

CIVILIAN CONSERVATION CORPS

OFFICE OF THE DIRECTOR

WASHINGTON, D. C.

Fallon, Nevada
November 5, 1939

FILE REFERENCE:

Ken (FWS)

Mr. J. J. McEntee, Assistant Director
Civilian Conservation Corps
New Post Office Building
Washington, D.C.

Five Enrollee Deaths - Sage Brush
Fire - Oroveda, Nevada
July 28, 1939

Dear Mr. McEntee:

Reference is made to Mr. Kenlan's letter of instructions, dated September 22, 1939, with regard to an investigation and independent report in connection with the above mentioned subject.

Mr. Kenlan recommended brevity. I am sorry, but this has not seemed possible in view of developments, and, as otherwise, the report might appear ambiguous in character. Also, I have had in mind that my report must "stand-up" against, among others, those of expert technicians and officials of the U. S. Forest Department.

Throughout the report, insofar as possible, I have tried not to repeat any of the events, statements, descriptions, or general information pertaining to the fire, or rescue work, as contained in the officially written reports of the Forest Service and Army. Instead, I have tried to confine the report to answering the questions propounded by Mr. Landerdale by submitting data obtained by me, as well as to paragraphically submit such other data as might be of value or interest to all those concerned, and which may not have appeared in the official Forest Service and Army reports. Also, some statements in the same category are enclosed.

As it is, I still have notes containing much detail, and unreported information, the latter being rather irrelative to the main subject. These are being retained in event it might be found necessary to propound future questions.

The investigation revealed that the report of the Forest Service is most expert and accurate in the subjects covered.

From October 2 to October 14, was engaged in the investigation, but two-regular camp inspections were made during this time. Various difficulties were encountered, including inclement weather part of the time. Many enrollees who participated had returned east for discharge, recollections of some principals had grown "cold," or vague, much travel was necessary to contact principals at widely separated and distant points, and a few important principals either were not immediately available, or not available at all during the course of the investigation. Officials

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FOR FOLLOW UP REPORT
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at Ninth Corps Area headquarters, Presidio of San Francisco, California, and at Sacramento District headquarters, Sacramento, California, were contacted, but their knowledge in the premises was relatively superficial and unimportant. Important help was received at regional headquarters of the Grazing Service, Reno, Nevada, as two of its camps (and Camp G-126, belonging to another grazing district) did both fire and rescue work. Also, T. W. Miller, Improvement Supervisor, CCC, investigated at the scene of fire, but after cessation of the fire itself.

Forest Service and Army reports referred to in Mr. Kenlan's letter of September 22nd are being returned under separate cover and registered.

After a study of Mr. Kenlan's questions, I believe they will be covered in the following answers to the questions propounded by Mr. Landerdale in his memorandum of September 20, 1939.

Question 1. How much time was taken to arrive at the fire after the Camp was notified?

A. Approximately 2 hours and 50 minutes to point where truck with Timmon's crew was vacated. Entire crew then had slow travel in walking about one-half to one mile up a slight grade, along Rock Creek where the crew was divided. Tippin's crew still had one mountain ridge to climb, descend into a canyon, and then climb another ridge before it could reach what seemed the vantage point to start fighting the fire. It is difficult to estimate the time required for this. Dense and obscuring smoke however prevented seeing flames in the particular burning section of the fire area the crew was seeking until it reached the point on the second ridge where Tippin gave his "pep" talk, according to survivors of Tippin's crew who still are in Paradise Camp. All this took time. The crew never reached a point near enough to actually start combatting the flames. Timmon's crew, after separating from the other, also had some distance up grade to go before reaching the prospective edge of the fire point selected for fighting. They also had to flee when a violent wind changed the course of the fire. Later however Timmon's crew fought the fire from a point higher in the mountains.

B. Telephone Company records show Mr. Studebaker put in his call to Ranger Travis' home and station at 11:28 A.M. Mrs. Travis, in the absence of her husband, sent her twelve year old son, Paul, Jr., to Camp with the message concerning the fire. The Camp log (Enclosure No. 1) sets forth that L. M. Malsbury, Clerk for the technical agency, received the message from Junior Travis at 11:40 A.M. I do not know just what is meant by Clerk Malsbury's entry, "12:15 First Call." (Malsbury was discharged recently and his last known address is c/o Ethel Pearl Henids, General Delivery, Billings, Montana.) Malsbury in his testimony states he gave the message to Camp Mechanic W. V. Timmons at 12:20 P.M. Foreman Timmons in his testimony fixes the time at 12:30 P.M. Departure from Camp has been estimated at between 12:45 and 1:00 P.M.

