

OPTION AGREEMENT AND LEASE

THIS AGREEMENT dated as of the 8<sup>th</sup> day of January, 1966, between VIRGINIA E. GRAY of Harborside, Hancock County, Maine, and PHILIP GRAY of Blue Hill, Hancock County, Maine (hereinafter called "Owners") and CALLAHAN MINING CORPORATION, an Arizona corporation with offices at 277 Park Avenue, New York, New York (hereinafter called "Callahan").

WITNESSETH THAT

In consideration of Fifteen Hundred Dollars (\$1,500.00) in hand paid by Callahan to Owners, the receipt of which is hereby acknowledged, and in further consideration of the covenants, agreements and promises herein contained, the parties hereto agree as follows:

1. Owners hereby give and grant unto Callahan the exclusive option to lease a certain lot or parcel of land situated at Harborside, in the Town of Brooksville, Hancock County, Maine, described in the lease hereinafter set forth.
2. Said option to lease shall continue in force and effect for one year from the date hereof, and may be extended by Callahan, in its sole discretion, for an additional period of one year upon payment to Owners of the additional sum of Fifteen Hundred Dollars (\$1,500.00) on or before one year from the date hereof.
3. The aforesaid option may be exercised by Callahan by giving written notice to Owners in accordance with the provisions hereof and upon the giving of such notice by Callahan, the following

lease shall become effective:

WITNESSETH, That Virginia E. Gray of Harborside, Hancock County, Maine, and Philip Gray of Blue Hill, Hancock County, Maine, do hereby lease, demise and let unto Callahan Mining Corporation, a corporation organized and existing under the laws of the State of Arizona and having a place of business in New York City, New York, a certain lot or parcel of land situated at Harborside in the Town of Brooksville, Hancock County, Maine, near the bridge at the outlet of Goose Falls Pond, bounded and described as follows, to wit:

Beginning on the highway at the north end of the bridge, thence northerly following the said highway to land formerly of the Bakeman heirs; thence in a general northwesterly direction following the Bakeman line to the water; thence following the water at low water mark to the place of beginning.

The above described lot is leased subject to a right of way over a road as now located on said lot, and the lessee covenants and agrees that it will not obstruct said right of way.

The lessee shall have the right to construct a dam or any part thereof on the demised premises for the purpose of draining all or part of the water from Goose Falls Pond and excluding all tide waters from entering Goose Falls Pond, and the primary purpose of this lease is to enable the lessee to build a dam to drain all or a part of the water from Goose Falls Pond and to prevent any tide waters from coming into the area of Goose Falls Pond. The lessors by the execution of this

lease hereby expressly consent to the construction of the dam and to the draining of all or part of the water from Goose Falls Pond.

The lessee shall also have the right to construct docks, piers, wharves, protective barriers, fences or other facilities on the demised premises. If the demised premises are used for a shipping point for ore concentrates, the lessee shall pay to the lessors, in addition to the rent hereinafter provided, twenty-five cents a dry short ton based upon the weight of a given shipment as received at the smelter, as shown on the net smelter return, for ore concentrates which are shipped from the demised premises.

The payment hereinbefore specified, if any shall be determined on a calendar quarter basis for shipments made during the preceding quarter upon which net smelter returns have been settled, and payment of same shall be made on or before the twenty-fifth day of the first month of the subsequent calendar quarter.

This lease does not include the right to construct, maintain or operate a mill of any type, including a mill for concentrating ores, on the demised premises, and said right is expressly excluded herefrom, provided however, that if the lessee determines that the right to construct, maintain or operate a mill on said premises is desirable, lessors hereby agree to lease said mill right to the lessee at a rent



to be agreed upon by the parties.

TO HOLD for the term of five years from the date of exercise of the aforesaid option. Upon the expiration of said five year term, the lessee shall have the right to renew the lease for one year and from year to year thereafter, but not more than twenty-three (23) one-year renewals after, provided the lessee shall give notice in writing of its intention to renew the lease thirty days in advance of the expiration of the original term and thirty days in advance of the expiration of the term as renewed. The lease may be terminated by the lessee during any period of renewal by giving to the lessors thirty days notice in writing of its intention to terminate the lease. At the expiration of thirty days from the date of giving the notice to the lessors, the lease shall terminate, and the lessee shall thereupon vacate the premises, and it shall not be liable to pay any rent after termination of the lease.

P. S.  
M  
X

During the five year term, the lessee shall pay to the lessors as rental for the demised premises the sum of Fifteen Hundred Dollars (\$1,500.00) per year payable on the First day of January in a given calendar year. If the lease is renewed, lessee shall pay rental to the lessors for the demised premises according to the following schedule unless or until the lease is terminated as hereinabove provided: Two thousand dollars (\$2,000.00) per year for the sixth through tenth years inclusive. Two thousand five hundred

Dollars (\$2,500.00) per year for the eleventh through fifteenth years inclusive; Three thousand Dollars (\$3,000.00) per year for the sixteenth through twentieth years inclusive and for any year thereafter. Except as provided in said rental schedule, the terms and provisions of the lease during any period of renewal shall be the same as those which apply during the original five year term.

Lessee hereby agrees to pay all taxes duly assessed against said premises during the term of this lease or any extensions thereof.

Lessors agree that this lease shall be assignable to any corporation in which lessee owns the majority interest and otherwise shall be assignable only upon the written consent of lessors, which consent shall not be unreasonably withheld.

And the lessee does covenant to quit and deliver up the premises to the lessors or their attorney, peaceably and quietly, at the end of the term aforesaid, in as good order and condition -- reasonable use and wearing thereof, or inevitable accident excepted -- as the same are, or may be put into by the said lessors, and not make or suffer any waste thereof. Lessee shall not use the demised premises as a dumping place for waste or unusable rock, except as necessary for the construction of docks, piers, wharves or other facilities on the demised premises. And the lessors

may enter to view and may declare the lease forfeited by lessee if it shall fail to pay the rent aforesaid, whether said rent be demanded or not, or if it shall make or suffer any strip or waste thereof, or shall fail to quit and surrender the premises to the lessors at the end of said term, in manner aforesaid, or shall violate any of the covenants in this lease by said lessee to be performed; provided, however, that the lessors shall give to the lessee written notice of their intention to declare the lease forfeited, specifying therein the default or defaults giving rise to such declaration and lessee shall have thirty days after receipt of such notice in which to cure such default or defaults and if same are fully cured, there shall be no forfeiture of the lease.

The lessee hereby agrees that it will indemnify and save harmless the lessors from any loss, cost, or expense to them as a result of any damages or injuries to third persons arising from lessee's operations on the demised premises during the term of this lease or any extension thereof.

4. In the event the aforesaid option is exercised other than on January 1 of an option year, no rent shall be due under the lease until the next succeeding January 1 after date of exercise of the option.

5. Owners agree to execute any lease or other legal document, if any, which may be necessary in opinion of counsel for Callahan

to carry out the intent of this agreement.

6. Any notice required or authorized to be given by this agreement shall be deemed sufficiently given if in writing and delivered to the party to whom addressed or deposited in the United States mail, registered or certified and with postage prepaid, addressed to such party as follows:

If to Owners: Dr. Philip Gray  
Blue Hill, Maine

If to Callahan: Callahan Mining Corporation  
277 Park Avenue  
New York, N. Y.

or at such other address as either party shall designate by written notice to the other party in accordance with this Section.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the date first above written.

*Virginia E. Gray*  
\_\_\_\_\_  
VIRGINIA E. GRAY

*Philip Gray*  
\_\_\_\_\_  
PHILIP GRAY

CALLAHAN MINING CORPORATION

Attest: *Charles J. Hall*  
*Secretary*

BY *Joseph J. Hall*  
*Pres.*

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss.

On the \_\_\_\_\_ day of \_\_\_\_\_, 1966, before me personally came VIRGINIA E. GRAY to me known, and known to me to be the individual described in and who executed the foregoing instrument, and she acknowledged to me that she executed the same.

\_\_\_\_\_  
Notary Public

STATE OF MAINE  
HANCOCK, ss.

January 8 , 1966.

Personally appeared the above-named PHILIP GRAY and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Herbert J. Little  
Notary Public

STATE OF MAINE  
HANCOCK, ss.

January 8 , 1966.

Personally appeared the above named Joseph T. Hall of CALLAHAN MINING CORPORATION, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of said corporation.

Before me,

Herbert J. Little  
Notary Public

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Hale G. Joy, Editor

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## THEY'VE BEEN REAL BUSY SITTING TIGHT

Several residents of Castine have asked us to do something about the incessant whine of the drills at the Callahan mine on Cape Rosier. Their faith in our omnipotence is touching, but we hereby acknowledge that our influence in Augusta is nil. Our readers are welcome to the following information however.

On January 20, 1966, at a public hearing on the Callahan issue, State Geologist Robert Doyle stated: "Mining regulations are now in effect for those who hold Maine Mining Bureau licenses. Through control of the license, the Bureau can control operators so they do not become obnoxious." He added that a completely new mine safety law was being prepared to present to the 103rd Legislature, and that it should be in effect before Callahan ever starts mining.

Since then, neighbors of the mine have endured showers of flying boulders.

We recently asked Mr. Doyle about the reputed new law. "So far," he answered, "we have not been able to get anything going on a safety law because other State agencies who would become involved have not had an opportunity to study the situation so that they can be of assistance."

The only factor that would legitimately deny them an opportunity to study the situation would be an inability to read.

\* \* \* \*

Tuesday Morning. June 20<sup>th</sup>

Dear Albert & Jean,

We received your letter yesterday (Monday). It isn't any use to send mail and mail it doesn't seem to go any faster here. In fact I think it was a day longer. I think we usually receive your letters in 3 days and this was 4 not counting Sunday. I wonder where it was all that time.

I wish your folks were here to-day, the smell is unbearable, just like an old sewer. When we came home yesterday the smell was terrible as we came into the Cove before we got to the wharf. I wish there was some thing we could do about it. You know I called the Fish & Game or some one in Augusta last summer but it didn't do any good. I thought it might be some thing else to mention to your lawyer. I think Jimmie went to some one in Augusta just a few weeks ago about the pollution here in the harbor. I haven't heard any report, apparently the same old thing. I hope after the summer people come they will help us do some thing.

It was awfully noisy here last night. There was a blast about 5 o'clock with rocks flying. Brainard went over to the other house to see if it did any damage and the rock he left on the lawn that

damaged the clapboards was gone  
but we still have the clapboards for  
progs

Your garden is coming good. I  
planted your peas over but only 2 came  
up. you have a little green tomato on  
one of your plants.

Peta + Bill were down last week  
and they stayed with us Saturday  
night. They went to church in usual  
Brooksville Sunday. Fredrick's baby  
was christened and they were the  
god parents. They had lunch with  
Fredrick and Isabela.

Brainard put his new boat into the  
water yesterday. They are going to use  
it over to the island while they paint  
their boats.

Your lawyer sounds like a smart  
fellow. We do hope he can do something.  
Miss Anita seems to be having the  
same trouble we had, delaying on every  
thing.

Will your court hearing be in another  
County? we take it that it will be, we

Have you any idea when you will  
be coming? Brainard hopes you will be  
here to receive your papers as we think  
it might be better than us having so  
much mail. I think the sooner we get at



thus might business be better as it may  
be ~~better~~ lighter later. It seems we are  
too late on every thing. They are going  
to ~~be~~ all the time and the noise may  
not be as loud.

Mr & Mrs Melas had an air mail  
letter come here yesterday. I remailed it  
as they haven't said yet when they are  
coming. we hope they will be here soon.

Miss Anita & Malcolm said they would  
help with an injunction but when we  
didn't get one they don't mention helping  
now. we will know better than to depend  
on them another time.

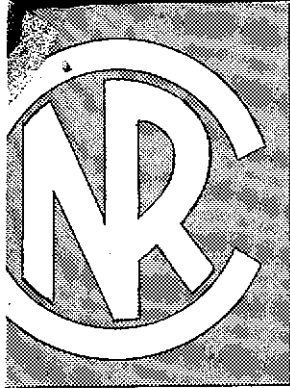
I must close and get to work here to-day.  
I went on the island yesterday and I have  
to go to rearings to-morrow. It seems so  
good to have a day at home.

we are looking forward to seeing  
you folks soon. I hope you can get your  
papers from the printers soon so we can  
get them going before it is too late.

Miss Anita said she would take a  
dozen to circulate over to Castine. If you  
don't get here in time to have them come  
back to you it is O.K. for them to come  
to us. we can take some in person.

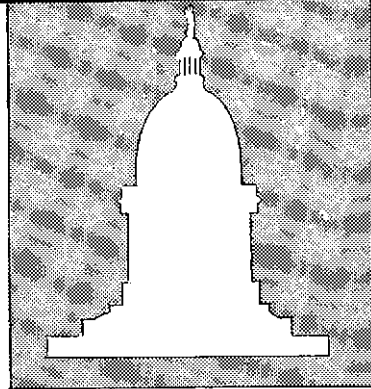
Best wishes to all from both of us.

Sincerely,  
Marian.



# CONSERVATION BULLETIN

a service of the  
NATURAL RESOURCES COUNCIL  
of MAINE



116 State Street

June 1967

Augusta, Maine 04330

Clinton B. Townsend, President

Marshall F. Burk, Exec. Sec'y.

OX-BOW COULD BE LAST MAJOR MAINE DDT SPRAYING

WETLAND LEGISLATION PASSES

On June 5, 1967 Governor Kenneth M. Curtis signed into law Legislative Document 1597 titled AN ACT to Regulate the Alteration of Wetlands. This bill was developed from the three different wetland documents introduced in the 103rd legislature was finally sponsored by the chairman of the Natural Resources Committee Senator Sewall of Penobscot.

The law will be added to Title 12 of the Revised Statutes as Sections 4701 to 4709. The Natural Resources Council supported this legislation at the public hearing and since the July 1964 Bulletin, which was entirely on the value of marshes, has publicized the need of wetland protection.

The law establishes a Wetland's Control Board composed of the Commissioners of Sea and Shore Fisheries and of Inland Fisheries and Game, the Chairman of the Water Improvement Commission, the Chairman of the State Highway Commission and the Forest Commissioner or their delegates.

The procedure for a hearing states that: "No person, agency or municipality shall remove, fill, dredge or drain sanitary sewage into, or otherwise alter any swamp, marsh, bog, beach, flat or other wetland bordering, coastal waters, or fill, dredge or drain sanitary sewage into such waters within such area, without filing written notice of his intention to do so, including such plans as may be necessary to describe the proposed activity, with the municipal officers in the municipality affected and with the Wetlands Control Board. Such notice shall be sent to each body by registered mail at least 60 days before such alteration is proposed to commence. The municipal officers shall hold a public hearing on the proposal within 30 days of receipt of the notice and shall notify by mail the person proposing the alteration and the public by publication in a newspaper published in the county where the wetlands are located, the Wetlands Control Board and all abutting owners of the hearing."

"Permit to undertake the proposed alteration shall be issued by the municipal officers within 7 days of such hearing providing the Wetlands Control Board approves. Such permit may be conditioned upon the applicant amending his proposal to take whatever measures are necessary to protect the public interest. Approval may be withheld by either the municipal officers or the board when in the opinion of either body the proposal would threaten the public safety, health or welfare, would adversely affect the value or enjoyment of the property of abutting owners, or would be damaging to the conservation of public or private water supplies or of wildlife or freshwater, estuarine or marine fisheries."

Appeal is provided for by the Superior Court. The violation section states that "Whoever willfully violates any provisions of this chapter shall be punished by a fine of not more than \$100 and the Superior Court shall have jurisdiction to restrain a continuing violation of this chapter at the suit of any person."

The Wetlands Control Board may exempt "such activity or activities or waive such procedural requirements as it deems not in consistent with the purposes of the chapter." It is also provided: "Nothing in this chapter shall prohibit the normal maintenance or repair of presently existing ways, roads or railroad beds nor the construction, maintenance and repair of private roads and bridges required or convenient to agriculture, or in a logging or lumbering operation, abutting or crossing said wetlands, provided no watercourse is substantially altered."

(continued).

There is some question as to the coverage of this act. It clearly covers coastal wetlands, but in it's final form is thought not to cover inland waters. However the act is ambiguous and could well be construed by a court to cover inland waters as well. It is to be hoped that in future legislatures this will be clarified so that the act clearly includes inland as well as coastal waters.

QUESTIONS RAISED ABOUT VALIDITY OF DICKEY PROJECT

For some time the directors of the Council have been discussing the Dickey-Lincoln Dam project on the St. John River at their regular monthly meetings. The Council took no formal action until its directors' meeting of June 2, 1967, when it considered the actions of a sub-committee which had met to consider the implications of Dickey. The Board adopted the following statement:

The Natural Resources Council feels that it cannot endorse the Dickey-Lincoln School hydro project before examining appropriate studies of the project's effect on the fish and wildlife habitat, the scientific and recreation opportunities, and the timber resources of the 200-square mile wilderness environment involved. Such detailed studies, giving full information on the broad social and economic implications of the project and its long range effects, are not yet available to aid the NRC and the general public in forming a sound opinion. Further, basing its judgment on the 1966 report of the Federal Reserve Bank (Boston), the NRC is inclined to the view that the project as a power-production facility is not economically sound; if it is to be built only to further area development objectives, the NRC suggests that positive alternatives be sought which will be less destructive of irreplaceable natural resources in the upper St. John River Valley.

Since the adoption of this statement, the staff of the Sub-Committee on Public Works of the House Appropriations Committee has made a report which, according to newspaper reports, casts doubt on the feasibility of the project on an economic basis. A copy of this report has been obtained by the Council. This report, as well as the Federal Reserve report of 1966, will be discussed in future Bulletins.

(C. B. Townsend.)

TIMELY READING

"MIKE KIRWAN'S BIG DITCH"

By William Schulz

Reader's Digest  
June 1967, Pages 59 - 64

"CANADA'S GARDEN OF WONDERS"

By David MacDonald

Reader's Digest  
June 1967, Pages 145 - 152

"THE TRUMPETER RETURNS FROM OBLIVION"

Condensed from National Wildlife

Reader's Digest  
June 1967, pages 190 - 194

LITTER WARNING FROM FISH AND GAME DEPT.

Fishermen, boaters, and others visiting Maine's waterways this summer will be "fair game" for wardens if they violate the state's litter laws, according to the Maine Fish and Game Dept.

All Department wardens are on watch for the small minority of outdoor enthusiasts who seem determined to spoil the beauty and safety of Maine's waters through the careless disposal of trash in and near them.

Every bottle thrown into the water and every piece of trash left on a beach moves a body of water a little closer to the point where it is no longer an enjoyable place to visit.

Locating litter violators is one of the jobs wardens do in addition to enforcing the fish and game laws. That they are doing a good job at it is attested to by the record of arrests and convictions they are compiling.

# # # # # # # # # #

"Just because some of us happen to live and work in Washington, we aren't necessarily steering the course of the conservation movement across this great land of ours.

"The real helmsmen in conservation are found in the towns and cities, on the farms and forests of our land. They live close to nature and they have a better understanding of the day-to-day problems involved in applying conservation principles to the use and management of natural resources.

"And like all helmsmen, they are informed. They have charts which are true and they can see with their own eyes the shoals and rough water that face them. They don't try to do their job on the basis of opinions; the facts are there before them and they can move, act, and turn the wheel to meet the whims and constant changes which Mother Nature always presents."

Thomas L. Kimball  
Executive Director  
National Wildlife Federation

\* As a Council member he had the interest to attend NRC meetings and was a  
\* source of guidance in legislative matters. Maine's natural resources benefited  
\* by his advice, council and actions.

\*  
\* \* \* \* \*

### B. C. Jordan Forestry Award

The B. C. Jordan forestry award was established by legislative resolve in 1909 through the generosity of Benjamin C. Jordan of Alfred. The Forest Commissioner is charged with administration of the funds and conditions of the award. The resolve set forth rules for the award. These rules have been modified by the Legislature in 1929 and 1947. The judging committees have made further interpretations of the rules as required by circumstances. The objective of the award is: To encourage the practice of good forest management by calling attention to young stands of uniform high quality resulting from use of recommended cultural operations.

Some of the specific rules that must be complied with are:

Minimum size area of ten acres. Larger acreage will be rated higher other conditions equal. - The majority of trees shall not exceed 20 feet in height or twenty years old at time of applications. Trees shall not be less than five feet high nor less than ten years old at time of award (1977).

Judging committees will consider the following points in the order listed:

A. Right number of trees per acre. B. Even distribution over the whole lot. C. Health and thriftness of trees. D. Adaptation of tree varieties to soil in which they stand. E. Uniformity of tree size. F. Size of trees. G. size of area. A summary of time, cost or both spent on cultural operations by years and volume of products removed will be required at end of period. Prizes will be awarded as follows: First - \$125. Second - \$75. Third - \$50.

Further information and Applications may be obtained from your local Service Forester or Forest Commissioner, State Office Building, Augusta, Maine 04330.

50 Tanner Street  
Haddonfield,  
New Jersey 08033  
June 19, 1967

Mr. Francis Marsano  
c/o Eaton, Glass & Marsano  
Savings Bank Building  
Belfast,  
Maine 04915

Dear Mr. Marsano;

Received your letter today. I wish to undertake legal action against the Callahan Mining Corporation of New York. I am willing to abide by your guidance and judgement in conducting the matter.

If you feel an injunction against Callahan Minings' further blasting is impractical so be it.

With regard to your statement of "forseeing little possibility that the Farnhams can recover for the loss of business." Do you think this case is best carried out on my part alone? As you know the Farnhams and I were together with Mr. Silsby. I ask you this with an eye to perhaps sparing the Farnhams both mental and financial strain and not with the idea of leaving them out on a limb.

They have suffered far greater losses than I as I'm sure you are aware, am I correct in assuming that it would be best to count on my case to provide them with some sort of relief from their rather hellish situation?

On the other hand do you feel a joint effort on our part would be helpful in a court case? If so I'm sure the Farnhams will gladly join in.

Lastly, how does your firm feel in regard to the case? This may not be a proper question to ask of you, but through past experience I am vitally concerned with employment of an attorney and firm that will go full bore on this case. It is not my intention to profit in a personal monetary sense, (although I am not averse to some remuneration in the matter) rather, I view this as a means of some protection for Cape Kessler and its inhabitants.

These are my questions, when time permits I would appreciate an answer.

I am having an accredited assayer and geologist looking over the rock samples, the one that struck the house as well as the ones, I had acquired from the blasting area at the Callahan mine-site, with the permission of and witness of the mine watchman. I did this because of scuttlebutt I have heard on the Cape, that of "That rock could not have gone that far." I will send you a copy of the report as soon as I receive the results.

I have sent a letter to Mr. A.B. Herrick of Blue Hill, Maine the contractor I had engaged to do the repair work to the house, and have arranged for the work to be delayed until further notice. (much to my wife's chagrin)

I have also deleted (at your suggestion) the paragraph on Callahan's "irresponsible blasting procedures". The material is at the printers now and will be ready shortly-- if you like I will send you a copy.

I do not mean to make this a personal vendetta against Callahan Mining, but there must be some sort of control brought about in regard to this activity on Cape Rosier. The State, County and Town of Brooksville have gone over backwards to encourage this source of employment and tax gain. I realize the need for employment-- but, this is a short term boom at best, little to no regard has been given to the inherent resources of the area, that of what the country is inescapably running out of, natural beauty.

I believe in common sense and a degree of concern for this important asset now and for future generations. I do not consider myself a conservation faddist, I do love the outdoors, I'm sure others feel this way. From what I have heard and seen of Callahan's activities it is just a job get the ore and the hell with how. They have been given free reign, and don't they know it. (maybe it is a Vendetta)

I would like to meet you sometime at your convenience after the 6th of July, we should be up to Harborside at that time. Possibly we could meet for lunch I'll buy.

Please keep the file if you don't mind, I will pick it up from your office, as we will pass through Belfast on our way to Harborside.

Again, will you please send me a letter outlining the basis on which you would handle the case, and your approach to the problem. And your estimate of the projected cost of the litigation.

What would you like in the way of a retainer? (to facilitate getting under way with the case)

Enclosed is a check for \$45.00 for your efforts to date, and thank you for **SEEING** the Fairbanks.

Sincerely yours,

Albert E. Sandecki



P.S.

I know Mr. Wiggins is quite right, so much so that I find myself thinking about his words quite a bit. It has been long, it is getting lonely and will be expensive, but if I do not follow my thoughts and feelings on this I believe I would think I have run out on something to which I could never return.

For fifteen years I have painted from this resource of man and nature, so you see I have no choice in the matter.

15 June 1967

Mr. F. B. Herrick  
Blue Hill,  
Maine.

Dear Mr. Herrick,

I'm sorry to be so on again, off again about the repair work to be done at my bungalow in Harborside.

Due to the advice of my attorney I have to tell you not to do the repairs as yet.

Seems that legal situations are in the offing and the bungalow will have to remain in its present state for a while.

I hope you will not be upset at this turn of events but I have no other choice at this time.

If in the future you would still consider doing the work I will let you know by letter when to go ahead.

Sincerely yours,  
Albert Sandbeck

RICHARD W. GLASS  
FRANCIS C. MARSANO

LORIMER K. EATON  
Of Counsel

AREA CODE 207  
TELEPHONE 338-1110

EATON, GLASS & MARSANO  
ATTORNEYS AT LAW  
SAVINGS BANK BUILDING  
BELFAST, MAINE

June 15, 1967

Mr. Albert Sandecki  
50 Tanner Street  
Haddonfield, New Jersey 08033

Re: Sandecki and Farnham vs. Callahan Mining

Dear Mr. Sandecki:

This is the letter which I promised I would get out to you this week. In the interest of having you receive it prior to the end of this week, I am writing it without having completed the research in as much detail as I had hoped to be able to.

In the event that you consider as primary relief an injunction against Callahan Mining Co. to prevent their further blasting, then and in that event, we would very much prefer that you seek other counsel.

I view your case and that of Mr. and Mrs. Farnham, whom I visited on Monday last, as being primarily one in the nature of trespass. In light of the activities of the mining company, I see nothing to preclude your recovery for the damages occasioned to your property. The maximum amount which would be recoverable would depend directly upon the method which we used to recover. The damages to you could be fairly substantial; of the two cases, I would say that yours is the better. I foresee little possibility that the Farnhams can recover for the loss of business.

There have been no cases in Maine dealing with this specific point. Cases in other states indicate what I would feel to be the law, that a person has the right to use his land in any manner not inconsistent or inherently dangerous. I recognize that the activities of Callahan Mining have in the past been inherently dangerous. The Farnhams have not indicated to me that their conduct has been consistent with that caliber of danger since the time of their observance of the bombardment which your cottage suffered. Therefore, my own feeling would be that their present activities are not inherently dangerous and are consistent with their use of their property. This does not preclude attempting to get an injunction against any further trespass on their part. There is law which would allow us to claim exemplary damages based upon their activities' being wanton misconduct. In the event that we were to undertake the case, any complaint which we would initiate against Callahan Mining would contain a count for wanton misconduct. The aspect of negligence, relative to Callahan Mining, is also difficult to pinpoint, but a doctrine known as res ipsa loquitur has been applied to mining operations in the past. I noticed in reviewing your file that some of the material therein contained indicates that you attempted to obtain rocks from the mining site itself. I assume that you did this with an eye towards a geological evaluation that the strata was similar in nature, or identical with, that rock which fell through your roof. This would, in large part, I believe, carry the case to the jury on the question of negligence, but in the event that the suit were to be based only upon negligence, damages would be those which were provable as a direct result,

June 15, 1967

and your limit might well be the property damage. Only in the event that we are able to recover on the theory of wanton misconduct, or something similar to it in nature, would we be entitled to exemplary or punitive damages, which hopefully would be where the real money lies.

There are other facets to the case. I have discovered that there is some law, though again none in Maine, which indicates that a drilling operation may be enjoined during certain periods of the day, provided that the circumstances are such that the drilling is inconsistent with the other uses of adjacent property. I certainly think that Harborside would qualify for injunctive action of this type. The entire area is residential and is a tourist area. For that reason, I would feel that the drilling during the night hours could possibly be stopped by court order. This is, however, not altogether clear. As I have indicated, there is some law on the matter, however.

I think that the Farnhams will have almost no opportunity to recover for the loss of their business. The right of an owner of his land to use it in the most beneficial way to him, would prevent this. I regret that this is so but I unfortunately feel that this is the law and that that principle would preclude their recovery. Very possibly they would be entitled to exemplary damages, in the event that we were able to establish sufficient circumstances to get our count of wanton misconduct to the jury.

I read with great interest the letter of Jack Wiggins of the Ellsworth American. His comments were very incisive and quite accurate. Indeed, prior to reading his letter and in speaking with the Farnhams, it occurred to me that the most satisfactory solution to the problem could well be a lease-hold arrangement between the Farnhams and you and Callahan Mining.

As Mr. Wiggins stated "Court battles are long, lonely and expensive." There are grounds upon which we can attack them. There is relief to which both you and the Farnhams will be entitled, but I do not see the relief as being coincidental with their termination of their operation. I sympathize with your cause; I live in Maine because I appreciate the same type of beauty which you perceive in Harborside.

With these thoughts in mind, you should now consider whether or not you wish us to do anything on the case. In the event that you do decide to I feel very strongly that you should not have your cottage repaired until such time as we try the case. The picture which the cottage presents conveys a grotesque quality which is unmatched by the pictures. Even in me, it created a sense of fear and I have the feeling that it would work to the same effect upon a jury.

I am enclosing herewith a bill for travel and time involved in the trip to the Farnhams. In the event that you decide to retain us, this amount would be applied against the retainer, since, in any case, I would have had to have made at least one trip to Harborside. We have no idea of what your plans are and for that reason, I am not now quoting you any prospective fee or fee arrangement.

I shall let the matter lie until I hear from you. We have no desire to handle the case in the event that you are interested primarily in a total injunction against Callahan Mining, since I feel that it would be impossible to obtain, and represent only a outlay of your money. In the event that you are not firmly committed to that course, and your file indicates that you may not be, then and in that event, upon further communication from you, I shall advise you of the arrangement which we would be happy to make and to discuss such further aspects of the case as we may then wish to discuss.

Very truly yours,

  
Francis C. Marsano

W. GLASS  
S. C. MARSANO

M. r. Albert Sandecki

50 Tanner Street

Haddonfield, New Jersey 08033

**EATON, GLASS & MARSANO**  
**ATTORNEYS AT LAW**

SAVINGS BANK BUILDING BELFAST, MAINE

STATEMENT OF YOUR ACCOUNT, June 15, 1967

DATE	DESCRIPTION	CHARGES		CREDITS	
1967 6/12	To: Services in re premises in Harborside, Me.  Travel and time	\$45	00		

Saturday Morning. June 10<sup>th</sup>

Dear Albert & Jack,

Just a hurried note this morning as I wanted to ask if you have a libell insurance. Some people tell me there is an insurance that protects <sup>any</sup> one from any thing they might say. I thought you might like to look into it if you don't already have it. we don't have it either and I don't think we can afford it. we just have to be careful.

we will call you Monday night after Mr Masano goes. He said he would be here about 5 or 6 o'clock and I don't know how long he will be here. Brainard hopes he can have a plenty of time to talk things over.

I think Brainard told you last night the old vague (mine) house is gone. He thought they burned it yesterday as he saw smoke over there. we walked over last night and it is a heart breaking sight over there. That is the way property goes when they get hold of it. we don't intend to <sup>get them</sup> get any of ours. I guess it is lucky for us now that they didn't buy our other house. It is too late for them to buy it now.

The rocks are still flying through the air. we haven't seen any over here since. I think we told you one struck our other house last week. Brainard saw rocks Thursday night. They blasted last night but we were gone. Malcolm & Mary spoke as though it was quite heavy.

Brainard is over across the road painting porches for the Deagues. They will be here the last of June.

I think you mentioned the guard rails at the bridge in some of those papers. The rails have been repaired now and the posts are up. AT P. 102,  
your garden is coming good. I guess every thing has lived. I have watered it every night but last night, it rained yesterday.

I must close and get busy I have to do some cleaning to-day. I wish you would tell your friends that wanted to come that we don't think we will take any one this summer. I will ask Mr. Marano when he comes what he thinks if we should or should not. which would be better for us.

Best wishes to all from all of us.

Sincerely,

Maran.

We will be pleased when you folks get here, also the Deagues and other summer people. It is awfully lonesome. Perhaps you had better wait on telling your friends for sure about summer until we see Mr. Marano. We will let you know what he says. If you see your lawyer there please ask him too what he thinks. If we take guests we can take expenses out of income tax. Brainard thinks we should close up. We have been turning people away.

# STATE OF MAINE

*File*

Inter-Departmental Memorandum Date June 14, 1967

To Clayton P. Osgood, Chairman

Dept. Maine Mining Bureau

From Robert G. Doyle, Secretary

Dept. Maine Mining Bureau

Subject Minutes of the May Meeting of the Maine Mining Bureau

The regular meeting of the Maine Mining Bureau was held at 2:00 P.M., May 22, 1967, in the Department of Economic Development Photo Lab.

Attending for the Bureau were Joseph T. Edgar, Lyndon Bond, Richard Hebert, E. R. Hitchner, Clayton Osgood, Robert Doyle, and Leon Walker, Legal Counsel.

## 1. Blasting Operations at Callahan Mining Company.

The enclosed correspondence from Governor Curtis was the first thing on the agenda. It was reported that as a result of blasting operations at the Harborside property by the Callahan Mining Company, a summer resident whose property lies close to the operation had received damaged to his roof and yard from large boulders which had been shot at the time of the blast. It was also noted that Callahan had been dumping mud on the private property of the Holbrook Island Game Preserve in violation of the Legislative agreement concerning operation.

The Secretary reported that he had visited the property and, in company by Callahan officials, had examined the area concerned with both incidents.

The Secretary noted as follows:

A.) The letter from legal counsel for the Holbrook Island Preserve stated that mud had been dumped on the shore area outside the limits defined by the low tide mark established by the Mining Bureau a year before. The Secretary noted that there was no evidence of any such dumping in areas close to private property. It appears that the Holbrook Island group were merely anticipating that some dumping might be done, but had no evidence of such activity. All transport and mud dumping from the operation is being conducted within the limits of either State or Callahan property. The Secretary noted that the operations were being conducted in a workman-like manner and that no violations of any laws or regulations in this regard were being carried out.

B.) The Secretary also examined the area in and around the cottage owned by Mr. Sandecki whose property was damaged by blasted rocks from the Callahan operation. Mr. Sandecki's house is several hundred feet from the operations and it appears to be a fluke of extreme chance that any large boulders could reach his property. The Secretary discussed this problem with the Callahan engineers and found that these engineers have completely revised their blasting activities. This revision will guarantee that there will be no further such incidents.



I have been assured by Callahan that they will make every effort to control their blasting.

A sketch is included to show in more detail the area concerned with these two incidents.

2. New Method of Accounting.

Mr. Doyle proposed a new method of accounting for Mining Bureau activities in which a quarterly statement of activity will be prepared and submitted to the Bureau. Mr. Doyle submitted a quarterly budget for the calendar years 1965 and 1966. He also submitted a first quarter budget and expenditures' statement for 1967. After some discussion of this new system, it was suggested by the Chairman that the Secretary submit quarterly statements to him and the Bureau so that a close control of expenditures and budget can be maintained. The Secretary agreed to make this a regular part of his duties.

There being no other business, the meeting was adjourned at 3:15 P.M.

RGD:gb

50 Tahmor Street  
Haddonfield,  
New Jersey 08033  
June 7th, 1967

Mr. Herbert F. Silsby  
Silsby & Silsby Law Offices  
68 Main Street  
Ellsworth, 04605  
Maine

Sir;

I have received your bill as of this past June 2nd, and have just spoken with the Farnhams and I am given to understand that they have received the same billing.

Is this an error on your part or am I to believe that you actually feel the service you have rendered in this matter with Callahan Mining was worth \$200.00 on your part?

If you feel this is a proper fee, I would require a more detailed accounting of your efforts before considering payment.

Sincerely

Albert E. Sandecki

RICHARD W. GLASS  
FRANCIS C. MARSANO

AREA CODE 207  
TELEPHONE 338-1110

LORIMER K. EATON  
Of Counsel

EATON, GLASS & MARSANO  
ATTORNEYS AT LAW  
SAVINGS BANK BUILDING  
BELFAST, MAINE

June 6, 1967

Mr. Albert E. Sandecki  
50 Tanner Street  
Haddonfield  
New Jersey 08033

Dear Mr. Sandecki:

At the present time I am studying your file, as forwarded to me by Herbert T. Silsby, II, Esquire, but have not, as yet, given it the consideration it requires. I will, however, continue studying the file and be in touch with you again by the end of the week.

Very truly yours,



Francis C. Marsano

FCM/h

The Ellsworth American

ELLSWORTH, MAINE 04605

667-2545

June 5, 1967

Albert:

Mrs. Carter called me. The buyer backed out. She asked me if you were interested and how much you would pay. I told her you were a poor artist and didn't have more than \$3000 in the bank. She said "I guess that's about what we'd sell it for." You can take it from there.

She will show you through it if you wish next time you are up here. Contact her personally. Write her and let her know if you are interested and want to see it. I have no idea of its value, never having seen the inside. It may be a real shack. No plumbing, remember. ~~Perhaps~~ Perhaps she would come down even more, if you were serious. I think they would like to settle it. You have her address. Carry on.

Jack Wiggins

Jack W.



Barbara Chase Riboud, who accompanied her husband, the noted French photographer Marc Riboud, to seldom-visited plateau sections of Inner Mongolia.

The Ribouds found other ways in which the horse influences a Mongol's mode of living. Fuel for the cookstove in his yurt—a tent made of wood framework covered with thick felt—is a mixture of dried horse dung and sheep droppings. For his traditional liquor, koumiss, the nomad ferments mare's milk. And habitually he prefers life on horseback—whether lassoing horses in his own peculiar fashion, or when, cowboy-like, he simply disdains walking. But after a day's hard riding comes relaxation in various ways—hard drinking, epic poetry, or the wrestling games that require changing his clothes to the traditional special leather jacket and extra-large pants.

Some of the nomads also belong to a mounted militia. For Mongolia, which in its entirety is about four times the size of Texas, is not quite a pastorally peaceful land. It has become a region of tension, sandwiched between two foreign nations with increasingly hostile versions of communism—the Soviet Union and the People's Republic of China. Even before the current rivalry between the two communisms, the mapmakers had to recognize that "Mongolia" referred to two separate governments. Outer Mongolia, with its million people, is the 46-year-old Mongolian People's Republic, a satellite of the Soviet Union (and claimed by China). Inner Mongolia, somewhat smaller but with a population over ten times larger, has been one of China's three autonomous regions for the past twenty years.

The Chinese, an ethnically different people whom Mongols call "sons of Han," have brought other than political changes to Mongolia. Back in the sixteenth century, remembering their experiences with the conquering khans, they deliberately introduced Buddhist Lamaism, to bring into its priesthood those Mongols who might otherwise become troublesome warriors. More recently, the Han influence has taken other directions, with the result that Inner Mongolia is no longer entirely a nomadic land. Chinese have been crossing the Great Wall into Inner Mongolia's less remote sections with their army, agriculture, and industry. The town of Silinhot, for example, is no longer merely a Lamaist temple and a few mud houses. Peitze Temple has lost much of its influence and wealth; most of its monks have turned to secular work. Silinhot is now a city of 20,000 people with a power station and such small industries as a tannery and carpet factory.

Equally significant, "Hanification" and its communes have reduced disease. As a result, the number of Mongols increases. But the number of Chinese increases even faster, so the Mongols have become a minority in their own land—except out in the lonely grasslands.

There the Ribouds found nomad Mongols already under Chinese influence, but nonetheless clinging to tradition. From Mme. Riboud's diary: "There are eleven of us sitting in a Mongolian tent . . . it is round in shape and has a stove in the middle. . . . The tent has a fantastic sense of permanence; thick rugs and a heavy covering on the walls . . . red-lacquered tables. . . . The Mongolians in their quilted robes, turbans, lined wind-burned faces; a twenty-seven-year-old shepherd and his young wife, sloe-eyed and beautiful," who is in her traditional dress and wears a colorful scarf tied around her head.

But these people, she learned, were following a herd of sheep and a herd of cattle. They had been here five days; in ten more days they would move with all their possessions to new grassland. And there the portable yurt would be home—until they moved again.

June July 1967  
Natural History Magazine

# MELANCHOLY FATE OF SALMO SALAR

by ANTHONY NETBOY

We not only overfished the Atlantic salmon and polluted its rivers; we built dams it could not conquer on the long voyage home to breed. Today's remedies: Are they too little, too late?

Early last year, Secretary of the Interior Stewart L. Udall gave Americans a picture of the wildlife resources of the nation. "Despite unprecedented conservation in 1965," his year-end report stated, "we are still losing the over-all battle to save America's endangered species of fish and wildlife from extinction." He listed 78 species that are threatened with annihilation. Among them is *Salmo salar*, the Atlantic salmon.

It is hard for Americans who have never seen these salmon in the river or the marketplace, or tasted their succulent flesh, to realize that they were once as numerous as the Pacific salmon are now in some rivers of Oregon and Washington, or in British Columbia and Alaska.

The Atlantic salmon is a member of the Salmonidae family of fishes, which can be traced to a common ancestor in the Pliocene Epoch. Originally, *S. salar* inhabited nearly all the suitable European rivers flowing into the Atlantic and Arctic oceans, from northern Spain to northern Norway and as far east as the Kara River in Soviet Russia. In North America they penetrated hundreds of streams from Ungava Bay, in northern Quebec, down to the Housatonic River, in New England. A landlocked variety inhabited Lakes Ontario and

Champlain and their feeder streams, as well as several smaller lakes in upstate New York and Maine.

The typical Atlantic salmon, upon returning to its natal river after a sojourn of one to three years in the ocean, is a fairly large fish, silvery and roseate, its lithe body tending to turn coppery as it nears the spawning stage. Its average weight in North America is from fifteen to twenty pounds, although larger specimens are caught. Norway probably breeds more large Atlantic salmon than any other country, and these frequently reach fifty to sixty pounds.

Salmon typically go through a precisely regulated and wondrous life cycle. Born in a gravelly stream, the young fish spends its first two to four years in fresh water, usually in headwaters of a rushing river. It feeds on microscopic insect life, is transformed into a tiny parr with red and black spots (in this, salmon closely resemble the trout family), and then acquires the distinctive silvery hue of the smolt before embarking on its oceanic quest for food. At this stage it weighs but a few ounces and may be four to six inches long.

We now know that fishes from both sides of the Atlantic have a rendezvous in western Greenland waters. Here, in the last five years, salmon have been netted on their feeding migrations. Of more than 100 tagged specimens netted, two came from Maine. They had journeyed about 1,900 nautical miles, almost doubling their weight in fourteen months.

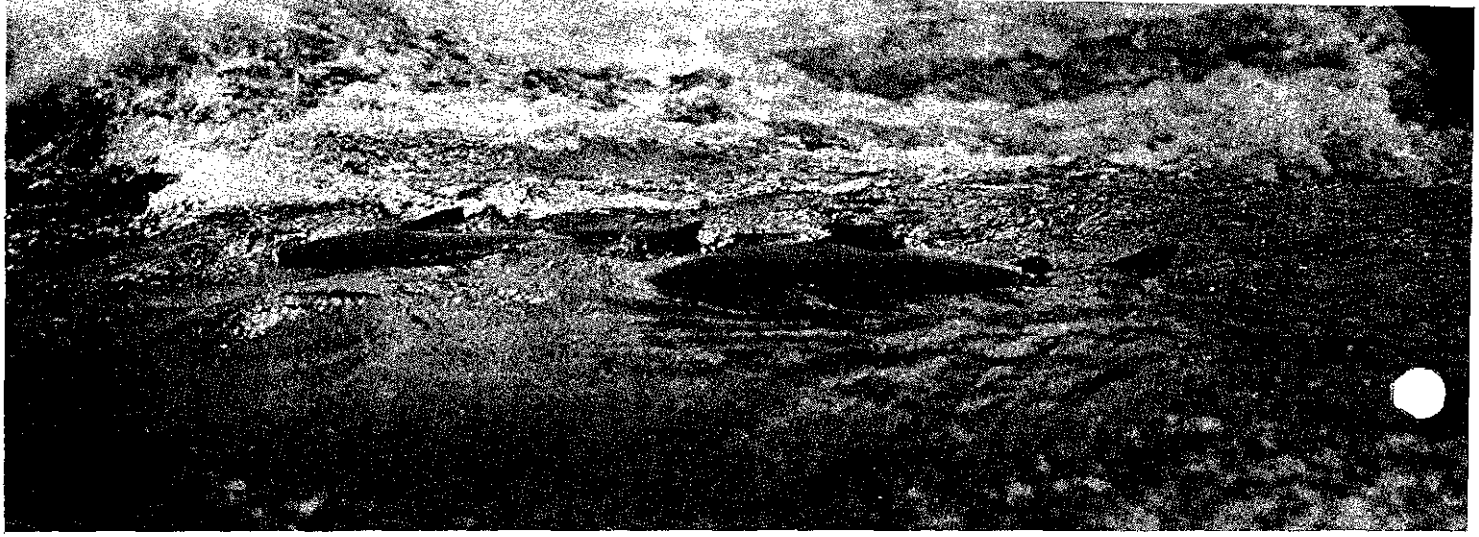
Salmon, as is well known, are anadromous fish that will spawn only in their natal waters. They return to "their" river by a navigation method that is unfathomable to man. In the river they ordinarily do not feed—the fat they accumulated in the ocean will sustain them until they spawn. Unlike Pacific salmon, all of whom die after the terrible ordeal of mating, many Atlantic salmon, usually the females, can recuperate and find their way back to the ocean. A spawned-out salmon is known as a kelt. Many kelts return to the river to spawn again—in some rare cases even three or four times. The maximum longevity of the Atlantic salmon is about ten years.

What is left of the vast hordes of Atlantic salmon that inhabited North America before the white man came to its shores? Canada has managed to retain substantial stocks, although much reduced from eighteenth-century levels, but south of the Canadian border *S. salar* is barely hanging on. No nation has frittered away this valuable resource as wantonly as has the United States.

Salmon is the first fish mentioned in the chronicles of North America. About the year 1000, the Icelander Leif Ericson and his followers reported that they settled in a land called Vinland, "where there was no lack of salmon . . . either in the river or in the lake, and larger salmon than . . . ever seen before." Historians still argue where these Vikings landed, but it must have been within the

*Back from the sea, intent on spawning in fresh waters where they themselves were born, salmon leap to overcome a tumultuous hurdle in "their" river.*





range of *S. salar*, anywhere from Cape Cod to the coast of Labrador.

After northeastern North America was rediscovered five centuries later, followed by colonization and growth, the most renowned salmon river below Canada was probably the Connecticut. In this river, the largest in New England, the fish wandered as far as Colebrook, New Hampshire, after scaling many impressive waterfalls. They bred in the Connecticut's headwaters and in various tributaries. They nosed their way past all obstacles for 150 miles along the main stem of the crystalline Merrimack, which rises in the White Mountains, and into the Pemigewasset and even the tributary Baker's River. Some also frequented the Contoocook.

In what is now Maine, the most famous salmon river was the Penobscot, almost as long as the Connecticut and receiving the flow of numerous affluents. *S. salar* also used to ascend the pellucid Kennebec as far as Carratunk Falls, and some hardy individuals managed to hurdle this 16½-foot obstacle to spawn in the upper tributaries.

Summing up the situation south of the Canadian border, Charles G. Atkins, the leading nineteenth-century American authority on the Atlantic salmon, counted 28 rivers, not including their tributaries, known to have harbored regular runs of the

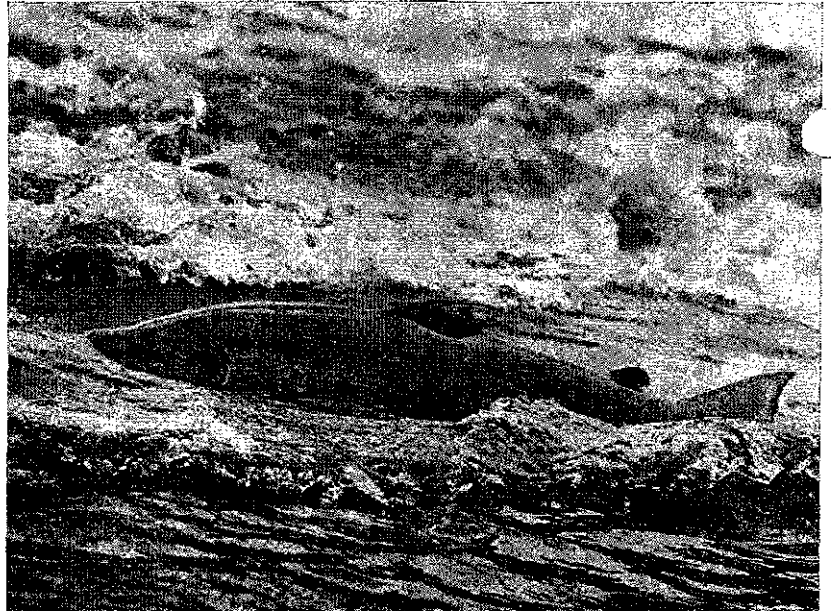
salmon. Landlocked varieties proliferated in Lake Champlain, Lake Ontario, and their feeder streams.

Such abundance had its usefulness. The records show that salmon was an important food for some Indian tribes—more important probably than the wild turkey of Puritan fame. The red man taught the white how to fish for salmon. Commonly, the Indians spearfished at the falls of the rivers where the salmon congregated. Bellows Falls, on the Connecticut, was a favorite camping ground for the Abnaki because of the plentiful salmon, shad, and other migratory fish that came up to this point. At the confluence of the Concord and Merrimack rivers was a fishing station that antedated the white man. And salmon were speared by the hundreds at Amoskeag Falls, where the river roared wildly over granite ridges and, in the course of the next half mile, fell 80 feet, throw-

ing up a ceaseless spray.

By the second half of the eighteenth century the salmon industry was important in the Connecticut Valley and elsewhere. Families along the rivers would put in a winter's supply of salmon by spearing them in the water or purchasing them for about a shilling apiece. As the Colonial era came to a close, however, the anadromous fisheries were already facing dangers. Only a few settlements, such as Machias, Maine, had the foresight to require bypasses at dams and gaps in the fishing weirs.

In time, many of the early dams fell into disrepair and were abandoned. But they continued to obstruct the streams and made fish migration difficult or impossible. Such a disaster befell the Connecticut. In 1798 the Upper Locks and Canal Company built a 16-foot dam at Millers River, a hundred miles from the sea. It had no bypass for fish. Later,



*The homeward urge is powerful; so is the river. Salmo salar gathers strength before it enters the swirling waters.*



*Competition: Salmon have slowed down here to jockey for position in their homeward journey up a river in Canada.*

other dams were erected downstream. Already by 1810, few anadromous fishes could be found in the Connecticut. And when a solitary salmon strayed into the river in 1872, Saybrook fishermen, never having seen such a fish, could not identify it.

The major trouble began, however, when industrialists seized upon the waterpower of the New England rivers for their cotton and woolen mills, their woodworking, cutlery, and gun plants. Salmon runs ceased in the Merrimack about 1860. Some years earlier, Henry Thoreau in his leisurely journey down the Concord and Merrimack rivers had already noted that they were losing their fish life: "Salmon, shad and alewives were formerly abundant here, and taken in weirs by the Indians, who taught this method to the whites, by whom they were used as food and manure, until the dam and afterward the canal at Billerica, and the factories at Lowell, put an end to their migration hitherward; though it is thought that a few more enterprising shad may still be seen."

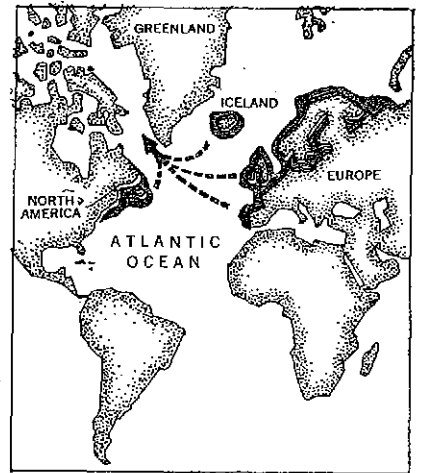
In Maine, the salmon rivers had flowed through dense coniferous forest. But most of this was cut clear in the middle of the nineteenth century. The rivers fell victims to pollution from logging debris and sawdust, to log jams that sometimes stretched for miles, to silt caused in streams by improper logging practices, and to a

*The white areas show original range of Atlantic salmon; dashes indicate routes to rendezvous in Greenland waters.*

multitude of dams that impounded water for small manufacturing operations. Later came the pulp mills, which poured their slimy liquors into the rivers, and the twentieth century brought the hydroelectric dams built without fish ladders.

By 1870 only eight of Maine's two score rivers could support regular runs of salmon. The fish were occasionally seen in six others; in the rest they were but a memory. Typical was the fate of the Penobscot. In 1872 it was still yielding 15,000 salmon to net and weir fishermen. In 1947, when salmon weirs were finally declared illegal in Maine—a century too late—the entire commercial catch was only 40 fish.

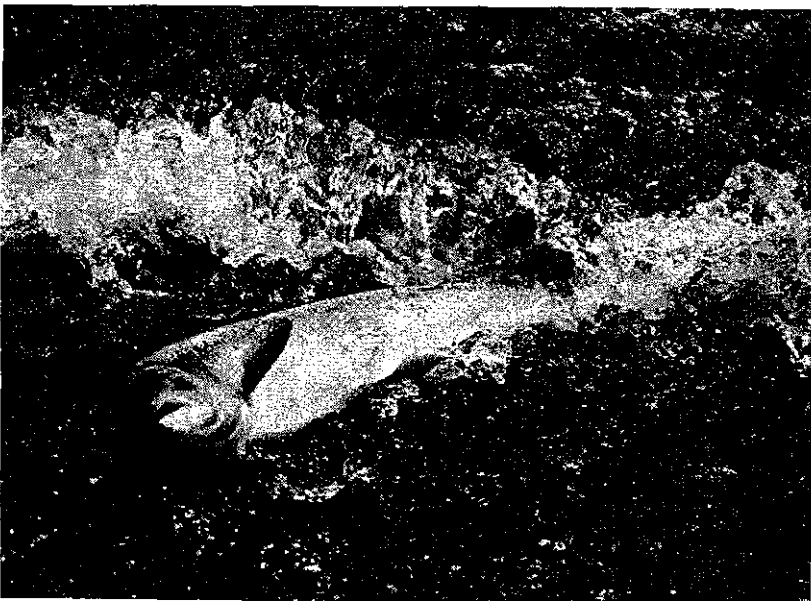
**T**he same melancholy history was written elsewhere. Rivers flowing into Lake Ontario once possessed tremendous stocks of *S. salar*. The Jesuit Fathers Le Moynes and Le Mercier on their mission to the Onondaga Indians in 1654 were astonished to see their hosts come down the Oswego in canoes filled with fat, silvery salmon. Some fifty rivers and creeks on both sides of the lake thronged with salmon. On the American side they were found not only in the Oswego but also in the Genesee and Salmon rivers and in smaller streams draining into Lake Ontario. The fish spawned in the rivers, left



them as smolts to spend their feeding years in the lake, and returned to reproduce in natal waters. So abundant were salmon in the Finger Lakes region early in the nineteenth century that farmers, it is said, hauled them out of the Seneca River by the wagonload. They were also taken at the mouth of the Oswego—before an Oswego-Syracuse canal rendered this river unfit as salmon habitat.

Farther west in New York, visit today's metropolis of Rochester and gaze upon the Genesee River. You can hardly imagine that large numbers of salmon were caught here 150 years ago. Prodigious shoals came up every spring and summer, migrating as far as the falls of the river. But in 1817 industrialist Elisha Clark built a dam at Rochester, and it completely blocked the river. As usual, he had neglected to equip it with a fish ladder. Subsequently, it is reported, over 10,000 salmon were killed in the vicinity of Rochester with clubs, spears, and pitchforks as they strove to reach their spawning grounds.

Eastward, in the region of New York's Adirondacks, the species was found in the St. Regis, Chateaugay, Grass, and Salmon rivers, which flow into the St. Lawrence River. At historic Lake Champlain, which drains north through Canada's Richelieu River and into the St. Lawrence, the cool, pure water of the lake, fringed with forests, was ideal habitat for salmon. Streams that feed into Lake



*Grounded: This salmon went off course; to survive, it must thrash its way back to the river's swimmable depth.*

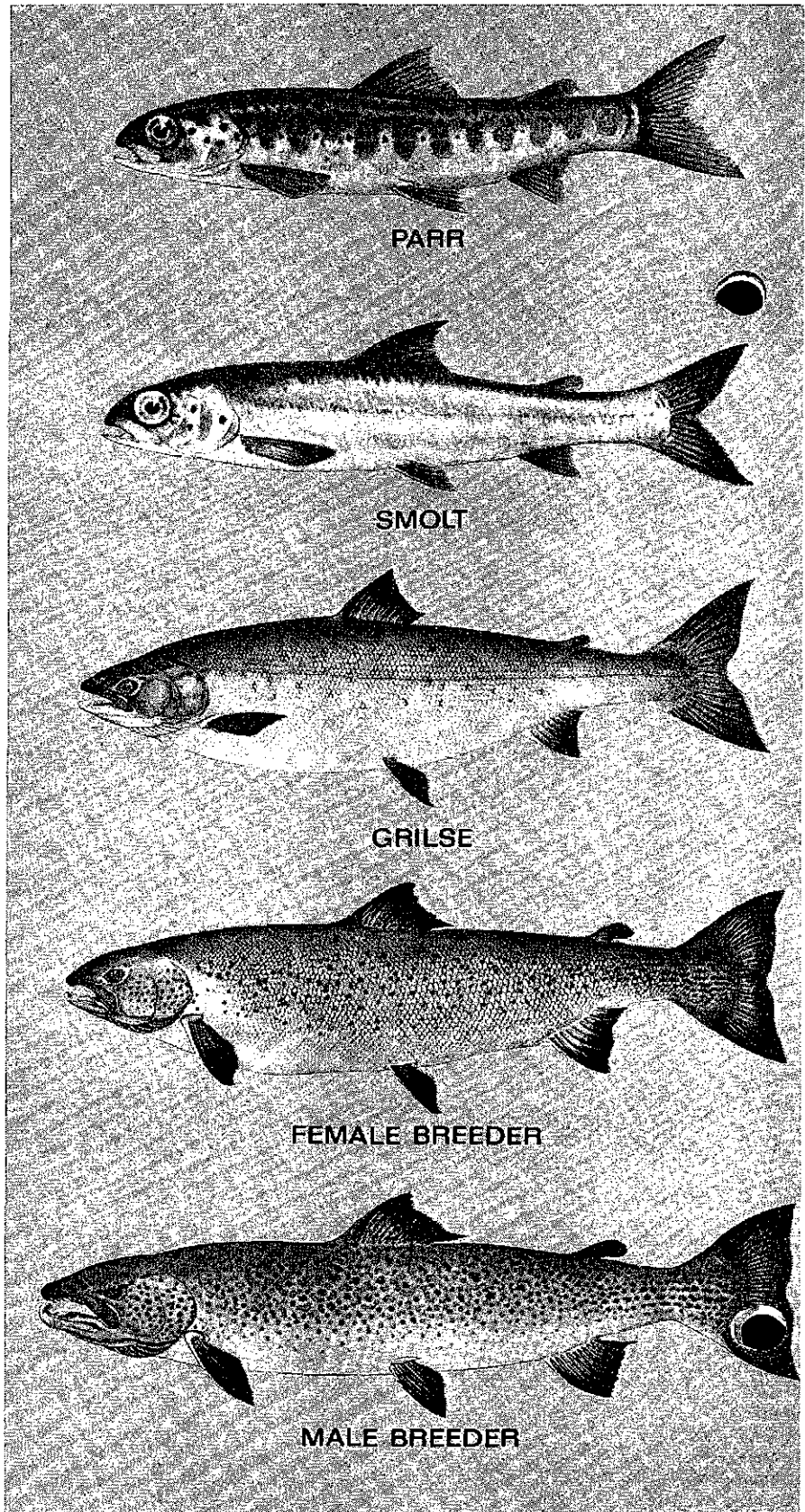
Champlain are: from Vermont, the Missisquoi River, which empties into Missisquoi Bay at Swanton, Otter Creek, and the Winooski River; from New York, the Saranac and the Great and Little Chazy rivers.

