

**A HISTORY OF FOREST CONSERVATION IN THE PACIFIC  
NORTHWEST, 1891-1913**

**By  
LAWRENCE RAKESTRAW**

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# TABLE OF CONTENTS

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COVER

LIST OF MAPS

LIST OF ILLUSTRATIONS

LIST OF TABLES

ABSTRACT

PREFACE

CHAPTER

1. BACKGROUND OF THE FOREST CONSERVATION MOVEMENT, 1860-91

2. RESERVES IN THE NORTHWEST, 1891-97

3. FOREST ADMINISTRATION, NATIONAL AND LOCAL, 1897-1905

4. GRAZING IN THE CASCADE RANGE, 1897-99: MUIR VS. MINTO

5. RESERVES IN WASHINGTON, BOUNDARY WORK, 1897-1907

- I. The Olympic Elimination
- II. The Whatcom Excitement
- III. Rainier Reserve
- IV. Other Reserves

6. RESERVES IN OREGON, BOUNDARY WORK, 1897-1907

- I. Background
- II. The Cascade Range Reserve
- III. The Siskiyou Reserve
- IV. The Blue Mountain Reserve
- V. Other Reserves in Eastern Oregon
- VI. Reserves in the Southern and Eastern Oregon Grazing Lands
- VII. 1907 Reserves

7. THE NATIONAL FORESTS IN DISTRICT SIX, 1905-1913

- I. E. T. Allen
- II. Personnel and Public Relations in District Six

- III. Grazing
- IV. Timber: Fires, Sales and Research
- V. Lands

## 8. THE TRIPLE ALLIANCE

- I. Background
- II. The Timber Industry
- III. Political Currents
- IV. The Triple Alliance
- V. Conclusion

## BIBLIOGRAPHY

## ENDNOTES

## VITA

# LIST OF MAPS

---

## MAP

1. Scene of the Whatcom Excitement
2. Rainier Reserve
3. Proposed Pengra Elimination
4. Temporary Withdrawals in Oregon, 1903

# LIST OF ILLUSTRATIONS

---

## ILLUSTRATION

1. Copy of Blank Contract Found in a Squatter's Cabin, in T. 34 N., R. 7 E., W.M.

# LIST OF TABLES

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## TABLE

1. The Public Domain, How Disposed of, Percentages
  2. Roosevelt Reserves of 1907
- 

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## ABSTRACT

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The movement for forest conservation began in the United States shortly after the Civil War. A variety of people became interested in preserving and perpetuating the forests about that time. They included scientists and scientific groups alarmed over forest depletion, both because of the indirect effects of the forests in perpetuating water flow, and for fear of a timber scarcity; recreational and aesthetic groups, desiring to preserve areas of unique scenic beauty; and men disturbed by violation of public land laws and the corrupt alliance of economic interests and politics. In the Pacific Northwest—Washington and Oregon—recreational groups made efforts to preserve the Crater Lake and other scenic areas in the Cascades.

The efforts of the conservationists were crowned with success in 1891, when a bill permitting the President to set aside forest reserves was passed. Through the work of local groups, four such reserves were set aside in the Pacific Northwest between 1891 and 1893. Two, the Cascade Range Reserve and the Pacific Forest Reserve, were set aside primarily to preserve scenic areas. Two others, the Bull Run Forest Reserve and the Ashland Forest Reserve, were set aside to protect city watersheds. In 1897, through recommendations of the National Academy, three other reserves were set aside in the state of Washington—the Olympic, the Rainier, and the Washington Forest Reserves.

The years 1897 to 1905 were spent by the national government in trying to get an efficient forest administration. The federal forests were under three bureaus with conflicting jurisdiction. General control of the reserves was under the General Land Office, while the Geological Survey and the Bureau of Forestry had specialized functions in connection with the reserves. Administration under the Land Office was corrupt and inefficient, and conservationists desired transfer of the forests to a bureau staffed by professional foresters. After an eight-year fight, the reserves—now called the National Forests—were placed under the Forest Service in 1905, with a professional forester—Gifford Pinchot—heading the bureau.

During those years, a number of local problems were met in the Northwest. A grazing policy, which later became a model for the national policy, was established in the Cascade Range in 1897. In Washington, several reserve boundaries were redrawn and the reserves reduced in size, in response to local pressures. In both Washington and Oregon, a number of new reserves were created after survey by the bureau of Forestry and the Geological Survey. Local sentiment varied greatly toward given reserves; in general, support or opposition depended on whether the reserve helped or hindered local interests.

Administrative decentralization of the National Forests began in 1905 and was completed in 1908. Under the district foresters, the local administration had a great deal of self government. The first two district foresters, E. T. Allen and C. S. Chapman, put administration of the forests on a professional basis; made the beginning of a policy for timber management and helped establish a grazing policy for all the forests in the district.

The period between 1905 and 1913 was marked in the region by a series of attacks on the Forest Service by a coalition of conservative politicians and land looters. The people, as a whole,

however, supported the Forest Service, and efforts to undermine or end the federal forest policy failed. More important than these attacks was the growing cooperation—the triple alliance—of state, federal and private timberland owners, expressed through a variety of guild associations, among which the Western Forestry and Conservation Association was the most important. By 1913 the Northwest set a model for the rest of the country in cooperative fire protection, and was ready to extend their work into other forest problems.

## PREFACE

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There are three approaches possible in studying the history of forest conservation. It may be studied as part of a world movement, as Fernow studied it in his History of Forestry; or from the standpoint of the nation, as did John Ise and Jenks Cameron; or from the standpoint of a given region, as did Charles McKinley in his administrative study of Federal land resource policies in the Pacific Northwest.

As a world movement, forest conservation offers an interesting story. Forest conservation practices were well established in Europe by the beginning of the nineteenth century; and that century marked the spread of the movement to the overseas colonies of Europe and to the new countries of the world. Developments in governmental forest control and management in the United States were paralleled by similar developments in Canada, New Zealand, Australia, and India. There was a great deal of interdependence in the movement, for science recognizes no national boundaries. Much of the early forestry work in India was done by the German forester, Diedrich Brandis. Foresters in France, England, and Italy were influenced by the publication in 1864 of a book by an American, George Perkins Marsh's Man and Nature. Bernhard Eduard Fernow was born and educated in India, Germany, and became the leader of the movement in both the United States and Canada. Gifford Pinchot owed much of his training to Brandis and Fernow, studied carefully the Indian system of forest control as a model, and himself initiated forestry practices in the Philippines. Californians and Oregonians looked to the Australian system of range and forest management for solutions to American problems. The comparative history of the movement offers interesting possibilities for research.

Yet though the movement was a world one, its fortunes varied from country to country. Such matters as federal or unitary governments; political, historical or cultural traditions; and differences in soil, topography and climate all effected the movement. The movement for forest conservation started in Canada at almost exactly the same time, and with the same men and voluntary association taking part, as in the United States; but the movement there has followed a different course. Each country has its own history of forest administration.

The third approach is the regional one, which is used in the present study. Federal policies of resource management have never had a uniform impact on all parts of the United States. The government is federal rather than unitary, with local governments jealous of their own powers. The country has a variety of physiographic provinces, so laws of general application may not work equally well in all parts of the country. A standard and often quoted example is the poor suitability of land laws framed in the humid east to the semi-arid Rocky Mountain West. Finally, land policies are apt to become partisan political issues, aligning party against party, section against section or state against state. For example, continued Federal control of Indian and public grazing lands was a vital issue during the Congressional election of 1954, in Montana, Oregon and Wyoming.

From a second point of view the regional approach is useful. Administration in all federal bureaus having to do with resource management is to some degree decentralized. Each of the administrative districts have powers of self-rule, that is, of making decisions without going to

Washington for approval. In administration of national forests, the Pacific Northwest—the states of Oregon and Washington—was recognized as an administrative region to some extent as early as 1897; and complete decentralization took place in 1908. The amount of authority delegated to the Forest Service is large—larger, perhaps, than that of any other bureau. Just as the states serve as social laboratories for working out experiments in legislation, so the administrative regions serve as technical laboratories for working out plans that may have a nation-wide application. And just as the story of government in the United States cannot be told without reference to the states, so the story of resource management must take into account the regional units, as well as the central agency.

In undertaking a regional study, two things must be borne in mind. First, the region does not exist in isolation. Its relation to the national picture, and to other regions must be recognized. A regional study referring only to the region itself is apt to be antiquarian in nature; one related to the nation will illuminate both regional and national developments.

Second, the sub-regions within the region must also be recognized. The state itself is an administrative unit, in government and in resource management. Two adjoining states in the same Federal administrative regions may have widely differing policies in handling their own resources, and in reaction to a Federal program. Oregon and Washington are in the same Federal forest region, where policies are made by the state regional office in Portland. But the states have different systems of handling their state-owned timber land. In Washington, management of the land is a political matter; in Oregon, it is on a professional and non-political basis. In addition, sub-regions based on physiography, climate, industry, and culture must be recognized. Such differing areas as the arid east side, and humid west side, of the Cascade mountains; the long-settled Willamette valley and the booming Puget Sound country; and the dominance of Portland as a metropolis, all provided local variations within the region.

I have been indebted to three groups of people in writing this thesis. The History Department of the University of Washington, especially Charles M. Gates, W. Stull Holt, and Max Savelle, have continually encouraged me, and by suggestion and criticism given the work form and substance. I am also indebted to Northern Montana College for leave of absence from my teaching duties.

Librarians and archivists, both in the east and the northwest, have given freely of their time and help in running down material. I am especially indebted to Harold Pinkett and Helen Finneran of the Natural Resources Division of the National Archives who helped direct my search in that vast collection.

Members of the United States Forest Service have helped me in a great many ways. They have given me a great deal of information on persons and personalities; the time of which I am writing is not far in the past, and many still recall the period under discussion. They have also given me some idea of the high professional code under which they operate. Finally, if there is any evidence that in this thesis I have enough technical knowledge to distinguish a tamarack from a cocklebur, it is due to having learned it from association with that group.



## CHAPTER 1

# BACKGROUND OF THE FOREST CONSERVATION MOVEMENT, 1860-91

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### I

Accordingly when later on in the nineties, the movement was in due course brought to success and signalized a victory, it should be remembered that it was a victory not of any one, but of many—a culminating victory—shared in by one and all alike, who, through the preceding years, had taken a part in the slow-moving process of molding popular thought along the lines of the movement. [1]

The history of forest conservation before 1890 can be divided into three periods. The first period, that from 1607-1776, was marked by rapid exploitation of the forest resources, accompanied by attempted crown regulation of forest use, and by flagrant breaking of the regulations. The second period, from 1776-1860, was that of almost unrestricted exploitation and waste of the forest resources by westward moving pioneers and by growing businesses. Forest resources were wasted, both because of inadequate land laws and a feeling that the supply was inexhaustible. The period 1860-90 was marked by a two-fold trend; first, an ever more rapid use and exploitation of the timber resources, caused by the rapid spread of population into the trans-Mississippi West, new developments making for larger business units, and technical developments in the lumber industry; and, second, the growing awareness of groups throughout the country that the process of wasting resources must come to an end, and the efforts of these groups to bring about a new and sane management of the nation's timber resources. The first two periods are, for our purposes, not necessary to the story; but the third must be touched on, as a necessary prologue to the main theme.

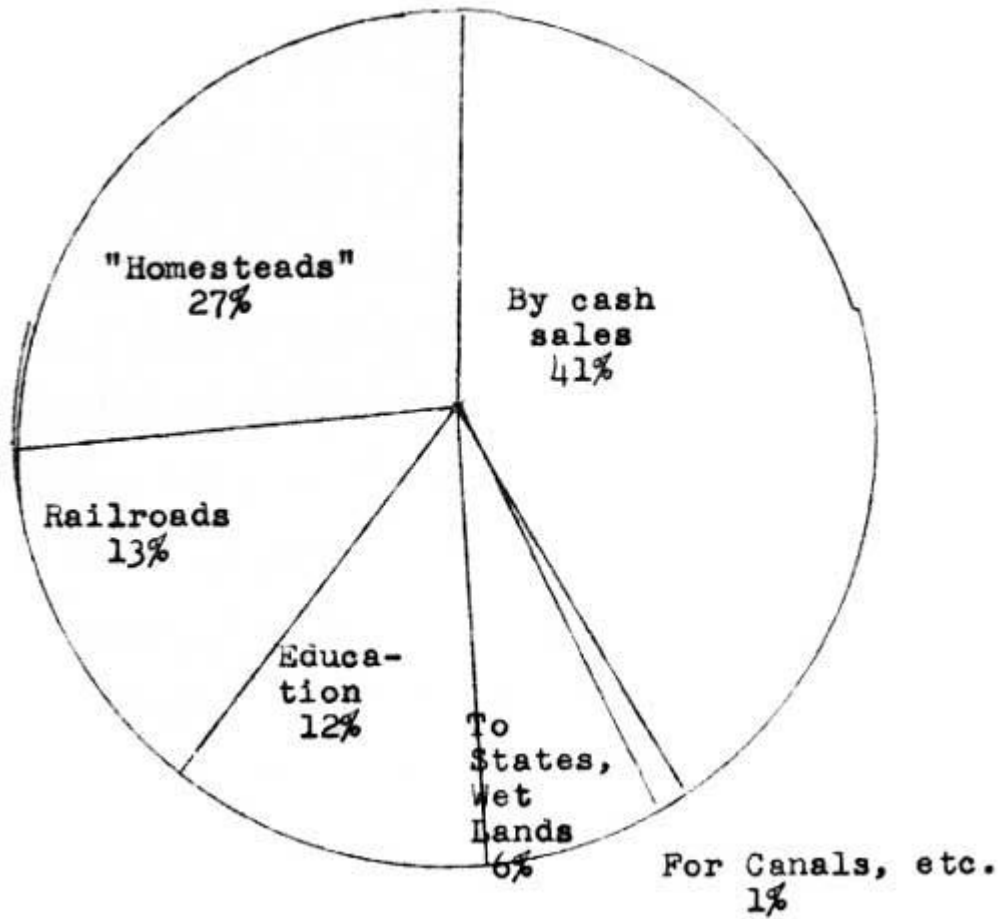
### II

It should be remarked in the beginning that no single group or individual can be given full credit for the growth and success of the movement for forest conservation. This was rather the result of action and thought by several groups, working either independently or together, for a variety of things concerned with forest and forest influences. The movement involved a complex interaction of federal and state action; scientific and transcendental thinking; and rural and urban groups. Scholars writing on the subject have resembled the blind men viewing the elephant; each, in dealing with his particular segment of the beast, has imagined it to be the whole. [2]

The process of disposal of the public domain increased after the Civil War at an increased rate. The Homestead Act and its numerous subsidiary acts were used widely by both bona fide settlers and by those who perverted the laws for their own purposes. Much land was donated through the public domain in the form of educational grants, at first in the form of two sections to each township, and later in separate liberal grants for education. In aid of transportation, 94 million acres were granted; for roads and canals, 10 million acres; and 65 million acres were given as swamp lands. [3]

TABLE 1

THE PUBLIC DOMAIN, HOW DISPOSED OF PERCENTAGES



The story of the public domain is a familiar one, and the phases of our primary concern are in regard to timber lands. There existed no good law in regard to timber lands, designed to get a land unit large enough for continuous logging operation into the hands of the operators. Land laws had been designed with the small owner in mind, and the homestead laws were primarily for agriculturalists. An exception was grants to railroads and to wagon road companies, many of them in timbered country.

Two laws passed to fill this need had little success. The Timber and Stone Act and the Timber Cutting Act were both passed in 1878. The Timber Cutting Act authorized citizens of the states of the Rocky Mountain West to cut timber without charge on the public domain for mining or domestic use; while the Timber and Stone Act provided that timber lands in the states of California, Oregon, Washington and Nevada might be sold in areas not to exceed 160 acres per person. In such sale, the entryman would make affidavit that the timber or stone was for personal use and that the entry was not made for speculation or any other commercial purpose. [4]

The new land laws did little to better the situation, and like the old laws, were the subject of abuse. There was wholesale abuse of the Timber Cutting Act by corporations and lumbermen. Land office agents concerned with timber trespass were few and inactive; and often the Registers and Receivers of the local land offices were in sympathy with the depredators. Trespass cases were often settled out of court after 1882, with minor amounts recovered in proportion to the losses. The Timber and Stone Act was used by large corporations rather than by bona fide settlers; often large corporations entered the land and required their laborers to make entries and convey over to the corporation their entries at \$2.50 per acre. The value of a single large tree would pay for the entry, and many more entries besides.

Other laws were also abused. Much timber land was homesteaded, or commuted, in order to get the timber. Much of the best timber land in California was taken up as swamp land. The states, with a few exceptions, sold their school lands readily to operators; and many of the wagon road and railroad grants came into the hands of lumbermen. Under the Indemnity Act of 1874 railroads, when their grants conflicted with bona fide settlers' claims, were permitted to select in lieu other lands; and often valuable tracts of timber lands were substituted for lands of less value. Furthermore, railroads were permitted to cut timber for ties on their right of way; but often trespassed far beyond the limits of their right of way to cut timber for commercial use. Despite protests against this exploitation—coming from the west as well as the east—the Department of the Interior was either reluctant or impotent during much of this time to curb the exploitation. [5]

Though exploitation continued, there came also to be concern over the devastation of the public domain. The precise root of the feeling is difficult to arrive at; that is, the main current of thought can be arrived at, but the precise mixture of various strands of thought are hard to unravel. To some extent the conservation movement was aesthetic in nature, expressing a desire to preserve areas of unique scenic beauty from the herds of the flocksmen or the saws of the lumbermen. Of such origin was the efforts of interested groups to create Yellowstone, Yosemite, and Crater Lake National Parks, and the later desire to preserve park areas in the region of Grand Canyon and Mt. Rainier—the desire to have parks for the people as a whole, rather than private ones for use of wealthy landowners. Although suggested by George Catlin, and probably others, Henry David Thoreau gave the belief its most popular expression in *The Maine Woods*:

The kings of England formerly had their forests "to hold the king's game" for sport or food, sometimes destroying villages to create or extend them; and I think they were impelled by a true instinct. Why should not we, who have renounced the king's authority, have our national preserves, in which the bear and panther, and some even of the hunter race, may still exist, and not be "civilized off the face of the earth," our forests, not to hold the king's game merely, but to hold and preserve the king himself also, the lord of creation—not for idle sport or food, but for inspiration and our own true recreation? or shall we, like the villains, grub them all up, poaching on our own domains? [6]

Thoreau undoubtedly read Catlin's statement, but this does not necessarily imply he was indebted to Catlin for the thought; the idea was in the air at the time. See Hiram Martin Chittenden, *History of Yellowstone National Park* (Stanford, 1933), pp. 69-70.

Thomas G. Manning, in a paper read at the American Historical Association Meeting of 1952, stressed the national park movement as an expression of the nationalistic spirit of the country after the Civil War.

This feeling had long been latent in Americans, but was hastened by the rapid urbanization and development of industry in the post civil war period. The growth of cities, and the changes in the landscape occasioned by city growth and large scale exploitation of resources, led groups to seek means to preserve the wilderness values. One aspect of this search was the city park movement, which went hand in hand with the national park movement. Another was the movement for associations of sporting clubs, walking clubs, and fishing clubs, for organized activity in the lines of interest of its group. A third was the desire to protect the environs of the city itself, as a hinterland in which the city dwellers could seek recreation. [7]

The recreational spirit was not without its utilitarian aspect as well. The fact that scenic beauty helps to attract travelers and tourists was early realized by local boosters in the West. Such cities as Colorado Springs, Colorado, and Las Vegas, New Mexico, grew up largely because of their attraction to tourists, where they could enjoy the mountain scenery. Civic associations in Colorado, Oregon, and California, as well as in the east, boosted the tourist trade by bragging up the beauties of the country; and thus became interested in preserving the natural beauties that surrounded them. [8]

A record factor was the growing socialization of the country. Two aspects of this are of application here. On the part of agrarian groups, this was indicated in a growing desire to have revision of land laws, in order to prevent fraud and aid the settlers in the lands of the west. Probably of more importance for the cause of conservation was the growth of public ownership in cities. In most cities such utilities as water supply, public markets, city parks, and so on were originally operated by private individuals. But the privately owned utilities gave unsatisfactory service, and caused interruptions of service. In the face of these conditions, decisions were made for the city to build, own and operate their own services. These decisions were not made on the basis of any underlying social or economic philosophy, but solely a practical decision, recognizing the need for service. [9]

In the public land states most cities got their water supplies from the wooded districts, on the public lands. These lands might well be prey to the flocks of the herdsman, the saw of the lumbermen, or the fires of campers. Just as efforts to get a municipal water supply enhanced the power of the municipal government, so it enhanced the power of the federal government no qualms were felt as to federal encroachment if the end to be gained was justified.

Fundamentally, however, the movement was scientific in nature. The era was one dominated by interest in natural science, though often mingled, like the thinking of Thoreau, with a species of transcendentalism. There came a new appreciation of the value of the landscape, when love of soil replaced land hunger. The interest was not primarily aesthetic or romantic, though it had elements of these in them; it was scientific and realistic, the thinking of geographers, landscape planners and scientists.

The movement was that of a variety of people and groups. George Perkins Marsh was probably the first to sense the destruction that was going on, weigh the losses and point out an intelligent plan of action. Taking the rise and fall of kingdoms as his theme—a subject ever of interest to the American public—he argued the cause was a waste of natural resources. Other popular writers followed the same line of argument, such as Nathaniel Shaler, John Muir, and Frederick Law Olmsted. By 1890 the idea that there was an intricate and complex relationship between soils, water and forests was a matter of common knowledge among most of the American people. [10]

Of more importance in giving basis for the popular writers were the scientific reports made during this period. The period after the Civil War marked the establishment by government and states of bureaus for scientific study of land management—the Geological Survey, the Agricultural Experiment stations and the land grant colleges of the West. In addition there rose a large number of professional organizations on state and national level concerned with natural resources. Growing urbanization gave rise to recreational and scientific organizations concerned with preservation of wild life and of wilderness values, such as the Boone and Crockett Club, the Sierra Club, the Audubon Society, and the American Forestry Association. The organizations not only acted as propaganda bureaus for dissemination of their points of view, but also gathered in the field a considerable body of facts to support their generalizations, and give a round basis for reform.

