The Pt. Grenville Look-out Tower.

In January of this year we erected an 80 foot steel look-out tower in Section 17-21-12 as shown on the attached map. This station has been completely

erected, including a small shack for the observer, and before the fire season we will place a fire finder in the observation house properly oriented, and will build a phone line connecting the tower with the government owned and operated line from Moclips to Taholah. The fire finder has been purchased and the phone line is now being built. This tower over-looks the operations of the Smith Company and also of the Aloha Lumber Company, and will be connected by telephone directly to the Smith Company's office or centrally located woods headquarters and we hope it will also be connected directly with the Aloha Lumber Company.

## 2. The Cook Creek Look-out station.

Through the co-operation of the Hobi Timber Company, we will have a look-out station <sup>in section</sup> 25-22-11 as shown on the attached map. The observer's elevation at this station will be about 400 feet, which will give sufficient height to look over the entire cut over area in the Cook Creek Unit and possibly a portion of the operations of the Ozette Railway Company. It is believed that there will be visibility between this station and the Pt. Grenville Look-out tower, but weather conditions since it was decided to build the Cook Creek station have not permitted observations to be made. There is attached a plan of the Cook Creek "Crow's Nest". A large Douglas Fir has been "topped" about 170 feet from the ground, and a small house, about 7 x 7 will be built on the top of it as per the specifications on the attached blue print. The work of building this station will be done and the expense borne by the Hobi Timber Company, but we have agreed to equip the station with a fire finder; to build a phone line about a mile and a half long to the camp; and furnish an observer during the fire season. The house at the top of the tree will be reached by means of a steel cable ladder fastened to the tree every ten feet by heavy iron eye bolts, and the tree will be securely guyed by wire rope.

This station will be in the nature of an experiment, and if it works out as I hope it will, steps can be taken to make it fairly permanent. The house will be built of Cedar and well protected from the elements. The tree, if properly guyed, will stand for years, and if the tree and timbers are painted with creosote (after the tree has been barked) and the wire ropes are kept oiled, the tree should last at least ten years and possibly longer. For the coming season the observer can stay in camp, but should the visibility at this station be what it is expected to be, a shack for the observer can be erected at a later date and steps taken to make the station a permanent one.

The crow's nest will be connected with a phone line to the Hobi Camp, which in turn is connected with the Bell trunk line at Pacific Beach. This tree is located on the highest point in the Cook Creek Unit, and the observer will have an unobstructed view of not only the operations of the Hobi Timber Company and the land which they have cut over, but also of a large area of green timber North of the Quinalt River in the central portion of the reservation.

## 3. The Lone Mountain look-out station.

It was the original intention, if it proved to be practicable, to erect

a steel tower in Section 20-23-10 on the top of Lone Mountain. This is the best site for a look-out station on the entire reservation. It was found, however, that due to the very heavy growth of timber on this mountain that even an 80 foot tower, if erected on the top of the mountain, would not have sufficient visibility in all directions, but that about 2,000,000 feet of Douglas Fir would have to be felled. This was naturally impracticable, so we have for the time being abandoned the erection of a steel tower. It has been found, however, that it is entirely practicable to build a "crow's nest" similar to the one now being built at the Cook Creek site, slightly on the South East side of the mountain which will permit an observer an unobstructed view of the operations of the Ozette Railway Company and a large portion of the area drained by the lower Quinalt River. This was determined as a result of a very recent trip made to the proposed site by two of Polson's camp foreman (Mikelson and Brudevold) a high climber, McKeever, a Gilbreath and myself.

I believe it would be an excellent plan, if funds can be made available, to complete this station before the coming fire season. It would be necessary to build about two miles of trail and telephone line from the Olympic Highway and to hire men to build the crow's nest who are accustomed to work several hundred feet off the ground. Lone Mountain should unquestionably be the site of a permanent look-out station and a steel tower should be erected there when the surrounding timber has been logged. The biggest part of the cost of utilizing a temporary crow's nest at this site would be the building of the trail, the phone line, and the shack for the observer; all of which would be available at the time of installation of a steel tower. A separate request is being made to-day for funds to establish this station in order that we may have the same available for the coming fire season should the Office approve our plans. Although I believe we will get some co-operation from the Polson Logging Company on this project, still it is expected that the Service will have to have most of the work done and bear the largest part of the expense.

If this station is built, a phone line would be built connecting to the Queets-Quinalt Lake line which ties into the Bell at Quinalt Lake, and it is probable that a direct line would be built from the station to Polson's Camp #14 which would tie into the phone line built and maintained by the Polson Logging Company which ties into the Bell at Hoquiam.

