

Enclosure (2)

June 18, 1921

C O P Y

Hon. W. G. Smith,
Alaska Territorial Treasurer,
Juneau, Alaska.

Dear Sir:

I am vice-president and attorney for the Pioneer Mining and Ditch Company operating at Nome.

Jafet Lindeberg, the former president and manager of the Pioneer Mining and Ditch Company, on August 10, 1920, after discussing with the assistant secretary and treasurer of the company, Mr. Louis Stevinson, the advisability of the action, purchased at public auction the Seward Peninsula Railroad, obtaining from the treasurer of the corporation funds to the extent of the purchase price, which he used in the purchase of the property. The expense went through the books regularly as an investment by the Company, but upon the return of Mr. Lindeberg to San Francisco in the fall of 1920, he claimed that he purchased the railroad for himself.

After formal demand upon him by the Board of Directors, an action was commenced in the Superior Court of the City and County of San Francisco, State of California, numbered 114,478, wherein the Pioneer Mining and Ditch Company, a corporation, was plaintiff and Jafet Lindeberg was defendant. I enclose a copy of the complaint in that action. I am today in receipt of Mr. Lindeberg's answer and I enclose a copy of that for your information.

An act of the Legislature of the Territory of Alaska, approved May 5, 1921, provides for the purchase of the Seward Peninsula Railroad for operation as a public tram and highway, and authorizes the payment of \$30,000.00 for the same, subject to certain conditions.

Note // In view of the litigation and the expressed approval of both Mr. Lindeberg and the company of the sale to the Territory of this railroad, I prepared a joint bill of sale to the territory and also an agreement between Mr. Lindeberg and the Pioneer Mining and Ditch Company that the bill of sale should be delivered and the money received in escrow, to be held by the escrow holder until the termination of the litigation. This agreement was submitted to Mr. Lindeberg's attorney a few weeks ago and after certain suggested corrections which were adopted by me, I returned the agreement, re-drafted, the latter part of May. I have been able to receive *Note*

no information since then from the attorney regarding the matter, other than that he has not had an opportunity of taking it up with Mr. Lindeberg.

The purpose of this letter is to advise the Territory of Alaska, yourself as Treasurer thereof, and the Board of Commissioners of that Territory and of the Federal Government of the claim by the Pioneer Mining and Ditch Company that it is the owner of this road, and that any money paid to Mr. Jafet Lindeberg or to any person for his title thereto will be paid at the risk of the Territory.

Kindly acknowledge receipt of this communication and oblige.

Yours very truly,

RHC-k

(SIGNED) R. H. Cross

C O P Y

#68840

MARSHAL'S BILL OF SALE.

KNOW ALL MEN BY THESE PRESENTS: That I, E. R. Jordan, United States Marshal in and for the Second Division, Territory of Alaska, by virtue of my office and by virtue of a public Sale by auction, duly noticed, advertised and had according to law, on the 10th day of August, 1920, under a Writ of Execution issued out of the District Court for the Territory of Alaska, Second Division, on the 30th day of July, 1920, in an action in said court entitled State Street Trust Company, a corporation, vs Maine Northwestern Development Company, a corporation, and numbered 2845 on the docket of said court, at which sale JAFET LINDBERG was the successful bidder and purchaser of all the right, title and interest of the said defendant, Maine Northwestern Development Company, in and to the personal property hereinafter specified and described, for the sum of Ten Thousand One hundred Dollars (\$10,100.00), said sum being the highest and best sum bid at said sale, and said sum having been paid by said Jafet Lindeberg to me, the said Marshal, and by me deposited in the registry of the court issuing said execution, do by these presents, in consideration of the premises, grant, bargain and sell unto said Jafet Lindeberg all of the right, title and interest of the said defendand, Maine Northwestern Development Company, a corporation, in and to the following described personal property, to-wit:

5 Locomotives, Nos. 1, 2, 3, 4, and 5.

1 Coash No. 92

1 Box Car, No. 1

1 Bunk Car, No. 109

1 Cook Car, No. 94

7 Small Flat Cars.

5 Large Flat Cars.

2 Large Roller Top Deaks.

All ties, fish plates, nuts and bolts, rails, tracks side tracks and switches, and any and all cars, all formerly belonging to the SEWARD PENINSULA RAILWAY COMPANY, and now lying on the tundra and on the right of way, that was formerly owned by said Railway Company, extending from Nome to Lane's Landing, a distance of about ninety miles north, all of said property as is, and where is, on Seward Peninsula, in the Second Division, Territory of Alaska.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 10th day of August, 1920.