### III

With these diverse bases, the movement gained headway during the period from 1860-1891. To trace a clear course is difficult, since the work involved work on three levels—the state, the federal, and the associational or guild. It may be well to trace these separately, bearing in mind their association and mutual interaction.

The federal government was committed to the disposal of the federal domain; therefore, it was logical that the first governmental group to take action should be the states. In these the western states led the way. In Colorado, Colonel Edgar Ensign, an Iowa lawyer who migrated to the state, and attended the state constitutional convention of 1876, succeeded in getting a provision written into the constitution for management of its forest lands. The constitution directed the legislature to provide for the protection and management of the state forest lands. The state did nothing to implement this proposal at the time, though it did petition Congress to vest possession of the federal forest lands in the state in state hands, for control of waters valuable in irrigation. In 1885 a state forestry commission was appointed, with Ensign in charge. Ensign did some work on the county level in controlling burning and educating the people as to the dangers of fire; but the commission lapsed for lack of funds.

In California in 1885 a forest commission was established, headed by Abbot Kinney, a fruit grower, business man and town promoter. In 1887 forest experiment stations were established in various parts of the state, and John Gill Lemmon, a botanist who had had training under Asa Grey, was appointed California State Forester. Like that of Colorado, however, the state ventures suffered from lack of finances. Other states, such as Ohio, Minnesota, and Wisconsin, followed suit in establishing forest commissions. [11]

Other action was taken as well. The Hatch Act, and the Morrill Act, establishing agricultural colleges and experiment stations, exercised an educational influence in states where these were established. Working closely with the governmental forest agencies, they served a definite purpose in educating the people and breaking them from old, and destructive methods of land use. The universities made experiments in tree planting, and laid some little basis for the practice of forestry. In general, forestry men from universities had charge of forestry exhibits at the World Fairs. All these found popular interest.

Action began, too, on the level of voluntary associations concerned with forestry and forest preservation. The American Academy for the Advancement of Science, in 1873, appointed a committee "to memorialize Congress and the several state legislatures upon the importance of promoting the cultivation of timber and the preservation of forests and to recommend proper legislation for securing these objects." [12] They acted as a pressure group, working on both federal and state governments until 1880, but with little success. More important was the founding of the American Forestry Association in 1875, which became the chief professional organization of those interested in forestry. Its membership was nationwide, though its center of gravity remained in Washington, D. C., and in the midwest. Many local associations sprang up, the most important probably being the Colorado Forestry Association.

The associations worked on several levels. Their chief function was perhaps their role in educating the people, and acting as a clearing house for information. As with all learned societies, in their conclaves papers were read and ideas exchanged, so some nucleus of ideas as to forest conservation was gathered. They also served as a potent pressure group, on both state, federal, and local level. [13]

Most of the timbered states passed state fire laws during this time—though there is much evidence that they were largely unenforced. [14] Memorials and bills by the dozen poured into Congress from state legislatures, civic and professional groups, and friendly congressmen, requesting reform of the land laws governing timber or requesting creation of national forests. Here again, no single section of the country was predominant; such diverse states as Vermont, Ohio, Minnesota, South Dakota, New Mexico, Colorado, and California were represented. [15] Edgar Ensign, in his survey of mountain forest conditions in the West, found that there was wide-spread discontent in all the states of the Rocky Mountain west with administration of the timber land laws. [16] Yet the bills for the most part died in committee.

Nevertheless, as time went on some work was accomplished. Some of the administrative officers in charge of the public domain, notably Carl Schurz, James Williamson and Lucius LaMar, took steps to curb the worst abuses of the land laws, and instigated suits against some of the worst offenders. [17] More important than this was their printed reports, which did much to alarm the public over exploitation of the country. Within Congress itself, some congressmen became alarmed over the situation; such men as Pettigrew of North Dakota, Lacy of Arkansas, and Plant of Kansas sponsored bills calling for establishment of a rational timber policy. By 1876, through the work of the Smithsonian Institute, the New York State Agricultural Society and the Department of Agriculture, enough congressmen were convinced of its desirability to establish a commissioner of forestry for the nation. Appropriations were meagre, and authority small; but successive commissioners utilized the office for collecting statistical information on forests. In

1886, with the appointment of Bernhard Edouard Fernow to head of the division, new impetus was given to governmental work.

Fernow became the leader of the movement both on the governmental and the associational level. A Prussian by birth, educated as a forester, he came to the United States to visit an American girl to whom he had become engaged. The visit lasted thirty years, and he became a prime mover in the forestry movement, both in the United States and in Canada. He became associated as a mining engineer with Abram Hewitt and Rossiter Raymond; worked on their forested property in Pennsylvania; and joined the forestry associations which were springing up in the area. He rose to head the American Forestry Association, and in 1886 became head of the Division of Forestry in the Department of Agriculture. The Division had only an advisory and educative function, and no power of administration over forests; but Fernow made it something more than a supernumerary department. It became a clearing house for information of forest and forest statistics, and offered a means of correlating the activities of associations and federal activity.

As an administrator, Fernow had some great strengths and also some weaknesses. With teutonic thoroughness, he traveled over the United States—at his own expense—to view at first hand the forests of the nation. Quietly and unobtrusively, he got the numerous associations on national and state levels to working for a forest policy together; and on the national level, he got the support of a bloc of congressmen who would introduce bills looking toward such a policy. As an administrator, however, he aroused some antagonism. Though foreign born, he was acutely aware of the necessity of the democratic process, and desired to move no faster than the people would stand for and only in accustomed channels. To men like Pinchot, he seemed overly cautious. He had little taste for engaging in the inter-bureau rivalry of Washington, and against the more dynamic new administrators, such as Gannett of the Geological Survey, he appeared at a disadvantage. [18]

Action on the federal level was slow in coming. Both state and federal policies on land looked to disposal, as a means of economic development of the country. The emphasis of a century had been, not conserving the wealth of the country, but encouraging each generation to use and develop the riches available. There was, in the country, little exact knowledge of forest management; such principles as were known were, for the most part gained from European observation, and were not necessarily applicable to this country. So much timber was available that there seemed no need of restoration; and those who warned of a timber famine were regarded for the most part as prophets of doom. The states were jealous of their sovereign rights; the federal government was one of limited powers; private individuals insisted on the same rights that had been that of their ancestors; and a constructive forest program commensurate with these conflicting needs and opinions was hard to arrive at. Added to this was the general moral letdown and flabbiness of the government in the post-civil war era. Yet there is every evidence that the states and the people in general were far ahead of Congress in sensing the need for a forest policy. Congress, and especially the Senate, where the members were not popularly elected, were dominated by economic man, more interested in private gain than in public good. Many members had a personal and immediate interest in exploitation of the public domain, and were reluctant to brook any interference with this freedom. [19]

Congress yielded slowly to the pressure from those who favored forest legislation. Bill after bill was introduced in almost every congress years after 1876; some the product of members of Congress, some the result of petitions from state legislatures or municipalities or individuals, in Colorado, New Mexico, and California, some written by Fernow or other members of forestry associations and presented through friendly congressmen. Some of the bills looked to a comprehensive forest policy; others petitioned for withdrawal of specific areas in the mountains of Colorado, New Mexico, Montana, and California as forest reserves. Only one of the bills got out of committee. As one historian has written:

At the time the Western States were urging the reservation of public lands and when the Forestry Congress proposed their transfer to the states, the Federal Government made no move to withhold them from disposal and only occasional gestures to protect them from fires and depreciation. [20]

Almost by accident, the work of all these groups finally reached fruition in 1891. In that year a group of scientists, including Edgar Ensign, Edward Bowers, Fernow, and others, conferred with Secretary of the Interior Noble, on the matter of reserving and protecting the public forest lands. Against some formidable opposition on the part of John Wesley Powell, they managed to persuade Noble of the desirability of the legislation. On midnight of March 3, 1891, the Secretary managed to get a rider on a bill, then in conference committee, giving the President the power to set aside forest reservations. No record debate was made, and the bill became law on March 3, 1891. [21]

#### IV

In the early movement for forest conservation, from 1860 to 1890, the Pacific Northwest—Oregon and Washington—played but little part. Nevertheless, the changes that took place, both in the area itself and in its sub-regions, during this time had a significant effect on the fortunes of the movement there.

First, there were important changes in transportation and communication which affected the district. In the period from 1840 to 1880 the area had been isolated from the main area of the United States. There had developed over this time because of the isolation and because of certain common ideals and attitudes the immigrants had brought with them, a set of cultural and social attitudes that Lancaster Pollard describes as "area-kinship." The settled areas were small, and the region was dominated by Portland. This city dominated the social and cultural life in the Willamette Valley and to The Dalles on the east, and its hinterland extended over the area both east and west of the mountains.

During the 80's the railroads reached the west coast in this region, with terminals at Portland, Seattle, and Tacoma. The railroads ended the region's isolation, bringing in people of a different regional and cultural background than those already there. Oregon experienced a population increase of 80 per cent in the decade from 1880 to 1890; Washington, 380 per cent.

In Oregon the new population was rapidly assimilated and did not affect the cultural pattern a great deal. The bulk of the newcomers settled in the Willamette Valley among the old



Oregonians and rapidly became a part of the community. Such was not the case in Washington. Not only was the increase greater, but within the Puget Sound area a great number were drifters and people on the move, with a much more confused political and social background than in the Willamette Valley. The Willamette Valley had a great deal of stability; the Puget Sound area a boom psychology. [22]

There were significant shifts in industry also during this time. Most important in regard to conservation were the changes in the lumber and the grazing industry. Passage of the first bill to establish a conservation policy in the United States, in 1891, coincided with the shift of the lumber industry from the lake states to the Puget Sound area. Several things brought about the shift; probably the two most important factors were cutting over of the pineries in the lake states and completion of transcontinental railroads. The chief cutting was in the State of Washington, in the Puget Sound area, where railroads, water transportation, and pure stands of old growth Douglas fir attracted loggers from the lake states. By 1889 lumber production in Washington equaled that of Minnesota, and by 1909 led that of the United States. [23]

The sheep industry also became important during this time. The sheep industry in Oregon had had an early start in the Willamette Valley. The sheep were of fine quality, and as early as the decade 1860-70 sheep were exported from Oregon to other areas, where they commanded a premium price. As farms grew in the valley, summer range was resorted to in the mountains, and sheep husbandry shifted from the farm variety to the range system. By the 1870's sheep grazing was well established in the Blue Mountains. About the same time the area in the foothills of the Cascades, in Wasco County near The Dalles, was utilized, and as settlement progressed further south on the east side, first the foothills, then the middle elevations, and finally the mountain meadows were utilized. Sheep grazing started on the east side of the Cascades in Washington about the same time, beginning in the Yakima Valley, and extending up along the east side of the Cascades to the Colville Indian Reservation. [24]

The period from 1870 to 1890 was the period of the great sheep trails, when the range lands of Wyoming, Idaho, and Montana were stocked with sheep from Oregon and Washington and California. Sheep were driven overland from the coast states to the new range land in the Rocky Mountain west in great numbers annually. Exact statistics are hard to arrive at; the figure of 3 to 4 million exported from Oregon alone during this period is probably a conservative one. [25]

Both states were plagued by the usual evasions and perversions of the land laws that were typical of most of the public land states. This story is a familiar one, and need not be elaborated on. Bearing in mind that the general tendency was the same, some specific circumstances peculiar to each state should be recounted, in regard to the school land.

Oregon was hampered by weak laws protecting her school lands—a circumstance which gave rise to one of the most publicized land scandals in the west. By a law passed in 1887, it became mandatory for the state to sell her unsurveyed school lands at \$1.25 per acre. Other state land, such as swamp land, had also come into the hands of speculators at less than its real value through land rings in close touch with the state legislature, and by 1890 there was some sentiment opposing this tendency. [26]

In Washington the situation was somewhat different. This state profited by the work of William Henry Harrison Beadle, the Surveyor-General of Dakota Territory. Beadle had become alarmed at the waste of the school land in the older states, and had insisted that Dakota, and the other states included in the Omnibus Bill of 1889 as well, have in their state constitutions clauses protecting their state land. By the constitution of these states, the school land could not be sold for less than its appraised value, and for not less than \$10 per acre. [27]

Although the Pacific Northwest was not among the prime movers for a program of forest conservation, it was not immune from the currents of intellectual life. Here the first influence to be felt came from the Willamette Valley urban centers. In this, the oldest settled part of the Northwest, the needs of a forest policy were evident. People here as elsewhere read the scientific reports dealing with the forests, and speculated pro and con the effects of grazing on the forests reported by Muir. With growing cities came the desire to protect the city water supplies against the axe of the woodsmen or the herds of the flockowner. And in Oregon, as elsewhere in the country, some elements in the population became tired of fraud in the administration of land laws.

The first movements in the northwest came from recreational groups. Blessed with an unequalled natural heritage, Oregonians took full advantage of their chief assets, the mountains and the sea. Summer excursions were made by road or steamboat to resort towns along the coast, where swank resorts of almost Newportian elegance catered to the Portlander society, and where others might rent summer cabins or camp in the dunes. [28] The mountains, too, had their share of devotees. In buckboards, on horseback or bicycles, or on foot, people headed for the hills in summer—fishing for trout or salmon in the Santiam or the Clackamas, the scene of Rudyard Kipling's most famous fishing exploit; [29] camping in the wilds of the Cascades, or gathering huckleberries in old burns or mountain meadows. Summer hotels sprang up, where people might hike, fish, or rock on the front porch and enjoy the natural beauty around them. [30] For those to whom the heights called, Cloud Cap Inn was built in 1889, anchored to the rock on the very slopes of Mount Hood.

Of the mountain lovers, none was more enthusiastic than William Gladstone Steel, who had come to Portland from the treeless plains of Kansas. Combining the love of nature of a Thoreau with the booster spirit of a Babbit, he spent his spare time in boosting the mountain scenery of the Pacific Northwest. He took the lead in forming the Oregon Alpine Club, organized in 1887. This club and its successor, the Mazamas, played much the same role in the forest conservation movement and park movement in Oregon that the Sierra Club did in California. The Alpine Club's membership had its headquarters in Portland, and included among its members many important Portland business men, bankers, and city officials, such as Henry W. Corbett, Henry L. Pittock, William Ladd, and George Mitchell. The membership was not limited to Portland, however; Hood River, Salem, The Dalles, and other cities in the hinterland of Portland were represented among its members. Of especial importance were Malcolm Moody of The Dalles, the second man to ascend Mt. Adams and later to be Oregon's representative in Congress, and the Langille family of Hood River and Cloud Cap Inn, who were to play an important part in the movement for forest conservation.

Steel's chief claim to fame has come as a result of his activities in relation to Crater Lake. He visited the lake in 1885. Impressed by the natural beauty of the area, and encouraged by the success of Montana and California groups in reserving areas of unique scenic beauty from entry, Steel began a campaign for reservation of the lake and its surrounding country. Singlehanded, and at his own expense, he circulated a petition asking for the area to be made a public park. The petition was signed by a large share of Oregon's office-holders and wealthy men, and on January 30, 1886, the area was withdrawn from entry. No provision was yet made to make it a park, however; that campaign took another sixteen years. [31]

Two years after the reservation of the Crater Lake area, another attempt was made to withdraw an area of scenic beauty, this time by John B. Waldo. Waldo was the son of an Oregon pioneer, and a one-time state judge. He was a mountain lover, who spent his summers exploring the mountains and lakes in the Cascades. Each year he would leave the valley in early summer, and head for the wildest and remotest parts of the Cascades, either alone or with such friends as John Minto, the State Horticulturist, or William Gilbert, the Federal District Court Justice. A man of wide learning, and possessor of a large library, he had become concerned about the permanent losses to the country by the policy of land disposal.

In 1889 Waldo was elected to the Legislative Assembly of Oregon. Inspired by the writings of Thoreau, and probably by the examples of Colorado and of California, he introduced House Joint Memorial No. 8, "praying Congress to set aside and forever reserve, for the uses therein specified, all that portion of the Cascade Range throughout the State, extending twelve miles on each side, substantially, of the summit of the range."

The projected reserve had a variety of purposes. One clause in the memorial stated:

That the altitude of said strip of land, its wildness, game, fish, water and other fowl, its scenery, the beauty of its flora, the purity of its atmosphere, and healthfulness, and other attractions, render it most desirable that it be set aside and kept free and open forever as a public reserve, park, and resort for the people of Oregon and of the United States.

However, the memorial also cites the value of the forests, waterflow, the indirect effects of the forests on climate, and use of the area as a game preserve.

The projected management of the reserve was ingenious. It stands out as an early and unique attempt at federal-state partnership in managing resources, and was markedly in contrast to the prevalent manner of withdrawing areas without making provision for their administration. In addition to the reason already cited, the memorial cited the value of the forests in protecting the sources of streams, the indirect influences of the forests on climate, and use of the area as a game preserve. The management was to be in the hands of a board, headed by the governor of the state, and consisting of six men named by the governor, and six by the President of the United States. The commissioners would also serve as state game commissioners. They would guard the game, and could give leases of not over fifteen years duration, for resorts in the reserve, provided that no resort be over 40 acres in area or be closer than five miles to another. The commission would report to the legislature each session, making recommendations as to improvement of the area and recommend legislation to protect the fish, game and natural beauty. Grazing would be

prohibited in the area except by stock in transit or by campers' saddle and pack stock. No market shooting or fishing would be permitted within the reserve. Mines could be worked, but claims would be declared void if assessment work ceased for a period of two years; and railroads crossing the area could take the timber and stone needed for construction of the line, and no more. The boundary was to be established by survey.

On introduction the memorial was referred to a special committee, consisting of one member from each of the counties on either side or the range bordering the proposed reservation. Amendments were made in committee, largely to please the grazing interests. The Jackson County delegation demanded that grazing land in that county in the extreme southern part of the state be withdrawn from the projected reserve, and the adjacent portions of Klamath County were withdrawn also. Also the prohibition of grazing was postponed for a period of ten years, allowing sheepmen to find new ranges. As amended, the memorial was recommended for passage, and passed by a unanimous vote.

In the Senate, however, the memorial met a different fate. The sheep interests had gathered their forces, and the measure, after being referred to the Committee on Public lands, was tabled. [32] It remained for William Gladstone Steel to revive the idea after the passing of the act of 1891.

## CHAPTER 2

# RESERVES IN THE NORTHWEST, 1891-97

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The act of 1891 was taken advantage of promptly in Colorado, New Mexico, California, and Wyoming. Groups in these states, such as the Sierra Club and the Colorado Forestry Association, had long desired such a law, which made possible the creation of those reserves the West had agitated for during the last decade. Within two years of the passage of the enabling law, 16 reserves in the western states, plus one in Alaska, were established with an area of over 17 million acres. As Fernow wrote:

The reservations were established usually on the petition of citizens residing in the respective states and after a due examination, the forestry association acting as an intermediary. [1]

The mechanics of the act were simple. Memorials or petitions by interested persons or groups were sent in, to the Secretary of the Interior, the Commissioner of the General Land Office, or the President; all of these eventually came into the hands of the Commissioner. The area under question was examined by Special Agents of the Land Office, who collected information not only on the desirability of reserving the area, but also of public sentiment in reference to the proposed withdrawal. If the reports were favorable, notice of the impending withdrawal would be published in a newspaper printed in the area for a period of six weeks, to allow full expression of public opinion on the matter. Then, if in the opinion of the Commissioner and the Secretary, the withdrawal seemed justified, they would make their recommendation to the President, and the withdrawal would be made. [2]

In the Pacific Northwest there were no such groups as existed in Colorado and in California, working closely with the eastern forestry associations. The Oregon Alpine Club, which might well have become the prime mover in such matters, had no eastern connection, and what James High has called an "obscure rider" to another bill passed without notice. [3] Nevertheless, there existed forces, in city needs and in recreational desires, which led to use of the bill within a short time.

### I

Ashland, Oregon, was at this time the largest town in southwestern Oregon. Located in a fertile intermontane valley near Bear Creek, the largest tributary of Rogue River, her physical assets were considerable. The town was on the line of the Oregon and California railroad, and had therefore direct connection with both Portland and California. The climate was mild and adapted to fruit growing; peach growing had been tried with such success that a packing and canning plant had located there. A woolen mill, a saw mill, a grist mill and a five-stamp quartz mill were located in the city; and cultural life was enriched by the presence there of one of the state normal schools. Stockraisers in the foothills, and prospectors in the mountains, made this their supply center. Ashland's proximity to Crater Lake, and the presence near the city of soda springs and hot springs, were gaining her some repute as a tourist center. An ample supply of pure water was available from Bear Creek, which headed in the mountains to the south, in the basins around

Ashland Butte, a snow-covered peak of 8,000 feet elevation, some twelve miles to the south. The population of the city had doubled in a period of ten years, from 842 in 1880 to 1,784 in 1890.[4]

In 1889, the water works were enlarged and relocated at a higher elevation, to take care of the increased city needs. But there was need to protect the water supply. With this in mind, at a joint meeting of the mayor and City Council and the Board of Trade in 1892, a petition was drafted and sent to Senator J. N. Dolph of Oregon. The petition requested that a forest reserve be created in Township 40 and part of Township 39 S, R 1E, W.M., to the south of the city, from which area they obtained their water. The area to be reserved, they wrote, was timber land, and they needed it to protect their water supply from "timber land speculators and other types of vandals." Dolph forwarded the letter to the President, who sent it to the Land Office for consideration.

