Superior Nat. Forest
Copy—

THE PRAIRIE CLUB.
CHICAGO.
Room 537, 33 S. Dearborn Street.

To

International Joint Commission,
Mr. William H. Smith, Secretary,
Washington, D. C.

Gentlemen:

We, the undersigned, join in agreement with other conservationists interested in preserving the Natural Beauty of America, and earnestly protest against permitting the Fort Frances Pulp and Paper Company, (E. W. Backus, President) to make any changes in water level, overflow any land in or along any part of the Canadian border, or in any manner change the conditions there existing now.

We also most sincerely and urgently solicit the Joint International Commission, State and Federal officers, and legislators, to refuse any or any other persons to make any changes of the above character as set forth.

We further pledge our energetic co-operation and support, moral and otherwise to any efforts made or to be made by other conservationists to perpetuate the Superior National Forest, to improve and protect it from detrimental changes, and in defeating any efforts of the said Fort Frances Pulp and Paper Company to receive permission to make any changes in conditions in the Superior National Forest, in keeping with our above protest.

Yours sincerely,
Dear Mr. Newton:

I am sending you herewith the resolution of the Prairie Club of Chicago, pledging support to perpetuate the Superior National Forest and to defeating any efforts towards power development in that forest.

This is the resolution I spoke of this morning, which was located after you had gone.

Very sincerely yours,

(Sgd) STEPHEN T. MAIRE

Honorable Walter H. Newton,
House of Representatives.

TED
Dec. 2440.
March 22, 1926

Dr. Stephen T. Mather,
National Park Service,
Department of the Interior,
Washington, D. C.

My dear Dr. Mather:

Yours of the 13th instant is at hand with its very interesting enclosure from the well known Prairie Club of Chicago.

Thanks for bringing this matter to my attention.

Yours very truly,

[Signature]
June 9th
1926

Mr. Stephen A. Mather,
Supt. of National Parks,
Washington, D.C.

Dear Sir:

I am much interested in saving the last
piece of native white pine in Minnesota. It is
in the Superior National Forest.

As I understand it, when this was taken
over by the Government the Weyerhauser interests
retained the right to cut the pine. I think they
are now surveying for the railroad to go in there
from Winton.

Is there no way to save this by purchase
by the Government? It holds all the trees in the
other National Forests, and should hold them here.
I think there is something like three million dollars
involved. It is a wonderful wild region, and it
would be almost criminal to strip it of trees.

I am just opening the subject to you to
ascertain from you what the situation would be, and
whether there is a fighting chance. I am willing
to undertake some of the fighting if I can get a pro-
gram before me.

Sincerely yours,

H.V. Jones

NATIONAL PARK SERVICE
RECEIVED
JUN 11 1926
OFFICE OF THE DIRECTOR
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON

June 11, 1925.

Dear Mr. Jones:

In the absence of Director Mather, who is in the West, I have your letter of June 9, stating that when the Government took over the Superior National Forest, the Weyerhaeuser interests retained the right to cut the timber, and inquiring if there is not some way for the Government to save this last piece of native white pine in Minnesota.

The Superior National Forest is under the Forest Service, Department of Agriculture, and the National Park Service would have no jurisdiction in the matter. It is suggested that you write to Col. W. E. Creeley, Chief of that Bureau in this city, who, I am sure, will be glad to give you information as to any possibility there may be of saving these trees.

Very truly yours,

(Sgd) ARNO B. CAMPBELL

ARNO B. CAMPBELL,
Acting Director.

Mr. H. V. Jones,
Editor, The Minneapolis Journal,
Minneapolis, Minn.
July 5, 1926

Mr. Stephen T. Mather,
Superintendent of National Parks,
Interior Department,
Washington, D. C.

Re: Northern Boundary Waters.

My dear Mr. Mather:

In view of the talks we have had in reference to the attempt that is being made to despoil them, and your general interest in the question, I am calling your attention to some remarks made by me in connection with the Second Deficiency Bill, which you will find on Page 12886 of the Congressional Record.

With kindest regards, I remain,

Sincerely yours,

WALTER H. NEWTON
37th Dist., Minnesota
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON  July 6, 193—

Dear Mr. Newton:

In the absence of Directorather, who is in the West, I have your letter of July 3, calling attention to your remarks in connection with the second Deficiency Bill on the subject of the depredation of the forests of northern Minnesota. I have noted your remarks with much interest and will call them to Mr. Hather's attention on his return.

Very truly yours,

(Sgd) ARNO B. CAMMERER.

ARNO B. CAMMERER.
Acting Director.

Hon. Walter H. Newton,
House of Representatives.

THE
My dear Mather:

I have a friend, Mr. Ernest C. Oberholtzer, who for a number of years has made his home with his mother on one of the islands of Rainy Lake. Mr. Oberholtzer is a graduate of Harvard and a fine and cultured gentleman. Two Summers ago my young son spent the Summer with him and he is there again this Summer. Mr. Oberholtzer has taken a leading part in the effort to protect the Rainy Lake region from the encroachments of the water power interests and recently in a letter to him I suggested that if occasion arose I would be very glad to give him a letter of introduction to you because the defenders of the lake region are now, I understand, trying to have the region erected into a National Park. Naturally, I knew you would be interested.

For your information I am sending you a letter from Mr. Oberholtzer which reached me today and some enclosures. I take it that there isn't probably anything you can do about the matter at this time, but I hope that you will be interested to go over these enclosures. If you have any advice or suggestions to offer they will be very much appreciated.

With personal regards, I am,

Sincerely yours,

HAROLD L. ICKES

July 27, 1927.
Conservation or Confiscation

An Analysis

of

The Water Storage Projects Proposed by Mr. E. W. Backus

As Affecting

International Boundary Waters

 Particularly

In Quetico Park and the Superior National Forest

Note. The references are to pages of the "Hearings of the International Joint Commission in re Levels of Rainy Lake," published by the Government Printing Office at Washington, 1926, and available to all who are interested. Other documents consulted are: "Final Report of the International Joint Commission on the Lake of the Woods Reference, 1917," together with government engineers' reports and maps; other maps of the Canadian Geological Survey and topographical sheets of the Canadian Department of the Interior; and finally the "Brief on Behalf of Ernest C. Oberholtzer, In Opposition To Elevation Of Lake Levels, Sewell T. Tyng and Ewen C. MacVeagh of Counsel," submitted to the Joint Commission in 1926. All figures and statements in this analysis have been carefully checked with these sources of information and to the best knowledge are believed to be true.
Conservation or Confiscation

Under broad instructions from the governments of the United States and Canada the International Joint Commission is at present investigating and preparing to report as to whether the levels of certain lakes forming the boundary between Minnesota and Ontario shall be changed.

LOCATION OF RAINY LAKE WATERSHED

The lakes in question begin at North Lake, about forty miles west of Lake Superior, and extend to Rainy Lake on the west. They include, besides, such well-known bodies as Saganaga, Knife, Basswood, Crooked, La Croix, Loon and Namakan as well as numerous others not directly on the boundary but directly connected. Their course is westerly and their intricate network forms part of what is known as the Rainy Lake watershed, a vast forested lake land of 14,500 square miles draining from both sides of the boundary and flowing majestically out of Rainy Lake, down Rainy River into the Lake of the Woods, thence down the Winnipeg River to Winnipeg Lake and eventually by way of Nelson River to Hudson Bay—one of the imposing water systems of the continent.

PUBLIC IMPORTANCE

For the people of the United States and of Canada, both those resident in the region and those at a distance, the present investigation has a two-fold interest. In the first place, they must pay the Commission's bills, covering a period of years and involving among other items expensive surveys and engineering reports. Secondly and all-important, they have acquired a unique interest in the region itself. In the past twenty years tourists and summer dwellers from all parts of the Union and of Canada have learned to love and treasure it. More than that, both countries have set aside in the heart of it contiguous tracts of more than three million acres dedicated to public purposes. These are known as the Quetico Provincial Park in Ontario and the Superior National Forest in Minnesota.

WHO DESIRES CHANGES

It so happens that in September, 1925, the Joint Commission held a hearing at International Falls, Minnesota, at which appeared one of the master-builders of the state, Mr. E. W. Backus of Minneapolis, with a plan for converting the boundary lakes from International Falls on Rainy River to North Lake near Lake Superior into storage basins, the avowed purpose being to augment power possibilities at points on Rainy River and especially Winnipeg River. His was the only comprehensive plan presented for the serious consideration of the Commission and of the two hundred other delegates present. As such, it would seem important to make a careful and fair analysis of the proposal in terms intelligible to the layman, who may be unfamiliar with conditions. In other words, what precisely does Mr. Backus propose to do with these boundary lakes, which have assumed such national, if not international, importance and what will be the effect of his developments, if authorized by the Commission and their respective governments?

WHAT THE PROPOSAL IS

Briefly summarized, the plan is to make certain changes in the dams, which Mr. Backus already has at the outlets of Rainy and Namakan lakes, and to build seven new storage dams as follows: two on Lac La Croix, one on Crooked Lake, two on Basswood, and two on Saganaga. According to Mr. Backus' own estimates Rainy Lake will be raised three feet above its present highest level, Namakan one foot, Lac La Croix sixteen feet, Crooked and Saganaga fifteen feet each, and Basswood five feet. It must be remembered that Rainy and the Namakan chain of lakes are controlled by Mr. Backus' present dams and maintained at artificial levels far above the normal. Comparing his figures on the other lakes to the high water elevations shown on the geographical and topographical maps of the Canadian surveys, by far the most accurate maps of the region, it is significant to note that the extent to which the levels will be raised figures out as follows: Lac La Croix and Crooked lakes nineteen feet each, Saganaga fifteen feet, and Basswood sixteen feet.
EXTENT OF BOUNDARY INVOLVED

To avoid argument let us take Mr. Backus' own estimates. The distance along the boundary by shortest canoe route from Saganaga to International Falls may be roughly estimated for our purposes at 160 miles. In this distance it is Mr. Backus' purpose to hold at artificial heights, varying up to 16 feet above the natural high mark, every lake and river except a group of smaller lakes, including Bottle, Iron, Birch, Carp, Knife and Cypress. In other words, he will impound the waters of all but about one-fifth of this stretch of international boundary, together with their immediate tributaries on both sides.

DIVERSION FROM CANADIAN WATERS

This is not all. What is not so generally known, the plan depends for its success upon diverting two of the main lakes into new channels. Saganaga, which now flows through Canadian territory north of the so-called Hunter's Island, a part of Quetico Park, will be sent down round the boundary. Lac La Croix, which flows down Namakan River, likewise wholly in Canada, is to be switched to a new course into Loon Lake on the boundary. The wonderful chain of lakes in the Quetico Park north of Hunter's Island, including Kahnipimininikok and Sturgeon, and the whole of the incomparable Namakan River with its superb gorges and falls will be left high and dry except for what water they may accumulate from their own minor tributaries.

ONTARIO APPLICATION DIFFERS

Nor is that all. The hearing brought out that since 1920 Mr. Backus has had an alternative project on file with the Ontario government, covering these lakes in even a broader way. As for the border lakes his recommendations are the same except for two important differences. He would build four more storage dams to take care of the smaller lakes already named, Iron, Bottle, Birch, Carp, Knife and Cypress. Instead of diverting Saganaga to the boundary chain, he would allow it to flow as at present north of Hunter's Island but would add a dam at the outlet of Kahnipimininikok and one at the outlet of Sturgeon, raising each of these latter lakes according to his own figures 30 feet. In this way, he would not only dam ALL the waters along the boundary but the entire 75 miles of canoe route north of Hunter's Island in Canada.

ENTIRE WATERSHED ULTIMATELY INCLUDED

Nor is that all yet. Said Mr. Backus: "Further storage is practicable in this watershed on tributaries not along the boundary, which will unquestionably be developed in the future, and thus bring the run-off under a control that is practically absolute. Among these are the basins of the following: Vermilion, Maligne, Turtle, Seine, Otukamamoan, Manitou and Footprint." In short, all the tributaries of Rainy Lake both in the United States and Canada—a basin 120 miles across both from east to west and from north to south. By means of dams recently installed Mr. Backus already has complete control of the entire 120 miles of Seine River in Ontario and envisages the time when he will have similar control of every other tributary in the watershed.

EFFECT ON SHORES AND ISLANDS

So much for the comprehensive industrial vision revealed and eloquently championed by Mr. Backus at the hearing. There was much that was not revealed but of that we shall not speak. The question is, aside from the development of storage capacity, what happens to a region like this, when the waters on its principal lakes and rivers are raised from 15 to 30 feet? Those, who know the district, and those especially, who have seen Seine River since the construction of the dam at Sturgeon Falls, need not be told. Every waterfall and rapid—and their number and variety are legion—immediately disappears. Likewise, every beach. Mill ponds and masonry dams take their places; thus, as Mr. Backus suggests, "improving" navigation. Those who love lakes, he says, should be pleased, for they will have more than before and easier to travel. Bigger lakes, yes, and with shore lines inundated, leaving a fringe of water-killed timber of varying width along all the banks. There are tens of thousands of miles of shore line on these lakes and literally thousands of islands. It may be said that the shores could be cleared in anticipation but Mr. Backus has no such plan. The costs would probably be prohibitive and the improvement only partial. Not an island but will be damaged, many of them completely submerged except for their whitened treestops. The Commission has a book full of testimony to that effect, not by captains of industry like Mr.
Backus, who have been too busy with paper and pencil ever to visit the lakes but by actual travelers, settlers, and scientific experts.

**DAMAGE INCLUDES INTANGIBLE VALUES**

It matters not whether the timber killed is merchantable or not. Some of it is; some, as Mr. Backus, says, is not. It is all beautiful and dear to those, who visit the lakes for health and recreation, and it is all equally ugly, when killed. Because the region is largely in a state of nature, Mr. Backus assumes that it is valueless; but that is exactly what constitutes its value for the public. And that is exactly the way they wish it kept, especially its lakes and rivers, its only means of communication. How much land back of the shore lines these new levels will flood they can only conjecture. The amount is sure to be large, extending in places for many miles deep into the forest, but unlike the damage to the shore line cannot be readily observed but must be determined by careful government survey. Judgment on that must therefore be reserved. Intangible values are not there concerned to the same extent as on the shores, *where beauty is of paramount interest.*

**FIRE HAZARD**

What the public can understand, however, without government figures, is the fire menace to the hinterlands constituted by the line of dead timber along the shores. In times of low water, which are bound to come, the hazard to private and government forests in the interior will be vastly increased.

**WHY THE WATERS WILL FLUCTUATE**

The reason there will be low water as well as high is not only because of drought but because a storage reservoir must be regulated in the interests of the power needs farther down stream. When water is abundant, the dam saves all the water it can, even though the country may be drowned. When water is scarce, the dam liberates all the water it can, even though the lake may run dry. This, of course, providing there is no rigid government regulation to protect the public interests, which are at such variance with the purpose of the storage basins. Such regulation has never been known in this district. In justice to Mr. Backus it must be said that in his plea at the hearing he did advocate government jurisdiction over the new dams but how that would be arranged, if at all, and how well it would function cannot be predicted. Even under the most careful jurisdiction, as Mr. Backus admits, the lakes often get out of hand. *You cannot keep a region of such magnitude in a strait-jacket.* When you double or treble or quadruple the natural capacity of a lake and do not at the same time enlarge its outlet correspondingly, you accentuate the risk of flood. In any sudden accession of rain or snow-water, the dam becomes incapable of handling the flow. There then occurs what Mr. Backus calls "an act of God." Such acts have occurred periodically on the Lake of the Woods, Rainy Lake, Namakan, and wherever else Mr. Backus has his dams, ever since those dams were installed; but strangely enough, by Mr. Backus' own admission they did not occur on the uncontrolled upper lakes even in the flood of 1916—the worst in this region in the memory of man.

**EFFECT ON FISH**

If we must then, as part of Mr. Backus' plan, reconcile ourselves to the fact of very large and violent fluctuations on all the lakes regulated for storage, what will be the effect of such fluctuation aside from inconvenience, unsightliness, and fire hazard? Let us hear from some of the experts. Says the Minnesota State Game and Fish Commissioner: "Generally speaking, it is not high water levels which are destructive to fish and aquatic plant life, but rather a varying and irregular artificial change of water depths and levels. There is involved the problem of the development of plant life, not only that vitally necessary and essential in the life of all species of fish at certain periods of life of each but that upon which migratory birds are dependent for food supply not only during the breeding season but during flight as well." Or Mr. George H. Selover, President of the Minnesota Walton League: "Winter is the time when the water goes down on account of these water projects, as I understand it. But the lowering of the water will kill the eggs of the species I have mentioned, the lake trout and the whitefish." These, of course, are the commercial fish of the region. Or hear what the Commissioner of Drainage and Waters has to say: "If the fluctuations permitted are considerable, fish life will be seriously menaced if not entirely destroyed." And whole pages of similar testimony as to the destructive effect upon fishing, both commercial and for sport,
WHAT ARE THE BENEFITS?

From the point of view, then, of the summer visitor and of the home-maker, Mr. Backus' storage project, on the best testimony, involves the ultimate despoliation of the entire Rainy Lake watershed, both in Canada and the United States. If that is true, there remain only two questions. What are the industrial benefits? What public necessity or emergency exists to justify such a sacrifice?

NAVIGATION

Mr. Backus spoke glowingly, though in general terms, of the public benefits to be derived. For one thing, he predicted a "revival of navigation," forgetting evidently that only since the installation of his dam at International Falls with its consequent sudden raising and lowering of Rainy River has there ceased to be a regular boat service between Fort Frances and Kenora, Ontario. His plans, by his own admission, include no provision for locks in the storage dams. "The way," says Mr. S. T. Tyng of New York, who has made an admirable summary of all the arguments, "the way, in which navigation, even of pleasure craft, would be improved by the erection of a series of dams without locks is left unexplained." There is already more than sufficient water for all boating needs, either now or so far as can be seen in the future. In view of the fluctuations and the trouble with landings and docks, the effect would seem rather to be to hamper navigation. Certainly that has been the experience on the lakes already dammed by Mr. Backus.

INDUSTRIAL CLAIMS

"New wealth in the building up of industries," said Mr. Backus, "with all its concurrent and far-reaching possibilities, will be created"; but he gave no indication of just where these developments are to take place or in what way they will be brought about. He admitted that, though there are possibilities for developing power at the sites of some of his proposed storage dams on the upper lakes, he has no such intention himself and that, moreover, if such developments should occur later, they would be subject to the prior regulation of these reservoirs for the sake of power stations farther down in Rainy River and Winnipeg River. Under these conditions and since uniformity of flow is a prerequisite, is it likely that any independent company would want to take the risk of installing local power projects, especially since there is not at present a single community or possible power user anywhere along the boundary east of International Falls? There is then no present plan and none in prospect, so far as revealed, for the development of power at any point in the entire region, in which the impounding of waters on a wholesale scale is to take place.

SIGNIFICANCE TO FORT FRANCIS AND INTERNATIONAL FALLS

Mr. Backus did make one concrete claim, which merits special consideration. He asserted that International Falls and Fort Frances are dependent for their future growth upon making the power, which he has already developed there, more uniformly dependable. The only trouble with this argument is that the figures of the government engineers, fully corroborated by Mr. Backus, show that, if full advantage is to be taken of the proposed additional storage, there will be made available at these points an addition of only 700 horsepower. That is, the present 20,000 horse power, divided between the two towns, will be increased by about 3 1/4%. Moreover, since the hearing in 1925, Mr. Backus has transmitted to Fort Frances 10,000 h. p. from his new plant on Seine River, thus overwhelmingly obviating, it would seem, any necessity for the paltry 700 h. p. from this other source.

ALLEGED BENEFITS TO WINNIPEG RIVER

What the increased storage emphatically will do, it seems, is to augment the available power in the Winnipeg River at a point entirely in Canada 150 miles or more from the scene of the storage basins. There, according to government figures, on sites already developed or capable of development, the increased power will amount to as much as 50,000 h. p. Mr. Backus did not say as much but the presumption is that his huge plant at Kenora, Ontario, will be the chief beneficiary.

PURPOSE NOT CLEARLY DEFINED

The truth is that Mr. Backus, quite naturally perhaps, has not admitted the public to his confidence as to his motives in seeking additional storage on so vast a scale—storage which is effective primarily
on the Winnipeg River in Canada. He would not, of course, seek such changes without good reasons, but whether those reasons pertain primarily to additional power or to some other purpose does not appear clearly in the record.

**MONOPOLY DANGERS UNLIMITED**

It follows almost automatically, one would think, that if monopoly control of the waterways—the only means of communication through a trackless wilderness—be given to one man, the other resources of the region, timber and otherwise, are likewise likely to drop into his pocket. From the point of view of the public that is certainly a great danger. Any canny business interest would naturally hesitate to enter a domain so completely at the will of one man, especially in view of the history of similar control on Rainy Lake and the Lake of the Woods. Timber products in particular are dependent for marketability upon the right amount of water at the right time for the so-called “drives”; and there is no assurance that the interests of lumber companies and power concerns, above all those not associated, would coincide in this respect. As astute a man as Mr. Backus may not be unmindful of that advantage in a kingdom so rich in resources and larger than Massachusetts, Connecticut, and Rhode Island combined.

**WHO WILL PAY?**

For Mr. Backus’ eagerness to create these new storage reservoirs there is one other possible explanation, aside from the power advantages. This has to do with the matter of costs. At present, the two governments, on whose initiative is not clear, are bearing all the expenses of a costly investigation into the power possibilities of this entire boundary region. But, if they finally approve the Backus plan, who will bear the costs of those actual changes, not only the construction of the dams but the damages to the property of individuals, corporations, and states? At the hearing these damages, only in small part reviewed, were shown to run into many millions of dollars.

**GOVERNMENT AID FOR PRIVATE PROJECT**

Mr. Backus’ recommendation is this. *The two governments will pay the entire initial costs of the contemplated improvements, including property damages, charging half the amount permanently to themselves and the other half to the various power sites likely to benefit, including those still undeveloped. Should the undeveloped sites ever come into use, the governments will then collect from the new owners their proportionate share of the original debt. Since Mr. Backus so far has only admitted a benefit to his own companies of 700 h. p. at his present dam on Rainy River, it is obvious that his share of the costs is likely to be very low, especially taking out the $50,000 which he says he has already spent on engineering data and which he considers a legitimate counter charge.*

**WHAT THE COSTS WILL BE**

What the total expense will be no one knows. The divergence of opinion may be indicated by the figures submitted by Mr. Backus and by some of his opponents. While he estimated the total damages to the Canadian National Railways at $60,000, the railroad itself made detailed claims for damages on Rainy Lake alone of nearly a million. Mr. Backus placed total damage to the town of Fort Frances at $47,000. The town itself pointed out that its sewer system alone, which it is alleged will be rendered useless, has cost $261,000. Mr. Backus estimated total flowage rights on Rainy Lake at $297,000. State Representative David Hurlburt, from affidavits already filed, estimated the damage to the American side of the lake alone at five million dollars.

**COSTS OF NO MATTER?**

Mr. Backus’ reply to all these objections is: “The benefits accruing make the question of cost of any sort of contemplated plan of very small consequence,” which of course is true from his point of view so long as he is not paying the fiddler. He can well afford to compromise his differences even with his biggest opponents under this arrangement, *for it means, of course, that the public will pay their own damages and especially the communities in the region affected. This is what is happening now on the Lake of the Woods, where damaged property owners, tired of waiting for their compensation, are finally accepting government intervention in the vain hope of benefit.*
ADVANTAGES OF GOVERNMENT AID

As a matter of fact, it is of supreme importance to Mr. Backus to shoulder these entire costs, at least originally, upon the two governments. Claiming some international emergency, it sounds plausible in that way, for the governments to condemn private lands. In no other way could private and public lands be taken for a private purpose. But the claims for damages on Rainy Lake, which like those on the Lake of the Woods, have never been paid and which are mounting from year to year as the region becomes more settled, must sooner or later be adjusted. *Property owners have already for years paid taxes on land continuously occupied by Mr. Backus for storage purposes without any legal authority.* Only serious loss to the power company can come out of this legal muddle, unless the two governments come to the rescue.

WHAT, IF ANY, PUBLIC NECESSITY?

That, in short, is the story of the proposed developments in the Rainy Lake watershed. Is there then a public emergency or necessity justifying the two governments in storing water in any part of this international basin at their own initial expense or in permitting it to be done even at the expense of an individual, if he were willing? At the hearing in 1925 there appeared two hundred delegates, representing the State of Minnesota, the Province of Manitoba, the City of Winnipeg, the Town of Fort Frances, the Village of Ranier, the Isaac Walton League, the Arrowhead Association, and various other societies, corporations, property owners, homesteaders, and small farmers—all to voice their objections to this plan for monopoly control. *Mr. Backus appeared as chief, if not only, advocate.* Of the three others who had anything at all to say for control of these upper waters, one revealed that the interests he represented were entirely anonymous, two admitted that their plans were largely dependent upon and subject to Mr. Backus, and the third discussed in a general way the importance of cheap power, if any could be developed for the towns of the Iron Range.

ATTITUDE CANADIAN POWER USERS

It might be supposed that Canadians at least would favor the project because of the increased potential power in the Winnipeg River, but all the main users of power in that river except Mr. Backus registered their protests. Said Mr. R. E. Guy, representing various Winnipeg power companies: "The present storage on Rainy Lake and on the waters controlled by the dam at Kettle Falls was undertaken solely and entirely as a private undertaking and to provide for the utilization of power for commercial purposes, and not in any respect intended as a storage basin to regulate the flow of water in the Winnipeg River, and incidentally if such storage for power purposes (which is not admitted but denied) in any way contributed to the more uniform flow of the Winnipeg River, none of the power companies on the Winnipeg River should be asked or expected to contribute anything to such private enterprise." Apparently, here Mr. Guy even denies the validity of the government engineers' figures.

WHAT, IF ANY, PRIVATE NECESSITY?

Not only was there a complete failure to show any public necessity but even "it does not appear that a failure to accept Mr. Backus' recommendations would result in any calamity or even serious hardship to him or to any of the companies he represented." In view of the comparatively small total addition of horsepower demonstrated to result in the entire 300 mile stretch of country between North Lake and Lake Winnipeg, it begins to look after all as if power is secondary to the need to escape costs—costs, by the way, for damages already inflicted or likely to be inflicted by dams already in place.

HAS EVERYTHING BEEN SAID FOR THE PROJECT?

Whatever the motives, we must calmly examine the proposal on its merits. Mr. Backus may not have been his own best advocate. There may be better things to say for his vision. If so, let's hear them. No well-informed person denies that there are power possibilities in this region. Mr. Backus did not call our attention to it, but there is a drop of 450 feet between North Lake and Rainy Lake. At the locations of his proposed storage dams power might be developed—probably more in that way than by using it to help the rivers farther down. If the Iron Range towns wanted it or needed it, their need should be respectfully considered. But that is not Mr. Backus' proposition nor is there any present or prospective use for...
any of this power locally. Moreover, drop in elevation alone does not make power possibilities. There must be volume too, dependable volume. No one need be told that these upper lakes are by no means comparable in that respect to the average waterways used for hydro-electric purposes. The fact is the aggregate potential power in these upper waters is probably too small for comparison to our other continental resources.

**IS IT GOOD PUBLIC POLICY?**

But, even if it could be shown that extraordinary horse-power could be immediately developed and put to profitable use, with all the humming industry to result, would it not be a grave matter of public policy whether one man should be given such sweeping privileges forever, without charge of any sort and without restrictions?

**UNIQUE PUBLIC VALUE OF REGION**

On the basis either of the Backus plan as outlined or the conceivable potential power, regardless of that plan, it may be questioned whether the results would justify in the public interest the sacrifice of even a single one of the smallest lakes on that boundary. All these lakes are bound together. You cannot harm one without harming others. If you ruin Namakan, you also ruin Kabetogama, Sand Point, Crane, and innumerable lesser waters, which has already to a large extent been accomplished. Yet the destruction so far is insignificant considered in the light of the proposed plans. This is one of the rarest regions on the continent, if not in the world. Nowhere else is there to be found so precious and picturesque a combination of water, rock, and forest, all linked together in a single maze of bewildering beauty. Here is the last remnant of that far-flung forest that once embraced most of Minnesota and Wisconsin. Here is our largest and most lordly game animal, the moose. Here are all the flora, the fish, the birds, the game, even the Indians that once made our American forests romantic. Fourteen Indian reservations, sheltering the most primitive native Americans left on the continent, are located on the Canadian waters of this watershed. A health-giving climate, pure, clear waters, the oldest naked rocks in the world, aboriginal inhabitants, an eventful history—all have contributed to the charm and national importance of this region.

**PUBLIC NATURE RECOGNIZED BY ESTABLISHED RESERVES**

Largely in recognition of these facts Ontario in 1909 established the Quetico Park, and President Roosevelt, in his wisdom; set aside, almost simultaneously, the Superior Forest—an international consummation largely due to the unrecognized efforts of one far-seeing Canadian, Mr. Arthur Hawkes of Toronto. Remember that this region is only a day's ride now from Chicago. No other playground on the continent compares in accessibility. Half the population of America live at its gates. Recall too the speeding up of travel in the past quarter century and its present accelerated tendency. There is no other refuge of any comparable size or importance anywhere in the heart of the continent. It is only a century and a half since we Americans occupied a thin line of seaboard. Today we fill the confines of the most bounteous land in the world. If we look back only 50 years at our growth and look ahead another 50 years, where shall we find ourselves then for open spaces to strengthen our bodies and to expand our souls?

**PUBLIC DEDICATION OR PRIVATE MONOPOLY**

The policy established by President Roosevelt and the present policy proposed by Mr. Backus are diametrically opposed. They cannot be reconciled. Power development is primarily, if at all, of local benefit. Contact with unspoiled nature, recreation and its legitimate fulfillment, is the need and right of every citizen. Those who live on the border do not appeal to the public for their homes, many of which are either threatened or already impaired; but for the public's own best future. *Either we are to confiscate this principality to help achieve the industrial ambition of one man or we are to keep it for the perpetual use and enjoyment of the North American People.*

Let us not only keep it but enrich it. Let us restore it to all its primeval grandeur. Let us preserve some portion of our mid-continent wilderness to remind our children forever of their rugged and romantic past.

Minneapolis, Minn.
July 20, 1927
Mr. Harold L. Ickes,
1206 Illinois Merchants Bank Building,
231 South La Salle Street,
Chicago, Illinois.

Dear Mr. Ickes:

In Director Mather's absence in the West I am acknowledging your letter of July 27, but am holding it for his attention at the earliest possible moment.

I do not know that there is anything that the Director can do about this matter at the present time, and, furthermore, the plan that Mr. Oberholtzer presents is a difficult one to execute and full of complications. It took 26 years to establish the Grand Canyon National Park in spite of its tremendous scenic qualities, so you can see it is not as easy as Mr. Oberholtzer thinks to create a new park, even though it should be all Government land and no private ownership involved.

Sincerely yours,

(Sgd) ARNO B. CAMMERER

Arno B. Cammerer
Acting Director.
LAST REMAINING WILDERNESS IN U.S. THREATENED BY POWER DEVELOPMENT

Scores of falls as beautiful as Kawishiwi, here shown, would be turned into calm ponds if the proposal to develop the water resources of Minnesota's lake region were carried out.

By ROSCOE B. FLEMING

DULUTH, Minn.—The roar of a huge airplane motor split the forest stillness. A roaring morn plunged madly thru the underbrush. An ancient Indian in a canoe sighted the huge "thunderbird" and paddled hastily for shore and shelter.

Far above, the camera's eye was recording mile upon mile of untouched and pathless wilderness—the evergreen of virgin pines and spruce mingled with hundreds of bright lakes, and threaded with the tumbling glitter of countless falls and rapids.

An Army Job

It was another Army job. The Air Corps had loaned a Loening Amphibian—the duck of the service—which can light on land or water—the photographer was Lieut. E. C. Batten.

Under them the landscape unfolded at 50 miles an hour until more than 2,000 square miles—a region almost three times the size of Rhode Island—was recorded in photographs to aid the surveyors of the Reclamation Service and the Engineer Corps in constructing a map of the U. S. Canadian boundary from North Lake, northwest of Duluth, to Rainy Lake, more than 300 miles toward Winnipeg.

Primitive Region

The region is perhaps the most primitive left in the heart of the continent. It contains 14,500 square miles—about the area of Massachusetts, Connecticut and Rhode Island together—and has thousands of lakes with thousands of islands, connected by rapids which twist and turn over the forested slopes into the lakes. They are emptying into the Rainy River and finally into Lake Winnipeg.

The region almost borders Duluth, a modern city of 100,000, in 24 hours of Chicago, the Twin Cities, Omaha and a quarter of the population of the continent.

Forest Preserve

Yet the only mode of travel thru most of it is by canoe, and big fish and big game flourish. It is becoming increasingly well known as a vacation country, and thousands of people seek recuperation in it yearly from the strain of city life. It contains the Superior National Forest, owned by the United States and valued by President Roosevelt as a perpetual forest reserve.

The Air Corps photographs were taken in the late fall when the country is already freezing up. Using Duluth Harbor as a base, the two men flew for weeks in all sorts of weather with the thermometer sometimes going below zero, until the whole 500-mile chain of lakes and rivers was photographed.

Maj. R. W. Crawford, in charge of Army Engineer activities here, said it is hoped to complete the survey before the freeze-up this fall. The photographs, he explained, are being used to complete accurate maps upon which drainage lines will be laid down showing exactly what flooding of the lakes will do to the country.

Would Dam Lakes

The survey is being made for the International Joint Commission, created jointly by the U. S. and Canada, Canadian engineers are working on the Canadian side.

When the survey is complete, the commission must decide, and must recommend to the two governments, whether the lake country will be more useful as it is now, or with the lakes dammed up as to turn a series of huge storage ponds to generate water power and to increase the power potentials of the Winnipeg River in Canada.

The commission's recommendations may be enacted into a treaty which will settle forever the status of the lake country. The only concrete proposal for dams, submitted at a hearing held by the commission, would raise the lake levels from 3 to 20 feet over most of the territory and 10 feet at one point.

Congress Paid for Survey

The man making this proposal, which was not taken as a formal offer, was E. W. Backus of Minneapolis, millionaire paper, timber and power magnate, whose property would be increased in value by the raising of the lakes.

Maj. Crawford said from 5 to 50 men have worked continuously since July, 1936, on the survey. Congress appropriated $100,000 to pay expenses over the protest of Rep. Newton of Minnesota, who said that if it showed nothing should be done, the money was wasted, and if a change were recommended the money would have been spent to the benefit of one man—Backus.

TOMORROW—How a great natural forest is threatened by the dam project.
OLD EVERGREEN FORESTS menaced by
STORAGE-BASIN PROJECT IN MINNESOTA

Lake Hudson, shining like a sapphire necklace among the evergreens of the Superior National Forest, is typical of many which would be drowned and left surrounded by ghostly dead standing timber, if the proposed storage basin plan goes thru.

By ROSCOE B. FLEMING

DULUTH, Minn.—Up here in the wilderness at the northern end of Minnesota, your Uncle Sam is carrying on a great work.

He seeks to convert a forest area twice as large as the state of Rhode Island—the Superior National Forest, set aside by President Roosevelt—into a timberland which will produce between $1,000,000 and $2,000,000 worth of forest products a year, and will in addition remain forever a natural lake-starred wonderland and playground at the heart of the continent.

Restoring Waste

Gently the Forest Service is nurturing back into healthy tree life the gray wastes left by recurring forest fires, and the slashed and scarred stumpage left by the ruthless methods of old-time lumbermen, and is preserving and protecting the hundreds of thousands of acres of virgin woods and large second growth.

Of the total gross area of about 2,200,000 square miles, the U. S. owns about half, the state of Minnesota about one-tenth, and private interests the rest. The Forest Service contemplates buying out the private interests, the Clark-McNary law, however, and exchanging for the scattered state holdings to form a compact federal reserve.

Game Plentiful

Moose, bear, deer, with countless other animal species, are plentiful. The waters abound with game-fish.

More than half the forest is included in the Minnesota State Game Preserve of 1,000,000 acres. The state maintains a force of wardens and is spending about $20,000 a year to protect the wild life.

On the Canadian side of the border the government is carrying out a somewhat similar plan in the Quetico Forest Preserve. Both the Superior and the Quetico forests are partially included in a survey being made by Major W. W. Crawford, U. S. Army Engineer at Duluth, for the International Joint Commission.

That commission has been charged by the two governments with determining whether the boundary-lake country, covering 14,500 square miles (or roughly the area of Massachusetts, Connecticut and Rhode Island), shall be left in its natural state or whether construction of dams shall be permitted, raising the lake levels and converting them into storage basins for the benefit of private power projects below.

Altho the survey is not complete, it is certain that parts of both the Superior and Quetico forests would be invaded and drowned, for distances ranging from a few rods to many miles back.

A dam owned and operated by E. W. Backus, Minneapolis millionaire who has made the storage basin proposals, has already drowned out about 23 acres of the Superior Forest, altho the dam is several miles below the forest limits.

The Forest Service is reticent as to its opinion of the Backus storage basin proposals, altho it insists upon the right to pass upon any power projects which would overflow government land. Conservation and recreation organizations, however, not only of Minnesota but of the whole U. S., are up in arms.

They say the proposals would ruin the region for canoeing, would drive out or destroy much of the game and fish life, would kill wild belts of timber and leave them standing like gray tombstones, and would create tremendous fire hazards—the Superior is already classed as a "high-hazard forest."

TOMORROW: Minnesota angry and fearful at possible fate of her "Arrowhead Country," brightest jewel in our wilderness diadem.
MINNESOTA FEARFUL RESORT COUNTRY
WILL BE RUINED THRU POWER PROJECT

CANOEING ON LAKE LA CROIX—What would happen to the forest in the background if the water-level were raised several feet, as has been proposed by private power interests?

By ROSCOE R. FLEMING

ST. PAUL, Minn.—The State of Minnesota is angry, disturbed and fearful over the possible fate of her "Arrowhead Country."

The Arrowhead sticks its vast point into Canada on the northwestern shore of Lake Superior. Glittering with countless lakes and rivers, it is nearly worthless for ordinary farming purposes, and only a few thousand settlers have entered it.

But as its fame has spread as a summer resort, and each year thousands visit it.

Minnesota's public officials, recreation associations, editors and just plain citizens are apprehensive of the plans of E. W. Backus, Minneapolis multimillionaire whose business partner, W. F. Brooks, is Republican national committee man for Minnesota.

Proposes Power Development

Backus, who owns power dams and paper mills at Kenora, Ontario, and International Falls, Minn., has tentatively proposed to the International Joint Commission that the 360 miles of lakes along the Minnesota-Ontario boundary be raised by dams and converted into storage reservoir. His paper and power projects below would be the direct beneficiaries.

The commission is now having the territory surveyed. It must report its recommendations to the Canadian-U. S. governments.

The territory involved, contains 14,500 square miles, or more than the area of Massachusetts, Connecticut and Rhode Island. It contains the Superior National Forest, set aside by President Roosevelt, on the American side, and the Quetico Forest Preserve on the Canadian side.

Want Tourist Trade

Minnesota has a selfish interest, of course. Officials of the Ten Thousand Lakes Association and the Arrowhead Association frankly admit that they believe the dollars left by the ever-increasing tourist tide to the Arrowhead are a bigger obligation than farming or water-power would bring.

Beside this, according to President James H. Harper of the Arrowhead Association:

"The Backus interests are a Canadian organization operating entirely in Canada, using Canadian water for power. The power developed is not needed in Minnesota; the organization pays no taxes in Minnesota, they are beyond the control or regulation of our federal authorities, and are creating a monopoly in print paper which will come back to plague us in later years when the pulp timber is exhausted on the American side."

Backus is the state's great political and financial power, and the state is frankly afraid he may get what he wants, thru the International Joint Commission, the State Department, whose head, Frank B. Kellogg, hails from Minnesota, and the Senate, unless public opposition is made evident and sharp.

TOMORROW: What the power plan really means, as revealed by its chief beneficiary.
Proposal to Use Lake for Power Alarms

Minnesotans
Up in Arms Against Project of E. W. Backus, Millionaire, of Minneapolis

PROPERTY DAMAGE FEARED

Results of Other Power Developments Pointed Out as Evidence of What Might Happen

By ROSCOE B. FLEMING

MINNEAPOLIS, Minn. — E. W. Backus, Minneapolis multimillionaire, wants to use much of the Arrowhead County of Northern Minnesota, together with much of southern Ontario, as a reservoir to store water for his and other power projects, mostly in Canada.

Officials and citizens of Minnesota, as well as conservation and reforestation associations of the whole U. S., are unqualifiedly against Backus, and with the region left in its present natural state, the decision will settle the fate of a territory approximately as large as Maryland and Rhode Island shown together, containing the Superior National Forest of the U. S. and the Quetico Forest Preserve of Canada.

Recommendation Asked

That decision must be made by the International Joint Commission created by the U. S. and Canada to decide water-level questions affecting the two countries. The commission has been asked by the two governments to make recommendations covering the boundary lakes question, following which a treaty must be adopted by the two countries and ratified by the Senate.

The commission claims there is nothing before it except the reference from the two governments. That is only technically true. At hearings held at International Falls, Minn., Backus submitted a complete tentative proposal for use of the lakes as storage reservoirs.

It must be explained that the two governments in 1929 adopted a treaty covering the water-levels of the Lake of the Woods, which lies in the northern center of the Minnesota boundary, and covered about 1,500 square miles.

Own Power Dams

Backus owns a power plant, and paper mills at Kenora, Ont., at the outlet of Lake of the Woods, as well as another mill and dam at International Falls, Minn., controlling the outlet to Rainy Lake, and still another power dam at 50 miles farther up at Kettle Falls, both the latter being across international waters.

The Lake of the Woods treaty fixed the levels of that lake sufficiently to draw out about 61,000 acres of land (about 100 square miles) and part of the town of Warroad, Minn. The damming was assumed by the two governments, which are now settling their.

What is more significant, however, is the commission's reason well for the Fall Kenora Dam, as well as the Kettle Falls Dam at International Falls, Ont., and subsequent agreements, namely, that as an lake of 30,000 acres or so of an area of great extent, it was assumed, but the treaty didn't say so, there was no provision for the two sides to agree on levels there, or to agree concerning anything, as there is no apparent compact for the damming of Rainy Lake.

Lands Overlooked

Water from the International Falls dam has backed up and overflowed lands, including thousands of acres of Minnesota State land, besides the lands of a number of Minnesota settlers. Settlements and summer camps are now being abandoned, and those who have made similar complaints have made similar claims for damages.

Suit for damages against Backus has been filed recently in the Superior Court in Northern Minnesota, based entirely on the backwater dam which involved the Fall Kenora Dam. The court found that the dam was not properly located, and that the Backus dam should be dismantled, and that the Backus dam is not a proper location for the dam, a verdict which Backus is likely to appeal to the United States Supreme Court.

Year More Damage

Minnesotans point to this as what he might be expected to do if he is given permission to build the dam, which he has been refused.

The dam would be built on the Rainy Lake, and would store water for Backus' power projects, including his proposed dam on Rainy Lake. The dam would create a large reservoir, and would be a threat to the natural beauty of the area.

The proposed dam would raise the water level of Rainy Lake from its present level of 58 feet above sea level to 66 feet above sea level. This would result in the flooding of thousands of acres of land, including some of the most scenic areas of Minnesota.

The proposed dam would also affect the natural habitat of many species of plants and animals, including the white-tailed deer, the black bear, and the otter. The dam would also affect the water quality of Rainy Lake, which is an important source of drinking water for many communities in the region.

The proposed dam would also affect the local economy, as many businesses rely on the natural beauty of the area for tourism and recreation. The proposed dam would also affect the local culture, as many communities have a strong connection to the natural areas around Rainy Lake.

In summary, the proposed dam would have a significant impact on the natural beauty of the area, the economy, and the culture of the region. It is important that the decision on the proposed dam be made carefully, taking into account the potential negative effects on the environment, economy, and culture.

TUESDAY - How 'timber commissioners' may commemorate the dead and gone beauty of the border lakes.

The timber commissioners, as they are called, are responsible for managing the forests of the United States and Canada, and for ensuring that the forests are used in a sustainable manner. They are responsible for making sure that the forests are managed in a way that balances the need for economic development with the need to protect the environment.

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Fight Made to Keep Beauties of Minn. Lake Country

Hydro-Electric Development Would Ruin Immense Area, Conservationists Assert

Canadians Would Benefit Most From Backus Proposals, It is Claimed

By ROSSCO B. FLEMING
Secretary-Editor Staff Correspondent, ST. PAUL, Minn.—"We want to keep our Arrowhead Country as it is for the benefit of the whole United States," said a Minnesota state official to me.

He was discussing the proposals of E. W. Backus, Minneapolis paper and power magnate, to make storage basins of 440 miles of beautiful lakes and wilderness country along the Minnesota-Canadian boundary.

Would Ruin Arrowhead

"The claim of all persons who have investigated the proposals is that the project would actually ruin the Arrowhead—the finest of the magnificent recreation country of Minnesota, Michigan and Wisconsin—for every other purpose except as a storage basin.

According to the Ten Thousand Lakes Association of Minnesota, the visitors are practically doubling in numbers each year.

"This association is unqualifiedly against any proposition to raise the lake levels, leaving drowned islands and ghostly dead timber where the beauty of the present beauty," said F. C. Rotenberg, its director. "We will fight it by all means in our power to prevent destroying it.

Destroys Beauty

President James H. Harper of the Arrowhead Association, composed of 25 commercial and civic organizations in the towns bordering the Arrowhead, said he believed the Backus proposals would help "create a Canadian monopoly in print paper that will come back to plague us later.

"The use of the lakes for storage purposes and the drawing off of water from time to time destroys the beauty of the lakes, kills off fish, and generally leaves wreckage," he added. "The Backus interests do not see what destruction is brought about, for they are not able to control all boundary lakes and thus shut out competition in the future.

Officials Agree

"The Minnesota Arrowhead and Western Ontario are the only areas left on the continent by nature dedicated to recreational purposes, and it seems too bad that the greed of a foreign corporation should be permitted to despoil this wonderful country," Opinion was the same among Minnesota state officials. State Forest Grocer Conzel, a member of the state Conservation Commission, which has charge of fish and game,
Copy-TEB

STATE AUDITOR OF MINNESOTA.
The State Capitol.
St. Paul.

Miss Beatrice Ward, Ex. Secy.,
Natl. Conf. on State Parks,
904 Union Trust Building,
Washington, D. C.

September 14, 1927.

Dear Miss Ward:

Your letter of September 12th is received and I would rather not write the article you suggest at this time. We have made no effort to embarrass this company through undue publicity, merely opposing their proposition until it can be determined on its merits, and the interests of the public studied and taken care of. If proper study proves that this watercourse is more valuable for recreational than for commercial development, we shall use every effort to prevent its exploitation and to protect the interests of the public. In that case, all the publicity possible to obtain, will be much worthwhile and appreciated.

The attitude of this department is that if we relinquish such right, it is gone beyond recall. If we oppose, we have time and opportunity to give it thorough study. If the interests of the public will be best served by the use of the lakes and streams as a reservoir to develop waterpower, then we should, in fairness to the company and in justice to the public, yield.

I am interested in what Mr. Mather suggests - setting aside the state-owned land in Superior National Forest as a state park. Our great difficulty is that the state lands are not contiguous but widely scattered throughout the forest. The federal government desires to buy or to exchange. The Constitution of this state will not permit the sale of the land in any other way than at public auction, and will not permit its sale at less than $5.00 an acre. Consequently there is no chance to sell to the federal government. The same difficulty is encountered in considering the exchange of state for federal lands.

It may be possible, before very long, to buy up either from the federal government or individuals, some federal or private holdings within the Superior National Forest, these holdings to be added to the present state holdings so that we may have a rounded out tract of primeval and cut-over lands to be maintained on forestry principles. I would think that it would be better to utilize this tract as a state forest rather than as a state park. It is doubtful if the state will ever approve the creation and maintenance of so large a park. If used for forestry purposes, the timber cut and sold
and removed as fast as it becomes diseased or mature, and the new timber
protected from fire, we can have a worthwhile forest which can be used for
park purposes.

You will remember, of course, that in half the counties of Minnesota,
we have vast deposits of peat and that in dry weather these peat deposits
offer a fire hazard, since once on fire it is extremely difficult
to dig out the blaze and exterminate it. That is why our so-called
forest fires smolder and why we have to be so extremely careful with
both tourists and residents during dry seasons, who may throw their cigar-
ettes carelessly beside the road or leave a camp fire unextinguished.

Please give my regards to Mr. Mather.

With best wishes to you both.

Sincerely yours,

Ray P. Chase.

State Auditor.
Mr. L. F. Kneipp,
Assistant Forester,
Department of Agriculture,
Washington, D. C.

Dear Mr. Kneipp:

Referring to our conversation in regard to the Superior National Forest and the possibility of creating a State Park, I enclose copy of letter which State Auditor Ray P. Chase has written to Miss Ward, who was passing on some of the suggestions that you gave me. Perhaps Mr. Chase did not fully get the thought of consolidating these areas, although he does refer to this possibility later on in his letter.

The letter is sent you, of course, just as a matter of general information to you, as you may be following up this problem later.

Very truly yours,

(Sgd) STEPHEN T. MATHER
Director.

Enc. 24627.
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON September 17, 1927.

Miss Beatrice H. Ward,
National Conference on State Parks,
Washington, D. C.

Dear Miss Ward:

I am returning you herewith letter of September 14th from State Auditor Chase regarding the formation of a state park from the state lands in the Superior National Forest. I have sent a copy of the letter to Mr. Kneipp of the Forest Service, and suggest that you call him up and ask him if he has any suggestions in the way of answering Mr. Chase.

Very truly yours,

(Sgd) STEPHEN T. MATHER
Director.

Enc. 24629.
Dear Mr. Mather:

Your letter of September 17 is received.

Colonel Greeley, Mr. Sherman and I have all been greatly interested in the copy of Mr. Chase's letter of September 14 to Miss Ward, and appreciate your courtesy in furnishing us a copy of it.

When I met Mr. Chase at Ely last June, I endeavored to picture to him the big possibilities of an exchange between the State and the Federal government, through which the State's holdings would be consolidated into a single body of almost one-quarter of a million acres of forest land, but apparently I was not wholly successful. He mentioned the constitutional and legal obstacles, but I was hopeful they might be eliminated by a constitutional amendment or by act of the legislature. An interim committee of the Legislature was to have studied the situation in July and August and, I believe, did so. Possibly it may propose some constructive solution of the present problem. By selecting an area in the northwest corner of the Forest near the International Boundary Waters and Crane Lake, or an alternative area in Cook County along the Gunflint Trail, the State would have an area rich in recreational opportunity as well as forest value.

The Federal Government has indicated a willingness to buy the State lands or, to consolidate both holdings by a mutually advantageous exchange. Nothing has been said ament a purchase of Federal lands by the State, such as suggested in Mr. Chase's letter, except that he did tentatively propose
Mr. Mather -

offsetting purchases by both agencies as a means of getting around the constitutional obstacle; that is, the State would buy Government lands and the Government would buy State lands, offsetting the amounts due each other.

Very sincerely yours,

[Signature]

Acting Forester.
Mr. Harold L. Iokes,
1205 Illinois Merchants Bank Building,
231 South La Salle Street,
Chicago, Illinois.

Dear Mr. Iokes:

Since my return to Washington there has been brought to my attention your letter of July 27, with its enclosures, which Mr. Cammerer, my assistant, answered under date of August 1.

I have read with keen interest Mr. Oberholtzer's letter to you of July 25 in reference to reserving the Rainy Lake watershed in Minnesota and Ontario as an international park. I have been in somewhat close touch with this situation through the National Conference on State Parks, and with Colonel Greeley of the United States Forest Service and his assistant, Mr. Kneipp. During the past summer Mr. Kneipp made an extended trip through the Superior National Forest, and he also has been in touch with some of the State authorities with regard to the possibility of a big State Park in this area. I have just recently had some correspondence with Mr. Kneipp relative to these plans, and know that you and Mr. Oberholtzer would be interested in the following excerpt from Acting Forester Kneipp's letter, which I am quoting:

"When I met Mr. Chase at Ely last June, I endeavored to picture to him the big possibilities of an exchange between the State and the Federal Government, through which the State's holdings would be consolidated into a single body of almost one-quarter of a million acres of forest land, but apparently I was not wholly successful. He mentioned the constitutional and legal obstacles, but I was hopeful they might be eliminated by a constitutional amendment or by act of the legislature. An interim committee of the Legislature was to have studied the situation in July and August, and, I believe, did so. Possibly it may propose some constructive solution of the present problem. By selecting an area in the northwest corner of the Forest near the International Boundary Waters and Crane Lake, or an alternative area in Cook County along the Gunflint Trail, the State would have
an area rich in recreational opportunity as well as forest value.

"The Federal Government has indicated a willingness to buy the State lands or to consolidate both holdings by a mutually advantageous exchange. Nothing has been said about a purchase of Federal lands by the State, such as suggested in Mr. Chase's letter, except that he did tentatively propose offsetting purchases by both agencies as a means of getting around the constitutional obstacle; that is, the State would buy Government lands and the Government would buy State lands, offsetting the amounts due each other."

I do not know whether you and Mr. Oberholtzer are aware of the efforts that have been made along these lines, and I would suggest that it might be well to advise Mr. Oberholtzer to write Mr. Kneipp here in Washington, or better still if he is coming East some time in the near future, to make an engagement with Mr. Kneipp to discuss this whole situation.

I am enclosing an extra copy of this letter with the thought that you might desire to send it on to Mr. Oberholtzer.

With kindest personal regards, I am

Sincerely yours,

(Sgd) STEPHEN T. MATHER

Director.

Inclosure 40189.

ASD/WM
Honorable Stephen T. Mather,
Director of U.S. Parks Service,
Department of the Interior,
Washington, D.C.

Dear Mr. Mather:

This will introduce Mr. Ernest C. Oberholtzer of Ranier, Minnesota, concerning whose interest in the Rainy Lake region I have written you. Mr. Oberholtzer is on his way east on this matter and I hope you will give him an opportunity to talk it over with you.

Sincerely yours,

Harold L. Ickes

Mr. Oberholtzer called and presented this letter on October 14. Mr. Demaray talked to him, and he then went to see Mr. Kneipp of Forest Service.
Izak Walton League of America, Minnesota Conservation Council, and affiliated organizations, Commonwealth Club of Minneapolis, Seven Superior Forest Committees of Minnesota and Mississippi River Scenic Highway Association.

Gentlemen:

September 29th representatives of your organizations appeared at this office to oppose delivery of some leases covering a logging railroad right-of-way over certain state lands in Cook County.

A lumber company plans to harvest some timber which it has owned for many years in and near Superior National Forest. In preparation for logging operations, it has been acquiring and clearing right-of-way for a private logging railroad. Much of this right-of-way crosses lands owned by the federal government or by individuals, some of it crosses lands owned by the state.

State law provides for leasing state lands for railroad right-of-way purposes. Under said law, following proper application by this company, leases were executed covering the tracts in question. These leases had not been delivered and in compliance with the request of your representatives, delivery will be delayed for such period of time as may be reasonable and adequate for you to consider your entire problem fairly and dispassionately.

While this was the immediate purpose of their visit, they agreed that their primary object and ultimate aim is to terminate lumbering operations in northwestern Minnesota, either in or adjacent to the Superior National Forest, whether the timber be owned by individuals, firms, corporations, the state or the United States.

By their request, this letter is written. Its sole purpose is to furnish information of value to you in considering your problem and helpful in reaching the solution.

Very few, even in Minnesota, comprehend the Superior National Forest. Generally it is regarded as a vast, unbroken tract, government owned, covered with a dense growth of virgin timber. Actually it is far different.

Superior National Forest, as set aside by Pres. Roosevelt in his proclamation of Feb. 13, 1909, included three separate tracts.

The longest now extends west and south from Mountain Lake on the Canadian boundary of Cook County to Bear Island Lake in northwestern St. Louis County. At no point does it reach Lake Superior...
although it approaches the north shore road just southwest of Lutsen and at a second point a little southwest of Tofte. It reaches the Canadian border only at and adjacent to Mountain Lake. The proclamation of April 9, 1927 providing for a purchase area, enlarges this section of the Forest so that when acquisition is completed it will adjoin Lake Superior from a point half way between Hoyland and Grand Marais southwest to Schroeder. So the area of this section is being increased gradually by acquisition from private owners. Last week its area, according to the records of the Forest Supervisor at Ely, was 1,258,000 acres.

The second largest tract lies almost entirely in north-eastern St. Louis County, from Burntside and Trout Lakes north to Lac La Croix, the eastern tip just reaching over into the extreme northeastern corner of Lake County. Its area is 369,390 acres.

The smallest tract is an area of 25,813 acres in the northwestern corner of Cook County, south of Saganaga Lake.

How general is the popular misconception of the Forest and its boundaries was demonstrated strikingly a short time ago by the outcry which arose over the proposed road from Ely to Gunflint, opponents of the project arguing that it would cut through and damage Superior National Forest. The facts were that the proposed road was not routed through the Forest while the Ely-Finland road and the Gunflint trail, both previously approved by the public, do pass through the Forest.

Another way of showing the size and location of the Forest area is by comparison with counties. The total area of Cook County is 1,075,454 acres, of which 641,044.77, exclusive of any recent acquisitions, are within Superior National Forest. The area of Lake County is 1,562,967 acres and of this 625,963.11, exclusive of any late acquisitions, lie within the Forest boundaries. The Forest area in St. Louis County, aside from any recent purchases, totals 377,601.74 acres.

Another common error is the belief that the Forest is all government owned. This is not the case. The area belonging to the Federal Government is 809,095 acres, less than half the total of 1,653,223 acres. The state owns now 212,675 acres with several thousand acres more selected but not patented. The rest belongs to private individuals and corporations.

A third common misconception is the idea that the entire Forest area is covered with virgin timber. Within the three tracts...
are some agricultural land and much cut over land.

Another confusing angle to the matter is that a state forest is superimposed over the National Forest. Chapter 448, Session Laws 1917, set aside 339,426.37 acres of state land in Cook, Lake and St. Louis Counties as a state forest. Two years later, by Chapter 315, Session Laws 1919, the legislature eliminated 24,462.56 acres from the state forest leaving its present area 314,963.81 acres. Much of this lies within the boundaries of Superior National Forest and thus the two overlap.

No discussion of the problem presented by your representatives can be practical which fails to take cognizance of the location, area, ownership and character of the Superior National Forest and none can be worthwhile which does not consider the purpose of the Congressional Act authorizing and the presidential proclamation which "set apart", this territory.

The Superior National Forest was "set apart" by President Roosevelt primarily for forestry purposes, not to hamper our timber industry but to promote it, not to prevent proper logging operations but to permit them. Clearly the object was to maintain a timber supply for commercial purposes by applying to public lands scientific forestry principles, protecting the young growth, guarding against forest fires, and supervising the care, sale and cutting of mature, diseased, fire killed and blown down timber. The first paragraph of the president's proclamation of February 13th, 1909, says, "Whereas, the public lands in the State of Minnesota, which are hereinafter indicated, are in part covered with timber, and it appears that the public good would be promoted by utilizing said lands as a National Forest". The act creating the state forest is exactly in point. It says in part: "Said lands are hereby placed under the jurisdiction and control of the state forestry board, to be managed, as other state forests are managed by the said board, on forestry principles for timber production, and for such other uses as are not inconsistent therewith".

Thus it is too obvious to permit controversy that while there is nothing in the creactive acts of the Superior National Forest or the state forest prejudicial to their use for recreational purposes, they primarily were set apart to permit, promote and perpetuate production and protection of timber for commercial purposes.
At the conference mentioned above, your representatives requested me to withhold the leases, to prevent the company from reaching its land and harvesting its timber. They declared themselves opposed to further logging operations in the Superior National Forest area or adjacent thereto for any purpose or by any agency. They so expressed themselves, vigorously, and were unanimous on that point. They seek the most effective method of obtaining their objective:

Two ways at once suggest themselves:

1. Amend federal and state timber laws to forbid all logging operations within the prescribed area.

2. Set aside the prescribed area as a national park.

The first method demands immediate and exact designation of the territory wherein you desire timber operations to cease. You can never set aside the entire Superior National Forest area for recreation only. Public interest will not permit it and public opinion will not tolerate it.

For many years Minnesota has sought to revive its timber industry, to establish it on a sound substantial basis, free from the extravagant, wasteful methods of the past; to establish it on a permanent basis, "timber mining" being replaced by scientific reforestation and reforestation, two growing trees replacing every one cut, an ever increasing supply of mature timber guaranteeing the future of one of Minnesota's greatest occupations. Some of the best thought of the state and nation has been devoted to saving and expanding the lumber industry of this state. For this industry to live and grow there must be a source of supply. Wood-working plants require raw material if they are to operate. There is no article that enters more into our every day life than wood. We use it at all times and for all purposes. All of this wood came at some time from growing timber. To supply it trees were cut. To continue to supply it more trees must be cut. If the industry is to live there must be a continuing supply of raw material and that material must be utilized. Surely there can be no honest argument over this.

Even with most of our standing timber gone and most of our mills dismantled the industry yet represents an investment of millions, employs annually thousands of men and pays them millions of dollars in wages. For example, one company alone, The Virginia & Rainy Lake, reported August 16th, 1927, to the legislative
interim commission on reforestation that it employs on the average 1062 men at its mills and 3186 men in the woods, paying them annually in wages $2,450,000.

Such a business is neither to be taken lightly nor lightly hampered or destroyed. Such an industry, vitally effecting the welfare of the state and the lives, prosperity and happiness of so many people, should be encouraged and not exterminated.

If, therefore, you propose to save in its primeval condition all standing timber in some section of Minnesota you should designate that section at once, selecting an area large enough so that your proposition will be of moment and small enough so that it will be feasible.

Having designated such area you should secure the legal description of each unit, where the tract is privately owned, the name and address of the owner and the value of his holdings. Then you should secure from Congress an appropriation sufficient to acquire these private holdings through purchase or condemnation. This should be followed or preceded by congressional action setting apart the tract you designate for the purpose you have in mind and similar legislative action as to state owned lands. The next step should be to secure from Congress and the legislature, appropriations sufficient to make good to the counties and lesser units of government their loss in taxes and to the state trust funds their loss in receipts from the sale of state lands and forest products therefrom.

Private owners, whether timber operators or settlers, should be adequately reimbursed. They have paid for their land and their timber, protected their holdings from fire and paid their taxes. It would be grossly unfair to permit them to buy and maintain property and thereafter deny them its use and enjoyment; to encourage logging operations only to incite popular clamor against them; to foster the timber industry only to destroy it.

If you elect to adopt the first named method and secure a distinct forest area in which trees shall be grown but never cut, you should select the area, get the appropriations, acquire the lands, have them set apart, and then amend the federal and state timber laws so that the timber will be preserved and settlers, timber operators and the public alike will be informed and not deceived.
A second step to accomplish the purpose of securing the desired tract as a national park will be to set apart the forest reserve. Your procedures, your results, and even your purpose will be different.

To do this your procedure will be much the same as to secure the forest reserve. Your problems, your results, and even your purpose may be different. If you decide to secure a national park you will select a different area from that you have discussed as a permanent timber reserve. You will seek to preserve the beauties of lake and stream as well as those of forest. Whatever your ultimate views may be, your representatives thus far have centered their efforts on the preservation of certain timber in the northern part of Cook county.

If you favor a national park you will not confine your attention to the main section of the Superior National Forest or to Cook county, but will study also the scenic beauties, the wonders of lake and stream and forest, along the international boundary from Mountain Lake westward past Gunflint to Saganaga and Lac La Croix, including territory in St. Louis and Lake counties as well as in Cook county. The creation of such a national park will preserve for you and for posterity the chief beauties of Minnesota's wilderness - it will preserve the timber, the lakes and streams, and the wildlife, all cherished elements in any public domain and valuable tangible assets in the development of a tourist business. It will solve the irritating problem of power dams along the international boundary.

Therefore your purpose in seeking a national park will be to save all the beauties of the northland rather than the timber alone, and the result, if you succeed, will be to preserve a selected area in northeastern Minnesota, supervised by the National Park Service of the Department of the Interior and dedicated to recreation, instead of forestry alone. An immediate, definite result will be that you will receive the support of many thoughtful people who approve the timber industry and resent attacks upon it, but will favor the creation of a National Park which doesn't jeopardize Superior National Forest but will coordinate with it.

Whatever your decision you will be confronted with perplexing problems requiring solution before your end can be attained. Among them are these:

1. Just what lands do you wish set aside? When you have decided this you should confer with the owners that logging operations thereon may be postponed until the federal government has had opportunity to consider and act.
2. Whether you favor a National Park or a Forest Reserve with logging forbidden, will you permit the cutting of mature, diseased, fire killed or blown down timber, or do you favor letting it rot, a total loss to the unit of government which owns it, a fire menace and a detriment to the young, growing timber?

3. Will you approve any agricultural development within the Park or Reserve area or will you terminate it entirely?

4. Within any considerable area which you may select in Cook and Lake counties lie deposits of iron ore. Will you permit their development in case the mining industry reaches a state where these deposits become merchantable?

5. Private ownership of mineral lands, timber lands and timber in Cook and Lake counties produces revenue for those counties and their subdivisions in the form of taxes. Public ownership for either Park or Reserve purposes will terminate this income. How will you offset the loss? The tax rate this year in Cook county is 124.29 mills and direct property tax receipts should be $228,061.34. In Lake County this year's tax rate is 110.64 mills and total direct taxes should be $442,037.21 if all direct taxes are paid.

6. In Cook and Lake counties the fire protection afforded by timber operators, the state forestry department and the federal forest service has averted any serious fire loss. With these agencies eliminated will the area have equally good protection and, if so, from what source?

7. Under Act of Congress approved May 23rd, 1908, 35 Stat. 260, Minnesota gets 25% of the receipts from the Superior National Forest. By legislative act, Chapter 58, General Laws 1913, this money is divided equally between Cook, Lake and St. Louis counties, one half going for schools, the other half for roads. This money comes from the sale of timber within Superior National Forest. If no timber may be sold in the proposed Park or Reserve, from what source can revenue be obtained? If there should be no income, from what source will the loss to those counties be made good?

8. If you decide that you favor a Forest Reserve or Park for the preservation of timber only, in Cook county in or adjacent to Superior National Forest will the creation there of such Park or Reserve satisfy or do you favor extension of the idea to include
other forest areas in Lake, St. Louis, Koochiching and Itasca counties?

9. How will the federal government acquire state owned land lying within the selected Park area? Under the Constitution and Statutes of Minnesota state lands can be sold only at public auction, to the highest bidder and for not less than $5.00 an acre. The federal government does not and will not pay this amount.

If I can be of any further assistance please tell me your wishes.

Sincerely,

Ray C. Chase
State Auditor
and Land Commissioner.
WHEREAS, an organisation calling itself the Save the Superior National Forest Association has started a movement to request the National government to convert the Superior National Forest into a National park, and

WHEREAS, such a movement can vitally affect the industrial and economic development of Northeastern Minnesota, and particularly the City of Cloquet, and

WHEREAS, it would appear that such a movement is based on a lack of understanding as to the problems of forestry and re-forestration and is not based on full information regarding the industrial problems of Northeastern Minnesota.

NOW, THEREFORE, be it resolved by Carl Anderson Post No. 232 of the American Legion and by the Women's Auxiliary of said Carl Anderson Post at a joint meeting held at Cloquet, Minnesota, on October 10th, 1927,

That we deplore the action of the Save the Superior National Forest Association in presenting this far reaching plan without full knowledge of the conditions in this section of this state,

And that we endorse the action of the Minnesota Conservation Congress in calling a conference of all interested organisations to consider the matter from its effect upon the agricultural, industrial and aesthetic development of the Arrowhead country.

That a copy of these resolutions be sent to the Minnesota State Auditor, Minnesota Department of the American Legion, The Minnesota Conservation Congress, The Secretary of the Department of Interior, and the Senators and Representatives of the State of Minnesota.

Signed

Edwin Erickson
C. V. Barron
Mrs. E. A. Hudberg
Mrs. C. V. Barron
M. F. Cox, Chairman
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON

OCT 19 1927

Col. W. B. Greeley,
Chief, U. S. Forest Service,
Dept. of Agriculture,
Washington, D. C.

Dear Colonel Greeley:

Copy of resolutions adopted by the Carl Anderson Post No. 262 of the American Legion and by the Women's Auxiliary of said Post at joint meeting held at Cloquet, Minnesota, on October 10, 1927, concerning the Superior National Forest is transmitted herewith for your information.

Sincerely yours,

(A.E.D.) A. E. DEMARAY
A. E. Demaray,
Acting Director.

Inclosure 75638.

AED: ACH
Sir:

It is now nearly nineteen years since President Roosevelt in his wisdom set aside the Superior National Forest in Minnesota. The proclamation was the result largely, I believe, of the sympathetic response in Minnesota toward a happy inspiration of Ontario citizens, who urged reserving a portion of the Rainy Lake watershed in both countries for better protection of forest and game, particularly of that largest American game animal, the moose. How great was the popular appeal of this action may be judged by the present agitation, of which you are doubtless well aware, for the more complete and final protection of this area. The Superior National Forest has captured the imagination of the American people to such an extent, that many of them, mindful only of the rare enjoyment it affords and forgetting its more purely economic aspects, would now have it made absolutely inviolate as a National Park.

Since 1909 there has developed on the part of our people a rapidly growing use not only of the Superior National Forest but of the adjacent Quetico Provincial Park in Ontario. Here is a wonderful connected lakeland in the heart of the continent, containing all that is left of the pine forest, the fish, the game, and even the Indians (there are fourteen Indian reserves on the Canadian side), that once extended far south into Minnesota and Wisconsin. Public attention all over the continent has been focussed upon the region lately by a plan of American interests to convert the main lakes of the watershed into storage basins for the sake of remote private power plants on Rainy and Winnipeg rivers. It is felt that no conceivable benefits from such a plan can justify the wholesale impairment of public values in so large and so unique an area.

The demand for a national park on the Minnesota side is partly the consequence of public solicitude. By those, who do not understand the purposes and policies of the Forestry Service, it is felt that scenic values are necessarily subordinated to questions of practical logging.
Even by the best friends of the Service it is realized that additional safe-guards must somehow be provided to protect forest margins from flood as well as from fire and logging. Some solution that will make these so-called spiritual values inviolate as they are in our National Parks seems inevitable in view of the needs of our mid-western population for recreational areas in the wilderness. The overwhelming sentiment for conservation of these values as well as, if not more than, the purely economic values cannot be denied.

The trouble with the park idea is that it involves removing too large a region from economic use, especially from its main economic destiny of producing timber for the future. Such timber could not be cut in a park, even under most careful regulations, it seems, without setting a dangerous precedent for all our other National Parks. From the fact that Ontario permits logging in the Quetico I judge that there is the same necessity for utilizing forest resources.

It is not surprising therefore that a suggestion has again come from private sources in Canada that the region of the Superior Forest and the Quetico Park be made the object of closer international action for the definition of a common policy of conservation. Nor is it surprising that the idea has met an enthusiastic reception from this side. All that is holding back its culmination in public activity at the present time is the precaution to know that the idea is practicable and that it will prove equally welcome in official circles. The Minnesota Conservation Council, which has the problem under consideration so far as this State is concerned, has purposely deferred all decisions until the latter part of this month, when a meeting is to be called at Duluth to discuss the future of Superior Forest. It is hoped at that time, with the sanction of your office and of the Ontario Minister of Lands, Forests, and Mines, to be able to urge the advantages of international, rather than national, action.

The writer recently, after consultation with officers of the Conservation League, the Arrowhead Association of Duluth, and the Izaak Walton League of America and with their approval, made an extended trip to Toronto, Ottawa, and Washington. The purposes were to study the possibilities for international cooperation and, if possible, to find a way to reconcile the conflicting aims of park and forest enthusiasts. In Washington contact was made, among others, with Mr. L. F. Kneipp of the Forestry Service, as a result of which the writer came away with an enlarged understanding of the statesman-like quality of its policies. A tentative plan, which it is thought may offer a solution for the problems of the region, was freely discussed with Mr. Kneipp and later, I believe, by Mr. Seth Gordon of the Izaak Walton League with Colonel Greeley.

The solution proposed follows. The Rainy Lake watershed is a region of rock-bound lakes and rivers. For centuries these waters have been its only means of communication. The public knows the region in no other way. Destroy the beauty of the visible
shores and islands of these lakes and rivers and you destroy the whole charm and pleasurable utility of the region for the public. Why not then make those parts of the watershed, which are visible from the traveled waterways, those shores, islands, rapids, and waterfalls, absolutely inviolate forever and dedicate the hinterlands, which the public never sees, to the utilitarian rather than the scenic aims of practical government forestry. This is already to some extent the policy of Ontario on Rainy Lake, where though purchase of small parcels of land for summer residence is permitted title to the timber remains in the Crown. It is still more the policy of the U. S. Forest Service, which requires that in all logging operations a fringe of timber be left along the shores. More than that, the Forest Service permits no complete removal of the forest cover even in the hinterlands. The forest is divided into so-called "circles", only the mature timber of which is removed about once in forty years.

The protection to shores, however, would have to be extended to forbid flooding as well as logging; the one has no meaning without the other. In other words, all damming of streams within the area agreed upon would have to be excluded, not only for power purposes but for logging as well. That would seem to be the logical and necessary step to take. Fortunately, on our side this would not interfere with practical logging, which is now carried on most economically by means of temporary railways. The "drive" has become old-fashioned. How such a prohibition would affect operations in Canada I am not prepared to say. I realize that most of their logging, being remote from railroad centers, still makes use of the drive. I imagine there would at first be some objection on the part of lumber companies. Still, I do not consider this an insuperable obstacle. If necessary, the new regulations could recognize existing conditions and slowly work toward the ultimate elimination of all dams. Lumber companies, utilizing large public resources as they do, are showing more willingness to accept regulation in the public interest. Certainly a method can be devised to protect the beauty of the region, so far as the lumber industry is concerned, without stifling legitimate logging.

If we once admit the principle of inviolability of shore lines, then we have no difficulty either in retaining all the economic advantages of forestry and its dependent industries or in setting aside a sufficiently large area to meet all reasonable needs of the future for recreation and wilderness beauty. In so doing, I believe we shall succeed in reconciling all demands for national parks in the region and shall merely recognize what individual speculators have long ago recognized, that shore lines have an immense and growing intrinsic value. It would seem to be only foresight and common sense to keep this value for future generations, who will have imperative need of it.

In the United States provision of this sort can only be made by legislative action or by treaty with our Canadian neighbors. It is at this point that the suggestion of international cooperation,
fulfilling the promise of 1909 when the two forest reserves were first set aside, makes its great appeal. The Rainy Lake watershed is geographically, historically, economically, and in the affections of the people a unit and logically, it would seem, should be treated as such. What is undoubtedly needed is a comprehensive and flexible plan that can be applied to the whole watershed. There should be no patch-work and no haphazard measures.

Naturally there can be no set program at present. Public opinion is still nebulous. No one wishes to be dogmatic. What we are all seeking is a solution appropriate to the physical difficulties and to the popular aspirations. Above all, we must first have the judgment and advice of men in high office like yourself, who know all the obstacles and implications. It is for that reason that we have thought it advisable and proper to submit a brief outline of what we have in mind, even though the plan is only tentative and subject to radical change.

The key note of the plan is a treaty between the Dominion of Canada and the United States, recognizing the paramount public character of the Rainy Lake watershed lying in Ontario and Minnesota and clearly defining a policy of public use and development, which will represent the best modern thought in game protection, practical forestry, and outdoor recreation.

Briefly the treaty would provide:

1. That all visible shores of islands, lakes, and rivers within the area covered by treaty be made forever inviolate from logging, flooding, or other form of exploitation.

2. That all the hinterlands be devoted to practical forestry for economic purposes.

3. That all fish and game be regulated for the maximum productivity.

4. That these major objectives be carried out under the direction of a Joint Commission representing the Forestry Service, the Park Service, and the Biological Survey in the United States and similar authorities in Canada or under direction of an adviser chosen by such a Joint Commission.

Boundaries

I have merely tried to express the intention. The treaty would have to be complete and explicit. The ultimate objectives might be remote but should be distinctly stated. For instance, the matter of boundaries. If the plan is acceptable at all, there would seem to be no difficulty about including immediately the Quetico Park in Ontario and the Superior Forest in Minnesota. Nor about extending the principle of inviolate shores at once to all public lands on the balance.
of the boundary lakes within the watershed, that is to Sand Point, Namakan, and Rainy lakes. Since these lakes are already dammed, it would mean regulating the operation of the dams in the public interest and confining the authorized high water to reasonable levels -- a matter already being considered by the International Joint Commission and requiring in any case eventual treaty action. More than that, however, it would seem highly desirable that, as soon as possible, the entire Rainy Lake watershed and portions of the Lake Superior coast in the neighborhood of the historic fur town of Grand Portage should be included. It is hoped that the various governments will see their way clear ultimately to do at least this much. Canada has so much more to give within her portion of the watershed, both in area and present beauty, that it is imperative for the United States to include more than just the American portion of the watershed. The great danger, we fear, is that for lack of vision we shall make the Domain too small rather than too large.

Residence Lakes

The plan would contemplate designating some of the larger and more accessible lakes within the area, such as Rainy and Vermilion, which are already partly settled, "residence" lakes, where property could be owned subject to the regulations of the area. This would seem necessary not only in view of present private holdings but also as a means of encouraging the use and enjoyment for summer purposes of the whole region. Here would be built cottages, hotels, and other facilities for the public, either as headquarters for canoe cruises into the interior or as permanent summer abodes.

Leases

In addition, the U. S. Forestry Service at present permits the leasing of camp sites under strict rules on certain other fairly accessible lakes. This enables visitors of small means to enjoy a home of their own on the edge of the wilderness and recommends itself as an important means of providing enjoyment to the maximum number. It is hoped that agreement could be reached to extend this system of leasing without encroaching upon the primary wilderness character of the main lakeland.

Primarily a Wilderness Area

The public preference in the United States undoubtedly is that the greater part of the watershed shall be kept as nearly as possible in a state of nature with no roads and no sign of human activities except such as pertain to the present normal life of native Indians. There is no desire, I believe, to interfere with the Indian social or economic life but rather to encourage it and make much of it as a feature of the region.
The honorable Secretary of Agriculture --- 6. 11/7/27

The building of additional roads, it is thought, should be strictly discouraged unless imperative for fire or similar protective measures and then only in consultation with the Commission's landscape expert, having in mind the scenic and wilderness objectives. Improvement of existing portages, if any is made, should aim to preserve the present wilderness character. Likewise, all guide posts and other evidences of direction should be excluded.

Possible Recognition of Three Zones

Such regulations as suggested may result, it is thought, in classifying the domain into three main zones: (1) an innermost, embodying the major portion of the watershed and to be kept as nearly primitive as possible; (2) a thin middle zone, fairly accessible by trails or water routes, where leaseholds for private camps would be permitted; and (3) an outermost zone, in contact with railroads and public highways, where private ownership of homes and private activities in harmony with the purposes of the treaty would be recognized. If it should seem wise to authorize construction of bridle paths through the forest, such paths would be confined to the two outer zones. Regulations as to logging, flooding and game would apply, of course, to the entire area.

Private Holdings

Ontario, with her stricter land laws, if she grants her adhesion to some plan of cooperation, will be able to move with much more freedom and promptness than the American authorities, though of course she will be giving up much greater possibilities of hydro-electric development. Of her portion of the watershed the greater part is still in Provincial hands. On the Minnesota side, unfortunately, there is much private ownership, besides federal and state. The problem is intricate, involving patient consolidation of lands under one jurisdiction. Naturally not all private holdings of timber lands could be acquired, though their owners may be persuaded to abide by regulations governing adjacent areas. The best that can be done is to extend immediately the treaty provisions over all public lands and to begin acquisition by purchase, gift, trades, or other methods, whatever State and private lands can be secured. The hearty cooperation of both individuals and the State of Minnesota will be required. On mineral lands in private hands, of which there is a considerable block, probably only surface rights could be secured at most. I take it too that some practical provision would have to be made to cover adequately the possibility in both countries that minerals may be discovered and pressure brought to open the region for mining.
Fish and Game

In carrying out the provision with reference to fish and game the purpose would be not to lock up those resources but to make them more abundant and useful. The first task would be to restock and restore all the native wild life. This would include the encouragement of such former natives as wapiti and woodland caribou. Consistent with this policy of maximum productivity, hunting and fishing might both be permitted under proper regulation and in certain prescribed sections of the domain. The zone plan, already mentioned, might even be helpful in determining where game animals might be killed in season and where not at all. The innermost zone might be kept as a complete sanctum. On the other hand, ultimate conditions might warrant restricted commercial fishing in certain large outer lakes like Rainy, where it once flourished and where it is still a recognised but less profitable pursuit.

Customs Regulations

It would be highly desirable, one would think, though not essential, that some identical customs and immigration rules should be worked out for the whole domain, to the end that visitors from the United States and Canada may have freedom of movement after once crossing the boundaries.

Restoration as well as Preservation

It is evident that in any plan of cooperation for the object here outlined the task will be one not only of preservation but of restoration. Even in Quetico Park, a magnificent tract in 1908 and still the loveliest part of the boundary waters, fires, logging and logging dams have played havoc. The fact that many of these shores are now desolated, however, is no argument for desolating the rest but rather for restoring all to their original beauty -- a task for which the Forestry Service is preeminently fitted. The possibilities for rare charm and enjoyment are there and can be realized by any wise policy of development. Even ten years of careful administration, working with nature and not against her, will effect a miraculous improvement.

Depth of Shore Timber

The question of how great a depth of shore timber shall be considered inviolate from commercial logging is a matter likely to provoke some controversy. This was carefully discussed with Mr. Kneipp, who explained the Service's present policy of leaving 100 feet virgin and making selected cuttings in the next 200 feet. My own feeling is that this rule should be somewhat more flexible according to the contours of the shores. Since the Forestry Service has already recog-
The Honorable Secretary of Agriculture --- 8.

11/7/27

...ed the validity of the principle, they would not want to fail to allow sufficient latitude to carry out fully the purpose of the ruling. A mere screen would hardly meet the public necessities. On the other hand, if as Mr. Kneipp explained it would be almost impossible under the present policy to detect from the water the cuttings or any break in the forest, the principal objection is removed. This is largely a question for expert adjustment with the main objectives in view. There are many visitors to the region who would not be satisfied by a mere appearance of inviolability but who would want to be able to walk back from their camps on shore a reasonable distance in virgin timber. I recognize that it would not be practicable or even perhaps desirable to leave such a strip along all the waterways. There might be agreement, though, not only for more flexibility everywhere but for a considerably deeper fringe along some of the wilder inner lakes, where there is still good timber. Provision could be made for thinning trees past their prime. I am fully convinced that, if the Forestry Service will make us a few concessions in these matters, we shall ultimately be assured under their guidance of a more uniform and permanent forest than even under the best conceivable state of nature in modern times.

Our plan contemplates an extension and consolidation of the present forest. It involves a campaign of publicity, which will inevitably lead to a better understanding of the values and the motives of the work being done by the Forest Service in this region now. It will place back of the Service a double appeal to the public -- the appeal of a permanent usable supply of logs and the more romantic, stirring appeal of outdoor recreation and adventure. The Service itself fortunately is the first to recognize that the forests are more than just timber, that some of the most admirable qualities of life are associated with forests and particularly with these historic forests of the international boundary. It is because of the recognition of these so-called spiritual values as part of and not opposed to the purely economic values that we are placing our faith in the Forestry Service for the major task of both preservation and restoration.

I need not enumerate, I think, the permanent advantages of such a policy as I have outlined. It would seem to us to fulfill the real destiny of this rough, rocky, forested lakeland in a way that insures for all time the maximum productivity both in industry and enjoyment. To a certain extent it will even accomplish for the main power sites in Rainy and Winnipeg rivers some of the alleged benefits to be derived by using all these upper lakes as storage basins. Under rigid protection from fires, flooding, and insects the forest will attain full development; and a heavy forest cover means not only a more dependable supply of water but a better equalized flow.

So far as possible consistent with the main purpose, we want to avoid disturbing present arrangements in both countries. The difficulties, as you will most readily see, are many and great. If
The Honorable Secretary of Agriculture --- 9. 11/7/27

we once agree, however, that the objects sought are desirable and are the goal of an overwhelming popular demand, then I'm sure ways and means can be found for a comprehensive solution of this problem in "practical sociology". In that case, we shall want to avail ourselves of every assistance from expert opinion and experience, to the end that the provisions of the treaty shall be specific and wholly adequate to the great purposes designed.

My apology for writing and at such length is that the private exchange of views on the subject of cooperation has advanced to a point, where I felt sure you would want to be informed and where we could no longer progress without your counsel. If you will favor us with your opinion, criticisms, and suggestions, we shall be truly grateful.

I am, Honorable Sir,

Respectfully yours,

Ernest C. Oberholtzer
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON

November 16, 1927.

Dear Mr. Enipps:

The enclosed is the letter gotten out by Ray P. Chase, State Auditor and Land Commissioner of Michigan, which I mentioned to you in our conversation of yesterday in re the Superior National Forest. As this is my only copy I would appreciate having it back after you have read it.

Very sincerely yours,

(Sgd) STEPHEN T. MATHER

Director.

Mr. L. F. Enipps,
Assistant Forester,
U. S. Forest Service,
Department of Agriculture,
Washington, D.C.

Enc. 51980.

29
November 19, 1927.

The Director
National Park Service,

Dear Mr. Mather:

Your letter of November 16 is received.

I greatly appreciate the opportunity to read Mr. Chase's statement of October 11 which has a great deal to commend it. From what I know of the area, however, I think it would be well for you personally to examine, first, the region itself; second, the ownership situation; and third, the general economic situation before you let them wish the land off on you as a National Park. The statement is returned herewith. Many thanks for letting me see it.

Very sincerely yours,

[Signature]

Acting Forester.

Enclosure.
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON

November 22, 1927.

Miss Beatrice M. Ward,
Executive Secretary,
National Conference on State Parks,
Washington, D. C.

Dear Miss Ward:

I have read Mr. Chase's statement with interest, and have also given
Acting Forester Kneipp an opportunity to read same, and am now returning it
to you for your file on the Superior National Forest.

Sincerely yours,

(Sgd) STEPHEN T. MATHER
Director.

Res. 26679.
A PROPOSAL TO CONSERVE
THE PUBLIC VALUES
OF
THE RAINY LAKE WATERSHED.

Q. What the Problem Is.

It is now nearly nineteen years since President
Roosevelt in his wisdom set aside the Superior National Forest
in Minnesota. The proclamation was the result largely, I believe,
of the sympathetic response in Minnesota toward a happy inspiration
of Ontario citizens, who urged reserving a portion of the Rainy Lake
watershed in both countries for better protection of forest and game,
particularly of that largest American game animal, the moose. How
great was the popular appeal of this action is eloquently attested
by the present agitation for the more complete and final preservation
of this area.

The problem is admittedly an intricate one but the great
question before us tonight, I take it, is: Where does the public
interest lie and how can it be secured with full regard to the rights
of private enterprise? In other words, how can we fairly secure the
greatest benefit for the greatest number?

The problem is first of all local. So far as the Superior
Forest is concerned, it is an Arrowhead problem. It affects most
vitaly and directly the interests of those of us, who live in the
region. That's why we are here tonight to discuss it.

But (and this is the fortunate part) it is much more than
a local problem, much more than industries and income for this region.
It is precisely because the commodities produced by this forest are
suing needs of the whole nation that they have any local importance
at all.
No enlightened person today disputes the need of forests in the United States. According to Colonel Greeley, U. S. Forester, only two per cent of the original pine forest of the Lake States is left. The nation is using four times more timber a year than it produces. One of the great economic questions of the day is whether the cut-over lands of the country can again be made productive before the available remnant of timber becomes exhausted.

While there is thus no doubt of the national need of forests for the sake of a timber supply, timber is not by any means the only merchantable resource of forests. Year by year, as the country becomes more crowded, a second utility comes to the fore—one long recognized and highly developed in Europe—namely, fitness for recreation. That this is no small item even now the records of such associations as the Arrowhead and the Ten Thousand Lakes will abundantly prove. To suppose, however, that the present development in any way measures the future need is to be utterly lacking in vision. The middle west seems destined even in another fifty years to become the most thickly populated portion of the continent. It has the greatest heat in summer, the finest outdoor refuges, and the most urgent need of escape from urban conditions. Nowhere on the continent is there a region that so completely fills this need as the area of the Superior Forest and its Canadian neighbor, the Quetico Provincial Park. We must look forward to the time not far distant, when the region, if kept available and attractive, will be sought not by thousands but literally by thousands of tourists. That function of the forest bids fair in time to outstrip and dominate all others.

What is the source of this attraction? If the Superior Forest were just a solid, unbroken tract of timber, would it be
equally the object, as at present, of national solicitude? The answer is that the forest is not just a forest but a lakeland within a forest. And it is not just a Minnesota lakeland but much more an Ontario lakeland, thus bringing us to the third aspect of our problem. These lakes, with which we are concerned, are international in character. The so-called Rainy Lake watershed, in which a large part of Superior Forest lies, is even now being studied by the International Joint Commission as an international problem.

