



INLAND EMPIRE PUBLIC LANDS COUNCIL **TRANSITIONS**

Working for Sustainable Forests and Diversified Economies in America's Pacific Northwest

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Forest — Stealing

1897 — 1997

A Hundred Years of Logging in the National Forests



Jeff Green for The New York Times

Environmentalists predict a fight in Congress over a measure on the financing of logging roads in national forests. These roads, in the Coeur d'Alene National Forest in Idaho, access areas that have been cleared of trees. (New York Times article, pages 4-5)

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1897 – 1997

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Forest – Stealing: A Hundred Years of Logging in the National Forests

by John Osborn, M.D.

“Thou shalt not steal.” Exodus 20:15

Forest-stealing has been a catalyst for establishing and reforming the National Forest System. This year, June 4 marked a hundred years of logging in the National Forests. Logging that began in 1897 – intended to help settlers – has come to mostly benefit the “iron triangle” of timber corporations, politicians, and government bureaucracy. The Coeur d’Alene National Forest in north Idaho is a poster child of what went wrong.

The railroad land grants, Timber and Stone Act, and other land laws of the 1860s and 1870s led to rampant forest-stealing. Congress tardily responded in 1891 by giving Presidents the power to protect public forests.

President Benjamin Harrison proclaimed the first Forest Reserves (later called National Forests) adjacent to Yellowstone National Park in 1891. By 1897 Harrison and Grover Cleveland had expanded the Forest Reserves to 20 million acres. Congress had not decided on how these forests would be managed. Then on Washington’s Birthday, Grover Cleveland proclaimed 13 new Forest Reserves covering 21 million acres. Congress reacted by undoing the so-called “Washington Birthday Reserves” by using one of many “riders” attached to the Sundry Civil Appropriations Bill. Cleveland, an outgoing president awaiting the arrival of President-elect William McKinley in D.C., threw this budget bill on the floor saying, “I’ll be damned if I sign the bill.”

Cleveland’s veto left the federal government without a budget. McKinley called the Congress into a special session. McKinley signed the new budget bill on June 4, 1897. Attached to this budget bill is the rider that opened the National Forests to logging. This rider is variously called the “Pettigrew Amendment” or “Organic Act”. A far greater threat to the forests was a clause allowing railroads, timber, and mining companies to exchange cutover, commercially valueless lands within the Reserves for public lands elsewhere. Their reach for National Forests would come decades later.

Forest-stealing continued. In 1904-1905 hundreds of people including government officials and leading businessmen were indicted for stealing forests. Three of the four politicians representing Oregon and Washington were indicted. Senator Mitchell of Oregon was convicted and sentenced to six months in prison. The Oregon land fraud trials further aroused public concerns about the future of the forests.

In 1905 Congress passed the Transfer Act shifting responsibility for the Forest Reserves from the corrupt General Land Office to the fledgling Forest Service. President Teddy Roosevelt created new National Forests totaling over 100 million acres — over half of the current system. Roosevelt’s bold action to thwart timber syndicates worked — but only for a while. Beginning during W.W.II, corporations began running out of corporate timber and reached for the National Forests. This latest chapter of forest-stealing is revealed in the wreckage of the Coeur d’Alene National Forest in north Idaho.

In conservation, as in medicine, post mortem exams teach valuable lessons. The “autopsy” of the Coeur d’Alene’s North Fork river ecosystem shows about 7,000 miles of logging roads; 10 road miles per square mile of forest (up to 20 and 30 road miles in some areas); massive clearcutting deceptively hidden behind “beauty strips”; a river filled with rubble; bull trout extirpated; cutthroat trout nearly extirpated; 100 - 200 year floods every 2-3 years; and toxic floods that move millions of pounds of lead and other mine wastes into the lives of the half million people who live downstream. Taxpayers subsidized the destruction of this watershed — and will spend millions of dollars trying to restore the massive damage.

As America shamefully ends a century of logging in the National Forests, the Coeur d’Alene National Forest is a gut-wrenching reminder of good intentions gone bad. Reforming the Forest Service, campaign financing, corporate responsibilities, and perhaps just ending commercial logging in the National Forests are options that may end an era of forest-stealing in America that has lasted far too long.

(1) Coeur d'Alene National Forest: Poster Child

National Report

The New York Times

FRIDAY, MAY 23, 1997

Quiet Roads Bringing Thundering Protests

Congress to Battle Over Who Pays to Get to National Forest Trees

By CAREY GOLDBERG

COEUR d'ALENE, Idaho — They are only pretty little forest roads, after all, the kind that inspired Robert Frost, the kind that bring memories of bumping happily over canopied ruts on a bike. Or family outings jouncing by car past lacy walls of birches to a beloved pond or hunting ground.

But in the current battle over logging in the country's national forests, woodland roads have nowhere near so innocent a mien.

Logging roads, especially here in the Pacific Northwest, are increasingly blamed for contributing to landslides, floods like those threatening parts of Idaho, and changes in rivers and streams like those that have devastated fish stocks in rivers and lakes around this town in the Coeur d'Alene (pronounced kur da LANE) National Forest.

The cost of building roads is also increasingly cited as the reason that many national forests lose money on timber sales. And the dirt roads so web the country's woods, with more than 380,000 miles nationwide — enough to circle the globe

nearly 15 times — that here in Idaho, one square mile of forest can be riddled by as many as 20 miles of roads.

"We're concerned about the road network we have and the fact that it's two and a half times the size of the national highway system, which is amazing," said Jim Lyons, the Agriculture Department Under Secretary who oversees the Forest Service. "Our No. 1 water quality problem in the National Forest System is roads."

The opposition to logging roads has reached the point, some national conservation groups say, that they expect it to spark one of the biggest environmental fights in Congress this session.

"This is going to be a pretty big showdown," said Marty Hayden, senior policy analyst for the Sierra Club Legal Defense Fund, of a proposed amendment that would slash money for the roads.

The amendment, offered by Representatives Joseph P. Kennedy 2d, a Massachusetts Democrat, and John Edward Porter, an Illinois Republican, would prevent the Forest Service from using taxpayer money to build roads in national forests. The measure has

support from both environmentally inclined lawmakers and fiscal conservatives who oppose corporate subsidies, joined in an alliance known as the Green Scissors.

The timber industry and its allies are fighting the measure, saying that construction of the roads has dropped significantly — to 463 miles in 1996, at a cost of \$74.3 million, from 1,311 miles in 1991, at a cost of \$140.9 million.

The American Forest and Paper Association, an industry group in Washington, D.C., also challenges the assertion that the Government has been misspending money for logging roads. Frank Stewart, the group's spokesman, said a recent Price-Waterhouse report commissioned by the association found "that, no, this is an efficient and effective way to fund road reconstruction" in national forests.

The Forest Service has obliterated more than 18,000 miles of roads in the last six years while just 4,575 miles of roads were constructed, the Price-Waterhouse report noted.

The Clinton Administration is taking something of a middle position, Mr. Lyons said, requesting only a small amount for new roads in comparison to what it is asking for maintaining, reconstructing and obliterating logging roads in the national forests.

But the Administration is also, for the first time, pushing for the abolition of the program under which timber companies subtract the cost of road-building from the price they pay for the trees they log in national forests, called the purchaser credit plan.

As the road fight plays out in Congress, environmentalists here in the Idaho Panhandle and in eastern Washington, where national forests are some of the most heavily roaded in the country, say they will be watching with the trepidation that stems from a firsthand knowledge of the damage roads can do.

"The roads have largely destroyed the Coeur d'Alene River here; the river has died a death of a thousand cuts," said John Osborn, founder of the Inland Empire Public Lands Council, a forest conservation group in Spokane, Wash. "This is the worst case of watershed damage in the National Forest System."

Roads damage ecosystems in several ways, scientists say, and when heavy road-building is combined with cutting all the timber in an area known as clear-cutting, the result is a one-two punch.

Trees absorb water. When they have been cut, more water flows down slopes like those that dominate the Coeur d'Alene National Forest. When roads wash out, the scientists say, they dump rocks and soil on lower slopes and into streambeds; even when they remain intact, roads act as channels for water and contribute further to the erosion of lands and streams. The overall effect is that the streams and rivers fill with silt, the scientists say, and the shallower waters mean ruined fish habitats and more flooding.

"It took only one-half the water in 1996 to cause the same damage as the floods in 1974 because the river flooded so much

more easily," said Barry Rosenberg of the Inland Empire Public Lands Council.

Roads reduce the complement of fish species in an area, said Chip Corsi, a biologist at the Idaho Fish and Game Department. Researchers have found that as little as 1.7 miles of roads per square mile of forest have that effect, Mr. Corsi said, adding, "And here we have from 4 to

Is logging in the National Forest System worth the environmental costs?

10 to 15 to up to 20 miles of road per square mile—so it's extreme."

He added that roads can also hurt some forms of wildlife by opening their areas of the forest to other species, whether noxious weeds or human beings.

But the greatest damage roads do, Mr. Corsi and others said, is to watersheds, and warnings to that effect have been coming from scientists and environmentalists for decades. The heavy flooding in the Northwest in 1996 — including landslides that cost several lives — focused particular attention on the perils of forest roads.

Last June, the proposal by Representatives Kennedy and Porter that the Government stop reimbursing the timber companies for road construction lost by just one vote in the House. The new head of the Forest Service, Michael Dombeck, said when he was appointed in February that the national forests' roadless areas should be preserved.

The construction of roads in the national forests has already shrunk significantly.

Mr. Lyons said that under the Forest Service's current proposed budget, it would build only 8 miles of new roads and timber purchasers would build an additional 300 miles, of which 132.6 miles would be in currently roadless areas. More than 2,000 miles of road would be reconstructed.

Even that is too much for environmentalists, who argue that the money should be spent on repairing old roads to minimize the damage they cause.

According to calculations by Public Employees for Environmental Responsibility, a whistleblower group of Federal, state and local workers in resource management, the Forest Service loses millions of dollars each year on timber sales; in extreme cases, the group says, road building can cost the agency \$1,000 for just \$100 worth of timber. But the cost of building roads and the price of timber vary tremendously.