The petition languished for some time; as will be seen, the question of the type and number of reserves to be created in the Cascades became a tangled one. About a year later Max Pracht, an employee of the Treasury Department, investor in suburban development called Peachblow Paradise Orchards, and perpetual writer of letters to the editor, wrote again, asking for a reserve, lest timber land speculators locate in the area and "mulct" the people of Ashland. No protests to the reserve were filed, and the reserve was proclaimed on September 28, 1893, the same day that the Cascade Reserve was created.[5]

## II

Portland, also, began to take action at this time. As the largest and most rapidly growing city in the state, she, too, was concerned about her water supply. The water supply had been from springs, wet weather creeks, and the Willamette River, all of which were unsatisfactory. By a legislative act of 1885, the city was authorized to purchase or construct a more suitable system and a Water Committee was formed to consider the matter.

Various sources were considered; but, finally, on the recommendation of C. B. Talbot, a civil engineer, it was decided to get water from the Bull Run River, thirty miles east of the city. Talbot, to insure getting the water, filed a claim on the stream for water rights, but there was the need to safeguard it further. [6]

Probably as a result of discussion of the problem at their monthly meeting, Henry Failing, Chairman of the Water Commission, wrote to the Commissioner of the Land Office in January, 1892, asking that a reserve be created. A pipeline, he said, was under construction from Portland to the head works, where a flow of 7,000 gallons per minute, ample for the city's needs, could be obtained. Cutting of timber in the area, he feared, would destroy the purity and diminish the flow of the water; consequently a reserve should be established. The communication was apparently forwarded through Senator Dolph. At a meeting of the Water Committee on March 2, 1892, Chairman Failing reported that Senator Dolph had recommended the withdrawal of the area by Presidential order, by which action it could only be restored to entry through act of Congress. Dolph also reported that he had endorsed the request and sent it to Senator Mitchell and Representative Herman for their signatures. [7]

On March 12, Thomas H. Carter, Commissioner of the General Land Office, wrote to the Secretary of the Interior, citing the communication from the Water Committee, and asking that the area be reserved under the act of March 3, 1891. Meantime the Water Committee received support from the Oregon Alpine Club, which had just awakened to the fact that they had a golden opportunity to reserve the Mt. Hood area. (Their activities will be described in detail in connection with formation of the Cascade Reserve.) On April 30 Frank Dodge wrote to C.E. Loomis, Special Agent of the Land Office in charge of investigating the area, describing the area and urging the withdrawal of it to protect it from invasion by sheepmen, whose habits of "light-burning" would endanger the water supply. Loomis made his examination some time between April 30 and May 21. He found the area suitable for reserve purposes; no objections to the withdrawal were filed at that time, and on June 17, 1892, the area was withdrawn from entry as the Bull Run Timberland Reserve. [8]

### III

Meantime another reserve had been created to the north. Some time in 1891, Cyrus A. Mosier, a Special Agent of the General Land Office stationed in Seattle, received orders to examine the area around Mt. Rainier, and to sound out how the people felt about such a withdrawal. [9] On a trip to the Puget Sound cities, to sample public opinion, he found the time opportune, since there had been heavy floods. In meetings, he used the following points as arguments for creating the reserve: (1) that the reserve would not be noticed, since abundant timber was available; (2) that privately owned timber would become enhanced in value by the withdrawal; (3) that denuding the land toward the headwaters would cause floods and soil erosion; (4) and that by reserving the land at the foot of the mountain, the mountain would remain unsullied in her setting. [10]

Mosier made some preliminary trips to the mountain in 1891, and followed them up in 1892. On July 21-30 of that year, he traveled by way of Eatonville to Longmeier; in August to the headwaters of the Puyallup River; in September to Cowlitz Pass, and in late September over Naches Pass to Yakima. His report, accompanied by photographs, gives a good account of the topography, flora and fauna of the area, of the progress of irrigation in Yakima and of the light-burning habits of sheepmen; but its chief theme is the beauty of the mountain. [11]

In his official report he proposed withdrawal of some 967,680 acres, lying between the meridians 121 and 122. His recommendation includes statements to the effect that the withdrawal would prevent floods, and that no agricultural lands were involved; but his main point was the unique scenic beauty of the area. Botanists, zoologists, and geologists, he pointed out, would benefit by the withdrawal. There would be no objections to it by the people of the state, because "it is the wish of the people of Washington that these and other such lands be set aside for national park purposes." They felt "the patriotic pride and desire to protect unique natural beauty manifested by the people in the establishment of Yosemite and Yellowstone National Parks." [12]

A number of letters came to the office of the Commissioner supporting the proposed withdrawal. These included T. R. Kemp of Seattle; J. Hampton, Land Commissioner of the Kirkland Land and Lumber Company; Byron Phelps, County Treasurer of King County; and F. A. Twichell, County Auditor. The Board of Trustees of the Seattle Chamber of Commerce also wrote favoring it, stressing the fact that denuding the land would cause floods. No opposition to the reserve was

received, with the possible exception of the Commercial Club of Tacoma. In a letter to President Harrison, they wrote that they were for the reserve, but against having the name "Rainier" appear in it. The area was withdrawn February 20, 1893—under the name of the Pacific Forest Reserve. [13]

#### IV

There had been little protest against proclamation of the Pacific, the Bull Run and the Ashland reserves; the reserves were comparatively small, their purpose was obvious, they had been created at the wish of the people living in the vicinity, and sentiment, so far as can be judged, was well-nigh universally for them. The case was different with the Cascade reserve. The very magnitude of the reserve, an area 234 miles long and covering an area of 4,492,800 acres, made it inevitable that some protest should arise from users of the area. More important was the fact that an element of fraud entered in; that a landrigger, taking advantage of the genuine desire for forest reserves, was able, through manipulation of the land laws, to enrich itself at the public expense.

There had long been a desire in Oregon that Mt. Hood, like Crater Lake, be withdrawn as a park. Creating reserves before 1891 had taken congressional action, which was slow, and apparently Oregonians had missed the significance of the act of March 3, 1891. People were awakened to its significance by an article in the Morning Oregonian for March 25, 1892. R. G. Savery, a Special Agent for the General Land Office, was interviewed, and said that the land could be easily reserved. The text of the law was published. Savery stated that he had sufficient data to make recommendations on Mt. Hood, and would be in Washington, D. C., in May and June to present the recommendations in person. He asked for communications from people living in the vicinity in order that local sentiment on the proposal might be evaluated, and suggested that the Alpine Club, the Chamber of Commerce, and other groups collect such information. Above all, there was need to do it at once, before settlers took up the land. [14]

By April 14, the Alpine Club had taken up the idea. Two Land Office agents were working on the reservation project, R. G. Savery on the Mt. Hood area and C. E. Loomis on the Bull Run Reserve, petitioned for by the Portland Water Commission. The plans were for the Water Commission and the Alpine Club to meet and ask for a reserve to include both Mt. Hood and the Bull Run water site. They also got aid from the town of Hood River, where S. F. Blythe of that city headed a committee to get the headwaters of Hood River reserved. The lumbermen, Blythe reported, were working toward the headwaters of the river, and these should be protected as a source of irrigation water for the valley. The Hood River group asked the assistance of the Alpine Club, and stated that they were circulating a petition among the people of that valley. [15]

Meantime, another group came on the scene. A group of land speculators, led by Stephen A. D. Puter, saw their chance to profit by loopholes in the land laws. Under the Oregon state laws, state school land could be sold at \$1.25 per acre and the language of the law made it mandatory that it be so sold on demand by a purchaser. The law called for one fourth the payment down. Also under federal law, the state was entitled to indemnity for all unsurveyed school sections within a reserve or reservation of any kind. Hence, by buying school land at \$1.25 per acre, in advance of creation of a reserve, speculators could use this as base to exchange for valuable timber land worth \$2.50 per acre. Reviving the idea expressed in Waldo's Memorial, that a reserve be created



to include the whole crest of the Cascade Mountains in Oregon, they took the proposal, and a linen map with the suggested boundary on it, to W. G. Steel, who was already busy promoting the Mt. Hood Reserve, and suggested that he ask for the whole range, rather than a part of it. Steel swallowed the bait, and in his usual energetic fashion began rounding up petitions for the larger reserve. [16]

By mid-April the organized campaign was under way. On April 13, a petition was mailed to the General Land Office from the people of Klamath County, asking that the office create further reserves around Crater Lake "for the double purpose of protecting the scenery and to protect the timber and underbrush of said lands."

Fifty-two people from Klamath Falls and vicinity signed it, including the county judge, the sheriff and his deputies, the county attorney and the county surveyor. Another group got in touch with the American Forestry Association, which forwarded a petition for such a reserve to Senator Mitchell, who in turn endorsed it and sent it to the Secretary of the Interior on April 14. [17]

On April 27, another petition was prepared. Addressed to the President of the United States, it pointed out that the Cascade Range forms a continuous watershed from north to south in Oregon; that the mountains are covered with timber and underbrush, "because of which the snows of winter are carried into summer, and an enormous reservoir of moisture maintained, by means of which the climate of the state is so regulated that droughts on the Western slope are utterly unknown." The sources of the streams, the memorial continued, should be maintained; the region was valueless for agriculture, and but poorly mineralized. Protection was needed against sheepmen, who used this for summer range, and started fires to increase the area of range land, thereby endangering the water supply. They petitioned, therefore, for withdrawal of at least the Mt. Hood, Bull Run and Crater Lake areas, and if the President saw fit, for the remaining portions of the Cascade Range.

The petition, prepared by the Oregon Alpine Club, and signed by the Club's president, George Markle, a Portland banker, and its secretary, G. Perrot, had a long list of endorsers. It included such state officials as Sylvester Penoyer, the Governor; the Secretary of State, the State Treasurer, State Printer, State Auditor, and Superintendent of Public Instruction; and other worthies, such as Harvey Scott, editor of the Oregonian; The Postmaster and the Mayor of Ashland; John B. Waldo; W. B. Gilbert, U. S. Circuit Court Justice; and W. L. Boise, Chairman of the Republican State Committee. W. G. Steel signed it on July 20, and G. W. Farnsworth and R. E. Baker of Klamath Falls on September 7. A second petition of the same tone was signed by H. W. Corbett, newly elected President of the Alpine Club, and George H. Himes, Secretary, and endorsed by William Ladd, Justice of the State Supreme Court; John Gates, Mayor of Portland; Daniel McCleary, President of the Portland Board of Trade; and J. T. Apperson, President of the Oregon City Board of Trade. Other signers included the mayors of Oregon City, The Dalles, and Salem; The Dalles Board of Trade; F. L. Mays, U.S. Attorney, and Binger Herman. In July R. G. Savery investigated the area and found sentiment overwhelmingly for the reserve. [18]

In November, two petitions were filed by homesteaders, one containing 85 names, the other well over 100. Stating that the reserve would interfere with their homesteading, they asserted that the

desire for the reserve was solely on the part of "a few wealthy Residents of the City of Portland and its environments." They felt that ten statute miles from timber line on Mt. Hood was all that should be allowed for the reserve. About the same time, too, there apparently came in some protests from the Bohemian Mines, in the southern part of the state. [19]

Aware of these protests, and perhaps also aware that the full reserve would redound to the benefit of timber speculators, the Oregon Alpine Club filed a second petition, endorsed by the Portland Chamber of Commerce, in January, 1893. They had found that the entire requested reserve would interfere with mining in the Cascades, they said, and asked that the reserves be limited to Mt. Hood and Crater Lake. [20] Meantime, however, Senator J. N. Dolph, who had come out strongly for the reserves as early as June, 1892, [21] had communicated with the Oregon State Senate on January 25, 1893, asking their pleasure in the matter of reserves. The Senate produced, by unanimous consent, a Joint Resolution in favor of the reserve. Stating their full endorsement of the principle of establishing timber reservations under the act of March 3, 1891, they asked for the immediate establishment of the Crater Lake and Mt. Hood reserves, and asked:

the enlargement and extension of each said reservation so as to include the whole crest of the Cascade Mountains in Oregon, with a convenient space on each side thereof, just as soon as the same can be intelligently done after a proper but thorough investigation by the Interior Department of any vested interest as may be in such a territory. [22]

Meantime, Steel became aware that if the entire reserve was created there would be fraud. In a letter to E. A. Bowers of the General Land Office, on May 1, 1893, he asked for creation of the Mt. Hood and the Crater Lake reserve, stating:

The desire is universal in this state, except among a few timber sharks, who hope to benefit by the withdrawal of the entire Cascade Range, for the immediate establishment of both these reservations.

He had, it was true, at first circulated a petition for the withdrawal of the whole range, but subsequently his attention had been called to the fact that "we were being made the innocent tool of designing men to work an injury on the state." His objection to withdrawal of all was due first to the fact that it would interfere with the mines. [23]

There came other demands for the smaller reserves also, from John H. Cradlebaugh, publisher of the Hood River Glacier, and C. W. Kimball of Roseburg, who like Steel felt that the large reserves played in the hands of the "lieu" land sharks. [24] However, either the Land Office ignored these requests or felt that arguments for the entire reserve outweighed those for the smaller ones; at any rate, on September 28, 1893, the Cascade Range Reserve, reaching from the Columbia River nearly to the California border, was created. [25]

## V

During the period 1891-97 no further important legislation was passed in regard to administration of the forest reserves. The forests remained reserved areas, not open to settlement, exploitation or

speculation, but vulnerable as before to fire and theft save for such limited protection as the special agents of the Land Office could give them. It took six years to remedy this situation. In the absence of specific legislation, the Secretary of the Interior construed the reservations as withdrawn not only from sale and entry, but from any use whatsoever. The Department felt itself powerless to protect or to utilize the area.

After proclamation of the Cascade Range Reserve, it was tacitly agreed that no further reserves would be created until a modus operandi was established. Fernow, head of the Division of Forestry and of the American Forestry Association, had since 1887 brought up bills annually for passage but they had generally failed under the weight of political maneuvering. The problem of a system was not easy to settle; the relative merits of using the General Land Office to run the reserves, or of creating a new bureau; the type of permanent regulations to prevent fire, regulate timber cutting, and fashion general policies; whether the army could be used for protection of the forests in lieu of a protective force; all these matters were pondered. Above all, there was the usual apathy of Congress towards forest legislation.

In 1893 some action was taken toward getting a comprehensive forest bill. Through Representative McRae of Arkansas, chairman of the Committee on Public Lands, Fernow succeeded in getting a bill introduced that he had himself drafted. The McRae bill provided that new reserves should only be created to improve the forest within the reserved area, and to secure favorable conditions of water flow or a continuous supply of timber. The Secretary of the Interior would make provision for protection of the timber from depredation, and make rules and regulations regarding occupancy, timber cutting, and protection of the forest cover. Timber would be sold to the highest bidder, after appraisal, at not less than its appraised value, and notice of such sales would be published for thirty days in a newspaper of general circulation in the area. The sales would be for cash. Troops might be used to protect the reserves, and agricultural lands within the reserve might be restored to entry by the President, on recommendation of the Secretary of the Interior after sixty days public notice.

The bill was strongly supported by the American Forestry Association, the Secretaries of the Interior and of Agriculture, and the General Land Office, and was reported from committee favorably. In debate, however, it met with opposition from various western groups. Binger Hermann of Oregon led the attack, and pointed out some justifiable weaknesses in the bill. He felt that grazing and mining lands should also be excluded from the reserves at the discretion of the Secretary, as well as agricultural land. Also, he felt the Secretary of the Interior had too much power to sell timber. A supplementary amendment, added in committee at the suggestion of Edward Bowers, Assistant Commissioner of the Land Office, had provided that the Secretary could sell timber outside the reserves, as well as in, on the same terms; and this, Hermann thought, would lead to overcutting. Hermann favored permitting sale of only dead and mature timber, and limiting the area of timber sold to a single individual to 320 acres. He also felt that in a large state such as Oregon, publication of notices of timber sales and of removal of agricultural lands from the reserves should be printed in the newspaper nearest the area affected. His views on cutting were backed by Doolittle of Washington, who could find no redeeming feature in the bill except the use of the army as a guard. [26] No action was taken on the bill in 1893.

The bill came up again in 1894. Again it was attacked by Hermann, as favoring the large millmen at the expense of the smaller ones. [27] Amended in committee, it provided for the sale of dead and mature timber only; permission to prospectors in the reserve; and two newspapers to advertise timber sales and elimination of agricultural lands. These essentially met Hermann's objections; and he backed the bill, as did most of the western congressmen, as a fair compromise, and the bill passed the House.

In the Senate the bill was amended somewhat. Money from timber sales was to be put in a separate account. A provision was added that if a bona fide entryman should locate on land and obtain a patent he might relinquish it to the government, and in lieu thereof get a tract of the same size from the public domain. The bill passed the Senate in 1895, but through a fluke did not become law. It was sent back to the House to iron out the differences in the bills, but McRae had been called home due to the illness of his daughter and was unable to pilot it through committee. It was referred to the Public Lands Committee and from lack of time died there. [28]

Such was the situation in 1896. During this time, the reserves had been merely withdrawn areas, not subject to entry but not protected from trespass or depredation. In 1892 the Secretary of the Interior had suggested that federal troops be used to prevent trespass of sheep in the reserved areas, as was done in Yosemite and General Grant National Parks; but this use of troops was held to be unconstitutional. [29] Meantime, the problems caused by lack of any rules for governing the reserves multiplied. There were too few special agents available to carry on the work of surveying new reserves and preventing trespass on old. [30] Many recreational groups had petitions before the Secretary asking for new reserves; but without the laws to administer them he was unwilling to go ahead. [31]

The reserves had also evoked in some regions powerful hostility. Sheepmen in Oregon, for example, resented closing of the Cascade Mountains to grazing, and petitioned for the reopening of the area to pasturage. Counter memorials were presented by citizens with other interests, who called attention to the motives of the sheepmen and pointed out that maintenance of the forests was essential to the protection of city watersheds and of water for irrigation. One typical letter ran:

I wish to say . . . that I have lived in Oregon all my life and I have seen the government looted of its coal lands, its timber lands and swamplands and pretty nearly everything of any value which it contained until now the only asset left is the land and timber contained in this reserve. The timber lands of the Cascade Reserve, Mr. President, should be held inviolate for all time to come. They are the common heritage of the people. These forests act as reservoirs to hold in storage the rains and snowfalls which go to make up our navigable streams and watercourses, and are of vital importance to the people who inhabit this country. [32]

William Gladstone Steel, writing to Fernow, stated that there was need for passage of the McRae bill, which the bulk of the people were behind. He stated that the greatest need was for small sales, of 160 acres or less, to fill local needs of settlers. [33]

Moreover, at this time, there occurred a split in the forestry ranks themselves. Fernow, as head of the government Bureau of Forestry, desired to continue his program of gradualism, educating the public, and creating no further new reserves until Congress had completed plans for administering the existing ones. However, a number of men interested in forestry, including Robert Underwood Johnson, editor of Century Magazine and chief spokesman of John Muir in the east; Charles Sprague Sargent of Harvard; and Gifford Pinchot, forester at the Vanderbilt estate at Biltmore, North Carolina, wanted more action. They felt that Fernow's Fabian policies were too slow. More could be accomplished, they thought, by having a commission of experts appointed to examine the reserves and make recommendations for governing them. Fernow opposed this plan on grounds that such action might well antagonize the public, that it would discover nothing new, and that it would put his own plans for getting a forestry bill through the next session of Congress in danger. The activists were aided, however, by petitions from the New York Chamber of Commerce, the New York Board of Trade, and the City Council of Los Angeles, asking for action to save the reserved areas. After some acrimonious discussion, a majority of the American Forestry Association voted in favor of such a commission, and Congress gave an appropriation of \$25,000 to the National Academy of Sciences for carrying out such an investigation. [34]

The commission consisted of Charles S. Sargent, professor of horticulture at Harvard University; Henry L. Abbot, Army engineer; Alexander Agassiz, curator of the Harvard Museum of Comparative Zoology; Arnold Hague, geologist; and Gifford Pinchot, at the time a consulting forester. They traveled through the west in the summer of 1896, accompanied through part of their tour by John Muir. [35] Their purposes, as expressed in their letter of authorization by Hoke Smith, Secretary of the Interior, was to determine:

- (1) Is it desirable and practicable to preserve from fire and to maintain permanently as forest lands those portions of the public domain now bearing wood growth, for the supply of timber?
- (2) How far does the influence of forest upon climate, soil and water conditions make desirable a policy of forest conservation in regions where the public domain is principally situated?
- (3) What specific legislation should be enacted to remedy the evils now confessedly existing? [36]

The President desired an early report from the commission; but the commission had difficulty in arriving at a unanimous decision. The commission was in agreement as to the creation of a number of new reserves, and also creation of Mt. Rainier and Grand Canyon National Parks. Beyond that, there was wide differences of opinion. Hague and Pinchot were in favor of making a public statement at the time of creation of the new reserves, that a plan for administration was under way. The majority of the commission refused to make such a statement. Sargent favored use of the army to police the reserves, but this proposal was opposed by Pinchot and by Hague. The final report of the commission was largely the product of Sargent; Pinchot furnished the descriptions of the reserves, and discussion as to depredations by fire and sheep in the west was largely the product of John Muir. [37]

The recommendations of the commission were wide. The first part of the report discussed the role of forests in regulating stream flow, reducing floods and continuing the flow during the dry season. Here their conclusions, made without any background of information from this country, were based on European sources. They felt that the bounds of national forests should be extended, and that a forest administration should be formed as soon as possible to save the forests from illegal timber cutting, fire, and pasturage. Fires, they reported, were often started by "shepherds who make fires in the autumn to clear the ground and improve the growth of forage plants for the following year." In Oregon and in California, they reported "great bands of sheep, often owned by foreigners . . . driven in spring into the high Sierra and Cascade ranges," carrying desolation with them, eating "every blade of grass, the tender, growing shoots of shrubs and seedling trees," loosening the soil, producing conditions favorable to flood, and by destruction of sod and undergrowth hastening the evaporation of water and the melting of snow in the spring. On the east side of the Cascades, great flocks, wintering in the sheltered valleys of the Snake River, and seeking summer range in eastern Oregon, destroyed herbage and forests in the mountains; and sheep herds in eastern Washington and Oregon were driven every summer across Idaho and Wyoming, "eating bare as they go the pastures of ranchmen and carrying ruin in their path." Since the commercial value of the sheep was small—the figures given by the commission were 5,958,348 in Washington, Oregon and California, with an annual wool clip of five million dollars value—the commission felt that their value was minor as compared with the damage done to the forest. The forests, therefore, should be freed from their presence. [38]

The recommendations called for extension of the reserve system and protection of the reserves by armed forces until legislation for their protection was passed. They desired that the legislation enable the Secretary of the Interior to make rules for use of the forests, including mining, cutting timber, and rights of way for highways, irrigation ditches and flumes. Grazing was not mentioned. The commission recommended the creation of thirteen new reserves, three of them in the state of Washington; the Washington reserve, 3,594,240 acres in extent, consisting of the region from the Canadian border to a little below the forty-eighth degree of latitude, and from the 120th—122nd meridian; the Olympic reserve, an area of 2,188,800 acres on the Olympic Peninsula; and the Mt. Rainier reserve, enlarging the Pacific reserve to 2,234,880 acres by extension to the west and to the south as far as the Columbia River. [39]

The formal committee report was not printed until May 1, 1897, and had little effect on the formation and governing of the reserves. It was widely read, however, and created an ill impression on many of the people in the region who read it. The tone of the report was unfortunate; it was dogmatic, opinionated, undiplomatic, and pretentious. Local pride or prejudices were treated in a roughshod manner. The statement that Mt. Rainier "is no longer called Tacoma beyond the limits of that city" was hardly calculated to win friends among local patriots. Brushing off the wool industry as unimportant, when it was in fact the livelihood of a good number of people in Oregon and California, with powerful supporters in Congress, was unwise. No press conferences or public meetings had been held during the western trip to get public opinion behind them. To many, the report seemed to be the work of eastern theorists and crackpots—this despite the fact that two members of the commission, Brewer and Hague, had a wide and peculiar acquaintance with the west.