Let us pause to consider what the Rainy Lake watershed really is. It is an area of 14,500 square miles lying within two countries and extending from North Lake near Lake Superior on the east to Rainy River on the west and from Virginia, Minnesota, on the south to a point 125 miles to the north in Ontario. It is rocky in character, has little if any soil and almost no agricultural land, and is capable of producing but one crop—timber.

The subject is dear to my own heart, for in the past 20 years I have had the good fortune to travel thousands of miles by canoe and snow-shoes among these lakes, observing the physical features, the wild life, and the Indians. The maps of the watershed show only main water-courses, yet they show more than 12,00 lakes, ranging from ponds a mile across up to Rainy with an area of 345 square miles. For every lake shown there are at least two others unmarked and rarely visited by any but Indian trappers. It may be conservatively estimated that there are 3500 lakes within the watershed. Scarcely one that I know is isolated: they are all connected by a marvelous variety of streams in a single vast network, flowing westward to Rainy and thence to the Lake of the Woods on their way to Hudson Bay. This is truly where the north begins.
The charm of these lakes does not lie in their grandeur. There are no mountains. Their appeal is in their wildness, their remoteness, their intricacy, and their infinite variety of rock, water, and forest combination. They have a sparkle and clearness that goes with the north. The water is pure and clear; the air is free from dust or smoke; the shores are mostly of clean, Archaean rock. There are waterfalls and rapids everywhere. Through this chain of romantic lakes passed all the exploration of the north-west and all the early fur trade. Game abounds, both moose and deer. When I first visited the Canadian lakes in 1909, I counted 44 moose in one day. Even now, when logging, fires, and dams have done their worst, the region is still probably the most romantic lakes in all the world.

Much of the attention now focused upon the region is due to the proposal of an American company to convert the lakes forming the international boundary into storage basins for the sake of remote private power plants. The company has announced an ultimate intention to secure absolute control by means of dams not alone of the boundary lakes but of all tributaries in both countries. This may be taken to mean that in the end most, if not all, of the lakes and streams shown on the map will be involved.

Those who know the region best and who visit it for the sport, the instruction, the health, and the beauty it affords are convinced that such a plan will destroy forever its public appeal. The age-old shore lines are to be destroyed. The age-old scheme of nature with respect to aquatic plants, fish, and waterfowl is to be upset. Masonry dams will impede the free movements of fish, cause violent and extreme fluctuations of levels, obliterate rapids and waterfalls, submerge islands and main shores. Irrespective of how great an area of land may be flooded or how much merchantable timber
may be destroyed, the plan will strike at the very heart of the region's charm--its visible lakes and rivers. The values destroyed are irreparable and cannot be paid for in money.

No thinking person quarrels with legitimate hydro-electric development, such as the plan for harnessing the tides of the Bay of Fundy, which the International Joint Commission is now considering and which promises returns out of all proportion to costs and damages. It should rightly be regarded as a form of conservation, for it saves both fuel and labor. But in any case the advantages must be carefully weighed, as Mr. E. V. Willard, Minnesota Commissioner of Drainage and Waters, has well said, against the other uses to which the waters could be put in a state of nature. Looked at in that light, it would be difficult to imagine a more wasteful and disastrous plan than the one to convert these northern lakes into storage basins. No conceivable benefits, it is felt, can justify the wholesale impairment of public values in so large and so unique an area.

It all comes down to this. There are two main values in this region--timber and recreation--both of them dependent upon wise utilization of the indispensable forest. How can we best protect these values against harm from private exploitation, while at the same time perpetuating for the common good the lumber and tourist industries dependent upon them? The problem, as we've seen, is not merely local but national and international. Moreover, it concerns the future even more than the present. That was unforgettably demonstrated before the Joint Commission in 1925 by the late and lamented George H. Selover of Minneapolis, who made a gallant plea on the highest grounds. He pointed out that, if the scenic features of the northern lakes could be moved to the gates of our larger...
cities, no money could buy them and that modern transportation, by annihilating distance, is in effect doing this very thing. That explains the huge popular interest represented by the Isaac Walton League, an interest which local associations have long been trying to enlist by yearly expenditures of vast sums. Now that it comes spontaneously as the reflection of a sincere want, shall it be ignored or shall it be welcomed and honored? Some solution of the broadest nature is evidently required, one that will reconcile all worthy interests and bring blessings for all time.

2. What Could Be Done.

There is no question that, if the summer visitors to the Superior Forest were solely consulted, they would be for handing the forest over to the National Park Service. They know that in that way it would be made forever secure against harm from exploitation. They know too that the region at its best is fully up to park standards and merits national dedication. But this is next to impossible. Those of you, who have studied a recent letter of Auditor Chase with the care it deserves, must realize that so vital an area to the industry of north-east Minnesota cannot be wholly removed from economic use. Moreover, frankness demands the admission that the Superior Forest, unlike its neighbor, the Quetico, is not a continuous tract along the boundary but three isolated tracts, more or less burned, logged, and interspersed with State and private holdings. If, as Auditor Chase said, "we would save all the beauties of the northland rather than the timber alone", the best that could be done would be to establish a small strip of park along the boundary and that only with the greatest difficulty and by including territory not now of park standards.

What then is to be done? President Harper of the Arrowhead
Association who has worked so hard and so ably for an enlightened forestry program is right, when he insists upon the local need for the lumber industry. Those advocates of a park, whose crusade to save Superior Forest stirred the whole State, are right, when they demand for the people that the last pine forest shall not be sacrificed. The only mistake is in supposing that these aims are mutually exclusive.

It is worth noting that the U. S. Forest Service itself does not consider them incompatible. Its officers look upon the forests not as "timber" merely but, as Assistant Forester Smith said, "to serve the interests of the people in the broadest way". Though logging of mature timber is permitted in accordance with the primary purpose of forestry, it should not be forgotten that the chief function of the Service is to grow timber rather than to harvest it. The forests are grown to be harvested, it is true, but logging operations are so conducted as to leave an ample forest cover for the reproduction of more timber. The first duty of the Service is to restore all lands under its care to the maximum production of forest. A rotation is maintained, by which only certain portions of the forest are cut at a time and then left untouched for a period of many years. So far as can be judged, only the annual increment is harvested and with the least possible impairment of scenic values. Some of the most admirable qualities of American life are associated with forests, above all with these historic forests of the international boundary. These social or so-called spiritual values that arise from the pleasurable use of the forest are clearly recognized by the Service as part of and not opposed to the purely economic values.

It is possible that the Forest Service, though recognizing these intangibles values itself, has not always appreciated the
overwhelming public sentiment for conserving them with no less, if not more, care than the obviously economic values. But, if the Service has misunderstood the public, much more has the public misunderstood the high aims of the Service. Not always can these aims be attained. They are hampered by innumerable difficulties. The contacts, which it has been my honor to have with high officials from Governor Pinchot, who had so much to do with establishing the program, down to the present administrators in Washington, have convinced me of the far-sighted and statesmanlike policies of the Service.

It is to one of these policies that many persons, who have given careful thought to the problems, are looking for an adjustment of the requirements of the lumbermen that the forests be logged and of the tourists that they be preserved. The Service requires that in all logging operations a fringe of timber be left along the shores of rivers and lakes. A strip 10 feet deep is left untouched. Selective cuttings are made in the next 20 feet. The Service has thus recognized the paramount scenic importance of shorelines.

The Rainy Lake watershed, as we've seen, consists of rock-bound lakes and rivers. For centuries these waters have been its only means of communication. The public knows the region in no other way. Destroy the beauty of the visible shores and islands of these lakes and rivers, and you destroy the whole measurable utility of the region for the public. Why not then make these parts of the watershed, which are visible from the traveled waterways—these shores, islands, rapids, and waterfalls—absolutely inviolate forever as they would be under the Park Service, but at the same time dedicate the hinterlands, which the public never sees, to the utilitarian rather than the scenic aims of practical conservation measures?
The protection to shores, however, would have to be extended to forbid flooding as well as logging; the one has no meaning without the other. In other words, all damming of streams in the area agreed upon would have to be excluded, not only for power purposes but for logging as well. That would seem to be the logical and necessary step to take. Fortunately, in Minnesota at least, this would not interfere with practical logging, which is now carried on most economically by means of temporary railways. The "drive" has become old-fashioned. If necessary, the new regulations could recognize any existing logging dams and slowly work toward their ultimate elimination.

If we once admit the principle of inviolability of shorelines, then we have no difficulty either in retaining all the economic advantages of forestry and its dependent industries or in setting aside an area commensurate with all reasonable needs of the future for recreation and wilderness beauty. In so doing, we shall reconcile the chief purpose back of the demand for a national park and shall merely recognize what individual speculators have long ago recognized—that shore lines have an immense and growing intrinsic value. It would seem to be only foresight and common sense to keep this value for future generations, who will have imperative need of it.

In the United States provision of this sort can only be made by legislative action or by treaty with our Canadian neighbors. It is at this point that the suggestion of international cooperation made by the Toronto journalist, Arthur Hawkes, in a remarkable article in last Sunday's Minneapolis Journal, makes its great appeal. His invitation is the fulfillment of the earlier impetus he gave toward the original creation of the Superior Forest and the Quetico Park. In the 18 years since then our people have developed a
rapidly growing use of both these tracts. The Rainy Lake watershed, geographically, economically, and historically one unit, is also a unit in the affections of the people and logically, it would seem, should be treated as such. What is undoubtedly needed is a comprehensive and flexible plan that can be applied to the whole territory. There should be no patch-work and no half measures. Mr. Harken's suggestion strikes me as one of the friendliest and most constructive ever made, though in unofficial form, by one nation to another. It is fraught with the greatest importance for this region.


The key note of any such plan is a treaty between the Dominion of Canada and the United States, recognizing the paramount public character of the Rainy Lake watershed lying in Minnesota and Ontario and clearly defining a policy of public use and development, which will represent the best modern thought in game protection, practical forestry, and outdoor recreation.

Briefly the treaty might provide:

1. That all visible shores of islands, lakes, and rivers within the area covered by treaty be made forever inviolate from logging, flooding, or other form of exploitation.

2. That all the hinterlands be devoted to practical forestry for economic purposes.

3. That all fish and game be recognized for the maximum productivity.

4. That these major objectives be carried out under the direction of a Joint Commission representing the Forest Service, the Park Service, and the Biological Survey in the United States and similar authorities in Canada.
Boundaries.

I have merely tried to express the intention. The treaty would have to be complete and explicit. The ultimate objectives might be remote but should be distinctly stated. For instance, the matter of boundaries. If the plan is acceptable at all, there would seem to be no difficulty about including immediately the Quetico Park in Ontario and the Superior Forest in Ontario. Nor about extending the principle of inviolate shores to all public lands on the balance of the boundary lakes within the watershed, that is to Sand Point, Namakan, and Rainy lakes. Since these lakes are already dammed, it would mean regulating the operation of the dams in the public interest and confining the authorized high water to reasonable levels—a matter already being considered by the International Joint Commission and requiring in any case eventual treaty action. More than that, however, it would seem highly desirable that, as soon as possible, the entire Rainy Lake watershed and portions of the Lake Superior coast in the neighborhood of the historic Grand Portage should be included. Canada has so much more to give within her portion of the watershed that it is imperative for the United States to include any lands lying outside the American portion of the watershed and yet suited to the main purposes. If all the territory I have named were included, the total area in both countries would still be only ten million acres as compared to twenty million or more of National Forest in many of our western States. Minnesota, once one of the greatest timber States of the Union, now has in federal acreage only about one half of one per cent of all the federal forests in the country. The great danger obviously is that for lack of vision we shall make the domain too small rather than too large.
The plan would contemplate designating some of the larger and more accessible lakes within the area, such as Rainy, Vermillion, and similar bodies, which are already partly settled, "residence" lakes, where property could be owned subject to the regulations of the area. This would seem necessary not only in view of present private holdings but also as a means of assuring full use and enjoyment of the whole territory. Here could be built cottages, hotels, and other facilities for the public, either as headquarters for canoe cruises into the territory interior or as permanent summer homes.

Leaseholds.

In addition, the Forest Service at present permits the leasing of camp sites under strict rules on certain other fairly accessible lakes. This enables visitors of small means to enjoy a home of their own on the edge of the wilderness and recommends itself as an important means of providing enjoyment to the maximum number. It is hoped that agreement could be reached to extend this system of leasing without approaching upon the primary wilderness character of the main lakes.

Primarily a Wilderness Area.

The public preference in the United States undoubtedly is that the greater part of the watershed shall be kept as nearly as possible in a state of nature, with no roads and no sign of human activities except such as pertain to the present normal life of native Indians. There is no desire on the part of anyone, I believe, to interfere with Indian social or economic life but rather to encourage it and make much of it as a feature of the region. These all add charm and romance. The average city man wants to enjoy a bit of the
original America, not just to pass through it on a day's sightseeing tour but to lose himself in it for days at a time.

Possible Recognition of Three Zones:

Such regulations as suggested might result, it is thought, in classifying the domain into three main zones: (1) an innermost, embodying the main portion of the area and to be kept as nearly primeval as possible; (2) a thin middle zone, fairly accessible by trails or water routes, where leaseholds for private camps would be permitted; and (3) an outermost zone, in contact with railroads and public highways, where private ownership of houses and private activities in harmony with the purpose of the treaty could be recognized. If it should seem wise to authorize construction of bridle paths through the forests, such paths would be confined to the two outer zones. Regulations as to logging, flooding, and game would apply, of course, to the whole area.

Private Holdings:

On the Minnesota side, unfortunately, there is much private ownership of land, besides federal and State. The problem is intricate involving patient consolidation of lands under one jurisdiction or at least under one management. Naturally, not all holdings could be acquired, though their owners may be expected to abide by regulations governing adjacent areas. The best that can be done is to extend immediately the treaty provisions over all public lands and to begin acquisition by purchase, gift, trade, or other methods, of whatever State and private lands can be secured. The hearty cooperation of individuals and the State of Minnesota would be required. On mineral lands in private hands, of which there is a considerable block perhaps only surface rights could be secured at cost. I take it that some practical provision would have to be made to cover adequately
the possibility in both countries that minerals may be discovered but
the general restrictions with regard to shores and scenic values
could still apply.

Colonel Creeley, Chief of the U. S. Forest Service, in a
government publication has well stated a principle of great help in
these difficulties. "The time has come," he says, "to go a step
further in our conception of the rights of the individual as compared
with the interests of the people as a whole. Lands which contain
important natural resources can no longer be viewed as merely the
property of their owners, with no obligation to the welfare of the
country at large. Rather should they be regarded in a sense as
public utilities." This applies particularly to timber holdings.
Their duty does not end when they provide employment, great as
that service to a community is. Our relations with them should be
reasonable and equitable but we have every right to expect their
hearty cooperation in carrying out an enlightened forestry policy so
much to their advantage. In particular, it is to be regretted, that
timber holders, unless through absolute necessity, go on violating all
the best practices of modern forestry.

Fish and Game.

In carrying out the provisions with reference to fish and
game the purpose would be not to look up these resources but to make
them more abundant and available. The first task would be to restore
and restore all the native wild life, including fur-bearers. This
would involve the encouragement of such former natives as elk and
woodland caribou. Hoose, in particular, though this is their
natural habitat, have declined at a rapid rate through lack of
proper care, since a first came to the district.
Consistent with the policy of maximum productivity, hunting and fishing would both be permitted under proper regulation and in certain prescribed sections of the domain. The zone plan, already mentioned, might even be helpful in determining where game animals might be killed in season and where not at all. The innermost zone might well be kept as a complete sanctuary. On the other hand, ultimate conditions might warrant restricted commercial fishing in other large outer lakes than Rainy, where it is still a recognized pursuit. There is no question that under wise management the region would produce many times more fish and game than now. There would be plenty for everyone. Think of those 400 lakes kept at their top capacity for fish.

Restoration as well as Preservation.

It is evident that in any plan of cooperation for the objects here outlined the task could be not only of preservation but of restoration. Even in Quetico Park, a magnificent tract and still the loveliest part of the Boundary waters, fires, logging, and logging dams have played havoc. The fact that many of these shores are now desolate, however, is no argument for desolating the rest but rather for restoring and then to their original beauty—a task for which the Forest Service is preeminently fitted. The possibilities for rare charm and enjoyment are there and can be realized by any wise policy of development. Even ten years of careful administration, working with nature and not against her, will affect a miraculous improvement.

Depth of Shore Timber.

The question of how great a depth of timber should be considered inviolate from commercial logging is of the greatest
importance. My own feeling is that the present rule of the Forest Service should be somewhat more flexible according to the contours of the shores. Since the Forest Service has already admitted the validity of the principle, they would not want to fail to allow sufficient latitude to carry out fully the purpose of the ruling. A mere screen would hardly meet the public necessities. On the other hand, if, as the officials explain it would be almost impossible to under the present policy to detect from the water any cuttings or any break in the forest, the principal objection is removed. This is largely a question for expert adjustment with the main objective in view. There are many visitors to the region who would not be satisfied with any mere appearance of inviolability but would want to be able to walk back from their camps on shore a reasonable distance in virgin timber. While it could not be practicable or even perhaps desirable to leave such a strip along all the waterways, there might nevertheless be agreement not only for more flexibility everywhere but for a considerably deeper fringe along some of the wilder inner lakes, where there is still good timber. Provision could be made for thinning trees past their prime. If the Forest Service will make us these few concessions, I am convinced that under their guidance and considering fire hazard and all other practical matters we shall ultimately be assured of a more uniform and permanent forest growth than under the best conceivable state of nature in these modern cigarette-smoking times.

4. The Results.

The plan contemplates an extension and consolidation of the present forest. It involves a campaign of publicity, which will inevitably lead to a better understanding of the values and the motives of the work as well as the work done by the Forest Service in this region. It will place back of the Service a double appeal to the
public—the appeal of a permanent, usable supply of logs and the
more romantic, stirring appeal of outdoor recreation and adventure.

I need not enumerate, I think, the permanent advantages of
such a policy as outlined. Would it not fulfill the real destiny of
this rough, rocky, forested inland in a way that insures for all
time the maximum both in industry and enjoyment? To a certain extent
it will even accomplish for the main power sites on Rainy and Winnebago
Rivers some of the alleged benefits to be derived by using all those
upper waters as storage basins. Under rigid protection from fires,
flooding, insects and wasteful logging the forest will attain full
development; and a heavy forest cover means both a more dependable
supply of water and a better equalized flow. More than that it will
be the most important thing of all from a local point of view. It will
will make these local and new temporary industries based upon the
forest—such as the mills at Chippewa Falls, Superior, Fort Frances,
International Falls, and other points—permanent and dependable.

So far as consistent with the main purpose, we would want
to avoid disturbing present arrangements in both countries. Not a
single industry or interest would be harmed. No mills would be shut
down or existing water-sheds curtailed. Not a vested right could be
affected. There would be ample consultation and adjustment for every-
one. There would be no desire to limit any business but on the
contrary to foster it and to give it the full scope of its natural
advantage.

The difficulties as you will readily see are many and great
they will require endless patience and judgment. If once we agree,
however, that the objects sought are desirable and the goal of an
overwhelming popular sentiment, then I'm sure ways and means can be
found for a comprehensive solution of this problem in what Mr.
Racine of the Forest Service rightly calls "practical sociology".
In that case, we shall want to avail ourselves of every assistance from expert opinion and experience, to the end that the provisions of the treaty shall be specific and wholly adequate to the great purposes designed.

We do not know of course what our Canadian friends will wish to do with their territory; how much, if any, to include and on what terms. That they will have precious ideas and counsel to contribute, goes without saying. What we do know is that Mr. Arthur Hawkes in his article called "The Explorers' Domain" has paved the way for one of the most significant international enterprises ever proposed, one that not only deals with historical material but is likely in itself to make history. Let us meet our Ontario friends more than half way and with a welcome, hearty and unmistakable. Let us perhaps, as Mr. Hawkes suggests, dedicate this new venture to the intrepid early explorers of North America and, if the Canadians will permit, let us somehow adopt their beautiful Indian name, Quetico, as part of the new appellation.

As a boy I lived on the Mississippi and saw the romance-laden rafts come down from the north. As a man most of my life has been spent in that mysterious sub-arctic wilderness to which the rafts beckoned—that home of the pines, the moose, and the lake-loving Ojibways. As a devotee of that wilderness I was lately in Pennsylvania at the home of America’s foremost conservationist, Gifford Pinchot. What was my amazement to learn that in the crowded State of Pennsylvania more deer are killed each year than in any State in the Union! At Pinchot’s home only 50 miles from the city of New York a black bear had been shot that weighed the incredible amount of 637 pounds! When we remember the prominent part played in this achievement by Seth Gordon, Executive Officer of the Pennsylvania
Commission, who is present tonight, and that Mr. Gordon is new with the Snaak Walton League of America, which above all is fostering this new dedication in the north, high hopes and aspirations arise. We have a glimpse of what this new enterprise may mean for the welfare of all the people. Long may it prosper!

Duluth, Minnesota,
November 29th, 1937.
THE FRIENDS OF OUR NATIVE LANDSCAPE.

Office of the President

Senator Peter Norbeck,

Washington, D. C.

Dear Senator:

We wrote you last spring urging the enlargement of Superior National Forest and the establishment of a National Park, including all of the lake country. We are again placing this --the Prairie States most important matter--before you.

We want you to look at it from an economic, a recreational and a flood conservation viewpoint. We emphasize once more that it is the only large forest wilderness that is tributary to our vast prairie country--the only National Forest in Mid-America. We feel therefore that it is of the greatest importance to the future generations of the great plains of North America that this forest and park be enlarged to not less than five or six million acres. Together with the Canadian Reserve, it will make the most wonderful wilderness area in all the peoples sections of North America.

It becomes our duty as Americans, faithful to the west interest of our common country, to preserve for those that follow us some of the wilderness with which their forefathers struggled and in which their footmarks are deeply imprinted. It also becomes our duty to provide sufficient timber lands for what in time will be the most densely peopled section of our country, and last but not least to help remedy by scientific conservation the destructive floods of the Mississippi River.

May not we have your interest and cooperation in this worthy cause that challenges true patriotism?

Sincerely,

(Signed) Jens Jensen.

COPY
December 19, 1927.

Hon. Stephen T. Mather,
Director, National Park Service,
Washington, D. C.

Dear Mr. Mather:

Herewith I enclose copy of a letter from Jens Jensen, President of the organization known as "The Friends of Our Native Landscape". When I saw him in Chicago last summer he talked to me about the possibilities of a great natural wilderness in Northern Minnesota and the adjoining country of Canada. His plan seemed desirable and his earnestness made quite an appeal to me. I would like to come in some day and talk this matter over.

Sincerely yours,

[Signature]

Enc.
Hon. Peter Norbeck,
United States Senate.

My dear Senator Norbeck:

Thank you for your letter of December 19, enclosing a copy of a letter from Jens Jensen on the possibilities of a great natural wilderness in northern Minnesota and the adjoining country of Canada.

I will be very glad to discuss this with you at your convenience.

Sincerely yours,

(Sgd) Stephen I. Mather

Director.
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON

January 9, 1933.

Hon. Peter Norbeck,
United States Senate.

Dear Senator Norbeck:

Herewith enclosed is report sent to the Isaac Walton League and other organizations by Ray F. Chase, State Auditor and Land Commissioner of Minnesota, regarding conditions in the Superior National Forest. I am also enclosing a duplicate copy, and suggest that one copy might be sent to Mr. Jensen. This report indicates that it is a very complicated situation, in connection with the ownership of private lands, and I feel that the real way to handle it is to have a commission make a study of it, perhaps in connection with the land on the other side.

Very sincerely yours,

(Sgd) STEPHEN T. MATHER
Director.

Eno. 3698.

STM-TEB
January 17, 1928

Dear Mr. Mather:

I have just received your letter and I want to thank you for your very complete report on Sequoia and Yosemite National Parks. I knew about your generosity regarding the private holdings within the Sequoia National Park. I wish there were more citizens of this country that would feel like you do towards conservation of primitive America, and I realize that this whole matter of complete control with our forests and parks will not be stilled before the Government purchases all lands within the present boundaries. We are rich enough to do this.

I talked with Cowles the other day and he seems to know a little about this trading of lands, and he gave me about the same outlook that you have given me.

The Friends will not carry on any propaganda as the land is too far away, and we know too little about it. We have just placed ourselves in this position that there should be no trading of lands, and that the Government should buy all private holdings within the present boundaries of parks and forests. But we are more interested in the Superior National Forest, which is close by and a place we know something about. I presume my good Friend, Peter Horbeck, has talked to you. At least he has told me he had written you. I wish we could do something in the way of a large National Park and a large increase in the forest areas. We, out here on the treeless plains, are entitled to this. This is not a matter of Minnesota alone. All the people will have to pay for the additional purchase of lands, and I do not think Minnesota or the adjoining counties are going to suffer. I think they are going to gain. Parks bring loads of people—more than the forest.

I am quite familiar with what is going on at the present time, and the Minnesota Conservation Council sends me their literature. Incidentally I have reports on the Beacks situation.

I would like to know what you think about this and what chances there are. My feeling is this, if you want a thing bad enough you are going to get it. At least that is the way it worked in the Chicago Parks and Forest Preserves, and if we want a National Park of a Million or two million acres bad enough, we are going to get it, opposition or no opposition—and the prairie folks of the future will need it. They will need a great deal more than a five or six million acres, or ten million including the Canadian holdings. I am not sure I like the International Park Idea. I do not know enough about it, and how it would work out. I am patriotic enough to feel we can still keep friends with Canada if we have separate managements, and perhaps it is a better thing. When you have time write me about this.

My very kindest regards,

Sincerely,

[Signature]
Mr. Jens Jensen,

Ravinia, Illinois.

Dear Mr. Jensen:

Your letter of the 17th instant to Director Mather, in which you acknowledge receipt of his letter to you, explaining the situation at present in Yosemite and Sequoia Parks, and asking him what he thinks about the prospect of a National Park and a large increase in the forest areas in Superior National Forest, has been received during his absence in the West, where I am forwarding your letter to him today.

He and Senator Norbeck have discussed the conditions in the Superior National Forest. A report issued by the State Auditor and Land Commissioner indicates that the situation existing there is very much complicated by the ownership of private lands, and Director Mather has felt that the best way to handle it would be to have a commission make a study of it, perhaps in connection with the lands on the other side.

Sincerely yours,

A.E. Demaray
Acting Director.

Copy to Mr. Mather, with original of Mr. Jensen's letter.
Hon. Stephen Mather,  
Chief, U. S. Park Service,  
Washington, D. C.

My dear Mr. Mather:

Last summer my friend, Mr. Harold L. Ickes of Chicago, was kind enough to inquire from you for me about the possibility of establishing certain park-like conditions along the international boundary between Minnesota and Ontario. You later discussed the subject with Mr. Kneipp of the Forest Service and opened up to us new considerations, which led to further consultation with many officials in the United States and Canada and finally to an extended trip east in October. I was much disappointed at that time not to find you in your office but Mr. Demaray fortunately was already familiar with the contents of my earlier letter and gave me every consideration and much valuable counsel. This led to Mr. Kneipp with whose advice we finally evolved the plan explained in the enclosed copy of a report made at a meeting at Duluth last November. At that meeting, attended by representatives of the Minnesota Conservation Council, the Izaak Walton League, and similar bodies from both countries, certain principles were adopted for the development of the Rainy Lake watershed under international cooperation and a committee was appointed to set up an entirely new but temporary organization for the purpose of securing a treaty. The enclosed printed statement, just issued and being circulated for the endorsement of individuals and societies in both countries, gives an idea of our aims.

I have no greater regret than that the great pressure of work upon me has made it impossible for me to acknowledge much sooner the courtesies extended by you and by Mr. Demaray and to profit further by your suggestions. I had hoped long before this to be back in Washington.

It seemed evident both from what Mr. Demaray and Mr. Harkin at Ottawa told me that any attempt to transfer even the shore lines in so large an area as the Rainy Lake district would tend to overload the park services and break down their splendid work. The problem seems to be one rather for modern forestry but with the point of view and experience of the park service in the treatment of shore lines. Fortunately, we found the Forest Service more than willing to admit other departments to their counsels in solving the special problems of this region.

From my many years' study of this region I am persuaded that we have a rare opportunity to achieve something of unique and lasting value. I hope before long to be able to tell you about it much more fully and to have your frank opinion.
My dear Secretary Work:

On February 3rd I wrote you something about the plans of the so-called QUETICO-SUPERIOR COUNCIL and sent you a preliminary statement of its purposes, final printed copy of which you will please find herewith. I am also enclosing now a full typed copy of the report read November 29th last at the Forestry conference at Duluth, Minn. This may help to make clearer the reasoning back of our conclusions.

You will observe that, so far as Minnesota is concerned, it is our hope to include in the new international area all public lands in the Rainy Lake watershed as outlined on the maps of the International Joint Commission and also all contiguous public lands suitable for the same purpose. We should like to include some of the Lake Superior coast especially in the neighborhood of the historic old village of Grand Portage. The plan has been carefully worked out so as not to conflict with any existing or potential industries or to include any but the non-agricultural forest lands. Nevertheless, we hope it will be possible to set aside a very large block, perhaps even as much as four or five million acres. State officials have already promised their loyal cooperation.

While our first thought was to have all shore lines placed under the jurisdiction of the wholly admirable Park Service, it became more and more apparent after conferring with park and forest officials in both countries that the better plan is to leave the principal jurisdiction as at present but to call upon the Park and Biological services for advice as to problems within their usual sphere. If the very best modern thought and experience could be applied to this region, we are convinced that the results in utility and beauty would surpass all expectations and would set a worthy example in the use and development of similar areas.

Please find enclosed a copy of a letter to the Honorable Stephen Mather. We are hoping that, if I should be able to make a trip east in the near future, I may have the honor of conferring with you and Mr. Mather and of learning further about your wishes in these matters.

Respectfully yours,

Ernest C. Oberholtzer

Copy to Mr. Mather
Memorandum for Mr. Demaray:

The letter of February 18, 1928 to the Secretary signed by Ernest C. Oberholtzer, of Ranier, Minnesota, does not seem to call for any definite answer at this time. The closing paragraph says that in the event the writer makes a trip East in the near future he will call upon the Secretary and Director Mather.

I think it would be better to prepare a letter acknowledging the receipt of his letter and say that any time he comes East the Secretary and the Park Service will be glad to confer with him. Would not this be an answer without committing ourselves to any definite course?

Assistant Secretary.

FEB 24 1928
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON February 28, 1928.

Mr. Ernest C. Oberholzer,

Rainier, Minnesota.

Dear Mr. Oberholzer:

In the absence of Director Mather, who is in California, I have enclosed a copy of the proposed plan for the development of the Rainy Lake watershed in the Superior National Forest, along the international boundary between Minnesota and Ontario, under international cooperation, and the formation of an organization for the purpose of securing a treaty. I will bring this matter to Mr. Mather's attention upon his return to the city early in March.

In the meantime, I have read the plan over and believe it to be an admirable solution. I am sure the Park Service will be very glad to cooperate in any way that it can in the furtherance of the objectives to be obtained.

Very truly yours,

(Sgd) A. E. DEMARAY

A. E. DEMARAY,
Acting Director.
Mr. Ernest C. Oberholtzer,

Bemidji, Minnesota.

My dear Mr. Oberholtzer,

I have your letter of the 15th instant, enclosing a copy of the proposed plan for the development of the Rainy Lake watershed in the Superior National Forest, along the international boundary between Minnesota and Ontario, under international cooperation, and the formation of an organization for the purpose of securing a treaty.

Should your trip east materialize, I shall be pleased to talk the matter over with you and have you put in touch with the officials of the National Park Service.

Sincerely yours,

(Sgd.) HUBERT WORK.

Secretary.
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON March 20, 1928.

OFFICE OF THE DIRECTOR

Hon. Huston Thompson,
Southern Building,
Washington, D. C.

My dear Huston:

As per promise at lunch today, I am sending you herewith the proposed plan for the development of the Rainy Lake watershed in the Superior National Forest, which was sent us by Mr. Oberholtzer. I know, on account of your having been through this area that you will be deeply interested.

In view of Mr. Oberholtzer's public-spirited interest, if you will write to him commending the work he is trying to do I know it will be appreciated by him. You might also send him any suggestions you are able to make.

Very truly yours,

Stephen O. Martin
Director.

Enc. 6297.
March 24, 1928.

Mr. Ernest Oberholtzer,
Ranier, Minnesota.

My dear Mr. Oberholtzer:

The Honorable Stephen Mather has turned over to me a report on the Rainy Lake Region which it is suggested should be brought under the direction of the National Parks Department. I have found great interest in reading it because some years ago, in company with my brothers, I took a two weeks trip by canoe through that marvelous district. My only objection was that the district bore out its name all too well. In fact it rained almost every day. I question whether that country is equalled in beauty by any other lake country in the world. My brother, Dr. William M. Thompson of Chicago, for many years had a cabin on one of the lakes about fifty miles north of the line in Canada.

I think that you are showing fine public spirit in the interest that you are taking in the conservation of one of our greatest natural beauties.

Cordially yours,

Huston Thompson.
IN THE SENATE OF THE UNITED STATES

April 4 (calendar day, April 5), 1928

Mr. Shipstead introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To promote the better protection and highest public use of lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, and for other purposes.

Whereas the fourteen thousand five hundred square miles covered by the Rainy Lake watershed, lying in Ontario and Minnesota, and the immediately adjacent lands and waters constitute the only remaining vast wilderness area in the central part of North America; and

Whereas this region contains the only remaining extensive coniferous forests in the Middle West with unusual potentialities for the development of a future continuous supply of forest products; and

Whereas this region is blessed with precious international historic values, rare scenic qualities and unique recreational facilities within easy reach of one hundred million residents of both Canada and the United States; and
Whereas this area affords an unusual opportunity to preserve, perpetuate, restock, and increase various species of wild life of invaluable economic and aesthetic importance to both nations; and

Whereas within this region two neighboring areas with similar public purposes were set aside by the respective Governments in 1909 and designated respectively as the Quetico Provincial Park and the Superior National Forest; and

Whereas citizens of the friendly Province of Ontario have invited the cooperation of our people in protecting and augmenting the public values of this forested lakeland region; and

Whereas legislation seeking to develop a uniform plan of treatment and protection for this entire region will be of inestimable value to both Canada and the United States and will expedite the fruition of ideals and plans which the Webster-Ashburton treaty solemnly affirmed and for which the Quetico Provincial Park and the Superior National Forest were set aside; and

Whereas pending final and definite word as to the wishes of the Province of Ontario and subsequent negotiations, with the consent of the Province, of a treaty between the Dominion of Canada and the United States providing for uniform treatment of the entire region, and pending further studies and final determination of desirable boundaries for the Superior National Forest and its future uses, immediate steps should be taken to extend and better protect the Superior National Forest and to protect the lands and waters in and adjacent to that portion of the area herein designated, lying within or contiguous to the United States, for the several purposes hereinbefore enumerated: Therefore
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled, 
That all public lands of the United States, situated north of 
township 60 north in the counties of Cook, Lake, and Saint 
Louis, in the State of Minnesota, including the natural shore 
lines of Lake Superior and of the lakes and streams forming 
the international boundary, so far as they lie within this area, 
are hereby withdrawn from all forms of entry or appropria-
tion under the public land laws of the United States, subject 

to prior existing legal rights initiated under the public land 

laws, so long as such claims are maintained as required by 
the applicable law or laws.

Sec. 2. That the principle of conserving the natural 
beauty of shore lines for recreational use shall apply to all 
Federal lands which border upon any boundary lake or 
stream contiguous to this area, or any lake or stream within 
this area, and that for the purpose of carrying out this 
principle logging of all such shores to a depth of four hundred 
feet from the natural water line is hereby forbidden, except 
as the Forest Service of the Department of Agriculture may 
see fit in particular instances to vary the distance for 
practical reasons: Provided, That in no case shall logging 
of any timber other than diseased, insect infested, or dead 
be permitted closer to the natural shore line than two 
hundred feet.
SEC. 3. That in order to preserve the shore lines, rapids, waterfalls, beaches, and other natural features of the region in an unmodified state of nature, no further alteration of the natural water level of any lake or stream within or bordering upon the designated area shall be authorized by any permit, license, lease, or other authorization granted by any official or commission of the United States, which will result in flooding lands of the United States within or immediately adjacent to the Superior National Forest, unless and until specific authority for granting such permit, license, lease, or other authorization shall have first been obtained by special Act from the Congress of the United States covering each such project: Provided, That with the written approval and consent of the Forest Service of the Department of Agriculture, reservoirs not exceeding one hundred acres in area may be constructed and maintained for the transportation of logs or in connection with authorized recreational uses of national-forest lands.
A BILL

To promote the better protection and highest public use of lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, and for other purposes.

By Mr. Shipstead

APRIL 4 (calendar day, April 5), 1928
Read twice and referred to the Committee on Agriculture and Forestry
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON

Memorandum for the Files:

The House Public Lands Committee has appointed a sub-committee to visit the proposed Ouachita National Park, Arkansas, and the Superior National Forest, Minnesota. The membership of the sub-committee is as follows:

Congressman Colton, Chairman, (Utah)
Congressman Hooper (Michigan)
Congressman Morrow (New Mexico)
Congressman Winter (Wyoming)
Congressman Hill (Washington)
Congressman White (Colorado)
Congressman Johnson (Oklahoma)
Congresswoman Swing (California)
Delegate Houston (Hawaii)
Mr. Hooeick, Clerk.

Chairman Colton of this Committee advises that they are leaving Washington June 5 for the Ouachita area. They will probably visit the Superior Forest in Minnesota in August, and there is a possibility, following a suggestion made by Mr. Camerer to Congressman Colton, that they will include Yellowstone, Zion, Bryce and the North Rim of the Grand Canyon in their inspection.

(Sgd) A. E. DEMARAY

ADDRESS

Acting Director.

Copies for Mr. Nathan
Superintendent Toll.

Original PM
0-32 Menas
Congress of the United States
House of Representatives

Washington, D.C.

June 4, 1928.

Hon. Hubert Work,
Secretary of the Interior,
Washington, D.C.

Dear Dr. Work:

Some years ago I spent a summer in the Superior National Forest and it then occurred to me that a national park should be carved out of that region where, in all probability, we have the only virgin forests now remaining in the Middle West and where the country is so well adapted to fishing and hunting, and filled with natural scenery. From time to time I have also had letters from others regarding this proposition, principally from "The Friends of our Native Landscape," of which the president is Mr. Jens Jensen, living at Ravinia, Illinois, in my congressional district. If you have the facilities for making an investigation and survey of this matter, I think it would be well to do so. Please let me know what you think of it.

Very truly yours,

[Signature]

Carl R. Chindblom

10th District Illinois

Committee on Ways and Means
Hon. Carl R. Chindblom,
House of Representatives,
Washington, D.C.

My dear Mr. Chindblom:

This will acknowledge receipt of your letter of June 4 in which you suggest the possibility of a national park in the Superior National Forest region of northern Minnesota.

You are, no doubt, familiar with Congressman Newlon's bill, H. R. 12780, which has for its purpose the better protection and highest public use of the lands of the United States and the adjacent lands and waters in northern Minnesota, the production of forest products, the development and extension of recreational uses, the preservation of wild life, etc. It is understood that the House Public Lands Committee has been authorized to send a sub-committee to this area during the coming summer for the purpose of making investigation and survey on the ground in connection with the pending legislation.

Very truly yours,

(Sgd.) E. C. FINNEY
Acting Secretary.
June 20th, 1928

Robert Sterling Yard, Esq.,
Executive Secretary, National Parks Association,
1612 H Street, N.W.,
Washington, D.C.

My dear Mr. Yard:

We have here in Minneapolis an organization designed solely for
the purpose of setting aside by treaty between the United States and Canada
a large wilderness sanctuary in the forested inland between Minnesota and
Ontario. It would give us the very greatest pleasure and encouragement and
would confer a high honor, if you would consent to become a member of the
National Board of Advisors of the so-called Quetico-Superior Council, the
aims of which are more fully explained in the enclosed circulars. You would
incur no duties or obligations, though we should naturally feel very fortunate
to have your point of view, counsel and suggestions. The Board will be made
up of representative figures from national organizations, that are interested
in one phase or another of this many-sided and far-reaching project.

The Council is merely a temporary vehicle for expressing the will
and mustering the support of all individuals and societies in both countries
who are interested in protecting the border lakes. The plan of conservation,
worked out with the aid of the U.S. Park and the Forest Service and high
authorities of both countries, places the emphasis not on preservation alone
but on production as well and should result in establishing what will be
virtually an international park— the first of its kind and four times larger
than Yellowstone. Naturally we are in a quandary to know just what this area
will be called.

I should hesitate to ask so much of you except that I feel that
the cause is dear to you and worthy of your patronage and that you will be
doing a public service of enduring value by lending us your moral support.
We believe we have an opportunity without precedent on the continent— not
only to set aside for all time a rarely beautiful section of original America,
but to establish a new bond between the United States and Canada and to set an
example of high value in international relations.

I only regret that I have not yet been able to have the pleasure
of meeting you and learning your own view. I hope that in spite of my brief
explanation you may feel free without misgivings to join us.

Respectfully yours,

[Signature]

President, Quetico-Superior Council
The Quetico-Superior Council
Associated with
THE IZAAK WALTON LEAGUE OF AMERICA

The QUETICO-SUPERIOR COUNCIL is an international organization associated with the Izaak Walton League of America for the sole purpose of obtaining, with the consent of the Province of Ontario, a treaty between Canada and the United States to protect and expand the rare public values in the Rainy Lake watershed, which forms part of the international boundary between Ontario and Minnesota.

It arises out of the need of co-ordinating the activities of all individuals and societies interested in this task and is limited in duration to the achievement of its present purposes.

It has no commercial interests and no class, racial, or political affiliations. It is to have but one paid officer, who will devote his whole time to its affairs.

The Council derives its name and original inspiration from the two neighboring tracts set aside in this region as public preserves in 1909—the Quetico Provincial Park in Ontario and the Superior National Forest in Minnesota. It considers that the precedent set at that time recognized the paramount public character of the region and pointed the way toward proper utilization of natural resources.

It holds:

That the 14,500 square mile area drained by Rainy Lake, containing as it does the last considerable pine forest of the middle west and other unique public values of flora and fauna, health, beauty, and historical interest, is too vital and precious to the economic and cultural life of the two nations to be sacrificed to private exploitation.

That these values are at present in grave danger of total destruction through fires, flooding, game slaughter, and logging of such indiscriminate nature as to increase fire hazard, ignore scenic qualities, and prevent natural forest reproduction.

That owing to the unsuitability of most of the region for agriculture, its wild, unsettled state and its accessible location, it affords the best opportunity left in mid-continent for the practice on a large scale of modern forest principles and for the establishment of a wilderness sanctuary commensurate with the present and future requirements of both countries.

That local needs for industry and national needs for recreation, instead of conflicting, are both based upon the indispensable forest and can best be served by public administration to insure maximum and permanent production of all forest values.

That to realize these ends all local and private interests must be duly considered and that the co-operation of the several State, Provincial, and Federal governments must be enlisted in order to evolve a uniform and comprehensive policy of development in conformity with the geographic, historical, and economic unity of the region.

This Council therefore proposes for the Rainy Lake watershed and certain contiguous similar tracts a treaty for all time between the United States and Canada, providing for the following main objectives:

1. THAT PARK-LIKE CONDITIONS, FREE FROM LOGGING, FLOODING, DRAINING, AND ALL OTHER FORMS OF EXPLOITATION, BE ESTABLISHED AND MAINTAINED ON ALL VISIBLE SHORES OF LAKES, RIVERS, AND ISLANDS UNDER PUBLIC CONTROL.

2. THAT ALL THE HINTERLANDS, NOT VISIBLE FROM THE WATERWAYS, BE ADMINISTERED UNDER MODERN FOREST PRACTICES FOR THE CONTINUOUS PRODUCTION OF A MAXIMUM TIMBER SUPPLY.

3. THAT ALL GAME, FISH, FUR-BEARERS AND OTHER WILD LIFE BE DEVELOPED FOR MAXIMUM PRODUCTION AND USE.

4. THAT THESE ENDS BE PURSUED UNDER THE GUIDANCE AND DIRECTION OF AN INTERNATIONAL BOARD, REPRESENTING FOREST, PARK, AND BIOLOGICAL AUTHORITIES FROM BOTH COUNTRIES.
In pursuit of these main objects it is contemplated that the United States and Canada should do these things:

1. Recognize the scenic, recreational, and inspirational values present within the entire Rainy Lake watershed and make proper provision for their preservation and co-ordinated use.

2. Recognize the community of interest created by the international character of the Rainy Lake drainage area and co-operate in giving the entire area a reasonably uniform management.

3. Co-operate in the creation of an international advisory committee whose function will be to study the needs of the Rainy Lake watershed as a unit and to recommend appropriate principles and methods under which each country can realize the full potentialities of the part of the area within its boundaries.

4. Where necessary, extend public ownership to lands now privately owned within the area, subject to mineral and agricultural possibilities and to the limitations under which each country must work in carrying out its acquisition program.

5. Agree that within the area there shall be no further material changes in natural water levels or other modifications of the natural conditions of stream-flow and that any present artificial levels shall be regulated in the general public interest.

6. Preserve intact the stands of timber immediately contiguous to the shores of the lakes and rivers and supplement such stands by additional natural or artificial reforestation where necessary.

7. Allow the fullest utilization of timber resources consistent with sound principles of silvicultural management and with the betterment and permanence of the forest cover.

8. Preserve and augment the wild life resources within the area, including the restoration of species once indigenous and now absent, and manage such resources with a view to their maximum public usefulness, preserving all species in reasonable numbers but permitting the utilization of natural increases not necessary to build up adequate reserves.

9. Regulate the occupancy of public lands for resort and residential purposes so that reasonable use for such purposes may be allowed but without impairment or destruction of the area or the unnecessary invasion of areas most useful if maintained permanently in a state of undevelopment.

The QUETICO-SUPERIOR COUNCIL believes that it has a two-fold opportunity and a two-fold duty to perform for Canada and the United States. First, what it proposes is a new form of co-ordinated conservation—a self-respecting and self-sustaining husbanding of resources, which is likely in time to yield forest and wild-life products on a scale hitherto not even approximated. The area will be virtually a vast park but with none of the obstacles to lumbering or other economic objections applying to ordinary parks. Secondly, the plan involves a significant experiment in international relations—a practical work of peace and a new bond of friendship between two great nations.

In preserving intact one of the most historical regions in North America, a portion of the continent as it originally was with its forest, its game, its lakes, its waterfalls, and its richly romantic past, we shall earn the blessings of our children evermore.

This Council will receive into its membership all other associations, societies, and individuals, who are in sympathy with its plan and purposes.
Hon. Stephen T. Mather,  
Director, U.S. Park Service,  
Washington, D.C.

My dear Mr. Mather:

You may remember that our friend, Mr. Harold L. Ickes, of Chicago, put me in touch with you, when some questions arose as to the best solution of the recreational problem in the region of Superior National Forest.

It has been my misfortune never to have met you when I was in Washington. Mr. Demaray, however, has explained your point of view quite fully and I have been conscious from the beginning of the valuable help you have been to us, not only officially but in many quiet ways that have come to our attention accidentally. I am sure, too, that your views coincide quite nearly with those of Mr. Harkin of the Dominion Park Service, who has the same problems.

Though Ontario is still relatively unresponsive and under the influence of the lure of immediate industrial developments, on the whole we are making rapid progress. We are building up a very powerful and representative organization. You will please find herewith copy of the sort of letter we are sending out to the heads of various organizations, which are likely to be interested in one phase or another of this many-sided and far-reaching project. We are especially anxious that park authorities should be represented because after all their point of view as applied to the visible portions of this northern lakeland is what chiefly appeals to the public. We feel it a very great gain that under the terms of the proposed treaty, the international advisory committee will include men from the park and biological services of both countries.

Naturally, nothing would be more pleasing to us or confer a greater honor upon the Council than for you yourself to permit the use of your name as an honorary officer of our temporary organization. This is probably too much to hope on account of your official government position. I do not want to embarrass you with such a request but should be delighted if some way could be found to meet our wishes without inconvenience to yourself. The moral value to us would be great.

My highest respects and all good fortune to you!

Respectfully yours,

Edward C. Oberholtzer

Address all communications for the Treasurer to J. G. Byam, First National Bank, Minneapolis. All others, unless otherwise instructed, to the General Office.
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON

July 2, 1928.

Mr. Ernest C. Oberholtzer,
President and Secretary,
Quetico-Superior Council,
2605 Fremont Avenues South,
Minneapolis, Minn.

Dear Mr. Oberholtzer:

Your letter of June 30, addressed to Director Mather, request- ing him to permit the use of his name as an honorary officer of the Quetico-Superior Council, whose object is the establishment of an international park to protect and expand the wilderness sanctuary of the Rainy Lake Watershed, has been received during his absence in the West.

I am holding your letter and will bring it to his attention upon his return to Washington.

Very truly yours,

(Sgd) ARTHUR E. CARMICHAEL

ARTHUR E. CARMICHAEL,
Acting Director.
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON August 14, 1925.

Mr. Ernest C. Oberholtzer,
President and Secretary,
Cassico-Superior Council,
2605 Fremont Avenue, South,
Minneapolis, Minn.

Dear Mr. Oberholtzer:

Your letter of June 30th was received while I was in the field, and has been brought to my attention upon my return today. I have no objection to my name being included as a member of the Custico-Superior Council, understanding that it carries no obligations.

I noticed that the House Public Lands Committee planned to go to the Superior National Forest after visiting Yellowstone, and hope they saw the area thoroughly and got a good grasp of the problems involved.

I feel deeply interested in your efforts to preserve this area, and hope to have the pleasure of meeting you some time.

Very truly yours,

(Sgd) STEPHEN T. MATHEN
Director.
Illinois,

Chicago Daily Tribune-

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August 16,1928-

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Dear Mr. Brown:

Please bring this letter to Mr. Mather's attention and ask him if he does not think it would be entirely proper for the National Conference on State Parks to be officially represented on the National Board of Advisors of Quetico-Superior Council. If he does, will he wish to accept representation himself or would he like to name some member of the Committee, such as Major Welch or Colonel Lieber?

I will appreciate it if you can get this back to me shortly so that I may write Mr. Oberholtzer immediately on my return.

Sincerely yours,

Beatrice M. Waltz
Executive Secretary.

Mr. Tom Brown,
National Park Service,
Washington, D.C.
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON August 21, 1928.

Mrs. Wilbur Nelson,
Executive Secretary,
National Conference on State Parks,
Washington, D. C.

Dear Mrs. Nelson:

I am returning herewith the enclosures sent with your letter to Mr. Brown, August 18th, regarding official representation by the National Conference on State Parks on the National Board of Advisors of the Quetico-Superior Council.

I have already agreed to go on that in my position as Director of the National Park Service, and believe it would be a very good thing if Colonel Lieber was appointed to represent the National Conference on State Parks on this Board.

Very truly yours,

(Sgd) STEPHEN T. MATHER
Director.

Enc. 235401.
Washington, D. C., August 30, 1928

AN INTERNATIONAL PARK

As a rule for guidance in the creation of an International park by Canada and the United States is that of the matrimonial formula which reproduces the union of those who have been "brought together" by Providence. There is no line except that of an artificial political boundary. In the park areas of Minnesota and Canada in the Lake Superior region. Nothing could less suggest the unity of the two countries as to have here a recreation area for their peoples, which should cross borders and be maintained in a spirit of mutuality. In the international park constituted by Canada and this country there would be no conflict of sovereignty, but rather cooperation.

The plan would provide for uniform treatment of the included areas, which are described for this country as "north of township 60 north, in the Counties of Superior, Lake and St. Louis, in the State of Minnesota, including the natural shore line of Lake Superior and of the lakes and streams forming the international boundary, so far as it lies within this area," withdraws from all forms of sale and appropriation, even lake and streamfront, logging would be prohibited.

In the event of concurrent action by the two governments, a region of matchless beauty and of permanent wildness would be preserved from exploitation. Kept in the unmodified state of nature, a delightful land would be preserved for the people of Canada and the United States.
The Proposed International Park

There is no lessening of interest among people across the boundary in the proposed international park comprising the Quetico provincial park in Ontario and the Superior national forest reserve in northern Minnesota. Pending an agreement between the two countries regarding the establishment of this park, Senator Shipstead, of Minnesota, introduced a bill at the last session of congress to protect the Superior forest reserve from economic exploitation or spoliation in any way, and a sub-committee of the senate was appointed to investigate the matter. The members have been in Minnesota recently for this purpose, and, about the same time, the strength of public feeling in favor of the international park has been shown by a conference at which were represented the Minnesota Game Protective Association, the Izaak Walton League, the Minnesota Conservation Council and the American Game Protective Association. This conference was attended by more than a thousand, unanimously endorsed the establishment of the international park, and condemned the proposal of the Backus interests to raise the water-levels of lakes and streams in the territory in question, through storage dams, which would be built with the idea of providing greater electrical development.

This beautiful lake and forest country on each side of the boundary between the Lake of the Woods and Lake Superior is ideal for park purposes, and the people of the United States, where the forests have been rather ruthlessly cleared away, are now seriously conscious of the fact that this is the last section in the north-central part of their country that is available for park purposes. On both sides of the line there is growing appreciation of the value of suitable park reservations, because of the splendid recreation facilities which they afford. It is felt that now is the time to make adequate provision for the future in this respect, and that nothing should prevent such areas, when set aside, from being preserved in their natural state. In the United States the desire to provide better facilities for the conservation of wild life is an additional reason for favoring the proposed park, and another is the desire permanently to protect the forest reserve in Minnesota from anything but carefully regulated cutting, thus allowing the natural renewal of the forest.

The idea of an international park could only have been suggested between two nations whose relations were distinctly characterized by amity and good will. In the east, an international bridge was opened a year ago to commemorate the century and more of peace along the border of these two countries. The creation of an international park would likewise be a mark of the very cordial and friendly relations between the two nations and of the conviction that these friendly relations will always continue. Canadians and
people of the United States, by the thousands, would meet
and associate together every summer in a recreation area
of this kind.

Whether we shall have an international park or not will
depend upon the strength of the demand for it in each country.
The governments will negotiate when they feel that this is the
desire of their people. It remains, therefore, for Canadians
who think that the Dominion Government should take over the
Quatseco park and improve and maintain it in friendly co-operation
with the United States, which would do the same with the area
on the other side of the line, to show their support for the
proposal. And until there is a definite decision in the matter,
the marvelling of the natural beauty of the area, through the raising
of the water levels or otherwise, should not be permitted.
AMERICAN CONSULATE GENERAL,

Winnipeg, Canada, August 31, 1928.

SUBJECT: Proposed International Park Along Minnesota-Ontario Boundary Waters.

The Honorable
The Secretary of State,
Washington.

Sir:

I have the honor to enclose, for the information of the Department, copy of a leading editorial from the Manitoba Free Press, Winnipeg, of August 31, 1928, entitled "The Proposed International Park", which relates to the project for a park comprising the Quetico Provincial Park in Ontario and the Superior National Forest Reserve in northern Minnesota.

The Free Press in its issues of August 14 and 15 gave accounts of recent visits by sub-committees of the Senate and the House of Representatives to the boundary waters of Minnesota and Ontario in the Lake of the Woods district in order to study conditions in view of the Shipstead-Newton bill, which provides that the region be set aside for recreational purposes and reforestation and that the natural water levels be maintained. It is stated that the above named bill, under a provision prohibiting increased water levels except by act of Congress, would prevent the construction of a series of reservoir dams along the boundary waters for the obtainment of electric power, as proposed by Mr. K. W. Backus, a prominent lumber merchant of Minneapolis, International Falls, and Kenora, who already...
ready holds large tracts of landed property and extensive allied business interests in the region; however, one of the newspapers articles quotes the Attorney General of Minnesota as stating that it is not known that (Mr. Baskus) has prepared any definite plans for the project, and that when these plans are revealed it can be definitely ascertained if the project would mar the natural beauty of the region or impair its use for recreational purposes. It is expected that the measure will be before Congress for consideration at the next session.

As the Department will note from the enclosure, the Free Press favors the project; this attitude is clearly shown in the last paragraph of the editorial.

Particular attention is respectfully invited to the third paragraph of the editorial which refers to the "very cordial and friendly relations between the two countries"; it states "The idea of an international park could only have been suggested between two nations whose relations were distinctly characterized by amity and good will." As the Department is aware, the Free Press, which is Liberal in its politics and is the most widely read and most influential newspaper in western Canada, is generally friendly disposed to the United States and advocates the closest possible economic and cultural relations between the two countries.

I have the honor to be, Sir,

Your obedient servant,

P. S. Keintzleman
Consul General

Enclosure:
Editorial from the Manitoba Free Press, Winnipeg, of August 21, 1928.
In quintuplicate; one copy sent direct to the Legation at Ottawa.

H/AS
381.
WASHINGTON, D.C., September 8, 1928

The Secretary of State presents his compliments to the Honorable the Secretary of Interior and has the honor to transmit the enclosed communication for consideration and such action as may be required.
General Bulletin to Civic Organizations:

Although Congress meets in December, we have yet the job of uniting the support and interest of the public in the preservation of the status quo in the Superior Forest and adjacent areas on the American side of the Rainy Lake Watershed. The Congressional and Senatorial Committees who recently visited this territory in response to this Council's presentation of its case last May have evidently been favorably impressed.

The opposition has already practically repudiated its proposal made before the International Joint Commission in 1925. This could not stand public scrutiny. The Backus interests will now seek to present new and more plausible terms and will try meantime to wear out the public concern in this area.

No compromise is to be considered. Any concession would be an entering wedge which would ultimately result in complete loss of the public values in this region. Many organizations have appointed a membership committee to cooperate with the Council, have passed formal endorsement resolutions and named some member to take charge of placing exhibits showing the unequalled beauty of the country we are so determined to save intact for coming generations.

Within a month we are planning to release to the associated Press a list of our National Advisory Board which includes individuals of national note as conservationists. We are also announcing at that time a list of member organizations, civic organizations which have taken an active interest by naming a membership committee, to work with us. If you are not already a part of our working membership we should be very happy indeed to include your organization in this publicity.

It is not necessary to contribute financially in order to become an active associate organization, altho many organizations are helping financially when they can. It is necessary to keep our director in the field contacting congressional committees and civic organizations. We are fighting private interests with millions of dollars backing them who are ready to despoil this territory if we do not inform our representatives in Washington of the true state of things. We must keep everlastingly at it until legislation is passed leaving the further disposition of this area in the hands of Congress.

We need your support. If you are not yet a member organization, will you not please, at your next regular meeting: (1) vote an endorsement of the Council's principles, (2) appoint a committee of perhaps three to take care of increasing membership, placing exhibits and literature (3) vote financial support if possible. Organization subscriptions to date range from $25. to $100. Please report action and committee personnel to me at the above headquarters by October 1st, if possible.

With sincere thanks,
Ernest C. Oberholtzer, President
Quetico-Superior Council

Address all communications for the Treasurer to J. G. Byam, First National Bank, Minneapolis.

All others, unless otherwise instructed, to the General Office.
RESOLUTION

WHEREAS, a plan has been formulated for co-operation between the United States and Canada in protecting and developing Superior National Forest and Quetico Provincial Park and similar public areas forming the boundary between Minnesota and Ontario, and

WHEREAS, the plan will result in what will virtually be an international lakeland forest and park--the first of its kind in the world and four times larger than Yellowstone--with incalculable benefits, both economic and cultural to the people of both nations, and

WHEREAS, an international organization of the highest sponsorship, known as the QUETICO-SUPERIOR COUNCIL, has been set up for the purpose of coordinating the efforts of all individuals and societies interested in the plan and of securing a treaty between the United States and Canada, and

WHEREAS, it appears that the proposed treaty would not only preserve intact one of the most historic regions in North America, a portion of the continent as it originally was with its forest, its game, its lakes, and its richly romantic past, but would provide a significant experiment in international relations--a practical work of peace and a new bond of friendship between two great nations.

Therefore, be it resolved, that on this________ day of________

The__________________________________________________________

endorses the plan of the QUETICO-SUPERIOR COUNCIL and pledges its unqualified support, thereby becoming a member organization of said COUNCIL.

Signed_________________________________ Pres.

___________________________________________ Sec'y.

Headquarter's address________________________________________
2 Nations Plan Vast Canadian Boundary Park

Save Ten Million Acres of North Wilderness.

BY BOB BECKER.

An area of lakes and forests, four times as large as Yellowstone National park, in the heart of the continent along the border of Minnesota and the province of Ontario, will be dedicated as an international park if the conservationists and outdoor lovers of Canada and the United States have their way. It is proposed to set aside by treaty for conservation and recreation some ten million acres of forest lands—containing more than 3,000 lakes, the last great wilderness area near the central states.

Part of the proposed park area will consist of the Quetico Provincial park on the Canadian side and the Superior national forest on the American side of the Minnesota boundary.

Council Pushes Project.

An organization known as the Quetico-Superior council, associated with the Isaac Walton League and backed by many conservation and sportmen’s organizations in Canada and the United States, has been working to reserve the Quetico-Superior district with its untouched forests, lakes, rapids, waterfalls and canoe routes.

The council seeks to preserve the thousands of rockbound lakes with their original flora and fauna, their Indian trails and historic canoe highways as a wilderness sanctuary for man and beast.

The list of ten honorary vice presidents of the council, announced yesterday, includes Kermit Roosevelt, Jack Miner, Dr. Davis Starr Jordan, Dr. Henry Van Dyke, Gifford Pinchot, Stephen T. Mather, Dan Beard, and Ernest Selon Thompson.

140 Advisors Chosen.

The council has obtained the services of a board of 140 members, representing every aspect of this great international project. Among the advisors are: Robert Sterling Yard, former Gov. Chase, B. Osborn of Michigan, Hamlin Garland, Edmund Heller, Col. W. B. Greely, Irvin S. Cobb, Prof. Henry C. Cowles, and William Beebe.

The attention of Congress in Washington has been drawn to this Superior-Quetico region for some time. Last summer two committees representing the house and senate visited portions of the boundary area which the council wishes to include in the international park.
Senate Committee Investigates
Creation of International Park

The possibility of the creation of a great international park comprising 14,500 square miles in northern Minnesota and in the Province of Ontario, Canada, is being investigated by a subcommittee of the Senate Committee on Agriculture and Forestry, which met at Minneapolis on August 21.

This project is embodied in a bill (S. 3913) introduced during the last session of Congress by Senator Shipstead, of Minnesota, who is chairman of the subcommittee. The bill contemplates Federal legislation to protect the natural beauties and resources of the American portion of the proposed park, pending an international agreement for development of the entire project. The territory involved is covered by the Rainy Lake watershed.
Question: What is the situation in respect to the Superior National Forest in Minnesota, which, I am told, is threatened by lumbering interests who desire to flood a major part of it?—C. P., Massachusetts.

Answer: In the neighborhood of International Falls, Minnesota, the E. W. Backus power interests, of Minneapolis have applied for a permit to erect or develop dams which, it is charged, would raise the water levels of a number of lakes on either side of the Canadian border as much as thirty feet, inundating large areas of timber and materially changing existing shore lines. About sixty per cent of the area probably influenced by such a water power development is in Canada, and the remaining forty per cent is in Minnesota. Two bills presented in the last Congress—one by Senator Shipstead and the other by Representative Newton propose the creation of the “Superior-Quetico National Park and Forest,” and provide for the protection and development of the Superior National Forest as a recreation area, to the end that with Canada’s Quetico National Park, an international forest and park system would be created.

The only action of Congress was to appoint a Senate Committee of five to investigate, and determine the advisability of the principles set forth in these bills, and report to the Senate at the next session of Congress.
December 3, 1928

The Honorable Charles S. Deneen
United States Senator
Washington, D. C.

My dear senator:

Complying with your request I am writing this letter on the idea of a wilderness park at the head-water of the Mississippi; or more specific, in a part of the present Superior National Forest. We need a wilderness park in that region because it is the only wilderness left in the Middle West of any extent. We need it because the men and women of the great prairies will otherwise be deprived of this sort of out-door recreation, so important for their physical and spiritual health. We need it because under our Forest laws mining, water power development, and lumbering is permitted, consequently the wilderness destroyed, especially on level lands like that of northern Minnesota. The Park Law does not permit this, therefore the wilderness park only is secure under the park administration.

We need a forest so to supply timber to the great prairie States, without paying the excessive charges from the Pacific Coast. We need three million acres of Forest and two million acres of wilderness park. There is so much land unfit for farming that ought to be reforested. The Government can best do this. Both Government and private forestry should be encouraged, but private forestry is not a Federal matter, but a State matter. I am told by those that are well acquainted with the region and have traveled all over it, that there is more than five to six million acres available for both projects.

Now the best way to proceed would be to have an investigation made by the Bureau of forestry, the Department of Parks and the Biological Survey, and then accept their conclusions as to what areas should be forest, and what areas should be park. What we want to do is to preserve that wilderness for future generations. As time goes by, our forests will be as artificial in their development as those of Europe. It will be necessary, so to be able to produce lumber in the most economic way. That means that the forest of tomorrow will not and cannot permit the wilderness to remain...
except in the high mountains. Let us not be short sighted of this. Today a wilderness park can exist under the Bureau of Forestry, but tomorrow it will be impossible. I am sure you will understand this, and it would be a pity indeed, and a short sightedness on our part if we did not protect some of the wilderness with which the pioneers struggled and in which their foot marks will be preserved for future generations.

Hoping you will be able to do something for the millions that live on the open prairies, in the way of establishing a great wilderness preserve where trees can grow into maturity and wild life live in peace—so future generations may enjoy both and learn something about our native landscape in its original form.

kindest regards,

Sincerely,

J.J./MF
December 12, 1928.

Dear Mr. West:

Enclosed you will find a letter received by me today from Mr. Jens Jensen, Ravinia, Illinois, dated the 3rd instant, in which he suggests that an investigation be made by the Bureau of Forestry, the Department of Parks and the Biological Survey relative to a wilderness park at the head-water of the Mississippi, or more specifically in a part of the present Superior National Forest. I am sending it to you for your consideration.

Yours very Truly,

[Signature]

Honorable Roy O. West,
Secretary of the Interior,
Washington, D.C.
THE SECRETARY OF THE INTERIOR
WASHINGTON

DEC 15 1928

Mr. Charles S. Foss,
United States Senate,

My Dear Senator Foss:

I have your letter of November 18, with which you inquires for an explanation a letter addressed to you by Mr. John A. Sloan, Parkville, Illinois, dated December 6, suggesting the possibility of a National Park in the Superior National Forest reservation of northern Minnesota.

There is now pending in Congress H. R. 19766, introduced by the Honorable Walter H. Norton of Minnesota, which has for its purpose the better protection and highest public use of the lands of the United States and adjacent lands and waters in northern Minnesota, the production of forest products, the development and extension of recreational uses, the preservation of wild life, etc. During the past session a Sub-committee of the House Public Lands Committee, under authority of a House Resolution, investigated on the ground the area in connection with the pending legislation. I am not advised whether this Sub-committee has submitted a report of their findings. However, it appears that the matter is under consideration by Congress.

Very truly yours,

(Sgd.) ROY O. WEST
Mr. Horace M. Albright,
Assistant Director of National Park Service,
Mammoth Hot Springs,
Yellowstone National Park, Wyoming.

Dear Mr. Albright:

I was very much delighted when I learned of the passage of the appropriation measure by both Houses, authorizing some $2,700,000, to be matched dollar for dollar by private contributions, for the saving of timber from cutting for commercial purposes in the National Parks of the United States. Please accept my hearty congratulations.

We are waging a tremendous battle in our effort to pass the so-called Shipstead-Newton Bill to guard the International and Minnesota waters comprising over one-third of the Rainy Lake Watershed lying in Minnesota and Ontario and amounting to 14,500 square miles, which is more than the combined areas of Massachusetts, Rhode Island and Connecticut. I inclose a folder entitled "Conservation or Confiscation", which has a map showing that district. The contents of that folder is reliable. I also inclose a sheet entitled "The Quetico-Superior Council associated with the Izaak Walton League of America, which indicates what we are planning to do if we are successful in saving that marvelous forested lakeland from destruction by a very large predatory private organization for private gain at public expense. Our immediate efforts are being centered on the passage of the Shipstead-Newton Bill.

I have constantly in mind a very great desire on the part of Mrs. Warren and myself to motor to Yellowstone National Park the very first year that we can arrange it, and spend several weeks there in taking pictures of the wild creatures. Our visit there two years ago last summer, at the time that the Crown Prince of Sweden was there, when I was able to take pictures of the

"Save Nature — Serve Humanity"

Prevent forest fires and water pollution,....Restore forests and beneficial wild life,...Perpetuate Nature's beauty,...Increase outdoor recreation and recreational opportunities,...Safeguard natural resources and America's economic supremacy,...Inure healthier, happier and better Americans.
Izaak Walton League of America
INCORPORATED

Mr. Horace M. Albright,
Assistant Director of National Park Service,

Buffalo Roundup,—thanks to the generosity of yourself and Mr. Mather—stands out very pleasantly in our memories.

With kindest personal regards, I am,

Most sincerely yours,

Frank M. Warren

FMW:EB

"Save Nature — Serve Humanity"

Prevent forest fires and water pollution... Restore forests and beneficial wild life... Perpetuate Nature's beauty... Increase outdoor recreation and recreational opportunities... Safeguard natural resources and America's economic supremacy... Insure healthier, happier and better Americans.
January 19, 1929

Mr. Frank W. Warren,
1224 First National-Soo Line Bldg.,
Minneapolis, Minn.

Dear Mr. Warren:

Your letter of January 16th addressed to Mr. Albright
with regard to conservation matters has been received here.

Mr. Albright was recently appointed Director of the National
Park Service and is now in Washington D. C. where he will prob-
ably remain for two or three months. I am pleased to forward
your letter to him.

We have not forgotten your trip to the Park while the Crown
Prince of Sweden was here and we trust you will find it possible
for Mrs. Warren and yourself to make another trip to the Yellow-
stone this summer. If your plans to do so materialize, please
advise us, as we shall be glad to render what assistance we can
to make your visit here pleasant and enjoyable.

Sincerely yours,

Joseph Joffe,
Acting Superintendent

cc: Mr. Albright with original letter.
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON
February 2, 1929.

Mr. Frank M. Warren,
1224 First National-Soo Line Bldg.,
Minneapolis, Minn.

My dear Mr. Warren:

Your very interesting letter of January 16 was forwarded to me from Yellowstone Park. I was delighted to hear from you and to see that you are still working hard in the cause of conservation. We feel the greatest interest in you and your work and hope we will see you again in the national parks.

I was greatly disappointed that I did not get the chance to see Mrs. Warren when she was in Washington. She called me up two or three times and I telephoned to her several times but we could never seem to find each other available for a visit. It is just possible that I will run up to St. Paul for a day about the middle of this month. If I do I hope to be able to see you.

With warmest regards to Mrs. Warren and yourself, I am

Sincerely yours,

(Sgd) HORACE M. ALBRIGT
Director.
I want to thank you for your good letter. I have been in touch with Mr. Mather's home, but so far I have not visited him at the hospital. I sort of despair in visiting hospitals.

My letter this time is on account of a bill that has been sent to the Honorable Congressman Chidublow, and Honorable Senator Peneen on a National Wilderness Park at the head waters of the Mississippi, which of course means the Superior National Forest or a section thereof. The bill is radically the same as Mr. Newton's, only such paragraphs have been changed to fit the wilderness park idea. I consider a park at this point necessary. It is by far the most important thing for the great Middle West. There will be nothing left to future generations if eventually forestry becomes a serious profession in our Country where types of trees may be changed and swamps drained for economic reasons. Then the wilderness will have to go whether we like it or not. I had a long talk with Mr. Mather on this subject at Wheeling, West Virginia, last fall, and he agreed with me, but said the Park Department could not do anything. They had suggested a survey.

I am quite familiar with what is going on and I also know that Minnesota is not inclined to the park idea. A group is now opposed to Backus, but that group wants to cut the timber except for from 200 to 400 ft. strip around the lakes, depending on the judgement of the Forestry Department, and you know as well as I do that that will not preserve the wilderness, and that strip will consist of wind fallen trees whenever the forest is cut next to it. I do not understand my friends who want to compromise on this, to the prairie folks of tomorrow, very serious thing. There can be no compromise in conservation. Compromise means that the wilderness will go, and those of tomorrow will know nothing of the struggle of their forefathers with the great wilderness of North America. The further we removed we become from pioneer days the more valuable the wilderness will be.
because as an immigrant people, it is here we have root in our new home. I hope the good Legislators of the open prairies, where there is not enough trees to shelter, will see the importance of this project, that in its way is as a National Park such as any of the Mountain regions, only in a different form.

My very kindest regards,

Sincerely,

JJ/MP
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON
February 11, 1929.

Mr. Seth Gordon,
Conservation Director,
Isaac Walton League of America,
541-555 West Randolph Street,
Chicago, Illinois.

Dear Mr. Gordon:

I am enclosing herewith copy of letter received from Jens Jensen, President, The Friends of Our Native Landscape, Ravinia, Ill., in regard to a proposed National Wilderness Park at the headwaters of the Mississippi in the Superior National Forest. Will you kindly let me know what you think of this?

Very truly yours,

(Sgd) HORACE M. ALBRIGHT

Director.

Ref. 226997.
February 15, 1929

Mr. Horace M. Albright
National Park Service
Washington, D. C.

Dear Mr. Albright:

With reference to your letter of February 11 and Mr. Jensen's proposal of a National Wilderness Park at the headwaters of the Mississippi, I question the wisdom of promoting any additional ideas relative to the Minnesota country. It would be well to let nothing interfere with the Shipstead-Newton bill.

I will be in Washington next week, and will make it a point to discuss this matter further with you.

Sincerely yours,

Conservation Director

G.N.

[Signature]

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UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON

February 19, 1929.

Mr. Jens Jensen,
The Clearing,
Eavinia, Illinois.

Dear Mr. Jensen:

I was very much interested in your letter of February 7, in
which you discussed the proposed "National Wilderness Park" at the
headwaters of the Mississippi River.

I have never been in that section but I would like to go there
at the first opportunity. As the situation now stands there does
not seem to be any way for the National Park Service to take an in-
terest in the problem, except such general interest as we take in all
conservation matters. Sometime when you are in Chicago I would suggest
that you discuss the matter with Mr. Seth E. Gordon, Conservation Director
of the Izaak Walton League of America. He is in touch with all conserva-
tion legislation and is a very interesting man.

With best wishes, I am

Sincerely yours,

(Hora) HORACE M. ANDEKIGHT
Director.
STATE OF MINNESOTA

A CONCURRENT RESOLUTION

Memorializing Congress to Pass the (S. 3913) Shipstead-Newton (H. R. 12780) Bill.

S. P. No. 168—Introduced by Messrs. MacLean, Lyygren, Anderson and Swenson.

Whereas, there has been introduced, and is now pending before the Congress of the United States, introduced in the Senate by Senator Henrik Shipstead, as Senate Bill, S. No. 3913, and introduced in the House by Congressman Walter H. Newton, as House Bill, H. R. No. 12780, that certain bill now commonly known as the Shipstead-Newton bill which prohibits any and all further alteration of the natural water level of any lake or stream within or bordering upon the area now known as the Superior National Forest, and all other public lands of the United States situated north of township 60 north in the counties of Cook, Lake, and Saint Louis, in the State of Minnesota, including the natural shore lines of Lake Superior and of the lakes and streams forming the international boundary so far as they lie within this area, which will result in flooding lands of the United States therein, without the consent of Congress, and places restrictions upon logging and upon all forms of entry or appropriation under the public land laws of the United States in such area; and

Whereas, this region, a part of the fourteen thousand five hundred square miles covered by the Rainy Lake water shed, lying in Ontario and Minnesota, and the immediately adjacent lands and waters, constitutes the only remaining vast wilderness area in the central part of North America; and

Whereas, this region contains the only remaining extensive coniferous forests in the Middle West with unusual potentialities for the development of a future continuous supply of forest products; and

Whereas, this region is blessed with precious international historic values, rare scenic qualities and unique recreational facilities within easy reach of one hundred million residents of both Canada and the United States; and

Whereas, this area affords an unusual opportunity to preserve, perpetuate, restock, and increase various species of wild life of invaluable economic and aesthetic importance to both nations; and

Whereas, this region is now a great and beautiful pleasure ground for lovers of nature and wild life, visited annually by ever increasing thousands of recreationists; and

Whereas, the unrestricted development of this region may destroy or substantially injure the said forests, lakes, and streams for recreational purposes, and may hinder the enactment of proper regulatory legislation for the development of this region consistent with the general purposes of such recreational area;
Now, Therefore, Be It Resolved, By the Senate of the State of Minnesota, The House of Representatives concurring, that the Congress of the United States be memorialized that it is the sense of the members of the legislature of the State of Minnesota, that such bill should be enacted into law, and such action be taken before the adjournment of congress now sitting.

Be It Further Resolved, That the Secretary of the Senate forthwith transmit a copy of this resolution to the President of the United States, to the Secretary of the Interior, to the Secretary of Agriculture, to the United States Senate, to the House of Representatives, to the Senate Committee on Agriculture and Forestry, to the House Committee on Public Lands, and to each Senator and Representative in Congress from the State of Minnesota.

Passed the Senate the Twenty-first day of February, Nineteen Hundred and Twenty-nine.

[Signature]
Secretary of the Senate.

Passed the House of Representatives the Twenty-eighth day of February, Nineteen Hundred and Twenty-nine.

[Signature]
Chief Clerk, House of Representatives.

Filed March 9, 1929.

[Signature]
Secretary of State.

STATE OF MINNESOTA

Senate

I, G. H. Spaeth, Secretary of the Senate of the State of Minnesota, do hereby certify that I have compared the annexed copy with the record of the original ACT in the office of the Secretary of State, being Resolution No. 11 of the Senate, for the Year 1929—

A Concurrent Resolution Memorializing Congress to pass the (S. 3913) Shipstead-Newton (H. R. 12780) Bill, and that said copy is a true and correct copy of said resolution and of the whole thereof.

In Testimony Whereof, I have hereunto set my hand at the Capitol, in Saint Paul, this 9th day of March A. D. Nineteen hundred and twenty-nine.

[Signature]
Secretary of the Senate.
Mr. Thos. E. Brown,
National Park Service,
Department of the Interior,
Washington, D. C.

Dear Mr. Brown:

The Quetico-Superior project is still a very important subject to the conservationists of the United States. The Shipstead-Newton bill, the first step in the protection of that country, died in the last Congress after it had been unanimously voted out by the Senate Committee on Agriculture and Forestry and also voted out by the House Committee on Public Lands by a large majority. The State Legislature of Minnesota passed a memorial unqualifiedly supporting the Shipstead-Newton bill by an overwhelming majority in both Houses.

This bill must be reintroduced into the 71st Congress this winter. We, who are supporting it strongly, have much to do in spreading information so that the conservationists all over the United States will give it their active support next winter.

The little map of the National Park Service, copy of which I inclose herewith, is very helpful. You will see how I have located the east and west principal mountain chains with the Rainy Lake watershed of 14,500 square miles on the northern boundary of Minnesota and over into Ontario. This map is of tremendous help in making it easy for one to visualize the importance of the Quetico-Superior district. There is no national park near it nor is there any extensive wilderness otherwise than that in our mid-continent.

I desire very much to obtain 500 copies for our educational work and shall be glad to pay for them if I am allowed to do so. Will you please inform me whether or not I may have them for this purpose.

Mrs. Frank M. Warren and I may be in Washington the last week of April for several weeks visit.

With kindest personal regards, I am,

Very truly yours,

Frank M. Warren.
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON March 22, 1929.

Mr. Frank M. Warren,
1824 First National-Soo Line Bldg.,
Minneapolis, Minnesota.

Dear Mr. Warren:

I have your letter of the 20th instant today and am sending you under separate cover the 500 copies of the map showing locations of National Parks and National Monuments, which you wish to use to indicate the Rainy Lake Watershed, for distribution in your educational work. This map is shortly to be reprinted showing the changes made by the last Congress - the addition of Grand Teton National Park, changes in the boundaries of Yellowstone, change of name of Lafayette Park to Acadia National Park, etc., and for this reason we are able to send you the full number you want.

I know you will be glad to know that we are receiving very good news from Mr. Mather. He has left the hospital and is now at his home in Chicago, where he has been enjoying the use of his wheelchair. The last word we have is that he is regaining the use of his leg and will soon be able to walk fairly well.

We hope you and Mrs. Warren come in to see us when you are in Washington in April.

With kindest regards,

Sincerely yours,

[Signature]

Secretary to Director.

TEB.
QUETICO-SUPERIOR COUNCIL  
1120 Baker Building,  
Minneapolis, Minnesota  

April 13, 1929  

Mr. Robert Sterling Yard,  
Executive Secretary National Parks Association,  
1512 H Street,  
Washington, D. C.  

Dear Mr. Yard:  

Though the pressure of my work here has kept me from acknowledging the valuable bulletins, which have come from time to time from your office, I want you to know how much I have appreciated your activities and the opportunity you have given me to become acquainted with the broad problems of national parks and forests. Your bulletins have made the fight vivid and dramatic and have brought it straight home to the door step of every reader. I have laid them aside for careful study at the first opportunity.  

May I express my admiration for the clear-cut understanding you have furnished of these problems, the very effective machinery you have built up, and the striking results you are getting? You have given a wonderful demonstration of the value of an unofficial organization for mustering public support and helping to mold and maintain official policies. I trust nothing will happen to interrupt this essential work and that my name, among others, will be kept on your mailing list.  

Congratulations and all continued good fortune and high achievements!

Sincerely yours,  

Ernest C. Oberholtzer  
President.

Eco/cm
Dear Mr. Mathew:

The enclosed publicity was recently released to 400 leading newspapers in the United States and Canada. It was given front page attention by many of the great metropolitan dailies and has received favorable editorial comment from many more. The program of the Council at present is receiving editorial support from the Toronto Star, the Winnipeg Free Press, the Chicago Tribune, the Chicago Evening Post, the Chicago Journal of Commerce, the New York Evening Post and others, the Louisville Times, all the Minneapolis papers, and hosts of others.

In the selection of our honorary officers and our national board of advisers we tried to avoid duplication of the personnel of the many permanent national organizations, which are giving us their whole-hearted assistance. It was assumed that the officers and boards of these societies were already for us.

We have tried rather to emphasize the varied interests that are involved in our many-sided and far-reaching project -- its economic, public-health, recreational, scientific, historic, educational and humanitarian sides as well as its peace aspects. Many points of view are represented. We have wanted to get the best experience and the sincerest opinion that could be found, regardless of previous alignments. Nearly every class of people as well as every interest is represented. Poets, artists and musicians are included, because it is recognized that out of regions like the Rainy Lake watershed come the song and story of the nation. We believe that our plan is vital to all true Americans and involves spiritual conservation as much as physical. We now have huge public support and the movement is rapidly growing. On the other hand it will be bitterly fought by a few powerful interests. We shall have a constant struggle to keep our heads above water. Unlimited faith, courage, and patience will be required. It will be a real test of strength for those who love their original America.

The Council is now carrying on a campaign in the state of Minnesota for a fund of $35,000 to promote the work of the Council until a treaty between Canada and the United States can be achieved. We have finance and executive committees of the highest character, assuring that the money will be wisely spent.

It is our hope to keep in closer and closer touch with our national friends, who have so generously permitted the use of their names and in so many other ways have aided us. We are therefore enclosing for your information our latest printed matter. We are eager at all times for your suggestions and for any further assistance you may feel justified in giving us, especially in making our program known and in extending its influence. We are profoundly grateful to you for the high honor of your co-operation.

Sincerely yours,

(Sgd.) Ernest C. Oberholtzer.
Mr. Stephen T. Mather,
Mather Homestead,
Darien, Connecticut.

Dear Mr. Mather:

Inclosed is a letter just received from Ernest C. Oberholtzer, President of the Quercus-Superior Council, which has recently been formed for the purpose of promoting the international park idea in the Rainy Lake district. You will note you are one of its ten honorary vice presidents.

Best wishes to you all,

Faithfully yours,

(Sgd) A. E. Delavan

Inclosure 241805.

IFS:F BC
Copy to Mr. Albright.
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON

Mr. Ernest C. Oberholtzer,
1216 Flour Exchange,
Minneapolis, Minnesota.

Dear Mr. Oberholtzer:

Your letter of June 22, addressed to former Director Mather, has just been received. I have read this letter and its enclosures and am very much interested in the projects of the Quetico-Superior Council. Noting that you have appointed Mr. Mather as one of your ten honorary vice presidents, I am sending the correspondence on to him at Darien, Connecticut. If you have extra copies of your press release of May 19 and the reprint from American Game, we would be very glad to have them for our files.

With best wishes for the success of the international park project, believe me

Sincerely yours,

(Handwritten) A. E. Demaray

A. E. Demaray,
Acting Director.

IFS:FBC

Copy of this letter sent to Mr. Oberholtzer a letter to Mr. Albright.
Dear Mr. Demaray:

Thank you for your gracious letter of June 27th. I very much appreciate your kindness in forwarding our release to Mr. Mather. I am hoping to hear that Mr. Mather is greatly improved in health.

We are delighted to act upon your suggestion about sending material for your files. We are sending you separately ten copies of the reprint from the AMERICAN GAME and herewith one copy of the list of advisers and honorary vice-presidents. A little later we expect to get out a special pamphlet devoted to our advisers and honorary officers. This will give further information and will correct any possible errors in the present list.

We are going to have an extremely difficult fight, requiring every bit of will and courage that we can muster. On the other hand, I believe that we have a very rare creative opportunity. The only question is whether the public can hold out long enough. We all want to be back at our own work and naturally funds are always difficult to find. We shall vastly appreciate any criticisms or suggestions from you at any time.

All good fortune!

Sincerely yours,

[Signature]

ECO/cm

Address all communications for the Treasurer to J. G. Byam, First National Bank, Minneapolis. All others, unless otherwise instructed, to the General Office.

[Stamp: National Park Service Received 11/11/1929]

[Stamp: Office of the Director]
RESERVING THE
NORTH WOODS.

President Hoover recently received representa-
tives of the Quetico-Superior council, an organiza-
tion of conservationists who want the Rainy lake
watershed area in Minnesota and Ontario pro-
tected in an international reserve. The character
of this great tract of timber, lake, and river coun-
try is now threatened by the ambition of private
interests to exploit the water power. Such a de-
velopment, the conservationists claim, would de-
stroy much of the natural beauty and recreational
facilities of the forests, hills, and streams.

Should the present applicants for water power
privileges in the Superior National forest and the
Quetico park region be unsuccessful, promoters
will always be eager to speculate with the natural
resources unless the forest is definitely re-
moved from their reach. The public does not want
the water power which the Quetico-Superior re-
gion might develop; nor does the public want the
products of that water power. Probably not for
many generations will there be uncertainty as to
whether the legitimate generation of power in the
territory is more important, as a public measure,
that the preservation of the country for a refuge.
And it would be better that those future doubts
be resolved in favor of the refuge by the adoption
now of such an international policy as the Quetico-
Superior council advocates.
Editor of the Saturday Evening Post,  
Independence Square,  

Dear Sir:

In view of your support of the National Parks and other conservation projects, I beg to commend to your attention that of the Quetico Superior Council.

As you are not improbably aware the territory concerned is about 26,000 square miles in area, partly in the United States, partly in Canada. The greater part is public lands interspersed with lakes and streams, too rough and rocky to produce any crops except trees, but there are areas of good farm land, also industries such as pulp and lumber mills in private ownership.

The principal products are lumber, furs, fish and those of the farm. More important than any of these, and with greater potentialities for the future, is the tourist industry. The possibilities of this depend on the proper organization, development and protection of the others.

A systematic attempt is now being made by power interests to exploit the whole region in ways that would result in great injury to or destruction of its best qualities.

To prevent this, and to preserve this region for the people of the United States and for those who live in any by it, the Quetico Superior Council is working to obtain a treaty between the United States and Canada "to protect and expand the rare public values in the Rainy Lake watershed which forms the international boundary between Ontario and Minnesota."

Mr. Ernest C. Oberholtzer, President, Quetico Superior Council, Baker Building, Minneapolis, Minn. is the guiding personality in this project.

Permit me to suggest the investigation of it by the Saturday Evening Post as likely to provide excellent material for articles and editorials. I enclose some printed matter which I hope may interest you.

Yours very truly,

(Sgd.) Harold A. Caparn.
Dear Mr. Albright:

Can you tell me something about the tract to which Mr. Caparn refers and if, in your opinion, it would be desirable for park purposes?

Yours sincerely,

[Signature]

Mr. Horace M. Albright

L/D
A WORTHY PROJECT

An area of forest land, enveloping more than 3,000 connected lakes, four times as large as Yellowstone National Park, lying on both sides of the Minnesota-Ontario border, would be indispensable in a great international park or forest preserve—a common memorial to the war dead of Canada and the United States and a recognition of the century of peace between the two—if the plans of the American Legion are carried out. It is not too soon to take immediate steps toward preserving this natural wilderness for commercial interests already are devastating thousands of acres, according to word brought here by Minnesotans.