In areas like the North Fork of the Coeur d'Alene River here, state employees worry that there is not even enough money in the budget to maintain the roads that exist, let alone to obliterate them.

Viewed from the air, the forest is so ringed and edged and swirled with roads that in places it looks patterned in paisley. It is because of areas like this that the discussion in Congress is expected to be so charged.

"Part of the problem," Mr. Lyons said, "is trying to sit down and explain to people what you need in terms of road maintenance and reconstruction and obliteration to protect the resource — to deal with salmon habitat and things that matter in the Northwest. There is this perception all the money we request for roads goes into building new roads."

The New York Times, National Report, Friday, May 23, 1997

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(2) 1891 Preserving Forests and Waters

Centennial of forest lands celebrated

By **JEFF BARNARD**
The Associated Press

GRANTS PASS — When the first national forests were created in 1891, conservationists were worried that the unchecked westward march of cut-and-run timber barons would leave the nation without lumber, water or wildlife.

This year, the U.S. Forest Service celebrates the centennial of the lands under its care — and environmentalists still are worried. Logging in the national forests continues, and they say wildlife is imperiled.

"It is so bitter, and so ironic," said Brock Evans, National Audubon Society vice president for national issues. "They are liquidating it all slower in the Forest Service, with a lot more bureaucracy, but they are liquidating it nonetheless. The arguments are all the same."

The echo of the century-old battle is particularly loud in the Pacific Northwest, home to the biggest timber producers in the national forest system and the northern spotted owl, which has turned the timber industry upside down since it was declared a threatened species last year.

"Eighty years ago, we didn't understand what we were doing would lead to the gray wolf's extinction from Oregon, to the grizzly bear's extinction from Oregon. The difference now is we are able to study and understand the results of our management a lot better than before," said Andy Stahl, forester for the Sierra Club Legal Defense Fund in Seattle, a leader in court battles to protect the owl.

The forest centennial, being celebrated across the country this summer dates from March 3, 1891, when Congress passed the Forest Reserve Act.

Within three weeks, President Benjamin Harrison created the Yellowstone Park Timberland Reserve, 1.2 million acres around 19-year-old Yellowstone National Park. It was followed the same year by the White River Plateau Timberland Reserve in Colorado. More reserves followed in

1892 in Alaska, Washington, Oregon, California, New Mexico and Colorado.

Though it drew little attention at the time, historians now point to the act as a turning point in the national policy on public land: Instead of selling it or giving it away, the government began to hold land in reserve.

The act was born of a mood that began to develop in 1864, when George Perkins Marsh wrote in his book "Of Man and Nature" that too much logging in his native Vermont had damaged the landscape and hurt fish and wildlife.

To feed a growing nation, 190 million acres of forest were cleared for farms between 1850 and 1910, equivalent to all the lands now in the national forest system.

"The villain of the modern world, the automobile, took a huge amount of pressure off our forests, because we don't have to feed all those horses," said Doug MacCleery, a Forest Service assistant director of timber management. "Almost a third of agricultural land was devoted to feeding horses and mules. Once that pressure was taken off, we didn't need to clear it."

The Forest Reserve Act came at a pivotal time: two years after the Oklahoma land rush turned loose the Sooners in lands once set aside for Indians and two years before Frederick Jackson Turner told the Columbian Exposition in Chicago that the American frontier was gone, erased by settlement.

Western politicians fought unsuccessfully to cut back the president's new preservation powers, afraid they were being robbed by liberal Easterners of timber, grazing lands and minerals they had earned by trekking across the nation.

Under President Teddy Roosevelt, an avid outdoorsman, the growth of national forests peaked by 1908. One political cartoonist at the time drew Roosevelt as a barber shaking his Forest Reserve Tonic on the sparsely timbered pate of Uncle Sam and remarking, "It's getting thin on top."

The U.S. Forest Service was created in 1905 to run the preserves and now oversees 156 national forests, 19 national grasslands and 71 experimental forests covering 191 million acres.

Norman Maclean described working on what was then the Selway Forest in Montana during the service's early days in his short story "USFS 1919: The Ranger, The Cook and a Hole in the Sky."

"It was a world of strings of pack horses or men who walked alone — a world of hoof and foot and the rest done by hand," he wrote.

"Nowadays you can scarcely be a lookout without a uniform and a college degree, but in 1919 not a man in our outfit, least of all the ranger himself, had been to college. They still picked rangers for the Forest Service by picking the toughest guy in town. ... As for uniform, our ranger always wore his .45 and most of our regular crew also packed revolvers, including me."

The main jobs of Maclean and his colleagues were running off timber poachers, building trails and fighting forest fires that some years scarred 50 million acres.

Today's rangers are a different breed. They use computers, four-wheel-drive vehicles and a library of environmental laws to seek a delicate balance among competing interests under a creed known as multiple use.

Last year, 263 million people visited national forests from Alaska to Puerto Rico to camp, hunt, hike and fish. The forests also contain 47 per cent of the nation's softwood timber, 200 species of plants and animals protected by the Endangered Species Act, and 80 percent of the nation's wilderness.

The harvesting of the national forests is not new, though these lands did not become a big contributor to the nation's timber supply until after World War II. They now account for 23 percent of the nation's lumber and plywood.

Responding to the growing public concern for the environment, the Forest Service has begun reordering its priorities, pushing recreation and wildlife higher and timber lower. The agency had been planning to sell less timber from national forests even before the spotted owl controversy.

That the dispute even exists is a tribute to the founders of the national forests, said John Hendricks, coordinator of the centennial celebration.

"Irrespective of how the Forest Service is managing the national forest system," he says, "the fact is that 100 years ago, we were given the options that we have today, to discuss and explore whether we want more wilderness, whether we want more land for endangered species, more recreational options. It would all be moot if it had gone into private ownership."

And he poses a simple question: "Can you imagine someone setting aside almost 200 million acres today?"

The Oregonian, Portland, Oregon
August 11, 1991

BOGUS PINE LAND SETTLERS.

HOW WEALTHY LUMBERMEN GOT AHEAD OF HONEST SETTLERS.

MILWAUKEE, Wis., Jan. 23. — On the Saturday preceding Christmas large tracts of valuable pine lands were thrown open to settlers by the Government. A line of claimants stood in the cold for forty-eight hours and had their meals brought to them, while they postponed sleep, in order to secure titles. The militia was called out to preserve order.

After the rush was over stories were told to prove that officials gave their friends and relatives the preference in the allotment of lands. Now it is claimed that, upon tracts where the pine is most plentiful, there are anywhere from a dozen to twenty claimants, and that the squatters are generally the employees of wealthy lumbermen, who are working upon salary and who in some cases are going to get a small bonus for securing a title to the pine from which the bosses will get the lion's share of the profit.

There are thirty to forty former employees of ex-Congressman McCord who have become squatters. Nearly one hundred employees of Brown Brothers are occupying similar positions. McCord's brother, from Chippewa Falls, is credited with a crew of half a hundred title earners. Most of these men are single people, who can make their home upon their claims and at the same time continue in the employ of the speculators who will eventually market the pine. It is a matter of indifference to them whether the question of title is settled in six months or in sixty years.

The New York Times, January 24, 1891
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The New York Times

EDITORIAL

What with fires and thefts, one of the most valuable items of the Nation's property, its timber, is fast disappearing. Seventy forest fires within a year in Yellowstone Park alone, making the most disastrous record in its history, give a clue to what is going on elsewhere, because there a Superintendent is stationed with a large force to prevent and to check fires. It can be imagined what occurs where there is nobody to count up these sources of ruin, to say nothing of restricting them. As to the deliberate plunder of the public timber, the Land Office says that the existing laws are quite inadequate to prevent it, although more than fifty agents are employed for the purpose. With over 300 cases of trespass reported for the year, involving more than \$3,000,000, from which the Government received about \$100,000, the magnitude of this marauding is obvious. It appears that a regular Winter campaign has been ordered against Canadians who have steamers engaged in carrying off the valuable timber which they cut in our forest. The chief scene of their operations is Rainy River, a part of the boundary between Minnesota and Canada, which empties into Lake of the Woods, and with the dense woods on its banks is finely adapted for these depredations. Another source of loss is the act of 1878 which vaguely allows certain persons to "fell and remove timber on the public domain for mining and domestic purposes," and which has been greatly abused.

The New York Times, December 10, 1890
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EDITORIAL

The current number of *Garden and Forest* contains an article, evidently from a well-informed and authoritative source, explaining the bill now before the House for the enlargement and maintenance of the Yellowstone Park. The enlargement, it appears, is needed not only by reason of the number of picturesque national features it would add to the park, and thus preserve, but also and especially for the sake of preserving the forests which protect the main feeder of the Yellowstone Lake and Snake River. With the diminished water supply that would follow the clearing of these forests, it is explained, the "grand scenic effects of the park would be wholly wanting. The geysers, hot springs, and waterfalls would be despoiled of their charm." The opposition to the bill comes from a small lobby interested in a corporation that is trying to run a railroad through the park. Obviously, no railroad should be permitted in the park, or can be admitted without danger. The ostensible object of this corporation is to reach the mines to the northeast of the park — the object which the friends of the bill are willing to attain by readjusting the northeastern boundary of the park. To this the corporation objects because any railroad may now be built to the mines in question. That is, it desires a monopoly. It is to be hoped that an opposition so greedily selfish will have no weight in the House.

The New York Times, December 11, 1890
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Forestry Almanac, 1933 edition

WHILE THE WATCHMAN SLEEPS



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Plum Creek Timber Company clearcuts, north Idaho. June 1989.

Railroad land grants resulted in widespread corruption and forest – stealing.



© Gerry Snyder

Potlatch. Floodwood forest region of the Clearwater River watershed in Idaho, 1992. In Idaho during the early 1900s the Weyerhaeuser syndicate's agents used "Mt. Rainier script" to gain control of valuable public forests.