Moreover, to many the statements contained in the report were inaccurate or biased. The trip was not a thorough examination of the forests, but as Fernow accurately called it, a "junket"; it was a hit-and-miss affair, rather than a real examination. Of the thirteen new reserves they recommended be created, five—the Bighorn and Teton in Wyoming, the Black Hills of South Dakota, and the Olympic and Washington of Washington—were not visited by the commission; rather, they relied on other reports. Sheepmen disputed the statements on damage done by grazing in the forests. Finally, the statements on waterflow and snow melt, citing as authority European studies, seemed to some local scientists like John Minto unsound and pseudo-scientific. John Minto, himself, from local observation, had reached other conclusions. [40]

Even before the report was published, however, the President took action. On January 29 Sargent sent a report to Professor Wolcott Gibbs of the National Academy, describing and recommending creation of thirteen new reserves, the description of which Pinchot had worked out a few days before. Gibbs sent the report to the Secretary of the Interior, who sent it to Cleveland with the suggestion that he make Washington's birthday an occasion for proclaiming the reserves. Cleveland, fearful that his successor, McKinley, would reverse the reserve policy, proclaimed the reserves on February 22, 1897. [41]

The withdrawals raised a storm of protest in many parts of the west. The Forester analyzed the causes for the protests as being:

- (a) Unnatural irritation at the idea that Eastern influences are presuming to assert themselves in regard to the Western states.
- (b) Natural irritation at the manner in which the reservations were made, without consultation with Western Representatives.
- (c) Reasonable objection to the inclusion of agricultural lands within the bounds of the reservation.
- (d) Unreasonable objection to the whole forest reservation idea as impeding licentious use of the public domain by everybody. [42]

In the Pacific Northwest, the protest centered around the Puget Sound region. The Seattle Chamber of Commerce likened the action of the government to the oppressions of George III on the colonists. [43] The State Legislature sent memorials asking for instant cancellation of the reserves. [44] Puget Sound newspapers editorially denounced the reserves as hindering development of the country. [45]

The largest and most articulate group protesting the reserves were the miners. At the time, Puget Sound thought that it would have a great future in producing precious metals. Prospecting had begun in the 1880's in the northern Cascade near Monte Cristo. At first the prospecting was a local affair; but in 1887 the Rockefeller interests decided it was worth their attention, and bought out the local claimants. They poured a great amount of money into the prospect, building a smelter at Everett and constructing a railroad from Everett up to Monte Cristo, at a terrific cost in money, and displaying considerable engineering ability. Local people with money to spend staked claims in the vicinity; Milwaukee, Portland and Chicago capital was attracted to the region; and at Silverton a syndicate of English, Scottish, and Welsh capitalists set up operations as the Stilaguamish and Sultan Mining Company. By 1897, when the bubble was at its largest, no less than seventy-six concerns, incorporated for amounts varying from fifty thousand to five million dollars, were interested in these and other mines in the northern Cascades. Several million

dollars worth of ore had been shipped to Everett by the end of 1896 for processing; and more millions had been spent in exploration. The Washington reserve included this area. Though the report of the committee stated that the area was unsettled, actually forty thousand mineral claims were located in the reserve. [46]



## CHAPTER 3

# FOREST ADMINISTRATION, NATIONAL AND LOCAL, 1897-1905

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### I

Protests over the National Academy reserves finally caused Congress to take action to create forest administration. Congress adjourned March 4, 1897, without having passed the government appropriation bill; therefore, it was necessary for the President to call a special session for that purpose. The result was that the forestry bill of 1897 was, like that of 1891, a rider on another bill, in this case appended to an appropriation for survey of the reserves by the Geological Survey. It was essentially the McRae Bill, with certain important additional clauses.

The bill specifically reaffirmed the power of the President to create new reserves under section 24 of the act of 1891; but modified that act to state that the reserves could only be created for specific purposes, to improve or protect forest land within the reservation, or to establish favorable conditions of water flow or a continuous supply of timber within the area. To appease those who had protested the new reserves, those reservations made by Cleveland in February, 1897, were suspended for a period of nine months, thus giving that period as an open season for filing claims on them.

Protection and administration of the reserves was placed under the Department of the Interior, which worked through the General Land Office. The Secretary might make rules for sale of timber and prospecting on the reserves. No mention was made of grazing. No money was appropriated for the Department to work with, however, until July, 1898, when \$75,000 was appropriated to that end. The Geological Survey, however, was given an appropriation of \$150,000 for survey of the reserves, and was able to begin work in the field season of 1897.

The act of 1897 was not devoid of clauses that had unexpected consequences. One such was the non-export clause, which in effect confined forest reserve lumber shipments to the state where the lumber was cut, working hardship on good utilization of lumber where the domestic needs were disproportionate to available timber supplies. Another, more important, was the homestead claim situation brought about by the "Forest Lieu" clause, which permitted homesteaders to select in lieu of their unperfected bona fide claims or patents within reservations other lands from unsurveyed areas of the public domain. Inside a few years Congress restricted selections to vacant non-mineral land and surveyed public lands open to homestead entry; but while the valuable land in homestead areas was opened, and while the President's proclamation was suspended, many homesteaders and corporate interests secured good timber in lieu of worthless lands. [1]

By 1898 the forestry organization of the Land Office was set up. The Land Office Commissioner had issued rules and regulations, stating general policies that would prevail, a year earlier; and in 1898 the organization was completed. The reserves were divided into eleven districts, generally with the state as a unit. Each district was headed by a superintendent; under each superintendent

were a number of supervisors, generally one in charge of each forest; and under each supervisor a number of rangers, charged with patrol work and general protective measures, supervision of timber cutting, and of grazing.

Meanwhile, other agencies of the Department of the Interior were busy. For the general investigative work, the special agents of the Land Office were used to investigate timber land frauds or other matters pertaining to the forests. They worked directly under the Commissioner of the Land Office. The Geological Survey began its initial surveys; the work was under Henry Gannett, Geographer of the Survey, and by 1898 it had a large force in the field. The work, of course, was not finished within a year, or for \$150,000; eventually 1-1/2 million dollars were spent, and by 1905, when the work was turned over to the Forest Service, only one third of the survey was complete. [2]

## II

The year 1898 marks the end of an era in the forest conservation movement. The period 1860 to 1891 was that of education of the people, culminating in the bill of 1891; from 1891 to 1897, forests were established, forest conservation became a live issue with the people, and there was a search for a policy of forest administration. The years 1898 to 1905 marked the period in which management of the forests, of sorts, began, and in which took place a heated debate over measures, plans and principles.

Under the act of 1897, the Secretary of the Interior had final power in reserve matters; but, practically, the work was done by the Commissioner of the General Land Office, and matters not delegated to the Secretary did not need to go above the Commissioner. Below this, the field force consisted of superintendents, supervisors, and rangers, named in order of rank. The rangers did the field work, patrol work, fire fighting, timber scaling, and so on, the work varying greatly with the type of reserve. Their average salary was \$60 per month, though in some cases it rose to \$90. Each reserve was managed by a supervisor, to whom the rangers reported, who received from \$1,200 to \$2,500 per year. Above the supervisors were the superintendents, at \$2,000 per year and expenses, though this position was abolished by 1902. [3]

The variety of reserve work required that ideally the forest officer be intelligent and have technical training. This, however, was not the case. Superintendents were always appointed through political influence, without regard to fitness; some were fairly good men, but the majority were worse than useless. Such was the case also with supervisors; as E. T. Allen wrote,

They have included lawyers, doctors, editors, real estate dealers, postmasters, and even a professional cornet player. Some have been so dishonest and depraved that they disgraced the service; all have been technically disqualified, yet many are excellent men, and by intelligence, honesty and executive ability, make up for their lack of timber knowledge.

Rangers included bartenders, "superannuated ward politicians and immature boys," whose weaknesses the few good men could not redeem. [4]

In Washington and in Oregon, the system was typical. Superintendent S. B. Ormsby, with headquarters at Salem, administered three supervisor districts; one, the northern division, the Cascade forest, and the Bull Run reserve; second, the central, Cascades; and third, the southern part of the Cascade Reserve and the Ashland Reserve. Under the supervisors were a total of 40 rangers. In Washington, the superintendent was D. B. Sheller, with headquarters in Tacoma. Under his supervision were four supervisor districts and 23 rangers. [5] Of the superintendents, Ormsby was actually in league with the lieu land sharks, and was indicted on such charges in the Oregon land fraud trials. Sheller, a one-time state representative, was not himself dishonest so far as any evidence is available, but he suffered from lack of support from the Land Office.

Another factor that made for difficulty was the fact that there often existed a corrupt alliance between the registers and receivers of the local Land Offices and the mining, timber and land interests. Registers and receivers were the subjects of Senatorial patronage; and senators often in their views reflected, or were associated with, the dominant economic views of the area. Thus, there is little doubt that the Land Office men in the Whatcom and Skagit County area, and on the Olympic Peninsula, were in sympathy with the entrymen who made claims of homesteads having from 5 to 12 million feet on them. In Roseburg, the receiver was the brother of the manager of the Booth-Kelly Lumber Company; in La Grande, he was related to the manager of the Grande Lumber Company. [6]

But there were other events in 1898 which had a great influence on the forestry movement. Bernhard Edouard Fernow, who had been head of the Bureau of Forestry since 1886, resigned at the end of 1898 to establish a forestry school at Cornell. He was succeeded by Gifford Pinchot. William McKinley died in 1901, and was succeeded by Theodore Roosevelt. These changes made for a different tempo in the forestry movement.

Fernow's work had been primarily that of a pioneer. Under his influence and direction, forestry organizations had sprung up in various parts of the country; education in forestry had made advances; and the first important national forest legislation had been passed. His had been Fabian tactics, characterized by tact and horse-sense, working slowly with Congress in order not to antagonize anybody dominated by economic man. As Jenks Cameron has written, in the best evaluation of his work:

. . . Dr. Fernow was not only the true pioneer of American Forestry but the man who established it on a firm and enduring foundation by hard work and sane work during its pioneer years. He planted the tree and tended it during its crucial years. Those who came after him had only to watch it grow. [7]

In Pinchot the movement had a leader of a different type. Born to wealth and social position, Pinchot had become interested in forestry at an early age. After studying forestry abroad, he became a practicing forester on the estate of George Vanderbilt in the Appalachians, in 1893. He became a leader in the fight against Fernow's Fabian policies, feeling that something more aggressive was needed, and was to some extent responsible for the appointment of the National Academy Committee in 1896. The Committee's findings resulted in the formation of the Cleveland reserves; but the errors of the Committee report, especially in its arbitrary recommendations on the reserves, and its strictures on sheep grazing, were soon apparent.

Pinchot was sufficient of an opportunist to disassociate himself with the views of the commission on the latter issue which came to be popularly associated, curiously enough, with Dr. Fernow, who had opposed the creation of the Committee. [8]

Pinchot set to work at once to make the most of his new position. The situation in regard to the public forests was peculiar. The Department of the Interior, through the Land Office, had charge of the reserves, but it had no foresters; the officials in charge, as has been mentioned, were politicians, not foresters. The Bureau of Forestry, on the other hand, had the few foresters in the country but no forests to work on. Pinchot set to work to increase both the number of foresters and the number of forests under his jurisdiction.

To make the Bureau more valuable and to give the men in it practical experience, he began a campaign to interest private forest owners in forestry—a campaign begun by Fernow, but carried on with increasing tempo by Pinchot, who had none of Fernow's scruples about using public funds to aid private owners by drawing up working plans for them. Profiting by the criticisms of men like John Minto, he took to the woods himself to examine local conditions and sent men into the woods, "to look and see and measure and count." Traveling in the west, he met men who were able to help him in his work; Edmond Meany, who influenced by Fernow, had started forestry instruction at the University of Washington; Judge Thomas Burke, whom he probably became acquainted with through Henry Stimson, and who aided him in the Puget Sound area; John Waldo, John Minto, and Malcolm Moody, the latter becoming one of his strongest supporters in the Congress; Will Cowles of the Spokesman-Review, with whom Pinchot had attended Yale, and who gave Pinchot good editorial support in his campaign. [9]

He also set to work to increase the number of foresters. Since forestry was in its infancy in this country, there had been but few places for training them. Instruction of a sort was available in various places—the Universities of Washington, Michigan, California, and Montana, for example—but the training was hardly of a professional nature.

However, in 1897 Pinchot opened a school for professional training on the Vanderbilts' Biltmore estate; in 1899 Fernow established a professional school at Cornell; and in 1900, through a grant from Pinchot's father, the Yale Forestry School was started. Pinchot also started a system of in-service training, taking young men who desired to make forestry their career, and paying them 25 a month and expenses in the field, to do the field work for the Bureau. The response to the program was great, and young men from all over the country responded. It offered a life of service, in a country long dominated, and tired of being dominated, by the interests, a varied life in the out-of-doors, and a new profession. Most of the applicants came from the east, but all sections of the country were represented. In Tacoma, for example, Edward T. Allen, a reporter on the Tacoma Ledger, one of the chief mouthpieces for the lumber interests, quit his job and went to work as a student assistant; and in [10] Baltimore George Cecil, working in his father's shoe factory, read an article in the Saturday Evening Post and decided that his soul wasn't fettered to an office stool. [11] Pinchot managed to inspire the new men with his own idealism. As one of his men wrote, He personally planned much of the organization and administration that has stood the test of fifty years.

He attracted to himself an exceptionally able, devoted, and zealous group of young men, who entered this new profession of forestry because of Pinchot's leadership. He even endowed and organized the curriculum of the Forest School that trained most of the first batches of technical foresters to enter the Forest Service. Pinchot was such an extraordinary organizer and executive that he got the Forest Service with its young crew started on ways that have been its strength ever since. [12]

The lumbermen were willing and ready to work with the Bureau. The more far-seeing lumbermen, with the end of free timber insight, were ready to abandon out-and-get-out principles in favor of scientific management. More accurately, they were willing to consider conservative lumbering for the future, at such a time as it became economically feasible; in the case of the Weyerhaeuser interests, when white pine sold at \$14 per thousand. Meantime, the work of the Bureau was valuable to them in getting, free of cost, information on management of the forests, such as taper and volume tables for Douglas fir and white pine, utilization of western hemlock, a predominant tree in the Northwest, but one which suffered from the bad reputation of eastern hemlock; reproduction of broadleaf pine in the south, and utilization of cypress. Firms such as Weyerhaeuser and the Weyerhaeuser subsidiaries, and owners like W. T. Radir and Frank Haines Lamb, asked for information from the Bureau and cooperated in its work. Bureau men were sent to all parts of the country, and by the competence of their work laid a foundation of good feeling for the future between the forest administration and the lumber men. [13]

As time went on, the Bureau of Forestry began to take over more and more of the functions regarding the reserves. Management of the reserves by the Department of the Interior was poor, not only because of the poor quality of the men among the Land Office personnel, but also because of poor leadership within the department. The Secretary of the Interior, Ethan Allen Hitchcock, was personally honest, but humorless and suspicious, and a poor administrator. He had been hard to convince of land fraud in regard to the reserves, but once convinced, he sought to apply the laws with the assured fervor of an Old Testament prophet, angering many legitimate interests whose operations were held up by his strict application of land laws in the west. Nor were the Land Office Commissioners, in whose hands lay much of the work, any better. Binger Hermann, whose term extended from 1897 to 1903, has puzzled most writers including Gifford Pinchot and John Ise. His voting record in Congress shows a fair awareness of the problems involved in conservation, and as a Commissioner he seemed far more aware than his superior, Hitchcock, about the possibilities of fraud in regard to land, with which problem he deals in the annual reports to the Commissioner. However, he was hopelessly slow in his work, and used his office as a means of rewarding political henchmen. His successor, W. A. Richards, though undoubtedly better, was still inefficient and Land Office work was still done by laborious hand copying of documents until Ballinger brought modern clerical methods to the office. [14] Within the department only the Geological Survey was organized on a professional basis.

Later, as the weaknesses of the Interior organization and personnel became more apparent, the Bureau of Forestry took on more and more work. In 1897, a man from the Agriculture Department, Frederick V. Coville, was borrowed to make recommendations for grazing administration in the Cascades. By 1901 men of the Bureau determined grazing allotments in the national forests. The Geological Survey asked aid of the Forest Service, and they assigned

such men as Henry Graves, H. B. Ayres, H. D. Langille, and J. B. Leiberg to work with the Survey. By 1902 the Bureau began doing the most important boundary work, on their own and at their own expense.

The boundary work, for the future of the movement, became the most important work of the Bureau. The language of the appropriation for boundary work permitted the Bureau to "make and continue investigations on forestry, forest reserves, forest fires and lumbering." Both Roosevelt and Pinchot desired new reserves; and soon after Roosevelt became President it was arranged between Gannett and Pinchot that Pinchot might change the boundaries Gannett suggested. Much of the work concerning boundaries was work against time; a large group of timber locators were scouting the forests of the west for the choicest bodies of government timber, which, once located, would be claimed fairly or fraudulently, under one or another of the public land laws. Various examinations were made in 1902 by the Bureau; and in 1903 the work was organized in districts, under the general direction of F. E. Olmsted. E. T. Allen had charge of the work in Colorado, Montana, and Idaho; Albert Potter in California; and H. D. Langille in Washington and Oregon.

The work was hard and exacting. The boundary men worked, on foot or horseback, carrying supplies by packhorse or on their own backs, wherever the work led them. They often worked against time, to get their recommendations written up and wired in before the highly competent land thieves moved in ahead of them. One of their duties was to meet with members of the public, to explain to the persons concerned the exact purpose of the reserves. [15] They collected a great deal of information, not only about the reserves to be created, but about the people concerned, and the public sentiment in regard to the reserves; and their reports remain the best sources of information as to how the reserves were regarded by the people at the time. They are important, but neglected, primary documents in the history of forest conservation.

Two of these men deserve special mention. John D. Guthrie has written,

Bill Kent is almost a legendary character of American forestry. His individuality, his adventures, and the stories about him bespeak the lusty days that marked the early days of the Forest Service.

W. H. B. Kent was born in Meriden, Connecticut, in 1878. He went into forestry, first as a student assistant in the Black Hills, later for Division R of the Land Office as head ranger, and after March, 1903 for the Division of Forestry as examiner. By December, 1905, he had charge of all field work in boundaries. He later became forest inspector in Washington and Oregon.

Most of his official work was spent in boundary work—examining, locating, reporting, and mapping federal forest land of the western states.

Because of local resentment this work was as exacting, . . . and dangerous as any American foresters have had to do. At times it had to be done secretly or in a race with land grabbers and other exploiters. But it saved vast public lands for the American people. And many a forest is green on the map today because of W. H. B. Kent.