A week or so ago, Ray Lyman Wilbur, Secretary of the Interior, speaking at Minneapolis, declared that this "greatest remaining natural wilderness in the Middle West," if not in the nation, must be preserved." He called it a "great playground which must not be ruined." Naturally, the Secretary does not intend that it stand idle. The timber would be properly and systematically cut, the area yielding a continuous crop. Roadways would be constructed for tourists and the shorelines of the lakes preserved. Already power dams are flooding great acres, killing trees and all vegetation and ruining fishing, which is never much sport in a wilderness of dead trees.

"The Superior National Forest, on the Minnesota side, is included in the international project, and, on the Ontario side, the Quetico Provincial Park. Between the two there is a vast, unbroken wilderness, teeming with wolves, bears, deer and fish, which should be protected. This international memorial project is a fine piece of conservation undertaken in the name of perpetuating good will and international understanding. It is to be hoped that the Legion's programme makes headway on both sides of the border.
Mr. George Horace Lorimer,
Editor, Saturday Evening Post,

Dear Mr. Lorimer:

Answering your note of October 7, the area referred to by
Mr. Caparn is not being considered for national park purposes,
rather it is an effort supported by conservationists generally to
preserve the Rainy Lake Watershed which forms the International
Boundary between Ontario and Minnesota from attempts being made
by power interests to exploit the region in ways which would re-
sult in great injury or destruction of its scenic and recreational
values.

Legislation has been introduced in Congress to this end although
no final action has as yet been had. I am inclosing for your infor-
mation copy of H. R. 12780 and a pamphlet entitled "Conservation or
Confiscation" distributed by the Quetico-Superior Council which will
be of interest to you. The September and October numbers of
American Forests and Forest Life, the official magazine of the American
Forestry Association, contain articles on this area by President
Oberholtzer. A third article is scheduled to appear in the November
issue.

I believe this to be a conservation project worthy of such support
as you may give to it.

I am returning Mr. Caparn's letter.

Sincerely yours,

(SGD.) HORACE M. ALBRIGHT

Inclosure 203905.

DIRECTOR
PRESERVING THE WILDERNESS.

When the Seventieth Congress adjourned last March one of the bills that died with it was the Shipstead-Newton bill to preserve the Northern Minnesota boundary lakes and streams for recreation uses. This was not an altogether unfortunate thing, for the bill had accumulated in committee certain amendments which its chief sponsors viewed with deep misgiving and indeed were even declared to vitiate the purpose of the legislation. The death of the bill has therefore provided an opportunity for reintroduction of the original bill by Senator Shipstead in the Senate and Representative Nolan in the House.

Now the Quetico-Superior Council in association with the Isaak Walton League of America has issued a bulletin exhaustively analyzing the bill and the situation it is called upon to meet. This movement to preserve the northern wilderness as a recreation area sprang up in opposition to the E. W. Backus project to dam the Minnesota-Ontario border lakes for power purposes. This project is still pending before the International Joint commission, and would of course be rendered impossible by the passage of the Shipstead-Nolan bill reserving the area in its wild state. Mr. Backus' proposal has been opposed by conservationists in general on the grounds that it involves such a raising of water levels as would ruin the area for recreation. A partial report on timber survey made by the International Joint Commission's experts last Saturday was adverse to Mr. Backus' proposal.

At an international forestry conference held in Duluth under the auspices of the Minnesota Conservation Council in 1927 it was decided that the ideal method of guarding these wilderness resources would be by treaty between Canada and the United States. The present bulletin recites that what is contemplated is "a program of balanced forestry, securing all the best values of the forest—timber, wild life, stream protection and recreation." The plan places restrictions on the use of public woods and waters calculated to promote their highest utility and beauty. It provides safeguards against unwise exploitation of the area and also restoration to productivity of lands already exhausted by means of reforestation.

But it was impossible to await the possibly extended negotiation of such a treaty between the two governments and its ratification. For this reason the Shipstead-Newton bill was written and introduced in Congress in the spring of 1928 to guard the American side of the boundary area. This is the measure which has now been reintroduced, and the weight of opinion in Minnesota is unquestionably on the side of the public recreational rather than the private power use of this remarkable resource."
My dear Mr. Demaray:

Happy New Year and all gratitude to our friends who by their good-will and moral support have helped us in the project for an international forest among the border lakes of Ontario and Minnesota.

The Shipstead-Newton-Nolan bill for protecting the natural features of the lakeland within the forest is again before Congress. This time we hope for final determination. We are sending you complete data. You need not feel called upon to read it but in fairness should have it for reference. We are also enclosing a memorial resolution in favor of the bill and adopted by the Minnesota legislature last winter 59 to 6 in the Senate and 119 to 5 in the House.

The bill is known as S. 2498 in the U. S. Senate, where it has been referred to the Committee on Agriculture and Forestry and as both H.R. 1022 and H.R. 6981 in the House, where it will have a hearing before the House Committee on Public Lands on February 4.

A huge and insidious propaganda is being carried on against this bill. Every trick of delay, amendment, and counter bill is being tried. The whole strategy is to make it appear that the local communities are opposed.

Except as you are representing an organization, there is probably little use to communicate with Congressmen, whom you do not personally know. If you are personally acquainted with any of the members of either of the Committees and would write or wire, expressing your interest in the movement and your faith in the sponsors, the help would be greatly appreciated.

You will be glad to know that both the American Legion and the Canadian Legion, the national bodies, at their respective annual conventions last autumn went on record in favor of the international forest and agreed that it be dedicated as a peace memorial to the Service men of both countries, who fought as comrades in the World War.

Gratefully yours,

Ernest C. Oberholtzer
HOUSE COMMITTEE ON PUBLIC LANDS

Don B. Colton, Chairman, Utah.
Addison T. Smith, Idaho.
Scott Leavitt, Montana.
Philip D. Swing, California.
Samuel S. Arentz, Nevada.
F. Dickinson Letts, Iowa.
Joseph L. Hooper, Michigan.
Charles L. Gifford, Massachusetts.
Harry L. Englebright, California.
Robert R. Butler, Oregon.
Albert G. Simms, New Mexico.
John W. Palmer, Missouri.
William R. Eaton, Colorado.
W. I. Nolan, Minnesota.
John M. Evans, Montana.
Thomas A. Yon, Florida.
William C. Lankford, Georgia.
Edgar Howard, Nebraska.
Butler B. Hare, S. Carolina.
Rene L. DeRouen, Louisiana.
Claude A. Fuller, Arkansas.
Victor S. H. Houston, Hawaii.

SENATE COMMITTEE ON AGRICULTURE AND FORESTRY

Charles L. McNary, Chairman, Oregon.
George W. Norris, Nebraska.
Arthur Capper, Kansas.
Peter Norbeck, S. Dakota.
Lynn J. Frazier, N. Dakota.
John Thomas, Idaho.
Henry D. Hatfield, W. Virginia.
John G. Townsend, Delaware.
Frederic C. Walcott, Connecticut.
Ellison D. Smith, S. Dakota.
Joseph E. Ramsdell, Louisiana.
John B. Kendrick, Wyoming.
Thomas J. Heflin, Alabama.
T. H. Caraway, Arkansas.
Burton K. Wheeler, Montana.
Elmer Thomas, Oklahoma.
Henrik Shipstead, Minnesota.
PRODUCTION AND DEVELOPMENT OF FOREST PRODUCTS, ETC.

JUNE 17, 1930.—Referred to the House Calendar and ordered to be printed

Mr. Letts, from the Committee on the Public Lands, submitted the following

REPORT
[To accompany S. 2498]

The Committee on the Public Lands, to whom was referred the bill (S. 2498) to promote the better protection and highest public use of lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, and for other purposes, having considered the same, report favorably thereon and recommend that it do pass without amendment.

OBJECT

This bill designates an area in northern Minnesota along the Canadian border and within which is the Superior National Forest. It establishes a policy of conserving the natural resources of the designated area by providing that the remaining Federal lands within this area be withdrawn from entry and appropriation, and that the public lands and waters within this area may be used for the purpose to which they are best suited—namely, the preservation and reproduction of the forests, the preservation of its wonderful scenic beauties and conserving those natural resources for the benefit of the public; and that this policy may be effectively carried out, certain logging restrictions on shore lines of Government lands are prescribed. That the shore lines, rapids, waterfalls, timber, and other natural features may be preserved, further alteration of natural water level by any Government agency is prohibited without express authority of Congress.

This area in Minnesota, combined with the Quetico Provincial Park in Ontario, comprises the greatest and most picturesque wilderness in the central part of the North American Continent. It is hoped that this region may ultimately become a great international recreational area to be used jointly by the people of these two countries, and thereby promote peace and better understanding. That this may be eventually accomplished is expressed in the two following resolutions:

RESOLUTION ADOPTED BY THE AMERICAN LEGION AT ITS NATIONAL CONVENTION, AT LOUISVILLE, KY., SEPTEMBER 28, OCTOBER 1, 2, AND 3, 1929

Whereas in northern Minnesota the Superior National Forest includes within its borders a unique network of interconnected lakes; and

Whereas this wooded lakeland stretches far across the unguarded border line into the Province of Ontario, where the Quetico Provincial Park forms a counterpart to the Superior National Forest; and

Whereas there has been formulated for the preservation of this region a plan which has been indorsed by this country's highest authorities on forest and wild life and which has also received the approval of the Government departments in whose hands these matters lie; and

Whereas such plan contemplates, if possible joint action with the Dominion of Canada and the Province of Ontario to the end that as much as is feasible of
the Rainy Lake watershed be set aside to be used first for the purposes of reforestation, and, secondly, to provide for our people and our people's children a vast area of rare beauty, which, by international agreement, shall remain for all time undestroyed; and

Whereas we believe that such a common enterprise would form a fitting tribute to the century of peace that has existed between ourselves and our great neighbor to the north: Now, therefore, be it

Resolved, That it is the sentiment of the American Legion that this great undertaking, being conceived in the spirit of international friendliness and good will, should accordingly be done in the name of peace and dedicated as a memorial to the service men of both countries who served as comrades in the Great War; be it further

Resolved, That the national commander shall appoint a committee of three to confer with the service organizations of the Province of Ontario and the Dominion of Canada and to report to the national executive committee at its midwinter meeting the sentiment of the service men of Canada on this proposal; be it further

Resolved, That the national headquarters inform the State Department at Washington of the Legion's indorsement of this program and of the active desire of the American Legion to assist in any way within its power to achieve for the United States and Canada on their international boundary this great peace memorial dedicated to the men who served in war.

RESOLUTION ADOPTED BY THE CANADIAN LEGION OF THE BRITISH EMPIRE SERVICE LEAGUE AT ITS NATIONAL CONVENTION AT REGINA, BEGINNING NOVEMBER 25, 1929

Whereas the American Legion of the State of Minnesota has indorsed a proposal for the establishment of an international park in the Rainy Lake watershed to include the Superior National Forest in the United States and the Quetico Provincial Park in the Province of Ontario, such park to be dedicated in the name of peace, as an international memorial to the common sacrifices of both countries in the Great War; and

Whereas we believe that such a project is feasible, would do much to promote that spirit of international friendliness and good will so essential to the preservation of international peace in the preservation of which we are so keenly interested: Now, therefore, be it

Resolved, That the Dominion Convention of the Canadian Legion of the British Empire Service League does hereby heartily approve the principle of the establishment of such a park for such purpose and that the Governments of Canada and of the Province of Ontario be advised of our approval of the project and urged to take such steps as may be necessary to secure its accomplishment, provided that such arrangement can be made without derogation of national rights or interests.

THE AREA AFFECTED

In northeastern Minnesota between Lake Superior and Canada there is a stretch of country covering several thousand square miles which for scenic beauty and recreational value is equaled by few and excelled by none. Within this area there are numerous lakes, connected in many instances by channels containing beautiful rapids and waterfalls. One finds virgin timber including in certain sections the stately Norway pines. Within its confines is the Superior National Forest. The beauties of the boundary waters surpass those in the interior. Adjoining this area in Canada is the Quetico Provincial Forest which contains millions of feet of virgin pine. It is similar pine to the territory to the south in its lakes, channels, rapids, and waterfalls.

The boundary waters consist of a chain of many lakes connected by natural channels. Among them in the territory affected and embodied in the so-called Rainy Lake watershed are North Lake, Gunflint Lake, Saganaga, Northern Light, Sea, Cypress, Knife, Carp, Birch, Basswood, Crooked, Iron, Lac La Croix, Loon, Little Vermil-
ion, Sand Point, Crane, Kabetogama, Namakan, and Rainy. Rainy Lake lies just east of International Falls, where power, paper, and pulp interests are located. The territory east, with the exception of a dam and water-power plant at Kettle Falls at the westerly end of Namakan Lake, is uninhabited and is not industrially developed. Generally speaking, no railroad enters this boundary area. The connecting channels abound in rapids and some very beautiful waterfalls, such as Curtain Falls and Rebecca Falls.

This country is almost a wilderness primeval. The committee visited Basswood Lake and also visited Lac La Croix and the lakes lying between Lac La Croix and International Falls, which is at the westerly end of Rainy Lake. Lac La Croix is a most beautiful body of water, extending about 35 miles from east to west, with a very irregular, ragged, and rocky shore line. Virgin timber abounds on both sides of the boundary and comes down almost to the water's edge. There are literally hundreds of islands, varying in size from a fraction of an acre to many acres. In most instances they are timbered with pine and some hardwood. These islands also have irregular, ragged, and rocky shore lines. It is one of the most beautiful bodies of water to be found anywhere in the world. Loon Lake is reached by a connecting waterway with Lac La Croix; it is some 8 or 10 miles long with many bays, arms and inlets with a most irregular shore line.

The railroad has not, as yet, invaded this area and even the motor highway touches but a fringe of it. Travel into the interior of this region must be wholly by canoe or small boats.

The Superior National Forest extends for something like 100 miles. Its boundaries are very irregular; here and there it touches the border and it, of course, surrounds or touches a goodly number of the interior lakes and streams.

The Quetico Forest Reserve is a wholly untouched wilderness covered with pine and dotted with lakes, channels, rapids, and waterfalls.

EASILY ACCESSIBLE

An examination of a map of the United States and Canada will show that while this area is a wilderness and far from a railroad, yet it is fairly easy of access to a good many millions of people. For example: It is possible to proceed from Chicago by train, and later by automobile and boat, and be almost in the heart of this wilderness within 24 hours. It is therefore, accessible in a short space of time to the people of a territory comprising a dozen or more States containing millions of people.

RECREATIONAL VALUE

Not only the boundary waters above referred to, but the hundreds of lakes and streams in the area between the boundary and Lake Superior, abound in fish. There is also wild game including moose. This is more true in the area immediately adjoining in Canada. Not only are the boundary waters connected by channels and streams, but this is also true of many of the interior waters on both sides of the boundary, with here and there a portage. Literally dozens upon dozens of canoe trips can be mapped out extending from 1 day to 40 or 50.
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OCCASION FOR LEGISLATION

It is not the purpose of this legislation to set this area aside as a park, but as has been heretofore set forth, the primary purpose of this legislation is to conserve the scenic beauty, including the timber and shore lines, and prevent any further alteration of existing water levels through the construction of dams or other artificial barriers.

There are paper, pulp, and power interests located at International Falls, Minn., and Fort Francis, Ontario. These towns lie opposite one from the other on the Rainy River, a boundary water. These power interests filed an application on August 15, 1920, with the minister of lands and forests in the provincial government of Ontario at Toronto for the right to construct a series of dams extending from Rainy Lake on the west to Saganaga Lake on the east. A copy of the petition is attached herewith in the appendix and is marked “Exhibit A.” In general, it can be said that the plan proposed embodies a slight raise in the existing artificial levels of Rainy and Namakan Lakes and substantial raises on other lakes approximately as follows:

- Little Vermilion—an 82-foot dam. The effect would be to raise the level of Little Vermilion, Loon Lake, and Lac La Croix into one great storage reservoir. The level of Lac La Croix would be raised from 12 to 17 feet. The effect upon the shore lines and the timber is obvious. There are numerous small timbered islands in Lac La Croix which would be submerged, or partially submerged, if this were permitted.
- Lac La Croix—a dam is proposed there at the outlet which would divert waters from the natural outlet through Namakan River, thereby diverting the waters naturally flowing this way from Lac La Croix to Loon, Little Vermilion, and Sand Point Lakes into Namakan.
- Iron Lake—an 8-foot raise is suggested. This would materially affect the beauties of Rebecca Falls.
- Bottle Lake—a 15-foot raise is proposed.
- Crooked Lake—a substantial raise is proposed by the construction of a dam at Curtain Falls. This would materially affect the beauties of this scenic waterfall.
- Basswood Lake—a slight raise is proposed there not to exceed 5 feet.
- Birch Lake—a 25-foot raise is proposed.
- Knife Lake—a 35-foot raise is proposed, thereby substantially affecting the levels of both Knife and Cypress Lakes.
- Saganaga—a substantial raise is proposed which would affect the natural levels of Saganaga, Northern Light Lakes, and possibly other waters.

The construction of a series of dams above proposed or anything approaching them would merge several beautiful bodies of water now connected by channels into a great artificial mill pond. Natural shore lines would be covered up, islands would be submerged, timber would be drowned out; desolation would replace where now exists marvelous scenic beauty.

Proposals to do this were submitted to the Ontario government in 1920. This was followed by a series of conferences growing out of the flooding of land on both sides of the boundary and relating to the waters of Lake of the Woods. This lake is many miles west of International Falls. In these conferences in which these power
interests were represented, suggestions were made, while settling the question of the water levels on Lake of the Woods by treaty, an arrangement be entered into looking toward an agreement between the two Governments covering the installation, or authorization for the installation, of these storage reservoirs and dams in the lakes and waters above described.

As a result, when the Lake of the Woods treaty was negotiated, it contained a reference to the International Joint Commission relating to these waters and which reference was as follows:

Question 1: In order to secure the most advantageous use of the waters of Rainy Lake and of the boundary waters flowing into and from Rainy Lake, for domestic and sanitary purposes, for fishing purposes, and for power, irrigation, and reclamation purposes; and in order to secure the most advantageous use of the shores and harbors of both Rainy Lake and the boundary waters flowing into and from the lake, is it, from an economic standpoint, now practicable and desirable, having regard for all or any of the interests affected thereby, or under what conditions will it become thus practicable and desirable—

(a) To regulate the level of Rainy Lake in such a manner as to permit the upper limit of the ordinary range of the levels to exceed elevation 1108.61 sea-level datum?

(b) To regulate the level of Namakan Lake and the waters controlled by the dams at Kettle Falls in such a manner as to permit the upper limit of the ordinary range of the levels to exceed elevation 1120.11 sea-level datum?

(c) To provide storage facilities upon any or all of the boundary waters above Namakan Lake?

Question 2: If it be found practicable and desirable thus (1) to regulate the level of Rainy Lake and/or (2) to regulate the level of Namakan Lake and the waters controlled by the dams at Kettle Falls, and/or (3) to provide storage facilities upon all or any of the boundary waters above Namakan Lake—

(a) What elevations are recommended?

(b) To what extent will it be necessary to acquire lands and to construct works in order to provide for such elevations and/or storage, and what will be their respective costs?

(c) What interests on each side of the boundary would be benefited? What would be the nature and extent of such benefit in each case? How should the cost be apportioned among the various interests so benefited?

Question 3: What methods of control and operation would be feasible and advisable in order to regulate the volume, use, and outflow of such waters in each case in accordance with such recommendations as may be made in answer to questions 1 and 2?

Question 4: What interests on each side of the boundary are benefited by the present storage on Rainy Lake and on the waters controlled by the dams at Kettle Falls? What are the nature and extent of such benefits in each case? What is the cost of such storage and how should such cost be apportioned among the various interests so benefited?

When ratified, the treaty contained the above reference to the International Joint Commission.

The International Joint Commission was created by a convention between the United States and Great Britain pertaining to the boundary waters between the United States and Canada. It was signed at Washington January 11, 1909. The commission was given jurisdiction over these international waters under certain circumstances and conditions, including the obstruction or diversion of these waters.

The International Joint Commission, pursuant to the reference, submitted a questionnaire in May, 1925, to interested parties. In answer to this questionnaire the same power, paper, and pulp interests answered on September 27, that year; their answer is marked "Exhibit B" and is made a part herewith and will appear in the appendix of this report. Generally speaking, it is an elaboration of the
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Proposals originally submitted by those interests to the Ontario government in 1920.

On September 28 these same interests submitted to the International Joint Commission, other or similar proposals covering the same area and the same waters. This proposal is marked "Exhibit C" and will be found in the appendix. Generally speaking, it is supplementary to, and an elaboration of, the original proposals to the Ontario government. In this proposal marked "Exhibit C" the petitioners requested the Governments of the United States and Canada to stand one-half of the expense of the building of these dams and the construction of these reservoirs and the remaining one-half to be paid by the petitioners.

Further examination discloses that the petitioner frankly admitted the flooding of about 25,000 acres in the United States and 14,000 or 15,000 acres in Canada. No estimates of flooding were submitted as to some of the lakes the levels of which were to be raised for the forming of storage reservoirs. This was true of Little Vermillion, where an 82-foot dam is proposed.

At public hearings conducted by the International Joint Commission at International Falls in September, 1925, the petitioner appeared in general support of his proposals, above referred to. Substantial protest against the carrying out of his proposals was made at this meeting.

At the session of Congress following a substantial appropriation was made to enable Army engineers on this side of the line to cooperate with Canadian engineers in order that the International Joint Commission might be fully informed as to all of the facts, and thereby be better able to submit its conclusions and recommendations growing out of the reference.

The engineers on both sides of the line have completed their field investigations and have submitted their preliminary report. It has been printed and is now available. It is expected that the International Joint Commission will consider this preliminary report in the near future and that further hearings will be held by that body during this summer.

With the above situation in mind, H. R. 12780 was introduced by Representative Newton in the Seventieth Congress and H. R. 6981 by Representative Nolan in the Seventy-first Congress. Following the introduction of the bill by Mr. Newton hearings were held before the committee extending over a period of several days. During the summer of 1928 a substantial number of members of this committee spent about one week in the westerly portion of the area affected. The introduction of the bill by Mr. Nolan was followed by hearings before the committee. Again a period of several days was taken in hearing testimony on this subject.

The committee is of the opinion that the shore lines, rapids, waterfalls, beaches, and other natural features of this region should be preserved in an unmodified state of nature, and that there should be no further alteration of the natural water levels of any lakes, channels, or streams abutted by Federal lands within, or bordering upon, the designated area unless specifically authorized by Congress. The committee does not feel that the private need and demand for the somewhat meager power resources of this region are at all commen-
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Sure with the public need, demand, and value for recreational purposes requiring that these waterways be left in an unmodified natural state.

EFFECT OF LEGISLATION

(1) Public lands of the United States within the area described are withdrawn from entry under the public land laws, but subject to prior existing legal rights under those laws.

(2) Sets forth legislative policy and establishes principle of conserving natural beauty of shore lines or recreational use of Federal lands bordering upon waters within the area.

(3) To carry out the policy and principle certain logging restrictions upon Federal lands are prescribed.

(4) To further carry out the principle and policy no official or commission of the United States is to have authority to grant by permit, license, or otherwise, any further alteration of the natural water levels of any of these waters until specific authority therefor shall have first been obtained by special acts from Congress.

This legislation is supported by innumerable organizations not only in Minnesota but throughout the Nation. The State of Minnesota has officially indorsed it as indicated by the memorial adopted by the 1929 session of the Minnesota Legislature:

STATE OF MINNESOTA

A CONCURRENT RESOLUTION—S. F. NO. 106, INTRODUCED BY MESSRS. MACLEAN, LILYGRVEN, ANDERSON, AND SWENSON—MEMORIALIZING CONGRESS TO PASS THE (H. R. 12780) SHIPSTEAD-NEWTON BILL

Whereas there has been introduced, and is now pending before the Congress of the United States, introduced in the Senate by Senator Henrik Shipstead, as Senate bill 3913, and introduced in the House by Congressman Walter H. Newton, as House bill 12780, that certain bill now commonly known as the Shipstead-Newton bill which prohibits any and all further alteration of the natural water level of any lake or stream within or bordering upon the area now known as the Superior National Forest, and all other public lands of the United States situated north of township 60 north in the counties of Cook, Lake, and St. Louis, in the State of Minnesota, including the natural shore lines of Lake Superior and of the lakes and streams forming the international boundary so far as they lie within this area, which will result in flooding lands of the United States therein, without the consent of Congress, and places restrictions upon logging and upon all forms of entry or appropriation under the public land laws of the United States in such area; and

Whereas this region, a part of the 14,500 square miles covered by the Rainy Lake watershed, lying in Ontario and Minnesota, and the immediately adjacent lands and waters, constitutes the only remaining vast wilderness area in the central part of North America; and

Whereas this region contains the only remaining extensive coniferous forests in the Middle West with unusual potentialities for the development of a future continuous supply of forest products; and

Whereas this region is blessed with precious international historic values, rare scenic qualities, and unique recreational facilities within easy reach of 10,000,000 residents of both Canada and the United States; and

Whereas this area affords an unusual opportunity to preserve, perpetuate, restock, and increase various species of wild life of invaluable economic and aesthetic importance to both nations; and

Whereas this region is now a great and beautiful pleasure grounds for lovers of nature and wild life, visited annually by ever increasing thousands of recreationists; and

Whereas the unrestricted development of this region may destroy or substantially injure the said forests, lakes, and streams for recreational purposes,
and may hinder the enactment of proper regulatory legislation for the development of this region consistent with the general purposes of such recreational area. Now, therefore, be it

Resolved, By the Senate of the State of Minnesota, the House of Representatives concurring, that the Congress of the United States be memorialized that it is the sense of the members of the Legislature of the State of Minnesota, that such bill should be enacted into law, and such action be taken before the adjournment of Congress now sitting: Be it further

Resolved, That the secretary of the senate forthwith transmit a copy of this resolution to the President of the United States, to the Secretary of the Interior, to the Secretary of Agriculture, to the United States Senate, to the House of Representatives, to the Senate Committee on Agriculture and Forestry, to the House Committee on Public Lands, and to each Senator and Representative in Congress from the State of Minnesota.

Passed the Senate the 21st day of February, 1929.

W. I. NOLAN,  
President of the Senate.  
G. H. SPAETH,  
Secretary of the Senate.

Passed the House of Representatives the 28th day of February, 1929.  
JOHN A. JOHNSON,  
Speaker of the House.  
JOHN S. LEVIN,  
Chief Clerk, House of Representatives.

Approved March 8, 1929.  
THEODORE CHRISTIANSON,  
Governor of the State of Minnesota.

Filed March 9, 1929.  
Wm. W. HOLM,  
Secretary of State.

This memorial was adopted by a vote of 59 to 6 in the senate and 119 to 5 in the house.

A copy of a telegram from the Governor of Minnesota appears below and indicates the sentiment of the State of Minnesota:

MARCH 15, 1930.

Hon. W. I. NOLAN,  
House of Representatives, Washington, D. C.

Minnesota sentiment overwhelmingly favors prompt passage of Shipstead-Nolan bill to prevent exploitation of border waters by private interests. There is no present need for the sacrifice of these scenic and recreational values. If the time comes when it becomes necessary to sacrifice them in the interest of industrial development the use of these waters should be reserved to the people. There is no justification for permitting their exploitation by private interests.

THEO. CHRISTIANSON, Governor of Minnesota.

REPORT OF THE DEPARTMENTS

The Department of State, Department of the Interior, and Department of Agriculture report either that they have no objections to the enactment of the legislation or that they approve of the same. Their letters so doing are as follows:

MARCH 18, 1930.

Hon. DON B. COLTON,  
Chairman Committee on the Public Lands,  
House of Representatives.

Sir: I refer again to your letter of January 30, 1930, concerning proposed legislation in regard to the boundary waters between the United States and Canada, especially those lying along the northern border of Minnesota. I have received inquiries concerning H. R. 6981, introduced by Mr. Nolan at the present session of Congress, and I believe that, on account of our treaties
with Canada, it would be advisable to add a proviso in section 3 of the bill, page 4, line 20, after the word "project," reading as follows:

"Provided, That nothing in this section shall be construed as interfering with the duties of the International Joint Commission created pursuant to the convention concerning the boundary waters between the United States and Canada, concluded between the United States and Great Britain on January 11, 1908, and action taken or to be taken in accordance with the provisions of the convention, protocol, and agreement between the United States and Canada which were signed at Washington on February 24, 1925, for the purpose of regulating the level of the Lake of the Woods."

Very truly yours,

J. P. COTTON.
Acting Secretary of State.

In the report submitted by the Secretary of the Interior it is suggested that the legislation await the report of the Public Land Commission. The Secretary, however, recalled this suggestion and indorses the bill. The letter recalling his first suggestion follows the report:

DEPARTMENT OF THE INTERIOR,
Washington, February 18, 1930.

HON. DON B. COTTON,
Chairman Committee on the Public Lands,
House of Representatives.

MY DEAR MR. CHAIRMAN: In response to your request of January 21, for an opinion as to the merit of H. R. 6981, there is transmitted a memorandum submitted by the Commissioner of the General Land Office.

I think the general purposes behind this legislation are to preserve an area in northern Minnesota and southern Canada for recreational and other public purposes.

I am quite in sympathy with this general line of endeavor but feel that we should not at the present time handle piecemeal the problems of the public domain when there is such a good prospect that the whole question can be dealt with constructively by the Commission on Public Lands.

Very truly yours,

RAY LYMAN WILBUR.

MEMORANDUM FOR THE SECRETARY

I have by departmental reference request of the chairman of the Committee on the Public Lands for report on H. R. 6981.

The purpose of the bill as set forth in its title is to promote the better protection and highest public use of lands of the United States and adjacent lands and waters in northern Minnesota and southern Canada for the production of forest products, and for other purposes.

It proposes to reserve from all forms of entry or appropriation under the public land laws, subject to existing rights thereunder legally maintained, the public lands of the United States in Cook, Lake, and St. Louis Counties, lying between township 60 north and the Canadian boundary.

The greater portion of the area is within the boundaries of the Superior National Forest, which contains most of the Federal lands involved. The Secretary of Agriculture is therefore primarily interested in the proposed legislation in so far as it would affect the administration of the national forest.

The records of this office show that there are, however, within the area approximately 26,000 acres of unreserved public lands in scattered tracts which would be permanently withdrawn from all forms of entry or appropriation under the terms of the bill. These scattered tracts were temporarily withdrawn by Executive Order of May 26, 1923, in aid of the similar legislation then proposed, upon request of members of the Minnesota delegation in Congress, and remain so withdrawn.

There is now pending before the Congress a bill (H. R. 6153) authorizing the appointment of a commission to study and report upon the conservation and administration of the public domain, which passed the House January 24 with an amendment requiring submission of the report to Congress not later than the first Monday in December of this year.
It would therefore seem consistent with the policy so indicated that considera-
tion of this and other conservation measures which would affect public lands not
within any existing reservation should be deferred until the proposed commission
has had opportunity to report to Congress.
I therefore recommend that H. R. 6981 be not enacted unless it be amended to
exclude from its operation the unreserved public lands involved.
If it is deemed
desirable to enact the legislation with respect to the reserved lands, I would
suggest that the bill be amended by inserting the words “within that portion of
the Superior National Forest” before “situated,” in line 3 of page 3.
The area contains portions of Rainy Lake and of a number of other boundary
lakes and streams. Section 3 of the bill would prohibit any further alteration of
the natural water level of any lake or stream within or bordering upon the area
designated which would result in flooding lands of the United States within or
immediately adjacent to the Superior National Forest without a special act of
Congress so authorizing. It is noted from Report No. 2814 of the Committee
on the Public Lands on the similar bill (H. R. 12780) of the Seventieth Congress,
that the State Department in its report on that measure suggested an amendement
which would prevent limitation of the authority conferred upon the International
Boundary Commission created pursuant to the convention relating to boundary
waters between the United States and Canada concluded January 11, 1909.
It is therefore recommended that the bill be referred to the Departments of
State and Agriculture for report as to matters under the jurisdiction of such
departments.

C. C. Moore, Commissioner.

DEPARTMENT OF THE INTERIOR,
Washington, March 1, 1930.

Hon. Don B. Colton,
Chairman Committee on the Public Lands,
House of Representatives.

MY DEAR MR. CHAIRMAN: With further reference to your request of January
21 for a report on H. R. 6981, to promote the better protection and highest
public use of certain Minnesota lands, I have to advise that the report of this
office made to you on February 13 was pursuant to an understanding between
the Departments of Interior and Agriculture to defer action on the disposition
of all public-land areas until after the study of the Commission on the Conserva-
tion and Administration of the Public Domain has been completed.
As indicated in my report, however, I am in sympathy with the general pur-
poses behind this legislation, and since it now appears that the scattered tracts
of unreserved public land within this area were temporarily withdrawn by
Executive order of May 26, 1928, in aid of legislation such as that now proposed,
I wish to withdraw my recommendation that enactment of the bill be deferred
until action by the Commission on the Conservation and Administration of the
Public Domain has been taken.
Therefore, so far as the public lands are concerned, I recommend that the
bill receive favorable consideration by Congress.
Very truly yours,

Ray Lyman Wilbur, Secretary.

February 17, 1930.

Hon. Don P. Colton,
Chairman Committee on the Public Lands,
House of Representatives.

DEAR MR. COLTON: Receipt is acknowledged of your letter of January 21,
requesting a report from this department upon the bill (H. R. 6981) to promote
the better protection and highest public use of the lands of the United States and
adjacent lands and waters in northern Minnesota for the production of forest
products, the development and extension of recreational uses, the preservation
of wild life, and other purposes not inconsistent therewith; and to protect more
effectively the streams and lakes dedicated to public use under the terms and
spirit of clause 2 of the Webster-Ashburton treaty of 1842 between Great Britain
and the United States; and looking toward the joint development of indispensable
international recreational and economic assets.
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This department, in reporting on earlier bills of similar nature and in other communications, has consistently approved the principle embodied in the bill H. R. 6981. It regards the area involved as one of great potential social value with the belief that it would be a deliberate and systematic conservation of the scenic and wild life values and of the opportunities for unique and desirable forms of outdoor recreation.

On the other hand, the area also possesses large economic or industrial possibilities; the potential capacity to produce large quantities of timber and thus to contribute to the support of local industries, communities and institutions. This aspect of its social value should not be disregarded.

In the opinion of the department neither broad field of use should be excluded or dominated by the other, but both should be so coordinated and correlated as to produce the largest net return in social and industrial service. All facts available to the department warrant the belief that this can be done, and such is the objective of the department in its administration of the Superior National Forest. It, therefore, seems desirable that such legislation as may be enacted by Congress shall not be so rigid nor inflexible as to militate against the best and highest use and management of the area, consequently I wish to suggest certain minor changes for the consideration of your committee.

So far as this department is aware, section 1 of the bill is satisfactory and no change is suggested.

Section 2, in substance, prescribed certain rules to control the cutting of timber under the direction of this department. As now worded, it applies without restriction or qualification to any waterway within the region described. In actual fact, the region is a regular network of waterways which are so widely and intricately distributed that they influence the major part of the Superior National Forest. Some of these waterways are used rarely if at all by tourists, campers, etc., and the application to the timber adjoining them of the same rules that are justified in relation to the international boundary waters or other major boat or canoe routes would be difficult of justification. An amendment covering this point will hereafter be suggested.

Section 2 authorizes the cutting of diseased, insect-infested, or dead timber within 200 feet of natural shore line but makes no provision for overmature timber which obviously will be dead before the area again becomes subject to a cutting operation. It is the belief of this department that a judicious removal of the obviously overmature and decadent trees not only will avert an economic loss but actually will result in the improved appearance of shore lines and therefore might well be authorized by the bill.

Again, section 2 makes no provision for openings along streams or lakes in connection with logging operations. The removal of timber by water really would be an advantage in conserving natural beauty, since it would obviate the need for the construction of railroads, tramroads, etc. But as the bill is now worded, the necessary openings to permit of removal by water would be prohibited.

The preceding comment applies also to section 3. During low-water periods the connecting streams which link one lake with another and thus create the water routes are frequently too low to permit the free movement of logs or other timber, and to meet this condition it is necessary to build small dams by which the water level can be maintained in such connecting streams. The bill does not authorize but to the contrary would prohibit that practice. There is no probability that a modification such as suggested herein would be abused or carried to an extreme, defeating the purpose of the bill.

In view of the several comments above made the following amendments are recommended:

Page 3, line 16, after the word "any" insert the word "other."
Page 3, line 17, after the word "area" insert "which is now or eventually to be in general use for boat or canoe travel."
Page 4, line 6, after the word "infested," insert the word "dying."
Page 4, line 7, change the period to a comma and add "except where necessary to open areas for banking grounds, landings, and other uses connected with logging operations."
Page 4, line 55, change the period to a comma and add "and maximum water levels not higher than the normal high-water mark may be maintained temporarily where essential to permit the movement of logs can be maintained in such connecting streams."

It is the belief of the field officers of the Forest Service that the amendments suggested herein will not militate against the purpose or effectiveness of the
pending bill, but will really facilitate both its local acceptance and the execution
of its provisions, in that they will more adequately permit of the desirable
co-ordination of the recreational and industrial potentialities of the Superior
Forest and the highest realization of the public value of that area.
Unnecessary restrictions upon the industrial utilization of the material resources
of the forest, and of the intermingled privately owned lands, undoubtedly will
inspire persistent efforts for their modification and consequent instability of
administration, whereas a reasonable adjustment between the two major
of service will permit this department to plan its administration of the forest
with assurance and effectiveness.
Subject to the amendments herein proposed, the bill has the full approval of
this department, and its favorable consideration by your committee is recom-
\nSincerely yours,

R. W. DUNLAP, Acting Secretary.

EXHIBIT A
FORT FRANCES PULP & PAPER Co. (LTD.),
Fort Frances, Ontario, August 25, 1900.
MINISTER OF LANDS AND FORESTS,
Surveys Department, Parliament Building, Toronto, Ontario.

DEAR SIR: This application is for the right to construct dams at the outlets of
the several lakes along the international waters above Rainy Lake for the control
of the waters flowing into Namakan Lake as well as in cases where power is avail-
able, the right to develop such power and erect power plants:
(1) The right to construct and control a permanent masonry dam at the
north outlet of Lac La Croix, where the water of Lac La Croix now ordinarily
flows into Namakan River, and to divert this entire flow to the western outlet
where it will then pass on to Namakan Lake. The crest of said dam to be at
elevation 1,205.
(2) The right to construct a dam at the west outlet of Lac La Croix and the
right to raise Lac La Croix and to overflow Ontario lands on the north side and
the right to flood such falls as may be affected on the streams entering Lac La
Croix by the dam so constructed at the west outlet of Lac La Croix, with its crest
at elevation 1,200. The right to construct such power plants as may be necessary
to utilize the flow of the stream at this point.
(3) The right to construct and control a permanent dam and to erect such
power plants as may be necessary to utilize flow of stream at Rebecca Falls at
outlet of Iron Lake. Crest of said dam to be not higher than elevation 1,225 above
mean sea level. Right to overflow lands on Iron Lake as will be affected by said
dam and also any falls or rapids on streams entering Iron Lake as will be affected
at said dam. Present elevation of Iron Lake and Botttle Lake 1,217.
(4) The right to construct and control a permanent dam at the outlet of
Bottle Lake, crest of dam to be at elevation 1,230, to control Iron Lake, as above.
(5) The right to construct and control a permanent dam with crest elevation
not higher than 1,260 feet, at the west outlet of Crooked Lake, at the head of
Curtain Falls, and to erect such power plants as may be necessary to utilize
and control the flow of the lake at this point. Right to overflow lands on Crooked
Lake and to overflow such falls as will be affected at the head of Crooked Lake by
dam so constructed at Curtain Falls. Present elevation of Crooked Lake, 1,245.
(7) Right to construct and control a permanent dam at the outlet of Bass-
wood Lake, and to erect such power plants as may be necessary to control the
flow of said lake at this point. Crest of dam not to be higher than elevation
1,305 above mean sea level. Right to overflow lands on the shores of Basswood
Lake as may be affected by said dam. Present elevation of Basswood Lake,
1,300.
(8) Right to construct and control a permanent dam at the outlet of Birch
Lake with a crest not higher than elevation 1,360 above mean sea level and to
overflow such lands in Canada as will be affected by said dam, including flow of
on Carp Lake. Present elevation Birch Lake, 1,335. Present elevation of Car
Lake, 1,387.
(9) The right to construct and control permanent dam at the outlet of Knif
Lake. Crest of said dam not to be higher than elevation 1,430. Right to flow
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such lands in Canada as will be affected on the north shores of Knife and Cypress Lakes by said dam. Present elevation Knife and Cypress Lakes, 1,386.

(10) The right to construct and control a permanent dam for storage and power purposes at the outlet of Sturgeon Lake and to control the flow of Maligne River at this point. Crest of said dam not to be above elevation 1,260 above sea level. Right to flow lands on shores of Sturgeon Lake and to flow out any falls on streams entering Sturgeon Lake that may be affected by dam at said elevation. Present elevation of Sturgeon Lake, 1,220.

(11) Right to construct and control a permanent dam for storage purposes at the outlet of Kwynipi Lake. Crest of said dam to be not over 30 feet above present normal water elevation, the normal water elevation being the elevation taken at a time when Saganaga Lake is at elevation 1,462.

(12) The right to construct and control a permanent dam at outlet of Saganaga Lake and to control the flow into Maligne River at this point. Crest of said dam not to be above elevation 1,460 above mean sea level. Right to flow such lands in Canada bordering on Saganaga Lake, Saganaga Lake, and North Light Lake as may be affected by dam with crest at elevation 1,460. Present elevation of Saganaga Lake, 1,432. Present elevation of Saganaga Lake, 1,432. Present elevation of North Light Lake, 1,441.

Respectfully submitted.

FORT FRANCES PULP & PAPER CO. (LTD.),
E. W. BACKUS, President.

EXHIBIT B

S E P T E M B E R 2 7 , 1925.

MR. WILLIAM H. SMITH,
Secretary International Joint Commission,
Washington, D. C.

DEAR SIR: As requested in your questionnaire of May 19, 1925, we are pleased to submit herein information under the various headings as listed.

1. A general statement as to the manner in which our interests would be affected by an increase of maximum level on Rainy Lake, Namakan Lake, and the boundary waters above, must be considered in conjunction with the storage on the watershed as a whole, as whatever storage and regulation are accomplished on the upper waters will materially benefit conditions on Rainy and Namakan Lakes, which have, of necessity, been heretofore used as the sole regulating media for the entire boundary waters. Their inadequacy for this purpose has been amply demonstrated, by the fluctuation in levels that has been experienced, and by the wide variation and uncertainty in water supply for public and private purposes that have prevailed.

(c) On Rainy Lake, for each foot increase in elevation above 1,108.61 (497 d. p. w.) a storage of about 9,600,000,000 cubic feet is obtained, and an increase from 1,108.61 to 1,112.61 gives a storage of 38,400,000,000 cubic feet, equivalent to a constant of 1,430 cubic foot-seconds for 310 days.

As to the effect of the proposed elevation, we refer the commission to its own final report, page 36, wherein it is estimated that if all the proposed storage is utilized primarily for equalizing the outflow from the Lake of the Woods, it will increase the power available at International Falls and Fort Frances by only about 700 horsepower. Whereas if it is utilized primarily for increasing the available water power on the Rainy River, including the Long Sault Rapids development, there will be an increase of about 2,500 horsepower.

(b) The present structures at the outlet of Namakan Lake limit the elevation to 1,120.11 (508.5 d. p. w.). The dams themselves are constructed to a height of 1,121.76 (510.15) but are not equipped to hold water above the elevation first stated. The cost of the necessary alterations to the dam permitting materially higher elevation and the acquisition of the property necessary for flowing rights would not be justified by the benefits derived. However, it may be possible to secure an increase in level and storage of 6 to 12 inches, at nominal expense and without damage.

(c) The holding of the lake levels on the boundary waters above Namakan Lake at high-water mark or 5 feet above such elevation, in all cases will not accomplish sufficient storage to be of value in the regulation desired. Specific figures giving suggested elevations are covered under question 4.
2. Works or measures necessary for each of the above:
   (a) In order to permit Rainy Lake being raised to the elevation noted in 1, (a), flashboards could be provided on the International Falls (Fort Frances) Dam, and some extensions made to the spillway gates.
   (b) In view of the fact that we recommend no changes in the high-water level on Namakan Lake, no improvement or other measures are suggested, except a possible slight addition to the gates.
   (c) On the boundary waters above Namakan Lake, the following works and measures are suggested: Lac La Croix, 2 storage dams; Crooked Lake, 1 storage dam; Basswood Lake, 2 storage dams; Saganaga Lake, 2 storage dams.
   No plans have been prepared of these structures, but sufficient field investigations have been made to convince us of the practicability and great desirability of this recommendation.
3. The estimated cost of these works is as follows:
   (a) On Rainy Lake the present structures can be extended at nominal cost.
   (b) On Namakan Lake our recommendations contemplate no change in the present works which would entail more than nominal expense.
   (c) On the boundary waters above the Namakan chain of lakes our estimates are as follows:
      Lac La Croix, 2 storage dams and flowage casements $196,175
      Crooked Lake, 1 storage dam and flowage casements 89,750
      Basswood Lake, 2 storage dams (no flowage casements required) 42,500
      Saganaga Lake, 2 storage dams and flowage casements 97,700
4. To secure the most advantageous use of the boundary waters affected by this reference, we suggest that the low-water stages be fixed by the commission in all instances and the limiting elevations of upper storage ranges be as follows:
   Rainy Lake ......................................................... 1,111.61 (500)
   Namakan Lake ...................................................... 1,120.11–1,121.11 (508.5–509.5)
   Lac La Croix ....................................................... 1,260
   Crooked Lake ....................................................... 1,305
   Basswood Lake ...................................................... 1,447
   Saganaga Lake ...................................................... 1,447
5. The storage on these lakes should be regulated collectively, and by the commission.
6. The above storage reservoirs should, we suggest, be administered collectively under the jurisdiction of the International Joint Commission.
7 and 8. We consider that practically all interests, public and private, on each side of the boundary will be benefited by all of the above, including most specifically, navigation, power, lumber, paper and pulp, fishing, general manufacturing, summer recreation, agriculture, labor, railroad, property, mercantile, and municipal and public.
1. Navigation would be improved in safety, extent, and utility.
2. Power would be increased in quantity and become continuously dependable at lower operating cost per unit, not only at the outlet of Rainy Lake, but at all potential and developed power sites below.
3. Lumber and logging would be better served by uniform lake elevation for dependable driving and towing and for operating.
4. Paper and pulp manufacture would be materially benefited through the increase and dependability of hydraulic hydroelectric power, by the increased availability of process and boiler water, and by the increased possibilities of water transportation of pulpwood.
5. Fishing should be substantially benefited by controlled levels and large areas of dependable pure water, giving better breeding and growth conditions and more ready accessibility to the boundary waters.
6. General manufacturing would receive new impetus and increased scope through greater and more dependable primary power, better manufacturing conditions, and improved local stability.
7. Recreation and outing facilities would benefit by less fluctuation in lake and river levels, by improved canoeing and boating conditions, larger and more uniform water areas, and by greater ease of access to the upper boundary waters. Such fluctuations as would occur on these lakes would be extended over a period
of several years rather than recurring violently from season to season as is now the case.
8. Labor employment throughout would be materially stimulated, additional workers attracted, and more stable employment conditions prevail.
9. General property values would be greatly stabilized and increased through added industrial activity, development, and population.
10. Local agricultural interests should profit through increased local markets for agricultural products, greater accessibility, increased reality values, and assurance of progressive development in the surrounding community.
11. Railroads would enjoy increased tonnage of inbound and outbound freight, more stable volume of local industry and commerce, as well as greater passenger traffic.
12. Local mercantile enterprises could well expect an increased and more uniform volume of business from the greater number of wage earners steadily employed at good wages, and from an increasing number of tourists, vacationists, and transients.
13. General municipal and public interests will benefit most of all, through increased electric power for public, domestic, and manufacturing purposes; through larger and purer sources of water supply; through increased accessibility of the upper boundary waters, greatly extending the sphere of local business and activity; through increased population, property values, and taxable wealth, making possible more and more the advantages, comforts, and attractions of modern civilization; and through higher municipal credit and a sounder basis for stability and prosperity.

The existing industrial, mercantile, railroad, and civic developments at International Falls and Fort Frances are largely the result of three factors: First, the existing waterpower; second, the supply and availability of raw material; and third, the capital and enterprise through which these natural resources have been converted to public and private advantage. The raw material is still available, together with the capital, development, organized enterprise, and population for permanent progress and expansion, but the uncertainty and inadequacy of waterpower have already made themselves keenly evident, and will arrest further progress on both sides of the boundary unless early remedial action is taken.

9. We consider the capital and manual costs of this additional storage and regulation should be apportioned among the various interests benefited; a part to the power interests obtaining the advantage of the storage and regulation, and a part to the two Governments to cover navigation and other interests by which the public in general is benefited; the administration, allocation, levy, and assessment of these costs to be made by the International Joint Commission.
10. Our proportionate share of the costs should be allocated by the commission on the basis of the relative benefits to us as a power user.
11. We do believe that local power developments at some of the sites of the storage dams would be consistent with the use of these dams for storage and regulation. The dams themselves would be considered as primarily only for storage and regulation, and any interests developing power at each site should not only defray the full cost of their power developments, but should also pay their proportional share of the costs of the additional storage and regulation benefiting such power developments.

RAINY LAKE

(A) The upper and lower levels of the present storage range are, respectively, 497, which is the ordinary high-water level in the state of nature, and 480, which is approximately the ordinary low-water mark in the state of nature (1,108.61-1,101.61). There is Federal legislation and approval of the War Department authorizing the present structure on the United States side and a Crown grant and permit authorizing the structure on the Canadian side.

(D) The interests receiving direct benefit from the present storage are the power interests at International Falls and Fort Frances, at the outlets of Lake of the Woods, and on the Winnipeg River below. Also, the navigation on Rainy Lake, Lake of the Woods, and Winnipeg River, the communities and country adjacent to these waters on both sides of the boundary and the transportation agencies serving them.

(E) The benefits to the power interests are those which inevitably accrue from the availability and utilization of the regulated storage made possible by this development. To date, these have not been realized to the full extent by the enterprises at the outlet of Rainy Lake, due to the fact that the level of Rainy
Lake has performed the function of a reservoir. The fluctuation in level caused by regulation has widely varied the power output of their installations. The full storage capacity has been available to power users on the lower waters. The benefits to navigation, to the communities and adjacent territory, and to the railroads, have also been substantial, but are difficult to reduce to a tangible estimate or apportionment.

(F) We suggest that the power interests should bear one-half and the two Governments one-half, to be in turn divided equitably between them.

(G) On the same basis as capital cost.

NAMAKAN LAKE

(A) The upper and lower levels of the present storage range are normally 506.8 and 497.5, respectively (1,120.11, 1,109.11). During years of drought the lower elevation has been below normal, our records showing an extreme low of 494.57. The present structures were authorized by the War Department on the American side and by the Crown on the Canadian side.

(B) The cost of operating and maintenance has been comparatively small, but having been entered in our general operating cost, we have not had opportunity to aggregate it.

(C) The interests benefited from the present storage are identical with those under the corresponding paragraph dealing with Rainy Lake.

(D) The benefits from the present storage are practically identical with those listed under the corresponding paragraph dealing with Rainy Lake. The power at the outlet of Rainy Lake received benefit of this storage as fully as do the powers on the waters below.

(E) On the same basis as Rainy Lake.

(F) On the same basis as Rainy Lake.

Respectfully submitted.

E. W. BACKUS

EXHIBIT C

SEPTEMBER 28, 1925.

INTERNATIONAL JOINT COMMISSION,
International Falls, Minn.

GENTLEMEN: For the past several years our engineers have been engaged in making extensive exploration, investigation, and survey of the various lakes and rivers on the watershed tributary to Rainy River on both sides of the international boundary, in gathering statistics relating to the run-off from these waters, and in reviewing and studying the whole subject of providing additional storage on the upper Lake of the Woods watershed, including the cost thereof and the effects which it will produce in controlling the levels of Rainy Lake and Lake of the Woods and the flow therefrom.

The data and information accruing from these investigations have served emphatically to second the conclusions of your commission in its report of June 12, 1917, as to the desirability of storage reservoirs on the boundary waters in question for the benefit of all interests involved. The same recommendation, as affecting the power resources of the Winnipeg River in Manitoba, had been independently made by J. T. Johnston, B. A., chief hydraulic engineer, Dominion water power branch, Department of the Interior of the Dominion of Canada, in his report of July 18, 1918, on the Winnipeg River power and storage investigations. These two reports are matters of public record and clearly present the conclusions drawn from the exhaustive investigations conducted.

The necessity for additional storage on the boundary waters for the benefit of all interests, private and public, is so fully recognized that little reference thereto is demanded. Conditions naturally existing have been substantially improved by the present storage on Rainy Lake and the Namakan chain of lakes, which has of necessity been heretofore used as the sole regulating medium for the waters above along the entire boundary. Its inadequacy for this purpose and the necessity for supplementing it has been clearly demonstrated by the fluctuation in levels that has been experienced and by the wide variation and uncertainty in water supply for public and private purposes that have prevailed.

The existing industrial developments and communities at International Falls and Fort Frances are based largely upon the extent of the water power there available. The full possibilities of this power have not been available, due to
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the extreme variations in level and flow above referred to. The industries there have already expanded far beyond the realized power output, and further development and expansion will be practically impossible unless these interests secure the proper cooperation in taking advantage of the excellent natural conditions which exist for rendering this power uniformly dependable through proper storage and regulation. This storage is economically attainable, and early action is recommended first, to secure the benefits as promptly as possible, and, second, to develop the storage reservoirs at a lower cost than will be possible if development be too long delayed.

AVAILABLE STORAGE CAPACITY AND ITS COST

RAINY LAKE

The volume of storage on Rainy Lake, between elevations 493.5 and 497.5, is 39,000,000,000 cubic feet. The amount of storage capacity added if the lake is raised to elevation 500 will be 24,000,000,000 cubic feet. The area overflowed between the old shore line and a new shore line at elevation 501 is estimated to be approximately 1,444 acres in Canada and 9,313 acres in the United States, largely swamp and low land of little value.

On September 29, 1922, Mr. A. F. Meyer, formerly one of the consulting engineers of your commission, prepared at the request of the Canadian engineers an estimate of the cost to compensate for the damage that would be caused by raising Rainy Lake from elevation 497 to 499.5, with additional flowage rights of 156 feet. His estimate amounted to $357,000. In it was included $75,000 for the protection and improvement of the Canadian National Railway, and the amount allowed by him for the cost of obtaining the flowage rights was extremely liberal. On the other hand, he included the sum of $20,000 to cover the cost of providing the necessary water-front protection at Fort Frances, which we estimate will cost $42,000.

NAMAKAN LAKE

Up to elevation 508.5 the Namakan chain of lakes has a storage capacity of 30,000,000,000 cubic feet. The areas of the additional flowage rights required to raise the level of this basin to 510 is estimated to be approximately 1,311 acres in Canada and 4,471 acres in the United States.

The International Joint Commission has recommended that this basin be raised to elevation 515, and to do this an additional expenditure, estimated to now exceed $130,000 to $200,000, will be required. A large part of this additional amount would be expended for the construction of dikes and other protective works. Flowage rights required are estimated to amount to approximately 2,000 acres on the Canadian side and 6,000 acres on the United States side.

Our recommendation, however, does not contemplate any substantial increase in level on the Namakan chain of lakes other than that which may be created by such slight rise in the ordinary high-water mark as might be made at nominal expense for changes to the present dam. Rather than seek any substantial increase in storage on this chain of lakes, we recommend a plan of providing the storage on the waters along the boundary above this chain of lakes. Moreover, the regulative storage thus provided would be susceptible of far more efficient and satisfactory regulation.

LAC L'CROIX

This lake raised to elevation 1,200 (sea-level datum) will have a storage capacity of 27,000,000,000 cubic feet. The area overflowed in Canada is estimated to be approximately 3,830 acres, and in the United States, 5,300 acres. The cost of this land should not exceed $35,000. The regulating works at the northern outlet and a crib dam at the western outlet are estimated to cost approximately $138,710 and $32,465, respectively, making the total cost of developing this reservoir approximately $196,175.

CROOKED LAKE

Raised to elevation 1,260 this lake will have a storage capacity of 7,400,000,000 cubic feet. The flowage area in Canada is estimated at 1,655 acres and in the United States, 1,958 acres. The cost of this land should not exceed $10,000. The cost of the regulating works at the outlet of the lake, chargeable to storage, is estimated to be approximately $79,750, or a total cost for storage on this lake of approximately $86,750.

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BASSWOOD LAKE

At an elevation of 1,305 this lake will have a capacity of 6,400,000,000 cubic feet. No flowage rights will be required, as this lake will not be raised above its present high-water level. The cost of regulating works, consisting of two dams, is estimated to be $42,500.

SAGANAGA LAKE

At an elevation of 1,447 this lake will have a storage capacity of 20,400,000,000 cubic feet. The area to be overflowed is estimated to be 8,920 acres in Canada and 2,330 acres in the United States. The cost of the flowage rights should be less than $35,000. The estimated cost of the regulating works, consisting of two dams, is $72,700. The total cost of developing this storage basin will be approximately $97,700.

SUMMARY

The additional flowage rights on Rainy Lake to create the additional storage of 24,000,000,000 cubic feet are estimated to cost $279,000. No additional storage, which will create an expenditure is herein recommended on Namakan Lake.

The following is a summary of the storage capacities and estimated costs of constructing the storage dams and obtaining the flowage easements on the lakes along the boundary above the Namakan chain of lakes which have been described:

<table>
<thead>
<tr>
<th>Lake</th>
<th>Capacity (cubic feet)</th>
<th>Estimated costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lac La Croix</td>
<td>27,000,000,000</td>
<td>$108,175</td>
</tr>
<tr>
<td>Crooked Lake</td>
<td>7,400,000,000</td>
<td>29,730</td>
</tr>
<tr>
<td>Basswood Lake</td>
<td>8,400,000,000</td>
<td>42,000</td>
</tr>
<tr>
<td>Saganaga Lake</td>
<td>20,400,000,000</td>
<td>97,700</td>
</tr>
<tr>
<td>Total (excluding Rainy Lake)</td>
<td>64,200,000,000</td>
<td>426,125</td>
</tr>
</tbody>
</table>

This storage of 61,200,000,000 cubic feet on the watershed above Namakan Lake is equivalent to a sustained flow of approximately 2,270 cubic feet per second for a full 310 days each year. The additional storage proposed for Rainy Lake of 24,000,000,000 cubic feet herein recommended is equivalent to a sustained flow on the same basis of 895 cubic feet per second, giving a total new storage recommended equivalent to 3,165 cubic feet per second.

This storage, suggested on the lakes above Namakan chain of lakes, in conjunction with the existing storage, will provide a sustained regulated flow of 3,600 cubic feet per second at the outlet of Namakan Lake.

The present storage on Rainy Lake of 39,000,000,000 cubic feet and the additional 24,000,000,000 cubic feet herein suggested, are equivalent to approximately 2,350 cubic feet per second sustained flow additional, giving a total reservoir capacity along the boundary waters equivalent to 4,620 cubic feet per second, or over 50 per cent of the mean annual run-off from this basin. Further storage is practicable in this watershed on tributaries not along the boundary, which will unquestionably be developed in the future, and thus bring the run-off under a control that is practically absolute.

Among these are the basins of the following: Vermillion, Maligne, Turtle, Scine, Otunkamooman, Manitou, and Footprint.

The advantages of this lake level and run-off control, administered in the public interest, are substantial. It is possible to state in somewhat definite terms the gains that would accrue to power users on the entire reach from these suggested dams down Rainy, Lake of the Woods, and Winnipeg River to Lake Winnipeg. In the definite consideration of the importance of the storage to these interests alone—which in itself more than suffices to justify the undertaking—the benefits, direct and indirect, to all other public and private interests on each side of the boundary are so definite that they should not be lost sight of.

We refer specifically to navigation, lumbering, paper and pulp, general manufacturing, summer recreation, fishing, labor, agriculture, railroads, mercantile and public advancement, health and sanitation, all of which will benefit through sustained lake levels and uniform run-off control.

As to the water powers, developed and potential, that would benefit, we submit the following table showing power sites below the proposed storages, which would secure the full advantage of these reservoirs. As these reservoirs above the
Namakan chain of lakes would provide for a uniform regulated flow of 3,600 cubic feet per second at the outlet of Namakan Lake compared with the present monthly minimum flow of 1,000 to 1,450 cubic feet per second, all of the power sites below, using the high figures of 1,450 cubic feet per second as the present minimum, would benefit to the extent of an increase in dependable minimum flow of 2,150 cubic feet per second. In addition, there are water-power sites along the boundary waters above Namakan which are not capable of practicable development without the storage provisions recommended herein. With these storages there is here a potential of about 26,000 horsepower capable of development. All other powers which have been or can be developed without this storage, will be materially increased in primary capacity and value, at a cost for storage which is but a small fraction of the cost of developing equivalent power elsewhere. These powers are:

<table>
<thead>
<tr>
<th>Condition</th>
<th>Site</th>
<th>Mean head</th>
</tr>
</thead>
<tbody>
<tr>
<td>Developed</td>
<td>Outlet Rainy Lake</td>
<td>33</td>
</tr>
<tr>
<td>Raw</td>
<td>Outlet Lake of the Woods</td>
<td>23</td>
</tr>
<tr>
<td>Raw</td>
<td>Rainy River</td>
<td>12</td>
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<tr>
<td>Do</td>
<td>White Dog Rapids</td>
<td>20</td>
</tr>
<tr>
<td>Raw</td>
<td>Pointe du Bois</td>
<td>10</td>
</tr>
<tr>
<td>Raw</td>
<td>Slave Falls</td>
<td>6</td>
</tr>
<tr>
<td>Developed</td>
<td>Upper Pinnowa (on Pinnowa Channel), 18</td>
<td></td>
</tr>
<tr>
<td>Raw</td>
<td>Lower Pinnowa (on Pinnowa Channel), 20</td>
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<td>Raw</td>
<td>Upper Seven Sisters (on main channel), 27</td>
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<tr>
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<td>Lower Seven Sisters (on main channel), 27</td>
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<td>McArthur Falls</td>
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<tr>
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<td>16</td>
</tr>
<tr>
<td>Raw</td>
<td>Pine Falls</td>
<td>16</td>
</tr>
<tr>
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The regulated flow from the proposed storage reservoirs above Namakan Lake would directly benefit all of these powers to the extent of the increase in dependable minimum flow. It is to the general interest to maintain Lake of the Woods at the most uniform level consistent with conditions, and this interest is not served by the exclusive use of that body and the present storages, as the sole storage for the powers on the Winnipeg River below. Further, the complete development of the powers on the Winnipeg River, which is now within reasonable expectation, will demand the utilization of all available storage to meet the uniform power demands. The proposed storage on the boundary waters above Namakan Lake will make available an increase in minimum dependable flow of 2,150 cubic foot-seconds for all these powers, at an estimated capital cost of only $426,125, or only $19,800 per 100 cubic foot-seconds. It will increase the dependable power at these sites by over 71,700 horsepower continuous (80 per cent) efficiency at a capital cost of only $5.94 per continuous horsepower.

The added storage on Rainy Lake will not only increase the mean head at the outlet, but will also increase the minimum dependable flow at all the power sites below by approximately 900 cubic foot-seconds at an estimated capital cost of $279,000 or only $31,000 per 100 cubic foot-seconds. It will increase the dependable power at these sites by over 30,027 horsepower continuous (80 per cent) efficiency at a capital cost of only $9.30 per continuous horsepower.

**SIMILAR DEVELOPMENTS**

The necessity and desirability of providing adequate storage and regulation of the run-off has been well recognized in other localities, and development along these lines has been undertaken by public and private enterprise. It is interesting to note, in particular, the action taken along these lines in the Province of Quebec, which undoubtedly has been fully considered by your commission. A brief summary may here be helpful for purposes of ready comparison:

**St. Maurice River.**—A storage dam was built giving a complete control of the headwaters of this stream from a watershed of 3,650 square miles. This has made possible an increase in the minimum flow of the river at Shawinigan from an average of 6,000 cubic feet per second to 16,000 cubic feet per second. The cost of this scheme to the Government was $2,500,000, or $25,000 per 100 cubic foot-seconds.
St. Francois River.—This stream drains that section of the Province known as the eastern townships. Storage dams have been built by the commission at the outlet of two large lakes, St. Francois and Aylmer. The minimum flow of the river has been increased by about 900 cubic foot-seconds. The cost of these dams has been about $750,000, or $33,333 per 100 cubic foot-seconds.

St. Anne (of Beaupre) River.—This stream is tributary to the St. Lawrence, into which it flows about 20 miles below Quebec, on the north shore. Two storage reservoirs have been built to regulate the flow of this stream at a cost of $350,000. The minimum flow at the Laurentian Co.'s plant at Seven Falls (head 410 feet) has been increased by 100 cubic foot-seconds, at a cost of $350,000 per 100 cubic foot-seconds.

Lake Kenogami—(Chicoutimi district).—Lake Kenogami is the source of two rivers where power is generated for the plants of Price Bros. & Co., at Kenogami, and the Chicoutimi Pulp Co., at Chicoutimi. These plants could be operated to full capacity only part of the year. The storage provided by the commission shall assure a minimum flow aggregating 1,800 cubic foot-seconds for both streams with the result that the plants shall be operated to full capacity during the whole year. The cost of this storage (just completed) shall be over $4,000,000, or over $222,000 for each 100 cubic foot-seconds of total minimum flow.

All of the above-mentioned storage reservoirs are operated by the Quebec Streams Commission, and the benefiting companies pay an annual charge sufficient to cover the interest on the capital cost, sinking fund in 30 years, cost of operation and maintenance, and a small profit. This policy has proved a great help in the industrial development of the Province.

Conclusion.—It will simplify the matter of general control of this international watershed, if important matters affecting storage, water levels, outflow, and regulation thereof, are left to this commission to deal with as varying circumstances and conditions may warrant. The division, assessment, levy, and payment of the cost of all the proposed work should be in the hands of the commission. In this assessment, we shall expect that the amounts already expended by us shall be taken into account. On this basis we shall willingly pay our share of the proposed work and shall render energetic aid toward the early consummation of the maximum development, carrying it the greatest benefit to the peoples of these two countries.

The benefits to the people of Canada and the United States may briefly be summarized in conclusion. Navigation will be improved and may be revived after having practically passed out of existence for several years. The scenic beauty of the streams and lakes will be enhanced under control and they will become more accessible to tourists and as recreation grounds. The more uniform levels will improve the waters as fish, fowl, and game preserves, and for breeding purposes.

New wealth in the building up of industries, with all its concurrent and far-reaching possibilities, will be created. The construction of necessary works and power plants is only the first step in bringing into existence that new wealth, which must annually increase as the beneficial results extend to and are enjoyed by an added population of artisans, merchants, manufacturers, and indeed, those in every walk of life. The increased wealth of each and every community within this area will be many times the proposed expenditures. Annually and for all time the people of both countries will enjoy its benefits, which in dollars and cents it is almost impossible to calculate.

Respectfully submitted.

E. W. BACKUS.
June 21, 1930.

Mr. Horace M. Albright, Director,
National Park Service,
Washington, D.C.

Dear Mr. Albright:

I have received a request from Mr. S. S. Hynes of Aldrich, Minnesota, for a copy of a map of the Superior National Forest in northern Minnesota.

If such a map is issued by your Bureau I will appreciate your sending a copy to Mr. Hynes.

Thanking you for your kind attention to this matter, I am,

Very truly yours,

(Sgd) Henrik Shipstead.
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON

Jun 24, 38

Hon. Henrik Shipstead,
United States Senate.

My dear Senator:

Your letter of June 21 has been received.

This Service is unable to comply with your request for a map of the Superior National Forest in northern Minnesota. That area is administered by the Forest Service, Department of Agriculture, to whom I am referring your letter.

Sincerely yours,

(Sgd) A. E. DEMARAY

A. E. Demaray,
Acting Director.
July 3, 1930.

Mr. Albert Stoll, Jr.,
Conservation Editor,
Detroit News,
Detroit, Michigan.

Dear Mr. Stoll:

Thanks for your telegram advising that you could see Mr. E. C. Oberholtzer who has been the leader in the fight to save the Quetico-Superior region from devastation. Through Mr. Oberholtzer's interest the Senate Committee on Wild Life, which is headed by Senator Velcott of Connecticut, one of the outstanding conservation leaders in this country, is planning to fly over the upper Minnesota country from Duluth about July 30. The party will probably consist of Senator Velcott, Mr. Morris Legendre, and Mr. Shoemaker, wild life experts employed by the committee.

Director Albright is a close personal friend of Senator Velcott and has talked to the Senator about visiting Isle Royale when he makes this trip. The Senator has expressed an interest and has asked Mr. Oberholtzer to make the various arrangements for their trip. Having your interest in Isle Royale and believing that a visit from this committee would be very valuable, I suggested to Mr. Oberholtzer that he stop on his way to Minneapolis and talk over plans for the Committee's trip with you. Any cooperation you may be able to extend would be very much appreciated.

It is understood Mr. Oberholtzer will be in Detroit tomorrow.

Sincerely yours,

(Sgd) A. E. DEMARAY

A. E. Demaray,
Acting Associate Director.

AEGAGE

CC to: Director Albright

RETURNED FROM FIELD BY THE DIRECTOR
A NATIONAL PARK IS SAVED!

In a last-minute action the bill for the establishment of the Superior-Quetico national forest and park received congressional sanction. President Hoover will sign it.

This will be important news to thousands of sportsmen, nature lovers, and conservationists, because this immense area of national park on the Minnesota-Canadian border would probably have passed into the hands of the power manufacturers.

Already efforts had been made by a Minneapolis capitalist to get permission to build a series of dams in this region. For a time it seemed that he might get permission. Finally, after a struggle, the Shipstead-Nolan bill to establish the park was passed, and the capitalist is out of the picture. The bill specifically forbids the construction of dams or any other obstruction that would alter the water level of the hundreds of lakes within the area. It also forbids the destruction of timber within 400 feet of the shore line of any lake or stream.

The acreage involved in this new national park is about two million. It lies between Lake Superior and the Canadian border in northern Minnesota. Within the area is the Superior National Forest, and across the boundary lies the Quetico Provincial Park, which it is planned to merge eventually with the American region into a great international park.

It gives us pleasure to record that Congressman Little was one of the ardent advocates of this bill and spoke in its behalf on the final day of passage.
PATRONS ARE REQUESTED TO FAVOR THE COMPANY BY CRITICISM AND SUGGESTION CONCERNING ITS SERVICE

The filing time as shown in the date line on full-rate telegrams and day letters, and the time of receipt at destination as shown on the reply.

CB53 100 NL COLLECT=CEDAR CITY UTAH 3

DIRECTOR NATIONAL PARK SERVICE=

APPROVE YOUR SUGGESTIONS ABOUT KELSEY AND HAVE HIM INCLUDE
SUPREME FOREST STOP SEND HIM COPIES ALL LEGISLATION AND
REPORTS ON SUPREME STOP CONFER WITH SECRETARY WALTER NEWTON
AND ASCERTAIN IF ANY OBJECTIONS CONFIDENTIAL INSPECTION FROM
PARK VIEWPOINT STOP KELSEY SHOULD HAVE COMPANION
COLLABORATOR AND SUGGEST PEARSON AND POSSIBLY FRANK WARREN
OR RAMSEY STOP REGARDING ATWOOD FOR BRYANTS ASSISTANT WIRE
BRYANT JOIN ME SEQUOIA WHERE WE CAN BOTH SEE ATWOOD AND
HAVE HIM FILL OUT PROPER BLANK STOP WONDERFUL TRIP JUST
STARTING HERE WITH NEARLY TWENTY GOVERNORS AND MANY WESTERN
HIGHWAY COMMISSIONERS TELL SECRETARY WILBUR WE MISS HIM ALL

THE QUICKEST, SUREST AND SAFEST WAY TO SEND MONEY IS BY TELEGRAPH OR CABLE
[Public—No. 539—71st Congress]

[S. 2498]

An Act To promote the better protection and highest public use of lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all public lands of the United States situated north of township 60 north in the Counties of Cook and Lake, State of Minnesota, including the natural shore lines of Lake Superior within such area; all public lands of the United States situated in that part of St. Louis County, State of Minnesota, lying north of a line beginning at the northeast corner of Township 63 north, Range 12 west, 4th P. M., thence westerly along the township line to the southwest corner of Township 64 north, Range 18 west, 4th P. M., thence northerly to the northwest corner of Township 65 north, Range 18 west, 4th P. M., thence westerly to the southwest corner, Township 66 north, Range 21 west, 4th P. M., thence northerly along the Township line to its intersection with the international boundary between the United States and the Dominion of Canada; all public lands of the United States on the shore lines of the lakes and streams forming the international boundary, so far as such lands lie within the areas heretofore described in this Act; all public lands of the United States in that part of the Superior National Forest located in Townships 61 and 62, Ranges 12 and 13 west, 4th P. M.; and all public lands of the United States on the shore lines of Burntside Lake and Lake Vermilion, State of Minnesota, are hereby withdrawn from all forms of entry or appropriation under the public land laws of the United States, subject to prior existing legal rights initiated under the public land laws, so long as such claims are maintained as required by the applicable law or laws and subject to such permits and licenses as may be granted or issued by the Department of Agriculture, under laws or regulations generally applicable to national forests.

Sec. 2. That the principle of conserving the natural beauty of shore lines for recreational use shall apply to all Federal lands which border upon any boundary lake or stream contiguous to this area, or any other lake or stream within this area which is now or eventually to be in general use for boat or canoe travel, and that for the purpose of carrying out this principle logging of all such shores to a depth of four hundred feet from the natural water line is hereby forbidden, except as the Forest Service of the Department of Agriculture may see fit in particular instances to vary the distance for practical reasons: Provided, That in no case shall logging of any timber other than diseased, insect infested, dying, or dead be permitted closer to the natural shore line than two hundred feet, except where necessary to open areas for banking grounds, landings, and other uses connected with logging operations.
Sec. 3. That in order to preserve the shore lines, rapids, waterfalls, beaches, and other natural features of the region in an unmodified state of nature, no further alteration of the natural water level of any lake or stream within or bordering upon the designated area shall be authorized by any permit, license, lease, or other authorization granted by any official or commission of the United States, which will result in flooding lands of the United States within or immediately adjacent to the Superior National Forest, unless and until specific authority for granting such permit, license, lease, or other authorization shall have first been obtained by special Act from the Congress of the United States covering each such project: Provided, That nothing in this section shall be construed as interfering with the duties of the International Joint Commission created pursuant to the convention concerning the boundary waters between the United States and Canada and concluded between the United States and Great Britain on January 11, 1909, and action taken or to be taken in accordance with provisions of the convention protocol and agreement between the United States and Canada, which were signed at Washington on February 24, 1925, for the purpose of regulating the levels of the Lake of the Woods: Provided, That with the written approval and consent of the Forest Service of the Department of Agriculture, reservoirs not exceeding one hundred acres in area may be constructed and maintained for the transportation of logs or in connection with authorized recreational uses of national-forest lands; and maximum water levels not higher than the normal high water mark may be maintained temporarily where essential strictly for logging purposes, in the streams between lakes by the construction and operation of small temporary dams: Provided, however, That nothing herein shall be construed to prevent the Secretary of Agriculture from listing for homestead entry under the provisions of the Act of June 11, 1906 (34 Stat. 233), any of the above-described lands found by him to be chiefly valuable for agriculture and not needed for public purposes: Provided further, That the provisions of this section shall not apply to any proposed development for water-power purposes for which an application for license was pending under the terms of the Federal Water Power Act on or before January 1, 1928. Approved, July 10, 1930.
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON

July 16, 1930.

Memorandum in connection with Apostle Island and Quetico-Superior projects:

In case any of our collaborators or officials go to Duluth and need any assistance, they should call on F. Rodney Paine, 808 City Hall, who is Superintendent of Parks and whom I met at the State Parks Conference. He is a fine fellow and will gladly give such information and cooperation as he consistently can.

 Acting Director.
TELEGRAM

101 U.S. 269 EL Govt

WASHINGTON D.C. JUL 29

HORACE M. ALBRIGHT

YELLOWSTONE NATL PARK WY

IMPOSSIBLE GET WORD WHITE PARTY UNTIL THURSDAY. STOP WHITE GOFFMAN HOPPING AND FOREST OFFICERS ASKING ONE THOUSAND DOLLARS IMMEDIATELY FROM ROAD FUNDS FOR CONSTRUCTION PARK SECTION ROAD FROM ROCKINGHORSE TO COOPERATIVE PARK AND FOREST FIRE LOOKOUT AT PARK RIDGE. STOP FOREST SERVICE HAS ALLOTTED TWO THOUSAND THEIR PORTION OF ROAD WIRE IF YOU APPROVE STOP OSHAUGHNESSY HAS ADVISED SECRETARY BOARD OF SUPERVISORS ON JULY TWENTY FIRST PASSED TO PRINT RESOLUTION APPROPRIATING FIFTY THOUSAND DOLLARS FOR CONSTRUCTION OF TAILS IN HETCHHETCHY AND THEY ARE PROCEEDING TO ORGANIZE AND EQUIP CONSTRUCTION CREW FOR THIS WORK. STOP PARK REVENUES FOR NINETEEN THIRTY TOTAL ONE MILLION FIFTEEN THOUSAND SEVEN HUNDRED FORTY DOLLARS FIFTY CENTS EXCEEDING BY OVER ONE HUNDRED FIFTY THOUSAND PREVIOUS HIGH RECORD STOP KELSEY HERE HEADING ALONE TO START APOSTLE ISLAND AND KENOMINIPARK PROJECTS AND WILL INCLUDE PRELIMINARY SURVEY QUESTICO SUPERIOR PROJECT BUT NOT UPPERMISSISSIPPI BECAUSE HE SHOULD HAVE OTHER COLLABORATORS RUMPS AND PEARSON AND WARRREN COULD NOT MAKE IT THIS TIME. STOP NORTH CAROLINA TOWNS AND ORGANIZATIONS MAKING LARGE PLANS FOR YOUR ENTERTAINMENT IN OCTOBER AND REQUESTING DEFINITE COMMITMENT YOUR PRESENCE CHEROKEE INDIAN FAIR SOME TIME DURING OCTOBER SEVENTH TO NINTH AT WHICH COMMISSIONER INDIAN AFFAIRS WILL POSSIBLE PARTICIPATE ASHEVILLE ALSO PLANNING HUGE CELEBRATION IN YOUR HONOR SIMILAR TO KNOWVILLE ON WHICH THEY WANT ADVANCE NOTICE MY SUGGESTION IS THAT YOU COMMIT YOURSELF TO SMOKEY INSPECTION DURING THAT WEEK LEAVING IT TO ME TO ARRANGE "IT" ASHEVILLE AND BRONSCITY PEOPLE FOR DIVISION OF YOUR TIME OF ONE DAY IN EACH PLACE AND GIVING ABOUT FIVE DAYS MORE FOR INSPECTION OF PARK AREA.

CAMMERER 555P
1218 Flour Exchange,  
Minneapolis, Minn.  

August 2, 1930

Mr. Albert Stoll, Jr.,  
DETECTIVE NEWS,  
Detroit, Michigan.

Dear Mr. Stoll:

Your telegram of July 29, with others from Mrs. Matt Farmer, and other friends, was finally received as I was returning with the Senatorial party from Lac la Croix on the Minnesota-Ontario border. I had not been able to reply, because we were cut off from all communication.

The plans of the party changed so often and so suddenly, that finally I was in complete despair. I had tried my best to arrange an itinerary and to keep a schedule but that was impossible. At the last moment the Senators vetoed the idea of an airplane. Yet, after they had completely changed the original plans, the moment they saw the plane on Lac la Croix they decided after all to use it for certain purposes. They all flew over part of the border lakes. Also, yesterday when the party was leaving Lac la Croix, Senators Walcott and Pittman finally decided to fly over to Isle Royale. I had given them the name of Mrs. Farmer's resort and of the Washington Harbor Club and had told them what we thought would be interesting for them to do. Whether they succeeded in getting across, I do not know; but I imagine they remained only a very short time.

I did not wire you yesterday afternoon, because I knew it would do no good. The Senators were already at Isle Royale, if they were going to be there at all. Mrs. Farmer had kindly wired us on the 28th, expressing the hope that the Senators would arrive in time to meet Dr. Frank North, a member of the Advisory Committee of the National Parks. Of course, this likewise failed to reach me until too late.

I appreciate more than I can say that all you and Mrs. Farmer and others did to cooperate with us. We were not able to do what we hoped but feel much pleased that the two Senators did finally decide to visit the island. They are very keen and I think you will find them extremely friendly to your project. I only hope they see Mrs. Farmer and some of the officials at Isle Royale. On the strength of the excellent information you have given us, I think it will also be possible to send other government officials to Isle Royale this summer.

Most gratefully yours,

(Signed) Ernest C. Oberholtzer.
August 8, 1950

Hon. Harlan P. Kelsey,
Care, Hotel Duluth,
Duluth, Minn.

Dear Mr. Kelsey:

I was delighted the other day to learn over the telephone how good the prospects are that I may have the pleasure of accompanying you for a sight seeing tour in the northern part of the state. You apparently may be occupied for a week or so more with your two main projects in Wisconsin. Meantime, I am disposing of some of the more important engagements here and shall then be free to join you. A few days notice will then be sufficient for arrangements, since we are such a small party.

I'll be glad to do whatever appears to you most, providing I am free as expected at that time. I should like, if possible, to arrange our visit at Grand Portage, so that it will coincide with the visit which I must make there on August 23 for a historical meeting. It may happen that you will be able to visit Isle Royale prior to that time and could then return by boat or plane to Grand Portage and to meet me there within a few days of that date, best of all so that you could attend the historical meeting yourself. We would want perhaps two days for sight seeing at this point. If you consider that there would be any advantage in having me accompany you to Isle Royale either before or after your visit to Grand Portage, I shall be delighted and shall do my best to arrange accordingly.

Our arrangements can be made very flexible any time after the middle of this month. I am eager that you should get to Lac la Croix and, if possible, to Rainy Lake, where I lived for so many years. I am hoping that, when we start our tour, it will be possible to carry out the whole schedule without interruption. That will depend largely on your other requirements. We may find that you will be ready to start about the middle of the month and will want to come to Rainy Lake first, travel from there to Lac la Croix, and from there to Grand Portage. As soon as I hear from you definitely, I shall be able to suggest the best schedule that then seems feasible.

Meantime, it seems likely that some time next week (that is the week of August 10th) I shall be ready to move my office activities for the rest of August to Rainy Lake. It will probably be at least Tuesday night (August 12) before I can leave here. I shall keep you exactly informed. After I leave here I can be reached at Rainier, Minn. I live 7 miles up the lake from the railroad station but shall arrange to have mail and telegrams delivered frequently, especially anything from you. Then I can either come down to Duluth or some other point to meet you or you may find that you will want to come to Rainier. The railroad connection is excellent. There is a through train leaving Duluth about 8:30 in the morning and arriving at Rainier at 2:20 in the afternoon.

Sincerely yours,

ECO/cm
Dear Mr. Demaray:

Please forgive the long delay in acknowledging the assistance you gave me with Mr. Stoll of Detroit and in reporting to you the results of the Senatorial visit.

I saw Mr. Stoll on the afternoon of July 4 and had a very stimulating and helpful conference with him. He planned us an itinerary on Isle Royale and gave me the names of various residents and officials, all of whom offered their aid.

We had a beautiful itinerary worked out but I am sorry to say that this was knocked into a cocked hat by the many sudden changes made by the Senators themselves. Dates were changed frequently and the party at the last moment grew from 5 to 25. They vetoed the use of the plane and finally decided to go only to Lac la Croix. These out-of-the-way places could not be reached by telegraph or telephone and I no sooner succeeded in cancelling one set of arrangements and making new ones before the plans were again changed. I had visions of the whole party standing on some desert island in the rain.

I am glad to tell you that the party turned out unexpectedly well. They were all good sports and the weather was flawless. After the Senators saw the plane they immediately began using it and continued to use it the rest of their trip. They flew over most of the border lakesland and, to my delight, on the last day Senators Walcott and Pittman flew alone with the pilot to Isle Royale. I understand that they remained there two days, most of the time with headquarters at the Washington Harbor Club at the west end, but they also paid a visit to Rock Harbor Lodge at the east end. I feel sure that they made quite careful inspection of the island by plane. Mrs. Farmer had tried to arrange a meeting with Dr. Oestler but unfortunately the Senators arrived too late.

I am enclosing copies of two letters — one to Mr. Stoll and one to Mr. Kelsey. I am delighted that Mr. Kelsey is to have so much time in this region and shall place at his disposal all the data I have on Isle Royale. I am looking forward to the pleasure of accompanying him on part of his trip. We feel very fortunate to have these visits from authorities like Mr. Kelsey.

If there is ever anything I can do, please call upon me. I am more grateful than I can say for your generous assistance to us.

Sincerely yours,

ECO/cm

Address all communications for the Treasurer to J. G. Byam, First National Bank, Minneapolis.
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON

AUG 12 1931

Mr. Ernest C. Oberholtzer,
President and Secretary,
Quincy-Superior Council,
1216 Flour Exchange,
Minneapolis, Minnesota.

Dear Mr. Oberholtzer:

Your very interesting and newsy letter of August 9th has been received together with carbons of your letters to Mr. Stoll and Mr. Kelsey.

I am very glad to learn that you will be able to contact with Mr. Kelsey. Because your letters are of interest, I am sending copies of them to Director Albright in the field and also to Superintendent Toll of Yellowstone, who will take up our national park and monument investigation work.

Sincerely yours,

A. E. DEMARAY

Acting Associate Director.

[Handwritten note: Superior Natl.]
Mr. A. E. Demaray,
Acting Associate Director,
National Park Service,
Washington, D. C.

Dear Mr. Demaray:

Thank you for your very kind note of August 12.

I am glad to tell you that I am in fairly close touch with Mr. Kelsey and that he has been good enough to suggest that I accompany him on some of his visits to the Quetico-Superior area.

Mr. Kelsey has gone first to Isle Royale. On his return at the end of this week or early next week, I am hoping to be free enough to accompany him to Grand Portage, Lac la Croix, and Rainy Lake. We may use a plane some of the time. In this way, I think Mr. Kelsey will succeed in getting a good general idea of the whole area and an intimate knowledge of some of the more features and problems.

I wish we might have been in closer touch with you much sooner. Passage of the Shipstead-Nolan bill has meant a great victory for our program but there is need of a huge amount of constructive work and every step will be bitterly contested.

Sincerely yours,

ECO/cm
August 16, 1930.

Mr. Arno B. Cammerer, Acting Director,
National Park Service,
Department of the Interior,
Washington, D. C.

Dear Mr. Cammerer:

When in Duluth, Minnesota, August 9th, I called on my friend, Mr. Rollo N. Chaffee. In the course of our conversation he told me of Mr. Harlan P. Kelsey, and that he was at that time in Thelapostile Islands, and later would go to Isle Royale in his examination of the two districts as possible park projects.

Since arriving at Rock Harbor, Isle Royale, I have been told of Mr. Kelsey's expected arrival here for the purpose of examination of Isle Royale as a national park project. My informant in the latter case was Mr. A. A. Webster, of Detroit, Mich.

Mr. Chaffee may have learned of Mr. Kelsey's movements through Mr. Ernest C. Oberholtzer, as Mr. Chaffee is an ardent conservationist and has worked with Mr. Oberholtzer in the Quetico-Superior battle. I do not know how Mr. Webster came by his information.

I am writing you of this so that you may be assured that I have not given out the information of Mr. Kelsey's activities, which I suppose should be as much as possible kept quiet so that he may be able to make his investigations unhampered and without too much hindering propaganda.

A letter from myself is awaiting his arrival at Hotel Duluth. Should he arrive at Rock Harbor I am ready to assist him in any way that I may.

My arrival here on the 10th was just in time to head off my hay fever which had begun.

Most sincerely yours,

Frank M. Warren.
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON

AUG 21 1938

Mr. Frank M. Warren,
Rock Harbor, Isle Royale,
via Duluth, Minnesota.

Dear Mr. Warren:

It was indeed thoughtful of you to drop me your note of August 16.

Mr. Kelsey's movements, with the exception of whatever work he may do on the Quetico-Superior project, have been pretty well published, and there was no reason for any secrecy concerning them. On the Quetico-Superior project, however, which the Director wanted him to look into in order to get his advice so that he might be able to answer any number of questions that are being asked us here, he was to work more quietly, simply because it was a project on which official participation or interest had not recently been asked.

I have just had a note from Mr. Kelsey from Isle Royale, and, as I have kept him informed of your cordial expressions and had also asked him to call on you if for nothing more than to meet you and pay his respects to you, I feel confident that you have met since your letter was written. I can not possibly imagine that he did not contact with you, except that there may have been a possibility that some of my correspondence with him miscarried.

