

The Weeks Act made the national forests truly national and also made the U.S. Forest Service the nation's forest service. The history of the law and its impact serve as an instructive reminder of the Forest Service's long history of leadership in forest conservation.

THE LAW THAT NATIONALIZED

THE U.S. FOREST SERVICE

Signed into law by President William Howard Taft on March 1, 1911, the Weeks Act represented years of efforts by public and private advocates who wished to see eastern forestlands come under U.S. Forest Service protection. The act gave the federal government authority to purchase private lands for inclusion

in the National Forest System. As significantly, the Weeks Act provided the statutory foundation for cooperative programs between the federal government and state and private players, a foundation that now underlies the agency's landscape-scale approach to forest management.

Before 1911, federal land policy consisted of disposing government-held lands to raise revenue and encourage settlement. By 1911, the federal government gave away, sold, or otherwise disposed of nearly two-thirds of the 1.8 billion acres in the public domain. Land disposition helped populate the continent and enjoyed broad popular support, but the system suffered from massive fraud and created some less-than-desirable land-use and ownership patterns.¹

Despite the popularity of public land disposition and the perception of abundant natural resources, near the end of the nineteenth century concern over the scarcity of natural resources in

the East fostered a groundswell of support for land preservation. Events in the West also fueled this anxiety. As the number of settlers grew, partly because of improved transportation and the subjugation of the Native Americans, natural resource consumption rapidly increased. Settlers often viewed forestlands as impediments to agriculture and used varying techniques to clear the land, including fire, which frequently escaped control and destroyed both towns and forests. Americans also cut timber to fuel the nation's industrialization.

Two consecutive U.S. census reports highlighted the general perception of impending scarcity. The 1880 edition included the two-volume *Report of the Forests of North America* by Harvard botanist Charles S. Sargent. Though his survey of standing timber volumes was far from exhaustive or thorough, Sargent concluded that current harvesting trends would exhaust white pine, the principal construction material of the Northeast, within 10 to 12 years.

BY LINCOLN BRAMWELL & JAMES G. LEWIS

Commercial lumber journals tried to discredit Sargent's predictions, but his report nonetheless had a profound effect by creating concern about timber supplies in the United States. The 1890 report said the continental United States had achieved a high enough population density and declared the western frontier closed. This declaration added to the anxiety that the country no longer had inexhaustible natural resources; many more Americans now discussed the need for federal regulation or protection of certain natural resources through conservation.²

FOREST CONSERVATION THROUGH INTERVENTION

In the late nineteenth century conservation of forestlands centered on preventing unsustainable uses of timber in favor of more sustainable, scientific use. Most conservationists believed timber volumes were low enough that only planned, sustainable use overseen by the state could provide timber for future generations.

Despite the lack of a cohesive philosophy or coordinated legislative agenda, conservationists who focused on forestlands enjoyed considerable success in the 1890s. In 1891, the Forest Reserve Act gave the president power to establish forest reserves from the public domain. President Benjamin Harrison quickly created 15 western reserves containing 13 million acres. His successor, Grover Cleveland, added 5 million acres, also in the West. But nearly all land east of the Mississippi River, particularly the lands that had suffered the gravest abuse and prompted the call for forest conservation, were in private hands and thus ineligible for inclusion in the forest reserves.³ Management of the national forest reserves began with the Organic Act of 1897, which declared, "No national forest shall be established, except...for the purpose of securing favorable conditions of water flows, and to furnish a continuous supply of timber." Although the act's author did not intend it, this language made the case for national forests in the East.

Encouraged by the Forest Reserve Act, several conservation groups in the East began pushing for federal action to bring areas they cared for under protection. Some had successfully lobbied states to reserve forests: New York created the Adirondack State Park in 1885, and Wisconsin and Pennsylvania reserved forests around the headwaters of major navigable rivers in the 1870s and 1890s, respectively. But few other states owned land or had money to purchase it, especially in the South.

In the 1890s eastern conservation efforts primarily centered in the White Mountains of New Hampshire and the Appalachian Mountains of North Carolina. Campaigns to preserve the White Mountains had begun in the late 1880s. Several large timber companies had cut great swaths across the state, leaving denuded hillsides that quickly eroded or caught fire. But the actions of one company in particular drew the ire of concerned citizens: the



Pittsburgh, Pennsylvania, sits at the confluence of three major rivers. On March 16, 1907, heavy rains and melting snow caused the greatest flood in the city to date, and left behind \$8 million in damage and a heightened demand for federal action. Residents were caught completely unaware due to the rapid rise of the water and came out to see the flood.