Tales of former salmon abundance were still heard in the Champlain Valley a century ago, when they were already nonexistent in that area (and would soon become extinct in Lake Ontario, too). In 1872, for instance, a Plattsburgh hotel owner said his grandfather had seen shoals so thick at the mouth of the Saranac that "their capture by cartload was an easy matter." Others told of salmon-choked creeks that horses could not cross.

**W**hat kind of salmon inhabited Lake Champlain—sea-run through the St. Lawrence or landlocked? This question was long debated. Then, about 1940, two Canadian biologists examined a pair of museum specimens and found that these fish had never been to sea; their life history was the same as that of the Lake Ontario salmon. They, too, sometimes reached a size of thirty to forty pounds.

The Lake Ontario and Lake Champlain salmon stocks were destroyed in these ways, according to Winslow G. Watson, in his *History of Essex County*: "The secluded haunts they loved have been invaded; dams have impeded their wonted routes; the filth of occupied streams has disturbed their cleanly habits; and the clangor of steamboats and machinery has excited their fears. Each of these causes is assigned as a circumstance that has deprived the country of an important article of food and a choice luxury."

Another question, whether the Hudson River ever was a salmon stream, has been argued hotly. Henry Hudson is recorded as having seen salmon leaping in the waters around Sandy Hook and later as he sailed past what are now called the Hudson Highlands. But there are no records of an Indian fishery in the river, nor of any Colonial salmon fishing. And Dr. S. L. Mitchill, pioneer New York ichthyologist, declared that the species was not adapted to the Hudson. Nevertheless, between 1873 and



*During its life, Salmo salar undergoes a procession of changes. After the fry stage it becomes a tiny, spotted parr, then grows into a silvery-hued smolt, which goes to sea for food. On its first*

*return to fresh water, the small fish is a grilse. The two breeder fish were 29-inch adults found in Maine's Penobscot River. Note the distinctively hooked lower jaw of the male specimen.*

1876, the New York Fish Commission planted 150,000 young California salmon in the Hudson's headwaters and nearly 150,000 in Long Island streams. *Field and Stream* for July 5, 1877, reported that salmon were found in considerable numbers off the mouth of the Hudson and some were seen as far upstream as Hyde Park.

1880 a small planting of Atlantic salmon fry was made in the Batten Kill, which flows from Vermont into the Hudson River near Troy. Some of these were apparently taken on their return to the river in 1884. Then, between 1882 and 1886, 500,000 Atlantic salmon were released in the Hudson by the U.S. Fish Commission. Many grew to the smolt stage and went to sea, returning two or three years later weighing 10 to 13 pounds. Individuals were captured as far upriver as below Troy dam. This planting obviously produced results, but the dams at Troy, Mechanicsville, and Thompson Falls, lacking efficient fishways, prevented their movement into the headwaters. In 1905, small numbers were seen at Mechanicsville, where Dean Sage, a well-known angler, recorded they were caught "by hooks ostensibly baited with pieces of pork and dragged along the bottom until the 'sportsmen' at the other end could feel them against a fish, when a hard jerk sometimes fastened the hook in the luckless creatures."

No subsequent plantings were made in the Hudson, so far as I can discover, and no permanent runs were developed.

Meanwhile, the sea-run species were faring no better. Maine's rivers were dying one by one. In the 1880's, salmon runs appeared regularly only in the St. Croix, Dennys, East Machias, Machias, Penobscot, Sheepscot, Kennebec, and Androscoggin rivers. Between 1873 and 1889 an average of 150,000 pounds were still harvested commercially in these waters. By 1900 the total catch had fallen to 60,000 pounds. After a brief resurgence around 1930, mainly because of restocking, the runs petered out. Since 1950 the U.S. Fish and Wildlife Service has reported the annual commercial salmon catch in Maine at less than 1,000 pounds.

The same fate has befallen sports

fishing. At first, not many Americans had the leisure or the money for this activity. There were also lingering effects of the Puritan's disapproving attitude toward fishing as a sport. As late as the 1860's, the pools of the Aroostook, Union, and Dennys rivers were known to a few fly fishermen; usually, however, the ardent salmon angler had to go to Canada to indulge his hobby. He continued doing so when Maine's salmon rivers began dying. In 1886 Henry P. Wells, author of *The American Salmon Fisherman*, could name only three rivers where salmon fishing was available: the St. Croix, Dennys, and Penobscot. This compared with over a hundred in eastern Canada.

The Penobscot offered the best sport (though limited), and for the next two decades salmon angling in the eastern United States was virtually confined to this river, mainly at Bangor pool. Fishermen also angled on the St. Croix, and took some salmon out of the Caribou pool on the Aroostook, until the Tinker hydroelectric dam blocked the river in 1906.

In 1904, when Dean Sage surveyed the chances for salmon fishing, he reported the Penobscot was "going fast," the St. Croix was gradually getting worse, and the Dennys had already faded out. In 1907, Boston newspapers said the sport at Bangor was doomed because of overfishing, pollution by pulp mills, poaching, and insufficient restocking. Moreover, weir fishermen in Penobscot Bay were working night and day, at every tide, without interference. There was, of course, no closed season and apparently no regulation whatever. Few salmon were caught by anglers in Maine after this time, except for the small landlocked species found in some small lakes. By 1940 the Penobscot was virtually a dead river. Its salmon were scarce; fly fishing had ended at Bangor pool.

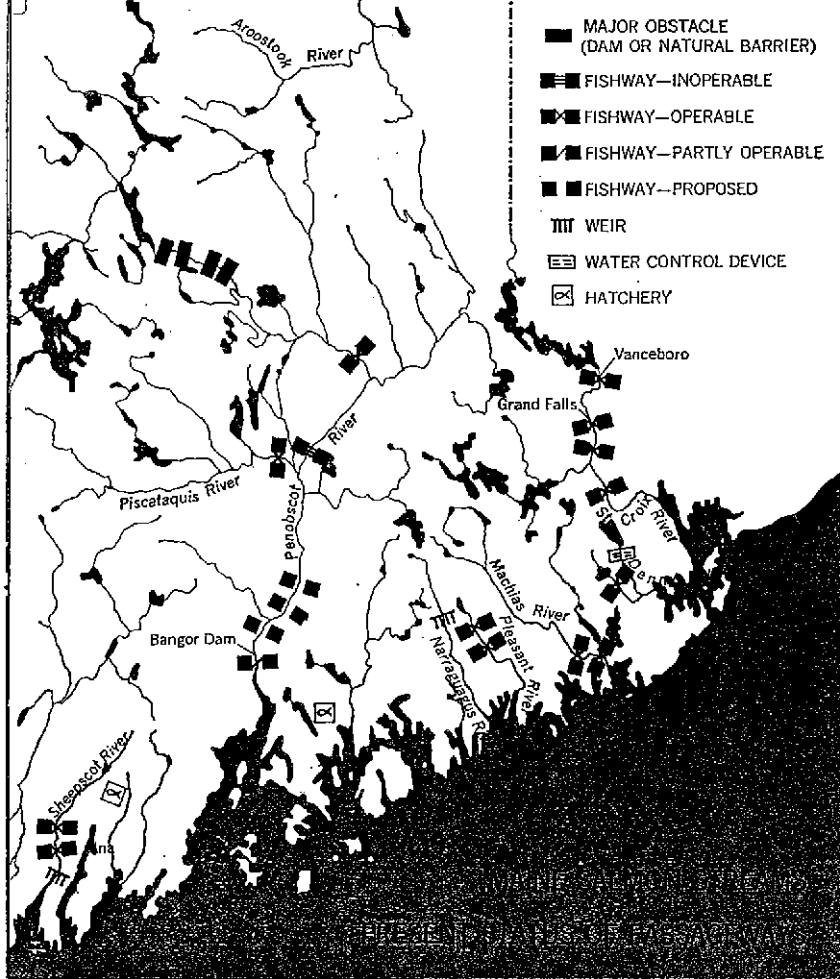
When rivers become barren it is difficult to bring them back to life. Usually the national interest in them withers and ultimately dies. For instance, there has been little or no attempt to revive the sterile salmon rivers of Portugal, France, Finland, Spain, and Poland. In Spain, in 1942, the government did ban net fishing,

turning the meager resource over to the fly fishermen. But these efforts have not improved the runs to any measurable extent.

In the United States little interest was shown in the Atlantic salmon's fate until after World War II. (A glorious opportunity had been missed to rehabilitate some of the rivers during the Depression, when public works money and WPA labor were available.) Efforts to rebuild the Maine salmon runs started with the organization in 1948 of the Atlantic Sea-Run Salmon Commission, with headquarters at Orono, Maine. That state has appropriated about \$35,000 annually for the rehabilitation program, and the federal government has joined in with several hundred thousand dollars spent on modernizing the Craig Brook hatchery at Orland, and paying its operating expenses. Also, in 1959, Aroostook County fishermen and the state legislators teamed together to obtain \$45,000 of state money for special work on the Aroostook River. And funds have been contributed by power companies and timber corporations for work on rivers they helped to despoil.

Maine's program, ably directed by Dr. W. Harry Everhart, of the salmon commission, has concentrated on restocking some of the most promising streams, removing obstructions, and building fishways. The rivers are littered with abandoned dams; at their mouths are fishing weirs and traps, no longer used, which impede the migration of fish.

The restocking began in 1954 and has accelerated at eight selected rivers: the Aroostook, Narraguagus, Dennys, Sheepscot, Penobscot, Machias, Pleasant, and East Machias. Also, various small projects have been completed to facilitate the passage of fish or improve the flow of streams. For instance, a Denil-type fishway was built at Cooper Mills on the Sheepscot River, thus opening new spawning areas. The Dennys, long plagued by low water during the critical period when the salmon enter the river, has been ensured a stable flow, thanks to a water control dam at Cathance Lake. Also, two fish ladders were opened in 1965 on the St. Croix River, and a third in 1966. These will enable salmon, shad, and



By 1968, if Maine's remedial program is fulfilled, salmon will be able to journey freely up the Penobscot River

and into its feeder, the Piscataquis. This map also includes the St. Croix, a segment of the U.S.-Canada boundary.

alewives to migrate upriver to their spawning grounds in the headwaters. Pollution below the fish ladder at Woodland, however, is still a problem. If it can be solved, a magnificent international salmon river will have been reclaimed after a century of neglect. The fishway at Mathias Gorge has been improved, and a water control structure and fishway erected on Pleasant River Lake.

As a result of all this work, small runs of salmon have reappeared in the Dennys, Machias, and Narraguagus rivers; also, to a lesser extent, in the Pleasant, East Machias, and Sheepscot. Fly fishing has been resumed and attracts a small number of anglers. Aggregate catches are rising slowly, and in recent years have totaled 400 to 500 salmon annually—a negligible harvest, of course, when compared with those a century ago.

In 1965 Congress passed the Anadromous Fish Act, designed to enhance the supply of salmon and other anadromous species by making funds

available to the states for five years on a matching basis. For the current fiscal year, Maine has been allotted \$135,000. Additional help may come from the Land and Water Conservation Act. Dr. Everhart explains such federal funds will be spent mainly for fishways to revive the Penobscot's salmon runs; it is hoped the fish will be enabled to reach headwaters of the Piscataquis and its tributaries. The once flourishing East Branch may reopen as a spawning and nursery area.

But it is hard to say how much good all the belated efforts will do for Maine's salmon. Many fly fishermen already dream of taking salmon out of Bangor pool again. Although the Maine salmon commission issues optimistic statements, there is no hope of restoring any salmon rivers in the other New England states.

The question is often asked: Will the Atlantic salmon ever reach anything like its former abundance? The reply of the U.S. Fish and Wildlife Service is: "Probably not, but wise

management may some day make them more than the token resource they are today."

The trouble is that *S. salar* was brought to the verge of extinction before Americans developed a sense of conservation. There were almost no federal or state laws in the nineteenth century to protect the freshwater fisheries. When efforts were begun to restore Maine's rivers in the 1940's, it was already too late for any spectacular accomplishments.

For perspective, how does this compare with the future of our Pacific salmon wealth? In the Pacific Northwest, harnessing of the great salmon rivers for hydroelectricity and other purposes did not begin until the 1930's. By this time federal laws were requiring the installation of facilities to safeguard the passage of salmon and other anadromous fish. But the fabulous Columbia River runs, exploited since the 1870's, had already been overfished.

Since 1937, when Bonneville Dam, the first high dam on the Columbia, was completed, the federal government has invested about \$150 million in ladders and other fish-passage devices at its dams on the Columbia and Snake rivers, plus about \$35 million to build salmon hatcheries. Nor does this take into account the many millions invested by public utility districts and private power companies in fish ladders at the hydroelectric projects they built; also the vast sums supplied for maintaining all these facilities and the huge salmon-research programs. In short, nowhere in the world are such heroic efforts being made to save a fishery.

What are the results? The Columbia and Snake river salmon runs have been declining at a steady pace in the past two decades, although the runs of coho salmon have revived recently. Grand Coulee Dam alone cut off 1,150 linear miles of spawning grounds—it was built without fish ladders. And the once extensive upper Snake River runs are sadly depleted because of defective fish-passage devices installed at a private power dam.

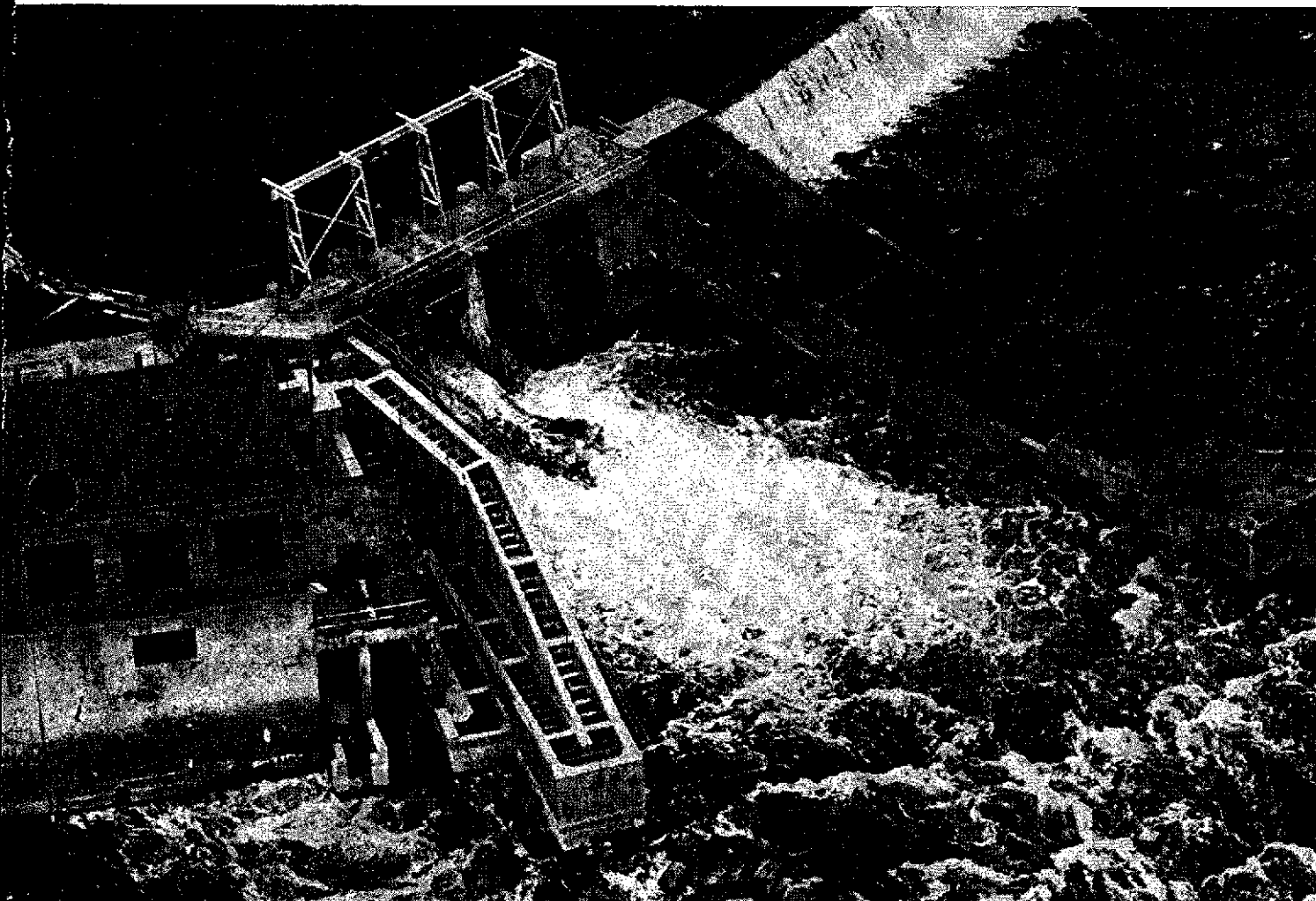
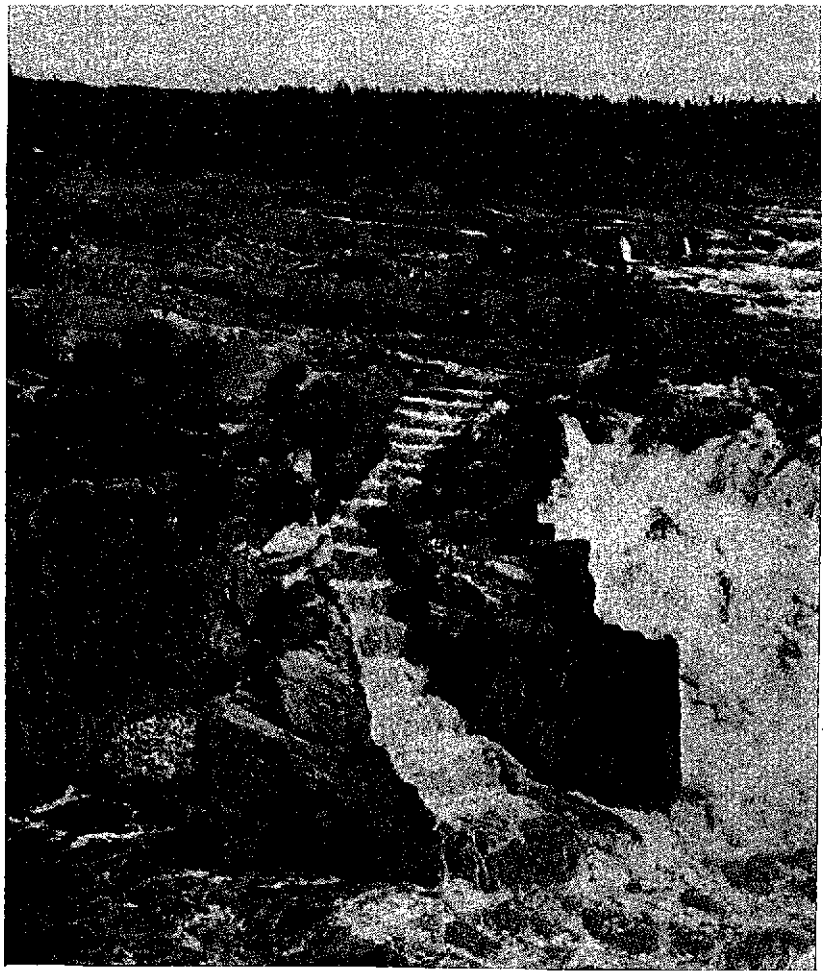
Meanwhile, new dams rise and pollution continues to harm the delicately adjusted salmon in the lower

ake  
ce

Columbia and some of its tributaries; sustaining the over-all runs has required releasing tremendous numbers of hatchery stock. In addition to familiar pollution there are prospects for injuries of the kinds contributed by atomic power plants. There is already the atomic plant at Hanford. A half dozen other such large installations are planned along the Columbia. And as it approaches almost complete development for power purposes it will no longer be a river, but a lake extending from the Canadian border to the end of tidewater. All these radical changes in environment, combined with the need for negotiating so many high dams, may bring further losses to the salmon.

But everything is relative. What happens to the Pacific salmon in the foreseeable future cannot be worse than the present, melancholy plight of *Salmo salar*.

*Simple fishway, right, helps home-bound salmon to "step-around" a river obstacle. Below, a power dam on the Piscataquis River has both old fishway and newly built, improved version.*





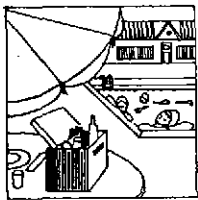
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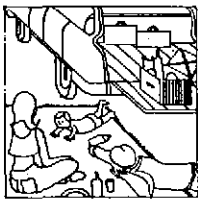
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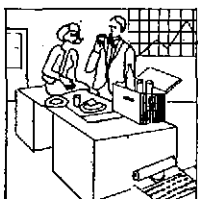
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## DILEMMA OF THE IROQUOIS

Continued from page 7

man said the cloth given to Onondagas is now only 1½ yards long, coarse and unsuited for clothing. An elderly woman said she remembered when it was 15 yards long. The Onondagas want their annuities updated, and their Indian Agent says this is 'absolutely' impossible. A second major issue is citizenship. Papineau said the Onondaga are a sovereign people: "The United States can draft us and tell us what to do only because they have the guns and we do not. . . . We do not vote because we are not citizens of the United States—you cannot be a citizen of two governments."

There are also "secondary" problems. For example, the Indians cannot get GI bill household loans or FHA-guaranteed loans. They call this discrimination: "We fight your wars and then you do this." To this, government spokesmen reply that the Iroquois ignore the collective ownership of the reservation land by the council, not by individuals. It is only "loaned" to specific Iroquois. The situation is such that a loaning agency could not foreclose, therefore reservation Indians find it very hard to get money for building or improving homes. It is also difficult to get fire insurance, because of inadequate protection against fire.

Attitudes toward the state did not improve after some Onondaga land was condemned for a flood-control dam, with promises that it would form a man-made lake where the Indians could fish, canoe, and swim. The dam was built ten years ago, but the reservation still has floods and the Indians deride the foot or so of water behind the dam.

Relations with the local anti-poverty program are also strained. Manpower Development and Training has had some success, mostly through the efforts of one man, now departed. Project Headstart was doomed right at the beginning when its lecturer told a hall filled with parents that the program was intended for the child from a broken home where the parents did not care about education, could not help the student even if they wanted to, etc.

The Onondagas are particularly bitter about the symbols of state power: the police and the Indian Agent, who oversees the reservation

## Overseas Nature Tours

For seven years we have been organizing group trips to investigate the natural history of Europe, Africa and the rest of the world. Chief purpose so far has been to see birds, including as many rare and difficult species as possible. However, a full ecological picture is sought, with attention to botany, geology and archaeology where appropriate. Persons without specialized interests, but with appreciation for the natural scene as opposed to sophisticated city life, are entirely welcome, and constitute part of every group.

### —This Year—

Places are open on these remaining tours:

#### — SCANDINAVIA —

Long our most popular tour, combining Norwegian mountains, fjords, bird cliffs and midnight sun with Lapland and lush Sweden. June 24, 4 weeks.

#### — ICELAND —

Arctic wildflowers, strange nesting birds and seabird cliffs against a weird background of volcanoes, geysers and waterfalls. June 29 for 2 wks., plus optional 4-day Greenland trip. Leader Dr. Messersmith, U. of M.

#### — COLOMBIA —

Special "request" trip for small group, making a wide sweep around this extraordinarily interesting country, including the Amazon River corridor. The world's top bird region, replete with other back-country attractions. July 22, 3 weeks.

#### — ALASKA —

Two-wk. trip, Ketchikan to Fairbanks, July 29. Continuing two weeks, Fairbanks to Barrow, Nome, the Pribilofs and Aleutians, Aug. 12.

#### — SOUTH PACIFIC —

Feature of the year; many think it the greatest trip of all. Six units; combine as you like:

**MELANESIA:** Fiji, New Hebrides, New Caledonia, Solomons and 2 weeks in New Guinea. Four weeks in all, beginning Sept. 9.

**AUSTRALIA WEST:** From Perth around the coast to Darwin, plus the deserts at Alice Springs and western Queensland. Oct. 7, 3 wks.

**AUSTRALIA EAST:** The Great Barrier Reef, Sydney & environs, Adelaide and the Murray River valley, Melbourne and Tasmania. Three weeks beginning Oct. 28.

**NEW ZEALAND:** Comprehensive 3-week coverage of both islands, working south with the spring. Geysers, glow-worm caves, majestic Mt. Cook and Milford Sound. Nov. 18.

**N.Z. BOTANY:** Two weeks up the west coast in a land of strange plant life and magnificent glaciers. December 9.

**HAWAII:** Our Xmas party this year is at the Volcano House, Kilauea Crater, followed by a 10-day bird-and-scenery tour of the islands.

#### — FLORIDA —

First 1968 tour: two weeks from Wakulla Springs to Key West & Dry Tortugas. Tallahassee, Jan. 27.

### — Coming Later —

We cover the wildlife of the world on a 3-year cycle, visiting some areas annually. Let us send you a summary of these trips, or supply itineraries and dates for regions that appeal to you. North American tours 2 weeks each, overseas 3 weeks, set up in chains of 2 or more.

**NORTH AMERICA:** Ten different routes, including Texas Coast; Florida; western mtns.; Nfld.-Labrador; Arctic Canada; Alaska.

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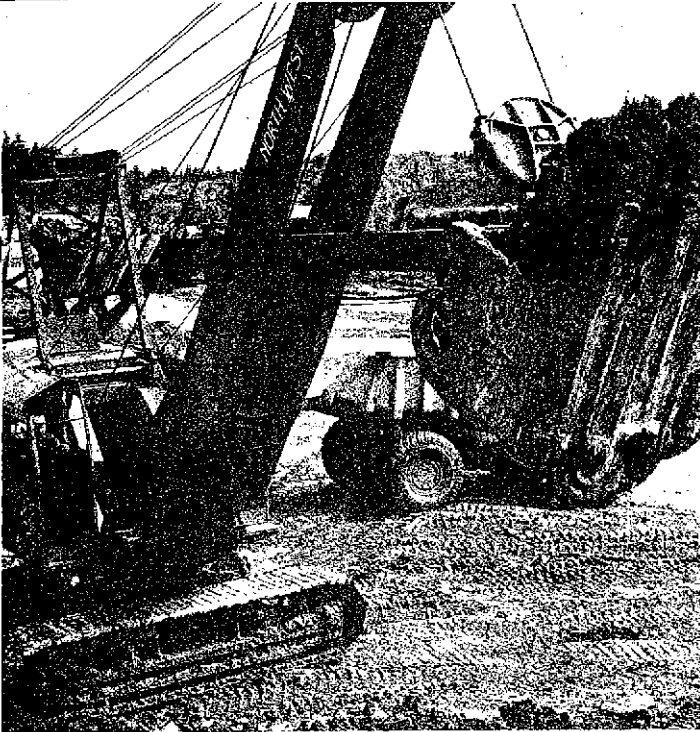
**WORLD CRUISE:** Around the world in Southern Hemisphere: Easter, Pitcairn, the great bird islands and Antarctica. Winter 1969-70.

Come along! . . . Intimate, private groups, expert leadership. We seek out back-country routes, try for an experience-in-depth of the natural scene and the people. (Not recommended if you're strong for night life.)

## Crowder Nature Tours

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## Progress moving rapidly at Callahan mine site



UTILIZING A POWER SHOVEL, LOADER and trucks, more than 200,000 tons of earth have been moved from the future pit area at the Callahan Mining Corporation Cape Rosier site (above). Exterior construction is complete on the new office building, assayer's office and shop building (below), and the offices are now occupied.--Packet photos.

BROOKSVILLE -- The scene these days is changing rapidly at the Cape Rosier mine site of the Callahan Mining Corporation.

Approximately 200,000 tons of earth covering the ore body area have been moved in recent weeks and Ted Maestretti, mine superintendent said Monday, "We hope to begin moving as much as 200,000 tons per month soon."

Maestretti said the material moved so far has been primarily waste, but about four or five hun-

dred tons having some ore concentration have been deposited at the future site of the mill.

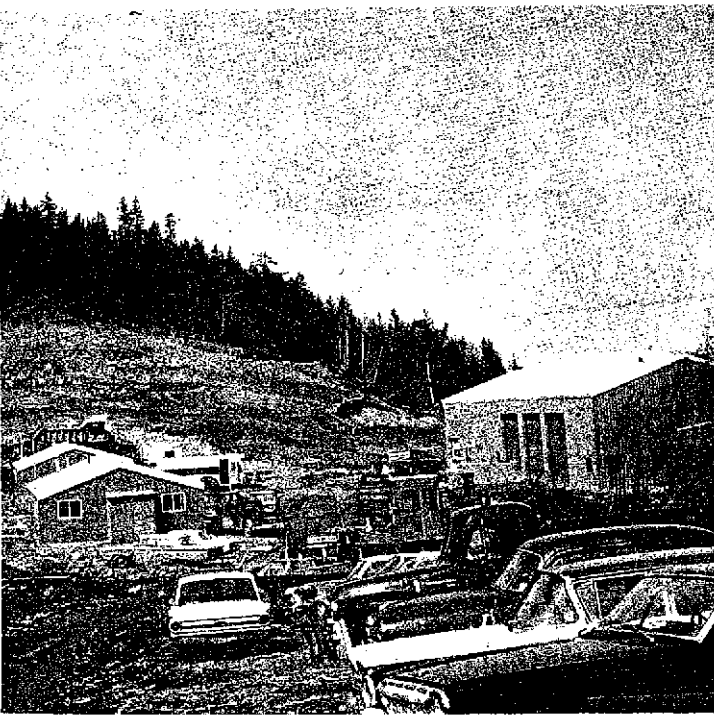
Work at the Cape Rosier site is continuing on schedule he said, and a night shift was begun Monday night to further advancement of the project.

CONSTRUCTION WAS recently completed on the office building, and administrative offices have been moved from the old location near Goose Falls and established in the new building.

Exterior construction is also complete on the assayer's office and on the machine shop, Maestretti said, but some interior work remains to be done, and the buildings must be equipped. They are presently being used for storage.

Local employment has continued to increase at the mine with approximately 40 local employees now on the Callahan payroll. The company expects to employ about 65 local employees when the mine is in full operation.

Mill production at the mine is expected to begin early in 1968.



Tuesday morning.

6 June 67

Dear Albert, + Jean,

We received your letter yesterday (very good)  
we are very disappointed in Silsby, we are done  
with him. Did he send you a bill? He sent  
us one for 100.00 (for what?) If he had done  
more to help we would feel better about paying  
it. Brandred says he will pay it and has  
nothing more to do with him. We thought  
probably you received one too.

Send us about 50 <sup>450</sup> questionnaires when they  
are ready. I think you better send about 6 to  
Bob + Van, their address is -

Robert Selfe

Main Street

Sherborn

Mass. 01770.

Bob + J

They will get their friends to fill out some. Miss  
Anita said she would give some out in Castine  
to her friends and I will send some to Freddie  
Wardwell. I feel sure he and his secretary will  
fill some out for us. I will give Miss Anita  
some out of what you send us. I will call  
Freddie Wardwell and see how many he wants.  
I will tend to Mrs Doudie (Mauilius Island) and  
the summer people. Henry White, etc., also a few  
natives but it is no use to ask most of the  
natives they would only refuse. Rita + Bill will  
fill one out. I think these are a very good idea.  
Van + Bob said they would write us a letter  
also their friends would as the effect of this hurting  
our business. Do you suppose your friends would



who have been here would write us a note that they wouldn't want to come with their situations here. Dan thought those letters would help prove about our business. I think they feel afraid to have their car here when they blast. We had a letter from Frank Boring wanting meals here this summer but we are not taking them.

It was terribly noisy here last night, the worst we have seen (drilling etc. I think I told you rocks flew again last Friday night and one struck our other house. Not much damage just barked up some of the clapboard.

Silsby hasn't called us and of course he won't now. Brainard told him when he was here that we did not want to sell. We are anxious to hear what your lawyer thinks about the case. Did Silsby say why he was acting this way? I would like to ask him a few questions. I am anxious for the summer people to get here.

Your trees and Rose bushes came Saturday and we set them out that night. I watered them again last night. I have kept your garden and flowers watered, I think every thing is coming good. We have our planting mold done, laid some later peas and corn. we have worked until nearly 9 o'clock tonight.

We went up to Retas Sunday afternoon. we asked Bill to inquire about that lawyer when he went down that way. we have a feeling he is a good one if he is any thing like your lawyer out there. Have you found out about

the rocks yet? Let us know any new developments. We haven't contacted the lawyer yet. We are waiting to hear what you find out. I think Bradnard is discouraged. We found out who was blowing the horn and I guess they have stopped that.

I must close as it is time for the mail. Please let us know any new developments and we will do the same. Malcolm said last night he hasn't heard anything about starting on your house. We will let you know when he does.

Best wishes to all from all of us.

Sincerely,

Marian.

Thanks for the letters. I am working only two days a week now. You can take the papers you send Van Selfe out of the number you send us. I will send them to her if you want me too. I only thought you would get them back sooner.

The Ellsworth American

ELLSWORTH, MAINE 04605

667-2545

June 2, 1967

Sandecki:

Regarding your battle with Callahan, remeber that they do have permission <sup>to</sup> ~~ot~~ operate from the state. You may question the propriety of the authorization, but I doubt if you feel up to carrying it to the US Supreme Court.

Recognizing their authority to operate, you must then accept the fact that their operation is bound to be offensive to neighbors, by its very nature. Don't confuse your distress with their operation with their right to operate.

Most of your complaints are based on personal dissatisfaction. YOU can't expect the public to share them.

Your ~~a~~ argument with Callahan therefore falls into the nature of a private war. I doubt if you will get much satisfaction from the courts. Moreover, a legal war usually impoverishes the man who wages it, both in outlook and in ~~purse~~ purse. Do you fully realize what you are undertaking?

I don't mean to say that there aren't several good points on your side to stand on, but most of them boil down to the inconvenience of living next to a mine. In your situation, I'm afraid I would be tempted to get a good price frmm them and find a new roost. Would it be impractical to suggest getting them to agree to pay rental equivelant to your property's value for the duration of their activity? Then, when they left, you would have your place back, and meantime be able to live elsewhere at no personal cost at least. Just an idea, and perhaps not a good one.

If you do fight them, I should think a good lawyer could find laws enough. But it's a hell of a fight and an expensive one. Just be fully aware of what you are undertaking. Usually, only lawyers profit from such battles. It won't exactly ~~help~~ be a creative inspiration for painting, either.

The paper's only editorial interest in the affair will be evidence of impropriety on their part, or violation of public interest (water pollution, etc.). Just realize that court battles are long, lonely, and expensive.

I should think Callahn would be willing to pay a good price just to get rid of you. I would figure up my loss in property value, in peace, and in damages, and give them a price. If they met it, I would leave the field. Just my own opinion, Take it for what it's worth.

Jack W.  
Jack Wiggins  
(No lawyer.)

50 Tanner Street  
Haddonfield,  
New Jersey 08033  
6 June 1967

Mr. John R. Wiggins  
Box # 92  
Brooklin,  
Maine

Dear Mr. Wiggins;

I forgot to include this with my list sent to you the other day. It may be worthwhile looking into.

Perhaps you may have a way of looking up this bill and find out what happened to it.

At the special session of the 102nd in Augusta around January of 1966, there was a bill relating to maine coastline # L.D. 1705. An act relating to mining activity under Goose Falls Pond, town of Brooksville, Hancock County.

This I quote from the Conservation Bulletin of the Natural Resources Council of Maine March 1966.

Some legislators and individuals had reservations about this bill but there seemed to be little information as to permanent detrimental effects the draining and excavation of this tidal estuary might have. Concern centers on possible damage to aquatic life and also impairment of the natural beauty of Cape Rosier.

It has been suggested that a performance bond be required to assure that the area will be returned to as near normal as possible after the mining operation is over. This is estimated to be about 10 years.

I thought this last statement quite important, as you know the selectmen of Brooksville bent over backwards to have Callahan Mining come in to the town,-- with no thought given to the corporation signing a performance bond.

One other thing the first five points in my letter of June 5th are in reference to a zerox copies of Callahan Minings pre-sales to the Department of the Army Corps of Engineers New England Division 424 Trap Road Waltham, Mass. 02154 .

I have these in my file and if you want to see them let me know and I'll send them along to you.

Sincerely yours,

Albert E. Sandecki

50 Tanner Street  
Haddonfield,  
New Jersey 08033  
5 June 1967

Mr. John R. Wiggins  
Box 92  
Brooklin, Maine

Dear Mr. Wiggins;

Listed below are the facts as gathered from my file on the Callahan Mining activity on Cape Rosier since its inception in January of 1966.

I have recently changed lawyers in mid-stream, and a Mr. Francis Marsano Esq. of Belfast Maine is reviewing our case, he is a personal friend of a friend of mine who is an attorney in my town in New Jersey, no reflection on your suggestion, it is more a matter of better liaison.

All of this information can be corroborated by both State and Federal correspondences I have in my possession. One thing I want to request of you is that, if it is at all possible your source of material remain anonymous, as I am involved with litigations.

At least for the present, later on I'm sure it will be fine with me to disclose your source if you like, and will let me know before you do so.

\* FACTS \*

U.S. Dept. of Army (New England Div. Corps of Engineers) Code NEDOD-S

Callahan Minings proposal to construct two dams and widen an existing causeway in Goose Pond in the town of Brooksville, Maine.

1. From sheet I of I Location of Adjacent Owners ~~\*\*\*~~ 3/14/66  
In this proposal false boundrays were submitted in the respect that three residents land boundrays abutting the northerly line of the Callahan firms land was represented as a straight east-west line, whereas in these deeds our boundrays follow the line of a brook.
2. Individual homes of both year-round residents and summer residents were represented as house lots. (alluding to vacant lots in my estimation) oops, pardon my personal view there.
3. From the chart of 2th proposed dam No. 1 and dikes A & B, 3/14/66 was made to include the drainage ditch cut across the cape in a southerly direction to Weir Cove.
4. The proposed dam No. 1 and dikes A & B shows Goose Falls to be spared in the construction of the dam and control gate, and the dam to be located north-westerly of the bridge over Goose Falls.

(continued)

(a) Instead, the falls were blasted out to facilitate the drainage of Goose Pond, rather, to spare the companies expenses in pumping out the pond than sparing the once beautiful Goose Falls.

(b) Instead of constructing the dam 25 feet in a north-westerly from the Goose Falls bridge, the dam was constructed directly under the bridge. This required the dismantling of the structure to the inconvenience of those whose homes are more quickly gotten to, rather than the round the cape road. This may also lead to complications when the dam is to be removed and in the words of Mr. Jack James, quote "The dams would be removed and Goose Pond flooded and returned to its original state." "It will be just like it was except for a new, small cove at one edge of the pond."

(c) And of course the ditch to Weir Cove is there as a surprise to everybody. not to belabour this ditch the following is in order.

The United States Department of the Interior in a report dated May 10th 1966, stated, "That the Callahan Mining Corp construct a retaining dike in Goose Pond to separate the open pit mining operation from the remainder of the pond and maintains existing water levels in the unmined sector of the pond." "Present plans call for dam #2 to be so constructed as to maintain the waters in the marshy inlet at about the level of normal high tide."

Instead, the Callahan Mining Corporation blasted a ditch across the cape to keep this unmined sector of Goose Pond as dry as it is today, and not as the U.S. Dept. of Interior stated, "an opportunity to mitigate fish and wildlife losses by development of the marsh complex above Dam No.2."

5. From sheet 1 of 2 continued Dikes and Road Beds Sec. A-A B-B

The proposed road bed and dikes on the causeway will be widened from the existing width of 15 feet to 31 feet by a dike 8 feet in width and a rock facing 8 feet in thickness.

(a) Instead, the road bed has been torn to shreds since July of 1966 until this date. The road bed has been widened for approximately one half the length of the causeway with guard post torn down in places, creating a hazard to drivers. No 8 foot rock shell or facing exists on the exposed mine side of the dike.

(b) Instead, part of the originally proposed dike "A" is now a mud bank slowly being eroded away by the rise and fall of the tides and is turning the waters of Goose Cove all the way over to Holbrook Island into a turbid mess. (Now in violation of F.W.P.C.A. water quality requirements Table #1 quote, TURBIDITY No turbidity of other than natural origin that will cause substantial visible contrast with the natural appearance of the water."

6. Callahan Mining Corporation has told the U.S. Dept of the Interior it has planned an impoundment for wildlife development as a mitigation measure.

Where and when will this mitigation measure be instituted /

(continued)

\* FACTS \*

7. Callahan Mining has told the United States Department of the Interior in April of 1966 that, "Mine tailings will be confined to company property, and mine residues will be prevented from escaping into adjoining estuarine areas."

(a) In January of 1966 at a meeting of the Maine Water Improvement Commission in Brooksville that Callahan operators ~~appear~~ to desire to add industrial waste water at the rate of 900 gallons per minute for eight hours a day into the Penobscot Bay.

(b) In January of 1967 at the annual meeting of the Blue Hill Chamber of Commerce a Mr. Gavin Young stated, "We will be pumping water with tailings at the rate of about 100 gallons per minute."

8. Callahan Mining vice president Mr. Jack James back in January of 1966 stated, "Since dust is very destructive to the machinery involved, all roads would be kept well maintained and watered to eliminate dust." "Heavy trucking would all be on company built and maintained roads on the mine property from the pit to the mill and disposal area."

(a) The dusty conditions endured by those in proximity of the mining operations this past summer and fall were almost intolerable. As a direct result of heavy trucking. Requests made repeatedly to the town of Brooksville for Calcium Chloride to suppress the clouds of dust were ignored. For those employed in a boarding business will mean ruin.

(b) The roads are in terrible shape, large trucks have gouged great ruts in the roads shoulders. Trucking of explosives this past summer on the public roads without proper escort for safety sake was a common occurrence.

9. At this same town meeting in Brooksville in January of 1966 Mr. Jack James stated further, "It is erroneous to think of blasting as a sharp report; the blasts are timed so that they don't go off all at once--it's more of a 'whoof'. It's also different from an underground mine in its frequency; it's much less, maybe only once a week."

(a) This is far from as Mr. James makes it sound, the blasts are sharp unnerving jolt. in Brooksville no doubt it is a 'whoof'.

(b) The blasts do not go off all at once there in the words of Mr. Maestretti (head of pit operations) "there is a milli second between the detonation of the charges."

(c) As to frequency of the blasting, usually daily, drilling and weather permitting.

10. Mr. Jack James said again at this town meeting in 1966, Our desire is to come into this town, make a substantial contribution to the local economy, and be good neighbors, we want to be as unobtrusive as possible.

(a) They have made one hell of a start.

Albert E. Sandecki



Thursday June 1st 1967

Called Brainard L. Farnham at 4p.m. to ask if SILSBY had contacted them they said no he had not.

Called Bill Baumgartner for advice.

FRIDAY JUNE 2ND 1967

Called Francis Marsano asked if he could take a case at this time he said yes.

Called Silsby to relieve him of his handling of my case asked him to send documents to Mr Marsano Said he will, asked for bill.

Called Marsano at 4:15 p.m. not in.

Called Farnhams to tell them of these past happenings. (NOT IN)

Called Marsano to tell him of my conversation with Silsby and asked him to visit the Farnhams. 6 PM

Albert T. Silsby, II

William S. Silsby, Jr.

Frank B. Walker

LAW OFFICES OF  
**SILSBY & SILSBY**  
ELLSWORTH, MAINE

June 2, 19 67

Albert E. Sandecki

50 Tanner Street

Haddonfield, New Jersey 08033

DATE STATEMENT DEBIT CREDIT BALANCE

To Professional Services rendered re Callahan Mining case  
including trip to Cape Rosier, research,  
telephone calls, correspondence and conferences \$100.00

\$100.00

50 Tanner Street  
Haddonfield,  
New Jersey 08033  
June 2nd 1967

Mr. Francis Marsano Esq.  
c/o Eaton, Glass & Marsano  
Savings Bank Building  
Belfast, Maine 04915

Dear Mr. Marsano;

As per our telephone conversations this past June 2nd, I am writing you to request your taking this case against the Callahan Mining Corporation of New York.

Other people are directly involved in this case, namely Mr. & Mrs. Brainard L. Farnham my friends and neighbors in Harborside, Maine. They have suffered the loss of a sale on a house they own as a direct result of the mining activity, as well as the ruin of a seasonal summer boarding business. They as well as I have had fly-rock from the blasting operations landing on their property all this past winter up until this past April 20th. No warning was ever given them prior to blasting, until my damage was made known to the Callahan officials. In other words they were put through hell this past winter, and to this date still suffer harassment at the hands of Callahan employees in the form of horn blowing by cars as the change of shifts occurs and so on and on.

It would be well worth your visiting the Farnhams at Harborside to not only view my damages first hand but to speak with them. Their telephone number is 326 4434 after 3:30 pm is the best time to catch them.

I hope by now Mr. Silsby has sent you the material I made available to him, and that you will find it helpful. This case has many ramifications, as I said before and I think it will be a challenge to your abilities as a lawyer. If after studying the material you decide to take the case, PLEASE go for the injunction or restraining order to stop Callahan Mining from further blasting as soon as you can (if you think that's in order). Then under your guidance we will take it from there.

I ask this as my experience has been in the past with this corporation that what they say is quite the opposite of what they do.

As I had mentioned over the phone I am not wealthy, although I will make every effort to meet the cost of this litigation. I would appreciate a letter from you describing the basis upon which you would handle the case and would appreciate your estimate of the projected cost of this case.

I have an unlisted phone number (children take naps) it is as follows Area Code 609 429 1310

I will be glad to help as much as you like, and will be up to Harborside on or about the 1st of July.

Sincerely yours,

Albert E. Sandeck

50 Tanner Street  
Haddonfield,  
New Jersey 08033  
June 2nd 1967

Mr. Herbert T. Silsby 2nd  
Silsby and Silsby Law Office  
68 Main Street  
Ellsworth, 04605  
Maine

Dear Mr. Silsby;

The suggestion of yours as to the best approach in this matter with Callahan Mining Corporation of New York, is in the opinion of the Farnhams and myself absurd.

I will not consider selling out to the firm nor will the Farnhams.

I feel you have not represented us in an equitable or aggressive manner in this case, by any stretch of imagination.

Furthermore, through your not attaining an injunction against the Callahan Mining Corporation right off, I feel you have jeopardized our case.

I would therefore at this time want you to forward all of the material I have sent to you to Mr. Francis Marsano Esq. who's address is below immediatly.

I want to clean the slate with you before giving the case to Mr. Marsano, By paying you for your services to date on our behalf.

I will as of this letter consider our association at an end.

Sincerely yours,

Albert E. Sandeeki

Send to:

Mr. Francis Marsano Esq.  
c/o Eaton, Glass and Marsano  
Savings Bank Bldg.  
Belfast,  
Maine  
04915

HERBERT T. SILSBY II  
WILLIAM S. SILSBY, JR.  
FRANK B. WALKER

LAW OFFICES OF  
**SILSBY & SILSBY**  
UNION TRUST CO. BUILDING  
ELLSWORTH, MAINE  
04805  
887-8848

June 1, 1967

Albert E. Sandecki  
50 Tanner Street  
Haddonfield, New Jersey 08033

Dear Mr. Sandecki:

I had a long conference with the attorney for the Mining Company. He suggested that a good solution to the problem would be to buy out you and the Farnhams.

The price of course would be a value of your property just prior to the mining operation, that is, what a fair market value of your property would have been if the objectionable mining operation hadn't been started.

Are you interested in this type of solution and if so how much do you think is a fair value for your property.

Sincerely,

*Herbert T. Silsby II*

Herbert T. Silsby, II

HTS:fsb

# The WEEKLY PACKET



Second class postage paid at Blue Hill, Maine 04614, Thursday, June 1, 1967

## Brooksville tax rate drops 10 per cent

Brooksville--A boost of over a quarter million dollars in assessed valuation has given the Town of Brooksville a ten per cent cut in its tax rate this year. The bulk of the increased valuation has come from development of the Callahan Mining Corporation's Cape Rosier mine.

Total valuation this year is \$3,809,110, up \$261,120 from a year ago. The tax rate dropped from \$20 per thousand to \$18.

Resident valuation is up \$37,970. Resident land value dropped \$980 to \$443,320, resident building valuation increased \$37,420 to \$1,265,470 and resident personal valuation increased \$1,520 to \$234,540.

Non-resident total valuation is \$1,975,780, an increase of \$223,160. Valuation of non-resident land dropped \$6,240 to \$689,810 while non-resident building valuation increased \$21,140 to \$996,140.

But the big jump came in non-resident personal property valuation, largely machinery at Callahan, increasing \$208,260 to \$289,830. Callahan's total valuation is \$280,340, and yields a tax return of over \$5,000.

# The Ellsworth American

Established 1850

Published every Wednesday afternoon at Ellsworth,  
Maine 04605 by Ellsworth American Inc.

Hale G. Joy, Editor

WEDNESDAY, MAY 31, 1967

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## A MATTER OF CONVENIENCE

After dynamiting at the Callahan mine on Cape Rosier sent a boulder smashing through the roof of a nearby cottage. Maine's Department of Labor and Industry sent someone on a token visit to the mine, presumably to see what precautions were being taken to avoid such dangerous mishaps. On May 16, the owner of the damaged house received a letter from Howell G. Cutter, the department's Industrial Safety Director. We quote from it.

"Dear Mr. Sandecki:

On Friday, May 12, one of our inspectors visited the Callahan Mining Corp. Unfortunately, because of poor weather conditions no blasting was in progress - - - "

That's what we call a real thorough investigation.

The inspector left the mine area at 4:00. By 4:30, the weather had miraculously cleared sufficiently to enable Callahan to start blasting again.

MAY 25<sup>th</sup> - 30<sup>th</sup> 1967

MAY 25<sup>th</sup> ARRIVE HARBORSIDE 7:15 PM.

MR. TREADWELL WITH RELEASE IN HAND. WANTED METB SIGN AFTER WE WENT OVER HIS ADJUSTMENT EST.

CALLED SILSBY HE SAID DONT SIGN UNTIL HE SEES IT.

MAY 26<sup>th</sup>

MR. MAESTRATTE STOPPED BY TO SAY THEY WILL BLAST IN 5 MINUTES. - ASKED IF (MARY & MALCOLM GRAYS) HOUSE WAS OCCUPIED - IF ANY ONE WAS HOME? I ANSWERED THERE IS SOMEONE THERE ALL THE TIME. (DRILLING EVENING)

MAY 27<sup>th</sup>

DRILLING - NO BLAST (MR. H.T. GREEN STOPPED IN TO SEE DAMAGE)

MAY 28<sup>th</sup>

NO WORK AT MINE.

MAY 29<sup>th</sup>

SILSBY ARRIVED AT 11:45 AM - SAID HE THINKS IT WILL BE A COURT CASE. I GAVE HIM THE ORIGINAL OF MY OUT OF COURT SETTLEMENT LIST. HE SAID HE WILL SEE CALLAHAN'S LAWYER LATER THIS AFTER NOON. HIS ESTIMATE OF THE COST OF LITIGATION WAS \$400.00 - \$500.00

MR. <sup>F.M.</sup> GREEN OF VAIL ROAD, POUGHKEEPSIE, N.Y. STOPPED BY TO OFFER FINANCIAL ASSISTANCE OF \$100.00.

MAY 30<sup>th</sup>

TALKED TO SILSBY HE HAS AN APPOINTMENT WITH FENTON MAY 31<sup>ST</sup> WILL CALL ME AS TO OUTCOME.

BRAINARD AND I WENT TO MINE SITE AT 4:15 PM → AND MET A MR. CLARENCE LYMBURNER WATCHMAN FOR CALLAHAN MINING CORP. I SAID, "I WANTED TO SEE MR. WHITELY" HE SAID, "NO ONE IS HERE" I SAID, "I WOULD LIKE TO GET A SAMPLE OF ROCK FROM THE BLASTING AREA." I WAS GIVEN PERMISSION TO DO SO BY MR. LYMBURNER. I GATHERED 4 PIECES 2 FROM A PIT BELOW THE MINE OFFICE NORTH SIDE BY EAST SIDE 2 FROM SOUTH BY EAST SIDE OF MINE OFFICE PITS WERE BELOW SURFACE BY ABOUT 50' IN DEPTH. BRAINARD & I THANKED MR. LYMBURNER & LEFT AT 4:25 PM.

WITH BLF. →



SETTLEMENT OUT OF COURT

1. NOTHING WILL SATISFY ME OTHER THAN COMPLETE CESSATION OF THIS DESTRUCTIVE ACTIVITY OF CALLAHAN MINING CORP. OF NEW YORK, N.Y. ON CAPE ROSIER, MAINE.
2. I WANT ENOUGH TO PURCHASE A COMPARABLE PROPERTY ELSEWHERE AWAY FROM THIS MINING OPERATION, AND RESTORE MY PRESENT PROPERTY TO A RENTABLE OR SALEABLE STATE.
3. I WANT \$ 5,000.00 FOR THIS PROPERTY TO COVER MY ORIGINAL PURCHASE PRICE AND IMPROVEMENTS MADE TO DATE, AS THE PROPERTY IS UNSAFE, WORTHLESS AND A COMPLETE LOSS.
4. TAKE UP COURT PROCEEDINGS TO CEASE CALLAHAN MINING'S OPEN PIT OPERATIONS ON CAPE ROSIER, AT HARBORSIDE, IN HANCOCK COUNTY, STATE OF MAINE.

ALBERT E. SANDECKI  
50 TANNER STREET  
HADDONFIELD,  
NEW JERSEY

ORIG TO 512534 MAY 29<sup>th</sup> 1967

May 23, 1967

Mr. Albert E. Sandecki  
50 Tanner Street  
Haddonfield, New Jersey 08033

Dear Mr. Sandecki:

In reply to your recent letter regarding the Callahan operation at Cape Rosier, I wish to advise you that I have investigated the problem of blasting on the property.

I do regret that one of the blasts caused a rock to hit your house, and I hope that the arrangements you have made with the company for repair and damages have been satisfactory. I hope that there will be no repetition of this incident.

Regarding the Maine Safety Code, it was decided last year that the agency which could most effectively handle this sort of thing was our Department of Labor and Industry. I have suggested on several occasions that the Department begin a study of the problem with my assistance and possible direction. Until the present time, it has not been possible for the Department of Labor and Industry to implement this decision. I am still hopeful that we will get a safety code for mining in Maine in the near future.

Very truly yours,

MAINE GEOLOGICAL SURVEY

Robert G. Doyle  
State Geologist

RGD:glb

Sandecki, Albert

50 Tamer Street  
Haddonfield,  
New Jersey, 08033  
May 22, 1967

Mr. Murray Stein  
United States Department of the Interior  
Federal Water Pollution Control Administration  
Washington, D.C. 20242

Dear Mr. Stein:

Thank you very much for your letter of May 18th, and the report on the pollution of the Penobscot River.

I would appreciate any further information as it develops in regard to the matter. If I can be of any assistance in the future please do not hesitate to contact me.

This is not a recent concern of mine as I have been actively opposing this possible source of pollution by the Gallahan Mining Corporation since January of 1966. I have found through experience that what this firm says is one thing, and what is done is quite another.

I have a detailed file concerning this situation to back up the above statement.

I noticed on page 18 of the report a reference to a Federal Enforcement conference, I trust this was the conference in Belfast this past April 20th. If not when and where is it to be?

Again, thank you for your time and efforts, it is truly a fine feeling to know your agency is doing something about this problem on the Penobscot River and Bay.

Sincerely yours,

Albert E. Sandecki

Harborside, Maine (Spring, Summer, Fall)

Haddonfield, N.J. (Winter)

Thursday Evening. MAY 18<sup>th</sup> 1967

Dear Albert & Jean,

It just came to me this evening that those two telephone calls I sent to you were those we called you. Neither of us thought of that. I guess we are going through life too fast we don't have time to think. I thought they might have charged you twice for some of your calls and I sent the slip to you so you could check them. I am so sorry. It is terrible to get old and so dumb and forgetful.

We are sending you an Ellsworth American we thought you might like one.

I called and told the girl in the office to tell Herbert he could call you any time you was at home. I hope every thing turns out O.K. Every thing seems to have gone wrong so far. How did you like the letter from the safety department? They sent us a copy. We didn't think much of it. They blasted right after he was here that night. They have blasted twice to-day, real heavy this noon and to-night was lighter and they didn't tell us.