With kindest personal regards, and hoping that I may be so fortunate to have the pleasure of meeting you in the near future,

Sincerely yours,

(Sgd) ARNO B. CAMMERER

Acting Director.

ABC 1804
The Victorious Passage of the Shipstead-Nolan Bill

WON is the fight to preserve the lake levels and the wilderness shorelines of the thousands of lakes within and adjacent to the Superior National Forest in northern Minnesota. The Shipstead-Nolan bill, passed by the Senate on May 7 and by the House just before adjournment on July 3, became a law on July 10, when it was signed by the President. In this brief record is written one of the outstanding conservation victories of the second session of the 71st Congress.

Conservation groups and organizations throughout the country presented a solid front in support of the legislation. Opposition came primarily from a local water-power interest whose development plans contemplated raising the water levels of numerous lakes within the region with consequent destruction of the primitive beauty of the shorelines. The broad purpose of the act is to preserve and protect the scenic and recreational assets of the region while at the same time permitting its economic use. The act provides:

1. That all public lands of the United States north of township 60 north in Cook and Lake counties and of a specifically described portion of St. Louis County, Minnesota, are withdrawn from all forms of entry or appropriation and become subject to laws and regulations generally applicable to National Forests and that the principle of conserving the natural beauty of shorelines for recreational use apply to the waters within the area specified.

2. That it becomes obligatory upon the Forest Service of the Department of Agriculture to conserve for recreational use the natural beauty of lake shores of all lakes and streams within the area which are now or eventually will be in general use for boat or canoe travel. In carrying out this principle, logging of shorelines is prohibited within two hundred to four hundred feet of lake shores except as may be necessary to provide banking grounds and to remove diseased, insect-infested, dying, or dead timber.

3. That in order to preserve the shorelines, rapids, waterfalls, beaches, and other natural features of the region in an unmodified state of nature, no further alterations of the natural water level of any lake or stream within or bordering upon the designated area shall be authorized except by specific act of Congress.

In carrying out the principle of preserving the natural primitive beauty and the recreational values of the region, which is probably the greatest water wilderness remaining in the country, the act amply provides for the economic use of natural resources and the homestead entry of lands chiefly valuable for agriculture. Passage of the act makes the first accomplished step in the larger conservation program of an international park and forest to include the boundary waters between the United States and Canada known as the Lakes of Verendrye. Both the American Legion and the Canadian Legion have endorsed this project as a fitting tribute to a century of peace between the two countries and as a memorial to the service men of both countries who served as comrades in the late war.

Editorial reprinted from August, 1930, number of AMERICAN FORESTS and FOREST LIFE, Washington, D. C.
Whitehall, Mont., Dec. 10, 1930.

Hon. John M. Evans,
Washington, D.C.

Dear Sir:

Recently I have seen an article giving an account of a projected national park or game preserve, to be instituted jointly by the United States and Canada, located in the northern part of Montana, or between Montana and Canada. I would like to know the facts concerning this project. Is it now in operation? If not when will it be set aside by the nations for the above purpose?

My husband and I would like to get employment there, either as manager or in charge of the office work. We are both proficient in office work.

Who would be the proper authority to whom to make formal application?

Yours truly,

MRS. W. W. Merk,
P. O. Box 29.
December 17, 1930.

LZ

Hon. John M. Evans,

House of Representatives.

Dear Mr. Evans:

Receipt is acknowledged of your letter of December 15 in behalf of Mrs. W. W. Mark of Whitehall, Montana, respecting the establishment of a national park or game preserve along the international boundary line in northern Montana.

This office has heard nothing of any such proposal, but possibly Mrs. Mark may have seen some comment on a proposal along this line affecting lands in northern Minnesota. That subject, however, has only been discussed in a general way. A considerable part of the publicly-owned land in that locality is already within the boundaries of the Superior National Forest.

It is possible, of course, that the National Park Service may have some information on this subject.

The enclosure which accompanied your letter is returned.

Very sincerely yours,

(Signed) L. F. Knapp

Acting Forester.

Enclosure.
Congress of the United States
House of Representatives
Washington, D.C.

December 18, 1930

Director, National Park Service,
Washington, D.C.

Dear Sir:

Mrs. W.W. Merk of Whitehall, Montana wrote me the enclosed letter. I took the matter up with the Department of Agriculture and I enclose herewith for your information a letter I received from them. They suggested that your office might have some information on the subject. If you have any information along this line which would be of interest to Mrs. Merk I shall be pleased to hear from you with the return of the enclosed papers for my files.

Very respectfully,

[Signature]

JOHN M. EVANS
MONTANA
Hon. Horace Albright,
Director, National Park Service,
Washington, D.C.

My dear Friend:

I learned from Mr. Oberholtzer, that he went with your party by air plane over the territory which we hope to make into an International Park. I wish it might be well on its way before 1932. It seems to me there could not be a more fitting tribute to President George Washington than this first great International Park. As Mr. Dubois said and wished me to give you the message, "It will stand for peace and unity between the peoples who fought during the Revolutionary War."

Never forget, dear Mr. Albright, that it was his dream that you should have the credit of seeing this thing come to pass and when last June on the closing day of Congress that Bill which others said would never pass, did pass, I felt that I could stop my labors for a few months. Only Mr. Walter Newton knows how we worked it, but I can tell you that back of the passage of that Bill stood the friends who loved him at Yale and such men in Congress as Speaker Longworth, Congressman Tilson and a few others who knew. And that Bill was passed as a silent honor to the, one we both hold dear. I have never mentioned the words International Park from that day until I am writing you this morning, but I do feel that it is time that we go forward.

The baby and Toussaint and Elizabeth are lovely and we all talked of you at Christmas and we wish you the Happiest of New Years.

Sincerely,

[Signature]

(Mrs. Fred T. Dubois)
Juvenile Department.
Ecological Society of America

Committee on the Preservation of Natural Conditions

SUPERIOR - QUETICO PARK

Whereas the Ecological Society of America recognizes in the Superior National Forest of Minnesota and the Quetico Provincial Park of Ontario, two adjacent areas of inestimable interest to the Society, to Biological students, and to the peoples of these United States and of the Dominion of Canada as a whole; and

Whereas the Society looks with grave uneasiness upon the repeated attempts at exploitation of these areas in the past, and with greater uneasiness toward the possible future attempts because of the tempting potential values of the natural resources therein contained in the form of water power, timber and fur, and

Whereas the Society believes that greater protection and greater efficiency lies in a consolidation of these two areas, with a mutual benefit to each, and

Whereas such a consolidation in the form of an International Park would stand as a monument to peace and good will between the peoples of these United States and of the Dominion of Canada, therefore be it

Resolved: That the Ecological Society of America endorses the movement to unite the Superior National Forest of Minnesota and the Quetico Provincial Park of Ontario, and urge the forwarding with all reasonable haste of all efforts toward the early consummation of such a consolidation.

Unanimously Passed by the Society

January 1, 1931

G. D. Fuller, Secretary of the Committee
IN ANSWERING REFER TO

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON

January 2, 1931.

Mrs. Fred T. Dubois,
Juvenile Department, United States Commission,
Two Hundredth Anniversary Birth George Washington,
Washington Building,
Washington, D.C.

My dear Mrs. Dubois:

Your letter of December 29 reached me a day or two ago and I read it with keenest interest.

I had a man on the International Boundary this past summer but his reports have not reached me yet. A little later in the spring I hope to have an opportunity to talk over this matter with you. There is not time during the short session of Congress to consider any park bill involving an area of this kind.

Mrs. Albright and I both appreciate your thoughtfulness in bringing us the little Christmas remembrance. It touched us deeply. We all send our greetings to you and to the young folks, including the baby.

Mr. Will C. Gregg was here yesterday on his way to Florida. He is not well and was unable to make but the one call, here at my office. He inquired about you and he and I spent several minutes recalling our pleasant associations with Senator Dubois, and our appreciation of the fine work he did for us.

Faithfully yours,

(SGD.) HORACE M. ALBRIGHT

Horace M. Albright
Director.

ME.50
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON

JAN - 3 1931

Em. John H. Evans,

House of Representatives.

Dear Mr. Evans:

This will acknowledge receipt of your letter of December 18, 1930, enclosing a letter to you from Mrs. W. W. Mack relative to the establishment of a national park or game preserve jointly by the United States and Canada along the International boundary in Montana.

I have to advise that this Service knows of no proposed national park or game preserve as indicated by Mrs. Mack. However, she may have reference to the proposed project in northern Minnesota affecting lands that are already within the Superior National Forest as you were advised by the Forest Service under letter dated December 17th.

In this connection please see the Act of July 10, 1930, Public No. 539-71st Congress, copy of which is enclosed.

Mrs. Mack’s letter is herewith returned as requested.

Very truly yours,

(Sgd) A. E. DEMARAY

HORACE M. ALBRIGHT,
Director.
Mr. Arthur E. Demaray,
Assistant Director, National Park Service
Washington, D. C.

Dear Mr. Demaray:

The Shipstead-Nolan bill for the protection of the Minnesota-Ontario border lakes is now a law of the land. It passed the last session of Congress on the third of July -- veritably at the eleventh hour. Obstruction finally broke down and, after one of the bitterest conservation fights on record, the bill passed unanimously.

For this result all gratitude to the loyal individuals and organizations the country over, who answered our distress calls in time of need, and to the brilliant aid of the metropolitan press! No conservation measure ever before received such united support.

The Shipstead-Nolan act gives official recognition to the unique character of the region, places Congress unanimously on record against its exploitation, and is designed to maintain the status quo on the Minnesota side until a final treaty can be negotiated with Canada. The enclosed reprint summarizes information about the bill.

Though one crisis has thus been safely passed, others are ahead. Some of the best parts of the northern lakeland are not yet in Superior National Forest. They may be wasted and ruined before they can be protected. Private initiative may be the only solution. This is but one of our problems. Constant efforts are being made to nullify what has already been accomplished. Our opponents are not confined to any one interest but include the three major groups that seek to exploit Superior National Forest. Part of their strategy is to stampede local support through elaborate promises of industrial expansion. They have unlimited funds and are a power in press and politics. They hope still to block the public program through action of the International Joint Commission or the Province of Ontario, if not by other means.

With the aid of our friends much has already been gained. Only by their continued aid can we hope to obtain our goal. We need contact with an ever larger circle of men and women of vision who care sufficiently about our many-sided and far-reaching program to raise their voices in support. We need, among other things, to know how similar organizations have financed themselves. We are constantly seeking advice, suggestions, and moral backing.

This bulletin can thank you but inadequately for what you have done. We believe the coordinated program on our northern border, offering a rare opportunity both for conservation and as a peace measure, will be your best reward. The people have there a property of immense potentialities -- fast acquiring a monopoly value. Our population is increasing at the rate of more than a million and a half a year. The wilderness and its creatures are practically extinct. We preserve our masterpieces of art. Why not preserve also a few masterpieces of primitive America?

Most gratefully yours,

Yours truly,

[Signature]

Address all communications for the Treasurer to J. G. Bray, First National Bank, Minneapolis.
All others, unless otherwise instructed, to the General Office.
February 27, 1931

Mr. Arno E. Cammerer, Associate Director
National Park Service
Washington, District of Columbia.

Dear Cam:

I am inclosing herewith a letter dated January 29, 1931 with the enclosures from Mr. Ernest C. Oberholtzer, which tell their own story.

I greatly regret that I did not see these before my return Wednesday to Boston and its suburbs.

Apparently there is nothing of a concrete nature that I could write to Mr. Oberholtzer so I told him I was going to send the enclosures to you for your consideration. When you are through with the correspondence, I would be glad to have you return it to me with any comments.

I wrote Mr. Oberholtzer that it was just possible that a new line-up on more National Park lines than the present Quetico-Superior Council represents might be a good thing, but even then the whole question of finance comes in.

It seems a pity that the Northwest hasn't a bunch of rich public-minded people. They have the wealth but not the interest in these things, apparently at least.

The giving over of this magnificent lake area, the only thing of its kind I know of in America outside of perhaps the Hudson Bay district is almost unthinkable for these power companies will certainly ruin the area in quick time.

With the best regards.

Yours truly,

Enc.

HARLAN P. KELSEY, Collaborator.
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON

Mr. Harlan P. Kelsey,
East Boxford, Massachusetts.

Dear Mr. Kelsey:

Before going on a field trip Mr. Albright handed me your long unanswered letter of February 27 relative to the situation in which the Quetico-Superior Council finds itself. He wished me to state that the Park Service has always been very greatly interested in this project and has aided in every way possible. No one will regret the failure of this project more than the Park Service. Nevertheless there was no solution of the problem that we could offer and consequently the letter was not answered. We have not heard as to final developments and trust that Mr. Oberholtzer was able to secure funds for continuing the effort to properly preserve the Quetico-Superior Area.

It must be apparent to you that should this area become a projected national park it would be in just the same status for its survival as in reality it depends upon local financial support. It is hoped that you will be able to report to us a more favorable status than indicated in Mr. Oberholtzer's letter, which is returned herewith.

Sincerely yours,

(Sgd) A. E. DEMARAY

Acting Director.

Inc. 65708.

RGP:AMS.
Mr. A. E. Demaray,  
National Park Service,  
Department of the Interior,  
Washington, District of Columbia.

Dear Mr. Demaray:

Your letter of June third is received with reference to the situation along the Quetico-Superior District. I have been through a very hectic Spring but I still have a report coming to your department on the trip I made there last season.

My idea is that the whole region should be taken over by the Forest Service and then turned over to the Park Service. I know this is radical talk but it seems to be the only way the Government can buy land that is suitable for National Park purposes. The handling of the Canadian side of this district is nothing to be proud of. It would probably become the greatest canoeing district in the United States, if not all North America.

I have not heard from Mr. Oberholtzer lately but when I do, will let you know what he says.

Yours truly,

[Signature]

HARLAN P. KELSEY, Collaborator

June 12, 1931
UNITED STATES  
DEPARTMENT OF THE INTERIOR 
NATIONAL PARK SERVICE 
WASHINGTON 

JUN 22 1934

Mr. Marian P. Kalsey;  
\[addressee\] 

Dear Mr. Kalsey:

Your letter of June 12th with regard to the Quetico Superior project has been received.

I am afraid that a plan for acquiring this area whereby the Forest Service would buy it under the Weeks Act and then turn it over to the Park Service would "die aborning." You know of our experiences with this plan in the East. It was discussed in the early days of the Appalachian Park Commission; and given up as impractical, in view of factors too numerous to mention but with which you are acquainted. In fact you sort of anticipate this yourself in your letter. The only solution found in the eastern parks was to have the several states interested, with the support of private donations, acquire such park projects. Recently the State of Michigan went to the bat on the Isle Royale project by creating a State Commission to attend to the acquisition of the land as was the case in the Smokies, the Shenandoah, and Mammoth Cave projects, and possibly Minnesota with its large number of wealthy and public spirited residents might be inspired to do the same thing. Frankly, that is the only way I can see whereby the acquisition could eventually be accomplished.

If there is no chance for such a plan, why not let the Forest Service get after it under the Week's act, retaining it as a national forest, - and later on its park status might be considered.

Sincerely yours,

(Sgd) A. E. DEMARAY

A. E. DEMARAY, 
Acting Associate Director.

[Redacted: Copy to Director]
On to the Next Victory
in the Fight for the Border Lakes!


Namakan River in the Quetico Park region, Ontario. Under the Backus project this beautiful stream would be shut off and left dry, while thousands of miles of equally beautiful timbered shores would be flooded.

Shall we establish in the heart of the continent, while there is yet time, a Wilderness Sanctuary for man and nature, commensurate with the future needs of our people? Or shall we, through lack of courage and foresight, consign one of the remaining treasure areas of the continent to piecemeal desecration?

The QUETICO-SUPERIOR COUNCIL associated with the IZAAK WALTON LEAGUE OF AMERICA proposes to set up on the Minnesota-Ontario border by treaty between the United States and Canada an international forest four times larger than Yellowstone. Ten million acres of unrivalled forested lakeland—a web of 3,500 connected lakes—is to be administered for all time for the maximum production of timber, game, fish, and fur-bearers for all the people. What is rapidly becoming a monopoly for men of great wealth will here be reserved for the health and delight of the average citizen. Among the historic waterways and portages of the early voyageurs there will be established in the two countries an explorers’ domain dedicated to the twin purposes of conservation and peace.

The QUETICO-SUPERIOR COUNCIL was founded in November, 1927. It acts temporarily as the clearing house through which all individuals and organizations in both countries are cooperating to carry out the program for the protection of the border lakes. All the great conservation organizations of America have endorsed the program. Both the American Legion and the Canadian Legion have further gone on record in favor of dedicating the area as a PEACE MEMORIAL to the service men of both countries who fought as comrades in the world war.

A maze of cool waterways; tens of thousands of miles of wooded shores; islands, waterfalls, rapids, and sand beaches without number—the wilderness and all its creatures—will either be saved now for future generations or sacrificed to private exploitation. Only a carefully designed and administered plan can save this wonderful borderland. We no longer build cities without a plan. A similar plan is needed for the wise use and development of...
great land areas like the Rainy Lake watershed. Such is the plan of the QUETICO-SUPERIOR COUNCIL. It recognizes the border lakes of Ontario and Minnesota as a unit, economically, geographically, historically, and in the affections of the two peoples, and proposes a uniform policy of balanced forest administration.

THE PUBLIC GOAL IS A VAST INTERNATIONAL RECREATION AREA — THE FIRST IN HISTORY. Its attainment depends upon the will and response of the friends of conservation the country over. The struggle is only begun. If we fail, it will be for lack of staying power. Passage of the Shipstead-Newton-Nolan Act on July 10, 1930, placed Congress unanimously on record against destruction of the superb canoe waters in the Minnesota portion of the area. However, this great-victory was only the first step in a many-sided and far-reaching project. The ultimate goal is a treaty with Canada. Opponents of the project are active in every way to break up what has already been done and to prevent co-operation between the two countries. They are counting on public inertia. They have unlimited funds and are a power in press and politics. They know that failure on the part of the public to complete the constructive work already begun may mean the loss of all that the public has so laboriously won.

The funds of the QUETICO-SUPERIOR COUNCIL are derived wholly from voluntary contributions. Citizens of Minnesota alone in the past three years have contributed more than $20,000. These funds are now exhausted and the existence of the Council is at stake. Your slightest financial aid in whatever form or amount best meets your convenience will prove your interest and help save the day. The creative opportunity presented is YOURS. It cannot be fulfilled without YOUR generous support.

"THE TONIC OF THE WILDERNESS," AS THOREAU CALLS IT, IS NOW BECOMING A RARE RESOURCE. The wilderness and its creatures are rapidly disappearing. The pioneer health and character of our people are involved. "In all the category of outdoor vocations and outdoor sports," says Aldo Leopold, "there is not one, save only the tilling of the soil, that bends and molds the human character like wilderness travel. Shall this fundamental instrument for building citizens be allowed to disappear from America, simply because we lack the vision to see its value?"

Statement by Finance Committee of the Quetico-Superior Council
1218 Flour Exchange, Minneapolis, Minn.

Why the Quetico-Superior Council?
Six years ago, the machinery of the International Joint Commission was set in motion to examine into the feasibility of damming the lakes and streams of the Rainy Lake watershed. It became evident at the public hearing in September, 1925, that the proposed developments threatened the public values of the area and jeopardized the policy of President Roosevelt and the Ontario government in setting aside in 1909 the Superior National Forest and Quetico Provincial Park.

Though public opposition was extensive and immediate, it was evident that this opposition was too formless to prove effective against the powerful forces of exploitation. What was needed by the public was thorough information, a constructive public program, and unified forces.

In November, 1927, therefore, there was set up the Quetico-Superior Council. To this Council was delegated the task of co-ordinating and directing the efforts of all individuals and societies in both countries. The program adopted was carefully worked out with government authorities. It called for a treaty between the United States and Canada, providing uniform treatment for the whole Rainy Lake watershed and laying down certain great principles for a balanced forestry policy. The meeting had been called with the assistance of the Izaak Walton League and the Minnesota Conservation Council. Delegates from these bodies as well as from the Arrowhead Association, the American Legion, the Minnesota Game Protective League, the State Federation of Women's Clubs, and the Minnesota Farm Bureau Federation pledged their support and helped organize the Council.

The Council thus acts as the directing head of the entire public movement. It has a definite program to accomplish. Its final objective is a treaty with Canada. Its life is limited to this purpose.

What Has the Public at Stake?
From an historical, scientific, recreational, and economic point of view the Rainy Lake watershed is a superb possession. It is a relic of original pioneer America—a reservoir of the wild life of the continent. There are estimated to be more than 3,000 lakes, as well as tens of thousands of miles of shore line, and innumerable rapids, waterfalls, beaches and islands. It is proposed to keep this Ontario-Minnesota lakeland that lies within the forest inviolate for public use. In the heart of the continent, readily accessible, will be preserved for the health and enjoyment of all the people a vast wilderness sanctuary, where the average man and woman may be assured of every opportunity to enjoy outdoor life. The overflow of game may be depended upon to provide generous hunting rights. What is rapidly becoming a monopoly for men of great wealth will here be safeguarded for the health and delight of the average citizen.

The public program proposed will substitute foresight and orderly use for the present waste and destruction. It will halt present inimical encroachment. While protecting the higher social uses and values of the region, it will not lock up the timber resources of the hinterlands from regulated use under the best modern forest principles. In-
stead, by assuring a sustained yield of forest products, it will make the surrounding logging industries permanent. The program thus reconciles the various uses of the region.

The treaty with Canada will set the region apart as different from any other on the continent. The program is recognized as of rare value both for conservation and as a peace measure. Both the American and Canadian Legions have urged that the region be dedicated as a peace memorial.

What Has Already Been Accomplished?

The first work of the Council was to inform the public. Practically every national conservation organization has endorsed the Council's program. The greatest metropolitan dailies have repeatedly given favorable editorial comment. A great national board of advisers, made up of distinguished men and women, has been formed.

It was necessary above all, before the Council could go ahead with its constructive program, to block the project for private waterpower development. This led to the introduction in Congress of the Shipstead-Newton-Nolan bill involving a bitter fight and terminating after 2 1/2 years in a unanimous victory for conservation. This act of Congress finally places Congress on record against exploitation of the area. In so far as federal lands are involved in a two million acre area in northeastern Minnesota, it forbids logging of shore lines and damming of lakes and streams. The public program is thus at last given right of way.

What Remains To Be Done?

We are at the threshold of our constructive program. The question is whether we shall seize the creative opportunity and make the most of it or instead perhaps lose all that has been so laboriously gained.

The Shipstead-Newton-Nolan Act by no means fully protects the area. Innumerable things remain to be done. Our opponents are actively working to nullify the Congressional Act and to block our ultimate treaty with Canada. They have indicated that if necessary they will test the law in the courts. They are still carrying on huge propaganda and are actively fostering projects for dams at various points in the area. Their opposition is selfish, with large financial interests.

The International Joint Commission is still to make its report. It is important that the public group should fully present its case to this Commission, especially since, in the past, government engineers have invariably made out the strongest possible case for power development. Proper preparation for the next public hearing before the Commission involves a vast amount of work.

Meantime, as Secretary of War Hurley, president of the National Forest Reservation Commission, has pointed out, the government, in order to carry out the intention of the Congressional Act, will have to acquire shore lines in the area. This will require a special appropriation in addition to the regular funds needed to consolidate the Federal holdings. The American portion of the area at present is dove-tailed with inimical private holdings. Various Acts are needed from both Congress and the State Legislature. Many difficult problems are involved. A huge amount of negotiation is needed with local interests. The problem is exceedingly intricate and requires careful handling to insure against loss before the treaty can be consummated and in order to secure adequate protection for all the resources.

Finally, there is the task of informing the public in Ontario as to the value of a final treaty with the United States.

What Is Needed?

No one can tell how long will be required to achieve a treaty with Canada. The goal may be reached within two years. On the other hand, if the matter is contested in the courts or otherwise delayed, it may easily drag on for five years or longer. What is urgently needed is funds. All the money heretofore raised has long been exhausted. Some $27,700 have already been expended. All of this money has been given by some 400 citizens without the slightest financial interest in the results.

The Council is eager to complete its job and to wind up its affairs. Its officers and committees wish to devote themselves as soon as possible to their private affairs. The Council has responsible executive and finance committees. Its treasurer is Mr. J. G. Byam, vice-president of the First National Bank, Minneapolis.

The Finance Committee feels that funds so far have been inadequate. Much time can be saved by avoiding the constant necessity of soliciting. The Committee therefore believe that a five-year fund of $100,000, payable annually, if needed, in the amount of $20,000, is essential for the best efforts of the Council. Though every endeavor is being made to stage a nation-wide campaign and committees are being formed for the purpose in cities outside the state, it is recognized that the principal support must come from our own citizens, who have most to gain by the Council's program.

FINANCE COMMITTEE
Totton P. Heffelfinger, Chairman

DeWalt Ankeny  J. M. Dain  Bergmann Richards
J. Ford Bell, Jr.  Richard Gale  John P. Snyder
R. H. Bennett  F. Peavey Heffelfinger  Chas. K. Velie
J. G. Byam  Walter E. Johnson  B. G. de Vries
F. M. Crosby, Jr.  J. R. Kingman, Jr.  F. S. Winston
Charles Winton, Jr.

John Kingman, Jr.
The treaty proposed by the Quetico-Superior Council will not only preserve intact one of the most historic regions in North America, a portion of the continent as it originally was with its forest, its game, its lakes, and its richly romantic past, but will provide a significant experiment in international relations—a practical work of peace and a bond of friendship between two great nations. It has brought recognition from American leaders, both men and women, who appreciate its fundamental economic character and who realize likewise that out of such regions as this come the song and story of the nation. The honorary vice-presidents and national board of advisers of the Council, representing every conceivable aspect of the project, are as follows:

**HONORARY VICE-PRESIDENTS**

Dan Beard, National Scout Commissioner.
Dr. David H.巴巴, Pres. Stanford U.
Jack Miner, Canadian conservationist.
Hon. Charles L. Faust, Governor of Pennsylvania.
Kermit Roosevelt, Explorer and sportsman.
Ernest Thompson Seton, Naturalist, artist, author.
Hon. George Sharsis, 3rd, Faunal naturalist & photographer.

**ADVISORY BOARD**

Prof. Charles C. Adams, Director New York State Museum.
Jane Adams, Head Resident, Hull House, Chicago.
Dr. Felix Adler, Former Director of Social Service.
Prof. Shirley W. Allen, School of Forestry, U. of Michigan.
Prof. William Anderson, University of Minnesota.
Mary Austin, Author, Lecturer and Playwright.
Prof. L. J. Bristow, Director of Forestry of New Hampshire State Forests.
Prof. William F. Bade, Literary Executor, the late John Muir.
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John Ball, Director, Flora and Fauna of Wisconsin, Madison.
Margaret Culkin Banning, Novelist and Short Story Writer.
Dr. Paul Bartsch, Curator Smithsonian Institution.
Bob Bebee, Editor, Chicago Daily News.
William Beebe, Scientist, Lecturer, Author.
James O. B. Biddle, War Correspondent.
Nash Buckingham, Secretary, The American Wild Flowers.
Prof. Henry C. Bullock, President Association of Museums.
Dr. Herman N. Bunstead, President American Health Assn.
Thornton Burgess, Author Famous Bodie Stories.
Wiliam B. Cabot, Explorer, Boston.
Prof. Roland B. Dixon, Lecturer at Art Institute, Chicago.
Mrs. C. H. Cooper, Plant Ecologist, U. of Minnesota.
Henry C. Cowles, Professor of Botany, U. of Chicago.
John Alden Carpenter, Composer.
Prof. E. G. Chemey, Professor of Forestry, U. of Minnesota.
Irve S. Cobb, Author and Editor.
Prof. L. G. Cole, Naturalist, University of Wisconsin.
Lawrence Veil Coit, Director of Yosemite National Park.
John Collier, Secretary, American Indian Defense Association.
Prof. K. T. Compton, President Massachusetts Institute of Techn.
Dr. William S. Cooper, Plant Ecologist, U. of Minnesota.
Henry C. Cowies, Professor of Biology, U. of Chicago.
W. C. Cooley, Forest Supervisor, British Government.
Marvin A. Creager, Editor Milwaukee Journal.
Mrs. S. V. Crosby, Garden Director, American Academy of Arts and Sciences.
B. G. Dahlberg, President the Celotex Co.
Dr. Roland B. Dixon, Anthropology, Harvard University.
Dr. Morton J. Elrod, Biology, U. of Montana.
Harley E. Ellis, Former Superintendent, State Parks.
Dr. John H. Finley, Educator, Author, Editor New York Times.
Zoe A. Gailey, Author, Journalist.
Hamil Garland, Novelist, Author on Pioneering Life.
Prof. U. S. Grant, Geology, Northwestern University.
Prof. W. E. Griswold, Professor of Agriculture, Western Reserve University.
Prof. Wilson D. Walls, Anthropology, U. of Minnesota.
Dr. Samuel S. Glidden, Former Director, Peabody Museum, New York.
Henry Justin Smith, Managing Editor, Chicago Daily News.
John F. Stevens, Former Chief of Engineers, Panama Canal.
Lawrence Young, Sculptor, Lecturer at Art Institute, Chicago.
Dr. W. S. Thayer, Former President, American Medical Assn.
Dr. F. T. Tyng, Lawyer, Field, Lake Authority.
Tom Wallace, Chief, Editorial Staff, Louisville Times.
Prof. Willard G. Van Orman, Editor, University of Chicago.
Prof. Alexander H. Wetmore, Academy of Natural Sciences.
Prof. John L. Wheeler, Secretary, American Museum of Natural History.
Mrs. T. G. Winter, Author on American Indian.
Ralph Wyrman, Landscape Architect, Denver.

In addition, the following members of the board are serving in a representative capacity:

T. W. Alling, Representing the Prairie Club of Chicago.
N. L. Betts, Associated Sportmen of California.
Raymond B. Butler, American Forestry Association.
Dennis Cockerill, Young Man's Section, Winnipeg Board of Trade.
Beth E. Gordon, American Telephone Association.
A. C. Emmett, Canadian Automobile Association.
William E. Greely, Canadian Club of America.
Alde Leopold, Boone and Crockett Club, New York City.
Col. Richard Lieber, National Conference on State Parks.
Col. Richard Lieber, National Conference on State Parks.
Dr. Frank A. Peabody, President, Chicago Academy of Science.
Charles H. Roosevelt, Jr., President, American Wildlife Conference.
James Sheldon, American Soc. Prevention Cruelty to Animals.
John Young, American Florists and Ornamental Horticulturists.

We preserve our masterpieces of Art. Why not preserve also a few masterpieces of Primitive America?

Mr. J. G. Byam, Treasurer, QUETICO-SUPERIOR COUNCIL,
First National Bank, Minneapolis, Minn.

For the purpose of safeguarding the public values of our boundary woods and lakes, I herewith enclose my contribution of $________ to the Quetico-Superior Council.

Signature ____________________________

Dated ________________

Address ____________________________
A REAL EMERGENCY

Ten million acres of unrivalled forested lakesland, embracing 3600 connecting lakes and representing one of the few remaining areas of primitive America, lie on both sides of the international boundary between Minnesota and Ontario. Here it is proposed to set up for posterity and for all of the people an area that will be at once a place of recreation, a sanctuary for birds and mammals and a forest preserve that will be administered under a uniform plan of forestry. Against this proposal is set the desire of a small group to exploit this area and its waterways for their own benefit.

This is not a new project, but the active fight has covered a period of five years. In November, 1927, the Quetico-Superior Council was formed to conduct the campaign for the preservation of this entire Rainy Lake watershed. This drive reached a climax with the passage of the Shipstead-Molan Bill in July, 1930, placing Congress on record as opposed to the exploitation of the area. This measure by no means protects the entire area. A treaty with Canada must be negotiated and many other steps taken before the great stake that the public has in this territory and in the program may be safe.

Thus far the burden of the campaign has been carried by Minnesota citizens. The project, however, is of far wider significance and merits the support of all Americans, both in the tangible way of financial contribution and through influence. Just now the Quetico-Superior Council is facing a financial problem and it is a serious one. It needs contributions and it needs them badly. Ordinarily NATURE MAGAZINE does not open its pages to pleas for funds, but it feels that the importance of this plan is greater than the risk of establishing a precedent.

Every public-spirited American who can do so is urged to acquaint himself with the details of the plan by writing to Ernest C. Oberholzer, president of the Quetico-Superior Council, 1218 Flour Exchange, Minneapolis, Minnesota.
Mr. Ernest C. Oberholtzer,
President, Quotus-Superior Council,
1418 Flour Exchange,
Minneapolis, Minn.

Dear Mr. Oberholtzer:

Your interesting letter of February 9th has just been received.

As you will note from the enclosed copy of the organic act of May 28, 1933, authorizing the establishment of the proposed Great Smoky Mountains and the Shenandoah National Parks in the east, Virginia registered at that time $1,200,000 in pledges from private persons and others within the state toward the latter project, to which was added a state authorization of appropriation for $1,000,000. Pledges from friends of the parks outside the state toward that park ran something over $350,000 by the beginning of this month. Of course the actual amount of money pledged is never collected in full, and probably not more than $300,000 cash will be realized from pledges inside the state. For the park project of not less than 180,000 acres now authorized a sufficient amount is figured to be available to put it across. Just what that amount is or will be is within the knowledge alone of the State Commission on Conservation having that project in charge for the state. About 194,000 acres will be involved.

North Carolina and Tennessee registered in that act an amount of $1,006,600 as available from private pledges. Just what amount thereof will be uncollectible, because of the sad financial situation in those states we do not know, nor will it be known until later. North Carolina also made a bond issue of $2,000,000 available and Tennessee one of $1,500,000, the latter adding a purchase of some 70,000 acres valued at half a million dollars as a contribution. The Laura Spelman Rockefeller Memorial agreed to match dollar for dollar in cash paid in up to $5,000,000, as a memorial to Laura Spelman Rockefeller. Altogether that project is a $10,000,000 one, in round numbers. Not less than 427,000 acres will be involved.

The Mammoth Cave National Park project in Kentucky covers a minimum of 45,000 acres, including all the caves in the area. Towards this citizens and the State of Kentucky have made available about $2,500,000, the citizens pledging about a million and the state authorizing the $1,500,000.
It is impossible in any of these cases to give you definite figures on the amounts to be available and needed, because, as I said, it will be some time before the authorities can decide what portions of the pledges are uncollectible, and what the actual final net cost of the project will be. All projects will be concluded however.

The Isle Royale National Park project in Michigan has been authorized by Congress, and the state has accepted the obligation and terms of the project by establishing a commission which is working to get things going. No appraisals of the estimated cost have been furnished us, nor do we know what, if any, amount toward that project has been gathered or pledged locally.

The most we can say at this time is that these projects appear assured through state cooperation. It is my personal opinion that where needed moneys from pledges are not forthcoming, and needed for the park projects, the states will in time make appropriations to cover these delinquencies.

I hope the above is of some value to you,

Sincerely yours,

(1) ARNO E. CAMMERER

Arno E. Cammerer,  
Acting Director.

Inclsoire 125501

ABC: LCM
February 17, 1932

Mr. Arno B. Cammerer,
Acting Director,
National Park Service,
Washington, D. C.

Dear Mr. Cammerer:

All gratitude to you for your gracious reply of February 12 concerning aid given by various States and individuals of those States toward creation of new national park projects.

This is exactly the information I wanted and in a simple form that will be very useful to us here. One of the great problems in the area of Superior National Forest is the problem of private lands. These are in every way a menace to the region, especially since they lead to reckless road-building and thus to destruction of the wilderness character of the area.

There seems to be no prospect that the Forest Service will be able by itself within a reasonable length of time to acquire these vital private lands. Some other method, similar to that followed in the rounding out of national park projects, will have to be developed.

You may possibly recall our original correspondence with the late Honorable Stephen Mather about the problems of this border lakes region. We have always felt deeply indebted to him for his assistance at that time. I am wondering whether you have a copy of our letter to the Secretary of Agriculture, on which our program is founded. I think not and therefore I am taking the opportunity to enclose a copy for you records.

I am delighted to know how well all the park projects are progressing. I am particularly interested now in the Everglades program and the idea of giving preference to the Seminoles and making their perpetuation a part of the purpose.

Sincerely yours,

Ernest C. Oberholtzer

ECO/cm

Address all communications for the Treasurer to J. G. Beam, Vice-President First Nat'l Bank, Minneapolis, Minn.

All others, unless otherwise instructed, to the General Office.
The treaty proposed by the QUETICO-SUPERIOR COUNCIL will not only preserve intact one of the most historic regions in North America, a portion of the continent as it originally was with its forest, its game, its lakes, and its richly romantic past, but will provide a significant experiment in international relations—a practical work of peace and a bond of friendship between two great nations. It has brought recognition from American leaders, both men and women, who appreciate its fundamental economic character and who realize likewise that out of such regions as this come the song and story of the nation. The honorary vice-presidents and national board of advisors of the COUNCIL, representing every conceivable aspect of the project, are as follows:

**HONORARY VICE-PRESIDENTS**

Dan Beard, National Scout Commissioner.
Dr. Harry Grafkern, President, Columbia University.
Dr. David Starr Jordan, President Emeritus, Leland Stanford University.
Hubert H. Humphrey, Vice-President, Minnesota.
Hon. Orville E. Holmes, Governor of Pennsylvania.
Kermit Roosevelt, Explorer and sportman.
Ernest Thompson Seton, Naturalist, artist, author.
Hon. George Shiras, 3rd, Faunal naturalist & photographer.

**ADVISORY BOARD**

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- W. C. Mann, Zoologist, U. of Minnesota.
- Mrs. S. Pillsbury, Minneapolis.
- Mrs. Charles E. Putnam, University of Chicago.
- Charles G. D. Roberts, President Canadian Authors’ Association.
- Wilbur N. Nye, President, American Forest Congress.
- Mrs. L. Russell, Dean, College of Agriculture, U. of Wisconsin.
- Mrs. Henry Carr, Post, Lecturer, General University of Chicago.
- Mrs. W. E. Harmon, University of Wisconsin.
- Mrs. E. C. Dahlgren, President, The Coles Co.
- Mrs. B. A. Whitney, President, Ohio Women’s Club.
- Miss H. E. A. West, Chief of the Department of Agriculture.
- Miss Alice E. Lodge, Boone and Crockett Club, New York City.
- Mrs. E. J. Bullard, American Council on Animals.
- Mrs. R. A. Ziesler, American Foresters, New York.
- John Young, American Florists and Ornamental Horticulturists.
- Dr. Raphael Zen, National Society of American Foresters.

We preserve our masterpieces of Art. Why not preserve also a few masterpieces of Primitive America?

Mr. J. G. Byam, Treasurer, QUETICO-SUPERIOR COUNCIL,
First National Bank, Minneapolis, Minn.

For the purpose of safeguarding the public values of our boundary woods and lakes, I herewith enclose my contribution of $ to the Quetico-Superior Council.

Signature

Dated

Address
February 26, 1932.

Mr. Harlan P. Kelsey,
Kelsey-Highlands Nursery,
East Boxford, Massachusetts.

Dear Mr. Kelsey:

I was much pleased this morning to find your letter of February 23rd awaiting me at my office. Some day, Mrs. Warren and I may make a fall trip by automobile into New England. If so, it would give us great pleasure to call on you and yours at your home at East Boxford.

Our little, new, log cabin which we are building eighty-three miles northeast of Duluth, is about one hundred twenty feet back from Lake Superior and perhaps thirty feet above it. When the leaves are out in summer, we cannot see anything but the lake. State Highway No. 1, the main highway between Duluth and the twin ports of Port William and Port Arthur in Canada, passes back of us about one-fifth of a mile. We are planning to plant five hundred or one thousand small trees this spring - all of them of the kind native to that district - which will help to shut us in even more than we are now. We have built the cabin on a concrete foundation and shall put in a double floor with tar paper and building felt between the two layers, and are providing it with storm windows and storm doors so that we may use it the year around. My mother is past eighty years of age so that we cannot bury ourselves in Isle Royale as we were able to do when she was younger and my father was also living. This is our principal reason for building the tiny log cabin as we are now doing.

While we have expressed our willingness to deed our property to the Federal Government, or through whatever channel is necessary to ultimately place it in the hands of the Federal Government, "when, as and if" Isle Royale is made a National Park, we have no thought of abandoning Isle Royale as our first love as a place for a summer vacation. The time has come - due to the increase in population of both the United States and Canada - when choice of conduct of Isle Royale must be made between having it intensely over-run and exploited without governmental control or direction of any kind or to have it made a National Park, when it will receive the choicest care and use. There is no possibility of choice in our minds and therefore we are willing to give our little property for such purpose.

We met Dr. Roy Sexton very pleasantly and he made an engagement with us to go back and take moving pictures of moose. We were in an especially good position to have gotten him some splendid opportunities for such photography but he changed his mind at Washington Harbor and continued with the party back to Houghton. I do not know that Mr. Oberholtzer has ever had any
particular moving pictures of moose. I doubt if Mr. Oberholtzer, except with a borrowed camera, has taken any moving pictures whatever, so that the moving pictures which Dr. Roy Sexton showed you were probably taken by some one else - perhaps Dr. Castler of New York City.

Mrs. Warren and I certainly enjoyed the three days which you and we spent together at Isle Royals a year ago last summer, and hope that in due time, we may have the pleasure of repeating such a trip and perhaps that Mrs. Kelsey will be with you. Mrs. Warren and I are very close pals and work together on our conservation projects.

I shall be very glad to tell you my personal view of the Quetico-Superior region as a National Park or possibly an International Park. That district has been the scene of much development for more than fifty years past. Tremendous areas of white and Norway pine timber have been cut and marketed. The Vermilion Iron Range, producer of the highest grade iron ore in the Lake Superior region, reaches from Tower and Ely and is strongly indicated clear to the Canadian boundary on Gunflint Lake. If you will look at a map of the Superior National Forest, you will see that the principal portion of it is the eastern lobe reaching from Lake Superior to the International boundary and along the International boundary until the boundary line swings southwest into Minnesota. There is a small central lobe on the boundary and then a considerable minority of the forest is along the boundary westward. Dividing the east lobe and the west lobe is a long strip which covers the iron formation of the eastern Vermilion. It is especially possible that in time to come much more iron ore will be found within that strip. There are great deposits of titaniferous iron ore or iron ore containing titanic acid. So far, the cost of ridding the ore of the titanic acid has made the use of that ore prohibitive when in competition with the present supply of hematite. Some day that problem will be solved and those vast deposits will be drawn upon.

Under the present plan of the Superior National Forest, it is hoped to replant the logged-over and burned areas so that ultimately an annual crop may be taken off of that forest by selective cutting, which will be a very substantial source of income and support of that forest. The ultimate hope is to be able to take off annually three-fourths of a cord of pulpwood per acre.

The individuals active in the Quetico-Superior Council and Izaak Walton League, five or six years ago, threshed out the question of National Park vs. the controlled commercial use of that district in favor of the latter. If water levels can be controlled and the Government can purchase shore lines of the water courses so that those marvelous canoe routes may be brought back to their original beauty or approaching their original
3. beauty, it will probably be the best way. The resistance to the making of that district a National Park would be tremendous.

Under the present plan of the Quetico-Superior Council and the Izaak Walton League with the associated organizations, there would be a timber crop, a fur crop and a tourist crop which would ultimately run into large figures.

I enclose herewith several pieces of printed matter which were used during the tremendous campaign which we put on to secure the passage of the so-called Shipstead-Newton-Nolan bill. The reprint from Outdoor American entitled "A Battlefield of Conservation" by Donald Hough, was used widely to help to form public opinion. One of the inclosures is H. R. 6961; being the so-called "Nolan Bill" offered by Congressmen Nolan from Minnesota when he had succeeded Congressman Newton from Minnesota when Congressman Newton became Secretary to the President. You will notice that the preamble at the bottom of Page 1, all of page 2 and the top of page 3, has been struck out in said bill. This preamble was used originally for the purpose of educating the Senator and Congressmen as well as thousands of people all over the United States as to what it was all about.

I believe that this will answer your question as to my opinion of the Quetico-Superior district.

With kindest regards and best wishes, and with sincerest hope that we may meet again in the not far distant future, I am,

Most sincerely yours,

/s/ Frank M. Warren

FMW:KB

March 1, 1932

Mr. Frank M. Warren,
1224 First National-Soo Line Building
Minneapolis, Minnesota.

Dear Mr. Warren:

Your letter of February twenty-six received. It is very evident from this letter and the material you sent that you are distinctly against considering the Quetico-Superior National Park project. I am very glad indeed to get your reaction. You did not, however, take up the matter of the country around Grand Portage, the islands, the shore-line, the falls and the country north of Fort Williams. What do you think of this area as a national monument, on an international basis? There has been talk in the past of an international peace garden, an international national park, and various other similar projects. Something of the kind no doubt would be very popular, but taking the historical and scenic features and the central location, I know of no other spot that ought to be considered more than this one I am writing about.

I spoke to Mr. Oberholtzer about it but I don't know whether he was overenthusiastic over it or not. You are quite right about those moving-pictures. They were made by Doctor Castler of New York City and they are very fine. Dr. Sexton is a photograph crank and will go almost anywhere at any time to get a good series of still and moving-pictures. He's a great propagandist, too, for he likes to show them.

I was greatly interested in the description you gave of your new summer place. I went over that road by bus from Duluth and was shocked beyond expectancy, how the country had been cut over and burned down to the very rocks themselves in so many places. Certainly you need a reforestation movement in Minnesota about as much as anything else. Also you know that everybody is now very historically minded and it doesn't seem as though Grand Portage has been exploited half enough, but no doubt that will come in time.

With kindest regards to yourself and Mrs. Warren,

Yours truly,
Mr. Horace M. Albright, Director, 
National Park Service, 
Washington, District of Columbia.

My dear Mr. Albright:

Your letter received. The last few days, curiously enough, I have been having all my national park files overhauled, particularly the Quetico-Superior and the Menominee Indian Reservation data, with a view to getting out a report that you spoke of.

Just now I am staging the Spring Flower Show of the Massachusetts Horticultural Society, being Chairman of the Exhibition Committee - this comes off next week. After that I will promptly get after all these reports. In the last month I have had some correspondence with Mr. S. M. Warren (whom you well know in connection with Isle Royale), in regard to the Quetico-Superior project. I am enclosing a copy of his letter dated February twenty-six and my answer of March first. I have not heard from Mr. Oberholtzer very lately. As you know, he is the Secretary of the Quetico-Superior Council who is responsible for preserving (as far as it is preserved) this whole district, and securing passage of the Shipstead-Newton Bill. May I say privately to you that I think Mr. Oberholtzer at heart feels that the future status of the Quetico-Superior region should be that of a national park rather than a national forest. To accomplish what he has however, he has had to commit himself to a national forest project and he told me that he personally could not take any active part in any national park project.

Mr. Warren I really believe, together with most of the people of Duluth and at least northern Minnesota, believes that a national forest project on a pay basis would be of great future financial benefit to Minnesota. Still further, they feel that as a national forest, it might readily be operated to take care of the canoeing, camping and other recreational facilities, quite as well as if it were in a national park. I am not giving my own opinions in this letter but it would seem that if this is the best destiny for that region, the National Park Service would be willing first to admit it. On the other hand, if this marvelous lake region is of national park calibre in all respects, then the increasing national park movement and interest in the country might very easily over-ride any local projects or fight against it.
Mr. Horace M. Albright -2-

Northern Minnesota is so pat poor that they enthusiastically welcome any project of national government backing that might bring in an income for their schools, and in some cases, overbuilt roads. It is very sparsely settled and they are trying to maintain an anomalous situation. With its thousands of lakes, it is absolutely unique in that respect in all the western hemisphere, with the possible exception of the area of Hudson Bay which is of course in a bitterly cold region.

Without many arduous weeks of travel, it would be entirely impossible to scout this area satisfactorily unless airplanes are used which as you know, is the way I mostly covered the project. I am giving you this outline to bring you more or less up to date with the situation as I think it exists in that region. When anything definite comes up, I would greatly like to hear how Isle Royale and the Shenandoah National Park projects are progressing towards a finish.

I was greatly disturbed to hear of Mr. Cammerer's illness but rejoice to know that at least, he had been taken out of the office and made to rest. The question is whether part of the time he ought not to be away from home, for I cannot help but believe such close proximity to his office must keep the things on his mind that ought to be dismissed. I am going to send him a bunch of detective stories so long as he is such an ardent reader of low-grade literature, and maybe some other things that will cheer him up.

I might add that I shall go right through also with the report on Menominee so you will have the whole story.

Yours truly,

Harlan P. Kelsey

HPK:ED
United States  
Department of the Interior  
National Park Service  
Washington  
March 8, 1932.

Mr. Harlan F. Kelsey,  
East Boxford, Massachusetts,  

Dear Mr. Kelsey:

I am pleased to have your letter of March 5, in regard to the Quetico-Superior project.

Take your time about the report. I realize that you have lots on your mind. You have already done so much for us that I feel that I really ought not to ask you for more. We are not being pressed right now for reports on the Quetico-Superior and Menominee Indian projects although of course we will be glad to get the data.

Will Carson expects to work on the Shenandoah National Park purchase after the Legislature adjourns. He has had too many matters before the Legislature occupying his attention and has not been able to get to work on the Shenandoah acquisition. I imagine things will be moving in the next few weeks.

There is nothing new on Isle Royale.

Cam has been in bed two weeks and is a good deal better. Beginning yesterday he was able to receive visitors. Our main job now will be to keep him quiet during the remainder of his enforced rest. He will enjoy the detective stories.

I expect the Everglades bill to be up in the House on March 10. It looks as though it will pass. Several of the principal opponents have a defeatist attitude. These include Mr. Treadway, who told me not long ago that the bill will pass.

I am sending your letter out to Cam.

With best regards to all the family, and again thanking you for the fine work you have done for us this winter, I am

Faithfully yours,

(Sgd.) Horace M. Albright

Horace M. Albright
Director.
ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE
WASHINGTON, D. C.

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON

Memorandum for Mr. White:

My feeling is that we want to separate the general Quetico-
Superior development program (which sounds good as a National
Forest project) from Grand Portage project as a National Park or
Monument. Since Grand Portage is a much smaller area it will
not give rise to the same resistance as a larger program would.
Grand Portage might still be combined with something over the
Canadian line in an international development.

Mr. Ramsey's letter of March 8
still further influenced this conclusion
upon my mind. rec

File this
Nothing to do on this
until we receive Kelley
report conclusions.
Mr. Horace M. Albright, Director,
National Park Service,
Interior Building,
Washington, D. C.

Dear Mr. Albright:

I have your friendly letter of appreciation of the work which Mrs. Warren is doing for the unemployed women and girls in Minneapolis. Thank you for your kind expression.

Please find inclosed a page from the Minneapolis Sunday Tribune of November 15, 1931, telling of the espousing of the proposal to make the Rainy Lake watershed between Minnesota and Ontario an international peace memorial for the soldiers who died in the late World War.

This is the Quetico-Superior district for which we fought so strenuously when we strove for the passage of the Shipstead-Newton-Nolan bill to protect the international waters from being exploited by a series of huge dams proposed by the Backus interests. We understand that the opposition to this memorial is doing all that it can to undo the work which we have already accomplished. They are taking advantage of the period when the public is not free to give its money in support of this conservation project.

With kindest personal regards, I am,

Most sincerely yours,

Frank M. Warren.
March 17, 1932.

Mr. Arno B. Cammerer, Acting Director,
National Park Service,
Interior Building,
Washington, D. C.

Dear Mr. Cammerer:

I inclose herewith a page of the Minneapolis Tribune for Sunday, November 15, 1931, concerning the Quetico-Superior District and the plans of the American Legion regarding said district.

The Quetico-Superior Council and the Izaak Walton League of America are much pleased to have the Legion as an ally in this project.

Most sincerely yours,

Frank M. Warren

FMW:EB
Mr. Frank M. Warren,
1254 First National-Soo Line Bldg.,
Minneapolis, Minn.

Dear Mr. Warren:

In the absence of Mr. Cammarer who is temporarily confined to his home because of illness, I am acknowledging receipt of your letter of March 17, enclosing a page from the Minneapolis Tribune concerning the Chippewa-Superior district, and containing plans of the American Legion for this district.

We are very glad to get this for our files. I am sure Mr. Cammarer will be pleased to look it over when he returns to his office.

Very truly yours,

(Sgd.) A. E. DEMARAY

(A. E. DEMARAY,
Senior Assistant Director.)
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON
March 26, 1932.

Mr. Frank M. Warren,
1234 First National -Sec Line Building,
Minneapolis, Minnesota.

Dear Mr. Warren:

I am indebted to you for your letter of March 17, to which you attached a Minneapolis Sunday Tribune article of November 15, 1931, on the proposed international peace memorial. The article is very interesting and of course the idea is very alluring but the difficulties in carrying it out as a park project seem to me almost insuperable.

I suppose you know that there is a bill going through Congress at the present time establishing the Waterton-Glacier International Peace Park including Glacier National Park and the adjacent Canadian park known as Waterton Lakes National Park. The bill has passed the House and is now pending in the Senate. It will not interfere with our individual operations in the two parks nor will the name Glacier Park be changed so far as its place in the American National Park System is concerned.

With best regards to Mrs. Warren and yourself, I am

Sincerely yours,

(SGD.) HORACE M. ALBRIGHT

Horace M. Albright
Director.

HMA-22
A park including innumerable lakes and extensive primeval forests on both sides of the Minnesota-Ontario border, 10,000,000 acres in all, is a sublime conception. In mid-North America, this is the only forest and lake region left of wide range. It is bounded on the east by Lake Superior and on the west by the Lake of the Woods. It contains more than 2,000 "connected" lakes. It has been historic country ever since the Sieur de la Vaugelas made a landfall on Superior and led an expedition into the Northwest. Trade followed the British flag when a military effort landed at Grand Portage in May, 1762. In the same year, traders made their way from Michilimackinac to Albany, Canada forts and stations were built, and commerce began with the northwest. The Ontario part of the international park would be 7,500,000 acres, that of Minnesota, 2,500,000. The park would be a sanctuary in which all species of animals and birds would multiply.

Much will have to be done before the enterprise can be consummated. The Quetico Park of Canada and the Great Bear Lake League of America have charge of it. The former proposes that park-like conditions be maintained on all lakes, rivers, and islands; that the hinterland be administered under modern forest practices; that game, fish and fur-bearing be protected, and that an international board, representative of both countries, shall develop the park, restricts the private property on this side would have to be acquired. A treaty between the United States and Canada, would be necessary. In this country, the Shipeek-Noonah bill which withdrew from entry all public land needed for the park, and charged the Forest Service to conserve it for recreational use, was signed by President Hoover on July 10, 1930. The Canadian Government, controls all the territory on the other side of the border, and may, be depended on, to put nothing in the way of the required itself.
The region is of great historic interest as well as recreational value. It is the source of three great waterway systems. It is said to be the only region of lake and virgin forest of wide extent left in that part of the continent and available for such a purpose.

The people of both countries are coming more and more to appreciate playgrounds of that sort, and to make increasing use of them.
INTERNATIONAL PLAYGROUND

A most appealing enterprise is the proposed international park of 10,000,000 acres lying on both sides of the Minnesota-Ontario border. It extends from Lake Superior on the east to the Lake of the Woods on the west, and contains more than 3,000 small lakes, numerous rivers, and extensive primeval forests. Three fourths of the region lies on the Canadian side of the border and is already controlled by the Canadian government. Of the 2,500,000 acres in Minnesota, some tracts are privately owned and would have to be acquired by our government. A bill enacted in 1930 withdrew from entry all public land needed for the park and charged the forest service to conserve it for recreational use. The idea is to have game, fish, and fur-bearing animals protected, with the land subject to modern forest practices, the whole to be developed for recreational purposes and administered by a board representative of both countries.

It will take time to arrange the prerequisite details, the treaty between the United States and Canada, the acquisition of the privately-owned land, and so on. However, the project is well worth the effort required. The region is of great historic interest as well as recreational value. It is the source of three great waterway systems. It is said to be the only region of lake and virgin forest of wide extent left in that part of the continent and available for such a purpose.

The people of both countries are coming more and more to appreciate playgrounds of that sort, and to make increasing use of them.
867 York Street  
St. Paul, Minnesota  
July 5, 1932

Mr. Horace M. Albright, Director  
National Park Service  
Washington, D.C.

Dear Mr. Albright:

In the northern part of this state is an area popularly called the world's greatest canoe country. It is a land of lakes, streams, and forest. There are places where the lumberman has never trod and the forest is still as it was before the coming of the white man. The area is the entire basin of the Rainey River above International Falls, Minnesota, and comprises some ten million acres both in Minnesota and the province of Ontario, Canada.

For many years people thought of forming an international park on the boundary. Canada took an important step toward its final achievement by dedicating the Quetico Park to its citizens. In 1927 the Quetico-Superior Council was formed to further the project. So far this organization has succeeded in some very important steps, but there is much to accomplish.

As a nucleus for the park on the Minnesota side, we have the Superior National Forest. Within the boundaries of this forest are one million acres of the proposed park. If the park becomes a reality, some additional two or three million acres will have to be acquired.

The comparative nearness of this proposed park to populated centers centers is a great inducement to its formation. It is 100 miles from Duluth-Superior, 275 miles from St. Paul-Minneapolis, 475 miles from Milwaukee, and 550 miles from Chicago. The closest large national park to any of these centers at the present time is over 800 miles.

Its value as to helping peace relations between the United States and Canada cannot be overestimated. Probably you have already been approached on this proposal, perhaps many times. However, I would like to know your ideas as to its value as a national park and the feasibility of its ever becoming one.

Sincerely yours,

Carl R. Dion
Mr. Carl R. Dion,
867 York Street,
St. Paul, Minnesota.

Dear Mr. Dion:

The Service has heard a great deal concerning the possible candidacy for national parkhood of the Quetico-Superior area, which you so glowingly describe in your letter of July 5, from friends and others who had visited it. No one of our executive heads, however, has visited it, and we have no direct knowledge to give an opinion as to whether or not it would measure up to national park standards. There is a great deal in your observations, and the project looks attractive for official investigation.

Mr. Ernest Oberholtzer, of Minneapolis, is as well acquainted with the project as anyone, and I suggest that you contact with him at your convenience. Perhaps then you and your friends may evolve some course of action which may appeal to you as worth while following up.

Sincerely yours,

Arno B. Cammerer
Acting Director.
A RESOLUTION to promote the preservation of all publicly or privately owned lands of economic and scenic value that stretch from International Falls to Lake Superior, as a National Forest and a National and International Wilderness Park.
WHEREAS, the Superior National Forest in northern Minnesota is the only forest and wilderness area left in Mid-America of the great forest that was once tributary to the prairie section of our continent; and

WHEREAS, it is the only lake country wilderness we own where there are natural highways of streams and inland lakes for canoe and boat travel; and

WHEREAS, this region has scenic beauty as distinctive and notable as is the scenic beauty of our national parks of the West, and yet is within easy reach of millions of people in both the United States and Canada; and

WHEREAS, the conservation of this scenic beauty will become valuable to millions and millions more of people as the tributary regions in the United States and Canada become more densely populated; and

WHEREAS, the region is rich in international historic values, which are precious to our cultural life; and

WHEREAS, there are in this region hundreds of thousands of cut-over lands, valuable only for timber growing; that should be reforested to make them of economic value; and hundreds of thousands of acres of primitive lands that by proper management can remain a wilderness as long as America lasts, provided the park area be made more secure by surrounding it with forested land; and

WHEREAS, the practice of scientific forestry may cause changes in the native growth and thereby interfere with the natural development of the different types of landscape and its plant life; and

WHEREAS, such changes in the native growth are a distinct loss to science, since by such changes we are unable to get a clear understanding of nature's own scheme of development; and

WHEREAS, conservation and reforestation of the lands at the headwaters of the Mississippi will help to prevent destructive floods; and

WHEREAS, the present plan for saving a border of a few hundred feet around the lakes is not conservation, since, though it preserves in a way the beauty of the lake shores, it does not preserve the wilderness.

BE IT RESOLVED that the Friends Of Our Native Landscape appeal to all citizens, interested in the conservation of primitive landscapes of ageless beauty, for the maintenance of primitive forest land and the creation of a Mid-American Wilderness Park, which shall include all lands privately and publicly owned that are of National Park standard, between International Falls and Lake Superior, and all lands and boundary waters, including Isle Royal, in Lake Superior;

RESOLVED FURTHER, that, since the Quetico National Park in Canada adjoins our Wilderness area, an International Wilderness Park be created;

AND BE IT FURTHER, RESOLVED that the necessary steps be taken to make a treaty between the Government of Canada and the Government of the United States of America that will put this Wilderness Park area, both in Canada and the United States, under the management of a joint Commission, to be appointed by the President of the United States and by the Canadian Government.

JENS JENSEN, President
EDISON L. WHEELER, Secretary
230 W. Huron St., Chicago, Ill.

These resolutions were adopted by the Board of Directors of the Friends of Our Native Landscape at the regular meeting on September 10, 1929
THE GREAT NORTHWEST IN PEN AND PICTURE

Front Cover: Photo by Courtesy of the U. S. Forest Service.

BURNTSIDE, A TYPICAL LAKE OF THE ARROWHEAD DISTRICT OF MINNESOTA.
WESTERN MAGAZINE
THE NORTHWEST'S OLDEST LIVING MAGAZINE
PUBLISHED MONTHLY

CHAMPION OF GOOD ROADS, BETTER HOMES, BETTER FARMS AND BETTER COMMUNITIES AND THE CONSERVATION OF OUR WILD LIFE AND NATURAL RESOURCES.

THE NORTHWEST'S ONLY DEVELOPMENT PUBLICATION

EDMOND L. DeLESTRY, Editor

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Western Magazine

ests do not belong to a nation's youth, for that "youth will be served" applies to nations as to men. But
the Constitution's victory did work. Let no Amer-
icans forget that. It worked by putting our sea legs
under us, and through that it helped towards nation-
hood, because as has been truly pointed out, it gave
the country a "common center for its enthusiasm
identified with the whole country because of its ex-
ternal action yet local to no part."

Live oak helped in that victory. The American
pioneer spirit helped. And back of them both was the
American forest.

CONDITIONS IN SUPERIOR NATIONAL FOREST REGION

By WM. B. GREELY

(Courtesy American Game Protective Association.)

EDITOR'S NOTE: The author of this article is
not the U. S. Chief Forester, though of the
same name and initials. Mr. Greely is a resident
of New York, former chairman and now an
active member of the Conservation Committee of
the Campfire Club of America, and an officer
of the American Game Protective Association.

BY MR. GREELY

The Superior National Forest lies
wholly within the boundaries of
three counties of Minnesota which
lie to the north and west of Lake
Superior, and extend from the
north shore of this lake to the
Canadian boundary. Of these
three counties St. Louis is the
westernmost and, by reason of the
vast deposits of iron ore of the
Mesaba Range, is the wealthiest
county in Minnesota. Lake and
Cook counties have but little taxa-
able wealth. Each of these three
counties extend to the Canadian
border on the north and to Lake
Superior on the south. One good
gravel road, the International
Highway, follows the shore of Lake
Superior from Duluth to Pigeon
River on the Canadian boundary.
Automobile buses run on this high-
way from Duluth to Port Arthur
in Canada. In the summer months
it is traversed by many automo-
bles, the record at Grand Marais
for the past summer having been
one thousand automobiles in one
day.

In the entire distance there are
but two sizable villages, Two Har-
bors and Grand Marais. Two Har-
bors is a shipping point for iron
ore. Grand Marais is a village of
perhaps one thousand inhabitants
and is the county seat of Cook
county. It appears to have no
manufacturing industry. Between
Duluth and Pigeon river there are
besides Two Harbors and Grand
Marais, a few small hamlets, hav-
ing each a postoffice, a store or two,
a garage and a few houses. The
chief industry along the shore
seems to be commercial fishing.

Agriculture is practiced to some
extent and at some points as at
Grand Marais, farm lands extend
back from the shore for a few
miles. St. Louis county has roads
which connect the principal vil-
lages on the iron ranges with each
other and Duluth. Lake county
has, in addition to the Interna-
tional Highway, a road which
connects the southern portion of St. Louis
County with the International
Highway near Two Harbors, a few
miles inland from Two Harbors to
the hamlet of Schroeder, in the
southwestern corner of St. Louis
county, to Finland, on the last men-
tioned road. Cook county now has
one road which now extends from
Grand Marais northward and west-
ward, for about fifty miles, to Gun-
flint Lake near the Canadian
boundary, with one short branch
extending to Devil Track Lake and
other branches to resorts on Green-
wood, Clearwater and Hungry Jack
lakes. In the vicinity of Ely and
the other Iron Range towns there
are other local roads.

All these roads thus far men-
tioned are good gravel roads built
by the respective counties, and I
traversed most of them without
difficulty in my own car. I have
enumerated these roads because
they are at present the only roads
in the whole region referred to, and
conditions cannot be appreciated
without a knowledge of this fact.

The strip of land about 15 miles
wide extending along the shore of
Lake Superior, drains into the lake
and has comparatively few lakes.
From a point about five miles to the eastward of the easterly end of Gunflint Lake, the waters drain to the eastward and southward thru Pigeon River into Lake Superior. Nearly all of the remainder of this region is included in what is known as the Rainy Lake watershed, the waters of which find their way eventually into Hudson Bay, and it is this region which includes the vast number of lakes, some large and some small, and separated one from another in each series by comparative short portages, which makes this region the most wonderful and entrancing region of the whole country for the canoe tourist.

In the western part of this lake region the ridges rise from one hundred to two hundred feet above the general level, the depression being occupied by lakes or by spongy bogs. In the eastern part, particularly in Cook county, the elevations rise much more abruptly and higher, attaining a height of 800 feet or more, in some cases above the lake levels. The shores of all these lakes are remarkably clean; that is bold, rocky and either now or in the past forested to the water's edge. In the western part of St. Louis county, the water in many of the lakes is decidedly brown and clear water is the exception. The brown water carries a decided taste of vegetable matter.

These lakes are not all shallow, some of the larger having a depth of as much as 800 feet. Others in the western part are shallow, as for example, Big Rice Lake which I visited with one of the forest rangers in connection with the duck census being taken by the Biological Survey. This lake, something over two miles long by a mile wide, is sufficiently shallow to form one great field of wild rice. In the eastern part of the lake region the shores are bolder, perpendicular cliffs rising from the water's edge, in some places to a height of two hundred feet or more. The water in these lakes is clear.

The whole of the region referred to, including the North Shore of Lake Superior and what I have referred to as the lake region, is, for most part forested; that is to say it is covered with forest growth which from above presents the appearance of green tops, the growth varying from the bushes which have come in within the year or two since the last forest fire, all the way to a second growth of ten, twenty, thirty or forty years, and some stands of first growth. The newest of the second growth is mainly popular and birch, but it gave me great satisfaction to observe in many places fine reproduction of white pine, Norway pine, spruce, jack pine and balsam, and from one lookout I had the thrill of looking out upon a million acres of green tops, never touched by the axe and never visited by fire within the memory of man, unfortunately privately owned, either in the actual ownership of lumber companies or under contract to lumber companies, and therefore, certain to be cut within the next ten or fifteen years.

However, I was much encouraged to believe that in the course of the next 30 or 40 years if fire can be prevented and if lumbermen can be induced to cut carefully, as there was plenty of evidence that some had been in the past, this whole region will become again, as it was fifty years ago, one vast forest, covering all the ridges between the wonderfully beautiful lakes.

In some cut-over areas it was evident that the logging had been done with some regard for future generations, seed trees having been left here and there and care taken to avoid unnecessary destruction of young growth. In other areas it was equally evident that logging had been done without regard for the future and that in many cases fire had followed the cutting as a result of heedlessness; the ridges in some cases having been burned to the bone, with the dust destroyed and gone.

In some places it was evident that fire had followed soon after areas had been logged. In other places fire had swept through cut-over areas years after the logging had been completed and the second growth had become well established.

Although burned-over areas were seen in all parts of the whole region, the areas which had been burned over within the last five, ten or fifteen years seemed to be more extensive in the western part of the region than in the eastern, except near Lake Superior.

The Superior National Forest as established by proclamation of President Roosevelt and as enlarged by President Coolidge under Acts of Congress providing for the acquisition of lands adjoining lies wholly within, but is not coterminous with, the boundaries of St. Louis, Cook and Lake counties, nor does it form one continuous area from east to west or north to south. It is made up of three separate areas, very irregular in outline, one extending from the easterly portion of Cook county through Lake county and some distance into St. Louis county, another small area lies north of the first area and extends to the Canadian boundary and a third area, also of irregular outline lies mainly in the northern portion of St. Louis county, but extends a
short distance into Lake county. The aggregate of these three areas is about 1,600,000 acres, but within the boundaries of these three areas the public lands amount to about 800,000 acres, the remainder being held in private ownership or by the state of Minnesota.

The federal government, therefore, has control only of about 60 per cent of the total included within the boundaries of the forest, the state holdings and the private holdings being interspersed here and there with the public lands. Under Acts of Congress it is now possible for the federal government to acquire by exchange or purchase lands privately owned or held by state within the boundaries of the Forest, and the purchase of cut-over lands is being carried on as funds permit and negotiations can be effected. The policy of the Forest Service is understood to be a policy of consolidation. This is practicable as far as the acquisition of cut-over lands is concerned, but locations on some of the lakes and particularly on possible canoe routes are so highly valued by private owners that the expense of acquisition may prove prohibitive in some cases.

Most of the canoe tourists who now visit this region leave the railroad at Ely, transport by automobile to Fall Lake where, at Winton, they take canoes and then proceed through a chain of lakes into Basswood Lake on the border, and thence into the vast lake region of Hunter's Island or Quetico Forest in Ontario, and come out the same way, passing in each direction between two large forest areas above mentioned and not actually traversing any part of the National Forest. The Kawishiwi portion of the Forest includes a great number of beautiful lakes, closely interconnected, which offer great attractions to the lover of the wilderness, but for several reasons this region is as yet but little visited. A few who start from Fall Lake follow the boundary waters through Basswood and Crooked Lakes and LacLaCroix and thence back to Ely.

My travel in the whole region including perhaps five hundred miles of motor travel over the roads mentioned and two hundred miles by railroad speeder, canoe and afoot, as only an introduction to the glories of this great wilderness, although it was enough to satisfy me that all that has been said and written about this region can give but a faint idea of the attractions it has for those who love the wilderness. In traveling by motor from place to place I saw on some parts of the road many motor and on other parts of the road not more than a dozen altogether. On one of my canoe trips, covering thirty odd miles, I saw three canoeists; on another of about the same length I saw six; and on a longer trip of perhaps one hundred and fifty miles I saw four canoeists.

Except for the half dozen Forest Service men and the dozen United States Engineer Corps men on the boundary, these were all the persons I saw on these trips away from the starting point. Truly, that country in which no more than twenty-five persons are seen on possible routes of travel covering more than 200 miles, with untouched wilderness on each side, may truly be regarded as a wilderness country.

There are four outstanding problems which demand the attention of those who value the wilderness character of this region. These are: The development of hydro-electric power within the boundaries of the Forest; The Backus project for development of power in the boundary waters (see the following article); the opening of roads within the region; and most important of all, the prevention of fire.

The development of hydro-electric power within the boundaries of the Forest is at present a very serious problem which interested me greatly and led me to examine conditions on the boundary. It is a project so vast and so destructive of nature that its discussion may well be reserved for another time.

The question of the opening of roads has brought about much talk on the part of those opposed. The talk has centered largely about the opening of the Boundary Waters project of what is known as the Ely-Bayuk road. This opens about 50 miles north and west of Ely. This road, as projected, follows the Forest Service telephone line between these points. The maintenance of this telephone line is essential to the transmission of information as to fires. Without road it takes perhaps from one to two days or more to get men and supplies to the fire. With the road open clear through the time required would be two or three hours. The road has now been opened to a point just north of Big Lake, or a distance of about twenty-five miles, including an old county road. This I traversed by motor and on foot. It is not and never will be a road attractive to automobile tourists. It is narrow, the curves often of a very short radius and the pitches frequently steep. It offers very few attractive camping places. It touches only two lakes and approaches only two others. Except at these points it is bordered on each side by a forest wilderness, which has no attraction for the tourist.

It is being built wholly at the expense of the Forest Service in order that it may be absolutely within the control of the same at all times and closed to travel at times of fire hazard. No ordinary tourist will care to take his car.
over a road, which offers such slight attraction and will have throughout its entire length no filling station, no garage, and no opportunity to communicate with any such in case of accident. The opening of this road has been bitterly opposed and much criticism, some of it good natured and some of it bitter, has been heaped upon the Forest Service. I am told that I am the only person outside of the Forest Service who has traversed this road from its point of beginning to its present end, north of Big Lake.

As to the country beyond Big Lake I cannot speak from personal knowledge, but as shown by the maps it is a country with but few lakes and few water courses, and therefore not readily accessible by fire fighting forces. I am told it is largely bush. Another road about which there has been much talk, but over which the Forest Service has no control because it is built on state and privately owned property, is the Fernberg road from Ely eastward to a point near the Fernberg ranger station and lookout. This road is being built by the county. Without the road it takes the ranger, without load, a full half day to reach his station from Ely, or a full day with a load. A corresponding time would be required for the travel of fire fighting forces.

A third road involved in the discussion is the Gunflint road, from Grand Marais to which I have previously referred. This road is being built to improve Cook county. It has been opened to a point some what westward of Gunflint Lake. As I have stated its branches give access to several resorts. My talk with several men in Grand Marais revealed the fact that they all regard the wilderness character of the country, to which access is given by this road, as the chief asset of Cook county, and something to be preserved, in order that it may be enjoyed by those to whom it is made accessible by the road itself. The same people value it also as a means for quick access of fire fighting forces to scenes of fire. They do not desire to see the wilderness spoiled by many roads, but for the benefit of the county and of Grand Marais and its merchants they do desire to make the resorts, or as the county engineer prefers to call them, lakes, from which canoe routes may be followed out, readily accessible to the people who desire to enjoy the privileges of the wilderness.

There is a proposition to continue the Fernberg road to meet the Gunflint road on state or privately owned lands. This would make a through automobile road from Ely to Grand Marais. It would probably bring a number of automobile tourists who might or might not be of those who love the wilderness as such. The people of Grand Marais deplore the opening of the road, but others of authority in the state assert that this road will be opened.

It must not be forgotten that the question of opening one road or another is, to some extent, a question of local interest. At present, as I have said, the great majority of canoe tourists enter the country from Ely. With the building of the Fernberg road and the extension of that road to meet the Gunflint road, the business of those who furnish canoes, tents, supplies and guides to these tourists would perhaps fall off to some extent, because automobiles will then take tourists further towards the wilderness. The business interests of merchants at Tower would be promoted by the opening of a road from Tower northward, enabling tourists to get into the region of Big Lake, for example, without passing through Ely. And again, the opening of a road northward along Temperance river to Brule Lake might possibly deflect some business from Grand Marais. Sentiment in favor of or in opposition to the opening of this or that road is therefore not unanimous throughout the region but is influenced naturally by local interest.

Whatever may be the local interest for or against any road, I am satisfied that there should be such roads as are essential to the quick access of fire fighting forces to scenes of fire. No one can see that country, as I have, with its extensive burnt-over areas, without being impressed by the thought that if fires are not prevented there will be no wilderness for any of us to enjoy, and that however much we may depurate the opening of roads into, or into proximity to, a wilderness country, we must bear in mind the fact that if fires, if they are to be controlled, must be reached at an early stage, and that in such a region as that which includes the Superior National Forest quick access to fires, even over canoe routes, lakes and portages, is not possible. At present only 12 per cent of the total area of the Forest can be reached by men with tools and supplies in less than six hours and in many cases a day, or two days, or more are required.

Frankly, I went into the Superior or National Forest region with a prejudice against all roads, but my observations there for a period of about three weeks convinced me that if we are to preserve the wilderness there must be roads to give access to fire fighting forces. The Canadian Patrol uses hydroplanes successfully in attacking fires, but the hydroplane as I am informed, is limited to the carrying of five men without equipment, or three men with pump and hose and other tools. Doubtless hydroplanes might be used to good advantage on our side of the line, and I hope that it will be possible some day for the Forest Service to maintain one or more of them in the Superior National Forest, the lakes of which afford easy starting and easy lighting.
I was gratified to find that the Forest Service has already defined three or four areas within the boundaries of the Forest’s wilderness areas in which no roads available to tourists will be opened at any time, access being possible from the outside by means of canoe and portages. I am satisfied that the Forest Service does not want roads as roads but only that it may perform efficiently its first and chief duty—preventing fires.

My observation of forest conditions was so absorbing that I did not have the time to penetrate into those regions in which game would be most likely to be found. Moreover, the season had so far advanced that moose and deer were not coming into the water as they were earlier. As a consequence, I saw considerable moose, deer, timber wolf, bear and beaver signs. In several instances I missed by a short time meeting bear in the blueberry patches. I heard much about good hunting, in season, outside the State Game Refuge and a good deal about illegal taking of beaver. One of the state game wardens when asked about the prevalence of timber wolves, counted up sixty odd taken by his men in his district of the Game Refuge in one winter, 1926–27.

The Minnesota State Game Refuge, as originally prescribed, was coterminous with the Superior National Forest and consequently was very irregular in outline. I understand that by subsequent Acts it was made and is at present most regular in outline as to its eastern, western and southern boundaries, being necessarily irregular on the north where it follows the international boundary line.

Within or bordering upon the Game Refuge are two wilderness areas much frequented by moose: one of these areas being in the western part and the other in the eastern part. The former will be cut by the Ely-Buyck road. The latter will be cut, or closely approached by the Fernberg-Gunflint road, if it is opened. The effect of these two roads upon game conditions is somewhat problematical. Most of us have seen both deer and moose on public highways.

Naturally, I suppose, heavy automobile traffic will tend to drive moose away and such heavy traffic on the roads just mentioned would might have the effect of driving the moose to take refuge across the boundary waters in Canada. For these reasons it seems unlikely that automobile traffic will ever be heavy on the Ely-Buyck road as long as it remains in the control of the Forest Service. If the authorities of Lake and Cook counties permit the establishment of gasoline filling stations, garages and roadside refreshment places along the Fernberg-Gunflint road, it may be expected that during the tourist season there will be considerable travel. I am disposed to deprecate the opening of the Fernberg-Gunflint road, both because of the destruction of the wilderness character of the region and the possible effect on game.

MORE COMMERCIAL ENCROACHMENT


By CHARLES L. GILMAN

Where the State of Minnesota and the Province of Ontario are placed together by a network of lakes and rivers, between Lake Superior and Lake of the Woods, lies the prime water shed from the latest battle between conservation and commercialization.

This semi-mountainous, forested watershed, covering an area of 14,500 square miles, is the playground of two nations. It is a primitive wilderness, rich with virgin timber, stocked with moose, deer, beaver, and lesser wild things; its myriad lakes and streams abound with fish. Indians, friendly but the most primitive of their race left in the north country, add to its interest. Its scenery runs the gamut from rich simplicity to rugged grandeur.

In the very heart of this region are included Quetico Park and Superior National Forest, regions set apart by the Dominion and Federal governments respectively; suppose edly a perpetual monument to the vast coniferous forest which stretching from the Atlantic to the Mississippi along the line of the great lakes, dominated and shaped by the spirit of the wilderness, that character of the commerce, the politics, the wars, the industry and the culture of the continent. These reserved regions are also game refuges.

This vast playground is open to the people of the two nations, setting it apart by the cheapest and most delightful of all vehicles of outdoor travel, the canoe. More than any other wilderness reserve it is suited to the enjoyment of folks of moderate means. Rail and motor highways extend to its very boundary, yet an hour’s canoe travel takes the visitor beyond the last vestige of man’s tampering with nature. Lying within 24 hours travel of Chicago this is the preeminent summer playground of the Middle West. Nor is it neglected, the number of recreational users per season passed the 10,000 mark several summers ago.

Annihilation, nothing less, of all the attractions of this region is threatened by a scheme of commercial exploitation of the water ways of the region, and first fully forced to light at a public hearing by the International Waterways Commission held at International Falls, Minnesota, in the autumn of 1925 on the insistence of organized sportsmen and conservationists.

At this hearing Mr. E. W. Backus of Minneapolis, creator of vast timber and wood pulp industries, outlined a power scheme or plan for these waters which lacks little, if anything, of being completely confiscation. In order to assure a more steady flow of water for his power plant at the outlet of Rainy Lake and for prospective power developments on the Winnipeg river, he applied for permission to impound all of the northward water flow by dams.
More Commercial Encroachment

If fully carried out this development would hold all of the lakes and rivers from Rainy Lake to east of Sagana, a distance of 160 miles, by the most direct canoe route, at artificial lake levels of from 15 to 30 feet above normal. In addition a string of Canadian lakes 75 miles long, constituting the northern part of the famous Hunter's Island canoe route would be similarly damaged.

Already by means of dams at International Falls and Kettle Falls the Backus Interests regulate at will the levels of Rainy, Namakan, Kabetogama, Sand Point, Crane and Little Vermillion lakes and have done irreparable damage to their shore lines by alternately raising the water above and letting it out below the natural levels. The level of Lake of the Woods is likewise under their control.

Continuing this, he proposed to build an 82 foot dam in the Little Vermillion lake which would drown out Loon lake entirely and submerge practically all the rocky, pine-crowned islands which are the chief beauty of famed Lac La Croix. The Namakan river, a picturesque Canadian canoe stream, is to be dried up by a dam at its source, diverting the outflow of Lac La Croix down the boundary route.

Curtain and Rebecca Falls are to be wiped out. Crooked, Basswood and Sagana lakes are to be raised. Eventually Gunflint is to be impounded, raising the levels clear through to the divide between North and South lakes, where the Superior and Hudson's Bay drainage basins meet. In the northern sector of the Hunter's Island route lakes Kahnipianikok and Sturgeon were scheduled for "Damnation."
Western Magazine

Nor, as already noted, are any of these rises to be slight. Fifteen feet was about as small a head of water as interested the proponent of this colossal alteration of nature. All he proposes to leave of a scenic wonderland is a chain of stagnant inland seas, spreading over miles of submerged forest; rendered ghastly to view and dangerous to navigate by the bleached skeletons of drowned pines; separated by unsightly dams. He does not so much as hint at locks or portages to take the traveler past these concrete eyewalls, though he did list “improved navigation” among the benefits due from his exploitation.

Sportsmen and conservationists who checked over this proposal found that it sacrificed the immediate interests to give Mr. Backus a possible 3¼ per cent increase of the 20,000 horse power he now derives from his International Falls dam and some problematical power possibilities in Canada on the Winnipeg river. On the other hand, the extent of damage to private property by flowage is estimated at Five Million dollars on the American side of Rainy Lake alone. On the Canadian side of the same lake the Canadian National Railways estimate the damage to their road bed at close to one million dollars.

All these damages, and the many millions more over the remaining 75 per cent of the area affected, Mr. Backus proposes to be paid by United States and Dominion governments. This proposal is still “under consideration” by the International Joint Commission.

The idea of being robbed of their most valued playground for the benefit of a single private interest, and paying for such robbery, has not made any great hit with the recreational users of the boundary waters. As they come from every state of the Union, opposition is rapidly assuming nation-wide proportions.

To many, the recently widely published protests against the extension of the Weyerhaeuser logging roads into northern Cook County, has the appearance of a red herring dragged across the trail to divert attention from the more serious menace. Alger-Smith left the country they logged in such condition that it is coming back rapidly. The Weyerhausera propose to extend their Cloquet line line over part of the old Alger-Smith right of way and beyond to take out their timber. The timber around the lake shores ought not to be cut and undoubtedly arrangements can be made to save it, but it is not reasonable to expect that all timber can be left standing. A fruitless campaign in a visionary cause should not be permitted to obscure the more dangerous situation along the boundary waters.

Trail Songs of the Air

Above these mountain fields that know no sickle
Somewhere th esky’s blue waste shall bear my wing;
Sailing through silver mist and dawn-winds sickle
Forgotten trail-songs on new roads I’ll sing.

Songs that my grandsires chanted in the gloaming
Round campfires scalp-red in the gray smoke haze—
Chanted once more in sudden perilous homing
When startled woods heard Indian rifles blaze.

Chanteyes that rolled through ports of golden Mexico,
Rude flat-boat songs from Mississippi’s tide,
Rollicking buck-skinned ranger’s songs of long ago
Shall drift from unguessed heights as fast I ride.

Love songs of English hills, soft as the wind-swell
Of sweet Virginia Junes, I’ll croon again—
Stern hymns of that old knight who rode with Cromwell,
Tuned to the wild heart-beat of charging men.

Where creaking wheels of pioneers one moment tarry
My folk have brought the merry heart that sings;
Now in the drifting blue their songs I carry
On white free-spreading wings.

LUCY M. C. ROBINSON, Spokane.
(In The Lariat)
PRODUCTION AND DEVELOPMENT OF FOREST PRODUCTS, ETC.

MARCH 18, 1930.—Referred to the House Calendar and ordered to be printed

Mr. NOLAN, from the Committee on the Public Lands, submitted the following

REPORT

[To accompany H. R. 6981]

The Committee on the Public Lands, to whom was referred the bill (H. R. 6981) to promote the better protection and highest public use of the lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, the development and extension of recreational uses, the preservation of wild life, and other purposes not inconsistent therewith; and to protect more effectively the streams and lakes dedicated to public use under the terms and spirit of clause 2 of the Webster-Ashburton treaty of 1842 between Great Britain and the United States; and looking toward the joint development of indispensable international recreational and economic assets, having considered the same, report it favorably to the House with the recommendation that it do pass with the following amendments:

Pages 1, 2, 3, strike out all whereas clauses.

Page 3, line 12, strike out the period and insert the following: "and subject to such permits and licenses as may be granted or issued by the Department of Agriculture under laws or regulations generally applicable to national forests."

Page 3, line 16, after the word "any," insert the word "other".

Page 3, line 17, after the comma insert "which is now or eventually to be in general use for boat or canoe travel" and a comma.

Page 4, line 5, after the word "infested," insert the word "dying" and a comma.

Page 4, line 7, strike out the period and insert a comma and the following: "except where necessary to open areas for banking grounds, landings, and other uses connected with logging operations."

Page 4, line 20, after the colon insert "Provided, That nothing in this section shall be construed as interfering with the duties of the International Joint Commission created pursuant to the convention concerning the boundary waters between the United States and Canada, concluded between the United States and Great Britain on January 11, 1909, and action taken or to be taken in accordance with

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the provisions of the convention, protocol, and agreement between the United States and Canada which were signed at Washington on February 24, 1925, for the purpose of regulating the level of the Lake of the Woods.

Page 4, line 20, after the word "Provided," insert the word "further.",

Page 4, line 25, strike out the period and insert a comma and the following: "and maximum water levels not higher than the normal high-water mark may be maintained temporarily where essential strictly for logging purposes, in the streams between lakes by the construction and operation of small temporary dams: And provided further, Nothing herein shall be construed to prevent the Secretary of Agriculture from listing for homestead entry under the provisions of the act entitled, 'An act to provide for the entry of Agricultural lands within forest reserves', approved June 11, 1906 (16 U.S. Code, sec. 506; 34 Stat. 233) any of the above-described lands found by him to be chiefly valuable for agriculture and not needed for public purposes."

OBJECT

This bill designates an area in northern Minnesota along the Canadian border and within which is the Superior National Forest. It establishes a policy of conserving the natural resources of the designated area by providing that the remaining Federal lands within this area be withdrawn from entry and appropriation, and that the public lands and waters within this area may be used for the purpose to which they are best suited—namely, the preservation and reproduction of the forests, the preservation of its wonderful scenic beauties and conserving those natural resources for the benefit of the public; and that this policy may be effectively carried out, certain logging restrictions on shore lines of Government lands are prescribed. That the shore lines, rapids, waterfall, timber, and other natural features may be preserved, further alteration of natural water level by any Government agency is prohibited without express authority of Congress.

This area in Minnesota, combined with the Quetico Provincial Park in Ontario, comprises the greatest and most picturesque wilderness in the central part of the North American Continent. It is hoped that this region may ultimately become a great international recreational area to be used jointly by the people of these two countries, and thereby promote peace and better understanding. That this may be eventually accomplished is expressed in the two following resolutions:

RESOLUTION ADOPTED BY THE AMERICAN LEGION AT ITS NATIONAL CONVENTION, AT LOUISVILLE, KY., SEPTEMBER 20, OCTOBER 1, 2, AND 3, 1929

Whereas in northern Minnesota the Superior National Forest includes within its borders a unique network of interconnecting lakes; and

Whereas this wooded lakeland stretches far across the unguarded border line into the Province of Ontario, where the Quetico Provincial Park forms a counterpart to the Superior National Forest; and

Whereas there has been formulated for the preservation of this region a plan which has been endorsed by this country's highest authorities on forest and wild life and which has also received the approval of the Government departments in whose hands these matters lie; and

Whereas such plan contemplates, if possible joint action with the Dominion of Canada and the Province of Ontario to the end that as much as is feasible of
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the Rainy Lake watershed be set aside to be used first for the purposes of reforestation, and, secondly, to provide for our people and our people's children a vast area of rare beauty which, by international agreement, shall remain for all time undespiled; and

Whereas we believe that such a common enterprise would form a fitting tribute to the century of peace that has existed between ourselves and our great neighbor to the north: Now, therefore, be it

Resolved, That it is the sentiment of the American Legion that this great undertaking, being conceived in the spirit of international friendliness and good will, should accordingly be done in the name of peace and dedicated as a memorial to the service men of both countries who served as comrades in the Great War; be it further

Resolved, That the national commander shall appoint a committee of three to confer with the service organizations of the Province of Ontario and the Dominion of Canada and to report to the national executive committee at its midwinter meeting the sentiment of the service men of Canada on this proposal; be it further

Resolved, That the national headquarters inform the State Department at Washington of the Legion's indorsement of this program and of the active desire of the American Legion to assist in any way within its power to achieve for the United States and Canada on their international boundary this great peace memorial dedicated to the men who served in war.