COURTESY OF THE LIBRARY OF CONGRESS. 3C32008

New Hampshire Land Company. Episcopal minister John E. Johnson's articles decrying its practices helped spark creation of the Society for the Protection of New Hampshire Forests in 1901, which became the main advocate for the White Mountains. The society targeted cutover lands for purchase that it said needed restoration under the federal government's management. Both the society and Johnson blamed the removal of forests at the headwaters of the Merrimack and Pemegewasset rivers for downstream flooding in 1896 that damaged the largest cotton mill in the state and left 6,000 workers unemployed. The society took aim at the New Hampshire Land Company's actions for not only damaging the aesthetics of the White Mountains but also creating economic havoc for businesses and workers throughout the state.⁴

Campaigns to protect and restore land in the southern Appalachians similarly operated for more than a decade prior to passage of the Weeks Act. In 1892, Charles Sargent published a plan for protecting lands in the southern Appalachians in the influential journal *Garden and Forest*, which stirred North Carolina's state legislature to call for creating a national park in the state. In 1899, Southern civic leaders formed the Appalachian National Park Association to petition Congress to create a national park. The following year the association teamed up with a recreation group, the Appalachian Mountain Club, to petition Congress to study the southern Appalachians. (The club was similarly involved in the White Mountain effort.)

Congress responded with an appropriation of \$5,000 for the Department of Agriculture to study the issue. Secretary James Wilson included the study in his 1902 *Report of the Secretary*, which laid the foundation for the Weeks Act by outlining a path to preserve lands in the East, where no mechanism for the federal government to do so existed.

The Wilson report described severe erosion on cleared and abandoned fields and hillsides. Citing the consequences for river navigability, the report concluded that the rivers of the southern Appalachians were "absolutely essential to the well being of the



Secretary of Agriculture James Wilson (right) was an early supporter of establishing national forests in the East. Forest Service Chief Henry Graves (left) had the Forest Service ready to move as soon as the Weeks Act was signed. They are seen here on what was the Harney National Forest in South Dakota around 1911.

nation... The regulation of the flow of these rivers can be accomplished only by the conservation of the forests." Wilson recommended that the federal government create not a federal park, as the advocacy group had hoped, but a forest reserve, observing that although 70,000 square miles of forest reserves had been created in the West, not a single reserve existed in the East. He also pointed out that the states in the southern Appalachian region did not own enough land or have the money to create state parks, necessitating federal action. Although the federal government lacked the authority to purchase lands for forest reserves, Wilson pointed to precedents for the federal government's purchasing land at battlefield sites and for Indian reservations.⁵

No immediate action came of Secretary Wilson's report, but it moved forward the conservation groups' ideas for reserving forests in the East and provided a framework for the eventual Weeks Act. Two events in 1907 added weight to the case for reserving forests in the East. First, a series of violent floods swept through deforested areas in the East, precisely illustrating Wilson's point about forests' role in flood control.⁶ Torrential rains fell on the Monongahela River watersheds in West Virginia, watersheds that had been denuded by industrial logging. The surging river caused

more than \$100 million in damages before reaching Pittsburgh, where floods caused another \$8 million in damages. Unable to purchase the forestlands itself, the state of West Virginia had already passed legislation granting the federal government authority to purchase forests in the state for that purpose. The floods increased public support for the cause of creating forests in the East.⁷

The second event was a legislative attack on the forest reserve system. During the first six years of his presidency, Theodore Roosevelt had transferred more than 146 million acres into the forest reserves under the authority of the Forest Reserve Act.⁸ While conservationists praised these actions, many western congressional representatives and some southern lawmakers staunchly opposed the reserves. Some political conservatives—especially from the West—wanted not only to block the legislation but dismantle the Forest Service entirely and open up the national forests for private development.

In 1907 Roosevelt's congressional foes gained the upper hand. Senator Charles W. Fulton of Oregon introduced an amendment to an appropriation bill that would take away the president's power to create new or add to existing forest reserves in Oregon, Washington, Idaho, Montana, Colorado, and Wyoming. Passed with little debate, the Fulton Amendment was set to take effect on March 4, 1907. Before signing the bill, President Roosevelt reserved another 16 million acres in the West. But the addition did nothing for the East. The federal government still lacked the authority to purchase lands for inclusion in the National Forest System. To create national forests in the East, some new mechanism would have to come from Congress.⁹

CHANGING TACTICS

Meanwhile, proponents of restoring eastern forests had kept the case before Congress. After making little headway in Congress, the Appalachian National Park Association and the Society for the Protection of New Hampshire Forests shifted tactics. Instead of arguing for protecting scenery, they now argued it was about economics. If the rivers dried up, there would be no shipping. If the lumber companies cut down all the trees, sawmills and paper mills would shut down. If the scenery was one of desolation and destruction, no tourists would come. To get around the issue of states' rights, the Appalachian National Park Association persuaded five southern states to pass laws allowing the purchase of land by the federal government. In 1903, the group even changed their name to the Appalachian National Forest Reserve Association because a *forest* implied development. The name also reflected the underlying problem—congressmen kept introducing bills for each region, which naturally played into sectional differences.