Arrival at point where truck could no longer climb the trail, and where foot climbing commenced has been fixed at 2:30 (11:40 A.M. to 2:30 P.M. - 2 hours and fifty minutes) In connection with camp departure however, Lieut. Gerald W. Ford, who was acting Commander of the Camp, testified it was about 1:00 P.M. when the truck departed for the fire, whereas Foreman Timmons fixes the time at 12:45 P.M. at one time and between 12:45 and 1:00 P.M. in other testimony. (Lieut. Ford is no longer in service, I am attempting to procure his home address.)

Question No. 2. Why was Camp Mechanic Timmons not notified earlier, after the Camp was called regarding the fire, even though he was at lunch only two blocks away?

A. Only L. M. Malsbury, former Clerk can answer this question, and as stated before, he is, or was in Billings, Montana. My questioning of various individuals developed nothing, except a few conjectures. Supervisor Alexander McQueen of Toiyabe National Forest, said it probably was lack of judgment on Malsbury's part; and lack of understanding Forest Service instruction in connection with fire calls. (More later with regard to this phase of the situation.) Also, Mr. McQueen said it was one of the problems involved in necessarily having youthful enrollees assume responsibilities.

B. Foreman, or Mechanic Timmons, told me that in any event he would have finished lunch before starting for the fire, as it has been accepted practice by all in this Nevada area to eat first in event sage brush fire alarms were received close to a meal time. Others said the same thing, but as later remarks will reveal, this is disputed by the Forest Supervisor.

Question No. 3. When were the other foremen notified of the fire. What action did they take?

A. A fact that does not seem to appear in records of testimony in that John C. Abegglen, Carpenter foreman, was in Camp all day of July 28th, except for the time he took to go home for lunch, and until he went out about 5 P.M. with the first relief crew, and this statement, I realize, apparently is not in accord with that of Mr. W. B. Rice, Associate Regional Forester, when he states on page 8 of his "Foreword" that "Camp Mechanic Timmons who was the only one of the work agency overhead in Camp, Etc." Mr. Abegglen at the time of one of my original interviews remarked, in substance, that when he returned from lunch at his home about three blocks away he helped Mechanic Timmons load the first crew for the fire. He said Timmons automatically took charge of the fire situation because he arrived in Camp first, from lunch. He said nothing had been said between Timmons and himself with regard to any fire fighting procedure for the day, except Timmons remarked, "Don't be too late with my relief." That this fact apparently had not been brought out in testimony did not occur to me until later in Winnemucca, forty odd miles distant. I made a special trip afterwards to Camp F-5 for further details and confirmative statements. Mr. Abegglen was questioned in the presence of Superintendent Hardy, alone, and also in the presence of Mechanic Timmons. None evaded the fact that Mr. Abegglen was in Camp all day, except for his lunch period at home, and until he left after supper with the relief

crew. In one part of the testimony, reference is made to six enrollees being taken from Foreman Abegglen's Camp crew. In another to "after Foreman Abegglen returned to Camp," and this does not refer to the lunch hour period, I believe. In another section of testimony it is stated that Foreman Abegglen has been experienced in fighting fires since 1907.

B. Samuel C. Worthington, Junior Foreman, left with his relief crew at about the same time as did Foreman Abegglen with his crew. Mr. Worthington fixes the time of Camp departure at about 5 P.M., as does Mr. Abegglen. Mr. Worthington's first advice concerning the fire was when he returned from field work, which normally would be about 4 P.M. Superintendent Hardy told him to eat supper first, he testified, the regular hour of which had been advanced about a half hour.

C. Foremen C. A. Nelson and Charles Keller, on duty at the spike camp were instructed about 11 P.M., July 28th, by Superintendent Hardy to take crews to the fire, the latter having been instructed to do this by Ranger Travis. The crews departed soon afterwards.

Question No. 4. When was the superintendent notified, even though he was at a side camp?

A. First that W. A. Hardy, Superintendent, knew of fire, he says, was when he returned from the side camp to the main camp about 3 P.M.

B. On his arrival at the parent camp he was told Mrs. Studebaker had sent in an emergency call to the camp.

C. About 3:30 P.M., Mr. Studebaker sent in another emergency call, saying the fire had extended into the valley, and near the highway.

D. Foreman Abegglen was not sent out with crew, and that of Foreman Worthington until 5 P.M., or afterwards after supper had been advanced about a half hour.

E. About 11 P.M., Ranger Travis instructed Superintendent Hardy to get crews from the side camp as enrollees were missing. As near as can be determined the fire then was almost burned out, or so greatly diminished the search for missing enrollees was possible.

