

TACOMA - March 28, 1973

File: Bennett Lumber

Mr. E. C. Winther  
Spokane, Washington

Your note dated March 27, file 990 Shearer.

We received a copy of letter written by Mr. R. E. Beck on February 27, which stated he mailed you a copy of his Feb. 5th letter. It was our opinion that your sales office would be handling this subject with the customer direct. We do not make a practice of bypassing the Sales and Service Dept. to handle subjects of policy with the firms in their territory.

Supt. of Transportation

JIA/bk

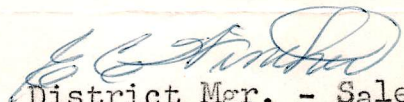
cc: Messrs. R. E. Beck  
D. A. Keller

Spokane, Washington  
March 27, 1973  
File: 990 Shearer  
Kooskia, Idaho

Mr. S. J. Barry  
Supt. of Trans.  
Tacoma, Washington

Referring to Mr. R. E. Beck's letter of February 27, 1973, File: 19 E 16 - Bennett Lumber, concerning the misappropriation of KDTX 180.

Will appreciate receiving copy of your reply to Shearer Lumber Products, Inc., P. O. Box 277, Kooskia, Idaho 83539, concerning the above mentioned car.

  
District Mgr. - Sales

ECW/grt

cc: D. A. Keller  
R. E. Beck

CHICAGO - February 27, 1973

File: 19 E 16 - Bennett Lumber

Mr. E. C. Winthur  
Spokane, Washington

Refer to your letter, file 990 Shearer Kooskia, Idaho requesting us to advise you of the progress of the claim by Shearer Lumber Products for the misappropriation of KDTX 180.

Attached is a copy of our letter addressed to Mr. S. J. Barry dated February 5 returning his file and advising him to decline payment for this claim.

(Signed) R. K. Book

pac  
cc-Mr. S. J. Barry  
Mr. D. A. Keller

Attachment

*Answered by REB to ECW*

No cash out bank  
in hand

Chicago - February 5, 1973

File: 19 E 16 Bennett Lumber

Mr. S. J. Barry:

Please refer to your File: 1403-1 dated December 28, concerning claim filed by Bennett Lumber Company in the amount of \$187.50 for our mishandling of this car.

We are returning your file concerning this matter and you should respond to Bennett Lumber Company declining to make payment on this claim. It would appear the Milwaukee Road was not solely responsible for the mishandling of this car, initially, and the car was also bad order during part of the period the claim is being filed.

We have conferred with Mr. K. G. Hosfield about this matter and he concurs with our decision to decline this claim. You may want to inform Mr. E. C. Winther that we did take up this matter with Mr. Hosfield prior to reaching a decision.

RE Becke

SLA

mim

osts val - for original  
of 1/2 record

Shaw

WIRE

Tacoma, Washington

February 15, 1973

VFJ - Deer Lodge

WFS - Butte

Can either of you supply copy of UP interchange covering KDTX 180  
delivered us at Silver Bow November 7, 1972? Jt. VFJ WFS C-189

8:30 A.M. SJB

U MAY NOW SEND

#

YOU MAY NOW SEND

####

A TCMA 0428 12.19 02/15/73 DGOP BUT2, 12.19 2-003  
:CA JR

TACOMA FEB 15-73 945AM

VFJ DLODGE  
WFS BUTTE.

CAN EITHER OF YOU SUPPLY COPY OF UP INTERCHANGE COVERING KDTX 180  
DELIVERED US AT SILVER BOW NOVEMBER 7, 1972? JT VFJ WFS C7189

SJB.

FEB 15 AM 11  
GS BUTTE

DAILY INTERCHANGE REPORT OF CARS

From UNION PACIFIC RAILROAD COMPANY to MILWAUKEE R. R.