(Marshal's Seal)

F. R. Jordan.

United States Marshal, Second Division, Territory of Alaska.

By. A. B. Miller Chief Deputy.

Recorded at request of G.J. Lomen, Aug. 11, 1920, at 2:40 P. M.

Hugh O'Neill

Recorder.

Enclosure (3)

UNITED STATES OF AMERICA, }
TERRITORY OF ALASKA, } ss:
CAPE NOME PRECINCT. }

I, C. W. THORNTON, United States Commissioner for the Territory of Alaska, and ex-officio Recorder of Cape Nome Recording Precinct, in the Second Judicial Division of said Territory of Alaska, do hereby certify that I have compared the preceding with a certain
MARSHAL'S BILL OF SALE

recorded in Book No. 204 at page No. 232 of the records of said Recording Precinct, and that the same is a true and correct transcript therefrom and of the whole of said instrument.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, the eleventh day of October, A. D. 1921.

C. W. Thornton,
United States Commissioner and
Ex-Officio Recorder.

STUDY OF TITLE AND RAILROAD PROPERTY
MADE BY MR. BLAKE.

Enc (4)

TABULATION

No deed to Seward Peninsula in books
from W. G. M. & T. Co., nor from Nome-Arctic R.R.

#55,466

Nome-Arctic Ry. Co.

to

Maine Northwestern Dev. Co.

All interest in and to any and all PERSONAL property
situate, lying or being in the United States of America
including the District of Alaska.

Oct. 20th, 1911

Vol. 191 P. 194-195

#58,089

Seward Peninsula Railway Co.
corp. org. under Laws of Nevada

to

May 28, 1913

Maine Northwestern Dev. Co.
corp. org. under the laws of State
of Maine

Consid. \$1.00

All of the Right of Way and rights of way of Sew. Pen. Ry. Co.
inc. its main line-branch lines-spurs-house tracks-yards,
terminals and switches.

Vol. 191 - P. 466

Aug. 10th, 1920

Marshal's Sale

Consid. \$10,000

To Jafet Lindeberg

Conveying all rails, rolling stock, fish plates, bolts,
ties, and switches.

No Taxes due on lots in Nome
Townsite at this date, Oct. 12, 1921, owners now State
Street Trust Co. by virtue of a judgment against Maine
Northwestern Development Co., July 30th, 1920.

(Except 8 lots sold to J. P. Daly at
Marshal's Sale.)

Letter from General Land Office, Washington, D. C. to
A. G. Blake, Nome, dated Aug. 25th, 1921, states that
the Seward Peninsula Railway Co. filed a map in Dist.
Land Office at Juneau, showing a constructed line of
railroad, Nome to Kuzitrin River, a dist. of 74.2 miles.
This company later filed certified copies of its
articles of incorporation and due proofs of organization.
The papers were accepted by the Dept. Feb. 18, 1910.
The maps and field notes were later returned to the
company through the Land Office at Nome for correction

and no record can be found in Washington that they were ever refiled.

Signed Wm. Sp ----
Commissioner

Act of Congress, Approved July 18, 1914

To levy and collect Income Tax on Railroads in Alaska
and for other purposes -
Tax made 1% on net and 1% on gross, of all business
and abolishing the \$100 per mile license tax per annum and
remitting all penalties for non-payment thereof.

See Second Session 1913-1914
Statutes at Large Page 517

NOME TOWNSHIP DEEDS - TO STEW. PEN. RY. CO.