Kent was a man of serious appearance, but a Homeric sense of humor, a good actor, original, observant, calm in demeanor, and thorough in his reports, which are vivid reading. His recommendations were "short, pithy, and sometimes drastic." An able woodsman, he had been adopted into the Navajo Indian Tribe, and copied some of the Indian ways, such as mounting his horse from the right side. Known to his intimates as "Sherlock Holmes" after a now forgotten fictitious character of the time, he was one of the most colorful of the early workers for the Forest Service. [16]

Harold Douglas Langille was a man of a different type. Born in Nova Scotia in 1873, his family moved to Oregon in the 80's, and became inseparably connected with the Hood River and Mt. Hood area. They became mountaineering enthusiasts; Langille's father built Cloud Cap Inn, and he and his brother, W. H. Langille, became guides on the mountain. When Pinchot came through on the Academy jaunt of 1896, H. D. Langille was his guide in the Mt. Hood area. Pinchot became interested in the young man, and inspired him, and his brother as well, to take up forestry as a career. Langille spent some time studying at Yale, to gain the rudiments of the new science; he was in charge of the Geological Survey crew that did the boundary work in the Mt. Hood area, and in 1903 was put in charge of boundary work in the Pacific Northwest. A man with an "abrupt, outspoken, and occasionally mildly terrifying manner," he was a professional Oregonian, possessed of an ardent desire to save the woods of Oregon from the eastern lumber syndicates bent on exploiting them. His knowledge of Oregon conditions was of great value to the Service in making decisions in that area. Like Kent's, his reports are valuable pictures of the forces which led to creation of the reserves. Like Kent, also, he was something of a literary artist; his reports and occasional writings are good reading. [17]

Langille worked for the Forest Service, in the Pacific Northwest and in Alaska, until about 1910. When he went to work for the James Lacey Logging Company. He traveled to Chile in 1916 to report on logging conditions in that country. He died in February, 1953.

In addition to the boundary work, the Division helped Interior in other ways. Advice was given by the trained men of the Division to the Land Office on timber sales, beginning in 1900. By 1901, a Division of Forestry was set up in the Interior Department, headed by Filbert Roth, and with some men borrowed from the Bureau of Forestry as aides, including E. T. Allen as Inspector. Some progress was made, but it was a losing struggle against Land Office red tape and inefficiency, and most of the men drifted back to the old Division of Forestry.

After 1901 there came a drive to bring the complete Forestry administration over to the Agricultural Department. The Lacey Bill was introduced in Congress to make the transfer. Initially it was blocked in Congress, largely through Cannon's intervention. Sentiment in the West was divided; the Oregon State Legislature, in 1901, sent a memorial to Congress, protesting such a move, on the grounds that the Interior grazing regulations were suited to the country, though probably a more cogent reason was the opposition of Binger Hermann of the Land Office. On the other hand, Judge Thomas Burke of Seattle sent strong telegrams to the Washington delegation favoring the transfer. It finally failed on a vote. [18] Finally, however, through pressure from Roosevelt, from the findings of the Public Land Commission, and revelations of inefficiency in the Land Office, and through support from lumbermen, the American Forestry Association, and others, the transfer was made in 1905. Along with this transfer came other important moves: the

lieu land act was repealed; the Bureau became the Forest Service; and the "Reserves" National Forests. Scientific management of the forests was at last at hand.

### III

So far mention has been made only of official governmental action by the Federal Government. But another type of action should be noted—action by voluntary associations, acting as pressure groups or groups for educating the public. [19] At least four such groups had some influence, both nationally and in the region, during this time, and a complete picture should include their activity as well as official activity. [20]

The first such organizations were the conservation groups. These were, historically, the groups having as their members such men as Carl Schurz, John Muir, Theodore Roosevelt, and Bernhard Edouard Fernow. They worked through organized groups such as the American Academy for Advancement of Science, the American Forestry Association, The Sierra Club, the Boone and Crockett Club, and other organizations. Some, like the National Academy and the American Forestry Association, had quasi-official status, either through their membership or through close ties with governmental bureaus. A great share of the support and membership of these groups came from people interested in preserving wilderness values rather than those interested in practical forestry, but the groups did much to educate the public.

On the national scene, conservationists were significant in the beginning period of the drive for forest conservation, down to 1897 at least. After 1897 their influence was less strong, partly because of a divergence in aims among the various organizations, partly because of the rise of professional organizations with professional aims. The Pacific Northwest followed this national pattern. The Oregon Alpine Club, and its successor, the Mazamas, became of secondary importance after 1897. The American Forestry Association had a few members, but was not a significant group in the region.

The second group was composed of professional foresters, those engaged in forestry as a career. At this time, and until at least 1913, they were largely professional workers in governmental bureaus, largely the Geological Survey and the Forest Service. The states had no professional foresters, and there were few private ones. The chief organization through which they worked was the Society of American Foresters, a group of professional foresters organized in 1900 by Gifford Pinchot. [21] To this group could be added the great professors in colleges of forestry, such as Filibert Roth, Bernhard Fernow, George Wilcox Peavy, Francis G. Miller and Hugo Winkenwerder. These men, both through their classroom work in training foresters, and through their memberships in professional societies, had a great deal of influence. Both nationally and regionally, the professional foresters were the most influential group in this period.

The third organized group was that of the timber owners and lumber and pulp interests. They, too, had their organizations to express their views and act as pressure groups, such as the National Lumber Manufacturer's Association and the West Coast Lumbermen's Association. They often used as sounding boards special committees of chambers of commerce, or members of Congress sympathetic with their aims.



As a pressure group, however, the various trade associations were not a particularly strong group in regard to the conservation question. The trade organizations were primarily interested in better prices for lumber, uniform standards of grading, and keeping a high tariff on lumber, and their official actions were in regard to these matters, rather than governmental forest policy. This is not to underrate the role played by individual operators or groups of operators, both for and against conservation; they were potent forces. But the pressure was exerted directly, not through the existing trade associations. [22]

A fourth organized pressure group was composed of the grazing interests. The most important of these on a national level were the National Livestock Association and the National Woolgrower's Association. There were, in addition, many other such organizations on the state, regional and local level. They, like the lumber interests, had close relations with members of the State Legislatures and of Congress. [23]

Relations with grazers went through two stages. The first stage was from 1891 to 1897 or 1902, depending on the section of the country. During this time the main grievance of the operators was that they could not use the mountains in the reserves as summer range for their herds and flocks, since neither the act of 1891 nor of 1897 provided specifically for use of the forage resources. The restrictions affected the sheep owners particularly, for two reasons. One was that sheep, as close grazers, are much more destructive of the range than cattle or horses; and it was against sheep that the restrictions were primarily directed. The other was that trespass by sheep on the area reserved was a much more clear-out violation of the law than trespass by horses or cattle. Sheep must be close-herded, rather than be permitted to run wild on the range, as is the case with horses and cattle. Any sheep found on the reserves, therefore, would show a definite act of trespass. On the contrary, cattle or horse owners whose range bordered the reserve would permit their stock to graze there during the summer, if such stock was found in the reserve they could claim the animals had strayed.

The second stage came after a grazing policy for the national forest was established. There were a variety of factors which affected the attitude of the livestock men. One was the role of the forest administrators in stopping range wars or disputes between cattlemen and sheep owners, or "tramp" sheepmen and local owners of livestock. Second was the charging of fees for grazing, a practice many livestock owners thought illegal. Third was the size, length, and security of grazing permits, and the area covered. Fourth was the local situation; how well stabilized the industry was in a given region, the influence of local livestock organizations, and how well the local administration handled problems that arose. [24]

In the Pacific Northwest, the large organizations were not particularly strong at this time. Though most livestock owners were members of the national organizations, their main loyalties were to the state, county, or regional organizations, through which local problems were solved. Moreover, the local livestock organizations did not have such influence politically as did state organizations in such states as Wyoming. There were counter forces of other interests, such as lumbering, recreational, and civic interests, to balance the grazing section of the economy. [25]

## CHAPTER 4

# GRAZING IN THE CASCADE RANGE, 1897-99: MUIR VS. MINTO

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The application of the conservation principle necessarily moved in different directions as one or another problem became important. [1]

The dispute over sheep grazing in the Cascade Range is instructive from several points of view. From the standpoint of use of the reserve, it involved the clash of issues, whether the reserve was primarily for aesthetic or utilitarian purposes. In terms of persons and personalities, the dispute was primarily between the two chief spokesmen of the differing points of view, John Muir and John Minto. The final solution of the problem was the first use by the Federal Forest Administration of the method which has counted for much of their success, that of settling local problems on the spot by investigation, rather than relying on unilateral, superimposed directives from Washington, D.C. The Pacific Northwest became a social and scientific laboratory for working out the experiment; the regional solution was applied later in all parts of the west. Finally, the solution had a long-run significance for Washington and Oregon, in that this area got off to an earlier start in regulated grazing than any other part of the west, and consequently the relations of grazers and administrators had a longer period of adjustment.

At the time when the Cascade Range reserve was created, in 1893, there had been some difference of opinion as to allowing grazing in the reserve, some feeling that grazing was a necessity for the livelihood of the sheepmen, others that grazing would be detrimental to the forests and the recreational resources. The sheepmen raised little objection to creation of the reserve, believing, as most people in the west did, that an administration policy would soon be forthcoming. However, Congress was dilatory in passing any legislation, and meantime the reserve was closed to the pasturing of any livestock whatsoever within its boundaries.

There was no uniformity of opinion in the west as to the advisability of opening up the reserves to use, particularly to grazing. The recreationalists in general were opposed to any sheep grazing in the reserves. Their most eloquent spokesman was John Muir. Muir was doctrinaire in his opposition to sheep grazing. In their migrations from the lowlands to the mountains, he wrote, the sheep left a swath of devastation behind them; their grazing killed the native herbaceous growth, leaving but a sandy or rocky waste behind. Sheepmen set fires, both to encourage growth of tender shoots and to clear the land of dead and down timber, which would otherwise impede the movements of flocks. Muir estimated that ninety per cent of the fires in the Sierras were caused by sheepmen. These fires not only destroyed the undergrowth, but also the young trees and seedlings on which permanence of the forests depended. Muir's opinions were typical of most of the recreational group, not only in California but in all parts of the west. [2]

The chief opponent of Muir was John Minto of Oregon. In many ways the two men were alike. Both were Scottish in blood, and both had migrated to the United States at an early age, and pushed on to the frontier—Muir to Wisconsin, Minto to Oregon. Both were nature lovers, both for the sake of what the wilderness does to the human spirit and because of scientific interest.

Both were keen observers of nature, and concerned with revision of the public land system for a more rational use of natural resources. But here their paths diverged. Muir looked to the Federal Government for reservation and regulation of the public domain; Minto turned to Australia as a model for a rational system of land use.

John Minto was born in England in 1822. He migrated to the United States in 1840, and to Oregon with the migration of 1844. In 1860 he became interested in the raising of pure-bred Merino sheep in the Willamette Valley, and successfully established the industry. To him was due much of the credit for developing a superior breed of sheep in Oregon, one that commanded a premium price on the market. He held several state offices in his lifetime, and in 1898 was Oregon State Horticulturist. His writings include papers on the sheep industry in Oregon and California; historical and literary sketches; verse, patterned after the style of Burns, whose poems he could quote by the ream; and reminiscences. He was an accurate observer and an original thinker, who, as official spokesman for the woolgrowers on the west coast, furnished them with a scientific rationale for their protests against the recreational group. He was among the first to challenge the "timber-famine" idea, by pointing out the rapid reproduction by seed of Douglas fir on cut-over land. He was something of a gadfly to the conservationist group, but served a useful purpose by his criticisms, forcing them to establish on a scientific basis the facts on which they based their theories as to forest influences. [3]

The more famous John Muir was born in Scotland in 1839. His family moved to Wisconsin, and John, after attending the University of Wisconsin for a time, traveled west to California in 1860. Here he became a horticulturist, so successfully that a ten-year period of work enabled him to retire. He was an ardent mountaineer, finding in the mountains both opportunity for scientific research and pantheistic communion with nature. He was the first to attribute the Yosemite Valley to glaciation rather than to cataclysmic causes, as had earlier geologists such as Clarence King. Muir gained a nation-wide audience for his writings on the mountains through his friendship with Robert Underwood Johnson, the editor of Scribner's who published his writings. With Johnson, he was one of the leaders in the movement to make Yosemite Valley a national park and to create national forests in the Sierras. [4]

There were extremists on both sides of the grazing question, and also many who felt that a middle course should prevail. Such a stand was perhaps best expressed by the editor of the chief paper in the region, Harvey Scott of the Oregonian. Remarking on the furor caused by creation of new reserves in the state of Washington, he stated that this was uncalled for. There was, he said, need for the government to take "vigorous measures" to prevent depredations on public lands, and to protect the forests, both to preserve watersheds and "against the time when it is needed for use, to be cut under regulations that will permit its steady renewal, so that the timber shall not be wasted nor the mountain slopes be stripped bare." The chief use of the forests in Oregon was for summer pasture, when the forage on the plains dried up; and with proper regulation such use should be permitted. Fire should be prevented, but here fishermen and campers were at fault also, probably more so than the sheep men.

The editorial ended on the note that local problems should be solved locally—the policy that, when adopted, was responsible for much of the success of the forest conservation program:

Forestry is a very practical matter. It can have no hard and fast rules for all time and places, but must adjust its measures to conditions and circumstances. The timber of the country, on the public lands, must be preserved from destruction, but practical judgment, not sentimentalism, must preside over the policy employed for the purpose. We have large areas of mountainous woodlands in which permanent homes, due to the depth of snow in the winter, are impossible. The timber on these lands must not be destroyed. But the lands should not be shut up against their only practical use, which, at this time, is that of summer range for the stock from arid regions. [5]

The question of use of the forest reserves for grazing grew more crucial as time went on. [6] Sheepmen in Oregon had friends in Congress in the persons of Senator Mitchell and Representative Binger Hermann. By 1896 demands were reaching the Land Office through Senator Mitchell, requesting that the reserves be reduced in size. To this the Commissioner answered that there had been no protests when the reserves were created, and most of the people favored them. [7] In June of that year the sheepmen of Wasco County sent in a petition, with many signatures, asking that grazing be permitted on the reserve. [8] Fuel was added to the fire by the report of the National Academy, condemning practices of the sheepmen. In March, 1897, the stock associations of Wasco, Gilliam, Crook, and Sherman Counties raised a fund of \$500 to send an lobbyist to Congress. [9] By June they had made their influence felt in the State Legislature; this body adopted a resolution to the effect that, since the Cascade Range Reserve hindered development of the state, it should be cut into three smaller reserves: one around Mt. Hood of 30,000 acres, another of the same size near Mt. Jefferson, and another of 900,000 acres around Crater Lake. Except for these areas, the Cascade Range should be opened to grazing and settlement. [10]

In June, 1897, the legislation was passed by Congress which permitted the Secretary of the Interior to make all necessary regulations for administration of the forest reserves. Under this authority, the General Land Office on June 30 issued regulations on grazing, permitted pasturing on forest reserves, provided no injury was done to forest growth. For the present time, however, the Land Office permitted grazing only in Washington and Oregon, where the ample rainfall made for rapid renewal of herbage. Owners of herds were to apply to the Land Office Commissioner for permits to graze; and no pasturage would be permitted in places of public resort such as Crater Lake, Mt. Hood, Mt. Rainier, or the Bull Run area. The regulations were issued some time in the year, however, that the provisions were inoperative in 1897.

There was need for a thorough investigation to ascertain the exact effects of grazing in mountain and timber lands. The Department of the Interior knew absolutely nothing of the effects of grazing on timber production, plant ecology, denudation of the soil and floods; they had no first hand knowledge of the relation of sheepherders to "light-burning," nor the relative value of forests for various rival purposes. For much of their information they had relied on reports by John Muir, who was not an impartial witness. They had no exact data on which to base their plans.

Furthermore, John Minto disagreed with their conclusions and had exact data to prove his evidence, which they could not contradict. The Academy Committee had said that nomadic herds of sheep, often owned by foreigners, destroyed the herbage in the mountains. Minto denied that the herdsmen were nomadic in nature—they had, he said, settled homes in the dry pastoral lands of the range states—and denied that they permanently destroyed the timber or prevented

reproduction. The Academy group had said that deforested watersheds caused floods; Minto denied this, stating that floods were caused first by the Chinook wind, and second by poor drainage channels in the Willamette Valley. The Academy had stated that trees helped to keep year round stream flow because snow lay longer in the timber than in the open. Minto denied this, stating that snow melts fastest in belts of timber and brush, "partly because of snow being caught in the crown and evaporating, partly because the trees and brush break up the snow when falling, and partly because of the influence of color on the solar rays, dark objects absorbing, white reflecting heat." [11] A rational grazing policy, he felt, might well be modeled on that of Australia, where squatters rights were recognized, and where a combination of freehold and lease with privilege of purchase permitted a stable grazing industry to exist, and encouraged ranchers to improve the range. [12]

Faced by conflicting local interests and contradictory assertions, the Interior Department felt the need of a disinterested investigation of the facts before formulating any rigid set of rules. The Department of Agriculture was asked to furnish a trained man for the investigation, and Fredrick V. Coville, a Department botanist, was sent out in the summer of 1897. He came provided with letters of introduction from Binger Hermann, Commissioner of the General Land Office; met John Minto in Salem, who gave him letters of introduction to the sheepmen of Eastern Oregon; and was given cooperation by the western land office of the Northern Pacific Railroad, which had recently conducted an investigation of sheep grazing on railroad lands in Oregon and Washington.

Coville made a thorough examination of the rangelands. After talking with local sheepmen in Portland and Salem, he traveled to Klamath Falls and there secured a pack outfit and local men as guides and camp hands. They left the southern end of the reserve July 23, and traveled north, reaching The Dalles at the Columbia River September 6. During this time they examined the forests, both the range used by sheep and those in which sheep had never grazed; interviewed sheep owners, packers and herders, cattle owners, and all classes of people opposed or favoring sheep grazing within the reserve. They noted the methods of handling sheep, the movement of sheep and choice of forage; the effects of recent grazing, and grazing of former years; made observations on the effects of fire, and whenever possible ascertained the cause.

Coville made a preliminary report late in 1897, and his final report was printed early in 1898. It was a model of fairness and thoroughness, sympathetic to the needs of the sheepmen but at the same time recognizing the need of regulations. Challenging the statement of the National Academy committee, that the industry was insignificant in Oregon, he pointed out that the 2,500,000 sheep, valued at \$3,500,000 and producing an annual clip of 12,000,000 pounds, was an important part of Oregon's economy. The reserve area, he found, was necessary to the industry; summer range in the eastern part of the state was limited, and the mountains were the only available summer range. In 1897 some 188,360 sheep, representing sixty owners, had used the reserve area as range. The owners of sheep were native Americans, rather than aliens, as the Academy report had suggested, and were not "a comparatively low class of humanity" as was commonly thought. Coville thought that popular sentiment was growing in favor of the reserve, and that the opposition of many sheepmen to the reserve was due to the fact that they had been deceived by "a prominent official" who said that the reserves would permanently exclude sheep.

Nevertheless, regulation of grazing, Coville felt, would be necessary. There were certain areas from which grazing should be permanently excluded, to safeguard city watersheds, scenic areas, and huckleberry fields frequented by whites and Indians. Such areas were scenic areas around Mt. Hood, Mt. Jefferson, and Crater Lake, the Bull Run area, and scattered huckleberry fields southwest of Crater Lake, south of Mt. Hood, and to the south of the Santiam-Prineville Road. The number of sheep should be limited to the number previously grazed in a given area. Five-year permits should be issued, allowing each owner to graze a given tract. These permits might be revoked if the owner did not keep to the agreement. Stockmen should be required to put out fires on their own allotments. In selecting the allotments, the local woolgrowers associations would be consulted. Coville recommended that the whole system be given a five-year trial period to see how it worked out. [13]

Coville's report was, on the whole, well received. The Oregonian performed a public service by printing the lengthy report in full, so some of the customary misinformation and rumor over governmental policy was avoided. [14] Editorially, the paper commented:

It is manifestly a long way from the radical measures first prepared by the Academy of Sciences, which was willing to tolerate the miner and lumber-man on the reserves, but not the stockman. The government has learned by this time that the sheep-owner also has rights which must be taken into account. Perhaps some such compromise as Mr. Coville suggests will prove to be the best solution of this perplexing problem. It is too much to suggest that all the woolgrowers will be satisfied with such restrictive measures. Yet it is certain that some concession on their side must also be made. The sheep must live, but so must the trees. [15]

On the conservationist side, John B. Waldo and T. W. Davenport endorsed the proposal; on the part of the wool-growers, the Stockman's Union of Southern Wasco County endorsed the proposal and pledged itself to carry out the proposals suggested. The Pacific Northwest Woolgrowers Association discussed the policies, with no hostile comment. [16] John Minto remained the principal opponent of the report. He felt that the state, rather than the federal government, should have jurisdiction over forest and homestead lands, partly to foster local initiative, partly because the reserves were exempt from local taxation. He also felt that the boundaries of the Cascade reserve needed to be shifted to the west; half its width, he wrote, was on land more valuable for pasturage. [17]

Almost immediately grazing regulations for the reserves in Washington and Oregon, based on the Coville report, were set up. In Oregon the Bull Run area was closed to grazing, as well as all the area north of the Barlow Road, west of the summit of the divide, and east of the east fork of Hood River. [18] The latter area was primarily to protect recreational spots, and was protested by the sheep owners, but to no avail. [19] Also several large huckleberry areas were closed to grazing, including three south of Mt. Hood, one at the headwaters of the McKenzie River, and three in the vicinity of Klamath Falls. [20] Early in 1899 members of the grazing associations met with forest officials in Tacoma for allotment of ranges. It was decided to allot the range in well defined watersheds, using streams and ridges as boundaries. The grazing fee was to be five dollars per thousand head, or, if there was competition for the range, to the highest bidder. In cases where there were disputes between cattlemen and sheepmen over range use, they were urged to

arbitrate their differences, and joint committees of both types of stockmen were set up for that purpose. [21]

Had the government's policy remained consistent, all would have been well for most of the sheepmen were well satisfied by the Coville recommendations. In 1899, however, two things happened which for a time reopened the controversy. John Muir stopped in Portland on May 29 on his way to Alaska with the Harriman expedition. While there he issued a blast against the sheep owners, and against allowing the "hoofed locusts" in the reserves; and privately, in talks with the Mazamas, tried to get them to campaign against sheep grazing. [22] In the summer of that year, after attending a meeting of the American Forestry Association in California, James Wilson, the Secretary of Agriculture, made a trip through the reserves. The meeting he had attended had been loud in condemning the sheep owners, and Wilson had evidently become a convert to their cause. In an interview, he stated that permitting sheep to graze in the Oregon and Washington forests had been an error, and the error should be rectified. Sheep grazing in all reserves should be prohibited, and the sheep already on the reserves should be expelled without delay. [23]

Wilson somehow impressed the Department of the Interior with his views, for his suggestion was followed by action. [24] On September 3, the Secretary of the Interior canceled the permits of those sheepmen, sixty-eight in all, who had herds grazing on the Rainier reserve, and ordered them to take their 200,000 sheep from the reserve immediately. He also stated his intention to take similar action in all other reserves. The permits ran until September 25; therefore, the order forced sheep off their summer range nearly a month before they had planned to go. Protests rose from the sheepmen, and a hasty meeting was called by the Oregon Wool Growers Association at The Dalles to protest any similar action in Oregon. [25]

Muir's speech, and the action by the Interior Department, caused the controversy over grazing to break out anew. It was fought pro and con in letters to the Oregonian. Letters poured in from both the sheep owning and the recreational group; all letters being alike, however, in their logical and scientific reasoning when dealing with the merits of their cases, and their brilliance in wit and vituperation when dealing with persons and personalities opposed to their views. Through the two-month battle of pens, Harvey Scott, the editor of the paper, took a middle ground in his editorial comments, only occasionally taking a pot shot at one of the protagonists when he could not resist it.