At SILVER BOW, MONTANA Date NOVEMBER 7 19 72

From 12:01 A. M. to 11:59 P. M. Station No. 99390 Sheet No. 7

INITIAL (1)	NUMBER (2)	L OR E (3)	KIND (4)	REMARKS OR LOCAL INFORMATION AS REQUIRED (5)	TIME		CONTENTS (8)	POINT OF SHIPMENT (9)	FINAL DESTINATION (10)
					HOUR (6)	MIN. (7)			
UP	100024	L	B	11/7/72 MILW SBOW	06	25	LUMBER	LINE	LINE
ADEX	63984	L	CH				SALT		
UP	87345	L	H				COAL		
UP	90333	L	H						
UTAH	3107	L	H						
UTAH	3134	L	H						
UTAH	3078	L	H						
KDTX	246	E	F				EMPTY		
KDTX	180	E	F						
MILW	13640	E	B						
MILW	31841	E	B						
MILW	54277	E	B						
		13							
		14							
		15							
		16							
		17							
		18							
		19							
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		25							
		26							
		27							
		28							
		29							
		30							
		31							
		32							
		33							

I Certify that these Cars were Received as above.  
 Agent W F STETZNER MILW R. R.

J D WOOD UP Agent

"Delivered" Reports to be printed on a light pink paper and "Received" reports on a light yellow paper.

Space for Binding.

Space for binding.

E 116- Bennett Lbr.

Q W T  
appear railroad  
error all the way  
C.R.L.

1 - pay Bill as  
recommended  
what are your  
recommendations

TACOMA - December 28, 1972

File: 1403-1

Bennett Lumber

2 - pay Bill minus  
mileage allowed  
3 - no payment  
you in error  
ke clear showed  
up responsible  
GWT

Mr. Q. W. Torpin  
Chicago, Illinois

Attached is my entire file concerning KDTX 180  
for which Bennett Lumber Company is billing us in the  
amount of \$187.50 for our mishandling of this car.

The car was received from the UP at Silver Bow  
November 7, billed to Princeton Idaho via our line on UP  
billing. I can find no record of our handling this car  
during the period September 1 to November 7, and apparent-  
ly, Bennett Lumber Company requested the UP to bill the  
car to us and no one on the Rocky Mountain division bothered  
to check for routing on the car. The car arrived St.  
Maries on November 8 or 9 and on November 9, the Traffic  
Department at Spokane contacted St. Maries and diverted it  
to Kooskia via Spokane-BN. The car departed St. Maries on  
265 November 14 and departed Plummer Junction on No. 63  
November 15. The car was delivered to the BN at Spokane  
November 16 and returned to us bad order November 17.  
Someone at Spokane billed the car to Coeur d'Alene when  
it was repaired and it moved out of Spokane on No. 95  
November 22. The Traffic Department called the agent at  
Coeur d'Alene on November 24 and requested the empty be  
returned, but they were informed the car was already being  
loaded. Records indicate the car moved out under load on  
November 28 to Salt Lake City.





- 2 -

Mr. Q. W. Torpin:

Although we mishandled the car after it was repaired at Spokane, I do not feel we are obligated to pay the full charge of \$187.50. This car should not have been on our railroad in the first place. Also, they receive mileage from us to apply against the rental, which should also be deducted from the amount billed - if you feel we should pay them anything at all.

On November 9, I happened to notice a KDTX car delivered to us at Silver Bow and in tracing the car, I found no previous record and refused to accept it. I immediately issued instructions to watch for this situation at Silver Bow because I did not feel we were obligated to handle the empties from Silver Bow to Kooskia, even though the Traffic Department had advised me that we would get some outbound business from this firm.

Please advise.

  
Superintendent of Transportation

FBC/bc

Attachment



KDTX 180

Recd UP Schunaber	"/7	625am	#
Dept Butte 265	"/7	600pm	
Dept Our Lodge 265	"/8	155am	
Dept St Main 265	"/14	2255	
Dept Phoenix st 43	"/15	1740	
Recd BN Spokane	"/16	1630	
Recd BN "	"/17	1550	
Dept SN 95	"/22	615am	
Traded out CDA	"/28		

No Record on Our Line Sept 1 to 1/7

Spokane, Washington  
 December 4, 1972  
 File: 990 Shearer  
 Kooskia, Idaho

Mr. F. B. Cederholm  
 Supt. of Trans.  
 Tacoma, Washington

Recently had a telephone conversation with you regarding a claim to be made by Shearer Lumber Products, Inc., Kooskia, Idaho over our misappropriation of KDTX 180. Received the statement from Shearer Lumber in the amount of \$187.50, on December 1, 1972.