RESOLUTION ADOPTED BY THE CANADIAN LEGION OF THE BRITISH EMPIRE SERVICE LEAGUE AT ITS NATIONAL CONVENTION AT REGINA, BEGINNING NOVEMBER 23, 1929

Whereas the American Legion of the State of Minnesota has indorsed a proposal for the establishment of an international park in the Rainy Lake watershed to include the Superior National Forest in the United States and the Quetico Provincial Park in the Province of Ontario, such park to be dedicated in the name of peace, as an international memorial to the common sacrifice of both countries in the Great War; and

Whereas we believe that such a project is feasible, would do much to promote the spirit of international friendliness and good will so essential to the preservation of international peace in the preservation of which we are so keenly interested: Now, therefore, be it

Resolved, That the Dominion Convention of the Canadian Legion of the British Empire Service League does hereby heartily approve the principle of the establishment of such a park for such purpose and that the Governments of Canada and of the Province of Ontario be advised of our approval of the project and urged to take such steps as may be necessary to secure its accomplishment, provided that such arrangement can be made without derogation of national rights or interests.

THE AREA AFFECTED

In northeastern Minnesota between Lake Superior and Canada there is a stretch of country covering several thousand square miles which for scenic beauty and recreational value is equaled by few and excelled by none. Within this area there are numerous lakes, connected in many instances by channels containing beautiful rapids and waterfalls. One finds virgin timber including in certain sections the stately Norway pines. Within its confines is the Superior National Forest. The beauties of the boundary waters surpass those in the interior. Adjoining this area in Canada is the Quetico Provincial Forest which contains millions of feet of virgin pine. It is similar pine to the territory to the south in its lakes, channels, rapids, and waterfalls.

The boundary waters consist of a chain of many lakes connected by natural channels. Among them in the territory affected and embodied in the so-called Rainy Lake watershed are North Lake, Gunflint Lake, Saganaaga, Northern Light, Sea Gull, Cypress, Knife, Carp, Birch, Basswood, Crooked, Iron, Lac La Croix, Loon, Little Vermil-
ion, Sand Point, Crane, Kabetogama, Namakan, and Rainy. Rainy Lake lies just east of International Falls, where power, paper, and pulp interests are located. The territory east, with the exception of a dam and water-power plant at Kettle Falls at the westerly end of Namakan Lake, is uninhabited and is not industrially developed. Generally speaking, no railroad enters this boundary area. The connecting channels abound in rapids and some very beautiful waterfalls, such as Curtain Falls and Rebecca Falls.

This country is almost a wilderness primeval. The committee visited Basswood Lake and also visited Lac La Croix and the lakes lying between Lac La Croix and International Falls, which is at the westerly end of Rainy Lake. Lac La Croix is a most beautiful body of water, extending about 35 miles from east to west, with a very irregular, ragged, and rocky shore line. Virgin timber abounds on both sides of the boundary and comes down almost to the water's edge. There are literally hundreds of islands, varying in size from a fraction of an acre to many acres. In most instances they are timbered with pine and some hardwood. These islands also have irregular, ragged, and rocky shore lines. It is one of the most beautiful bodies of water to be found anywhere in the world. Loon Lake is reached by a connecting waterway with Lac La Croix; it is some 8 or 10 miles long with many bays, arms and inlets with a most irregular shore line.

The railroad has not, as yet, invaded this area and even the motor highway touches but a fringe of it. Travel into the interior of this region must be wholly by canoe or small boats.

The Superior National Forest extends for something like 100 miles. Its boundaries are very irregular; here and there it touches the border and it, of course, surrounds or touches a goodly number of the interior lakes and streams.

The Qetico Forest Reserve is a wholly untouched wilderness covered with pine and dotted with lakes, channels, rapids, and waterfalls.

EASILY ACCESSIBLE

An examination of a map of the United States and Canada will show that while this area is a wilderness and far from a railroad, yet it is fairly easy of access to a good many millions of people. For example: It is possible to proceed from Chicago by train, and later by automobile or motor boat, and be almost in the heart of this wilderness within 24 hours. It is therefore, accessible in a short space of time to the people of a territory comprising a dozen or more States containing millions of people.

RECREATIONAL VALUE

Not only the boundary waters above referred to, but the hundreds of lakes and streams in the area between the boundary and Lake Superior, abound in fish. There is also wild game including moose. This is more true in the area immediately adjoining in Canada. Not only are the boundary waters connected by channels and streams, but this is also true of many of the interior waters on both sides of the boundary, with here and there a portage. Literally dozens upon dozens of canoe trips can be mapped out extending from 1 day to 40 or 50.
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OCCASION FOR LEGISLATION

It is not the purpose of this legislation to set this area aside as a park, but as has been heretofore set forth, the primary purpose of this legislation is to conserve the scenic beauty, including the timber and shore lines, and prevent any further alteration of existing water levels through the construction of dams or other artificial barriers.

There are paper, pulp, and power interests located at International Falls, Minn., and Fort Francis, Ontario. These towns lie opposite one from the other on the Rainy River, a boundary water. These power interests filed an application on August 15, 1920, with the minister of lands and forests in the provincial government of Ontario at Toronto for the right to construct a series of dams extending from Rainy Lake on the west to Saganaga Lake on the east. A copy of the petition is attached herewith in the appendix and is marked "Exhibit A." In general, it can be said that the plan proposed embodies a slight raise in the existing artificial levels of Rainy and Namakan Lakes and substantial raises on other lakes approximately as follows:

Little Vermilion—an 82-foot dam. The effect would be to raise the level of Little Vermilion, Loon Lake, and Lac La Croix into one great storage reservoir. The level of Lac La Croix would be raised from 12 to 17 feet. The effect upon the shore lines and the timber is obvious. There are numerous small timbered islands in Lac La Croix which would be submerged, or partially submerged, if this were permitted.

Lac La Croix—a dam is proposed there at the outlet which would divert waters from the natural outlet through Namakan River, thereby diverting the waters naturally flowing this way from Lac La Croix to Loon, Little Vermilion, and Sand Point Lakes into Namakan.

Iron Lake—an 8-foot raise is suggested. This would materially affect the beauties of Rebecca Falls.

Bottle Lake—a 15-foot raise is proposed.

Crooked Lake—a substantial raise is proposed by the construction of a dam at Curtain Falls. This would materially affect the beauties of this scenic waterfall.

Basswood Lake—a slight raise is proposed there not to exceed 5 feet.

Birch Lake—a 25-foot raise is proposed.

Knife Lake—a 35-foot raise is proposed, thereby substantially affecting the levels of both Knife and Cypress Lakes.

Saganaga—a substantial raise is proposed which would affect the natural levels of Saganaga, Northern Light Lakes, and possibly other waters.

The construction of a series of dams above proposed or anything approaching them would merge several beautiful bodies of water now connected by channels into a great artificial mill pond. Natural shore lines would be covered up, islands would be submerged, timber would be drowned out; desolation would replace where now exists marvelous scenic beauty.

Proposals to do this were submitted to the Ontario government in 1920. This was followed by a series of conferences growing out of the flooding of land on both sides of the boundary and relating to the waters of Lake of the Woods. This lake is many miles west of International Falls. In these conferences in which these power
interests were represented, suggestions were made, while settling the
question of the water levels on Lake of the Woods by treaty, an
arrangement be entered into looking toward an agreement between
the two Governments covering the installation, or authorization for
the installation, of these storage reservoirs and dams in the lakes and
waters above described.

As a result, when the Lake of the Woods treaty was negotiated, it
contained a reference to the International Joint Commission relating
to these waters and which reference was as follows:

Question 1: In order to secure the most advantageous use of the waters
of Rainy Lake and of the boundary waters flowing into and from Rainy Lake, for
domestic and sanitary purposes, for fishing purposes, and for power, irrigation,
and reclamation purposes; and in order to secure the most advantageous use of
the shores and harbors of both Rainy Lake and the boundary waters flowing into
and from the lake, is it, from an economic standpoint, now practicable and
desirable, having regard for all or any of the interests affected thereby, or under
what conditions will it become thus practicable and desirable—
(a) To regulate the level of Rainy Lake in such a manner as to permit the upper
limit of the ordinary range of the levels to exceed elevation 1108.61 sea-level
datum?
(b) To regulate the level of Namakan Lake and the waters controlled by the
dams at Kettle Falls in such a manner as to permit the upper limit of the ordinaty
range of the levels to exceed elevation 1.120.11 sea-level datum?
(c) To provide storage facilities upon any or all of the boundary waters above
Namakan Lake?

Question 2: If it be found practicable and desirable thus (1) to regulate the
level of Rainy Lake and/or (2) to regulate the level of Namakan Lake and the
waters controlled by the dams at Kettle Falls, and/or (3) to provide storage
facilities upon all or any of the boundary waters above Namakan Lake—
(a) What elevations are recommended?
(b) To what extent will it be necessary to acquire lands and to construct works
in order to provide for such elevations and/or storage, and what will be their
respective costs?
(c) What interests on each side of the boundary would be benefited? What
would be the nature and extent of such benefit in each case? How should the
cost be apportioned among the various interests so benefited?

Question 3: What methods of control and operation would be feasible and
advisable in order to regulate the volume, use, and outflow of such waters in each
case in accordance with such recommendations as may be made in answer to
questions 1 and 2?

Question 4: What interests on each side of the boundary are benefited by the
present storage on Rainy Lake and on the waters controlled by the dams at
Kettle Falls? What are the nature and extent of such benefits in each case? What
is the cost of such storage and how should such cost be apportioned among
the various interests so benefited?

When ratified, the treaty contained the above reference to the Inter-
national Joint Commission.

The International Joint Commission was created by a convention
between the United States and Great Britain pertaining to the
boundary waters between the United States and Canada. It was
signed at Washington January 11, 1909. The commission was given
jurisdiction over these international waters under certain circum-
stances and conditions, including the obstruction or diversion of
these waters.

The International Joint Commission, pursuant to the reference,
submitted a questionnaire in May, 1925, to interested parties. In
answer to this questionnaire the same power, paper, and pulp, interest
answered on September 27, that year; their answer is marked
"Exhibit B" and is made a part hereof and will appear in the appen-
dix of this report. Generally speaking, it is an elaboration of the
proposals originally submitted by these interests to the Ontario government in 1920.

On September 28 these same interests submitted to the International Joint Commission, other or similar proposals covering the same area and the same waters. This proposal is marked "Exhibit C" and will be found in the appendix. Generally speaking, it is supplementary to, and an elaboration of, the original proposals to the Ontario government. In this proposal marked "Exhibit C," the petitioners requested the Governments of the United States and Canada to stand one-half of the expense of the building of these dams and the construction of these reservoirs and the remaining one-half to be paid by the petitioners.

Further examination discloses that the petitioner frankly admitted, the flooding of about 25,000 acres in the United States and 14,000 or 15,000 acres in Canada. No estimates of flooding were submitted as to some of the lakes the levels of which were to be raised for the forming of storage reservoirs. This was true of Little Vermillion, where an 82-foot dam is proposed.

At public hearings conducted by the International Joint Commission at International Falls in September, 1925, the petitioner appeared in general support of his proposals, above referred to. Substantial protest against the carrying out of his proposal was made at this meeting.

At the session of Congress following a substantial appropriation was made to enable Army engineers on this side of the line to cooperate with Canadian engineers in order that the International Joint Commission might be fully informed as to all of the facts, and thereby be better able to submit its conclusions and recommendations growing out of the reference.

The engineers on both sides of the line have completed their field investigations and have submitted their preliminary report. This has been printed and is now available. It is expected that the International Joint Commission will consider this preliminary report in the near future and that further hearings will be held by that body during this summer.

With the above situation in mind, H. R. 12750 was introduced by Representative Newton in the Seventy-first Congress and H. R. 6981 by Representative Nolan in the Seventy-first Congress. Following the introduction of the bill by Mr. Newton hearings were held before the committee extending over a period of several days. During the summer of 1925 a substantial number of members of this committee spent about one week in the westerly portion of the area affected. The introduction of the bill by Mr. Nolan was followed by hearings before the committee. Again a period of several days was taken in hearing testimony on this subject.

The committee is of the opinion that the shore lines, rapids, waterfalls, beaches, and other natural features of this region should be preserved in an unmodified state of nature, and that there should be no further alteration of the natural water levels of any lakes, channels, or streams abutted by Federal lands within, or bordering upon, the designated area unless specifically authorized by Congress. The committee does not feel that the private need and demand for the somewhat meager power resources of this region are at all commen-
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sate with the public need, demand, and value for recreational purposes requiring that these waterways be left in an unmodified natural state.

EFFECT OF LEGISLATION

(1) Public lands of the United States within the area described are withdrawn from entry under the public land laws, but subject to prior existing legal rights under those laws.

(2) Sets forth legislative policy and establishes principle of conserving natural beauty of shore lines or recreational use of Federal lands bordering upon waters within the area.

(3) To carry out the policy and principle certain logging restrictions upon Federal lands are prescribed.

(4) To further carry out the principle and policy no official or commission of the United States is to have authority to grant by permit, license, or otherwise, any further alteration of the natural water level of any of these waters until specific authority therefor shall have first been obtained by special acts from Congress.

This legislation is supported by innumerable organizations not only in Minnesota but throughout the Nation. The State of Minnesota has officially endorsed as it is indicated by the memorial adopted by the 1929 session of the Minnesota Legislature:

STATE OF MINNESOTA

A CONCURRENT RESOLUTION—S. P. NO. 165, INTRODUCED BY MESSRS. MACLEAN, LILTOREN, ANDERSON, AND SWENSON—MEMORIALIZING CONGRESS TO PASS THE (S. 3913) SHIPSTREAD-NEWTON (H. R. 12780) BILL

Whereas there has been introduced, and is now pending before the Congress of the United States, introduced in the Senate by Senator Henrik Shipstead, as Senate bill 3913, and introduced in the House by Congressman Walter H. Newton, as House bill 12780, that certain bill now commonly known as the Shipstead-Newton bill which prohibits any and all further alteration of the natural water level of any lake or stream within or bordering upon the area now known as the Superior National Forest, and all other public lands of the United States situated north of township 60 north in the counties of Cook, Lake, and St. Louis, in the State of Minnesota, including the natural shore lines of Lake Superior and of the lakes and streams forming the international boundary so far as they lie within this area, which will result in flooding lands of the United States therein, without the consent of Congress, and places restrictions upon logging and upon all forms of entry or appropriation under the public land laws of the United States in such area; and

Whereas this region, a part of the 14,500 square miles covered by the Rainy Lake watershed, lying in Ontario and Minnesota, and the immediately adjacent lands and waters, constitutes the only remaining vast wilderness area in the central part of North America; and

Whereas this region contains the only remaining extensive, coniferous forests in the Middle West with unusual potentialities for the development of a future continuous supply of forest products; and

Whereas this area is blessed with precious international historic values, rare scenic qualities, and unique recreational facilities within easy reach of 100,000,000 residents of both Canada and the United States; and

Whereas this area affords an unusual opportunity to preserve, perpetuate, restock, and increase various species of wild life of invaluables economic and aesthetic importance to both nations; and

Whereas this region is now a great and beautiful pleasure grounds for lovers of nature and wild life, visited annually by ever increasing thousands of recreationists; and

Whereas the unrestricted development of this region may destroy or substantially injure the said forests, lakes, and streams for recreational purposes,
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and may hinder the enactment of proper regulatory legislation for the development of this region consistent with the general purposes of such recreational area. Now, therefore, be it

Resolved, By the Senate of the State of Minnesota, the House of Representatives concurring, that the Congress of the United States be memorialized that it is the sense of the members of the Legislature of the State of Minnesota, that such bill should be enacted into law, and such action be taken before the adjournment of Congress now sitting: Be it further

Resolved, That the secretary of the senate forthwith transmit a copy of this resolution to the President of the United States, to the Secretary of the Interior, to the Secretary of Agriculture, to the United States Senate, to the House of Representatives, to the Senate Committee on Agriculture and Forestry, to the House Committee on Public Lands, and to each Senator and Representative in Congress from the State of Minnesota.

Passed the Senate the 21st day of February, 1929.

Passed the House of Representatives the 28th day of February, 1929.

Passed the Senate the 21st day of February, 1929.

John A. Johnson,
Speaker of the House.

John S. Levin,
Chief Clerk, House of Representatives.

Approved March 8, 1929.

Theodore Christianson,
Governor of the State of Minnesota.

Filed March 9, 1929.

Wm. W. Holm,
Secretary of State.

This memorial was adopted by a vote of 59 to 6 in the senate and 119 to 5 in the house.

A copy of a telegram from the Governor of Minnesota appears below and indicates the sentiment of the State of Minnesota:

Hon. W. I. Nolan,
House of Representatives, Washington, D. C.

Minnesota sentiment overwhelmingly favors prompt passage of Shipstead-Nolan bill to prevent exploitation of border waters by private interests. There is no present need for the sacrifice of these scenic and recreational values. If the time comes when it becomes necessary to sacrifice them in the interest of industrial development the use of these waters should be reserved to the people. There is no justification for permitting their exploitation by private interests.

Theodore Christianson, Governor of Minnesota.

REPORT OF THE DEPARTMENTS

The Department of State, Department of the Interior, and Department of Agriculture report either that they have no objections to the enactment of the legislation or that they approve of the same. Their letters so doing are as follows:

Hon. Don B. Colton,
Chairman Committee on the Public Lands,
House of Representatives.

March 18, 1930.

Sir: I refer again to your letter of January 30, 1930, concerning proposed legislation in regard to the boundary waters between the United States and Canada, especially those lying along the northern border of Minnesota. I have received inquiries concerning H. R. 6991, introduced by Mr. Nolan at the present session of Congress, and I believe that, on account of our treaties
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with Canada, it would be advisable to add a proviso in section 3 of the bill, page 4, line 20, after the word "project," reading as follows: "Provided, That nothing in this section shall be construed as interfering with the duties of the International Joint Commission created pursuant to the convention concerning the boundary waters between the United States and Canada, concluded between the United States and Great Britain on January 11, 1909, and action taken or to be taken in accordance with the provisions of the convention, protocol, and agreement between the United States and Canada which were signed at Washington on February 24, 1926, for the purpose of regulating the level of the Lake of the Woods."

Very truly yours,

J. P. COTTON,
Acting Secretary of State.

In the report submitted by the Secretary of the Interior it is suggested that the legislation await the report of the Public Land Commission. The Secretary, however, recalled this suggestion and indorses the bill. The letter recalling his first suggestion follows the report:

DEPARTMENT OF THE INTERIOR,
Washington, February 15, 1930.

Hon. DON B. COlTON,
Chairman Committee on the Public Lands,
House of Representatives.

MY DEAR MR. CHAIRMAN: In response to your request of January 21, for an opinion as to the merits of H. R. 6081, there is transmitted a memorandum submitted by the Commissioner of the General Land Office.

I think the general purposes behind this legislation are to preserve an area in northern Minnesota and southern Canada for recreational and other public purposes.

I am quite in sympathy with this general line of endeavor but feel that we should not at the present time handle piecemeal the problems of the public domain when there is such a good prospect that the whole question can be dealt with constructively by the Commission on Public Lands.

Very truly yours,

RAY LYMAN WILBUR.

MEMORANDUM FOR THE SECRETARY

I have by departmental reference request of the chairman of the Committee on the Public Lands for report on H. R. 6081.

The purpose of the bill as set forth in its title is to promote the better protection as far as possible of the public lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, and for other purposes.

It proposes to reserve from all forms of entry or appropriation under the public land laws, subject to existing rights thereunder legally maintained, the public lands of the United States in Cook, Lake, and St. Louis Counties, lying between township 60 north and the Canadian boundary.

The greater portion of the area is within the boundaries of the Superior National Forest, which contains most of the Federal lands involved. The Secretary of Agriculture is therefore primarily interested in the proposed legislation in so far as it would affect the administration of the national forest.

The records of this office show that there are, however, within the area approximately 36,000 acres of unreserved public lands in scattered tracts which would be permanently withdrawn from all forms of entry or appropriation under the terms of the bill. These scattered tracts were temporarily withdrawn by Executive order of May 26, 1923, in aid of the similar legislation then proposed, upon request of members of the Minnesota delegation in Congress, and remain so withdrawn.

There is now pending before the Congress a bill (H. R. 6153) authorising the appointment of a commission to study and report upon the conservation and administration of the public domain, which passed the House January 24 with an amendment requiring submission of the report to Congress not later than the first Monday in December of this year.
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It would therefore seem consistent with the policy so indicated that consideration of this and other conservation measures which would affect public lands not within any existing reservation should be deferred until the proposed commission has had opportunity to report to Congress.

I therefore recommend that H. R. 6981 be not enacted unless it be amended to exclude from its operation the unreserved public lands involved. If it is deemed desirable to enact the legislation with respect to the reserved lands, I would suggest that the bill be amended by inserting the words "within that portion of the Superior National Forest" before "situated," in line 3 of page 3.

The area contains portions of Rainy Lake and of a number of other boundary lakes and streams. Section 3 of the bill would prohibit any further alteration of the natural water level of any lake or stream within or bordering upon the area designated which would result in flooding lands of the United States within or immediately adjacent to the Superior National Forest without a special act of Congress so authorizing. It is noted from Report No. 2814 of the Committee on the Public Lands on the similar bill (H. R. 12780) of the Seventieth Congress, that the State Department in its report on that measure suggested an amendment which would prevent limitation of the authority conferred upon the International Boundary Commission created pursuant to the convention relating to boundary waters between the United States and Canada concluded January 11, 1909.

It is therefore recommended that the bill be referred to the Departments of State and Agriculture for report as to matters under the jurisdiction of such departments.

C. C. Moore, Commissioner.

DEPARTMENT OF THE INTERIOR,
Washington, March 1, 1930.

Hon. Don B. Colton,
Chairman Committee on the Public Lands,
House of Representatives.

My Dear Mr. Chairman: With further reference to your request of January 21 for a report on H. R. 6981, to promote the better protection and highest public use of certain Minnesota lands, I have to advise that the report of this office made to you on February 13 was pursuant to an understanding between the Departments of Interior and Agriculture to defer action on the disposition of all public-land areas until after the study of the Commission on the Conservation and Administration of the Public Domain has been completed.

As indicated in my report, however, I am in sympathy with the general purpose behind this legislation, and since it now appears that the scattered tracts of unreserved public land within this area were temporarily withdrawn by Executive order of May 26, 1928, in aid of legislation such as that now proposed, I wish to withdraw my recommendation that enactment of the bill be deferred until action by the Commission on the Conservation and Administration of the Public Domain has been taken.

Therefore, so far as the public lands are concerned, I recommend that the bill receive favorable consideration by Congress.

Very truly yours,

Ray Lyman Wilbur, Secretary.

February 17, 1930.

Hon. Don B. Colton,
Chairman Committee on the Public Lands,
House of Representatives.

Dear Mr. Colton: Receipt is acknowledged of your letter of January 21, requesting a report from this department upon the bill (H. R. 6981) to promote the better protection and highest public use of the lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, the development and extension of recreational uses, the preservation of wild life, and other purposes not inconsistent therewith; and to protect more effectively the streams and lakes dedicated to public use under the terms and spirit of clause 2 of the Webster-Ashburton treaty of 1842 between Great Britain and the United States; and looking toward the joint development of indispensable international recreational and economic assets.
This department, in reporting on earlier bills of similar nature and in other communications, has consistently approved the principle embodied in the bill H. R. 6981. It regards the area involved as one of great potential social value within which there should be a deliberate and systematic conservation of the scenic and wild life values and of the opportunities for unique and desirable forms of outdoor recreation.

On the other hand, the area also possesses large economic or industrial possibilities; the potential capacity to produce large quantities of timber and thus to contribute to the support of local industries, communities and institutions. This aspect of its social value should not be disregarded.

In the opinion of the department neither broad field of use should be excluded or dominated by the other, but both should be so coordinated and correlated as to produce the largest net return in social and industrial service. All facts available to the department warrant the belief that this can be done, and such is the objective of the department in its administration of the Superior National Forest. It, therefore, seems desirable that such legislation as may be enacted by Congress shall not be so rigid nor inflexible as to militate against the best and highest use and management of the area, consequently I wish to suggest certain minor changes for the consideration of your committee.

So far as this department is aware, section 1 of the bill is satisfactory and no change is suggested.

Section 2, in substance, prescribed certain rules to control the cutting of timber under the direction of this department. As now worded, it applies without restriction or qualification to any waterway within the region described. In actual fact, the region is a regular network of waterways which are so widely and intricately distributed that they influence the major part of the Superior National Forest. Some of these waterways are used rarely if at all by tourists, campers, etc., and the application to the timber adjoining them of the same rules that are justified in relation to the international boundary waters or other major boat or canoe routes would be difficult of justification. An amendment covering this point will hereafter be suggested.

Section 2 authorizes the cutting of diseased, insect-infested, or dead timber within 200 feet of natural shore line but makes no provision for overmature timber which obviously will be dead before the area again becomes subject to a cutting operation. It is the belief of this department that a judicious removal of the obviously overmature and decadent trees not only will avert an economic loss but actually will result in the improved appearance of shore lines and therefore might well be authorized by the bill.

Again, section 2 makes no provision for openings along streams or lakes in connection with logging operations. The removal of timber by water really would be an advantage in conserving natural beauty, since it would obviate the need for the construction of railroads, tramroads, etc. But as the bill is now worded, the necessary openings to permit of removal by water would be prohibited.

The preceding comment applies also to section 3. During low-water periods the connecting streams which link one lake with another and thus create the water routes are frequently too low to permit the free movement of logs or other timber, and to meet this condition it is necessary to build small dams by which a water level sufficient to permit the movement of logs can be maintained in such connecting streams. The bill does not authorize but to the contrary would prohibit that practice. There is no probability that a modification such as suggested herein would be abused or carried to an extreme, defeating the purpose of the bill.

In view of the several comments above made the following amendments are recommended:

Page 3, line 16, after the word "any" insert the word "other."
Page 3, line 17, after the word "area" insert "which is now or eventually to be in general use for boat or canoe travel."
Page 4, line 5, after the word "infested," insert the word "dying."
Page 4, line 7, change the period to a comma and add "except where necessary to open areas for banking grounds, landings, and other uses connected with logging operations."
Page 4, line 25, change the period to a comma and add "and maximum water levels not higher than the normal high-water mark may be maintained temporarily where essential strictly for logging purposes, in the streams between lakes by the construction and operation of small temporary dams."

It is the belief of the field officers of the Forest Service that the amendments suggested herein will not militate against the purpose or effectiveness of the
PRODUCTION AND DEVELOPMENT OF FOREST PRODUCTS, ETC. 13

... pending bill, but will really facilitate both its local acceptance and the execution of its provisions, in that they will more adequately permit of the desirable coordination of the recreational and industrial potentialities of the Superior National Forest and the highest realization of the public value of that area. Unnecessary restrictions upon the industrial utilization of the material resources of the forest, and of the intermingled privately owned lands, undoubtedly will inspire persistent efforts for their modification and consequent instability of administration, whereas a reasonable adjustment between the two major forms of service will permit this department to plan its administration of the forest with assurance and effectiveness.

Subject to the amendments herein proposed, the bill has the full approval of this department, and its favorable consideration by your committee is recommended.

Sincerely yours,

R. W. Dunlap, Acting Secretary.

EXHIBIT A

MINISTER OF LANDS AND FORESTS,
Surveys Department, Parliament Building, Toronto, Ontario.

DEAR SIR: This application is for the right to construct dams at the outlets of the several lakes along the international waters above Rainy Lake for the control of the waters flowing into Namakan Lake as well as in cases where power is available, the right to develop such power and erect power plants:...

(1) The right to construct and control a permanent masonry dam at the permanent dam at the outlet of Knife Lake, crest of said dam to be not higher than elevation 1,420 above mean sea level. Right to overflow lands on Basswood Lake as will be affected by said dam and also any falls or rapids on streams entering Basswood Lake as will be affected as said dam. Present elevation of Basswood Lake, 1,300.

(2) Right to construct and control permanent dam at the outlet of Birch Lake, crest of said dam not to be higher than elevation 1,420 above mean sea level and to overflow such lands in Canada as will be affected by said dam, including floeage on Carp Lake. Present elevation Birch Lake, 1,357. Present elevation Carp Lake, 1,357.

(3) Right to construct and control permanent dam at the outlet of Knife Lake. Crest of said dam not to be higher than elevation 1,420. Right to flow...
such lands in Canada as will be affected on the north shores of Knife and Cypress Lakes by said dam. Present elevation Knife and Cypress Lakes, 1,385. 

10. The right to construct and control a permanent dam for storage and power purposes at the outlet of Sturgeon Lake and to control the flow of Maligne River at this point. Crest of said dam not to be above elevation 1,250 above sea level. Right to flow lands on shores of Sturgeon Lake and to flow out any falls on streams entering Sturgeon Lake that may be affected by dam at said elevation. Present elevation of Sturgeon Lake, 1,229.

11. Right to construct and control a permanent dam for storage purposes at the outlet of Kwynipi Lake. Crest of said dam to be not over 30 feet above present normal water elevation, the normal water elevation being the elevation taken at a time when Lake at: high-water elevation; nominal heightirig about 700 on elevation; of lake and to utilize primarily for equilizing the outflow from the Lake of the Woods, it will materialy increase in level and storage of 6 to 12 inches, at nominal expense and without damage.

The holding of the lake levels on the boundary waters above Namakan Lake at high-water mark or 5 feet above such elevation, in all cases will not accomplish sufficient storage to be of value in the regulation desired. Specific figures giving suggested elevations are covered under question 4.

Respectfully submitted.

FORT FRANCES PULP & PAPER CO. (LTD.),
E. W. BACKUS, President.

EXHIBIT B

September 27, 1925.

Mr. WILLIAM H. SMITH,
Secretary International Joint Commission,
Washington, D. C.

DEAR SIR: As requested in your questionnaire of May 19, 1925, we are pleased to submit herein information under the various headings as listed.

1. A general statement as to the manner in which our interests would be affected by an increase of maximum level on Rainy Lake, Namakan Lake, and the boundary waters above, must be considered in conjunction with the storage on the watershed as a whole, as whatever storage and regulation are accomplished on the upper waters will materially benefit conditions on Rainy and Namakan Lakes, which have, of necessity, been heretofore used as the sole regulating media for the entire boundary waters. Their inadequacy for this purpose has been amply demonstrated, by the fluctuation in levels that has been experienced, and by the wide variation and uncertainty in water supply for public and private purposes that have prevailed.

(c) On Rainy Lake, for each foot increase in elevation above 1,108.61 (497 d. p. w.) a storage of about 8,000,000,000 cubic feet is obtained, and an increase from 1,108.61 to 1,119.81 gives a storage of 38,400,000,000 cubic feet, equivalent to a constant of 1,430 cubic foot-seconds for 310 days. As to the effect of the proposed elevation, we refer the commission to its own final report, page 36, wherein it is estimated that if all the proposed storage is utilized primarily for equalizing the outflow from the Lake of the Woods, it will increase the power available at International Falls and Fort Frances by only about 700 horsepower. Whereas if it is utilized primarily for increasing the available water power on the Rainy River, including the Long Sault Rapids development, there will be an increase of about 2,500 horsepower.

(b) The present structures at the outlets of Namakan Lake limit the elevation to 1,120.11 (508.5 d. p. w.). The dams themselves are constructed to a height of 1,121.78 (610.15) but are not equipped to hold water above the elevation first stated. We believe that the cost of the necessary alterations to the dams permitting materially higher elevation and the acquisition of the property necessary for flowage rights would not be justified by the benefits derived. However, it may be possible to secure an increase in level and storage of 6 to 12 inches, at nominal expense and without damage.

(c) The holding of the lake levels on the boundary waters above Namakan Lake at high-water mark or 5 feet above such elevation, in all cases will not accomplish sufficient storage to be of value in the regulation desired. Specific figures giving suggested elevations are covered under question 4.
2. Works or measures necessary for each of the above:
   (a) In order to permit Rainy Lake being raised to the elevation noted in
   1 (b), flashboards could be provided on the International Falls (Fort Frances)
   Dam, and some extensions made to the spillway gates.
   (b) In view of the fact that we recommend no changes in the high-water level
   on Namakan Lake, no improvement or other measures are suggested, except a
   possible slight addition to the gates.
   (c) On the boundary waters above Namakan Lake, the following works and
   measures are suggested: Lac La Croix, 2 storage dams; Crooked Lake, 1 storage
   dam; Basswood Lake, 2 storage dams; Sagamago Lake, 2 storage dams.
   No plans have been prepared of these structures, but sufficient field investigations
   have been made to convince us of the practicability and great desirability
   of this recommendation.
   3. The estimated cost of these works is as follows:
   (a) On Rainy Lake the present structures can be extended at nominal cost.
   (b) On Namakan Lake our recommendations contemplate no change in the
   present works which would entail more than nominal expense.
   (c) On the boundary waters above the Namakan chain of lakes our estimates
   are as follows:
   Lac La Croix, 2 storage dams and flowage casements $198,175
   Crooked Lake, 1 storage dam and flowage casements 89,760
   Lac La Croix, 1 storage dam (no flowage casements required) 62,600
   Sagamago Lake, 2 storage dams and flowage casements 97,700
   4. To secure the most advantageous use of the boundary waters affected by
   this reference, we suggest that the low-water stages be fixed by the commission
   in all instances and the limiting elevations of upper storage ranges be as follows:
   
<table>
<thead>
<tr>
<th>High water</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rainy Lake 1,111.61</td>
</tr>
<tr>
<td>Namakan Lake 1,120.11-1,121.11</td>
</tr>
<tr>
<td>(508.5-509.5)</td>
</tr>
<tr>
<td>Lac La Croix 1,200</td>
</tr>
<tr>
<td>Crooked Lake 1,200</td>
</tr>
<tr>
<td>Basswood Lake 1,305</td>
</tr>
<tr>
<td>Sagamago Lake 1,447</td>
</tr>
</tbody>
</table>
   5. The storage on these lakes should be regulated collectively, and by the
   commission.
   6. The above storage reservoirs should, we suggest, be administered collectively
   under the jurisdiction of the International Joint Commission.
   7 and 8. We consider that practically all interests, public and private, on each
   side of the boundary will be benefited by all of the above, including most specifically,
   navigation, power, lumber, paper and pulp, fishing, general manufacturing,
   summer recreation, agriculture, labor, railroad, property, mercantile, and municipal
   and public.
   1. Navigation would be improved in safety, extent, and utility.
   2. Power would be increased in quantity and become continuously dependable
   at lower operating cost per unit, not only at the outlet of Rainy Lake, but at all
   potential and developed power sites below.
   3. Lumber and logging would be better served by uniform lake elevation for
   dependable driving and towing and for operating.
   4. Paper and pulp manufacture would be materially benefited through the
   increase and dependability of hydraulic hydroelectric power, by the increased
   availability of process and boiler water, and by the increased possibilities of
   water transportation of pulpwood.
   5. Fishing should be substantially benefited by controlled levels and larger
   areas of dependable pure water, giving better breeding and growth conditions
   and more ready accessibility to the boundary waters.
   6. General manufacturing would receive new impetus and increased scope
   through greater and more dependable primary power, better manufacturing
   conditions, and improved local stability.
   7. Recreation and outing facilities would benefit by less fluctuation in lake
   and river levels, by improved canoeing and boating conditions, larger and more
   uniform water areas, and by greater ease of access to the upper boundary waters.
   Such fluctuations as would occur on these lakes would be extended over a period
of several years rather than recurring violently from season to season as is now the case.

8. Labor employment throughout would be materially stimulated, additional workers attracted, and more stable employment conditions prevail.

9. General property values would be greatly stabilized and increased through added industrial activity, development, and population.

10. Local agricultural interests should profit through increased local markets for agricultural products, greater accessibility, increased reality values, and assurance of progressive development in the surrounding community.

11. Railroads would enjoy increased tonnage of inbound and outbound freight, more stable volume of local industry and commerce, as well as greater passenger traffic.

12. Local mercantile enterprises could well expect an increased and more-uniform volume of business from the greater number of wage earners steadily employed at good wages, and from an increasing number of tourists, vacationists, and transients.

13. General municipal and public interests will benefit most of all, through increased electric power for public, domestic, and manufacturing purposes; through larger and purer sources of water supply; through increased accessibility of the upper boundary waters, greatly extending the sphere of local business and activity; through increased population, property values, and taxable wealth, making possible more and more the advantages, comforts, and attractions of modern civilization; and through higher municipal credit and a sounder basis for stability and prosperity.

The existing industrial, mercantile, railroad, and civic developments at International Falls and Fort Frances are largely the result of three factors: First, the existing waterpower; second, the supply and availability of raw material; and third, the capital and enterprise through which these natural resources have been converted to public and private advantage. The raw material is still available, together with the capital, development, organized enterprise, and population for permanent progress and expansion, but the uncertainty and inadequacy of waterpower have already made themselves keenly evident, and will arrest further progress on both sides of the boundary unless early remedial action is taken.

9. We consider the capital and manual costs of this additional storage and regulation should be apportioned among the various interests benefited; a part to the power interests obtaining the advantage of the storage and regulation, and a part to the two Governments to cover navigation and other interests by which the public in general is benefited; the administration, allocation, levy, and assessment of these costs to be made by the International Joint Commission.

10. Our proportionate share of the costs should be allocated by the commission on the basis of the relative benefits to us as a power user.

11. We do believe that local power developments at some of the sites of the storage dams would be consistent with the use of these dams for storage and regulation. The dams themselves would be considered as primarily only for storage and regulation, and any interests developing power at each site should not only defray the full cost of their power developments, but should also pay their proportional share of the costs of the additional storage and regulation benefiting such power developments.

RAINY LAKE

(A) The upper and lower levels of the present storage range are, respectively, 497, which is the ordinary high-water level in the state of nature, and 480, which is approximately the ordinary low-water mark in the state of nature (1,108.61-1,108.63). There is Federal legislation and approval of the War Department authorizing the present structure on the United States side and a Crown grant and permit authorizing the structure on the Canadian side.

12. The interests receiving direct benefit from the present storage are the power interests at International Falls and Fort Frances, at the outlets of Lake of the Woods, and on the Winnipeg River below. Also, the navigation on Rainy Lake, Rainy River, Lake of the Woods, and Winnipeg River, the communities of the country adjacent to these waters on both sides of the boundary and the transportation agencies serving them.

(B) The benefits to the power interests are those which inevitably accrue from the availability and utilization of the regulated storage made possible by this development. To date, these have not been realized to the full extent by the enterprises at the outlet of Rainy Lake, due to the fact that the level of Rainy
Lake has perforce established the usable head for this power, and the fluctuations in level caused by regulation have widely varied the power output of their installations. The full storage capacity has been available to power users on the lower waters. The benefits to navigation, to the communities and adjacent territory, and to the railroads, have also been substantial, but are difficult to reduce to a tangible estimate or apportionment. 

(F) We suggest that the power interests should bear one-half and the two Governments one-half, to be in turn divided equitably between them.

(G) On the same basis as capital cost.

Namakan lake.

(A) The upper and lower levels of the present storage ranges are normally 508.5 and 497.6, respectively (1,120.11, 1,109.11). During years of drought the lower elevation has been below normal, our records showing an extreme low of 494.57. The present structures were authorized by the War Department on the American side and by the Crown on the Canadian side.

(D) The cost of operating and maintenance has been comparatively small, but having been entered in our general operating cost, we have not had opportunity to segregate it.

(G) On the same basis as Rainy Lake.

(F) On the same basis as Namakan Lake.

(G) On the same basis as Namakan Lake.

E. W. BACKUS.

Exhibit C

International Joint Commission, International Falls, Minn.

Gentlemen: For the past several years our engineers have been engaged in making extensive exploration, investigation, and survey of the various lakes and rivers on the watershed tributary to Rainy River on both sides of the international boundary, in gathering statistics relating to the run-off from these waters, and in reviewing and studying the whole subject of providing additional storage on the upper Lake of the Woods watershed, including the cost thereof and the effects which it will produce in controlling the levels of Rainy Lake and Lake of the Woods and the flow therefrom.

The data and information accruing from these investigations have served emphatically to second the conclusions of your commission in its report of June 12, 1917, as to the desirability of storage reservoirs on the boundary waters in question for the benefit of all interests involved. The same recommendation, as with the power resources of the Winnipeg River in Manitoba, had been independently made by J. T. Johnston, B. A. Sc., chief hydraulic engineer, Dominion water power branch, Department of the Interior of the Dominion of Canada, in his report of July 16, 1915, on the Winnipeg River power and storage investigations. These two reports are matters of public record and clearly present the conclusions drawn from the exhaustive investigations conducted.

The necessity for additional storage on the boundary waters for the benefit of all interests, private and public, is so fully recognized that but little reference thereto is demanded. Conditions naturally existing have been substantially improved by the present storage on Rainy Lake and the Namakan chain of lakes, which has of necessity been heretofore used as the sole regulating medium for the waters above along the entire boundary. Its inadequacy for this purpose and the necessity for supplementing it has been clearly demonstrated by the fluctuation in levels that has been experienced and by the wide variation and uncertainty in water supply for public and private purposes that have prevailed.

The existing industrial developments and communities at International Falls and Rainy River are largely upon the extent of the water power there available. The full possibilities of this power have not been available, due to
the extreme variations in level and flow above referred to. The industries there have already expanded far beyond the realized power output, and further development and expansion will be practically impossible unless these interests secure the proper cooperation in taking advantage of the excellent natural conditions which exist for rendering this power uniformly dependable through proper storage and regulation. This storage is economically attainable, and early action is recommended first, to secure the benefits as promptly as possible, and, second, to develop the storage reservoirs at a lower cost than will be possible if development be too long delayed.

AVAILABLE STORAGE CAPACITY AND ITS COST

RAINY LAKE

The volume of storage on Rainy Lake, between elevations 403.5 and 497.5, is 39,000,000,000 cubic feet. The amount of storage capacity added if the lake is raised to elevation 500 will be 24,000,000,000 cubic feet. The area overflowed between the old shore line and a new shore line at elevation 501 is estimated to be approximately 1,444 acres in Canada and 8,513 acres in the United States, largely swamp and low land of little value.

On September 29, 1922, Mr. A. F. Meyer, formerly one of the consulting engineers of your commission, prepared at the request of the Canadian engineers an estimate of the cost to compensate for the damage that would be caused by raising Rainy Lake from elevation 497 to 499.5, with additional flowage rights of 1½ feet. His estimate amounted to $287,000. In it was included $78,000 for the protection and improvement of the Canadian National Railway, and the amount allowed by him for the cost of obtaining the flowage rights was extremely liberal. On the other hand, he included the sum of $20,000 to cover the cost of providing the necessary water-front protection at Fort Frances, which we estimate will cost $42,000.

NAMAKAN LAKE

Up to elevation 508.5 the Namakan chain of lakes has a storage capacity of 30,000,000,000 cubic feet. The areas of the additional flowage rights required to raise the level of this basin to 510 is estimated to be approximately 1,311 acres in Canada and 4,471 acres in the United States.

The International Joint Commission has recommended that this basin be raised to elevation 515, and to do this at an additional expenditure, estimated to now exceed $150,000 to $200,000, will be required. A large part of this additional amount would be expended for the construction of dikes and other protective works. Flowage rights required are estimated to amount to approximately 2,000 acres on the Canadian side and 6,000 acres on the United States side.

Our recommendation, however, does not contemplate any substantial increase in level on the Namakan chain of lakes other than that which may be created by such slight rise in the ordinary high-water mark as might be made at nominal expense for charges to the present dam. Rather than seek any substantial increase in storage on this chain of lakes, we recommend a plan of providing the storage on the waters along the boundary above this chain of lakes. Moreover, the regulative storage thus provided would be susceptible of far more efficient and satisfactory regulation.

LAC L'CROIX

This lake raised to elevation 1,200 (sea-level datum) will have a storage capacity of 27,000,000,000, cubic feet. The area overflowed in Canada is estimated to be approximately 3,880 acres, and in the United States, 5,300 acres. The cost of this land should not exceed $35,000. The regulating works at the northern outlet and a crib dam at the western outlet are estimated to cost approximately $138,710; and $22,465, respectively, making the total cost of developing this reservoir approximately $196,175.

CROOKED LAKE

Raised to elevation 1,260 this lake will have a storage capacity of 7,400,000,000 cubic feet. The flowage area in Canada is estimated at 1,655 acres and in the United States, 1,586 acres. The cost of this land should not exceed $10,000. The cost of the regulating works at the outlet of the lake, chargeable to storage, is estimated to be approximately $79,760, or a total cost for storage on this lake of approximately $89,760.
PRODUCTION AND DEVELOPMENT OF FOREST PRODUCTS, ETC.

BASSWOOD LAKE

At elevation 1,305 this lake will have a capacity of 6,400,000,000 cubic feet. No flowage rights will be required, as this lake will not be raised above its present high-water level. The cost of regulating works, consisting of two dams, is estimated to be $42,500.

SAGANAGA LAKE

At elevation 1,447 this lake will have a storage capacity of 20,400,000,000 cubic feet. The area to be overflowed is estimated to be 5,920 acres in Canada and 2,350 acres in the United States. The cost of the flowage rights should be less than $25,000. The estimated cost of the regulating works, consisting of two dams, is $72,100. The total cost of developing this storage basin will be approximately $97,700.

SUMMARY

The additional flowage rights on Rainy Lake to create the additional storage of 24,000,000,000 cubic feet are estimated to cost $279,000. No additional storage which will create an expenditure is herein recommended on Namakan Lake.

The following is a summary of the storage capacities and estimated costs of constructing the storage dams and obtaining the flowage easements on the lakes along the boundary above the Namakan chain of lakes which have been described:

<table>
<thead>
<tr>
<th>Lake</th>
<th>Capacity (cubic feet)</th>
<th>Estimated costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lake La Croix</td>
<td>27,000,000,000</td>
<td>$195,170</td>
</tr>
<tr>
<td>Crooked Lake</td>
<td>7,400,000,000</td>
<td>89,750</td>
</tr>
<tr>
<td>Basswood Lake</td>
<td>6,400,000,000</td>
<td>45,000</td>
</tr>
<tr>
<td>Saganaga Lake</td>
<td>20,400,000,000</td>
<td>97,700</td>
</tr>
<tr>
<td>Total (excluding Rainy Lake)</td>
<td>61,200,000,000</td>
<td>$435,120</td>
</tr>
</tbody>
</table>

This storage of 61,200,000,000 cubic feet on the watershed above Namakan Lake is equivalent to a sustained flow of approximately 2,270 cubic feet per second for a full 310 days each year. The additional storage proposed for Rainy Lake of 24,000,000,000 cubic feet herein recommended is equivalent to a sustained flow on the same basis of 895 cubic feet per second, giving a total new storage recommended equivalent to 3,165 cubic feet per second.

The storage suggested on the lakes above Namakan chain of lakes, in conjunction with the existing storage, will provide a sustained regulated flow of 3,600 cubic feet per second at the outlet of Namakan Lake.

The present storage on Rainy Lake of 24,000,000,000 cubic feet and the additional 24,000,000,000 cubic feet herein suggested, are equivalent to approximately 2,350 cubic feet per second sustained flow additional, giving a total reservoir capacity along the boundary waters equivalent to 4,620 cubic feet per second, or over 50 per cent of the mean annual run-off from this basin.

Further storage is practicable in this watershed on tributaries not along the boundary, which will unquestionably be developed in the future, and thus bring the run-off under a control that is practically absolute.

Among these are the basins of the following: Vermillion, Maligne, Turtle, Seine, Otunkamanoon, Manitou, and Footprint.

The advantages of this lake level and run-off control, administered in the public interest, are substantial. It is possible to state in somewhat definite terms the gains that would accrue to power users on the entire reach from these suggested dams down Rainy River, Lake of the Woods, and Winnipeg River to Lake Winnipeg. In the definite consideration of the importance of the storage to these interests alone—which in itself more than suffices to justify the undertaking—the benefits, direct and indirect, to all other public and private interests on each side of the boundary are so definite that they should not be lost sight of.

We refer specifically to navigation, lumbering, paper and pulp, general manufacturing, summer recreation, fishing, labor, agriculture, railroads, mercantile and public advancement, health and sanitation, all of which will benefit through sustained lake levels and uniform run-off control.

As to the water powers, developed and potential, that would benefit, we submit the following table showing power sites below the proposed storages, which would secure the full advantage of these reservoirs. As these reservoirs above the
Namakan chain of lakes would provide for a uniform regulated flow of 3,000 cubic feet per second at the outlet of Namakan Lake compared with the present monthly minimum flow of 1,000 to 1,400 cubic feet per second, all of the power sites below, using the high figures of 1,450 cubic feet per second as the present minimum, would benefit to the extent of an increase in dependable minimum flow of 2,150 cubic feet per second. In addition, there are water-power sites along the boundary waters above Namakan Lake which are not capable of practicable development without the storage provisions recommended herein. With these storages there is here a potential potential of about 25,000 horsepower capable of development. All the other powers which have been or can be developed without this storage, will be materially increased in primary capacity and value, at a cost for storage which is but a small fraction of the cost of developing equivalent power elsewhere. These powers are:

<table>
<thead>
<tr>
<th>Site</th>
<th>Mean head</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outlet Rainy Lake</td>
<td>23</td>
</tr>
<tr>
<td>Outlet Lake of the Woods</td>
<td>22</td>
</tr>
<tr>
<td>Rainy River</td>
<td>22</td>
</tr>
<tr>
<td>White Dog Rapids</td>
<td>55</td>
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<tr>
<td>Pointe du Bois</td>
<td>26</td>
</tr>
<tr>
<td>Slave Falls</td>
<td>26</td>
</tr>
<tr>
<td>Upper Pinnewa (on Pinnewa Channel), 18</td>
<td></td>
</tr>
<tr>
<td>Lower Pinnewa (on Pinnewa Channel), 29</td>
<td></td>
</tr>
<tr>
<td>Slave Falls</td>
<td>26</td>
</tr>
<tr>
<td>Lower Seven Sisters (on main channel), 37</td>
<td></td>
</tr>
<tr>
<td>McArthur Falls</td>
<td>18</td>
</tr>
<tr>
<td>Great (Du Bonnot) Falls</td>
<td>55</td>
</tr>
<tr>
<td>Fine Falls</td>
<td>37</td>
</tr>
<tr>
<td>Total</td>
<td>307</td>
</tr>
</tbody>
</table>

The regulated flow from the proposed storage reservoirs above Namakan Lake would directly benefit all of these powers to the extent of the increase in dependable minimum flow. It is in the general interest to maintain Namakan Lake at the most uniform level consistent with conditions, and this interest is not served by the exclusive use of that body and the present storages, as the sole storage for the powers on the Winnipeg River below. Further, the complete development of the powers on the Winnipeg River, which is now well within reasonable expectation, will demand the utilization of all available storage to meet the uniform power demands. The proposed storage on the boundary waters above Namakan Lake will make available an increase in minimum dependable flow of 2,150 cubic foot-seconds for all these powers, at an estimated cost of only $426,125, or only $11,980 per 100 cubic foot-seconds. It will increase the dependable power at these sites by over 71,700 horsepower continuous (80 per cent) efficiency at a capital cost of only $5.94 per continuous horsepower. The added storage on Rainy Lake will not change the head at the outlet, but will also increase the minimum dependable flow at all the power sites below by approximately 900 cubic foot-seconds at an estimated capital cost of $279,000 or only $31,000 per 100 cubic foot-seconds. It will increase the dependable power at these sites by over 30,027 horsepower continuous (80 per cent) efficiency at a capital cost of only $9.30 per continuous horsepower.

SIMILAR DEVELOPMENTS

The necessity and desirability of providing adequate storage and regulation of the run-off has been well recognized in other localities, and development along these lines has been undertaken by public and private enterprise. It is interesting to note, in particular, the action taken along these lines in the Province of Quebec, which undoubtedly has been fully considered by your commission. A brief summary may here be helpful for purposes of ready comparison:

St. Maurice River.—A storage dam was built giving a complete control of the headwaters of this stream from a watershed of 3,600 square miles. This has made possible an increase in the minimum flow of the river at Shawinigan from an average of 6,000 cubic feet per second to 16,000 cubic feet per second. The cost of this scheme to the Government was $2,500,000, or $25,000 per 100 cubic foot-seconds.
PRODUCTION AND DEVELOPMENT OF FOREST PRODUCTS, ETC. 21

St. Francois River.—This stream drains that section of the Province known as the eastern townships. Storage dams have been built by the commission at the outlet of two large lakes, St. Francois and Aylmer. The minimum flow of the river has been increased by about 900 cubic foot-seconds. The cost of these dams has been about $750,000, or $83,333 per 100 cubic foot-seconds.

St. Anne (of Beaupre) River.—This stream is tributary to the St. Lawrence, into which it flows about 20 miles below Quebec, on the north shore. Two storage reservoirs have been built to regulate the flow of this stream at a cost of $350,000. The minimum flow at the Laurentian Co.'s plant at Seven Falls (head 410 feet) has been increased by 100 cubic foot-seconds, at a cost of $360,000 per 100 cubic foot-seconds.

Lake Kenogami—(Chicoutimi district).—Lake Kenogami is the source of two rivers where power is generated for the plants of Price Bros. & Co., at Kenogami, and the Chicoutimi Pulp Co., at Chicoutimi. These plants could be operated to full capacity only part of the year. The storage provided by the commission shall assure a minimum flow aggregating 1,800 cubic foot-seconds for both streams with the result that the plants shall be operated to full capacity during the whole year. The cost of this storage (just completed) shall be over $4,000,000, or over $222,000 for each 100 cubic foot-seconds of total minimum flow.

All of the above-mentioned storage reservoirs are operated by the Quebec Streams Commission, and the benefiting companies pay an annual charge sufficient to cover the interest on the capital cost, sinking fund in 30 years, cost of operation and maintenance, and a small profit.

This policy has proved a great help in the industrial development of the Province. Conclusion.—It will simplify the matter of general control of this international watershed, if important matters affecting storage, water levels, outflow, and regulation thereof, are left to this commission to deal with, as varying circumstances and conditions may warrant. The division, assessment, levy, and payment of the cost of all the proposed work should be in the hands of the commission. In this assessment, we shall expect that the amounts already expended by us shall be taken into account. On this basis we shall willingly pay our share of the proposed work and shall render energetic aid toward the early consummation of the maximum development, carrying with it the greatest benefit to the peoples of these two countries.

The benefits to the people of Canada and the United States may briefly be summarized in conclusion. Navigation will be improved and may be revived after having practically passed out of existence for several years. The scenic beauty of the streams and lakes will be enhanced under control and they will become more accessible to tourists and as recreation grounds. The more uniform levels will improve the waters as fish, fowl, and game preserves, and for breeding purposes.

New wealth in the building up of industries, with all its concurrent and far-reaching possibilities, will be created. The construction of necessary works and power plants is only the first step in bringing into existence that new wealth, which must annually increase as the beneficial results extend to and are enjoyed by an added population of artisans, merchants, manufacturers, and indeed, those in every walk of life. The increased wealth of each and every community within this area will be many times the proposed expenditures. Annually and for all time the people of both countries will enjoy its benefits, which in dollars and cents, it is almost impossible to calculate.

Respectfully submitted.

E. W. Backus.
[PUBLIC—No. 539—71st Congress]
[S. 2498]

An Act To promote the better protection and highest public use of lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all public lands of the United States situated north of township 60 north in the Counties of Cook and Lake, State of Minnesota, including the natural shore lines of Lake Superior within such area; all public lands of the United States situated in that part of St. Louis County, State of Minnesota, lying north of a line beginning at the northeast corner of Township 63 north, Range 12 west, 4th P. M., thence westerly along the township line to the southwest corner of Township 64 north, Range 18 west, 4th P. M., thence northerly to the northwest corner of Township 65 north, Range 18 west, 4th P. M., thence westerly to the southwest corner, Township 66 north, Range 21 west, 4th P. M., thence northerly along the Township line to its intersection with the international boundary between the United States and the Dominion of Canada; all public lands of the United States on the shore lines of the lakes and streams forming the international boundary, so far as such lands lie within the areas heretofore described in this Act; all public lands of the United States in that part of the Superior National Forest located in Townships 61 and 62, Ranges 12 and 13 west, 4th P. M.; and all public lands of the United States on the shore lines of Burntside Lake and Lake Vermilion, State of Minnesota, are hereby withdrawn from all forms of entry or appropriation under the public land laws of the United States, subject to prior existing legal rights initiated under the public land laws, so long as such claims are maintained as required by the applicable law or laws and subject to such permits and licenses as may be granted or issued by the Department of Agriculture, under laws or regulations generally applicable to national forests.

Sec. 2. That the principle of conserving the natural beauty of shore lines for recreational use shall apply to all Federal lands which border upon any boundary lake or stream contiguous to this area, or any other lake or stream within this area which is now or eventually to be in general use for boat or canoe travel, and that for the purpose of carrying out this principle logging of all such shores to a depth of four hundred feet from the natural water line is hereby forbidden, except as the Forest Service of the Department of Agriculture may see fit in particular instances to vary the distance for practical reasons: Provided, That in no case shall logging of any timber other than diseased, insect infested, dying, or dead be permitted closer to the natural shore line than two hundred feet, except where necessary to open areas for banking grounds, landings, and other uses connected with logging operations.
Sec. 3. That in order to preserve the shore lines, rapids, waterfalls, beaches, and other natural features of the region in an unmodified state of nature, no further alteration of the natural water level of any lake or stream within or bordering upon the designated area shall be authorized by any permit, license, lease, or other authorization granted by any official or commission of the United States, which will result in flooding lands of the United States within or immediately adjacent to the Superior National Forest, unless and until specific authority for granting such permit, license, lease, or other authorization shall have first been obtained by special Act from the Congress of the United States covering each such project: Provided, That nothing in this section shall be construed as interfering with the duties of the International Joint Commission created pursuant to the convention concerning the boundary waters between the United States and Canada and concluded between the United States and Great Britain on January 11, 1909, and action taken or to be taken in accordance with provisions of the convention protocol and agreement between the United States and Canada, which were signed at Washington on February 24, 1925, for the purpose of regulating the levels of the Lake of the Woods: Provided, That with the written approval and consent of the Forest Service of the Department of Agriculture, reservoirs not exceeding one hundred acres in area may be constructed and maintained for the transportation of logs or in connection with authorized recreational uses of national-forest lands, and maximum water levels not higher than the normal high water mark may be maintained temporarily where essential strictly for logging purposes, in the streams between lakes by the construction and operation of small temporary dams: Provided, however, That nothing herein shall be construed to prevent the Secretary of Agriculture from listing for homestead entry under the provisions of the Act of June 11, 1906 (34 Stat. 233), any of the above-described lands found by him to be chiefly valuable for agriculture and not needed for public purposes: Provided further, That the provisions of this section shall not apply to any proposed development for water-power purposes for which an application for license was pending under the terms of the Federal Water Power Act on or before January 1, 1928. Approved, July 10, 1930.
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

FILE NO.

S. 2498
71st Congress

Superior National Forest, Minn.

LAST DATE ON TOP.

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HORACE M. ALBRIGHT,
Director.
SUPERIOR NATIONAL FOREST
MINNESOTA

HEARINGS
BEFORE THE
COMMITTEE ON THE PUBLIC LANDS
HOUSE OF REPRESENTATIVES
SEVENTIETH CONGRESS
FIRST SESSION
ON
H. R. 12780

A BILL TO PROMOTE THE BETTER PROTECTION AND HIGHEST PUBLIC USE OF
THE LANDS OF THE UNITED STATES AND ADJACENT LANDS AND WATERS IN
NORTHERN MINNESOTA FOR THE PRODUCTION OF FOREST PRODUCTS, THE
DEVELOPMENT AND EXTENSION OF RECREATIONAL USES, THE PRESERVATION
OF WILD LIFE, AND OTHER PURPOSES NOT INCONSISTENT THERewith; AND
TO PROTECT MORE EFFECTIVELY THE STREAMS AND LAKES DEDICATED TO
PUBLIC USE UNDER THE TERMS AND SPIRIT OF CLAUSE 2 OF THE WEBSTER-
ASHBURTON TREATY OF 1842 BETWEEN GREAT BRITAIN AND THE UNITED
STATES; AND LOOKING TOWARD THE JOINT DEVELOPMENT OF
INDISPENSABLE INTERNATIONAL RECREATIONAL
AND ECONOMIC ASSETS

PART II

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON: 1929
The committee met at 10.30 o'clock a.m., Hon. Don B. Colton (chairman) presiding.

The CHAIRMAN. The committee has met this morning to consider H. R. 12730. Gentlemen, inasmuch as our time is so limited this morning and we are approaching the close of the session, we would like to have an understanding to begin with as to a division of time. It will be necessary after the hearing is completed for the committee to go into executive session, and if we could have an understanding now as to about how much time you would require, so that we can make our plans accordingly, I would like to have that done. Mr. Newton, you are the author of the bill. Do you want any time this morning?

Mr. Newton. Mr. Chairman, excepting five minutes at the close, that is all that I care to ask for.

At the suggestion of the committee, I took the matter up with the State Department, and at some time I would like also to present that correspondence, but so far as the general features of the bill are concerned, you have heard from me patiently and I certainly do not want to trench upon your time and more than just five minutes to close.

The CHAIRMAN. Now, as to those who are opposed; Mr. Backus, you want to be heard?

Mr. BACKUS. Yes, sir; and Mr. Meyer.

The CHAIRMAN. Could we have an understanding as to about how much time you will take?

Mr. BACKUS. Well, I can not tell how much time I will want until Mr. Meyer finishes, and Mr. Thorp. I want to sort of keep track of what Mr. Meyer covers, and then the things that he does not cover I want to take up.

Mr. MEYER. Mr. Congressman, I am sure that I want to be just as brief as possible, and will leave some matters for your committee. I am going to cover the ground just as rapidly as I possibly can, and, as I say, will leave it somewhat with your committee to extend the time or restrict it.

The CHAIRMAN. If you are the first speaker, then suppose you proceed, and we would like to go into executive session, if we can, not later than about 11.30. Please state your name and address, Mr. Meyer.
STATEMENT OF ADOLPH F. MEYER, MINNEAPOLIS, MINN., CON¬
SULTING HYDRAULIC ENGINEER, APPEARING FOR THE
MINNESOTA-ONTARIO POWER CO. AND ALLIED CORPORATIONS

Mr. MEYER. My name is Adolph F. Meyer, consulting hydraulic engineer, Minneapolis, Minn., appearing for the power interests as represented by the Minnesota-Ontario Power Co. and other allied corporations.

My remarks will be confined to two phases of this question; one, the method of procedure, which will be modified by this bill, in so far as granting of authority is concerned, for the construction of dams or reservoirs on the watersheds.

The second point will be the merit and wisdom of this legislation, in so far as it restricts what is to be done on these boundary waters over which the International Joint Commission was given jurisdiction by the treaty of 1909.

Perhaps if the method of procedure is only to be modified, by which authority may be granted, then the merits of the question of storage might not even be open to consideration, but it seems to me that it is very clear from those who are advocating this bill that the intention is to substantially prohibit the construction of dams and reservoirs. The various articles that have appeared by Mr. Overholtzer, Our First National Park; All Eyes to the North; What the Proposed International Watershed for Minnesota, and for America; A Canadian View of the International Park—those are indications as to what the supporters of the bill have in mind, quite aside from the present move to control forestry and power development and storage on this basin.

At the present time if a dam is to be built on waters flowing from boundary waters—take a specific case, the Namakan River, which you who were up there remember, and Lac La Croix and the Namakan River flowing from it—that stream is entirely in Canada; suppose a citizen of Canada wanted to put a dam in the Namakan River for the purpose of controlling the level of Lac La Croix for purely summer resort navigation purposes, we will say. How would he go about it? He would apply to the Canadian Department of Public Works for authority to construct that dam. He would then apply to the International Joint Commission for approval, and, if this bill is passed, how can the International Joint Commission give approval? How can a citizen in Canada come to the Congress of the United States to ask for permission to change the water level in these lakes? The practical working out of this thing, as I see it from an engineering viewpoint, is that certain projects can not be authorized if this bill passes.

I am referring specifically to those waters that are covered by article 4 of the treaty, which relates to dams or other obstructions in waters flowing from boundary waters or into waters at a lower level than the boundary waters, flowing across the boundary, the effect of which is to raise the natural level of the waters on the other side of the boundary. The Federal Power Commission would not be called upon to approve any plans, because there is no dam to be built in the United States. The dam is in Canada. How can a project of that kind, which is now provided for under the terms of this treaty—how can a project of that kind be carried out if this bill is passed? From a practical viewpoint I can not see how. I can not see where there is any authority left to permit just such projects as have been established, such as the Lake of the Woods. There was a dam in Canada, a stream flowing from a boundary water; it was covered by this treaty—and by the way, I was consulting engineer for five years for the International Joint Commission, and we made this investigation, and as a result of this investigation a treaty was made between Canada and the United States which carried the recommendations of the commission into effect, and that level is now controlled by a structure entirely within Canada.

The Namakan River is not the only stream that is affected in that way. Suppose a Canadian citizen wants to develop power from Basswood Lake. He can carry water through Canada and put the structure entirely within Canada; and how would a citizen of Canada secure authority to build that dam? He can not come to the Congress of the United States, it seems to me, for permission, and this bill takes away from the International Joint Commission the power to authorize that structure.

Take Saganaga Lake: A dam can be built entirely in Canada to control the level of Saganaga Lake. Who can authorize it? Is it possible for the commission to authorize it, notwithstanding this act? If not, how can a citizen of Canada come to the United States for authority for his structure?

Then, further, as to the wisdom of this legislation, gentlemen, only three years ago—three years before this bill was introduced—the two treaties referred to the International Joint Commission for investigation and report this entire question. What is it desirable to do on these boundary waters? Now, I just raise the question: Can several hundred representatives of the United States from all parts of the country get these questions sufficiently in hand to pass upon the merits of the legislation, in so far as it restricts the construction of dams and reservoirs on that watershed, when this commission is at work and has spent three years or more on its investigation and will soon issue its report? I am just asking as to the wisdom of this legislation.

Mr. LEAVITT. Congress would have the benefit of that report, would it not? And it would be rather an assumption that our representative form of government is incorrect if we could not act intelligently on matters of that kind.

Mr. MEYER. I am speaking of acting before the report.

Mr. MORROW. The point is, if I may ask a question, when is the commission going to report?

Mr. MEYER. The technical data are now in the hands of the printer. I have letter from the chairman, or from the secretary of the commission, that the engineering data are now in the hands of the printer.

Mr. MORROW. And will be available when?

Mr. MEYER. In a matter of six weeks or two months.

Mr. LEAVITT. Now I would like to press one question just a little, in my capacity as Chairman. As I understand this bill, it would simply say that a permit such as you speak of should not be issued until the matter has been brought to the Con¬
gress and special authority given in that connection. Is not that the real meat of this bill? And the Congress would have the benefit of this report upon which to determine when an application is made, whether or not the permit should be issued. Nor, is not that all there is to this bill? I want to be clear as to just what is intended. So that Congress would not be acting as a widely scattered group of people without information.

Mr. MEYER. You are asking the question of me?

Mr. LEAVITT. Yes.

Mr. MEYER. My point is that this bill both changes the procedure and makes it impossible for some projects to be authorized; makes them impossible to be authorized.

Mr. BERGER. It makes it impossible for them to be authorized, Professor Meyer, until Congress grants the permission. That is all.

Mr. MEYER. But I am trying, Mr. Berger, to point out that if the denial is made in Canada, the owner in Canada a Canadian citizen, and he has to come to the Congress of the United States for authority to build his dam in Canada.

Mr. BERGER. I know, Professor, but the water is partly ours. The water belongs partly to America and not entirely to Canada. So if he wants to build a dam and affect the water that belongs to America, he would get permission from our Congress. Isn’t that clear?

Mr. MEYER. Well, I just can not quite see the procedure, that a citizen of Canada would come to the Congress of the United States for permission to build his dam in Canada, when we try to do a similar thing from 1896 on, the people around the Lake of the Woods were trying to get legislation through Congress for something to be done to settle that question. The dam was in Canada and no one seemed to have any authority to act, until finally the treaty of 1909 was passed, and under that treaty the question was disposed of, and I am simply pointing out that we will go back to a situation as it existed before this treaty if you pass this bill.

Mr. SWING. Let me see if I understand your testimony right at that point. Your position, as I understand it, repeating the power companies is that you feel that a more satisfactory decision would be rendered on application for development on these waters by making application to the International Boundary Commission, who determines the question, rather than the representatives of the people in Congress, in the House and Senate.

Mr. MEYER. My point was further than that, rather that I could not see how the Congress could act, how a matter could come before the Congress, could be brought before the Congress of the United States by a citizen of Canada; and that, further than that, at the present time, so far as passing upon the merits of storage and dams on this watershed is concerned, that the commission has taken several years to investigate this question. How can the facts be before the Congress of the United States at the present time? That is the question.

Mr. ARENZT. The way this thing strikes me is this: That this committee wants the matter held in abeyance until this report is issued, then it wants to consider the situation in all its phases, as it affects the people of the United States and the people in Canada, and then to direct the commission whether, in the judgment of this committee—which, of course, represents the Congress—whether any permit shall be issued, and if permits are issued for the construction of dams, where and how? Now, that is the way it appears to me. And we certainly have a right to direct the commission’s attention to certain phases of the situation. We do not intend to have the people of Canada, when they want to build a dam, to come before Congress, because such a thing could not exist. We could not have the Canadian people coming here and asking for permission, but we could direct the commission to kind of hold up their hands with sort of a warning sign, “No; you can only go thus far, whether you are Canadian citizens or American citizens.” Now, that is all we intend to do.

Mr. MORROW. I would like to ask the gentleman a question.

Mr. ARENZT. Just a moment Mr. Morrow, please. May I have that answered first?

Mr. MEYER. The expression was the committee wants to wait before the legislation is passed for the report of the commission.

Mr. ARENZT. We do not want anything to happen between now and the receipt of the report. In other words, we want to say “hands up just a minute until the report is issued.”

Mr. LEAVITT. May I ask a question right there? Is there any intention on the part of the power companies that you represent to press this matter, to secure any permit of any kind on the basis of this report that is expected to be made before Congress meets in session again?

Mr. MEYER. There is not the slightest possibility. There is not the intention nor the slightest possibility of the plans being carried that far. There is no plan before Congress.

Mr. ARENZT. That is the spirit we have.

Mr. MEYER. The plans have to be approved for a structure across the boundary by the Federal Power Commission, as things stand now, on the one side; by the Canadian Department of Public Works on the other side, and by the International Joint Commission as the third body.

Mr. LEAVITT. But they would have the power to act and settle this matter upon before Congress convenes again as the law now stands.

Mr. MEYER. I do not see how, the commission’s report—how it could be physically possible to get any application whatsoever through. There is no plan before the public. No plan has been worked out. We are waiting, as an engineer for the power company, and we are very anxiously corresponding with the commission to see when the physical data will be available so that we can work out some project to present.

The CHAIRMAN. May I ask a question there? If it were physically possible, is it your intention—would it be your intention this summer, for instance—to push this thing to final conclusion?

Mr. MEYER. So far as I am concerned, I have not the slightest idea of that in mind. I have never heard even the slightest intimation of it.

Mr. LEAVITT. Would you have the deciding as to whether that would be done or not?

Mr. MEYER. No; not necessarily; no.

The CHAIRMAN. The gentleman from New Mexico wanted to ask a question, I believe.
Mr. Morrow. That commission has been acting, you say, for three years?

Mr. Meyer. On this question of the desirability of control for flood and power and recreation and all power purposes; yes.

Mr. Morrow. That is the joint commission?

Mr. Meyer. The International Joint Commission.

Mr. Morrow. Would this legislation, if enacted now, interfere seriously with the report of that commission, or would it be in conflict with the report of that commission as you understand it?

Mr. Meyer. As I see it, it would say to the commission that nothing shall be done on these boundary waters, because evidently it is not only a matter of procedure that is being considered, but the merits of water storage has occupied the attention of these committees, and this action is, in effect, a declaration that for a great many years in the future nothing shall be done on those boundary waters, and probably never. All the agitation in favor of these articles that have been written on this subject all indicate what is back of the bill, the intention very evidently expressed to create something of a park area there. In other words, we are going beyond the treaty, which says that the boundary waters shall be used for different purposes and there shall be a certain order of precedence, for domestic and sanitary purposes, for navigation purposes, for power and irrigation purposes, and now by this legislation we will, as a matter of fact, all others specified in this treaty, the Congress of the United States says that the recreational, inspirational, and scenic use comes first.

Mr. Morrow. What was the life of your commission? Was there any specified time?

Mr. Meyer. The matter was referred by the two Governments for investigation and report, and no time was specified as to just when the report should be rendered. But, as I said a minute ago, the engineering data are in the hands of the printer.

Mr. Yon. I want to ask the professor a question. Under the treaty between the Canadian Government and the United States is there a possibility of a dam being built wholly within Canadian territory that will affect the water level of this lake area? Can they go ahead with a permit from the Canadian Government and build a dam that will affect the water levels on this lake area?

Mr. Meyer. With the approval of the International Joint Commission.

Mr. Yon. Only?

Mr. Meyer. Which was created for that purpose; yes, sir. They have now under consideration a dam on the Roseau River entirely in Canadian waters, where the United States is objecting to that dam. The commission is now giving consideration to all the interests. The commission has power to indemnify interests on the other side of the line. Under the treaty it is given supervision over these questions and authority to act. But the various matters are referred to the commission for investigation and report, and no action, for example, can be taken. And that answers further the question put to me by Mr. Leavitt, I believe it was, the commission is not reporting only what appears to them feasible, practicable, and desirable to do on this watershed, and then that report comes to the two governments for consideration and action by the Senate of the United States. Nothing can be done until this question comes further before the Government of the United States. And so I say this legislation completely changes the procedure under the treaty and put us in the situation, as I see it, where the citizen of Canada must either come to the Congress of the United States for authority, or he can not build his dam in Canadian waters, so long as they affect the waters of the United States side. At the present time the commission has power to either authorize or to reject such an application. What authority is there for the granting of such an application if this bill passes?

Mr. Hill. May I ask a question or two there? Is it your contention that the treaty which created the International Joint Commission can not be modified by this proposed legislation?

Mr. Meyer. No; not at all. I understand that it is entirely legal for Congress to take action to entirely nullify, modify, or abrogate the treaty. That is not my position at all. I am just speaking from the practical viewpoint as to what would happen in the carrying out of a project on this watershed. The bill says it shall not be done without authority of Congress, but I am asking how would a citizen of Canada secure that authority of Congress?

Mr. Swing. Why would it be difficult for a person who was interested in a certain development or operation to present the facts regarding that development to this committee, whether the applicant was a citizen of Canada or a citizen of the United States?

Mr. Meyer. I did not know that the Congress had authority to grant certain licenses and rights to a citizen of Canada.

Mr. Swing. Oh no, you know better than that. What we are talking about is that before he can acquire the full benefits of a permit granted in Canada, which is going to flood waters in the United States, he must have the consent of the United States. Now, the question is whether he shall get that consent from a little body of men known as the International Boundary Waters Commission, or whether he shall get that consent from Congress. That is only the difference. He has to get it from the United States in either instance, whether it shall come from an agency of the United States or from the United States itself, acting through its legislature. What makes you think that a Canadian would have any unusual difficulty in presenting the facts before this committee, which would result in a special bill granting the consent of Congress, any more than a citizen of the United States would have in presenting the same set of facts?

Mr. Meyer. Well, I have presented the question to you as I see it from a practical standpoint. I am unable to conceive of the Congress of the United States granting to a citizen of Canada the right to do certain things in Canada. Mr. Swing. Your objection to the bill is that it is going to be done by special act of Congress and that that legislation would have to be obtained before the work could proceed?

Mr. Meyer. That it would be so restrictive as to prevent projects of any kind that I have indicated.

Mr. Swing. Unless Congress were convinced of the merits of the facts.

Mr. Letts. Your real idea is this: That it would limit the powers of the International Boundary Commission?
Mr. Meyer. Yes; and very severely so, and would go back right where we were before this treaty was made and before this machinery went set up, which it seems to me has been working very satisfactorily.

Mr. Yon. I would like to return for a moment to the issue with this matter. You say that now we are proposing some legislation here that will limit, regardless of the future report and understanding of the International Joint Commission; that under this law they cannot go on and fulfill any recommendations that will be made, unless this law is repealed—that is, on our side of the water. Now, if we were not enacting legislation like this and the Canadian Government went ahead and enacted such legislation as we propose, what effect would such legislation possibly have on the Canadian Government? That is one thought that comes to my mind, what effect from the standpoint of international friendliness will this measure produce?

The CHAIRMAN. At the request of the committee this matter was submitted to the State Department several days ago.

Mr. White. Two weeks ago.

The CHAIRMAN. Two weeks ago, and we have been promised an answer; but we have not yet received one. The chairman has been unofficially advised that it will not in any way complicate the relationship existing between this Government and the Canadian Government if we pass this bill, but we have not yet a written report.

Mr. Yon. I wonder why they are delaying it so. We asked for it a couple of weeks ago.

Mr. Newton. If I may answer that, the request, as I understand it, was whether or not it was in conflict with the Webster-Ashburton treaty of 1842, and that request went to the State Department, and instead of being referred to the solicitor it was referred to one of the assistant secretaries in charge of Dominion of Canada relations, and I had advised the solicitor that the inquiry would be coming on, and he did not get it and the other people took their time on it, not having been advised about it at all, and when I brought the matter to their attention the solicitor had not received it. Then, it was called to their attention that, while it was not in violation of the 1842 treaty, it might be in violation of the treaty of 1909, the International Joint Commission treaty. So, while they were ready to render an opinion on the 1842 treaty, then came the statement that, I think, Mr. Beckus made over the long-distance telephone to them, some one representing him, that it was in violation of the 1909 International Joint Commission treaty. So I took the matter up with the solicitor, asking him to give that his attention, and I talked with the Secretary of State, saying that there was no thought or intention of trenching upon the treaty rights of either the Webster-Ashburton treaty or the 1909 treaty.

Mr. White. I want to get the facts straight here, Mr. Chairman. The inquiry by this committee not only covered the Webster-Ashburton treaty, but also any other, or whether it would be repugnant in the policy of our Government in its dealings with Canada. I wrote, at your request, the inquiry myself, so I know whereof I am speaking.

Now, just permit me to make this suggestion at this point. It strikes me that unless a treaty is a mere scrap of paper, then clearly anything that has a tendency to interfere with the two Governments jointly dealing with these waters, and their uses is a violation of our treaty obligations with Canada. We can not enter into a treaty and then turn around and repudiate it or do something that will be in violation of it, and retain our good faith in the matter. That is why the doctrine concerning powers of the Federal and State Governments. If a power is vested in the Federal Government, then a State government may not exercise the same power unless it is reserved to the States. The moment the Federal Government assumes to act under full power granted, the State's power in the particular matter is automatically null and void.

I am only trying to get at the facts, the truth, and the correct policy, and my view is that inasmuch as these treaties have been entered into, plus the further fact of the appointment by this Government and Canada of the International Joint Commission to investigate all these international waters and best way in which to use them and report to their respective governments, we should, as a matter of moral and legal obligation, I think, keep our hands off. As long as those treaties and contracts exist and the commission is working upon the matters, clearly Congress should keep its hands off, at least until the committee reports.

The CHAIRMAN. Mr. Newton was asked to give a statement with reference to the situation.

Mr. Monroe. I would like to ask this question. Has this committee required reports definitely made from some department of the Government before we report bills out?

The CHAIRMAN. It has not always done so, but that is usually followed.

Mr. Monroe. You have stated on various occasions that that was the policy of this committee. Have you a definite report upon this bill from the Secretary of State?

The CHAIRMAN. No.

Mr. Monroe. You have no report?

The CHAIRMAN. No. This is a hearing: we are not acting on the bill now.

Mr. Newton. In talking with the Secretary of State—this was over the telephone—as to the possibility of this trenching upon the 1909 treaty, he referred to the use of the word “commission.” I said: “That does not apply to the International Joint Commission. Mr. Secretary; that provision refers to a commission of the United States, and the International Joint Commission, in my judgment, is not a commission of the United States.” He said: “Well, that may be, but I would prefer to have a proviso in there making that clear.” So the solicitor then prepared a proviso which I submitted to you in the original draft prepared by him, and which I received from him yesterday as I was on my way to the office, where it very clearly provides that it is not in any way infringing upon the 1909 International Joint Commission. Then the solicitor said he would write you a letter to the committee, and I presume it probably coming through official channels. I got the draft of a proposed amendment from him and presented the original to the chairman.

The CHAIRMAN. Before the meeting commenced, this proposed amendment was handed to the chairman but I have not had an opportunity to read it.

Mr. Swing. Won't you read it now, Mr. Chairman?
The Chairman. The suggested amendment referred to by Mr.
Newton is as follows: That on page 4, line 20, after the word "pro-
ject" insert the following:

Provided, That nothing in this section shall be construed as Interfering with
the duties of the International Joint Commission created pursuant to the con-
vention concerning the boundary waters between the United States and Canada,
concluded between the United States and Great Britain on January 11,
1909.

Now, Mr. Meyer, will you proceed?

Mr. Meyer. Then my answer would be that I have at no point
assumed that the word "commission" referred to the International
Joint Commission, but always that it referred to the Federal Power
Commission, and that the situation remains just as I stated it a few
moments ago, that the procedure is changed to the extent that I have
indicated; that a citizen in Canada can not secure authority for
the construction of a dam by means of the existing machinery, but
must come to the Congress of the United States to secure that
authority.

Mr. Leavitt. Speaking of the power commission, are there any
applications pending now before the power commission, and if so,
for what and from whom?

Mr. Meyer. It is my understanding that there is an application by
one of the power companies for a project, I believe, in the Superior
National Forest, or adjoining it, covering territory entirely within
the United States.

Mr. Leavitt. How long has that been before the commission?

Mr. Meyer. I could not say, but I know it has been there a year
or so.

Mr. M. O. Leighton. About three years, Mr. Chairman.

Mr. Meyer. So much as to procedure and in so far as it would
affect the carrying out of a project. Then suppose that this bill
passes upon the merits of the question of constructing dams and
reservoirs. On that point there is so much data that could be pre-
sent.ated, if it is entirely impossible to give more than a mere outline
of what our position is with respect to this bill which says that there
shall be no change in water levels of those boundary waters without
special act of Congress.

Perhaps I might refer to a Senate amendment which has merit—
several Senate amendments that have merit. On the other hand, the
Senate amendment which says that flooding may be permitted, or
will be prohibited, only beyond the normal high-water line does not
accomplish what the Acting Secretary of the Department of Agricul-
ture requested in his letter of April 30. In the report of the commit-
tee of the Senate as published in the papers of Minneapolis, it is
stated that the bill had the approval of Mr. Marvin, and it is quite
certain that the letter as quoted, of Acting Secretary Marvin, dated
April 17, states that there is no conflict with the policies of that
department, but I want to call attention to the letter of April 30,
which follows the expression of opinion to the Senate committee, in which
the Secretary states that it has hitherto been the belief that the pending
bill would not conflict with the objectives of the department in
the management of Superior National Forest, but rather would con-
tribute toward the attainment of such objectives, and so on. Then:

"The following amendments are therefore suggested for your con-
sideration"—that is the House committee, and this is the one that
I want to speak of:

After the word "flood" interpolate the following language: "Beyond the
highest level attained under natural conditions."

That would be an expression of opinion on the part of the Acting
Secretary of the Department of Agriculture, as reported by the Senate
committee, speaking of the normal high-water line, means nothing in so far as providing for any pos-
sible control of those waters is concerned, and to that extent I say
that the Senate amendment is not in conformity with the wishes of the
Department of Agriculture, as expressed in the late letter of
April 30.

One other question comes up. A logging railroad has recently
been built to make accessible a large region of timber for logging
purposes, and the question arises: Would it ever be possible for
anyone else to secure, against the opposition of that road, which is
not a common carrier—to secure from Congress permission to
build a logging road into that territory for purposes of taking out timber?
Will the State timber and will the timber of other
private owners be subject only to bid from this owner of the rail-
road who has access to this territory? How about the development
of the mines of that region? Every road, every construction that is to
go into that territory in this area must have the approval of the
Congress.

We take the position further that there is no substantial con-
fusion between industry and recreation, when once a reasonable project
is worked out. There is no project before this country. Those who
are advocating this bill say that dams of certain height are
proposed in certain locations. That was way back in 1885, when appli-
cation was made in order to preserve existing rights to the Canadian
Government. There is no application covering those waters before
the Federal Power Commission or any other body in the United
States. No project has been worked out. I have been asked to
work out a project just as soon as we can get the data from the
International Joint Commission. And who will say that these
things, the construction of dams and reservoirs, will be markedly
destructive of the scenic beauty, as has been reported by the other
committee. There is no project before us. True, the statements
are there. They are matters of record in your hearings, that Rainy
Lake has been raised at times 10 feet above its natural high-water
level a long time ago, and they point to that as an illustration of what will be done
if dams and reservoirs are permitted on this watershed. The fact is,
gentleman, that the average range of summer level on Rainy Lake
since the dam was put in is only 1.9 feet.

Mr. Sweng. Does that conflict with the statement that on other
occasions it has been 10 feet?

Mr. Leighton. I want to follow that up further, that the lake never
has been 10 feet, or any other number of feet above the natural
high-water mark, but in 1927—
Mr. Lee (interposing). You mean average.

Mr. Meyer. No, I am speaking about the high-water mark.

Mr. Swing. No, not above high-water mark, but has there been a 10-foot fluctuation between high and low?

Mr. Meyer. The maximum annual range—the maximum range, yes, from the very lowest levels in the driest year. And let me point out that in the year 1924—I am just trying to get before your committee some of the many engineering facts that have to do with these matters—in the year 1927 we had 35 per cent more water to handle on that watershed than in any other of one of 35 years previously, during the spring run-off. And in the year 1924 there was about 25 per cent less than in the lowest year of 35, when we would expect to find the maximum range. The natural range has been as large or larger than the artificial range, and the average range, which is the range that affects the summer resoriter, I say is particularly the summer range, and that is the range which has been very much more uniform than it could possibly be held without reservoir control.

Mr. Englebright. Mr. Chairman, I would like to make the point that the gentleman has not answered Mr. Swing's question as to whether there ever has been a maximum of 10 feet.

Mr. Meyer. Pardon me if I did not. If I did not state, I intended to state that between the lowest and the highest there had been the natural level, and that natural level would have been as much or more. I could give exact levels if I had time. There is a table here that gives all the levels, and I was just pointing out that as to what would be the effect on the tourist trade. The scenic value of this region is dependent primarily upon conditions in the summertime. That is the time that people go there, from the 1st of June to the 1st of October, and the average out of 12 years is 1.9 feet.

Mr. Swing. A 10-foot contour would make a difference of about how many thousands or tens of thousands or hundreds of thousands of acres?

Mr. Meyer. The area there is relatively small. I do not know offhand what it is, but it is relatively small.

Mr. Swing. What do you mean by "relatively small"—one thousand, ten thousand?

Mr. Meyer. A few thousand acres.

Mr. Swing. Three thousand?

Mr. Meyer. A few thousand. And it is land that would naturally be flooded and was naturally flooded. During the flood of 1927 that dam held the lake 2 feet lower than it would have been if no dam had been there. And that is subject to engineering proof, and the international joint commission reports will bear me out. These are engineering investigations and I have here the figures, and I challenge any opponent to our cause to investigate these figures and show that they are incorrect. This is a table that shows the range in level on Rainy Lake, and for example:

Mr. Leavitt (interposing). Can these go into the record?

Mr. Meyer. I will be glad to put them in.

Now, just let me point out for a moment on this chart, this solid line represents the actual level as it was in Rainy Lake in 1927, and the dotted line shows what the natural level would have been.

Mr. Meyer. Then I want to point out that in this graph, which shows the levels that would have prevailed, that the actual level shows a fluctuation, a total annual fluctuation of less than 3 feet, and the natural level substantially 10 feet.

Mr. Meyer. This Exhibit 1 shows the levels that have prevailed in Rainy Lake and Namakan Lake from 1915 to 1926.

The Chairman. Those papers could be left with the committee, but I doubt if the maps could be put in the record. The figures could go in.