On news of the canceling of the Rainier permits, John Minto, as chief spokesman for the wool growers, let forth a blast at Wilson, the American Forestry Association, and the reserve system. Wilson's conclusions, he stated, were untrue. For fifty-three years, Minto asserted, he had studied reproduction of forest growth near Salem, and had found that "the closest grazing of sheep confined by fencing had not prevented the reforestation by seed of large tracts of land that was good pasture in 1846." He again stated his belief that the best utilization of arid or semi-arid grazing land would be by the homestead and leasing system, permitting the use of plains for winter and mountains for summer range. A system of lease with the privilege of purchase, he thought, would be practicable, with the lessors' improvements appraised and the improvements charged to successors by higher fees. He had, he said, advocated grazing homesteads of three

sections, with lease of additional pasture land, sixteen years ago; now he felt that the system should be that of leasing three sections to each owner of a quarter section. [26]

His ideas were backed by F. A. Young, President of the Oregon Woolgrower's Association, and by F. A. Bonney, stockinspector for Wasco County. Both favored the existing system, based on the Coville report, and both challenged Muir's views as extreme. Young stated that most of the opposition came from the Mazamas, "a small group of summer idlers, and I might say, mostly yearly idlers," having their headquarters in Portland. He was, he said, well acquainted with the "bell-wether" of the group. They were against any sheep whatsoever on the reserve, "and in the language of ex-Governor Pennoyer, they never see a sheep but they want to kick it." [27]

M. J. Anderson of Dufur expressed the point of view of the cattle rancher and grain farmer. He was one of those who had petitioned to keep the sheep out of the area east of the east fork of Hood River, and later, as supervisor of the Siskiyou National Forest, became a capable forest administrator. Questioning one of Minto's largest talking points, that snow will lie just as long and irrigation streams flow just as well, whether sheep are pastured or not, Anderson stated that this was not so in the area where he lived. Within the last thirty years, he said, there had been changes due to sheep pasturing. In previous years snowdrifts lay miles down the slopes before the sheep had destroyed the undergrowth, and there had then been swamps, where now none existed. Minto's generalizations, said Anderson, were based on the west side, which had heavy rainfall and therefore a more rapid renewal of herbage; his mistake was, "the error that 50 years of theorizing has made incurable in Mr. Minto, that Oregon hangs suspended in the universe by a strand of wool." Anderson called Minto's attention to the fact that other industries existed; that "in the little strip of Wasco where farmers live who are asking for protection from the sheep there were raised last year 2,000,000 bushels of wheat, to say nothing of babies and bird dogs." [28]

Minto elaborated his ideas at a joint meeting of the Oregon Wool Grower's Association with the Portland Chamber of Commerce, and in a letter to the editor of the Oregonian the day after the meeting. He had by this time got hold of the proceedings of the American Forestry Association conference at Los Angeles, July 19-20, from which Wilson had drawn his conclusions, and devoted much of his letter to an attack on their ideas on the relation of water flow and forests.

One of the Forestry Association resolutions read:

Whereas, the tree is mother of the fountain, and the forests and foliage of our mountains must be preserved in order to maintain both surface and underground supplies of water . . .

Minto thought this statement ridiculous. The tree, he said, is a consumer of water, giving out none other than through respiration through the leaves or evaporation when they are dying. "If there are any species of trees growing in Oregon or anywhere else that emit water from their foliage, I have never seen such or any man who has." On the contrary, the tree is a consumer of water, being seventy per cent sap by weight. "Has any man who succeeded in making good his title to a timber culture claim also secured a spring as a result of tree growth?" added Minto. To Minto, "the rain cloud is father, the earth the mother of the tree, and the fountain, when it plays any part at all, is wet nurse."



Minto reiterated his belief that it would be good policy to allow sheep to graze in alpine meadows in order to keep drygrass down, and remove the fire hazard and temptation of light-burning. Unquestionably, he wrote, the sheep grazers had no right to jeopardize safety of timber or to disrupt water flow; but there was no evidence that they did so. Again, he suggested that local enterprise, with "the family the chief agency in so doing" was the best way to manage the area. Forest homesteads should be allowed, in such acreage as would permit the family to secure a permanent body of timber from the natural forest land. This combined with grazing homesteads on the Australian plan, would both secure a better economy and give local interests a stake in the land. [29]

The Oregonian, in an editorial comment, indicated that Minto had nullified his own position. Pointing out that Minto had been a pioneer in studies of the capacity of Douglas fir to reproduce itself, the paper stated:

The tree he has consistently championed as in itself the perpetuation of the Pacific Coast forestry, he now holds up to view as the relentless pursuer and destroyer of every drop of moisture within reach. It is well to be forewarned before Mr. Minto and his thirsty fir tree have transformed us together into a smoking desert.

Calling attention to the fact that lumbermen as well as sheep grazers might be considered as enemies of the forest, Scott ended with a plea for the Coville system of regulating grazing. [30]

The recreational group was represented in the controversy, among others, by W. G. Steel and H. D. Langille. Steel made a warm defense of the American Forestry Association against the charges of Minto. Stating that a "man who will state that snow disappears sooner in the open than in heavy timber, and denies that forests are conservers of moisture is not expected to know much," Steel defended the scientific investigation of the Association, charged that the large sheep owners were trying to drive the small ones out of business, and declared it would be well for the reserve if all sheep owners were excluded. [31] Harold Douglas Langille's letter contained more light and less heat. Langille had been a guide in the Mt. Hood area for many years, and probably knew the region as well as anyone. He had been there when the sheep first came into the area, twelve years before, and had noted the changes that had taken place; with thousands of acres once in flourishing timber but now denuded slopes, old burns, or grown up in chaparral. From his own observation, he knew that sheep herders set fires; but, "Unfortunately, the sheep owners do not know any more about the actions of their herders than Superintendent Ormsby does about his rangers." The charge that sheep grazed on conifers was false; but they did trample the ground and destroy loose soil. If sheep were not to be excluded, a fee should be charged to the sheepmen, enough to pay for fire control and reforestation. Minto's statement that the east side was chiefly valuable for grazing was false, as much good timber was available there. [32] Minto, in answering the letters, quoted from Bulletin 24 of the Division of Forestry (a bulletin on transpiration, written by Gifford Pinchot) to prove that trees use water. He agreed with Langille that if the forage was worth having it was worth paying for, and stated that in referring to the east side as being chiefly valuable for grazing he had referred especially to the area south of the Warm Springs Indian Reservation, which he thought might well be released from the reserve. He stressed the need for positive knowledge as to forest and range conditions, from actual observation on the ground, rather than theorizing. [33]

The controversy gradually died away, and the next year the Interior Department again reversed itself and permitted grazing again under the Coville regulations. [34] That year allotments were made for both the Rainier and Cascade Range reserves, and no lasting general controversy occurred again in this area. Such controversies as did occur were localized, rather than based on general principles, and were relatively easily settled.

The controversy was a hot one while it lasted, but in the long run the effects were good. The chief debate was over scientific facts which were not yet thoroughly established one way or the other. The criticisms of Minto and others forced the forest administration to establish as its policy that of thorough investigation before promulgating rules; and the thorough airing of the issues did in the end help to clarify federal policy, in spite of the vacillations of the Interior Department.

Within a year, the investigation in the Northwest was duplicated in other parts of the West as well, in Arizona, there had long been friction between irrigators and sheepmen, and in 1900 Coville, Pinchot, and Alfred Potter made an investigation there of sheep grazing similar to that Coville had carried on in the Northwest. Out of such investigations of local conditions on local grounds, carried out first in the Northwest, arose the development of a federal grazing policy. [35]

For the Pacific Northwest, the grazing controversy had a special importance. In that region grazing was permitted in 1897, from three to five years before it was permitted in any other forest reserves, and thereby the grazers had that much longer to adjust themselves to the reserve system than in California, for example, where reserves remained closed until 1902. This may in part account for the fact that the grazing problem as a feature of national forest management has been less troublesome in the Northwest than in any other part of the West—a situation that still prevails. [36] The fact that the Coville report was made by an actual study of local conditions gave the users of the reserve faith in it, and did much to nullify the ill effects of the Academy report.

As the letters indicate, the grazers themselves in general accepted the Coville report as a basis from which to work. Wilson's arbitrary action probably hastened acceptance of the Coville plan by grazers, in lieu of losing everything. Much credit must be given to the Oregonian, which printed the Coville report in full, and offered itself as a forum for discussion of the matter.

The grazing controversy had a further significance in driving a wedge between the utilitarian group and the recreational groups interested in the forests. In terms of personalities, it was a victory for Minto, and a defeat for Muir. Previous to that time, the strongest supporters of the reserve policies had been the recreational group, represented by Steel and Muir. Pinchot's espousal of the utilitarian viewpoint in regard to the reserves—a partial repudiation of his stand as a signer of the Academy report—antagonized Muir. As Muir's biographer has put it,

Thus the rift opened that swiftly widened between the two schools of conservationists—the strictly utilitarian, commercial group who followed Pinchot, and the aesthetic-utilitarian group who followed Muir—a rift that was to manifest itself deplorably in long years of antagonism between two government bureaus. [37]

From that time on, the rift between the groups widened. The grazers, on the contrary, played a more important role as a group concerned with use of the reserves, in their meeting in 1901, the Oregon Wool Grower's Association pledged cooperation with the U. S. Government in regulation of grazing on the forest reserves, and endorsed creation of further reserves in eastern Oregon as a means of settling range disputes between cattle and sheep owners. Minto and Pinchot advanced somewhat toward each other's point of view. In 1901 Minto admitted some of the abuses of absentee ownership and of encroachment on homesteaders' land existed in eastern Oregon. [38]

By 1904, Minto, while still condemning the National Academy Committee and the American Forestry Association, said that Pinchot's idea of settling local problems on local grounds was the right one; and at the same grazing conference Pinchot managed to disassociate himself from the Academy report and stated his opposition to having rules on land use made without actual examination. [39]

## CHAPTER 5

# RESERVES IN WASHINGTON, BOUNDARY WORK, 1897-1907

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The boundary work in the Northwest between 1898 and 1907 is of interest from several points of view. From a technical point of view, the work was one of the first large scale governmental efforts in land classification, and illustrates some of the difficulties this presented.

Administratively, it illustrates some of the difficulties presented by having the work under the jurisdiction of several bureaus, and the effect of local pressure groups on these governmental bureaus. The work also demonstrates some of the differences between the two states, and sub-regions within the states.

It will be remembered that three bureaus, and two departments, had their fingers in the pie in regard to the reserves. The Land Office had charge of administration of the reserves. The Land Office was a political bureau, with untrained personnel, and subject to local pressures. The Geological Survey, until 1902, had charge of survey of old reserves, and recommendations of new ones. The Survey was a group of professionals, who had good technical training, but who were solely technicians. They did their work quietly and with no publicity, and made little attempt to direct or educate public opinion. Both these bureaus were under the Department of the Interior. The Bureau of Forestry after 1902 had charge of boundary work. This was also a professional group, but they regarded as one of their tasks directing and educating the public, and had due account for public opinion, as well as other aspects of the case, in recommending creation of new reserves. This bureau was in the Department of Agriculture.

In Washington, the fact will be remembered that the reserves there—the Washington, the Olympic, and the Rainier had been created arbitrarily, on recommendation of the Academy committee, rather than because of grass-roots desire for reserves. It was natural, therefore, that the first opposition to the reserves came against these. The later reserves, created on recommendation of the Bureau of Forestry, met with much less opposition.

### I. The Olympic Elimination

In 1898, after the nine-month open season, the Cleveland reserves were reestablished and the work of administering them began. In western Washington, particularly on the Olympic Peninsula and in the tier of counties on the west border of the Cascades, the period 1898-1907 was marked by a series of sporadic protests against the reserves. The reserves were heavily timbered; the speculative boom in timber was at its height, and the reserves often interfered with speculative or cutting plans. One such area was the Olympic Peninsula.

The Olympic reserve was of large proportions, covering as originally created 2,188,800 acres. Most of the area was mountainous or timbered. A few prairie openings existed on the north side of the peninsula, not totaling over four thousand acres in all, which had in 1898 been taken up by settlers. On the northwest and west sides, the terrain was rolling for a distance of three townships

back from the coast; and here, too, much land had been taken up under the Homestead and the Timber and Stone Acts. In the opinion of the Geological Survey investigators, however, the land could hardly be called agricultural, since it cost \$150 to \$200 per acre to clear. This fact seemed demonstrated in that though 341 homestead entries had been made within the limits of Clallam County only 83 people could be found residing on their tracts.

The area was the most heavily timbered section in the United States, with a dense stand of Douglas fir and hemlock, and local stands of Sitka spruce and red cedar. Little logging was being carried on at the time of the survey, except in R. 9 W., T. 30 N., W.M. The rivers, like most in western Washington, were swift, subject to freshets, and with many bars due to the abrupt decline in grade from mountain to flat; they were poorly adapted to river drives. Though the terrain was suitable for railroad logging, as yet no railroads had been built in the area. [1] Nevertheless, logging companies had their eyes on the timber, and were obtaining title one way or another. 66,160 acres were railroad lands, and much of this passed to subsidiary land and logging companies such as the Weyerhaeuser interests. Other companies, less fortunate in their associations, had many dummy entrymen making entries under the Timber and Stone Act—a practice which benefited both federal government and entryman, according to the historians of the Pope and Talbot Company. [2]

The reserve had no sooner been established than protests began to come in demanding that its area be cut down, using arguments that the land was predominantly agricultural and that reserving it held up development of the country. The local management was poorly equipped to deal with the situation in a strong fashion. The supervisor of the reserve was Dr. W. W. Cloes, a political appointee, and a dentist by profession. He may have been a good dentist, but he was a poor conservationist, ignorant of his job and far too willing to give local pressures his own endorsement. As one settler remarked, "If Cloes' judgment ain't any better on teeth than farming he couldn't look in my mouth that is all." [3] Cloes made an examination of the reserve in November, 1898, and recommended cutting down its size. Gifford Pinchot of the Bureau of Forestry and Henry Gannett of the Geological Survey rejected Cloes' report on the grounds that it would eliminate much of the good timber land. [4] Both Gannett and Pinchot were personally acquainted with the reserve, Pinchot having given it a personal examination in August and September, 1897.

In 1899 more protests came in, and once more Cloes made, or said he made, an examination. In a report dated May 11, 1899, he recommended that T. 24 N., R. 4 W., and T. 22 and 23 N., R. 5 W., W.M., be withdrawn from the reserve. These areas, he said, were heavily timbered, but there was also good agricultural land in the region, and settlers had been there for ten to fifteen years. In T. 21 N., R. 5, 6, and 7 W., W. M., he reported finding lands that had been "in the hands of large mill companies for years, and they are now logging them off." In T. 21 N., R. 8-11 W., he reported finding a hundred settlers. These areas also, he considered, should be withdrawn in whole or in part. [5]

Dozens of other petitions came to the Land Office in 1899, praying for relief from the hardships wrought on the poor but honest settler by the reserve. The arguments advanced were plausible and at times heart-rending. Homesteaders who had spent the best years of their lives developing fertile farms in the region found their investment was for naught; Clallam and Jefferson Counties

had lost most of the taxable land in their counties; schools would close and road bonds, owned by "widows and aged people in the east," would be defaulted; farmers already in the area would sell out for lack of markets and in order not to be caught in enlargement of the reserves. The Seattle Chamber of Commerce sent in a remonstrance, as did Senator A. G. Foster. [6] The government officials in charge of the reserve, however, were not impressed. In a letter to Binger Hermann, the General Land Office Commissioner, Charles D. Walcott, Director of the U. S. Geological Survey, wrote:

Concerning the representations which are being made that important local interests are suffering because of non-adjustment of the lines of this reserve, I beg to state that the only interests which are suffering in the slightest degree are those of the lumbermen and millmen, who are desirous, naturally, of having large areas of the best timberland in the reserve set aside from it. There is not an acre of land within the present limits of the reserve which, under existing conditions, is of the slightest value for agriculture. [7]

Probably primarily due to pressure from Senator Foster, D. B. Sheller, Superintendent of the reserves in Washington, made an examination of the reserve. Sheller was another political appointee, a former member of the state legislature, but he was of different caliber from Cloes. Cloes was worthless on all counts; Sheller was a man of good will, with no professional training, in a job that was too big for him. He made attempts to enforce the laws against forest trespass and fire, but could not get convictions because of hostility toward the forest administration. In trying to achieve a successful administration he had little support from the Land Office officials and little aid from subordinate officials. His later career, however, may indicate that his failure to deal in an adequate fashion with the Olympic situation was not a sign of complete lack of ability. [8]

In September Sheller made an examination of the reserve. His examination of T. 21 N., R. 5-11 W.; T. 22 N., R. 5-6 and 8-11 W.; and T. 23 N., R. 5 and 10-11 W., W. M., indicated the presence there of eleven settlers and no agricultural land (Cloes had found 100 settlers). In the west of the reserve, however, he found a different story. There were a scattering of settlers here in the stream valleys and prairies; ten on the Queets River, four on the Hoh, several on the Bogachiel, twenty-five at Forks, twenty at Quillayute Prairie, and others around Lake Crescent. Though settlement was relatively thin, he thought that the timber in the area was of poor quality, and the land better suited to agriculture than lumbering. The fir and spruce, he reported, were of poor quality, and much of the timber was of a poor grade hemlock. The only merchantable timber, he found, was along the Soleduc and Galawah Rivers, and in T. 21, 22, 23, and 24. The settlers there, he believed, were bona fide residents who had filed on their claims without speculative intent; although many had sold out to scrip speculators when the reserve went through, for fear of being isolated. Sheller concluded by asking for revision of the reserve boundaries. [9]

Sheller's report was backed by that of the field men of the Geological Survey, Theodore Rixon and Arthur Dodwell, who had just completed their examination of the area. They reported that the lumber industry had no immediate future there; there was no market for hemlock, and the fir and spruce were of poor quality. They also believed that the reserves were holding up development of Clallam County. During the boom days of the 1890's there had been a rush to the

area, and many clearings were made, averaging perhaps forty acres out of a quarter section. These settlers had been bona fide farmers, rather than speculators. [10] Gannett denounced both reports. Sheller, he said, was not a qualified observer as to the value of the timber there, which field notes of the Geological Survey indicated was much higher in value than his estimate; and he also had the wrong idea as to what constituted agricultural land, believing that any level ground was agricultural, while in reality, Gannett said, it was that soil better suited for growing crops than growing trees. As to Dodwell and Rixon, they had been swayed by the protests of the settlers. [11] The final decision was not up to Gannett, however, but to the Department of the Interior; and on April 7, 1900, it acceded to the pressure from settlers and others, and eliminated 264,960 acres from the reserve. Gannett himself, probably with some reluctance, acquiesced in the decision. [12]

Agitation for further eliminations from the reserve came during 1900, presented mainly through Senator Foster and Representatives Jones and Cushman. These duplicated the former requests in containing statements that the land was primarily agricultural in nature, that the tax rolls of the counties suffered, and that development of the country was held up. On July 15, 1901, a further reduction was made of 456,960 acres. [13]

Most of the "agricultural" land in the area eliminated from the forest went into the hands of logging companies. From that standpoint, the elimination had all the aspects of a land swindle. [14] Forty-two per cent of the land in the area eliminated were Timber and Stone entries, in itself an evidence of fraud. Of the land taken up under the Homestead Act, two thirds went to logging companies. A fair share of the entries may have been made in good faith, since the Homestead Act was not the easiest by which timberland might be taken up; but the rising price of timber, the increased use of hemlock, and the fear of becoming isolated as others sold out led to these entries also going to the logging companies.