The New York Times – Editorials

VETO!

The Sundry Civil Appropriations bill invites a veto as wickedness invites chastisement. It is a robber bill, swollen to proportions of extravagance by the old dodge of log-rolling. It has been pointed out that every member of the committee gets about \$400,000 for his constituents by its provisions. The total is \$51,000,000, the largest item being a wasteful river and harbor appropriation of \$17,000,000.

The bill ought to be vetoed on the ground that it provides for a waste of the public money at a time when rigid economy should be observed. But there is another reason. It was amended on Sunday night at the instigation of some public enemy in such a way as to provide for restoring to the public domain and opening to settlement the 21,000,000 acres set apart as a forest reservation by the President's order of Feb. 22.

Vandals would legislate in that way if they legislated at all.

A veto will leave the bill to be shaped anew by the next Congress in its extra session. It is to be hoped and expected that some of the prodigality and all the vandalism would be cut out before it was again sent to the Executive.

The New York Times, March 3, 1897

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THE FOREST RESERVATIONS

It is much to be regretted that any Senators should favor the revocation of the proclamation of President CLEVELAND establishing the forest reserves. The proclamation has been criticized for being too sweeping and for including tracts that it was desirable to leave open to settlement. But it is to be remembered, in the first place, that, whereas the order was disinterested and public-spirited as well as issued after the taking of the very best advice, the criticism is interested and private-spirited. In the second place, if it should appear that mistakes were made in the scope of the order, it is easy to correct them in detail without endangering the great public work which the order promoted. But those who are at the same time best informed and most disinterested insist that the order is not in any respect improvident, that it does not violate the rights of any settler, and that it is only great mining corporations which object to it upon the ground that it threatens to diminish the profits they have been deriving from the unrestricted cutting of timber on public lands.

It is even more to be regretted that the opposition to the order should have found expression, not in a proposal to repeal it, which

could be met and discussed on its merits, but in the form of a rider on an appropriations bill. That is the form which the proposition takes. The repeal of the proclamation is the object of the Clark amendment to the Sundry Civil bill, which has been favorably reported to the Senate from the Committee on Appropriations. This is an especially mean way of endeavoring to defeat a measure of great public benefit, because it puts upon the President the responsibility of bringing a great part of the public service to a standstill or of sanctioning what he may regard as a wrong. The fact that the Senatorial allies of the depredators upon the public domain have taken this method of coercing the Executive confirms the report that President MCKINLEY, like President CLEVELAND, and like President HARRISON before him, is in favor of the policy of forest reservation. Unfortunately, if a sense of public duty does not restrain the Senate from taking such a course, there is nothing else to restrain it in the present condition of the law. It would be effectually restrained if the power which has been so beneficently bestowed upon the Governor of New York — of vetoing items in an appropriation bill without killing the measure — were extended to the President. As it is, if the amendment passes the Senate, the friends of forest reservations must rely upon the superior patriotism of the House to thwart the effort to subject the President to moral blackmail in the interest of the depredators.

There is another aspect of this matter which presents the action of the Senate committee in a light at least equally unfavorable. That is the fact that the committee of the National Academy of Sciences, appointed at the request of the Secretary of the Interior last year, has notified the present Secretary that its final report, with a bill embodying its conclusions, is in preparation and will soon be submitted to him. The measures it proposed for the protection of the forests and the safeguarding of all legitimate interests have already been communicated to him in outline by a letter dated April 5 and published in the current issue of *Garden and Forest*. The report will form the necessary basis for any intelligent discussion and any just settlement of the question. The attempt of the Committee on Appropriations to forestall such a discussion and to prevent such a settlement is suspicious as well as indecent.

The New York Times, April 16, 1897

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THE FOREST RESERVE

When the Sundry Civil bill was before the Senate it was said that President CLEVELAND had been satisfied, after he had made the order creating the forest reservation, that it was too sweeping, and that he would have modified it if he had been clear about his power to do so. However that may be, the question presented by the Senate's amendment is not at all the question whether the order ought to be modified. It is a revocation of the power under which President CLEVELAND acted and makes it impossible for any President to take any steps for the protection of the forests during a generation to come. At the end of that time the prospect is that the mischief will be irreparable. The Senate amendment permits the settlers in the region affected to destroy the forests as fast as possible. The rate of destruction will be accelerated by the enactment of a heavy tax on foreign lumber, which will of course act as a protection and bounty to the home industry of running through our heritage. No reasonable and patriotic person can desire this result or can look forward to it except with pain. Really nobody seems to be so far gone as to approve of it, except a few far-Western

Senators, who seem to be blinded to every public consideration by the importunity of their timber-cutting constituents, combined with their hatred for President CLEVELAND.

Even these statesmen, one would imagine, could be brought to listen to reason by interposing a period for calm reflection. Mr. CLEVELAND is no longer President, and the pleasure of spiting him cannot, even to them, seem worth obtaining at the cost of so great a part of the public patrimony. The House has provided for such a period of reflection by disagreeing with the outrageous Senate amendment which opened the Western forests to the most rapid possible devastation. Whatever the value may appear on examination to be of the specific suggestions which the House may have to make, the temper of the debate in that body indicates that its members, unlike the Senators, are alive to the importance of the National and permanent considerations involved. If the work of regulation is undertaken in that spirit, our patrimony will be preserved for our posterity.

The New York Times, May 15, 1897

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THE FOREST RESERVES

The report of the conference committee upon the Sundry Civil bill establishes a much more reasonable regulation than at one time seemed possible of the question of forest reserves. It illustrates once more how the House of Representatives acts in the manner in which the framers of the Constitution hardly expected the Senate to act — as a check, that is to say, upon the turbulent and irresponsible “other house.” Now it is the Senate which needs to be watched and looked out for, and when the question is not one of party the country looks with considerable confidence to the House to keep the unruly body in some kind of order. Nothing could have been more uncivilized, improvident, and reckless than the disposition made of the forest reserves by the Senate. It seemed to be dictated by nothing more respectable than the desire of some of the far Western Senators to oblige their constituents who were interested in depredations upon timber, combined with childish desire on the part of other Senators to do something to spite President CLEVELAND and of still others to show their contempt

for scientific authority. The adoption of the Senate's amendment would have insured a speedy and irreparable destruction of the forests which the President's order aimed to preserve.

The modification insisted upon by the House conferees converts the wild proposal of the Senate into a decent and civilized provision. In effect it confers upon the President the power to modify the order which it was said in the debate that President CLEVELAND would have employed if he had been quite clear about his power in the premises. At the same time it maintains the principle of reservation of woodlands in the interest of the public and of posterity. The House deserves the thanks of the country for rescuing it from the consequences of the reckless action of the Senate.

The New York Times, May 27, 1897

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A YEAR FOR FOREST GRABBING

President CLEVELAND's attempt to preserve some of the forests of the Western country from the timber chopper who would strip the whole land without regard to consequences of any kind has been thwarted by the Congress, and President McKINLEY has been relieved from the unpleasant necessity of doing anything in the matter except to sign the Sundry Civil Appropriation bill. The proclamation of President CLEVELAND set apart lands in Wyoming, Utah, Montana, Washington, Idaho, and South Dakota as forest reservations, upon the recommendation of a Forestry Commission of men of the highest ability and strictest integrity.

Under the agreement reached between the House and the Senate, in that most powerful of parliamentary combinations, the conference committee, the proclamation issued by Mr. CLEVELAND on Feb. 22, 1897 is set aside. The lands proposed by him to be reserved as to their forests, the retention of which is

declared by the Forestry Commission to be of the highest importance, are, under the proposition of the conference committee, to be open to the spoiler for a year longer. Under regulations which may be found to be quite immaterial except to support the central proposition to afford more time to the timber hunters to strip a few more acres of the trees upon them, the depredators are to hold off the reservation of forests until March 1, 1898, and then the Government is to take what there is left.

The forests are worth much in the States to be affected by the proclamation of President CLEVELAND. Ought they to be traded for the votes for the Tariff bill of the Senators from those States?

The New York Times, May 29, 1897

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(4) 1905 Land Frauds, Corruption Exposed

SENATOR MITCHELL INDICTED FOR FRAUD

Representative Hermann, Too — Dist. Atty. Hall Removed.

ACTION IN LAND CASES.

Hall was Government Prosecutor in Oregon — Indictment Says Mitchell Took a \$2,000 Bribe.

PORTLAND, Oregon, Dec. 31. — United States Senator John H. Mitchell, Representative Binger Hermann, and George Sorensen, formerly a Deputy Sheriff of Multnomah County, were jointly indicted today by the Federal Grand Jury in connection with land frauds.

The indictment alleges that John H. Mitchell and Binger Hermann did in January, 1902, unlawfully and feloniously conspire together, and with S. A. D. Puter, Horace G. McKinley, N.W. Tarpley, Emma L. Watson, Salmon B. Ormsby, Clark E. Loomis, William H. Davis, and others to defraud the Government of the United States out of a portion of its public lands, situated in Township 11 South, Range 7 East, by means of forged and false affidavits and fictitious persons, and that in the furtherance of such conspiracy S. A. D. Puter did on March 9, 1902, pay to John H. Mitchell the sum of \$2,000, to secure his influence with Binger Hermann, then Commissioner of the General Land Office at Washington.

The indictment also alleges that, acting upon the suggestion and the wish of Senator Mitchell, and influenced by him, knowing that the transactions were unlawful and felonious, Binger Hermann used his power as Commissioner of the General Land Office to expedite twelve claims in Township 11-7 and had them passed to patent when he knew them illegal and not according to the requirements of the law.

The indictment further alleges that on March 28, 1904, George Sorensen offered to John H. Hall, District Attorney for the United States in Oregon, the sum of \$5,000

with intent to influence him in his official capacity when acting on the indictments returned against S. A. D. Puter, Horace G. McKinley, and others to defraud the Government out of land.