(The paper referred to follows:)

**Rainy Lake**

<table>
<thead>
<tr>
<th>Year</th>
<th>Date</th>
<th>Highest Level</th>
<th>Date</th>
<th>Lowest Level</th>
<th>Range annual</th>
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<td>15.20</td>
<td>Apr. 1-10</td>
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<td>1.00</td>
</tr>
<tr>
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<td>Apr. 1-10</td>
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<td>2.00</td>
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<tr>
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<td>Apr. 1-10</td>
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</tr>
<tr>
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</tr>
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<td>Apr. 1-10</td>
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<td>1.00</td>
</tr>
<tr>
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<td>Jun. 1-10</td>
<td>9.20</td>
<td>Apr. 1-10</td>
<td>7.20</td>
<td>2.00</td>
<td>1.00</td>
</tr>
<tr>
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<td>8.20</td>
<td>Apr. 1-10</td>
<td>6.20</td>
<td>2.00</td>
<td>1.00</td>
</tr>
<tr>
<td>1924</td>
<td>Aug. 1-10</td>
<td>7.20</td>
<td>Apr. 1-10</td>
<td>5.20</td>
<td>2.00</td>
<td>1.00</td>
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<tr>
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<td>Apr. 1-10</td>
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<tr>
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<td>Oct. 1-10</td>
<td>5.20</td>
<td>Apr. 1-10</td>
<td>3.20</td>
<td>2.00</td>
<td>1.00</td>
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</table>

Extremes range for period, 11 feet; maximum annual range, 4.3; mean annual range, 3.6; mean summer range, 1.9.

**Namakan Lake**

<table>
<thead>
<tr>
<th>Year</th>
<th>Date</th>
<th>Highest Level</th>
<th>Date</th>
<th>Lowest Level</th>
<th>Range annual</th>
<th>Range June 1—Oct. 1</th>
</tr>
</thead>
<tbody>
<tr>
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<td>15.60</td>
<td>May 1-10</td>
<td>13.60</td>
<td>2.00</td>
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</tr>
<tr>
<td>1917</td>
<td>May 1-10</td>
<td>14.60</td>
<td>Apr. 1-10</td>
<td>12.60</td>
<td>2.00</td>
<td>1.00</td>
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<tr>
<td>1918</td>
<td>Apr. 1-10</td>
<td>13.60</td>
<td>Mar. 1-10</td>
<td>11.60</td>
<td>2.00</td>
<td>1.00</td>
</tr>
<tr>
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<td>Mar. 1-10</td>
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<td>10.60</td>
<td>2.00</td>
<td>1.00</td>
</tr>
<tr>
<td>1920</td>
<td>Feb. 1-10</td>
<td>11.60</td>
<td>Jan. 1-10</td>
<td>9.60</td>
<td>2.00</td>
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</tr>
<tr>
<td>1921</td>
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<td>Dec. 1-10</td>
<td>8.60</td>
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<tr>
<td>1922</td>
<td>Dec. 1-10</td>
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<td>Nov. 1-10</td>
<td>7.60</td>
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<td>Nov. 1-10</td>
<td>8.60</td>
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<tr>
<td>1924</td>
<td>Oct. 1-10</td>
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<td>1925</td>
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<tr>
<td>1926</td>
<td>Aug. 1-10</td>
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<td>Jul. 1-10</td>
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</table>

Extremes range for period, 16.6 feet; maximum annual range, 12.6; mean annual range, 6.0; mean summer range, 4.9.
Mr. LEAVITT. As I understand it, the contention of the proponents of this bill is that even with the greater fluctuation, from the standpoint of preserving the natural beauty of the lake, it is better to have that greater fluctuation, which may be very high during the flood period, but which as the season goes on reduces naturally, instead of being held at the highest point and thereby killing timber and destroying the beauty of the shore line. As I understand it, there is no difference between the two sides on that, but there is a question as to which is the better for the area and for the country.

Mr. MEYER. Exactly. But we take the position that it depends all upon the details of the project which is to be established, and those can only be determined after the commission has given us the information.

Mr. LEAVITT. The very fact that you have proven that there is no fluctuation, any great fluctuation under the conditions of the dam, just proves the contention of the other side, that the fact that the natural fluctuation does not occur destroys the shore line of the lake, because it is held and drawn out the timber.

Mr. LEAVITT. If I understand the contention of the proponents of the bill.

Mr. MEYER. Quite right, sir. But there is also one other contention, that you have the greater fluctuation with the reservoirs, and I say that we can not have both. We concede that if you continually hold a lake up to a natural high-water level that some trees along the shore of the lake will be killed, because you are holding it up during the summer time, but you can not go around and say that you also have the great fluctuation. We say that if it kills the trees, that is proof in itself that the level is more steady in the summer time, during the growing season. You hold the water during the summer and draw it out in the winter for power purposes.

The level of the Namakan Lake is the same way. This graph shows in a solid line the level of Namakan Lake during that year, and you notice it is higher, but it is also more uniform. It gives the level as it would have been in a state of nature, and we say that even Namakan Lake the level was much more uniform in 1927 than it would have been under natural conditions.

Now, as to the amount of land, the claim has been made that tremendous areas of land would be involved in any project. We say that, but at best it is only a relatively few square miles. Out of that total watershed area of 14,500 square miles we are probably considering 25 square miles that would not be available for timber growth. Now, the foresters who were on the trip with the Senate committee, I believe, stated specifically that it is a question of relative values, so we say that all that land, which is approximately all rock, which could grow some timber and would be flooded under the condition of employment to 10 or 300 men, whereas the same amount of land used for the storage of water would give employment to more than that many thousands of men—relative values. We say then, so far as abstracting from this great timber area a large amount of land, that does not exist. It is not possible that any project could be estab-

lished that would materially reduce the amount of land that could be used for the production of timber.

The CHAIRMAN. The time we allowed you is gone, Mr. Meyer. Of course, the chair has no desire to shut off debate, but we ought to have some sort of understanding in the committee as to procedure.

Mr. BERGER. We want to hear both sides, Mr. Chairman.

The CHAIRMAN. Yes; so we ought to either decide on a longer time or on some plan of procedure.

Mr. SWING. Have you any further points that you think are urgent?

Mr. MEYER. No; but I will just take one minute or so, if I may. I just want to present or refer to a recent expression of opinion in this resolution, a copy of which I believe is in your files, passed by the commissioners of Cook and Lake Counties, in northern Minnesota, to show that the sentiment there is against this bill. Without a dissenting vote that resolution was passed supporting the view of the county commissioners when they opposed the passage of this bill previously. That is the sentiment of the people in that part of the country.

Mr. WHITE. What was that you say?

Mr. MEYER. That is a copy of a resolution passed at a mass meeting of citizens and county commissioners at Lake and Cook Counties at Grand Marais on February 12, I think it was, and there was a report of the meeting with the resolution on the front page, and it takes a position against the passage of this bill. They do not want it.

Let me point out this, that the engineers of Minnesota, the federation of architects and engineering societies, representing practically all of the engineers of the State of Minnesota, a year ago in convention passed a resolution in which they said that this project should continue to study this matter, and after the report of the international joint commission has been received they shall report back as to what they consider is in the best interests of the people of Minnesota. I thank you, gentlemen.

The CHAIRMAN. Now, Mr. Backus, we will hear you.

STATEMENT OF EDWARD W. BACKUS, PRESIDENT THE BACKUS-BROOKES CO., MINNEAPOLIS, MINN.

Mr. BACKUS. Mr. Chairman and gentlemen, at the outset I want to answer the questions that were asked by several members of the committee of Mr. Meyer, which, I fear, he may not have covered to the perfect understanding of the committee, and that is that there is no move contemplated to proceed with any of this work within—well, I will be conservative and say within two years, because if the International Joint Commission report is received from the printer's office in four or six or eight weeks, then it will require several months to work out with the International Joint Commission engineers a consistent plan which can be submitted on our part, and, as you realize, the region where these dams will be constructed is remote and difficult of access, and it would require preparations of several months to even make plans to get started on the work. So I want that matter put at rest in your minds, by saying that there is no intention of trying to take advantage of any situation. It will be a long drawn out plan, involving lots of work and the expenditure
of a great deal of money, and that means plenty of time to prepare for it. So I want to have the committee understand that there is no intention of taking any rush action.

If this matter can be allowed to rest until the International Joint Commission's report is in, it will rest, because, even if we work as rapidly as we can, it will take a couple of years to get ready. I just want your minds to be clear on that point.

Mr. LEAVITT. That is, you mean get ready for construction?

Mr. BACKUS. To make the plans.

Mr. LEAVITT. Of course, the plans will depend upon the approval of the International Joint Commission and our Federal Water Power Commission. The point I had in mind in asking the question was this, not how long it will take to build the dams—you could not start that anyhow until you had this permit—but the question of whether the securing of the permit is to be pushed while this matter is under consideration.

Mr. BACKUS. Not at all, sir. The application for the permit will not be made inside of 12 months anyway.

Mr. LEAVITT. The application has not been made now?

Mr. BACKUS. No, sir.

Mr. LEAVITT. What is it that is pending now before the Federal Water Power Commission that Mr. Meyer spoke of—some application now pending?

Mr. BACKUS. That is a project that myself or my interests have nothing to do with. That is the Northern Light & Power Co., of Duluth, I should say, the Minnesota Light & Power Co. That is in the interior and does not affect these boundary waters that we are interested in.

Mr. LEAVITT. Are they represented at this hearing?

Mr. BACKUS. I do not think they are. I think the reason for that is because in the Senate, when the Senate committee made its report recently, they exempted the territory affecting that project. So that if the bill did pass it would exempt that. That application is pending.

Mr. WHITE. Mr. Backus, may I ask this question, just simply to get the record straight?

Is it correct that the status of the matter now is that the parties that are wishing to utilize these waters for power purposes are trying, in conjunction with the engineers of the International Joint Commission, to work out some plan that will be submitted for approval?

Mr. BACKUS. Yes, sir.

Mr. WHITE. Before ever anything is done in the way of applying for a permit or anything else?

Mr. BACKUS. Yes, sir.

Mr. WHITE. And there will be nothing done, as far as your interests are concerned, along that line until that is effected?

Mr. BACKUS. That is true.

Mr. MORROW. Have you certain interests located there now, power propositions or other propositions upon these waters at this time?

Mr. BACKUS. Not in the stretch of the boundary waters that this discussion is about. On the lower waters, in the same watershed, we have a dam at Kettle Falls and another dam at International Falls and Fort Frances, making a complete span of the river.

Mr. Morrow, But that is involved to some extent in this proposed legislation?

Mr. BACKUS. Yes, sir.

Mr. Yox. An enlargement of that now under control?

Mr. BACKUS. Yes. The long record that brought out, as I feared it was not understood in the questions asked of Mr. Meyer. I also want to clear up another little point that I did not think he covered completely, and that was the controversy over the damages on the Lake of the Woods, which took place between the years 1898 up to and including 1907 or 1908. Prior to that period a Canadian organization built what is known as the Norman Dam at the outlet of the Lake of the Woods. In the flood seasons the water backed up to the south end of the lake and did more or less damage. The late Senator Knute Nelson was bombardefed and bombardefed for years about it. There was no possible way that those people could get any satisfaction, and, as a matter of fact, the continued bombardefed of Senator Nelson brought about the creation of this International Joint Commission. Of course, in the meantime the questions as to the Milk River and the St. Marys River and to the Detroit River, had been questions that had troubled both Canada and the United States, and when this International Boundary Commission was created they were delegated with authority to deal with all boundary waters, and, as I remember it, their first undertaking was to investigate the Lake of the Woods, as well as the upper boundary waters, and during that investigation, continuing over five or six years, Professor Meyer was engaged as their consulting engineer, and he certainly did wonderful work and was working all the time, because I came in contact with him in his investigations in the entire watershed.

At the time this treaty was entered into between the United States and Canada and the International Joint Commission was created, we had no interest in—neither myself nor my associates had any interest in the Norman Dam, and therefore we escaped that little difficulty. After the committee had made its investigation in 1918 we acquired the water power at the outlet of the Lake of the Woods. During this time, from the time that dam was built until 1929.

Mr. BERGER (interposing). Let me ask a question there. Where was such a dam built? Was that in Canadian territory?

Mr. BACKUS. It is all Canadian territory at the outlet of the Lake of the Woods. Where the Lake of the Woods empties into the Winnipeg River, in Canadian territory. During all that period of time, from the time that dam was constructed in 1894 until 1926, there was no power installation, and the Mather Co., who built it, turned it over for operation and control to the Canadian Government.

So that, as Mr. Meyer has stated, they could go nowhere to get any satisfaction—that is, these people who claimed to have been damaged—and it was afterwards found out that they had been damaged by these floods.

When the International Joint Commission completed its investigation in 1917, sometime in 1917, the war was on, and the matter drifted along until 1920 or 1921 or 1922; and at that time our then governor, Mr. Preuss, said to me that "being interested on this watershed, I think you ought to take enough interest in this matter so that we can get this treaty closed up, so that these people at the
South end of the lake can get a settlement of their claims. Nothing can be done until action is taken jointly by both Governments.

So I did interest myself, and the Canadian Government was favorable to proceeding to close up the Lake of the Woods matter, but Governor Preuss insisted that it should also—that there should be an understanding as to Rainy Lake and the other waters, and he stood ready to object to the United States Senate agreeing upon any final settlement unless it was coupled up with the Rainy Lake and the upper waters. That situation resulted in two conferences which were held in the office of the Prime Minister of Canada, Sir William McKenzie King, at Ottawa, in the fall of 1923. One conference was held in September, and then that meeting was adjourned until November.

At the September conference the Premier of Canada suggested to me that it would be a splendid idea if I would give them my ideas of how the upper waters above Rainy Lake could be handled, and the plans. We took the 60 days between September and November to prepare tentative plans, and as a result of that conference the treaty of 1925 was entered into, under which the International Joint Commission was instructed, or requested, to work out this proposition. That resulted in the hearing at International Falls of September 28, 1925, a public hearing, and at that hearing the International Joint Commission announced that they were going to start out immediately to have investigations made, something over three years, that commission has been at work with engineers representing both Governments, to make this report. My understanding is that they have expended some $200,000. Prior to that, in making our preliminary investigations at the suggestion of Governor Preuss, in order to have some plan to work to, we had spent probably $50,000 in making surveys in this same region.

Now, it does seem to me that it would be utterly unfair for Congress now to virtually take this matter out of the hands of this International Joint Commission, when all they are waiting for is the report to get out of the printer's hands to give us all the data necessary upon which to base plans.

Mr. Chair. Don't forget this one point, Mr. Backus: If the proceeding with those plans during the recess of Congress would result in irreparable harm or the damaging of the plans of the proponents of this bill, then of course the other side of the picture is presented. If, in other words, we had assurance that this thing could result in irreparable harm on the plans, just as it would not be taken until Congress assembled again, then we would have sufficient reason for delay.

Mr. Backus. Well, Mr. Chair, I have given you my assurance, and that assurance is backed up by the fact that if we wanted to we could not proceed in less than 19 months. It mean it would be physically impossible for us to make any progress in less than 19 months. I venture it will take six months for our engineers and the engineers of the International Joint Commission to reach any understanding. Mr. Benson. But, Mr. Backus, could you not secure permission to go ahead and do it?

Mr. Backus. We could not.

Mr. Benson. Could you not secure permission from the International Joint Commission?
Mr. BACKUS. I simply say that we would make a joint application to these bodies; then we would have the whole ground covered. As to whether the Power Commission would have any authority in the matter or the public works department, that I do not know.

Mr. MAYER. Yes; they have. Under article 3, covering dams extending across the boundary waters—remember I spoke of dams in Canada alone or in the United States alone—dams extending across boundary waters shall not be made, except by authority of the United States or the Dominion of Canada, within their respective jurisdictions, and with the approval, "as hereinafter provided, of the international joint commission."

Mr. DOUGLAS. That is a provision of the treaty?

Mr. BACKUS. That is a provision of the treaty.

Mr. WHITE. My suggestion, which I tried to set forth, but was interrupted, is this: That as far as these particular international waters are concerned the Federal Power Commission, created by an act of Congress, has no power in the premises whatever to grant a valid permit.

Mr. LETTS. Doesn't that commission think that it has?

Mr. WHITE. I do not know what they think, but the treaty between Great Britain and the United States concerning those waters is the paramount law of the land, so stated by the Constitution of the United States. Now, in my judgment, no one can get a permit except through and by means of the joint action of the United States and Great Britain.

Mr. LEAVITT. What would be the form of that joint action?

Mr. WHITE. The agency would probably be—now, I am speaking without thorough consideration of it—the agency would probably be in the form of an agreement entered into by the two nations, which would be in effect a treaty.

Mr. LEAVITT. Would that require the ratification of the Senate, then?

Mr. WHITE. I think it would make it a valid obligation.

Mr. BACKUS. There is no doubt about that.

Mr. YON. By what means is a treaty abrogated?

Mr. WHITE. A treaty can be abrogated by one or the other sovereignties through its executive or treaty-making agency.

Mr. YON. The Congress can not abrogate a treaty?

Mr. WHITE. The Congress of the United States might pass a resolution abrogating that treaty unless vested rights have attached thereunder.

Mr. BERGER. We did so in the case of Russia in 1911.

Mr. WHITE. And our Government and any other government may treat any treaty that it wants to as a scrap of paper. It is just a question of good faith or force as to the fulfillment or nonfulfillment of treaty obligations.

The CHAIRMAN. Two or three members have stated that they must go now.

Mr. BACKUS. Before they go, Mr. Chairman, I would like to give them a little more of the history of this matter.

Mr. LEAVITT. I think the idea is to have a further hearing.

Mr. BACKUS. I will make it brief.
International Joint Commission, have placed the waters and shore
lines that would be affected by this bill under the control of the In-
ternational Joint Commission.

In this connection I call attention to the treaty of 1909, wherein
we find the following language:

The United States of America and His Majesty the King of the United
Kingdom of Great Britain and Ireland and of the British Dominions beyond
the Seas, Emperor of India, being equally desirous to prevent disputes regarding
the use of boundary waters and to settle all questions which are now pending
between the United States and the Dominion of Canada involving the rights,
obligations, or interests of either in relation to the other or to the inhabitants
of the other, along their common frontier, and to make provision for the ad-
justment and settlement of all such questions as may hereafter arise, have
resolved to conclude a treaty in furtherance of these ends, and for that pur-
pose have appointed as their respective plenipotentiaries:

The President of the United States of America, Elihu Root, Secretary of
State of the United States; and

His Britannic Majesty, the Right Honorable James Bryce, O. M. his Ambas-
dador Extraordinary and Plenipotentiary at Washington.

And in the preamble of said treaty it is recited that:

For the purposes of this treaty boundary waters are defined as the waters
from main shore to main shore of the lakes and river and connecting water-
ways, or the portions thereof, along which the international boundary between
the United States and the Dominion of Canada passes, including all bays,
arms, and inlets thereof, but not including tributary waters which in their
natural channels would flow into rivers, lakes, and waterways, or waters
flowing from such lakes, rivers, and waterways, or the waters of rivers flowing
across the boundary.

Further in the same treaty and in Article III thereof the follow-
ing occurs:

It is agreed that in addition to the uses, obstructions, and diver-
sions heretofofore permitted or hereafter provided for by special agreement between the
parties hereto no further or other uses or obstructions or diversions, whether
transitory or permanent, of boundary waters on either side of the line affecting
the natural level or flow of boundary waters on the other side of the line, shall
be made except by authority of the United States or the Dominion of Canada
within their respective jurisdictions and with the approval, as hereinafter provided,
of a joint commission to be known as the International Joint Com-
mmission.

Then in Article IV of the same treaty we find the following:

The high contracting parties agree that, except in cases provided for by
special agreement between them, they will not permit the construction or
maintenance on their respective sides of the boundary of any remedial or
protective works or any dams or other obstructions in waters flowing from
boundary waters or in waters at a lower level than the boundary in rivers
flowing across the boundary, the effect of which is to raise the natural level
of waters on the other side of the boundary unless the construction or mainte-
nance thereof is approved by the aforesaid International joint commission.

It is further agreed that the waters herein defined as boundary waters and
waters flowing across the boundary shall not be polluted on either side to the
injury of health or property on the other.

That last clause, I do not care whether that goes in or not.

The CHAIRMAN. Are there some other parts that you want to
read?

Mr. WHITE. Yes.

Mr. LETTS. You do not regard this amendment as sufficient to pro-
tect the fear that you entertain?

Mr. WHITE. The idea is this, that Congress has no power over these
waters whatever as long as these treaties are in force.
In the present convention, the term "level of Lake of the Woods" or "level of the lake" means the level of the open lake unaffected by wind or currents.

That is about the meaning of the terms. I will go on over here to what I want to get. This is Article IV.

The level of Lake of the Woods shall ordinarily be maintained between elevations 1,061.25 and 1,061.25 sea level datum, and between these two elevations the regulation shall be such as to assure the highest continuous uniform discharge of water from the lake.

The Chairman. Is it your contention that this legislation might affect article IV?

Mr. White. My contention is this: That we are putting into something that we have no power over whatever, under the supreme law of the land, by virtue of the Constitution and the treaties made in pursuance thereof. That is my contention.

Mr. Letts. Maybe the statutes of this Congress are the supreme law of the land.

Mr. White. Only such statutes as are passed in pursuance to the Constitution, and inasmuch as the Constitution and treaties are the supreme law of the land, if we enact a law that is contrary to the Constitution or contrary to treaty then existing, if vested rights have attached thereunder that law is null and void.

Mr. Englebright. Who would be the authority to state that this bill that we have before us would be contrary to the Constitution?

Mr. White. The Supreme Court of the United States.

Mr. Englebright. On what authority do you base the statement that this bill would be contrary to the Constitution of the United States?

Mr. White. Well, I base it upon my own statement, but I base my own statement upon the Constitution of the United States and the express language of the treaty.

Mr. Berger. Mr. Chairman, we have a treaty with Canada and Great Britain. We also have a commission appointed that is going out ever year, as I do not have to tell you. Does that mean that we have no right to pass any legislation that would pertain to Lake Michigan, Lake Ontario, and Lake Superior?

Mr. White. No, sir.

Mr. Berger. Well, it is the same case.

The Chairman. If the Chair may state the situation, Judge White simply in the beginning, as I understand it, wanted to read this in order that it might be answered. Now, Mr. Backus has made request that he be permitted to finish this afternoon, as he has to leave. I do not know how long this is going to take. We will have other meetings and the record might be completed, unless there is some particular reason to do it now.

Mr. You. Later on, Mr. Chairman, I have some remarks that I want to go into the record.

Mr. White. I just want to get this in, and it will only take a moment.

The protocol accompanying the convention to regulate the level of the Lake of the Woods, in subdivision 1 thereof recites:

The plans of the necessary works for the enlargement of the outflow capacity of the outlets of Lake of the Woods provided for in Article VII of the convention as well as of the necessary works and dams for controlling and regulating the outflow of the water, shall be referred to the International Lake of the Woods control board for an engineering report upon the suitability and sufficiency for the purpose of permitting the discharge of not less than forty thousand cubic feet of water per second (47,000 c. f. a.) when the level of the lake is at elevation 1,061.01 sea level datum. Any disagreement between the members of the international Lake of the Woods control board in regard to the matters so referred shall be immediately submitted by the board to the international joint commission whose decision shall be final.

Then section 4 provides:

In order to insure the fullest measure of cooperation between the International Lake of the Woods control board and the Canadian Lake of the Woods control board provided for in Article III of the convention, the Government of Canada will appoint one member of the Canadian board as its representative on the international board.

Mr. Letts. Mr. Chairman, I do not see why the gentleman from Colorado should make a reading clerk of himself here. We all have access to this treaty, and in executive session he can present his argument, and I do not see why we should not give the time this afternoon to the gentleman from Minnesota, Mr. Backus.

Mr. White. Of course, Mr. Letts, I felt this way, that so far as I am concerned—I do not know how it is with you—I would like to hear the views of these parties who are presenting them here relative to the applicability of these treaties.

The Chairman. I think the gentleman who is so anxious to conclude is in accord with your views, and it might be well to let him finish, and then we can hear from the other side.

Mr. White. I do not know whether he is or not. I want the record to distinctly show that I am against any kind of a proposition that would destroy the islands in these lakes, but I want to go to things in order.

Mr. Letts. You will have plenty of opportunity, I think. That is a legal question that you have there.

Mr. White. I ask to have placed in the record the agreement between the United States and Canada to refer certain questions relating to the shore lines, uses and levels of Rainy Lake and other waters touching Lake of the Woods watershed to the International Joint Commission, signed at Washington February 24, 1925, coincident with the signing of the treaty between the same Governments. It is as follows:

At the moment of signing the treaty and protocol between the United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, regarding the regulation of the level of Lake of the Woods, the undersigned plenipotentiaries have agreed that the Government of the United States and the Government of the Dominion of Canada shall, without delay, address the International Joint Commission identical letters of reference relating to Rainy Lake and other upper waters of the Lake of the Woods watershed, as follows:

"I have the honor to inform you that, in pursuance of article 9 of the treaty of the 11th of January, 1909, between the United States and Great Britain, the Government of the United States and Canada have agreed to refer to the International Joint Commission the following questions for examination and report, together with such conclusions and recommendations as may be deemed appropriate:
Question 1. In order to secure the most advantageous use of the waters of Rainy Lake and of the boundary waters flowing into and from Rainy Lake, for domestic and sanitary purposes, for navigation purposes, for fishing purposes, and for power, irrigation, and reclamation purposes; and in order to secure the most advantageous use of the shores and harbors of both Rainy Lake and the boundary waters flowing into an augmented lake from the lake, is it not an economic standpoint, now practicable and desirable, having regard for all or any of the interests affected thereby, or under what conditions will it become thus practicable and desirable?

(a) To regulate the level of Rainy Lake in such a manner as to permit the upper limit of the ordinary range of the levels to exceed elevation 1,128.01 sea-level datum?

(b) To regulate the level of Namakan Lake and the waters controlled by the dams at Kettle Falls in such a manner as to permit the upper limit of the ordinary range of the levels to exceed elevation 1,128.11 sea-level datum?

(c) To provide storage facilities upon all or any of the boundary waters above Namakan Lake?

Question 2. If it be found practicable and desirable thus (1) to regulate the level of Rainy Lake, and/or (2) to regulate the level of Namakan Lake and the waters controlled by the dams at Kettle Falls, and/or (3) to provide storage facilities upon all or any of the boundary waters above Namakan Lake—

(a) What elevations are recommended?

(b) To what extent will it be necessary to acquire lands to construct works in order to provide for such elevations and/or storage, and what will be their respective cost?

(c) What interests on each side of the boundary will be benefited? What would be the nature and extent of such benefit in each case? How should the cost be apportioned among the various interests so benefited?

Question 3. What methods of control and operation would be feasible and advisable in order to regulate the volume, use, and outflow of the waters in each case in accordance with such recommendations as may be made in answer to questions 1 and 2?

Question 4. What interests on each side of the boundary are benefited by the present storage on Rainy Lake and on the waters controlled by the dams at Kettle Falls? What are the nature and extent of such benefits in each case? What is the cost of such storage and how should such cost be apportioned among the various interests so benefited?

Each Government will appoint from its public service some engineering and other officials, as necessary to enable the commission to make the desired examination and to submit their report.

In witness whereof the undersigned have signed this agreement as Washington the 24th day of February, 1925.

CHARLES EVANS HUGHES, Secretary of State of the United States of America. Exercising the Powers of the President.

Minister of Justice in the Government of the Dominion of Canada.

The CHAIRMAN. Now, you may proceed, Mr. Backus.

STATEMENT OF EDWARD W. BACKUS—Resumed

Mr. Backus. Mr. Chairman and members of the committee, I want to reiterate enough of what I was talking about when we adjourned at noon so that we will get the drift of the subject properly, and to add a little to the statement that I made, that following the report of the International Joint Commission in 1917, when the war was on and when that report went over in 1920, 1921, and 1922, and emphasize the fact that the reason that Governor Peuss objected to that treaty covering only the Lake of the Woods was that the State of Minnesota was not particularly interested from a landholder's standpoint in the settlement of damages on the Lake of the Woods, but that the State of Minnesota felt that it was largely interested in the Rainy Lake and the Namakan chain of lakes and the upper waters, and for fear that if the Lake of the Woods treaty were dealt with independently, the Rainy Lake and upper waters would not be dealt with promptly, he objected to the conclusion of one without an understanding as to the others. That was why the arrangement was made for the hearings that I mentioned, the two hearings in Ottawa. At those hearings Governor Peuss represented Minnesota. The Assistant Secretary of State, Mr. Hackworth, represented the State Department.

Mr. Newton: Assistant Solicitor.

Mr. Backus. Assistant Solicitor Hackworth. I will correct that then. The Assistant Solicitor of the State Department represented the State Department. Premier Drury represented Ontario, Premier Bracken represented Manitoba, and Premier Laurier represented the Dominion of Canada. They, together with their colleagues, officials of the Dominion and the Provinces, and Governor Peuss, accompanied by the attorney general of Minnesota and some assistants, represented Minnesota, and it was at Governor Peuss's particular insistence that this treaty of 1925 should cover these upper boundary waters, and for this reason: After the dams at International Falls and Fort Frances and Kettle Falls were constructed, certain private parties in the State of Minnesota felt that they had grievances, on account of the level at which those dams raised the water. That was true on the Canadian side. The suits on the Canadian side that were started to recover damages for flowage went through all the courts and finally the Privy Council, with the result that the decision was there was no damage caused by these dams.

Three test cases were tried in Minnesota, and the juries found that there were no damages caused by these dams. The State of Minnesota did not feel—so Governor Peuss stated to me—that it would be desirable for the State to prosecute those suits in court, as the State land that was overflowed was largely muskeg swamp and there was very little prospect of recovering a verdict.

The recommendation of the International Joint Commission for settlement at the south end of the Lake of the Woods referred that matter, the settlement of those claims, to the International Joint Commission and the War Department. Canada agreed to pay into the United States Treasury $775,000, and my recollection now is that the agreement further provided that if upon final adjudication of those claims a further sum was necessary, that both Governments would contribute one-half—that each Government would contribute one-half.

Governor Peuss felt that if these plans which I presented as preliminary were worked out, the question of any payment affecting State lands or private lands would be settled by the International Joint Commission or some tribunal which would make the appraisal, and the cost would be borne by whoever the commission recommended, with the benefiting parties.

I maintain that if you pass this bill right in the midst of the adjudication of those claims on the south end of the Lake of the Woods, and you stop the proceeding of the work of the International Joint Commission at that point, there will be no businesslike plan...
or machinery for taking care of any alleged damages on the upper waters, up to and including Rainy Lake and the Namakan chain of lakes, and if you pass this law it simply means that the upper boundary waters above the Namakan chain of lakes will lie there in a state of nature dead for all time to come—not all time to come, because certainly the day will come when not only will it be found necessary to control the flow of waters of the upper watershed, not only to benefit the lower reaches of the Rainy Lake watershed and the Lake of the Woods watershed, but in order to make use of all of the commercially valuable water power, certainly the time is coming when every horsepower in this country where it can be used must and will be developed, and if you are going to do it, do it now when that region is in a state of almost its natural condition; do not wait until the shores of the lakes and rivers are populated and houses are built, so that the question of tearing them down and building them over again and all those things will arise.

Now, I have gotten up to the point where I stopped—and I did not cover that quite fully enough. I was trying to hurry through before luncheon, which is the reason I cut it short.

Mr. Douglas. Mr. Chairman, does Mr. Backus object to a question occasionally?

Mr. Backus. Not at all.

Mr. Douglas. Will it interrupt your argument?

Mr. Backus. Not at all.

Mr. Douglas. What is the total amount of the claims to which you refer?

Mr. Backus. I think the claim made by the State of Minnesota amounts to, or was fixed at—well, the suit was for $300,000, and I think the various claims by private individuals amounted to something more than that.

Mr. Berger. Did they get the money?

Mr. Backus. I have already told you that the suits that were brought; we maintained there was no damage, and the suits that were brought were decided in our favor.

Mr. Berger. They never came to trial?

Mr. Backus. And these suits that I mentioned in answering the committeeman's question have remained in status quo for, I think, 10 or 12 years, perhaps more—12 or 15 years.

Mr. Douglas. And those are the claims which you say are now in process of adjudication?

Mr. Backus. No, sir.

Mr. Douglas. They are not?

Mr. Backus. No; the claims that are now in process of adjudication are the ones at the south end of the Lake of the Woods.

Mr. Douglas. How much do those amount to? The claims which are now in process of adjudication are the claims with respect to which I want to know the total amount.

Mr. Backus. I could not say. Myself nor none of my companies are interested in those. They were made before we owned the property at the outlet of Lake of the Woods.

Mr. Douglas. Those are the claims which you maintain—or the adjudication of which you maintain would be interfered with by the passage of this act?
If this had been Government land on the Minnesota side, it would have been necessary for us to apply for a permit, which of course would later have developed into a license if the permit had been granted, but because we owned these sites on the Minnesota side it was not necessary for us to apply for a permit, and we have no intention of doing any further, either in the State of Minnesota, in the United States, or in Canada, until the International Joint Commission has completed its report and made its recommendations to its respective Governments.

In following that matter up—Mr. Berger inquired as to our work in this matter, and I want to go back and just give you a little history. In 1894 I was engaged in the lumber business and organized the syndicate which built the railroad from Brainerd, Minn., 200 miles, to the international boundary. There was no particular value in northern Minnesota at that time, and in about, if I remember correctly, 1898, we secured the passage of a bill by Congress permitting the building of a dam on the Minnesota side of Koochiching Falls, which is now International Falls, to connect that with Fort Frances, Ontario, and we opened up negotiations at that time to acquire the property on the Canadian side at Fort Frances, which finally was accomplished, and during the years 1898 up to 1903 these negotiations continued at intervals, and in 1907 we completed the construction of this railroad 200 miles long from Brainerd, Minn., to International Falls, to connect with the Northern Pacific Railroad, and spent, I presume, four or five million dollars. I do not have the figures. I came off and left an envelope that contained these figures. That was a very substantial investment and was made at a time when there was not any business to justify this railroad, excepting what we would develop in the north on the boundary. At the same time we began our surveys, had engineers in the field investigating the development of the waterpower at Fort Frances, or at International Falls and Fort Frances. We had engineering crews up on these boundary waters during that time, and when we made our contract with the Ontario government, it was provided, so far as that government was concerned, that we should have the right to build storage reservoirs wherever it became necessary to produce a sufficient amount of water to give us a uniform and adequate flow for the development at Fort Frances.

Mr. White. When was that?

Mr. Backus. That contract was finally completed in 1905. And to show you how important these upper waters are, I simply need to say that about 49 per cent of all the water that passes over the dam at International Falls and Fort Frances comes through the Kettle Falls opening, and that about 44 or 45 per cent comes down through Lac la Croix and the upper waters. For that reason you can see how impossible it would be to adequately control the Rainy Lake watershed without controlling these boundary waters.

Now, as to the plans of how we should control them, my plan submitted to the commission in 1925 was simply a tentative plan, and I stated at that time that until the surveys of the International Joint Commission developed all the facts we could prepare no permanent plans. It is going to take six or eight months, or maybe a year, for our engineers and the commission's engineers to figure out a plan which will be satisfactory to all parties.

Now, all this claim about devastation and injuriously affecting the scenic beauty, the destruction of fish or wild life, is imaginary. On the contrary, I am confident that in every respect the construction of these dams would be a benefit. I want to go still further and say—

Mr. Berger (interposing). A benefit to the trees that are drowned out?

Mr. Backus. I say to the scenic beauty permanently. Excepting the one you saw in Lac la Croix, Mr. Congressman—you saw the rest of the country on the Minnesota side, and it was old cuttings and burnings, burned over time and again, and that is a question for the commission to figure out. We do not expect to carry out any plans that are not approved by the commission, so why worry about that until they make their report? And surely, when you talk about anything being done in the interim between this Congress and the next, or between this and the one two years from now, you will have plenty of notice before we can do any harm, if you think we are going to do some harm. But we are not. We do not want to.

Statements have been made that we were going to overflow 6,000 square miles. Why, gentlemen, we could not overflow our plans, as we have the figures, over 30 miles if we wanted to, and get any benefit out of these waters. And that 30 miles is of very little value, a little muskeg and a few rocks.

The Chairman. You mean 30 square miles?

Mr. Backus. Yes, 30 square miles, not miles square but square miles—instead of 6,000 square miles.

When we started to build these works at International Falls to develop this water power, it was with the expectation that these waters would be needed with other waters to regulate the flow and make use of the power. Now what has happened? To show you what the result has been, during the last 16 years flood waters and drought have cost these industries four and a half million dollars of profit. It has reduced the payment to labor at these industries during that period four and a half million dollars.

Mr. Yon. I would like to ask a question right there if it will not interrupt you. What are the purposes that you use this power for? For what purpose do you use your hydroelectric power?

Mr. Backus. For the manufacture of paper, container board, insulate, and to furnish a small amount of power for lighting and pumping the water for the two towns of International Falls and Fort Frances.

Mr. Yon. Is that local consumption?

Mr. Backus. That is local consumption only.

Mr. Yon. Do you produce enough hydroelectric power for your industries?

Mr. Backus. We do not.

Mr. Yon. To what extent do you expect—under your proposed plan that you are trying to work out through this International Joint Commission for the right to the use of these waters, to what extent do you hope to increase your hydroelectric power?

Mr. Backus. The conservation of the water in the proposed reservoirs will increase—and the raising of Rainy Lake as we pro-
pose it—will increase the power to the extent of over 50,000 horsepower.

Mr. Yon. What is your production now, your horsepower?

Mr. BACKUS. When we have a flow of water, 25,000 horsepower; when the water gets down low, it goes down as low as 5,000.

Mr. Yon. Do you use steam?

Mr. BACKUS. I have a memorandum of that. I was going to cover all that, but I will do it now, to answer your question. We have steam plants with a capacity of about 25,000 horsepower. Now remember, that is in constant use. That is not for reserve, for low water or high water; that is in use every day, every working day in the year.

Mr. Yon. In your larger development, you are developing this for your paper and lumber interests, for your own practical use and the use of the local communities, and not for the sale of power outside of the local surroundings, you might say! Are you allied with the powerhouse trust, with those interests?

Mr. BACKUS. No, sir. Mr. Yon. If there is any bunch that the American people have got to consider that is gnawing at the vitals of the national life of this country, it is the powerhouse trust, and I just wanted to bring out that point. Are these developments allied or connected with them along that line?

Mr. BACKUS. There is no connection whatever, in any way, shape or form.

Mr. ARENZ. Mr. Backus, did your company send down telegrams or letters to your Congressmen requesting adverse action on the Boulder Canyon Dam?

Mr. BACKUS. No, sir; neither for nor against. We are not interested.

Mr. ARENZ. That was just following up the remark of Mr. Yon, because I know he had that in mind.

Mr. BACKUS. No; we have no interest there and never have been requested, to my knowledge, to take a hand in it.

While we are on that subject, Mr. Yon, I may as well say that in the Senate report—we will get it all together then—in the Senate report they commented on the fact that the raw material tributary to our mills would soon be exhausted—at International Falls would soon be exhausted, and that more attention was necessary to replenish the forests than to develop any more power. The fact is this: We have got raw material available for 50 years supply through the adjacent lands in Minnesota and to our Canadian mills at Fort Frances. So there is no danger of the mills being exhausted for raw materials. That does not mean that we bring the raw wood from Canada. We grind it into pulp on the Canadian side and pump it across. We can cook it in digesters and put the raw pulp across. So that in our paper business, our container board business, our insulite business, which is a fiber board business, we can see plenty of raw material in sight for 50 years. But when I show you that our loss up to date on account of floods and drought at those industries alone in profit, has been four and a half million dollars, and in reducing the amount of money we pay to labor four and a half million dollars, it simply goes to show you that we have spent...
Mr. Backus. If our plan should be carried out and in the course of four or five years we could make the developments, our industries would undoubtedly be expanded to the point, or we would plan the expansion of them so that it would reconcile with our demands.

Mr. Arenz. Would that bring up the minimum of 5,000 horsepower that you speak of in low periods to an appreciable amount?

Mr. Backus. Yes; to a uniform period.

Mr. Arenz. What uniform be?

Mr. Backus. At International Falls?

Mr. Arenz. Yes; or any other place.

Mr. Backus. I should say at International Falls we could count on a uniform power production of about 25,000 horsepower year in and year out.

Mr. Arenz. And now it is a maximum of 25,000, running down to 5?

Mr. Backus. That is it.

Mr. Berger. Mr. Backus, is there not overproduction of print paper now?

Mr. Backus. There is.

Mr. Berger. Do you run your mills there all the time now, 12 months in the year?

Mr. Backus. No, sir; we are operating all of our paper mills now, some weeks four days and some weeks five days. But that does not lessen the amount of power we need. In order to employ all of the men and keep them all alive, we must have just as much power for four days a week as if we were running six. You understand that?

Mr. Berger. I can not. I am not bright enough to understand it.

Mr. Backus. All right. Now, if we cut down part of the machines and lay off a lot of men, then we could run with less power, but in order to treat the men fairly and keep them all employed part of the time, we must run all of the capacity, we will say 4 days a week, and therefore we keep them all employed, and the 4 days a week then we run we need just as much power as if we were running 6 days.

Mr. Berger. You mean during the four days?

Mr. Backus. Yes, sir.

Mr. Berger. But, Mr. Backus, why do you want more power then?

If you can not employ your power now for six days in the week, as you say you are only running four days, what do you want to build those islands for? Why do you want to increase our insular possessions?

Mr. Backus. Let me explain that to you. This overproduced paper market is temporary.

Mr. Berger. I am interested in the paper market.

Mr. Backus. Well, that condition is temporary. You want to make your money now while the price of paper is low.

Mr. Berger. But, Mr. Backus, I consider the needs of the entire country above my own, you see. I believe—I am not going to commit myself just now.

Mr. Backus. I want to go into that. I want to explain to you now, Mr. Berger, in our fiber-board industry we find just the opposite to the situation in the paper business. We are now purchasing machinery to double the capacity of those mills.
Mr. Backus. No, sir.
Mr. Letts. Was any land given you?
Mr. Backus. None whatever. Now, I say that to go and open up a new country, having in mind the necessity of creating reservoirs to equalize and make uniform a big power development with the expenditure of the many millions we have made up in that country, we have some vested rights there that I do not believe it is fair for Congress to take away from us.
Mr. Letts. Let me ask you another question right there. Is it your purpose to maintain a given head of water only, or do you expect to produce the power at various power sites, and then transmit it by high power lines to International Falls, or both?
Mr. Backus. Those developments on the upper boundary waters would be—you would have to transport that power. There would be no way—there are no railroads into them and nothing for the railroads to go there for, therefore it means that you would have to transport the power.
Mr. Letts. But in addition to that, do you feel that you will maintain a constant head of water at International Falls?
Mr. Backus. Practically, yes.
Mr. Letts. Whereas it now varies?
Mr. Backus. Yes, sir. Those reservoirs, as far as the power at International Falls and Fort Frances are concerned, will be as nearly uniform as any watershed on this continent.
Mr. Letts. Whereas, under your plan, at International Falls you will then produce regularly what you now produce as a maximum amount under good conditions?
Mr. Backus. Yes, sir; that is the intention. But don't let me forget to call your attention to this fact: That in making this suggestion to the International Joint Commission and the two Governments in these conferences I stated that if these works were permitted, we would agree to allow the International Joint Commission or any government tribunal to regulate these dams, not only these upper boundary water dams but the dams at Kettle Falls and International Falls, all along the line. If you can ask for anything fairer than that, I don't know how to do it. It simply means, gentlemen, here we have gone along for more than 25 years making our plans and making these developments as fast as we could find the money to do it with. We built up a community on both sides of the Boundary Line in capital investment; it certainly means a development of 50,000 population, or maybe 100,000, and without doing anybody any injury in any way, shape or form.
In considering the passage of this bill it occurs to me, has Congress the machinery—if this bill goes through, you can not build a dam, you can not change the water level—has Congress the machinery to investigate these propositions as the International Joint Commission has investigated them? Are they in a position where they can pass on these questions? Would it not be much wiser to forego the passage of this bill, and when the International Joint Commission is ready to report, to ask them to make their report to this committee and let the matter be thrashed out in that way? Surely no harm can be done in the meantime.
Mr. Backus. Well, I think in this case, where the International Joint Commission have such wide powers as to extend these propositions and report, that we would file our application and make an identical one to the International Joint Commission and the Power Commission and the Public Works Commission of Canada. So that we would cover the ground. But nothing could be done on it. I want to remind you that under the rule of this International Joint Commission we can not build a sorting works, a boom in the Rainy River without getting their permission.
Mr. Douglas. Exactly. So that any development which you might want to undertake would, of necessity, require the approval of the joint commission?
Mr. Backus. Certainly.
Mr. Backus. That is true. And then, I think, another treaty would have to be made, because these dams go from one shore to the other.

Mr. Douglas. So that if the situation is left as it presently is, it might be possible for you, when the investigation of the joint commission has been completed, to obtain a permit for some development, whatever that may be I do not know; on the other hand, if this bill were passed, regardless of what the recommendations of the joint commission might be, you could not undertake any development unless you had received the specific approval of the Congress. Is that about the situation?

Mr. Backus. No; I think you are mistaken about that. I think, if it is allowed to remain in its present condition, under the jurisdiction of the International Joint Commission, that the commission will make its recommendations to its respective Governments. They will, before giving final permission, require permission from probably the Federal Power Commission, and then it must be reduced to a treaty in which the Senate of the United States must pass upon it. We cannot do a thing in this kind of a case without that.

Mr. Douglas. But if this bill were passed, regardless of what the attitude of the Federal Power Commission or of the international commission might be with respect to an application, you could not undertake any development unless the Congress had specifically authorized that development?

Mr. Backus. No; but the question that I am curious about is, Why should we be singled out to go to Congress?

Mr. Douglas. I am simply stating the situation that would be created if this bill were passed, comparing that with the situation as it presently is.

Mr. Backus. Yes; that is right. We could not move hand or foot then.

Mr. Evans. Nobody could.

Mr. Backus. Nobody could.

Mr. Douglas. Are there any interests other than your own that are involved in this particular case?

Mr. Backus. No, sir; absolutely not.

Mr. Douglas. Your interests are the only interests involved?

Mr. Backus. Yes, sir. Well, in this bill?

Mr. Douglas. Yes.

Mr. Backus. No; I would not say that. This bill provides—takes in a large area.

Mr. Douglas. But are there any other interests in that area?

Mr. Backus. In these waters?

Mr. Douglas. Yes.

Mr. Backus. None whatever.

Mr. Douglas. Yours are the sole ones involved in these boundary waters?

Mr. Backus. Yes, sir.

Mr. Berger. There is no other power company that tries to get the best of you and therefore tries to stop you?

Mr. Backus. Well, I would not say that. It begins to look as if there were. I am beginning to get suspicious.

Mr. Berger. Whom do you suspect? [Laughter.]
Mr. Backus. I do not think so. I do not agree that it is correct at all.
Mr. Douglas. In other words, there is no conflict, in your opinion?
Mr. Backus. None at all.
Mr. Douglas. And that the use of these resources for industrial purposes is perfectly reconcilable with the enjoyment of the area for recreational purposes?
Mr. Backus. Absolutely so. Now, I want to again call your attention to the fact that the public, on account of the propaganda that has been circulated, that the development of these reservoir dams would flood a large area of ground, as high as 6,000 square miles, naturally would be frightened, but when you get that 6,000 square miles, 3,800,000 acres, down to 30,000 acres of muskeg swamp around some bays in the lakes, and some rocky ridges, and so forth, and you build those dams, how can it conflict with the recreational possibilities?
Mr. Douglas. You would qualify your answer by saying that if the development of the resources for industrial purposes were properly regulated, as to height of dams and head and so forth, then there need not be any conflict between the two interests?
Mr. Backus. That is exactly it. And that is what the International Joint Commission is doing now.
Mr. Letts. Mr. Backus, your plan would raise the levels in Rainy Lake, would it not?
Mr. Backus. Yes, sir.
Mr. Letts. How much?
Mr. Backus. I think about—I said in my tentative plan it would be about 2 3/4 feet.
Mr. Letts. That would submerge some islands in Rainy Lake?
Mr. Backus. Two feet and a half.
Mr. Letts. I am asking you; it is not asserting.
Mr. Backus. Well, remember that 2 1/2 feet would not be above the high-water mark, Mr. Letts.
Mr. Letts. You think it would not submerge any of the islands?
Mr. Backus. No; not at all. I am sure of it.
Mr. Letts. Would it materially reduce them in acreage—that is, exposed acreage?
Mr. Backus. No, sir.
Mr. Yox. I would like to make an observation right here on this water-level matter.
The Chairman. Just a moment—we have got three more men to hear, and the afternoon is passing pretty rapidly, and we will have to hurry along.
Mr. Yox. Just one thing as to the water levels up there, one particular point that I observed this summer. If I knew by passing any legislation that we could prevent running the water-level on Lac la Croix, of course I would be opposed to any such legislation or any such right to exploit property as that would provide, but a dam built at a certain point—where we ate lunch that day at the tent—I do not know the name of the lake.
Mr. Newrox. It was just outside of Vermillion. I guess it was in Crane Lake.

Mr. Yox. From my observation from that point up to Lac la Croix, the first portage there, any level that would bring those three bodies of water up to the same level would be really a benefit to that section, and I will never get away from that belief because of the burned condition and the dead timber and all that stuff along Loon Lake and the lake below Loon. Loon is the first one of Lac la Croix, and then at the head of the big lake where we ate lunch that day, bringing the level up to the other lakes would really be a benefit to the accessibility of that country. But outside of raising that, I do not see how I could agree to any proposition that would alter the average levels of Lac la Croix, because it is too attractive to be changed.

The Chairman. Now, Major Thorpe, we will hear you.

STATEMENT OF G. C. THORPE, REPRESENTING THE BACKUS-BROOKES CO., MINNEAPOLIS, MINN.

Mr. Thorpe. So far this discussion has been addressed entirely to the merits, and I am not going to take but just a moment to say a word in reference to the legality of the proposed bill, especially in reference to conflict with our treaty obligations.
Congress, of course, may pass a law which conflicts with a prior treaty, but that refers only to cases of purely political and not where the legislation of Congress interferes with rights under a treaty, and that was so held in several cases by the Supreme Court, the leading case being Holden against Joy, and in Mitchell against United States, it was held that the right to property and lands acquired under treaty can not be impaired; and in Wilson against Wall (6 Wall 89) Congress has no constitutional power to settle the rights under treaties except in cases purely political.
But even if Congress can pass a law which conflicts with a prior treaty, it was held in Whitney against Robertson, 124 U. S., 190, by the Supreme Court, that an international treaty is a pledge imposing obligations on both the high contracting parties.
There is a further matter which comes up in the evidence of Mr. Backus, I think, which shows that there are vested rights and that this legislation would impair such vested rights and the obligations of contract. In Gebhart against Canadian Southern Railway, 1 F., 387, it was said that while section 10 of article 1 of the Constitution, which prohibits the passage of any law impairing the obligation of contract is silent as to the United States—that is, it is a restriction only on the powers of States—it does not follow that the Congress is constitutionally authorized to pass such laws, this, as other vested right of the citizens, being universally regarded as sacred and beyond legislative interference in every well-regulated and properly administered government, whether embodied in constitutional form or not.
It was clearly the intent of the treaties of 1909 and 1925 that the International Joint Commission should have jurisdiction to pass upon all cases involving the use or obstruction or diversion of the water, where the approval of the commission is required under such treaty in articles 3 and 4. The bill under discussion prohibits the
alteration of the water level by any officer or commission of the United States. The treaty of 1909 places the control of the water level within certain limits in the International Joint Commission. They therefore conflict.

Mr. Berger. Major, where are the vested rights of Mr. Backus that you are speaking of? Not the water, I hope. He owns the land right adjoining the water, and he wants the water?

Mr. Thorp. My idea is that his vested rights are his large investments which he made on the face of the law as it existed at that time, and the treaty, supreme laws of the land.

Mr. Berger. Would that condition exist at the time when Mr. Backus started to make his investment?

Mr. Thorp. Yes; he made investments under the law created by those treaties.

Mr. Berger. Well, but that treaty had not been concluded until 1909, and he started to make investments years before that.

Mr. Thorp. He made some, but he has made investments since then, and contracts too.

Mr. Backus. I am glad you called my attention to that. We started to acquire these rights in order to control these upper waters prior to the creation of the International Joint Commission tribunal, simply as a means of regulating the water so that we could get the full benefit out of our investment. Now, it does not make any difference whether, that was done before the International Joint Commission, as long as it was done at some time. Now, following that, in 1910 we had our engineers, surveying parties up there, and we started spending a substantial amount of money. As soon as the work started up, this International Joint Commission had been created, and that any application we might make through any other source would have to be referred to that commission, we realized then that until they got action in that matter we could not do anything, and from that day until 1925, if it had not been for that commission you would never have heard of this controversy. We would have gotten the permission to build those dams up there from the Power Commission, and nobody ever would have objected or complained, because there is something deeper behind all this than appears on the surface. I say that the recreational advantages will not be interfered with; in fact, I think they will be benefited.

The CHAIRMAN. Mr. Backus, in building your power plant at Kettle Falls, we had witnesses before our committee who stated that they were damaged by the dam constructed at Kettle Falls, of course without the permission of the International Boundary Commission, although this Kettle Falls is entirely in Canada, in a Province of Canada.

Mr. Berger (interposing). One of the Kettle Falls.

The CHAIRMAN. Yes; one of the Kettle Falls. The water backed up on American landowners, and those landowners up to this time have not received one penny for the damages from that construction. In other words, the feeling engendered in those people by the action of your company in recognizing no damage whatsoever has resulted in an onslaught of opposition coming before this committee against any further development of that river. What have you got to say about that?

Mr. Backus. My answer is—I think you missed what I said to you about the suits. There were three suits brought for damages above Kettle Falls.

The CHAIRMAN. Now, as to the first one, that is International Falls?

Mr. Backus. Yes; the first is International Falls, then the next one up is Kettle Falls, and that takes in the lake you speak of, Namakan Lake and Karatomaga Lake, Crane Lake, and that chain of lakes in there.

The CHAIRMAN. The damages then to Americans will all be covered under that $275,000?

Mr. Backus. That applies to the south end of the Lake of the Woods.

The CHAIRMAN. But the other property owners that were damaged are out in the cold?

Mr. Backus. Well, they are waiting for the International Joint Commission to complete its investigation and set up a plan, just like the one that is now in existence for the settlement of the Lake of the Woods claims.

Mr. Carss. Was there any damage on the Rainy Lake? Was any land flooded on the American side of Rainy Lake, around Grafton and that region?

Mr. Backus. That is largely State swamp land.

Mr. Carss. Were any settlers drowned out? Did any men have to abandon their farms?

Mr. Backus. Oh, no:

Mr. Carss. The testimony is that they did.

Mr. Backus. Absolutely not.

The CHAIRMAN. That is what I was getting at. These men claimed that they were damaged.

Mr. Backus. I want to answer that question. Three of what they considered above Kettle Falls, in Karatomaga Lake, the strongest claims they had, went to suit and the verdict was rendered in our favor. The rest of the people that claimed damages—and there were none—never had the courage to try their cases.

The CHAIRMAN. Was the suit settled on a legal point or on a point of equity and justice?

Mr. Backus. All the facts were submitted to the jury. Those three cases were tried at Hibbing, and then it came out on application for a new trial at Virginia, and both of the tribunals held in our favor, that there was no damage.

The CHAIRMAN. All right, Mr. Meyer, we will hear from you now.

Mr. Backus. Now I want to say this to you. Of course, if I had been prepared for this hearing I could have talked half a day and in a logical order, and it would have been more satisfactory to the committee, but we have been hurried and I had no time to prepare for this presentation, but when you speak of witnesses at the former trial testifying, there were witnesses there to testify who had been in our employ and who reported to us just the opposite. They testified before this committee. So I think you should not take too seriously all the testimony you have had.

The CHAIRMAN. Well, this committee wants to hear both sides, and we want to get at the bottom of this thing and be fair, and that is all.
Mr. Backus. Don't you think that the International Joint Commission will protect the rights of the settlers, of the people?

The Chairman. I hope so.

Mr. Douglas. Mr. Chairman, I would like to ask one question of the major with respect to the power of the International Commission. Major, the legal procedure which has to be followed, can you give us that?

Mr. Thorpe. I have not studied that up, except under other treaties, but I know that when applications for permits are made to the Federal Power Commission, if any international treaty is involved, the Federal Power Commission refers the application to the International Joint Commission, and I am sure that that is the way it works in this matter. That is the way it works down in the Southwest.

Mr. Douglas. I was not quite certain from Mr. Backus's answer whether that was his understanding.

Mr. Thorpe. If the International Commission says "no" that ends it.

Mr. Douglas. And if the international commission says "yes."

Mr. Thorpe. I just had a case like that in an application to the Mexican commission.

Mr. White. Not only that, but under the treaty and the rules of the International Joint Commission, it is expressly provided, that if a private person desires to get a permit he must make application to the joint commission, first securing permission from his own Government to do so. Then the joint commission must give public notice of such application and place and time of hearing thereon in the Canadian paper, the Gazette, the official paper, and on the American side in two weekly papers nearest the site of the project mentioned in the application, and any person that is interested has an inherent right to appear before the International Joint Commission in person and by counsel and be fully heard upon the application.

Mr. Thorpe. That is the procedure.

ADDITIONAL STATEMENT OF ADOLPH F. MEYER

Mr. Meyer. Mr. Chairman and gentlemen, there are just a few points that I want to take up. Not that is all that I would like to cover, because the technical data are so many that we can not any more than just touch on them.

A question was asked in regard to the steam-power developments and relative costs of steam and water power. I just want to point out that the size of units that have been put in there are the type and size of units best fitted for that particular purpose. You must remember that that industry is not connected by transmission line with any superpower organization from which it can draw steam power developed near the mines in units of 15, 20, 25, and 50, and 100,000 kilowatts. They have got to have units of a certain type which are suitable for that particular job. The steam is being developed by those plants at 450 pounds pressure, superheated, using economizers, and in units that have the approval of engineers that are upon steam-power development. So that steam power is being developed about as economically as it can be developed under those conditions, but by no means as economical, of course, as it can be developed by those tremendously large units.

Then, I just wanted to call attention to an engineering report that was made—several engineering reports—made to Mr. Backus's organizations some years past. I want to refer to a few paragraphs from these reports. They are all preliminary. They were made before the International Joint Commission started its investigations.

Paragraph 11 of this report, which was made by Prof. Otto S. Zelner, who also testified before this committee—and in this report while he was in the employ of Mr. Backus, Professor Zelner stated:

Loon Lake was examined along all shore lines and up inflowing streams with the proposal of a raise in stage of 25 feet in mind. This raise to bring the surface of Loon Lake to the level of Lake La Croix. The first impression gained was that the suggested raise would be impracticable, due especially to the low ground at a draw immediately north of the present dam. This draw when examined more closely proved narrow with high sides and it was concluded that if future surveys showed too great an area to be flooded by the rise of the lake, an earth dike should be thrown across the arm to protect the back country. The timber up this draw is not valuable and considerable of it has been killed by the high water. The purchase of the land to be flooded, if that proved necessary, should not be a serious factor. As the examination of the lake proceeded, it became evident that with the exception of one or two small areas as marked on the key map, the shores are all high, in most cases going up rather abruptly from the water and in practically all other cases the back country is protected by bluffs a short distance back from the shore line. As in sections 4 and 5, TWP 65 N. R. 15 marked "E" (See key map.) The river entering Loon Lake from the south was looked over from the dike found a series of waterfalls.

La Croix, looking north from the Portage to Loon Lake, shows all high banks, which is true of all of the west arm of the lake with practically no exceptions.

And he continues to speak of conditions on La Croix.

Again, speaking of Lake La Croix, in paragraph 18 he says:

All timber of any value was above the 10-foot mark.

In the summary, item No. 4, he says:

Lake La Croix can be raised 10 feet (water mark found at 9 feet 4 inches) with small damage from flowage.

Respectfully submitted.

Otto S. Zelner.

Mr. Douglas. Was the dead timber that he referred to in his report killed because of artificial high water?

Mr. Meyer. Logging dams and fire.

Mr. Douglas. Or because of normal high water?

Mr. Meyer. Logging dams had been built at the outlet of Loon Lake a good many years ago. In fact, there are very few of the lakes on that watershed that have not got dead timber on them as a result of these dams constructed in years past.

Mr. Douglas. But which have subsequently been destroyed or removed?

Mr. Meyer. The dead timber is everywhere in sight.

Mr. Douglas. I mean the dams.

Mr. Meyer. The dam, the ruins of them are there.

There are so many points that I would like to take up, but I will just refer to a matter that I was asked about this morning, which...
I did not have time to cover completely, as to the claim that Rainy Lake had been raised 10 feet above the natural high-water mark. I have looked up the hearings of a year ago. On page 54, in answer to a question by Mr. Smith:

"How high is that artificial level now above the natural lake level?" referring to Rainy Lake—

Mr. Osborn. Rainy Lake varies a great deal. I would say that the average level since the dams were put in on Rainy Lake has been 3 feet higher than the average natural level. At times, though, it has been as much as 10 feet higher than the ordinary high-water mark.

I say it has never been anything like that stage, neither above the ordinary high-water mark nor above the average stage, and the highest level, controlled level, on Rainy Lake has never been up to the natural stream high-water mark as shown on the rocks. In 1927 it would have gone up to the extreme high-water mark on the rocks if no dam had been there. I am just referring to that as an exaggeration of what has been done or this watershed. For that reason, those who are familiar with the region were able to appreciate the extent of the damage which would result from the proposed increases in levels, because in 1916, during a season of excessive water, when Mr. Backus made no provision whatever for preventing floods, that lake was raised 10 feet, nearly 11 feet, above the ordinary high-water mark.

Gentlemen, the report of the International Joint Commission shows that there was a little over a foot difference between the level that actually was held at the crest of that flood and what it would have been under natural conditions.

Those are just typical examples of the exaggerated statements that are coming before your body, and if we had 10 hours’ time I could not begin to cover the field that is covered by these hearings, and to present the physical data in answer to these questions that have been raised by proponents of the bill.

The Chairman. Mr. Newton, are you ready now?

Mr. Newton. Yes; I thought Mr. Carss might have something to present.

Mr. Carss. No; go ahead.

STATEMENT OF HON. WALTER H. NEWTON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MINNESOTA

Mr. Newton. Mr. Chairman, it so happens that not only has this committee had the benefit of the hearings last spring but some 8 or 9 or 10 members were able to go up there to a portion of the territory involved here and to see with their own eyes the country and to judge with their own minds what the effect would be. So that you are in a position where you do not have to depend on what I say, what some witness said, you know from your own observations what kind of a country we have got there.

Now, you do not know what Mr. Backus’ proposal is, excepting as he put it before the International Joint Commission, and he appeared there and made his proposal, and that is the only official announcement of a proposal that has ever been made anywhere to anyone.

Mr. Backus. Didn’t I say it was tentative?

Mr. Newton. Not that I know of.

Mr. Backus. You read the report and see.

Mr. Newton. I have not read the report, but in the forepart of your remarks you did not give any idea of it being tentative.

The Chairman. Just a minute, Mr. Newton. I think we will let you proceed without interruption until you have a chance to clearly advise me that you would like to be interrupted.

Mr. Newton. It will not bother me at all. And I am talking hurriedly, so I am talking more vigorously than I feel.

There is something in that proposal—and it is not necessary to speak accurately in just summing up—there was something like 10 or 12 or 13 of these proposed dams that were to be built, starting in there at Namakan, and to run eastward, running over a distance of a good many miles, I think something like 60 miles or so by canoe, but over a very substantial territory. Now, the initial dam, the one at the west end, at Little Vermillion, was to be 60 feet high. Anyone who was there, knowing that country, seeing that country, and its contours, putting an 80-foot dam on Little Vermillion would be an increase in the levels there, as I recall it, was either 11 or 12 feet. Now, you gentlemen who were there know just exactly what that would do. It would flood the very area on which we camped. It would flood any number of those islands there. And your shore line, so far as timber is concerned, every one of them would be covered. That is the picture.

In 1920, with that beautiful playground there—and it is about all that we have left—you gentlemen who live out in the West have much of it—that is all that we have left, and it is within 24 hours’ ride by train of 40,000,000 people that can get there in 24 hours, and when that application was made in 1920 before the International Joint Commission, it was for purposes of reservoirs. Gentlemen, that was before any treaty of 1925. The State of Minnesota, through its officials—and Mr. Backus apparently appeared before the State Department and requested that this treaty of 1925 be entered into with a reference to the International Joint Commission, proposing a commercial development of those waters—four questions were proposed to them. That was in 1925. That was the first the public knew anything about it, and in 1925 the hearings were held and these proposals were made. I have no doubt but what Mr. Backus has been advised that those proposals are much that they ought not to be proposed at this time, but those were the proposals that were made at that time, and the only proposals that we know anything about.

When that hearing was held, naturally there was widespread interest. I knew something was going on back in 1920 and tried to find out from our own Government departments what it was, and none of them knew anything about it. But later it developed at those hearings that there had been an application made way back in Canada in 1920, so that my initial information, which I thought was rumor and false, was absolutely true and well founded.

Mr. Burger. Who made the application in Canada?
Mr. Newton. As I understand it, it was Mr. Backus or his interests there. That is from his own testimony.

Now, the International Joint Commission did not have the facilities at their command to go into this matter, and with the assistance of Congressman Madden we got through in the deficiency bill, following his intercession so that Army engineers could assist. Those Army engineers have been at work, as you know. They have completed their field work, their findings of fact. They have not completed all of the deductions that should be made in the way of hydraulic work and so on, but the field work, the contour lines, all of the data of that kind, has been completed but we are lacking the money to print the report. That will be embodied in this deficiency bill.

With that situation confronting us, what were we to do? As representatives of the people, were we to permit this thing to go right along and have it handled without any action on the part of the Congress of the United States? Some of us thought differently about it, and out of that thought grew the bill which I introduced.

Now, we have the measure here which has been under discussion, and let us get right back to it. We have talked about a good many things and that is a perfectly natural thing. You have heard something of the development of this great industry and there is not anything that I would do to hinder, hamper, or injure that industry in any way, shape, or form, until it comes to a point where it conflicts, in my judgment, with the greater public interest.

Then the second section of the bill has to do with the withdrawing from entry. That we will pass over. Nothing has been raised as to that. The second section provides that—

The principle of conserving the natural beauty of shore lines for recreational use shall apply to all Federal lands which border upon any lake or stream within or bordering upon the designated area shall be authorized.

That is a principle. Who is handling it now? It is the Congress of the United States. It is the legislative branch of the Government. And who is more entitled, who have the people a right to expect to outline the policies of government other than the Congress of the United States? It is our business. That is what we seek to do, and what we establish the governmental principle. Now, in order that that might be carried out, there is something there about logging, which it is not necessary to go into in summing up.

Third, to carry out this principle:

That in order to preserve the shore lines, rapids, water falls, beaches, and other natural features of the region—

Mark you, to preserve in an unmodified state of nature. The action is all negative, is it not?

No further alteration of the natural water level of any lake or stream within or bordering upon the designated area shall be authorized.

That is a negative action. There is nothing positive about it. It is not granting anybody any power to use; it is not granting anybody any use that has to divest or to obstruct. That is what the treaty pertains to. It is negative. It provides that shall not be done. By whom? By any permit, license, lease, or other authorization granted by any official or commission of the United States.
Mr. WHITE. Do you not think it would be more appropriate and effective if Congress feels that way to pass a joint resolution and thereby present our views to the International Joint Commission, instead of enacting a law for that purpose?

Mr. Newton. No; I do not think so, because this is a perfectly natural, legal method of going about it.

Mr. Young. If this becomes a law, do you believe that any agreement might be entered into among the members of the International Joint Commission with the State Department to urge, if they see fit, to have this law repealed? Do you feel that any kind of an agreement would be entered into to abrogate this law?

Mr. Newton. We pass this law? I think under those circumstances that would be notice to our representatives, and also to anyone else, that that was an established Federal legislative policy in reference to the recreational use of that territory.

Mr. Young. But if the people on the other side of the border, the Canadian border, were so much interested in the development of this territory, and then there was a statute standing in the way on the American side hindering them, do you not think that there would be a point of justice as to international relations such that a condition could be brought about where the State Department could recommend the repeal of this law?

Mr. Newton. Certainly this might occur: That our Canadian brothers might say, 'Here, we would like another treaty, wherein we will have the right to construct—that is, wherein you would agree to construct.' They might do that, make representations through their minister to our State Department, and there might be a treaty drawn and ratified by the Senate, consented to by the Senate, but at the same time, of course, there would be this law here which would be a very clear announcement as to our legislative policy.

The Chairman. At some stage of the hearings we ought to insert this letter which was received this afternoon.

Mr. Newton. Yes, I was going to refer to it in just a minute.

Now, in reference to the question of time again. Mr. Backus is, of course, not the only person who may avail himself of the laws of the land. He can control himself, but the files of this committee show that there are many more who are interested in the water-power proposition and who have made representations to this committee to that effect. We, of course, can not take it for granted that all of those who may be interested will feel the same way that he does about not moving in the matter.

The claim has been made that this is in violation of the treaty. In order to ascertain a violation of a treaty you have got to ascertain what the terms and provisions of the treaty are. I have examined the Ashburton treaty of 1842, the International Joint Commission treaty of 1909, and the one of 1925, and it was my very clear opinion that there was not any violation whatever involved, because while I can not agree with my friend White that you can not pass a law which abrogates a treaty I can agree with him in this respect, that if we are going to abrogate a treaty, the best way to do is to do it directly and to do it in the way that will not be offensive, of course, to the Government that has entered into the treaty obligations.

Mr. WHITE. Permit me to say in that connection, Mr. Newton, that when I made the statement I coupled it with the further statement that any treaty may be abrogated, so far as that is concerned, by the sovereign power.

Mr. Newton. Yes. By the Executive.

Mr. Young. But, of course, when we are speaking about the power of a legislature to abrogate a treaty, we all know as lawyers that the language used applies only to the instrument under consideration. I was speaking about these treaties hereinafter mentioned. As to them my contention is that they may not lawfully be abrogated by the Congress of the United States. Vested rights have attached thereto.

Mr. Newton. Well, there is not any thought of abrogating the treaty, and not only do you have whatever benefit there is in my judgment and that of your own, but you have that reinforced by a letter from Mr. Hackworth, prepared by Mr. Hackworth of the State Department, the solicitor, the man who, while he was assistant solicitor, was the counsel assigned by the solicitor's office to the International Joint Commission. Every line of the 1925 treaty, gentleman, the Lake of the Woods treaty, every line in that, was drafted by Mr. Hackworth—that is, either by him or his associates on the other side. It is his handiwork. Now, you have his statement that there is no violation of any nature.

Mr. Berons. Can we not hear that now, Mr. Newton, right in connection with what you are saying?

Mr. Newton. Yes. I have not read the statement myself. That is what he told me, and I assume that the letter states that out.

The Chairman. Do you care to have it read? I will read it, if you wish. This is signed, however, by W. R. Castle.

Mr. Newton. It is signed by one of the Assistant Secretaries, I presume.

Mr. White. While you are reading, I want you to all bear in mind and observe that he does not mention the treaty of 1925 or the questions that are submitted under the treaty of 1925.

The Chairman. This is addressed to the chairman under date of February 21:

HON. DON B. COWAN. Chairman Committee on the Public Lands. House of Representatives.

Sir: I have the honor to acknowledge the receipt of your letter of February 9, 1929, in which you request comment on H. R. 12783. It appears that a question has arisen whether the bill if enacted into law would be in conflict with the provisions of article 2 of the Webster-Ashburton treaty of 1842 or entail encroachment upon the prerogatives of the executive department of the Government or any discretions to the Canadian Government.

I have caused the bill and the treaty of 1842 between the United States and Great Britain to be examined, and I am glad to inform you that I do not consider that the bill if enacted into law would be in conflict with the provisions of the treaty.

Further attention is called to the provisions of article 3 of the convention concluded January 11, 1809, between the United States and Great Britain relating to the boundary waters between the United States and Canada which read as follows:

"It is agreed that, in addition to the uses, obstructions, and diversions heretofore permitted or hereafter provided for by special agreement between the parties hereto, no further or other uses or obstructions or diversions, whether temporary or permanent, of boundary waters on either side of the
line, affecting the natural level or flow of boundary waters on the other side of the line, shall be made except by authority of the United States or the Dominion of Canada within their respective jurisdictions and with the approval, as hereinafter provided, of a Joint commission, to be known as the International Joint Commission.

It will be observed that the provision of the treaty quoted in effect forbids additional uses, obstructions, and diversions except those which might be provided for by special agreement affecting the natural level or flow of the boundary waters on the other side of the line without the authority of the United States or the Dominion of Canada within their respective jurisdictions and without the approval of the International Joint Commission. It is observed that Article 3 of the 1909 treaty provides that the natural water level of any lake or stream within or bordering upon the area designated in section 1 of the bill shall be authorized by any official or commission of the United States without authorization by special act of Congress.

At a conference which took place on February 21 between Hon. Walter H. Newton and the Solicitor for the Department of State it was suggested to Congressmen Newton that in order to the bill would not be construed to interfere with the functions of the International Joint Commission there should be inserted after the word "project" on page 4, line 50 of the bill, a proviso reading as follows:

"Provided, That nothing in this section shall be construed as interfering with the duties of the International Joint Commission created pursuant to the convention concerning the boundary waters between the United States and Canada, concluded between the United States and Great Britain on January 11, 1909."

It is felt that the addition of such a proviso is necessary to prevent the possibility of the bill being construed in such a manner as to entail a violation of the convention of 1909 between the United States and Great Britain.

It is the intention of the Congresspersons suggested that the provision of Article 3 of the 1909 treaty be declared valid, and that any encroachment upon the prerogatives of the executive branch of the Government nor any discourtesy to the Canadian Government.

Mr. Newton. Now, gentlemen, that is the highest authority that I can bring to you on this question. Not only a man who is identified with it as long as Judge Hackworth has been but because of the fact that it comes from a man who has spent a good many years drafting the agreements pertaining to the rights and the duties of the International Joint Commission.

Now, mention was made of the act pertaining to the compensating of these homesteaders there, legislative act, page 617, volume 44, Public Laws, Sixty-sixth Congress. There is nothing there about conferring duties upon the International Joint Commission. It is the War Department’s work, the engineers’ work, to make the surveys, have your boards assess your damages, and then damage, that were certainly not caused by the Federal Government are going to be paid by either Canadian moneys or moneys out of the Treasury of the United States.

Mr. Yon. Mr. Newton, would this proposed amendment to the bill be acceptable to you, as proposed by the State Department?

Mr. Newton. Yes.

Mr. Yon. With that amendment the provisions of this statute can not be enforced without the International Joint Commission.

Mr. Newton. There was never any doubt or intention on my part to in any way infringe upon the rights or the duties of the International Joint Commission. Never having had any such intention, and there being a question raised by the Secretary of State himself, that possibly some one might feel that there was, I am willing to have it in.

Mr. Yon. So this bill as it would be amended, would not carry any more authority than is vested in the International Joint Commission, and the bill itself, if it became a law, would have no other effect than to state a policy of the Government as it relates to these water levels. That is my understanding.

Mr. Newton. I can not agree with you on that, because my understanding of the terms of the 1909 treaty does not—I do not go as far as Judge White does in the interpretation of that treaty, that when we enter into it we surrendered to the International Joint Commission all legislative rights, sovereign rights, powers, and so on to the joint commission. We only surrendered what is embodied in its terms, and that has to do with diversion, obstruction, and use, something requiring a positive action.

Mr. White. Let me in that connection call your attention to the fact that the treaty of 1926, and the things done coincident with its signing are not mentioned at all in this letter from the State Department. The negotiators of that treaty, Ernest La Pointe, representing Great Britain, and Charles Evans Hughes, representing the United States, sent to their respective Governments the following:

At the moment of signing the convention and protocol between the United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the seas, Emperor of India, representing the Dominion of Canada, regarding the regulation of the level of Lake of the Woods, the undersigned plenipotentiaries have agreed that the Government of the United States and the Government of Canada shall, without delay, address to the International Joint Commission identical letters of reference relating to Rainy Lake and other upper waters of the Lake of the Woods watershed, as follows:

1. In order to secure the most advantageous use of the waters of Rainy Lake and of the boundary waters flowing into and from Rainy Lake, for domestic and sanitary purposes, for navigation purposes, for fishing purposes, and for power, irrigation, and reclamation purposes; and in order to secure the most advantageous use of the shores and harbors of both Rainy Lake and the boundary waters flowing into and from the lake, it is, from an economic standpoint, now practicable and desirable, having regard for all or any of the interests affected thereby, or under what conditions will it become thus practicable and desirable?

(a) To regulate the level of Rainy Lake in such a manner as to permit the upper limit of the ordinary range of the levels to exceed elevation 1,108.61 sea-level datum?

(b) To regulate the level of Namakan Lake and the waters controlled by the dams at Kettle Falls in such a manner as to permit the upper limit of the ordinary range of the levels to exceed elevation 1,129.11 sea-level datum?

(c) To provide storage facilities upon all or any of the boundary waters above Namakan Lake?

Question 2. If it be found practicable and desirable that (1) to regulate the level of Rainy Lake and/or (2) to regulate the level of Namakan Lake and the waters controlled by the dams at Kettle Falls, and/or (3) to provide storage facilities upon all or any of the boundary waters above Namakan Lake—

What elevations are recommended?

(a) To what extent will it be necessary to acquire lands and to construct works in order to provide for such elevations and/or storage, and what will be their respective cost?
"(c) What interests on each side of the boundary would be benefited? What would be the nature and extent of such benefit in each case? How should the cost be apportioned among the various interests so benefited?

"Question 3. What methods of control and operation would be feasible and advisable in order to regulate the volume, use, and outflow of the waters in each case in accordance with such recommendations as may be made in answer to questions 1 and 2?

"Question 4. What interests on each side of the boundary are benefited by the present storage on the Rainy Lake and on the waters controlled by the dam at Kettle Falls? What are the nature and extent of such benefits in each case? What is the cost of such storage and how should such cost be apportioned among the various interests so benefited?

"Each Government will appoint from its public service such engineering and other technical assistance as may be necessary to enable the commission to make the desired examination and to submit their reports."

In witness whereof the undersigned have signed this agreement at Washington this 29th day of February, 1925.

CHARLES EVANS HUGHES,
Secretary of State of the United States of America.

ERNST LAPONTE,
Minister of Justice in the Government of the Dominion of Canada.

Now, I inquire, if we pass this bill, do you not think that it will nullify the purposes and objects that this joint commission was created for, and be in substantial effect a slap in the face of Canada?

Mr. Newton. Not at all. Here is the situation exactly. Here is a reference that has been made in a previous treaty to ascertain certain facts and to report on those facts. Now, there is no obligation in any way, shape, or form for them to issue permits or anything of that kind. There is a reference made here. Now, they are going to make recommendations, and under the terms of the 1909 treaty, in making those recommendations they do it just like your committee does. They do it by a majority vote, and the reports are made to their respective governments. Now, certainly there is nothing, when it comes to this legislative body indicating its legislative policy, that infringes upon the right to investigate and to report and to make recommendations."

Mr. BERGER. Mr. Newton, this 1925 instrument is not a new treaty. It is simply creating that commission and telling what the commission is to do. It is not a new treaty, is it, the 1925 treaty?

Mr. Newton. Oh, no; that is the carrying out of one of the very many understandings and conventions which was anticipated when the commission was created. The State Department is handling these, I would imagine, every year or so.

Mr. YON. Mr. Newton, this thought comes to me: You say this legislation is negative. That is, nothing is to be done to change the water level.

Mr. Newton. Yes; preserving the status quo.

Mr. YON. There could not be any offense in it because of its negative nature. Of course, the treaty speaks of raising the water levels.

Mr. Newton. So far as Canada is concerned.

Mr. YON. But here is the offensive feature of the legislation as I observe it: That the Canadian Government through some private individual or corporation might want to put developments on these water levels.

Mr. Newton. All right; they have that right to-day.

Mr. YON. But we are prohibiting them from that, because you cannot raise the level on their side without raising it on ours.
Mr. White. Under the treaty of 1909 any individual who desires to get a permit to do anything on these international waters has two ways of doing it. He can go to his Government and get permission to make application, or he can make the application direct to his own internal Government, which Government must, under the treaty, send that application to the International Joint Commission; and the supreme power is in the International Joint Commission to grant it or refuse it.

Mr. Hooper. They can grant it or refuse it under the conditions as they exist now, and it requires the acquiescence of both Governments as represented by the International Boundary Commission.

Mr. White. Yes.

Mr. Yon. I have one more observation to make. I have no personal interest in this thing except for the public good. It is not local to me in any way whatever. I want to do the right thing for the people of America, and I want to do the right thing to a neighbor of America, and so far as the local aspect is presented to me it is not local to me, and there is nothing selfish whatever in my motive.

Mr. Englebright. Might I ask Mr. Yon a question? With that very thought in view you will admit, will you not, that Congress has the right to express from time to time to its commissions, its policy, and its viewpoint?

Mr. Yon. Yes. He mentioned this resolution a while ago—

Mr. White (interposing). But do it by resolution, not by law.

Mr. Hooper. In your judgment and from your study of the subject and from your knowledge, of course, of the law affected by the bill that you have offered here, would this bill, if enacted into law, deprive a citizen of the United States or Canada of any right that is secured to him now?

Mr. Newton. Of any right secured by treaty? No; it does not affect treaty rights at all. There is no intention whatsoever to affect any right. In the first place, a right that becomes vested by treaty is just as good a right as one which becomes vested by law.

Mr. Hooper. But it is your opinion that if this law should be passed we would have just the same facilities through the members of the joint commission, the Canadian commission, and the American commission, of getting whatever rights they were entitled to, as they would have now?

Mr. Newton. Yes.

Mr. Berger. Mr. Hooper, the letter from the State Department so states.

Mr. Hooper. I wanted to get Mr. Newton's opinion about that.

Mr. Newton. This would be of persuasive effect upon the American representatives upon that commission in passing upon whatever came before them. Mr. Hooper. But we are not denying to any Canadian citizen any right that he is entitled to now?

Mr. Newton. No; we could not do that.

Mr. Hooper. That is my understanding of it.

Mr. Newton. We could not do that.

Mr. Douglas. Might I ask Mr. Hooper a question? Were you referring to vested rights or were you referring to a right to develop?
Forest. We can not control that. Sometimes that may be developed.

Mr. NEWTON. Was he not formerly associated with you?

Mr. BACKUS. Yes; as an employee. You said partner.

Mr. NEWTON. Well, employee, then. But he goes up there from Chicago in about four and a half hours by airplane. Now, it is perfectly remarkable that that can be done. And, Mr. Douglas, you get there in that section of the country and you will see cars—I was laid up there for a couple of days at Grand Marais, which is on Lake Superior, just 40 miles away from the eastern portion of this county, and in those two days I counted 22 different State licenses, not including the country of Mexico, that were up there.

Mr. DOUGLAS. Just to follow that up, there are three questions I would like to ask. The assumption that there is a conflict—do you think there is a conflict between the two diverging interests?

Mr. NEWTON. I do not think there is any question about that.

Mr. DOUGLAS. Do you think that those interests should be recognized?

Mr. NEWTON. My impression is, from such study as I have been able to give it, that the moment you put in or permit to be put in any extensive system of dams and works up there, you then have commercialized that area and the beginning of the end has come.

Mr. DOUGLAS. Would, for example, the raising of the stage of Namakan Lake 3 or 2 feet—

Mr. BACKUS (interposing). Rainy Lake, you mean.

Mr. DOUGLAS. Rainy Lake—would that impair the use of that area for recreational purposes?

Mr. NEWTON. I can not answer that just yes or no, but let me answer it in this way: Rainy Lake has hundreds and hundreds of islands in it. Most of them are rock bound. The trees come down fairly close to the edge. A permanent raising of that water would undoubtedly affect some of those trees that are down low. Then there are beaches there—I do not know how many—but I know one that we stopped at in the afternoon at Major Robert's place there, a sandy beach, which, if there was a 2 1/2 or 3 feet raise, would put that whole beach under water. Now, to just what extent that would be carried out in other places I am unable to say—I mean on the beaches. I do not know.

Mr. DOUGLAS. May I ask this further question? There is excellent trout fishing up there, is there not?

Mr. NEWTON. Brook trout?

Mr. DOUGLAS. Yes.

Mr. NEWTON. No; not on the boundary waters.

Mr. DOUGLAS. Not on the waters within this area?

Mr. NEWTON. Oh, yes.

Mr. BACKUS. No.
Mr. Arenz. I know how important the raising of the water level of a lake is. We had Lake Tahoe, as beautiful a lake as you will find out of doors, and the people of California fought the people of Nevada for years to prevent raising the level of that lake. We had beautiful beaches and we had trees close to the shore, we had all sorts of things, but we could not put the desert under cultivation without increasing the level of that lake; in other words, putting a dam at the outlet of the lake and holding the water level to the high-water mark in the springtime and pulling it down in the summer time and utilizing the water on the desert. Now, we have not hurt that lake one solitary bit and we have put millions of dollars worth of development on the desert that we could not have done without it. I think it is important for us to look at both sides in the utilization of these waters, whether it be for recreational or for power purposes. I think it is just as important to see that men are employed and industry is developed as it is to see that recreation is provided; but we do not want to hurt either, and that is the thing that is bothering me. I do not want to destroy these people but if by increasing the storage(615,554),(894,566) on Rainy Lake to the high-water level—not above that, but to the high-water level—if we can increase industry in that way, let us do it. That is my position.

Mr. White. I do not want to destroy that beauty there. I am against destroying the beauty, but I do feel that we ought to get the best possible advice from engineers and know what the effect is going to be instead of being rushed into a thing by propaganda and trying to browbeat people.

Mr. Newton. Now, Judge, I want to say that nobody has propagandized me. When I first heard of this it was back in 1920, and no propaganda got busy on this thing until the announcement was made that the water level was going to be raised.

The Chairman. I think the judge’s observation was made because of previous experience in another case. [Laughter.]

Mr. Douglas. If these two things are not irreconcilable, would it not be better for us to attempt to reconcile them by the establishment of a policy rather than to destroy one for the advantage of the other?

Mr. Newton. You have not here the question of the destruction of industry.

Mr. Douglas. But when you say in the bill that the stage of the lake can not be raised above the natural water level, you then preclude the possibility of further development of power.

Mr. Newton. Yes.

Mr. Douglas. So you are destroying the potential power, the possibility of developing power that might be developed.

Mr. Newton. Yes.

Mr. Douglas. What I am trying to get at is whether or not those two interests can be reconciled, and if so, would it not be more advisable for Congress to announce a policy with respect to that rather than to destroy the potential power resources of the country to the advantage of the recreational features?

Mr. Newton. I do not see how they can be reconciled. Mr. Douglas, because of the very nature of things. Now, Mr. Backus went up there to International Falls when that was all virgin territory; as he described it, and he has built an enormous plant there with a tremendous output. Now, just the very starting of that, anyone would have said that it was never going to affect anything—how far is that, Mr. Cars, from International Falls to the divide, where you go down to Pigeon River, traveling east from International Falls out to the boundary waters?

Mr. Cars. By canoe route, probably 110 or 115 miles. It depends on the level of that lake, you know. Sometimes it flows one way and sometimes the other.

Mr. Newton. It is a very substantial distance. No one would have contemplated at that time, if they were interested in preserving this area as a recreational country, that this development at International Falls would lead to any interference with that. Now, if you go to work and put in a dam a little bit east of International Falls, you immediately encroach upon that thing, and the result is you eventually destroy it—no; I would not say destroy; that is too strong a term, because you can always fish around for something, but you very seriously impair the area for recreational purposes. That is all we have left up there in the way of virgin territory.

Mr. Backus. Could I ask Mr. Newton a question? It may have a bearing on what you are anxious to know.

The Chairman. I was just trying to reach a point where we could decide on where we are going to continue. Some of the members have been here all day long. I think you might ask the question now.

Mr. Backus. Will you tell Mr. Douglas and the committee how long a stretch of the river is embraced in the river where we propose to erect these dams from Lac la Croix up? You will admit that the Little Vermillion Dam will improve the situation, is it not?

Mr. Newton. No; I will not. I will not admit that. I will not admit that the construction of a very substantial dam, with the flooding of that territory running in through there would improve the situation.

Mr. Backus. It would make a beautiful lake where there is nothing but desolation now.

Mr. Newton. I will not admit that, but commencing at Lac la Croix and extending eastward there.

Mr. Backus (interposing). Well, where our dams are proposed—

Mr. Newton (interposing). Your proposals run clear through until they would increase the levels there.

Mr. Backus. No; I mean the distance in miles. How much of a stretch of that 110 miles that Mr. Cars speaks of would these dams affect?

Mr. Newton. From Lac la Croix?

Mr. Backus. Yes; 25 miles.

Mr. Newton. I would say something like 35 or 40 miles.

Mr. Backus. Not that much.

Mr. Newton. In your proposals where you go through Big Saganaga, do you not?

Mr. Backus. No.

Mr. Newton. You increase the levels of Big Saganaga, do you not?
Mr. Backus. Mr. Meyer will tell you how many miles would be
affected out of that whole area.

