

COPY

December 28, 1937

Mr. Edmond O. Luthy
2419 Ohio Avenue
Cincinnati, Ohio
Dear Mr. Luthy:
I am enclosing a copy of your letter of the 22nd instant.
I am not at all surprised at its contents.

I remember telling you or Mr. Humphrey or both of you that I felt sure that the Conservation Department would insist on a formal release and would not be satisfied with the informal consent to which you secure signatures of most of the property owners. Frankly, I don't blame the Conservation Department in the slightest. No lawyer would pass that release in its present form. I think there is absolutely no use in trying to get them to accept it. The reason for this is that in my opinion it is not sufficient to bar claims for damages against the State.

Mr. Howard wrote me that there was no money available in the Conservation Department's funds for this dam. I believe I sent you a copy of this letter.

I do not think it will be possible now to use CCC labor. In the first place, the Federal Government has materially reduced the personnel of the corps and camps. There are only two camps near

January 20, 1938

Mr. Luthy and while I hate to be insistent upon it, I still think, as I told you several times, that the only practical way is to have plans and specifications prepared and accepted by the Conservation Department and then prepare a release incorporating a reference to those plans and specifications and have that form of the release approved by the Attorney General. It will then be time to try to get the necessary signatures.

I hope that the New Year will be a very happy one for both you and Mrs. Luthy. I am sure your trip would include a formal release and that would eliminate the oral and informal aspects. Sincerely yours,
Henry D. Rogers
Attala River Commissioner
SFWRP, Lt. The Lawyer would pose that you could not do this because there is already a release in writing between him and SFWRP. I think this is probably so and I would advise you to copy the lawyer's letter to SFWRP and let him know of it. The lawyer can then be held responsible.
CC to: Eliot Spalding, Director of Game and Fish
John E. Luthy, Henry D. Rogers

Mr. Rogers writes me that he has made arrangements in the attorney's office to get his papers ready. I believe I shall do the same at once.

I do not think it will be possible to have all the labor. In the first place, the number of men required will materially reduce the production of the camp and the power of camp. That will not, however, stop them from working at the present time, but it will take longer. I am warned of a little over twenty miles, and the camp is at Bolton Landing on the edge of the Camp Grounds. The Bolton camp is being used exclusively for fishing up the new state camp ground area. We probably do not have much land. There is a river bank which needs to be cleared, etc., but it is my understanding that this will be accomplished after the completion of long projects. The camp will be used the first few days in the spring to make a collection of game and produce supplies.

While I assure you that you will be very safe, I do not like the situation. However, if you like the experience, then go ahead. I am not in a position to do anything about it. I am however, in a position to do what I can to help you. I am sure there will be some difficulty in getting the necessary signatures, but I will do my best to help you.