## II. The Whatcom Excitement

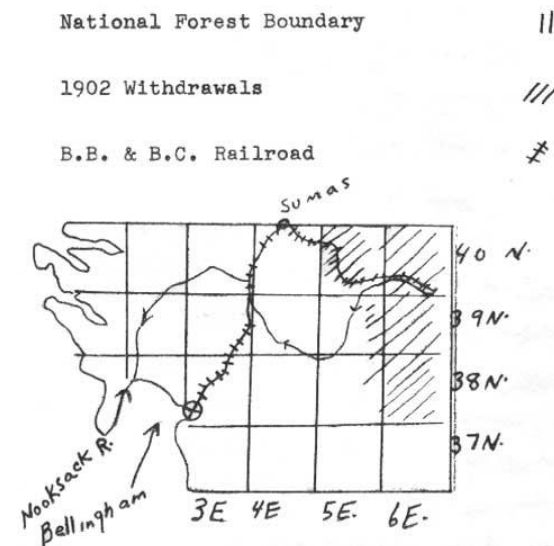
The protests against the Olympic reserve had their counterpart in protests against the Washington reserve. Creation of this reserve in 1897 had been greeted by howls of anguish from miners, as will be recalled. The act of 1897 provided that mining could be practiced in the reserve; and this, combined with the fact that the mining bubble broke in 1898, caused protests against the reserves to die down from this group. The area did contain valuable timber resources, however, and the desire of loggers to get hold of them caused a long battle between the forest administration and the timber interests.

In 1899 a whole series of protests came in to the Land Office, asking for elimination from the reserve of T. 29, 30, 31, and 32 of R. 8, 9, 10, and 11 E., W. M. The arguments were the familiar ones that all the land between the two forks of the Stillaguamish River was agricultural in nature; that settlers had already entered the area and built homes, schools, bridges, roads and such improvements; that the railroad had encouraged settlement, and that the reserve removed land from settlement and taxation, and was driving the county to bankruptcy. The protestants included the Chamber of Commerce of Everett, the Monte Cristo Railroad Company, the board of County Commissioners of Snohomish County, and numerous alleged settlers from the area concerned.

The area was examined by both the Land Office and the Geological Survey, and the statements in the petitions were found to be completely false. The Geological Survey stated that the only arable land was a narrow strip along each fork of the Stillaguamish, and that this area was needed for fire protection. D. B. Sheller also made an examination, finding the area mostly timbered. He found only fourteen settlers in the area, and judged that they were there to speculate in timber. As a result of these reports, the Land Office recommended that no changes be made in the boundary. [15]

A year later another set of remonstrances reached the Land Office, this time from Skagit and Whatcom Counties. These were inspired by the logging and railroading interests of Bellingham, and were led by J. J. Donovan. A New Englander by birth, Donovan had come to Washington state about the turn of the century and had rapidly become interested in various types of speculative ventures. At this time he was General Superintendent of the Bellingham Bay and British Columbia Railroad, a line with its western terminus at Bellingham. The line ran east by way of Sumas, on the Canadian border, along the north fork of the Nooksack River to its eastern terminus at Conell, in T. 39 N., R. 7E., W. M. just within the reserve.

The reserve interfered with Donovan's plans for two reasons. First, the charter of the railroad allowed an extension of the road to Spokane. Donovan had made a survey, and located a suitable pass; but he felt that all the timber along the right of way, between the middle and north forks of the Nooksack River, would be needed to finance the road. Second was the fact that the reserve cut down on the amount of timber available for his and his associates' logging interests (see Map 1). Donovan was well able to make his protests heard. Bellingham was a company town, dominated by the J. H. Bloedel and Peter Larson logging interests, in which Donovan had a share. He also had shares in the bank and business houses of the city. In addition, he owned stock in the two Bellingham newspapers, which were controlled by the Sidney Perkins interests. These papers were mouthpieces of the conservative wing of the Republican Party in the state. Donovan himself was a good party man, his name showing up periodically as a delegate at the state conventions of the Republican Party.



MAP 1  
SCENE OF THE WHATCOM EXCITEMENT



The protests came because of some new withdrawals made in 1902. At the time of the creation of the reserve, in 1897, there had been a rush to the area bordering the reserve in Whatcom County, where there were large bodies of timber. The settlers had applied for a survey of the area, and a survey was made in 1898, but it failed of approval in the Land Office because of errors. However, lines had been blazed well enough to locate the more desirable bodies of timber, and lumbermen set to work to acquire these. Timber locators flocked into the area and, for a fee of \$50 or \$100, placed men on claims, surveyed or unsurveyed; built cabins for them of cedar shakes; built a fire in the corner of the cabin, and furnished the cabins with frying pans, coffee pots and other kitchenware as evidence of occupancy. Claimants were furnished blank contracts by which they promised to turn over their claims to the lumber company (see illustration 1). In this way, 6,080 acres were filed on in the area, in addition to a large tract in T. 38N., R. 6 E., W. M., selected by use of railroad scrip of the Northern Pacific and the St. Paul, Minneapolis, and Manitoba lines. In 1902, however, on the recommendation of the Geological Survey investigations, extensive temporary withdrawals were made in the region.

ILLUSTRATION 1

COPY OF BLANK CONTRACT FOUND (IN A SQUATTER'S CABIN INT. 34 N., R. 7 E., WASHINGTON)

\_\_\_\_\_ Wash., \_\_\_\_\_ 190

To \_\_\_\_\_

IN CONSIDERATION of the sum of One Dollar to \_\_\_\_\_ paid by you, and in consideration of the benefit \_\_\_\_\_ expect to derive from the sale of the property below described, \_\_\_\_\_ agree to convey to you or such person as you may name, free from encumbrances, by General Warranty Deed, the following described property, situated in \_\_\_\_\_ County, Washington, to wit: \_\_\_\_\_ with all the appurtenances; upon the payment to \_\_\_\_\_ by you, or by the person named by you, of the sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_) lawful money of the United States.

This consideration is to remain in force for the period of \_\_\_\_\_ days from this date. \_\_\_\_\_ agrees to furnish a complete abstract of title.

WITNESSES

\_\_\_\_\_ (SEAL)

\_\_\_\_\_ (SEAL)

(From W. T. Cox, "Report on the Proposed Addition to the Washington Reserve in Skagit and Whatcom Counties, Washington," N.A., D.A., F.S., Research Compilation Files, Region 6, dr. 137.

Donovan began his attacks in a forthright manner, without resorting to the threadbare pretext that the reserve was agricultural land. The Whatcom Daily Reveille for January 9, 1903, quoted a letter from Donovan to the Office of the Register and Receiver of the county, pointing out that two thirds of the county was in the reserve, whereas King County was under no such handicap. The following day the paper reported rumors that the recent additions to the reserve were part of a scheme by the Hill interests to keep the Bellingham Bay and British Columbia Railroad from reaching the east side and competing with them. Later, as President of the Whatcom Commercial Club, Donovan got that organization to send in a petition asking for a reduction in the size of the reserve; this was accompanied by numerous other petitions from the Sumas Commercial Club, the Republican and the Democratic county conventions, and a large number of alleged homesteaders, all protesting the additions. The movement spread to other counties. In Skagit County, surveys were made for additions to the reserve along the Skagit, Stillaguamish and Sauk Rivers, and the Everett Chamber of Commerce, the Fairhaven and the Arlington Commercial Clubs, the County Commissioners of Skagit County, and a large number of alleged settlers, sent in petitions to their congressmen. Pressure was put on the state legislature, and that body passed Senate Memorial No. 1, asking that the western boundaries of the reserve be changed.

A series of examinations were made by the Land Office, the Geological Survey and the Bureau of Forestry in 1903 and 1904. D. B. Sheller made the first preliminary examination; reporting to the Land Office Commissioner on February 26, 1903, he stated that the claims of the petitioners should not be taken at their face value, but should be carefully examined. The Chamber of Commerce protests, he wrote, were largely because of the influence of the timber interests; legislators might know better, but would back protests to please their constituents.

The Skagit County protests had no success. The examiners found the number of bona fide settlers had actually declined after the mining bubble had burst in 1898. Timber speculation was growing, however, with mills on the border of the reserve cutting up to 300,000 board feet per day. The investigators found the additions to be desirable, and they were made permanent additions to the reserve.

In Whatcom County, the Bureau of Forestry made an examination in 1903 and 1904. The examiners found the bona fide ranchers in the area satisfied with the temporary withdrawals; they had a good market with the remaining miners in the region, and did not favor further extension of the Bellingham Bay and British Columbia Railroads since it might force them to compete with Puget Sound growers. However, after his examination of the Nooksack area, W. T. Cox, the examiner, favored cancelling the 1902 temporary withdrawal in T. 38 and 39 N., R. 6 E., W. M., despite the fact that many of the entries had been fraudulent. He favored cancelling them on the following grounds:

1. That sixty per cent of the county was already in the reserve, and the only future development of the county lay in the east.
2. That the people had believed that after the creation of the Washington reserve in 1897 no further reserves would be created in the area.

3. That the timber was ripe for cutting.

4. That the number of reserves was growing, and it would create good will to have this one restored to its old boundary. [16]

Pressure was so great that the Forestry Bureau decided to sacrifice the timber land for the sake of better public relations. As E. T. Allen wrote about that time, "If the present dissatisfaction in the West is aggravated by un-wise administration and ill considered creation of the reserves, there may be a rebellion ending even in the abolishing of the reserves themselves." [17] H. D. Langille, who was in charge of the boundary work in the region, recommended elimination of the temporary withdrawal in Whatcom County on the grounds suggested by Cox; and this area was withdrawn from the reserve in 1904. Moreover, Langille made a statement that no further reserves would be created in the area.

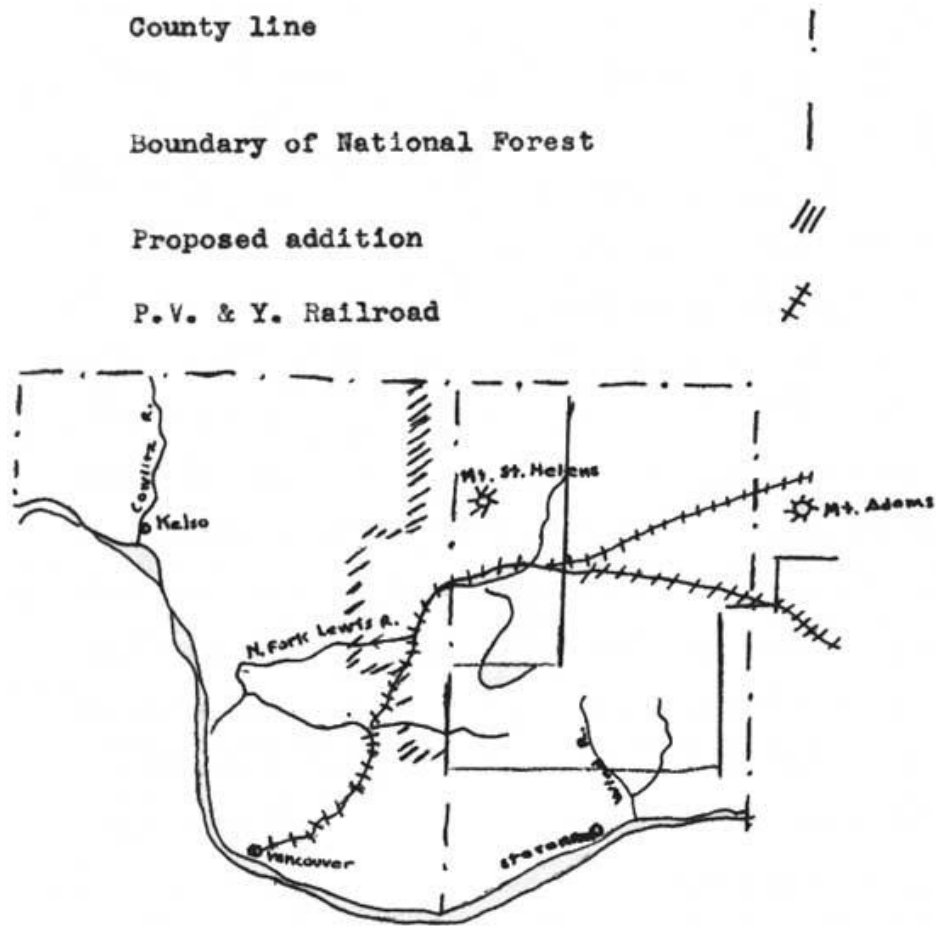
In 1906-07 the issue came up again. This was the period of intensive field examination for new reserves; the area was re-examined, and the recommendation made that the portion previously released be restored. The Bellingham group and their friends in the state legislature and in Congress rose once more in their wrath, and again the Perkins press began new attacks on the reserves. Langille's statement was recalled, and the Forest Service did nothing to further its case when it claimed this was a clerical error. Finally Pinchot advised that in view of the opposition it would be well to let the matter drop; the timber, he thought, should be reserved, but it would be unwise to do so. [18]

### III. Rainier Reserve

Railroads and timber lands played their parts also in the southern part of the state, in relation to proposed additions to the Rainier Forest Reserve. In Clark, Skamania, and Cowlitz Counties, the Geological Survey recommended additions to the western boundary of that reserve, involving T. 4-10 N., R. 4 E., and T. 6, 7, and 10 N., R. 3 E., W. M. Once more a storm of protests rose from those whose economic interests were threatened.

The first protests came from railroad promoters. There had long been a desire to have a rail line along the north side of the Columbia River to serve the region between Yakima and Vancouver; and sometime before 1898 a railroad company was formed to build a line between the two cities. The Portland, Vancouver and Yakima Company planned to build through the reserve. Their survey ran from Vancouver to Yacolt and thence to Chelachatie Prairie; reached Lewis River, and crossed at its junction with Canyon Creek; went up the river to T. 7 N., R. 8 E., W. M., and then forked, one branch swinging to the south of Mt. Adams to go down the Klickitat River, and to Goldendale, the other crossing the range at Klickitat Pass, north of Mt. Adams, and thence continuing to Yakima. The line, according to its promoters, would not only serve as a transcontinental link on the north side of the Columbia, but would tap the valuable timber resources in the area, and make accessible mineralized country around Mt. Adams and Mt. St. Helens. The road had received favorable backing from the Land Office. In 1898 the P.V. & Y. had built as far as Battleground, and was hauling logs from the operations there; but the reserve seemed to interfere with its further development. [19]

On November 18, 1898, L. Gerlinger, President of the Company, wrote to the General Land Office. He stated that the proposed addition would close half the mills in Portland for lack of logs, and destroy the prosperity of Clark County. The townships, he said, consisted partly of good timber and partly of farming land; but meantime 150 settlers there had waited fifteen years for the railroad to come to them. By building to the rich coal mines of Klickitat Pass, the road would make Portland independent of eastern supplies of coal. However, the line could not be built in a reserve, where it would be cut off from freight and passengers. Pleas of a similar nature came from the Portland Chamber of Commerce, the Vancouver Commercial Club, the Republican City and County General Committee of Multnomah County, and the Washington State Commissioner of Public Lands. [20]



MAP 2  
RAINIER RESERVE

Similar protests came into the Land Office from Cowlitz County, from alleged settlers in T. 6-10 N., R. 3-4 E., and T. 7-10 N., R. 2 E., W. M. They swore that the reserve took up two thirds of the county, and made taxation burdensome by removing taxable land from county lists; that the area was essential for the sawmill operations, and in addition was valuable for stock raising and farming; and that county roads and trails were cut off from use. In their protests they were joined by the whole executive body of the state. Governor C. W. Rogers. Lieutenant Governor Thurston

Daniels, Secretary of State Will Jenkins, and Treasurer C. W. Young all wrote to the Commissioner individually in November, protesting the proposed additions. [21]

The area was examined by the forest administration. J. W. Cloes left his dental chair long enough to make an inspection of the area. In his report of November 7, 1898, he wrote to the Land Office stating that the protests were nothing but a plot to get the timber. The land, he said, was not fit for agriculture, and there were few real settlers in the region. D. B. Sheller, who investigated the Cowlitz region about a year later, stated that the petitions for elimination of the area were signed by residents of the county, but not necessarily by actual settlers of the area mentioned. He stated that the chief dissatisfaction with the reserve was the removal of land from the county tax rolls, and the danger of curtailing logging. [22] The Oregonian also doubted the validity of the protests. The paper editorialized:

Two sets of objectors are met with, that are both interested in reaping immediate fruits from the land, regardless of the future. One of these is composed of sawmill men and timber sharks, the other of owners of large flocks of sheep, who seek to profit from the free use of what does not belong to them. Both these classes and their allied interests make a great outcry when it is proposed to reserve forest lands within their reach—lands which still belong to the public domain, and in which they have no greater rights than any other citizen of the republic. When the government proposes to reserve from settlement and sale a part of its own domain, such cries as that of the Kelso Journal "an attempted steal," or the Kalama Bulletin "a great outrage" are raised to stir opposition to the beneficent act and to defeat it if possible. . . . The time to reserve is when there is something to reserve. [23]

In 1901 the Northern Pacific began building its North Bank Road, and the value of the P.V. & Y. charter disappeared. [24] The next year the Yacont fire swept over much of the area, and rendered the Lewis River area less valuable for timber. Protests over the addition died down. Nevertheless, the areas protested were eliminated from the reserve when the final boundaries of the forest were created. The land in question was in the foothills rather than in the mountains, and was tillable, though probably better suited for growing trees. Fire had destroyed most of the timber. Some of the protests of settlers were unquestionably genuine. Perhaps the deciding factor was the large amount of alienated land owned by the State, the Northern Pacific, and the Weyerhaeuser interests in the area in question. [25]

A few other remonstrances came in from that general area. In February, 1903, residents of Yale, Ariel and Amboy petitioned for removal from the reserve of T. 6 N., R. 3 E., W. M., on the ground that this was bottom and bench land, and that the 1902 fire had killed all the timber. In this they were backed by the Vancouver Commercial Club. In this case the petition was a justifiable one, and this area was removed. Far other were attempts to get land removed from the reserve along the Columbia River and in the Wind River Valley. There J. W. Hullof Chenoweth petitioned the President on February 22, 1902, for the elimination of T. 4 N., R. 4-9 E., W. M., from the reserve. His petition was backed by a long list of residents from Collins, Home Valley, Stevenson, Cape Horn and Carson. This was a bold and flagrant attempt to get timber land, since by no stretch of the imagination could the land be regarded as agricultural. About the same time Horatio Price of Vancouver, owner of the Wind River Lumber Company, asked for elimination of the lands in the Wind River Valley in T. 4 and 5 N., R. 7 E., W. M., on the ground

that this was agricultural land. Investigation proved, however, that the soil was poor in quality, the land covered by timber, and the settlers were in the habit of selling out to the lumber companies as soon as they proved up their claims. The company had already acquired 3,360 acres of land in the townships mentioned, and desired to get it all. Some homesteaders were found in the bottom land, but they were of the three-weeks variety, who cut a small clearing and lived on the land only long enough to hold it. Both these petitions were denied. [26]

#### IV. Other Reserves

Other areas were less hostile, either because of need for the reserves in the locality concerned, or because the work came under the Bureau of Forestry, which took pains to educate the public as to the reasons for, and the value of, the proposed reserves. The rapid growth of Seattle made that city, like Portland, Ashland, and Baker City, consider the safeguarding of her municipal watershed. On October 10, 1899, the city sent a request, through Congressman Cushman, to the Commissioner of the General Land Office, asking for reservation of fifty sections in the Cedar River Watershed. On Sheller's examination and recommendation, the withdrawal was made. [27]

In 1903 and 1904 R. B. Wilson of the Bureau of Forestry examined the area between the Washington reserve to the north, and the Rainier reserve to the south—the area that later became the Snoqualmie National Forest. The forest included both east and west side forest types, but with an "overlap" to the east, making a five to one ratio of Douglas fir to yellow pine. The chief value of the reserve, he found, would be in regard to irrigation on the east side. Plans were being made to convert three lakes on the east side—Keechelus, Kachess, and Clealum—into reservoirs, to increase the irrigating capacity of the Yakima River. The river could normally irrigate 325,700 acres; by enlarging the storage basins, the normal low flow of 800 cubic feet per second could be increased to 2,000. The forest would be valuable in preserving and regulating water flow. Water rights in the area was a complex problem; ownership of land in the region concerned included Northern Pacific lieu selections, claims of the Yakima Development Company, and Reclamation Service land. One company alone had filed on eight times, and another on thirteen times, the total water capacity of one of the lakes.

About half the land was alienated in one way or another, seventy per cent of this being railroad land, the remainder school land or land taken up by one of the various land acts. Most of the lumbering, however, had been carried on outside the limits of the reserve, and there was no actual settlement in the reserve itself. Sentiment toward the reserve was in general favorable. The general feeling that most of the desirable land had been alienated anyway, so there would be no harm in putting the rest in a reserve. Sentiment of the sheepmen would depend on whether they got grazing permits or not. There were large holdings of railroad land and logging company land in the area proposed to be reserved; but both the Northern Pacific and the Weyerhaeuser Timber Company had asked for cooperative work with the Bureau of Forestry in fire control and cutting plans as it was felt that this area would be a good place to carry on such work. [28]

Little opposition was registered to an extension of the reserve in the vicinity, in the neighborhood of Morton and Ashford. The area included a western spur of the Cascades, much of it burned, but with scattered old growth Douglas fir, and potentially a great timber producing area. Much of this area had been alienated also; most of the odd sections were in the hands of the Northern

Pacific, and many of the even-numbered sections had been lieu selections of the railroad. The remaining land, some 87,000 acres, was recommended for withdrawal.

On the east side of the range, several changes and additions were made. In 1905 E. T. Allen recommended changes in the eastern boundary of the Washington National Forest, eliminating 1,600 acres from the reserve along the Methow River and adding 7,680 on the bench lands above. The elimination was on request of the Methow residents; the land, Allen reported, was no better than some in the forest, but the people desired it for farming. No objections came at the time to the additions, though later the Methow country became one of the trouble spots in the region over interpretation of the Forest Homestead Act.