The cause received a boost in 1904 with the reelection of Theodore Roosevelt as president. President Roosevelt's conservation policy was influenced by his friend and advisor, Forest Service Chief Gifford Pinchot. Roosevelt's election victory was quickly followed by Congress establishing the U.S. Forest Service on March 1, 1905, and transferring control over the forest reserves to the new agency. Though the improvement and protection of rivers and waterways was a critical part of their conservation agenda, Pinchot and Roosevelt nonetheless viewed forests as the foundation of all natural resource conservation. Roosevelt, in his annual message to Congress delivered in December 1907, called for the purchase of forestlands in the southern Appalachians and the White Mountains. In May 1908, Pinchot staged and Roosevelt hosted the Governors' Conference on the Conservation of Natural

Resources to draw national attention to the cause.¹⁰ Business and political leaders spoke at the conference in favor of further federal action to conserve the nation's natural resources.

By the time of the conference, lumber manufacturing associations and magazines had been supporting the forestry movement for several years, even urging government intervention to stabilize the volatile lumber market. Local and regional conservation groups and women's garden clubs began coordinating efforts with the American Forestry Association to push for national forests in the East. In January 1906, the American Forestry Association devised what it called a "Union bill" that would provide for acquiring land in both regions.

It is not clear if naming it "Union bill" was a way of tamping down the North-South sectional tensions that still lingered more than 40 years after the end of the Civil War. Congress had its share of former soldiers from both sides and some northern representatives were none too eager to help their southern counterparts. During debates over the Weeks Act, an Ohio congressman proclaimed: "Thus it appears that New England has clasped hands with the southern Appalachian states, all past sins have been forgiven and forgotten, and in the sacred name of conservation, we are witnessing one of the best organized raids on the Federal Treasury in history."¹¹

But when some political conservatives noted that the federal government lacked the constitutional authority to purchase private land, proponents of the effort pointed to what had happened at Gettysburg thirty-two years after the epic Civil War battle there. After three decades of efforts to commemorate and protect the battlefield, in 1895 Congress had approved a law to acquire by purchase or condemnation private land for a battlefield park. This established the precedent of creating a national park from private land. Opponents challenged the law all the way to the Supreme Court, which concluded that the national government could purchase land for "public use."¹²

The Union bill failed, so supporters tried a different tactic. In 1906, Representative Asbury F. Lever of South Carolina approached the Forest Service's lawyers for help crafting a bill to authorize the purchase of eastern forests—a bill that would pass the constitutionality test certain to be applied by Forest Service opponents. Agency attorney Philip P. Wells believed the only constitutionally sound argument to justify the expenditure of federal revenue on forestland hinged on improving navigation in the rivers that ran

HERE'S TO THEIR BETTER ACQUAINTANCE!



COURTESY OF PLYMOUTH STATE UNIVERSITY'S ONLINE EXHIBIT, "PROTECTING THE FORESTS"

This cartoon appeared on the front page of the Boston Herald after Congress approved the Weeks Act. The Old Man of the Mountain was a famous rock formation in New Hampshire. In this context the rock could represent any individual state because the Weeks Act began a new era in cooperation between the states and the federal government.

through the mountains. Wells explained that he placed the proposed bill "on the navigation improvement basis by limiting the area within which purchase might be made to the watersheds of navigable streams and declaring in the title and body of the bill that its purpose was the maintenance and improvement of navigability."¹³ By choosing this inventive line of argument for the bill, Wells hoped to outflank the bill's opponents in Congress, led by House Speaker Joe Cannon of Illinois, who vehemently opposed purchasing land with federal funds for what he considered purely scenic reasons. Wells's argument soon proved effective.

Speaker Cannon, though, was not entirely immune to the growing public and congressional support for forest reserves. He appointed Representative John Weeks, a banker representing Boston, to the House Committee on Agriculture in 1908. When Weeks complained about the assignment, Cannon said he needed a businessman's eye for fiscal responsibility on the committee. Knowing that Weeks hailed from New Hampshire's White Mountains and still spent his summers there, Cannon promised his support for a forest bill if Weeks could draft one acceptable to a businessman. In 1908 Weeks introduced his first forest purchase bill. It did not mention the White Mountains or the southern Appalachians specifically, but it authorized Congress to appropriate

money to purchase forest reserves for “the conservation and improvement of the navigability of a river.” The bill relied on the slender legal argument that Forest Service attorney Wells had devised, that the U.S. Constitution’s interstate commerce clause authorized the federal government to protect navigable rivers by purchasing forest watersheds. Still, even with considerable support, it stalled in committee and in filibusters for two years.¹⁴

As the Forest Service and its allies in Congress worked on an ironclad argument for the legislation, public support for the agency, its mission, and the creation of national forests in the East solidified. Concurrently, a few universities established forestry schools to prepare men to meet the expected demand for foresters.¹⁵ In addition to conservation and recreation groups, support also came from towns and citizens threatened by the periodic floods associated with denuded watersheds as well as boosters eager for federal spending in their local areas. Sensing this popular concern, Congress appropriated funds for the Forest Service in 1908 to survey what parts of the southern Appalachian states and New England should remain forested; meanwhile, several states passed enabling legislation that would allow the federal government to purchase private land, thus clearing away the issue of states’ rights. Forest Service Chief Gifford Pinchot submitted a report that same year with a recommendation to preserve 23 million acres in the Appalachians and 2 million in the White Mountains, and he called for the immediate purchase of 5 million acres across the southern Appalachians and 600,000 acres in New Hampshire and Maine.¹⁶