F. What is used for a ranger station in that section of the forest is from one-quarter to one-half mile distant from the side camp. It has a telephone, but the side camp has none. The ranger station is not always occupied. If it is occupied and a telephone message received for the side camp, the message is conveyed by some one in person. Superintendent Hardy told me he did not attempt to contact the ranger station during the afternoon, after his arrival at the parent camp.

Question No. 5. What regulation or system of fire fighting had been instigated by both camp and forest service?

A. Under date of April 4, 1939, the regional office of the Forest Service (Region 4) issued instructions to forest supervisor, state forester, rangers and Camp Superintendents. Copies of these instructions were issued to camp superintendents by the Toiyabe National Forest headquarters under date of April 10, 1939. Copies of these communications are enclosed herewith. (Enclosure No. 2).

B. A fire school was held at Camp Paradise, F-5, Nevada, on May 25, 1939. Mr. C. J. Anderson, Administration Assistant, Toiyabe National Forest, attended the school. Considering him the best qualified, especially in the absence of Ranger Travis, I asked him for a statement of the fire school procedure on May 25th. His statement is enclosed herewith. (Enclosure No. 3.)

C. Minutes of a regular company meeting held on May 4, 1939 show that Foreman Nelson spoke to enrollees on forest fires. Copy of said minutes is enclosed herewith. (Enclosure No. 4) None other could be found with regard to fire safety lectures for the period January 1 to July 28, 1939.

D. Superintendent Hardy was not at Camp when the fire school was held on May 25th. Foreman Jack Abegglen was acting Superintendent. Foreman Abegglen did not comply with instructions contained in regional headquarters general letter of April 4, 1939. (Enclosure No. 2), relative to having a record showing the time, nature and extent of fire fighting training, and the signing by enrollees of a attesting they had received training. The same letter of instructions required that fire crews be selected from an eligible list which had been established by the roster, and certification that training had been given. There was no roster from which to select eligible fire crews and there was no certification of fire training at the time of the fire. Superintendent Hardy, in a memorandum to the Forest Supervisor, dated September 18, 1939, copy of which is enclosed herewith, states he neglected to instruct Foreman Abegglen in the premises, nor to follow-up requirements himself, and therefore took full blame for omissions. (Enclosure No. 5).

E. The regional instructions of April 4th (Enclosure No. 2) also required that fire training be extended to all CCC work agencies in Grazing, SCS Camps, Etc. Forest service personnel conducted the training at Paradise Camp, F-5, but none was given by Forestry personnel at the three other Camps involved in the Crovada fire, namely, DG-120, DG-35 and DG-126, according to information handed to me. It was said that unusually early forest fires prevented the training plane intended by the Forest Service.

F. Mr. Anderson, Administration Assistant, Toiyabe National Forest, in his written statement of October 11, 1939 (Enclosure No. 3) sets forth that lectures to enrollees as a whole lasted from 8 A.M. to 10 A.M., after which a fire was started in a vacant field in order to demonstrate actual fire fighting methods, and that the demonstration ended at about 11 A.M.

Enrollees whom I interviewed were indefinite in time fixing, but all said, in effect, "sometime in the morning." Their estimates varied. Captain Seitz, Company Commander, said it was his recollection that both the lectures and demonstrations were over about 10 A.M., and that he used the enrollees, who had been held in Camp for fire school, the remainder of the day in cleaning up and scrubbing barracks. Enrollees had mentioned they did this work after the fire school, and I had sought verification from Captain Seitz.

G. I asked all members of both Mechanic Timmon's and former Enrollee Tippin's crews, who are still on duty at Paradise Camp, what had been the nature of lectures at the fire school on May 25th. Their answers, despite my urging to concentrate on remembering, were indefinite and non-enlightening, except all remembered there had been talk and warnings of "changeable winds in Nevada." Personally, I wonder if the rather keen memories with regard to this advice may not be attributable to the fact that the five casualties came about through a sudden and violent change in wind direction, and that psychology in some respects might be a factor. The actual fire fighting demonstration, it seemed generally agreed, was with weeds on a space on, or almost on the camp grounds. A number of enrollees said they received more enlightening experience in a small but ho sage brush fire that occurred adjacent to the camp site, before the Orovada fire, and after the fire training. This fire is referred to as the "Cottonwood" fire. However, the "Cottonwood" fire was fought in large part with water bucket brigades, which method is not characteristic or possible at brush fires in isolated areas. Water was available at camp, in the case of the cottonwood fire.