Mr. Newton. I met the American engineers way north of Big
Saganaga, where they were making surveys. They were in camp at
the time up there in Canada.

Mr. Berger. We have heard continuously the discussion about raising
Rainy Lake by the building of a dam about 3 feet. That is
what we heard continuously.

Mr. Backus. The dam is already there.

Mr. Benson. All right; but as I understand it—and you brought it
out, I believe—there will be a series of dams, one of them as high
as 82 feet. Where is the one that is to be 82 feet?

Mr. Newton. At the west end of Little Vermilion.

Mr. Berger. So there is to be a series of dams, not just one. Why
not get the idea before the committee right in that connection, that
there is not to be just one dam but a whole lot of them?

The Chairman. I think we had better adjourn now until to-
morrow morning.

Mr. Newton. Do I understand, then, that the hearings are closed,
Mr. Chairman?

The CHAIRMAN. No; I think we can take it up in the morning.

Mr. Newton. I have nothing further, so far as I am concerned.
Unless the committee cares to hear from me, you can close the
hearings.

Mr. Backus. I would like to be heard for about five minutes—not
more than that.

The Chairman. Then suppose we adjourn to meet at 10:30 in the
morning?

Mr. Gordon. Mr. Chairman, if I may, I would like to have just
one minute and then permission granted to furnish for the record
some information in rebuttal of statements that have been made
here?

The CHAIRMAN. I think we had better take that up to-morrow.
It has been our experience to-day that half an hour has developed
into two hours, and I think we had better not hold the committee
longer to-night. In the morning you may have that privilege.

Mr. Gordon. If I am not here in the morning, is it understood
that I may have permission to file a statement for the record?

The CHAIRMAN. I think so.

Mr. Newton. I want to express my appreciation of your patience in
sitting here all day when the House has been engaged on other
matters.

The Chairman. I am sure it has been an extremely interesting
session. We will meet at 10:30 in the morning.

The chairman submitted the following papers:

[S. F. No. 458, State of Minnesota, forty-sixth session]

A CONCURRENT RESOLUTION memorializing Congress concerning the Shiplstead-
Newton bill, being S. R. 5013 and H. R. 12760

Whereas there have been introduced before the legislature of this State two
concurrent resolutions relating to the Shiplstead-Newton bill, so called, one of
such resolutions being in favor of said bill in its present form, and the other
such resolution being in favor of said bill, but amended so as to limit the area
provided for therein and/or other changes; and

Whereas the Loop Water League and some other conservation groups and
sportsmen clubs have zealously favored that resolution which advocates the
passage of the Shiplstead-Newton bill without change of the areas now pro-
nounced therein, and have been in agreement with the citizens and public
officials in the counties of Cook, Lake, and St. Louis, as well as others, have
appeared before the committees of the legislature in favor of said resolution
that would limit the area to be contained in the Shiplstead-Newton bill, and
have clearly manifested their desire to have the limits affected by said national
legislation restricted materially in order to safeguard them against any future
material losses of tax revenues and against possible future curtailment of increas-
ities; and

Whereas it is clearly evident as a result of hearings had before the legislative
committees upon both said resolutions that the various conservation organiza-
tions and the people within the counties of Cook, Lake, and St. Louis are
generally in accord and in favor of the main principles and provisions of the
Shiplstead-Newton bill; but because of the determination of both of said groups
to maintain their positions without alteration or modification, certain mis-
undertakings have arisen that are not conducive to the early passage of the
Shiplstead-Newton bill, and for that reason it is desirable and expedient to
effectively and promptly further the passage of the said Shiplstead-Newton
bill; and

Whereas opinion and sentiment in Minnesota, except particularly around
International Falls in said State, is almost unanimously in favor of the Shipl-
stead-Newton bill and is against the granting of any license or permit of
reference by the International Joint Commission in favor of any plan to alter
the water levels along the international boundary line of Minnesota, and public
opinion is most definitely against the exploitation of the entire international
boundary area by private corporations not working in the public interest and
with a view to the public good; and it is clearly evident as a result of the
actions of the groups previously referred to, that it is the desire of the members of the Legislature of the State of Min-
nesota that the said Shiplstead-Newton bill now pending in Congress is approved,
subject to and including the following suggested modifications, amend-
ments, and alterations, to wit:

1. That the area, limits, and domain in said bill be limited to all of the
public lands of the United States situated north of the northerly boundary line
of township 63 north and west of the westerly boundary line of range 3 east
in the counties of Cook, Lake, and St. Louis, State of Minnesota, including
the following named streams within the limits of the St. Louis and its
branches, as designated in the bill:

    Lake Superior

2. That the words “Superior National Forest” be stricken out of section 3
of said Shiplstead-Newton bill and the words “area hereinbefore described” be
added in lieu thereof.

3. That the words “or appropriation” be stricken out of the first section of
said Shiplstead-Newton bill and the words “therein” be added in lieu thereof.

4. That the provisions herein be adopted by the Senats of the Shiplstead-
Newton bill so as to embody these requests and modifications. Be it
further

Resolved, That the secretaries of the Senate forthwith transmit a copy of these
resolutions to the President of the United States, to the President of the Senate,
the Secretary of the Senate, to the Senate Committee on Agriculture and Forestry,
and to the House Committee on the Public Lands, and to each Senator and Representative in Congress from the State of
Minnesota;
land area south of the north boundary township 63. Representatives of St. Louis, Lake, and Cook Counties have agreed to the above in meeting called to consider bill.

ADOLPH DAHLBERG,  
Chairman County Board.  
M. H. BUCKLEY,  
Mayor.  
J. A. ANDERSON,  
Chairman County Board of Education.  
CHARLES L. WELCH,  
President Lake County Development Association.  
CARL GEDIN,  
President Merchants Association.  
BERNICH BAILEY,  
Commander American Legion, Oscar Anderson Post.

TWO HARBORS, MINN., FEBRUARY 19, 1929.

Hon. HENRIK SHIPSTEAD,  
Hon. THOMAS D. SCHALL,  
Hon. CHARLES L. McNABY,  
Hon. GEORGE W. NORGUS,  
Hon. JOSEPH E. RANKIN,  
Hon. PETER NORDECK,  
Hon. JOHN B. KENDRICK,  
Members of United States Senate.

Hon. Wm. A. CARLS,  
Hon. WALTER H. NEWTON,  
Members of House of Representatives,  
Washington, D. C.

DEAR Sirs: Confirming telegram, copy of which is inclosed, the duly authorized representatives of the following organizations of Lake County wish to further voice their objections to S. 3615, H. R. 12738, as has been hitherto done by resolution.

Whereupon, on February 23, 1929.

The committee met at 10.30 o'clock a.m., Hon. Don B. Colton (chairman) presiding.

The CHAIRMAN. We have met here, gentlemen, just to finish up the hearing that was about concluded yesterday. From a personal standpoint, I will say that this is an extremely busy day for me, and while I have no desire to curtail necessary statements, I will appreciate getting through just as quickly as possible. I must be on the floor before noon, and there are some matters that I would like to attend to, if I can, a little earlier than that.

When we concluded last night, as I recall it, Mr. Backus, you wanted to make a little further statement?

Mr. BACKUS. I did.

The CHAIRMAN. You may continue now, if you will.

ADDITIONAL STATEMENT OF EDWARD W. BACKUS

Mr. BACKUS. I wanted to reply to one thing that Mr. Newton called attention to, when I stated that in my presentation of this matter before the International Joint Commission in September, 1925, at International Falls, that I stated our plans were tentative or preliminary, and he, Mr. Newton, said that he did not—at any rate he took issue with me, he did not remember that such was the case. Now, in that hearing on page 147 Mr. Clark stated, in addressing Mr. Backus:

—Have you any suggestions to make as to what should be done at these points? What sort of structures should be erected? What sort of dams should be erected, and the cost of such structures? In other words, what would be sufficient to fill the purpose of storage?

Mr. BACKUS. We can only do that in the rough, as we have done it, until we make complete and definite surveys and get the contours and everything that pertains to the work.

In order to save time, I will not read these, but I can refer to the first paragraph on page 50, where the matter is still further discussed, and then I want to read this:

Sir WILLIAM HEARTY. I would be glad if Mr. Backus would be good enough to give me some additional information. Might I be permitted to say that, as it seems to me that the duty is cast upon this commission of making certain investigations and making a report, and if Mr. Backus to-day said he would with-drew all he had said, and he had no desire to press for any work or any difference in levels, our duty would remain the same, to go on and investigate the matter, regardless of what Mr. Backus said, and we would have to make a report. So I think we ought to get this situation clear. It is not a question of what Mr. Backus urges or suggests, other than that he might give us information and assist us in arriving at the report we may make.

Now, it seems to me that that makes it absolutely clear that I made no definite plans. I did make suggestions in order to give the commission an idea of what sort of plans could be worked out when we got the definite data to enable us to proceed.
Now, there has been so much said by the proponents of this bill and the opposition that has shown up as to our development, particularly in connection with the activities of the Izaak Walton League, that I want to read from the Outdoor America, which is the official organ of the Izaak Walton League. It is the March number, 1928, on page 12, articles 7 and 8:

Build storage reservoirs wherever they will be helpful. A series of flood-water storage reservoirs should be built on every stream so planned and regulated that they may serve many useful purposes. The waters so supplied will aid industry, furnish recreational facilities for the public, supply water in many other ways.

Build a series of secondary reservoirs along all feeder streams. Small reservoirs and impounding lakes should be built along every stream, also in ravines where there are the streams regularly, thereby saving needed moisture and holding on the farms many millions of tons of the cream of the soil now washed away annually.

CHAIRMAN. You say that is from Outdoor America?

Mr. BACKUS. That is Outdoor America, in the March, 1928, number, which contradicts everything the Izaak Walton League has objected to in regard to this project.

Now, I am going to leave for the committee the proceedings of the forty-sixth convention of the Minnesota State Federation of Labor and call attention to page 29, containing their resolution with respect to this project. I presume, Mr. Chairman, that you would prefer not to have me take the time to read it.

CHAIRMAN. You can leave it with the committee.

Mr. YON. How long is the resolution?

Mr. BACKUS. One page.

Mr. YON. I think if we just read it in the record, it will be all right.

CHAIRMAN. He says he is going to leave this with the committee.

Mr. SMITH. Do you want that inserted in the record?

Mr. BACKUS. Yes, I would like to have it inserted in the record.

Mr. YON. Is that an endorsement of the project by the State Federation of Labor of Minnesota?

Mr. BACKUS. Yes, sir.

CHAIRMAN. Read that part that you want in the record and then you can leave the book with us.

Mr. WHITE. Read the page.

Mr. BACKUS. Shall I read the page?

Mr. WHITE. If it is a short page, I think he should read it.

CHAIRMAN. It covers the entire page?

Mr. BACKUS. It covers the entire page.

CHAIRMAN. If the members would like to hear it; otherwise we can put it right in.

Mr. YON. On this point, for the definite information of the members that might not read the record, I asked him if it was an endorsement of the project by the Federation of Labor of Minnesota. He said it was. That is what I wanted to know.

CHAIRMAN. I think that is sufficient, then. We will just put it in the record.

Mr. BACKUS. That will do just as well.
1911 to actively get at work at this, and found that we could not do it until the International Joint Commission had passed upon the project and had authorized it.

Mr. WHITE. Mr. Chairman, I would like to ask a question there. The CHAIRMAN. Are you through, Mr. Backus?

Mr. BACKUS. No.

The CHAIRMAN. If you would prefer to let him finish, or do you want to interrupt him there?

Mr. WHITE. No; but I just had something in mind.

The CHAIRMAN. When he has finished his statement, then.

Mr. Backus. I was just at the point, as I say, that when we started this project, the actual surveys, in 1911, assuming that we could go ahead and build these reservoirs in the ordinary conduct of our business, and were notified of the creation of the International Joint Commission, and that we would not be authorized or permitted to do anything without the sanction of that tribunal we stopped, and on account of the war and other reasons, the matter never got to a point where any program could be made until the treaty of 1925, and now with that tribunal in charge of this matter it does seem to me as if it would be the most unfair procedure of Congress to step in and take any steps which would interfere with carrying out that program, because we do not intend to try to do anything until the International Joint Commission has finished its deliberations and it has been approved by a working agreement between the two nations and with the approval of the United States Senate. I can not say anything further than that.

Mr. Smith. You are perfectly willing to abide by the decision of the International Joint Commission on these controverted questions, are you?

Mr. BACKUS. Absolutely. We would have to, whether we wanted to or not.

Mr. BERGER. He would have to do that anyhow.

Mr. Smith. He might have a bill introduced to set them aside.

Mr. BERGER. That would be some job.

Mr. Smith. It would be; yes.

Mr. WHITE. Mr. Backus, what is the area of the public lands, that is, lands belonging to the United States, along these lakes?

Mr. BACKUS. In this entire area set forth in this bill the President withdrew all the remaining public lands, which was about 28,000 acres, in small areas scattered all through the lake district.

Mr. WHITE. Through the entire territory?

Mr. BACKUS. Containing several million acres; yes.

Mr. WHITE. That, is, the entire area is several million acres?

What do you mean by "several million"?

Mr. BACKUS. I think that area that they have covered in the national forest and adjoining lands named in this bill would amount to 4,000,000 acres, maybe more.

Mr. WHITE. Out of which there is about 25,000 acres of public land?

Mr. BACKUS. Yes, sir.

Mr. BERGER. We have the national forest there, do we not, in Minnesota? The Minnesota National Forest alone amounts to more than 1,000,000 acres.

Superior National Forest, Minnesota

Mr. Backus. Yes; but remember, Mr. Berger, that that is largely private land.

Mr. BERGER. In Minnesota, is that largely private land?

Mr. BACKUS. Yes, sir.

Mr. BERGER. I thought it was largely owned by us.

Mr. BACKUS. No, not at all.

Mr. BERGER. It is largely private land?

Mr. BACKUS. A very small percentage is owned by the Government.

Mr. BERGER. About 800,000 out of 4,000,000 or 5,000,000?

Mr. Meyer. In the Superior National Forest now about 800,000 acres is owned by the Government out of a total of 1,600,000 acres.

Mr. Backus. About half?

Mr. Meyer. Yes.

Mr. BACKUS. But in addition to the national forest you have included in this bill other large areas which makes the total between four and five million acres.

Mr. BERGER. But 800,000 belongs to the Government?

Mr. BACKUS. Yes.

Mr. CARDS. Set aside for a game preserve.

Mr. BACKUS. Remember, Mr. Berger, that quite a percentage of that has been acquired by the national forest from the private owners since the time of its being set aside.

Mr. WHITE. Now, what is the condition there?

Mr. Backus. But let me say, Judge White, that on the boundary waters the Government has very little land, as I remember it, only a few hundred acres on these boundary waters.

Mr. Arentz. But, Mr. Backus, if you put a dam across the boundary waters, it is going to back water up the tributaries, and the damming of the main stream boundary waters will back water up for long distances in the tributaries.

Mr. BACKUS. Not to any extent.

Mr. Arentz. It will not.

Mr. BACKUS. No. That is not a flat country up there. I mean there is a little plateau and then you step up, and then there is another little plateau and then you step up; then there is another little plateau, and then you step up. But it does not back the water up. Our dams will not back water up in the side streams to any extent whereas back on the main stream.

Mr. Arentz. The statement was made in the last spring hearing that the water dammed on the boundary waters would back water up for long distances on the lateral streams.

Mr. BACKUS. Well, that is an exaggerated statement.

Mr. Arentz. That is not true.

Mr. BACKUS. No. To a slight extent it is. Do you have that Mr. Meyer?

Mr. Meyer. No.

Mr. BACKUS. There is no substantial backing up on any tributaries.

Mr. Backus. All the statements that you have heard by the proponents, safe to say, have been colored a little, to put it mildly.
Mr. Meyer. The commission maps will show, of course, exactly what backing up there is.

Mr. Backus. Of course, that is all a matter which comes under the jurisdiction of the commission.

Was there another question, Mr. White?

Mr. White. What is the condition of this area bordering on these international waters on the American side, as to forests on it now, or is it in a denuded condition?

Mr. Backus. Well, with the exception of the timber owned by the interests I represent, all of the timber which was regarded as merchantable and of value has been operated, and the region has been burned over time and again.

Mr. Berger. Except for the islands?

Mr. Backus. Excepting the islands; yes.

Mr. Arentz. I think, Judge, that one statement Mr. Backus just made, to the effect that he had a vested right, escaped your notice because I have noticed in the past you have always taken issue on such a statement as that. [Laughter.]

Mr. White. I say if he has, it does not affect my views.

Mr. Arentz. Well, I am glad to hear that.

Mr. White. I believe that is all I care to ask.

The Chairman. Mr. Gordon, did you want to make a statement?

Mr. Backus. There is just one thing more that I want to call attention to. This plan would call for diversion of most of the water now going down the Namakan River, which is in Canada, diverted to the international boundary stream. I just want to call your attention to the fact that there is quite a little water power, and if any Canadian should make that development, if this bill should pass, it would tie up that entire region, so far as the United States is concerned, and it would be necessary for whoever it was to build a dam, a storage dam, at the outlet of La Croix, Mr. Ronson. You mean from the Namakan Rapids? Is that where you mean to put the dam?

Mr. Ronson. Down below the Indian villages?

Mr. Backus. Down on the Namakan River; yes.

Now, as to what Mr. Newton says, that this bill will not interfere with the functions of the International Joint Commission, it will just give them a sort of a little gesture that says "we want you to remember that we want the recreational features of this situation continued by the commission." Now, what is going to happen to that man in Canada when he goes to build that dam? He will have to come over here and get a bill through Congress to permit him to build that dam. I think, gentlemen, this is going to mix up things terribly.

The Chairman. Now you may proceed, Mr. Gordon.

STATEMENT OF SETH E. GORDON, CONSERVATION DIRECTOR
IZAAK WALTON LEAGUE OF AMERICA, CHICAGO, ILL.

Mr. Gordon. Mr. Chairman and members of the committee, I am going to make my statement just as brief as I possibly can.

In the first place, let me say that I have no personal feeling against Mr. Backus. I have nothing but admiration for him, as he well knows, and that the Izaak Walton League of America is not opposed to power development where scenic or other assets of equal or greater value will not be injured or destroyed. Neither are we opposed to flood control. In fact, we favor flood control, as was read in the record by Mr. Backus. But there is a vast difference between flood control in places where flood control is necessary and an enormous water impounding reservoir for hydroelectric purposes only.

Reference has been made before your committee to the proponents of this measure in somewhat uncomplimentary terms—at least, the inference has been made that there are sinister motives behind the bill. I am quite sure that this was merely a slip of the tongue, because the opponents of this measure must know that the various organizations supporting it have no political or personal axes to grind, and that there only purpose is to render a useful public service. The Izaak Walton League does not own one acre of land in that region, and does not intend to.

Among the supporting organizations are the Izaak Walton League, the Quetico Superior Council, the American Game Protective Association, and others. Having had a great deal to do with this measure from the beginning, I know of my own knowledge that none of these organizations hope to profit or is animated by anything but the greatest good to the greatest number.

The Izaak Walton League is not only a Minnesota organization but is a national organization with 125,000 members scattered throughout the United States of the Union. Our Minnesota division of the league is one of the strongest divisions and is animated only to perfect the outdoor recreational facilities of that region.

The Walton League became interested in that region five years ago. We are largely responsible for keeping certain portions of it as a wilderness region by preventing the building of motor highways in the very heart of it, and thus destroying the uniqueness of it, that is, a lake-land canoe route instead of the average motor route easily traversed by many, many thousands of people every summer. Surely the Izaak Walton League cannot be charged with having any personal motives or being the tool of any interests unfriendly to Mr. Backus and his company simply because we are opposing this bill.

The Quetico Superior Council is associated with the Izaak Walton League and represents all the Minnesota Statewide civic organizations, such as the State Conservation Council, the Minnesota Game Protective Association referred to by Mr. Backus, the Federated Women’s Clubs, the American Legion, the Farm Federation, and a number of others. Having helped to formulate the plans for the Quetico Superior Council and having actually assisted in its organization, I know that it was not organized as the tool of any individual or group of individuals, but was organized solely as a public welfare group.

The other organizations supporting this measure are likewise animated only by the spirit of fairness and public service. So far as these organizations are concerned, I can truthfully say that they are spending their own money contributed by their own members. There is no gentleman of color in the woodpile at all, as has been insinuated.
Mr. WHITE. I have not observed any insinuation of that kind at all.

Mr. GORDON. Well, I will leave that with the committee, Judge White. Yesterday, and several other times there have been insinuations that the supporting organizations were actuated by some sinister motive.

Mr. WHITE. I think this is probably true, and I think you will admit it, that many of these organizations that have been imported or knitted or knowing what the situation is, and it is a failing, I think, that we will all concede of Americans to line up when somebody urges them to.

Mr. GORDON. Well, in this case, Judge White, every organization back of this project has had capable representatives on the ground, not once, but a number of times.

Mr. WHITE. The women's clubs?

Mr. GORDON. The women's clubs have had representatives on the ground.

Mr. WHITE. From Denver; have they been out there?

Mr. GORDON. No; I say the State federation. I beg pardon, I did not say the national federation, but the State federation.

Mr. AUSTIN. And let me say also that, regardless of how many associations or individuals enter into protestations against a thing that ultimately the sun will shine through the barrage smoke if the thing has merit.

Mr. GORDON. Certainly.

Mr. YARD. Mr. Yard has not taken a hand in it, has he?

[Laughter.]

Mr. BERGER. Who is he?

Mr. WHITE. Mr. Yard has immortalized himself. He has written a book. [Laughter.]

Mr. GORDON. It has been said there has been a great deal of propaganda behind this measure. I can truthfully say that the columns of Outdoor America and the public press have been practically our only weapons. We have not been well financed, as has been the opposition. Neither have we attempted to influence the public press by controlling paper contracts or anything of that sort.

Either in the proceedings something was said about the area itself. Those of your honorable body who were fortunate enough to visit it last August saw for themselves just what a unique land, lake, and forest region it really is. There is nothing like it anywhere else in the United States, except in Maine, and being right in the heart of the continent it should forever be retained as a great natural playground and forest production area.

I have heard it said that by flooding the watercourses the present portages will be either made shorter or removed entirely, and that therefore it would be more attractive than at present. That is just where the advocates of such a plan miss the mark. The region is attractive because it does require human exertion to see it. Far too many of nature's beauty spots have already been destroyed by man's efforts to improve what the Creator made. Now is the time to save these wilderness areas of the Middle West, the South, and the East, before it is forever too late. The West still has plenty of

Mr. BACKUS (interposing). How much at the boundary waters?

Mr. GORDON (continuing). And the region affected by the Newton bill receives no mean share of this enormous amount.

Mr. BACKUS. That did not answer my question.

Mr. GORDON. I can not give you the exact amount, but I think you will find it earlier in the record. The best part of it all is that this income to the people of Minnesota is constantly increasing, but if the stellar attractions of the region are injured or destroyed, the neighborhoods will enjoy more of this tourist prosperity.

Mr. BEENE. You mean Wisconsin?

Mr. GORDON. I mean Wisconsin and Michigan. Many of the permanent residents of northern Minnesota make their entire livelihood by catering to the wants of the recreationists. Certain entire towns that were formerly lumbering centers now exist almost entirely on

these areas, but is wisely taking steps to preserve them now. Let us save some of these wilderness areas, some of these beauty spots will never man may see only by using their arms, their legs, their backs, and their lungs. Let us save these areas as an inspiration to coming generations. Let us call a halt and stop sacrificing everything on the altar of the almighty dollar.

I would like to speak briefly about the purpose of the bill, which has been covered, but some angles have not been brought out. The purpose of it was, as you well know, to safeguard and protect the region for future use. The plan is to protect it in a state of nature, as nearly as is humanly possible. The region is sparsely settled and is ideally suited for recreational uses and the production of forest products, but something far more important is involved. President-elect Herbert Hoover, who has been the honorary president of the Isak Walton League for several years, has said:

As our people increase in numbers and in leisure we must have simulation to health, and, above all, the moral value that comes from association with nature.

I am sure that when Mr. Hoover made this significant statement he did not mean any man-made, manacured nature such as you can see in any city park, or even in your own back yard, but he meant the remote wilderness areas, the things which do not enter one's everyday life in this busy industrial world.

In pleading for this bill I am thinking particularly of the thousands of boys and girls, the toiling men and women of our large industrial centers, who need a change of scenery. Let us get out, to go into God's great outdoors and commune with nature and come back stronger mentally and physically, to again take up their daily tasks.

On the question of the economic need it has been stated to your committee that by impounding the waters of this region much needed power may be developed and the region further industrialized, thereby furnishing more employment and benefiting the country generally. In the first place, I desire to call attention to the fact that the region as a whole will represent a far greater harvest if dedicated to recreational purposes and the growing of timber crops than can possibly be garnered by further industrialization. Minnesota now jurors an annual crop of tourist dollars aggregating $80,000,000, and the region—
the tourist business. It would be economically unwise to concentrate this scattered population in one or two places devoted to commercial development, and leave that vast region uninhabited and a constant fire menace.

The truth of the whole matter is that on the one side you have bigger dividends for a few people; on the other side you have regular annual dividends for many hundreds of people scattered throughout the region. It should be an easy matter for this committee to decide where you will benefit the greatest number.

In rebuttal, I would like to say just a few things and then I will be through. This bill does not interfere with private lands or the harbors in that region. Approximately 800,000 acres of the Superior National Forest containing around about 1,600,000 acres, has already been purchased, and the balance of it will undoubtedly be acquired as rapidly as funds are available. But in addition to the Federal land, the State of Minnesota owns an enormous acreage in that same region.

The second item, raising water to the high-water level and holding it there for prolonged periods, will kill enormous quantities of timber varying in age from 40 to 150 years. It has been said it would not kill any timber. The beaches as well would be gone and would not again be replaced for a long term of years.

Mr. Cassa. Mr. Chairman, may I ask a question there? What effect would that have on the spawning grounds on which fish depend when they are first hatched out?

Mr. Gordon. That was covered in a statement by Carlos Avery in the first proceedings, the first hearing before this committee. Mr. Avery, a former fish and game commissioner of Minnesota, and a well-known study of that region, and it is his candid opinion that it will very adversely affect the spawning beds of a number of the important fishes of that area. My general knowledge on that subject in that particular area is somewhat limited, but I do know that in dams where the water levels fluctuate considerably in other places, the fishing has been very seriously impaired.

No honest effort has been made to adjust any of the claims for enormous damages arising out of flooding already done, and I defy the opponents of this measure to satisfy this committee that such an effort has been made. On the contrary, I am reliably informed by that when claims for damages are presented, they are informally taken in the courts, and that they will be paid such amounts as the courts decide are due them.

Mr. Exlomesherr. Pardon an interruption there, Mr. Gordon. Have there been any damages granted by the courts in that area that you are speaking of now?

Mr. Gordon. As was stated yesterday, there have not been. The courts have not found a verdict in favor of the three cases, was it, Mr. Backus, you said?

Mr. Backus. Yes.

Mr. Exlomesherr. What do you think is the reason that the court did not grant any damages?

Mr. Gordon. If you will permit me to give you this next paragraph, I think probably it will answer part of that. Many of these claimants are hard working people in very moderate circumstances and can not afford to hire an attorney to press their just claims.

Mr. Burges. That is a very good reason.

Mr. Gordon. But they have been flooded out just the same. I have two photographs in my possession, and had I known that I would have shown them here before this committee I would have brought them with me. Some of the members of this committee saw them on that boat trip last year. One of them shows a man's very beautiful homestead that he had built with his own hands, and when the dams were raised the water came up to the tops of the windows, and he showed taking out his furniture to show it. Some of you remember that picture. Do you recall it, Mr. Chairman?

Mr. Smith (presiding). Yes; I remember that.

Mr. Gordon. That man is one of many, and I am reliably informed he was simply told, "Well, take your case into court, and if the court gives you anything, all right."

Mr. Exlomesherr. That gentleman must have been rather slow in receiving notice that the water was going to be raised, was he not?

Mr. Gordon. Probably so.

Mr. Yon. They must have put the dam up very quickly.

Mr. Gordon. Their property has been taken without compensation of a sort, and many of them fear the power states one responsible for this outrage, so that they tremble for their very lives. They are afraid to go into court, even though they had the money to hire a capable lawyer to fight their case.

On the other hand, certain property owners of means have been offered some prices for their property in order to have worth protagonists removed from the path.

Mr. White. Name some of them.

Mr. Backus. I challenge you to name them.

Mr. Gordon. Due to the deplorable treatment accorded their fellow sufferers of lesser means, most of these offers have been spurned.

Mr. White. You are not able to give the name of anyone?

Mr. Gordon. I am not at liberty, I am sorry to say, to give you those names, but they can be ascertained.

Yesterday it was stated that there is no general overproduction of paper and pulp in this country and in Canada.

Mr. Backus. Who stated it?

Mr. Gordon. You did. You said it was a temporary situation.

Mr. Backus. I said there was a large overproduction.

Mr. Gordon. Temporarily, and that it was not general. So Mr. Backus. Oh, yes; generally in the United States and Canada.

Mr. Gordon. But you left the impression, Mr. Backus, that it was only a temporary condition.

Mr. Backus. Certainly; yes, that is the idea.

Mr. Gordon. All right.

Mr. Avery. May I ask a question, please? In view of the fact that it will be impossible to act on this bill this session, why is the belief so prevalent among the proponents of the bill that we should vote it out?
Mr. Gordon. To get the two sides of the question before the people of the entire country, and particularly of that region. There has been a lot of real paid propaganda against the measure.

Mr. Backus. What do you mean by "paid propaganda"?

Mr. Gordon. I mean the sending of agents into the Superior Forest country.

Mr. Backus. Absolutely not a word of truth in it.

Mr. Gordon. And the distribution of enormous quantities of printed literature.

Mr. Backus. None whatever that has been paid for.

Mr. Gordon. And I also mean some of the other things that I inferred earlier in my remarks.

Mr. Smith. I do not see that there is any particular objection to those who are opposing legislation sending out printed literature, just as well as those favoring it.

Mr. Gordon. Certainly not; but I do not take offense at that.

Mr. Smith. We get a lot of mail every morning for and against propositions.

Mr. Gordon. If the committee will permit me to proceed, I will finish in just a moment, then you can ask any questions you wish.

The present 4-day-a-week schedule is not a temporary condition.

Mr. Backus. How do you know?

Mr. Gordon. I have just returned from a conference with paper and pulp manufacturers in New York City, and the statements there made publicly do not bear out the statement that this is a temporary situation.

Mr. Backus. Their statements are no better than mine.

Mr. Gordon. The statements there were to this effect: That the paper mills are running only about 80 per cent or less, and that there is a vast overproduction in all lines of paper products; that if there should be no further expansion of mills or increasing of capacity during the next 10 years, the average annual increase in paper consumption would, at the end of that 10-year period, enable the mills to operate at capacity and at a reasonable profit.

Mr. Smith. Who expresses that opinion?

Mr. Gordon. That opinion was expressed by an official of the paper and pulp association in a public conference, which is on record. It was taken by a stenotype, just the same as it is being taken here now.

Mr. White. When?

Mr. Gordon. On the 21st day of this month in New York City at the Hotel Waldorf-Astoria.

Mr. White. And who was the party?

Mr. Gordon. I can not give the name now, I am sorry to say.

Mr. Smith. We can identify it; you have given the date.

Mr. Smith. It was made publicly by some manufacturer who does not want any more competition?

Mr. Gordon. They were all down there together as brothers, just as we are as American citizens right here, talking their own business affairs over.

Mr. White. They were preparing then for a tariff propaganda, were they not? [Laughter.]
Mr. White. Just a moment. I want to ask a question or two. Mr. Gordon, the Izak Walton League appeared before the International Joint Commission and presented its views, did it not?

Mr. Gordon. Yes, sir; in 1928, the representatives of the Izak Walton League appeared at International Falls.

Mr. White. Is that the only place they appeared before them?

Mr. Gordon. Before the International Joint Commission, yes. The International Joint Commission has been taking testimony since 1925, have they not, when these questions were before them?

Mr. Gordon. They may have been taking testimony, but no representative of the Izak Walton League appeared before them since that time, to my knowledge.

Mr. White. The Izak Walton League knows, does it not, that under and by virtue of a treaty between the United States and Great Britain, entered into on February 4, 1825, that the question of complete survey of all this area there was entrusted to the International Joint Commission, which was created by the treaty of 1899?

Mr. Gordon. Yes, sir.

Mr. White. And you know, do you not, that there was, by Charles Evans Hughes, Secretary of State of the United States, and by Mr. Ernest LePage, representing the Canadian Government, four questions submitted, or propositions submitted to that commission in relation to all of these matters and the uses to which these lakes could be put, and the effect of raising the waters in them, and what effect the raising of these waters would have upon the shore line and upon the fisheries and other purposes of an industrial character, and that they were to make this report to their respective governments? You know that, do you not?

Mr. Gordon. Yes, Judge; but there is no reason why anybody should object to this piece of legislation, the only purpose of which is to hold the fort until that commission reports, and thereafter to permit the Congress of the United States to refuse, in case there is any question about the wisdom of a plan that may be proposed. Certainly no one should fear coming before Congress with a problem like that.

Mr. White. Mr. Gordon, again referring to the matter of the Joint Commission, you know, do you not, that under the treaty entered into between the United States and Great Britain in 1906, in relation to these boundary waters, and the treaty of 1925, supplemented by the agreement entered into between the United States and Canada in relation to these investigations, that the International Joint Commission has exclusive power over the granting of permits upon these waters?

Mr. Gordon. We question the International Joint Commission's right to grant any permit. The Federal Power Commission, we think, is the agency to issue the permit, after the International Joint Commission finds that it is proper so to do.

Mr. White. I would call your attention to section 6 of the rules of procedure of the International Joint Commission, which pertains to applications for use, and I will ask you if it is not true that before any action of the International Joint Commission could be had the
Mr. Douglas. Do these various treaties between this country and Canada refer only to navigable boundary waters or to all boundary waters?

Mr. Gordon. I understand they apply to navigable waters as well as head waters of those waters. Is that right, Mr. Meyer?

Mr. Meyer. All boundary waters, main shore to main shore, and all bays and inlets at the same level. Then it also refers, to a certain extent, to waters flowing across the boundaries.

Mr. Douglas. Regardless of whether they are navigable or non-navigable?

Mr. Meyer. That is my understanding.

Mr. Douglas. Are these waters that Mr. Backus would like to develop navigable?

Mr. Gordon. Part of them are and part of them are not.

Mr. Douglas. Of course, if they were non-navigable and the site of his development was not on public land, he would not require a license or permit from the Federal Power Commission, he would simply require a permit from the International Joint Commission.

Mr. Gordon. No; if they were not on Federal lands and were entirely within the State of Minnesota, not on navigable streams, I think he would have to go to the State of Minnesota for his permit.

Is not that true, Mr. Backus?

Mr. Backus. No; not at the present time.

Mr. Gordon. Because the State does not have a well defined water power policy.

Mr. Backus. Any change in the water level would require us to go to the International Joint Commission, or if this bill was passed, to Congress.

Mr. Smith. Are there any further questions?

Mr. Douglas. Mr. Chairman, it seems to me that this is the situation, is it not? Action is wanted at this session of Congress to prevent development, the reason being given that they do not want the recreational features of this particular area destroyed. It has been stated by the two sides, the proponents and opponents—by the proponents of the bill that there is no conflict between the use of the resources within this area for industrial purposes and the enjoyment of them for recreational purposes. The proponents have stated that there is a decided conflict between those two interests. I do not think there has been any evidence introduced before the committee which is conclusive as to the actual existence of a conflict in one way or the other; or in the second place, as to whether or not, if there is a conflict, the conflict can be reconciled, and I can see the necessity, in the absence of such evidence, for at least imposing a temporary embargo and development in so far as Congress has the authority to impose an embargo, and I wanted to ask this witness, if I might, who is a proponent of the bill, what he would think of a certain amendment to the bill which would not impose a perpetual embargo but which would simply impose a temporary embargo until the report of the Army engineers, which I understand is now in process of preparation, has been filed and has been made available to the committee?

Mr. Smith. You are asking that of the witness?

Mr. Douglas. I do not want to hold up the committee and I do not want to prolong the hearing, but if the Chair thinks that is a pertinent question I would like to ask it.

Mr. Smith. I think, in view of the fact that it is the plan of the committee to consider the bill, that that question would be very proper.

Mr. Yon. Just what amendment, Mr. Douglas, would you suggest, to put on an embargo, until the report of the International Joint Commission was made public?

Mr. Douglas. No; an amendment to the bill.

Mr. Yon. What limitation of the embargo would be carried in the amendment?

Mr. Douglas. An embargo on development of water power is to be found in section 3, not implicit but implied, and my feeling was that possibly we might protect this area until sufficient engineering data is available to the committee, until the report of the Army Engineers, which is now in process of preparation, or until the report of the International Joint Commission has been made available.

Mr. Gordon. That would require considerable time and study of those reports to analyze them and bring to you a synopsis of what they really mean.

Mr. Douglas. What would you think about a time embargo?

Mr. Gordon. From our standpoint I would like to confer with the sponsor of the bill, and I would much rather have the committee ask the sponsor of the bill to appear before you, and whatever he may do the matter will be agreeable to us. All we want is to protect the region, and not have somebody slip through without coming to some tribunal that will give the public its day in court, with a permit which will in effect throttle further action for all time. I would rather have you ask Mr. Newton that question.

Mr. Letts. I will ask the gentleman if he would not be willing to defer his inquiry and make it of Mr. Newton?

Mr. Douglas. Yes; I will be glad to do that.

Mr. Gordon. That is what I would prefer to have you do, Congressman.

Mr. Smith. That can be done at the next meeting. That completes the hearing this morning.

CONCLUDING STATEMENT OF EDWARD W. BACKUS

Mr. Backus. Mr. Chairman, I think Mr. Gordon's reflection on the standing and integrity of the interests I represent justifies me in challenging some statements he has made. Where he says that the claimants who are too poor to hire a lawyer, are powerless, and where he intimates and makes the direct statement that where property owners of substantial means have been approached by the committee in order to get them out of the way, there is absolutely not a word of truth in any thing of the kind on either side. I challenge him to name the owner of any property that can defend a law suit, where we have offered him a penny.

I want to say this: When this matter first arose Governor Hammond was the Chief Executive of Minnesota. The subsequent Governor Preuss was auditor. They came up to International Falls on a trip, a legislative trip. There was quite a party of legislators came up there, and we together started out on a cruise so that I
could show the governor and the auditor where these properties were, where damages were claimed. After we had proceeded a certain distance Governor Hammond said, "Mr. Backus, I would like to have you now begin to point out these properties where they are claiming damages," We were on top of the boat, and I said, "Governor, there is a claim right there opposite us, one of the claims." "Well," he said, "I hope you won't consider this a little jolly party. I would like to know where there is anyone that claims damages." I said, "There is a party right opposite." He said, "Surely he can't be claiming any damages." I said, "That party has filed a suit for $75,000." He said, well, it was hard for him to understand that that was true, and he said, "Why, I sit on the board of that now. He has no claim for damages." So, to follow that down, that claim stood on file in the court and was adjourned once or twice, until I said to our attorney, "Now, we are going to try this case." And when the party found we were going to try the case he dismissed the suit.

The next claim we came to was a little piece of land along the shore where it was in sight, and I said to the governor, "Here is a party that claims $3,000 damages." We were cruising on top of the land, and he says, "On what ground does he make the claim?" I said, "He makes the claim on the ground that the water now is 2 feet deeper covering land than it would have been if we had never built the dam. In other words, his land was 7 feet under water anyway, and it was only 2 feet more under water at that time with the dam built. That party, when we forced him to try it out, dismissed his suit.

I want to say this to the committee that when our plans were approved, either in the late nineties or in 1900, every one had notice of how high that dam was going to be and what the level of the lakes would be, and for me to make the statement to you, you may think it is a little strange, that most of those claimants bought their property from the State or the Government with the expectation of making these claims. I do not want this committee to feel that we have done anything that anyone else around this table would not have done under like circumstances.

I also want to thank Mr. Gordon for telling me all about the paper business. As it happens, the companies I am interested in are the fourth largest manufacturers in the world, and I do not see what difference it makes to the Izaak Walton League whether we use that power for paper or for insulite or for other manufacturing, when I say we are short 20,000 horsepower this minute, I expect this committee to believe me.

Mr. Gordon. Mr. Chairman, I would just like to ask Mr. Backus one question, and that is whether agents representing his firm have made an honest effort to adjust the legitimate claims of the people that have been flooded out.

Mr. Backus. There is not an unadjusted claim to-day that is a legitimate claim, not one.

Mr. Gordon. Then, according to that, the number of people whom I met from that region, and some of them of rather indisputable standing.

Mr. Backus (interposing). Who, for instance? I would like to have you name them.
I want to say, further, that, so far as our position regarding the killing of trees is concerned, the record will show that I have stated to a Congressman who asked me the question that if you held the water up to a high level continuously during the summer time, it would kill the trees, and I think you gentlemen will remember my statement to that effect.

Also in regard to some of those suits, I just want to state for whatever it is worth, assuming that the power company thought I was an engineer worth employing, that the other people called me in in a suit, and I acted as a witness for both sides in one of those suits.

Just one other point. In the Senate bill as reported out of the committee a certain power project within that area is exempted because of a prior application, thinking of this region as a whole. Another application was filed in 1920 with the Ontario government. Would it not seem fair to exempt that application also?

Mr. Cass. Mr. Chairman, may I have a couple of minutes? In answer to the statement of Mr. Gordon in regard to the interests that Mr. Backus represents attempting to settle with influential landowner claimants, that is the rumor. I do not know whether there is any truth in it or not. I have never met anyone who gave any authentic information, but I was present at the hearing at International Falls before the International Joint Commission in 1925, and there I heard claimant after claimant, and it is a matter of record, come and relate his experience to that committee, men who went in there, with their two hands and chewed out a little home, and who were dispossessed because of the water rising, particularly around the vicinity of Rainy Lake, where the damage had already been done. One man was asked why he did not go into court and defend his rights. He said—he was a Finisher, rather illiterate, that is, unfamiliar with the English language—he said, "You ask me, why I don't fight Backus? How can I fight Backus with my two hands? Way too many, can't lick Backus. He can't even make him pay his taxes." (Laughter.) And I heard a number of those men—in fact, they came to me and asked to be heard, and I gave the list of their names to the chairman of the committee, and they were all called, or a great many of them were called, and they related the story to the committee, and I think it has been forgotten.

Mr. Backus (interposing). They all wanted money, did they not?
Mr. Cass. Absolutely. And if you had nothing but a little farm, a few acres cleared, and it was all you had on earth, and somebody would raise the water and drive you out, you would want money, too. Your reputation is that you are not at all backward about taking money.

Mr. Backus. But they were never driven out on account of water; their land was always under water.

Mr. Cass. That was the claim before the committee.

Mr. Smirnx. We will have to adjourn now, and the chairman will call the committee together, probably early in the week, to give further consideration to the bill. The hearings, as I understand it, are closed.

(Whereupon, at 12 o'clock noon, the committee adjourned.)
An International Wilderness Sanctuary

By ERNEST C. OBERHOLTZER, President Quetico-Superior Council

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THE wilderness and all its creatures are on trial in North America. Within 300 years of the pilgrim fathers the paleface from across the sea holds the remnant of the for the intrepid explorer, Verendrye, by the old Indian Chief, Ochagach. They met at Lake Nipigon on the far edge of the known world, the Frenchman from near Montreal, the Indian from Thunder Bay at the head of Lake Superior. The Frenchman, one of the noblest of a noble race of explorers, was seeking a way to the Western Sea; and the friendly Indian, little suspecting what the future had in store, eagerly aided the white man to penetrate his own land. Ochagach and his race, like all other creatures of the forest, accepted the wilderness as their natural home, wishing no change or improvement. Verendrye, on the other hand, typified the dream of empire, the conquest spirit, that animates all the race of white men.

In its pictorial quality the birch bark map drawn by Ochagach resembles the backbone of some antediluvian monster. And well it may, for it represents the true backbone of the continent, the chain of lakes from which radiate the St. Lawrence, the Mississippi, and the Hudson Bay watersheds. Way beyond the memory of man these waterways between Ontario and Minnesota were the traveled route east and west. Cartographers may come and cartographers go, but to my notion, after twenty years of travel in these forested lakes, Ochagach's map in spite of grotesque drawing is the peer of all in logic and knowledge. It expresses distance not in rods and chains but in terms of tump lines, camp fires, and paddle strokes. It has a fidelity to the larger facts that few (who of the modern map makers realize and that the final boundary authorities scarcely equalled.

Webster-Ashburton Treaty

More than a hundred years after Ochagach
showed the way, those very lakes of his became the subject of a treaty between Great Britain and the United States, defining the boundary between Ontario and Minnesota. Except for the short swift Pigeon River, which tumbles into Lake Superior, all the rest of these waters flow westward through Rainy Lake to Lake of the Woods. Thence they begin their northward journey entirely in Canada through Lake Winnipig to Hudson Bay. The solemn Webster- Ashburton treaty of 1842 ended a long period of discord and it did so by declaring, “that all the water communications and all the usual portages along the line from Lake Superior to the Lake of the Woods, and also Grand Portage, from the shores of Lake Superior to the Pigeon River, as now actually used, shall be free and open to the use of the citizens and subjects of both countries.” Thus was the immemorial canoe route of Ochagach, even the portion lying entirely in the United States from Pigeon River to the fur emporium of Grand Portage, established not merely as a dividing line but as a meeting place for the two peoples. Its public and international character was fully recognized.

Two Forest Preserves Established

A still further step in the direction of international public use for this historical region was taken in the spring of 1909, when without blare of trumpets two more or less contiguous game and forest preserves were set aside opposite each other along the border lakes midway between Lake Superior and Rainy Lake. Apparently, conservation was easier then than now. The idea, we are proud to recall, was born in western Ontario. A Canadian from Toronto, Arthur Hawkes, late in 1908 brought it to St. Paul, where the Minnesota game commissioner, Carlos Avery, sped it on its way. Hawkes was encouraged to talk to a committee of the state legislature and to commercial clubs of Duluth and the Twin Cities. His words fell on receptive ears. No less a president than Roosevelt himself, in the fullness of his wisdom, proclaimed Superior National Forest within a month or so of the action of the Ontario Minister of Lands and Forests in establishing Quetico Provincial Park. What was virtually an international forest of two and a half million acres, arising out of the vision of Ontario citizens and requiring the sanction of three governments, provincial, state, and federal, was set up almost overnight and not a word exchanged between the officials of the two countries! It was a rediscoveared country

That was back in 1909, sixty-seven years after the Webster-Ashburton treaty. Two lines of railroad had been flung across western Canada, one of them passing just north of Quetico Provincial Park. Two new railroads from the south, one from Duluth, the other from Minneapolis, had just been completed to the border. Travelers began to visit the little-known lakes of Ochagach, discovering there rare interest, charm, and healthfulness. The war interrupted for a time but only accentuated the interest thereafter. It began to dawn upon public consciousness that the two forest reserves were capable of serving much higher purposes than timber production alone. Organizations like the newly born Izaak Walton League under the leadership of its national president, Will Dilg, and its Minnesota president, the late George Selover, and the Superior National Forest Recreation Association ably headed by Paul Riis emphasized and fought for a new vision of the national forest in relation to outdoor recreation. They were upholding new, broader, and more national uses for the forest and were keenly vigilant against any developments that seemed to jeopardize those new aspects.

Protest Against Interference

At this point an international note was again sounded. Early in 1925 it became known that a project was on foot for damming the border lakes and extending the operations of local pulp companies into the Rainy Lake watershed and
that the matter of artificial lake levees had been referred by the two governments to the International Joint Commission. The ancient and historic town of Fort Frances, Ontario, situated midway of Ojibways' lakes near the outlet of Rainy Lake and almost on the site where the first French explorer 357 years before established his original fort, officially called an international meeting of citizens to protest the conversion of these public waters to private uses. They began calling about for aid and found the Izaak Walton League, the Minnesota Conservation Council, the Arrowhead Association of Duluth, and scores of other societies and municipalities in both countries eager to help. When Arthur Hawkes in a remarkable news, article late in 1927 proposed that in fact the Rainy Lake watershed lying in Minnesota and Ontario be made a vast international forest, developed under a joint policy to insure maximum enjoyment of all its economic, recreational, educational and historical aspects, and dedicated to the memory of the early explorers, his suggestion was eagerly seized upon in the United States.

Quetico-Superior Council Formed

A widely attended forestry conference under the auspices of the Minnesota Conservation Council and with the cooperation of the Izaak Walton League was held at Duluth in November, 1927. A program, based upon extensive study of the needs and potentialities of the region, was adopted and steps were taken to promote a temporary working organization of international scope, the purpose being to muster the support of all individuals and societies in both countries for the attainment of an international dedication. The results of that meeting are the so-called Quetico-Superior Council named for the forest reserves already in existence. It is the reply to the little international movement started in Fort Frances and to the challenging article of Arthur Hawkes. These beginnings have grown to huge proportions. Scientists, conservationists, public officials, and national organizations of the highest rank in the United States have heartily approved the idea and pledged their cooperation to our neighbors of Ontario.

An Unrivaled Lakeland

No one today would think of abandoning Yellowstone or the Grand Canyon or the best of the Canadian Rockies to commercialism. Nor would any lover of America, I'm sure, who knew the border lakes as I have known them in the last score of years, for a moment consider conceding these woods and streams to private ambition, no matter how daring or flattering the economic vision. It has been my business to know these lakes and their vanishing wild life intimately. I have traveled thousands of miles by canoe and snow-shoe. I have lived with the native-Ojibways. Whatever health I have today I owe in large part to these northern lakes. I am speaking moderately, of course, when I say that in its own quiet way this forested lakeland has no rival on the continent for wealth of attractions.

Where else can one find a closely-woven web of three thousand or more lakes, infinitely varied in size and form and lying too in the white pine belt of America? This belt, though once extending far south into the United States, is now limited to a narrow strip on both sides of the Canadian border. Where else in the temperate zone such riches of flora and fauna, those of both land and water, including even that largest American deer, the moose, a creature by the way that has taken advantage of his opportunity and become almost amphibian in habits? If these lakes and streams were useful for nothing but angling, that alone would destine them for the delectation of a continent. But they contain untold other values of romance and beauty. The geological past is written on their clean rocks. Their more recent historic role in the exploration of the northwest has all the glamour of the crusades. And even the native Indians of today, the most primitive rare good fortune it lies less than 24 hours by rail from Chicago. The whole Middle West, sweltering in the hot and dust of summer, looks longingly toward this cool retreat. It lies central to the whole continent. Donald Hough more than a year ago in two revealing articles in Outdoor America made crystal clear its vital relationship to the recreational needs of the people. Well may he say: "The time is here, when there is too much money and not enough outdoors". To forget that is to reverse the values of life and to ignore the fundamentals of American greatness.

True, the region has already suffered severe for forest fires, timber shortage, and salmon slaughter have left deep scars. The best pine is already gone. Dam's already obstruct some of the lakes and streams and mar their thousands of miles of shore. Where I once saw 44 moose in one day's travel, you can now travel weeks and rarely see one. For other reasons, it would seem, not for abandoning this region, so superbly endowed by nature, but for making haste to rescue it. Even 25 years of well-planned administration, working with nature instead of against her, would restore most of the original glories.

Exploitation Not Necessary

The difficulty, of course, is to reconcile local business demands for utilizing resources and the larger public desire to protect them. So far as Superior National Forest is concerned, I believe this obstacle is more imaginary than real. There is no such conflict between fundamental economic needs and national aspirations as many of the exploiters would have us believe. The conflict is not between industry and sentiment but between waste and profession. The ancient game of grab, long tolerated and in fact encouraged by public inertia, has not only left industry stagnant and great portions of the land barren but has saddled the counties with a tax problem. The Forest Service alone has pointed the way out; it has stepped in for the purpose of restoring exhaustion and production; and already the Arrowhead Association of Duluth, a semi-public business organization itself, by persistent logic and facts, has secured recognition from the whole State of Minnesota for this fundamental economic rejuvenation. The chief purpose of the Forest Service is to replace old habits of vandalism by orderly harvesting of surplus crops. Dr. Raphael Zon, internationally distinguished in forest research, puts it picturesquely when he says: "A good forest plan, not with a dibble or a mattock, but with an axe at the time he harvests the timber." And the best of the plan is that it not only insures permanent wood industries but, as practised in Europe, has equally insured a permanent and pleasurable forest.

Forest is Necessary

The one thing indispensable to this whole rock-bound border region is its forest. It can grow nothing else. The forest protects stream flow, shelters wild life, and affords delight to man. But, if the forest in this region were a forest only, it would have relatively little appeal for the outside public. Its great value for the American people is that it

"Musk" caught in a tributary to Rainy Lake

Photo by Oberholser.
contains an incomparable lakeland superbly endowed by nature.

The Wilderness Plan

What the plan of the Quetico-Superior Council proposes is that these lakes and rivers, which thread the forest with natural highways, shall have their natural features—their beaches, islands, rapids, waterfalls, and wooded shores—kept forever inviolate. Neither flooding, draining, logging, nor road-building shall further mar their native beauty and wilderness charm.

The entire area of some 14,500 square miles lying in two countries—more than four times larger than Yellowstone—shall be guarded against fire and other forms of waste and degradation. Under the treaty, it is proposed to appoint an advisory committee made up of forest, park, and biological authorities from both countries.

The problem is clearly a forest problem. In Superior National Forest miles upon miles of new growth in every stage of recuperation upon lands formerly denuded speak eloquently for the protection afforded by the Service and for the future supply of forest. Supervisor A. G. Hanlon tells with justifiable pride as well as with humor how he traced one fire—only to find that the pencil of smoke rose from the retreat of a Finnlander taking a Finn bath! The fire menace in Superior Forest is already under reasonable control. What is evidently needed is to provide machinery to see that the plan is thoroughly carried out.

The problem of the Quetico Superior Council is economic and social. The maximum production of all its timber, fish, fur-bearers, and game. Timber will be harvested in the hinterlands out of sight of the waterways and in strict accordance with the best modern practises, so as to insure continuous forest cover and yield; but the higher social uses of the forest will be given full opportunity.

Treaty May Follow

Providing that the Province of Ontario gives its consent, the two governments will be asked to adopt a treaty for these great purposes, agreeing to recognize as a unit the forest, game, and recreational problems of the whole lakeland and to adopt a uniform policy for their administration. Under the treaty, it is proposed to appoint an advisory committee made up of forest, park, and biological authorities from both countries.

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ALBERTERIN GAME

auto tourist, the summer cottager, the hotel visitor has there the opportunity for every facility he desires. And he comes there charmed with the thought that he is living on the edge of the last great wilderness.

Men of the vision and idealism of Dr. C. C. Adams, former director of the Roosevelt Wild Life Forest Experiment Station, have long recognized our American birthright to this form of enjoyment. Aldo Leopold, a young forester, has already done that eloquently and convincingly in the October, 1925, number of "American Forests and Forest Life". He has made articulate the growing public consciousness in favor of the wilderness. And another young forester, Robert Marshall of the Rocky Mountain Forest Experiment Station, has shown that the wilderness is no less essential culturally than museums and art galleries in cities.

The latest commodity to assume monopoly value is what Thorpe calls "the tonic of wilderness". It is this above all that the Quetico-Superior Council hopes to protect and perpetuate in the Rainy Lake watershed. It proposes that the heart of the region—all the rivers, lakes, and streams, those out of touch with roads and industrial development—shall be made forever a wilderness sanctuary for man and beast.

Legislation Pending

What the final boundaries of the project will be no one yet knows. All we can do is to point out what would be desirable. Lands must be studied for their fitness and local wishes consulted. The problem, always an intricate one, requires endless patience and negotiation. A bill is already pending in Congress, introduced by Senators Henrik Shipstead and Congressman Walter H. Newton, seeking to protect against exploitation the lakes and streams in the vicinity of Superior National Forest. The American Forestry Association, among others, has thrown its weight behind the demand for adequate forest land appropriations. The area of Superior National Forest is rapidly being consolidated and its boundaries rectified.

Minnesota is proud of her lakes and proud to have for neighbor a province of such beauty and distinction as Ontario. Together they possess, framed in the remnants of the last white pine forest of the North, the loveliest and most accessible lakeland on the continent. If Minnesota and Ontario can cooperate, acting through their respective federal governments, the lakes which the old Indian, Ochagach, charted nearly 200 years ago and which the treaty of 1842 reserved to the use of both peoples for all time, may become a new bond of good-will and delight and an object lesson in peace to all the world.

Is there not hope that this great vision may be fulfilled? Most significant is the devotion of those, mostly unrecognized, who have contributed unselfishly to its growth and achievement. They see here a many-sided creative opportunity, promising rich returns in wealth, health, wisdom, and inspiration. The conservation involved is not of material things alone but of the deepest sources of American life. There shall be established what Arthur Hawks calls "an outdoor university with a campus of 14,500 square miles."
THE LAKES OF VERENDRYE
A UNIVERSITY OF THE WILDERNESS

A Practical Peace Proposal
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Sunrise on the Namakan River, where Nature is the living thing the Indians conceived it to be—full of sound, movement and exuberance

A Lakeland Archipelago
A Glimpse into the Colorful Past of the Ontario-Minnesota Border Lakes

By ERNEST C. OBERHOLTZER

Photographs by the Author

"V'la l'bon vent,
V'la j'oli vent,
V'la l'bon vent, ma mi m'appelle;
V'la l'bon vent,
V'la l'bon vent,
V'la l'bon vent.

WHAT the white man calls civilization came to a large part of North America, singing the folk songs of France. Up the St. Lawrence, down the Mississippi, over the height of land beyond Lake Superior, even to the uttermost parts of Canada, the first echoes of Europe were the chansons of the voyageurs. They measured the stroke of the paddle; they lightened packs on the portage; they made the camp fire merry at night in the limitless solitude. Man was made for broad scenes and tall shadows. He craves a noble background. Cramp him, and he revolves in an ever narrowing circle, until finally he doubts his own destiny. The song goes out of his heart. There is no other explanation for the spirit that animated the early explorers. It was not fame or duty or necessity but rather the urge for Homeric adventures in the setting of a new continent. With most of them a deliberate choice was made.

Some even substituted the arduous wilderness for the artifice and luxury of the French court.

Imagine Verendrye at forty-six, the same who at the age of twenty-four had been left for dead on the battlefield of Malplaquet, starting to explore a continent with three boys of seventeen, sixteen and fifteen and a nephew scarcely older! Having traveled to the edge of the known world on Lake Superior, he gazed spellbound toward the unknown wilderness to the west. Strange tales reached him of dwarfs and far-off civilized peoples and a sea that ebbed and flowed. Ochagach and Tacchigs, two Indian chiefs, had drawn him charcoal maps on birch bark, outlining a chain of lakes that lay beyond the Lake Superior height of land and flowed westward toward the Western Sea!

Verendrye, in pursuit of his dream, established a base on Lake Superior at Grand Portage near Pigeon River nearly
The imperishable story of Verendrye and his four sons—for instead of abandoning his plans, he himself went east and brought back with him his fourth and last son—ran the gamut of vicissitude. Yet who can doubt the depth of satisfaction afforded its heroes by the glamour, hardihood, and rare companionship of their adventure? Few impulses of the race are so deep-seated and insistent as that of the explorer.

These westward flowing lakes, first found where a party of raiding Sioux had surprised them, on an island in Lake of the Woods—their heads cut off and wrapped in the very beaver skins that Verendrye had dispatched east to pay expenses!

Moose were abundant and comparatively unafraid. We met them feeding, at play, and, when the frost came, at love-making.
pect—a threat of ultimate ugliness and exhaustion.

Mighty forces, contending for the fate of the Rainy Lake watershed, are drawn up in opposing camps: on the one hand, an outraged public of huge proportions; on the other political, financial, and industrial powers, who number their timber lands, in Ontario and Minnesota, in tens of thousands of square miles, who have never failed to pocket any resource that they coveted, and who have built up a well-merited legend for invincibility. The outcome will largely determine, in the opinion of conservationists, whether remaining natural resources in regions of unique endowment shall continue to be laid waste by the first comer or made to yield to all the people perpetual returns in wealth and happiness. The lakes of Verendrye form the whole boundary between Ontario and Minnesota. Except for Pigeon River, which tumbles its short course into Lake Superior, all the rest of the border waters, beginning at North Lake forty miles west of Superior and including among others Saganaga, Knife, Basswood, Crooked, La Croix, Loon, and Namakan, flow west to Rainy Lake and thence down Rainy River to Lake of the Woods. They gather into themselves as they go thousands of tributaries from both countries. The whole lakeland is tilted toward the northwest and discharges its clear waters out of the north end of Lake of the Woods to Winnipeg River, Winnipeg Lake, Nelson River, and Hudson Bay. Northern Minnesota is one of the few parts of the United States draining to the arctic.

Whatever agricultural land there is, lies west of Rainy Lake in the Rainy River valley and south of Lake of the Woods. The Rainy Lake watershed itself has neither farms nor cities. It spreads its web of wooded lakes among the granite ridges like a huge open fan, 14,500 square miles in extent, one third in Minnesota, two thirds in Ontario. In its isolation it has become a natural repository for the past. To its rich history of explorers, fur-traders and Indian warriors is added all that was once America—the forest, the game, and the Indians themselves.

The moment you launch your canoe in
any of these lakes, you are conscious that you are living in the past. The very air you breathe seems not to belong to the modern world; it is too full of the fragrance of forest and lake. Wherever you get out on shore, you find rock, not limestone or sandstone but the oldest Archean granite, just as the glacier left it back in the ice age and still bearing the marks of the glacier's retreat. How clean it is and how quickly it dries after a rain and what a place for building a fire! Nor do the trees seem less ancient. They grow directly out of the rocks, their roots clutching a ledge or embedded deep in the crevices. Even the Indians you meet greet you with a phrase they have learned so long ago that few of them know it is not their own. "Bow-jou, bow-jou" carries you back to the days of the first French songs.

As you paddle down long vistas of wooded ridges, through narrow defiles, or out into broad expanses of lake, you pass occasional overhanging cliffs, where far in the past some deft hand has left strange drawings in an indelible red paint. Ask your Indian and he will tell you they were all painted by a legendary medicine man named Amo, who lived "tousand, mebee ten thousand year ago." Perhaps one of the figures is the head of a moose. Sooner or later you will meet one of the original animals—that ludicrous patchwork of snout, hump, bell and flapping ears, which the scientists say is one of the oldest of present animal forms and which more than looks it. He not only completes the illusion of the past; he makes the Pleistocene a reality.

Twenty years ago when I first spent a whole summer among these northern lakes, two railroads had just been completed from the south, one from Duluth, the other from Minneapolis, both converging upon Rainy River near the outlet of Rainy Lake. The river was being dammed to develop power; on the American shore opposite the Canadian town of Fort Frances a huge paper mill was under construction; and the bustling new inhabitants, discarding the native name of Koochiching, had dubbed the town of their hopes, International Falls. American enterprise thus made its bow to the wilderness.

It was May. The ice had just gone out of the lakes. Equipping myself with a canoe, I speedily left behind me the sounds of industry and lost myself for the summer in the unspoiled wilderness to the eastward. Poplars and birches were budding into leaf. Suckers were crowding up the shallow streams that connected some of the smaller lakes, their fins flashing on the surface of the water. On the larger streams old Indians had built stands out over the rapids and were spearing sturgeon during the spring migration.

I saw the coming of the first moose calves of the season, fluffy, buff-colored, and still blinking with the novelty of life. I listened all night in June to the chatter of loons and their young. Summer came and blueberries. We met many Indians, still as pagan, someone said, as the day God made them and singing all their old songs, telling all their old stories, and playing all their old games of chance. I watched them dance. One night on the edge of an Indian village in the inky darkness I came upon a Cheesakid—an Indian juggling in his tall white lodge. Though he was alone inside, the voices of the juggler, a dying old man, and the devil could all be plainly heard conversing in Ojibway, while the lodge swayed and tossed as if pitched by a violent wind.

Moose were abundant and comparatively unafraid. We saw them everywhere throughout six months of travel. They were just as curious about us as we about them. We met them feeding; at play; and finally, after the frost came, at love-making. We often overtook them in the water, paddled round and round them, clambered after them when they went ashore panic-stricken, and tried in vain to follow them into the swamps, marveling at the stealth of these clumsy beasts in the dense thickets.

Autumn came and the long nights. The Indians went rice-harvesting. The antlers of the bulls, moose were bloody, where he had scraped off the last dry shreds of velvet; the Indians said it was a sign of rain. Ducks quacked all night. Beaver flapped; and the branches they pushed ahead of them could be heard rippling in the water. The poplars and birches turned a brilliant yellow, the reflections of the leaves swirling in the water like minted gold. The aromatic sedges lost their fragrance. The water plants faded like the rest and turned yellow. Ice began to form in the bays; snow fell; and soon winter descended upon us.

I lived the whole succession of seasons for the first time in my life. All summer we knew no home but the canoe and the tent. I had first a Frenchman with me, Paul Girard; then a half-breed, Pat Cyr; and finally, best and truest of all, a pure-bred Ojibway, named Tayahtahswaywitong. The last, more proud of the Irish name the store keepers gave him, was popularly known as Billy Magee.

Paul was somewhat of a scoffeR, unfeeling toward animals, and wanted to carry a gun and take a pop at pretty much everything in sight but he was a good man with canoe and dog team. Pat, though near seventy, was the most powerful man I have ever known. He had been raised on the Pembina near Fort Gary, boasted that as a young man he had caught a wild horse on the plains by running it down on foot, had been pursued by a real Windigo—a cannibal from the north—
and half believed in thunder-birds, though he belonged to
the Catholic Church and prayed for deliverance in a storm.
He advocated firearms for protection.

Billy, the Indian, said nothing and saw everything. When
he did talk, he weighed his words well and spoke only
wisdom or high humor; that was usually at night round
the camp fire. He was very modest as to his achievements
and willing to go anywhere and “try find portage,” no matter
how hard. He had a hankering for strong drink and boasted
that as a result he had spent a night in the King’s Hotel (the
Canadian jail at Fort Frances); but he could look upon the
wild creatures of the forest without the slightest desire to
kill. No gun was ever needed with Billy.

We cruised the whole boundary from Pigeon River to
Rainy River. We traveled the Big and the Little Canoe
routes, the Otukamamoan, the Big and the Little Turtle,
the Eye River, and the whole 120-mile length of Seine River.
We went around Hunter’s Island and through it, portaging
waterfalls and rapids of infinite variety and fascinated by
such ancient Indian names as Kahnipiminanikik, Kash­
apiwimagak, and Windigoostigwan. For weeks at a time
we saw not a living soul. The woods were peopled instead
with the characters out of Billy’s childhood memories.

Whenever we went, there was forest. Though there had
been many ancient and some more recent fires, especially on
the American side, the burnings were in various stages of
recovery. The forest varied from mixed timber—birch,
poplar, balsam, jack-pine, spruce and hardwoods—to solid
pine, white and Norway. There were magnificent untouched
stands of the latter on the Canadian side—miles and miles
of it north of the Seine. Never elsewhere have I seen such
specimens of white pine, either for size or density, as were
to be found between Quetico and Jean Lakes.

The Province of Ontario had just set aside in this region
the Quetico Forest Reserve of one million acres. It seemed
as if there might be forest here for all time. Likewise Presi­
dent Roosevelt had proclaimed a similar area on the Minne­
sota side called the Superior National Forest.

The main lakeland had not appreciably deteriorated. It
kept its wilderness quality. It was still a place of rare de­
light—a region apart from the modern world, where man
could enjoy the profusion of nature as completely as in the
days of Columbus. There was nothing wilder in the jungles
of Brazil or the heart of Africa. It was not a sombre forest
but a forest threaded with sparkling waterways, flooded with
sunshine and peopled with all its ancient creatures. There
were so many islands that it seemed an inland archipelago.
No wonder the Indians sang, shyly it’s true, but with a song
for every occasion and an unforgettable song at that! In
how many respects they are akin to the early Frenchmen!

Here was a land we dream of but seldom find. That its
appeal for Verendrye and all the early explorers was un­
escapable is not to be wondered at. They endured hardship
and risk but not without rich reward, not if we consider the
Rainy Lake watershed as I recall it twenty years ago. Nor
is it any wonder that the region has become so dear to
Americans of today. If we are to have any song in our
hearts, surely our Verendryes of today need such a refuge as
this from the din and stress of the modern city.

The Tonic of the Wilderness

President Hoover, late in July, conferred with representa­
tives of the Quetico-Superior Council, an international or­
ganization formed to effect the preservation of the Rainy
Lake watershed of Minnesota and Ontario—the last great
wilderness area east of the Rocky Mountain region.

The plan discussed with the President proposes a treaty
with the United States and Canada whereby a uniform policy
of protection and use will be followed by the two countries.
The region in question embraces the Superior National Forest
and other government land in northern Minnesota and the
Quetico Park country of Ontario. The whole region in­
cludes more than three thousand lakes and a land area of over
fourteen thousand square miles. Under the plan proposed
these two great areas, separated only by the international
boundary, would be made an International Park and Forest
in which the natural features of the lakes and streams would
be maintained and the wilderness character of the region pre­
served for the recreational needs of the two countries. The
maximum production of fish and fur-bearing animals would
be sought, and the growing of timber crops on certain areas
would be provided for.

The President’s reaction to the program is not known, but
it is safe to conclude that to an angler and outdoorsman like

Herbert Hoover it must have the strongest appeal, for the
Superior-Quetico country is a paradise for explorers, sports­
men, and outdoor people of every type. It is a land of forests
and lakes with connecting waterways where with canoe and
paddle one may lose himself for days and weeks. Here the
tonic of the old American wilderness—the wilderness of the
red men, the French voyageurs, the Hudson Bay trappers—
is still strong and vibrant.

It has been said that as a Nation we have plenty of money
but too little wilderness. And now the Quetico-Superior
wilderness is slipping away. A cataclysm threatens it—an
application for power development which would raise the
water levels of its lakes, thus destroying its natural beauty.
The wreck of a wilderness would be written across its lake
dotted map. Prompt action only will save it.

Ernest C. Oberholtzer, President of the Quetico-Superior
Council, spent twenty years in this lakeland wilderness.
Told by his doctors that his condition was precarious, he
entered it in search of health. Living with the Indians, he
traveled its forests, lakes, and streams. He regained his
health and gave back the lie to his doctors. The tonic of
the wilderness is a precious thing in the building of men, no
less than in the building of Nations.
The Ancient Game of Grab
How the Resources of the Ontario-Minnesota Border Lakes are Vanishing into Thin Air

By Ernest C. Oberholtzer

In the preceding article, Mr. Oberholtzer pictured the Lakes of Verendrye, in the Superior-Quetico country of northern Minnesota and southern Ontario, as he found them twenty years ago. In this article, the second of a series of three, is described the great change that industry has wrought in this lakeland wilderness and of its vanishing resources. In the third and concluding article, which follows, we will learn of the struggle to preserve the border lakeland region as a forest and park wilderness.—EDITOR.

Industry proposes, says Mr. Oberholtzer, to dam the natural outlets of Saganaga Lake and Lac la Croix, drowning these beautiful islands and diverting the waters lamps of the new age. Not economic life alone but cultural as well was to be turned topsy-turvy. In those twenty years modes of life and thought were to undergo greater changes than in the previous century and a half.

In the business field many consequences of this silent revolution are well recognized; the business man either kept step or was eliminated. In other fields, where the changes are less personal and immediate, there is still a fatal inclination to think in terms of the past rather than of the future. We are so dazzled by our progress that we forget to count the cost. We know, it's true, that we are converting untold natural wealth at an un-

Photographs by Frederick S. Winston

The rugged beauty of the Namakan River
heard-of rate into man-made commodities; but whether this is all gain or merely swapping imperishables for perishables is another question. How about the void in our original store of natural wealth and what of the ugliness following our movement. It is all the more significant therefore that we are so speedily losing. Open spaces, wildness, solitude, the romance of our pioneer history, are becoming daily more precious. The demand for these things, almost pathetic in its wistfulness, arises from no artificial stimulus but is one of the instinctive wants of body and spirit. It is nation-wide, insistent, and increasing by geometric progression.

Examine on the other hand the reasons for gratifying this want, and we discover a tendency similar in progression but in exactly the opposite direction. Only those who live on the frontier can realize how rapid is the process of attrition. Even the last great reaches of the Canadian sub-arctic are succumbing to the airplane and prospector. Soon there will be nothing left but a few square miles of park and forest and the private estates of a privileged minority. The supply of original America is dwindling to the vanishing point.

These two tendencies—the expanding demand and the dwindling supply—are meeting tragically in the border lakes region of Ontario and Minnesota, made famous two centuries ago by the exploits of Verendrye. The emergency existing there stands out as a challenge to our clearest thinking and our most inspired planning. Either we shall be forced to recognize the revolution in our relations with nature or lose one of the last and best opportunities to play square with future generations. The beautiful forms that nature has conceived through the dim past will be forever obliterated.

If ever there was a region calculated to satisfy the modern hunger for escape from a workaday world, it’s the Rainy Lake watershed. The rough and rocky character of the area protects it from ordinary settlement. It is cool, clean, tonic and has few reminders of man’s regrets. At its best it has unsurpassed quiet beauty in endless variety of woods, rock and water. Unlike the sight-seeing wonders of the west, it invites the visitor to share its life freely in the self-reliant fashion of all its primitive creatures. It is more central than any other recreational area in North America and large enough
to permit tens of thousands of modern adventurers to lose themselves from modern life for weeks at a time. Its thousands of connected lakes thread the forests with perfect canoe-ways and afford opportunity for every form of camping and cruising. It has everything that the great noisy, dusty, overheated middle west has not. For scientist, historian, educator, health-seeker, poet, and artist, its "rocks and rills," its Indians and all its wilderness folk are the living pages of a forgotten story-book. No other lakeland of America, however lovely, has such riches both in associations and natural endowment.

If anyone demands dollars and cents proof of the affection in which the region is held, the figures are not far to seek. It was only in the spring of 1909 that Quetico Provincial Park and the Superior National Forest were set aside. Yet perfect roadways lead from the south to every entrance of the lakeland. The State of Minnesota estimates its annual tourist traffic at $90,000,000, no small part of which is attracted by Minnesota's "farthest north"—the border lakes. Shore lots on lakes like Rainy, Vermilion and Burntside, which are in contact with roads and where land went begging twenty years ago for a dollar an acre, now command $10.00 a front foot and upward. The investment in cottages, summer camps, and hotels runs into millions. As significant of the number of those who venture into the interior of the wilderness, the business of one outfitter for canoe cruises at the town of Ely, Minnesota, has grown in five years from 400 customers to 4,000. A single game warden for the Ontario government stationed on Basswood Lake at one of the canoe entrances to Quetico Park is reported to have sold 2,500 five-dollar fishing licenses in a single season to canoeists. Yet the discovery of the region for recreation has been almost wholly a development since the World War. What it has meant in health and broadened outlook to the summer visitors and especially to the boys and girls, who come from every part of the United States to enjoy the numerous wilderness camps, no figures can measure.

It would seem that a monopoly resource of such rare and growing value would be guarded as a sacred trust. Timber, minerals, waterpower, are all relatively common on a continent bulging with wealth. As a forest alone the appeal of the region would have been negligible but as a lakeland framed in the forest and containing all that was best of the past, both flora and fauna, it makes no less a claim upon us than our homes and country. Our vanishing inheritance and its influence upon the race are fast becoming a memory. These border lakes, though lying in two countries, are physically one and inseparable and, in view of rapidly changing conditions, can only be regarded as one of the most precious cultural assets left to the present generation.

Let us see what has happened to the Lakes of Verendrye since I first I spent a whole summer among them twenty years ago. It's true that in 1909 by a miracle of unofficial cooperation Ontario and the United States set aside more than two million acres of the wonderland as timber and game reserve. But big business, ever bolder and more far-seeing than mere governments, at the same time set its
net for the whole watershed. The mill that was building at International Falls early in 1909 has had few rivals in the United States for yield of lumber, paper, and wallboard. Though it drew its pulp supplies chiefly from the rich valley of Rainy River, lying to the west, its power came from the waters of Rainy Lake. Every drop of water from the watershed before pursuing the sparkling course to Hudson Bay paid tribute, to the tune of 20,000 h. p., at the new international dam in Rainy River.

The dam more than demonstrated its worth to the mill and to the ten thousand inhabitants in the mill communities on both sides of the river. At the same time it introduced a number of novelties into the life-history of nature and man in this border region. Blocked by the dam, sturgeon ceased their age-old migrations to Rainy and the upper lakes. The wild-rice beds of Rainy, which from legendary times had supported ducks and Indians, became submerged under five feet of water and subject to a whole new range of fluctuations. Homesteaders round the western shores of the lake found themselves without warning dispossessed of their lands, their houses and barns invaded by water and they themselves out in the open, whistling in vain for redress. Below the dam in Rainy River, where boats had plied for generations between Fort Frances on the river and Kenora on Lake of the Woods, the service ceased to operate for lack of water following Sunday-closing of the dam. These were but some of the minor inconveniences inseparable from progress and referred to with admirable resignation by mill officials as "acts of God."

So completely successful had these man-made operations proved that by September, 1925, the author of all the local prosperity, who meantime had expanded his operations to include Lake of the Woods, appeared at a hearing before the International Joint Commission, a dignified fact-finding and advisory body which acts on boundary matters of common concern to Canada and the United States, and unfolded a project for the final development of the entire watershed. Initially, his plans contemplated the construction, not at private but at government expense, of a series of dams controlling all the remaining border lakes and converting them into four main storage basins. In these would be impounded at new heights varying from five to eighty-two feet above the natural levels the unusual precipitation, which comes on the average once in a decade and which is now largely wasted. To aid the development and assure a fair share of the power to the United States, the Ontario outlets of some of the main lakes like Sagana and Lac la-Croix were to be blocked and their waters diverted from north of Hunter's Island and from the Namakan River to the International boundary. There they could be stored in years of plenty and drawn upon in the intervening lean years. Assurance was likewise given that in due time the same perfect control would be extended to all the tributaries both in Ontario and Minnesota.

It may seem strange that the mood of the two hundred other citizens at the hearing varied from suspicion to despair and anger. The trouble was that most of them had experienced the physical effects of previous dams, not only the power dam in Rainy River but another in the Winnipeg River at the outlet of Lake of the Woods, and a storage dam east of Rainy Lake on Namakan Lake—all, by the way, owned by the same corporation. The promise of more power and more industry was not altogether convincing, even if the private industry itself had been an unmixed blessing. The engineering figures submitted, though they indicated a considerable increase in the already large potential power of the Winnipeg River far away in Canada, showed only a 700 h. p. addition on the boundary at International Falls and Fort
American Forests

October, 1929

Frances. Students of the project began to wonder whether power after all was the chief consideration or whether the explanation lay in a monopoly control of the remaining timber supplies or in the suggestion, lightly stressed, that the two governments institute international condemnation proceedings to clear up the legal muddle in which the company finds itself as the result long ago of appropriating shore rights never paid for. These last expenses, to be included in the costs to the governments, are estimated at many millions of dollars.

Whatever the purpose and the industrial benefits of these modest proposals, it is certain that they will strike a death blow at the distinctive appeal of the region. To say nothing of the inevitable extreme fluctuations, the new maximum levels alone would spell the ruin of all the visible features of the lakes and streams controlled by dams. The amount of land flooded, whatever the number of acres, is relatively unimportant. All these lakes are dotted with islands and have shore lines as intricate as any jigsaw puzzle. The tragedy is that on all these shores, in the margin between the old water level and the new, the vegetation will be killed; and all the natural features will be obliterated.

The recommendations are still being studied by the International Joint Commission, charged by the two governments with the duty of reporting in due time as to the desirability of altering the natural water levels of the watershed. The original project has already been pretty thoroughly repudiated even by its sponsor but is likely to appear in a modified form less openly alarming but equally dangerous.

The project before the Joint Commission, though by far the most daring and comprehensive, is by no means the only menace to the region. In the last three years the same company has secured complete control of the 120-mile course of the Seine River, the largest and most beautiful Ontario tributary, and has erected dams from the head-waters on Lac des Mille Lacs to the outlet into Rainy Lake. Along the Canadian National Railway an attempt was made to minimize the damage by clearing the shores in advance, leaving visible at all stages of water only the stumps; but beyond for miles the forest is submerged and rapids and waterfalls have disappeared.

Of the same character, though of much less extent, is a project begun by a public utility company of Duluth in the heart of Superior National Forest. It affects Gabbro and Bald Eagle Lakes, the first of a chain of lakes in a designated wilderness area. There the water was raised an average of five feet without consulting the State of Minnesota, whose lands are flooded, and before filing any application with the Federal Power Commission. Authority is now being sought for the present dams and for a further raise of thirteen feet.

The three dominant logging interests of the region are all of American origin; and, while they differ greatly in the character of their personnel, in their interest in better forestry, and in their amenability to control, it has been difficult hitherto to detect any striking difference in their actual logging operations. Throughout the region vicious logging has proceeded without interruption for many years—the kind that leaves nothing for reproduction and is swept by periodical fires. This has been possible on the Minnesota side, because much of the land including all the best pine is privately owned and because the state on its own lands until recent years has made no attempt to practice scientific forestry.

In Ontario, where the greater and more beautiful part of the lakeland lies and where fortunately title to forest lands remains in the government, it is equally difficult until now to discover any better policy. The timber has been sold with little protection. All unknown to the citizens of the Province, the large pine resources, white and Norway, of this section have slipped away until now they seem practically exhausted.

What has been true of damming and logging applies equally to the utilization of all other resources. There has been no cooperation, for instance, between Ontario and Minnesota in the management of the important commercial fishing resources of Rainy Lake. Where once thousands of tons of sturgeon, whitefish, and pike were annually shipped to the great markets of the country, the supply has petered to only a small fraction of the old abundance. Just so with moose and with the vast and valuable fur industry. Fires and slaughter made fearful inroads upon the reserves of stock.

Why, it may be asked, have not the two forest reserves better protected all these resources? In the first place, they comprise only one-fifth of the area. Secondly, by their very limitations in status they are powerless to prevent some of the encroachments. Public policies have not been clearly enough defined. For example, the United States Forest Service is not in position to prevent power development on its lands. Thirdly, Superior National Forest is composed largely of burned and cutover land in various stages of recovery and interspersed with that plague of American parks and forests—private holdings.

The truth is that, while some attempt has been made to guard and restore a small part of the material resources of the region, scarcely anything has been done until lately even to recognize—much less protect—those far more unique and precious factors involved in the spiritual resources. Over the region as a whole a policy of disastrous and needless waste has been pursued, resulting in exhaustion of one form of natural wealth after another and in complete blindness to the higher social and cultural uses. Each exploiter in turn has had an eye single to the one resource he coveted and to his own immediate advantage. He never sees the country himself but sends instead his agents, thus running no risk that he will be converted to the public point of view. His "practical" mind views the so-called "wild-lifers" with ill-disguised scorn. By comparison the public interest, which must always look to the future even more than to the present, has been ignorant of its inheritance and infantile in its will to live.

Either there must be some prompt and adequate declaration of public policy on the part of both countries or this rare region is doomed. Private enterprise has run riot like a bull in a botanical garden. It would look as if we could appreciate our blessings only after we stamp them out. To berate or bewail is useless. The responsibility rests ultimately upon the public and upon the public alone. How they meet it may mean more for unborn generations in the two nations than many an issue of war or peace.
A University of the Wilderness

The Proposal to Perpetuate by Treaty the Ontario-Minnesota Border Lakes

By ERNEST C. OBERHOLTZER

WHEN Roosevelt proclaimed Superior National Forest in 1909, he established a date in American history. Even he could hardly have foreseen all that was involved. The region that now seems destined to play so large a part in the life of our people was then little known and little used. The sentiment, which Roosevelt typified, was a negligible minority; now it is a popular enthusiasm, waxing brighter each year in public consciousness. He encamped, so to speak, a sentinel of the people in the last mid-continent wilderness and in so doing pointed the way toward proper guardianship of priceless possessions.

Though practical, Roosevelt was moved by other considerations than pocketbook. Future timber requirements of the country, he knew, more than justified the Superior reservation. But that he acted on cold calculation, who that considers his deep sentiment for the pioneer sources of American life can imagine? Superior Forest was also to be made a game preserve by the State of Minnesota and in it was to be protected among other creatures an animal found there at that time in abundance—that largest deer, the moose. Profoundly moved as Roosevelt was by sympathy for the vanishing wilderness and its creatures, who can doubt what made to him the greater appeal? He saw forests, not as the exploiter sees them, as timber alone, but in their larger and multiple benefactions to mankind. And his statesmanlike conception is the foundation of the United States Forest Service.

Fortunate for America that in 1909 such men as Roosevelt and Pinchot were in Washington and Charles Avery and W. T. Cox in St. Paul! Fortunate, too, that there were like-minded Canadians! One of these, Arthur Hawkes of Toronto, then publicity agent for the Canadian National Railway, was the quiet unofficial ambassador, who started the ball rolling. He came to St. Paul in 1908, urging that, if Minnesota and the United States would cooperate in creating a game and forest preserve in northeastern Minnesota, Ontario would match it across the border. Thus came into being both Superior National Forest and Quetico Provincial Park, a proud entail of two and a half million...
acres. Without it, in a region less spectacular than Yellowstone but just as rich and rare in blessings and far better adapted to the higher forms of recreation, Americans today would not even have "squatters' rights." The two adjacent reserves were a starting point in government control and international cooperation. These are essential requirements, if the opportunity in the Rainy Lake watershed is to be met in a fashion commensurate with the needs of the nation. In face of threats to abandon the whole watershed to private exploitation, the reserves are too limited in extent and authority. Though within their confines they protect the forests and game against certain obvious kinds of attack, they have no provision for recognition of the lakeland, of which they are a part and which is the glory of the forest. Yet they foreshadow in their restricted way the solution that has now become inevitable.

Nature, the original conservationist, knew no political divisions or sign-posts when she created the Rainy Lake watershed and enveloped its thousands of lakes and streams in a forest of pine. It lies in two countries but its unity from every other point of view is striking. All its rock-bound lakes are intimately connected. Those forming the international boundary depend upon tributaries from both sides, all the waters finally converging upon Rainy Lake. Likewise all the lands are similar in their rocky, glacial, non-arable character. The same flowers, fish, birds, mammals and, above all, the same dominant forest, upon which depends every use, are found all over the region. It even celebrates the same history. Whether looked at economically or from the higher social point of view the problem transcends political boundaries and calls for a comprehensive program applied to the whole watershed.

The immediate emergency is the project now before the International Joint Commission for converting the whole 120 miles of boundary lakes between Rainy and Saganaga into storage basins. It carries with it the logical admission that eventually the whole watershed will become a private pulp and power concession. There is to be a wholesale remaking of the map and untold violence to the age-old scheme of nature. Tens of thousands of miles of wooded shore line and the principal other natural features of the lakeland are ultimately at stake, to say nothing of the effects upon the wild creatures who find refuge in lake and forest. More industry, more employment are promised; it is like pouring water down the throat of a drowning man. This particular industry is limited, not by lack of power, but by its own destruction of timber. As a result of depleted idle lands, the region is becoming daily poorer in resources and saddled with a mounting tax problem. It is not without significance that Koochiching County, Minnesota, where this largest single industry of the state is located, has also the highest tax rate, approaching close to 200 mills. Any acceleration of consumption in this particular industry as conducted now can only hasten the day of complete impoverishment, not only for logging, but for every other use. When the plucking process is done, there will remain only the junk-heap of a liquidated logging outfit.

The one and only sufficient answer to this proposed cataclysm is international action. The project is diametrically opposed to the public policies of the two forest reserves. If those policies are sound and conform to the best public needs, then in the interest of the unique endowment of this region they should be strengthened in order to provide adequate remedy against the ugliness, exhaustion, and uselessness that follow the encroachments of unregulated private enterprise. It is in that direction that friends of the region have been working
ever since the power project reached the light of day in 1925. They have sought to find a permanent international solution that would apply against every threat of waste.

The plan for storage dams has brought the lakes and streams themselves into sharp relief before public attention. It is realized now as never before that the forest problem here, by reason of the lakeland within the forest, is much more than a forest problem. Without its lakes and rivers the forest would have little interest for visitors. They are its sole means of travel and enjoyment, the main-traveled highways through the wilderness. If they are to be sacrificed, the appeal of the region will be gone. On the other hand, if their natural features as viewed from the water can be kept inviolate for the health and enjoyment of future generations, a precious section of original America will endure for all time and the groundwork will be laid on a large scale for the most valuable recreation area on the continent. Nor does it seem necessary, in order to accomplish this great public purpose, to reverse the present policies of the Forest Service by locking up the whole timber resources, on which the region largely depends for a living. Europe has not found it impossible to reconcile a reasonable use of mature timber with the higher social uses. If logging under proper supervision were confined to the unvisited hinterlands out of sight of the traveled waterways and if the whole area were placed on a sustained yield basis, insuring perpetual forest growth and an unbroken forest cover, the main economic objection to a vast reservation on the scale demanded by modern conditions would be removed. The present temporary wood industries would be made permanent. Such an adjustment is possible, it may be noted, largely because popular enjoyment of the area is confined to the lakes and streams and their wooded margins.