Whether or not the Lone Mountain station is built this year, we will have two look-outs controlling the areas of greatest danger during the coming fire season, and these look-outs will be connected by phone lines to the nearest camps and with the trunk Bell lines.

The fire plans for each area under contract are as follows:

1. Smith. The Pt. Grenville tower will be connected direct to some central point of the Smith operations, where word of a fire can be passed along to the logging crew as soon as possible and men assigned to the fire. Equipment and

patrolmen to be provided for as mentioned earlier in this report.

2. Aloha. It is hoped that the Pt. Grenville tower will be connected by a direct phone line with either the Aloha office or some central point in the woods. However if this is not done, a call can be made over the government line to Moclips and thence over the Bell to the Aloha office and fires promptly reported. Equipment and patrolmen to be provided for as mentioned earlier in this report. The company has expressed willingness to have a speeder and trailer kept in constant readiness at the time keeper's shack, which is centrally located in the woods, and to have fire equipment ready for use at a moment's notice. Since this company has no woods camp, a patrol on Sundays is even more necessary than on other operations.

3. Hobi. The crow's nest above described, will be connected by a direct telephone line to the camp office; equipment and patrolmen to be provided for as mentioned earlier in this report, and in addition the company will have a supply of fire fighting equipment loaded on a speeder and trailer in the camp and ready for instant use.

4. Polson. In the absence of the Lone Mountain crow's nest, we must depend on patrolmen in this sale area. There is only a relatively small amount of cut over land in this area, and being fairly inaccessible from the road, patrolmen will handle the situation much better than in any other sale area.

While we do not contemplate it this season, yet in the event that the Hobi Timber Company buys more Indian timber and continues to operate in a northerly direction, we should have by the next fire season (1930) a ranger station and equipment depot somewhere along the Aloha-Hobi railroad, this station to be equipped with a speeder and trailer and a supply of fire fighting tools, rations, and all other equipment needed in a fire, and should be in direct telephonic communication with both the Pt. Grenville Look-out Tower and the Cook Creek crow's nest.

We do not minimize the danger of fire in green timber, for there is some danger there. We believe, however, that the principal source of fire danger on the Quinalt Reservation is along the highways and in cut-over land, and will endeavor to protect the areas adjacent to the highways and to develop a plan of fire protection which will efficiently take care of the cut-over land as the area increases. We are unable to do as much as we would like to because of lack of funds, and request the Office to notify us as to the amount which will be made available for the balance of the present fiscal year, as per our estimate of January 15, 1929.

Very respectfully,

Henry B. Steer  
Supervisor of Forests

Forestry

**Official File Copy**

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 90 2-20  
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 Court of Claims  
 ocket No.

*H-83*

Taholah Indian Agency,  
 Hoquiam, Wash.,  
 March 23, 1929.

*daily*

**COPY**

The Commissioner of Indian Affairs,  
 Washington, D. C.

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

FORESTRY D.F. V READING FILE  
1925-32

Sir:

On March 18th and 19th several employees of this Agency set out approximately 3,500 young Spruce trees on a tract of about 30 acres of cut over and burned over land on the Quinalt Indian Reservation.

On March 18th the following men were engaged in this work:

- Supervisor of Forests Steer
- Senior Forest Rangers McKeever and Briggs
- Forest Ranger Gilbreath
- Irregular employees Brooks and Northup

On March 19th the work was completed by Steer, Briggs, Gilbreath and Brooks. All of the above men arranged their work so that they could be spared from the same for sufficient time to accomplish the setting out of these trees.

This experiment aroused considerable interest in this community and was given considerable publicity. Attached herewith please find articles appearing in the Hoquiam "Washingtonian" and the Aberdeen "World" on March 20; editorial comment appearing in the Aberdeen "World" on March 22; and a feature article appearing in the Hoquiam "Washingtonian" on March 24, 1929. It is felt that these articles cover the experimental planting sufficiently with the exception of perhaps one or two points.

The young trees were obtained from an area along the Olympic Highway in the vicinity of Ten O'clock Creek in Section 24-23-11. An area which had been cleared in the construction of the highway was very heavily seeded by neighboring Spruce trees, and the young trees came up as thick as grass over a considerable area. It is the plan of the highway department to widen the highway at this point, thereby destroying the young trees which in any event came up too thickly to ever be able to reach maturity. It would be possible to obtain a half a million such trees.

The area planted was on tribal land included within the Moclips Unit which was logged in the summer of 1923 by the Hobi Timber Company, and which has been very severely burned over.