In January 1909, Representative Lever and Representative Frank Currier of New Hampshire introduced a revised bill. The bill bore John Weeks’s name, a reflection of his leadership on the issue; consequently, Weeks would receive credit for the bill while others like Lever would be all but forgotten by history. But it was Weeks who did the heavy lifting, reconciling different versions of the bill and shepherding it through the various congressional committees bent on stopping or destroying it before bringing it to the House floor for a vote. Once on the floor, Weeks outmaneuvered the wily Speaker Cannon, causing him to exclaim, “Gentlemen, you have my scalp.”¹⁷

This latest version of the bill included language about federal-state cooperation for forest protection. It also no longer made references to specific locations to be purchased. The House narrowly approved it but the Senate took no action on it, thus killing it. In July 1909, Weeks amended the bill with the language about the navigability of navigable rivers and the appointment of a commission to oversee land acquisitions. He addressed the concerns of business-minded lawmakers by arguing that protecting forests was in the nation’s best economic interest, that erosion from logging threatened the navigability of rivers and, therefore, national economic security. (Eventually waterways suitable for floating logs to mills were ruled navigable.) By turning private lands into national forests, he assured his critics, the government would still allow logging and other natural resource extraction activities on the land. (One shortcoming of the final version of the Weeks Act was its failure to fully address the issue of subsurface mineral rights.) By not indicating what tracts of land should be purchased, he gave the government wide latitude to purchase land where it deemed best.

The House passed its version of the bill in June 1910; that August, great fires swept across the northern Rocky Mountains, consuming more than 3 million acres of prime timber in two

days’ time. The “Big Blowup” largely stifled debate over whether to fight fires and helped clear the legislative logjam blocking passage of Weeks’s bill to purchase eastern forests. After several more months of debate, the Senate approved the same version in February 1911. Just as Forest Service attorney Philip Wells had predicted, the act passed under the Constitution’s interstate commerce clause regulating navigation on interstate rivers, but it specifically added forest restoration as one of its goals. The law also echoed Secretary Wilson’s 1902 report that recommended granting the Forest Service the authority to purchase lands for watershed protection.¹⁸ On March 1, 1911, after ten years of bargaining and arguing, President William Howard Taft signed the Weeks Act into law.

The editors of American Forestry Association’s magazine, while relieved at the law’s passage, took a moment to offer some sharp observations. The bill was “imperfect,” an editorial said, but “this new forest law marks a distinct step in advance, and may be said...that it makes our national forest policy really national.” But, they warned, more work lay ahead:

*Let it be remembered in this hour of triumph that the ultimate success of this new forest law will depend upon the continued interest and intelligent support of those whose efforts have secured its enactment. In the face of public indifference it will become a useless instrument.*¹⁹

