

Bishop, California. Sept. 4. 1923.

To the Honorable,

The Commissioner of Indian Affairs,

Washington, D.C.

My dear Mr. Commissioner:

Receipt is acknowledged of your letter dated August 30-1923, relative to the sale of the Joe McLaughlin Indian allotment to the Board of Public Service Commissioners of the City of Los Angeles, also to the matter of notice of condemnation proceedings served on the Indians in question, by the Southern Sierras Power Company.

The McLaughlin Indian allotment was duly advertised in accordance with the regulations for a period of sixty days, special notice being given the Southern Sierras Power Company, the Sierras Construction Company, and the Board of Public Service of the City of Los Angeles. The result being, that the following bids were received:

Sierras Construction Company-----	\$2250.00
C.H. Rudy-----	4300.00
City of Los Angeles-----	4320.00

The Southern Sierras Power Company, the Sierras Construction Company, and the Gain Ranch are all under the same management. Mr. C.H. Rudy who made the second bid of \$4300. is an engineer in the employ of the Southern Sierras Power Company. The Power Company at the present time operate a large electric power plant at Silver Lake from which, a stream known as Rush Creek is the outlet. Rush Creek flows through the Joe McLaughlin Indian allotment. The Gain Ranch, also under the management of the Southern Sierras Power Company, utilizes the surplus waters of Rush Creek below the McLaughlin land, on their property. The McLaughlin land is therefore located on the stream at a point between the two points where the water is utilized by the Southern Sierras Power Company and its auxiliary ranch company. This Company seemed fully confident that no opposition would be encountered in this matter, but as opposition did appear, and with the result that the opposing factor submitted the higher bid, the Company have now taken

Bishop, California . Sept. 4. 1925.

Board of Public Service Commissioners
of the City of Los Angeles.
609. Public Service Building.
Los Angeles, California.

Attention Legal Department.

Dear Sir:-

The enclosed copy of letter from the Commissioner of Indian Affairs, Washington, D.C., relates to the matter of condemnation proceedings brought by the Southern Sierras Power Company vs Joe McLaughlin, et al.

Very truly yours.

Superintendent.

other steps to acquire the property.

In January of the present year, the Sierra Construction Company sought to purchase the McLaughlin land by private sale at a price of \$2800. It was then that the Indian presented his case to me and signed a Petition for the Sale of his land. He was at that time very desirous of concluding the sale for \$2800. The appraisement which I have placed on the land is based chiefly on the value of the water or stream flowing through the land, for it is this asset that makes the land of value. In consideration of the land alone, or of the land capable of use, the valuation would be reduced to a minimum. The water is of value to the Southern Sierras Power Company for power, also for irrigation of their ranch property. The water would likewise be valuable to the City of Los Angeles for power purposes and irrigation.

A contest is being waged locally between the City of Los Angeles and the Southern Sierras Power Company over the acquisition of water rights, and it is really this condition of affairs that has brought about the offer of \$5000, following the result of the sixty day advertising period. The Indian owner was immediately approached by representatives of the Power Company and the offer as submitted in the telegram of Mr. F.G. Collett, followed.

Following the termination of advertisement, no further bids have been submitted to this office by the Power Company.

It is the condition of affairs noted above that has brought about this inflated valuation and it is very plain to be seen that both the Power Company and the City will continue to offer keen competition.

Inasmuch as we are primarily interested in the welfare of the Indians concerned, it would seem that he should derive the greatest possible benefit from the sale of his land. McLaughlin and his wife are old people and have no children, and the money derived from the sale of his land should provide for the two during the remainder of their life. In consideration of the benefits to be derived, I would recommend the cancellation of all previous

action taken, if such action can be arbitrarily taken, a return to the City of their bid of \$4880.00, and a readvertisement for a period of thirty days at not less than \$5000.00, giving special notice to the City of Los Angeles, the Southern Sierras Power Company and all others interested. Such action to be sufficient for the withdrawal of Condemnation Proceedings by the Southern Sierras Power Company, at the same time submitting a guarantee on their part that they will submit a bid of not less than \$5000.00.