As far as we know, this is the first planting of a tract of anything like an area of 30 acres with young trees that has ever been done in Grays Harbor County, although one or more private companies have been conducting experiments in broadcasting seed for several years. The area planted, which includes portions of the NWNW of Section 1; the NENE of Section 2, T20N R12W; and the SESW and the SWSE of Section 31, T21N R11W, contains approximately 30 acres and is bounded on the North and South by the Moberly mainline railroad and an abandoned spur which come to a point on the western end of the planted area, thus giving us fire protection on three sides of the planted area. The North Fork of the Moclips River flows through the center of the area planted, giving ample water in case of a fire. We certainly will use every possible effort to keep fires out of this area.

We plan to check up on this area frequently, and will keep records showing the growth of the trees, the number surviving, etc.

Under separate cover seven photographs taken during the progress of this work by Mr. Steer, are being forwarded to the Forestry Division of the Indian Office. A short description of the subject of each photograph is written on the back of each picture.

The original plan was to plant a much larger area, but because of the shortage of funds, the pressure of other work, and our inability to spare the men for any longer period from their regular work, we were able to plant only about 30 acres. It is hoped that next spring we may be able to plant a much larger area.

Very respectfully,

Henry B. Steer  
Supervisor of Forests

W. B. Sams  
Superintendent

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UNITED STATES  
DEPARTMENT OF THE INTERIOR

## Indian Field Service

Washington, D. C.,  
April 3, 1929.

Col. W. B. Greeley,  
Secretary-Manager,  
West Coast Lumbermen's Association,  
364 White-Henry-Stuart Bldg.,  
Seattle, Washington.

Cff

H-13

Dear Colonel Greeley:

I have your letter of March 27, 1929, regarding the four timber units recently advertised for sale on the Quinalt Indian Reservation. Although it had not occurred to me that I might have the pleasure of hearing from you, I had expected that some operators would question the advisability of offering additional timber at this time and that some of the lumbermen might present their protests to the Indian Office or the Department. As yet no protest has been presented so far as I am aware and as I understand your letter you do not wish it to be considered in that light. Under these circumstances I think it fitting that I reply to your letter directly rather than refer it to the Commissioner for a formal reply. To give you a complete picture of the situation I must deal with experiences, opinions and purposes that cannot fittingly be incorporated in a reply prepared for the Commissioner's signature.

When I first visited the Quinalt Indian Reservation in August, 1910, I learned that heavily timbered lands that appeared to be poorly adapted to any agricultural use were being allotted. Upon my return to the Washington Office in the autumn I presented my views as to the impropriety of allotting lands of this character. On subsequent occasions this view point was repeatedly presented. Eventually others took the same position and the allotting work was discontinued.

In 1915 we started the work of making a timber cruise and topographic map of the reservation and during the seasons of 1915-16-17 we covered the entire reservation and secured a very satisfactory topographic map which we hoped to use as a basis for future forestry work on the Quinalt. However, soon after the work was completed a large number of fee patents were issued to allottees holding lands south of Quinalt River, along the north bank of the River, and in the vicinity of Quinalt Lake. Presently the Indians having fee patents began to dispose of their holdings at very low prices and, to save the values that we thought should be realized for restricted allotments, several blocks of timber south of the Quinalt River and

one large unit north of it (the Quinalielt Lake Unit) were offered for sale. I always considered these sales premature from the standpoint of the development of the Quinalielt Lake district, because of the very large percentage of pulp material which it appeared at that time could not be utilized prior to 1935 and quite probably not until later. However, because of allotments, it appeared that the realizations from early sales would be greater than those that would be obtained through a delay of sales until the pulp industry could be developed in the Grays Harbor region. Many of the allottees in the southern part of the reservation were advanced in years or for other reasons had need of immediate financial assistance. It seemed necessary that prompt action be taken, irrespective of the theories that I, or others, might have as to the economic desirability from a national standpoint that sales await the development of the pulp industry. The high lumber prices of the post-war period resulted in an abnormal demand for Quinalielt stumpage and the market soon absorbed all stumpage south of the Quinalielt River in addition to the large unit north of the river.

A decision of Judge Edward E. Cushman in January, 1922, held that the Interior Department could not decline to allot certain land to one Tommy Payne, a Quileute Indian claiming rights on the Quinalielt Reservation, because of its contention that his selection was chiefly valuable for the timber thereon and was poorly adapted to agricultural use. This decision in the Federal District Court for Western Washington directed the issuance of a patent for the land that Payne had selected. The case was appealed to the Circuit Court of Appeals and thence to the U. S. Supreme Court, with the result that the decision in the District Court was sustained. This decision required that other Indians in a similar status be allotted on the Quinalielt. To date 777 Indians have been allotted subsequent to the Payne decision.