H. Superintendent Hardy stated to me as follows: "There have been 30 to 35 sage brush fires during his superintendency at Camp F-5. Has never gone to any of these fires, but instead has remained in camp acting as dispatcher and answering telephone calls. Considered himself more valuable in such capacities and instructions indicated such procedure. Custom in area to eat meal before crews proceeded on fire, if near meal time, as many fires comparatively inconsequential in nature, or false alarms. (Foreman Timmons and Abegglen in Superintendent Hardy's presence, confirmed this.) Instructions said the foreman should take charge as fire boss in absence of forest ranger. (Admitted that in such eventuality he, the superintendent, was under orders from "The foreman" acting as fire boss.) Was told by Ranger Travis, and Supervisor McQueen, Toiyabe National Forest, to remain in camp when the fire at Orovada was in process July 28th. Did not call side camp to send crews to fire after emergency calls from Studebakers in Orovada, nor send Foreman Abegglen, who was in camp all day, except at lunch hour, to scene of fire, until about 5 P.M. Orders for sending side camp crews to fire not issued until instructions received from Ranger Travis about 11 P.M. Talked over long distance telephone with Forest Supervisor McQueen and did not receive instructions to go to fire. Fire, at start, considered to be one ordinary in character. In no event, would have acted other than he did, without instructions from higher authority. Should be a central procedure in fire fighting."

In an interview with Forest Supervisor McQueen, at Reno, he stated as follows: "Not forest service practice to delay response to fires for eating meals, but to answer call immediately with food to follow, if necessary. Usual practice in case of a prolonged fire in this area is to send enrollee crews back to camp for hot food and rest, and the use of relief crews to permit such procedure. Superintendent Hardy never told to go out on fires, as it was suspected

that he did not feel experienced enough to do so, and seemed to feel he was more valuable in the camp office, acting as dispatcher, etc. One of the problems connected with political appointees, he said. Normally, Camp Superintendent would act as fire boss in absence of forest ranger. This fire upset all traditions, practices, and customary fire fighting of sage brush fires. First he knew that Foreman Abegglen had been in Camp all day was my report, and surprised. Fire training of enrollees in post obviously has not been thorough enough. Doubtless there was lack of "fire boss" supervision on fire, for various reasons, the most of which can be attributed to the history of past fires in the area. The Orovada fire, because of the violent change in wind, which swept the fire down hill, was an "Act of God." More thorough training of enrollees in special schools and at camp safety meetings would be desirable."

Question 6. Was it possible for the crew to have arrived at the fire thirty minutes earlier than they did?

A. Yes.

B. First fire call by Mr. Studebaker to Mrs. Travis, wife of the forest ranger, was recorded by the Winnemucca telephone company exchange at 11:28 A.M. Mrs. Travis sent the message to Forest Service Clerk Malsbury within twelve minutes. He gave the message to Mechanic Timmons about 12:20 P.M., when the latter returned from lunch at his home, two blocks away from camp. The fire crew did not depart from camp until between 12:45 and 1 P.M. Mechanic Timmons, in charge of the crew, and driving the truck because there was not a truck driver available, could not speed the truck beyond 30 miles per hour, because of truck governor setting.

C. Mrs. Travis, wife of the forest ranger, having in mind that a fire crew in a fairly recent fire had become lost in proceeding to the fire, asked in effect, "Will they know how to get to the fire?" Mr. Studebaker, at Orovada, replied to have the crew stop at his store for directions. Clerk Malsbury admitted receiving these instructions from Mrs. Travis' young son, but Mechanic Timmons said he does not recall any such messages. Accordingly, he chose his own direction to the fire, after passing Studebaker's store.

On the other hand, Studebaker admits he should have stationed a man on the road to the fire for giving of directions to the camp's fire crew. He said he thought of this after he and his associates had left the highway to proceed up "Antelope Creek" to the fire, but did not send anyone back. However, he said, if Mechanic Timmons and his crew had stopped at his store and made inquiries of Mrs. Studebaker, they would have been told of the direction he and his associates had taken to the fire. (It seems agreed that no casualties would have happened had Timmons and his crew approached the fire along Antelope Creek instead of Rock Creek, but no blame is placed against Timmons, as he chose his point of strategical attack after seeing the fire in the hills while he was on the highway, and before the fire started down hill, and other fire authorities have said they would have proceeded likewise.)

D. In connection with the time element, Studebaker and the ranchers who were first to start fighting the fire, did not proceed until after they had lunch. Studebaker also said it was the custom to eat first, if near a meal time, before proceeding to a fire, as usually only sage brush, feeding grass, and protection of water sheds were involved.

E. Mr. Studebaker said that when he and his associates arrived at the fire a comparative small acreage was burning. He said, in response to an inquiry, that he could have put out the fire in its early stages if he and his fellow workers had not stopped to eat lunch, and if he had had the assistance of ten or twelve more men.