In 1902, the Government alleges, Puter went to Washington on business connected with the lands of Township 11, South Range 7, East, in which he was at that time interested. The lands were held up in the General Land Office, and Puter thought that it would be of benefit to himself and his fellows to go to Washington and see what could be done to expedite them to patent. It is charged that Senator Mitchell recommended Puter to Hermann.

Senator Mitchell, who came to Portland last week to appear before the Federal Grand Jury in connection with the land fraud investigations, departed for Washington today. In an interview just before his departure, he said that he could see no reason why he should remain in Portland longer, and thought his public duties in Washington demanded his presence there. The Senator, in a written statement to the press, said:

"I defy my accusers. I have lived in this State over forty-four years. I have served in the United States Senate, and I defy any man to charge me successfully with any conduct that is otherwise than honorable. I am sure I cannot be connected in any way with any land frauds, except by the grossest perjury of self-confessed and convicted thieves and perjurers."

WASHINGTON, Dec. 31. — President Roosevelt today directed the removal from office of John H. Hall, United States District Attorney for Oregon. Mr. Hall has been prosecuting officer of the Government in the land fraud cases, and the removal is made in connection with them.

The announcement of District Attorney Hall's removal was made by Attorney General Moody as he left the White House after a conference with the President. He declined to say what charges, if any, had been made against Hall, but added that for the good of the service it was believed best to dispense with him, particularly in connection with the land fraud cases.

Earlier in the day Senator Fulton of Oregon had a talk with the President concerning the Oregon land fraud cases, but whether this interview had any relation to the removal of the District Attorney could not be learned.

Mr. Hall was endorsed for reappointment by Senator Mitchell and Representative Hermann of Oregon, both of whom recently went to Portland, where they appeared before the Grand Jury in connection with that body's consideration of the cases growing out of the land frauds. The conduct of the District Attorney's office at Portland has been inquired into by Government representatives, and reports on the facts adduced have been transmitted here. The reports alleged that there had been obstruction of justice; that certain prominent men had been shielded, and that attempts had been made to prevent certain persons from giving evidence.

Oliver E. Pagin of Chicago, special assistant attorney of the Department of Justice, has been sent to Oregon to assist in the prosecution of the land fraud cases.

PORTLAND, Ore., Dec. 31. — When John H. Hall, United States District Attorney for the District of Oregon, saw a dispatch from Washington announcing the action of the President in removing him from office, he was greatly surprised. He had no information from Washington that the blow was to fall, and when he read the news angrily condemned several officers

of the Government, denouncing his removal as resulting from the acts of personal enemies. Later Mr. Hall made the following statement:

"If it is true that the President has removed me, I have no knowledge of what prompted him to take this action. I have not been advised of the nature of any charges against me. I intend to go to the bottom of this affair, and have no fear that I cannot convince any fair man that I have never been guilty of any act while in office that would reflect any discredit upon me.

"I do not even know who has preferred the charges against me, but I am very much surprised that the President of the United States would so condemn an officer whom he had so recently appointed for meritorious service without a hearing or without any chance having been afforded me to defend myself.

"I shall leave no stone unturned to show the people of this State that I have been attacked in the dark by the weapons of falsehood and misrepresentation."

Special to The New York Times.

WASHINGTON, Dec. 31. — When Secretary Hitchcock of the Department of the Interior, heard of the indictment of Senator Mitchell and Representative Hermann in the Oregon land fraud case, he made a statement which intimated that the indictments were in large part the result of the attitude of President Roosevelt. Secretary Hitchcock said:

"From information which has come to me from time to time, I am not surprised at the indictments. Of course, while we all regret that men occupying high stations in public life should get within the clutches of the law, nevertheless the Interior Department and the Department of Justice had their duty to perform.

"These land fraud indictments are the result of two years of the most searching investigation, and are a part of the unalterable determination of the President and Administration to bring to justice all offenders of the law, be they high or low."

Senator Mitchell is the second Senator in the Fifty-eighth Congress to be indicted, Mr. Burton of Kansas, being the first. Mitchell, however, is a far more prominent and active Senator than Burton, and his indictment will make a bigger sensation among his colleagues.

It is only a few days since Mr. Mitchell's ambition to be Chairman of the Committee on Inter-oceanic Canals was gratified. The Senate leaders were so averse to having Mitchell at the head of this committee that they tried to induce him to step aside, but he would not.

The land frauds are alleged to have been committed by an organized gang. At the time of the alleged offenses Mr. Mitchell was not a Senator nor was Mr. Hermann a Representative, the latter being then Land Commissioner. The friends of Hermann and Mitchell have been asserting that they were the victims of persecution at the hands of Secretary Hitchcock. A few days ago they left the city and went West to put down what they called the slanderous reports against them.

The conspirators are said to have obtained a lot of Government land by making false affidavits about the improvement of timber claims. In many cases it is said that the names of the persons purporting to be making the affidavits were fictitious. They were sworn to before a local commissioner, a woman, who is charged with having made false certifications. Then the claims were sent to Washington to Hermann's office, and it is charged that he used his power as Land Commissioner to hustle these claims through instead of waiting the usual slow course.

Mr. Hitchcock got Hermann out of the Land Office, and he went back to Oregon looking for a vindication, and got what he wanted — an election to the House of Representatives.

All the Federal officials out that way have been Mitchell men, and that is said to be one of the reasons why Mr. Hitchcock has found it so difficult to set in motion the machinery of the law. District Attorney Hall, who was removed recently, was a Mitchell man.

The New York Times, January 1, 1905

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Spokesman Review (Spokane, WA) 1908
William C. Morris, cartoonist

LEWISTON MEN NAMED IN CHARGE

Bankers Alleged to Be Mixed Up in Land Frauds.

(From The Spokesman-Review News Bureau at
Washington, D.C.)

WASHINGTON, D. C., Jan. 3. — It was stated at the Interior Department today that two inspectors are hurrying to Idaho to investigate charges of gross fraud in the Lewiston land office. The Boise land office is also involved and will be investigated, but no mention is made of this office in the affidavits which were received at the White House and afterward forwarded to Secretary Hitchcock for action. With reference to the Boise office it is known that the department has asked for 219 names of locators of as many timber claims in Boise county. Patents have already been issued for these claims, and from other facts it appears that an extensive investigation is already under foot in connection with locations and transfers there.

As to Idaho Senators.

Efforts are being made to connect Senators Dubois and Heyburn with the Idaho land frauds, but their friends say thus far nothing has developed which reflects upon them to the slightest degree. It was rumored today that the charges filed by Senator Dubois at the White House implicate Senator Heyburn. As soon as the report became known to Senator Dubois he immediately called upon Senator Heyburn and assured him of the falsity of the report, adding that it could only have been started by some malicious person.

Kettenbach, Kestner and Bobnett.

The investigation of alleged frauds has been brought about by affidavits addressed to President Roosevelt by Fred Culver of Lewiston, Idaho, candidate for attorney general of his state on the democratic ticket two years ago. The affidavits charged frauds against W. F. Kettenbach, president of a trust company; George Kestner, cashier of a bank, and Clarence Bobnett, all of Lewiston. The charges are made in connection with the entry of over a million dollars' worth of white pine through J. Bo. West, register of the land office at Lewiston. Mr. Culver sent the affidavits to Senator Dubois, who, without comment, transmitted them to the president.

Secretary Hitchcock, to whom the affidavits were referred by the president, instituted the investigation.

Alleged Syndicate.

In connection with the Idaho affidavits it is alleged a syndicate exists formed to acquire valuable timber lands from the government. Other affidavits than those named are expected shortly in the Idaho cases.

Montana May Not Escape.

Rumors are current tonight that gross frauds in Montana have been discovered which will eclipse frauds perpetrated in any other state. Senator Hitchcock declined to affirm or deny the reports, stating merely that he will give the public such information as is in the possession of the department at the proper time.

An inspector of the department of the Interior has been ordered to Idaho to investigate the charges made by the affidavit as to frauds in Idaho, and he is believed to have already begun his labors. No information on the subject could be obtained at the interior department, and Secretary Hitchcock will not discuss it. The papers in the case, however, have been forwarded to the inspector. It is expected that he will keep Secretary Hitchcock promptly advised of all developments.

ARE FALSE, SAYS KETTENBACH.

Denies Charges Made Against Him

— Speaks for Other Accused.

LEWISTON, Idaho, Jan. 3.—After W. F. Kettenbach and George H. Kestner had held a conference, the following statement was made by Mr. Kettenbach on behalf of himself, Mr. Kestner and Mr. Bobnett:

"Any charges made by F. D. Culver or any one else attempting to implicate either myself, Mr. Kestner or Mr. Bobnett in fraudulent or unlawful entries of land in any particular are absolutely groundless and false.

"This reminds me of an unsigned circular which appeared on election day charging me with being a party to a steal of about \$1,000,000 worth of timber from the state of Idaho. That circular was false and libelous, and the charges made by F. D. Culver are equally false.

"My lands, acquired by lieu selection, are easily found in the records of the local land office, and can be inspected by any one at any time. This matter is simply another move of my enemies to attempt in some way to injure me personally, and to hurt the banking business of the Lewiston National Bank.

"Lieu selections in which I have some interest are made in exactly the same manner as like entries in hundreds of other cases, and are regular, and I fear nothing from the most rigid examination. If any examination is the result of the charges made by Mr. Culver I shall be please to render any assistance I can to any officer make the same."

"W. F. KETTENBACH."

Mr. Kettenbach is president of the Lewiston National bank, Mr. Kestner is cashier of that same institution, and Mr. Bobnett is also associated with the bank.

Mr. Culver Talks

From F. D. Culver it is learned that the fraud charges also involve William Dwyer, who was in the employ of the state as state land selector. Mr. Culver said: "I was furnished with affidavits which I sent to President Roosevelt direct, with a letter stating my belief in their reliability and advising the authorities of the assurance of evidence from numerous other sources which were not under affidavit, but deemed wholly reliable. But I made no charges on

personal knowledge and responsibility. The charges included W. F. Kettenbach, George Kestner, Clarence Bobnett, and William Dwyer."