These allotments have taken the greater part of the timberland on the reservation. Two-thirds of the timber now being advertised in the four units is on allotments. Some of these allottees are in urgent need of funds; nearly all of them think they are. Some of them have applied for fee patents; more of them are sure to do so in the near future. The issuance of fee patents to scattered tracts and the acquisition of these by different owners would tend to depreciate the value of the different logging units by destruction of compactness and an increase in the development cost of each thousand feet of timber available to the purchaser of the timber that remained in a restricted status.

Two of the companies now operating on the Quinalielt Reservation will complete their present operations within two years. Naturally they look to the reservation for future supplies. If their present investments are not scrapped, with attendant economic loss to the

companies and the community, these companies will need to obtain a log supply either inside or outside the Quinalt Reservation. Under these circumstances it does not appear that the offering of additional timber on the Quinalt Reservation will lead to any material increase in the production of logs in western Washington. This matter was considered before any definite steps were taken toward the offering of the Lurch Creek, Joe Creek, Raft River and Cape Elizabeth Units. It did not seem that prospective increased returns from the development of more pulp mills would outweigh the loss of competition that might result if one or more of the present operators on the reservation should retire from that field.

By examination of the advertisements and contract forms for the four units which I inclose, you will note that the contracts all provide for terms of more than 20 years; i. e., until March 31, 1951; that they all contemplate the utilization of pulp material; and that provision is made for any increase in price that the market may justify. The contracts were prepared with a view to the encouragement of a sustained utilization program and at the same time a realization by the Indian allottees on holdings that could contribute to their economic welfare only through sale.

If the timberlands of the Quinalt Reservation could have been held as tribal property an essentially different program might have been worked out, and it was with this end in view that a substantial sum was expended on the cruise and topographic map more than ten years ago. The court decision that resulted in the allotment of more than two-thirds of the timber created a situation in which the early sale of a large part of the timber seemed unavoidable.

I appreciate very much the spirit in which you have approached this subject, and I have stated very frankly my views of the situation. Perhaps you will not be able to accept these views. Should you be inclined to express a protest to the Commissioner of Indian Affairs or to the Secretary of the Interior I suggest that you first visit Hoquiam. Mr. H. B. Steer, Supervisor of Forests, will be pleased to explain all details of the proposed sales and to take you into the timber area if you desire.

I greatly regretted your absence from the city when I called at your office late in September last.

Very sincerely yours,

J.P.KINNEY

## UNITED STATES

## DEPARTMENT OF THE INTERIOR

## Indian Field Service

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J.P.KINNEY

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 J. L. BRIDGE, MGR.  
 SOUND TIMBER CO.  
 R. W. CONDON, RES. AGENT  
 CHAS. R. MCCORMICK  
 LUMBER CO.

# Washington Forest Fire Association

Copy  
 Seattle, Washington  
 90-2-20  
 DEFENDANT'S EXHIBIT NO. 4-87  
 Court of Claims May 1, 1929  
 Docket No. \_\_\_\_\_

To Members:

At a meeting of the Trustees of the Washington Forest Fire Association, held April 9th, an assessment of 5 cents per acre was levied on holdings of members to defray expenses of forest patrol and fire prevention for 1929, of which 2 cents per acre was made payable during the month of May. Enclosed find statement of amount due on said assessment. We have based these figures on acreage you had listed last season, except where members have furnished us with corrected descriptions of their land. If statement is not in accordance with your present holdings, kindly correct to cover the acreage you now own.

Regarding the policy for carrying on the protection work during the fire season, no great deviations from former years are contemplated. Four new Lookout Stations are to be established at strategic points and the auto and foot patrol somewhat strengthened. It is intended to have the District Wardens and some patrolmen in the field at the beginning of May, and gradually increase the number of patrolmen as the season demands.

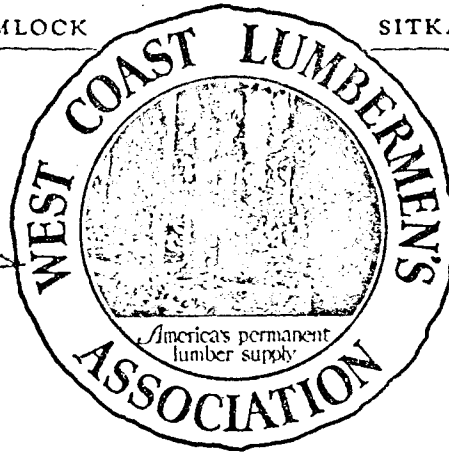
The protection of young forests and logged-off lands are yearly calling for greater attention and unless this is given the reforestation movement is retarded. Logged-off lands are subject to forest patrol assessment by the State. Over 800,000 acres of this class of land is now listed with the Association by members the same as their standing timber, and we trust all members will adopt this policy thereby providing funds for carrying forward the protection of this class of lands.