Mr. Collett's connection with this matter has been brought about by the Indians who have taken up the same with him. It is improbable that he has approached the Power Company regarding the matter, as the dealings of the Company are always directly with this office.

The Office letter of August 23, 1928, has not been received but it is inferred that the original transcript of bids received, are required.

These will be forwarded under separate communication.

Very Sincerely Yours.

Superintendent.

Copy.

GAIN IRRIGATION COMPANY.

September 8th 1923. Riverside, California.

Mr. Ray R. Farrett,
Superintendent Indian Agency.
Bishop, California.

Dear Mr. Farrett:

Referring to your letter of September 4th, 1923, enclosing copy of letter from Hon. Charles H. Burke, Commissioner of Indian Affairs, dated August 30, 1923, in regard to the sale of the Joe McLaughlin Allotment, we note that said letter, among other things, states:

"The land was regularly advertised, three bids being received of which the City's for \$4520 is the highest and the Office does not wish to arbitrarily reject it, unless the interests of the Indian clearly demand it, and the Power Company will guarantee a bid of at least \$5000 - as indicated in Mr. Collett's telegram. Please advise as to this, and whether in your opinion a readvertisement of the land at not less than \$5000. would be to the interest of the Indian allottee."

In order to enable you to advise the Commissioner we wish to state that if present bids are rejected and the land again offered for sale, Gain Irrigation Company guarantees that it will bid and pay therefore \$5000. or more, or if said land is sold at private sale will purchase the same at \$5000.

Furthermore answering the inquiries in said letter, you may state to the Commissioner that the McLaughlin allotment taken alone is not capable of or valuable for power purposes, but the water rights appurtenant thereto can be so utilized in connection with extensive holdings of this Company which surround the McLaughlin land on all four sides. If sale to this Company is consummated we would agree to take the land subject to the pending condemnation suit of the Southern Sierras Power Company and would arrange with that Company for the transfer to it of the desired water rights and the consequent dismissal of the eminent domain proceedings.

This letter is confidential and sent with the understanding that its contents will not be disclosed to other than Government officials and with the further understanding that it is not to prejudice in any manner the rights of the Southern Sierras Power Company in the pending condemnation suit, or to be taken as any evidence therein of the value of said property.

Very truly yours,
Henry W. Coil
Attorney.

HWC:RW

Copy -

CAIN IRRIGATION COMPANY.

September 8th. 1923. Riverside, California.

Mr. Ray R. Parrett,
Superintendent Indian Agency.
Bishop, California.

Dear Mr. Parrett:

Referring to your letter of September 4th, 1923, enclosing copy of letter from Hon. Charles H. Burke, Commissioner of Indian Affairs, dated August 30, 1923, in regard to the sale of the Joe McLaughlin Allotment, we note that said letter, among other things, states:

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In order to enable you to advise the Commissioner we wish to state that if present bids are rejected and the land again offered for sale, Cain Irrigation Company guarantees that it will bid and pay therefore \$6000. or more, or if said land is sold at private sale will purchase the same at \$6000.

Furthermore answering the inquiries in said letter, you may state to the Commissioner that the McLaughlin allotment taken alone is not capable of or valuable for power purposes, but the water rights appurtenant thereto can be so utilized in connection with extensive holdings of this Company which surround the McLaughlin land on all four sides. If sale to this Company is consummated we would agree to take the land subject to the pending condemnation suit of the Southern Sierras Power Company and would arrange with that Company for the transfer to it of the desired water rights and the consequent dismissal of the eminent domain proceedings.

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Very truly yours,
Henry W. Coit
Attorney.

HWC:RW

DEPARTMENT OF PUBLIC SERVICE
OF THE
CITY OF LOS ANGELES
LEGAL DEPARTMENT

W. B. MATHEWS
SPECIAL COUNSEL

408 PUBLIC SERVICE BUILDING
PICO 4200

Sept. 11, 1923.