The following is the computer record on this car as received daily by this office:

*Rec'd B. Bell*

11/10/72	DP E	Deer Lodge	0155	1108	0265	Princeton
11/14/72	Same					
11/15/72	Same					
11/16/72	Same					
11/17/72	AR E	Plummer	2355	1114	0265	Princeton
11/20/72	ID E	Spokane	1630	1116	BN	
11/21/72	Same					
11/22/72	Garbled Message					
11/24/72	DP E	Spokane	0615	1122	0095	Coeur d'Alene
11/28/72	ID E	Gibbs	1100	1122	SI	

We started tracing this car on November 9, 1972 for Gary Bennett at Kooskia locating the car at St. Maries that date and diverted it to Kooskia via Spokane-BN. Diversion was confirmed in writing to C. N. Beal, Agent, St. Maries, with copy to V. D. Bell, Agent, Spokane.

On November 15, 1972 while tracing this car, C. N. Beal advised car was bad ordered at St. Maries until November 13th and departed for Spokane on November 14th. The car arrived Spokane train 63 November 15th and was delivered to the B.N. on November 16th. The B.N. returned the car to us on November 17th bad order. KDTX 180 was on Spokane rip track on November 20th to be released same date and due to go to the B.N.

The next thing we knew, the car had gone to Coeur d'Alene on November 22nd and when we reached the Coeur d'Alene Agent by telephone on November 24th he advised us the car was being

- 2 -

loaded by the Idaho Forest Industries mill and should come out of the mill that date.

While Shearer Lumber, Kooskia, is not located on our line, they do route the outbound loads via BN-Spokane-Milw long haul to the east.

Am forwarding Shearer Lumber's claim to you for handling.

*E. C. Weather*  
District Mgr. - Sales

CES/grt

cc: D. A. Keller

P.S. During the first half November 1972 our reports indicate we received 10 carloads of long haul business with an estimated revenue of \$10,719. This is business we have never handled before and it appears we should pay the claim on KDTX 180 because of our mishandling of the car.

**SHEARER LUMBER PRODUCTS, INC.**

P. O. BOX 277

KOOSKIA, IDAHO 83539

Mr. Earl C. Winther  
Milwaukee Road  
Garden Court Bldg. - Suite 30  
W. 222 Mission Ave.  
SPOKANE, WASHINGTON 99200

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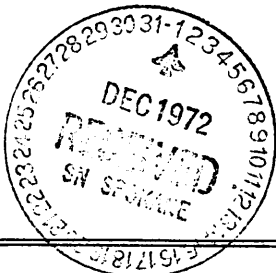
DATE November 30, 1972

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For delaying KDTX-180 one month and  
letting Idaho Forest Industries  
load car.

Charge \$187.50.



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**STATEMENT**



72 NOV 28 PM 5 56

A BUTE 0087 19.51 11/28/72 TCMA, 19.52 4-029

GSGH

BUTTE 11/28/72 FI 5 PM

FBC TACOMA

RE YOUR C-838. KDTX 180 WAS BILLED TO PRINCETON ON U.P. BILLING.

W F S

TACOMA - Jan. 11, 1973

File: 1403-1

Mr. E. C. Winther  
Spokane, Washington

Reference your letter of January 10, 1973,  
file 990-Shearer, Kooskia, Idaho. Copy of this file  
has been forwarded to O. W. Torpin for further  
handling.

FBC/bc

Supt. of Transportation

Spokane, Washington  
January 10, 1973  
File: 990 Shearer  
Kooskia, Idaho

Mr. F. B. Cederholm  
Supt. of Trans.  
Tacoma, Wash.

Please refer to our letter of December 4, 1972,  
above file, attaching claim in the amount of \$187.50 made  
by Shearer Lumber Products, Inc., Kooskia, Idaho over our  
misappropriation of KDTX 180.

Can you advise progress on this claim.