We haven't planted any of our garden yet. I will be pleased when that is all done. They have planted quite a lot on the island.

Brainard is asleep in his chair. He is tired

When night comes.

The drill is real noisy to-night, it was last night too. Brainard says it sounds like we hear Mr & Mrs Boring won't be here this summer. The last we heard he couldn't walk with a walker.

Bob & Van Selke plan to come May 27<sup>th</sup> for the week end. I think they plan to stay at the Cottage.

I must close and go to bed, we are awfully tired. We are looking forward to seeing you next week. It is awfully lonesome here.

Best wishes to all from all of us.

Sincerely,

Marian

Please don't send any money for the telephone calls as I feel sure they are ours.

# RECORD OF BLASTING

- April 19<sup>th</sup> 1967 - BUNGALOW DAMAGED BY 62 POUND ROCK  
APPROX. 3:40 PM. / MARY GRAY.
- April 20<sup>th</sup> - HEAVY BLAST 4:30 PM NO WARNING
- MAY 12<sup>th</sup> - HEAVY BLAST PM NO WARNING
- MAY 18<sup>th</sup> - HEAVY BLAST (NOON) LIGHT (EVENING) WARNING NOON  
NO WARNING EVENING
- MAY 26<sup>th</sup> - VERY LIGHT BLAST 5:55 PM WARNED.

LAW OFFICES OF  
SILSBY & SILSBY  
UNION TRUST CO. BUILDING  
ELLSWORTH, MAINE  
04605  
667-8646

HERBERT T. SILSBY II  
WILLIAM S. SILSBY, JR.  
FRANK B. WALKER

May 18, 1967

Albert E. Sandecki  
50 Tanner Street  
Haddonfield, New Jersey 08033

Dear Mr. Sandecki:

I have talked with the attorney for Callahan Mining Company and he tells me that the company wishes to settle this matter without court proceedings. He says they are willing to talk about this matter along the line of anything we might accomplish in court.

I feel this is a proper first step as it would save considerable amount of time and expense for all concerned if something sensible could be worked out.

I have the case already to file in court but have held up. I will try to reach you by telephone before you receive this letter.

Sincerely,



Herbert T. Silsby, II

HTS:fsb

50 Tanner Street  
Haddonfield,  
New Jersey 08033  
17 May 1967

Mr. Herbert T. Silsby 2nd  
Silsby & Silsby Law Office  
68 Main Street  
Ellsworth,  
Maine 04605

Dear Mr. Silsby,

I feel quite concerned in that I have not yet heard from you in regard to the situation with the Callahan Mining Corporation.

I would appreciate some idea of what if anything is being done.

Callahan Mining, I understand from the last letter I received from the Farnhams, have resumed blasting, although they now warn the neighbors.

I get the feeling that the longer the delay in action against Callahan Mining the less of a case I will have. They may alter their procedures to such a degree by the time this comes up that it seems to me that we will be patted on the head and told something like, "We are sorry this has happened and all has been taken care of."

At this point I feel the wheels of justice are quite still, if I am wrong would you please let me know.

I realize we all have to wait our turn, this is important to people other than myself, and frankly these are questions that I think of, and can think of nothing else to do other than ask you.

What has been accomplished ?

What is the status of the case to date ?

In my letter to you on April 25th, I said, " I will have to figure carefully and budget before hand to provide what is necessary." requesting furthermore your estimate of the projected cost of this litigation. I have received no word on this important point as of this time.

These things I think of and would I believe deserve an answer.

Sincerely yours,

Albert E. Sandeck



MISS MARION E. MARTIN

COMMISSIONER

~~EDMUND W. SORELL~~ Howell G. Cutter

DIRECTOR



INDUSTRIAL SAFETY INSPECTORS

HERBERT S. EDGECOMB

FRANK ISBISTER

GEORGE L. BATES

STATE OF MAINE

DEPARTMENT OF LABOR AND INDUSTRY

INDUSTRIAL SAFETY DIVISION

AUGUSTA, MAINE 04330

623-4511  
EXTENSION 362

May 16, 1967

Mr. Albert E. Sandecki  
50 Tanner Street  
Haddonfield, New Jersey 08033

Dear Mr. Sandecki:

Re: Callahan Mining Corporation

On Friday, May 12, one of our inspectors visited the Callahan Mining Corporation. Unfortunately, because of poor weather conditions no blasting was in progress.

We were advised that for the past two weeks they have had two blasting experts at the location and have instituted an entire new procedure to be followed in their blasting operations. We trust that these new procedures will eliminate the conditions outlined in your letter of May 8.

Very truly yours,

*Howell G. Cutter*

Howell G. Cutter  
Industrial Safety Director

HGC:sjj

cc: Mr. Brainard L. Farnham

*BLASTED SHORTLY AFTER INSPECTORS VISIT (FARNHAM)*

50 Tanner Street  
Haddonfield,  
New Jersey 08033  
May 8th 1967

Mr. Howell G. Cutter  
Industrial Safety Director  
Department of Labor and Industry  
Industrial Safety Division  
Augusta, Maine 04330

Dear Mr. Cutter:

Back in March of this year I requested information in regard to safety codes and rules pertaining to open pit mining.

I am writing to you at this time to ask your help in a matter that I feel is most dangerous to life, limb and property, and is in need of your divisions inspection.

Namely the operations of Callahan Mining Corporation of New York and it's open pit near Harborside on Cape Rosier, Hancock County, Me.

This past April 18th at approximately 3:15 p.m. my bungalow situated about 375 yards from the Callahan Mine was struck by a piece of fly-rock from their blasting operations. The rock measured roughly 15"x12"x 5" and weighed exactly 62 Pounds, causing my house quite a bit of damage.

Therefor under Section 45 Chap. 10 of the "Labor Laws of Maine" (of the book you sent to me) and your statement of your division having broad powers of inspection in regard to safety, I respectfully request that you look into this matter as soon as it is possible.

A Mr. Brainard L. Farnham of Harborside, Maine will fill you in on all details pertaining to this situation. He is my neighbor having a key to my house if you should desire to see the damage. Mr. Farnham is usually at home from 3:30 p.m. daily. I would strongly suggest you or an agent of your department speak to him, as he too is directly involved in this matter by fly-rock landing on his property too.

Please pardon my delay in writing to you, as my work schedu~~le~~ here in Haddonfield, N.J. was interrupted by this incident and my work had piled up and now things are a bit more under control.

I sincerely hope you can do something in regard to this most dangerous situation to my family and neighbors in Harborside, Maine.

Sincerely yours,

Albert E. Sandecki

50 Tanner Street  
Haddenfield,  
New Jersey 08033  
May 8th 1967

Mr. Robert G. Doyle  
Maine Department of Economic Development  
Room 211 State Office Bldg.  
State House  
Augusta Maine 04330

Dear Mr. Doyle:

In regard to past correspondence between us on Maine mining laws, I would like to request your opinion and what if anything your department can do in regard to irresponsible blasting procedures carried out by the Callahan Mining Corporation on Cape Rosier, Hancock County, Maine?

This past April 19th my house in Harborside, Maine situated approximately 375 yards from where blasting is in progress at the mine was struck by a piece of fly-rock measuring 15"x12"x 5" and weighing exactly 62 pounds. Needless to say doing quite a bit of damage.

In reading over past reporting by the Weekly Packet of Blue Hill, Me., in the January 20th issue you were quoted as saying, "Through control of the license, the bureau can control operations so they do not become obnoxious."

Well Mr. Doyle I should like to submit that these operations have not only been obnoxious, but they have gotten to the point of being damn dangerous to those living near the mine, as evidenced by the rain of fly-rock from the blasting.

You further stated at the hearing in Augusta, "A completely new mine safety law is being prepared to present to the 1967 legislature, and should be in effect before Callahan ever starts actual mining."

I would like to know the present status of these new safety laws at this time.

I feel my property, ~~and~~ neighbors are endangered by Callahan Minings blasting procedures.

What is going to be done about it ?

Sincerely yours

Albert E. Sandecki

# York Mutual

INCORPORATED 1894

## INSURANCE COMPANY OF MAINE

WEST BUXTON, MAINE

5/8/67

Mr. Albert E. Sandecki  
50 Tanner Street  
Haddonfield, New Jersey 08033

Dear Mr. Sandecki:

Your letter received of recent date and, was glad to hear from you.

Regarding the blasting and damage by Callahan Mining Company on April 19th at 3:40 P. M., I personally have talked with some of the other property owners about their claims and find that the carpenters have been paid for their work. However, where you have a questionable amount of damage, we are asking the adjuster to come down and make an estimate for you. Mrs. Farnham says you will be there the week of the 21st so, we are requesting him to come that period so that you may talk with him and show both inside and out of the house.

Of course the insurance companies stand behind these damages but, in turn, subrogate the amount to the Company which is legally liable.

We hope this will be satisfactory to you and in the meantime you may gather your estimates of repair and present them thru us to the York Mutual Insurance Company. We feel sure a satisfactory settlement may be made and want you to be satisfied.

With best wishes, we are

Sincerely yours,

R. S. WARDWELL AGENCY

by  
S

*Red Spurling*  
*for Fred Wardwell*

50 Tanner Street  
Haddonfield,  
New Jersey 08033

Ralph S. Wardwell Agency  
Castine, Maine 04421

Dear Mr. Wardwell,

I have recieved your statement for the continuance of the insurance on my property in Harborside, Maine.

Quite frankly I would like to know where I stand with the York Mutual Insurance Company and you my agent in regard to the damage which has occurred at my bungalow.

The policy I have from you states on line 90 "The insured shall give immediate written notice to this company of any loss"

I am in the process of having the damages and repairs necessary assesed and will forward them to you as soon as I have them completed.

Miss Spurling in a telephone conversation with me on April 20th stated, " You are the fifth or sixth person who has had claims against Callahan Mining, just have it fixed and send them the bill."

This situation may become involved so I would appreciate further explanation of her statement, and again would like to know where I stand with my York Mutual Policy #61356 and form D- No. I.

Sincerely yours,

Albert E. Sandecki

50 Tanager Street  
Haddonfield,  
New Jersey 08033  
5, May 1967

Mr. Dana S. Treadwell Res. Adj.  
The Continental Insurance Company  
P.O. Box # 014 Bangor,  
Maine 04401

Dear Mr. Treadwell,

I have received your note and Mr. Herricks estimate for the repairs necessary to my bungalow in Harborside, Me.

As you may or may not know I had an estimate by Mr. Fredrick Dyer, as he has done work for me in the past. Enclosed is a copy of Mr. Dyers estimate, in comparison Mr. Herricks estimate is a bit low.

I believe Mr. Dyers estimate is a bit more in line with the damages, and a good deal more detailed.

Mr. A.B. Herrick and I had a telephone conversation on April 28th and I said to him quote, "I would like to have you do the work and would appreciate your putting Malcolm Gray on the job, as he is a neighbor and a friend and from what I hear a good workman." I then said, "I will give you the go ahead with the repairs after I see a copy of your estimate."

I understand Mr. A.B. Herrick is a bit hard of hearing and he may have missed my last statement. To date I have not given this go ahead.

I have a few points in regard to Mr. Herricks estimate. Firstly, I would appreciate a more detailed account on at least important items such as the following:

1. Type of material to be used on the new ceiling.
2. Type of wiring material to be used to replace damaged B.X.
3. Will all junction boxes be checked for loose connections? to guard against fire hazard?

Items not mentioned that I am concerned about are: New automatic washers front panel scratched, by falling debris. Broken table is not mentioned. Lastly the kerosene lamps were antiques the two broken had a total value of \$ 25.50 and not at all replaceable for \$ 4.00 as in Mr. Herricks estimate.

As Mr. Herrick is the estimator on your side of the fence so to speak, I would appreciate your making him aware of these points, and my desire for a more complete estimate on his part. Upon receiving it I will be happy to have him do the work, with the condition that Mac Gray is put on the job, as A.B. Herrick said he would be.

SINCERELY YOURS,

Albert E. Sandecki

DEPARTMENT OF INDUSTRIAL RELATIONS

DIVISION OF INDUSTRIAL SAFETY

455 GOLDEN GATE AVENUE  
SAN FRANCISCO



ADDRESS REPLY TO:  
P. O. BOX 603  
SAN FRANCISCO, CALIF. 94101

May 2, 1967

Mr. Albert E. Sandecki  
50 Tanner Street  
Haddonfield, New Jersey 08033

Dear Mr. Sandecki

Subject: Open Pit Mining

I am enclosing a copy of our Quarry and Open Pit Mine Safety Orders, which should assist you in developing regulations for this type of operation.

California adopted these Safety Orders to reduce injuries that occurred in open pit and quarrying operations.

Very truly yours

A handwritten signature in cursive script that reads "J. R. Signer".

J. R. Signer  
Supervising Engineer  
Mineral Industries Section

/md  
Enc

OFFICE OF THE  
DEPUTY MINISTER



em

FILE NO.

ALBERTA  
DEPARTMENT OF MINES AND MINERALS



~~NATURAL RESOURCES BUILDING~~  
~~EDMONTON, ALBERTA~~  
AGRICULTURE BUILDING  
9718-107 TH STREET  
EDMONTON, ALBERTA

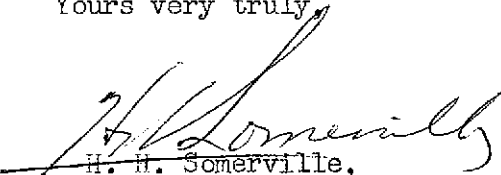
May 3, 1967.

Dear Sir:

I have for acknowledgment a copy of your letter of April 4th which was forwarded to me by the Department of Labour.

Copies of The Coal Mines Regulation Act and The Quarries Regulation Act with the regulations established thereunder are enclosed.

Yours very truly,

  
H. H. Somerville,  
Deputy Minister.

Encls.

Mr. Albert E. Sandecki,  
50 Tanner Street,  
HADDONFIELD, New Jersey,  
U. S. A.



United States Mining Laws  
- from -  
Mining Engineers Handbook  
Peele 3rd Edition Vol II

Theory of U.S. Mining Laws 24-05 (5)

Mining is not a public utility but a private industry. Subject to regulations, like all other industries. ( Lindley P. 120 )

Upon issuance of deed of Government, mining land becomes private property subject to the same rules of law as other real property. (Lindley par. 22) No government supervision after it parts with title to the land.

Mining Act of 1872 "APEX LAW"

No claim shall extend more than 300 ft. on each side of the middle of the vein at the surface. No claim may exceed 1500 ft. in length. The end lines of each claim shall be parallel to each other.

27. Tunnel rights- Shall have the right of possession of all veins or lodes within 3000 ft. from the face of such tunnel on the line thereof. Six months of no work on the tunnel is considered abandonment of rights to all undiscovered veins on line of such tunnel.

51. Vested rights to use water for mining. Right of way for canals. Whenever by priority of possession, rights to the use of water for mining purposes, have vested and accrued, and the same are recognized and acknowledged by the local customs, laws, and the decisions of the courts, the possessors and owners of such vested rights shall be maintained and protected in the same; and the right of way for the construction of ditches and canals for the purposes herein specified is acknowledged and confirmed; but whenever any person, in the construction of any ditch or canal, injures or damages the possession of any settler on the public domain, the party committing such injury or damage shall be liable to the party injured for such injury or damage.

Dept. of Commerce - Bureau of Mines - Washington, D.C.  
President of U.S. appoints director of Bureau of Mines.  
Secretary of Interior appoints employees of Bureau of Mines,

- Types of Claims -

LODE CLAIM Law of 1872 Max. Length 1500' Max. Width 600' Not to Exceed 300' each side of vein at surface.

PLACER CLAIM General claim on ground containing valuable mineral deposits not in lode or vein formation. Declaration required section 37 of U.S. Code (supra) with each intended claim.

EXTRALATERAL RIGHTS Right to follow vein beneath the surface of land owned by another. Extralateral Law:- Chap. 2 Title XXX U.S. Code Art. 7 Section 23-- In order that extralateral rights may exist end lines of claims must be parallel (Sec. 2 320 U.S. Rev. Stats Iron Silver Mfg. Co. vs Elgin Mfg. Co. 118 U.S. 196)

Page 10- 430

OPEN-CUT MINING SEC. 94. Open pits, general definition; This is a favorite "poorman's" mode of obtaining capital for subsequent work, regardless of ultimate economy. Open Pits produce ore cheaper than possible with underground methods. An open cut can seldom be entirely mined by open cut; underground work is usually required in depth, and in some cases to mine the ore around edges of deposit. In general, ground is broken cheaper in open cuts than in stopes, because of the large faces and use of heavy blasts.

OPEN CUT MINING WITH POWER SHOVELS SEC. 96 Generally power - shovel methods involve large capital outlay, for equipment and preliminary stripping; hence properly worked, they yield enormous outputs at low unit costs.

PLAN OF WORK: Ore bodies are thoroughly explored by boring and ore contours plotted on maps. Always when ore crushing is necessary it is loaded into pit cars of 4-30 cu. yd. capacity for delivery to plant or rail head. Some companies strip only in winter and mine ore during shipping season. COMMON EQUIPMENT includes a revolving caterpillar power shovel with 8-10 cu. yd. dipper, reach to 95ft. lift to 56ft. Trucks 15-20 ton capacity side or end dumping 6 wheel type preferred. Diesel engines top speed 15 m.p.h. loaded or empty, road grades of 8-10 percent are feasible for loaded vehicles.

STRIPPING DUMPS: Located on barren ground where other mining is not anticipated. Desirable lengths of dumps are 1,200 - 1,400 feet in length, 20 - 40 feet is preferred height.

MINING ORE: Common practice is use of 6 inch churn-drilled holes to about 40%, 5 or 6 feet below the bottom of the bench (step like configuration) loaded with Galamite 60-80% and fired (as many as 100 at a time). Figures based on Mesabi Range Copper Open Pit, average size of 20 acres up.

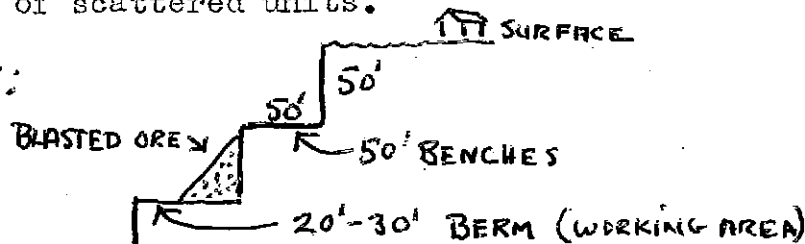
WATER DRAINAGE FROM PIT: Drifts are run under the pit to collect water and lead to a shaft at the edge of the pit, whence it is pumped to the surface.

ADVANTAGES OF OPEN PIT WORKINGS: 1. Lowest cost method.  
2. Well opened pit, output can be varied greatly, work may be stopped or started easily, though with a loss of interest on investment.  
3. Mineral within the pit limits is completely extracted. 4. Large working faces allow ore to be broken with minimum drilling and blasting.

DISADVANTAGES OF OPEN PIT MINING:

1. The surface is destroyed for other purposes.
2. Surface rights of way and room for dumps must often be purchased.
3. Large capital outlay, slow return.
4. Open pits are limited to relatively small depths.
5. Work is stopped or seriously hindered by bad weather.
6. Open Pit collects snow and rain and tends to drain water from the surrounding surface. Expensive to pump. Mud rushes a danger.
7. Great masses of waste must be mined and handled.
8. Plant is of scattered units.

PIT DATA:



50 Tanner Street  
Haddonfield,  
New Jersey 08033  
2, May 1967

Mr. Herbert T. Silsby 2nd  
Silsby and Silsby Law Office  
68 Main Street  
Ellsworth,  
Maine 04605

Dear Mr. Silsby,

Never having experienced a situation of this sort I do not know if the following information need be sent to you, I feel it may be of importance.

April 27th, 1967 2:55 p. m., Haddonfield, New Jersey.

A Mr. Jack James, vice president of natural resources activity for Callahan Mining called this afternoon. The following is not verbatim but the general context of the conversation.

Mr. James said, "I have been in Harborside and have looked into this situation in regard to your damage, and want to tell you we have called in outside experts to revise our blasting procedure." I said, "I could get no assurance from Mr. McGuffie or Mr. Whitley that this would not happen again, I am concerned for my family's sake."

Mr. James stated, "I have read the article in the Ellsworth American today and hope that we can be good neighbors." I want you to know that we have called in outside experts and are making revisions in our blasting procedures, we had no previous knowledge of fly-rock."

I then asked, "What are these revisions in your blasting procedure?" Mr. James answered, "It gets into technical facts." I said, "I have read into open pit mining procedures and have some degree of knowledge of this work, what exactly are these procedures?" He said, "Well things such as depth, spacing and so forth."

I asked, "Well what of warnings to the local residence, such as a whistle, knock at the door or the like?" Mr. James stated, "Well we warn our employees." I said, "That's a very practical step, what about those who live a hundred or so yards from the blasting?" He said, "I will look into it, I think it's a good idea and I will certainly look into it." I agreed to its being a good idea.

Again Mr. James said, "WE want to be good neighbors and will go out of our way to do so." I said, "I understand everybody has to make a living, and if you had any other pertinent facts in regard to the situation please feel free to call again."

Mr. Silsby if these conversations are of interest to you please let me know, and I will send them on to you. If however they are not I will not bother you with them.

Sincerely yours,

Albert E. Sandeck

D. Fredrick Dyer

Building - Estimating - Contracting

Tel. FAirview ~~326-4307~~ 326-4307

~~Cape Breton~~, Maine

West Brooksville

May 1 1967

Dear Mr Sandecki:

I estimate it will cost \$504. to repair damages to your Cottage at Harborside, Maine.

This would include

replacing 2 lamps

" 1 stone

" 1 kitchen table

repairing roof damage

installing new ceiling

repairing floor damage

Checking wiring for possible damage

Painting kitchen walls and floor

Sincerely,  
Fredrick Dyer

	\$
Ceiling tile	24.00
1x3 strapping	7.00
6 pcs 2x4x16	7.50
2 " 2x4x12	1.75
bedmolding	6.50
sheathing (roof floor)	5.00
roof shingles	3.00
nails (roof)	.25
fir flooring	8.00
wall paint	4.50
check repair wiring	25.00
floor paint	4.50
new stove	50.00
new table	40.00
new lamps	15.00
2x6x12	1.50
labor	300.00
	\$504.00

I will send you this material list. Do not accept any less than this amount to repair your house damages. I feel quite sure Herich's estimate will be more than this. But I know the work can be done for the \$504 estimate.

Clain v. Callahan

- if there is concern  
about "backlash"  
of claims against you,  
ask Fran for

"general release"

to be signed by Callahan.

+ to be obtained  
at same time

your release is  
submitted to Callahan.

From please do not ever most  
Concerned

is  
done

my attorney to protect me  
from ~~personal~~ liable

Slender definition suit

Bill White's general releases  
both ways - have made  
a vacation about mine officers  
and want to be protected  
from suit

Definition  
list names

Alaska <sup>ETAL</sup>  
within limits

~~MR. SHEPHERD GREEN~~

3384545 14

3381110 OF

25/804  
14

TO THIS RELEASE A STANDARD FOR DAMAGES IN THE STATE OF MAINE?

REF. DOES MY SIGNATURE ON THIS RELEASE JEOPARDIZE MY POSITION IN REGARD TO ANY FUTURE INCIDENT THAT MAY OCCUR TO MY PERSON OR PROPERTY — CAUSED BY THE CALLAHAN CORP.?

REF. IF I SIGN THIS RELEASE AM I VULNERABLE TO LEGAL ACTION ON THE PART OF CALLAHAN MINING OR THEIR INSURANCE CARRIERS — (REF. CIRCLED PORTION OF RELEASE)

REF  
0,  
15/1  
7  
1.9

REF. WOULD OR COULD A FIRM MEANS OF PROTECTION BE REALIZED FOR MY NEIGHBORS AND MYSELF IF I WERE TO SEEK COURT ACTION, INSTEAD OF AN OUT OF COURT SETTLEMENT? (ESTIMATE OF FEES FOR LITIGATION)

80 MY NEIGHBOR BRAINARD FARNHAM (70 YEARS OLD) HAS HAD THREE INCIDENTS OF FLY-ROCK TRESPASS SINCE MY DAMAGES, ALTHOUGH CALLAHAN HAS ASSURED US THAT THIS HAZARD WOULD BE CONTROLLED. (UPON INFORMING THE COMPANY OFFICIALS OF THESE INCIDENTS — I WAS TOLD THAT, 'ITS IMPOSSIBLE, THIS IS HYSTERIA ETC. ETC.')

AUGUST 25TH WAS THE LAST KNOWN INCIDENT — AS THE FLY-ROCK HAS A CURIOUS HABIT OF VANISHING.

I DO NOT WANT TO MISS A CHANCE OR OVERLOOK THE POSSIBILITY OF FIRM CONTROLS BEING BROUGHT TO BEAR ON THIS COMPANY ~~AS I AM~~ <sup>AM</sup> CONCERNED FOR THE LIVES OF MY FAMILY AND NEIGHBORS.

MONEY IS SECONDARY AS FAR AS DAMAGES ARE CONCERNED — ALTHOUGH I HAVE INCURRED EXPENSES AND WOULD LIKE TO BE MADE WHOLE.





OFFICE Tel.: BAngor 942-4661

HOME 942-5971

DANA S. TREADWELL  
Resident Adjuster

THE CONTINENTAL INSURANCE COMPANIES  
P. O. Box 814, Bangor, Maine 04401

WARDWELL'S AGENT

WALTER J. CONSTANTINE  
INSURANCE ADJUSTER

OFFICE 19 FOURTH ST.  
BANGOR, MAINE

P. O. BOX 294  
PHONE 945-6591  
HOME PHONE 945-3382

29 MAY 1967

MR. SILSBY SAID NOT  
TO SIGN THIS RELEASE

G. Sambuch

# RELEASE OF ALL CLAIMS

## Read Carefully Before Signing

To All to Whom These Presents Shall Come or May Concern,

GREETING: Know ye, That We ALBERT E. SANDECKI AND JEAN S. SANDECKI  
residing 50 TANNER STREET, HADDONFIELD, NEW JERSEY 08033

For the sole consideration of the payment to us at this time of the sum of FOUR HUNDRED SEVENTY - ONE & 50/100 Dollars  
(\$471.50) the receipt of which we hereby acknowledge, do both jointly and severally hereby  
release, acquit, and forever discharge CALLAHAN MINING CORP. ETAL

his, her, their or its agents and servants, successors and assigns, heirs, executors and administrators, and  
all other persons, firms and corporations, of and from any and all actions, causes of action, claims, de-  
mands, damages, costs, loss of service, expenses and compensation, which we now have, or may hereafter  
have, on account of, or arising out of any matter or thing which has happened, developed, or occurred,  
before the signing of this release, and particularly, but not in limitation of any of the foregoing general  
terms, because of the accident, casualty, or event, which occurred on or about the 1974  
day of APRIL 19 67, at or near HARBOR SIDE, MAINE

We hereby declare and represent that the injuries then sustained may be permanent and pro-  
gressive, and that recovery therefrom is uncertain and indefinite, and that all of the injuries, damages,  
and losses may not now be fully known to us, and may be more numerous or more serious than we now  
expect, and in making this release and agreement, it is understood and agreed that we rely wholly upon  
our own judgment of the future development, progress, and result of the said injuries known, and  
unknown, and that we have not been influenced to any extent whatever in making this release by any  
representations, or statements regarding said injuries, or the legal liability therefor, or regarding any  
other matters made by the party or parties who are hereby released, or by any person or persons repre-  
senting such party or parties, or by any physician or surgeon employed by such party or parties, and that  
we accept the above mentioned sum in full settlement and satisfaction of all claims or demands whatso-  
ever, for injuries known, and unknown.

We further understand and agree that this settlement is the compromise of a doubtful and disputed  
claim, and that the payment made is not to be construed as an admission of liability on the part of the  
party or parties hereby released by whom liability is expressly denied.

We further declare and represent that no promise or agreement not herein expressed has been  
made to us, and that this release contains the entire agreement between the parties hereto, and that the  
terms of this release are contractual, and not a mere recital.

We further state that each of us is over twenty-one years of age; that we have carefully read the  
foregoing release, and know the contents thereof, and that we sign it as our own free act.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on the \_\_\_\_\_  
day of \_\_\_\_\_ 19 \_\_\_\_\_

### CAUTION: THIS IS A RELEASE . . . READ BEFORE SIGNING

(I have read the above <sup>HR</sup> release of all my claims)

[SEAL]

(I have read the above <sup>JRS</sup> release of all my claims)

[SEAL]

IF SIGNED BY MARK USE PRINTS OF RIGHT THUMBS

# Acknowledgment Before Notary Public or Commissioner of Deeds

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } ss.:

On the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ before me personally came

\_\_\_\_\_

*known to me to be the individuals described in and who executed this Release, and each individually acknowledged a full understanding of its contents and meaning and a due execution of the same as a free act and deed and for the sole consideration therein expressed.*

## Certificate of Witnesses

*We, the undersigned, do hereby certify that this Release was executed in our presence and that said*

\_\_\_\_\_

*each individually acknowledged a full understanding of its contents and meaning and due execution of the same as a free act and deed and for the sole consideration therein expressed.*

*WITNESS our hands and seals on the day, month, and year aforesaid.*

\_\_\_\_\_  
(Name) [SEAL] (Address)

\_\_\_\_\_  
(Name) [SEAL] (Address)

\_\_\_\_\_  
(Name) [SEAL] (Address)

## Certificate of Interpreter

*I hereby certify that this Release was executed in my presence by the said \_\_\_\_\_*

\_\_\_\_\_

*and that I correctly and accurately translated this entire Release from the English language into the mother tongue of the said individuals, and each individually acknowledged a full understanding of its contents and meaning and due execution of the same as a free act and deed, and for the sole consideration therein expressed.*

Dated \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
(Interpreter)

\_\_\_\_\_  
(Address)

✓

# RELEASE OF ALL CLAIMS

## Read Carefully Before Signing

To All to Whom These Presents Shall Come or May Concern,

GREETING: Know ye, That We ALBERT E. SANDECKI AND JEAN S. SANDECKI  
residing 50 TANNER STREET, HADDONFIELD, NEW JERSEY 08033

For the sole consideration of the payment to us at this time of the sum of FIFTEEN THOUSAND DOLLARS & 00/100 Dollars  
(\$1500.00) the receipt of which we hereby acknowledge, do both jointly and severally hereby  
release, acquit, and forever discharge CRILLIARD MEDICAL CORP 6206

his, her, their or its agents and servants, successors and assigns, heirs, executors and administrators, and  
all other persons, firms and corporations, of and from any and all actions, causes of action, claims, de-  
mands, damages, costs, loss of service, expenses and compensation, which we now have, or may hereafter  
have, on account of, or arising out of any matter or thing which has happened, developed, or occurred,  
before the signing of this release, and particularly, but not in limitation of any of the foregoing general  
terms] because of the accident, casualty, or event, which occurred on or about the 17<sup>TH</sup>  
day of APRIL 19 62, at or near HARBOR SIDE, MAINE

We hereby declare and represent that the injuries then sustained may be permanent and pro-  
gressive, and that recovery therefrom is uncertain and indefinite, and that all of the injuries, damages,  
and losses may not now be fully known to us, and may be more numerous or more serious than we now  
expect, and in making this release and agreement, it is understood and agreed that we rely wholly upon  
our own judgment of the future development, progress, and result of the said injuries known, and  
unknown, and that we have not been influenced to any extent whatever in making this release by any  
representations, or statements regarding said injuries, or the legal liability therefor, or regarding any  
other matters made by the party or parties who are hereby released, or by any person or persons repre-  
senting such party or parties, or by any physician or surgeon employed by such party or parties, and that  
we accept the above mentioned sum in full settlement and satisfaction of all claims or demands whutso-  
ever, for injuries known, and unknown. ✓

?  
We further understand and agree that this settlement is the compromise of a doubtful and disputed  
claim, and that the payment made is not to be construed as an admission of liability on the part of the  
party or parties hereby released by whom liability is expressly denied.

RETROGRADIA  
We further declare and represent that no promise or agreement not herein expressed has been  
made to us, and that this release contains the entire agreement between the parties hereto, and that the  
terms of this release are contractual, and not a mere recital.

We further state that each of us is over twenty-one years of age; that we have carefully read the  
foregoing release, and know the contents thereof, and that we sign it as our own free act.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on the \_\_\_\_\_

day of \_\_\_\_\_ 19 \_\_\_\_\_

**CAUTION: THIS IS A RELEASE . . . READ BEFORE SIGNING**

(I have read the above release of all my claims)

[SEAL]

(I have read the above release of all my claims)

[SEAL]

**IF SIGNED BY MARK USE PRINTS OF RIGHT THUMBS**

Claims 162, 30M. ★ (55029153)

Per our conversation this morn I am enclosing our  
General Release in the amt. of \$1500.00. Of course both  
Mr & Mrs Sandeck must sign.

Further, per our conversation, our release must not  
be altered under any conditions.

Very truly yours.

*[Signature]*

## MEMORANDUM

THE CONTINENTAL INSURANCE COMPANIES

TO: Mr FRANCIS C. MARSANO, ATTY <sup>NY</sup> CLAIM # 97-18042  
FROM: Mr D.S. Treadwell, R's Pres. DATE 10/11/67  
SUBJECT: RELEASE FOR SANDECKY

Per our conversation this morn I am enclosing our General Release in the amt. of \$1500.00. Of course both Mr & Mrs Sandecky must sign.

Further, per our conversation, our release must not be altered under any conditions.

Very truly yours.

D.S. Treadwell

RELEASE

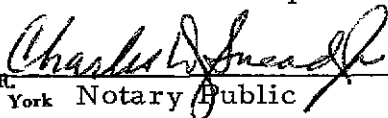
KNOW ALL MEN BY THESE PRESENTS, that  
Callahan Mining Corporation, a corporation duly organized and  
existing under and by virtue of the laws of the State of Arizona  
which is authorized to do business in the State of Maine,

FOR AND IN CONSIDERATION of the sum of One Dollar and other valuable considerations, to it paid by Albert E. Sandecki and Jean S. Sandecki the receipt whereof is hereby acknowledged, has remised, released, and forever discharged, and does hereby, for itself, its successors and assigns, remise release, and forever discharge the said Albert E. Sandecki and Jean S. Sandecki, their Heirs, Executors, and Administrators, of and from any and all actions, causes of action, suits, claims, controversies, liabilities and demands whatsoever, both in law and equity, which against the said Albert E. Sandecki and Jean S. Sandecki the said Callahan Mining Corporation now has, or ever had, from the beginning of the world to the day of the date of these presents arising and resulting from any statements, written or oral, made or published by the said Albert E. Sandecki and/or Jean S. Sandecki concerning the said Callahan Mining Corporation.

IN WITNESS WHEREOF, the said Callahan Mining Corporation has caused this instrument to be sealed with its corporate seal and signed in its corporate name by Joseph T. Hall, its President, thereunto duly authorized this 8th day of January in the year of our Lord one thousand nine hundred and sixty-eight.

Signed, Sealed and  
Delivered in presence of

Callahan Mining Corporation

  
Notary Public

By   
President



RICHARD W. GLASS  
FRANCIS C. MARSANO

Mr. Albert E. Sandecki

50 Tanner Street

Haddonfield, New Jersey 08033

**EATON, GLASS & MARSANO**  
**ATTORNEYS AT LAW**

SAVINGS BANK BUILDING BELFAST, MAINE

STATEMENT OF YOUR ACCOUNT Jan. 19, 1968

Date	Description	Charges	Credits
	To: Legal services in re Sandecki vs. Callahan Mining Corporation resulting from accident which occurred on or about April 19, 1967 to Sandecki premises, Harbor Side, Maine	\$455 00	

TELEPHONE 374-2251

# A. B. HERRICK & SON

CONTRACTORS AND BUILDERS

HARDWARE - LUMBER - PAINTS - CEMENT & TILE

BLUE HILL, MAINE

February 5, 1968

SOLD TO

┌  
Mr. Albert Sandecki  
50 Tanner Street  
Haddonfield, N. J. 80833  
└

INTEREST AFTER 30 DAYS

---

ACCOUNT FORWARDED TO Feb. 1, 1968

Per enclosed slips

\$40.25

*Paid check #142  
Feb 12/68 40.25*

## MEMORANDUM

THE CONTINENTAL INSURANCE COMPANIES

TO Mr ALBERT SANDECKI CLAIM # 98-18042  
FROM Mr D.S. TREADWELL, Res. Adj. DATE 5/1/67  
SUBJECT CALHOUN MINING CORP. - ALBERT SANDECKI

As you requested I am sending you a copy of the appraisal on your summer cottage made by A. B. HERRICK & SON of Blue Hill.

I understand from Mr Herrick that you gave him the O.K. to start on repairs.

On your next trip to Maine and your cottage if you would drop me a line and let me know when you plan to be there, I will make arrangements to meet with you.

Very truly yours,

D.S. Treadwell, Res. Adj.

# Ellsworth American

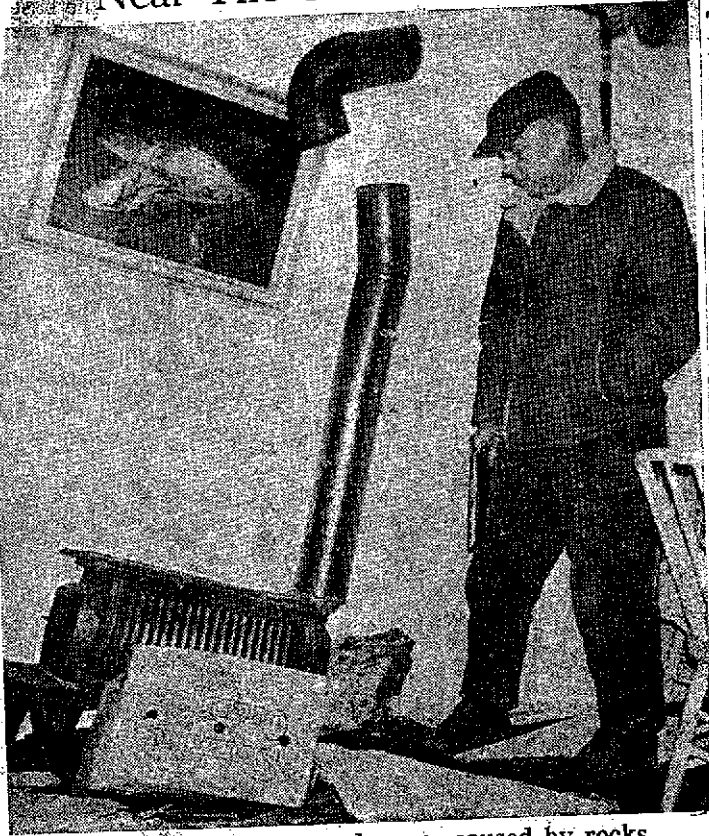
ELLSWORTH, MAINE 04805 WEDNESDAY, APRIL 26, 1967

Entered as 2nd Class Matter At  
Ellsworth Post Office

WED MAY 17, 1967

50 Tanner Street  
Haddonfield, New Jersey  
April 28, 1967

## Boulder Crashes Through Roof Near The Callahan Mine



Albert Sandecki views damage caused by rocks.

Albert Sandecki, a new Jersey artist with a summer home at Harborside on Cape Rosier, has always loved Maine's rocky coast, but when rocks begin to fly through the air he gets upset. He got upset last week when a neighbor telephoned him that a boulder had crashed through the roof of his cottage. His cottage is 400 yards from where Callahan Mining Corp. is blasting the slopes of what used to be Goose Pond. The mine's property abuts his back yard.

Mr. Sandecki, an artist whose work is owned by outstanding collectors like Joseph Hirschorn, Chairman of the Board of Callahan, bought the house in 1964 from Brainard Farnham, a neighbor who for years has run an old-fashioned boarding house called "Falls View" that overlooks the dam where the falls used to be.

"They prospected here the year I bought my house, but they didn't say what was coming off," says the angry artist. "Their operation got underway last summer, and I've been pro-

told me an assessor would look at the damage. I said, 'Do you think the blasting might ease off?' They didn't answer.

"At three that afternoon they appeared with a lawyer who took photographs. Again I asked if the blasting would ease off. Mr. Maestretti shrugged.

"I asked Mr. Whitley when it might have happened. He said it might have happened any time. Then he left.

"The damage was discouraging, but then I started to think that when my family is here we usually pull the table out to where the rock came through. It might have killed my wife and children. I was hoping to bring my daughter up here in three weeks. I've given it sec-

The Ellsworth American  
Ellsworth, Maine

Dear Sir:

I wish to express a few points in regard to your article in the April 26 issue of your newspaper.

I must admit in the heat of the moment things do get a bit irrational and after a few days of consideration some thoughts of importance do begin to jell. Fully realizing the desires of the State of Maine to get industry to come to the areas in need of employment, I think primary consideration should be given to what kind of business and the good or harm it could do the state.

Here on Cape Rosier in Harborside is a firm that is undertaking a business of an open pit mine that to my knowledge has in the past been synonymous with the wide open spaces. My deepest aggravation over the whole mess at my bungalow was the fact that I could not get an answer from Callahan Mining's engineers to the question "Could it happen again? Quite frankly it enraged me. Maine to my family and especially to our two little girls is a way of life. Here in New Jersey where my home is nine months of the year, we have no grass for the children to play in, the air stinks of industrial pollution, and I think of Maine more than perhaps an average person would. To me it is a Godsend to be able to turn the children out to play in the fields, take them for a boat ride once in a while and have them breathe decent air without the ridiculous hazard of 62 and 87 pound boulders haphazardly falling from the skies. Everybody has to make a living, so Callahan will be there 5 or 7 years to provide jobs for some 70 people; this is fine. But why should this company in the name of progress create a hazard for property and families living in this area of the mine? In my estimation this is not right, nor should it be considered legal.

The least that could be done on their part to make it more bearable for the people in the vicinity of the blasting is to warn of the blast about to take place, and to suppress the fly rocks hurled by the blast, clear up the mud on the public roads they have been responsible for, and warn the motorist on the public road near the mine. These are but a few things I believe to be common sense and courtesy on their part.

After your article on this situation Mr. James, Vice-President of Callahan Mining, did call me and state that "their blasting procedures will be revised." I am saddened that no one from Callahan when they were shown the damage caused by the fly rock had the courtesy to apologize, nor could they say it wouldn't happen again. They had someone there to assess damages and even a lawyer whose advice to the engineers was to say nothing.

Through this display of poor taste and judgment on Callahan's part the last of this situation has not been heard.

Thank you for your time and effort to bring to the majority the voice of concern by the minority.

Sincerely,

ALBERT SANDECKI.

# Airborne rock crashes through roof of Cape Rosier cottage



A ROCK WHICH PASSED through the roof of his house in Cape Rosier recently continued through the kitchen ceiling creating the hole shown above, according to Albert Sandecki, a New Jersey painter and summer resident of Cape Rosier. Sandecki contends that the rock was the result of a blast set off by the Callahan Mining Corporation within its nearby mining area.--Packet photo.

**BROOKSVILLE**--Flying rocks--especially big flying rocks--can be hazardous.

Albert Sandecki, New Jersey artist and a summer resident of Cape Rosier, found this out last week when he discovered a 57.5 pound rock lying on the floor in the kitchen of his summer home.

The rock, which apparently passed through the roof of Sandecki's house en route to its destination, tore a large hole in the kitchen ceiling, smashed a table and stove, and damaged the floor and support joist beneath.

Sandecki first learned of the incident when he was called at his New Jersey home last Wednesday by Brainard Farnham, Brooksville, a next-door neighbor to the Sandecki cottage in Cape Rosier.

**FARNHAM DISCOVERED** The hole in the roof at about 4 p.m. that afternoon, shortly after a blast had occurred in the nearby work area of the Callahan Mining Corporation.

Sandecki flew up from New Jersey the following day and surveyed the damage, which he contends was the result of a Callahan blast. He said that he went to Callahan's office Thursday afternoon to talk

would have been impossible to blast such a rock that far.

"AFTER THEY saw the second rock inside the house, however," said Sandecki, "nothing more was said. When I asked if the blasting would ease off I received no answer."

He said that the mining officials returned that afternoon with a lawyer who viewed the scene and took some pictures. "I asked again if the blasting would ease off and again I received no answer," said Sandecki.

"I am not concerned about the damage as much as the fact that Callahan won't give me any answer as to whether such an incident might occur again," Sandecki said Saturday. "If this continues, someone may be injured or killed."

He said the rock struck the area where he and his family are usually seated for meals during the summer months.

**FARNHAM** also told the PACKET that he had a sizeable collection of rocks ranging from five to eight pounds that have landed on his property during recent months.

we have had people observe every blast from an area which they considered to be a safe distance from the blast.

"There were seven people concerned with the blast on Wednesday who were much closer to the blast than the distance to Sandecki's house--approximately 750 feet--and none of them observed any fly-rock."

Senior engineer Gavin Young said that the blasting is done on a fairly regular basis, and nearly always occurs from 3:30 to 4 p.m., during the change of shifts.

He said that individual residents are not generally personally notified of a particular blast, since they are not within the immediate blast area, which is considered within Callahan's boundaries.

**YOUNG SAID**, however, that the Dyers, who formerly lived on property immediately next to the blasting area, were notified of blasts while they lived there.

"We have never before received any report of any rocks falling on anyone's property," James declared. "This is the first report we've had of a fly-rock possibility and we are making a complete review of our procedures here as a result."

Callahan has been blasting in the same general area since January of this year, James said.

# PACKET OPINION

If all Printers were determin'd not to print any thing till they were sure it would offend no body, there would be very little printed.

--Benjamin Franklin, 1731

## A loud whistle, perhaps?

The unfortunate incident on Cape Rosier last week may indicate that a better warning system is needed in blasting operations of Callahan Mining Company.

Albert Sandecki, whose property adjoins Callahan's, contends a chunk of rock which crashed into and through his cottage was the result of a Callahan blast. Fortunately, the cottage was unoccupied. Sandecki and others in the neighborhood say that rock frequently flies from blasts at the mine site, and add that no advance warning is given of shots.

Callahan officials state they have a system of clearing the immediate area of the blast before each shot. Until this rock, they say, they had received no complaints that material was being blown off Callahan property. One resident of Harborside noted he had picked up numerous bits of rock on his prop-

erty, but added he had not notified mine officials.

Fortunately, none of this material has hit anyone. Were a rock such as the one that fell through Mr. Sandecki's overhead to hit a person, the results would be tragic.

Callahan officials have always been sympathetic to solving whatever problems they could, easing as much as possible those tensions which are bound to arise when an operation such as theirs is established in an area such as Harborside.

Now that the problem has arisen, we believe Callahan will make every effort to control it. And if Harborside residents are edgy--as apparently they are--about not having advance warning of blasts, we think it would be to Callahan's--and the public's--advantage to develop some sort of audible warning to sound a few minutes before each blast.

# Hey, Ed!

12 MAY 1967

Hey, Ed!

This is in regard to your article in the April 27th issue of the Weekly Packet concerning the damage to my bungalow in Harborside.

I feel there is a great need for a few additional points to be brought out about Callahan Mining Corporation's safety precautions in regard to their neighbors in the immediate vicinity of the open pit operations on Cape Rosier. Granted this is not at all necessary for the mine to do, but out of common decency and a regard for human life, limb, and property it is a must in my opinion.

As you pointed out in your Packet Opinion there is a need for a suitable warning system for the public prior to blasting, with enough time to take needed shelter or time to get the heck out of the area. Callahan does warn their employees, I am given to understand by one Mr. Jack James.

As you noted in your article, Mr. Brainard F. Farnham has an extensive rock collection averaging in size from one ounce to eight lbs. gathered this past winter up until April 20th.

His silence was due to feelings that Callahan would not listen nor own up to the missiles as being theirs. He now has the opportunity to speak up, through the 62 pounder since deposited through my roof. His feelings were further borne out by Mr. Whitley's and Mr. McGuffie's attitude of disbelief when shown the 87 pounder resting near my studio.

Fortunately my house was not occupied at the time of the rock's entrance and fortunately we are now given our chance to speak on the matter of Callahan fly-rock.

As for the other points worth airing, they are as follows: The public road towards Goose Falls has no warning to the unwary motorist that blasting operations are in progress in the area, no signs or flagmen whatsoever to date of April 23rd. No effort to my neighbors' or to my knowledge has been made to suppress the rocks flung by the blasting to date of April 23rd.

Charges are extremely powerful (in my estimation) to be safe for any local resident as evidenced by the rain of rocks of 1 ounce up to 62 and 87 pounds that have been flung through the air a distance of from 50 to 350 yards from the point of the blast, not 750 feet as stated in your article. The above figures have been revised on the weight of the rock which hit the house since finding one additional piece of rock weighing 4 1/2 lbs. under the rubble of the fallen ceiling in the kitchen.

Above all, no assurance that this could or would not happen again is rather upsetting to me and my concern for my family's safety and my work of painting in the future at Harborside, Maine. However since the publication of the Ellsworth American article of April 26th, Mr. James did inform me of a revision in progress of Callahan's blasting procedures and that my suggestion of warning local residents by phone or a knock at the door of an impending blast was a good idea and he would look into it.

And lastly, I was angered by the fact that an apology was not extended on the part of the two Callahan officials when first shown the damage. An apology, I imagine, would constitute an admission on their part of the responsibility for the rocks. Human concern, dignity and courtesy were thrown out the window and has since promoted in me a feeling that the last of this blast has yet to be heard.

Albert E. Sandecki  
Haddonfield, N. J.



## THE WEEKLY PACKET

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A weekly newspaper published each Thursday for the communities of southwestern Hancock County by Jerry L. and Gayle H. Durnbaugh. Publication offices are in the Pendleton Building, Water Street, Blue Hill, Maine. For news or advertising call 374-5643 or write

50 Turner Street  
Haddonfield, N.J.  
1 May 1967

The Weekly Packet  
Blue Hill, Maine  
Letter to the Editor

Hey, Ed!

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As you noted in your article, Mr. Brainard F. Farnham has an extensive rock collection averaging in size from one ounce to eight lbs. Gathered this past winter up until April 20th.

His silence was due to justifiable feelings that Callahan would not listen nor own up to the missiles as being theirs. He now has the opportunity to speak up, through the indisputable 62 pounder since deposited through my roof. His feelings were further borne out by Mr. Whitley's and Mr. McCuffie's attitude of disbelief when shown the 87 pounder resting near my studio.

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( Referring to Mr. Jack(puff and rumble) James as per his most famous statement to the extent of the noticeability of the blasting.) His having made this statement in Brooksville a few months back, I would like to say it may be quite true in Brooksville today, but, to use the vernacular, "It aint that way down heyah in Harborside".

Sincerely yours,

*Albert E. Sandecki*  
Albert E. Sandecki

P.S. Mr. Bowden I know this is long and I'm sorry, but there are a few who's lives could depend on these criticisms.

Thank you for your consideration.

50 Fanner Street  
Haddonfield, New Jersey  
April 28, 1977

The Ellsworth American  
Ellsworth, Maine

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I must admit in the heat of the moment things do get a bit irrational and after a few days of consideration some thoughts of importance do begin to jell. Fully realizing the desires of the State of Maine to get industry to come to the areas in need of employment, I think primary consideration should be given to what kind of business and the good or harm it could do the state.

Here on Capo Rozier in Harborside is a firm that is undertaking a business that to my knowledge has in the past been synonymous with the wide open spaces of an open pit mine. My deepest aggravation over the whole mess at my bungalow was the fact that I could not get an answer from Callahan Mining's engineers to the question "Could it happen again?" Quite frankly it enraged me. Maine to my family and especially to our two little girls is a way of life. Here in New Jersey where my home is nine months of the year, we have no grass for the children to play in, the air stinks of industrial pollution, and I think of Maine more than perhaps an average person would. To me it is a godsend to be able to turn the children out to play in the fields, take them for a boat ride once in a while and have them breathe decent air without the ridiculous hazard of 62 and 87 pound boulders haphazardly falling from the skies. Everybody has to make a living, so Callahan will be there 5 or 7 years to provide jobs for some 70 people; this is fine. But why should this company in the name of progress create a hazard for property and families living in this area of the mine? In my estimation this is not right, nor should it be legal.

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Through this display of poor taste and judgment on Callahan's part the last of this situation had not been heard.

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Sincerely,

Albert Sandecki

# Restoration Of Penobscot River Commenced At Belfast Conference

APRIL 26/67

A clean-up of the Penobscot River was initiated at an historic conference in Belfast on Tuesday, April 20. The conference was called by Sec. of the Interior Udall. It was conducted by Murray Stein of the Federal Water Pollution Control Administration. Other conferees were Lester Klashman of Boston, regional director of the same administration, and Raeburn W. MacDonald, chief engineer of the Maine Water Improvement Commission.

At the conclusion of the all day conference, the conferees announced their unanimous conclusions and recommendations: that pollution is occurring, that it is the result of untreated or inadequately treated wastes; that it causes substantial economic injury to the shellfish crop; that measures to abate pollution have been inadequate; and that delays have been caused by the complexity of the problems.

The conferees agreed on the water quality requirements set forth in the federal report on the Penobscot (stricter than state water classification). They declared that they will reconvene four months from now, by which time the offending cities and industries along the river will have to come up with a schedule of construction geared to the requirements. The paper mills were advised that they must plan to reduce their wastes.

A technical committee was established to aid in preparing plans to insure "that we can get a program satisfactory to individuals concerned and to the shellfish people."

The federally-ordered clean-up of the river is based on a federal law protecting shellfish.

In Hancock County the federal intervention forces action upon St. Regis Paper Co., the Town of Bucksport, Maine Blueberry Growers in Penobscot, the Town of Castine, and the Maine Maritime Academy in Castine.

In presenting the federal case government spokesmen declared that shellfish were a multi-million dollar resource. Mr. Stein also repeatedly reminded those attending that Maine should preserve the purity of its waters so that he and other Americans could enjoy vacations here.

Mr. Richard Griffith of the Bureau of Sport Fisheries and Wildlife declared that a program aimed at total restoration of salmon on the river has been undertaken and that fishways over dams are scheduled for construction. "The Penobscot can become one of the most important fishing waters in the U. S.," he said. "Its restoration will serve as a model elsewhere."

which donates \$70,000 per year for its upkeep, and that the Academy is a State institution.

James Lyle, Public Works Officer at the Academy, said that the school plans to have all its men living ashore within the time limit established by the new requirements. Since 1959 a yearly waiver has been obtained from the Maritime Administration to permit cadets to live aboard. He said that if Castine builds a sewage plant, the Academy would expect to join it or get the federal government to build one on the ship. "We would ask the state and federal governments for help in sharing costs," he said.

Mr. Swink said that Castine has had discussions with two engineering firms to negotiate for a preliminary survey, but they can't sign a contract until they know what the school is going to do.

David Pollard of the St. Regis Paper Co. said that the time schedule demanded constitutes a crash program. He allowed that on the other hand the thirteen years provided in the State table may be conservative. He offered seven to nine years as a realistic period by which to expect compliance. Mr. Pollard was perhaps the calmest participant at the conference.

He added that within the last twelve years, the company has spent three million dollars reducing its effluent and that it recognizes the need for pollution abatement. "We have initiated a cooperative study of the problem with Bucksport, and possibly a joint plant would be the most economical," he said. He emphasized that time is necessary for planning, engineering, financing, and construction. "The three and a half years allowed in the federal timetable is inadequate unless federal and State funds are made available to do the job." He called for a more reasonable schedule and more reasonable requirements. "97 percent removal is impossible," he said. "We feel that 85 percent removal is the top feasible percentage." It might be noted that at times nobody, including the conferees, seemed to be sure just what percentage was possible nor what was demanded.

Archie Sanborn, town manager of Bucksport, also questioned the time limit. "The town has engaged the services of a con-

waters so that he and other Americans could enjoy vacations here.

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Robert L. Dow of Maine's Sea & Shore Fisheries brought out the threat of a lobster disease called "red tail" which is likely to result from organic pollution. The disease has wiped out as many as 50 percent of the lobsters in storage ponds and threatens wild lobsters.

The poultry concerns in Belfast, formerly heavy offenders, announced plans already underway will enable them to comply with the new requirements.

The paper mills in Brewer and Bucksport said that depending on the interpretation of the requirements, they may be technically unable to comply. The Brewer company said it might have to close its sulfite operation. They were advised to aim at 85 percent reduction in concentrate.

Castine was represented by 2nd Selectman Joseph Swink, who pointed out that at a time when the federal government is calling for a reduction in pollution, it and the State are contributing to it at the Maine Maritime Academy where 250 cadets live aboard a ship that discharges raw sewage into the harbor and where garbage from meals for 500 cadets is disposed of through town sewers directly into the Bay. Residential garbage in the town is collected by a pig farmer.

The Academy began contributing food wastes last month on the completion of a new dining hall equipped with garbage disposal units. Mr. Stein advised Mr. Swink that if a community accepts waste in its sewers, it assumes legal responsibility for the waste. Whether or not the town has ever formally accepted the waste is an uncertainty.

"My opinion is that the Academy is responsible for more than 50 percent of the raw sewage now going into the waters of Castine," said Mr. Swink. He pointed out that the town has no conflict with the Academy and doesn't wish to start one, but said he felt that the State and the Federal government should pay a proportional share of the cost of treatment for the Academy's sewage and waste. He brought out that the Academy's training ship belongs to the Maritime Administration.

to do the job. He called for a more reasonable schedule and more reasonable requirements. "97 percent removal is impossible," he said. "We feel that 85 percent removal is the top feasible percentage." It might be noted that at times nobody, including the conferees, seemed to be sure just what percentage was possible nor what was demanded.

Archie Sanborn, town manager of Bucksport, also questioned the time limit. "The town has engaged the services of a consulting engineer to apply for federal funds to complete a preliminary survey," he said. "We have been advised that no funds are currently available nor will be for fifteen months, and that there is no assurance when, if ever, they will be available. Regardless of what State and federal funds are available, the town hasn't credit available to finance it on its own," he added. "Any time limit we are required to meet must be accompanied by availability of funds." He contributed the information that St. Regis may lend the town money for a preliminary survey, and that financing for sewage plants by revenue bonds is difficult to get in Maine. In regard to the time schedule, he mentioned that last year the Maine Municipal Association decided a minimum of ten years was realistic. He reiterated that timely funding was imperative.