Ray R. Parrett, Superintendent,
United States Indian Service,
Bishop, California.

Dear Sir:

Am in receipt of your communication of the 4th inst. relative to the matter of condemnation proceedings brought by the Southern Sierras Power Company vs. Joe McLaughlin, et al., and also of carbon copy of letter to yourself from Mr. Chas. H. Burke, Commissioner.

Will be obliged for any suggestions that you might offer which would safeguard or improve the interests of the Department of Public Service in said land.

Thanking you in advance for any courtesies extended in this matter, I remain,

Yours very truly,

W. B. MATHEWS,
Special Counsel,

By Floyd K. Hinshaw
Floyd K. Hinshaw.

FMH:KG

CC-J.T.M.

PUBLIC SALE OF INDIAN LAND

AT BISHOP INDIAN AGENCY, BISHOP, CALIFORNIA

10/15/23

Sealed bids for the tract of Indian land as listed below will be opened at 4:00 p. m. October 15, 1923, at the Indian Agency, Bishop, California, bidders, owners and interested parties may be present. Each bid must be accompanied by a certified check, draft, or certificate of deposit on some solvent bank payable to the order of the Superintendent, Bishop Indian Agency, for ten (10) per cent of the amount offered. If the bid is accepted and the successful bidder shall fail to comply with the terms of his bid within thirty (30) days after due notice of acceptance such check or exchange will be forfeited for the use of the owner of the land. All bids or offers should be marked and enclosed in a sealed envelope, plainly indicated on the envelope "Bid for Indian Land, to be opened ~~at~~ October 15, 1923. The description of the land should not be indicated on the envelope. In no case shall a bid be less than the appraised valuation of the land.

Cost of advertising and conveyance, if any, must be paid by the purchaser at \$1.50 if sale price is less than \$1000, \$2.00 if sale price is more than \$1000 and less than \$2000 and \$7.50 if sale price is more than \$2000.

In conformity with Indian Office regulations of June 15, 1920, approved by the Assistant Secretary, June 24, 1920, made under the Indian Appropriation Act of February 14, 1920, Public No. 141-66th Congress, the purchaser will be required to deposit with the Superintendent of the Bishop Agency, Bishop, California, in addition to the consideration for the land, the sum of \$20.00 such amount to be paid when the purchaser is notified that he is the successful bidder, this amount to be in addition to the cost of conveyance and advertising fees under the regulations governing the sale of allotted and inherited Indian lands.

The award is made to the highest bidder. The right to reject any and all bids is reserved to the Commissioner of Indian Affairs. There will be no sale until approved by the Commissioner of Indian Affairs. Lands sold will be conveyed direct to the purchaser by patent in fee simple from the United States.

Each patent issued will contain the following clause: "And there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States".

Terms of payment are as follows: Ten percent (10 per cent) of purchase price with the bid and balance of ninety (90 percent) percent within thirty (30) days after notice of acceptance of bids by the heirs or allottees.

Additional information can be given upon request of the Superintendent Indian Service, Bishop, California

September 15, 1923

Ray R. Barrett

Superintendent

Allot.	Allottee	Appraised Value
94	Joe McLaughlin	\$8000.00
Description: $\frac{1}{2}$ of NW/4 of sec 9 and $\frac{1}{2}$ of NE/4 of Sec. 10, Twp 1, S. R. 26 San Bern. California, containing 160 acres.		

MY BID REQUESTED:

I hereby submit a bid on the allotment of Joe McLaughlin, Allottee No. 94, described as (insert description). My bid on the land is @ _____ a certified check for 10 percent @ _____ in enclosed herewith. Give full name and give postoffice address.

Bishop, California. Sept. 14 - 1925.

Mr. Henry W. Coit, Attorney.
Cain Irrigation Company,
Riverside, California.

My dear Mr. Coit:-

Pursuant to instructions from the
Commissioner of Indian Affairs, Washington, D.C., the
Joe McLaughlin land is now re-advertised for sale for
a period of thirty days. All former bids are rejected
as inadequate.