*Earl C. Wither*  
District Mgr. - Sales

CES/grt

cc: D. A. Keller



TACOMA - December 28, 1972

File: 1403-1

Bennett Lumber

Mr. Q. W. Torpin  
Chicago, Illinois

Attached is my entire file concerning KDTX 180 for which Bennett Lumber Company is billing us in the amount of \$187.50 for our mis handling of this car.

The car was received from the UP at Silver Bow November 7, billed to Princeton Idaho via our line on UP billing. I can find no record of our handling this car during the period September 1 to November 7, and apparently, Bennett Lumber Company requested the UP to bill the car to us and no one on the Rocky Mountain division bothered to check for routing on the car. The car arrived St. Maries on November 8 or 9 and on November 9, the Traffic Department at Spokane contacted St. Maries and diverted it to Kooskia via Spokane-BN. The car departed St. Maries on 265 November 14 and departed Plummer Junction on No. 63 November 15. The car was delivered to the BN at Spokane November 16 and returned to us bad order November 17. Someone at Spokane billed the car to Coeur d'Alene when it was repaired and it moved out of Spokane on No. 95 November 22. The Traffic Department called the agent at Coeur d'Alene on November 24 and requested the empty be returned, but they were informed the car was already being loaded. Records indicate the car moved out under load on November 28 to Salt Lake City.

- 2 -

Mr. Q. W. Torpin:

Although we mishandled the car after it was repaired at Spokane, I do not feel we are obligated to pay the full charge of \$187.50. This car should not have been on our railroad in the first place. Also, they receive mileage from us to apply against the rental, which should also be deducted from the amount billed - if you feel we should pay them anything at all.

On November 9, I happened to notice a KDTX car delivered to us at Silver Bow and in tracing the car, I found no previous record and refused to accept it. I immediately issued instructions to watch for this situation at Silver Bow because I did not feel we were obligated to handle the empties from Silver Bow to Kooskia, even though the Traffic Department had advised me that we would get some outbound business from this firm.

Please advise.

Superintendent of Transportation

FBC/bc

Attachment

TACOMA - December 28, 1972

File: 1103-1  
Bennett Lumber

Mr. M. T. Sevedge  
Tacoma, Washington

KDTX 180, empty, was diverted at St. Maries on November 9th to Kooskia Lumber, Kooskia, Idaho via Spokane-BN. Car departed St. Maries November 11th, delivered to the BN at Spokane on November 15 and returned to us bad order on November 16. After the car was repaired, it was sent to Gibbs for loading on November 22nd. Traffic Department called the agent at Coeur d'Alene on November 24th and he said the car was already being loaded, however, records indicate the car did not move out until the 28th of November.

Due to the mishandling of this car, Bennett Lumber Company has sent us a bill in the amount of \$187.50 for loss of use of their rental equipment.

This for your information so you can handle with the parties involved.

Supt. of Transportation

FEC/bc

cc: Mr. Q. W. Torpin

TACOMA - December 7, 1972

File: 1103-1  
Bennett Lumber

Mr. V. D. Bell  
Spokane, Washington

Please survey waybills on KDTX cars loaded at Kooskia, Idaho via BN-Spokane-Ours and advise if any instructions on these cars as to how they should be returned empty. If no indication that should be returned via Spokane, be sure your forces make necessary addition.

Appreciate some copies.

Supt. of Transportation

JIA/bc

cc: G. W. Torpin - file 19 E 16 - Bennett Lumber



KDTX 180

Recd UP SchunBrew 11/7 625am #  
 Dept Butte 265 11/7 600am  
 Dept Our Lodge 265 11/8 155am  
 Dept St Mary 265 11/14 2255  
 Dept Plummer Jt 43 11/15 1740  
 Recd BN Spokane 11/16 1630  
 Recd BN " 11/17 1550  
 Dept SN 95 11/22 615am  
 Traded out COA 11/28

No Record on Our Line Sept 1 to 11/7

**SHEARER LUMBER PRODUCTS, INC.**

P. O. BOX 277

KOOSKIA, IDAHO 83539

Mr. Earl C. Winther  
Milwaukee Road  
Garden Court Bldg. - Suite 30  
W. 222 Mission Ave.  
SPOKANE, WASHINGTON 99200

---

DATE November 30, 1972

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For delaying KDTX-180 one month and  
letting Idaho Forest Industries  
load car.