The meeting concluded at 6:00 p.m. "We have made a great advance here," said Mr. Stein. "I think the key to this is going to be cooperation." Mr. Stein didn't allude to the fact that anyone who doesn't "cooperate" incurs a federal penalty.

50 Tanner Street  
Haddonfield,  
New Jersey 08033  
25, April 1967

Mr. Herbert T. Silsby 2<sup>nd</sup>  
Silsby and Silsby Law Office  
68 Main Street  
Ellsworth, Maine 04605

Dear Mr. Silsby,

I am sorry not to be in your office with Brainard and Marian Farnham this Thursday, unfortunately I have obligations that take my time here in Haddonfield, New Jersey.

Enclosed are all the facts pertaining to the <sup>DAMAGE</sup> of my home and studio in Harborside Maine. I use this place for my familys vacation in summer as well as a studio in which I persue my livelihood as an artist in the spring, summer and fall. Drawings on the subject matter that is most beneficial to my style of work, which I find readily available in the area.

Enclosed along with these facts are some observations I have made over the time that the Callahan Mining Corporation of New York have been working on Cape Rosier. These points are the truth and I feel there is great need for these facts to be brought out.

I would appreciate your taking my case against Callahan Mining Corporation. If you feel I have one.

The Farnhams have suffered greatly, my Damages are but the key that may unlock the hold that Callahan Mining has on Cape Rosier. And above all could save a life or further needless destruction of property.

This terrible situation as you can see is of utmost importance to the Farnhams and I, but I will have to figure carefully and budget before hand to provide what is necessary. As you may or may not know I am not a man of great means, therefore I would appreciate your estimate of the projected cost of this litigation.

I would like a letter from you, Mr. Silsby, describing the basis upon which you would handle the case. Also enclosed is the card of my lawyer here in New Jersey, and Mr. Baumgartner asked me to tell you to feel free to call on him at anytime. Quite frankly there may be a time when I do not under stand a legal term and Mr. Baumgartner is a friend of mine upon whom I can call on down here in New Jersey, if the need arises.

I am guessing, as I have not recieved as yet an estimate on the physical damages to the house, I think it will be over \$ 1,000.00.

Along with the blasting danger having depreciated the value of our property.

In hopes of a successful conclusion to our undertaking.

Sincerely yours,

Albert E. Sandeckl

COMPLETE DESCRIPTION  
of Damage and Events in  
HARBORSIDE, MAINE:

I, Albert Sandecki, and my wife Jean, jointly own a property consisting of a home, studio and two acres of land in Harborside, on Cape Rosier in Hancock County, Maine.

On Wednesday April 19<sup>th</sup> at 4pm Mr. Brainard L. Farnham, friend and neighbor telephoned to me in Haddonfield, New Jersey, to tell me of damage to our residence in Maine. He stated "a rock had hit the house and had torn through the roof and into the kitchen staying things up pretty badly, and that he had put a temporary patch on the roof, but I had better come up because the damage was quite extensive."

7:55 A.M.

The next morning, April 20<sup>th</sup>, I flew up via Northeast Airlines to Bangor, Maine, rented a car, and arrived at Harborside, Maine at 2<sup>PM</sup>.

11:00 P.M.

Upon entering the house I noticed debris on the living room floor and proceeded into the kitchen and saw a large hole in the kitchen ceiling, debris littered all over the room such as 2x4's building boards ceiling material, electrical wires hanging down, broken table, smashed woodstove, and so on. I touched nothing and proceeded to take polaroid photographs of the damage. The rock that did the damage weighed exactly 62 pounds, and measured 15 $\frac{1}{2}$ " x 12" x 5". Two fragments of rock had broken from the larger portion which weighed 53 pounds. The fragments weighed 4 $\frac{1}{2}$  pounds each.

1:30 P.M.

Mr. Farnham arrived and showed me a second rock that weighed exactly 87 pounds, and measured 15" x 18" x 8" that landed exactly 12'7 $\frac{1}{2}$ " from the building I use as my studio for painting. Mr. Farnham and I gauged the approximate distance the rocks had traveled from the blasting area as a minimum of 400 yards.

cont:

3:30 P.M.

That evening at about 4:30 P.M. Mr. Farnham and I went to the mining area to look for Mr. Cecil Whitley, a mining engineer I had met in the past. I saw a Mr. Maestretti sitting in a mining company truck and I asked to see Mr. Whitley. Mr. Maestretti said "Mr. Whitley had left for Blue Hill early today. He was not feeling too well." I left a note with Mr. Maestretti asking that Mr. Whitley contact me at his convenience. I then asked Mr. Maestretti, "How much powder do you put in those holes to cause such a roar?" Mr. Maestretti answered: "About 60 pounds per hole."

7:00A.M.

The next morning, April 21<sup>st</sup>, I waited until 10:00 A.M. for Mr. Whitley. He did not arrive. Knowing work starts at the mine at 7:00A.M., I felt three hours was enough for me to wait; I proceeded back to the mine site and met Victor Dyer (employee at mine) and asked, "Where is Cecil?" He told me, "Down at the new buildings in the office". I arrived at the office and spoke with Mr. McCuffy, engineer at Callahan offices, and told him that I wanted to show Mr. Whitley something at my house. Mr. McCuffy went to get Mr. Whitley in another office.

10:00A.M.

Mr. Whitley, Mr. McCuffy, and I then got into a mining company truck and drove to my house. While enroute I asked Mr. Whitley, "How much blasting material is used to make such a roar?" Mr. Whitley answered, "We use about a third of a pound per ton to be moved". I then asked Mr. Whitley how many tons do they move at a shot. He said, "Two or so tons". "If we want to move more we plug it and it may move ten or twelve tons that way."

This statement of one third of a pound per ton did not coincide with Mr. Maestretti's statement the previous evening of sixty pounds per hole. (if, as Mr. Whitley stated, they only move two or so tons or

cont:



maybe when plugged ten or twelve tons, figuring ten or twelve tons moved at one third of a pound per ton equals four pounds of powder  $12 \times \frac{1}{3} = 4$ )

10:10A.M.

Upon arriving at the house and my showing Mr. Whitley and Mr. McGuffy the 57 pound <sup>rock</sup> near the studio outside Mr. McGuffy stated, "A rock that size could not possibly have come that far from the mine", I said, "I admit it is hard to believe, and quite frankly when Brainard Farnham first told me of it a few weeks ago (they noticed it after the snow had melted) I thought it fell off a truck of yours or someone placed it there as a joke - poor as it would be." Mr. Whitley, and Mr. McGuffy both smilingly agreed with my observation. (The rock had landed there at some earlier date.)

10:15A.M.

At this point I asked both men into my house as I had another thing to show them. Upon showing Mr. Whitley and Mr. McGuffy the destruction in the house a silence came over them with the exception of Mr. McGuffy's statement of, "the rock came through and evidently had a shotgun effect". I asked of both men, "Could this occur again?" "After all I do have a wife and two little girls, and do not want them to be endangered while they are here." To this question (put in a gentlemanly manner) I received no reply, just a shrug of the shoulder on both Mr. Whitley's and Mr. McGuffy's part.

Brainard Farnham stopped in, whereupon Mr. Whitley and Mr. McGuffy walked out the front door. I followed and asked again, "Could this happen again?" (again in a civil manner). Mr. McGuffy said, "We will have to talk to Gavin Young. He is in Salt Lake City, Utah; we will get back to you soon." They left - again not answering my question. At this time I was incensed by their not answering my single nicely put question, and their inability to even express an apology!

cont;

1:00A.M.

Brainard and I went to his house for lunch. At noon Mr. Maestretti and Mr. Whitley arrived and refused Brainard's invitation to come in. I went to the door and Mr. Whitley said to me, "We have spoken to Utah and New York City and we will have an adjuster here tomorrow morning from Bangor at 9:00A.M." I did not answer, but asked my question again, "Could it happen again?", and received no response.

3:00P.M.

I was at my house working in the yard when Mr. Maestretti, Whitley, and a Mr. Douglas B. Chapman (who's purpose there was not mentioned until I asked later). Mr. Chapman asked if he could take some polaroid pictures of the damage; I said "yes" then asked who he was. He said, "I am a lawyer representing the Callahan Mining Corporation, assistant to Mr. Fenton, attorney of Bar Harbor." While the four of us were in the house, myself helping Mr. Chapman operate his camera, I again asked Mr. Whitley, "Could this happen again?" and, "Will the blasting be a bit less powerful now that this has occurred?". Whitley's answer to me was, "Our lawyer has advised us to say nothing."

Mr. Chapman then asked me, "What do you intend to do about this?" I answered, "I don't know." He then said, "Well you are going to have it fixed; aren't you?" I answered: "That will be one of the things I will do, yes". As they were leaving I asked Mr. Chapman, "Since you asked me a question, and I answered it could I ask Mr. Whitley one question in your, his lawyer's, presence, and get an answer from him?" Mr. Chapman said, "Yes." I asked Mr. Whitley, "When did the rock come through the roof of my house?" (I wanted to pin down the time of the accident). I said further, "Mr. Barnham saw the hole Wednesday at about 3:30P.M., but he wasn't sure that it happened that day although he did look at the house on Tuesday and did not notice the hole in the roof then."

cont:

answered that he did not know when it happened. I asked, "Well, was there particularly heavy blasting on either Tuesday or Wednesday?"

Whitley said, "I do not know, it could have happened anytime I suppose."

All three then drove off.

8:00P.M.

That evening through feelings of all sorts, I called the editor of

THE WEEKLY PACKET, Blue Hill, and the editor of THE ELLSWORTH AMERICAN,

both handling local Maine news.

9:00A.M.

The next morning, Saturday, April 22nd, at 9:00A.M. Mr. Hugh Bowden, editor of the WEEKLY PACKET came for pictures and an interview which lasted about forty five minutes.

1:15A.M.

Mr. Treadwell and Mr. Maestretti stopped by to look at the damage.

I asked Mr. Treadwell his business here, and he stated that he represented Continental Insurance Companies (P.O.Box 814, Bangor, Maine). His company insures Callahan Mining and he is their resident adjuster, and he was here to see the damage and take some pictures. I permitted him to do so, I asked Mr. Maestretti his business here; he stated "I am in charge of pit operations, and am responsible for the blasting down at the mine. That's why you see so much of me."

While Mr. Treadwell photographed the damage I asked Mr. Maestretti how rocks of this size, 62 and 87 pounds could travel this distance from the mine. I could not understand why I could not find smaller ones on my property although Brainard's property between my place and the mine has many smaller rocks on it from one ounce to eight pounds. Mr. Maestretti said "The larger rocks are less affected by air resistance and having more weight are inclined to actually travel farther if they get a high enough arc." While Mr. Maestretti and I talked together I asked him what other trouble than this is common with open pit mines,

cont:

He stated, "They also have a tendency to drain wells." I also asked him, "Are these blasting holes touched off at one time, or in a one, two, three, fashion?" Mr. Maestretti answered, "No not at once, they are set off in a one, two, three series." "Oh!", I said, "There seems to be just one blast." He said, "Well, you could not tell them apart because there is just a milli second between them." (Mr. Treadwell witnessed the latter part of this conversation.) While Mr. Maestretti and I were talking Brainard came in and expressed a few of his feelings towards the mine such as, "You never warn us of the blasting." Mr. Maestretti said, "We will probably warn you in the future, and I am sorry at this late a date to tell you this." Both men then left saying that Mr. A.B. Herrick from Blue Hill would be along shortly to estimate the damages for the Continental Insurance Co.

11:45A.M.

Mr. John H. Wiggins Editor of the BELLSHORE AMERICAN stopped in, took pictures. (His address is: Box 92 Brooklyn, Mo.)

Mr. Wiggins' interview was interrupted by A.B. Herrick to look at the damage for an estimate on repairs. I asked Malcolm Herrick for a copy of the estimate. He said, "OK with me, but I have to check with Continental Insurance first to see if I can give you a copy." I gave him my name and address. They left. The interview with Mr. Wiggins continued until about 1:00P.M.

Friday night, April 21<sup>st</sup> blast took place with no warning at about 4:30P.M.

Friday night: Drilling continued until about 2:00A.M.

Saturday morning, April 22<sup>nd</sup>: Mining activity slowed (unusual)

Saturday night: No blasting, all activity ceased (unusual)

Sunday, April 23<sup>rd</sup>: No activity at all at mine site (usual)

Sunday, April 23<sup>rd</sup>: Frederick Dyer came over for my estimate of repairs at 9:00A.M.

Monday, April 24<sup>th</sup>: Little mine activity. No blasting.

Appended : The exact time of the blast on April 19th 1967 at the Callahan Mine was provided to me by a Mrs. Malcolm Gray my neighbor, she stated, "It was at 3:45 P.M. April 19th, I know because I always look at the clock when they blast. I don't know why I do it, its just a habit of mine.

April 22, 1967

The following is a list of what I consider makes my home and studio in Harborside, Maine, unlivable and legitimate cause for concern.

1. Rocks have been and still are (up to April 20, 1967) landing on my property in Harborside and on my neighbor's, Brainerd L. Farnham, since this past winter. Mr. Farnham has collected about 1 peck of rocks from 1 ounce to 5 pounds.
2. There is and has been absolutely no warning given before blasting is to occur (to date of April 20, 1967) - no whistle, siren, or verbal warning whatsoever to local residents in the immediate vicinity of the open pit operation, with the exception of one warning to stay back from the area of blasting when the Ghose Falls were being blasted out in August of 1966.
3. The blasting has been carried out in an obviously irresponsible manner To date as evidenced by the rain of rocks 1 inch in diameter, 1 ounce in weight, to 18 inches in diameter, 8 inches thick, 87 pounds, any one of which could without exaggeration maim or kill someone, either a resident mowing a lawn within 400 yards of the blast's origin, or a person sitting down to a meal (majority of the blasts occur about 3 p.m. to 5 p.m., learned through experience) or the unknowing motorist driving towards the area could be conceivably struck by falling rock. There are no signs on the public road towards the mine area warning of this hazard as of April 22, 1967
4. No effort to my knowledge or my neighbor's has been made to suppress flying rocks with steel mesh or anything

that would protect people in the vicinity from hurled rocks.

5. Charges are either miscalculated or extremely too powerful (in my estimation) to be safe for any local residence. Rocks of 62 lbs. and 87 lbs. have been flung through the air a distance of 400 yards from the origin of the blast with an obvious inability to direct where they come to rest.

6. Mud which turns to dust that is carried by the wheels of the vehicles of the mine's employees is continually stirred up and blown into residents' homes.

7. In the name of "progress" hard rock drilling begins at 7 a.m. and is interrupted only by a nerve shattering, unforwarned blast of fearful proportions. Drilling then continues until 4 a.m./ What the hell goes on between 4 a.m. and 7 a.m. God only knows.

8. After asking the Callahan officials if the blasting from now on will be controlled or a bit more care taken with the dynamiting, I was not granted the courtesy of an answer \* simply a shrug of the engineer's shoulders.

9. I was angered by the fact that I have been caused severe damage to my dwelling, and to me a place of work for a good portion of my livelihood. Furthermore, I am incensed by the fact that the 62 lb. rock that crashed through my house roof and into our kitchen could have killed one or both of my children, my wife, or myself, had we been there when the rock struck. The 87 pounder landed 7 feet from where my daughter likes to dig in a corner of our vegetable plot. The Callahan officials would not answer my question of "would the blasting be a bit more carefully handled in the future?"

10. The officials were not even aware of this damage as

evidenced by their reactions when shown the rocks and damage, nor did they express any concern for this hazard to life, limb, and property in the vicinity of their blasting.

11. All in all, to me this bespeaks gross irresponsibility in the managing of a dangerous business. A low degree of concern for the little guy who happens to live near the open pit workings.

12. And above all no assurance of safer proceedings on their part in the future.

13. All this points to the fact that my family will be endangered while residing in this house spring, summer, and fall, and my work as an artist in my studio will be disrupted which will have a detrimental effect on my income through the producing and selling of my paintings.



## LIST OF DAMAGES

to studio home of

Albert E. Sandecki

Harborside, Maine

April 19, 1967

On property: an 87 lb., 15" by 18" by 8" (at point of impact) blasted rock 2 feet onto the east property line which abuts Brainard L. Farnham's property; 50 feet from the north line which is public road; 12 feet from rock to the nearest building to the west, my studio; 8 feet from children's playground to the north. Approximate distance to origin of blast is 400 yards.

Dwelling is located 40 feet from east boundary, 25 feet from north boundary. Blasted rock weighing 62 lb. entered roof of house 2 feet from peak, 20 feet above ground level at 3:45 p.m. on April 18th, 1967. Rock entered at point 9 feet in from side of structure.

Physical damage to house interior: Rock made a hole in roof 18" by 36" entering from easterly direction, tearing out rafters and sheathing boards on roof. It struck the approximate center of the 11'8" by 13' kitchen, making a 6' by 6' hole in the ceiling. One ceiling joist and 3 ceiling fleaters smashed. Electrical wiring stretched and electrical junction boxes in bedroom, kitchen, and living room strained (loose connections). Kitchen table broken. Upon entering kitchen the larger portion of rock (53½ lb) knocked kerosene lamp from table showering room with kerosene, smashed wood stove, and broke through double layered flooring of matched spruce and split floor joist of 2" x 6" spruce. Asbestos fire wall behind stove has a broken

hole 10" in diameter where rock came to rest. New automatic washer front scraped by falling wood.

Smaller portion of rock ( $4\frac{1}{2}$  lb) hit floor 18" from side of stove, bounced smashing other kerosene lamp placed on the floor. Kitchen walls are splattered with kerosene and debris is littered all over kitchen and into living room. Light fixtures in living room and bedroom sprung from ceiling, and one portion of slatting on living room ceiling sprung.

Electrical appliances not checked for mechanical damage because power was not turned on.

CLOSE UP OF 87 LB ROCK  
MARCH 1967 HARBORSIDE, ME.

87 LB  
MAR  
1967



PHOTO PROPERTY OF  
A. SANDECKI

8' DISTANCE FROM CHILDRENS PLAY YARD ← 12' FROM STUDIO  
87 POUND BLASTER ROCK MARCH 1967

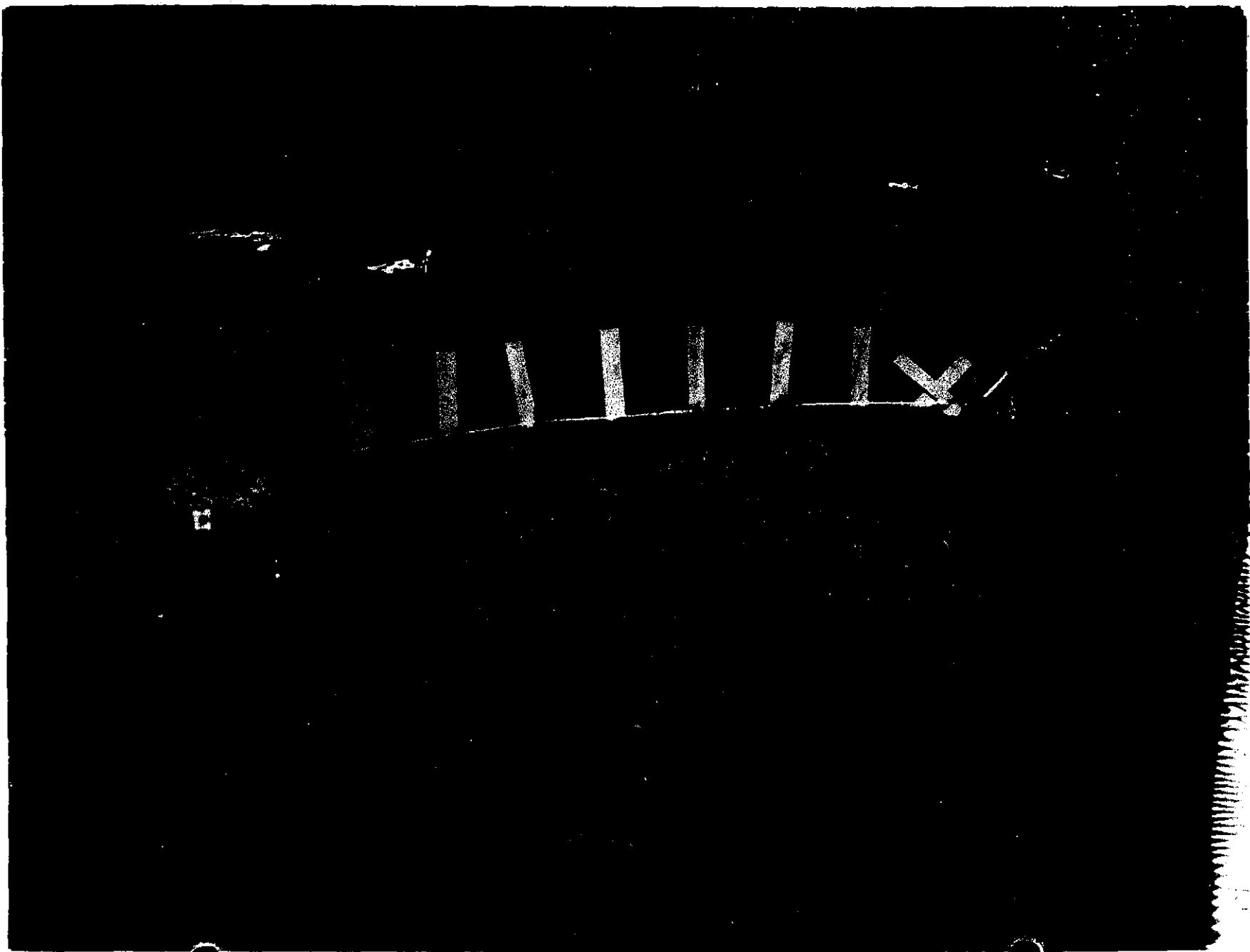
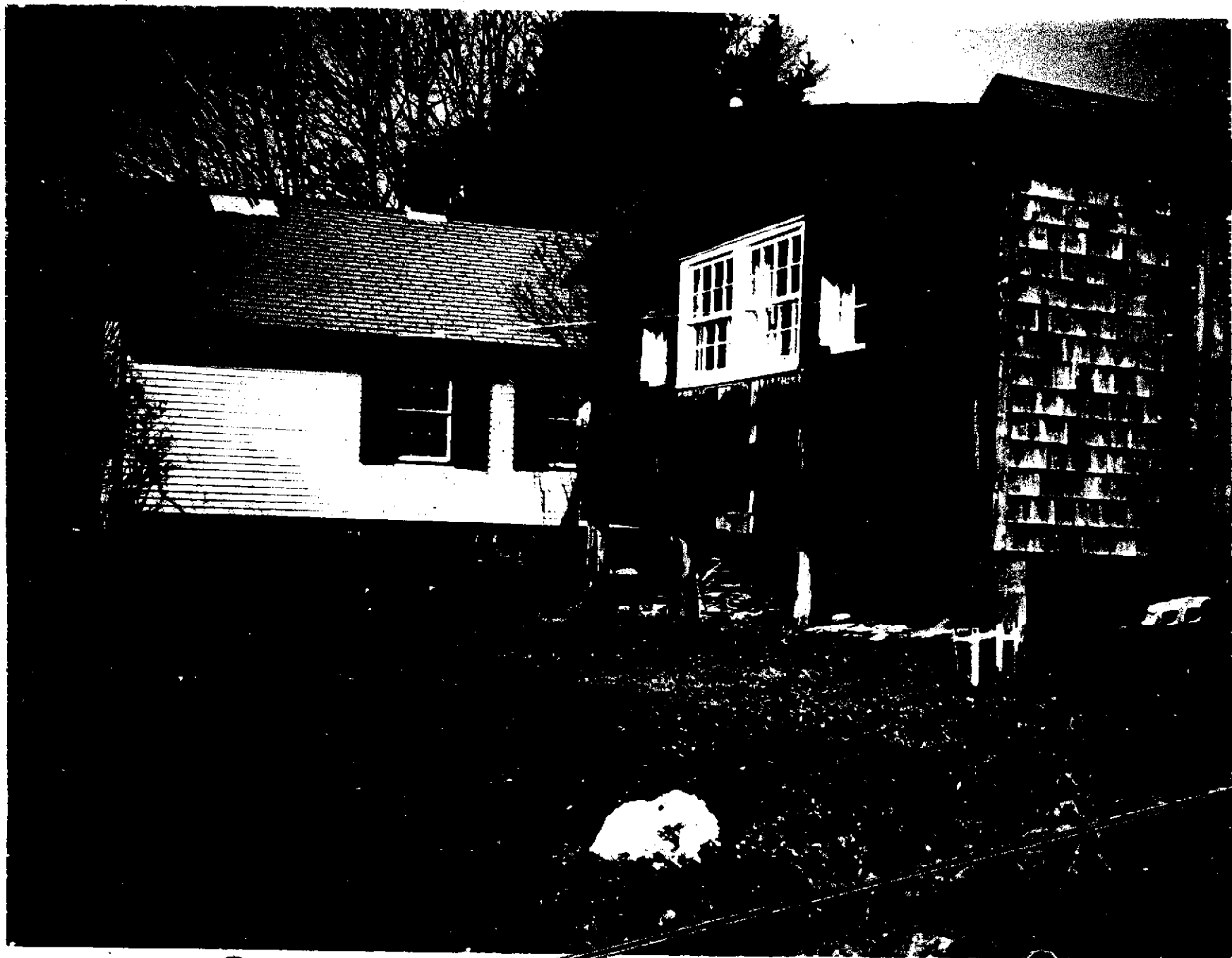


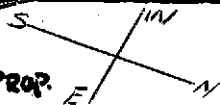
PHOTO PROPERTY OF  
A. SANDECKI

VIEW UP GARDEN WALK  
APPROX  $\angle 45^\circ$  FROM EASTERLY DIRECTION



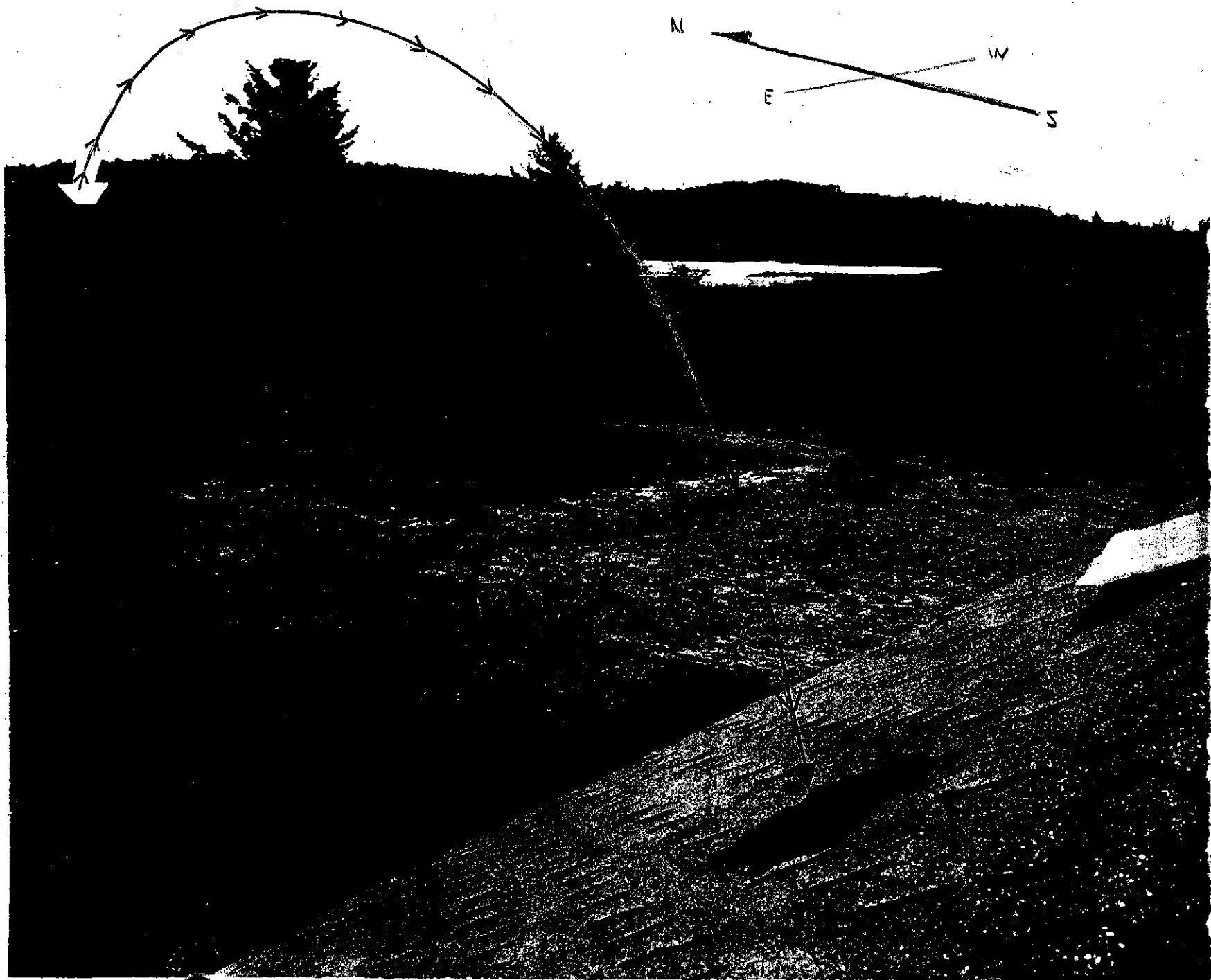
S. DECKI PROP.

FARNHAM PROP.



PHOTO

PROPERTY OF  
A. Samolicki



APPROX DIRECTION OF ROCK 62 POUNDER  
FROM BLASTING AREA OF CAHANAN MINING CORP.

PHOTO PROPERTY OF  
A. SANDECKI

INTERIOR OF ROOF  
APPROX  $\angle$  OF ROCKS ENTRANCE 45° EASTERLY DIRECTION



PROPERTY OF  
A. SANDECK

KITCHEN CEILING



TO  
PROPERTY OF  
A. SANDREKI



INTERIOR VIEW OF KITCHEN  
APRIL 20<sup>TH</sup> 1967 HARBORSIDE, ME.



PROPERTY OF  
A. SANDREKI

KITCHEN INTERIOR 62 LB ROCK CAME TO REST BEHIND STOVE  
3:45 PM APRIL 19<sup>th</sup> 1967



PHOTO  
PROPERTY OF  
H. Sandberg



Province of  Saskatchewan

DEPUTY MINISTER

OF  
MINERAL RESOURCES

Government Administration Building,  
Regina, Saskatchewan,  
April 19, 1967.

Mr. Albert E. Sandecki,  
50 Turner Street,  
Haddonfield,  
New Jersey, U.S.A.

Dear Mr. Sandecki:

Your letter of April 4, 1967 addressed to the Department of Labour and Industry, Ottawa, Canada, has been forwarded to this department so that you may receive a copy of the Safety Regulations for Mines that are in force in the Province of Saskatchewan.

At the present time there are two very small, open-cast metal mining operations, and no rock quarries, in the province. However, all of the coal produced is now mined by strip or open-cast mining methods.


The provincial government has always recognized the need for safety regulations for the mining industry and new and amended regulations are introduced by officers of the Department of Mineral Resources from time to time, not necessarily for control or punitive reasons but rather as guide lines for government inspectors, operators and employees.

Very recently the safety regulations for all branches of the mining industry were consolidated in what is known as "The Regulations under The Mines Regulation Act" a copy of which is enclosed.

Operators of open-cast mines are required to observe any and all of the general regulations covering working conditions, explosives, etc. that apply to their type of operation and, in addition, must conform with the special regulations for their industry as noted under Part XXV, page 127 of the Regulations.

I hope that this brief summary will be of some value to you.

Yours very truly,

  
Jas. T. Cawley, P. Eng.

50 Tanner Street  
Haddonfield,  
New Jersey 08033  
18 April 1967

Federal Water Pollution Control Administration  
Belfast Area High School  
Belfast, Maine

Dear Sirs,

I feel vitally interested in the protection of the clam flats along the shores of the Bagaduce River, as well as the eastern shore of the Penobscot River.

In the past I have pleaded for saving Goose Pond on Cape Rosier in Hancock County, Maine. That pond has now succumbed to the interests of the Callahan Mining Corporation of New York, and their "open pit" copper and zinc mine, through the dewatering and draining of the pond.

An act that a few others as well as myself were saddened by, but as the majority ruled on the need of the work in the area it was quite unavoidable.

The Callahan Mining Corporation when in full operation in 1968 intends to pump effluent containing mining waste from their flotation process, at the rate of 900 gallons per minute for an unspecified length of time into the Penobscot Bay.

This will doubtless add to your increase of pollution in the river as well as the bay. I am but a summer resident of Harborside, Maine, but feel a deep and abiding love for the natural beauty of your state, to me and many others (summer people) Maine is the last stand for unspoiled beauty.

In my humble opinion what you do or do not do at your conference may have far reaching effect on not only the marine life of your waters but lives of those who say, "I can't wait to get back to Maine."

I ask you to consider some sort of definite legislation to stop or at least control the pumping of still more swill into that still beautiful Penobscot Bay.

I live near the Delaware River in New Jersey. Come down and visit here, or better yet spend a summer on its shores it would make you sick to your stomach.

None in my estimation is the chance to slam the foot down on this menace of pollution, is this not what the F.W.P.C.A. desires to do?

Please consider carefully what you do not for my sake or yours rather for your childrens. Are you going to leave them a Delaware or a Penobscot.

Sincerely yours,  
*Albert Sandocki*  
Albert E. Sandocki



*State Mine Inspector*

VERNE C. McCUTCHAN

PHOENIX, ARIZONA 85007

April 13, 1967

ANTHONY BENNETT  
DUST & VENT. ENGR.  
TEL: 935-9698  
PHOENIX, ARIZONA

WINSTON ELKINS  
DEPUTY MINE INSP.  
TEL: 252-0177  
PHOENIX, ARIZONA

ED CHAMBERLAIN  
DEPUTY MINE INSP.  
TEL: 793-0433  
TUCSON, ARIZONA

TOM PHILLIPS  
DEPUTY MINE INSP.  
TEL: 445-4569  
PRESCOTT, ARIZONA

BUREN ELKINS  
DEPUTY MINE INSP.  
TEL: 432-2123  
BISBEE, ARIZONA

Albert E. Sandecki  
50 Tanner Street  
Haddonfield, New Jersey 08033

Dear Sir:

Our Mining Code is in the process of being revised by a study committee composed of equal numbers representing management and labor. The State Mine Inspector is the seventh member and chairman of the committee. Two legislators will sit in as an observing capacity and report back to their respective houses.

This revision is being made to comply with regulations set up by the Federal Government under the 1966 Federal Mine Safety Act.

Most of the Mining Laws in our Code apply to underground mining, but the terminology is broad enough to cover most conditions in open pits.

Paragraph (3) Section 27-301 clearly indicates the scope of the Mine Inspector's authority and this section has been used to enforce laws, rules and regulations.

Each of our larger open pit mines has a Safety Code that they use. I suggest you contact the following companies and ask for their rules and regulations governing Safety: Phelps Dodge, Morenci, Arizona, and Kennecott, Hayden, Arizona.

It has been necessary to enforce safety in our mines and open pits in order to protect the lives, health and safety of the workers. Eight fatalities underground and one fatality in the open pits last year compared to the years from 1920 to 1940 where from thirty to one hundred fatalities each year.

Sincerely,

*Verne C. McCutchan*

Verne C. McCutchan  
Arizona State Mine Inspector

VCM:me

Encl. /

50 Tanner Street  
Haddonfield,  
New Jersey 08033

April 4th 1967

STATE OF MICHIGAN  
Department of Economic Development  
- or -  
Department of Labor and Industry  
Lansing,  
Michigan

Dear Sirs,

I am in the process of obtaining information in regard to both safety and state regulations concerning open pit mining.

The purpose is towards forwarding suggestions for legislation based on the experience of your state, where mining of this type is in practice.

Any help you can give me would be sincerely appreciated. I am particularly interested in how and why your state sought regulations, (if any) on open pit mining.

What laws, (if any) were brought about by your state in regard to the experience and practice of open pit workings.

I am prepared to reimburse you for any publications you would consider worth my study.

Sincerely yours,

Albert E. Sandocki

Address: 50 Tanner Street  
Haddonfield,  
New Jersey  
08033

Thank you again.

COPY

sent to-;

UTAH  
ARIZONA  
MICHIGAN  
CALIFORNIA  
CANADA

UNITED STATES

BINGHAM, UTAH

✓ APRIL 4<sup>th</sup> —

KINGCOY

LARGEST OPEN PIT COPPER MINE  
IN U.S. BINGHAM CANYON

STATE OF UTAH

DEPT. OF ECONOMIC DEVELOPMENT

OR  
DEPT. OF LABOR & INDUSTRY

SALT LAKE CITY, UTAH

---

BISBEE, ARIZONA.  
MORENCI,

✓ APR. 4<sup>th</sup>

1ST IN PRODUCTION OF COPPER ORE  
IN U.S. 1890

STATE OF ARIZONA

DEPT. OF ECONOMIC DEV.

OR  
DEPT. OF LABOR & INDUSTRY.

PHOENIX, ARIZONA.

---

KEWEENAW PENINSULA, MICHIGAN.

✓ APR. 4<sup>th</sup>

DEPLETING COPPER MINING WORKS

STATE OF MICHIGAN

DEPT. OF ECONOMIC DEV.

OR  
DEPT. OF LABOR & INDUSTRY.

LANSING, MICHIGAN.

---

CALIFORNIA

✓ APR. 4<sup>th</sup>

STATE OF CALIFORNIA

DEPT. OF ECONOMIC DEV.

OR  
DEPT. OF LABOR & INDUSTRY

SACRAMENTO, CALIFORNIA

---

CANADA

PROVINCE OF VANCOUVER — ANYOK, ROSSLAND

" " QUEBEC — NORANDA

" " ONTARIO — CHIBOUGAMAU  
SUDBURY.

} COPPER MINES.

✓ APRIL 5<sup>th</sup>

DEPT. OF ECONOMIC DEV.

OR  
DEPT. OF LABOR & INDUSTRY.

OTTAWA,

CANADA.

Winterport, Maine  
March 27, 1947

Dear Albert,

We are returning the letters to you concerning my Dad and the Callahan Mining Company. Thank you for sending them to us to read. They didn't arrive in time to take with us to Ellsworth, but it didn't really matter. It will be wise to keep all of these things though.

My parents have read these and also the first letter that you sent to us of yours to "Joe H." Bill had copies made of all of these on a copy machine for Mom & Dad to have. We thought that they would like them for their file, and it might be good to have two copies of these things in the event that one set got lost.

So -- thanks again for everything. You have done more than your share to help Dad - way more! We all certainly appreciate it very much. Dad doesn't get treated right by Callahan it certainly isn't your fault.

Life is very busy here at Winterport. Bill is working away at Bristol as usual. I am busy rehearsing for a three act play to be put on by the church. A real funny play - we laugh throughout most of the rehearsal. I hope we can get over that. Glenn & Debbie are busy



with school, Glenn is taking lessons on the accordion as usual. He is doing quite well we think.

Last Saturday we went down to Harbourside. We haven't been down for quite a while. Mom & Dad come up here often in the winter as we are so busy here on week-ends and it is hard to get away. We get down more in summer. The Selves, Hollingdals, Bousas and Shirley Perry were all down for the week-end. We all had a nice time. We had one of Mom's Bahama Suppers!

I must get back to work here to get ready for another play rehearsal this afternoon.

Again thanks for all that you have done for my parents.

Say "Hi" to Jan and the two girls for us. We will be looking forward to a visit from you four next summer. It isn't as nice here as at Harbourside, but you must come up for a meal with us anyway.

Sincerely,

Pete - and Family

P.S. - I just went to the mail box and found your letter to us. You have not offended us in any way. You did a very nice thing to try to get help for Mom & Dad. I think Callahan just wants both ends and the middle - and that is no fault of yours. It does Dad so much good to know that there is someone on his side. Even Elwin is being nasty to him. Oh well, Elwin may get his nose rubbed in Callahan mud before this is all over. Mom & Dad are supposed to start work today. They both have work at the Island.

5  
3RD LETTER TO HALL  
IN ANSWER TO HIS OF  
MARCH 7<sup>th</sup>

50 Tanner Street  
Haddonfield,  
New Jersey 08033  
March 18, 1967

Mr. Joseph T. Hall  
Callahan Mining Corporation  
277 Park Avenue  
New York, N.Y. 10017

Dear Mr. Hall:

In regard to your letter of March 7th either I have not made myself clear or possibly some sort of misinterpretation has entered into these past correspondences of ours. To set the record straight, I am requesting that your company buy the Farnham property we have been discussing. I feel I have not in the least "gained" as you so state, from Callahan's mining operations on the cape. The Farnhams have lost their peace of mind and more.

Knowing their feelings towards your company, I would think it foolery to expect them to offer room and board to those who have destroyed the beauty that is so much a part of their life. In plain fact the less contact with Callahan Mining on the Farnhams and my part the better, as you again so state "an attitude that is neither unique to Cape Rosier nor to be criticized." I am relieved you could understand how some, "unfortunately the minority" feel about tearing the place to pieces.

The Farnhams had indeed a sale on the house at the time some surveying was being done-as has been done off and on for as long as anyone in the area can remember. To the Farnhams and the prospective buyers this was somebody else just poking around and bound to leave as had the others. The prospective buyers left as a direct result of your companies announced intentions of an open pit, who in their right mind would consider retirement in a house setting on the lip of an open pit mining operation?

As to your last paragraph, I feel any discourse of this matter on a community level would be unthinkable and in the poorest of taste.

To say little of the embarrassment it would cause the Farnhams, I am astonished that you would suggest such a solution to a problem created entirely by your company's project.

I have labored under the impression that there might be a degree of human concern on your, your company's, or Mr. Hirshhorn's part.

I am sorry, I feel that I have been wasting my time and yours in the matter, and any further correspondence or meeting would be quite fruitless.

Sincerely,

Albert E. Sandeckl



MAR. 25th 67

JIMMY SAWYER (left), Castine, is sworn in as a director of the Maine Port Authority by Gov. Kenneth Curtis (center). At right is Richard Willey, Ellsworth, member of the Governor's Executive Council. Sawyer's term is for three years.

④  
HALL'S REPLY TO MY  
SECOND LETTER.

CALLAHAN MINING CORPORATION

277 PARK AVENUE · NEW YORK, N.Y. 10017  
TELEPHONE: (212) 826-2950

OFFICE OF THE PRESIDENT

March 7, 1967

Mr. Albert E. Sandeck  
50 Tanner Street  
Haddonfield, N. J. 08033

Dear Mr. Sandeck:

Thank you for your letter of February 14th with its further expression of your feelings about the Brainard Farnham situation. I have received some added information on the subject, but still find that all of the pieces do not fit together as neatly as one would like before drawing conclusions.

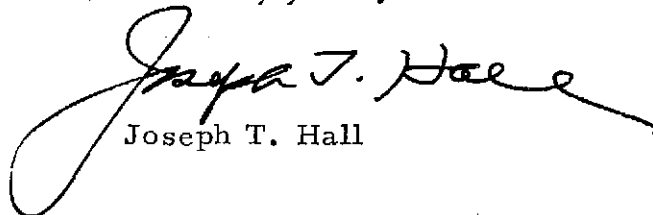
I am not clear as to what corrective measures might be taken to achieve the end you seek. One of our men approached the Farnhams early in our activities to rent the house nearest the pit and was told they did not wish to do so. This house, I understand, was put under the sales contract after our work was started - hence was apparently dropped for some other reason.

We have seen no effort by the Farnhams to encourage visitors, of which we have growing numbers, to take rooms or meals with them. It would seem that cooperation along this line would work decided financial advantage, and the lack of local competition should make it possible to raise the "unbelievably low prices".

It appears that Callahan's activities in the area are proving a very real help economically to the local communities. Many people have benefited and are benefiting. Unfortunately a few are inconvenienced or dislike any form of change - an attitude that is neither unique to Cape Rosier nor to be criticized. If you and those who have gained from Callahan's presence feel a desire to aid the Farnhams, I think you will find that we will contribute to any reasonable solution. I question that we who are benefiting many in the area should be wholly responsible for the few who object. It seems properly a community affair.

We should like very much to have your suggestion as to the best solution and the extent to which others will contribute if it is widely felt that the Farnhams are in the unfortunate minority. Again I invite you to drop by if you are in New York for I am sure we could exchange thoughts best thus.

Sincerely yours,

A handwritten signature in cursive script that reads "Joseph T. Hall". The signature is fluid and extends to the right with a long tail.

Joseph T. Hall

JTH:aim



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF MINES  
WASHINGTON, D.C. 20240

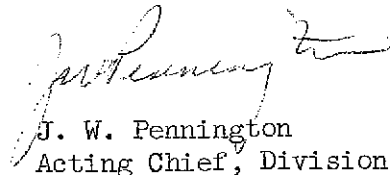
February 24, 1967

Mr. Albert E. Sandecki  
50 Tanner Street  
Haddonfield, N.J. 08033

Dear Mr. Sandecki:

Any regulations that might be applicable to open pit mining in Hancock County, Maine, subject of your February 9 letter, would be a function of the State or local government rather than Federal. To my knowledge, there is no publication for Federal regulation of open pit mining in the United States.

Sincerely yours,



J. W. Pennington  
Acting Chief, Division of Minerals

③  
2ND LETTER TO  
HALL.

50 Tanner Street  
Haddonfield,  
New Jersey 08033  
February 14, 1967

Callahan Mining Corporation  
277 Park Avenue  
New York, N.Y. 10017

Dear Mr. Hall,

Thank you for your letter of February 10th. In regard to your company's presence and objectives on Cape Rosier. I have met and talked with your engineers, they are interesting and pleasant people. I understand your obligations to shareholders and for that matter, the need of these minerals.

Writing to your company was prompted by the simple fact that rumors are spread and often get out of hand. Some have been of the content that the Farnhams are wealthy, they are not, and just get by. Brainard and Marian are getting old, there will come a day when he can no longer work.

The money he might have gotten from the sale of the house, properly banked or invested would not cause him to be anyone's burden but his own. This truly means a lot to him. It was with much personal conflict that he offered the house to Mr. Whitley and your corporation.

I feel quite sad that my financial status is not such that I could purchase the house and simply sit on it until your work is completed. Enjoying once more the silence and beauty of the area.

Fully realizing it is nervey of me to write to Callahan Mining and Mr. Hirshhorn, asking your consideration in the matter. It is my frustration that has provoked these actions. Only hoping to make you aware, if you were not, of the Farnhams distress, unhappily brought about by your efforts to be a successful corporation.

To me, it is a tragedy watching a fine man such as Brainard consuming himself with feelings only he can know. My children and I may see a successful end to your company's venture, I doubt the Farnhams will. At least they may attain the possibility of moving out or living somewhat securely in a home they cannot bear to leave.

Their future stable existence depends on the sale of this house.

Thank you for your invitation to visit you in New York, possibly if it is mutually convenient we could meet.

Sincerely yours,

Albert E. Sandocki

2

CALLAHAN MINING CORPORATION

277 PARK AVENUE · NEW YORK, N.Y. 10017  
TELEPHONE: (212) 626-2950

OFFICE OF THE PRESIDENT

February 10, 1967

Mr. Albert E. Sandecki  
50 Tanner Street  
Haddonfield, N. J. 08033

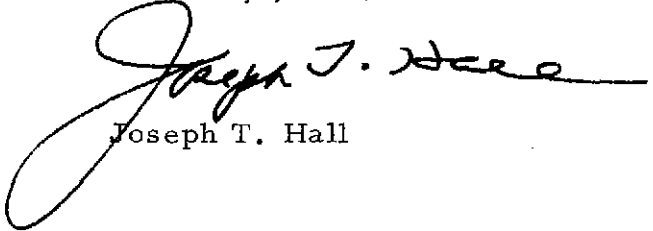
Dear Mr. Sandecki:

Your letter of February 5th to Mr. Hirshhorn has been brought to my attention as I return from an absence from the office. I am forwarding copy of your letter to him in the West where he will be for a couple of months.

Meanwhile, I'm sure you know that we are not insensitive to the position of the Farnhams. We, of course, have responsibilities to our shareholders. In the light of your letter, I am going to undertake to develop some further information so that I may respond more fully to your letter.

If you should be in New York City at any time with a few minutes to spare, I would be happy to have you drop by for a visit. We are most anxious within the parameters of our basic objective to be good neighbors in Maine. I should like very much to have you believe this even though you may find yourself out of sympathy with our presence.

Sincerely yours,



Joseph T. Hall

JTH:aim



50 Farmor Street  
Haddonfield,  
New Jersey 08033  
February 5, 1967

Mr. Joseph R. Birshorn  
Callahan Mining Corporation  
277 Park Avenue  
New York, N.Y.

Dear Sir,

I am writing to you as chairman of the board of the Callahan Mining Corporation, in this respect you may have some direction over this companies policies and ambitions. This is a request for some degree of consideration for the lives and happiness of two elderly people residing quite near the copper and zinc mine on Cape Rosier, Maine.

I am as I think Callahan Mining should be concerned for Brainard Farnham and his wife Marion living out their life with some degree of respectability. They are two of the few remaining who really struggled with nature to make a place on earth. Their roots are very deep in this particular spot of Maine.

The Farnhams are land poor, he is on social security at about age 70, but still works to make ends meet, his wife cooks and serves meals to summer people at unbelievably low prices. Mr. Farnham has three properties, one which I bought that adjoins his present home lot, and the other the big white house that borders the mines property.

He sold this house to some folks with a small deposit and a large balance due, the people intended to retire there. Callahan Mining started their project and the people left forfeiting their deposit. Brainard Farnham still maintains this property, which he has no chance in my estimation to sell to anyone save the mining company. There are two ways of thinking about this situation. One is "That's too damn bad," the other "Can I help?" I personally cannot for I do not have the money to buy the place, nor the desire to live on the edge of an open pit mine, especially with two small children. However I think Callahan Mining could by using the house as an office or home for an engineers family or what have you.

Brainard tells me he has offered the property to your company through his agent Rufus Candage in Blue Hill. But alas your firm says its too much money for his house. This property definitely was Brainard Farnhams nest egg, and your company went and broke it. I understand the dinner plates chatter on the tables with the blasting now, its rather obvious what this will do to there summer boarding business.

Their water must need state approval to ~~be~~ ~~use~~ ~~for~~ ~~drinking~~, he will have to bring in another well someday as a direct result of the mining I am sure.

The difference is clearly whether two people suffer through the blasting and dust in poverty or with a degree of financial security for their few remaining years.

Not a pretty picture painted by a company wanting to be liked by all in the area.

10-17-70

Brainard Farnham went against your company from the start simply for the destructive methods that made the venture practical, a most understandable reaction in his part, he loves peace and beauty.

Above all it has cost him dearly in life long friends in that few if any came to him in a very trying time for him.

I have my personal sentiments and reasons for feeling the way I do about the mine as I am sure your engineers and Mr. Snowd can attest to. Brainard is a very proud and stubborn man, you had to do what he did to live. I am and hope forever to be a good friend of his, and will happily join in with ~~him in~~ <sup>him in</sup> ~~the~~ progress of the Gallianan Mining Corporation.

HIM IN DAMNING

These are the two people most hurt by the Gallianan project, I just thought you ought to know. I understand completely what Mr. Whitley said to me one peaceful evening in Harborside, that progress always hurts somebody. It is just that these people have been hurt too much.

As Chairman of the Board can you and your associates consider the plight of those two fine people?

Sincerely yours,

Albert H. Sandocki

# Young explains Callahan mine

## development to Blue Hill CC

JAN 12 1967

BLUE HILL--Some 65 persons at the annual meeting of the Blue Hill Chamber of Commerce Tuesday night heard Gavin Young, manager of the Callahan Mining Corporation property on Cape Rosier, explain the development of the mine and some of the problems involved.

Development, he said, was more or less on schedule. The company hopes to stockpile ore for about nine months before the mill starts operation in about a year.

He introduced the mine staff, gave Callahan's history, and a step-by-step blueprint of how the current mine is being brought into production.

CALLAHAN, he said, originally was a highly profitable operation. In the 1912-1920 period it made \$8.5 million in profits, paying \$7.5 million in dividends "which undoubtedly made the stockholders very happy but left no working capital."

The result was the company had a series of continuing losses until it was "flat on its back" in 1936. A financial reorganization put the company back on its feet and it operated profitably through the end of World War II when lessened demand for metals found the company "flat on its back again."

But the company had made one wise investment--it had acquired a silver mine in Idaho. The problem was it lacked the capital, \$4 to \$5 to develop it, including sinking a 4,000 foot shaft. American Smelting decided to take the risk, Young said, and put up the money for development under an agreement to split profits after initial development costs were recovered.

THE MARRIAGE was a happy one. The Galena mine was brought in and is today the nation's second largest silver producer. "In a few years we hope it will be the largest," Young said.

Profits from the mine were not passed back, but retained by the

company for future development, Young said. Several manufacturing firms were acquired but Callahan decided it wanted to "take a third shot" at operating its own mine. It had its own development capital available, and in 1964 became interested in the Cape Rosier location.

The Cape Rosier outcrop had been known since 1812, Young said. It was not hard to find because the ore came right to the surface.

An English firm sank "sort of" a shaft, taking out some high grade ore, but the operation petered out about 1887. In 1916 the world shortage of metals due to the war put the mine in operation for a short time, but technology had still not developed to the point where operation was profitable and the mine closed again.

St. Joseph Lead and the U.S. Bureau of Mines did a little exploration and drilling on the property during 1940, but technology still made operation of a mine there too expensive.

In 1956 a Canadian backed company did 8,000 feet of diamond drilling. "By this time technology had developed to the point where it

was adequate, but the company lacked the money, so nothing was done." Young said.

After Callahan became interested in the property in 1964, all old exploration reports and data were studied. The shaft was pumped dry and 1,500 feet underground workings developed. Some 13,000 feet of test holes were drilled, and the shape of the ore body determined.

NEXT CAME metallurgy tests to determine the economics of recovering the metal, and deciding on the method of mining.

"You only have two choices," Young said, "shaft or open pit. It was decided an open pit was the only economically feasible way for this mine." Engineering studies, to determine the waste-to-ore ratios were concluded a year ago last August.

Modern technology had made operating the mine at a profit possible. Callahan had cash on hand to develop the mine. The decision was made to go ahead.

First, he said, Goose Falls Pond  
(Turn to CALLAHAN  
on page 3)

(Continued from page 1)

had to be drained. "Even if the mine had been an underground development, we would have had to drain the pond, because the ore is so near the water it would be too dangerous to operate."

WHEN THE pond was drained, it was learned bedrock was covered by about 90 feet of marine mud.

"This is one of those unforeseen circumstances," he said. Currently, the company is working with engineers to determine how to remove the mud. It will probably be by hydraulic dredge, peeling the mud back in 20-foot slices.

"Actually, the mud may prove to be an advantage," he said, because mud removal may prove less expensive than blasting waste.

Engineering studies show about six tons of waste must be removed for each ton of ore extracted. Estimates are that 5,000,000 tons of waste must be removed, about 600,000 tons of which are mud.

The ore, when extracted, will be ground and concentrated by a flotation process.

"Most of the chemical used in the process will remain with the concentrate," Young explained. The process, which will be yielding about 50 tons of zinc concentrate and 13 tons of copper concentrate a day, will be pumping water with tailings at the rate of about 100 gallons per minute.

"THE EFFLUENT will be monitored closely by the Water Improvement Commission," Young said, "so any problems can be corrected. Or else they're going to shut us down."

He allayed fears that the process would cause water pollution in the area. "With the amount of money we have invested in this operation, we're not going to chance being closed down because of pollution."

Copper concentrates, he said, would probably be shipped to Quebec for smelting and zinc concentrates would probably go to western Pennsylvania although final decisions have not yet been made.

Transportation of the concentrates could be by rail or water, either by trucking to Bucksport to a railhead or transporting to Searsport by barge. He sees no problems if trucks are used because there would be only six or seven truck loads per day.

A FULL CREW of 75 employees is seen when the mine is in full operation, about 65 of whom will be hired locally with the technical staff consisting of about 10.

Although the mill and concentrator will operate on a three-shift basis, Young said mining in the pit would probably be two-shift in the early years, dropping to one shift later as the waste to ore ratio reduces.

Only enough ore was "proved out" to justify development of the mine, Young said, so he could not definitely say how long the mine might last. The company is confident of finding more ore, and that is the possibility of underground mining could be carried on later. Current planning, however, is on the basis of at least seven years.

HE CITED some of the advantages to the state and community through development of the mine.

"First there's the five per cent sales tax on about \$1 million of new purchases. Then there is the royalty to the state for ore under the pond." Royalties, he said, go to the Maine Mining Bureau to help develop other mines in the state.

And there is the year-round employment and the benefits of the regular payroll, plus the local property and real estate taxes. "Since we will not be bringing in a large number of people, there will be no strain on local facilities such as schools."