So much for analysis. The program grew by careful study of all aspects of the situation and by negotiation with officials and organizations of both countries. It carried the contributions of many minds. In the autumn of 1927 Arthur Hawkes of Toronto renewed his service to the region by a striking news article, in which he pointed out the incalculable advantages to be gained by final official action between the United States and Canada. He suggested a treaty, laying down a uniform policy for the use and perpetuation of all the resources, economic, recreational, scientific, and historical, in the Rainy Lake watershed.

The time was ripe. The international forestry conference had already been called under the auspices of the Minnesota Conservation Council and with the support of the Izaak Walton League of America. It was held at Duluth late in November, 1927. A complete and carefully prepared program was then adopted, with the agreement that a temporary new organization should be set up for the sole purpose of fostering a treaty and of mustering the support of all friends in both countries. The result was the Quetico-Superior Council. What the Council proposes is that with the consent of the Province of Ontario a treaty be adopted between the United States and the Dominion of Ontario.
Canada, promulgating the following four principles to apply to the Rainy Lake watershed and adjoining timber lands of like nature:

1. That park-like conditions, free from logging, flooding, draining, and all other forms of exploitation, be established and maintained on all visible shores of lakes, rivers, and islands under public control.

2. That all the hinterlands, not visible from the waterways, be administered under modern forest practices for the continuous production of a maximum timber supply.

3. That all game, fish, fur-bearers and other wildlife be managed for maximum natural production.

4. That these ends be pursued under the guidance and direction of an international board, representing forest, park, and biological authorities from both countries.

It will be evident at once that the resulting reservation would partake of the nature of both a park and a forest, as the terms are distinguished in the United States. So far as the lakes and streams are concerned, it would establish what would be virtually a vast international park, four times as large as Yellowstone and excluding all economic exploitation. So far as the untraveled interior, back from the waterways, is concerned, it would establish an international forest, protectinng water sources, sheltering game, and yielding timber for permanent industry. But it would transcend both park and forest. Its principal function would be to preserve over the greater part of the area a wilderness sanctuary for man and beast.

The wilderness quality of the region is undoubtedly its most precious asset—a monopoly value that is bound to attain huge importance in the future of our people. To maintain this attraction, a vast zoning system is contemplated. The lakes on the outer circumference of the preserve, those in contact with roads and railways and more or less under private ownership, would be left open to the private development of summer homes, camps, hotels, and other facilities consistent with the purposes of the treaty. Certain other nearby lakes, easily reached by trail or water-route, would constitute a narrow inner zone, where leaseholds might be granted, as at present by the United States Forest Service, for the erection of small individual summer camps. The greater part of the area, the innermost zone, would be kept undeveloped and free of all evidences of man. There certain tracts of exceptional timber, even though lying back from the waterways, would remain intact, it is hoped, not only for enjoyment but for the vital purpose of forest research.

The Indians still attend the original school that forms the character of our pioneer race. They are an interesting and picturesque feature of the Superior-Quetico country, and add a wilderness atmosphere of great worth.
November, 1929

AMERICAN FORESTS

The program clearly recognizes that the problem is primarily one of forestry but in the broadest and highest sense. Many of its provisions are taken directly from the far-seeing practices of the Forest Service. It involves fire protection and reforestation on a large scale, as well as all the scientific problems with which modern forestry is properly concerned. It makes much of the related functions of the forest, what in any business would be called “by-products”—such as stream protection, wild life propagation, and recreation, which bid fair easily to outrun in time the value of the timber. At the same time it realizes that the problem lies partly in other provinces and accordingly provides for an advisory board including park and biological authorities.

The plan applies to public lands only; but it is expected that Superior National Forest will rapidly consolidate its present holdings and push out its boundaries on the north, east, and west to include all available private lands that are suited solely for forest purposes and are not interspersed with industrial or farm lands. There are many such holdings, largely idle and tax-delinquent. One forest authority has aptly referred to them as a potential “new public domain.”

Ontario, with her wiser land laws, has no such problem. Except for small holdings on Rainy Lake and along the line of the Canadian National Railway, which skirts Quetico Park on the north, there are few private lands. Ontario, still sovereign in her own forests, is free to make any disposition of her woods and lakes that she likes. The trend of opinion may be judged by acts passed last spring by the Ontario parliament at the instance of the Minister of Lands and Forests. These acts have for eventual purpose the placing of the entire timber resources of the province on a sustained yield basis.

It is the hope of the sponsors of the project that the Quetico-Superior area will include the northeastern tip of Minnesota from the present eastern border of Superior National Forest to Pigeon Point. This section lies in the Lake Superior watershed but is of similar character and beauty and contains the historic village of Grand Portage. The latter has earned the name of the Plymouth Rock of the Northwest, for it was over this portage that Verendrye and all the early explorers passed and it was here that the fur-trade celebrated its greatest triumphs. Moreover, Grand Portage, though entirely in American territory, is the subject of a special guarantee in a remarkable passage of the Webster-Ashburton treaty of 1842, which says “that all the present holdings and push out its boundaries on the north, east, and west to include all available private lands that are suited solely for forest purposes and are not interspersed with industrial or farm lands. There are many such holdings, largely idle and tax-delinquent. One forest authority has aptly referred to them as a potential “new public domain.”

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Everybody intent on his part in getting supper ready. Three dentists and their wives, and twin boys with the whooping cough! Without previous experience they took a two-weeks canoe cruise in the tributaries of Rainy Lake, involving some twenty portages. Maps and a compass were their only guide.
judgment of protecting her incomparable wooded shores. Already airplanes are landing on all these lakes, bringing them within a few hours of the crowded cities. Ontario has an immense recreational resource with an unlimited market in the United States. It is more than likely therefore that the lakeland corridor joining the north end of Rainy Lake to the northern part of the Lake of the Woods at Kenora will be included within the Quetico-Superior area or will at least have applied to it the same principles. Likewise Manitoba has plans for a similar park in the eastern portion of the province adjacent to the Ontario border. If these plans materialize, we may see the greater part of the 400 mile belt of forested lakeland between Port Arthur and Winnipeg administered under much the same policies of conservation.

In Minnesota the possibilities are far more limited. The wilderness and its connected lakes are much more restricted and reckless industry has gone too far. To the west of Superior National Forest, where the counties tried a disastrous experiment of draining lands unfit for agriculture, the State has just had to assume the burden and is now taking over a great tract of unproductive swamp as a game preserve. This tract of 1,500,000 acres, while lacking the charm and resources of the lakeland to the east and north, will doubtless contribute toward the purposes of the international forest by further arresting the onslaught of civilization. More and more the citizens of this entire region are realizing the primary fitness and true economy of devoting strictly forest lands to forest purposes. And the better part of their wisdom lies in the recognition of the higher uses of the forest, wherever the intangible social values are present.

Any such plan as contemplated is attended by many perplexities. This is especially true in Minnesota, where agriculture and industry are close upon the heels of the forest and in many places penetrate it. The Forest Service, which is giving its best thought and sincerity, has a difficult task and a huge responsibility. Let us at least not criminate them by a niggardly policy of appropriations. Much larger funds are needed for research, planting, fire protection, and land purchase. Much patience and negotiation will be required locally. Yet, if the public interest is kept foremost and the main objectives are firmly pursued, there is no question but that conflicting interests can be reconciled with fairness and advantage to all. In this, as never before, the Service will have the support of a growing and enthusiastic public. The recreational uses are reinforcing the economic. The cold facts, which the Service has long preached, are becoming living truths to all who experience the peace and charm of the northern lakeland.

To what extent private timber holders within the area, in the use of their own forests, will conform to the principles of the proposed treaty, cannot be predicted. Much can be done to appeal to their pride and self-interest. They cannot be coerced. Colonel Greeley, former chief of the Forest Service, enunciated a valuable principle, when he said: "The time has come to go a step further in our conception of the rights of the individual as compared with the interests of the people as a whole. Lands which contain important natural resources can no longer be viewed as merely the property of their owners, with no obligation to the welfare of the country at large. Rather should they be regarded in a sense as public utilities." Forward-looking and prophetic!

In preparation for the time when treaty arrangements may be possible with Canada, steps have already been taken to protect Superior National Forest. The so-called Shipstead-Newton-Nolan bill, which seeks to apply some of the principles of the proposed treaty to the Minnesota area, will come up for final action in Congress this winter. In furtherance of its objects 26,000 acres of remaining unappropriated federal lands within the area have already been withdrawn from public entry by temporary Executive order. It recognizes the paramount importance of the beauty of the natural features and shore lines of the lakeland, including rapids, waterfalls, islands, and beaches, and forbids further alteration of natural water levels without the consent of Congress.

The economic advantages of the Quetico-Superior program, as they are believed to be especially for Ontario and Minnesota, cannot be discussed here. The plan, while it subordinates economic values to the higher social uses wherever there is a real conflict, does not ignore or lock them up. Instead, it seeks to make them permanent.

The original suggestion of international action, made by Ontario citizens, has brought an enthusiastic response from the United States. It has secured the considered endorsement of practically every national conservation organization as well as of men and women from coast to coast of every shade of opinion and every attitude. A board of advisers has been formed, made up of scientists, writers, artists, humanitarians, and men of affairs, interested in one aspect or another of this many-sided and far-reaching project, which Arthur Hawkes has significantly called "an outdoor university with a campus of 14,500 square miles."

Well may it be called a university—a university of the wilderness! There is little else left of the original school that formed the character of our pioneer race. It is a museum of original America. It contains the larger half of wisdom—the part that cannot be taught within-doors.

That these two nations should now wish to dedicate a part of their peaceful boundary to the enjoyment of both peoples is itself a work of peace. If it can be achieved, has not something worthy been gained in the comity of nations? What wonder then that the American Legion of Minnesota at its recent annual convention proposed that the area be dedicated as a peace memorial to the ex-service men of both countries, who fought as comrades in the recent world war! The lakes of Verendrye! The same that brought the early explorers, singing the songs of France! They lie sparkling in their mid-continent seclusion, linking us with the primeval past of America and promising sanctuary for all time to unborn multitudes.

Kermit Roosevelt says that, when things were black, his father would often quote Jasper Petulengro in Borrow's Lavengro: "Life is sweet, brother . . . There's day and night, brother, both sweet things; sun, moon, and stars, all sweet things; . . . and likewise there's a wind on the heath." The vision of a Roosevelt not only yearns for the things of the spirit but derives from them.
Resolution Adopted by The American Legion

In annual national convention at Louisville, Kentucky, September, 1929

WHEREAS, in northern Minnesota the Superior National Forest includes within its borders a unique network of inter-connecting lakes, and

WHEREAS, this wooded lakeland stretches far across the unguarded border into the Province of Ontario where the Quetico Provincial Park forms a counterpart to the Superior National Forest, and

WHEREAS, there has been formulated for the preservation of this region a plan which has been endorsed by this country's highest authorities on forest and wild life and which has also received the approval of the government departments in whose hands these matters lie, and

WHEREAS, such plan contemplates, if possible, joint action with the Dominion of Canada and the Province of Ontario to the end that as much as is feasible of the Rainy Lake watershed be set aside to be used first for the purposes of reforestation, and secondly to provide for our peoples and our people's children a vast area of rare beauty which by international agreement shall remain for all time undespoiled, and

WHEREAS, we believe that such a common enterprise would form a fitting tribute to the century of peace that has existed between ourselves and our great neighbor to the north,

Now, therefore, be it resolved, that the American Legion, in convention assembled at Louisville, Kentucky, September 30th to October 3rd, 1929, endorses whole-heartedly this program;

Be it further resolved, that it is the sentiment of the American Legion that this great undertaking, being conceived in the spirit of international friendliness and good will, should accordingly be done in the name of peace and dedicated as a memorial to the service men of both countries who served as comrades in the Great War.

Similar action was taken by the Canadian Legion in annual national convention at Regina, Saskatchewan, November, 1929
"THE LAST STAND OF THE WILDERNESS"

"Has it ever occurred to us that we may unknowingly be just as shortsighted as our forefathers in assuming certain things to be inexhaustible, and becoming conscious of our error only after they have practically disappeared? . . . Our tendency is not to call things resources until the supply runs short. When the end of the supply is in sight, we 'discover' that the thing is valuable . . . The next resource, the exhaustion of which is due for 'discovery,' is the wilderness.

"Wilderness is the one kind of playground which mankind cannot build to order. . . . The really wild places within reach of the centers of population are going or gone. As a nation, however, we are so accustomed to a plentiful supply that we are unconscious of what the disappearance of wild places would mean, just as we are unconscious of what the disappearance of winds or sunsets would mean. In all the category of outdoor vocations and outdoor sports there is not one, save only the tilling of the soil, that bends and molds the human character like wilderness travel. Shall this fundamental instrument for building citizens be allowed to disappear from America, simply because we lack the vision to see its value?

"Acceptance of the idea of wilderness areas entails, I admit, a growth in the original conception of National Forests. The original purposes were timber production and watershed protection. . . . But the whole subsequent history of these Forests has been a history of the appearance and growth of new uses, which, when skilfully adjusted to the primary uses and to each other, were one by one provided for and the net public benefit correspondingly increased. Public recreation was one of these. . . . It has been proved that skilful administration can provide for both in the same system of Forests without material sacrifice of either."

Excerpts from an article by Aldo Leopold, in the October, 1935, number of AMERICAN FORESTS AND FOREST LIFE.
Bulletin on Shipstead-Newton-Nolan Bill

ISSUED BY QUETICO-SUPERIOR COUNCIL
Associated with
IZAAK WALTON LEAGUE OF AMERICA
1218 Flour Exchange, Minneapolis

January 15, 1930.

Nearly five years have passed since definite word reached the public of a vast private project for damming the Minnesota-Ontario border lakes.

THE BACKUS PLAN

In September, 1925, this project was first explained by Mr. E. W. Backus himself at a public hearing before the International Joint Commission at International Falls, Minn. It contemplated holding Rainy Lake and the Namakan chain of lakes (which are already controlled by dams) at the extreme and destructive flood levels of 1916; the building of seven additional dams converting all the main boundary lakes to the east into a series of great storage basins; the ultimate control of all tributaries in both Ontario and Minnesota; and assessment of the costs both for the so-called "improvements" and all the damages caused in the past upon the taxpayers of both countries.

This project, as outlined by its sponsor, would have resulted in an addition of only 700 horsepower on Rainy River at the towns of Fort Frances and International Falls, where there is already developed some 20,000 h. p. The main benefit of the additional storage created by the Backus project would go to the Winnipeg River 150 miles away wholly in Canadian territory, where Mr. Backus has another huge paper mill. The project would divert whole lakes and streams to new channels and would raise the remaining boundary lakes from 5 to 82 feet. It would affect thousands of miles of shore lines, drown out islands, and obliterate rapids, waterfalls, and beaches. What is most significant is that it looked toward control not of the border lakes alone but ultimately of the whole Rainy Lake watershed, which is estimated to contain more than 3,000 connected lakes.

THE PUBLIC PLAN

The plan for storage dams brought the lakes and streams themselves into sharp relief before public attention. It was realized as never before that the forest problem here, by reason of the lakeland within the forest, is much more than a forest problem. Without its lakes and rivers the forest would have little interest for visitors. They are its sole means of travel and enjoyment, the main traveled highways through the wilderness. If they are to be sacrificed, the appeal of the region will be gone. On the other hand, if their natural features as viewed from the water can be kept inviolate for the health and enjoyment of future generations, a precious section of original America will endure for all time and the ground work will be laid on a large scale for the most valuable recreation area on the continent.

Nor does it seem necessary, in order to accomplish this great public purpose, to reverse the present policies of the Forest Service by locking up the whole timber resources, on which the region largely depends for a living. Europe has not found it impossible to reconcile a reasonable use of mature timber with the higher social uses. If logging under proper supervision were confined to the unvisited hinterlands out of sight of the waterways and if the whole area were placed on a sustained yield basis, insuring perpetual forest growth and an unbroken forest cover, the main economic objection to a vast reservation on the scale demanded by modern conditions would be removed. The present temporary wood industries especially would be made permanent.

It was evident from the beginning that Ontario and Minnesota had a community of interest in this precious region and that what was needed was a permanent constructive program of public development, suited to the conditions of the region and applied to the strictly forest lands of the whole area. After long study and careful negotiation such a plan was formulated and unanimously adopted at an international forestry conference held at Duluth under the auspices of the Minnesota Conservation Council on November 29, 1927.

The plan called for a treaty between the United States and Canada and laid down certain definite principles for a uniform policy of administration. Copy of the complete program accompanies this bulletin. What is contemplated is a program of balanced forestry, securing all the best values of the forest—timber, wild life, stream protection and recreation. The plan seeks first of all to solve the growing tax problem and the economic needs of the region (1) by guarding the remaining public lands against exhaustion and (2) by restoring to a productive basis as rapidly as possible lands already exhausted. While attempting to solve the economic needs of the region, it at the same time provides for a wilderness sanctuary for man and beast uninvaded on the continent.

The plan places such sensible restrictions on the use of public woods and waters as to promote their highest utility and beauty. It is recognized as fundamentally economic and thoroughly sound and has met with a huge public response both in Minnesota and from the nation as a whole.

PENDING LEGISLATION

Pending negotiation of a treaty with Canada it became imperative for the United States to take steps to protect the lakes and streams of the area from immediate dangers. This led in the spring of 1928 to the introduction in Congress of the so-called Shipstead-Newton bill, which seeks to hold the status quo on these waters and to apply to them some of the principles unanimously agreed upon at the forestry conference at Duluth in November, 1927.
In the hope of providing the public with information on which to form a clear opinion of the merits of the so-called Shipstead-Newton-Nolan bill, the Quetico Superior Council and its associates, who have sponsored the bill in its present form from the beginning, offer the following data and comments.

There is at present in certain quarters considerable agitation against the bill. The striking fact about most of this agitation is that it confines itself to criticism and gives no opportunity for examination of the exact text of the bill and of the proposed amendments. Believing that much confusion will be avoided by publication of both the text and the amendments, the Council is hereewith reproducing both for the consideration of all-citizens.

The Shipstead-Newton-Nolan Bill

Text of Bill

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all public lands of the United States situated north of Township 60 North in the counties of Cook, Lake, and Saint Louis, in the State of Minnesota, including the natural shore lines of Lake Superior and of the lakes and streams forming the international boundary so far as they lie within this area, are hereby withdrawn from all forms of entry or appropriation under the public land laws of the United States, subject to prior existing legal rights initiated under the public land laws, so long as such claims are maintained as required by the applicable law or laws.

"SEC. 2. That the principle of conserving the natural beauty of shore lines for recreational use shall apply to all Federal lands which border upon any boundary lake or stream contiguous to this area, or any lakes or streams within this area, and that for the purpose of carrying out these principle logging of all such shores to a depth of four hundred feet from the natural water line is hereby forbidden, except as the Forest Service of the Department of Agriculture may see fit in particular instances to vary the distance for practical reasons: Provided, That in no case shall logging of any timber other than diseased, insect infested or dead be permitted closer to the natural shore line than two hundred feet.

"SEC. 3. That in order to preserve the shore lines, rapids, waterfalls, beaches, and other natural features of the region in an unmodified state of nature, no further alteration of the natural water level of any lake or stream within or bordering upon the designated area shall be authorized by any permit, license, lease, or other authorization granted by any official or commission of the United States, which will result in flooding lands of the United States within a specified margin along lakes and streams; and (2) that there shall be no alteration of water levels affecting lands of the United States except by specific authority of Congress.

To aid in the application of these principles to the main lakes and streams of the region the bill provides in Section 1 that no lands of the United States north of Township 60 North in the counties of Cook, Lake and St. Louis shall be passed to private ownership. These remaining lands have already been temporarily withdrawn by executive order of May 26th, 1928.

Reasons for the Designated Area
In Which Lands Are Withdrawn

The region of Superior National Forest would be of no interest to the public except that it contains a magnificent lakeland. Many of the best lakes and streams lie outside of the present Superior National Forest, which consists of three distinct parts, only two of them touching the international boundary. The area in which lands are withdrawn does not extend as far south as the Superior National Forest but does extend somewhat farther east and west to include the main lakes. Lakes which are not bounded by federal lands are not protected. By retaining ownership in all the remaining scattered bits of federal lands in the area, many of them unsurveyed, the government is enabled to apply laws protecting the best lakes and streams.

What the Bill Does Not Do

The bill does not enlarge or change the boundaries of Superior National Forest, though it is true that it protects shore lines of lakes and streams in a somewhat larger area.

It does not apply to private or state lands. All such lands lying in the area remain as before.

It does not restrict the use or occupancy of private or state lands, whether for agriculture, mining, recreation, or other developments, or in any way alter their present status or their availability for taxation.

It does not provide for the acquisition of any more lands. That matter is already covered by the McNary-Clarke law and purchases under the law are confined to the present boundaries of Superior National Forest. The present bill neither accelerates nor retards the purchase of land under that Act.
It does not establish or anticipate a national park. On the contrary, it is distinctly designed to prevent a change of status from the Forest Service to the Park Service and the plan has been worked out in careful negotiation with the Forest Service.

It does not even forever forbid power development. It is designed, it is true, to make private exploitation more difficult; but there is nothing under the terms of the bill to prevent Congress granting permission, if the public need should ever be sufficiently great.

Why the Bill Is Needed

The bill is urgently needed (1) to guard the lakeland against further damaging power developments and (2) as a formulation of policy to guide the Forest Service and to relieve it of embarrassment in maintaining a proper balance between the larger national uses of the Forest for recreation and private demands for commercial development. Insofar as federal ownership permits, the bill aims to reserve from exploitation the visible portions of the lakeland, as seen from the waterways. Instead of conflicting with present administrative practices, it merely formulates, defines, and facilitates those practices. The bill is a declaration of public policy, calculated to protect from further harmful encroachment the unique and magnificent lakeland that lies within the area of Superior National Forest. It is intended to limit development on the wooded margins of lakes and streams, not in the hinterlands.

AMENDMENTS

General Attitude of Sponsors

Toward Amendments

The Council and its associates have always been willing to give careful consideration to suggested amendments for practical purposes, so long as the amendments do not have the effect of destroying the main objectives of the bill. What the bill very properly implies is that shore lines in this region and the natural features of the lakes and streams are too valuable in their natural state to be exploited or depreciated in any way. If any exception is to be made in their inviolability, it should be made only where absolutely necessary to meet a practical need for the development of the hinterlands; and the burden of proof for such change should rest upon the operator who requests the permit.

Amendments Recommended by Senate Committee

The Senate Committee on Agriculture and Forestry in reporting favorably February 16, 1929, on the original bill recommended four main amendments, which we shall consider herewith in their order.

Senate Committee Amendment Concerning Shore Line Logging

In Sec. 2 of the bill the Committee recommended that instead of the words "logging of all such shores to a depth of 400 feet from the natural water line is hereby forbidden, except as the Forest Service of the Department of Agriculture may see fit to vary the distance for practical reasons: Provided, That in no case shall logging of any timber other than diseased, insect infested or dead be permitted closer to the natural shore line than two hundred feet," the following language be substituted: "Clear cutting on such federal lands from the natural water line to the sky line is hereby forbidden; logging on such federal lands shall be confined to diseased, insect infested, dead, and mature timber; the cutting of any other timber may be permitted in particular instances, when in the opinion of the Forest Service, Department of Agriculture, such cutting will improve the Forest and increase its natural scenic value, or when necessary to open small areas for banking grounds, landings or other uses connected with logging operations."

The origin of this amendment has been somewhat in doubt. It did not originate with sponsors of the bill and in its present form, because of inclusion of the word "mature," does not meet the approval of the Council and its associates. The amendment would substitute for a clause, which was intended to keep a reasonable margin along the shores inviolate from logging, a clause which approves logging. Instead of confirming the present forestry practice of keeping margins of lakes and streams intact, inclusion of the word "mature" in the proposed amendment leaves the shore lines under exactly the same forest practices as the hinterlands, that is open to regulated logging. It would be obviously absurd to protect the shores from flooding and then permit logging. Such an amendment would be a violation of the whole plan for protecting the lakeland that lies within the Forest. This program, approved by the U. S. Department of Agriculture in a letter of November 26, 1927, was unanimously agreed upon at a forestry conference held under the auspices of the Minnesota Conservation Council at Duluth on November 29, 1927, and has been the basis for the endorsement of all individuals and societies, both state and national.

Senate Committee Amendment Concerning Flooding

In Sec. 3 of the bill the Committee recommended that after the word "flooding" the following language be added: "Beyond the normal high water line."

This amendment has not met the approval of the Council in its present form, because it would place Congress on record as unconcerned so long as dams are not erected to hold levels above the high water mark. The public understanding undoubtedly is that no dams whatsoever affecting federal lands in the area are to be erected without the consent of Congress, except such temporary logging dams as the Forest Service may authorize for purely logging purposes. The present language of the amendment would certainly bring great comfort to opponents of the bill, who favor dams.

Senate Committee Amendment Exempting Gabbro and Bald Eagle Lakes

At the end of Sec. 3 of the bill the Committee recommended the following addition: "Provided further, that the provisions of subsection (a) shall not apply to any proposed development for water power purposes for which an application for license was pending under the terms of the federal water power act on or before January 1, 1928."

[3]
This amendment would exempt the project of the Minnesota Power and Light Company on Gabbro and Bald Eagle lakes and Isabella river. The company already has two dams constructed on these lakes without authority early in 1924, thus raising the average levels about five feet, and is asking permission to raise and reconstruct these dams and to build four other smaller dams to hold the lakes an additional 13 feet above the crest of the present dams. Counsel for the company testified before the Senate Committee in Washington on April 30, 1928, that the project will flood some 6,000 acres.

The Senate Committee in its proposed amendment does not attempt to pass upon the merits of the project but recommends the exception because final determination of the matter is pending before the Federal Power Commission and the state officials of Minnesota.

The Council and its associates, though approached for the same purpose by the power company, have not felt justified in agreeing to the same exception. They did not want to be in the position of approving for the sake of tactics an amendment exempting the whole project and then of appearing before the Federal Power Commission, as they are in duty bound to do, to oppose further increases in levels. After careful first-hand examination of the project, consideration of all the facts, and thorough discussion with officials of the company, who rendered every possible assistance to the investigation, sponsors of the bill agreed not to oppose "validating the present occupancy," providing that the flowage is properly cleaned up as is already being done, but did not find it possible to agree to a further raise of 13 feet in levels.

Among the reasons for opposing further developments by the power company on these lakes are: (1) that the company is in the position of a trespasser on state and federal lands; (2) that Gabbro and Bald Eagle lakes lie in a designated "wilderness area" of Superior National Forest and are therefore particularly devoted to the maintenance of an unmodified state of nature; (3) that the damages on these lakes illustrate on a small scale every physical objection that is made to alteration of water levels in general; (4) that the whole project was admittedly ill-advised from an economic point of view; (5) that one class of exploiters must not be discriminated against to the advantage of another; and (6) that no legal rights appear to be involved and no property is taken away by refusal to grant further permits.

Senate Committee Amendment Concerning Agricultural Lands

At the end of Sec. 3 of the bill, following the proposed amendment to exempt the Gabbro-Bald Eagle project, the Committee recommended the following addition: "Provided, however, Nothing herein shall be construed to prevent the Secretary of Agriculture from listing for homestead entry under the provisions of the act of June 11, 1906 (34 Stat. 233), any of the above described lands found by him to be chiefly valuable for agriculture and not needed for public purposes."

The Council and its associates have no objection to this amendment as worded.

Other Amendments

Many other amendments have been suggested, both in Congress and before the Minnesota Legislature, and new ones are being offered daily. Of these, two have been particularly insistent.

One such amendment would strike out the word "appropriation" in Sec. 1 concerning the withdrawal of remaining federal lands.

Objection is made that the word "appropriation" would prevent the Forest Service from granting any sort of use or right of way over federal lands. This is, of course, not true. Similar language is always used by the government in withdrawing lands for public use. There are many ways of getting private control of federal lands other than by entry. The word "appropriation" is meant to cover these other methods and to guard federal ownership and control of the lands. One of the most obvious forms of appropriation would be by flooding and there can be no question that one of the principal reasons back of the objection against the word "appropriation" is the hope that withdrawal of remaining federal lands from entry alone will not prevent execution of colossal projects for damming like the one proposed by the Backus companies.

The withdrawal of public lands applies only to lands not already withdrawn for forestry purposes. The exact amount of lands withdrawn is not known but is very small. Some of them are still unsurveyed and most of them lie in small parcels scattered all over the region but particularly along the northern lakes. The official report of the Department of the Interior on "Vacant Public Lands" shows in the whole of Lake, St. Louis, and Cook counties only 1,955 acres of unappropriated and unreserved federal lands. Counting lands on which entries have not been perfected and which may be cancelled for lack of "final proof," the highest estimate of vacant public lands in the area north of Township 60 is 26,800 acres.

Another amendment, insistently urged, would restrict the bill to a narrow area along the border north of Township 63. This amendment would leave open to exploitation the lakes and streams of the whole lower two-thirds of Superior National Forest and of the beautiful area in Cook county contiguous to the historic Grand Portage. It would limit the protection to a narrow thoroughfare along the Ontario-Minnesota border and by failing to protect the tributaries would leave the border lakes in almost as much danger as though dams were erected along the border. Any changes in the tributaries are bound to affect the border lakes. The Backus project is by no means limited to the border lakes. Its sponsor said before the International Joint Commission in 1925 that ultimately similar control of the whole watershed would be required. The Council therefore considers the territorial amendment very dangerous, not only because of these physical facts but because the rest of the amendment apply as well to one set of lakes as to another.

Each amendment must be considered on its merits. Some are undoubtedly of innocent origin and well-intentioned. Others are deliberately designed to wreck the bill. The danger is that the bill may be so loaded with amendments as to be meaningless. When all private interests are served to their satisfaction, there is likely to be nothing left.
The bill in its original form in no way prohibits farming, mining, lumbering or any other lawful occupation within the area. It merely requires that these operations shall be carried on in a way not to interfere more than is absolutely essential with the use of the lakes and streams in the area for recreation. The Council from the beginning has been eager to make any adjustments to facilitate these arrangements and is constantly studying proposed amendments to see whether they are well founded, sincere, and not destructive to the purposes of the bill.

The fact that the bill has been reintroduced in both the Senate and House as originally drawn in no way reflects upon the merits of any proposed amendments. If different forms of the bill had appeared in the two Houses and with all sorts of amendments attached, opponents of the bill would have been served; for the hope of any final agreement would have been very remote. Now, if any changes are found necessary, they can be carefully guarded against destructive effects, and can be introduced in both Houses. It should be noted that the original bill contains various exceptions for practical logging purposes. It may be found that these provisions require liberalizing and that slight changes can be made without vitiating the bill. The Council invites suggestions and criticisms and respectfully urges friends of the bill not to support any amendments that have not been publicly approved by the Council.

OTHER OBJECTIONS

The Idle Rich

It is frequently said that the bill reserves the border lakes and Superior National Forest for the "idle rich." On the contrary, it withdraws public land from private acquisition and insures that lake shore property will be kept open for the enjoyment of rich and poor alike without any danger of "no trespass" signs. It prevents the "idle rich" securing a monopoly of what is generally recognized as the most precious and democratic recreational resource remaining in the United States. No sort of outing is better suited to the time and pocketbook of the average citizen than a vacation in Superior National Forest.

Business Rivalries

It is claimed that the bill shuts out one well known industry and gives a monopoly to another rival industry. Many of those who are making this very claim are the very ones who are trying to amend the scope of the bill, so as to bring this very situation about. The Council has steadfastly insisted that the terms of the bill should apply without fear or favor to all interests and to all parts of the Forest, thus insuring free and equal opportunity to all to share in the benefits of all resources.

Land Purchase, Boundaries, and Taxation

Many other objections are made. Most of these, however, apply not to this particular bill but to the present activities of the Forest Service in consolidating its holdings or to the Council's larger program for extending the forest boundaries on the north. Though the Council is in entire sympathy with the McNary-Clarke law for the purchase of lands, the present bill should not be made the brunt of criticisms, that apply if at all against the McNary-Clarke Act.

It is true that the program adopted at Duluth looks forward to the unification in one block under a single jurisdiction of all the strictly forest lands and all their historical and recreational features in the area designated in the Shipstead-Newton bill. The northern boundary would extend from Rainy Lake to Pigeon Point. The other boundaries would be determined by the nature of the land and the convenience of local communities.

The Council is in entire agreement with local communities (1) that no change in boundaries should be made without consultation with local authorities; (2) that, so far as tax questions are complicated by purchases, those matters should first be adjusted; and (3) that no lands chiefly useful for agriculture or industry, whether occupied now or not, should ever be included. The Forest Service has long applied its best intelligence to these problems. The Council in turn is gathering all possible data and is eager at all times to confer with local bodies.

The Council and its associates are by no means oblivious of tax problems. There is very little difference of opinion nowadays, it is true, as to which is better for a county, to have lands idle and tax delinquent with no policy for their restoration or to have them administered by one of the greatest industries of the country, the U. S. Forest Service, and rapidly returned to productiveness. The tax situation is caused not by the Forest Service but by the mistakes of the past, which the Forest Service is best qualified to remedy. Those who deplore the presence of the Forest Service and the lack of industry should give the Service time and should remember, as has oft been pointed out, that the county with by far the highest tax rate in the state is the county with no Forest Service of any kind and with the largest single industry in the state. That county is Koochiching and the industry is Mr. Backus'.

Taxation of Mineral Reservations

While therefore the Council does not share the view that the Forest Service is responsible for local tax problems, it recognizes that there are serious tax difficulties to be adjusted. Such questions as the acquisition of surface rights to mineral lands and the transfer of state lands to the government all need careful consideration. It is for that reason that the Forest Service has never extended its boundaries into the low-grade mineralized belt north of the town of Ely.

It is frequently said that reservations of mineral rights on lands sold to the Forest Service cannot be taxed. While it is true that there may be difficulty in proving values and that further legislation or adjustment may therefore be needed, the statutes and legal opinions are very clear on this point:

General Statutes 1923. Section 1798. "That whenever any mineral, gas, coal, oil, or similar interests in real estate are owned separately and apart from and independently of the rights and interests owned in the surface of such real estate, such mineral, gas, coal, oil, or other similar interests may be assessed and taxed separately
from such surface rights and interests in said real estate and may be sold for taxes in the same manner and with the same effect as other interests in real estate are sold for taxes."

Minnesota Reports, Volume 125. W. D. Washburn, Jr., vs. Gregory Company. Page 495. "It was the duty of the taxing officers under the statute (of 1905), as well as under the common law, to assess and tax separately the interests of plaintiff and those of the owner of the surface." Page 496. "Nor do we regard as vital the fact that there may be difficulties in arriving at the true value of mineral rights. There is nothing whatever in the law or in this opinion that in any way tends to permit the owner of a separate mineral estate to escape paying taxes on his property."

QUESTIONS AND ANSWERS

Question: What will be the effect of the bill upon lands privately owned?
Answer: The only effect will be that if the lands lie on a lake or stream bounded by federal lands they will receive the same protection as federal lands as to flooding. If the lands are entirely surrounded by federal lands, the owner will have to secure exactly the same as at present a special use permit from the Forest Service for crossing federal lands to develop private lands. The Forest Service will have exactly the same power as now to grant rights of way and other uses not inconsistent with its forest purposes.

Question: Does maintenance of an inviolate strip of timber along the shores mean that the timber back of that strip will be cut clear?
Answer: On federal lands forest practices will remain as now and there will be no clear cutting anywhere. The Forest Service gives assurance that, viewed from the lakes and streams, it will be impossible to detect where the inviolate strip ends and where regulated cutting begins.

Q. Will the bill tie up valuable power resources, essential to the industry of the region?
A. According to the best information, power resources of the region are very meager. Those of any economic importance are already developed and others can be duplicated at equal or lower costs by modern steam turbine development.

APPENDIX

Two Resolutions Unanimously Adopted at an International Forestry Conference Held at Duluth Under the Auspices of the Minnesota Conservation Council on November 29, 1927:

Resolution No. 1
We approve and advocate the following principles for the preservation and development of the public owned lands and waters of the Rainy Lake watershed, including Quetico- Provincial Park, Superior National Forest, and areas of like character contiguous thereto.

1. Hold inviolate the existing natural water levels and regulate in the public interest the levels already under artificial control, of all lakes and navigable streams within the areas designated.

2. Hold inviolate from logging the shore lines (including islands) of all lakes and navigable streams to a reasonable depth within said area.

3. Reforest such shore lines and other areas as will not produce desirable forest growth by natural processes.

4. Perpetuate the historical values, promote the recreational and tourist values, and preserve the wild life in the area designated in such manner as will not be inconsistent with the foregoing general principles and the proper utilization and development of said area under modern forest practices.

5. In the development of the plan give due recognition to the taxation, mineral and agricultural problems of said region.

6. To carry forward these major objectives a treaty should be consummated between Canada and the United States looking toward a uniform policy in administration of said region.

Resolution No. 2
WHEREAS, it is the sense of this meeting that the Rainy Lake watershed and contiguous similar areas require the preparation and consummation of a plan for their preservation and development, which plan must take into consideration all recreational, industrial, and commercial interests involved, and,

WHEREAS, the problem is international in scope and requires extensive and careful examination by persons representing many United States and Canadian interests and localities, and any such plan will require the support of numerous organizations and individuals acting in cooperation with each other through the medium of a separate organization devoted exclusively to the preparation and the consummation of such a plan;

NOW, THEREFORE, BE IT RESOLVED, that an association be created for the preservation and development of the resources of the Rainy Lake watershed and contiguous similar areas, and that the following persons are hereby designated a committee to:

(1) Perfect such a plan in conformity with the six general principles just approved by this body.

(2) Create and initiate such an organization and prescribe its name, form, and methods of operation, and

(3) Invite into membership in such organization all other associations, societies, and individuals which are in sympathy with such a plan.

Such committee to consist of the following persons: Wm. G. Dorr and F. B. Hubachek, of the Minnesota Conservation Council.

Arthur Hawkes of Toronto, Jules Preudhomme of Winnipeg.


Seth E. Gordon, of the Izaak Walton League of America.

O. L. Kaupanger and Harry J. Denney, of the Minnesota Division of the Izaak Walton League of America.

Ernest C. Oberholtzer, of the Rainy Lake Association.

J. F. Sutherland, of the American Legion.

Sam G. Anderson, of the Minnesota Game Protective League.

Dr. Nellie W. Nelson and Mrs. Willard Bayliss, of the State Federation of Women's Clubs.

J. F. Reed, of the Minnesota Farm Bureau Federation.

AND BE IT FURTHER RESOLVED, that the unqualified support of the persons and organizations represented at this meeting be given to such a plan and organization.
Principal Organizations That Have Endorsed the Plan for an International Forest As Approved by the U. S. Department of Agriculture, As Agreed Upon at an International Forestry Conference at Duluth in November, 1927, As Defined in the Resolutions Adopted at the Time, and As Set Forth in the Enclosed Printed Program of the Quetico-Superior Council:

American Organizations of National Scope
American Civic Association
American Forestry Association
American Game Protective Association
American Legion
American Scenic and Historic Preservation Society
American Society of Naturalists
American Society for Prevention of Cruelty to Animals
Associated Sportsmen of California (90,000 members)
Association of Outdoor Clubs of America
Boone and Crockett Club, New York City
Camp Fire Club of America
Garden Club of America
General Federation of Women's Clubs
Educational Conservation Society (Conservationists of America)
International Association of Game, Fish & Conservation Commissioners
Izaak Walton League of America
Lions International
National Association of Audubon Societies
National Association of Fur Industry
National Conference on State Parks
National Council on Outdoor Recreation
National Council on Parks, Forests and Wild Life
National Parks Association
National Plant, Flower and Fruit Guild
National Society of American Foresters
National Society of American Florists and Ornamental Horticulturists
Prairie Club of Chicago

Canadian Organizations
Canadian Automobile Association
Canadian Legion
Young Men's Section, Winnipeg Board of Trade

Organizations in Minnesota
Associated Minneapolis Committee made up of 88 city organizations associated with the Minneapolis Civic and Commerce Association
American Institute of Architects, Minnesota Chapter
American Legion, Minnesota
Arrowhead Association of Duluth
Council of Parents' & Teachers' Associations of Minneapolis
Duluth Board of Realtors
Gopher Camp Fire Club
Farm Bureau of Minnesota
Hennepin County Sportsmen's Club
Izaak Walton League, Minnesota Division
Lake Minnetonka Garden Club
Lake Vermillion Club
Lions Club, Aitkin
Minnesota Conservation Council
Minnesota Federation of Women's Clubs
Minnesota Game Protective League
Minnesota State Florists' Association
Minnesota State Nurserymen's Association
Naniboujou Club
Northern Retail Nurserymen's Association
Outers Club of Duluth
Outers Club of Minneapolis
Phileolecian Club, Anoka
Rainy Lake Association
Rotary Club, Duluth
Rotary Club, Northfield
Rotary Club, Staples
Tuesday Study Club, Staples
Ten Thousand Lakes Association
Zetetic Federated Club, Mankato

Quotations from Statements Made at Washington Before Senate Committee, April 30, 1928.

Arthur Ringland, Executive Secretary, National Conference on Outdoor Recreation:

"In the consideration of the application of the wilderness recreation policy to national forest lands it has too often been thought that its accomplishment demands in all cases the perpetual exclusion of all economic uses. This is not a correct premise. Obviously, the Forest Service can not ignore the industrial and community relationships of the national forests and the responsibility they would assume in withholding economic resources from use over a wide region for all future time. But what can be done, and with full propriety, is to effect in particular regions the perpetual exclusion of certain social and economic uses incompatible with the enjoyment of wilderness sports and recreation."

Barrington Moore, Secretary of Council on National Parks, Forests, and Wild Life:

"Resolved, That in the opinion of the Council on National Parks, Forests, and Wild Life the area embraced in the Superior National Forest, in the neighboring Canadian reservation of Quetico, and in their immediate vicinity, is one of the most notable wilderness areas within convenient reach of a large population which remains on this continent; that it possesses a combination of forest, lakes, and streams of extraordinary public value for recreation, especially canoeing, camping, and fishing, and for game conservation; that the current proposals for private storage reservoir dams that would drown out much of the forest which frames the vast network of lakes and streams would entail a loss of public values utterly disproportionate to any economic gain which has yet been indicated by the proponents of the project; and that the constituent organizations of the council be urged to follow closely the developments in regard to this area and exert their influence in support of sound measures for its conservation."

Ovid M. Butler, Executive Secretary, The American Forestry Association:

"While the present policy of the Forest Service recognizes the recreational value of the region, and in its future use and development contemplates maintaining a proper balance of recreation and economic values, that policy is always subject to the dangers of invasion by economic demands. It is, therefore, we believe, the part of wisdom and foresight for the Congress of the United States to write the policy of recreational use into law so that it can not be readily swept aside by local or regional enthusiasm for economic development. The danger mentioned is neither hypothetical nor theoretical. A proposal is now pending for a power development outside the forest, which we understand will seriously affect the water levels of many of the lakes within the forest and the beauty of their shore line."
"The property in question belongs to the people of the United States. Their demands that portions of it be perpetuated as a source of outdoor enjoyment are as legitimate and worth-while as the demands of those who vision only commercial or economic advantages. The legislation proposed, however, does not raise a solid bar against economic use and development, but seeks to strengthen the present wise policy of the Government in its recognition of the value of the area in the future physical and spiritual growth of the people."

Gabbro-Bald Eagle Project

Paragraphs from letter of February 11, 1928, to Hon. Walter H. Newton, from O. C. Merrill, Executive Secretary of the Federal Power Commission at Washington:

"With respect to the dams affecting Gabbro and Bald Eagle Lake and the Isabella River: In its application dated April 1, 1926, and received by the commission on April 2, 1926, Minnesota Power & Light Co., states that of the two dams then existing on Gabbro Lake, Dam No. 1 was commenced on November 28, 1923, and completed on February 14, 1924, and Dam No. 2 was started on January 31, 1924, and completed on March 6, 1924. On April 19, 1924, after the completion of the two dams, Minnesota Power & Light Co. submitted to the forest supervisor of the Superior National Forest at Ely, Minn., a 'Special Use Application' covering such national forest lands as would be flooded by the impounding of waters by the dams as then constructed. The letter submitting the application stated, 'It is our intention to make application to the Federal Power Commission for license covering a storage project on these two lakes.' The forest supervisor replied on April 25, 1924:

"The Forest Service will offer no objection to your advance construction of the dam on private lands and the storage of flood water in Little Gabbro Lake on any public land, under the expressed condition that such water is not held above the previous natural high water level of Little Gabbro Lake.

"The supervisor further states that it seemed inadvisable to issue the regular special-use permit applied for, but that under the conditions above named the company might go ahead and arrange to store water for the season, or until the matter had been settled by the Federal Power Commission. It does not appear that any further construction work has been done since the date of the above correspondence. It was not until approximately two years later, namely on April 2, 1928, that the application of Minnesota Power & Light Co. for the maintenance of the existing dams and other works and for the construction of new dams involving Gabbro and Bald Eagle Lakes was filed with the Federal Power Commission.

"The letter of the forest supervisor, as its language indicated, was nothing more than an agreement on his part temporarily to withhold objection to the flooding of national forest lands. The supervisor had no authority to authorize the construction of dams or to permit the flooding of lands of the United States for power purposes; such authority subsequent to June 10, 1920, rested solely in the Federal Power Commission. The application dated April 1, 1926, and received on April 2, 1926, is still pending before the commission without approval. No authority to maintain existing dams at Gabbro and Bald Eagle Lakes, to modify such dams, to erect new dams or to exercise any right of any kind, has been granted by the Federal Power Commission. To the extent that the company is using or occupying lands of the United States it is doing so in trespass and without lawful authority from any Federal agency or officer."

Quotation from article by Frederick L. Collins called "What Sort of Man Is Hoover," in the November, 1928, number of Woman's Home Companion:

"The day is coming," said Mr. Hoover, "when there is going to be a premium on solitude. If a man can find a piece of land anywhere in this country where he can't hear a bell ring or a whistle blow, that's the place he'll want for a home."

Are you doing your part to aid this vital legislation, which means so much to your children and to all future generations? Write your Senators and Congressmen, urging that no amendment to the bill be accepted without approval of the sponsors and that the bill be promptly enacted into law. Write yourself and ask your friends to do likewise.
For an International Playground

IF ONE of the various inquiring reporters were to take for his daily question the subject of the Rainy Lake watershed, it is a safe bet that he would draw five, or five thousand, blanks in as many starts. Yet, for all the ignorance and indifference, almost every individual in the country has a personal stake in the matter. Out in the north Middle West, a valiant group of conservationists is at present fighting a battle on two fronts over this same Rainy Lake watershed—a battle to arouse those who have no appreciation of the value of the region, and a battle to prevent the wasteful and stupid exploitation of the territory by a few gentlemen who understand its possibilities all too well. The particular group involved is the "Quetico-Superior Council of Minneapolis." And the purpose of the Council, reduced to its rather startlingly simple terms is: to set aside by treaty 15,000 square miles of land in Ontario and Minnesota, free from private exploitation, to be developed under joint governmental control by the United States and Canada—a far-sighted proposal to utilize the natural resources of an enormous region for the benefit of the people of two nations.

The Council derives its name and inspiration from the two neighboring tracts in the region of the Rainy Lake watershed, on the international boundary between Minnesota and Ontario, marked off in 1909 as public preserves—the Quetico Provincial Park in Ontario and the Superior National Forest in Minnesota. These two parks, and the vast territory which will be added to them if the Council succeeds in its efforts, are much larger than the combined states of Massachusetts, Connecticut, and Rhode Island. Within the district is a chain of some 3,000 lakes, beginning forty miles west of Lake Superior, and flowing west and north. From the shores of the network of lakes and rivers stretches a great forest, the last of the great timberlands which once covered Minnesota and Wisconsin. The fishing and hunting are superb. Forest, water, rock (the oldest naked rocks in the world are here), the splendid climate, its accessibility (it is but overnight from Chicago) make the district a natural paradise for those who love, and need, outdoor life. A few towns and small cities scattered along the edge of the district, occasional summer cottages on certain of the lakes, and fourteen Indian reservations on the Canadian waters, whose inhabitants for the most part do not speak English and live the primitive life of their forbears, comprise the population.

Timber, unoccupied land, water power—fifteen thousand square miles of natural resources—a paradise, likewise, for the private exploiter! The Council, at the outlets of Rainy and Namakan lakes, two of the largest of the chain, Mr. Backus already has power dams. He proposed, at a hearing of the International Joint Commission, to build a series of new storage dams throughout the district, which would raise the level of the water in the chain of lakes from five to as much as eighty-two feet. This would, incidentally, divert two of the main lakes into new channels, would dry up many others, would kill timber for miles around all the lakes, would endanger fish, bird and game life, would blot out islands, rivers, rapids, waterfalls—would, that is, ravish the country. It was also Mr. Backus' idea that the governments of the United States and Canada should pay the entire original cost of this, including "improvements" and property damages; later, the various power stations might, if prosperous, pay back half.

So vague and uncertain was Mr. Backus in his statement of the reasons why he desired these dams, that the Council, after ridding his arguments relating to the questions of navigation and water power, saw fit to add a canny suggestion of its own. "The truth is," said the Council, "that Mr. Backus, quite naturally perhaps, has not admitted the public to his confidence as to his motives in seeking additional storage on so vast a scale. He would not, of course, seek such changes without good reasons, . . . It follows almost automatically, one would think, that if monopoly control of the waterways—the only means of communication through a trackless wilderness—be given to one man, the other resources of the region, timber and otherwise, are likewise likely to drop into his pocket." One would indeed, think precisely that.

So much for private improvement of ten million acres. The specific proposals of the Council make much more pleasant reading. They are:

1. That park-like conditions, free from logging, flooding, draining, and all other forms of exploitation be established and maintained on all visible shores of lakes, rivers, and islands under public control.
2. That all the hinterlands, not visible from the waterways, be administered under modern forest practices for the continuous production of a maximum timber supply.
3. That all game, fish, fur-bearers and other wildlife be developed for maximum production and use.
4. That these ends be pursued under the guidance of an international board, representing forest, park, and biological authorities from both countries.

What might be described as such an international board, lacking, of course, official standing, has recently been assembled to serve as "honorary vice-presidents and board of advisers" of the Quetico-Superior Council. The list includes almost all the men and women who have fought long and hard for conservation since the days of Theodore Roosevelt. Their job is primarily one of arousing
House Calendar No. 186

71st CONGRESS
2d Session

H. R. 6981

[Report No. 931]

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 9, 1929

Mr. Nolan introduced the following bill; which was referred to the Committee on the Public Lands and ordered to be printed

MARCH 18, 1930

Reported with amendments, referred to the House Calendar, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

A BILL

To promote the better protection and highest public use of the lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, the development and extension of recreational uses, the preservation of wild life, and other purposes not inconsistent therewith; and to protect more effectively the streams and lakes dedicated to public use under the terms and spirit of clause 2 of the Webster-Ashburton treaty of 1842 between Great Britain and the United States; and looking toward the joint development of indispensable international recreational and economic assets.

Whereas the fourteen thousand five hundred square miles covered by the Rainy Lake watershed, lying in Ontario and Minnesota, and the immediately adjacent lands and waters constitute the only remaining vast wilderness area in the central part of North America; and
Whereas this region contains the only remaining extensive coniferous forests in the Middle West with unusual potentialities for the development of a future continuous supply of forest products; and

Whereas this region is blessed with precious international historic values, rare scenic qualities, and unique recreational facilities within easy reach of one hundred millions of residents of both Canada and the United States; and

Whereas this area affords an unusual opportunity to preserve, perpetuate, restock, and increase various species of wild life of invaluable economic and aesthetic importance to both Nations; and

Whereas within this region two neighboring areas with similar public purposes were set aside by the respective Governments in 1909 and designated respectively as the Quetico Provincial Park and the Superior National Forest; and

Whereas citizens of the friendly Province of Ontario have invited the cooperation of our people in protecting and augmenting the public values of this forested lakeland region; and

Whereas legislation seeking to develop a uniform plan of treatment and protection for this entire region will be of inestimable value to both Canada and the United States; and will expedite the fruition of ideals and plans which the Webster-Ashburton treaty solemnly affirmed and for which the Quetico Provincial Park and the Superior National Forest were set aside; and

Whereas pending final and definite word as to the wishes of the Province of Ontario and subsequent negotiations, with the consent of the Province, of a treaty between the Dominion of Canada and the United States providing for uniform treat-
ment of the entire region, and pending further studies and final determination of desirable boundaries for the Superior National Forest and its future uses, immediate steps should be taken to extend and better protect the Superior National Forest and to protect the lands and waters in and adjacent to that portion of the area herein designated lying within or contiguous to the United States for the several purposes hereinbefore enumerated: Therefore

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

That all public lands of the United States situated north of township 60 north in the counties of Cook, Lake, and Saint Louis, in the State of Minnesota, including the natural shore lines of Lake Superior and of the lakes and streams forming the international boundary, so far as they lie within this area, are hereby withdrawn from all forms of entry or appro-
priation under the public land laws of the United States, subject to prior existing legal rights initiated under the pub-
lic land laws, so long as such claims are maintained as required by the applicable law or laws.

SEC. 2. That the principle of conserving the natural beauty of shore lines for recreational use shall apply to all Federal lands which border upon any boundary lake or stream contiguous to this area, or any other lake or stream within this area, which is now or eventually to be in general use for boat or canoe travel, and that for the purpose of carrying out this principle logging of all such shores to a
depth of four hundred feet from the natural water line is hereby forbidden, except as the Forest Service of the Department of Agriculture may see fit in particular instances to vary the distance for practical reasons: Provided, That in no case shall logging of any timber other than diseased, insect infested, dying or dead be permitted closer to the natural shore line than two hundred feet, except where necessary to open areas for banking grounds, landings, and other uses connected with logging operations.

Sec. 3. That in order to preserve the shore lines, rapids, waterfalls, beaches, and other natural features of the region in an unmodified state of nature, no further alteration of the natural water level of any lake or stream within or bordering upon the designated area shall be authorized by any permit, license, lease, or other authorization granted by any official or commission of the United States, which will result in flooding lands of the United States within or immediately adjacent to the Superior National Forest, unless and until specific authority for granting such permit, license, lease, or other authorization shall have first been obtained by special Act from the Congress of the United States covering each such project: Provided, That nothing in this section shall be construed as interfering with the duties of the International Joint Commission created pursuant to the convention concerning the boundary waters between the United States and
1. Canada, concluded between the United States and Great Britain on January 11, 1909, and action taken or to be taken in accordance with the provisions of the convention, protocol, and agreement between the United States and Canada which were signed at Washington on February 24, 1925, for the purpose of regulating the level of the Lake of the Woods: Provided, That with the written approval and consent of the Forest Service of the Department of Agriculture, reservoirs not exceeding one hundred acres in area may be constructed and maintained for the transportation of logs or in connection with authorized recreational uses of national-forest lands, and maximum water levels not higher than the normal high-water mark may be maintained temporarily where essential strictly for logging purpose in the streams between lakes by the construction and operation of small temporary dams: And provided further, That nothing herein shall be construed to prevent the Secretary of Agriculture from listing for homestead entry under the provisions of the Act entitled "An Act to provide for the entry of agricultural lands within forest reserves," approved June 11, 1906 (16 U. S. C. 506) (34 Stat. 233), any of the above-described lands found by him to be chiefly valuable for agriculture and not needed for public purposes.
A BILL

To promote the better protection and highest public use of the lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, the development and extension of recreational uses, the preservation of wild life, and other purposes not inconsistent therewith; and to protect more effectively the streams and lakes dedicated to public use under the terms and spirit of clause 2 of the Webster-Ashburton treaty of 1842 between Great Britain and the United States; and looking toward the joint development of indispensable international recreational and economic assets.

By Mr. Nolan

December 9, 1929
Referred to the Committee on the Public Lands and ordered to be printed

March 18, 1930
Reported with amendments, referred to the House Calendar, and ordered to be printed
CONGRESSIONAL RECORD

House

April 21, 1930.

PROTECTION OF LAND IN NORTHERN MINNESOTA

The next business on the Consent Calendar was the bill (H.R. 6681) to promote the better protection and highest public use of the lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, the development and extension of recreational uses, the preservation of wild life, and other purposes not inconsistent therewith; and to provide more effectively the streams and lakes dedicated to public use under the terms and spirit of clause 2 of the Webster-Ashburton treaty of 1842 between Great Britain and the United States; and looking toward the joint development of indispensable international recreational and economic assets.

Mr. NOLAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.
Calendar No. 546

71st Congress 2nd Session

SENATE

REPORT

No. 542

SUPERIOR NATIONAL FOREST

APRIL 21 (calendar day, April 25), 1930.—Ordered to be printed

Mr. SHIPESTAD, from the Committee on Agriculture and Forestry,
submitted the following

REPORT

[To accompany S. 2498]

The Committee on Agriculture and Forestry, to whom was referred the bill S. 2498, a bill to promote the better protection and highest public use of lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, and for other purposes, having considered the same, report thereon with the following amendments:

Section 1, line 2, page 2, after the word "laws" insert "and subject to such permits and licenses as may be granted or issued by the Department of Agriculture under laws or regulations generally applicable to national forests".

Page 2, line 6, after the word "any" insert the word "other".

Page 2, line 7, after the word "area" insert "which is now or eventually to be in general use for boat or canoe travel."

Page 2, line 13, after the word "infested", insert the word "dying".

Page 2, line 15, change the period to a comma and add "except where necessary to open areas for banking grounds, landings, and other uses connected with logging operations."

Page 3, line 4, after the word "Project", as follows:

Provided, That nothing in this section shall be construed as interfering with the duties of the International Joint Commission created pursuant to the convention concerning the boundary waters between the United States and Canada and concluded between the United States and Great Britain on January 11, 1909, and action taken or to be taken in accordance with provisions of the protocol and agreement between the United States and Canada, which was signed at Washington on February 24, 1925, for the purpose of regulating the levels of the Lake of the Woods.

Page 3, line 9, change the period to a comma and add, "and maximum water levels not higher than the normal high-water mark may be maintained temporarily, where essential strictly for logging purposes in the streams between lakes by the construction and operation of small temporary dams."
At the end of section 3 add:

*Provided, however, Nothing herein shall be construed to prevent the Secretary of Agriculture from listing for homestead entry under the provisions of the act of June 11, 1906 (34 Stat. 2498), any of the above-described lands found by him to be chiefly valuable for agriculture and not needed for public purposes: Provided further, That the provisions of this section shall not apply to any proposed development for water-power purposes for which an application for license was pending under the terms of the Federal water power act on or before January 1, 1928.*

The above amendments conform to the suggestions of the Departments of Agriculture and of State. Letters from these departments follow as part of this report. The Secretary of the Interior has also expressed himself as favorable to the legislation. In reporting on the bill he said:

I am in sympathy with the general purposes behind this legislation, and since it now appears that the scattered tracts of unreserved public land within this area were temporarily withdrawn by Executive order of May 26, 1928, in aid of legislation such as that now proposed, I wish to withdraw my recommendation that enactment of the bill be deferred until action by the Commission on the Conservation and Administration of the Public Domain has been taken.

Therefore, so far as the public lands are concerned, I recommend that the bill receive favorable consideration by Congress.

This legislation has had extensive consideration by a subcommittee of the Committee on Agriculture and Forestry and also by the full committee. Hearings were had and the subject considered from every angle.

The committee therefore recommends early and favorable action on the legislation as reported.

**Superior National Forest**

At the end of section 3 add:

*Provided, however, Nothing herein shall be construed to prevent the Secretary of Agriculture from listing for homestead entry under the provisions of the act of June 11, 1906 (34 Stat. 2498), any of the above-described lands found by him to be chiefly valuable for agriculture and not needed for public purposes: Provided further, That the provisions of this section shall not apply to any proposed development for water-power purposes for which an application for license was pending under the terms of the Federal water power act on or before January 1, 1928.*

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This legislation has had extensive consideration by a subcommittee of the Committee on Agriculture and Forestry and also by the full committee. Hearings were had and the subject considered from every angle.

The committee therefore recommends early and favorable action on the legislation as reported.

**Department of Agriculture, Washington, February 17, 1930.**

**Hon. Charles L. McNary,**

Chairman Committee on Agriculture and Forestry,

United States Senate.

*Dear Senator McNary: Receipt is acknowledged of your letter of January 28 requesting a report from this department upon the bill (S. 2498) to promote the better protection and highest public use of lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, and for other purposes.

This department, in reporting on earlier bills of similar nature and in other communications, has consistently approved the principle embodied in the bill S. 2498. It regards the area involved as one of great potential social value within which there should be a deliberate and systematic conservation of the scenic and wild-life values and of the opportunities for unique and desirable forms of outdoor recreation.

On the other hand, the area also possesses large economic or industrial possibilities; the potential capacity to produce large quantities of timber and to contribute to the support of local industries, communities, and institutions. This aspect of its social value should not be disregarded.

In the opinion of the department neither broad field of use should be excluded or dominated by the other, but both should be so coordinated and correlated as to produce the largest net return in social and industrial service. All facts available to the department warrant the belief that this can be done, and such is the objective of the department in its administration of the Superior National Forest. It therefore seems desirable that such legislation as may be enacted by Congress shall not be so rigid nor inflexible as to militate against the best and highest use and management of the area, consequently I wish to suggest certain minor changes for the consideration of your committee.

So far as this department is aware, section 1 of the bill is satisfactory and no change is suggested.

Section 2, in substance, prescribes certain rules to control the cutting of timber under the direction of this department. As now worded, it applies without
SUPERIOR NATIONAL FOREST

3

restriction or qualification to any waterway within the region described. In actual fact, the region is a regular network of waterways which are so widely and intricately distributed that they influence the major part of the Superior National Forest. Some of these waterways are used rarely if at all by tourists, campers, etc., and the application to the timber adjoining them of the same rules that are justified in relation to the international boundary waters or other major boat or canoe routes would be difficult of justification. An amendment covering this point will be hereafter suggested.

Section 2 authorizes the cutting of diseased, insect-infested, or dead timber within 200 feet of natural shore line, but makes no provision for overmature timber which obviously will be dead before the area again becomes subject to a cutting operation. It is the belief of this department that a judicious removal of the obviously overmature and decadent trees not only will avert an economic loss but actually will result in improved appearance of shore line and therefore might well be authorized by the bill.

Again section 2 makes no provision for openings along streams or lakes in connection with logging operations. The removal of timber by water really would be an advantage in conserving natural beauty since it would obviate the need for the construction of railroads, tramroads, etc. But as the bill is now worded, the necessary openings to permit of removal by water would be prohibited.

The preceding comment applies also to section 3. During low-water periods the connecting streams which link one lake with another and thus create the water route are frequently too low to permit the free movement of logs or other timbers, and to meet this condition it is necessary to build small dams by which a water level sufficient to permit the movement of logs can be maintained in such connecting streams. The bill does not authorize, but to the contrary would prohibit, that practice. There is no probability that a modification such as suggested herein would be abused or carried to an extreme, defeating the purpose of the bill.

In view of the several comments above made the following amendments are recommended:

Page 2, line 6, after the word "any", insert the word "other".
Page 2, line 7, after the word "area" insert "which is now or eventually to be in general use for boat or canoe travel".
Page 2, line 14, insert the word "dying" at the beginning of the line.
Page 2, line 15, change the period to a comma and add "except where necessary to open areas for banking grounds, landings, and other uses connected with logging operations."
Page 3, line 9, change period to comma and add "and maximum water levels not higher than the normal high-water mark may be maintained temporarily where essential strictly for logging purposes in the streams between lakes by the construction and operation of small temporary dams."

It is the belief of the field officers of the Forest Service that the amendments suggested herein will not militate against the purpose or effectiveness of the pending bill, but will really facilitate both its local acceptance and the execution of its provisions, in that they will more adequately permit of the desirable coordination of the recreational and industrial potentialities of the Superior National Forest and the highest realization of the public value of that area. Unnecessary restrictions upon the industrial utilization of the material resources of the forest, and of the intermingled privately-owned lands, undoubtedly will inspire persistent efforts for their modification and consequent instability of administration, whereas a reasonable adjustment between the two major forms of service will permit this department to plan its administration of the forest with assurance and effectiveness.

Subject to the amendments herein proposed, the bill has the full approval of this department, and its favorable consideration by your committee is recommended.

Sincerely yours,

R. W. DUNLAP, Acting Secretary.
Memorandum, in re language used in forms of withdrawal and in H. R. 6981 "are hereby withdrawn from all forms of entry or appropriation under the public land laws of the United States subject to prior existing legal rights. * * *

This phrase as ordinarily used by the Department of the Interior in withdrawals of public lands and in the bill in question, is designed subject to prior legal rights to withhold the lands from all forms of entry in the General Land Office, looking to the issuance of patent therefor, and from other forms of appropriation whereby citizens of the United States initiate vested or inchoate rights which may ultimately grow into legal or patentable rights. The word "appropriation" is used as a broad term comprehending such forms of initiated title to the public domain as settlement under the homestead laws, location of mining claims under the general mining laws, etc.

It would not, in my judgment, if the lands were included in a national forest reserve or placed under the jurisdiction of the Forest Service for purposes of administration, preclude them from granting permits or licenses for the development or utilization of the forest resources. It would prevent the disposition of the land under patent or deed or the imitation of a right or claim which might grow into such a title.

E. C. FINNEY,

DEPARTMENT OF STATE,
Washington, February 7, 1930.

HON. CHARLES L. MCNARY,
Chairman Committee on Agriculture and Forestry,
United States Senate.

Sir: Referring to the bill S. 2498 entitled "A bill to promote the better protection and highest public use of lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, and for other purposes," which has been referred to your committee, I inclose a copy of a note dated January 30, 1930, received from the Canadian Legation at this capital concerning the proposals contained in this bill and in H. R. 6981 and H. R. 6982.

I believe it would be desirable to make certain that the proposed legislation will not be construed to interfere with the functions of the International Joint Commission created pursuant to the provisions of article 3 of the convention concluded January 11, 1909, between the United States and Canada relating to the boundary waters between the United States and Canada. Accordingly, it is suggested that in section 3 of S. 2498 after the word "project" on page 3, line 4, the following proviso should be added:

"Provided, That nothing in this section shall be construed as interfering with the duties of the International Joint Commission created pursuant to the convention concerning the boundary waters between the United States and Canada, concluded between the United States and Great Britain on January 11, 1909, and action taken or to be taken in accordance with the provisions of that convention, protocol and agreement between the United States and Canada which were signed at Washington on February 24, 1925 for the purpose of regulating the level of the Lake of the Woods."

A similar communication has been addressed to the chairman of the Committee on the Public Lands of the House of Representatives.

I have the honor to be, sir, your obedient servant,

JOSEPH F. COTTON,
Acting Secretary of State.

HON. HENRY L. STimson,
Secretary of State of the United States,
Washington, D. C.

Sir: I have the honor to state that I have been instructed by the secretary of state for external affairs to direct your attention to certain considerations arising in connection with several bills which are now before the Congress of the United States, one of the purposes of which is to prevent the alteration of water levels
in a designated area of the State of Minnesota in the vicinity of the international boundary between Canada and the United States, except under the authority of a special act of the Congress of the United States. These proposals are contained in bills H. R. 6861, H. R. 8968, and S. 2498.

In the convention, protocol, and agreement between Canada and the United States, which was signed at Washington on February 24, 1925, for the purpose of regulating the level of the Lake of the Woods, provision was made for referring to the International Joint Commission certain questions regarding Rainy Lake and the other upper waters of the Lake of the Woods watershed. Question 1, sections (b) and (c), and question 2 of the agreement provide for inquiries into the practicability and desirability of the regulation of, and the provision of storage facilities upon, boundary waters in the area which is designated in the bills in question. The International Joint Commission has held hearings on these questions and has appointed engineers to pursue the investigation. These engineers have made a preliminary, but not a final, report.

In these circumstances, His Majesty’s Government in Canada desire to urge that no action should be taken which would in any way impede the inquiry which is still in progress or interfere with the recommendations which are to be made by the International Joint Commission.

In this connection, reference is made to a letter from the Department of State to the chairman of the Committee on the Public Lands of the House of Representatives dated February 21, 1929, relating to similar proposals made in bill H. R. 12780 of the Seventieth Congress, which is printed in House Report No. 2814 of March 2, 1929, and to the amendments to H. R. 12780 proposed by the Committee on the Public Lands and printed on page 2 of the same report. Reference is also made to the views of the minority of the Committee on the Public Lands which are included as part 2 of this report.

It may be added that the government of the Province of Ontario have informed His Majesty’s Government in Canada that they consider that the proposed legislation overrides in effect the provisions of the boundary waters treaty of 1909, and that in consequence its passage should be opposed.

I have the honor to be, with the highest consideration, sir, your most obedient humble servant,

H. H. Wrong
(For the Minister).
PRODUCTION AND DEVELOPMENT OF FOREST PRODUCTS, ETC.

The next business on the Consent Calendar was the bill (H. R. 6831) to promote the better protection and highest public use of the lands of the United States and adjacent lands and waters in northern Minnesota; for the production of forest products; the development and extension of recreational uses; the preservation of wild life; and other purposes not inconsistent therewith; and to protect more effectively the streams and lakes dedicated to public use under the terms and spirit of clause 2 of the Webster-Ashburton treaty of 1842 between Great Britain and the United States; and looking toward the joint development of indispensable international recreational and economic assets.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

[Mr. STAFFORD addressed the House. His remarks will appear hereafter in the Appendix.]
MEMORANDUM FOR THE SECRETARY

I have by departmental reference request of the Chairman of the Committee on the Public Lands for report on H. R. 8968.

The purpose of the bill as set forth in its title is to withdraw from entry the nonmineral lands of the United States within the therein described area in northern Minnesota, conserve the natural beauty of the lands therein bordering on lakes and streams, and preserve the natural water level of such lakes and streams.

Somewhat similar legislation is proposed in S. 2498 and H. R. 6951 upon which the Department submitted favorable reports on March 1 in so far as the public lands are concerned, and the former has been passed by the Senate under date of May 7, with certain amendments. The present bill differs from these measures in that it involves less than half the area, excepts mineral lands from the reservation proposed and contains an objectionable provision.

H. R. 8968 proposes to reserve the nonmineral lands of the United States, lying within an area along the Canadian boundary in Lake and St. Louis Counties and the greater portion of each boundary in Cook County ranging from one to five townships wide, from entry or appropriation under the public land laws with certain exceptions, subject to existing rights legally maintained.

Most of the Federal land in the described area is within the Superior National Forest, and the Forest Service of the Department of Agriculture is required to perform prescribed duties concerning the lands in the area both within and without the boundaries of the national forest.
The records of this office show that there are, however, within the area approximately 10,500 acres of unreserved public land in scattered tracts which would be permanently withdrawn under the terms of the bill. These scattered tracts together with those in the additional area described in S. 1498 and H. R. 6581 were temporarily withdrawn by Executive order of May 26, 1955, in aid of then pending legislation similar to that proposed in the measures last mentioned, upon request of members of the Minnesota delegation in Congress, and remain so withdrawn.

There is now ample authority for the granting of rights of way for railways and highways, and no necessity is therefore seen for the last provision to section 1 of the bill, nor for the change in existing law which it proposes by authorizing the Forest Service of the Department of Agriculture to grant rights-of-way for railways within the area involved. Rights of way under the act of March 3, 1875 (18 Stat. 428), for railways and station grounds over the public lands, whether within or without national forests, are granted by the Department of the Interior. The act of February 1, 1905 (33 Stat. 663), which transferred the administration of the national forests from the Department of the Interior to the Department of Agriculture retained in the former execution of all laws affecting in any way the title to public lands in such reservations. The Department of Agriculture is always consulted before any such railroadd rights-of-way are granted over lands in national forests.

Section 17 of the Federal highway act of November 9, 1921 (42 Stat. 112), authorizes the use of any public lands or reservations of the United States for highways or forest roads when found reasonably necessary by the Secretary of Agriculture.

The area contains portions of Rainy Lake and of a number of other boundary lakes and streams. Section 5 of the bill would prohibit any further alteration of the natural water level of any lake or stream within or bordering upon the area designated which would result in flooding lands of the United States within or immediately adjacent to the Superior National Forest without a special act of Congress or authorizing. It is noted from Report No. 511 of the Committee on the Public Lands on H. R. 6581, that the State Department in its report on that measure suggested an amendment which would prevent limitation of the authority conferred upon the International Boundary Commission created pursuant to the convention relating to boundary waters between the United States.
and Canada concluded January 11, 1903.

In view of the foregoing, I recommend that H. R. 5568 be not enacted as H. R. 6961 as amended by the Committee on the Public Lands in a more comprehensive measure and better adapted to secure the object sought.

Commissioner.
THE SECRETARY OF THE INTERIOR
WASHINGTON MAY 15 1930

Hon. Ben B. Colton,
Chairman, Committee on the Public Lands,
House of Representatives.

My dear Mr. Chairman:

In further reference to your request of January
37th, for a report on H. R. 3969, which would permit
withdrawal from entry certain lands in northern Min-
nesota, there is transmitted herewith a memorandum
on the subject that has been submitted by the Com-
missioner of the General Land Office. After a review
of the proposed measure, I agree with the Commissioner.

Very truly yours,

(Sgd.) RAY LYMAN WILBUR
Secretary.

Inclosure 9495.
CONGRESSIONAL RECORD
APPENDIX
May 19, 1930.

1930

Many colleges have broadened their curriculums to include those who are unable to attend their regular sessions. Some are carrying on further educational work for their alumni. This majority of this is accomplished through night school, though in some cases other mediums are used.

Conversely, University, Chicago University, the University of Califorina, and many other large educational institutions have been a great force in furthering the cause of public education, and have been instrumental in the making of this Nation.

As a specific case of the value of business education is to both people and Nation, the National University Society and its over a quarter of a million members may be cited.

Thousands of these men and women tell of gains in income ranging from 20 to 200 per cent in various branches of business. One, of course, a conservative estimate of the average gain in earning power might be 50 per cent, and this must be at least matched by a proportionate rise in productive ability.

Since an economic survey held recently gave the average yearly output of the American man in 1929 to the area of that man, we are able to see that the added output of each National University Society student is $2,000 a year. From this may be computed the figure of over $1,000,000,000 annual production, an over-all scientific business training.

The data shows clearly the important factor that adult education is in achieving personal, business, or national success, and demonstrates the value for area, further strides in it for the greater welfare of all.

Proposed Conservation Legislation Which Affects Northern Minnesota and Territory Wholly Within My Congressional District

EXTENSION OF REMARKS
OF HON. WILLIAM A. PITTEGNER
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, May 19, 1930

Mr. PITTEGNER. Mr. Speaker, I want to discuss with Members of the House H. R. 2496. Its companion bill in the House is H. R. 6081. The alleged purpose of this legislation, as set forth in the title of the Senate bill, is to promote the better protection and highest public use of lands in northern Minnesota.

The companion bill in the House also, in addition, proposes the development and extension of recreational uses, the preservation of wild life, the protection of streams and lakes, and the joint development of indispensable, international, recreational, and economic assets.

The real objects of the legislation appear to be to prevent the cutting of timber along shore lines. In view of the fact that this legislation affects some 5,000,000 acres in the eighth congressional district in northern Minnesota and does not affect any other congressional district, I feel that there are certain facts which should be brought to the attention of the members of this House. I ask you, the present time because efforts are now being made to bring this matter to the House for action.

I am opposed to the legislation in its present form because, as I have said above, it involves and affects some 5,000,000 acres of the prime agricultural area in northern Minnesota.

RESTRICTED AREA AMENDMENT

I want to direct the attention of the Members of the House at this time to the Pittenger bill, H. R. 2496, which is substantially along the lines of the above proposed legislation, but which differs in the fact that Section 1 of the Pittenger bill provides for a restricted area and cuts down the boundaries in the other bills so that the area is limited to 3,000,000 acres. The legislation is to be read as a whole, and I urge that it be amended to provide for the boundaries provided in section 1 of the Pittenger bill; and this can be accomplished by striking out the following language in section 1 of S. 2496 and H. R. 6081, reading:

That all public lands of the United States situated north of township 60 north in the counties of Cook, Lake, and St. Louis, in the State of Minnesota,

and by inserting in lieu thereof the following language taken from section 1 of the Pittenger bill, reading as follows:

That all public lands of the United States, exclusive of mineral lands, in the State of Minnesota, lying between the 85th meridian west and the St. Croix River, and the townships north of township 60 north in the counties of Cook, Lake, and St. Louis, in the State of Minnesota,

and by inserting in lieu thereof the following language taken from section 1 of the Pittenger bill, reading as follows:

That all public lands of the United States situated north of township 60 north in the counties of Cook, Lake, and St. Louis, in the State of Minnesota,

and by inserting in lieu thereof the following language taken from section 1 of the Pittenger bill, reading as follows:

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and by inserting in lieu thereof the following language taken from section 1 of the Pittenger bill, reading as follows:

That all public lands of the United States situated north of township 60 north in the counties of Cook, Lake, and St. Louis, in the State of Minnesota,

and by inserting in lieu thereof the following language taken from section 1 of the Pittenger bill, reading as follows:

That all public lands of the United States situated north of township 60 north in the counties of Cook, Lake, and St. Louis, in the State of Minnesota,
CONGRESSIONAL RECORD—APPENDIX

EXTENSION OF REMARKS

OF

JON. WILIAM C. LANKFORD
OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 16, 1930

Mr. LANKFORD of Georgia. Mr. Speaker, when the Farm Board act was passed last year, most, if not all, Members of the House from the pine-timber section believed it broad enough to authorize relief to the producers of turpentine and other naval-stores products. No one fully familiar with the proper accidental condition of these products had any doubt that these products should be included. I believe that if the question was discussed at this point, all Members, or at any rate, the great majority of Members, would agree that these products should be included in the Farm Board act. The legislation of my State memorialised Congress to pass such an amendment. Mr. Lanphier, of Georgia, and I, upon an offer of a committee on Agriculture, to introduce in the House a bill for the purpose, and Senator Glass introduced a similar bill in the Senate, and many of them bills are before the House Committee on Agriculture for consideration. It has been fully shown that these bills are just and should be passed.

I do not wish to repeat what has already been so fully and so completely covered by others. I do want to add only a few suggestions.

The House has one outstanding and controlling reason why the matter of the nationalized Farm Board act is being discussed. It is also true that, as soon as Mr. Wilbur's report became public, it was found that the Minneapolis proponents were enabled to have this decision thrust upon the House. As is indicated in the discussion by Lieutenant Governor Danielson, this proposed conservation legislation is experimental. The literature of the 1930's reported adversely against the Minneapolis proposed piecemeal legislation on the conservation question. It is true, as soon as the Commission was appointed, that it was not advisable to use the national boundary and in the area described. What was found in southern Oregon, for instance, is that northern Minnesota was found to be a national park for this region. They have higher and loftier purposes.

Getting down to earth, the proposed legislation would prevent raising or lowering of the water levels along the international boundary and in the area described. What effect the Canadian amendment will have on this proposition now is a matter of conjecture as to what the courts will hold. If the courts should hold that the Canadian amendment, and in S. 2468 and H. R. 989l, exempts the international waters from the provisions of the legislation in question, then the amendment is in favor of the legislation in question futilely.

There is another aspect of this case which requires considerable notice. The lumbering less acre into productive farmland by using the ground for other purposes will be a matter of perpetual development in northern Minnesota is reduced and minimized. I do not wish to be a party to any legislation which will be of the cause of unemployment, more men seeking work, as a result of hampering and preventing legitimate business progress.

There are many other phases of this question that I would like to discuss. Time will not permit. I want to conclude by saying that northern Minnesota is vitally interested in the restricted area amendment, to which I called attention at the beginning of these remarks. They have never actually had an opportunity to appear at a hearing on the restricted area proposition, either before the House committee or the Senate committee. I feel confident that the sound and able discussion by Lieutenant Governor Adams, hereinafter referred to, will be of great value to every fair-minded Member of Congress, and I urge upon the House Committee on Agriculture and Forestry development in northern Minnesota is reduced and minimized. I do not wish to be a party to any legislation that will be detrimental to the interests of the people of Minnesota.

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AN ACT

To promote the better protection and highest public use of lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That all public lands of the United States situated north of township 60 north in the counties of Cook, Lake, and Saint Louis, in the State of Minnesota, including the natural shore lines of Lake Superior and of the lakes and streams forming the international boundary, so far as they lie within this area, are hereby withdrawn from all forms of entry or appropriation under the public land laws of the United States and be reserved for the use of the United States.

Approved June 13, 1930.
States, subject to prior existing legal rights initiated under the public land laws, so long as such claims are maintained as required by the applicable law or laws and subject to such permits and licenses as may be granted or issued by the Department of Agriculture under laws or regulations generally applicable to national forests.

SEC. 2. That the principle of conserving the natural beauty of shore lines for recreational use shall apply to all Federal lands which border upon any boundary lake or stream contiguous to this area, or any other lake or stream within this area which is now or eventually to be in general use for boat or canoe travel, and that for the purpose of carrying out this principle logging of all such shores to a depth of four hundred feet from the natural water line is hereby forbidden, except as the Forest Service of the Department of Agriculture may see fit in particular instances to vary the distance for practical reasons: Provided, That in no case shall logging of any timber other than diseased, insect infested, dying, or dead be permitted closer to the natural shore line than two hundred feet, except where necessary to open areas for banking grounds, landings, and other uses connected with logging operations.

SEC. 3. That in order to preserve the shore lines, rapids, waterfalls, beaches, and other natural features of the region in an unmodified state of nature, no further altera-
tion of the natural water level of any lake or stream within
or bordering upon the designated area shall be authorized by
any permit, license, lease, or other authorization granted by
any official or commission of the United States, which will
result in flooding lands of the United States within or im-
mediately adjacent to the Superior National Forest, unless
and until specific authority for granting such permit, license,
lease, or other authorization shall have first been obtained
by special Act from the Congress of the United States cover-
ing each such project: Provided, That nothing in this sec-
tion shall be construed as interfering with the duties of the
International Joint Commission created pursuant to the con-
vention concerning the boundary waters between the United
States and Canada and concluded between the United States
and Great Britain on January 11, 1909, and action taken or
to be taken in accordance with provisions of the convention,
protocol, and agreement between the United States and Can-
ada, which were signed at Washington on February 24,
1925, for the purpose of regulating the levels of the Lake of
the Woods: Provided, That with the written approval and
consent of the Forest Service of the Department of Agri-
culture, reservoirs not exceeding one hundred acres in area
may be constructed and maintained for the transportation of
logs or in connection with authorized recreational uses of
national-forest lands, and maximum water levels not higher
than the normal high water mark may be maintained temporarily where essential strictly for logging purposes, in the streams between lakes by the construction and operation of small temporary dams: Provided, however, That nothing herein shall be construed to prevent the Secretary of Agriculture from listing for homestead entry under the provisions of the Act of June 11, 1906 (34 Stat. 233), any of the above-described lands found by him to be chiefly valuable for agriculture and not needed for public purposes: Provided further, That the provisions of this section shall not apply to any proposed development for water-power purposes for which an application for license was pending under the terms of the Federal Water Power Act on or before January 1, 1928.

Passed the Senate April 30 (calendar day, May 7), 1930.

Attest: EDWIN P. THAYER,
Secretary.
AN ACT

To promote the better protection and highest public use of lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, and for other purposes.

JUNE 13, 1930
Referred to the Committee on the Public Lands
JUNE 17, 1930
Referred to the House Calendar and ordered to be printed
THE SECRETARY OF THE INTERIOR  
WASHINGTON  

DEPARTMENT OF THE INTERIOR  
WASHINGTON  
COPY FOR INFORMATION OF  
PARKS  

JUL 9 1930  

The President,  
The White House.  

My dear Mr. Presidents:

I have by your reference of July 9, 1930, enrolled Bill No. 2, 6933, "An Act to promote the better protection and highest public use of lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, and for other purposes".

I have the honor to inform you that I do not know of any objection to the approval of the bill.

Very truly yours,

(Sgd.) RAY LYMAN WILBUR

Enclosure No. 5755
To promote better protection and highest public use of lands of the U. S. and adjacent lands and waters in northern Minnesota (Superior National Forest) for the production of forest products.

Dec. 9, 1929. Introduced by Senator Shipstead.
    Referred to Committee on Public Lands and Surveys.

Jan. 27, 1930. Committee on Public Lands and Surveys discharged, and referred to Committee on Agriculture and Forestry.

Apr. 25, 1930. Reported with amendments.

May 7, 1930. Passed Senate


July 10, 1930. Approved by President (Public Law No. 539).
PROPOSED SUPERIOR NATIONAL PARK, MINN.

This area was first called to the attention of this Service on March 28, 1926, by Representative Walter H. Newton. Mr. Harold L. Ickes wrote in concerning the area in the summer of 1927, speaking of Mr. Ernest C. Oberholtzer, who is at the present time President and Secretary of the Quetico-Superior Council, 1218 Flour Exchange, Minneapolis, Minn.

It is located in northern Minnesota within the Superior National Forest.

Interested Individuals:
Mr. Ernest C. Oberholtzer
Mr. Harland P. Kelsey, West Roxbury, Mass.
Mr. C. E. Remadell, Minneapolis.
The Izaak Walton League of America

The area was visited by members of the House Public Lands Committee in the summer of 1926. The area had been proposed as an international park between the United States and Canada, with the Superior National Forest on the United States side, and the Quetico Provincial Park on the Canadian side.

The Quetico-Superior Council is an international organization associated with the Izaak Walton League of America for the sole purpose of obtaining, with the consent of the Province of Ontario, a treaty between Canada and the United States to protect and expand the rare public values in the Rainy Lake watershed, which forms part of the international boundary between Ontario and Minnesota.

Attached is a copy of the aims of the Quetico-Superior Council which was formed in November 1927.

The Quetico-Superior Council has been in favor of this area as a national forest rather than a national park because a national park would involve the removing of too large a region from economic use, especially when its main economic destiny is producing timber for the future. Also public sentiment has been against the establishing of a national park in this area probably see to the above-stated reason.

In the summer of 1930, Harlan P. Kelsey investigated this proposed area and supposedly was to have submitted a report, but there is no record of this report having been received. Mr. Kelsey stated in a letter of March 5, 1932, to the Director, that Mr. Oberholtzer was responsible for preserving (as far as it is preserved) this whole district, and in securing the passage of the Shipstead-Newton bill. He also stated "May I say privately to you that I think Mr. Oberholtzer at heart feels that the future status of the Quetico-Superior region should be that of a national park rather than a national forest. To accomplish what he has, however, he has had to commit himself to a national forest and he told me personally that he could not take any active part in any national park project."
"Mr. Frank Warren of the Izaak Walton League, together with most of the people of Duluth and at least northern Minnesota, believes that a national forest project on a pay basis would be of great future financial benefit to Minnesota. Still further, they feel that as a national forest, it might readily be operated to take care of the canoeing, camping, and other recreational facilities quite as well as if it were a national park."

Attached is a copy of Executive Order, creating the Quetico-Superior Committee, on June 30, 1954.
CREATION OF THE QUETICO-SUPERIOR COMMITTEE.

WHEREAS the Quetico-Superior Council, associated with the Izaak Walton League of America, has formulated a program for the establishment of a wilderness sanctuary in the Rainy Lake and Pigeon River watersheds through which runs the international boundary line between Canada and the United States; and

WHEREAS this program has been endorsed by numerous organizations interested in the preservation of wildlife and the conservation of the few remaining tracts of American wilderness; and

Whereas it has been proposed that the wilderness sanctuary should be dedicated as a peace memorial to the service men of both countries who served as comrades in the Great War; and

WHEREAS the Congress of the United States, in the Act of July 10, 1930 (ch. 881, 46 Stat. 1020), has given legislative effect to its principles "of conserving the natural beauty of shore lines (in these watersheds) for recreational use" and of preserving "the shore lines, rapids, waterfalls, beaches, and other natural features of the region in an unmodified state of nature"; and

WHEREAS the Forest Service of the United States Department of Agriculture, in its administration of existing law, can give further effect to the aforementioned principles; and

WHEREAS certain executive departments and administrative agencies of the Government of the United States, the Department of State, the Treasury Department, the Department of the Interior, the Department of Agriculture, the Department of Labor, the Emergency Conservation Work Administration, and the Subsistence Homesteads Administration, and the State of Minnesota will be concerned in whatever performance there may be of the Quetico-Superior Council program:

NOW, THEREFORE, by virtue of and pursuant to the authority vested in me as President of the United States I hereby appoint a committee, to be known as the Quetico-Superior Committee, to consult and advise with the various Federal departments and agencies concerned and with the State of Minnesota, and to make such recommendation from time to time as it deems proper.

The committee shall be composed of E. C. Oberholtzer, S. T. Tyng, C. S. Kelly (who have been invited to serve and have accepted), 1 person designated by the Secretary of Agriculture and 1 person designated by the Secretary of the Interior. The committee shall serve for a period of 4 years and without compensation. Any vacancy in the committee shall be filled in the manner in which the members are appointed.

The White House,
June 30, 1934.

FRANKLIN D. ROOSEVELT.