Question 7. What caused the inaccurate check of the number of enrollees to be sent to the fire?

A. No satisfactory explanation has been obtained by anyone, or seems obtainable.

B. Mechanic Timmons says he had Clerk Malsbury obtain a roster, in which he assisted. However, he says, he may have neglected to call attention to former Enrollee Tibbins name, as the latter was sitting beside him on the seat of the truck. It has been impossible to trace any such roster. Supervisor McQueen said he thinks it must have been thrown away.

C. Enrollee Bland says he may have been included in the roster made at the camp when the crew was assembled, and that afterwards he was sent to the ranger station to assemble tools, and therefore been accounted for again. This does not seem feasible, as ultimately 24 men were established to have been in Mechanic Timmon's ultimate crew that went to the fire.

D. It seems more likely that two enrollees slipped into the crew at the ranger's tool loading station after the count of 22 in camp. This could probably be established by Clerk Malsbury's roster, as made at the camp. No such file is available at camp. As stated before, Clerk Malsbury left camp for Billings, Montana.

E. Mechanic Timmons said he necessarily was driving the truck, and does not know who got onto the truck when the stop was made at the ranger's station for tools.

F. Enrollees on the truck, who remain in camp, were questioned closely and it is believed adroitly, but they said as a unit "they didn't know who got on." It is thought that two enrollees may have surreptitiously boarded the fire truck at the ranger station, and that other enrollees believe the revealing of their identities might result in censure or punishment for the former. Second Corps enrollees have a reputation for being loyal to each other.

Question No. 8. Had this camp received the new fire fighting regulations covering the use of enrollees under eighteen years of age?

A. A careful check at the sources of the Toiyabe National Forest headquarters, District Army headquarters, and the four camps involved in the fire, discloses that none received the new fire fighting regulations until subsequent to the Orovada fire of July 28, 1939.

Question No. 9. Was it unusual for this fire to travel down hill or is it the common occurrence of sage brush?

A. Absolutely unusual, at least in more than a moderate and non-jeopardizing degree. Fire of such character is said never to have been known before in Nevada. There is no record of such in Nevada history, nor of fatalities in connection with sage brush fires.

Question No. 10. Was a thunder cloud over this particular area which might have caused the wind to blow down hill?

A. I made inquiries from many sources with regard to this question. None said they were qualified to answer, for one reason and another, Except Mr. Studebaker, Orovada, who having the store and post office there, said he had been observing weather elements and conditions for the past two years. He said the thundercloud doubtless was responsible for the unusual forceful change of wind. Higherto, he said, thunderclouds had broken themselves, or their force, before reaching the peak of the mountain range on the east side and opposite where the fire seemed to have had its incipiency.

✓ Question No. 11. What particular experience did Mechanic Timmons have in fighting fires of this particular nature?

A. Timmons told me he had had experience on ten or eleven fires, and in charge of crews on all but the first two fires, when he was in charge of fire fighting directions.

Question No. 12. How many enrollees had more than one day of training in fire fighting?

A. As near as can be ascertained (see chart herewith - Enclosure No.6) which was drafted from inquiries and investigation, the following figures seem likely as applicable to Timmons' crew. From those still remaining in camp at present, 7 said they attended fire school on May 25th; 2 may have attended this school on May 25th and also had other training (Tippin and Sadowski); and the remaining 15 received training on May 25th, at least. It is impossible to give accurate data in this respect because the Acting Superintendent did not make a record of the fire school attendance on May 25th, and the impossibility of contacting enrollees from this point, who have been discharged since the fire date, as well as taking into consideration those who met death.

B. Official testimony would indicate some truck drivers did not attend the fire school on May 25th due to having been sent to Winnemucca by Acting Superintendent Abegglen. Copy of statement by Enrollee Aubrey E. Allen, contradicts this testimony. (Enclosure No. 7)

Question No. 13. What does the training consist of among enrollees?

A. I believe this question is covered as fully as possible in the answers to questions 5 and 8.

General Remarks.

1. Orovada is not a town. It consists of a general store operated by Mr. Studebaker, who has a wife and child. The store also is the post office for the ranch area. To one side of the store are six cabins, owned by Mr. Studebaker, and occupied mostly by employees (and their families) who are employed at a State highway maintenance station located across the highway from the Studebaker site. There is a district school located about 200 yards behind the store to which pupils are sent daily from the surrounding territory. That practically comprises Orovada, except for roving Indians who occasionally set up tents temporarily near the store. The next nearest habitation is the Gobi~~e~~a ranch, a mile or more away from the Studebaker store.