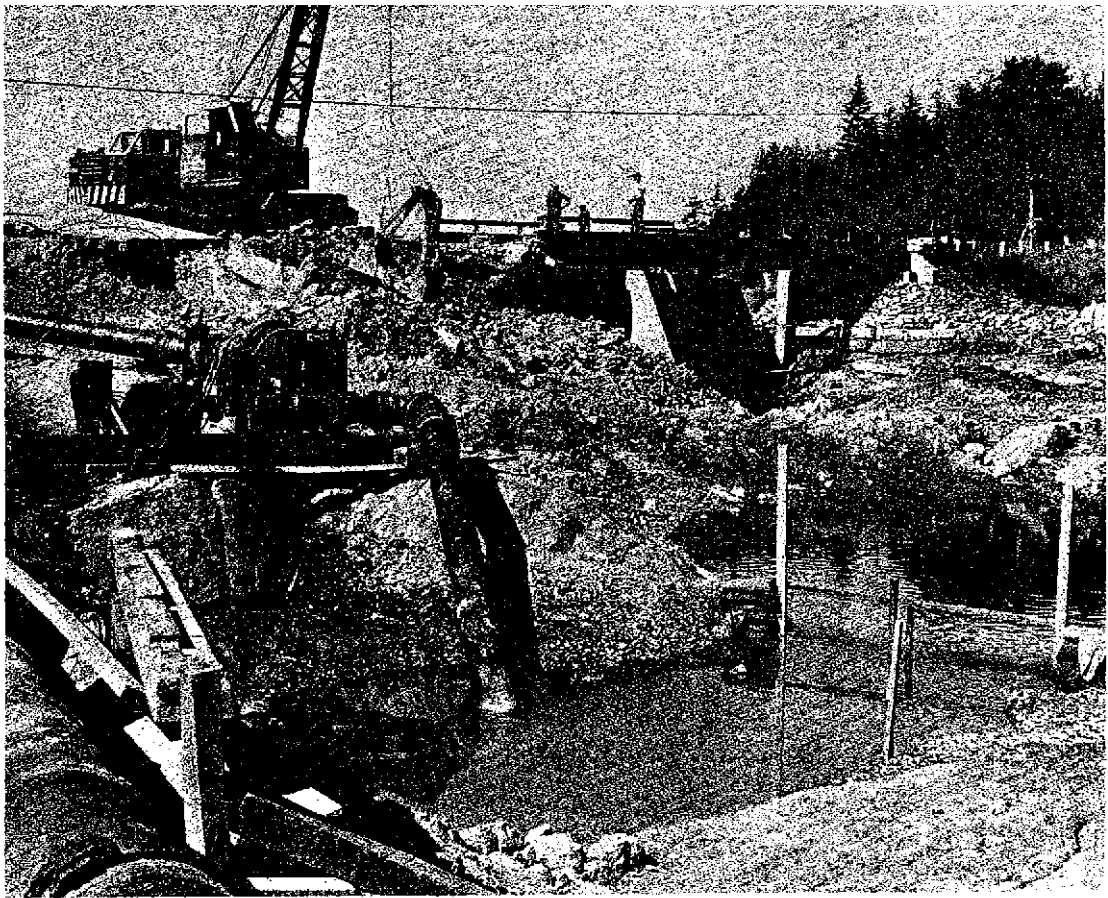
"OF COURSE," he added, "there will be problems."

Some people are concerned about the appearance of the waste pile. "Actually," he said, "it will look very much like a gravel pit. We have located it behind a hill so as to be screened from view as much as possible."

He admitted there would be some noise, especially for the first year, "but after we're down 150 feet most of the noise will be muffled. After a year or so dust will be very minor."

There would be no odor, he said, and no smoke since no smelting would be done at the mine.

He emphasized that the company wished to be good neighbors, not only with Brooksville but with the entire area.



MOST OF THIS AREA was covered by water a few weeks ago. Workers at Callahan Mining Corporation's Goose Falls mine site have drained the area using pumps such as the one in the foreground and installed a large concrete dam beneath Goose Falls Bridge. The dam is nearing completion and work has begun toward redecking the bridge.--Packet photos.

## Callahan development progressing

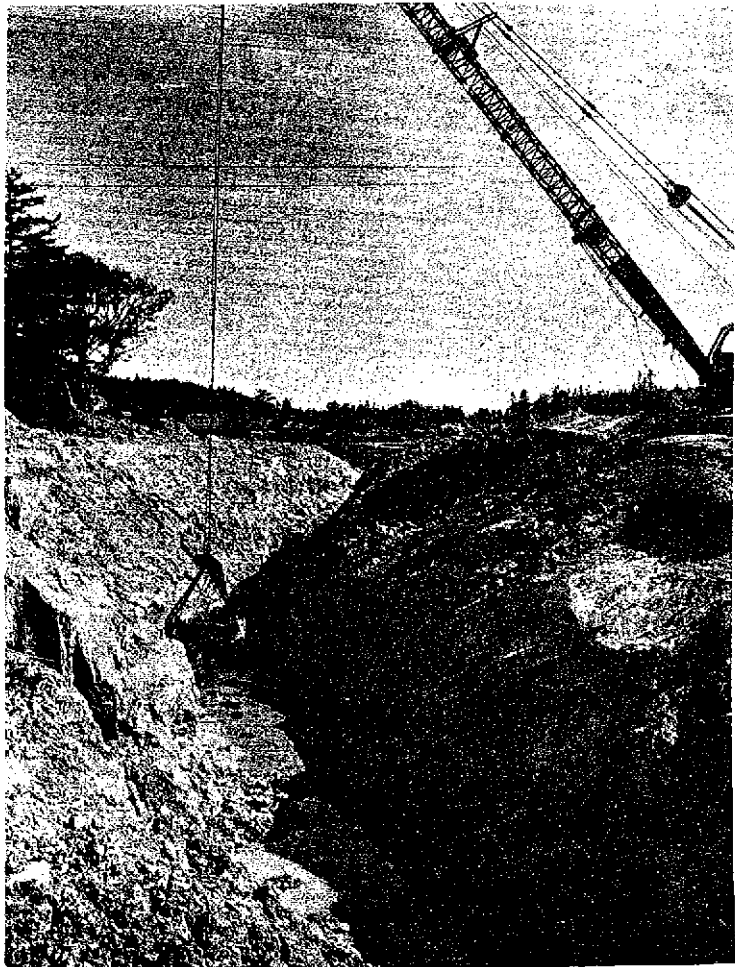
BROOKSVILLE--Development of Callahan Mining Corporation's Goose Falls mine site at Cape Rosier is moving ahead steadily.

Construction is well along on the concrete dam beneath the Goose Falls bridge and workers are preparing to redeck the bridge floor which was temporarily dismantled to allow room for building the dam.

Water is being pumped from the pond at the rate of about 5,000 gallons per minute. The water presently covers the area from which the mineral-containing ore will be extracted.

A second smaller dam is also complete at the upper end of the pond near the old Redman farm. A road from the main mining area through the woods to the Redman farm is also under construction, and land is being cleared to provide building area.

An eight-foot culvert 120 feet in length is being assembled to carry the fresh water drainage from the hills which collects above the upper pond dam. A drainage ditch has been dug from the area above the dam to Weir Cove to allow flow of the water to the culvert.



THE DRAINAGE DITCH which will be used to carry fresh water runoff from the nearby hills is nearing completion. A 120 ft. long 8 ft. culvert will soon be installed leading into the cove.

# Mining Corporation Cites Important Progress In '66

**BROOKSVILLE**— Officials of the Callahan Mining Corporation reported this week that significant progress was made in 1966 toward development of its zinc-copper mine on Cape Rosier in Brooksville.

Present plans call for production of mineral concentrates early in 1968, a spokesman said. Marketing arrangements and plans for shipping concentrates are still being finalized.

Initial preparation of the mine site, including clearing and foundations for the office, laboratory, shop and warehouse, has been completed and it is expected that these buildings will be erected in the next few weeks. Some heavy equipment is already at the mine site and others for additional equipment and materials are being placed.

A dam to divert tide water

and a drainage ditch for fresh water runoff from the nearby hills were constructed last year. The waters of a tidal estuary overlying the mineral deposit were drained and underground tests to analyze water flow into the proposed open-pit area were then satisfactorily completed, the spokesman said.

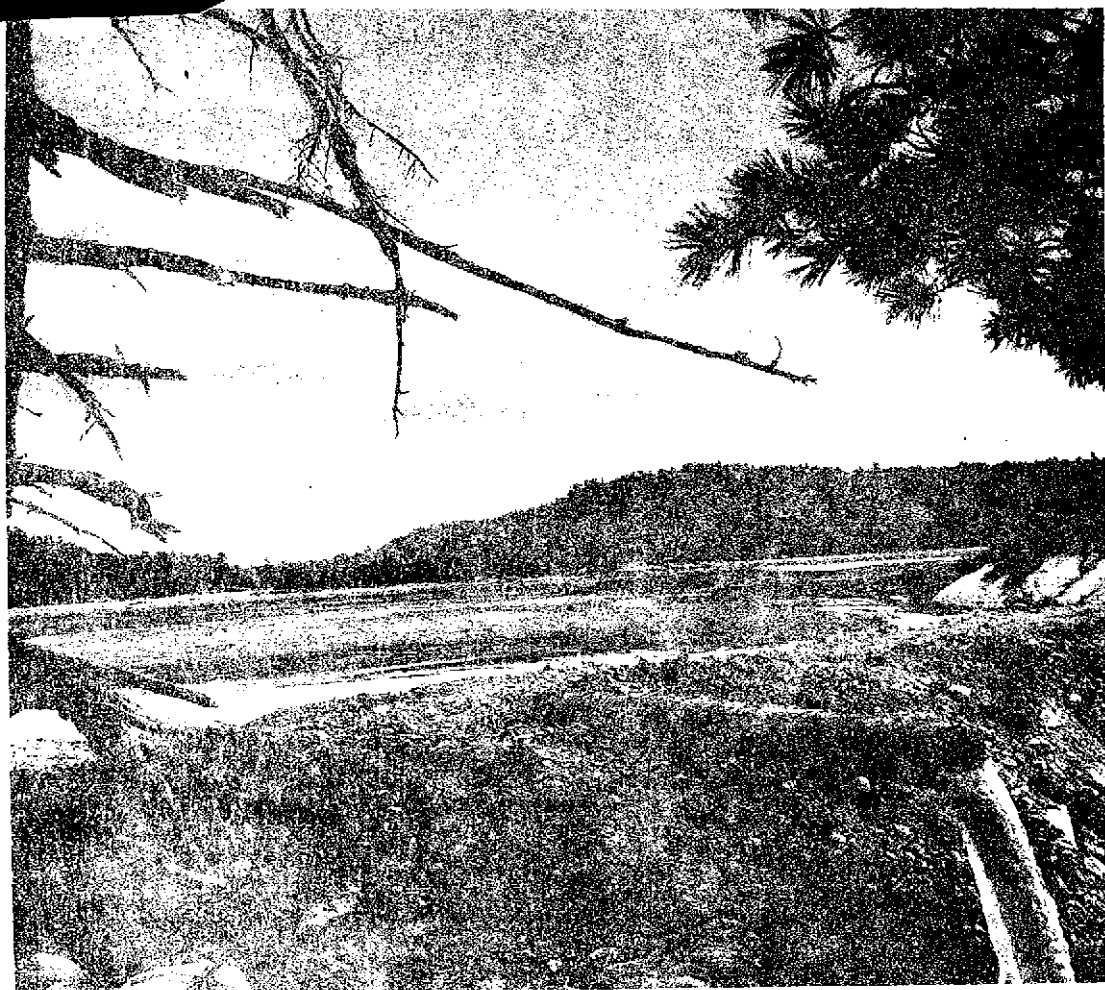
An operating staff of seven persons, all with long experience in mining has been assembled and approximately 15 local persons are now employed.

Construction of the mill for concentrating ores and development of the open pit are presently scheduled to begin in the Spring, at which time expanded employment is anticipated. For full operation, the mining company expects to hire about 65 persons locally.

# The WEEKLY PACKET

Thursday, September 29, 1966

10 cents a copy



GOOSE POND at Cape Rosier is almost dry. For several days large pumps at Callahan Mining Corporation's site have been pumping water out of the pond area at the rate of about 5,000 gallons per minute. The water previously covered the area where the open pit will be located when miners begin extracting the copper and zinc ore. Seagulls and other birds have taken advantage of the situation to feast on the fish left stranded by the receding water level.--Packet

EDWIN G. BORING  
HARBORSIDE, MAINE  
04,642

1 September 1966

Dear Anita:-

This question may surprise you, but I do wish you would tell me what is the attitude of the Sanctuary toward people's going on its land. I really do not know. When I go on the land—to Backwoods Mountain or to the hill where the cottages were—I always feel a little guilty, even though I take with me no dog nor any any gun. The land has so long been posted in negative senses, that I have never felt quite sure that people are welcome. Are they?

In short, what is the Sanctuary for? I have read your excellent interview in the Ellsworth American, but it does not say whether you founded the Sanctuary for animals or for people. Is it really for people? Do you want us to come on the land to enjoy it? If you do, it seems to me you ought to give a little more publicity to the fact so as to correct as contrary impression. I know it is difficult. You may want the public but not their beer cans and a line has to be drawn. Just the same, I think the argument for making the Sanctuary tax-free was not only its ~~small~~ size but also that it should be for the purpose of benefitting people—either scientists or vacationers. So tell me: what does the Sanctuary think it is for?

Sincerely yours,

*Edwin G. Boring*  
Edwin G. Boring

Miss Anita Harris  
Holbrook Island  
Castin, Maine



50 Tanner Street  
Haddonfield,  
New Jersey  
18 November 1966

Atlantic Mutual Ins. Co.  
33 Broad Street  
Boston 9 Mass.

r. James Keough  
(Claims Dept.)

Dear Mr. Keough,

I have sent you your General Release form #54. 72 98 as of  
October 31st 1966.

You assured me as per our telephone conversation of October  
18, 1966, that upon receipt of this form I would receive a check  
for the amount of 191.00 .

I have not as of this time of writing to you received said  
check, and would appreciate having the matter cleared up.

Sincerely yours,

Albert E. Sandocki

Know all Men by these Presents:

That I, Albert Sanddecki, of No. 50 Tanager Street Street, City of Haddonfield, State of New Jersey, and being over the age of twenty-one years, for and in consideration of the sum of One Hundred Ninety One and 00/100ths

lawful money of the United States of America to me in hand paid, the receipt whereof is hereby acknowledged, have remised, released and forever discharged, and by these presents do for myself, my heirs, executors, administrators, successors and assigns, remise, release and forever discharge

Callahan Mining Corporation and Atlantic Mutual Insurance Company (Here insert Full Names of Persons, Corporations or Partnerships to be released)

its successors and assigns, and/or his, her or their associates, heirs, executors and administrators, and all other persons, firms or corporations of and from any and every claim, demand, right or cause of action, of whatsoever kind or nature, by reason of personal injuries, illness, disease or damage to property sustained by me as the result of a certain accident, casualty or event which occurred on or about the day of August, 19 66, in the City of Harborside, State of Maine

As a further consideration for the making of said settlement and payment it is expressly warranted and agreed:

- (1) That no promise or agreement not herein expressed has been made to me, and in executing this release I am not relying upon any statement or representation made to me by the party or parties released hereby or by anyone who has acted for them or on their behalf, but I am relying solely upon my own judgment;
(2) That I understand fully that this is a final disposition of the disputes both as to the legal liability for said accident, casualty or event and as to the nature and extent of the injury, illness, disease and/or damage which I have sustained, and this full and final settlement thereof shall never be treated as an admission of liability at any time or in any manner whatsoever;
(3) That I understand fully that this compromise settlement is mutual, final and binding upon all of the parties hereto regardless of whether too much or too little has been paid;
(4) That this release is expressly intended to cover and include all claims, several or otherwise, past, present or future, which can or may ever be asserted as heirs, or otherwise, as the result of injuries, illness, disease or damage as aforesaid or the effects or consequences thereof;
(5) That this full and final release is intended to cover any and all future injuries, illness or disease, not now known to either party hereto but which may later develop or be discovered, including the effects or consequences thereof and including all causes of action therefor;
(6) That the undersigned will indemnify and save harmless the party or parties released hereby from any and every claim or demand of every kind or character which may ever be asserted by reason of said injuries, illness or disease, or the effects or consequences thereof.

In Witness Whereof, I have hereunto set my hand and seal the 31st day of October in the year one thousand nine hundred 66

Sealed and delivered in the presence of Witness Ann R Campbell Address Cherry Hill, N.J. STATE OF New Jersey COUNTY OF Camden ss.

On this 31st day of October 19 66 before me personally appeared Albert E. Sanddecki to me known, and known to me to be the same person described in and who executed the above instrument and he (or she) acknowledged to me that he (or she) executed the same.

Ann R Campbell NOTARY PUBLIC OF NEW JERSEY My Commission Expires July 29, 1969 (Optional title)



ATLANTIC MUTUAL INSURANCE COMPANY  
MARINE FIRE AND CASUALTY INSURANCE

BRANCH OFFICE  
33 BROAD STREET, BOSTON 9, MASSACHUSETTS

October 17, 1966

Mr. Albert Sandecki  
50 Tanner Street  
Haddonfield, New Jersey

Re:

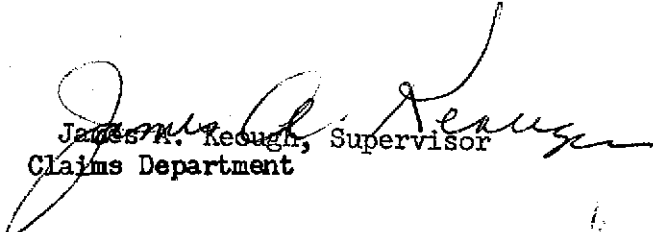
Calhhan Minning Corp.  
54 72 98

Dear Mr. Sandecki ,

Enclosed please find general release in the amount of \$191.00. Kindly sign this before a Notary Public and return it to this office as soon as possible.

Upon receipt of the release properly executed, we will forward you our draft in full and final settlement of your claim.

Very truly yours,

  
James A. Keough, Supervisor  
Claims Department

Encl. 1

CALLAHAN MINING CORPORATION

277 PARK AVENUE · NEW YORK, N.Y. 10017  
TELEPHONE: (212) 826-2950

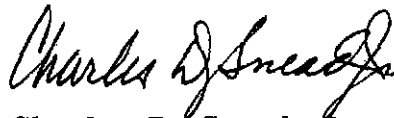
September 23, 1966

Mr. Albert E. Sandecki  
50 Tanner Street  
Haddonfield, New Jersey 08033

Dear Mr. Sandecki:

The information which you provided us has been turned over to our insurance carrier. We have asked them to look into this matter as soon as possible and I believe that you will hear from them shortly.

Very truly yours,



Charles D. Snead, Jr.

CDS, Jr. /gm

50 Tanner Street  
Haddonfield,  
New Jersey 08033  
September 19, 1966

Mr. Charles D. Snead Jr.  
Callahan Mining Corporation  
277 Park Avenue  
New York, N.Y. 10017

Dear Mr. Snead,

In reference to your letter of August 26th requesting an estimate of damages to my outboard motor, and my reply shortly thereafter.

Three weeks have passed and I have not received a reply.

Sincerely yours,

Albert E. Sandeck

50 Tanner Street  
Haddonfield,  
New Jersey 08033

Mr. Charles D. Sneed Jr.  
Callahan Mining Corp.  
277 Park Avenue  
New York, N.Y. 10017

Dear Mr. Sneed,

The following is the information requested in your letter of August 26th.

Motor description---- 1963 Evinrude 18 Horsepower Fastwin  
Serial no. I8302-I2371

Motor damage----- Sawdust clogged impeller in cooling system, causing the engine to overheat considerably. This in turn scoring cylinder walls and destroying piston rings. Water pump shot as well as the power head.

Estimate of repair--- Enclosed

Estimate of the cost of replacing the motor which is my intention for reliability and safety is \$415.50 net cost quoted me by Shannon Outboard Motor Sales for a 18 hp. Evinrude Fastwin 1967 model.

Sincerely yours,

Albert E. Sandecki

# CALLAHAN MINING CORPORATION

277 PARK AVENUE · NEW YORK, N.Y. 10017  
TELEPHONE: (212) 826-2950

August 26, 1966

OFFICE OF THE SECRETARY

Mr. Albert Sandecki  
50 Tanner Street  
Haddonfield, New Jersey 08033

Dear Mr. Sandecki:

Thank you for your letter of August 19th. We are indeed sorry to hear of the damage to your outboard motor and are quite anxious to take whatever action is appropriate.

We would, therefore, appreciate your providing us with the following:

1. A full description of the motor, including the year in which acquired.
2. A brief statement of the damage to the motor.
3. An estimate of the cost of repairing the motor.
4. If beyond repair, an estimate of the cost of replacing the motor.

In order to enable us to be in a position to promptly process a claim with our insurance carriers, it is necessary that any estimate submitted be secured from an independent source such as a repair shop or dealer.

Very truly yours,

CALLAHAN MINING CORPORATION

By Charles D. Sneed, Jr.  
Secretary

CDS, Jr. /gm

50 Farmer Street  
Haddonfield,  
New Jersey 08033  
26 August, 1966

Mr. Kenneth P. Nelson  
Horace R. Coe & Co., Inc.  
Philadelphia, PA.

Dear Mr. Nelson,

As per our telephone conversation this afternoon please find enclosed for your safe keeping :

1. Rough draft copy of my letter to The Callahan Mining Co.
2. Receipt for letter sent to Callahan Mining Co.
3. Two photographs denoting saw dust on side of causeway, and my boat mooring in relation to the causeway.
4. Sample of sawdust spread by the blaggards.
5. Two estimates by reputable firms in my area.

Situation:

On the 18th of August the Callahan Mining Companies work force dumped truck loads of sawdust along the Goose Falls causeway, in an effort to stop leaks in the project.

This material was floated off by the tide thus causing the harbor to be saturated with sawdust, on top of as well as beneath the surface of the water in the cove.

On starting my engine while in this cove and running approximately two or three minutes my engine slammed to a complete stop, removal of the engine cover revealed an extremely hot smoking power head.

After consulting a mechanic of marine engines a Mr. Eaton of Castine, Maine, I was informed that the sawdust had indeed clogged the cooling system of my engine. At Mr. Eaton's suggestion I informed The Department of Sea and Shore Fisheries in Belfast, Maine, as to the hazard created through Callahan Mining's negligence at Goose Falls Cove on Cape Rosier, Maine.

I have since written to a Mr. Charles Sneed attorney for The Callahan Mining Company at 277 Park Avenue, New York, New York. The letter was sent August 19, 1966.

Sincerely yours,

Albert E. Sandocki



Anita

## Hey, Ed!

Dear Editor:

There is a division of opinion in Brooksville, especially on the harbor side of Cape Rosier. The Callahan Mining Corporation has begun operations. It is getting ready to drain Goose Pond where the strip mine is to be. It has put in two dams, and is starting on the third big one, as it reverses the fresh water drainage from Goose Falls Harbor to Weir Cove, a sizable undertaking, as it turns out. Goose Falls are gone with the blasting away of the rock at the Falls to lower the bottom below low tide. Many people are at work though not mostly from Brooksville. The majority feel that money is coming into town and are pleased.

It is very sad that there must be a dissident minority who are adversely affected--the residents in the vicinity of the Falls, the Holbrook Wildlife Sanctuary which abuts the mine, and the summer residents who come to Cape Rosier because they own property there and came originally because of its natural beauty, which is what the sanctuary has been struggling to preserve. (There are not many summer boarders left on the harbor side.) This unhappy minority has made its voice heard, but the situation is now a fait accompli and has passed beyond the stage where complaint is either useful or healthy. The important thing now is to look constructively toward the future. To what extent and how can the beauty of the harbor side of Cape Rosier eventually be restored?

I am no expert conservationist or geologist, but my eye is caught by what is relevant. I see geologists reporting that the reduction of beauty to waste by strip mining is no longer necessary, and the desolation that strip mining used to leave can now be remedied. I read in the PACKET that Callahan promised to restore Goose Pond when the mining is over, possibly in a mere six or eight years, but I do not learn that that promise has been secured by a bond. It may be that the state must be relied upon for restoration. That would be too bad, but perhaps Callahan could be persuaded to recommit itself to its oral promise so as to reassure the minority which feels robbed of beauty.

But can restoration be accomplished? Is it possible? Here is a quotation from an advertisement of the Bethlehem Steel Company which seems to be trying to recover the beauty it destroys and thus to win public approval.

"In 1962 we closed down our old iron-ore concentrator near Lebanon, Pa. Soon the 'tailings' pond dried up, leaving a 300-acre wasteland of powdered rock--no soil--not a trace of nitrogen--highly alkaline. . . . Native vegetation couldn't take hold. Dust clouds rose when high winds whipped the surface.

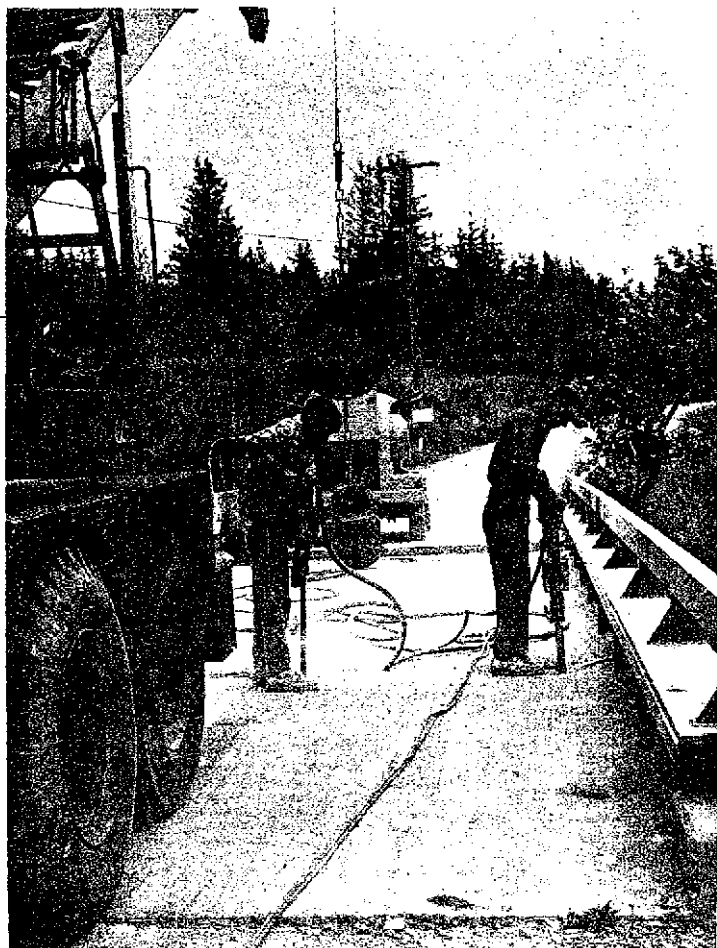
"We assigned our chief forester to the job. He carefully selected a variety of trees, shrubs, and grasses, including nitrogen-fixing black locust, European alder, and legumes. His men hand-planted nearly a quarter of a million tree and shrub seedlings and cuttings, followed by ten varieties of grass seed in fertilized paper-pulp mulch.

"Today the 'wasteland' is a forest of locust, aspen, birch, poplar, spruce, and pine--alder, coralberry, privet, and honeysuckle. It is thick with grasses. Small game and wild fowl abound.

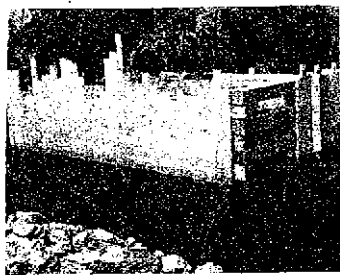
"Lebanon isn't unique. It's just one of many locations where we're converting nuisances and eyesores into community assets. This is typical of the improvements that can be accomplished by industry when it assumes full responsibilities as a good corporate citizen in each community."

Can and will Callahan do as well as Bethlehem says it does? It has a small job ahead, only six or seven acres, not three hundred. Cannot Callahan be persuaded to use the pages of the PACKET to reduce some of the alarm now disturbing Harborside so unfortunately?

Edwin C. Boring  
Harborside, Maine



IN THE LAST few weeks, Callahan Mining Corporation has made a number of rapid developments at the Cape Rosier mine site. (Top) Preliminary work has been begun by construction workers from H. B. Fleming Inc., South Portland, at the Goose Falls Bridge where the mine's salt water dam is to be built. The workers are tearing up the existing concrete surface which crosses the bridge using jackhammers and a crane-operated crusher. The fresh water dam at the head of the pond (center) has been completed, except for the installation of a culvert. Work is also progressing rapidly on the construction of a drainage stream which will allow the fresh water to drain into Weir Cove.--



# *The* **WEEKLY PACKET**

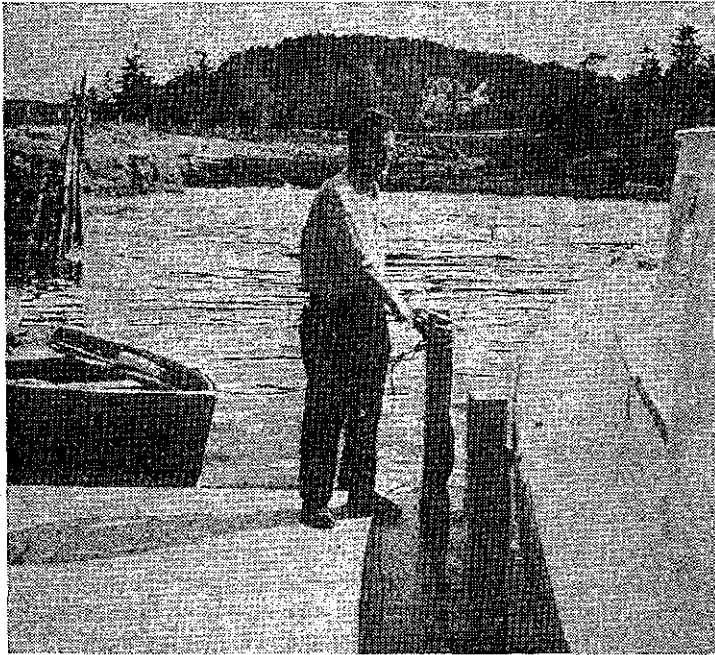
**- NOTICE -**

**THE PUBLIC IS INVITED TO  
VIEW GOOSE FALLS ON  
CAPE ROSIER FOR THE LAST  
TIME. ITS TOTAL DESTRUCTION  
WILL OCCUR VERY SHORTLY.**

**BRING THE CHILDREN  
AND YOUR CAMERA.**

**A. SANDECKI.  
Harborside**

# Miss Anita Harris, The Holbrook Island And The Callahan Mining



Jim Sawyer: "This harbor will freeze."



Miss Anita Harris: "We must think of the future."

By JOHN R. WIGGINS

The Callahan Mining Corporation is dynamiting bedrock at the old Redman farm on Cape Rosier. They will use it to build their controversial dam across Goose Falls, the first step in a plan to drain Goose Pond and establish an open pit copper-zinc mine. One-half mile away on Holbrook Island Miss Anita Harris wages a lonely and unpopular campaign to stop them. So far she has been unsuccessful.

Miss Harris, doyenne of the island families who have summered in Penobscot Bay for almost a century, is proprietress of what has been called "the last of the great estates". Isolated and withdrawn, aloof from the clamor of contemporary life, she lives simply and contentedly on the island farm she grew up on. "My father, Edward Kellerman Harris, bought the place in 1891," she relates. "He was really a Bostonian, but he was an importer and a banker and spent most of his life traveling in the Near East and Europe. He was a superb horseman and he loved gunfire and adventure. In 1870 he quit Heidelberg to carry dispatches between the French and Prussian armies. He made several trips through Turkey alone on horseback. I remember him saying that he wished the Christians possessed the sense of honor that he found among the Moham-

hayfields. We had lovely cattle, no more than we needed for the family." Miss Harris had one sister and a brother who died in childhood, but counting the household help and the farmworkers there were almost a dozen in the household. "At one time it was a beautiful estate." The island, which has three miles of shoreline, contains about 150 acres. It commands superb views of Belfast, Islesboro, Castine and Cape Rosier.

"We'd be here summers. We spent the rest of the time in Florida and Europe, where we had relatives. My sister and I were educated mostly by governesses and at French convents. We lived much of the time in France and Austria.

"I've stayed here permanently since just before World War I. Mother died in 1941. I just go away in the spring for a little while and in the autumn. In the autumn your life isn't worth a plugged nickel here. Hunters have turned this part of the country into a rifle range. But I've always adored Maine and I'm always

appears to be changed hourly, and not a fly disturbs the silent splendor of their barn. "Their milk is so clean that it keeps a week unpasteurized," boasts their owner. She sells the butter in Castine. Rich, unsalted, and sweet, it could be served for a dessert.

"Since then I've traveled about a little. Before my sister died we made some wonderful trips to Spitzbergen, the Near East, and Turkey. We made a memorable trip through Africa. We wanted to see the game preserves before all the animals were killed off. She was always interested in conservation, as I am. Incidentally I think the press has been unfair to the South Africans and the Portuguese. In Mozambique any colored person can take advantage of opportunities if he wants to. You never saw such happy darkies. And I have a tremendous respect for the South Africans. Apartheid is practical and necessary. All those languages and cultures! The government has a tremendous burden."

Miss Harris's interest in conservation ultimately led her to establish the Holbrook Island Sanctuary, a gesture toward wildlife preservation that brought the wrath of Brooksville upon her head. "The sanctuary was

of wildlife where nature could function free of man's influence. The sportsmen were all behind me. They said that game, deer especially, needed a place to breed what with all the poaching going on.

"My warden is Percy Gray. He's a wonderful man. No sooner had I had the place posted than these selectmen in Brooksville decided it couldn't be tax-free. They wanted revenue. They said it helped support their schools. Now no one in Brooksville is illiterate, and anyway I can't see that an education is always helpful if one can judge by some of their actions. I had put two restrictions on use of the sanctuary: that there never be concessions established in the preserve, and that no camping ever be permitted. Both of these restrictions should have helped the local stores and boarding houses. The selectmen just refused to see the benefits of establishing a natural preserve.

"They refused to talk it over with a lawyer. They just went and sued me for taxes. Arnold Veague represented them in court. Finally it ended up in the State Supreme Court, which ruled that the sanctuary was neither educational nor charitable. If the mine goes there it'll be ruined as a sanctuary

medans there.

"His mother was a Kelloran from Thomaston, so he was quite familiar with Maine. He had a little yacht, the old Columbia, the one that had been disqualified for being too speedy. Someone had converted her into a schooner. Father was visiting friends on Islesboro when he heard that this island was for sale. He rode over here in a dory, if you can imagine. The place was just a sheep pasture then, and the owner was Miss Lucinda Neyman, a poor old woman in rags whose brother, Henry, had run off to the gold fields in California."

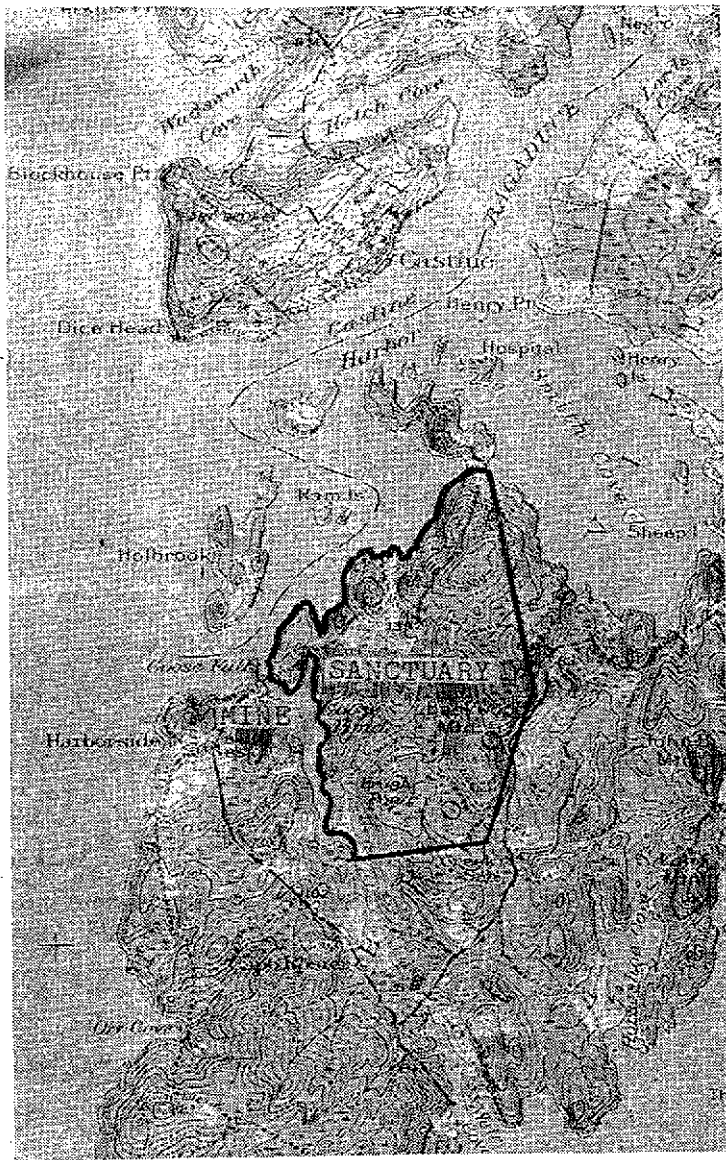
The island had been homesteaded after the Civil War by Jesse Holbrook of Truro, Cape Cod. Holbrook was a relative of the founders of the famous Sandwich Glass Factory. For a long period every ship that was built in Castine got its mast from the tall pines that grew on his island. Holbrook later sold it to Will Hook, a prosperous Castine merchant who subsequently deeded it to Henry and Lucinda, his natural children. Their mother raised them alone there, and legend relates that when the legal Mrs. Hook came picnicking with her proper friends from Castine, the shy mistress forsook her humble cabin and retired with her offspring to a hidden glen until the visitors departed.

Just before Edward Harris's arrival on the island Miss Lucy had been visited by Will Hutchins of Boston, who was also in the market for an island. Mr. Hutchins made the mistake of underestimating Miss Lucy's intelligence. Seeing her in tatters and the farm in chaos, he assumed she was an ignorant country lout and rudely talked over her head with a mockery that was unmistakable. She was so hurt by Hutchins and so grateful for Harris's gallantry that she sold it to the latecomer on the spot.

"She lost her heart to him," says Miss Harris. "He bought her a berth in the old ladies' home in Bangor, which was a very nice place, and so she was provided for, for the rest of her life. She always loved this island. Each summer she would come and spend two or three weeks with us. She was a great stout woman and had a big deep voice. She doted on my sister, and we all adored her." Miss Lucy is buried on the island under a stone purchased by the legal Mrs. Hook. Nearby are the remains of her unhappy mother, of old Jesse Holbrook, and of others who passed their lives on this storied island. The inconsiderate Mr. Hutchins was forced to take land across the narrows on the mainland.

"Father used it as a summer home," remembers Miss Harris. "He was interested in agriculture. It was he who put down all these

"During the war I was quite since I was a child, I've always



self-sufficient. I was alone here for several years. I was often iced in and couldn't get off. I don't have telephones and never did. I hate the darned things. People call up to visit and talk forever. I made twenty-three pounds of butter per week during the war. I'd have to start the stove and run out and work the butter. I just had a dog for company. I was all alone. It was hard work most of the time. The furnace was wearing out and I'd have to stay up all night to keep it going. I had eight cows and I had to feed and tend them. I used to say I could do anything on a farm except milk a cow and stick a pig, but I guess one can be forced to learn even that."

Four cows, the descendants of Edward Harris's stock, still nibble the lush pastures on Holbrook. Their stalls are freshly painted, the sawdust underfoot

loved animals. It's in the family. Father adored animals. My sister and I bought a piece of land over by the falls, about seventy acres. Then I bought the Hutchins farm, about 750 acres, after it had been pulped and I could afford it. I added as time went on and as I could afford to. I finally acquired 1,148 acres. It is very diverse, with ponds, springs, hills, swamps, and woods. When I found that I had enough, in 1963, I had it incorporated under state law as a sanctuary. The federal government said it was both educational and charitable and therefore tax-free. My idea was to preserve natural beauty so that people in the future could enjoy Maine as it used to be and also to protect the birds and the beasts. And I wanted it to be a place where groups could come and study. I wanted to keep a natural balance

It had been my life's dream. I thought I could build up a wonderful thing. Now I have to pay \$1000 in taxes each year on wild land. It's hanging now. I don't know what will become of it. It's too disheartening. Sometimes I wish I didn't own a scrap."

Some of the rowdier citizens of Brooksville reacted to the establishment of a sanctuary in their midst with direct action. "Right after I had it posted a certain outlaw element came at night and tore the notices down. They did \$1000 worth of damage to the signs. Did the Sheriff do anything about it? No.

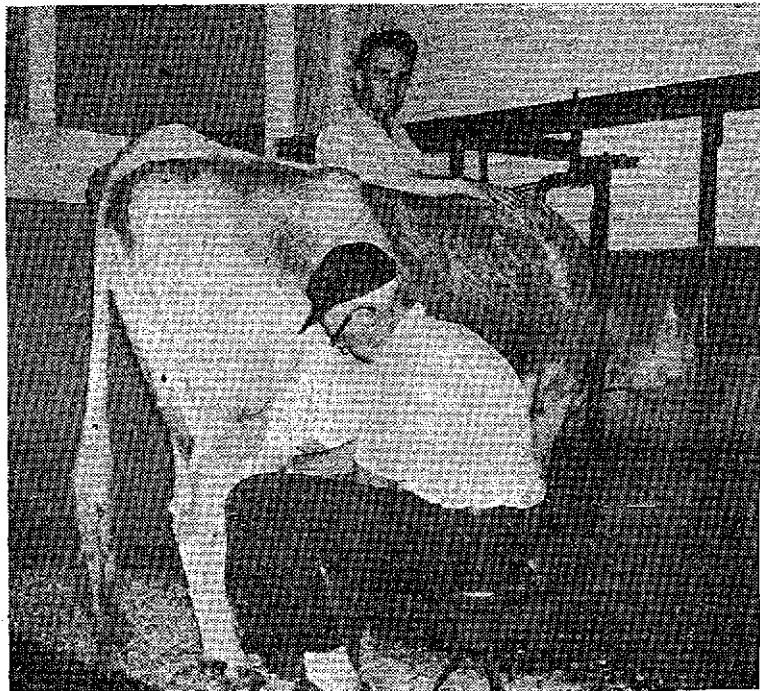
"I had a marvelous herd of deer. I fed them all winter. In 1964 a gang went in and just slaughtered them with high-powered rifles. They were running the deer. You could hear them hooting. They almost cleaned out the herd. Some of them had unearthed an old law that declared it legal to hunt on anyone's land that wasn't fenced, even if it were posted. In 1964 the legislature passed the Healey Bill, and now it is illegal to hunt on a private preserve that is properly posted. Those men are so unsporting. Once they shot a magnificent brave buck that was swimming to safety on this island. They shot him from a boat, of all things. Did you ever hear of anything so unsporting?"

When the sanctuary was established Miss Harris was named president. The board of directors includes Miss Mary Porter of Castine, Miss Renee Henderson of Castine, Mr. Chandler Richmond of Ellsworth, and Mrs. Atherton Fuller of Ellsworth. "I wanted to have the positions filled by people who are really interested in conservation and animal life," says Miss Harris. "Two miles of the sanctuary's shoreline borders Goose Pond. According to Mr. Richmond, who is Curator of the Stanwood Sanctuary in Ellsworth, that part of the preserve is ideally suited to birdlife. The rest of the sanctuary is better suited to deer."

Shortly after hopes for the sanctuary had been dealt a setback by the state legislature, the renewal of mining activity at an old minesite at Goose Pond brought further despair to Miss Harris. In the 1880's, during Maine's mining boom, copper ore was discovered near the falls and a mine went into production. By 1886 it had closed down. "One of the miners they had imported from Cornwall, Billy Veague, decided to stay here and they gave him a deed to the mine rather than hire the caretaker that law required," says Miss Harris. "Billy was a fine hardworking little man. He married a schoolteacher and she taught him to read and write. Everyone liked him



# Brook Sanctuary, g Corporation



Frank Babson and George Dyer, whose family settled Cape Rosier in 1637.

good deal. His son Orville has always been inordinately interested in the possibilities of re-opening the mine. I have always been opposed to it. There's nothing there. Investigators have come and gone, and all of them rejected it. Once, when their plans came to nothing, it was even said that I had stopped it by sleeping with Gov. Brewster. Can you see me playing Pompadour to poor old Gov. Brewster? I was greatly amused by the suggestion.

"Then came the war, and they were desperate for copper. The U.S. Bureau of Mines sent some men here and they tested and drilled all through the winter. They gave it up. They said the amount of ore, though of good quality, is minimal.

"Callahan moved into action in the autumn of 1964. The winter of 1965 was hell on earth for me. I can go for days without food or water, but if I don't get my sleep I'm undone. Their compressor was going night and day with just twenty minutes between shifts. I'm only one-half mile away. Finally I went to Boston and stayed with a friend on Beacon St. I was so weakened by lack of sleep I was a wreck.

"At last they stopped work. They got into their heads that they wanted to drain the pond

Callahan has any serious intentions there. "What I'm afraid of is that they'll just mess things up and move out. There isn't enough copper on Cape Rosier to put into a watch fob.

"Now they've started up again and I can't open my windows. If it isn't Callahan, it's the Bucksport stench from the papermill or that nitrate factory in Searsport. The air is like a foul sewer. Sometimes I think that carrion is on the beach. It even makes my dog sick. I can't sit outside. I can't breathe. In the morning I can't raise my head from my pillow. Maine is no longer the quiet peaceful place it was when people came here for the pure air."

Miss Harris has resorted to every legal recourse she can think of to stop Callahan's activity. "My lawyer got in touch with the Department of Interior. They're opposed to it as a source of pollution, but they can't prevent it. The Federal Fish and Wildlife Commission has set conditions that it hopes will be met but their power is only advisory. We offered them the entire sanctuary but they wouldn't take it because it's under 2000 acres.

"The State Water Pollution Commission investigated it. They dyed the water in the falls to check its course to see how far

Brooksville, who, she acknowledges, refer to her as an "old bitch" and a "bitch". She is unprejudiced about the latter term, being a dog lover herself. "Actually, a bitch is the most loyal, intelligent, and devoted of creatures. To be called one is the highest compliment." The rudeness of her fellow citizens has been sufficient, however, to cause her to change her postal address to Castine just to avoid unpleasantness at the post office. Local venom has been such that she wonders how far her adversaries may go.

The beleaguered lady has four loyal supporters in the men who work for her. George Dyer, 25, does maintenance work on the farm. His family settled on Goose Pond in 1637, but they have had to sell their house to Callahan because it is perched on the edge of what will be an open pit.

Jim Sawyer, former chairman of the Hancock County Democrats, is her caretaker. He also handles her boat. He fears that when the falls are dammed the entire harbor will freeze without the flow of tidal water.

Percy Gray is employed as gamekeeper on the preserve. He has the lonely task of defending wildlife against the depredations of poachers.

Frank Babson milks the cows and does general work on the farm. "They're all wonderful men," says their employer, who does her own housework. "Jim's daughter comes in once a week and helps me, but the rest of the time I'm on my own. I hate housework. The place looks like hell's delight right now, it's so disorderly." The house is far from disorderly.

When told the popular story that she had offered to buy the entire Callahan Corporation outright, she disclaimed it with a gay laugh. "I'm supposed to be worth millions. I'm not. I can afford to live modestly and comfortably, but my resources are not unlimited. I have sacrificed a great deal for the sanctuary, and the result is very disheartening."

She does indeed live modestly. She participates in little social life, and for years her daily diet has been chiefly the eggs and milk from her own farm. Her life might almost be termed Spartan.

"I'm the last of my family," she declares. "I have no relatives. This land is the only tangible I have, and it won't be worth a nickel with that mine on my doorstep. My roots have always been

They told me that if I would sell them the sanctuary's riparian rights they would give me the mine when they were through with it. I said, 'I don't want your old hole in the ground.' Anyway I have nothing to say about the sanctuary. It's in the hands of the directors.

"Then they talked to the Governor, trying to get eminent domain. Actually as a salt water estuary it's already under federal jurisdiction. The Governor bypassed the screening committee and put a bill before the legislature himself. A special session was held that cost the taxpayers \$20,000. They couldn't decide, so they put it to the State Supreme Court, which declared that it was the duty of the state to develop all its resources."

It may be recalled that there were charges of a news leak between the time of the court's decision and the time that it was announced the next day. By 11:00 a.m. on the day of the announcement, Callahan's stock had climbed three points on the N.Y. Stock Exchange. Callahan stock has ranged between \$7 and \$14 in the past two years. It now sells for about \$12.

Miss Harris does not see herself standing in the way of progress, as her detractors claim. She honestly doesn't think that

it would come. The wild geese were against it but the dye traveled to Indian Bar, around Gray's Head, and all the way to Sheep's Island, over two miles. Copper and zinc are deadly to marine life. It's going to kill every fish, clam, lobster, and seal. Eight hours a day, seven days a week, between 800 and 900 gallons of effluent will be flowing out every minute. Can you imagine its effect? What will the blasting do to water table and to wells? What about the stench and the hazard to health when the centuries of sewage on the bottom of the pond is exposed?

"This year is the 50th anniversary of a treaty between the U.S. and Canada protecting migratory birds. The treaty is being violated.

"This summer the Army Engineers gave Callahan their permission to dam and drain. Carl Buchheister, President of the National Audubon Society, has protested the spoiling of a sanctuary. The Eastern Yacht Club has protested the spoiling of a harborage. Many others wrote letters, but they are ignored. The Army Engineers seem to be a power unto themselves." Not quite. They are susceptible to political pressure.

The would-be philanthropist has also met rude treatment at the hands of the citizens of

here, and I expect to see more. I have struggled to preserve for the future a piece of the unspoiled Maine that I used to know."

## Bea's Antekes

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# Ells. Downeast Festival

AUGUST 5-6-7

HOLBROOK ISLAND SANCTUARY  
Special Meeting of Directors

A special meeting of the Directors of Holbrook Island Sanctuary was held at Holbrook Island, Castine, Maine, on June , 1963. All of the Directors were present in person and/or waived notice of the meeting and assented to all action taken thereat as hereinafter set forth.

Anita Harris, President of the corporation, presided, and reported that Oliver H. Bakeman, Jr. had been employed as Warden and caretaker of the sanctuary area at a salary of \$200 per month, and had started his employment on March 1, 1963; and on motion duly made and seconded, it was unanimously

VOTED: To confirm the employment of Oliver H. Bakeman, Jr. as Warden at a salary of \$200 per month.

Miss Harris further reported that signs had been placed at the highway boundaries of the sanctuary area; that surveyor, Roger Danforth, with the assistance of Oliver H. Bakeman, Jr., was making a survey of the various parcels of real estate conveyed to the corporation; and that they would clearly mark the exterior boundaries of the sanctuary and provide a survey plan showing its boundaries.

It was suggested to the meeting that the corporate purposes be implemented by specific rules for the use and maintenance of the sanctuary area, and on motion duly made and seconded, it was unanimously

VOTED: To adopt the following rules:

1. The Sanctuary area shall remain completely in its natural state for the protection and preservation of animal, bird, tree and plant life within its boundaries, surrounded by an inhabited community.

2. There is to be no interference with the balance of nature - sometimes called the biological balance - by destroying one species of life in order to encourage another. For example, predatory animals may not be destroyed for the protection of another species.



3. Hay, salt or other food may be provided for the deer population and grain for the birds, especially in the winter when natural feeds are scarce.

4. No roads for the passage of vehicles are to be constructed within the area and existing non-public roads will be discontinued and allowed to grow back to their natural state. A minimum of foot paths will be maintained for patrol by the Warden and other authorized use.

5. Recreational use of the area, such as, but not limited to, camping, picnicking, hiking, sight seeing, fishing and hunting is prohibited as being inconsistent with the completely natural state of the Sanctuary.

6. Educational and scientific institutions engaged in the study of nature, ornithological societies and nature study societies may, upon application to the Warden, make appointments to enter the Sanctuary when accompanied by the Warden for the purposes of nature study, observation and photography. In all other respects the Sanctuary area shall be closed to the public.

7. There shall be no smoking or making of fires within the Sanctuary.

There having been no occasion for holding the annual meeting of members in April, it was suggested that there be a special meeting of members, and the Secretary was instructed to call a meeting of the members to be held on Holbrook Island at o'clock in the noon on , the day of , 1963.

On motion duly made and seconded, it was unanimously

VOTED: To adjourn.

Adjourned as voted.

A true record.

Attest:

---

Secretary

Notice waived and action assented to:

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Anita Harris

---

James G. Sawyer

---

Mary Porter

Draft of Purpose Clause for Holbrook Island Sanctuary

To acquire and to hold real estate in the State of Maine and personal property; to set aside an area or areas and to devote the same to the preservation and protection of and the prevention of cruelty to such wild birds and beasts as may come thereon; to maintain facilities for their feeding and shelter; to preserve the unspoiled natural beauty of the said areas; to expend moneys for the prevention of cruelty to animals, for the furtherance of humane education and for any or all other purposes connected therewith which shall be conducive to the welfare of animals and wildlife, whether on land owned by the corporation or not. No moneys of the corporation shall inure to the benefit of any member of the corporation or any other individual.

Draft of Income Clause in Charitable Trust

The trustees shall pay the income of the trust fund or such sums as they shall deem necessary to Holbrook Island Sanctuary, a Maine corporation, to enable it to maintain wildlife sanctuaries and, in the event that said payments shall not exhaust the net income of the trust, may pay from such excess income such sums as they may determine to such charitable corporations or trusts as they shall determine upon each date of payment are conscientiously and efficiently carrying on the work in which the settlor has long been interested in the prevention of cruelty to animals, both generally and through combating the cruel practices of vivisection

(1)

and which charitable corporations or trusts are within the definition contained in Section 2055 of the Internal Revenue Code of the United States or of any statutory provision which may be enacted in substitution therefor, and they may specifically make such payments to any or all of the Hancock County (Maine) Society for the Prevention of Cruelty to Animals, the New England Anti-Vivisection Society, the National Wildlife Federation, and the National Catholic Society for Animal Welfare but only so long as they shall determine that each of such societies to which payments are proposed to be made continues to meet the standards presently maintained, by it, including the maintenance by such ~~six~~ society of adequate and vigilant watch over all its employees to prevent release of any animal under its protection to any medical or research laboratory or experimental institution, either scientific, educational, charitable or commercial and maintaining active cooperation in the intelligent and vigorous enforcement of all state or federal laws for the protection of and prevention of cruelty to animals, both domestic and wild, and especially of seal, deer and moose.

Date Opinion Filed  
November 16, 1965

Reporter of Decisions  
Docket No. 215  
Law Docket No. 481

HOLBROOK ISLAND SANCTUARY

Vs.

THE INHABITANTS OF THE TOWN OF BROOKSVILLE, et al

RESCRIPT  
WILLIAMSON, C. J.

This is a complaint for a declaratory judgment and other relief designed to establish whether plaintiff's real estate used as a wild-life sanctuary is exempt from taxation by statute. R.S.1954, c. 91-A § 10-11 (now 36 M.R.S.A. § 652).<sup>1</sup> The plaintiff Holbrook Island Sanctuary is a corporation without capital stock organized under R. S. c. 54, § 1 (now 13 M.R.S.A. § 901) "or for any . . . scientific, . . . charitable, . . . or benevolent purpose; . . ."

---

1 § 652. Property of institutions and organizations  
The following property of institutions and organizations is exempt from taxation:

"1. Property of institutions and organizations.

"A. The real estate and personal property owned and occupied or used solely for their own purposes by benevolent and charitable institutions incorporated by this State, and none of these shall be deprived of the right of exemption by reason of the source from which its funds are derived or by reason of limitation in the classes of persons for whose benefit such funds are applied."

\* \* \* \* \*

"B. The real estate and personal property owned and occupied or used solely for their own purposes by literary and scientific institutions.

"C. Further conditions to the right of exemption under paragraphs A and B are that:

The defendants are the Inhabitants of the Town of Brooksville, and the assessors and tax collector of the town for the year 1963. While the action in terms tests the assessment and taxation of the real estate in 1963, the purpose is to determine its taxable status as well for the future under like laws and like circumstances. In the Superior Court the defendants moved to dismiss the complaint on two grounds: First, that plaintiff had not filed a true and perfect list of all its assets, real and personal, not by law exempt from taxation on April 1, 1963; and secondly, that there is no allegation of a written request for abatement or denial of application for abatement. R.S. 1954, c. 91-A, §§ 34, 48 (now 36 M.R.S.A. §§ 706. 841).

The motion was dismissed and subsequently the parties joined in an agreed statement of facts and a request granted in the Superior Court that the case be reported to the Law Court for "such decision as the rights of the parties require." We consider that the defendants in agreeing to a report of the case waived any claim of error in the refusal of the Court to dismiss the complaint.

The case is before us on the merits, not on appeal from adverse rulings below. No jurisdictional issue was raised by the motion, which indeed begs the very question whether the property was exempt

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"(1) Any corporation claiming exemption under paragraph A shall be organized and conducted exclusively for benevolent and charitable purposes; . . ."

from taxation. If exempt, there was no necessity of filing the list and seeking an abatement, or of paying the tax and then suing to recover, although such procedures have been followed. Stockman v. South Portland, 147 Me. 376, 87 A. 2d 679 (recovery of taxes paid); Green Acre Baha'i Inst. v. Eliot, 150 Me. 350, 110 A. 2d 581; 159 Me. 395, 193 A. 2d 564 (denial of abatement).

We need not consider what interest the assessors of 1963 and the tax collector of 1963 presently have in the case. It is sufficient that the defendant town has an interest. Counsel at oral argument agreed that the taxes for 1963, 1964, and 1965 will be governed by our decision. The action comes within the principles governing declaratory judgments. R.S. 1954, c. 107, § 50 et seq (now 14 M.R.S.A. § 5951 et seq). See Borchard, Declaratory Judgments (2d ed. 1941) p. 844.

From the agreed statement of facts we find:

The corporate purposes of Holbrook Island Sanctuary, as amended in January 1963, are:

"Charitable, educational and benevolent purposes, to wit: to acquire by gift, purchase, lease or otherwise real estate within the State of Maine and personal property; to set aside an area or areas to devote the same to the preservation and protection of and the prevention of cruelty to such wild birds and beasts as may come thereon; to maintain facilities for their feeding and shelter; to preserve the unspoiled natural beauty of said areas; to expend moneys for the prevention of cruelty to animals, for the furtherance of humane education and for any or all other purposes connected therewith which shall be conducive to the welfare of animals and wildlife, whether on land owned by the corporation or not; to accept gifts of personal property; to accept and receive donations of money, general legacies and devises of real estate to be used for the foregoing purposes; provided, however, that the corporation shall not be conducted for gain or profit, and that no part of the net earnings shall inure to the benefit

of any member upon dissolution of the corporation or otherwise, but shall always be devoted to the aforesaid charitable purposes; to sell, mortgage, lease or convey any and all real and personal property acquired as aforesaid, and doing and performing all things in connection therewith or incidental thereto in carrying out the foregoing purposes."

The real estate in the plaintiff's sanctuary "comprises approximately eleven hundred acres of uninhabited wildlands in the Harborside section of Brooksville, heavily wooded and containing in excess of one mile of waterfront property bordering the waters of Penobscot Bay, . . . The only building on the land which is presently used for any purpose is a small single-story three room structure used as an office and housing a small library of books on nature and conservation belonging to the corporation."