Mr. Culver refused to discuss the nature of the charges.

Spokesman-Review, January 4, 1905

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IN THE COEUR D'ALENES

STEALING TIMBER ON NORTH FORK

**WARDNER PEOPLE AROUSED
OVER ACTION OF CLAIM
DESPOILERS.**

FEELING IS RUNNING HIGH

**Charges to Be Preferred —
Government Official Looking
Into the Matter.**

WARDNER, Idaho, Jan. 21. — Considerable feeling is aroused in Wardner over the reports, which have been verified, that several lumbermen from down the river are visiting timber claims on the North Fork and cutting the timber from them, running the same down the river to men who contract for the supply. When the best timber is thus run off the claims are left.

That this work has been going on before has been known, but no special interest was taken in the matter, as the timber stolen was government timber and no individual would take the matter up. But now that a large number of Wardner citizens have located and improved timber claims in the district where the work is being carried on feeling is running high against the men who are at the back of the jumping of other people's claims.

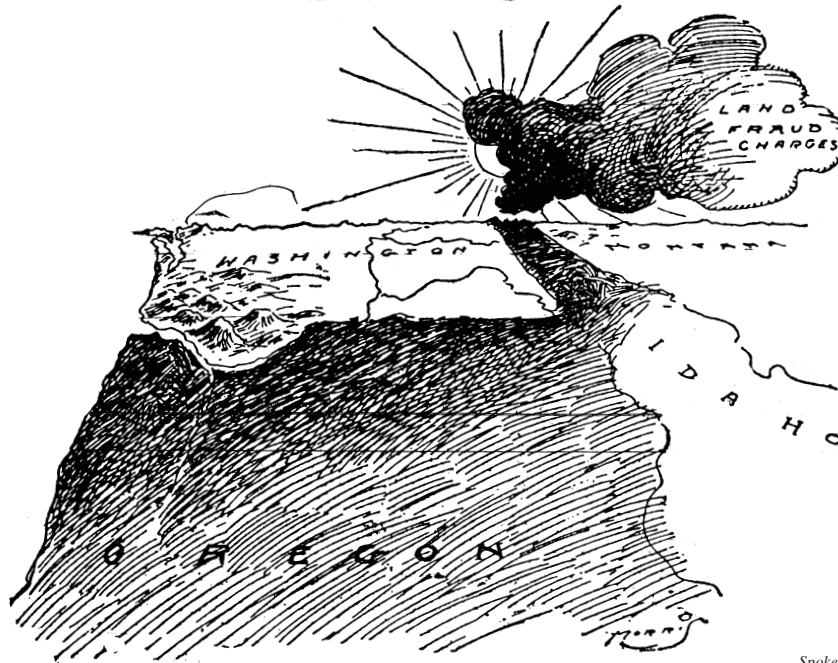
The names of the men who have the crews in charge on the ground have been placed in the hands of some of the interested parties, and it is probable charges will be preferred against them at once. It is reported that the government has had an official in the district looking up the matter.

Spokesman-Review, January 22, 1905

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UNDER A CLOUD



Let us hope that this dark shadow may not extend to Washington.

Spokesman-Review, February 16, 1905

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FRAUD CASES MAY INVOLVE OTHERS

EASTERN OREGON MEN LIKELY
TO TAKE TURN BEFORE
COURTS.

SLEUTHS ARE AFTER THE FACTS

Land Transactions Are Being Probed
—Collusion With Timber
Companies.

BAKER CITY, Ore., Jan. 8.—It is probable some eastern Oregon men may yet become mixed in the land fraud investigations now being made at Portland. Secret service agents are gathering data and evidence here. A complete list of land transactions was copied from the county records a few days ago, including the date timber claims were proved up on and the length of timber elapsing before transfers were made to the lumber companies, etc.

While it is admitted that it may be shown that there was a tacit understanding between the locators and buyers, yet no such frauds as have been perpetrated in western Oregon are hinted at. So far as brought to light no fictitious names were used in proving up on claims.

Spokesman-Review, January 10, 1905
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UNCLE SAM AS HE MAY APPEAR TWENTY YEARS FROM NOW



Chief Forester Pinchot declares that the supply of timber in this country will be exhausted within twenty years if nothing is done to protect it.

PLOT TO SMIRCH NAME OF HENEY

Land Sharks Said to

“Cook Up” Bad Tale
Against Him

PORTLAND, Ore., Feb. 2.—What appears to be a conspiracy for the purpose of causing the removal of United States District Attorney Heney from office is being unearthed by the federal grand jury and secret service detectives. The plan was to have Heney indicted, through District Attorney Manning, for unlawful association with Marie Ware of timber land fraud fame, and thus induce the president to cancel Heney's appointment and remove the principal enemy of the defendants in land fraud cases.

The alleged conspirators include many well known Portland men, politicians and officials. The names of Senator Mitchell and Congressman Binger Hermann are associated with the plot; also ex-United States District Attorney Hall, ex-City Detective Henry Ford, Major Harry Rees, formerly of the United States army; Deputy Sheriff John Cordano, and F. S. Simpson, a saloonkeeper, and others.

Plot Has Ramifications.

For the past three days the investigation has been in progress. The officials have uncovered an apparent conspiracy and many ramifications of the plot. This afternoon the grand jury was delving further into the affair. According to the testimony at hand three attempts were made to place Heney in a false light. Each failed.

John H. Hall is placed in a peculiar position, for it is said he failed to act. It appears that on the night State Senator Mays was indicted for conspiracy in the land fraud cases, ex-Police Judge Charles H. Carey informed Hall, then United States District Attorney, of the rumors in circulation regarding Heney. Carey said it was rumored that Heney, while acting as Hall's assistant in prosecuting the investigation, had lived for a week with Marie Ware. Carey declared to Hall that Heney should be investigated; that if he was a man of character as the report stated, then Hall should cause his removal.

Spokesman-Review, February 3, 1905
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William C. Morris, cartoonist
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LAND GRABBERS SWARM VICTORIA

DOZEN RAILROADS WANT LARGE SLICES OF PUBLIC DOMAIN IN BRITISH COLUMBIA.

MUCH OPPOSITION DEVELOPS

J. J. Hill in It, Too — Grand Trunk Pacific Wants 15,000 Acres a Mile for 480 Miles.

VANCOUVER, B. C., Feb. 25.—The air is full of rumors of a proposed wholesale giving away of public lands to railway corporations. The land subsidy hunters have gathered in force at Victoria and are accused of trying to induce the McBride government to allow them to make a raid on the real estate of the province. Several million acres of the public domain have already been handed over to railway corporations.

In this connection the presence at Victoria, now that the house is sitting, of representatives of the Canadian Pacific, the Grand Trunk Pacific and lesser lines, is regarded as ominous by John Houston, conservative member for Nelson, who is against any proposal to give land to railways.

Grand Trunk Pacific, Too

The Grand Trunk Pacific is reported to be asking 15,000 acres a mile for the 480 miles of its line, which will pass through this province.

The Great Northern is said to be willing to build a line through the Similkameen without any subsidy at all, but its subsidiary company, the Vancouver, Westminster & Yukon, asks for a big land grant for its contemplated line, which is to connect the Grand Trunk Pacific with the American road by way of Cariboo, Lillooet and this city. The Canadian Pacific is spoken of as asking a cash or land grant for the extension of its recently acquired Vancouver island railway, and as being friendly to the McLean Brothers getting aid for the coast to Kootenay line. Then there are a number of minor roads, such as the Kettle River Valley, the Kootenay Central, the Kitimaat Valley, the Omineca & Northern and others, all of which are hoping to get slices of land.

The strongest opposition is forthcoming to any subsidy to the Grant Trunk Pacific. It is felt that the line must come here anyway, and that this province has contributed a large share toward the help which the dominion is giving the line. "Not one acre of land, not a dollar in cash," is the maxim of John Houston and others who think as he does.

Spokesman-Review, February 26, 1905
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INDICTS BINGER HERMANN

GRAND JURY AT WASHINGTON, D.C., FINDS TRUE BILL.

Oregon Congressman Is Accused of Unlawfully Destroying Records of the Land Office.

WASHINGTON, March 3.—Binger Hermann, member of Congress from Oregon and former commissioner of the general land office, today was indicted by the federal grand jury on the charge of destroying public records.

The indictment was found on the testimony of certain general land office employees and of the secretary for the interior. The substance of the charge is that Mr. Hermann, just previous to his resignation as commissioner of the general land office, which was on February 1, 1903, destroyed 35 letter press copybooks containing copies of official communications witnessed by him as commissioner of the land office and relating to the business of that bureau.

Mr. Hermann's attorney appeared in court immediately after the indictment had been found and on behalf of his client waived the exemption due a member of Congress and asked that bail be fixed.

District Attorney Beach suggested \$5000, while Mr. Hermann's counsel named \$2,500, the latter figure being set by the court.

Spokesman-Review, March 4, 1905
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MAY NAB TIMBER BARONS

**FEDERAL GRAND JURY AT
PORTLAND HAS LINES OUT.**

**Special Inspector Greene Returns From
Secret Mission to Wisconsin,
Home of Barons.**

PORTLAND, Jan. 10. —The federal grand jury which adjourned over the holidays, resumed its hearing and investigation of the land fraud conspiracy cases in this city today. Several witnesses were examined. It is expected that important indictments will be returned on Thursday. A large number of witnesses have been summoned from Linn county to appear before the government's inquisitorial body. It is said that three of the witnesses summoned have at various times located over 50,000 acres of timber lands for a local timber land dealer who is said to have been the agent in these matters of a Minneapolis lumber man. It is generally understood that the testimony of the Linn county witnesses will be used to connect certain large lumber corporations, eastern and western, with the land frauds conspiracy in this state.

Col. A. R. Greene, special inspector of the interior department, has returned from a secret mission in Wisconsin, the home of Horace G. McKinley, and of one of the biggest timber syndicates in the United States, whose dealings in Oregon and Washington timber lands are said to have reached enormous proportions.