2. Horace Smith, Editor of the "Humboldt Star," Winnemucca, Nevada, was interviewed. A copy of the Humboldt Star, issued just after the fire casualties is enclosed herewith. (Enclosure No. 8) Mr. Smith said he believed that only a comparative few citizens and officials from Winnemucca went to the fire. About five of these criticized fire direction and operations, but that he believed such were based largely on rumors. He said about 800 or more ranchers, their families, and ranch hands and families, ultimately gathered at the fire scene. Many were critical of operations but few attempted to help in any way. His opinion was there was general disorganization and lack of direction, but that enrollees did a fine job. Ranger Travis, he said, seemed to have gone at first into the burning area of the hills, leaving continued lack of direction for some time. Articles in his newspaper, which may have been criticizing in nature, were based on "first rumors," he said. Also, he said, he had heard remarks made anent "everything been left to the CCC."

Sheriff Erling Prouty, of Humboldt County, with headquarters in Winnemucca, Nevada, was interviewed. He seemed very cautious in his remarks. He said he and his deputy, Jack Dunviver, went to the fire at night, soon after first hearing of it. They, and a few others, went four miles up into the hills from where they could leave their car, he said, and put out the last fire "drag," about five o'clock in the morning of July 29th. In effect, he said further: No criticisms at any scene of the fire, but had heard wonder expressed as to where enrollees were, and what had happened to them. There was much commotion on the highway. Heard praise since for enrollees' conduct and efforts. Whole affair an "Act of God." Would have been no casualties if Enrollee Kennedy had not broken ankle, and other enrollees delayed to help him. Believes some local people helped in fighting fire. Saw CCC trucks "chugging" by. Wondered why governors on trucks couldn't be "released" in case of fire.

Sheriff Prouty said further: A law passed many years ago in Nevada names County Sheriffs as fire wardens, to draft fire fighters and direct fires. This was before establishment of the CCC, Graying Service, and the

Forest Service in its present advanced stage. While there has not been any revision or amendment of laws, Sheriff Prouty said he believes forest rangers and the like should supersede the ancient authority conferred upon Sheriffs, and that he would always act according to such personal opinion.

The crew from the Paradise Mountain Creek Spike Camp stopped at the parent camp on its return from the fire scene. The following Monday enrollees were given the day off because of their work at the fire scene. The next day, Tuesday, enrollees refused to go on the work job. Captain Seitz, Company Commander, went to the spike camp to ascertain the trouble. Enrollees were reluctant to talk, he said, but ultimately he learned that the enrollees were resentful because when they stopped at the parent camp, when returning from the fire scene, Superintendent Hardy had asked "did you lose any tools," and did not make any inquiries as to the fate of their comrades. The enrollees returned to work the next day.

According to Dr. Grover, Camp Surgeon, F-5, there were indications of suffocation in the cases of Tippin and Kennedy, as well as burns. Sage brush fires are "hot" and oxygen can be depleted rapidly on fire edges, he said.

Lieut. Ford, Camp F-5, in his testimony states that Superintendent Hardy told him "it was his (Lt. Ford's) duty to look for bodies, meaning, of course, an Army function.)"

I mentioned this to Supervisor McQueen, of Toiyabe National Forest. He said that obviously it was everybody's duty to search for bodies, do rescue work and the like, but that directly it was a technical service responsibility and that Superintendent Hardy was wrong in his opinion, as expressed to Lieut. Ford.

Dr. Grover, Camp Surgeon, F-5, said the bodies of Tippin, James and Barker were found only 20 or 30 feet below the summit of the hill above Rock Creek. In a comparative few more seconds they could have reached safety, he said. Enrollee Powers had escaped shortly before over the same stretch of summit, and Enrollee Vitale could have also, had he followed Powers down the Rock Creek bed, instead of continuing a rather straight course, and ascended another hill, where the fire caught up with him.

Inquiries as to what could be saved of value brought forth the following: Sage brush, considered a watershed protection, and which will not resume growth for fifteen years, or more; watershed protection where some fatalities occurred, consisted of regular water supply to the Gobica ranch, and decided irrigation possibilities in the spring to the Gobica ranch, and one other; sparse grass feed that outcrops with sage brush. I was told that under the system of stock ranging in this area, "grass feed" was not considered as much of a problem, as the availability of water.

At various sources, it was estimated that a crowd of more than 800, consisting of ranchers and their families, itinerant ranch hands and their families, and spectators from various walks of life gathered to view the fire and rescue work. It seems generally deplored, and resented, by others at the scene, including enrollees, that this crowd merely "milled" along the highway, particularly in the vicinity of Studebaker's store, without attempting aid in

suppressing the fire, or rescue work, except a few who helped at the Gobica ranch. It was remarked by many that the general attitude seemed to be "Why risk our lives for nothing of value - let the CCC do it - that is what they are being paid for."

