

TERMINATION ILLUSTRATIONS CONCLUDED: 1961



In the Sept. and Oct. issues of the Tribune appeared illustrations by Edison Chiloquin of termination events scheduled for 1958, 1959, and 1960. Furnished above is the final illustration of the series, depicting important events to take place in 1961.

It is expected that sales of the large, sustained-yield timber units will continue into early 1961. If any of these units are not sold before April 1, 1961, under the language of sec. 28 (d) of the law, "... the Secretary of Agriculture shall publish in the Federal Register a proclamation taking title in the name of the United States to as many of the unsold units as have, together with the Klamath Marsh lands acquired pursuant to subsection (f) of the section, an aggregate realization value of not to exceed \$90,000,000 ...". The section adds that compensation shall be the realization value of the lands, with payment being made as soon as possible after the proclamation of the Secretary of Agriculture. It is expected that there will be relatively large distributions of cash to withdrawees during this period.

Under subsection (f) of sec. 28 title to the Klamath Marsh is taken in the name of the United States effective April 1, 1961. The subsection adds that "such lands are designated as the Klamath

Forest National Wildlife Refuge . . ." and that "compensation for said taking shall be the realization value of the lands . . .".

Sec. 6 (b) of the act specifies that all of the actions required by sections 5 and 6 of the act (including payment to withdrawees) "shall be completed at the earliest practicable time and in no event later than [seven years] from the date of this Act", or no later than Aug. 13, 1961.

As provided in sec. 18 (a), "Upon removal of Federal restrictions on the property of the Tribe and individual members thereof, the Secretary shall publish in the Federal Register a proclamation declaring that the Federal trust relationship to the affairs of the tribe and its members has terminated. Thereafter individual members of the tribe shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians and, except as otherwise provided in this Act, all statutes of the United States which affect Indians because of their status as Indians shall no longer be applicable to the members of the tribe, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction".

WITHDRAWING MEMBERS — Continued

planned to consider extensively the question of reorganizing tribal government.

At the earlier meeting on Jan. 30 Windsor reported on the Salem church conference and on a meeting held shortly thereafter in Portland between tribal delegates and Senator Neuberger. Windsor described Neuberger as having shown himself quite cooperative during the two-hour session although not favorably disposed to the withdrawees' loan proposal.

Martin Zollar, agency superintendent, gave follow-up information on the loans as approved by the Secretary.

Mr. Ahern, representing Representative Ullman, was introduced at this juncture.

Earl Wilcox discussed in detail the sales program for sustained yield units, advising that it was tentatively planned to advertise the first four of these units early in March. Three more of the units would be advertised four months later, followed by the remaining four, four months after

that. The advertising period would be 9 months in each case, he said. Wilcox also discussed the fringe sales and withdrawees' participation therein, the reappraisal, and the marsh and its valuation.

William Bradshaw of the U. S. Nat'l Bank discussed the private trusts at length. Asked how much authority the trustee has to sell trust property, he replied that the trustee has the authority to sell, mortgage, etc., any of the property. He added, however, that title insurance companies are not presently giving title insurance on such property sold by the trustee, their contention being that the termination law didn't give the Secretary power to delegate sales authority to the trustee. This question may have to be settled in court, Bradshaw said.

At the conclusion, Mr. Ahern gave some of his impressions of the meeting and advised that he would carry many of the questions discussed back to Representative Ullman.

PERSONAL PROPERTY — Continued

suant to subsections 28 (b), 28 (d) and 28 (i) of Public Law 587, as amended, and up to 75 percent of the amount estimated by the Secretary to be due him from the conversion of his interest in other tribal property. The total of these two amounts has been determined to be \$43,700. If more than one preferential right is exercised to purchase the same property, the property shall be sold to one of such persons on the basis of competitive sealed bids.

Any member who is interested in purchasing personal property to be sold should ask to have copies of the sales advertisements of such property mailed to him. A member who wishes to exercise his preferential right to purchase items contained in the schedules of property to be sold should indicate in writing his interest in the purchase of such items prior to the time of the opening of bids. He must also be present on the sale date **at the time the high bids are posted.** Normally the bids will be opened at 10:00 a. m. and the amount of

the high bids will be posted at 2:00 p. m. Immediately following the posting of the high bids the qualified tribal members who wish to meet one or more of the high bids will be required to make their final determinations as to whether they will execute their preferential rights. Each decision to execute a preferential right will be confirmed in writing on an approved preferential offer form.

If more than one tribal member wishes to meet the high bid for a specific item each such member will be requested to submit a sealed bid indicating the amount he will pay for the item. In such event, the item will be awarded to the member who submits the highest sealed bid.

If possible, the acceptance of sealed bids will be completed on the date of the sale for those items for which more than one member exercises a preferential right. Each participating member will be notified in writing concerning the results of such competitive bidding.