We are required to report to the State Supervisor of Forestry on all lands listed with the Association, and it is necessary for us to be in possession of proper descriptions in order to comply therewith. THEREFORE, KINDLY SEND US A PLAT SHOWING YOUR HOLDINGS, OR LEGAL DESCRIPTIONS OF SAME, INCLUDING LOGGED-OFF LANDS.

Very truly yours,

WASHINGTON FOREST FIRE ASSOCIATION





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

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April 8, 1929  
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90-2-20

DEFENDANT'S EXHIBIT NO. H-15

Court of Claims  
Docket No. \_\_\_\_\_

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

Dear Mr. Merrill:

Following our recent conversation regarding the large offerings of timber on the Quinault Indian Reservation, I wrote to Mr. J. P. Kinney in Washington, who has charge of the timber and forestry work of the Bureau of Indian Affairs.

I am enclosing Mr. Kinney's reply together with the material which he has sent regarding these sales. I would appreciate your returning Mr. Kinney's letter, to which I wish to reply; but retain any of the other documents that may be of any service to you.

In view of the information furnished by Mr. Kinney, particularly in respect to the individual allotments which embrace so much of this timber, I doubt if anything would be gained by following the matter up further by way of protests against these large offerings at the present time. These individual allotments have practically the same status as private holdings within the reservation; and I have known of other cases where they have prevented an orderly utilization of Indian Reservation timber land as a whole in line with the most desirable economic policy. They appear to constitute the main reason why the Indian Bureau feels compelled to put this quantity of timber, large as it is, on the market at the present time. However, their plan contemplates spreading the cutting-out over a period of twenty years.

Before replying to Mr. Kinney, I would appreciate your views as to whether any further step should be taken in an effort to defer these offerings, or a portion of them.

Sincerely yours,

*W. B. Greeley*  
W. B. Greeley,  
Secretary-Manager.

WBG:N  
Encl.

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## WASHINGTON FOREST FIRE ASSOCIATION

949 HENRY BUILDING  
PHONE ELIOT 1500  
SEATTLE, WASHINGTON

August 26, 1929

Official File Copy

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90-2-20

DEFENDANT'S EXHIBIT NO. H-92

Court of Claims  
Docket No.

To Logging Operators:

We have had a break in the dry season, and many of you will be preparing to burn your slashings.

Our experience leads us to the firm belief, that it is not wise to burn until the END of the next dry spell.

At that time the slashings will be dry and will burn readily, and if the fires are set when the rain is forecast, a clean burn can be obtained with but little danger. Preparations must, however, be made in advance, and when the time for burning does arrive, it must be taken advantage of immediately.

When you start to burn, it is advisable to set one fire first, and if it will not spread, do not set others to smoulder until a dry wind carries them out of control.

A fire to properly dispose of slash must burn freely -- at the end of a dry spell, the debris is very inflammable, and with a rain falling or obviously about to fall, fires can be set safely, if given a good start.

It is important to note, that it is not enough to set the edges of slash afire, but fires must be lit in the center to draw in from the edges.

Our Wardens are prepared to give all the assistance they can, if notified in time.

Yours very truly,

WASHINGTON FOREST FIRE ASSOCIATION

C. S. COWAN  
CHIEF FIRE WARDEN

PREVENT FOREST FIRES

COPY

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

Forestry  
6331-29

Taholah Indian Agency,  
Hoquiam, Wash.,  
June 18, 1929.

FORESTRY DATA READING FILE  
1925-32

The Commissioner of Indian Affairs,  
Washington, D. C.

Official File Copy	
Enclosures Files	
90-2-20	
DEFENDANT'S EXHIBIT NO.	<u>H-35</u>
Court of Claims	
Docket No.	

Sir:

In accordance with the provisions of the approved forms of advertisements and instructions from your Office, bids were opened at this office at noon to-day on the following units of timber in the Quinalt Indian Reservation: Raft River; Cape Elizabeth; Lunch Creek; and Joe Creek. Four bids were received, one bid on each unit, as follows:

- Lunch Creek Unit, bid by Ozette Railway Company at minimum advertised prices.
- Raft River Unit, bid by Aloha Lumber Company at minimum advertised prices.
- Cape Elizabeth Unit, bid by M. E. Smith Lumber and Shingle Company at minimum advertised prices.
- Joe Creek Unit, bid by Hobi Timber Company, \$3.75 per thousand for Spruce and Douglas Fir, all other prices bid were the minimum given in the advertisement.

The original bids are transmitted with this report, and the duplicate copies which were submitted are being retained in the files of this office. A certified check drawn in favor of the Superintendent of the Taholah Indian Agency accompanied each bid, and these checks are being held at this office pending instructions. The bids are in order, comply with the regulations, and the Office has been advised by wire that we recommend acceptance of all bids received.