Notice of Public Sale is enclosed
herewith.

Very truly yours.

Ray R. Farrett.
Superintendent.

Walker River Agency,
Schurz, Nevada.
Jan. 16, 1929.

John H. Anderson,
Box. 494.
Carson City, Nevada.

Dear Judge Anderson:

I wish to notify you of another death at ^{Reno} ~~Sixxxx~~, Nevada, of a California Indian of this jurisdiction.

Joe McLaughlin-- date of Death 1/11/1929.

Probable Heirs.

Mrs. Joe McLaughlin, Care of Fee Foster, Schurz, Nev.
Fee Foster----- Schurz, Nevada.

Witnesses-- George Sam --Schurz, Nevada.

Very truly yours.

Ray R. Harrett.
Superintendent.

J. LARUE ROBINSON, M. D., F. A. C. S.
EARLE L. CREVELING, M. D.
17 NORTH VIRGINIA STREET
RENO, NEVADA

Jan. 18, 1989

J. T. Rees, M. D.
Schurz, Nevada

Dear Doctor Rees:

As you know Joe McLaughlin passed away.

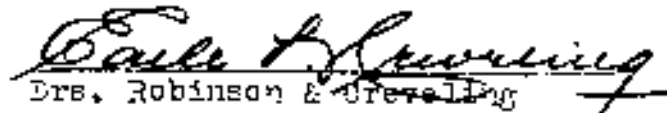
He was doing beautifully until he developed a post operative mania then it became necessary to restrain him, and he kept struggling until his heart gave out.

Very sorry this should have happened, but it was something over which we had no control.

We believe that he would have had an excellent result because his eye looked exceptionally well when we did our first dressing.

Thanking you for past courtesies and the privilege of serving you, we remain

Very truly yours,


Drs. Robinson & Creveling

ELC:EC

Walker River Agency
Schurz, Nevada
January 18, 1929

Dr. H. LaRue Robinson
17 E. Virginia Street
Reno, Nevada

Dear Doctor:

With reference to Joe McLaughlin who died recently in the hospital at Reno, we have not received a death certificate for this man and we need one for the purpose of sending to the Department.

I would appreciate your having the proper parties forward this certificate to us for our information.

Very truly yours,

Ray R. Farrett
Superintendent

RFP:IF

J. LARUE ROBINSON, M. D., F. A. C. S.
EARLE L. CREVELING, M. D.
17 NORTH VIRGINIA STREET
RENO, NEVADA

Mr. Ray R. Parrett, Supt.,
Walker River Agency
Schurz, Nevada

Dear Mr. Parrett

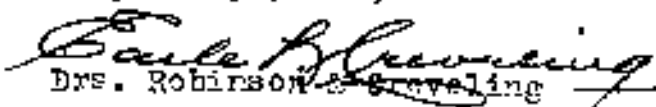
We are herewith inclosing the bills for Joe McLaughlin, deceased.
I sent the certificate to San Francisco for Dr. Robinson to sign,
and will send same to you as soon as it is returned.

Very sorry that we were not more successful with Joe. If you see
Dr. Rees he can explain the case more fully to you.

When in Reno drop in and see us and we shall be very glad to go
over the case with you.

With kind personal regards, I am

Very truly yours,


Drs. Robinson & Creveling

Saturday
January Nineteen
Nineteen Twenty-Nine

ELC:EC

Walker River Agency,
Schurz, Nevada,
Feb. 26, 1929.

Messrs Robinson & Crewling,
17 W. Virginia St.
Reno, Nevada.

Gentlemen:

Enclosed is check No. 452, drawn against the
Joe McLaughlin Est, in your favor for \$199.00 to pay for
operation, Hospital expenses, Day nurse, night nurse and
nurses board, as per your statement.

Please return receipted statement.

Respectfully,

Ray H. Barrett, Supt.

By

Clark.