Charge \$187.50

---

**STATEMENT**

Spokane, Washington  
 December 4, 1972  
 File: 990 Shearer  
 Kooskia, Idaho

Mr. F. B. Cederholm  
 Supt. of Trans.  
 Tacoma, Washington

Recently had a telephone conversation with you regarding a claim to be made by Shearer Lumber Products, Inc., Kooskia, Idaho over our misappropriation of KDTX 180. Received the statement from Shearer Lumber in the amount of \$187.50, on December 1, 1972.

The following is the computer record on this car as received daily by this office:

11/10/72	DP E	Deer Lodge	0155	1108	0265	Princeton
11/14/72	Same					
11/15/72	Same					
11/16/72	Same					
11/17/72	AR E	Plummer	2355	1114	0265	Princeton
11/20/72	ID E	Spokane	1630	1116	BN	
11/21/72	Same					
11/22/72	Garbled	Message				
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11/28/72	ID E	Gibbs	1100	1122	SI	

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On November 15, 1972 while tracing this car, C. N. Beal advised car was bad ordered at St. Maries until November 13th and departed for Spokane on November 14th. The car arrived Spokane train 63 November 15th and was delivered to the B.N. on November 16th. The B.N. returned the car to us on November 17th bad order. KDTX 180 was on Spokane rip track on November 20th to be released same date and due to go to the B.N.

The next thing we knew, the car had gone to Coeur d'Alene on November 22nd and when we reached the Coeur d'Alene Agent by telephone on November 24th he advised us the car was being

- 2 -

loaded by the Idaho Forest Industries mill and should come out of the mill that date.

While Shearer Lumber, Kooskia, is not located on our line, they do route the outbound loads via BN-Spokane-Milw long haul to the east.

Am forwarding Shearer Lumber's claim to you for handling.

*EC Weather*

District Mgr. - Sales

CES/grt

cc: D. A. Keller

P.S. During the first half November 1972 our reports indicate we received 10 carloads of long haul business with an estimated revenue of \$10,719. This is business we have never handled before and it appears we should pay the claim on KDTX 180 because of our mishandling of the car.



'72 NOV 28 PM 5:56

A BUTE 0087 19.51 11/28/72 TCMA, 19.52 4-029

:  
GSGH

BUTTE 11/28/72 FI 5 PM

FBC TACOMA

RE YOUR C-838. KDTX 180 WAS BILLED TO PRINCETON ON U.P. BILLING.

W F S

CHICAGO - December 4, 1972

File: 19 E 16 - Bennett Lumber

Mr. F. B. Cederholm:

Refer to your file 1403-1 dated November 24 concerning the assignment of KDTX cars to Bennett Lumber Company, at Scheerer Lumber.

Would you please arrange to have the agent at Spokane survey the waybills on KDTX cars loaded from Kooskia, Idaho to various destinations to determine what return billing is being placed on the cars. Secondly, while we can make efforts to handle with various agents all over the system, fail to understand why the agent at Spokane cannot remark bills if necessary for delivery of cars to the BN at Spokane rather than the cars being sent to Coeur d'Alene for delivery.

*Geo. Toyer*

K

TACOMA - November 24, 1972

File: 1403-1

Mr. Q. W. Torpin:

The attached is the latest assignment of the RDTX cars which we received from Tomco. Cars assigned to Bennett Lumber Company, Princeton, Idaho are delivered to the WIN by us at Bovill and cars for Scheerer Lumber at Kooskia, Idaho are delivered to the WIN at Spokane, Washington.

For some reason, cars out of Kooskia to the east are being returned billed to Hauser, Idaho instead of Kooskia, Idaho and perhaps someone in your office can put out proper instructions.