Our reasons for recommending acceptance of the bids received to-day are as follows:

FIRST, We believe the prices bid to be a fair return to the Indian owners of stumpage under present conditions of the lumbering industry on Grays Harbor or for the past several years. All the contracts provide for the re-adjustment of stumpage prices every three years, and should conditions in the lumbering industry improve in the future, it will be possible to adjust the prices under contract provisions. It was hoped that outside competition would be obtained for this timber, and to our knowledge several concerns who are not now engaged in logging timber on the reservation sent cruisers over the proposed sale areas for an examination of the same. The Office is respectfully referred to our report of February 2, 1929 recommending these units for sale, especially to the portions of the report giving the percentage of the different species, the light stand per acre, and the approximate cost of logging operations. The new units contain a very

small percentage of Douglas Fir, there being none in the Cape Elizabeth, and relatively large amounts of Hemlock and Amabilis Fir, and as logging chances in this locality can certainly not be classed as especially desirable. The fact that no outside bids were received, in view of the provisions of the contract which made such bids possible, leads us to believe that those concerns who are not now operating on the reservation who had the sale areas examined came to the conclusion that they were not sufficiently desirable to bid on. We believe that when all pertinent factors are taken into consideration, including the species and density of timber, the nature of the ground, and the condition of the industry generally, that the prices bid represent fair values for the timber.

SECOND, We believe that the big majority of the Indians whose allotments are included in the sale areas are in favor of the sale of their timber. We have been unable to give as much time to the securing of powers of attorney from allottees as perhaps should have been done under the circumstances, because of the illness of the Superintendent, which has been of almost a month's duration, and also because one of our Senior Forest Rangers underwent an operation which necessitated his absence for a like period. With regular work and preparation for the forest fire season, the time which we could spend in seeing individual Indians has been limited, for the majority of them live in out of the way places which requires that fairly long trips be made to interview them. However Powers of Attorney have been secured for over three hundred allotments, and it is our opinion that the large majority of the remaining allottees will execute Powers of Attorney for the sale of their timber fairly promptly after the bids have been accepted. The Office is respectfully advised that many of these allottees are urgently in need of the funds which will accrue to them from the sale of their timber in these sale areas. Especially is this true of the Quileute Indians living at LaPush. We made a trip to LaPush, and in spite of the fact that several of the Taholah agitators visited LaPush before we did and advised the LaPush Indians not to consent to the sale of their timber, every Indian at LaPush who had timber included within the proposed sale areas signed a Power of Attorney after we had met with them and explained the provisions of the contract to them. It took us less than twenty four hours to obtain the signatures of approximately two hundred LaPush Indians.

The only opposition which we expect to develop against these sales will be on the part of a few Taholah agitators who have opposed every sale of timber made on the Quinalt, and a few outside allottees who are of mixed blood. In the eight timber sales which have previously made every allotment, to the total number of 640, is under contract. We believe the big majority of the Indians realize that they obtain more for their timber when the same is sold in large bodies, and that they are in favor of these four sales being made.

THIRD, We do not believe that the present sales should be held up because of the possibility of the construction of a common carrier railroad through the Quinalt Indian Reservation. While we believe that a common carrier railroad

through the reservation to the Hoh River would be of great benefit to the Quinalt Indians and to the entire Grays Harbor community, yet the Interstate Commerce Commission has not as yet held a hearing on the application of the N. P. and U. P. railroads to construct such a line; the date of the hearing has not been set; and there is very strong opposition against the building of such a railroad. We have received bona fide bids from responsible companies for the units of timber after due and wide advertisement, and we believe that the prices bid represent fair value for the timber. If these bids are not accepted and the common carrier is not built, we doubt very seriously if we will be able to obtain as good prices within the next few years, and in the meantime one or more of our present operators, having completed the logging of the timber they now have under contract, will scrap their present investments for lack of timber, and would not be in the market for additional units. On the other hand if these bids are not accepted and the common carrier railroad is built, it is doubtful, or at least problematical, if this timber could be sold at any higher stumpage prices than we have obtained as a result of the recent advertisement. Three out of the four bidders ship their logs now over the Northern Pacific; any outside concern would have to do the same; and the fact that the units contain in the main undesirable, scattering timber mostly of inferior species would still remain. Again if these bids are not accepted, it is certain that a large number of allottees will apply for and obtain fee patents to their allotments which they will sell for a fraction of their true value. The Office is respectfully requested to refer to our report of February 2, 1928, and to a report by Steer under date of October 2, 1928. The issuance of many fee patents and the subsequent sale of the same, which is sure to follow, will result in making the units of timber less desirable and will depreciate the value of the remaining timber.