Spokesman-Review, January 11, 1905

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HOT PURSUIT OF LAND SHARKS

**Roosevelt Is Taking a
Hand — Look for
More Arrests.**

WASHINGTON, Feb. 23. — As the result of conferences held at the White House today with President Roosevelt, further developments in the land fraud cases in Oregon and California may be expected at no distant day. Since the first steps were taken looking to the prosecution of the alleged offenders, the president has shown a keen interest in the investigations which have been made, and in the indictments which followed. With the view of acquainting himself with the situation as it exists up to the present time, the president today was in close conference with Secretary Hitchcock, Attorney General Moody and Special Attorney F. J. Heney, who discussed with him the evidence so far gathered.

More Arrests Probable.

Later he held a second conference, at which were present Secretary Hitchcock, Mr. Heney and Secret Service Inspector William E. Burns, who was active in bringing about a number of the arrests. At this latter meeting it is understood a plan of action was mapped out, and the statement was made tonight that it need not occasion surprise if further arrests are ordered. To Mr. Burns, it is understood, the president conveyed his warm commendation for weaving around the alleged offenders a chain of evidence on which the indictments were procured.

None of the persons mentioned when seen tonight would make any statement, but from a reliable source the information was gleaned that the president purposed to carry the prosecution to a final conclusion as vigorously as were the postoffice cases.

Spokesman-Review, February 24, 1905

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FOREST MILLIONS SAVED TO NATION

Roosevelt Throws a Bomb Among Barons at the Last.

WASHINGTON, March 4. — Tremendous excitement was caused today among members of the house and senate by President Roosevelt's proclamation that 17 million acres of timber land in 32 forest reserves has to be added to the forest reserves of the country in the western states. The president issued the proclamation just before he signed the agricultural bill which carries the Fulton-Heyburn amendment providing for no more reserves or extensions without an act of congress. Congressional action is designed as it was known the president contemplated adding a large area to that already withdrawn. When it was learned today that the president had forestalled congress by withdrawing such vast areas, members of both houses who had supported the Fulton amendment expressed

their rage. The president justifies his action by saying that if he had not so acted before congress could act next fall, an enormous area of timber land would have been gobbled by the timber syndicates. Senator Heyburn was jointly interested with Senator Fulton, so he has been defeated to a great extent in attaining the object for which he has striven for the past two years. Senator Heyburn said today: "I do not think the action of the president was in good taste, but I know now where to look for relief when congress meets next December. Meanwhile I won't bother my mind about it."



USFS photo

The Land Affected.

The reservations created or increased follow:

Toiyabe reserve, Nevada; Wenaha forest reserve, Oregon and Washington; Las Animas forest reserve, Colorado and New Mexico; Colville forest reserve, Wyoming; Holy Cross forest reserve, Colorado; Uncompahgre forest reserve, Colorado; Park Range forest reserve, Colorado; Innaha forest reserve, Oregon; Big Belt forest reserve, Montana; Big Hole forest reserve, Idaho and Montana; Otter forest reserve, Montana; Lewis and Clark forest reserve, Montana; Montezuma forest reserve, Colorado; Olympic forest reserve, Washington; Little Rockies forest reserve, Montana; San Juan forest reserve, Colorado; Medicine Bow forest reserve, Colorado and Wyoming; Yellowstone forest reserve, Idaho, Montana and Wyoming; Port Neufal forest reserve, Idaho; Palouse forest reserve, Idaho; Weiser forest reserve, Idaho; Priest River forest reserve, Idaho and Washington; Cabinet forest reserve, Montana and Idaho; Rainier forest reserve, Washington; Washington forest reserve, Washington; Ashland forest reserve, Oregon; Coquille forest reserve, Oregon; Cascade forest reserve, Oregon; Umpqua forest reserve, Oregon, and the Blue Mountain forest reserve, Oregon.



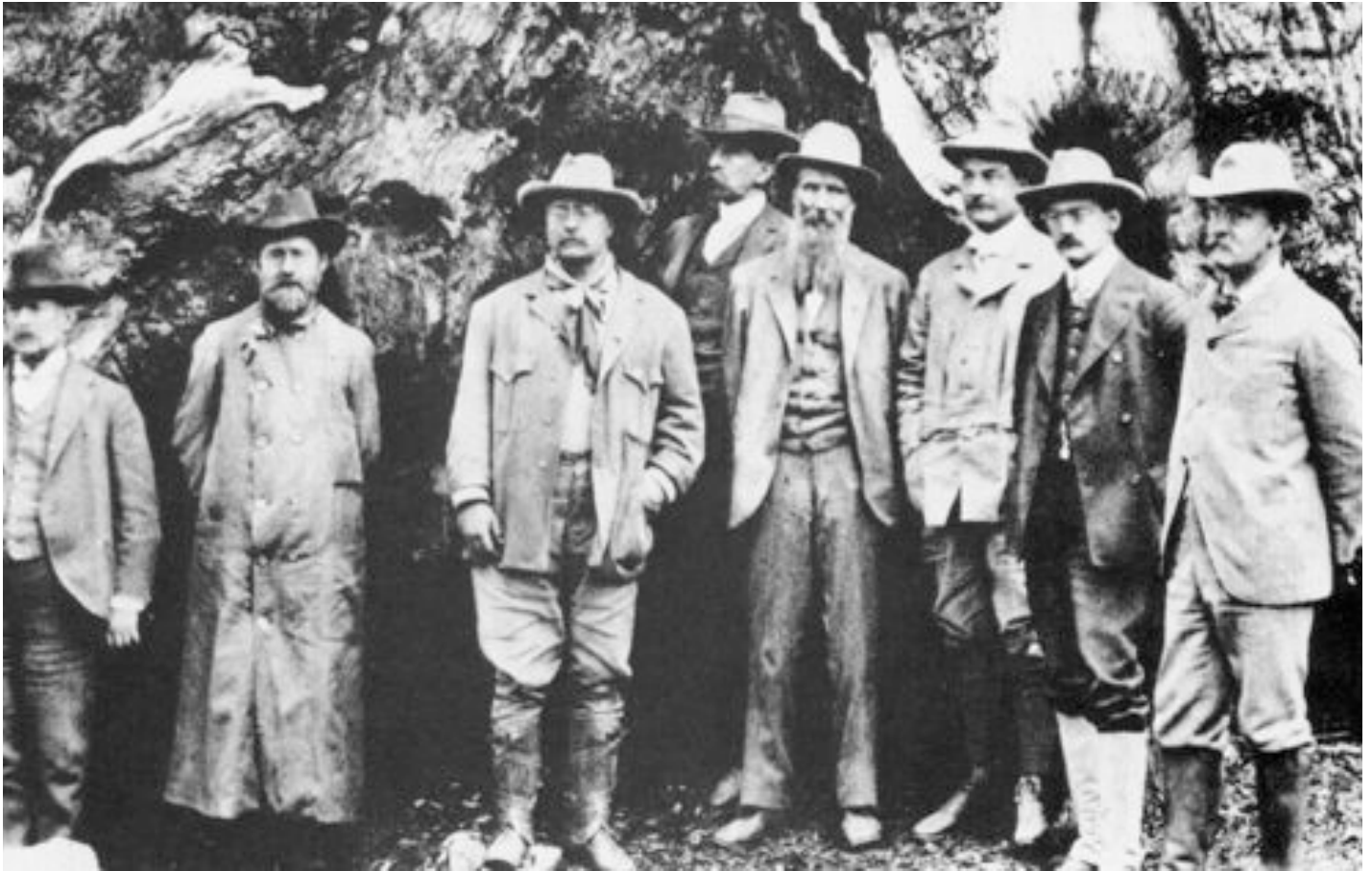
USFS photo

President Roosevelt and Chief Forester Gifford Pinchot

Spokesman-Review ("The Twice-A-Week"), March 8, 1907

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Muir, Pinchot and Roosevelt. A gathering of conservationists in the early 1900's included President Theodore Roosevelt, Chief Forester Gifford Pinchot (back), and Naturalist John Muir (fourth from right). The occasion was a field trip in California.



Theodore Roosevelt memorialized at Mt. Rushmore, along with George Washington, Thomas Jefferson, and Abraham Lincoln.

© J. Bart Rayniak

(5) 1897 - 1997 Looting the Coeur d'Alene National Forest

‘We are at a crossroads.’

Betsy Buffington, with Sierra Club in Montana

FS hits 100 years of logging

By **SHERRY DEVLIN**
of the Missoulian

Environmentalists bemoaned the 100th anniversary of logging in the national forests Wednesday with an ode to Smokey Bear — and a plea for no new timber sales — outside the Forest Service’s regional headquarters in Missoula.

“It’s time for the Forest Service to grow up and own up,” said Jennifer Ferenstein, a member of the Sierra Club’s state and Missoula executive committees.

Nationally, the Sierra Club released a report describing what it believes to be the environmental damage caused by the century of public-land logging: water pollution, lost fisheries, fragmented habitat, excessive road building, clearcutting.

“The timber program of the Forest Service has become the predominant use,” said Betsy Buffington, associate representative for the Sierra Club in Montana. “And that use has occurred at the expense of the other, important resources of the forest.

“Our water and wildlife and wildland resources are increasingly fragile. There’s less wiggle room. As citizens, we need to step in and speak out.”

On June 4, 1897, Congress attached a rider to an appropriations bill allowing logging on the national forests. Before passage of the Organic Act, logging was off-limits on the forest reserves.

At Wednesday’s rally in Missoula, the Sierra Club and other environmental groups advocated an end to all commercial logging in the national forests — a proposal to be presented to Congress later this month as the National Forest Protection and Restoration Act.

If enacted, that law would preclude all new timber sales and would phase out all timber sales already under contract. Timber budgets would be redirected into worker retraining programs and ecological restoration projects.

“We are concerned that if we continue logging at this rate, we will end up with nothing,” said Buffington. “We are at a crossroads.”