\* \* \* \* \*

"As of April 1, 1963, said real estate of Holbrook Island Sanctuary was used in the following manner: The entire area was left in its natural state for the protection and preservation of animal, bird, tree and plant life within its boundaries. Roads for the passage of vehicles were within the area but it is intended that existing roads (except for the rown road) be permitted to grow back to their natural state. Several old cemeteries exist within the area and the access roads to these are presently blocked by felled trees and fences. Present inhabitants of the town have relatives buried in these cemeteries. These roads have been used by the public for over 100 yrs. A minimum of footpaths were and will be maintained for the purposes of fire patrol and study and observation by persons admitted to the area accompanied by the Warden. The area was posted with signs reading "WILD LIFE SANTUARY NO DOGS OR FIREARMS ALLOWED". The corporation employed a full-time Warden

(not a member of the Warden Service but a Constable appointed by the Town) with an additional helper during the summer months and the hunting season. All persons wishing to enter the sanctuary were and are asked to register at the office and to apply to the Warden for permission to enter the sanctuary. Persons and organizations engaged in nature study were permitted in the Sanctuary accompanied by the Warden for the purpose of nature study, observation and photography. The public was directed not to enter the sanctuary for any other purpose. The Warden and his assistant were instructed to prohibit hunting in the area. The Warden kept a census of animal and plant life within the area and is instructed to make regular patrols of the area to prevent fire. The policy of the corporation was and is, in general, that there be no interference with the balance of nature. Therefore, even restricted hunting, of the game management type now favored by the Maine State Department of Inland Fisheries and Game, is prohibited. The corporation provided and will provide hay, salt and other foods for the animal population and grain for the birds. A number of bird-feeding stations have been established."

\* \* \* \* \*

"The valuation of the properties presently owned by the Holbrook Island Sanctuary amounts to \$43,840.00, producing a tax of \$920.64. The deletion of the Holbrook Island Sanctuary property from the tax rolls as tax exempt would result in approximately 30¢ per thousand increase in taxes to the residents of the Town."

The entire property was given to the plaintiff in 1963 by Miss Anita Harris of Brooksville who with her sister had acquired it between 1939 and 1963.



On the death of her sister in 1962, Miss Harris decided to make plans for the wildlife sanctuary during her life. Her attorneys and financial advisers advised her (1) to create the plaintiff corporation; (2) that the gift of the real estate would be income tax deductible; (3) that the real estate would be exempt from local taxation, and (4) that additional property would be exempt from estate and inheritance tax. Miss Harris was in part motivated by the advice relating to tax exemption. Her motive, we point out, is not material in reaching our decision. Camp Emoh Associates v. Inhabitants of Lyman, 132 Me. 67, 166 A. 69.

The plaintiff has received no money or property from any sources other than Miss Harris and a trust created by her for its benefit. Except for certain cutting of wood in 1960-62, "the area has, in general, remained unchanged over the past twenty-five years." The plaintiff will receive the proceeds from wood cut since its organization in 1962.

"The funds of the corporation have been used for the following purposes relating to the land in Brooksville, namely: Payment of wages and travel expense to the Warden and assistants: surveying and blueprinting; constructing and painting signs; purchases of salt, hay, feed and bird seed; employment taxes on employees; construction of bird-feeding stations; office repairs; insurance permiums for liability and fire insurance; and legal fees in organizing the corporation and acquiring the real estate."

\* \* \* \* \*

"At or about the time that this property was transferred to the Sanctuary, Anita Harris, President of Holbrook Island Sanctuary,

contacted the Maine Fish and Game Department seeking cooperation in the control of hunting in the area. Mr. J. William Peppard, Regional Game Biologist, of the Department, came to Brooksville and inspected the premises. He was and is familiar with the policies of the Department. He advised the officers of the Sanctuary that it was the policy of the State not to acquire or accept any properties to be operated as a game sanctuary or a game preserve; that the State prefers to operate game management areas in which the animals are protected but the deer population, from time to time, in the discretion of the Department, may be reduced by killing some of the animals; that the experience of the Department has been that, unless the deer herd in a given sanctuary or preserve is periodically reduced, the animals tend to increase to a point where the food supply is insufficient, resulting in the starvation of some animals; and that consequently the State prefers to be able to reduce the number of deer on a scheduled program which cannot be done in a sanctuary of this type."

The plaintiff contends that it is either a benevolent and charitable or a scientific institution, and is tax exempt in whichever category it may belong. The burden of establishing tax exemption is upon the plaintiff. "Exemption is a special favor conferred. The party claiming it must bring his case unmistakably within the spirit and intent of the act creating the exemption." Bangor v. Masonic Lodge, 73 Me. 428. See also Green Acre Bahai Institute v. Eliot, supra; Camp Emoh Associates v. Inhabitants of Lyman, supra.

The purpose in the plaintiff's charter in which we have a particular interest reads: ". . . to set aside an area or areas and to devote the same to the preservation and protection of and the prevention of cruelty to such wild birds and beasts as may come thereon; to maintain facilities for their feeding and shelter; . . ." The meaning of the charter provision may be gathered from the action of the corporation. It has acquired, as we have said, by gift eleven hundred acres of uninhabited wild land with a mile frontage on the Atlantic Ocean at Brooksville. It uses the land as a game preserve with restrictions more stringent in the protection of game than would be the case in a game preserve created by the Legislature. The public use of the area is limited to persons and organizations engaged in nature study.

We accept the contention of the plaintiff that the corporation purposes include the creation and maintenance of a game preserve with the conditions and limitations expressed in the agreed statement.

In determining whether the plaintiff is a benevolent or charitable institution under the tax exemption statute, we need give no consideration to the word "benevolent." In the leading case Bangor v. Masonic Lodge, supra, the Court said, at p. 433:

"The statute upon which the defendants rely, uses the word benevolent, but there is no question that this word, when used in connection with charitable, is to be regarded as synonymous with it and as defining and limiting the nature of the charity intended."

We conclude that the purposes so stated are not "charitable" within the meaning of the word in the tax exemption statute. First,

the interested parties here endeavor to place in the ownership of a tax exempt corporation nothing in substance more than a game preserve. The purpose is plainly to benefit wild animals. We find no benefit to the community or to the public in the proposed sanctuary within the principles relating to charitable trusts involving animals.

The general rule relating to charitable trusts other than those for the relief of poverty, advancement of education and religion, promotion of health, and governmental or municipal purposes is found in Restatement, Trusts 2d § 374, as follows:

"Promotion of Other Purposes Beneficial to the Community. A trust for the promotion of purposes which are of a character sufficiently beneficial to the community to justify permitting property to be devoted forever to their accomplishment is charitable."

\* \* \* \* \*

"c. Relief of animals. A trust to prevent or alleviate the suffering of animals is charitable. Thus, a trust for the prevention of cruelty to animals, or a trust to establish a home for animals, or a trust for the prevention or cure or treatment of diseases or of injuries to animals, is charitable."

In England the Court of Appeals in Re Grove-Grady (1929) 1 Ch. 557, 66 A.L.R. 448 with annotation, held, with one Justice dissenting, that a bequest in trust for a sanctuary for animals and birds could not be sustained as a valid charitable trust. The Court found lacking therein that benefit to mankind which must appear in a charitable trust. Lord Justice Russell said, at 66 A.L.R. 463:

"Assuming that I have correctly interpreted object No. 1. it comes down to this, that the residuary estate may be applied in acquiring a tract of land, in turning it into an animal sanctuary, and keeping a staff of employees to ensure that no human being shall ever molest or destroy any of the animals there. Is that a good charitable trust within the authorities?"

"In my opinion it is not. It is merely a trust to secure that all animals within the area shall be free from molestation or destruction by man. It is not a trust directed to ensure absence or diminution of pain or cruelty in the destruction of animal life. If this trust is carried out according to its tenor, no animal within the area may be destroyed by man no matter how necessary that destruction may be in the interests of mankind or in the interests of the other denizens of the area or in the interests of the animal itself; and no matter how painlessly such destruction may be brought about. It seems to me impossible to say that the carrying out of such a trust necessarily involves benefit to the public."

In R.S.P.C.A. v. New South Wales v. Benevolent Society of N.S.W. et als, 33 A.L.J.R. 436 (1960), the High Court of Australia held "(t)hat the requirement that a small area of suburban land near the sea coast should be made accessible to birds and that there should be food and water for them did not come with the principles on which trusts for the benefit of animals were held charitable, and was void."

For unfavorable comment on Re Grove-Grady, supra, see IV Scott on Trusts § 374. 2 (2d ed.) and Bogert Trusts § 379, p. 188 (2d ed.).

The purposes of the Holbrook Island Sanctuary are not limited to the prevention of cruelty to animals. Massachusetts S.P.C.A. v. City of Boston (Mass.) 6 N.E. 840; Pitney v. Bugbee (N.J.) 118 A. 780 (S.P.C.A.); 15 Am.Jur., 2d Charities § 88.

The plaintiff is not engaged in research or disease control. In The University of London v. Yarrow (1857). 1 De Gex and Jones's Reports 57, 44 Eng. Reprint 649, the Court of Appeal in Chancery

(to quote the headnote)held: "A bequest to a corporation for founding, establishing, and upholding an institution within a mile of Westminster, Southwark, or Dublin, for studying and endeavouring to cure maladies of any quadrupeds or birds useful to man, held a good charitable bequest. . . ."

The purposes here are not those of the New Jersey Corporation, of which the Court said:

"We, therefore, hold that when, as here, the purposes of a non-profit corporation are to conserve game birds, to establish hatcheries, refuges and to teach vermin control, those purposes are charitable purposes."

More Game Birds in America, Inc. v. Boettger (N.J.)

14 A. 2 d 778, 780.

The instances we have mentioned in each of which the charitable purpose plainly appears, differ widely in our view from the case at bar. We conclude that the community, that is to say the public, does not benefit from the proposed game preserve within the requirements of the established law relating to charitable trusts.

Furthermore, the public policy of the State prohibits the classification of the declared purpose as charitable.

"Purpose contrary to public policy. A trust for a purpose the accomplishment of which is contrary to public policy, although not forbidden by law, is invalid, Thus, a trust to establish a course of lectures in a medical school in which a theory of treatment of disease should be taught which has been proved to be dangerous, is invalid."

Restatement, Trusts 2 d § 377, comment c.

The control of wildlife rests with the State. "There can be no question of the right of the State to conserve, protect and regulate its wild life. . . The results of proper and efficient wild life conservation in large measure promote the economic welfare and well-being of the citizenry of the State. One of the most important and effective means of wild life conservation is the medium of the game preserve established and regulated by legislative enactment."

State of Maine v. McKinnon. 153 Me. 15, 18, 133 A. 2 d 885.

The State may establish game management areas and for this purpose may acquire or lease land. <sup>2</sup>

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2 12 M.R.S.A. § 1901

- "7. Game management. 'Game management' is the art or science of producing wild animals and birds and of improving wildlife conditions in the State. It may specifically include the following:
- "A. Regulation of hunting, fishing and trapping;
  - "B. Environmental controls (control of water, food or cover, special features and animal diseases);
  - "C. Research or investigations to provide a basis for sound management in Maine;
  - "D. Manipulation of hunting pressure;
  - "E. Establishment of game lands (parks, forests, refuges, game management areas, etc.);
  - "F. Predator control;
  - "G. Artificial replenishment (game farming and restocking);
  - "H. Introduction of exotic species of wild animals or birds where needed.

The Legislature has designated a long list of areas as sanctuaries and preserves, and has authorized for example temporary game preserves, state game farms, and cooperative action with the Federal Government in wildlife restoration projects.<sup>3</sup> The inclusion of one's land in a game preserve is not a taking of property. State of Maine v. McKinnon, supra. The State may where it will and when it will prohibit hunting on any land within the State. We are satisfied, therefore, that it is the policy of the State and not the wish of the individual which controls the protection and preservation of the wildlife of our State.

Operating under its stated charter purposes, the plaintiff seeks to create a game preserve or at most a game management area with conditions deemed harmful by the regional game biologist of the Fish and Game Department. The Holbrook Island Sanctuary in face of

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2 "8. Game management area. A 'game management area' is any tract of land or body of water owned or leased by the Department of Inland Fisheries and Game for the purposes of game management as defined in subsection 7 or created by an Act of the Legislature."

3 12 M.R.S.A. § 2101 et seq (Chap. 309 - entitled "Sanctuaries and Preserves").

"§ 2101. Designation of preserves and sanctuaries  
"No person shall, except as provided, at any time, trap, hunt, pursue, shoot at or kill any wild animal or any game or other wild birds within the following described territories: . . ."



this expert opinion adverse to its desires seeks an exemption from the normal support of government. Such a purpose may not be called a charitable purpose. It follows that the plaintiff is a corporation not "organized and conducted exclusively for benevolent and charitable purposes" within the meaning of the tax statute Section 652, note 1, supra, and accordingly is not entitled to tax exemption.

The plaintiff urges that it is a scientific institution and is thus entitled to tax exemption. We are fully satisfied that the purposes for which the plaintiff was organized and to which its property was exclusively devoted are not scientific within the meaning of Section 652, note 1, supra. The purpose of the corporation was to establish a game preserve, as we have stated above. The availability of the area for nature study, observation and photography, the small library of books on nature and conservation, and the census of animals by the warden, are uses too small on which to place the plaintiff in the ranks of scientific institutions.

Such uses are only incidental to the main object of the plaintiff.

The property in question is subject to taxation by the town.

The entry will be

Remanded for entry of a decree  
in accordance with this opinion.

Sullivan, J. sat at argument but retired before the opinion was adopted.

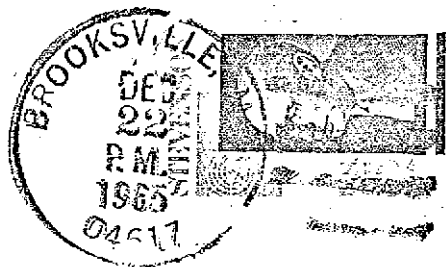
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Counsel for the Plaintiff:

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By: Atherton Fuller, Esq.  
121 Main Street  
Ellsworth, Maine

Counsel for the Defendant:

Eaton, Peabody, Bradford &  
Veague  
By: Arnold L. Veague  
6 State Street  
Bangor, Maine



Miss Anita Harris  
Halbrooks Island,  
~~Castine~~ Maine.

Please Forward. Harborside 04642

Caroline M. Harris  
Dec. 21, 1965

Miss Anita Harris:

Dear Madam-:

You're not going to like what I  
am going to say to you -  
However I feel it's high time  
some one should tell you just  
what people in general think of  
you - as far back as I can  
remember, and that's over  
70 years - I can never remember  
of hearing one single word of  
praise of you - one single deed  
of kindness towards a soul -  
I have known you a long  
time - Now here

no a bit of advice to you before  
its too late - to redeem your  
self before God who art in  
Heaven, With your wealth you  
Comed to so much, I pray of you  
Please get down on your knees  
and say, forgive me dear God,  
from this day on I promise  
I'll do all I possibly can to  
try to make others happy - I  
realize how very selfish I've been -  
I've used my wealth, which I did  
not earn nor deserve to prevent  
The good people of the world to  
progress and make work for  
others - so they can make an <sup>honest</sup>  
living - you stand in their way.  
Thank dear God, all people

you. Remember this.  
Madam - you won't live  
for ever - then what? ? ?

Call or go see the  
people whom you have  
been so unkind and  
Say - How can I help?

No It's not too late,

But Hurry -

Home<sup>r</sup> stood up for you  
to a certain extent, But  
find I am alone -

Surprise them.

# HUGGON COLLEGE

157 PARK STREET  
BANGOR, MAINE

OFFICE OF THE CHAPLAIN

Nov. 28 1962

Miss Anita Harris  
Holbrook Island  
Harborside, Maine.

Dear Miss Harris:

Have just received and read your letter with interest. I am not quite clear as to just what is contemplated. If your plans for a sanctuary is accepted, will this be under the supervision of the state or will it be in the nature of a private sanctuary. In other words, will it be kept up by state or private funds? I am also interested in what it will mean to the raising of taxes in the town. Will the sanctuary isolate a large tract of land from town taxation? I am interested in this matter because about two weeks ago I was approached by a local resident of the town who even at that time told me that you were considering turning this property over to the state for a game refuge. He wanted me to find out from one of my lawyer friends whether this could be done if the town objected to the property becoming tax exempt. I think the major objection being that without this property to levy taxes upon the tax rate for the town would be increased. Where this man got his information as to what you were considering, I do not know. You mentioned the desirability of secrecy but evidently someone in your confidence had not been secretive. Did you mention this matter to Mr. Sawyer? Of course I shall say not a word to anyone about this matter. I would appreciate further information as to just what the procedure is which you are hoping to follow. Just what is involved in being an "incorporator." Evidently since the word incorporator is used, this will be a privately owned sanctuary? I am interested and wish you well in the enterprise.

Sincerely

*E. C. Dartnell*

E. C. Dartnell



ALBERT SANDECKI  
50 TANNER ST.  
HADDONFIELD, N.J.  
08033

# The WEEKLY PA

Vol. 6, No. 29

Second class postage paid at Blue Hill, Maine 04614, Thursday, June 16, 1966

## Callahan starts work on dam

BROOKSVILLE--Bulldozers were chugging on Cape Rosier this week.

It was the beginning of the long-awaited construction of an operating copper-zinc mine.

Engineers of Callahan Mining Corporation were supervising excavation of fill to be used on the first of two dams necessary to drain Goose Falls Pond. An open pit mine is to be established in what is now a tidal estuary.

Work this week was at the south end of the pond, near the mouth of a fresh-water inlet. A low earth-fill dam is to be constructed there to prevent the fresh water flow from flooding the mine site.

THE DAM will make a shallow fresh-water pond at the current high tide level. The fresh water inlet will be reversed, and drainage will be south instead of north into Goose Falls Pond. Flow will be maintained to prevent stagnation.

Fill for the dam, which will be faced with rock blasted at the site, is being excavated on adjacent property in the area that will eventually be filled by mine tailings.

Work on the other dam, which will hold back the salt water flow, will not start for a week or so.

After the pond is dry, exploration will continue on the ore body, both above and below ground.



GROUND WAS broken Tuesday for the first dam at the Callahan Mining Corporation site on Cape Rosier. At the bulldozer controls is Lloyd Fowler, Brooksville.--Packet photo.

## BAUGH

request, followed by a search for miners in Maine and then New England, is necessary before application can be made for a permit to bring in Canadian miners.

Black Hawk officials, themselves, are mum on future plans. John Kostuik, president of the corporation, and other management officials from Toronto were here two weeks ago, but no announcement was forthcoming following their visit.

From Toronto come rumors that activity at the mine is likely to be resumed in the next few weeks.

MEANWHILE, Charlie Robbins, of Coastal Mining, continues work on diamond drill holes in property adjoining Black Hawk. And the holes are deep with, reportedly, excellent cores. A drill rig on the North Sedgwick Ridge (the other two holes are on the opposite side of the mine) would indicate Robbins is bracketing the Black Hawk site in attempting to prove an extension of the Black Hawk zone to reinforce his contention that the ore body is much larger than Black Hawk realizes.

**RUMOR HAS IT** that approval of a permit to drain Goose Falls Pond in Brooksville to establish a mine there is near. The U. S. Army Corps of Engineers, who will issue the permit, if granted, has completed its study and forwarded its report to Washington, it was reported.

Once the permit is granted, Calahan Mining Corporation can start work on the dam to hold back salt water, and begin construction of its concentrating plant.

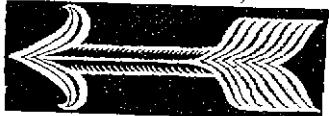
No permit is required, apparently, from the Water Improvement Commission, but this group will be closely monitoring the mine's effluent to see that pollution does not occur.

**WHILE** mining on Cape Rosier seems to be moving ahead, there are no new developments, aside from a dozen or so rumors, from the largely inactive Black Hawk operation in Blue Hill. It is still being maintained on a stand-by basis.

According to Gov. Reed's office, no request has been received through the state employment commission to locate miners. Such a

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# Commission hears testimony regarding Callahan drainage

JAN 1966

BROOKSVILLE--Members of the Maine Water Improvement Commission listened Monday at Brooksville to testimony, most of it favorable, which the commission will weigh before deciding whether to grant Callahan Mining Corporation the authorization to return water used in the flotation process at the Cape Rosier mine site to the waters of Goose Falls Pond.

Callahan officials maintain that the drainage, known as effluent, is not in the nature of an industrial waste and is practically clear water when it enters the pond.

Most of the hearing was taken up with an explanation of the flotation process, the type of tailings plant and the mineral concentrate and rate of flow of the effluent.

Gavin Young, senior engineer for Callahan, explained the plans and proposed facilities which would be employed at the Cape Rosier site, discussed the flotation process used to separate the copper, zinc and residual minerals and showed how the effluent would be routed.

ASKED IF the chemicals added to the water in the flotation process would have any effect on the effluent, Young said they would not because "the process is essentially a physical process, not a chemical one."

Some dissolved mineral substance would remain in the water said Young, but only in extremely small amounts. The mineral content would not be highly acidic, he said, because the primary gang mineral in the area is carbon.

A breakdown of the mineral concentrate percentages was not given at the hearing, but it had been previously presented to the commission in the engineer's report, and it was submitted as part of the record at the hearing.

Young was asked by the commission if any seepage from the tailings area would affect the effluent. He said it would not because as the tailings build up they will form a self-sealing dam of sorts which would prevent seepage.

PARTICULAR attention was centered on whether the effluent flow level would always remain

above the level of the tailings. Young told the commission that a column of concrete with the drain pipe leading from it would be increased in height as the tailings built up so that clear water would always be overflowing.

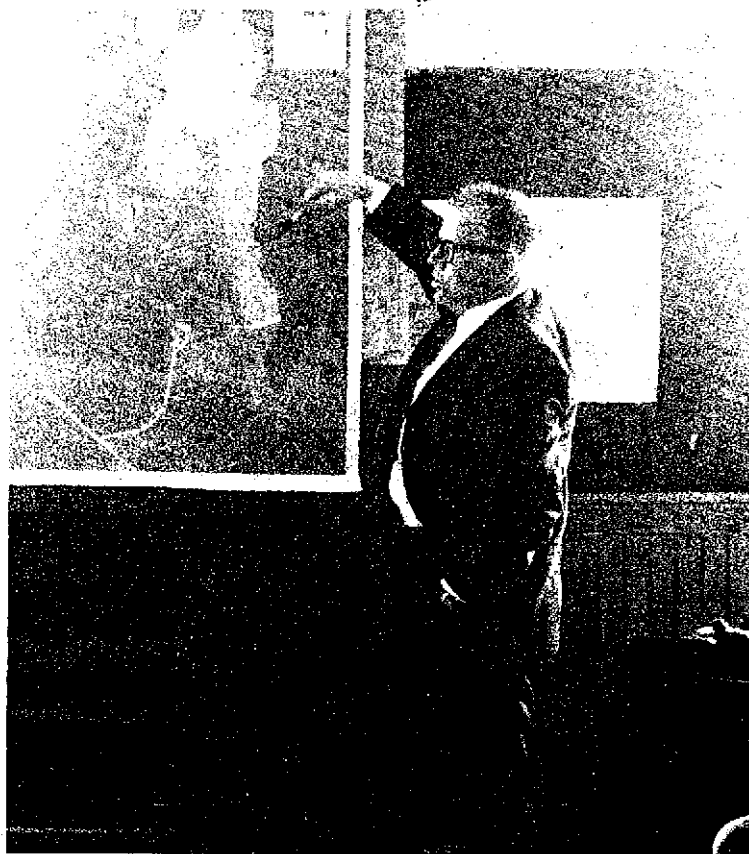
In answer to another question, he said that a man would be specifically assigned to insure proper level of the effluent flow at all times.

Asked by E. R. Hitchner, who presided at the hearing, if the tailings area would be adequate in size for the entire operation, Young said that as far as can presently be determined, the size is sufficient. He added that if the

life of the mine was longer than expected, any additional tailings areas would meet the same specifications as those of the present site.

ROBERT DOYLE, state geologist and an official of the Maine Mining Bureau, spoke on behalf of the mine, saying that the proposed development has been investigated by all state resource agencies and they are generally satisfied that this is a reasonable operation. "This is a very orderly, efficient operation which should not allow any major troubles with

(Turn to CALLAHAN on page 9)



GAVIN YOUNG, senior engineer for Callahan Mining Corporation, explains the drainage route to be utilized in the flotation process at the Cape Rosier mine site to members of the Maine Water Improvement Commission at a classification hearing at Brooksville Monday.--Packet photo.

**MORE ABOUT:****Callahan**

(Continued from page 1)

water pollution into the bay," said Doyle.

He echoed Young's statements regarding the chemicals used in the flotation process, saying the chemicals used would be added in such small quantities that they would have no significant toxic effect.

No actual opposition was expressed against granting Callahan a license for draining. Donald Harriman, representing the Maine Department of Sea and Shore Fisheries, stated that his department was very much concerned with the copper concentration of the effluent because the crustacea (lobsters) are very much affected by copper.

Harriman said that the department would examine the copper content of the effluent very closely before submitting a report to the commission. While the lobster depends on copper to carry its oxygen supply, he said, if the mineral concentrate reaches too high a level in the water it quickly becomes lethal to the lobster.

ogist for Callahan, reported that at the tailing plant outlet, the copper percentage in the effluent would be .3 parts per million. Presently, the sea water below Goose Falls contains about 1.1 parts per million in heavy metal concentrate.

An official from the Inland Fish and Game Department said that his department's only interest in the project was from a waterfowl area standpoint.

He said he had seen Callahan's plan regarding wildlife, had approved it and was quite pleased with the progress so far.

Only Brooksville resident to speak concerning the mine was selectman Girard Condon. He said, "I am very much in favor of the mine operating in this area and about 90 per cent of the townspeople in the area feel the same."

Members of the Water Improvement Commission at the hearing were Hitchner, Llewellyn Colony, Leo Morency and engineer Rae-Burn MacDonald.

Hitchner said he did not know when the commission would reach a decision regarding the license, but that it would begin consideration of the matter Friday.

ROBERT HODDER senior geol-



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
FISH AND WILDLIFE SERVICE  
BUREAU OF SPORT FISHERIES AND WILDLIFE  
U. S. POST OFFICE AND COURTHOUSE  
BOSTON, MASSACHUSETTS 02109

May 25, 1966

Mr. Albert E. Sandecki  
50 Tanner Street  
Haddonfield, New Jersey 08033

Dear Mr. Sandecki:

Because of the concern you expressed previously over the Callahan Mining Corporation's application for a permit covering mining operations in Goose Pond, we have enclosed a copy of our report on this application. The Corporation subsequently advised us that they do not plan to maintain the water level in the diked-off segment of Goose Pond bordering the Holbrook Sanctuary and we have since notified the U. S. Army Corps of Engineers that we consider the conditions set forth in our report as still pertinent to the application.

We have not been advised as yet as to the Corps' decision on this application, but we will let you know the outcome. We appreciate your continuing interest in the conservation of our natural resources.

Sincerely yours,

A handwritten signature in cursive script that reads "Richard E. Griffith".

Regional Director

Attachment

50 Turner Street  
Haddonfield,  
New Jersey 08033  
21, May 1966

United States Dept. of the Interior  
Fish and Wildlife Service  
U.S. Post Office and Courthouse  
Boston, Massachusetts 02109

Mr. Richard E. Griffith  
Regional Director

Dear Mr. Griffith,

I would like to thank you for the copy of your report to the Corp's of Engineers in regard to the proposed daming of Goese Pond on Cape Esier in the State of Maine.

If the Corp's of Engineers see fit to cut off the waters to this pond and its surrounding salt marshes, it is sincerely hoped that ~~the~~ Callahan Mining will abide by your recommendations.

The fact as I understand it is, that this mining operation will set a precedent in the State of Maine for "open pit" mining, there should be brought about the most stringent controls possible.

As far as the past poor reputation of this means of securing the earth's minerals all parties concerned should tow the line, if not for our sake, at least the coming generations.

Again thank you for your time and efforts, and I would appreciate any further information in regard to this proposal.

Sincerely yours,

Albert E. Sandecki



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
FISH AND WILDLIFE SERVICE  
BUREAU OF SPORT FISHERIES AND WILDLIFE  
U. S. POST OFFICE AND COURTHOUSE  
BOSTON, MASSACHUSETTS 02109

May 10, 1966

Mr. Albert E. Sandecki  
50 Tanner Street  
Haddonfield, New Jersey 08033

Dear Mr. Sandecki:

This is in further reply to your letter of April 8, 1966, regarding the operations of the Callahan Mining at the Goose Pond tidal area in Maine.

We now have the results of investigations performed by our biologists, in cooperation with those of the Maine Departments of Sea and Shore Fisheries and Inland Fisheries and Game. A report is in process of final preparation and we shall be happy to send you a copy as soon as it has been released.

Goose Pond possesses aesthetic value and is of nominal importance from the standpoint of fish and wildlife resources. There is a small winter smelt fishery, occasional occurrences of winter flounder, limited stocks of soft clams and mussels, and use of the area by small numbers of waterfowl, principally goldeneye, during fall and spring migration. The minor fishery resources can be expected to disappear during the active life of the project (7-10) years, but waterfowl use will probably remain about the same.

True, the effluent from mining operations may do some damage when it washes into the adjacent sea, due to heavy metals which it will carry. This possibility seems a remote one, because the sea water in this area already carries a considerable concentration of heavy metal ions. In spite of the unlikelihood of toxic effects, however, this matter is not being overlooked. The Maine Department of Sea and Shore Fisheries, in cooperation with other State agencies, is developing plans for a surveillance and monitoring program to determine (1) that toxic wastes do not become a public health hazard through contamination of edible shellfish and (2) that tidal distribution of toxic wastes does not cause any mortality of edible shellfish and crustaceans.

It is anticipated that our report will recommend that the permit be issued with stipulations to insure that Callahan Mining Corporation cooperates in the above mentioned surveillance and monitoring program and that it take prompt corrective action should adverse effects be observed. We also anticipate that further stipulations will require (1) installation of a water-control structure in Dam No. 2 so that the upstream marsh may be flooded to a controlled depth of about 1 foot and (2) that Dam No. 2 be transferred to ownership and control of the Maine Department of Inland Fisheries and Game after mining operations at Goose Pond are terminated.

As stated in our letter to you dated February 9, 1966, the major question is how to provide for the rational development of the mineral resource without impairing the marine and wetland resources and also the natural beauty of the area. Protection of the marine and wetland resources constitute a major responsibility of the Fish and Wildlife Service and its state counterpart agencies. We believe that loss of such resources in the case of Goose Pond will be negligible if mining operation is governed by the stipulations outlined above. In the case of the preservation of the natural beauty, that appears to be beyond our area of official responsibility and influence, although we share your concern.

Thank you for your continued efforts in this area of mutual interest.

Sincerely yours,

*Richard E. Griffith*

Regional Director

50 Tanner Street  
Haddonfield,  
New Jersey  
May 12, 1966

Mr. Jerry Durnbaugh  
Editor of the Weekly Packet  
Blue Hill,  
Maine

Dear Mr. Durnbaugh,

Thank you for your letter of May 9th, I can not help but feel that we are both in the same boat, but unfortunately rowing in different directions. I will not say, as it is pointless, who is rowing in the right direction.

Granted the dictionary is not the last word in anything, and I never entertained any doubts of your command of English. We all have our interpretations and thus the unending history of man's inhumanity to man. I am afraid your interpretations and mine of these terms will never quite coincide. Understandably the proper use of resources is a matter of survival and progress.

Unfortunately I am a dreamer, and my world is nature, its beauty and strangeness never ceases to stir me, I'm sure others feel the same way. Everyday progress to me has its price, usually a high one paid by the land and its natural habitues, I wonder how long it can keep paying. Yes, I too enjoy the copper piping; it helps feed and wash our two growing children, and keeps our standard of living here in the United States one of the highest in the world.

I am basically an impractical and selfish sort, I want my family comfortable and my subject matter untouched. My conscience however does bother me a bit in regard to what is happening to the natural beauty of the land. In New Jersey this beauty has already gone or is well on its way, you might say I truly jumped from the frying pan into the fire, in the respect that I wanted my children to be near nature.

As I may have mentioned before, I paint for a good part of my living. Possibly I do this as a recorder of our times, of what back in the 1960's the few remaining portions of the Eastern coast of the United States looked like in their natural state. I hope force, and that they will make good their word of returning the pond to its natural state by removal of the proposed dams. I feel I will not see this in my lifetime hopefully my daughters will.

Again thank you for your letter and I will continue to row my way and you your way. At least we can talk, and I have enjoyed our correspondence.

Sincerely,

Albert Sandecki

May 10, 1966

Mr. Albert Sandecki  
50 Tanner Street  
Haddonfield, New Jersey

Dear Al:

Ever since you told me about the  
destruction of your wilderness in Maine,  
Shirley and I have wondered how you're  
getting along and wished we could do  
more than just write a couple of letters.  
When you have a little time, may we hear  
the latest?

Best regards,

MAC

Malcolm B. Wells

MALCOLM B. WELLS  
ARCHITECT/CONSERVATIONIST  
CUTHBERT ROAD at COOPER RIVER  
CHERRY HILL (BOX 183)  
NEW JERSEY



# Callahan still seeking draining 'go-ahead' for Goose Falls Pond

BROOKSVILLE--The U.S. Army Corps of Engineers has, as yet, made no decision regarding the application submitted by the Callahan Mining Corporation to drain Goose Falls Pond to develop an open pit mining project at Harbor-side.

Speaking of the delays which have prevented the corporation from receiving approval or disapproval of its application, Callahan project engineer C. J. Whitley said Tuesday, "The company is going ahead with the program as rapidly as possible, but government agencies seem to be holding up the progress."

A bill presented to the State House of Representatives and Senate was approved and signed into law by Gov. John Reed in January granting state approval to drain the pond, after the Maine Supreme Court returned an opinion that the bill was constitutional.

The bill, however, does not become actual law until May 10, because a 90-day delay following adjournment of the special session of legislature was required.

KENNETH COLE, of the operations division of the Corps of Engineers New England division office in Waltham, Mass., said in an interview Wednesday that his department had received nine letters of objection and about 50 in favor of the mine so far.

Cole said the engineers have issued notices allowing a 30-day period during which answers may be submitted either for or against the mine. The 30-day period ends Tuesday.

Objections voiced against allowing drainage of the pond have been for a number of reasons, said Cole. The letters state that the beauty

of the area would be destroyed, navigation would be impaired, ice would freeze in the outer cove, anchorage would be spoiled and a dust problem would be created.

Cole also said that the U.S. Fish and Wildlife Department in Boston has requested until May 18 to file a report regarding the effect draining the pond would have on fish and game.

A complete report would then be submitted by the New England engineers division to the headquarters in Washington, D.C., where the final decision will be made, he said.

A DECISION is also still pending from the Maine Water Improvement Commission concerning the granting of permission to Callahan to return to the waters of Goose Falls Pond the water used in the mine flotation process.

Raeburn MacDonald, chief engineer for the commission, said Wednesday that quite a lot of work still must be done before the commission can determine the conditions on which a license would be contingent.

"If it concerned only the water," said MacDonald, "there would be no problem." But, he said, bottom deposits, depending on the life of the mine, could have an effect on fish and shellfish, and bio-assays must be conducted using the chemicals involved in the flotation process before the commission can reach a decision.

MacDonald said it would probably be the last of May or the first of June before a final decision is reached by the commission.

SUMMING UP the delays in a few words Tuesday, Whitley said, "There's just so darn much red tape involved."

"We've had lots of job applications from young fellows," he added, "lately as many as three a day."

If Callahan is granted permission to drain Goose Falls Pond, it is hoped that the mine will be operational by mid-1967, employing 60 to 75 workers.

# PACKET OPINION

## Think zinc . . .concentrate

The basic question: when do the rights of society outweigh the rights of the individual?

This is a philosophical question, one best argued in terms of political science, and one we do not intend to explore in any great length in this week's essay. Our own view is that, initially each individual's rights are absolute and are reduced only by that degree to which they interfere with the rights of others. As the old adage says: "Your right to swing your fist ends at the beginning of my nose."

All of this leads up to the immediate problem: getting Callahan Mining Corporation into an operating mine at Harborside in Brooksville.

\* \* \*

Unanimity is more an abstract term than a practical achievement. Nothing --no project, no plan, no operation-- is ever going to be 100 per cent supported by 100 per cent of the people. Yet, as far as we are able to determine, support for the mine in Brooksville is about as close to unanimous among townspeople as it is possible to get.

And why not? The advantages to the town--and to the entire area, for that

activity not only in this immediate area but in the whole state.

\* \* \*

Of course there are some disadvantages to the mine. Since this is a prime recreation area, we all would probably rather see an underground mine instead of an open pit. As open pit mines go, this is a very small one, but it still is more obvious than an underground development.

However, the open pit technique requires help trained in skills found locally, meaning a better chance for local employment. Furthermore, the Callahan company has done an excellent job of planning, it seems to us, to make the whole operation as unobtrusive as possible. And when the mine is worked out, the area will be returned to its original condition simply by flooding the pit. Goose Pond will not be destroyed--it will just be deeper.

\* \* \*

It is no secret there is opposition to the mine, ranging all the way from good, legitimate reasons to strictly selfish ones. Opposition is healthy, for in this way solutions may be found to avoid undesirable features while there is still time to do something about them.

We wonder, however, if strictly selfish reasons by a very few people should be allowed to completely block a deve-

CASTINE--A program of readings and a sale of plants and seedlings highlighted a meeting of the Unitarian Alliance at the home of Mrs. Robert Ames, Castine, recently. Mrs. Ames first read a letter which she wrote to her niece years ago. It was a resume of her early days in Castine and described the changing times and

at alliance meeting Readings featured  
ville, Mary A. Babson, Brookville, Clara M. Westcott, Pawtucket, R.L. Polly T. Fairbrother and Hope E. Gray, Prospect and claim deed to Cora Abbott, Brooksville, for a lot land in Brooksville.--1.75 acre

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# The Clipboard

By JERRY L. DURNBROUGH



MEMBERS OF THE MAINE Mining Bureau hear Gavin Young explain the prospective plant layout for Callahan Mining Corp. on Cape Rosier in Brooksville. The Bureau visited the site last week, touring the facilities and checking the dams.--Packet photo.

# The WEEKLY PACKET

The Weekly Newspaper Serving Southwestern Hancock County

Blue Hill, Maine

P.O. Box 343

Phone: Area Code 207, DRake 4-5643

● Offset Printing

● Commercial  
Photography

May 9, 1966

Mr. Albert Sandecki  
50 Tanner Street  
Haddenfield, New Jersey, 08033

Dear Mr. Sandecki;

Thank you very much for your comments concerning the proposed open pit mine. I was very happy to publish them in this week's paper.

I feel they deserve further comment, and unwilling to abuse the editor's "last word" privilege felt that a letter would be a better way to extend the discussion than an editor's note appended to your letter or an editorial in rebuttal to your answer.

I, too, at one time felt that "conservation" was simply a matter of preserving the status quo. Probably the most difficult--and valuable--thing I learned in studying conservation in college was that this is not conservation at all.

As you know, a dictionary is not the final arbiter of the meaning of words; it is simply a record of the way in which people have used words. As Lewis Carroll said, a word means anything you want it to mean. Both preservation and conservation are abstract terms; the definitions you cited are both couched entirely in abstract terms. Consequently, it is impossible for the words to mean exactly the same thing for the both of us. I could add, in fact, that the definitions you cited were, more or less, precisely as I have used them: Conservation "a keeping in a(n) entire state." This, I contend, is not true conservation, although it is what most people have in mind when they speak of conservation. And, as I noted in the editorial, this pseudo-conservation is really preservation, by your own definition: "To keep from... destruction;... save. To keep up and reserve for personal or special use."

For true conservation means exploitation--and not exploitation in the sense of piracy, but exploitation in the sense of fullest possible use of the resource. Nothing is conserved by letting it go to waste.

Soil, left in its original state, may be "conservation" in the minds of many, in that it is kept "safe." But unless it is tilled, unless it is used, it yields no food. The true conservationist exploits the soil by maintaining its productivity through various devices to control erosion, through addition of minerals to maintain its fertility. This, by your comments, would be interrupting nature's cycle. But it is necessary if the soil is to produce without being wasted.

A tree left standing may be conservation, or it may be waste. Certainly if no trees were cut, there would be no lumber. Lumber is essential, hence some trees must be cut. The question arises, for each particular tree, can it be

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most fully utilized--exploited--by cutting or by letting it stand? Forest conservation is not letting forests stand idle, but intelligent management that provides succeeding crops of trees without laying the area bare.

Unlike trees, minerals are not renewable. Conservation of them, then, is full exploitation--getting the maximum use. Like lumber, copper is essential in today's world. (Remove all the copper to be found in your house and its furnishings and, I think, you would not be happy living in the condition you would be forced to live.) We can't grow copper. We can't breed copper. We can only mine it and re-use it, when possible. And since Man needs copper, and it can only be obtained by mining, then not mining it would be absolute waste. For a resource unused--be it soil, tree or metal--is wasted if it is not used. And that, Mr. Sandecki, is exactly what true conservation is trying to prevent--waste.

Dr. Ruben Parson speaks of those johnny-come-latelys you have such kind words for. Writes Dr. Parson: "Sentiment and theory have fostered the conservation movement, ~~but~~ the real test comes with practical application. Many conservation enthusiasts are like new converts to a religion, eager to spread the gospel; but in their enthusiasm they often overlook the practical aspects of a problem. They intone splendid pledges to posterity, committing us to deliver all nature, as a sacred trust, from generation to generation. Sometimes they seem to forget that one generation becomes the ancestor of another, that ancestral initiative and progress may be a richer legacy than undeveloped resources."

Dr. Parson also says, "Theoretically we might wish that all our streams were so clean and pure that we might safely drink out of them, but practically streams cannot be so while people occupy and use the lands they drain. In this and many other facets of conservation we must strike a compromise between a theoretical ideal and its practical feasibility. We could save all our soils by retiring them from use, but as long as we wish to eat we must conserve soil while employing it to produce food."

I might add that as long as we wish to utilize electricity, then we must have copper.

In the case under discussion it is that very compromise between the theoretical and the practical that must be secured. Callahan, it seems to me, has done an outstanding job in planning such a compromise. It has even added considerably to its own expenses by locating its facilities so they will be as much out of sight as possible. It has plans for restoring the area after the minerals are removed. (Incidentally, some beautiful Midwestern parks are presently located on former strip-mining sites which were reworked after they were mined out. Had those mines not been developed, the public, today, would not have those parks. It is equally true that many mines have been abandoned in a horrible state of disarray. This, primarily, was due to lack of proper legislation, and this condition is not likely to be much of a problem in the future. This ultimately gets into the field of economics and the economics of conservation are a whole specialty in themselves.)

# The WEEKLY PACKET



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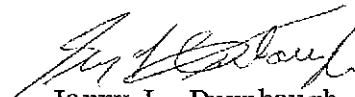
● Commercial  
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As a staunch supporter of true conservation, I am as much concerned as anyone on the conservation of our natural resources. And I know that man must exist, that every time he butchers a steer he interrupts the cycle of nature. Compromises are not only desirable, but essential if Man is to survive.

Man, in the past, has done some pretty rotten things to his environment, Mother Nature, and even himself. But I still believe, in general, Man's needs come first. It is simply a case of working out the least damaging way to meet those needs.

The Callahan proposal is a good compromise solution.

Sincerely,



Jerry L. Durnbaugh  
Publisher

jld/gd

50 Tannor Street  
Haddonfield,  
New Jersey  
08033  
May 2, 1976

The Weekly Packet  
Blue Hill,  
Maine

Hoy, Ed

In regard to your editorial in the April 28th issue of  
The Weekly Packet entitled "Mins could use some help".

I feel there should be some clarification of two terms  
you have used quite freely and flexibly that of "Conservation"  
and "Preservation".

If I may submit Mr. Webster's definitions :

CONSERVATION--- A conserving, preserving, guarding, or  
protecting; a keeping in a safe or entire state.

PRESERVATION--- To keep from injury or destruction, to  
defend from evil; protect; save. to keep up and reserve  
for personal or special use.

Preservationist or Conservationist is a title that hope-  
fully more and more will wear with blood in their eye, and a  
strong and abiding love of beauty in their heart.

Thank God for all those (Johnny-come-lately) at least  
they are becoming aware, at last they are coming up to the  
lines, as staggered and worn as they may be in this battle  
with this destructive octopus called "Callahan Mining Corporation"

Will the lobstermen and clam diggers welcome that 900 gallons  
per minute of mine wastes at eight hours a day for seven years  
being pumped into the Penobscot Bay. And those who enjoyed the  
tinner mackrel fishing at Indian Bar last August, will they  
and their children experience that joy again?

When you interrupt nature "temporarily" you interrupt a cycle  
which would take years to come back, if it would come back at all.  
You may say I'm denying people the privilege to a better living,  
I would like to ask if we have the right to deny living natural  
resources their cycle, thereby losing forever the wealth of nature.

We are here but a short time--- others are going to follow.

Sincerely,

Albert Sandeck  
Barberside,  
Maine

50 Farmer Street  
Haddonfield,  
New Jersey 08033  
20 April 1966

DEPARTMENT OF THE ARMY  
New England Division  
Corps of Engineers  
421 Trapelo Road  
Waltham,  
Massachusetts 02151  
REFERENCE TO WEDD-3

Dear Mr. Callaghan,

I had occasion to be in Hatherside, Maine this past week and was a bit concerned at finding surveying markers well in to my property. I have a deed, as well as my two neighbors, so stating that a brook on the back of our respective properties is the proper boundary with the Callahan Mining Corp.

I feel Callahan Mining is grossly intruding on others property and the boundaries so stated on the enclosed copy of their proposal are far from correct.

However the point most carefully avoided on this proposal is the absolute fact that there are year round residents as well as summer homes on these so called house lots.

Again I only hope you will consider this proposal of Callahan Mining as carefully as you possibly can, the harbor, pollution and just plain ruination of a beautiful pond depends on your decision.

Sincerely yours,

Albert E. Sandocki





UNITED STATES  
DEPARTMENT OF THE INTERIOR  
FISH AND WILDLIFE SERVICE  
BUREAU OF SPORT FISHERIES AND WILDLIFE  
WASHINGTON, D.C. 20240

ADDRESS ONLY THE DIRECTOR,  
BUREAU OF SPORT FISHERIES  
AND WILDLIFE

APR 18 1968

Mr. Albert E. Sandecki  
50 Tanner Street  
Haddonfield, New Jersey 08033

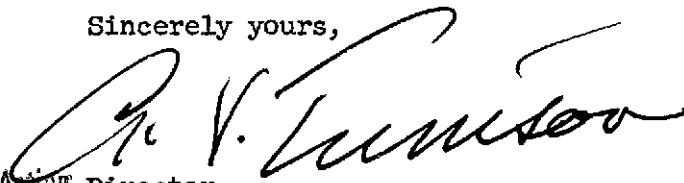
Dear Mr. Sandecki:

This will acknowledge receipt of your letter and enclosures of April 8 concerning the operations of the Callahan Mining at the Goose Pond tidal area in the State of Maine.

Since a Department of the Army permit to accomplish the work will be required, we now will be afforded the opportunity to comment on the proposal. This will be done by our Boston Regional Office. We are forwarding your letter to that office, and you may expect to hear from them directly.

Your continued interest in the protection of this coastal resource is sincerely appreciated. The Department of the Army public notice and maps are herewith returned as requested.

Sincerely yours,

  
Acting Director

Enclosures



ADDRESS ONLY THE DIRECTOR,  
BUREAU OF SPORT FISHERIES  
AND WILDLIFE

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
FISH AND WILDLIFE SERVICE  
BUREAU OF SPORT FISHERIES AND WILDLIFE  
WASHINGTON, D.C. 20240

APR 8 1966

Mr. Albert E. Sandecki  
50 Tanner Street  
Haddonfield, New Jersey 08033

Dear Mr. Sandecki:

Thank you for your letter of March 24 and the enclosed articles about the Goose Pond controversy. Your paragraph on the historical aspects was of interest, too.

Since your earlier communication of February 9, the Maine Departments of Inland Fisheries and Game and Sea and Shore Fisheries have both reported only minor involvement of fish and wildlife resources in the proposed open pit operation near Goose Pond.

The Callahan Mining Company has planned an impoundment for wildlife development as a mitigation measure. In addition, mine tailings will be confined to company property, and mine residues will be prevented from escaping into adjoining estuarine areas.

We find that the mining company is proceeding legally in accordance with State law--and after consultation with all State natural resource interests. Further, Federal intervention is not foreseeable since navigable waters are not involved.

We regret that we could not be of more direct assistance, but we appreciate your concern and thank you for bringing the matter to our attention.

Sincerely yours,

Assistant

Director

50 Tanner Street  
Haddonfield,  
New Jersey  
April 8, 1966

United States Department of the Interior  
Fish and Wildlife Service  
Bureau of Sport Fisheries and Wildlife  
Washington, D.C. 20240

To Mr. A.V. Jameson (Acting Director)

Dear Sir;

Again in reference to the proposed damming of the tidal pond called Goose Pond on Cape Rosier in the State of Maine.

I am writing in hopes that you might have some influence with the Department of the Army, New England Corps of Engineers. I recall from your past letter to me on February 9th 1966, your mention of the problems your department runs into with State and Local government matters.

Surely the Department of the Army is under federal control, maybe there is yet a way through the Corps of Engineers to prevent Callahan Mining of New York from "pumping at the rate of 900 gallons per minute for 8 hours a day for an unspecified length of time, waste material used in the processing of copper and zinc ore." This was quoted to me in a letter to me from The Natural Resources Council of the State of Maine.

If that is not downright pollution, I've never heard otherwise. This would further the lobsterman's plight in his search for a living, the clam beds, after such conservation were just starting to come back, the whole situation just stinks.

Enclosed is the report of the New England Corps of Engineers, if it is not too much trouble I would appreciate it's return, I am keeping a file on this ruination of our natural resources.

Thank you again for your time and consideration.

Sincerely yours,

Albert E. Sandeckl

50 Farmer Street  
Haddonfield,  
New Jersey  
8 April 1966

Department of the Army  
New England Div. Corps of Engineers  
421 Trapelo Road  
Waltham, Mass.

Reply Reference to WEDDD-3

Dear Mr. Malkasian,

I should like to express my sincere disgust with the proposed dams on the inlets of Goose Pond, on Cape Rosier in the State of Maine. In my estimation this will bring an end to a useful harbor frequented by local people as well as summer residence.

It will also mean the destruction of a tide water pond in which fish spawn, seals frequent and the ruination of the natural beauty of the area.

The continual piece-meal destruction of natural resources for private gain is a malignant situation I guess only a few are willing to cry out against.

My thoughts and feelings are that the whole operation is poor judgment, and callous disregard for natural beauty.

At the bottom of your letter of April 1st you refer to any comments regarding the proposed damming of Goose Pond.

My comment is " It's a damn shame "

In hopes you will consider this project carefully.

Sincerely yours,

Albert B. Sandocki

50 Turner Street  
Haddonfield,  
New Jersey  
April 8, 1966

Callahan Mining Corporation  
277 Park Avenue  
New York,  
New York 10017

Mr. Charles D. Snead Jr. Sec.

Dear Mr. Snead,

I have not had until this time a full knowledge of your company's intentions in regard to the proposed mining operations on Cape Royal at Coose Pond.

The New England Corps of Engineers report #HEB08-6 in reference to the proposed dams have recently come into my possession. In my estimation these proposals by your company to pump 900 gallons per minute for 8 hours a day of waste into the Penobscot Bay, as well as the proposed dams by the Corps of Engineers is the most damnable ruination of natural resources I have ever heard of.

Therefore I would like to submit these sentiments of mine to you and your associates and Mr. Hiredhorn, who could not afford the courtesy of a reply to my first letter.

Again I am thoroughly disgusted with your proposals and your disregard for nature, and your willing contribution to the spreading cancer of destruction of our natural resources.

Disgustedly yours,

Albert E. Sankochi

# PACKET OPINION

If all Printers were determin'd not to print any thing till they were sure it would offend no body, there would be very little printed.

--Benjamin Franklin, 1731

## Mine could use some help

For a number of reasons, most of them rather hazily termed "conservation," a fight is being made to prevent Callahan Mining Corporation from developing its zinc-copper mine on Cape Rosier.

The fight has moved out of the State-house--where strong public support coupled with an overriding public good resulted in a hands-down decision for progress and the mine--to the offices of the U. S. Corps of Engineers in Waltham, Mass. Here, objectors are aiming to halt granting of a permit by the engineers whereby the mining company would be allowed to drain Goose Falls Pond. Drainage of the pond is necessary if the open pit is to be developed, because the ore lies below the waters of the brackish pond. Some objectors have cited "navigation" as a reason for denying the permit, but it is exceedingly difficult to see how navigation could be a factor when there is no way of getting a boat from the ocean into the pond without carrying it across the road. To the best of our knowledge, this is very rarely, if ever, done.

Citing "conservation" as a reason for denying the permit is more popular, but even more erroneous. For too many conservationists, particularly of the "johnny-come-lately" variety, mistake "preservation" for "conservation." Temporarily interrupting the beauty of a very, very small section of unproductive land is certainly not sufficient reason to deny the town of Brooksville--indeed this whole area--a chance at a modicum of prosperity. Rather than being an eyesore, we feel there is inherent beauty in an installation that means jobs, paychecks, additional tax revenue, and the opportunity for a relatively large number of families to raise their standard of living. Temporarily draining a small pond is a small price to pay for such benefits.

Preventing the mine from developing is not "conservation." It is, in fact, waste.

"Conserving American Resources" by Ruben L. Parson is a standard college

"Conservation of natural resources means the fullest possible use of them without abusing the ones exploited, without destroying any needlessly, and without neglecting any that can be used . . . exploitation and conservation are not opposites. . . . We conserve a resource when we make the best use of it, not when we let it be idle."

Concerning mining specifically, Dr. Parson writes:

"Since an unmined mineral is useless, its abandonment in the earth represents outright waste--the antithesis of conservation. Preservation is not the object of mineral conservation. Digging, efficiently, as fast as it pays is more nearly the correct idea. . . . Nothing could be much more embarrassing to future conservators than to discover a century or two hence that materials lying obsolete and worthless in the ground might once have been exploited profitably. That which is good common sense--good business--is usually also good conservation."

Further, the plans of Callahan are remarkable in that they are so complete in their intent to restore the area once the minerals are removed. The pond will be re-flooded, the area will be returned to a state much as it is now.

The Maine Supreme Court, in the Callahan case, has ruled that the state has not only the right, but the duty, to develop its natural resources--and minerals are a natural resource--as much as a scenic coastline or a bird's nest.

Only a few days remain of the 30-day period during which the Corps of Engineers is accepting comment and testimony on the permit.

If you favor (or oppose) the mine, you should write the Corps of Engineers now--letters must be received by Monday. We strongly favor developing the mine at Cape Rosier, and although those objecting are relatively small in numbers--about one out of 10--they are large in influence. If you, too, want the mine, write. Send your letter to:

U. S. Army Corps of Engineers

# Hey, Ed!

To the Editor:

In the article you wrote about your opinion in the April 28 issue of the PACKET, I would like to ask you where you received the information about taking boats across the road at Goose Falls. I have taken two of my boats into the pond at different times for winter storage, one of them 28-feet with cabin. I know several different boats 28 to 30 feet long that have been wintered or repaired in this pond and I can prove this; also that they went under the bridge and not across the road. I know of many scows and floats that have been wintered or built there and taken out under the bridge at the falls and there is one there now, which belongs to Timothy Rhodes of Beach Island that has been wintered there for years. And these scows do not have to be hauled across the road.

Furthermore, the pond is not brackish. The pond used to be well stocked with flounders, smelts, eels and a lot of mackerel were caught there last summer. These fish do not live in brackish water.

I would suggest you consult with some oldtimer who has lived here all of his life and is not biased in favor of the mine before you publish articles that are not true for the public to read. As your statements are not true I think they should be corrected.

Brainard L. Farnham  
Harborside, Maine

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Dear Mr. Durnbaugh:

Please make correction in your editorial of April 28, 1966. You state the only way to get a boat from the ocean into Goose Falls Pond is to carry it across the road. You have been badly misinformed as I have taken 28-foot boats under the bridge and wintered in the pond. Also scows up to 14' x 30'. I have built and repaired scows and boats at my beach for 40 years and haven't hauled any across the road. My family has owned land at this pond since 1637 and I am prepared to give you first-hand information as to the navigable waters at Goose Falls Pond. Please put this right as I don't like misrepresentations, which this is.

D. E. Dyer  
Harborside, Maine

(Ed. note--We stand corrected.)

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Hey, Ed:

In regard to your editorial in the April 28 issue of The WEEKLY PACKET entitled "Mine could use some help":

I feel there should be some clarification of two terms you have used quite freely and flexibly, that of "conservation" and "preservation."

If I may submit Mr. Webster's definitions:

CONSERVATION--A conserving, preserving, guarding, or protecting; a keeping in a safe or entire state.

PRESERVATION--To keep from injury or destruction, to defend from evil; protect; save. To keep up and reserve for personal or special use.

Preservationist or conservationist is a title that hopefully more and more will wear with blood in their eye, and a strong and abiding love of beauty in their heart.

Thank God for all those (johnny-come-latelys). At least they are becoming aware; at last they are coming up to the lines, as staggered and worn as they may be in this battle with this destructive octopus called "Callahan Mining Corporation."

Will the lobstermen and clam diggers welcome that 900 gallons per minute of mine wastes at eight hours a day for seven years being pumped into the Penobscot Bay? And those who enjoyed the tinker mackerel fishing at Indian Bar last August, will they and their children experience that joy again?

When you interrupt nature "temporarily" you interrupt a cycle which would take years to come back, if it would come back at all. You may say I'm denying people the privilege to a better living; I would like to ask if we have the right to deny living natural resources their cycle, thereby losing forever the wealth of nature

We are here but a short time--others are going to follow.

Albert Sandeck  
Haddonfield, N. J. and  
Harborside, Maine

April 4, 1966

Mr. Daniel Connelly, Chairman  
Water Improvement Commission  
State House  
Augusta, Maine

Dear Mr. Connelly:

The following statement is submitted to be included in the minutes of the public hearing held this morning by the Water Improvement Commission at the Municipal Building at Brooksville, Maine on the addition of industrial waste at Goose Falls Pond, Cape Rosier.