EARLY STRUGGLES

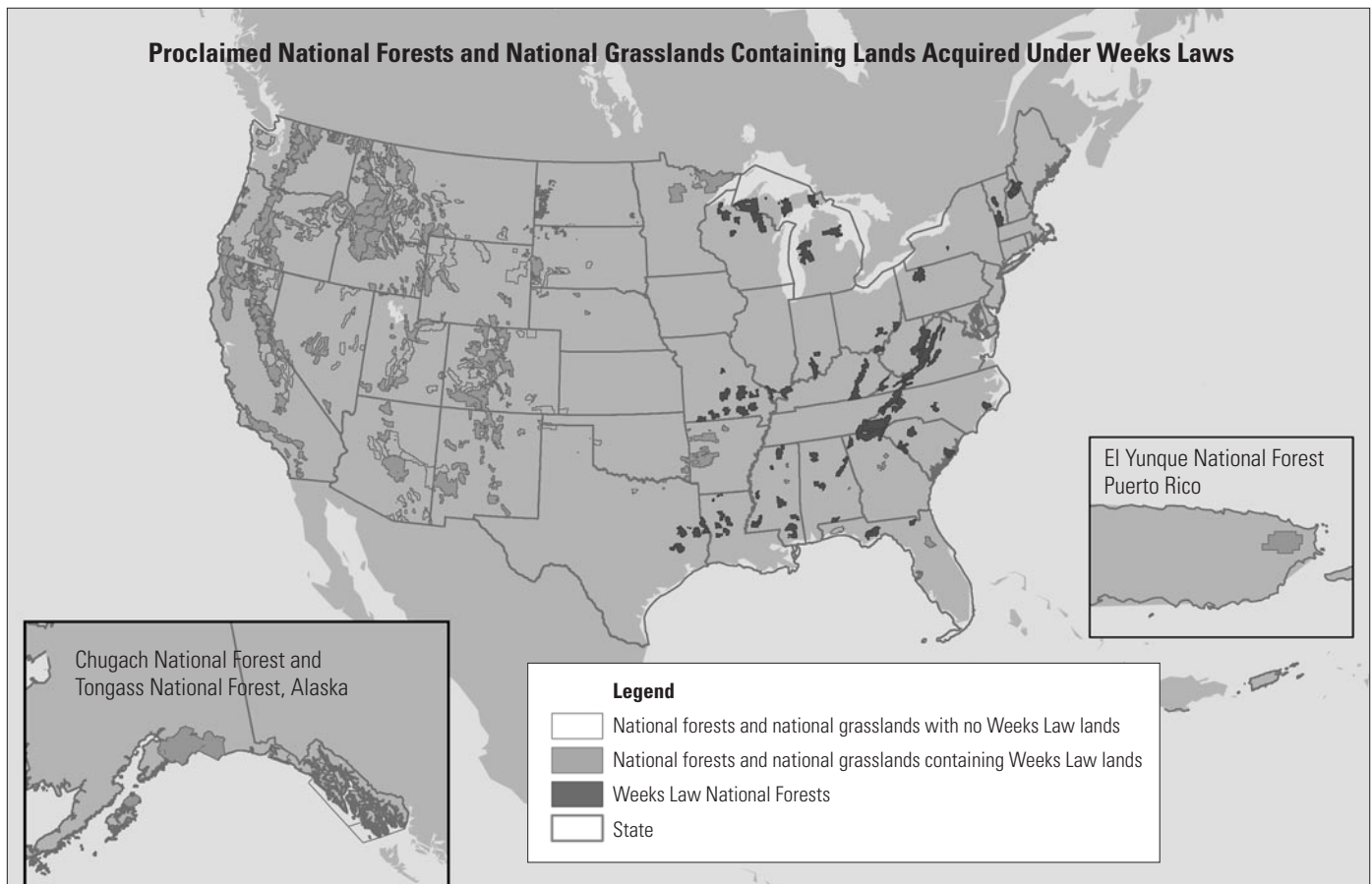
The Weeks Act authorized the Forest Service to purchase and manage forests in states unable to fund extensive forest acquisition and management programs on the watersheds of interstate rivers and appropriated \$1 million for the first year and \$2 million for each of the next five years to survey and purchase lands. The act permitted the purchase of “forested, cut-over, or denuded lands within the watersheds of navigable streams” deemed “necessary for the regulation” of their flow.

But the Weeks Act did not offer the Forest Service a streamlined process for purchasing forestlands or give it independent authority to do so. The act created the National Forest Reservation Commission, composed of the secretaries of War, Interior, and Agriculture and two members each from the House and Senate, to review the recommendations given by the U.S. Geological Survey on behalf of the secretary of Agriculture of forestlands for purchase. The act also required the U.S. attorney general to approve all titles to land purchases.

Despite the cumbersome process, the Forest Service was ready when the president signed the law. Twenty days after the commission’s first meeting on March 7, 1911, Chief Henry Graves presented recommendations for lands to be purchased, totaling 13 areas in 9 eastern states, though only 11 of them eventually were. By 1912 the agency had outlined purchase units in New Hampshire, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Tennessee, and Georgia. Because not all the land in a purchase unit could be purchased for one reason or another, there is private land within a national forest boundary. In fact, about half the land on a typical eastern national forest is private land. Today the federal government purchases land in order to “block up” an area and create contiguous federal land, which makes it easier to manage.

Working on behalf of the commission, purchase agents would

Proclaimed National Forests and National Grasslands Containing Lands Acquired Under Weeks Laws



COURTESY OF THE U.S. FOREST SERVICE

Proclaimed national forests and national grasslands containing lands acquired under the Weeks Laws as of 2011.

select an area, organize it into a purchase unit, and then submit the unit to the commission for approval. If purchase units were approved but not enough land could be purchased, the purchase unit would be “abandoned.” Of the 13 initial areas recommended for purchase, the Youghiogheny area in western Maryland and the Smoky Mountains in Tennessee and North Carolina were eventually “abandoned.” The latter became a national park in 1939. If approved, the land would be appraised and an offer issued. The government would only buy from a willing seller at a fair-market price. The first purchase made under the Weeks Act was completed just northeast of Asheville, North Carolina, in McDowell County for 18,500 acres. The 10 tracts of land cost \$100,000, or \$5.41 an acre. The McDowell tract was later incorporated into the Pisgah National Forest, the first national forest created under the Weeks Act, which was established on October 17, 1916.