A few Forest Service employees watched the noon-hour rally along with about four-dozen activists — including a “green” Elvis impersonator who sang a parody to a caged Smokey Bear, to the tune of “In the Ghetto.”

Dave Spores, who directs the Northern Region’s timber-sale program, was among the onlookers. After the rally, he provided the counterpoint — and a compliment.

“I appreciate them taking the opportunity to express their concerns and their views,” he said. “That’s what the democratic process is all about. We do hear and we do listen.”

National forests in Montana and north Idaho, by Spores’ telling, are highly productive timber lands which grow

significantly more timber than is taken each year.

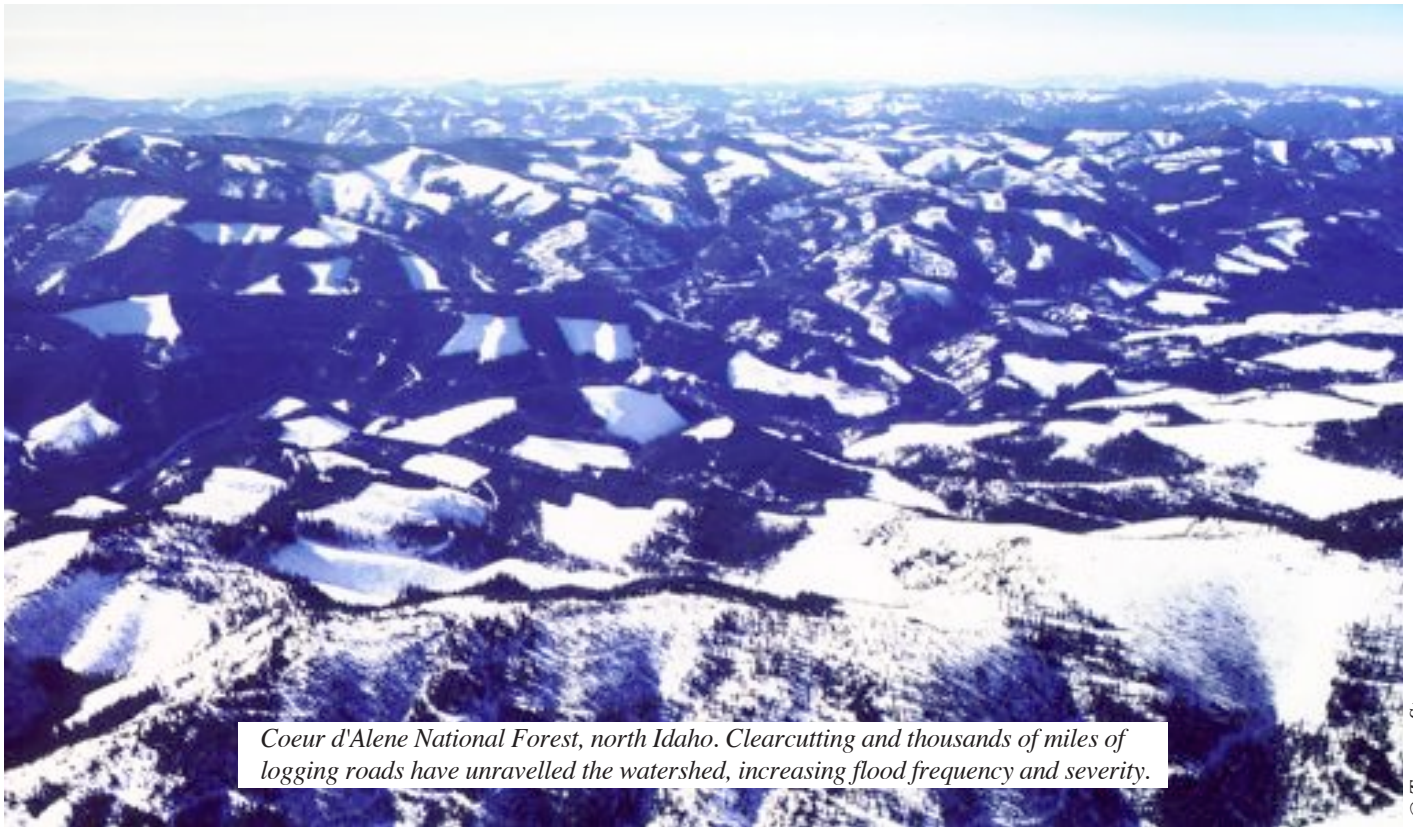
What timber is taken, he said, is used and demanded by the American public. “Each person in this country uses 225 board feet of softwood sawtimber a year,” Spores said. “We also use, on the average, 660 pounds of paper, each and every one of us. That comes down to each of us using one tree 100 feet tall and 16 inches in diameter every year. All 250 million of us.”

Timber from the national forests also creates jobs, Spores said.

“We estimate 14,000 jobs in the Northern Region in 1995 with \$420 million in wages. And our timber-sale program has generated funds for counties and for investments in public lands. And harvests from Northern Region forests have dropped from 1.06 billion board feet in 1987 to under 300 million board feet in 1995. These are important facts.”

The rallying activists brought their own statistics: The federal government spent \$1.3 billion logging the national forests in fiscal year 1996. The annual timber volume cut from national forests supplies just 3.9 percent of the nation’s total yearly timber consumption. Americans dump three times more wood into landfills each year than is cut from public forests.

Missoulian, Missoula, MT
June 5, 1997



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Thousands of swans and other water fowl have died from lead poisoning, victims of toxic mine waste that covers thousands of acres of wetlands. Floods carry millions of pounds of lead into Lake Coeur d'Alene – and on into Washington State through Spokane.

Idaho's Panhandle Lives With a Deadly Legacy

Reckless Logging, Toxic Mining Wastes, '100-Year' Floods

In a single day of flooding in 1996, the raging Coeur d'Alene River carried a million pounds of lead into Idaho's Lake Coeur d'Alene. The lead came from toxic waste dumped by mining companies into the Coeur d'Alene River's South Fork. Excessive logging on the north fork of the river is the main source of floods. When these two branches come together, so do logging and mining, which are the genesis of the toxic floods in Idaho's Panhandle region.

These activities have a long history of environmental destruction in the region. In 1884, a rich lead-silver vein was discovered near the town of Wallace. Other veins were discovered and exploited, until Idaho's "Silver Valley" became one of the world's leading suppliers of silver and lead. The dangers to surrounding communities became clear nearly 70 years ago. In 1929, the Coeur d'Alene Press began a series of articles on mining pollution. In 1932, a scientist with the U.S. Bureau of Fisheries noted that "as far as fisheries are concerned, the mine wastes . . . have reduced the 50 miles [of the Coeur d'Alene River] . . . to a barren stream practically without fish, fauna, food, or plankton, and with enormous lateral supplies of potentially toxic materials which as they now stand will continue to poison the waters of the Coeur d'Alene River for a considerable period of time."

Despite such warnings, mining companies continued to dump mine waste into the waters of the Coeur d'Alene until 1968. Abandoned tailings piles continue to release more toxic metals into the system each year.

Today, over 165 billion pounds of contaminated mining and smelter waste have entered the Coeur d'Alene system. Toxic sediments cover the bottom of Lake Coeur d'Alene. A glass of water taken from the river may look clear, but in times of flooding that water contains heavy metals such as lead, mercury, cadmium, zinc and arsenic greatly exceeding safe drinking water standards. Signs posted along these waterways issue health warnings: "The Lower Coeur d'Alene River and lateral lakes are contaminated with lead and other metals from mine tailings. Small children are at greatest risk. To protect your health: Avoid breathing dust and touching the soil and mud; Wash hands before eating and serving foods; Do not eat large amounts of fish, waterfowl or aquatic plants; Do not drink water from the river or lakes."

Unfortunately, birds and other wildlife are blind to these signs. Nearby wetlands are called "killing fields" by biologists because mine wastes cover thousands of acres and the lead has killed thousands of migrating tundra swans.

Logging transformed the Idaho Panhandle national forests — the St. Joe, the Kaniksu and the Coeur d'Alene national forests — into the region's "timber basket." As the Forest Service signed off on one destructive timber sale after another, the Panhandle's forest ecosystem has died a death by a thousand cuts. People zipping along the Interstate or the river road that winds along the north fork won't see the clearcuts behind the deceptive "beauty strips." But

these thin curtains of trees are not a substitute for an intact forest watershed. Illusions don't hold back floods.

There is no doubt that irresponsible logging causes floods. Numerous studies have shown that flooding and increased water yield are byproducts of present and historical rates and methods of logging. In addition, the Panhandle's forested hillsides are vulnerable to "rain-on-snow" events. Snow accumulates during the winter, then a warm, maritime Pacific storm drops rain on the snow, melting it.

Logging roads create and worsen flood events. Studies show that roads are a very significant source of erosion and consequent sedimentation of streams. According to one hydrologist and forestry instructor, 99 percent of the sediment that enters water is the result of road construction and activity conducted too close to the riparian zones. A complex of nearly 10,000 miles of logging roads has been built in the Idaho Panhandle national forests.

"Hundred-year" floods are now occurring with deadly, destructive frequency. The bitter irony is that abundant warnings against overcutting and roadbuilding went unheeded for so long. The connection between overcutting and floods was well understood in the last century, and was a primary reason for creating the forest system in the first place. As early as the 1960s, Forest Service hydrologists in the Idaho Panhandle warned of severe flood risk from overcutting in rain-on-snow zones. These Forest Service watershed scientists were transferred out of Idaho; others took early retirement.

Prompted by scientists' warnings, citizens have become actively involved. They challenged the adequacy of the Panhandle Plan in 1987, only to have their appeal rejected years later. They then turned to scrutinizing individual timber sales. In response, the Forest Service crippled the timber sale appeals process in 1994. Congress went further the following year by suspending the appeals process — and environmental laws — with the so-called salvage rider.