"The Natural Resources Council of Maine's Board of Directors recommends that any permit for the discharge of waste from the Callahan Mining Corporation operation into tidal waters of the state be conditional on proof that the discharge will not be harmful to said waters or the life therein".

Enclosed for your consideration also are copies of correspondence that have been called to the Council's attention and should also be included in the hearing record if possible.

Yours truly,

Marshall F. Burk  
Executive Secretary

MFB:lfa

enc. 2

WATER IMPROVEMENT COMMISSION  
900 G. P. M. 8 HRS / DAY





DEPARTMENT OF THE ARMY  
NEW ENGLAND DIVISION, CORPS OF ENGINEERS  
424 TRAPELO ROAD  
WALTHAM, MASSACHUSETTS 02154

IN REPLY REFER TO:

NEDOD-S

1 April 1966

NOTICE

TO WHOM IT MAY CONCERN:

The Department of the Army has received a request from the Callahan Mining Corporation to construct two dams and widen an existing causeway in Goose Pond in the Town of Brooksville, Maine. The two dams will be constructed of stone with impervious soil core. The dam at the entrance to the pond is to be constructed with a water control gate. The causeway southwesterly of the highway bridge will be widened on the easterly side. Plans of the proposed work are inclosed.

The work is proposed by the Callahan Mining Corporation for the purpose of diverting and draining the tidal and fresh waters in connection with proposed mining operations in the area.

The determination as to whether an approval will be issued must rest primarily upon the effect of the proposed work on navigation. However, other pertinent factors, including fish and wildlife conservation aspects, will be accepted and made part of the record and will be considered in determining whether it would be in the best public interest to grant the approval.

Any comments regarding the proposal should be submitted in writing to this office on or before 2 May 1966.

Incl: as

*Arthur J. Kelly*  
for  
Z. MALKASIAN  
Chief, Operations Division

# NATURAL RESOURCES COUNCIL of MAINE



116 State Street

Augusta, Maine 04330

Tel. 623-3452

April 4, 1966

Mr. Albert E. Sandecki  
50 Tanner Street  
Haddonfield, New Jersey 08033

Dear Mr. Sandecki:

The Natural Resources Council has discussed the proposed draining of the Goose Falls Pond tidal estuary at two different Board of Directors meetings. We were pleased to review your correspondence and particularly that of the Bureau of Sports Fisheries and Wildlife that you forwarded to us through Mr. Raymond Bond. This information did not reach the Bangor House for our annual meeting until after the meeting.

The Water Improvement Commission held a public hearing this morning down at Brooksville in regards to the Callahan Mining operation. The Callahan operators appear to desire to add industrial waste water at the rate of 900 G. P.M. for eight hours a day and therefore need a license from the Water Improvement Commission.

The Council submitted a statement for this hearing and took the liberty of submitting a copy of your letter and the letter from the Department of Interior. I am returning the original of their correspondence to you.

I personally wish stronger terms or conditions could have been expressed in the Council's statement.

Yours sincerely,

Marshall F. Burk  
Executive Secretary

MFB:lfa

enc. 2

*Please save for me  
W. B. T.*

**Raymond L. Bond, Jr.**

*Public Relations Consultant*

112 State Street, Augusta, Maine

Tel. 207 622-1326

April 4, 1966

Mr. Albert E. Sandecki  
50 Tanner Street  
Haddonfield, New Jersey 08033

Dear Mr. Sandecki:

Your letter addressed in my care arrived at the Bangor House at midnight following the annual meeting of the Natural Resources Council of Maine. Your letter was relayed to me by a fellow member on Monday morning.

On Friday evening, April 1, I presented the letters at a board of directors meeting of the Council. It was voted at that time to relay them first thing Monday morning to the Water Improvement Commission which is holding a hearing on the Callahan project on Monday (today).

The letter to you from the Bureau of Sport Fisheries and Wildlife is to be returned to Mr. Marshall F. Burk, executive secretary of the Council.

Yours truly,

*Raymond Bond*

RLB:drb

## MAINE'S 'VANISHING SHORELINES'

A preliminary study prepared for the  
Natural Resources Council of Maine  
by Raymond L. Bond, Jr.  
January 1966

### INTRODUCTION

The Natural Resources Council is a non-profit corporation whose purposes include the following: "To unite and coordinate efforts and programs for the advancement of natural resources conservation through education, scientific research and literary publication, and to relate the economy of the State of Maine to its natural resources by study, research and publication of the results thereof." One of the means used by the Council to carry out its purposes is by the publication and distribution of special reports on specific studies. This report falls in that category.

Because the Council embodies in its membership many diversified conservation interests, the Council is of necessity primarily concerned with basic conservation policies.

The original concept of this study was to establish the limits of a more comprehensive survey on the "vanishing shorelines" of Maine and to define goals, methodology and costs of the detailed survey. The purposes of this preliminary study were subsequently enlarged to include the following:

- (1). To define Maine's problems relating to shorelines;
- (2). To note what efforts are presently being made by interested agencies, private and public, to solve these problems; and
- (3). To make recommendations which might help the NRC to determine its future course of action.

The study pertains to all shoreline areas in the State, including those of lakes, rivers, islands and the seacoast.

The interests of the Natural Resources Council in Maine's "vanishing shorelines" is properly a concern for the conservation of shore property in its natural state, both coastal and inland.

These lands and the waters which they border represent a part of the economic resources of Maine. Their usage is an integral part of the economy of Maine and must be considered in that light. The allocation of shore use for conservation purposes must be weighed against possible alternative uses.

A prime consideration should be an overall concept of the economic goals of Maine. Although many studies have been made on various facets of Maine's economy and resource capabilities, there has been no common agreement by major sectors of the economy as to economic goals, either short-term or long-term.

In general, Maine people are for "economic development." But there appears to be little agreement as to what the term "economic development" actually means.

To attempt to allocate resources without a comprehensive plan for their equitable distribution now and in the future is at best a haphazard affair.

## WHAT IS CONSERVATION?

In discussing the conservation of our shoreline resource, perhaps we should take a moment to define what we mean by conservation. The Natural Resources Council in its membership folder says, "Conservation means the wise use of resources. We need to know what wise use means. We need to know what others have done, to learn from their successes and failures. We need to know what others are doing, their problems and how they solve them. We need to know what we don't know--the areas where study and research are needed."

Admiral Ben Moreell in a lecture given at the University of Chicago said, "We 1 conserve natural resources by using them in the most efficient and economic manner."

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1

Admiral Ben Moreell (Admiral, Civil Engineer Corps, U.S.N., Retired: chairman of the board of directors, Jones & Laughlin Steel Corp.; chairman, Task Force on Water Resources and Power, Second Hoover Commission), Our Nation's Water Resources-Policies and Politics, University of Chicago Press, 1956, p. 9.

And still another source says, "By conservation, we mean the deliberate shifting of the rate of use of the resource from the present to the future." 2

There is competition for the use of resources, including water and the shorelines of bodies of water. To varying extent, the use of water or of the shoreline of a body of water cuts down the amount of this resource that is available for other use. So, our problem becomes one of determining present uses, including conservation, which is a postponement of use until sometime in the future. In the conservation of resources there are perhaps three criteria to be considered:

- (1). Ecological principles;
- (2). Economic principles; and
- (3). Social values.

Of these, ecological principles have the greatest long-run import. Defiance of ecological principles leads to the wastage of resources as, for example, the loss of topsoil and unwarranted pollution of air, ground and water. The fall of many ancient civilizations was accompanied by the misuse of water, soil and grass.

As to the economic principles, it is essential that benefits of a project exceed the costs. Any governmental body or private enterprise has a limited amount of income which can be expended. For this income there are many competing claims. These must be weighed and placed in order of priority so that the funds available are expended in the most economic manner. This too is a principle of conservation.

It may well be that in a given situation social values may override strict economics.<sup>3</sup> This is a value choice which involves an economic loss for a social compensation. However, social considerations too should take into account the future as well as the present. There will be more people in America 50 years from now than there are today.

#### DEMAND FOR RECREATION LAND AND SHORELINE

Some idea of this population increase may be obtained from the book Resources in America's Future.<sup>4</sup> Based upon the U.S. Bureau of the Census's figures, this study worked out a medium population projection for 1980 of 245 million people and for the end of the century, 331 million. This compares with 180 million in 1960. Yet this is at a compounded annual rate of growth less than that which prevailed between 1940 and 1960.

The same study says of the demand for land in the United States, "Given their full play, all of the identified demands for land by the year 2000 add up to more than the 1,900-million-acre total area of the 48 contiguous states. Our calculations show a land 'deficit' of 50 million acres in the medium projection for 2000, even assuming that every last square foot of mountain, desert, and swamp land has found a use in one of the categories of demand."

The need for land will increase for agriculture, outdoor recreation, space for growing cities, for highways and airfields, reservoirs and watershed management, and wildlife refuges. The projection of urban land requirements by 2000 is 45 million acres, more than double that of 1960.

As for forests, the study says that "The estimated demand for forest products by the end of the century is so much larger than the foreseeable domestic supply that something like 300 million acres would have to be added to the existing 484 million of commercial forest land in order to meet the medium projection in the year 2000. It is not reasonable even to discuss such a development. In all likelihood forestry will have a hard time holding the land it now has; some curtailment, in fact, is generally expected....obviously the future will seek continued and intensified efforts to find substitutes and perhaps larger imports, as well as more intensive management of existing commercial forest land."<sup>5</sup>

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<sup>2</sup> Hans H. Lansbert, et al, Resources in America's Future: Patterns of Requirements and availabilities 1960-2000, published for Resources for The Future, Inc., by Johns Hopkins Press, Baltimore, Maryland, 1965, p. 16.

<sup>3</sup>Task Force on Water Resources and Power for the Commission on The Organization of The Executive Branch of The Government (Hoover Commission), Report on Water Resources and Power, Washington, D.C., 1955, p.5.

<sup>4</sup> Landsberg, op. cit., p. 19.

<sup>5</sup> Ibid., pp. 24.25.

Turning to the use of land for recreational purposes we find that "Even when we assume that the rate of increase in recreation demand will fall off considerably from its present pace, our medium projection calls for some 130 million acres for recreation in the year 2000, three times the 1960 figure. In view of the expected increases in population, leisure time, family incomes, and desire to get away at intervals from city living, this may be conservative estimate."<sup>6</sup> To provide the needed land for recreational purposes the study suggests an increasing use of national, state and private forests. It would be necessary to provide investment in access roads, parking and camping areas, trails and other facilities. The advantage, however, of the use of forest land for recreation is that of multiple use of a single resource, although adjustment is still needed in the economics of such multiple use.

Much of today's outdoor recreation is water oriented. And certainly there will be no lessening of demand on water resources for recreational purposes in the years to come. Here again, the competition of alternate use claimants will dictate that maximum multiple use must be made of bodies of water. Usage will become more intensive as well as extensive.

The use of parks and related facilities has been increasing at a rate of nearly 10 percent per year over the past several decades.<sup>7</sup> However, according to Resources in America's Future, "National parks and monuments, national forests and state parks are the most space-devouring types of outdoor recreation facilities."<sup>8</sup>

The projected use of such facilities is staggering. Here are the figures for visits to principal kinds of public areas, such as national parks, monuments and recreation areas, state parks and national forests:

1960 - 393 million visits  
1980 - 1,405 million visits  
2000 - 5,170 million visits

There are three ways to adjust for this increase in park use:

- (1). Add more acres;
- (2). More intensive use of present acreage; and
- (3). Limiting demand, by such devices as fees for admission, parking or other purposes.

In terms of park area needed to meet this future demand, here is a table derived from a more complex table in Resources in America's Future:<sup>9</sup>

	Park Area Needed					
	National Parks		National Forests		State Parks	
	1960	2000	1960	2000	1960	2000
Visits (millions)	41	390	93	2,010	259	2,770
Areas required (million acres)	25	49	14	57	6	28



## WATER: ITS AVAILABILITY AND USE

As we have already mentioned, there will be a tremendous increase in pressure for the use of land resources because of our increasing population. There will also be an accompanying increase in demand for water, above that utilized for recreational purposes.

Turning once again to Resources in America's Future we find that "The nation's total demand for fresh water has been growing even faster than population, and is expected during the balance of the century to keep growing at a rate at least equal to that of the population." 10

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6

Ibid., pp. 23,24.

7

Ibid., p. 224.

2

Ibid., p. 230.

9

Ibid., p. 229.

10

Ibid., p. 25.

Water is used for many purposes: water supply, hydro-electric power, recreation, for carrying wastes, soil conservation, wildlife habitat, navigation and industrial processing. Water usage may be classified into three general categories:<sup>11</sup>

- (1). Withdrawal uses;
- (2). Flow uses; and
- (3). On-site uses.

The oft-quoted figures on water usage and consumption are apt to be quite misleading for, in many uses of water, the water is not destroyed, although it may be somewhat reduced in value by the use. Nevertheless, some indication of the increasing demand for available water is given in the following figures. Water usage in a recent year was 145 gallons per person per person per day in the United States. In 1955 the total consumption was 262 billion gallons per day, an increase of 59 gallons over the corresponding figure for 1950. It has been estimated that by 1975 the demand will be 453 billion gallons per day.

Tremendous quantities of water are required for our modern industrial processes. Here are some examples: 70 tons of water per ton of steel produced; 18 barrels of water for each barrel of oil produced; 7 barrels of water for each barrel of beer produced; 10 gallons of water for each gallon of gasoline produced; 250 tons of water for each ton of sulfate wood pulp; 600 to 1,000 tons for each ton of coal burned in a steam power plant.<sup>12</sup>

Impressive as these figures are, they do not, as we pointed out earlier, reflect the amount of water which has been removed from further useful purpose. The consumption of water is somewhat a matter of degree. You might say that it is consumed to the extent that its future use has been impaired because of its present use. Many times this is an economic loss rather than a physical loss, because the water is still present although not usable without some sort of treatment.

Most of the water used by industry and by municipalities too, for that matter, is returned to the watershed supply. With treatment it can be used one or more times downstream.

There really is no limit to the potential demand for water, since present usage is increasing constantly and new uses are being developed. We can expect that there will always be competition for the water which is available.

Industrial use is increasing; and the use for recreational purposes is increasing. Not only that, but urban dwellers use far more water than rural dwellers, and our urban population is increasing.

One of the greatest consumers of water is waste disposal. Here the effluent, whether of untreated sewage or chemical origin, which is discharged into a stream may consume additional water in the sense that it makes the water unsuitable for other use at downstream sites.<sup>13</sup> When pollution becomes severe, it requires heavy investment in treatment plants and abatement programs.

Pollution may be biological, chemical, soil particles or just general rubbish. Some treatment is quite simple and inexpensive; other treatments require costly and complicated processing. The costs of eliminating some types of chemical pollution are economically unfeasible in the foreseeable future for single plants or firms to bear them alone. In such cases, depending upon social benefits to be derived, governmental assistance might be justified.

So far in our discussion we have been setting the background, or frame of reference of our study. This is necessary because, even though we are concerned with problems of Maine water and its shorelines, these problems will be affected in the future by demands and pressures from outside the State which do not presently exist.

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11

Ibid., (Following a system of classification devised by Nathaniel Wollman, professor of economics at the University of New Mexico, while on leave working with Resources for The Future) p. 260.

12

Moreell, op. Cit., pp. 6,7.

13

Jack Hirshleifer, et al, Water Supply: Economics, Technology and Policy, The RAND Corporation, Chicago, Illinois, 1960, pp.29,66,67.

We have seen that there are certain criteria which must be employed in deciding the use of resources.

The demand for these resources is going to increase tremendously within the next few decades, largely because of the rising population of the United States. As this population increases and places greater demands upon the land, water and other resources of the nation, we in Maine will of necessity feel the effect. The most economic resources will be exploited first--then those that are less economic.

As metropolitan growth pushes steadily northward and eastward of Boston, land presently devoted to agricultural, forest and other use will be more intensely developed for a "higher" use. This demand will move into Maine.

Now, what are the water resources of the State of Maine? Although the largest of the six New England states, Maine is 39th in size among the United States. The State has an area of 33,562 square miles. Of this, 1,447 square miles is water and 1,110 square miles is bog or swamp. An additional 705 square miles is the estimated area of rivers and tidewater.

Thirty-two of the State's civil divisions contain more than 5,000 acres of inland water each. Maine has 62 lakes more than five miles in length, and 51 lakes of more than five square miles area. There are 73 streams with a length of 20 or more miles, and 39 streams with a drainage area of 200 or more square miles each. In all, we have more than 2,500 lakes, 1,300 wooded islands and 5,000 streams.<sup>14</sup>

The coastline, with all its indentations, has a total of 2,379 miles of shoreline.<sup>15</sup> There are 18 coastal islands with an area of more than three square miles each. Casco Bay alone has 121 islands in it.<sup>16</sup> Even today we find increasing and conflicting claims upon the use of water and, of necessity, shorelines here in Maine. Our municipalities are expanding, with an accompanying increase in the amount of sewage of which they must dispose. We require an increasing industrial base for our economy, and this means additional use of water for processing. The development of electric energy, whether it be from hydro, steam or nuclear sources, requires increasing use of water.

Probably the most rapidly expanding use of water is for recreational purposes. According to Lawrence Stuart, director of the State Park and Recreation Commission, more than a million persons visited State parks and historical sites in Maine last year. This is the first time the million-person mark has been passed. Last year the Commission had 14 parks and 10 historical sites in operation. Use of these facilities increased 25 percent over 1964.

In November, the Bureau of Outdoor Recreation of the United States Department of the Interior gave initial approval to the Commission's Master Plan for outdoor recreation, and concurrently allocated \$1 million for Maine projects. "The program will provide communities with an opportunity to develop throughout the State a wide variety of much-needed outdoor recreation facilities that might otherwise be impossible if they had to rely on their own resources."

According to Mr. Stuart, "A basic condition under which Maine was allocated the \$1 million, and under which it will continue to receive increasing allotments for the next 25 years, is that Maine produce and maintain a statewide outdoor recreation development plan. The Commission is carrying out this function with the Department of Agricultural Business and Economics of the University of Maine serving as consultant."<sup>17</sup>

#### WHO IS INVOLVED?

And this brings us to the relationship of Federal, State and local governmental bodies, as well as private industries and individuals.

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14

Stanley B. Attwood, Length and Breadth of Maine, The, Kennebec Journal Print Shop, Augusta, Maine, 1946.

15

World Almanac, The--1966, New York World Telegram, New York, N. Y., 1966, p.225.

16

Attwood, op.cit.

17

Maine State Park and Recreation Commission News Release to Special Editions, January 1966.

In a subject as complicated and inter-related with other fields as water use is, of necessity many divergent interests are involved.

The very proliferation of interested parties means that policies and actions are inconsistent. Each of these interested parties has its own "sphere of interest" and there is no general agreement among them about desirable objectives, nor is there a plan to reach such objectives.

The Federal government has four major areas of activity so far as water is concerned: irrigation, flood control, navigation and power. In addition, agencies of the Federal government have independent policies in the following areas: water supply, recreation, pollution control, fish and wildlife conservation, and overflow and runoff retardation. There are 25 principal agencies of the Federal government engaged in water resource and power development activities; 18 other offices and bureaus have some interest in the area. Congress, too, gets into the act with 16 committees interested in various aspects of water.<sup>18</sup>

The Federal government has steadily increased its activities where water resources are concerned. In recent years its deeper involvement in the production of hydro-electric power has made it the single largest producer of electricity in the United States. It has increased its participation in water resource development to include flood control, navigation and reclamation projects for entire river basins.

Although the Federal government has dominated the control and development of these major river basins, the distribution and the use of surface and ground waters locally has been largely governed by the states. State governments have adopted their own systems of water law and, under their police powers, have regulated water supplies for public safety and general welfare.<sup>19</sup>

The laws of the state largely determine the rights of individuals, farms and local governments in their usage of water.<sup>20</sup>

Local governments, in turn, have provided water supplies and waste disposal to urban users.

The assumption of responsibility for water resource development by governmental agencies has been a source of great concern to many people. The Hoover Commission Task Force on Water Resources and Power, according to its chairman, Admiral Ben Moreell, went so far as to say, "Non-Federal agencies and private citizens should have basic responsibility for power development, water supply, pollution abatement, recreation, fish and wildlife conservation, watershed treatment programs, and other fields of water resource development not previously mentioned."<sup>21</sup>

Not only is there an abundance of Federal agencies concerned with our water resource development, but there is also a large number of state agencies also concerned. Among these are the State Park and Recreation Commission, the Water Improvement Commission, the Department of Economic Development, the Maine Forestry Service, the Department of Agriculture, the Maine State Highway Commission, Soil Conservation Committee, University of Maine, and the Public Utilities Commission.

Hundreds of Maine's municipalities are now, or are potentially, involved with water supply, sewage disposal and recreation. Many private organizations, such as the Natural Resources Council, the Nature Conservancy, the Audubon Society, and a host of local and regional groups are interested, to say nothing of Maine's industry, which uses the water for processing, for cooling and for power generation. All taxpayers in the State have a concern, because their monies are involved in any public expenditures.

Obviously, a coordination of effort among these various interests could result in tremendous economy of time and money. By pooling resources and working together, the effectiveness of effort expended would be multiplied.

A tremendous amount of information is presently available in published form, in organizational and departmental files, and in the minds of the various people involved with differing aspects of our water resources.

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18

Moreell, op. cit., p. 16

19

Hirshleifer, op. cit., pp. 223, 224

20

Ibid., pp. 231

21

Moreell, op. cit., p. 205

A coordinating effort is badly needed to assemble the existing information, to make it available to all interested parties, and then to draw from them additional information, interpretation and advice to create a plan for the most efficient use of our water resources. And here we should keep in mind that by efficiency we mean in terms of ecological principles, economic principles and social value.

Such a plan would be a beginning and a guideline toward developing organizational policies and such legislation as might be desirable to channel individual efforts into common effort. The biggest failure of plans is that they are static. This should not become the case in planning for our water resource development. Any plan drawn as a guideline should be reviewed regularly and revised and adapted to take into consideration new concepts, new technology, new achievements and new goals.

And, going a step further, water resource development should be considered but one integral part of the overall development of the State of Maine. Our water resource development is intricately interwoven with other aspects of the State's economy and cannot be divorced from them. The implication, ultimately, is that overall State coordination and planning is desirable. This does not mean to say that it should be planning by State officials only, but rather that all aspects of the economy should be brought into the planning, because all will share the burden of its output.

#### CONCLUSION

In the preparation of this paper, I have referred to several hundred newspaper clippings, a large variety of miscellaneous small publications, and some eight or 10 source books. I have discussed the matter briefly with various people who are interested in different aspects of our water resource problem.

The amount of material readily available for research is far more than can be absorbed in a short preliminary study such as this. However, it is obvious that there is information available--a tremendous quantity of it--which can be used (and is useful) to help formulate a water resources policy (and we must speak of water resources when we are discussing vanishing shorelines) for the State of Maine.

I would offer these recommendations:

(1.) Continue this study in depth. All of the State and Federal agencies involved should be consulted as to their activities and plans and the information which they presently have available. A number of municipal planning and management officials should be talked with. (Perhaps this could be done at some sort of seminar in cooperation with the Maine Municipal Association.) Principal landowners of the State's forest lands, and industries which are directly concerned with the water resources of the State, should be consulted for their viewpoints and assistance.

(2.) When such a study were completed, presumably in eight months to a year, make it the basis for a meeting of representatives of these different interest groups to bring forth their additional comments and advice.

(3.) Establish at that time a Water Resources Council of Maine, which would put to use the information gained up to that point and take over and continue the study and interpretation of this aspect of Maine's economy.

For the continuing study, I would recommend an investment of \$10,000--\$15,000. The exact amount required would depend upon the depth of the study, time spent with the persons and agencies involved and the extent of the analysis needed to convert raw data to a finished report.



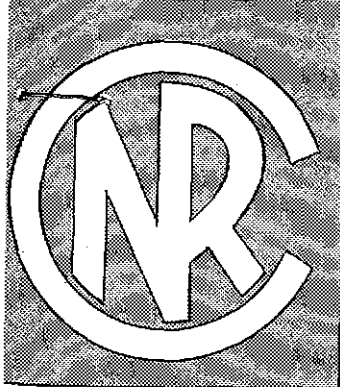
Possible sources for the money are funds from interested State and Federal agencies, foundations (see Appendix), interested industries, and public subscription.

This is a cause which ultimately affects every person in the State, through one aspect or another, and warrants action.

APPENDICES (Available)

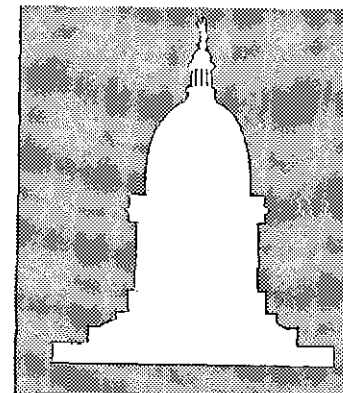
- I: Bibliography of Quoted Publications
- II: Other Source material Available, A Preliminary List
- III: Interested Parties, A Partial List
- IV: Foundations

This report copied by NRC Staff. February 4, 1966



# CONSERVATION BULLETIN

a service of the  
NATURAL RESOURCES COUNCIL  
of MAINE



116 State Street

March 1966

Augusta, Maine 04330

Clinton B. Townsend, President

Marshall F. Burk, Exec. Sec'y.

## NRC RESOLUTIONS ADOPTED AT 1966 ANNUAL MEETING

At a meeting of the Natural Resources Council held in Bangor on March 26, 1966 the following three resolutions were voted accepted by the membership present.

### RESOLUTION NO. 1

### PRESTILE STREAM

WHEREAS the Maine Legislature has established a B Classification for the waters of Prestile Stream in Aroostook County; and

WHEREAS the town of Mars Hill has in good faith, and at considerable expense, constructed a sewage treatment plant to meet the requirements of this classification; and

WHEREAS tests made by the Water Improvement Commission in January and February 1966 show that from the town of Easton to a point below the town of Mars Hill the waters of Prestile Stream did not meet even the requirements of a D Classification; and

WHEREAS the Commission has stated that the Fred H. Vahlsing plant in the town of Easton is the principal source of the pollution in Prestile Stream;

NOW THEREFORE BE IT RESOLVED that the members and affiliates of the Natural Resources Council of Maine do hereby urge the Attorney General of the State of Maine to take immediate steps to require the Fred H. Vahlsing Company to conform with the laws of the State and to cease forthwith its pollution of the waters of said Prestile Stream.

### RESOLUTION NO. 2

### INDUSTRIAL POLLUTION

WHEREAS the Maine Legislature has in recent years lowered or eliminated the classification of certain Maine waters at the request of industry; and

WHEREAS neither the present image nor the future welfare of the State is enhanced by abandonment of established principles for the benefit of individuals or corporations; and

WHEREAS a healthy environment and a sound economy in Maine will require an abundant and continuing supply of clean water; and

WHEREAS inadequately treated industrial wastes are one of the most injurious forms of water pollution; and

WHEREAS research has demonstrated that an effective treatment process can be developed for any form of industrial waste; and

WHEREAS responsible industrial leaders agree that industry should welcome uniformly stringent state requirements for pollution control;

NOW THEREFORE BE IT RESOLVED that the members and affiliates of the Natural Resources Council of Maine recommend, and will endorse, legislation that establishes a State program of water pollution abatement and control, the declared long term objective of which is to restore and maintain the purity of all Maine waters, so that all will be suitable for recreational, industrial and domestic use; and

BE IT FURTHER RESOLVED that in regard to industrial wastes the legislation should provide for and require:

- ✓ 1. That established water quality standards shall not be lowered as a concession to any industry, existing or proposed.
- ✓ 2. That every industry that discharges, or proposes to discharge, harmful wastes into any Maine waters, establish an approved program of pollution abatement that conforms with the long term objectives of the legislation.
3. That financial relief be provided for long established industries to assist them in carrying out their pollution abatement programs.
4. That proper pollution control facilities be included in the design of any publicly guaranteed industrial projects.
5. That there be prompt and effective enforcement of the law.

RESOLUTION NO. 3

SHORELINES:

WHEREAS, The State of Maine has been richly endowed with coastal and inland waters; and

WHEREAS, these bodies of water and the shorelines which bound them are being subjected to increasingly intensive, and often conflicting, patterns of use;

Now, therefore, be it RESOLVED that the Natural Resources Council and its members call upon the organized communities of the State of Maine and their officials, both elected and appointed, to adopt recognized principles of planning and zoning to the end that their lakes and ponds, their rivers and their coastal shorelines are and remain assets to be viewed with pride, rather than wastelands of despoilation;

And be it further RESOLVED that the Natural Resources Council appeals to the Governor and to the Heads of the Departments of this State to work actively together and with private industry, federal agencies and the public at large in formulating a water resources policy so that the greater good of common interest may prevail over more limited goals and precedures;

And be it further RESOLVED that the Natural Resources Council urges that a comprehensive study be undertaken of the water and shoreline resources of the State of Maine to include present and anticipated use, a review of water resource activities of the various agencies concerned, and recommendations for pertinent legislation or other action, including unified planning

for all water resources, and that the Natural Resources Council will participate in such study, review and recommendations.

And finally, be it further RESOLVED that the Natural Resources Council recommends certain specific programs to be followed while such study is being made:

1. Further State effort to acquire large tracts of shoreland areas in the next few years. (The emphasis should be on obtaining the land initially, rather than on immediate development).
2. Steps to procure further cooperation of major land owners within the state so that many waters and shore areas will be developed to various intensities with some remaining undeveloped.
3. Consideration of the concept of statewide shoreland - use regulation so as to secure to Maine citizens now and in the future the use and enjoyment of such areas on a broad scale.

NEW COUNCIL OFFICERS FOR 1966-67

Following is a list of officers and directors from the individual Membership elected at the March 26th Annual Meeting held in Bangor.

President - Clinton B. Townsend of Skowhegan.  
Vice President - Dr. Alonzo H. Garcelon of Augusta.  
Treasurer - Donald J. Bourassa of Augusta.  
Secretary - Mrs. Sylvia V. Lund of Augusta.

DIRECTORS ELECTED FOR THREE YEARS

Raymond L. Bond Jr. of East Winthrop.  
William E. MacDonald of East Winthrop.  
Dr. Robert G. Mohlar of Brunswick.

NOTICE OF PUBLIC HEARINGS

The Water Improvement Commission has released the following information on hearings.

Waters: Unnamed Tributary of the Little Androscoggin River at Auburn, Maine.  
Location of Hearing: Council Room City Hall, 45 Spring St., Auburn, Maine  
Time of Hearing: April 13, 1966 at 10:00 A.M.  
Type and Amount of Waste: Cooling water from an industrial plant not to exceed 250,000 G.P.D.  
Applicant: Bonan Footwear Company

\*\*\*\*\*

Waters: Unnamed Brook at Cooks Corner in Brunswick, Maine.  
Location of Hearing: Conference Room, Municipal Building, 28 Federal St., Brunswick.  
Time of Hearing: April 20, 1966 at 10:00 A.M.  
Type and Amount of Waste: Treated sewage and kitchen waste not to exceed 12,000 G.P.D.  
Applicant: Brunswick Associates Trust.

THE FIN AND FEATHER CLUB OF MILLINOCKET

(Note: The following is based upon the informational brief sent to the National Wildlife Federation on the Nomination Form for the National Wildlife Federation's President's Award for the outstanding local club affiliate for 1966. The Millinocket club received the award at the Council's 1966 Annual Meeting held in Bangor on March 26th.)

The Fin and Feather Club of Millinocket is considered by the Executive Committee of the Natural Resources Council of Maine a working example of what a grass roots conservation organization should be.

This outstanding organization is involved in many conservation projects and programs. Of note is their public service in being the watch-dog organization of Maine's famous Baxter State Park. Over the years they have held a series of meetings with the park authorities discussing public use of the 200,000 acre area. A program of "Hunter and Woods Operators Relations" was developed this past year and proved very worthwhile as no vandalism was reported in the local paper company's woods area. The club formulated and attended a meeting of all the Sportsmans clubs in the region for discussions on the Allagash situation. Petitions endorsing the preservation of the Allagash region were circulated and the club publicly supported the Natural Resources Council's position on preserving the famous wild river region.

The problem of Moose, Deer etc. getting permanently entangled in abandoned telephone lines was lessened as the club received permission to remove the old lines from the woods. Members are also assigned during the winter months to patrol fourteen different deer yards. This 325 member club has formed their own Search and Rescue group and provided leadership and members for four different searches the past year.

In providing leadership and maintaining community prestige the club was invited by the local radio station to have a series of spot broadcasts. Leadership was provided in supporting the regional fisheries biologist's recommendations and sixteen fisheries management issues were introduced into the legislature by the club this past legislative session. The State's Water Improvement Commission was sent a petition requesting action on river and stream pollution in the local areas. Water Controlling interests were also petitioned to refrain from drawing off water below normal level. Meetings were held with local town officials to insure no pesticide spraying was done so as to adversely effect the regional fishing. A reported fish kill investigation was prompted by the club. The source was traced to herbicides used by the railroad leading into a stream because of a broken hose on a tank car. Club members were assigned specific days to accompany a herbicide spraying concern as it sprayed power lines in the region. Thus assuring that none of the chemical polluted trout waters.

The club sponsored as a public service for the Millinocket area the Adult Education Program in Resource Management that is presented by the state agencies. Area boys are financially sponsored and sent to the summer conservation camp here in Maine. As another public service the club instituted a successful project in cleaning up local campsites, the use and emptying of trash barrels. Another unique effort of this club was that of stopping the slaughter of game animals (especially Bear) within the town limits. Mourading bear, racoons etc. are now live trapped and moved out of town and released by the state Fish and Game Department.

In the area of financial stability the Fin and Feather Club increased their membership in the past year by 11% and has a carry over yearly treasury balance of over \$2,000. Fifteen individual members of the local club also pay dues to the state affiliate organization, the Natural Resources Council on an individual basis. Fortunate in having a dedicated group of officers, this club actively participated in eleven public legislative hearings during the past session. This state participation is especially noticeable as it is a round trip of approximately 300 miles from Millinocket to the state capital.

ALLAGASH BILLS HIGHLIGHT SPECIAL SESSION

The Council's January 14th "Legislative Report" mentioned several bills of concern being presented at the Special Session of the 102nd Legislature. The bills are briefly reviewed as follows:

L.D. 1796 an act creating the Allagash Wilderness Waterway, was enacted and signed by the Governor. At the hearing no opposition was voiced but if some of the so-called proponents advice was followed the bill would have been adversely weakened. A separate bill L.D. 1780 provided for a \$1,500,000 bond issue for land purchase. This bond issue will be voted on next November. The act creating the waterway is subject to ratification by the public of the bond issue.

Another major development is the decision of the Aroostook County Commissioners to build a public road through the region. This appears to mean that the existing private road would be taken over and the present owners of the road would be taxed so the county could pay them back for the road. This decision is being appealed and there appears to be little support for this public east-west road outside of those few communities directly benefiting from possible increased traffic.

A resolve L.D. 1646 to prevent appropriated state park funds from lapsing was passed. This money is to be used for a future state park at Lower Range Pond at Poland.

A bill L.D. 1603 appropriating \$25,000. for visitors facilities at the game management area on Swan Island was enacted. This will be matched with federal monies and will provide sanitary and other facilities at this much-used area. A bill L.D. 1692 to provide \$100,000. to the Atlantic Salmon Commission was killed. This bill was to enable the state to obtain matching funds to improve conditions for migratory fish. As federal funds are not yet, available this bill will most likely be submitted to the next regular session.

There were four bills relating to highways and scenic beauty in the session. L.D. 1704, An Act Relating to Junkyards and Auto Graveyards, was enacted and signed by the Governor. This should be a definite aid in keeping Maine scenic. L.D. 1640, An Act Relating to Automobile Graveyards and Junkyards, was defeated as not necessary after passage of L. D. 1704. The most controversial bill to do with the roadside scenery problem was L.D. 1715, An Act Relating to Outdoor Advertising. This bill was referred to a Special Study Committee. This Committee is to determine whether the best interests of the State would be served by the enactment of such similar legislation designed to implement the beautification of federal aid highways.

The fourth bill relating to highways was L.D. 1693, An Act relating to Acquisition of Land and Materials for Highway Purposes. This bill was enacted and could have broad reaching effects.

There were two bills of interest relating to the coast. L.D. 1617, An Act Providing Funds to Complete the Harbor Project in the Town of Wells was enacted. This provided \$30,000. to help finish this anchorage facility.

The other bill relating to our coastline was L. D. 1705, An Act Relating to Mining Activity Under Goose Falls Pond, Town of Brooksville, Hancock County. Some legislators and individuals had reservations about this bill but there seemed to be little information as to permanent detrimental effects the draining and excavation of this tidal esturary might have. Concern centers on possible damage to aquatic life and also impairment of the natural beauty of Cape Rosier.

It has been suggested that a performance bond be required to assure that the area will be returned to as near normal as possible after the mining operation is over. This is estimated to be about 10 years.

L.D. 1677, An Act To Create the Maine Recreation Authority, was also enacted. This is a bill for recreation interests that follows the same procedure as M.I.B.A. for industrial projects. This should promote well planned quality facilities and not small scale Coney Islands.

In the educational field L.D. 1722, providing for \$150,000 to help complete the Zoology Building at the University of Maine, was also enacted.

An Act Relating to Erection of Causeways, Docks, Etc. in Great Ponds was enacted in a new draft, L.D. 1801. This should be of concern to property owners and boaters as some ponds in the state have been subject to indiscriminate filling and construction projects. This establishes a fee, permit and hearing before construction.

Two other orders of interest were also passed. One ordered a study of the feasibility of an adequate modern trans-Maine highway linking the Eastern Townships Sherbrooke area of Quebec with New Brunswick and utilizing to the fullest practical extent Route #6, the first and only trans-Maine Highway so designated on the State Highway map. This east-west highway study should be watched by those concerned with the highway through the Allagash being developed by the Aroostook County commissioners.

Another study order passed during the last minutes of the Special Session and subject to much debate in the House deals with creation of a Maine Power Authority. The order is for a special study committee of four senators and five representatives to study the general power requirements of the state and an analysis of the various proposals for the transmission of electricity and generation by nuclear power facilities. Both the private electric utilities and the Maine Power Authority proponents have plans for the construction of nuclear generating facilities and transmission lines.

#### TIMELY READING

"A Sick River is Returned to Nature"  
by Robert Gammon.

True, April 1966

"Dutch Elm Disease"  
by Maine Forest Service

Bulletin 16 (Revised), State Office Building, Augusta, Me.  
A Free Publication

"Protecting Town Community's Elms Against Dutch Elm Disease". A Free Publication  
by The Massachusetts Audubon Society, Drumlin Farm, Lincoln, Mass. 01773

"Fertilization and Algae in Lake Sabasticook, Maine". A 121 Page Report  
by Dept. of Health Education, and Welfare. Federal Water Pollution Control  
Administration, Technical Services Program, Technical Advisory and Investigation  
Activities, January 1966.

#### NEW MEMBERSHIPS WANTED

The best salesmen for any organization are its members. How about signing up one new member on the enclosed form?

50 Tenner Street  
Haddonfield,  
New Jersey  
March 21, 1966

Natural Resources Council  
Room A  
116 State Street  
Augusta, Maine 04330

Dear Sirs:

I have just received from a friend a news clipping in regard to a comprehensive study of the water resources in Maine. I have had communications with Mr. Marshall P. Surtz, Executive Secretary of your organization. I am in hopes that a matter concerning the damming of Goose Pond on Cape Hesior will be duly considered in your investigation.

Enclosed is a letter received by yours truly, and I should like to submit it as something of concern on the part of the Department of the Interior in Washington, D.C.. Their feelings are quite in evidence as being against this ever increasing problem of shoreline destruction.

No one can completely comprehend the destruction this Open Pit mining operation of Callahan Mining of New York will cause this pond and the waters surrounding the area. Just the idea of no longer watching the seals gambolling about the pond, chasing the schools of mackerel on the full tide, and the Gray Herons no longer treading the flats seeking its natural food. The natural beauty of the falls silenced possibly forever, it is a sight I will never forget, but my two little girls are too young now to ever remember.

This could be the very place ~~to~~ START the conservation of, as your article so stated, "The lands and the waters which represent a part of the economic resources of Maine."

Sincerely yours,

Albert B. Sandocki  
Barbourside,  
Maine



50 Tanner Street  
Haddonfield,  
New Jersey  
March 24, 1966

Mr. A.V. Jameson (not sure of spelling)  
U.S. Dept. of the Interior  
Washington,  
District of Columbia

Dear Sir,

Pardon my possible misspelling of your name quite honestly I could not decipher your signature on your letter of Feb. 9th.

My purpose in writing is to thank you for your sentiments as they parallel mine in this unfortunate desecration of our natural resources. I thought it might be of interest to you so I enclose a few articles concerning our little skirmish at Goose Falls.

There was a great Revolutionary War battle fought in these waters, you can see the spot from the falls, the American Navy lost 47 ships in the mess. If you read a bit there is an interesting book entitled "East to Bagaduce" by Willard Wallace Published by Henry Regnery Co. by no means a literary epic but a good one for the imagination, and if you know the places you can really get caught up.

I thought you might be able to suggest some things to this Natural Resources Council of Maine. Sounds as though they may be aware of the whole situation, and I sure would like to see them start there conservation at Goose Pond.

Thank you again for your fine letter.

Sincerely yours,

Albert E. Sandeckri

CALLAHAN MINING CORPORATION

277 PARK AVENUE - NEW YORK, N.Y. 10017  
TELEPHONE: (212) 826-2950

OFFICE OF THE SECRETARY

February 16, 1966

Mr. Albert E. Sandecki  
50 Tanner Street  
Haddonfield, New Jersey

Dear Mr. Sandecki:

Mr. Hirshhorn has asked that we reply to your letter of January 13, 1966 wherein you inquired as to our plans for the proposed mining operation on Cape Rosier in Maine. Please accept my apologies for not having replied sooner, but we have been extremely busy with the legislative program for this project.

I don't know whether you have seen the write-up in the Weekly Packet of January 13, 1966 on the public meeting which was held in Brooksville. Since we feel that this is an excellent reporting job and that the information set forth is representative of that which was released at the meeting, I have enclosed a copy of this issue for your reference. In addition to the information on pages 1 and 6, I would also commend to your reading the editorial on page 4 of this issue. I also enclose another article from the Weekly Packet of January 20, 1966 wherein the information presented to the Legislative Committee is reviewed.


You will note from the information set forth in the enclosed materials that we have from the outset given diligent attention to matters concerning pollution and wild life in the area. It is not our intention to affect any more land than is necessary to our operation, and we are presently discussing matters such as reclamation with the State authorities. You will note from the write-up that the water is

to be returned to the pond area after mining operations are completed.

I trust that the enclosed materials will sufficiently enlighten you as to our plans, but if there are any further questions, please feel free to contact me.

Very truly yours,

CALLAHAN MINING CORPORATION



Charles D. Snead, Jr.  
Secretary

CDS, Jr. /gm  
Encs.

CC: Mr. Joseph Hirshhorn



**SEAL COVE BOAT YARD  
HARBORSIDE. MAINE**

February 24, 1966

Mr. A. Sandecki  
Sanski Studio  
50 Tanner Village  
Haddonfield, N.J.

Dear Mr. Sandecki:

Name and address:  
Edward D. Caldwell  
Box 186, R.D. No. 2  
Blackwood, N.J.  
(2418 County House Rd. Deptford)

Understandably, Brainerd Farnham is deeply disturbed over mine possibilities. Except for the four places below the crest of the hill, I doubt if there is much impact on the summer population. The whole operation appears to be pretty well self-contained between

the actual workings and the proposed flotation plant upstream behind the hill on the Russ Redman property... proposed slag dump is also to be beyond that.

We attended the hearing in Town, and it appeared that Calahan had taken great care to mitigate public nuisance as far as possible while still retaining economic aspects. There is no possible question of leaving a gaping sore at the workings.... as their permit, which is for five years only and has to be renewed (which tends to keep them on good behaviour), calls for removal of dams at termination... and God knows there's enough water in the bay to drown any hole they may make!

Blasting, unlike underground, is very infrequent... they say maybe 1 a week... and is not a loud boom, but a progressive rather drawn out whumpf.

Dust is hard on men and equipment and expensive... hence they plan to keep it at a minimum, even frequent watering of their haulage road.

I think Anita Harris is going to try for a Federal injunction on the basis of Riparian Rights.... which could be a delaying action at the least. She's the only one who has any legal basis.

The state is at long last setting up a real mining code for the next legislature... based on Colorado, which is based in turn on Ontario, very sound and thorough from what I have seen of it. Could also incorporate aspects of Pennsylvania experience and code on strip mining.

I can see why you aren't enthusiastic about perching on the rim of "The Hole", but could be you could rent the place for year round for enough to get your money back and/or stay somewhere else! The rest of the Cape and area will be little affected. If they don't move in in force, then you've little to worry about.

*Hal Vaughan*

Feb 9, 1966

Dear Albert:

We received your letter and copy of your opinion you are sending to the Down East magazine.

We think it is very good and you are wise to send it to the Down East, for that magazine will reach more people that will see our point of view than would the Packet or the Bangor paper. Yes we saw that article that was printed in Down East and thought it very good as it was really unbiased and explained each side of the question very well.

The Callahan Mining Co. have taken an option on Elwin Dyer's house and land with the understanding to buy

at his own <sup>2</sup> price if they operate.  
They both know it would not  
be pleasant for him to live  
there if they operate. Now see  
they wanted his place for his  
land joins on the pond. I  
can not blame him for  
selling at his own price which  
will probably be enough  
to buy or build another place.  
He is not happy about it  
as it is his home, but at  
least he can get something  
out of it.

I am mostly worried about  
our well and the place I sold  
to Mr. Ober. He has not finished  
paying for that place, and is not  
happy about living so close  
to this operation. This house  
and land is not important

to the mining Co. They have never approached me on this matter and I have not been to see them.

I do not wish to get mixed up with a lawsuit, ~~but~~ they cannot destroy a mans home and water supply without paying damages.

I do not think it will bother you too much where you live, and may not bother me to any great extent. The worst point to me is daming those beautiful falls and that ugly pit so close to our houses.

People can not see these points that are so important to us, but take the short term view, of a quick dollar, which is soon gone, and the natural landscape devastated.



I know we have a few summer guests, and summer residents on our side, but the natives are all against us.

We cannot do any more about this as ~~they~~ they are showing this bill through as fast as possible. Gov. Reed has signed it and it was approved by the House and Senate.

I guess we have to live with it and salvage what we can from the ruins.

It is hard for me at my age to adjust myself to this entirely new aspect to our way of life. I want to thank you for your kind support, it is nice to know I am not all alone in my opinion on this matter.

Best regards to Jean and those dear babies, <sup>to both of</sup> also, your folks  
Sincerely Brainard



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
FISH AND WILDLIFE SERVICE  
BUREAU OF SPORT FISHERIES AND WILDLIFE  
WASHINGTON, D.C. 20240

ADDRESS ONLY THE DIRECTOR,  
BUREAU OF SPORT FISHERIES  
AND WILDLIFE

FEB 9 1966

Mr. Albert E. Sandecki  
50 Tanner Street  
Haddonfield, New Jersey 08033

Dear Mr. Sandecki:

We are replying further to your letter of January 13, acknowledged on January 20, in which you reported the impending destruction of unspoiled Goose Pond at the mouth of the Bagaduce River in Maine.

We are advised that the Callahan Mining Company's plan for removal of copper and zinc ore is based in part on a proposal to dike off and drain a small salt marsh lying partially within a private holding known as the Holbrook Island Sanctuary. We understand that after the stream flow and tidal water is brought under control the ore will be removed by pit mining.

It is difficult to visualize how this development can be accomplished without serious damage to the interests of those who seek to maintain a wildlife sanctuary and also preserve the natural beauty of the coastal area.

There is increasing awareness of the importance of tidal estuaries both large and small in maintaining the food chain upon which shellfish, lobster, and other commercially important marine resources are dependent. There are really two problems raised by the mining proposal: that of protecting the integrity of the environment which is of acknowledged economic importance in maintaining marine resources, and secondly, that of protecting values represented in the stream and marsh, both of which would lose their present characteristics under the proposal for diversion of stream flow, drainage of the marsh, and open pit mining.

According to our information, jurisdiction and control over the proposed development is subject to State law, rather than Federal statute. NOT NOW F.W.R.C.A.

In short, the question is how to provide for the rational development of the mineral resource without impairing two irreplaceable assets of the environment--its marine and wetland resources and its natural beauty. It would seem to be in the best public interest to preserve these assets, which are such important features of the Maine coastline.

Though we share your interest in preserving from destruction the little wetland gem you have described, and for all of the same reasons, we must say, reluctantly, that we have no way of providing concrete assistance. This sort of problem rears its head with discouraging frequency in many places throughout the country. In most cases we cannot help, since the problems and their solutions--as in this instance--are either private, local government, or State matters and beyond our power to control.

Moral support alone will not solve this problem. Nevertheless, we want you to know you have ours.

Sincerely yours,

*C. V. Tompkins*

~~Assistant~~ Director

*Dear Mrs. Bond,*

*If it is at all possible sir, I would appreciate the return of this letter at your convenience as I am maintaining a file on this particular situation.*

*Sincerely,*

*Albert S. Jenkins*

50 Turner Street  
Haddonfield,  
New Jersey  
February 9, 1968

Letter to the Editor  
The Weekly Packet  
Blue Hill,  
Maine

Dear Sir;

I have been following your coverage of the Callahan Mining story in the past few issues of The Weekly Packet. I would appreciate the opportunity to express my thoughts in regard to this proposed "open pit" mining operation.

My family and I are now "summer people" to Hancock County in Maine, having recently purchased a house and some land in close proximity to the mine at Goose Falls. As a source of income in a small way to local merchants and a taxpayer and I am sure many other summer people would multiply this income, I should like to point out my thinking in this matter.

We live in an area here in New Jersey that literally reeks of smoke, dust and ever creeping housing developments, it is a real treat for us to come to Harborville for a few months a year to rejuvenate the mind and body with fresh air, clean water and peace. I am an artist by profession and my regard for nature is of the utmost concern, it is the source for my work and a rapidly disappearing one at that.

I realize that Callahan Mining intends to do right by their share holders and get that zinc and copper ore out as cheaply and efficiently as they can, but are they doing right by the people of this area? The price of copper is now at a high water mark, the local labor force is at hand. What happens when the copper prices drop? Will they stop work allowing this "open pit" to stand indefinitely, until the market makes it worth their while to resume operations. I do not begrudge these people much needed work. There would be even more employment for local people if the mine were of the shaft type (like Blackhawk). It would be slower work, but I'm sure the local labor force would even more so than now welcome an operation that would be a source of employment for an extended time, not a here today gone tomorrow operation, and there would be less noise and scarring of visible landscape.

Lastly, there are many summer people on Cape Hozier who spend their dollars in Brooksville and Blue Hill. Will they be as inclined to return year after year to the din and roar of an open pit mine to say nothing of the irreparable harm to the landscape for which an "open pit" mine is so notorious? Will Callahan Mining use judgment and concern for what they leave behind after they have gotten what they came for?

And will the summer people come back?

Sincerely yours,

Albert Sundecki  
Harborville

50 Tanner Street  
Haddonfield, N.J.  
February 6, 1966

Down East Magazine  
Garden,  
Maine

(Letter to the editor)

Dear Sir:

I have just read your article in the March issue regarding the Mining Revival at Blue Hill. As is the way with all situations people are divided pro and con, with a few on the fence.

I am in close proximity to the intended open pit mine of the Gallahan Mining Corporation on Cape Rosier. A dear friend and neighbor owns property bordering Goose Pond and another neighbor whom I've never met owns a game reserve across the pond. We all have one thing in common: a deep abiding love of natural beauty. I am an artist and feel it my duty to speak out for the preservation of God's gifts. I wonder if these mining interests have any concern for this priceless heritage or if they are only concerned with the tons of earth with it's small percentage of ore for their profit, as are those members of the legislature who gave permission in January 1964, to dump mining wastes into ponds and streams.

This generation that needs the employment will profit highly but what of our grand children. We should take the long view and keep what best pleases the eye or is it the quick buck and scarred landscape the heritage we are to leave.

Sincerely yours,

Albert Gandecki

Harborside, Maine  
Haddonfield, New Jersey

EDWIN G. BORING

William James Hall  
Harvard University

33 Kirkland Street  
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4 February 1966

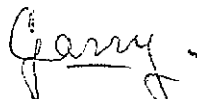
Dear Anita:

It just happens that a very excellent article on conservation has come out in the magazine called Science, and I have made some copies of it to send to various people at Harborside who are concerned in the present problem created by Callahan. So here is one for you. This seems to me a very judicial and sensible article. I invite your attention first to the distinction between conservation, as attempting to get the best compromise among interests for the public weal, and preservation, which is simply to keep things the way they have been. Change is sometimes desirable. And then you may want to look at the marked place on page 410, because this is really an issue between capitalism and socialism, since the attempt to control other people's property in the public interest is plainly socialistic--that is how it looks to me.

And then you might like to read the marked place on page 411 on "The Extractive Industries," noting that the ruthlessness of the past is not nearly so common now and that legislation is usually directed against it (as it has been recently in Kentucky). And that there are ways of restoring things to their natural beauty after metal has been extracted from the earth.

I sent a copy of this article to Callahan and told them that I thought it was extremely important that they should bind themselves to restoring the property to its original condition insofar as possible when they were through mining, that they should also bind themselves to mine continuously and not to let the mine go unworked with metal still in the ground simply because the market price of zinc and copper fell. Edwin remarks that the water level of the new lake when it is refilled will be 20 feet below the ground level and that this will look horrible, but I don't think he is right. If it is dirt, brush will take over. If it is rock, it will look natural. From what they have taken out, I expect much more rock than dirt and much less dust than other people do.

Sincerely yours,

  
Edwin G. Boring

Miss Anita Harris  
Harborside  
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Anita

## Geology and the New Conservation Movement

Geologists, conspicuous by their absence from today's conservation groups, can make a contribution.

Peter T. Flawn

The Conference of Governors and the North American Conservation Conference called by President Theodore Roosevelt in 1908 and 1909, respectively, marked the beginning of a nationwide awareness of natural resource problems and were the culmination of a series of reports, recommendations, and laws written over the preceding half-century (1). Between 1910 and World War II the conservation movement was concerned mainly with preventing the destruction and waste of natural resources with soil erosion, deforestation, and waste of mineral resources. Since World War II a new dimension—cleanliness and beauty—has been added to the conservation effort and for the first time, air and water have been a major focus of attention. Of course, in previous years conservationists became alarmed and exercised over local pollution, but only in the present decade have the pollution of the atmosphere, ground, and surface waters and the destruction of natural beauty received nationwide attention.

Through sudy streams, salty bays, smog, pollution has touched the life of citizenry.

The history of conservation in the United States has been chronicled by Stewart Udall in *The Quiet Crisis* (2), whose chapter titles themselves summarize the development of the movement: "The stir of conscience—Thoreau and the naturalists"; "The raid on resources"; "The beginning of wisdom—George Perkins Marsh"; "The beginning of action—Carl Schurz and John Wesley Powell"; "The Woodlands—Pinchot and the foresters"; "Wild and park lands—John Muir"; and "Men must act—the Roosevelts and politics."

Today conservation means different things to different people. Some of the most vocal conservationists are really preservationists—opposed to change. They resent the march of row houses into the rural scene, they fight its subdivisions which rout wildlife from its woodland homes, and they bitterly oppose the extractive industries that consume natural resources and convert them to material and energy products. Within cities, they attempt to prevent fine old buildings that are no longer economically useful from being destroyed to make way for new, modern structures. They are strongly motivated to preserve the past as part of the heritage of the future. Perhaps they really are reacting against the disappearance of the world of their youth, a world which most of us remember as a better world than the present-day

one, probably because youth usually feels better than middle or old age. Organized into heritage societies, historical societies, sportmen's clubs, garden clubs, and conservation federations, these groups have locally been effective in forcing a careful review of projects which propose to make major changes in the natural scene or raze structures of historical interest.

### How High a Price?

But however worthwhile the preservationist movement might be in some instances—and I confess to preservationist sympathies—in others it is unrealistic in asking society to pay too high a price for the past. The preservationist lives in our modern industrial society and enjoys its benefits. These are not without their price. The preservation of an old building simply as an architectural and historical monument in the midst of a growing city where there is great demand for space can hardly be justified unless the building can be converted to serve a useful purpose as well as being a monument. This is the concept of multiple use. Likewise, preservation of a potential rock-quarry site as a woodland glade constitutes elimination of a valuable mineral resource and costs society a substantial amount in lost tax revenues and lost payroll. If crushed rock must be hauled a long distance because the more strategically located resource is denied to society, then building costs in the area rise accordingly. In line with the multiple-use concept, the rock could be quarried over the economic life of the deposit and thereafter the area could be landscaped and restored for other uses. The question is—what is the price of preservation and can we afford to pay it? In some cases, we can and should pay the price; in others, the price is too high. Conservation, on the other hand, is long-term economy and we must pay the short-term price for it.

Although conservation is frequently defined as effecting a harmony or balance between man and his environment,

Flawn is director of the Bureau of Environmental Geology and professor of geology at the University of Texas at Austin. This article was presented at the meeting of the American Institute of Professional Geologists, Houston, Texas, 8 October 1965, and at the meeting of the Interstate Oil Compact at Corpus Christi, Texas, 12 December 1965.

such a goal can never be achieved in an industrial society because an industrial society by its very nature consumes and changes its environment. It devours huge quantities of minerals—nonrenewable natural resources—and spews great quantities of toxic products into the environment. Only an agricultural or pastoral culture with a more or less stable population can achieve true harmony with the environment. The best an industrial society can do is, through knowledge of ecology and through planning, to minimize disruptive changes, to dispose of toxic waste products in safe systems, and to use nonrenewable resources conservatively in the most advantageous way possible. Conservation in this sense is applied ecology and goes beyond the former emphasis on wise use and elimination of waste. The 1964 Conservation Yearbook of the Department of Interior stated (3):

The program of more and prophetic stewardship being forged today is both careful and daring. Conceived on a truly national scale, it is deeper than soil conservation, broader than wildlife preservation, more penetrating than forest husbandry, more encompassing than control of air and water pollution.