The Forest Service initially approached timber companies because they could sell large tracts of land fairly easily, like happened with the McDowell tract. In a few cases, like the Pisgah purchase unit, a single purchase unit was large enough to become a national forest. Usually, though, several purchase units were assembled into a national forest. For ease of administration, multiple national forests were sometimes later consolidated into one national forest, like with the Boone National Forest in North Carolina. Created from the Boone and Mt. Mitchell purchase units in January 1920, it was added to the Pisgah fourteen months later and ceased to exist as the Boone.²⁰

But the Pisgah was the exception when it came to easy assem-

bly. In the South, where the majority of purchases were made before 1933, it could take months and even years to clear the title to lands owned by individuals, which slowed land acquisition to a crawl. It took three years to close that first deal, and assembling enough land to establish the national forest took two more years.²¹

COOPERATIVE FORESTRY TAKES OFF

Section 2 of the Weeks Act also created the foundation for cooperative agreements between the Forest Service and state and private forest landowners that is still in use today. By 1911, the public desire for fire control on forests throughout the United States, regardless of ownership, led the Forest Service to act cooperatively with state forestry associations and private forest owners by providing guidance to help support fire prevention and suppression. The Weeks Act established a \$200,000 fund to match state forest protective programs even in states without national forests. States could apply for up to \$10,000 for fire protection services and salaries, which the act then required the state to match. New Hampshire applied first and was followed quickly by Minnesota, New Jersey, Wisconsin, Maine, and Vermont. By 1919, 23 states had entered into cooperative agreements with the Forest Service.²² Even though the first cooperative agreements focused on fire prevention, it did not take long before the Weeks Act authority was used for myriad partnership agreements as well.

The tiny budget of the Forest Service’s State and Private Forestry branch, formed in 1908, had meant that until 1911, the agency had limited influence over nonfederal forest management. The Weeks Act gave State and Private Forestry the financial means

to extend its influence by offering inducements to states to spend money on forest conservation efforts. It also provided sufficient funds for the branch to accomplish its extensive work with forest owners outside national forest boundaries. Today, State and Private Forestry work extends beyond the traditional definition of forestlands by bringing professional forestry practices to urban areas striving to enhance green space for their residents.

THE WEEKS ACT IN THE SOUTHERN REGION

Despite the majority of purchased land being in the South, the region lagged far behind other forested regions in the enactment of conservation legislation and the promotion of forestry education. The public and state legislators remained indifferent at best. By 1916, only five southern states had organized forestry commissions. In response, the Society of American Foresters and the American Forestry Association encouraged the creation of the Southern Forestry Congress to persuade southern states to embrace forest management and fire control.

The major issue confronting the congress and the southern states at the time, though, was the release by lumber companies of hundreds of thousands of acres of badly cutover lands and the accompanying loss of industrial payrolls and jobs, and the subsequent reduction of state and local revenue. With an agrarian-based economy and corrupt, ignorant state legislators unwilling to stop their equally ignorant voters from burning the woods, there was little incentive for state-level action in the years following passage of the Weeks Act. In North Carolina, for example, where the movement to establish eastern national forests began, the state legislature did not pass appropriations for fire protection that qualified for federal matching funds under the Weeks Act until 1921.²³ New Hampshire, by contrast, had begun receiving federal funds under the act to pay fire patrols just three months after the act had passed.

One group that did respond to the Southern Forestry Congress's entreaties was women's clubs. In Mississippi, a major lumber-producing state, logging practices left behind stumps where forests once stood. The Mississippi Federation of Women's Clubs had been promoting fire control, the conservation of virgin timber, and a replanting effort to restore the state's forests for some time. The adoption of the 19th Amendment to the U.S. Constitution in 1920, which gave women the right to vote, unexpectedly made the federation into political powerbrokers. In 1926 the federation got out the vote for a pro-conservation governor and legislature, which promptly created a state forestry commission that took up the federation's program of fire prevention, tree planting, and public outreach. The Mississippi model spread to other states. By the beginning of the Great Depression, ten southern states had created forestry commissions, and were prepared to take advantage of the land purchases that came under the New Deal.²⁴

During its first 21 years, the National Forest Reservation Commission approved the purchase of 42 areas. In the second half of the 1920s, purchases slowed and the commission focused on adding land to existing national forests



Trees were not the only thing the Civilian Conservation Corps “planted” on newly established national forests. Fire watch towers like this unusual one on the Mark Twain National Forest sprang up as part of the fire protection effort that began under the Weeks Act.

FOREST HISTORY SOCIETY PHOTO COLLECTION FHS3806; U.S. FOREST SERVICE PHOTO 357446

rather than creating new forests. Between 1911 and 1933 the commission approved purchases in the South for 5.8 million acres at an average price of \$3.89 per acre.

EXPANDING THE LAW

Other laws proved necessary to deal with the shortcomings of the original law. In 1913, a revision was made “when the administration of easements and right-of-way and other administrative problems threatened the management of headwaters property in areas of access and improvement.” The terms of the law were loosened to allow the purchase of properties along streams and far from the headstream watersheds. In 1922 Congress passed a law that permitted the exchange of government-held timberlands for other lands, which gave the Forest Service the ability to acquire “desirable and contiguous lands.”²⁵ The *Congressional Record* indicates that by then, purchasing forests for inclusion in the National Forest System enjoyed broad support.²⁶

Such support led a more enlightened Congress to pass the Clarke-McNary Act in 1924. The law expanded the Weeks Act by giving broader authority to the Forest Service to purchase forestlands regardless of their proximity to the watersheds of navigable rivers. Now land could be purchased for timber production as well as protection of stream flow. This meant vast swaths of cutover and abandoned land in the Lake States and in parts of the South outside of the Appalachians could be protected under the Weeks Act. The law also further expanded cooperation with the states in the areas of fire control and prevention by providing federal assistance to state and private forestry programs.