The Forest Service continues logging and road construction despite the worsening floods and degraded condition of the Coeur d'Alene River. The Yellow Dog-Downey timber sale is but one example of the spurious reasoning the Forest Service employs to justify continued overcutting. The Forest Service has sold this major timber sale in one of the most overcut drainages of the north fork. The agency claims it must cut the trees to pay for removal of old logging roads and to improve timber stand health. The Yellow Dog-Downey timber sale includes building over a mile of new logging road and reconstructing and reconditioning (clearing and grading) nearly 50 miles of existing roads, which already average 8.2 miles per square mile in the project area.

Despite many decades of citizen concern and involvement, the Coeur d'Alene watershed remains in jeopardy.

"Stewardship or Stumps? National Forests at the Crossroads"
SIERRA CLUB, June 4, 1997



© Michael Mihelich

Clearcut stream – Coeur d'Alene National Forest, north Idaho.

Sierra Club stumps for Panhandle

Report assails heavy logging in flood-damaged region

By Ken Olsen

Is it the Idaho Panhandle National Poster Child?

The Sierra Club is using the Idaho Panhandle National Forests as one of 12 examples of egregious management in its renewed campaign to stop logging on federal lands.

The Panhandle was cited in a report, "Stewardship or Stumps," that the group released Wednesday, the 100th anniversary of the Organic Act.

That's the federal legislation that opened Smokey Bear's home to Paul Bunyan. In recent months, national media from the *New York Times* to the *Wall Street Journal* and the *Washington Post* have published major articles on the alleged connection between overlogging and floods that are washing millions of tons of toxic mine tailings down the Coeur d'Alene River.

The environmentalists don't deny efforts to make the Panhandle a poster child.

"It's one of the best or worst examples of 100 years of logging dominating an area," said John Leary, a forest policy specialist with the Sierra Club. The area watersheds are unraveling, washing toxic mine tailings down to the region's larger cities. That bodes ill for the economy in the long term, he said.

Industry analysts see it as a clever ploy to drum up anti-logging support. "It's part of their no-cut position," responded Joe Hinson, executive vice president of the Intermountain Forest Industry Association.

"They are attempting to pick the topic that forwards their agenda."

"Looking at the Coeur d'Alene River you can see that it flows through a flood plain," Hinson said. "That's not by accident, it evolved over eons."

"The natural history of the river is it gets over its banks."

Logging, mining and road building may have contributed to problems in the upstream watersheds.

"To the extent there is human activity up there that we judge unfriendly, we need to fix it and they aren't offering any alternative," Hinson said.

The fix that Hinson is referring to is timber sales, such as Yellow Dog Downey in the Wallace Ranger District.

Yellow Dog Downey calls for logging 2.1 million board feet of timber. But after the logging, 42 miles of road would be ripped out and seeded with vegetation.

About seven miles of fisheries habitat would be restored, there would be erosion control work, culverts removed and other watershed improvements, said Andy Anding of the Panhandle National Forests.

Forty-three miles of road would be reconditioned, 4.4 miles reconstructed and about one mile of new road built, Anding said. But there would be 42 fewer miles of road in the end.

The Forest Service has to sell the timber to pay for the road removal and the other improvements, Anding said. In fact, the agency wanted to take out 124 miles of road, but the area can handle only enough logging to pay for removal of 42 miles.

Beyond that, "every law that has come out mandates multiple use," Anding said. "We are living with the laws the best we know how."

The Sierra Club insists this doesn't make sense.

"That's spurious reasoning on the part of the Forest Service," Leary said. "Why should they be forced to log questionable areas for questionable reasons to improve the ecological health of the area?"

If the taxpayers weren't subsidizing logging road construction, for example, those same dollars could be used to obliterate roads and improve watersheds. And recreation and tourism eventually will be worth 30 times what logging is worth to the economy if there is enough of a national forest system to attract tourists, the Sierra Club maintains.

Finally, the environmentalists say there is the incalculable cost of harm to public drinking water. They claim that more than half of the water supply for millions of people in 16 Western states flows through national forests.

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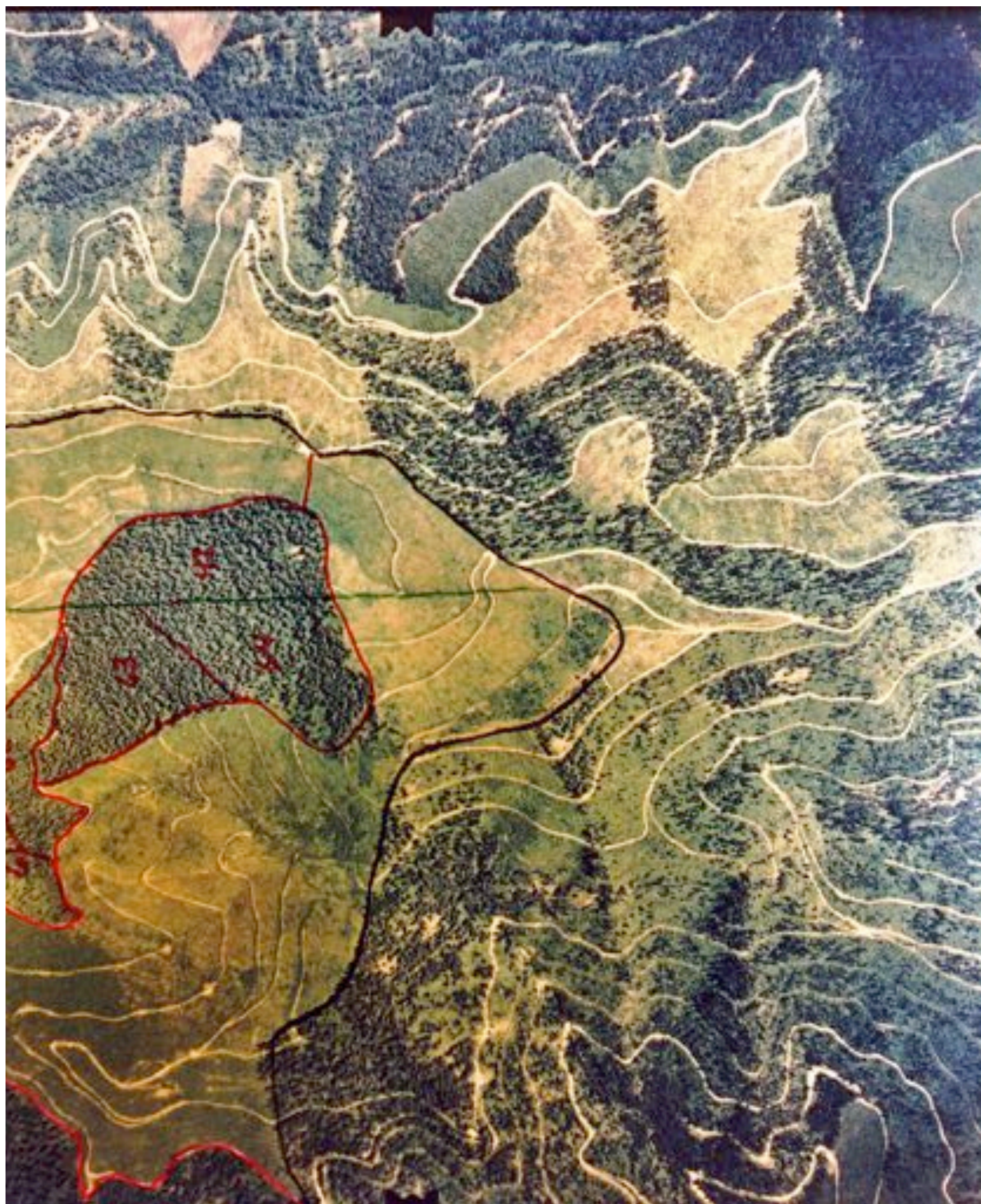
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U.S. Forest Service

Clearcut stream – Coeur d'Alene National Forest, north Idaho.



U.S. Forest Service

Clearcuts and roads – Coeur d'Alene National Forest, North Fork,, north Idaho.



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Road washed out from flood, Coeur d'Alene National Forest.



Reprinted from: Fred Rabe and David Flaherty, *The River of Green and Gold*. 1974.

Flood, Coeur d'Alene river, 1974. Flood waters carry millions of pounds of lead into Lake Coeur d'Alene, and on into eastern Washington Waters.



*Coeur d'Alene National Forest, north Idaho:
Clearcuts and thousands of miles of logging roads.*

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EDITORIAL

LONG STORY OF CORRUPTION

There is naturally surprise over the indictment of a United States senator and a congressman in connection with land frauds in Oregon. While it is too early to express an opinion as to the probability of guilt, and especially with such vigorous denials entered, it would be strange indeed if in the long story of rotten and corrupt land administration the names of public men of prominence were not involved.

In no other department of the government have political abuses been fostered so persistently as in the land department. For many years it has been a nest of frauds, perjury and deceit. The story of thousands of claims from original location, through contests, hearings, appeals and final judgment is one of duplicity, false swearing, bribery and political pull. Senators and representatives from the west particularly, where so much government land has been apportioned among the people, have been compelled to give much attention to land matters, and there is little doubt that with a view to helping their constituents they have often unwittingly used their influence to advance claims that were conceived in fraud and pushed to a patent by wholesale jobbery.

It is safe to say that no man has ever held a position of any sort in the land department, from the general land office down to local land offices, who has not run across rascality of one sort or another. If it is not downright bribery, it is imposition on friendship or good will, the use of pressure from influential quarters, the winking at a noncompliance with the strict provisions of the law, the failure to check corrupt practices that have become notorious, and the application of low moral standards to the work of a department that has become demoralized and debauched by the craze for public land. In this long era of almost unrestricted gobbling up of the public domain the wonder is, not that a senator and congressman have been involved, but that a score of them have not been drawn into questionable transactions either willingly or by mistake.

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Future Generation: Did All This Happen Within Your Time, Grandpa?

Present Generation: Yes, My Boy.

Future Generation: What Did You Let 'Em Do It For?

*From The St. Paul Pioneer-Press.
1909.*