Ranger Paul Travis could not be interviewed as he was away from his local duties until about October 16th. Mrs. Travis however was interviewed, as she received the original notice of the fire. She said her husband had remarked to her that had he gone to the fire at the same time as did Mechanic Timmons he would have taken the same trail as did Timmons, and not the one taken by Studebaker and his associates.

Mechanic Timmons said that just before leaving for the fire he asked Clerk Malsbury whether he, the latter, was right about general directions. He said he does not recall Malsbury saying anything about stopping at Studebakers for directions.

When he arrived, Mechanic Timmons said, the burning area was from 25 to 30 acres. Others have estimated it at as much as 40 acres.

Mechanic Timmons said he had attended three fire schools in the post, and Foreman Abegglen said he had attended two schools.

Superintendent Hardy said the only written fire instructions he had ever received were general bulletins from the U.S. Forest Departments which were distributed throughout the country. Camp F-5 did not have a file for strictly fire bulletins and data.

Mrs. Travis, wife of Ranger Travis, said when Mr. Studebaker notified her of the fire, he remarked that a strong wind was blowing. Mechanic Timmons said there was only a light wind when he arrived at the fire.

Superintendent Hardy said it was 9 o'clock at night (July 28) before he knew anything unusual had happened at the fire. Ranger Travis telephoned then, he said.

Additional Statements by Mr. Studebaker.

"Saw the thundercloud, while fighting fire, that caused the change in wind. Common for thunderclouds to change course of wind, but not from the east. Prevailing wind is from the southwest, but changes frequently, except from the east, account of high mountain range. First thundercloud of its kind he had seen during the two years he has been at Orovada.

"No question there was an awful muddle until Ranger Travis got there, and even then confusion continued, as enrollees, trucks and spectators were scattered over the highway, with no one to direct operations. (Ranger Travis went into hills at first, according to testimony.) Each camp crew as it arrived initiated its own movements. Central direction undoubtedly would have helped.

"Several citizens on fire scene only assisted when winds changed north and ranch property was threatened, and flames were approaching the highway.

"He (Studebaker) and his associates, protected their retreat when they first went to the fire by locating bare spots and walking on ridges.

"If he had been in charge of original fire crew (Timmons') he would have taken it up Antelope Creek, instead of Rock Creek.

"Most likely fire could have been controlled if Timmons' crew had arrived a half hour earlier, or if he (Studebaker) and his associates had not stopped to eat lunch first, a matter of about 45 minutes, provided he had had about a dozen more men with him.

"Would not have attempted to fight the fire if ultimate developments had been suspected. Instead, would have let the fire burn itself out, despite some erosion and range feed destruction possibilities. Would merely have put men on ranch and highway protection. Thought at first it was just another "sheep herders' fire."

"A crowd of 200 or 300 men, women and children were setting and walking about his store, but not doing anything beneficial in connection with fire fighting, or rescue work."

Mr. Studebaker had constructive ideas with regard to possible future fire eventualities, but these are not being made a part of this report.

In connection with time involved: When I made a regular camp inspection in connection with the fire investigation, I reached the technical utility area between 11:30 and noon. Utility buildings were more or less deserted, and Superintendent Hardy, who accompanied me had difficulty in obtaining access to some buildings, and some buildings were not entered at all. Mr. Hardy said "they must be at lunch." The Company Commander said the noon lunch meal time was "12 o'clock." However, four lunches I had at camp seemed to be earlier. My inquiries brought forth the remarks, "The cook's clock must be fast."

Statements by Merwyn H. Brown, District Attorney, Humboldt County, Nevada, who helped conduct the Coroner's and who was interviewed, can be epitomized into the following: "More speed, action and direction needed at fires in this area."

Another time factor mentioned by several was that the three camps other than F-5 probably would have been called to the fire earlier had there been a fire boss during the early stages of the fire. (See last question and answer on Page 4 of the testimony given by Mr. Roy Headley, Chief of the Division of Forest Fire Control, in the Army board proceedings.)

Ernest A. Brown, District Attorney, Washoe County, with headquarters in Reno, Nevada, said the State law did not require a County Sheriff to fight fires, but to investigate and help in matters of casualties, searches and rescues.

John E. Whitacre, foreman, Camp G-120, Winnemucca, who was Acting Superintendent when I made a regular inspection of the camp, and who had a crew at the fire, said that none of the foremen at the camp had had fire training, as all were comparatively new in service, the longest being in for one year in that capacity. He said he could not find a fire boss when he arrived at the fire, and asked the Chaplain for directions. Flashlights owned by himself and the Sheriff were all he observed, he said, although there may have been others. He said he thought whistles would be a valuable part of fire fighting equipment.