Supt. of Transportation

FHC/bc

cc: Messrs. C. H. Beal, St. Maries  
V. D. Bell, Spokane  
G. C. La Valley, Bovill  
D. B. Merchant, Tacoma  
V. F. Jenks, Deer Lodge

Del 11/6

11/14

Butler 11/8

KGH

Q3 KDTX315, 1KDTX315##DGSAJ 315 TYPE 51 AAR F111 POOL  
 ID E SPOKANE WA 11/06/72 1630 BN  
 AGT MILW HAUSER ID N7610 BN  
 MILLER BUTLER WI CNW  
 IR E 05702 10/28 1130 CNW CNW  
 WB E MINNEAPOL 10/30 0010 ET 29  
 00000000000

KDTX 315 IDE SPOKANE 11/06 1630 BN  
 AR E E7642 11/05 1800 0063  
 DP E 07664 11/05 1640 0063  
 AR E 07665 11/05 0300 0265  
 DP E 07300 11/04 1000 0265  
 ER E 07300 11/03 0210  
 DP E 07000 11/03 0200 0265  
 ER E 07000 11/01 1955  
 DP E 06324 11/01 1945 0265  
 AR E 06324 11/01 1640 0265  
 WB E MINNEAPOL 10/30 0010  
 IR E 05702 10/28 1130 CNW CNW

#

TACOMA - November 8, 1972

File: 1403-1

Mr. C. N. Beal, Agent  
St. Maries, Idaho

Mr. V. F. Jenks  
Deer Lodge, Montana

Mr. D. B. Merchant  
Tacoma, Washington

Following is the assignment list of Tomco cars  
in St. Maries. Be sure these cars are not diverted to  
other points for loading.

Bennett Lumber Co., Princeton, Idaho - del WIM

KDTX 114 - 115 - 152 - 158 - 165 - 166 - 195 - 230 -  
233 - 234 - 238 - 311 - 312 - 313 - 314 - 315 - 316 -  
319 - 321 - 324 - 345 - 353 - 384 - 385 - 386 - 387 - 388 -  
389 - 390 - 391 - 392 - 393 - 394 - 395 - 396 - 397.

Scheerer Lumber Products, Kooskia, Idaho

KDTX 124 - 132 - 160 - 168 - 171 - 174 - 180 - 182 - 183 -  
184 - 185 - 186 - 187 - 188 - 189 - 190 - 191 - 192 - 194 -  
196 - 197 - 198 - 199 - 224 - 229 - 304.

Supt. of Transportation

cc: Mr. R. Smith, Tomco

copy to ECW 11/14



Letter

118  
Done

Agent St Maris  
4.7.72 -  
DBM Towner  
Copy R Smith Tombo

Following is the assignment list  
of Tombo cars in St Maris. Be  
sure these cars are not diverted to  
other parts for ~~the~~ loading.

Put

# TOMCO

## Railway Car Company, Inc.

5353 LONDON ROAD  
DULUTH, MINN 55804

TELEPHONE - AREA - 218  
525-1971

November 3, 1972

S. B. Cederholm  
Supt Trans--Lines West  
Chicago Milwaukee St Paul & Pacific RR  
Seattle, Washington


Dear Sir:

Enclosed is a list of cars that have recently been leased. These cars plus other cars on return B/L must be returned to them.

KDTX 313 which was returning to Princeton was diverted and sent to Fernwood Idaho. This car was under return bill of lading. Please investigate and find out why this happened and how we can prevent future errors of this type. Your assistance will be greatly appreciated.

Yours truly

Tomco Railway Car Co. Inc.

  
R. Smith

# TOMCO

## Railway Car Company, Inc.



5353 LONDON ROAD  
DULUTH, MINN 55804

TELEPHONE - AREA - 218  
525-1971

The following cars are lease to  
Bennett Lumber Co. Princeton Idaho del WIM

KDTX 144--145--152--158--165--166--195--230--233--234--238--  
~~XXX~~ 311--312--313--314--315--316--319--321--324--345--353  
384--385--386--387--388--389--390--391--392--393--394--395  
396--397

These cars must be returned to them.

The following cars are leased to  
Schearer Lumber Products, Kooskia Idaho

KDTX 124--132--160--168--171--174--180--182--183--184--  
185--186--187--188--189--190--191--192--194--196--197--198  
199--224--229--304

These cars must be returned to them GSP del