FOURTH, Due to the provisions of the approved form of contracts for all of the new sales under consideration, and to the fact that the bidders are all concerns now operating on the reservation, no appreciable difference will be noted in the Grays Harbor Log Market insofar as the volume of logs received is concerned, and we are hopeful that arrangements can be made for the disposal of pulp material not only from the new sale areas before operations therein get under way, but also from the uncut portions of sale areas previously sold. A considerable amount of work toward the building of a new pulp mill has been done by the Aloha Lumber Company, and both the Hobi and Smith Companies have signified their entire willingness to remove pulp material from the reservation when and if a new pulp mill is obtained. We are working with a committee from the Hoquiam Chamber of Commerce, which is communicating with several pulp mills with the view to establishing a new pulp mill on Grays Harbor and are very optimistic of results. We believe that in view of the attitude of the Aloha, Hobi, and Smith Companies with regard to the removal of pulp material, and in view of the contract provisions which make the removal of such pulp material possible, that the approval of the bids received to-day will be a very strong factor in bringing a new pulp mill to

Grays Harbor, for the three concerns just mentioned, can, if their bids are accepted, guarantee a pulp company a supply of raw material for the next thirty <sup>25</sup> years. This is a very important factor, for we are informed that the question of a constant supply of raw material is one of the reasons why additional pulp plants have not located on Grays Harbor.

The Office is probably aware that the Polson Logging Company and the Ozette Railway Company are furnishing the new Zellerbach Pulp mill on Grays Harbor with the bulk of its raw material. The Ozette Railway Company removes a great deal of Hemlock, unmerchantable for logs, from the Quinaltolt Lake Sale area now, and will undoubtedly continue to do so from the Lurch Creek Unit if their bid for that unit is accepted.

FIFTH; We do not believe that the approval of the bids for the four units of timber under consideration will in any way interfere with the building of a common carrier railroad across the reservation if a careful study and analysis of the situation is made. Three out of the four concerns now operating on the reservation, who have also bid on the new units, ship the majority or all of their logs over the Northern Pacific now. The Hobi Timber Company ships all their logs over the Northern Pacific, and both Aloha and Smith ship all of their logs except the Cedar that they manufacture at their single mills over the same railroad. If the N. P. and U. P. extend through the reservation to the Moh, these three concerns will continue to ship their logs over the common carrier, and due to the zone rate on logs will deliver their logs to the common carrier at the closest point to their operations. The tariff on logs is as follows:

10 miles or less - - - -	\$1.75 per m ft
10-15	1.95
15-20	2.10
20-25	2.20 <sup>0</sup>
25-30	2.275
etc. increasing by five mile zones and 7 <sup>2</sup> / <sub>100</sub> per zone to	
90-95	3.25
95-100	3.30
etc increasing by five mile zones and 5 <sup>1</sup> / <sub>100</sub> per zone to	
200 miles	4.30

From Aloha to Grays Harbor is in the 20-25 mile zone. If Aloha should ship all the logs from the Paft River over the N. P. at a point approximately in the center of the unit, a distance of thirty miles would be added to the haul which would increase the charge to \$2.65 per M or an increase of 45<sup>1</sup>/<sub>100</sub> per M. Aloha cannot operate and maintain thirty miles of private railroad for 45<sup>1</sup>/<sub>100</sub> a thousand feet. Mr. Carlson, majority owner of the Hobi Timber Company, told us that he had told Mr. Donnelly, President of the Northern Pacific Railroad that if the N. P. was extended that he would scrap his mainline and use it to build spurs to the N. P. extension and would ship his logs over the N. P. at the point nearest his operations, and we see no reason why Aloha and Smith should not do the same.

In conclusion we recommend the approval and acceptance of the bids Submitted because:

1. We believe the prices bid to be fair values for the timber.
2. Many of the allottees are urgently in need of funds, and we believe the majority will execute Powers of Attorney for the sale of their timber because they are in favor of such sale.
3. We do not believe the sales should be postponed because of the possibility of a common carrier railroad being built across the reservation and are doubtful if any greater prices would be obtained were such railroad built.
4. We believe that the acceptance of these bids will stimulate the establishment of additional pulp mills on Grays Harbor through making available a large supply of pulp material.
5. We do not believe that the approval of these sales will interfere in the building of a common carrier railroad across the reservation.

Very respectfully,

W. B. Sams  
Superintendent

Supervisor of Forests

Taholah Indian Agency,  
Hoquiam, Wash.,  
June 18, 1929.

The Commissioner of Indian Affairs,  
Washington, D. C.