Land acquisition took off again in 1933 during President Franklin Roosevelt’s New Deal. The Great Depression devastated the agricultural sector, driving thousands of people off their farms. Poor agricultural practices had depleted and eroded millions of acres of once-fertile croplands. To combat this ecological crisis and to help put men back to work, from 1933 to 1942, Roosevelt’s administration purchased 14.1 million acres in 20 states—much of it exhausted and abandoned farmland in need of rehabilitation and restoration. Through programs like the Civilian Conservation Corps (CCC), Penny Pines, and the Dixie Crusaders, billions of trees were planted and the number of forest fires reduced in the eastern forests. In addition, the CCC built campgrounds and other recreational facilities and constructed hiking trails and bridges that are still in use today.

Land purchases slowed down during World War II but resumed afterward. The last two national forests purchased outright under the Weeks Act—the Delta in Mississippi and the Uwharrie in North Carolina—were established in 1961. In 1965, Congress created the Land and Water Conservation Fund (LWCF) as a kind of supplement to the Weeks Act that, to this day, enables federal and state acquisition of recreational land.²⁷ Some of the land purchased under the LWCF has been incorporated into Weeks Act forests. In 1983, the Finger Lakes National Forest became the last forest established under the authority of the Weeks Act. In all, 124 of 155 national forests contain land acquired under the Weeks Act, totaling ten percent of the 192 million acres in the entire National Forest System. The average purchase price was \$5.68 per acre.

CONCLUSION

Along with the 1891 Forest Reserve Act and the 1897 Organic Act, the 1911 Weeks Act forms the statutory foundation upon

which the National Forest System and its administration rest. The Weeks Act enabled the federal government to purchase eastern private forestlands for inclusion in the system, thus making it fully national, and brought in millions more acres of private land in the West. The law also required the agency to cooperate with state and private landowners on fire control and other issues, giving the Forest Service a presence even in states without national forests. Taken together, these two components of the Weeks Act truly nationalized the U.S. Forest Service.

Perhaps the greatest legacy of the Weeks Act is the important restoration work that has taken place on the national forests since its passage. Weeks Act land purchases gave the agency its first experience with landscape-scale restoration as foresters applied professional forest management practices to once-neglected lands across the East. Purchasing lands that had been cut over, repeatedly burned, exhaustively farmed, and badly eroded was only the first step in restoring these forest ecosystems. After decades of reforestation efforts, these national forests now support abundant flora and fauna and hide most of the scars from their past abuse. With today’s emphasis on ecosystem-wide land management and restoration, the centennial of the Weeks Act is an excellent reminder of the Forest Service’s long history of leadership in forest conservation. □

Lincoln Bramwell has served as the chief historian of the U.S. Forest Service since 2009. James G. Lewis is the editor of Forest History Today and the author of The Forest Service and the Greatest Good: A Centennial History (Forest History Society, 2005).

NOTES

1. James Snow, “History’s Lessons: Politics, Policies, and Laws,” working paper, 2011 (Washington, DC: Office of General Counsel, U.S. Department of Agriculture).
2. Paul W. Gates, *Wisconsin Pine Lands of Cornell University: A Study in Land Policy and Absentee Ownership* (Ithaca, NY: Cornell University Press, 1943), 221; and Paul W. Gates, *History of Public Land Law Development* (1968; repr., Holmes Beach, FL: Wm. W. Gaunt & Sons, 1987), 563.
3. The Forest Reservation Act was one section of the General Revision Act of March 3, 1891 (26 Stat. 1095).
4. The Rev. John E. Johnson, “The Boa Constrictor of the White Mountains, or the Worst ‘Trust’ in the World,” Pamphlet (North Woodstock, N.H., 1900); Frank Graham, Jr., *The Adirondack Park: A Political History* (New York: Alfred A. Knopf, 1978), 105; Andrew Rodgers III, *Bernard Eduard Fernow: A Story of North American Forestry* (Princeton University Press, 1951; Durham, NC: Forest History Society, 1991), 214, 222, 246; William E. Shands, “The Lands Nobody Wanted: The Legacy of the Eastern National Forests,” in Harold K. Steen, ed., *Origins of the National Forests: A Centennial Symposium* (Durham, NC: Forest History Society, 1992), 27.
5. James Wilson, *Report of the Secretary of Agriculture* (Washington, DC: Government Printing Office, 1902), 13, 162.
6. “The issue of flood control was important because of the need to gain political support for purchase of lands in the East for national forests. The task fell to the research sector of the Forest Service to counter the view [of the Army Corps of Engineers] that forests were unimportant to flood control.” The Wagon Wheel Gap Watershed Study in Colorado, a cooperative project with the Weather Bureau, studied the effect of timber removal on water yields. The study began in 1910 and “its results helped ensure the passage of the Weeks Act of 1911.” Terry West, *Centennial Mini-Histories of the U.S. Forest Service*, FS-518 (Washington, DC: USDA Forest Service, 1992), 42.
7. Gifford Pinchot, *Breaking New Ground* (New York: Harcourt, Brace, 1947; repr., Washington, DC: Island Press, 1987), 240.
8. Compiled from General Land Office annual reports.
9. Fulton Amendment, 59th Congress, 2nd session, *Congressional Record*