Blk.	Lot	
6	25-26	Lots in red sold to
16	5-6-25	Jas. P. Daly - Marshal's
31	1-2-2-3-4-4	Sale, Sept. 14, 1920.
47	1	Deed to same from Marshal's
48	1-2-3-4-8-9-10	Office dated Oct. 11th,
49	1-2-3-4-5-6-12	1921.
50	6	
51	21	
60	10-11-12	
62		
63	2-3-4-5-6	
64	1	
65	43	
66	3-35	
67	18-19-30-31-33-35- 36-37-38-39-40-41-42-44	
91	18-21-22-23-24	
92	7-8-9-10	
98	6-7	
104	5-7-8	
132	4-8-9	

The deed to Deer Park, in books
from W. B. M. + Co., in firm Mine-Artic R.R.

Mine-Artic R.R. Co.

Mine-Artic R.R. Co.

All interest in and to any of all PERSONAL property
located, lying or being in the United States of America in which
the interest of the said
the interest of the said
the interest of the said

Oct. 20-1911

(no mention of any parties)

Vol. 191 P. 194-195

#58089
General Partnership Railroad Co.

corp. org. under laws of Nevada

Date May 28-1913

Mine-Artic R.R. Development Co.

corp. org. under the laws of State of Maine

Cancel 100

all of the Right of Way, together with
we. the main line - branch line -
gards, terminals, roads

Vol. 191 - P. 466

Mine-Artic R.R. Co.
to
Paper Land Company

Aug. 10-1920

Aug. 10-1920
Company all main, branch, yard, track, pole lines
with fees + conditions. (NO REALTY) 00318

The same due on Feb. 12-1920

Terminals - at the above date, 12-1920

Company must state about 2nd Co. by

order of a judgment against Mine-Artic R.R. Co.
with development Co. July 30th 1920

(except 8 lots sold to J.P. Kelly at
Merrill's sale.)

Letter from General Land Office, Wash D.C.
to A.G. Blake - Home ^{dated} Aug. 25th - 1921

States that the Seward Perimeter
Railway Co. filed a map in Dist. Land
Office at Nome, showing a constructed
line of railroad from the Kusituk River
a dist. of 74.2 miles.

The company later filed certified copies
of its articles of incorporation & due
books of organization.

The papers were accepted by the Dept.
Feb. 18 - 1910

The maps & field notes were later ^{returned} to the
company - thro. the Land Office at Nome,
for correction & no record can be found
in Wash. that they were ever refiled.

signed Wm. Sp.
Commissioner

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tax per annum & remitting all penalties for
non payment thereof.

See second session 1913-1914

Statutes at Large Page 517

NOME TOWNSITE DEEDS - TO SEW. PEN. RY. CO.

Blk.	Lot	
6	(25) (26)	Lots inc. in red, sold to
16	(5) (6) (25)	Jas. P. Daly - Marshal's Sale
31	1 - (2-2) - (3) - (4-4)	Sept 14 - 1920
47	1	Deed to come from Marshal's Office
48	1-2-3-4-8-9-10	Anted Oct. 11 th 1921
49	1-2-3-4-5-6-12	
50	6	
51	21	
60	10-11-12	
62		
63	2-3-4-5-6	
64	1-	
65	43	
66	3-35	
67	18-19-30-31-33-35- 36-37-38-39-40-41- 42-44	
91	18-21-22-23-24	
92	7-8-9-10	
98	6-7	
104	5-7-8	
132	4-8-9	

69 lots

ENCLOSURE No. 5.



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132	4-8-9	

COPY

National Archives and Records Administration
Pacific Alaska Region
654 West 3rd Avenue
Anchorage, Alaska 99501-2145

Record Group No. 8630

Box No. / Location Box 39 10/05/11(6)

Additional Information Program Planning

Research Corresp. - Igroa, Ak: 1905-1959

File: 13/146-1, 13/146-3 thru

13/146-6, 13/146-10