It is obvious that the success of the new conservation movement, or any conservation movement, depends on control of population. Projection of rates of growth of the world population today, ranging from slightly over 1 percent in the developed countries to over 4 percent in some of the developing areas, makes it clear that the matter is one of very grave concern (4). These projections indicate a world population of 6 to 7 billion at the turn of the century and, continuing the same rate, of 25 billion by the year 2070. These rates are higher than any foreseeable economic growth rate, so at best we are faced with a declining living standard and increasing competition for the earth's food and material resources. There are bacterial cultures that multiply to the point where their population exceeds the food resources of their environment and they starve to death; there are bacterial cultures that multiply to the point where the toxic products they produce so befoul their environment that they poison themselves. Commonly, the self-destruction results from both factors operating simultaneously. To draw an analogy with the human culture is not pleasant but is clearly indicated. Only the time scale is different.

One of the most thoughtful defini-

tions of conservation was formulated in 1935 by a geologist, C. K. Leith (5). It presented a clear preview of the conservation movement of the 1960's.

Conservation is the effort to insure to society the maximum present and future benefit from the use of natural resources. It involves the inventory and evaluation of natural resources, calls for the maintenance of the renewable resources at a level commensurate with the needs of society, and requires the substitution, where the conservation of human energy permits, of renewable or inexhaustible resources for those which are non-renewable, and of the more abundant non-renewable resources for the less abundant ones. It not only seeks to eliminate waste of resources if use be economically feasible but also looks forward to improvements in techniques of production and use, and requires that there be prompt and proper adjustments to advances in technology. It thus appears that conservation involves the balancing of natural resources against human resources and the rights of the present generation against the rights of future generations. It necessitates, moreover, the harmonizing of the procedures and objectives of conservation with the conditions of the present or future economic order, and calls for a careful allocation of duties and powers among private and public agencies.

This definition requires careful study and raises many questions because it includes many elements. It calls for inventory and evaluation of resources. With regard to minerals this is an extremely expensive program if carried out in any detail. Who should carry it out, and on what scale? The program calls for maintenance of renewable resources at an optimum level. This involves economic studies and projections to determine the proper level of maintenance and some kind of action to insure that production will be adequate. Is it really necessary to program production of renewable resources, or is a free-market economy the best way of matching production and demand? The answer to this question is intimately bound up with political science and philosophy of government. Leith's definition calls for substitutions. Are these to be effected through government controls and allocations or through operation of a free-market system? During World War II the government found it necessary to allocate certain commodities for certain purposes and to require substitutes for less critical purposes. The war was in a sense a prelude of the future because demand exceeded supply and priorities had to be established and enforced. Most definitions of conservation call for elimination of waste. How? Through inspection of extractive industries by govern-

ment engineers and the closing of wasteful operations? Drastic legislation would be required to legalize such supervision, although some such legislation already exists in special cases—for example, to prevent flaring (burning) of natural gas where no market exists. The definition calls for balancing the rights of the living against the rights of those unborn. Those to come have no representation except those living who have a strong sense of human destiny, and they are all too few.

### The Right To Own Property

This brief analysis attempts to point out that the mechanisms required to implement the worthy objectives of conservation present very knotty problems in themselves and are inextricably tied to philosophy of government. If, on the one hand, government's responsibility is to protect the rights of the individual and guarantee maximum individual liberty and, on the other hand, the government is to enforce conservation of natural resources, some difficult compromises must be made. One of the basic individual rights in the United States is the right to own property. This is certainly in conflict with government management of the land. But what good is planning if the plans cannot be implemented? Perhaps relinquishment of private property rights is too high a price to pay for conservation? These questions are raised to present some idea of the gravity of the conservation decisions which must be made.

Planning and implementation of those plans on a nationwide scale can be most efficiently accomplished where the government has complete authority and the individual has none. Under such a system, for example, an oil field can be exploited solely on the basis of engineering considerations, uncomplicated by the rights of property owners. Resources can be allocated to their highest use; silver, for example, might be reserved exclusively for the photographic and electronic industries with use for tableware and jewelry prohibited by decree. To a degree, private property rights are already subordinate to conservation laws, and for this reason conservation has been called by some the road to socialism. Our system of government has attempted to achieve a balance between individual rights and the public interest. Clearly, a property owner should not be allowed to dump



poisonous wastes in a stream and thus injure a large number of other individuals. Clean water is an essential to survival. In other cases, however, definition of the public interest is not so easy. Should a property owner be prohibited from building a structure on his property simply because his neighbors do not like the looks of it? Esthetic considerations are after all a matter of personal preference and are not subject to measurement by ordinary standards. What good is the right to private property if it cannot be exercised? Or should the owner of a valuable mineral resource be prevented from mining it and required to "put it in the bank" for the future because foreign supplies of the commodity are currently plentiful?

An interesting conservation decision was made recently in the state of New Mexico by the New Mexico Oil Conservation Commission. An oil company with a lease on state land proposed to drill a deep exploratory well to test a promising structure. However, as located, the well bore would pass through the unmined part of a potash ore body at a much shallower depth and cause revisions in the mining program of a potash mining company. The potash mining company moved to deny a drilling permit to the oil company. There was considerable testimony offered concerning the damages that would be suffered by the mining company and how much potash ore would have to be left around the well bore in the interest of safety to prevent subsidence. At the conclusion of the hearing, the Commission denied the permit to the oil company on conservation grounds, reasoning that it would prevent waste if drilling of the well were delayed until after all the potash ore had been mined, when the potential oil structure could be tested without requiring that potash ore be left in the workings.

Another conflict between resource users is currently being fought along the Texas Gulf Coast, where miners of oyster shell have come into conflict with commercial fishermen and sportsmen. Shell from dead reefs is mined by dredge and sold as a high-calcium raw material for the chemical industry, including lime and cement manufacture; it is also valuable for its physical properties and is used as a concrete aggregate and road base material because of a shortage of hard rock along the Texas Gulf Coast. Supplies of shell have been depleted in some parts of the coast, and the operators want

to move into new ground previously denied to them because of proximity to live oyster reefs. The dredging operation muddies the water and is harmful to the living oyster colonies. Oyster fishermen have moved to deny the request, and they have been supported by other commercial fishermen and sportsmen's groups who regard live reefs as an asset to their business and pleasure. A compromise by the Texas Parks and Wildlife Commission, the state regulatory agency, was unacceptable to the fishermen and is being challenged in the courts. The use of oyster shell as an aggregate and as a road base material is a lower use in that a material which fulfills the more exacting requirements for chemical-grade raw material is used for a purpose which requires only that it be hard and abrasion-resistant. In the absence of competing gravel and crushed-stone deposits, it is also the cheapest aggregate and road base material available. The question might be raised—is it in the best long-range interest of Gulf Coast industry for oyster shell to be used up in construction, or should it be conserved for higher industrial uses? One reason that the question cannot be answered is that there is no inventory of shell reserves. The amount of shell that remains to be recovered is not known. As a practical matter, the shell industry produces about 11 million cubic yards (8½ million cubic meters) of shell per year, valued at more than 15 million dollars; more than half was used in road building and constructional industries. Many other industries are related to or based on the shell industry. Royalty paid to the state of Texas is more than one and a half million dollars. Thus in any conservation decision made in this case, many factors and the interests of many groups, some of whom do not even know they might be affected by the decision, must be weighed.

Conservation decisions, like other decisions, can rapidly be made obsolete by technology or economic changes. In a world guaranteed completely open to free trade and perpetually at peace, conservation policies governing domestic mineral industries probably would be very different than in the present world, where foreign supplies might be suddenly interrupted and national security is of overriding importance. In such an ideal world mineral stuffs would flow from regions of abundance to regions of scarcity, from raw-material producer to consumer, solely along eco-

nomic gradients. But even in such an ideal world, the need to industrialize to support burgeoning populations and raise living standards would gradually alter trade patterns so that more and more minerals would be consumed by the producing country and eventually, as presently dictated by reasons of security, a big industrial consumer like the United States would have to look to its low-grade ores and its lean oil fields. It would be unwise to allow conservation decisions based on the current availability of cheap foreign minerals to strip us of our capabilities to move down the domestic resource ladder and to exploit lower- and lower-grade earth materials. It is true that we wrong future generations by wastefully consuming the high-grade resources of the earth; it is equally true that we commit a wrong if we leave them no capability to utilize the low-grade materials they inherit.

#### The Extractive Industries

There is a disturbing aspect of the new conservation movement in that the extractive industries and the mineral industries in particular are regarded as rapacious despoilers and looters of the nation's resources. To what extent this attitude is based on past history and to what extent it is due to the ugliness of a scar on the land left by a mine or a quarry is not clear. It is true that a noisy, dusty quarry with its snorting diesels and endless parade of heavy trucks is not pleasant to the eye as is a green meadow. However, it is certainly unrealistic for the lover of beauty who lives in the 20th century to expect that all such quarries should be located in someone else's area. If conservation teaching is honest and objective it must evaluate what the mineral industry contributes to modern society—what we get in return for the local ugly scars (which nowadays do not have to remain ugly after the minerals have been harvested). For example, the oil industry in Texas produces unpleasant smells, unsightly well fields, and salt water which is difficult of disposal. It also produces a product valued at about 4 billion dollars per year, which is indispensable to modern society, and which pays half a billion dollars in royalties to landowners, nearly 250 million dollars in state taxes, and 150 million to counties, cities, and school districts. It also produces jobs for some 216,000 people—one out of

every 17 Texans—and pays them salaries of nearly one and a half billion dollars per year. [The myriad satellite industries are not included (6)]. Needless to say, the employees pay taxes and support local businesses. Much of the blame placed on the industry for pollution has been misplaced. Recent studies indicate that concentration of salts from heavy irrigation and from natural salt and brine-bearing formations is the major cause of salt pollution in many parts of Texas (6, 7).

Many modern writers and commentators judge the modern mineral industry guilty because of the past deeds of the industry. In a sense this is analogous to Orwell's Ministry of Truth, which was engaged in rewriting history to make it conform to the present, or to the Soviet practice of rewriting textbooks to eliminate a past hero in current disfavor. The Appalachian coal fields, for example, were developed in a different society in a different time by an industry which cannot be held guilty for violation of laws passed 50 years thereafter. It was a time of wasteful exploitation of resources, when some individuals abused the land and appropriated the cream of the nation's resources for their own gain. It was also a time of human exploitation—of child labor and sweat shops in manufacturing industries such as the garment industry. We condemn all these practices today but do not find today's garment industry guilty for following in the 19th century the practices of the 18th century. On the contrary, the manufacturing industry is praised for its contribution to America's way of life. What about the mineral industry that built the great steel complex at Pittsburgh and along the Great Lakes? Perhaps it is not more guilty than the garment industry, and its contributions to society should be balanced against the excesses of the early exploiters.

What, then, is the place of minerals in this new conservation movement which attempts to exercise stewardship

over the land through science and engineering? As long as America remains an industrial power, the extractive industries, including the mineral industry, must expand to supply minerals for materials, minerals for energy, and water and crop nutrients to sustain life. Thus conservation cannot and should not hope to decrease the volume of materials being extracted from the earth. On the contrary, government policies must encourage the industry on a broad front. Government will, in my opinion, however, exercise a good deal more control over the industry in the future, so that in many aspects of the mineral industry there will be overt or covert government-business partnerships or perhaps economic relationships. There are many ways that this can be effected without the government's assuming a proprietary interest in the enterprise. The economics of the mineral industry will change to meet new conservation laws—costs of land restoration will have to be recovered from income; costs of eliminating and disposing of pollutants, both air and water, will likewise have to be borne by the industry. Sulfurous gases will no longer be discharged in the air. Large volumes of wastes will be disposed of by injection into secure subsurface hosts.

In order to plan effectively, the government will have to know a great deal more about the mineral resources of the United States and will need to make a modern inventory of the various kinds of mineral resources left for future use. This will include detailed studies of the cost boundaries of various grades of resources. It will also require a great deal of data from environmental science and engineering studies which have not yet been made. Most important, the government, through administrative agencies or the courts, will have to act as arbiter among various conservation groups whose interests conflict. For example, it may be advisable in terms of wise use of mineral resources to mine sand

and gravel from terraces along a river and even to dredge the river channel. Such activity might very likely be opposed by fish and wildlife groups. The conflict must be resolved on the basis of full information about the place of these various resources in an overall resource plan. The success of the conservation movement in the future will depend on how effectively the various segments of the movement can be pulled together into a comprehensive natural-resource ethic. Although some of the most famous of early conservationists were geologists—men like John Wesley Powell, John Muir, C. R. Van Hise, and C. K. Leith—geologists are conspicuous by their absence from today's natural-resource planning groups, local, state, and federal, which seem to be controlled largely by representatives of forest and range, recreation, water, and wildlife interests. Probably the geologists' greatest contributions to modern conservation have been their efforts, with petroleum engineers, to make state oil and gas conservation laws work and to more efficiently produce oil and gas reservoirs through unitization—contributions largely unsung. Perhaps geologists are regarded in government circles as champions of the mineral industry, rather than as conservationists. They are both and should behave as such; the two are not mutually exclusive. The counsel of geologists is essential in the development of a comprehensive natural-resource ethic.

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Conservation of What?

I heartily agree with P. T. Flawn ("Geology and the new conservation movement," 28 Jan., p. 409) that the absence of geologists from today's conservation groups is unfortunate. It is also unfortunate that the training of geologists, foresters, wildlife biologists, and others who can contribute to conservation is usually deficient in the humanities and the social sciences. . . . The conservation movement is severely handicapped by a shortage of men of broad vision. . . .

Flawn criticizes "preservationists" as being unrealistically "opposed to change." But preservation of noneconomic values has its place along with sensible exploitation of natural resources. It is shortsighted to say, as Flawn does, "The preservation of an old building simply as an architectural and historical monument in the midst of a growing city where there is great demand for space can hardly be justified unless the building can be converted to serve a useful purpose as well as being a monument. This is multiple use." In this sweeping statement, the University of Texas professor says, in effect, that the Alamo in San Antonio is useless, that it should either be destroyed or converted into—for example—a shopping center. Can a dollar value be placed on the Alamo? It is a priceless shrine to patriots who died for the sake of Texas liberty. Texans unborn deserve the opportunity to visit the Alamo. As a citizen of Illinois, I would gladly pay taxes to preserve the Alamo. Illinois has some old buildings, too. How much is the Lincoln home in Springfield worth? The house is near the state capitol, and the site would be desirable for an office or an apartment building. Would its destruction be progress? Would the destruction of the Acropolis in Athens and the construction of a hotel on its site be

progress? How about Mount Vernon as the site of a sewage treatment plant, and Independence Hall as an office building? Wouldn't historians and architects be better qualified than geologists or economists to judge the importance of such buildings and sites?

Flawn continues, "Likewise, preservation of a potential rock-quarry site as a woodland glade constitutes elimination of a valuable mineral resource and costs society a substantial amount of lost tax revenues and lost payroll." But doesn't the value of the glade depend also on its botanical and ecological significance? Who is better qualified to judge the importance of a particular woodland glade, petroleum geologists or a team of plant ecologists, plant taxonomists, landscape architects, and park planners? Gravel pits are needed, but so are woodland glades, especially near centers of population. Certainly the redwoods of California could be eliminated to someone's profit. Grand Canyon can be converted to Grand Lake and enhance the real estate market in Central Arizona. . . .

The starving and impoverished, to be sure, can have little interest in esthetics. In conservation, as in other large problems, there are no short cuts to wisdom. We need master planning for resource use on the international as well as a local scale. But man's future does not rest upon economic expediency alone. We need to define and practice what the late Aldo Leopold referred to as the land ethic. Both tangible and intangible values must be considered. Why shouldn't we be willing to pay a price for the preservation of beauty, of flora, fauna, and geological wonders, and of reminders of history, all of which enrich the quality of man's existence?

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. . . Flawn picks a questionable example to illustrate what he refers to as "the multiple-use concept." Discussing the choice between preservation of a woodland glade and operation of a rock quarry, he writes: "In line with the multiple-use concept, the rock could be quarried over the economic life of the deposit and thereafter the area could be landscaped and restored for other uses." What he proposes is not multiple use; it is one kind of use followed by another kind of use, and

ear Anita:- All right. Here's the other side of the argument, the letters criticizing the geologist of whom you disapproved.  
Yrs.,

*Gary*

The process the original woodland would be destroyed.

The criticism may seem carping and unavailing, but it has a most serious purpose. In this hypothetical case, as in most actual cases, a selection must be made from among conflicting uses. By stretching of the imagination can the choice of one at the expense of others be made to constitute "multiple" use. The so-called "preservationist" point of view rests pretty strongly on this basic fact. Supporters of the multiple-use idea promise something for everyone; "preservationists" are only too well aware that this is an impossible goal.

CHESTER B. BEATY

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While on some points Flawn questions the continued serviceability of our private-property system, he seems to me too orthodox in uncritically accepting much of the economic mythology of valuation and growth. For example, the objection to "locking up" space in the face of economic demand by preserving an old building is easy to stretch this outlook to local parks, bird sanctuaries, and the like, and the complaint about "lost tax revenues and lost payroll," should be extended to the speculative holding of land, which keeps much more acreage out of use. And in an age when a single 4- by 6-foot Rembrandt seems worth \$2,300,000 to the trustees of an art museum (all of them hard-headed businessmen), who is to say how much we can or cannot afford for open space?

Flawn says, "Although conservation is frequently defined as effecting a harmony or balance between man and his environment, such a goal can never be achieved in an industrial environment. . . ." I challenge this notion. Our consumption of raw materials, as Flawn recognizes, need not disfigure the landscape. Government can, without assuming "complete authority" in planning, foster better use of the land than our "accidental century" (see Michael Harrington's 1965 book of the same name) has so far produced. The government's role is to set limits. The mining of Texas of oyster-shell reefs which Flawn describes is an excellent example of why more far-sighted policy by industry, the states, and the federal government is needed. The uses to which the shell is now being put—

chemicals, aggregate, and road base—are all lower uses; the highest use, now being disregarded, is biological productivity. These shallow Gulf Coast bays are indispensable as producers of shrimp, finfish, and shellfish; great colonies of colorful birds depend on them; and these resources, whether labeled business, sport, tourism, or pleasure, are worth more to society in the long run than whatever return the liquidation of the shell banks is bringing to a few politicians and a small segment of the industry. If the dredges are allowed to finish excavating, these bays will become sterile sinks, because deep water is relatively unproductive. The tragedy of shortsightedness is that we could have both kinds of products from the bays; not, however, if the cost of mammoth dredges has to be amortized within a few months!

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. . . A major obstacle to conservation is the lack of understanding by the general public and by political leaders of the nature of economic growth. It is generally assumed that economic growth is always good and that a decreasing rate of growth is bad. . . . Progress is measured largely by the rate at which physical goods increase. This assumption may have been valid in the past for the major industrial nations, and may still be valid for the underdeveloped nations. But it needs more careful scrutiny in the light of what we know about the nature of the growth process. . . . If we blindly insist upon maintaining a constant rate of economic growth and use of natural resources on the present basis, we practically guarantee an "explosive" situation. Not only does a constant rate of growth of production entail consumption of raw materials and energy at an explosive rate, but along with that go production of pollutants and other adverse alterations of the environment at explosive rates. The situation is even worse if population also grows explosively—that is, at a constant rate.

Thus, in a broad sense conservation implies reexamination of some long-cherished goals and values of our society. Some activities, such as producing and riding in two-ton cars, are enormously wasteful of probably irreplaceable raw materials and energy. Other activities, such as reading books, watching plays, dancing, art, music, en-

tail very small use of matter and energy. Perhaps we should begin to designate a conservation index for various activities—high indices for activities that imply little use of resources, and low indices for those that are wasteful of matter and energy. Increased efficiency of production and use will help, obviously, but we must also begin to encourage participation by consumers in those activities that have a high conservation index. Certain economic activities—production of food, water, and shelter—should, obviously, have high priorities. War and production for war are, of course, the most wasteful of all activities, since they consume raw materials and energy without any basic contribution to human welfare. . . . Some may believe, as a matter of faith, that scientists can solve any problems that arise, so long as they are given enough money. Many scientists are becoming increasingly uncertain that they can fill the bill. The world is finite and its resources are finite.

HY RUCHLIS

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Brooklyn, New York 11226*

. . . I commend Flawn for presenting many important conservation ideas in his addresses before organizations made up of individuals who may have relatively little understanding of the concepts. But he errs in saying that the rape of the Appalachian coal fields, which conservationists criticize today, all took place 50 years ago. Conservationists are rightly protesting the very recent forms of exploitation based on the use of large, modern earth-moving equipment.

I would like to point out a few ways that geologists might actually aid in conservation of man's environment. Our profession can and should point out the lack of judgment often exhibited by state and federal agencies in locating and building dams on sites chosen for political motives. We should advise on proper watershed management as a means of permanent flood control that would eliminate dependence on temporary check-dams and reservoirs. Local, state, and federal planning agencies are badly in need of scientific advice on land use, and geologists can make a major contribution to this. They can counsel against extensive construction on unstable substrates or areas subject to rare but devastating flooding. Existing forest practices, carried out without regard for

the long-term effects of soil-cover destruction and concomitant flooding, are seriously in need of revision in the state of California and other areas; geological opinions and facts are needed to help formulate effective legislation. In short, the geologist should have the ability to see the temporal position of mankind and his fellow organisms in the total environment of the surface of this planet, and he, above all, should advise his fellow men of their role in this evolving, dynamic interplay.

I am pleased to learn that the theme of the AAAS meeting in Washington this year will be conservation. Before that meeting, let us at least try to agree on a definition of that term.

ROBERT R. CURRY  
*Department of Geology and Geophysics,  
University of California, Berkeley*

Flawn has done a service both to geologists and to conservation in pointing out that "geologists are conspicuous by their absence from today's natural-resource planning groups, local, state, and federal . . . [perhaps because] geologists are regarded in government circles as champions of the mineral industry, rather than as conservationists." The same could be said of mining and petroleum engineers, probably because, as Flawn notes, "There is a disturbing aspect of the new conservation movement in that the extractive industries and the mineral industries in particular are regarded as rapacious despoilers and looters of the nation's resources." The use of this vituperative vocabulary to disparage the development of resources by American private enterprise for the use of the American people, and thereby to promote government control, has been going on for a long time. The intention to use the conservation movement to bring about what most dictionaries call socialism was clearly stated in Gifford Pinchot's article "Breaking new ground," published some 40 years after the famous 1908 White House Conference on Conservation (and reprinted as "What it all means" in *Readings in Resource Management and Conservation*, I. Burton and R. W. Kates, Eds., Univ. of Chicago Press, 1965). Pinchot said: "Conservation is the application of common sense to the common problems for the common good. Since its objective is the *ownership, control, development, processing, distribution, and use* [emphasis mine] of natural resources for the benefit of the

people, it is by its very nature the antithesis of monopoly." Many sound and sincere conservationists, including geologists and engineers, want no part of the scheme to use the conservation movement to socialize natural resources.

Geologists and engineers have done a spectacularly effective job, without publicity in conservation literature. It is no coincidence that there have been adequate oil and other mineral supplies for the 20th-century wars and for the maintenance of the economy in the meanwhile. It has been due to the operation of the scientific, engineering, executive, and technological talents and skills of the most capable discovery and development personnel in the world—almost all in private industry. Transfer of access to undiscovered mineral resources from this capable body to "resource managers" or government agencies by wholesale segregation of land under the mining and leasing laws could be a national catastrophe.

The Multiple Use Act (Public Law 88-607, 19 Sept. 1964) might be interpreted to do just that. Parts of section 1 provide for the Secretary of the Interior to determine which lands "shall be retained . . . in Federal ownership and managed for . . . mineral production." Section 4 provides that classification for retention "shall have the effect of segregating such land from . . . disposal under . . . the mining and mineral leasing laws. . . ." The Multiple Use Act is temporary, enacted "pending the implementation of recommendations to be made by the Public Land Law Review Commission." Flawn's alert regarding the absence of mineral exploration and development experts from high conservation councils is most timely. The portents of government management are indeed ominous. Geologists, engineers, and everybody else, including the Public Land Law Review Commission, need to be aware of this potential for nullifying the most successful land policy in all history.

WILLIAM W. PORTER II  
*244 South Gramercy Place,  
Los Angeles 4, California*

### Linear Algebra: Teacher's Problem

I am a physicist with the usual sort of background in mathematics and am teaching mathematics to high school students. It has been my observation

EDWIN G. BORING

William James Hall  
Harvard University

33 Kirkland Street  
Cambridge, Massachusetts 02138

11 January 1966

Dear Anita:

Goodness, how you overrate me! I doubt, however, that even a Nobel egghead could exercise much influence in Brooksville, where the intellectual is suspect. Nevertheless, the basic fact is that, if I have any reputation as a scientist, it has been gained because I am able to remain uninfluenced by emotional appeals such as yours. One tries, not always with success, it is true, to act on a reasonable amount of evidence, even if normal social action is generally taken on insufficient evidence.

My impression is that the Callahan performance the other night went off pretty well with the public. Lots of questions were asked, some of them very penetrating ones. Callahan had prepared for this because they really want to be received in Brooksville with open arms, and perhaps if they are looking for a crew of sixty Brooksville workers, to be trained on the job and employed for half a dozen years, they will get received well. After all, tame people have more votes than wild life.

What I should like are facts and not pleas.

It sounds to me as if strip mining 600 feet wide and 300 feet deep on the site of the pond would be horribly ugly at the time, but that the removal of the two dams after the metal is extracted would let the ocean water back in and we should have a situation similar to the one at present, a somewhat larger pond ever so deep. Here my chief query is how Callahan can be committed irrevocably to removing the dams when the mining is done.

I find myself glad that the grinding mill, which will make noise, and the flotation mill will be back a way from the State Road, either on Russell's land or the southern end of Elwin's land, where they have already put in quite an elaborate network of new roads. This relieves the Borings from pressure, because we wanted to keep our woods, which they were wishing to have, and yet not thwart the community.

I should like to be referred to some authoritative source that discusses the relation of blasting to the water table, surface wells, and deep wells. There must be a book that somebody can refer me to and that I can find in the Boston area. I should like to know more about slow blasting as contrasted with the ordinary kind. At the moment I have the impression that the blasting is not going to disturb wells unless it be Elwin's and Brainerds' and those new people that they sold Uncle Tom's cabin to. Margery does not seem to use her house.

But in general what anyone with scientific training needs is a discussion of all the factors pro and con. There were ever so many things said Friday night that you do not hint about in your letter, and I shall reserve judgment until I am much better founded on facts than I am now. I am sorry. You wanted me to unfurl a banner and go charging off--but whither? This business is just going to go ahead. It has sufficient money, state support, and sufficient public opinion on Cape Rozier. People who do not like what is being done need to counsel themselves as to how they can adapt to it. It does not seem to me that protest is a mature reaction.

Sincerely yours,

*Edwin G. Boring*

Edwin G. Boring  
Edgar Pierce Professor  
of Psychology Emeritus

Miss Anita Harris  
Harborside  
Maine 04642

THE WHITE HOUSE

WASHINGTON

February 3, 1966

Dear Mr. Sandecki:

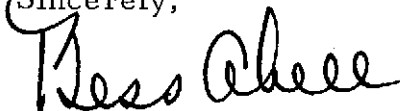
Mrs. Johnson asked me to thank you for your letter.

She appreciates your concern for Goose Pond, and she can understand how distressing the proposal to dam it is to you and residents of that area. It is Mrs. Johnson's hope that as America grows, private industry will work with local officials and interested citizens to protect our scenic and historic heritage and to avert some of the forms of destruction which you describe.

Although the Federal government has no authority to intervene in this matter, Mrs. Johnson hopes that local officials and citizens can work out a satisfactory solution to this problem.

With best wishes,

Sincerely,



Bess Abell  
Social Secretary

Mr. Albert E. Sandecki  
50 Tanner Street  
Haddonfield, New Jersey



# Hey, Ed!

Dear Editor:

First, I would like to commend you on your write-up in the Jan. 1 issue of The PACKET about the meeting at South Brooksville with the Callahan Mining Company. It was a true and unbiased report of that meeting. The editorial was not unbiased but it stated your opinion and that of about 95 percent of the people in this area.

I would like to express my opinion in this matter, which I might add is shared by a few of my neighbors.

\* \* \*

I have lived here about 40 years and have owned three houses in this immediate area. Two of these houses I have sold, and I can assure you these people feel as I do about living so close to this proposed open pit mine.

It is not easy for me to stand up and oppose all my friends and neighbors who want this operation for the economy of the whole town. I can see their point of view.

As I said before, and I say it again, I am not opposed to a mining operation here, if they take the mineral out the way other mines do--underground or on their own property. What I am opposed to is draining the pond and damming off Goose Falls for open pit mining.

I may be sentimental, but this is my home, it is named Falls View; I can see the falls from my window, and also hear them on a summer night with the window open. I have spent over \$20,000 for repairs and remodeling for the small summer business which we started many years ago. This includes drilling a well, putting in four complete bathrooms, four sewer lines and also rebuilding a barn into rooms. Some of our guests come here year after year and they, too, are not happy about this mining operation.

I am also worried about our well which furnishes plenty of water for three families and has never failed to produce unlimited amounts of water for everyone. This well is within 100 feet of this proposed open pit mine.

This open pit, draining and damming the pond goes against everything I have done over the years and would make my home an unpleasant place in which to live.

These are some of my reasons for taking the stand I have. I am not a "yes man" who will follow the tide of public sentiment when everything it stands for upsets my plan for my retirement home and a small summer guest business. I could not take any other stand and be honest with myself.

The Callahan Mining Company has approached all property owners on the west side of the pond with key positions (land bordering on the pond) with attractive offers of options and a chance to sell their property at a good price. They have already bought a whole homestead with land which joins on the west side of the pond, that is pertinent to their operation. They have not approached the other property owners here who live only a few steps away (and I am one of them) because we do not have positions that interest them.

This is not my fight. I have neither the money nor the desire to fight with The Callahan Mining Company. My only contribution to the opposition has been to notify some of the taxpayers of this area about this proposed operation.

In conclusion, I would like to say to my friends and neighbors that I personally hold no hard feelings toward them--they are doing what they think is best for the town. I only hope this kind of operation does not happen in any of their dooryards or near their homes. If it ever does, I hope that I would be open-minded enough to see the point of view of the few who would have to live near it.

Brainard L. Farnham  
Harborside

# Hey, Ed!

Dear Sir:

I have been following your coverage of the Callahan Mining story in the past few issues of The Weekly Packet. I would appreciate the opportunity to express my thoughts in regard to this proposed "open pit" mining operation.

My family and I are new "summer people" to Hancock County in Maine, having recently purchased a house and some land in close proximity to the mine at Goose Falls. As a source of income in a small way to local merchants and a taxpayer (and I am sure many other summer people would multiply this income), I would like to point out my thinking in this matter.

We live in an area here in New Jersey that literally reeks of smoke, dust and over-creeping housing developments. It is a real treat for us to come to Harborside for a few months a year to rejuvenate the mind and body with fresh air, clean water and peace. I am an artist by profession and my regard for nature is of the utmost concern. It is a source for my work and a rapidly disappearing one at that.

I realize that Callahan Mining intends to do right by their shareholders and get that zinc and copper ore out as cheaply and efficiently as they can, but are they doing right by the people of this area? The price of copper is now at a high water mark and the local labor force is at hand. What happens when the copper prices drop? Will they stop work, allowing this "open pit" to stand indefinitely, until the market makes it worth their while to resume operations? I do not begrudge these people the much-needed work. There would be even more employment for local people if the mine were of the shaft type (like Blackhawk). It would be slower work, but I'm sure the local labor force would, even more so than now, welcome an operation that would be a source of employment for an extended time--not a here today and gone tomorrow operation--and there would be less noise and scarring of visible landscape.

Lastly, there are many summer people on Cape Rosier who spend their dollars in Brooksville and Blue Hill. Will they be inclined to return year after year to the din and roar of an open pit mine, to say nothing of the irreparable harm to the landscape for which an open pit mine is so notorious? Will Callahan Mining use judgment and concern for what they leave behind after they have gotten what they came for?

And will the summer people come back?

Sincerely yours,  
Albert Sandecki  
Harborside and  
Haddonfield, N.J.

## Pertinent Questions Unanswered

Winterport

To The Editor:

I am writing in reference to the special legislative act which would authorize draining the Goose Falls Pond at Harborside in Brooksville. Draining this pond and whatever else may be involved is of great concern to me.

I was born and have lived a good part of my life very close to the pond and thus where the newly proposed "open-pit" mine would be. My parents own real estate and make their home there now. Although I own no land there at present, we can say that the land owns me. I love this area and its people and would dislike to see either harmed in any way.

At present I am opposed to this act because I feel that there are too many questions that do not have satisfactory answers. Some of these questions are:

Has this been rushed upon the townspeople too quickly? Wouldn't any major mining work such as this permanently ruin the natural beauty of the area? If the natural beauty is ruined, won't the area lose the one asset that it has now—a substantial summer colony with excellent growth potential?

Is there any indication of a guarantee of how long this mining operation would run? (We know that it isn't a permanent business. It might be of only short duration, but leave the area destroyed for a more profitable future.)

How much of the money to be spent by the company for this operation would be felt in the town?

Has the company met with the people living close to this possible "open-pit" mine to help them to better understand what the future holds for them? Couldn't the mine go underground instead of draining the pond?

Can the company seize what land it needs in the area? Couldn't there be another industry there to be more permanent and better harmonize with the summer business?

Is there any agreement to hold the company or companies involved responsible for cleaning up when the mine ceases to run? I do not see any written guarantee of this; they are only responsible for returning the water into the pond.

Could the company leave the area for any length of time, leaving the dam with the idea that the ore bodies were not depleted.

I feel that these questions have not been thoroughly studied and satisfactorily answered, therefore that the act should not be passed at this time. . . .

(Mrs.) Reta Farnham Hunter

Harborside, Maine.  
Jan ~~18~~<sup>22</sup>, 1966.

Dear Albert:

I am a little depressed to-day. It is not easy to go against public opinion when they have always been my friends and neighbors.

But I would not be honest with myself if I did not take the stand I have in opposition to this bill before Maine legislature.

I am no public speaker so I am writing an article for the Packet, a weekly paper to give my reasons for opposing this bill.

The public<sup>2</sup> with the exception  
of a few summer residents  
are almost unanimous for  
this bill, which they think is  
good for the economy of the  
town. I have written my  
opinion and Reta and Bill  
are going of typewrite it  
and present it to the Packet.  
We hope to get it in next week.  
Will send you a copy.

Reta had her view in the  
Bangor paper day before yesterday.

At the meeting in Augusta  
the other day about 100 people  
stood up in favor of this bill  
and Marian, myself and  
Reta stood up against it.

That is a very small percentage

-3-

Enclosed find a copy of Retan  
write up in the Bangor News.

If you feel so inclined  
as a summer resident and  
taxpayer in this town, you could  
write your views on the  
subject and send them to  
The Editor of the Packet in  
Bluehill. I would not  
however want the whole  
town to hold hard feelings  
toward you as I feel they  
do toward me, so you might  
have to be careful.

I have gone into more details  
in my write up you can wait  
until you see that before you  
decide, as this bill will be  
a long while before it passes  
if it ever does, for the sanctuary  
lawyers are fighting it.

I feel so alone in this it  
would be nice to have  
some support, but you  
do as you see fit as you  
have the opinion of all  
in the Packet which I sent  
to you.

Best regards to you  
both and love to Sarah and  
Katherine.

Sincerely B. Rainard

# DAILY PACKET

## Bill for Callahan mine called unconstitutional in hearing

AUGUSTA--The gong sounded for round one of the fight for the development of an active mine in Cape Rosier Wednesday before the State House of Representatives industrial and recreational development committee. In one corner was Callahan Mining Corporation and the town of Brooksville; in the other was the Holbrook Island Sanctuary.

The ground for the upcoming fight was clearly spelled out by attorneys for the sanctuary--a battle over the constitutionality of a bill which would allow the draining of Goose Falls Pond. The pond must be drained in order to allow Callahan to develop an open pit mine in Brooksville. The main ore body lies beneath the waters below Goose Falls Pond.

The Holbrook Island Sanctuary owns most of the water frontage on the east side of the pond.

THE COMMITTEE hearing room in the state office building here

was jammed with a highly partisan crowd from Brooksville and adjoining areas. All 100 seats were taken and people stood lining the wall.

Only a small handful of people--less than a dozen--remained seated when the committee asked for an expression of feeling by those attending the hearing. Those in favor of the mine stood.

Callahan's position was explained through testimony directed by attorney Robert Marden. Speaking on behalf of the mine were: the bill's co-sponsors Rep. Gordon Richardson, Stonington, and Rep. Joseph E. Binnette, Old Town; Rep. Byron Young, Gouldsboro; Rep. Frank Anderson, Ellsworth; Clayton Osgood, of the Maine Mining Bureau; Standish K. Bachman, Director of the Department of Economic Development; Charles Shead, attorney for and secretary of Callahan Mining Corporation; William Fenton, Bar Harbor, attorney for Callahan; Robert Doyle, state geologist; John Russell Sr., Little Deer Isle; Girard Condon, Brooksville selectman; Charles Perry, Orono, and Brooksville summer resident; John Russell Jr., Little Deer Isle; Andrew Founaine, Brooksville; Stanley Grindle, North Penobscot; Roy Blake Sr., Brooklin; and Jerry Durnbaugh, Blue Hill.

Opposition to the mine was expressed mostly through attorneys representing the Holbrook Island Sanctuary, directed by attorney Wallace Campbell, Portland. Other attorneys presenting the sanctuary's legal case were Atherton Fuller, Ellsworth, and Orville Poland, Blue Hill.

Brainard Farnham, Brooksville, who also owns land adjoining the Callahan mine site, also opposed the mine on what he termed his "own personal interest."

POLAND, USING numerous legal citations, stated the bill, which would authorize the Maine Mining Bureau to secure riparian rights of property holders along the pond and lease them back to Callahan, was clearly unconstitutional.

"Eminent domain can never be granted for private use," Poland said. Courts have also held, he said, that "legislatures cannot make a private use a public use simply by calling it so."

He said the rights of the individual to private ownership of property are absolute and eminent domain cannot be used to take property from one and give it to another except in the case of taking property for public use. Mining, he contended, was not a public use but a strictly private business.

Campbell said the sanctuary realized the need for job opportunities and industrial development in Maine. It was not opposing the mine on that basis nor on the basis that it was a private company seeking profit. Nor was it opposing Callahan as such.

The sanctuary's opposition, he said, was because the bill would deprive the sanctuary of its constitutionally guaranteed riparian rights on the east shore of the pond. He said he did not think the legislature could delegate the authority of using eminent domain to take property for private use to the Maine Mining Bureau.

FULLER EXPRESSED discontent with the bill that had no specific provisions for payment of damages by Callahan, no control to assure that the mine would not be operated as a public nuisance, and that did not guarantee Callahan would leave the property in a satisfactory condition when the mine was worked out.

(Turn to RE-DISTRICTING on page 6)



# Hearing

eers, he said, has indicated it would probably grant its permit to drain the navigable waterway if the state passes the proposed bill. The Corps of Engineers told him, he said, it would be premature to file application for the permit until after the bill is passed.

ASKED IF it would be necessary for the corporation to request financial help from the state to provide facilities for shipping the concentrate, Sneed replied the corporation is completely self-financing, and has the money on hand to meet all its needs.

Girard Condon presented the committee with a petition containing 714 names of those requesting passage of the bill. Approximately 300 of the signatures were from Brooksville, Condon said, the remainder from the surrounding towns.

In the six years from 1951 to 1957, the land where the mine is currently situated produced only \$25 to \$30 yearly in taxes. Since renewed exploration of the area, which started in 1957, the property has yielded over \$4,400 in taxes, he said. Valued at \$200 ten years ago the property held a 1965 valuation of \$11,550 real estate, \$14,350 personal estate, and yielded \$518 in taxes.

If the mine is put into full operation, considering a \$1,000,000 valuation on the property, Condon predicted enough taxes from the mine to allow the town to drop its rate 2 or 3 mills within the next two years.

"In our town, that's a lot of money to a lot of people," he said.

CHARLES PERRY, Orono, said he was speaking as a lifetime summer resident of the area and urged passage of the bill. "Cape Rosier is one of the most beautiful places in the world," he said, "but this mine would contribute immensely to the well-being of the area and not harm appreciably the beauty of the area."

Other speakers spoke in favor of the mine in general terms citing employment and economy as the chief reasons.

Girard Condon, probably summed up the feeling of most of those who had braved a mid-January Maine snowstorm to attend the hearing and support the bill.

"We are not asking you for money," he told the legislators. "We're asking you to help us get in this company so it can spend some of that ready made money their lawyer has told you they have ready to spend."

## MORE ABOUT:

(Continued from page 1)

He painted a bleak picture of a profit-hungry company, using the cheapest methods of development and abandonment. He predicted the company would leave the area an unsightly barren with decaying buildings when the ore was depleted.

# Report from Augusta

by State Rep. Gordon Richardson

On Wednesday, Jan. 19, the hearing on the bill to permit Callahan Mining to start operation was heard before the Committee on Industrial and Recreational Development. The hearing started at approximately 10:30 in the morning and went without a break until 2 p.m.

Since this measure is so important to the Town of Brooksville, it was well supported by a large representation from that area. However, it was very heartening to me to see interested people from Deer Isle, Brooklin, Sedgwick, Blue Hill and Stonington. This proved to the committee that this was not truly a sectional bill.

The presentation for the measure was carefully and thoroughly done and was received with carefully controlled applause by the packed crowd of proponents. I was exceedingly proud when the proponents presented their case to the committee to hear no booing, no hissing or any other outward sign of displeasure from the ardent proponents. So many times, excitement will get the better of judgment and a crowd will lose its control. Every person there favoring the project deserves congratulations for their quiet courtesy. The committee, by the way, expressed its appreciation for this and stated that it was impressed because each member knew how important this measure was to these fine people.

The committee has requested an opinion from the Supreme Court of Maine regarding this matter. It should be received by them prior to adjournment next week and therefore probably will be acted upon the following week of the session. With the facts spelled out by Mr. Fenton of Bar Harbor, I for one, cannot doubt the decision of the court. Each argument, lengthily presented by the opposition was quickly and succinctly broken down by Mr. Fenton on rebuttal.

All hearings on the multitude of bills presented have been held. It is my carefully considered opinion that only a very few of the 19 bills can be truly classed as emergency measures but the majority leadership admitted them regardless. I would anticipate that final adjournment could take place by the first of February if careful consideration for the expense is given.

DOYLE REFUTED the arguments on operation by stating that mining regulations are now in effect for those who hold Maine Mining Bureau licenses. Through control of the license, the bureau can control operations so they do not become obnoxious, he said.

He explained what controls would be used to prevent pollution of nearby waters, both from flotation effluent and water runoff from waste. Tests have shown the limited chemicals from either process as not being harmful to wildlife and growth.

A completely new mine safety law is being prepared to present to the 1967 legislature, he said, and should be in effect before Callahan ever starts actual mining.

Fenton attacked the alleged unconstitutionality of the bill by saying none of the cases cited by Poland involved state-owned property.

"This bill is strictly limited to riparian rights," he said, "and only for a temporary period." Since the state grants riparian rights it has the right to remove them at any time with no compensation at all, he said. This bill, however, assures compensation for damages which, he said, was morally correct, although not legally required. The state holds title to the water and therefore has the right to take away the water, he said. "The state has the right to develop its minerals."

He also noted the Holbrook Island Sanctuary had not exercised any of its riparian rights on Goose Falls Pond.

SNEAD EARLIER had given the presentation for Callahan, showing how the mine would be developed and explaining the economic benefits.

Present statutes, he said, authorize the state to divert water from streams and drain lakes to allow mining. However, present statutes do not specifically cover tidal estuaries so it was felt the proposed bill is necessary. He said agreement to the mine had been secured from all property owners adjoining the mine except one. The U.S. Army Corps of Engin-

# NATURAL RESOURCES COUNCIL of MAINE



116 State Street

Augusta, Maine 04330

Tel. 623-3452

January 20, 1966

Mr. Albert E. Sandecki  
50 Tanner Street  
Haddonfield, New Jersey 08033

Dear Mr. Sandecki:

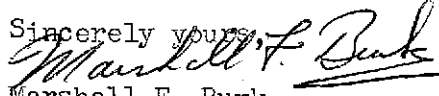
I would like to welcome you as a new member of the Natural Resources Council of Maine. As you read the enclosed material you will come to realize that we are a citizens organization devoted to information and education of the wise and best use of our state's natural resources. We are not a lobbying organization because of our tax exempt basis, but many of our individual members and affiliate clubs feel free to express their sentiments in the legislative halls.

In regards to your letter of January 16, 1966 expressing concern over the proposed open pit mine at Brooksville. This situation has been discussed and evaluated at our last Executive Committee meeting and Board of Directors meeting. I have been asked to obtain information and to maintain a file of such for the information of people concerned about the advisability of this open pit mine.

Some individual members of the council are actively in opposition to this type of legislation. The Board of Directors at their January 17th meeting voted to table any action on this situation at this time.

I personally question whether this will pass as I do believe it will be tied up in the legal question of riparian rights etc.

Again thank you for becoming a member of the Council and helping us in our informational endeavors.

Sincerely yours,  
  
Marshall F. Burk  
Executive Secretary

MFB:lfa  
enc.6



ADDRESS ONLY THE DIRECTOR,  
BUREAU OF SPORT FISHERIES  
AND WILDLIFE

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
FISH AND WILDLIFE SERVICE  
BUREAU OF SPORT FISHERIES AND WILDLIFE

WASHINGTON, D.C. 20240

JAN 19 1966

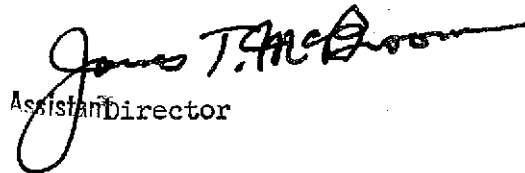
Mr. Albert E. Sandecki  
50 Tanner Street  
Haddonfield, New Jersey 08033

Dear Mr. Sandecki:

This acknowledges your letter of January 13 to Secretary Udall which reported the possible destruction of Goose Pond in the Penobscot Bay region of Maine.

We are vitally interested in the preservation of tidal wetlands and ponds and, following investigation, shall be pleased to write you further on the situation you described.

Sincerely yours,

  
Assistant Director

A. U. TUNESON  
" " JAMESON

50 Tanner Street  
Haddonfield,  
New Jersey  
January 16, 1966

Natural Resources Council  
Room A  
116 State Street  
Augusta, Maine 04330

Dear Sirs;

I would like to bring to your attention the proposed destruction of a small but very beautiful and unspoiled tidal pond called Goose Pond, located at the mouth of the Bagaduce River in the Penobscot Bay Region of the State of Maine.

The Callahan Mining Corporation intends to dam off and drain Goose Pond to facilitate the creation of an open pit type of mining procedure. I am a property owner with a studio home in close proximity to this project and am deeply concerned for the natural resources of the area. They are in direct connection with my work as an artist.

I am sure that you and your department realize the effects that such a plan would have on the local ecology. Half of the pond is bordered by a large privately owned wild life sanctuary. An "Open pit" mining operation would make a mockery of the owners efforts to preserve the area's animals and vegetation. I realize that a new mine means more jobs in an economically depressed area, but an open pit mine certainly seems a terribly destructive and wasteful way to raise anyone's standard of living.

"Open Pit" mining operations as in the north central United States have created the worst kind of blight of the land that man has yet devised for the acquiring of its mineral wealth, and gentlemen, that is the easy way, and those open wounds festering to this day.

This open pit mine will swallow the area and all its peace and beauty in four or five years of digging and blasting. The destruction of beauty is to me the worst possible thing, second only to the inability of others to respect and appreciate what god has put here for us to see and above all to preserve for those yet unborn.

Sincerely yours,

Albert G. Sandecki

50 Tanner Street  
Haddonfield,  
New Jersey  
January 13, 1966

Mrs. Lyndon B. Johnson  
White House  
Washington, D.C.

Dear Mrs. Johnson,

I would like to bring to your attention what could truly be an unfortunate situation, namely the impending desecration of an historically beautiful bit of America, the destruction of Goose Pond in sight of the area of unfortunately the biggest naval defeat of the American Revolutionary war Navy.

This is my way of pinpointing for you a very small place in a very great land, I cannot think of a better way to get your attention.

Along with seven other fine people my wife and our two little girls love natural beauty and peace. We ~~are~~ face the loss of this beautiful area to the Callahan Mining Corporation of New York. Their intention is to dam off this tidal pond and create a huge "open pit" mine. Half of this pond is bordered by a game reserve and endangers the natural spawning area for many fish.

The other side of the coin is your husband's wretched poverty. Not that I want to start any family argument. It will provide jobs for 60 or 70 people in an area that needs work, capital outlay of more than a million dollars, and a pay roll of a million dollars annually. Progress is fine but not in an "open pit". There are other means of reaching nature's wealth. This mine will function for but a few years, but the natural beauty will be made to suffer an interminable duration. Pollution of hard dug wells, animal and forest life will be swallowed up, future generations will be denied the privilege to see this beauty now threatened.

Could you ask Mr. Joseph Hall, President of Callahan Mining Corporation of New York if there is another way to do his work and spare the beauty of a pond on Cape Rosier in the Penobscot Bay Region of the State of Maine?

His address is Mr. Joseph E. Hall 277 Park Avenue New York City, New York 10017

Sincerely yours,

Albert E. Sandacki

50 Tanner Street  
Haddonfield,  
New Jersey  
January 13, 1966

Mr. Stewart Udall  
Secretary of the Interior  
Washington, D.C.

Dear Mr. Udall,

I would like to bring to your attention the proposed destruction of a small but very beautiful and unspoiled tidal pond called Goose Pond, located at the mouth of the Sagamore River in the Penobscot Bay region of state of Maine.

The Callahan Mining Corp of New York is proposing to dam off this natural fishspawning area and drain the pond for an "open pit" mining operation with a concentrate plant nearby for the production of copper and zinc.

I am sure that you and your department realize the effects that such a plan would have on the local ecology. Half of the pond is bordered by a large privately owned wild life sanctuary. An "open pit" mining operation would make a mockery of the owner's efforts to preserve the area's animals and vegetation. I realize that a new mine means more jobs in an economically depressed area, but an "open pit" mine certainly seems a terribly destructive and wasteful way to raise anyone's standard of living. My mother came from a mining community in Canada called Copper Cliff and has remarked that the fumes and dust from the mines killed the trees, grass, all animal and vegetable life.

I am an artist and depend on this unspoiled beauty for my inspiration; many others in the area, both permanent and summer residents, are content to view and enjoy Goose Pond and the adjacent "Reversing" Goose Falls. I feel it is my duty to ask your help in preserving this area for my own and my children's sake, and for those future generations coming.

There is a meeting of the Maine legislative session scheduled for January 19th to act on the measures necessary for the mining operations. ~~Enclosed is a copy of the letter to the Maine Legislature.~~

Thank you for your consideration.

Sincerely yours,

Albert E. Sandocki

50 Tarnor Street  
Haddonfield, N.J.  
January 13, 1966

Mr. Joseph H. Hirshhorn  
277 Park Avenue  
New York, N.Y.

Dear Sir:

A few years ago I was delighted to learn you had purchased one of my paintings, and I am aware of your fine collection.

I realize this is presumptuous on my part to a degree but I feel that my concern for the intentions of a company with which you are associated might bear a bit of your time.

The Callahan Mining Corporation intends to dam off and drain a most beautiful tidal pond called Moose Pond on a Cape Rosier in the state of Maine. I am a property owner with a studio in close proximity to this project and am deeply concerned for the natural resources of the area. They are in direct connection with my work as a painter.

My Neighbors and I have been the victims of so much second hand information and rumors that it is impossible to grasp what we are truly to expect from this proposed "open pit" mining operation. Could you in some way enlighten me as to just what will be done and if there is a possibility of the destruction through progress of the immediate vicinity of the mine.

Sincerely yours,

Albert E. Sandocki

Harborside, Maine  
January 12, 1966

Senator Dwight Brown  
75 Birch Avenue  
Ellsworth, Maine

REP. GORDON RICHARDSON  
a STONINGTON, MAINE

Dear Sir:

I would like to express my sincere opposition to the proposed open pit mining operation of the Callahan Mining Corp. of New York, proposed for the Goose Pond area on Cape Rosier. As a resident taxpayer living not more than 150 yards from Goose Pond I feel it will be waste and ruination of the natural beauty of the area.

(Open pit mining operation as in the north central United States have created the worst kind of blight of the land that man has yet devised for acquiring its mineral wealth.) I am in complete accord with the federal administration's desire towards the preservation of natural resources.

My wife and two small children deeply love this little corner of your beautiful state of Maine and wish only to have our children's children have the opportunity to see and live with its natural beauty. This open pit mine will swallow the area and all its peace and beauty in four or five years of digging and blasting. Who will replace the trees and heal the wound of an open pit sore?

I am an artist by profession and the beauty and splendence of this area is absolutely essential to my livelihood. The destruction of beauty is to me the worst possible thing, second only to the inability of others to appreciate what God has put here for us to see and above all to preserve for ~~future generations.~~

*These yet unspoiled*

Sincerely,

Albert E. Sandocki



Dear Albert,

As you will see from this clipping the Callahan Mining Co. is putting ~~bill~~ a bill in a special meeting of legislature which meets on the 17th day of Jan. They will be in session until they have acted on all the bills up for action at this time.

Personally I am opposed to this open pit type of mining so close to our homes. The town as a whole is in favor of this mining operation, as it will bring in more taxes for the town and make work for local people.

If you do oppose this bill will you please

write two letters to state  
your opposition and why.

1. Senator Dwight Brown  
75 Birch Ave.  
Ellsworth, Me.

2 Rep. Gordon Richardson  
Stonington, Me.

If you are in favor of  
all this noise and protesting  
please don't write.

Next time I write I hope  
I will have something  
more cheerful to write about.

Sincerely,

B. Rainard

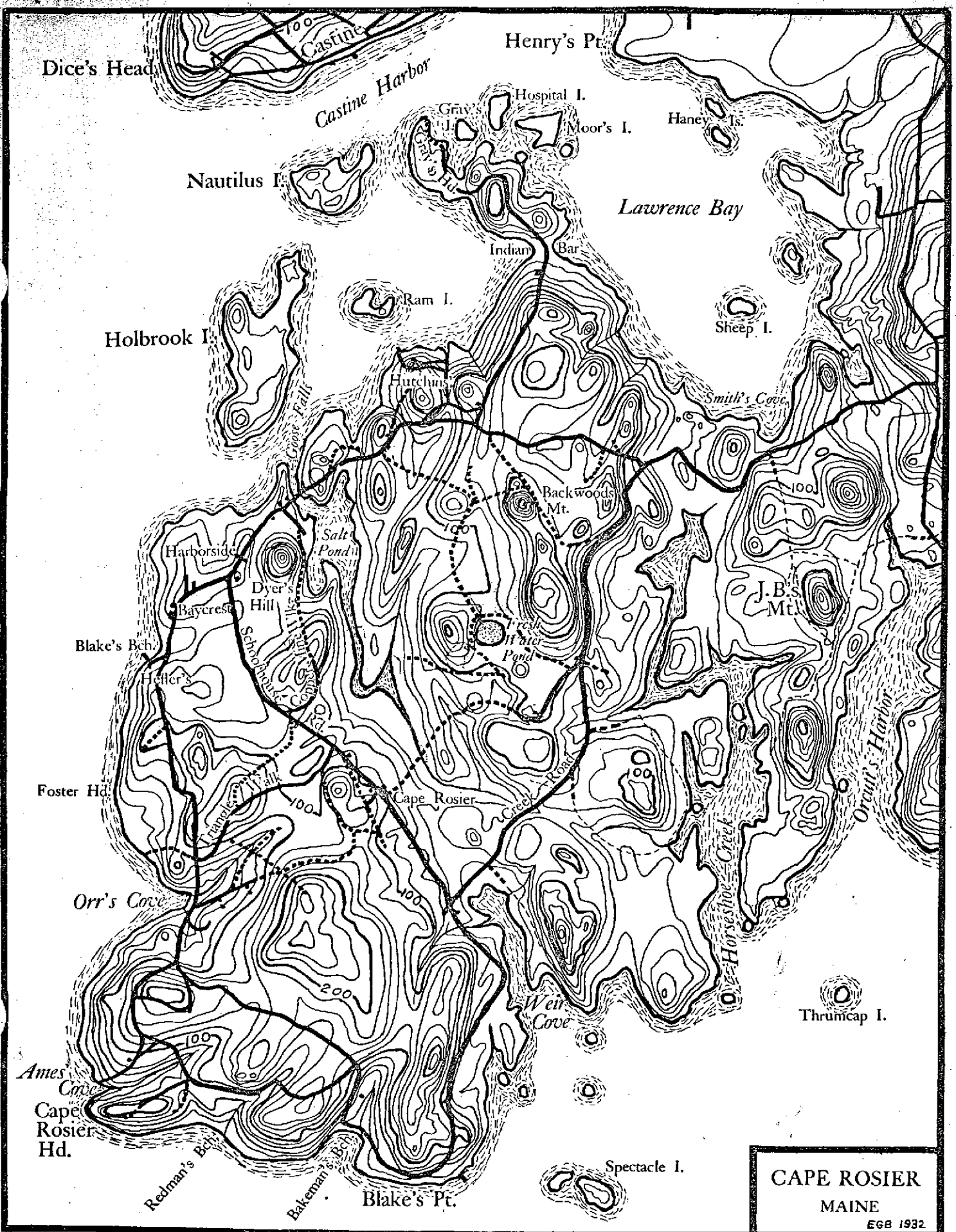
write as a tax payer in this area

MILAGE TO MAINE  
HADDONFIELD TO HARBORSIDE

HADDONFIELD TO STURBRIDGE, MASS	242 MILES	GAS UP
STURBRIDGE MASS. TO AUGUSTA, MAINE	235 MILES	GAS UP
AUGUSTA, MAINE TO HARBORSIDE, MAINE	89 MILES	
	<u>566 MILES</u>	11 HRS DRIVING TIME.

MISC. MILAGES.

HARBORSIDE TO BUCKSPORT	29 MI - 3/4 HR.
" TO SEARSPORT	40 MI - 1 HR.
" TO BELFAST	46 MI - 1:10 MIN
" TO AUGUSTA	89 MI - 2 HRS.



**CAPE ROSIER**  
**MAINE**  
 EGB 1932