- (February 23, 25, 1907), S 3720, S 3869; Pinchot, *Breaking New Ground*, 300; William B. Greeley, *Forests and Men* (New York: Doubleday and Co., 1952), 65.
10. Lewis L. Gould, *The Presidency of Theodore Roosevelt* (Lawrence: University Press of Kansas, 1991), 199–207. The Governor's Conference was the first time the governors of all the states had gathered as a group.
 11. Quoted in Thomas D. Clark, *The Greening of the South: The Recovery of Land and Forest* (Lexington: University of Kentucky Press, 1983), 60.
 12. *Ibid.*, 62.
 13. Philip P. Wells, "Philip P. Wells in the Forest Service Law Office," *Forest History* (April 1972): 23–29.
 14. Martha Carlson, "Private Lands—Public Forest: The Story of the Weeks Act," *Forest Notes* (Summer, 1986), 3–9.
 15. By 1911, there were at least 14 forestry schools operating. The New York State College of Forestry, the first college-level forestry school, opened at Cornell University in 1898 under Bernard Fernow, former chief of the U.S. Division of Forestry. Though the four-year degree program shut down in 1903, several of its graduates rose to high levels of the Forest Service. With an endowment from Gifford Pinchot's family, the country's first master's program began at Yale University in 1900. The Biltmore Forest School, a one-year apprentice-type school, operated from 1898 to 1913 and graduated more than 300 men.
 16. John Ise, *United States Forest Policy* (New Haven: Yale University Press, 1920), 143–50; Gifford Pinchot, *Report of the Forester, 1908* (Washington, DC: Government Printing Office, 1908), 29.
 17. Charles D. Smith, "Gentlemen, You Have My Scalp," *American Forests* (February 1962): 16–19.
 18. Ise, *United States Forest Policy*, 211; Pinchot, *Breaking New Ground*, 240.
 19. "Editorial: The Appalachian Bill," *American Forestry* (March 1911): 168–69.
 20. Consolidation is still done today. Often the former names are retained and combined in compound forms, like the Huron-Manistee National Forest in Michigan or the Francis Marion and Sumter National Forests in South Carolina.
 21. For more on the challenges purchasing agents faced in the South, see Shelley Smith Mastran and Nan Lowerre, *Mountaineers and Rangers: A History of Federal Forest Management in the Southern Appalachians, 1900–81* (Washington, DC: USDA Forest Service, 1983), 23–42.
 22. Harold K. Steen, *The U.S. Forest Service: A History* (Seattle: University of Washington Press, 1976), 130.
 23. Clark, *Greening of the South*, 48.
 24. *Ibid.*, 48–49.
 25. *Ibid.*, 63.
 26. Clarke-McNary Act, 68th Congress, 1st session, *Congressional Record*, passim.
 27. Four federal agencies—the National Park Service, Bureau of Land Management, Fish and Wildlife Service, and Forest Service—receive money from this fund each year. In addition, the LWCF funds a matching grants program to assist states (and localities) in acquiring recreational lands and developing facilities. Only once in its history have appropriations reached the authorization level of \$900 million. Jeffrey Zinn, "Land and Water Conservation Fund: Current Status and Issues," Congressional Research Service Report for Congress, #97-792 (January 28, 2002): 2–3, accessed at: <ftp://ftp.fisheries.ubc.ca/s.harper/US%20Fuel%20Subsidies/In%20End%20Note/Zinn%20-%20Land%20and%20Water%20Conservation%20Fund.pdf>.

Peeling Back the Bark *Exploring the collections, acquisitions, and treasures of the Forest History Society*



Peeling Back the Bark is the award-winning blog of the Forest History Society. Blog posts discuss new archive acquisitions, online exhibits, and photo galleries, as well as highlights from the rich resources held in the society's archives and photo collection. Other posts, such as one on illegal logging in China, explore forest history in the contemporary world. Guest bloggers have included leading scholars in environmental history, such as

- Stephen J. Pyne on wildfires in Australia
- Char Miller on the Society of American Foresters
- Nancy Langston on environmental health
- Curt Meine on the new Aldo Leopold documentary

Peeling Back the Bark has received top awards from the Council for Advancement and Support of Education, the Center for Association Leadership, and ArchivesNext. You can subscribe to the blog by email or RSS feed by visiting www.PeelingBackTheBark.org.



www.ForestHistory.org