Sir:

We feel, and Superintendent Sams is of the opinion also, that we should report to the Office that at the opening of bids to-day at noon at this office on several timber sale units that a disturbance was created and serious charges made by David Baker, a white man who married Ellen Baker, Quinaliet allottee #925. The opening of the bids was attended by several timber buyers, representatives of the press, members of the Hoquiam Chamber of Commerce, and several Agency employees. David Baker, Stuart H. Elliott, and D. H. Rowland also attended.

After bids were opened, Mr. Baker came to the desk at which the Senior Clerk was seated and demanded the envelopes in which the bids were submitted that his attorney (Mr. Elliott) might examine them. He was allowed to see the envelopes and took them across the room to Mr. Elliott who put in them in his pocket and started from the room. We told him that those envelopes were a part of the records of this Agency and could not be taken from the room. He refused to give them up but did surrender them just as we were about to phone the police. Whereupon Mr. Elliott and Mr. Baker both stated that the timber sales were "cut and dried" before-hand, and that employees of this Agency were in collusion with the timber companies to defraud the Indians.

While this matter may seem of small importance, it is reported to the Office as evidence that certain parties are continually stirring up trouble among the Indian wards of the government through making serious charges against employees which cannot be substantiated.

Very respectfully,

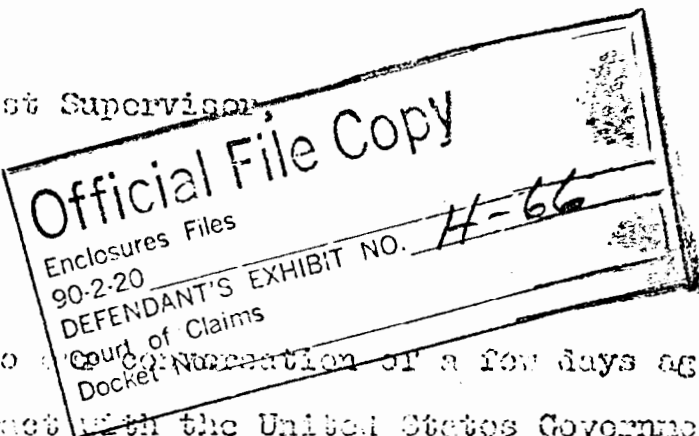
Henry B. Steer  
Supervisor of Forests

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90-2-20	
DEFENDANT'S EXHIBIT NO.	<u>H-36</u>
Court of Claims	
Docket No.	



Oct. 17, 1939

Mr. H. L. Hawk, Forest Supervisor,  
Olympia, Washington.



Dear Sir:

Referring to our conversation of a few days ago; when we entered into a contract with the United States Government for the removal of certain timber in Sections 4- 5 & 6 in Township 50 North, Range 11 West, it was our intention to start logging this timber at the earliest possible date. Unfortunately we had two very severe fires in 1938 and these fires slowed up our operation and prevented our starting to log the Government timber as early as we intended. Then Mr. Benjamin, our logging superintendent, died in the spring of 1939 and that still further slowed up our operation. We are now going forward with the construction of our railroad line into the Government timber, but it is going to be impossible to cut and remove all of the timber by the time specified in the contract, and we are, therefore, asking you to kindly arrange for an extension of the time for cutting and removing this timber. It is our understanding that the periods of cutting are for three years each, and while we hope to be through cutting the Government timber long before that time, we will appreciate an extension of a three year period.

10/17/29 H. L. Plumb . . . . . #2

Thanking you for your many courtesies,

we are

Yours very truly,

MERRILL & RING LUMBER CO.

By

T. J. JONES: M

Secretary

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UNITED STATES DEPARTMENT OF AGRICULTURE  
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OLYMPIC NATIONAL FOREST



ADDRESS REPLY TO  
FOREST SUPERVISOR  
AND REFER TO

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

OLYMPIA, WASHINGTON  
December 20, 1929

Merrill & Ring Lumber Co.,  
920 White Building,  
Seattle, Washington.

Gentlemen:

Further reference is made to your letter of December 17.

The District Forester does not consider it advisable to grant an extension of time at this early date since this sale does not expire until December 31, 1930. However, he states that he does not see any reason why a reasonable extension cannot be granted next fall. Extensions of this kind are frequently granted, and I do not believe that there will be any difficulty in extending the time next fall. This extension will undoubtedly mean that it will be necessary to reappraise the timber. However, that matter has been talked over with Mr. Jerome, and he indicated that this would be satisfactory.

Very truly yours,

H. L. PLUMB,  
Forest Supervisor.

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90-2-20	
DEFENDANT'S EXHIBIT NO.	H-60
Court of Claims	
Docket No.	

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