Additional Statements by Alexander McQueen, Supervisor,
Toiyabe National Forest, Reno, Nevada.

"First notification he had of fire was about 3 P.M., July 28, 1939. The next call was late at night after it became known there were casualties.

"Not practice, nor prescribed, that meals at any time shall be eaten before responding to a fire call, irrespective of what others say. 'Get onto it,' is the policy."

"No regulations were broken, but poor judgment and execution was displayed."

"Sad thing that such dependence had to be placed in boys, but Malsbury in this case was the best available." (Mr. McQueen was referring to fact that Clerk Malsbury was the only member of the technical agency in camp to handle the responsibility of the fire call, until Mechanic Timmons and Foreman Abegglen returned from their respective lunches at home.)

"It was evident at the scene of this fire, and at others, that there has been a growing tendency on the part of ranchers, etc., to pass the responsibilities of fire fighting to the CCC."

"Important that undesirables be eliminated from fire crews."

"Has issued instructions that hereafter in event of fire calls to Camp F-5, that only volunteers be allowed on crews."

"Heard no criticisms relative to any phase of the fire fighting and subsequent procedure, except a few persons in Winnemucca had remarked on the activities of Chaplain Ehlinger. However, had heard talk, in effect, 'Better to burn up the whole unpopulated area of the County than to risk the lives of CCC boys.'"

"New instructions with regard to age limit of enrollees who could be used on fires, etc., was mailed to his office from the regional office at Ogden, Utah, under date of August 9, 1939, which was subsequent to the fire."

"No forest department personnel was sent this year to Grazing Service camps involved in the fire for the conducting of fire training schools."

"County Sheriffs only take charge of fires where taxable property is endangered."

"Trucks are needed for fire stand-by in camps, these to be equipped with all necessary tools. Fires are fast, and stand-by trucks would permit a faster getaway. Such trucks in the past have been requested of the CCC, but without result."

"Need Mattocks and shovels for fire purposes. Only cache of tools seems to have been at Studebaker's store, where there was about a dozen shovels."

Note: An officer, (Chaplain Ehinger) at the scene of fire, said that judging from the first crew only about 50 per cent of the enrollees were equipped with necessary tools. Statements in Enclosure No. 9 would indicate otherwise. The same officer said that a foreman from Camp F-5 who was in charge of the first crew to start seeking missing enrollees, while the fire was still burning in places, made 12 boys stay behind because they did not have tools.

Note: A few subsequent enclosures make mention of tools.

Through meetings of superintendents in charge of the one forest service camp and by other means, a coordinated and cooperative plan was drafted in August, and many of features already have been adopted, and others are awaiting approval of higher authorities. The plan, or plans, most likely has reached the Director, or will reach him, through regular channels. Space in this report therefore will not be devoted to the subject. However, tentative plans, are recited in a memorandum to Supervisor McQueen, enclosed herewith. (Enclosure No. 10) Also, an actual certificate issued to an enrollee after the fireschool in August, 1939, as a result of the plans underway, is enclosed herewith. (Enclosure No. 11.)

Additional enclosures which have not hereto been enumerated, and which may contain features not appearing in the Forest Service or Army official reports, are as follows:

Enclosure No. 12: Memorandum letter from Thos. W. Miller, Improvement Supervisor, CCC, Grazing Service.

Enclosure No. 13: Statement, or affidavit made by Chaplain Vincent X. Ehinger before Grazing Service officials.

Enclosure No. 14: Statement by Robert J. Agee, Superintendent, Quinn River Camp, G-85, Winnemucca, Nevada.

Enclosure No. 15: Statement by Captain Harry Hickiman, Commander, Quinn River Camp, G-85, Winnemucca, Nevada.

Enclosure No. 16: Copy of bulletin issued by Forest Service Regional Office, Ogden, Utah (Region 4), under date of August 4, 1938, which is subsequent to the Orovada fire.

Enclosure No. 17: Fire instruction bulletins issued by the Grazing Service from both the Washington Office and the regional office in Reno, Nevada, subsequent to the Orovada fire.

Enclosure No. 18: Fire instructions issued by the War Department under date of August 14, 1939, (subsequent to the Orovada fire) and referring to "AG324.5 CCC (7-19-39) Misc." (Prior to Orovada Fire.)

Enclosure No. 19: Copy of program for fire training school at Camp Paradise, F-5, on August 9, 1939, which was the next training school following the Orovada fire.

A. W. Stockman

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Special Investigator.