Examination of the area that later became Chelan National Forest took place in 1906. The area was yellow pine country, with a sprinkling of lodgepole and red fir, and was needed as protective cover to safeguard water flow. The main use of the area at the time was for grazing. The area had been cattle country, but in recent years sheep had come in, and a sheep and cattle war had resulted in the slaughter of three thousand sheep. Stockmen and farmers were largely for the reserve; merchants and real estate men, who feared that the reserves would slow up development of the country, were in opposition, as were county officials who desired to stand in with the business men.

The report on the proposed Colville reserve, an area between T. 35 and 40 N., R. 27 to 40 E., W. M., recommended a large area to be withdrawn in the Kettle River Country. The area had a large stand totaling about 1.8 billion board feet of yellow pine, lodgepole and red fir, which had not yet been exploited. There was little opposition to the proposed withdrawal; the value of the reserve in protecting water flow, and the need for fire protection were recognized. [29]

## CHAPTER 6

# RESERVES IN OREGON, BOUNDARY WORK, 1897-1907

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### I. Background

The story of boundary work in Oregon is a complex one. As in the case of the Cascade Range reserve, it involved fraud by manipulation of faulty land laws. So far as the work has been studied, it has been studied from this point of view. But there are many other factors that deserve consideration. [1]

The same governmental bureaus—the Land Office, the Bureau of Forestry, and the General Land Office—were involved in administration and boundary work in the reserves. But a new factor, in regard to Oregon, was that two of the head administrators in the work—Binger Hermann of the Land Office, and H. D. Langille in charge of the Bureau of Forestry's boundary work—who were themselves native Oregonians. They were on this account more subject to public pressures, and their work was subjected to a searching analysis by the press.

These bureaus were also subjected to pressure by members of Congress who personally and directly benefited by manipulation of the land laws. In Washington, Senator A. G. Foster and Representatives Cushman and Jones had sponsored protests against the reserves; but there is no evidence that they personally profited by so doing. Quite the contrary was the case in Oregon, where most of the Oregon delegation was found guilty of complicity in the land scandals.

There were, in Oregon, strong forces favoring forest conservation and creation of new reserves. The early reserves had been the creation of the people themselves, and the urban and recreational groups who had done this desired to continue their work. Also the success of the Coville report in settling range matters in the Cascades led Oregon wool growers to desire establishment of reserves in eastern Oregon, where range problems of an even more complex nature existed. There was an extensive feeling at the grass roots level that the reserve system should be extended.

But there were other groups which favored extension of the reserves for more selfish reasons. The Forest Lieu section of the act of 1897 provided that when an unperfected claim or patent was included within a forest reservation, the settler or owner thereof might relinquish the tract to the government, and select another tract outside the reserve. By receiving advance knowledge of the creation of a reserve speculators could file on land—usually school land—and profit by the creation of the reserve. Thus the petitions of those who desired reserves for timber preservation were backed by those who only sought means of exchanging poor land for valuable holdings.

The groups which opposed the conservationists were also mixed. Since the grazing policies of the government favored local stockmen, they included 'tramp' sheepmen, i.e., those who had no fixed range but roamed the public domain, encroaching on the range of others. Out-of-state



stockmen, who sent migratory herds from Idaho and California to utilize the Oregon range, also opposed the reserves. They were joined by miners, accustomed to free cutting on the public domain, and by timber speculators, who feared the contraction of the area open for exploitation.

Another group of opponents were those who were not ordinarily opposed to conservation, but who, having seen scoundrels benefit by the manipulation of land laws and officials who could not tell a tamarack from a cockle-burr, concluded that the whole forest administration was a front for criminals. This suspicion was intensified by the action of the Bureau of Forestry and the Geological Survey in fighting the lieu land clause. To get ahead of the timber speculators, they made large withdrawals of land from entry, to be created into reserves after due examination. [2] If they were made a permanent part of the reserve, those who had entered on school land would have a "base" for exchange; so the expedient was adopted of holding the areas as temporary withdrawals until the lieu land act was voided in 1905. This expedient certainly prevented the school land men from profiting, and left them holding the bag; but many people misunderstood the policy. The temporary withdrawals left the land in a state of limbo, neither subject to entry nor under the administration of the forest administration, and worked something of a hardship on many local communities. Moreover, the size of the temporary withdrawals led many to believe that they were created primarily to give "base" to the land looters.

## II. The Cascade Range Reserve

During this time, an effort to cut down on the size of the Cascade Range reserve was blocked by effort of the recreational group. B. J. Pengra of Salem was an engineer and speculator, who had been one of the incorporators of, and superintendent of, the Oregon Central Military Wagon Road. [3] Pengra petitioned the government to set aside nine townships on the middle fork of the Willamette River from the reserve, as agricultural land. The elimination would consist of T. 21, 22, and 23 S., R. 8 E., and T. 21, 22, and 23 S., R. 9 E., all W.M. Pengra's purpose was evidently to enlarge the holdings of the Oregon Land Company, a subsidiary of the Booth-Kelly Timber Company, which had considerable land adjoining this tract, in the Oregon Military Wagon Road grant, to the south. [4]

The proposal met with a storm of opposition from the friends of the reserve. G. G. Allardt, a civil engineer living in California, who had done considerable work in the northwest, wrote to protest the matter. The petition, he said, was uncalled for, since the area was timbered land and not very accessible timber at that. Moreover, the timber protected the headwaters of the Deschutes River, a stream of great potential use for irrigation; and deforestation would diminish the flow. Allardt stated that he was familiar with conditions there, having surveyed the area earlier that year to determine irrigation possibilities. [5]

W. G. Steel took up the cudgels to attack Forest Superintendent S. B. Ormsby. Steel, Ormsby wrote to Land Commissioner Hermann, stirred up excitement locally over the matter, by claiming that the effort was being made to have the townships restored to the public domain in the interest of an eastern corporation engaged in the sheep business, and blaming "Winchy Hermann" and Ormsby as the chief movers in the affair. Ormsby denied any responsibility in the matter, claiming that the whole thing was the result of Pengra's petition, and Steel was simply stirring up

trouble. Ormsby's recommendation to Hermann on the action was that two townships be eliminated and seven remain in the reserve. [6]

John B. Waldo also took up the matter. Writing to Ormsby, he stated that he was personally acquainted with the area, through his explorations in the mountains. The land, he said, was poorly suited for agriculture and but poorly suited for grazing. The timber, mostly yellow pine, was good, but grew slowly in the pumice soil. As the source of the Deschutes, the area should be preserved within the reserve; grazing would make it less valuable as a source of water. The testimony of Pengra himself could be brought to bear. As Superintendent of the Oregon Central Military Road Company, he had, on November 29, 1895, written a report for the office at Eugene. In it he described the area as good for grazing but of little account for agriculture. Waldo pled with Ormsby to protect the integrity of the Cascade Range Reserve, and ended with a fine quotation from the Scotch geologist, Archibald Geike:

It must be owned that man, in much of his struggle with the world around him, has fought blindly for his ultimate interests. His contest, successful for the moment, has too often led to sure and sad disaster. Stripping forests from hill and mountain, he has gained his immediate object in the possession of their abundant stores of timber, but he has laid open the slopes to be parched by drought, or swept bare by rain. Countries once bright in beauty, and plenteous in all that was needful for its support, are now burnt and barren, or almost devoid of their soil." [7]

The protests were heeded, and the elimination was not made. In the northern part of the state, at about the same time, additions were made to the reserve. Wasco County cattlemen in the neighborhood of Dufur had difficulty over division of the range with the twenty thousand sheep which grazed north of the White River. There was also friction in the area between cattlemen and farmers, whose crops were damaged by grazers. A group of the cattlemen circulated a petition asking that T. 1, 2, 3, and 4 S., and T. 1 N., all in R. 11 E., W. M., be placed in the reserve to regulate sheep grazing. They stated that they had consulted with the Oregon Wool Growers Association, and there would be no protest. Some seven hundred signatures were secured for the petition, which was then transmitted to the Land Office. Malcolm Moody, the Congressman from the district, also endorsed the petition.

The area was examined by Superintendent Ormsby, and was made a part of the Cascade Range Reserve on July 2, 1901.

The withdrawal, however, benefited the group of speculators who profited by the lieu land laws. Land speculators, before the withdrawal, got wind of it, located on the school land, and had "base" to exchange for good timber land. [8]

The Wasco withdrawal had the effect of launching the Oregonian on a campaign against lieu land frauds which lasted for four years. In an editorial of July 4, 1901, the paper asked for lieu selection on a "value for value" rather than "acre for acre" basis. On July 8 the paper exposed the methods of the lieu land speculator, in answer to a letter obviously "planted" of an alleged timber speculator. On August 4 the paper broke the story of the Wasco addition. Pointing out that the reserves had been started for legitimate reasons, the paper told the story of how speculators profited by manipulation of the land laws. It was pointed out that the proposed St. Helens

addition to the Mt. Rainier reserve would give the Northern Pacific 380,160 acres for lieu selection, and that the railroad owned 103,680 acres in the Washington Forest Reserve which could be used as "base."

In addition, state land in the St. Helens addition totaled 44,884 acres; in the Rainier Forest 18,195, and in the Washington Forest 61,762 acres. The paper ended by asking western congressmen to introduce better land laws.

The Oregonian's suspicions prevented what may have been another lieu land coup. On August 2, 1901, a correspondent of the Oregonian in Salem, in conversing with Ormsby, found that Ormsby had recommended to the Land Office on May 18, 1900, that 529,920 acres in T. 5-17 S., R. 4 E., and T. 22-31, S., R. 1 E., W. M., be added to the reserve. Much of this, the correspondent claimed, was in the O. & C. grant. Ormsby denied that he had recommended the withdrawal; his conversation with the correspondent, he said, had been but a casual one rather than an interview, and as nearly as he could recall, his had been a recommendation that the area be examined only. He had no official correspondence on the matter. The Oregonian reporter, however, stated that his report had been a true one, and asked Ormsby why he didn't keep copies of his official correspondence.[9]

Several other areas were added to the Cascade Range reserve for one reason or another. The Board of Water Commissioners of Oregon City petitioned for addition to the reserve on the north fork of the Clackamas River, to protect their water supply. [10] Much of the land was already alienated as part of the O. & C. grant, but several townships were withdrawn. In the Santiam and Roseburg area, the Bureau of Forestry examined several areas in 1903. Much of this land was also alienated, the odd sections being in the Southern Pacific grant. The withdrawals also met great opposition from speculators, locators, and squatters, who found strident spokesmen in the local boards of trade and in Oregon's members of Congress. Nevertheless, the areas were withdrawn. [11]

### III. The Siskiyou Reserve

The Siskiyou reserve is located in the extreme southwestern part of Oregon. The area is a wild, rugged section of the Coast Range, maturely dissected by streams, and harboring in its shoestring valleys a sparse population who have tightly clung, almost to the present day, to frontier folkways. Here again the forces of lieu land fraud, Land Office incompetence, and Oregon journalism played their parts.

On March 10, 1898, Binger Hermann, the Commissioner of the Land Office, asked a special Land Office agent named Edward Bender to examine the area at the headwaters of the Coquille River, to determine whether it would be withdrawn as a forest reserve. Later that year Bender reported to Hermann, suggesting that twelve townships be withdrawn in Josephine, Coos, Curry, and Douglas Counties. He reported that the area was better for forest land than any other purpose, and suggested the "Hermann" forest reserve as a good name for it. Hermann forwarded Bender's report to the Office of the Geological Survey, and Charles Walcott, the Director of the Survey, wrote to Hermann on May 2 asking that this area, as well as some others in the vicinity, be withdrawn from entry. Another report on the area was made in 1899 by K.L. Miller, another

special agent, as a final check. He made three brief reports; they were, as Harry Brown later wrote, "looked upon as the most ridiculous statements ever made by a special agent. They are absolutely of no value in determining whether or not a reserve should be created, and they have been treated according to their worth." It is doubtful if either Bender or Miller saw the country.

In 1901 the projected reserve came to the attention of Harvey Scott, who had just finished his blast at the Wasco County lieu land fraud. He believed—falsely, as it turned out—that the projected reserve had a considerable amount of O. & C. land in it. The *Oregonian* correspondent in Washington, Harry Brown, cornered Hermann and asked him point-blank about the reason for creation of the reserve. Hermann made an evasive answer, stating that his recommendation had been made at the request of the special agent, Edward Bender, with whom he was "personally acquainted," and that both Bender and the Geological Survey had acted in good faith. This dispatch, printed on July 2 brought an immediate answer from a Myrtle Point correspondent. Stating that the reserve seemed to be a family affair, the writer pointed out that Hermann's "personal acquaintance" with Bender was certainly true, since Bender was Hermann's brother-in-law, who had at one time been postmaster at Myrtle Point, succeeding in that post Frank Hermann, brother of the Commissioner, and being succeeded by Binger Hermann's son. The other special agent, K. L. Miller, was also a brother-in-law. Hermann had a large family, the correspondent wrote, and they all had jobs.

The attack on Binger Hermann and his official family was extended to an attack on the projected reserve. In the *Oregonian* for July 14, 1901, the purpose of the reserve was stated; that of July 15 had a map of the area proposed for a reserve, and that of July 27 an editorial stating that there was no local demand for the reserve, and creation of it would cause a lieu land scandal. On July 27, Hermann announced he had reversed his decision on recommending the area for a reserve. The next day the *Oregonian* announced:

Every good citizen in the Pacific Northwest must rejoice to know that Commissioner Hermann has heard something drop. The dull thud which has arrested his none too acute hearing is that caused by the exposure in the *Oregonian* of the concerted raid made on Oregon's public land through a new forest reserve. Why he was so long in finding this out would perhaps be unprofitable to inquire. Why he happened to notice it just upon the appearance of the protest may also be covered with a veil.

By August 8, Hermann denied for the paper that he had ever recommended creation of the reserve; he had merely, he said, passed along the recommendation to the Secretary of the Interior for detailed information. In a long, detailed report dated January 11, 1902, he again stated his objection to the reserve. It contained, he said, agricultural and mineral land as well as railroad land and an exchange of land in question with the railroad, recommended by the Geological Survey, would be impracticable. He suggested that any reserve be confined to the top of the coast range, where it would not inconvenience the settlers. [12]

The reserve was revived again under the less political and more efficient Bureau of Forestry. The area was again withdrawn in 1903, and a thorough examination made by W. T. Cox of the Bureau of Forestry. On the basis of his examination, H. D. Langille recommended that the area be made a reserve, despite numerous remonstrances from the citizens of Curry County and the Grants Pass

and Roseburg Boards of Trade. [13]The area had been badly burned, with hardly twenty per cent of the timber left undamaged; but Langille pointed out that reproduction had begun in the burned areas, and that the land was more valuable for timber than for any other purpose. Also settlement in the area was sparse; there was need to protect the elk in the mountains against professional hide-hunters; and, most important of all, professional locators for eastern lumber syndicates were waiting to enter on the region. Of the people actually resident in the area, ranchers and miners favored the area, while lumbermen, cruisers, and professional timber locators opposed it. [14]

#### IV. The Blue Mountain Reserves

The lieu land frauds. The creation of reserves in eastern Oregon presents a complex story. On the one hand it offers a study of lieu land fraud and of efforts, state, federal, and local, to bring the malefactors to justice. The other story is that of examination and creation of reserves by governmental bureaus, and of local attitudes and pressures.

In the northeastern part of Oregon, sprawled like a giant starfish, lie the Blue Mountains, covering parts of Umatilla, Baker, Grant, Malheur, Wheeler and Crook Counties in Oregon, and extending over into Garfield, Asotin, and Columbia Counties in Washington. The mountains are marked by even contours, broken by occasional domed or rugged peaks, and range in elevation from 3,000 to 8,000 feet. The timber is the typical east-side open stand of yellow pine, and of commercial importance in being the only timber body of any size between the Cascade Range and the Rockies. The area had once been one of the best range areas in the west, with stands of Pacific bunchgrass so deep on hillsides and plains that it was mowed by machine for hay; but by 1901 the range had become overgrazed.

There was need for reserves in the region. The ubiquitous timber locators and speculators were operating, locating the best timber bodies, taking up land under the Homestead or Timber and Stone Act, and buying school land. A great deal of illegal cutting of timber went on, by mills and miners. There was also a difficult range situation. Here, as elsewhere in eastern Oregon, sheep and cattle wars had broken out. Migratory bands of sheep, on their drive east from Wasco, Crook, Gilliam and Umatilla Counties to Idaho and Wyoming, ate the grass to the very doors of homesteaders; and tramp sheepmen (those with no home range) encroached on the range of resident stockmen. In addition the Pacific Livestock Company, an Oregon subsidiary of the great Miller and Lux firms of California, had taken up forty sections controlling springs and waterholes, directing their cowboys to locate homesteads on these tracts, and then paying them fifty dollars for their title and ranch. By ownership of these few sections they had control of thousands of acres of the range. [15]

The Blue Mountain Reserve, like so many others, had its origin in the need of a city to protect its water supply. The route of the eastern sheep trail, from Heppner or Umatilla to Idaho, passed near Baker City on its way to the crossing of the Snake. In 1901, migratory sheep trespassed on the Elk Creek watershed, from which Baker City got its water. The citizens of that city promptly petitioned that a reserve be created, that their water might remain unpolluted. Gifford Pinchot and Malcolm Moody, the Representative from the district, examined the area, and it was withdrawn as the Elk Creek Reserve. [16]

About this time the Oregon school land ring, led by S. A. D. Puter, decided to try a new coup, by getting a reserve created in the Blue Mountains. [17] Their men filed entries on school land in the area, and then on June 25, 1901 a petition, purporting to be from citizens of Malheur County, was sent to Senator John H. Mitchell, asking for a reserve. They stated that the timber was needed to protect the water supply; that the reserve would make for peace on the range; and that the area was without settlement. Reservation was asked of the Strawberry Mountain area, then the north and middle forks of the Malheur River, Silvies Creek, and its tributaries, and the south fork of the John Day River. A similar petition came also, from alleged citizens of Harney County, asking for a reservation in that area. The real signers of the petitions were barflies and floaters, gathered by Puter to further his plan, rather than genuine residents of the area, though the alleged value of the reserve was correct enough. Superintendent Ormsby, after an examination of the area and a conference with Puter, asked that the Strawberry Mountain area be withdrawn for the purposes mentioned. He reported a hundred land entries on the land, mostly of stockmen to control summer range.

Notice of the proposed withdrawal caused a flurry of resolutions pro and con. The chief objections came from Canyon City, in the center of the proposed reserve. On June 21, 1901 George Catternach, of the law firm of Catternach & Wood, wrote to the Land Office objecting to the proposed reserve. It would, he said, interfere with mining and homesteading. He was supported by Orin Patterson, editor of the Blue Mountain Eagle, who pictured it as a scheme by the reclamation companies to increase the water supply in the southern part of Harney County, at the expense of grazing and mining in Grant County. His objections were echoed by both the Republican and Democratic parties in their county conventions, and by many citizens of Canyon City. On the other hand, the Oregon Wool Grower's Association, at their annual convention in Pendleton September 16, passed a resolution asking for the reserve, and farmers of Prairie City also so petitioned. [18]

In 1902 a temporary withdrawal of 60,000 acres was made, and the Geological Survey was in the field making surveys for more withdrawals. Also, people in the western part of the state began taking notice of the reserves. The Oregonian, on July 29, 1902, printed a map of the area withdrawn, and the Portland Chamber of Commerce appointed a committee to report on the matter and make recommendations. A group of twenty business men from Burns submitted a memorandum describing the reserve as "the underhanded method of a few unscrupulous land warrant sharks of securing forest reserve scrip and preventing the advancement and happiness of people who are striving to build homes," and on August 7 the newly founded Oregon Journal published a letter by Fr. Joseph Schnell of Sumpter on the activities of lieu land sharks in that vicinity. [19] However, the Oregonian continued to support the reserve editorially, and on September 26 the Chamber of Commerce Committee unanimously approved creation of the reserve, as an aid to small farmers and a hinderance to the operation of timber speculators.

This support antagonized many people in the vicinity of the proposed reserve. Orin Patterson of the Blue Mountain Eagle wrote to Commissioner Hermann on September 17. The Oregonian, he wrote, was for the reserve, "and not a word can be gotten into that paper on the other side of the question." As for the Oregon delegation to Congress, Senator Simon, he reported, would be of no help, as Grant County had been against his election; Malcolm Moody was out on a trip with the Geological Survey, and unavailable; and J. N. Williamson was for the reserve. His only hope was

in Senator Mitchell and in BingerHermann. A. D. Leedy, apparently acting as spokesman for a sizeable group of people, wrote a long letter to the Oregonian on October 6, sending a copy to the Land Office along with another petition against the reserve from Grant County residents. He protested the reserve on a large number of grounds, some good, some bad: (1) that the reserve was favored by land scripdealers; (2) that it would hinder resident stockmen at the expense of nomadic sheepmen; (3) that it was a scheme of land corporations who hoped to profit under the Carey Act; (4) that no timber would be available for homes in the area if the reserve went through; (5) that only a small part of the timber in the region was of commercial value; (6) that there was much mineral land and agricultural land in the proposed reserve; (7) that if a reserve was created, people would leave Grant County for greener pastures; and (8) that much of the land was untimbered. The omnibus petition was followed by a delegation of citizens from Baker County, who went to Portland in order to see Senator Mitchell, one of the Oregon congressional delegation later found guilty of working with the land looters; there they protested against the reserve, and against the action of the Portland Chamber of Commerce in endorsing the reserve. In its story of the delegation, however, the Oregonian gave it a humorous twist, and in an editorial of October 27, stated that the reserve was needed for water and forest conservation. Perhaps, it stated, the initial recommendations were too large; but if the loggers and miners had their way they would skin the country.

Meantime, the land pirates continued their work. However, Ethan Allen Hitchcock, the new Secretary of the Interior, found evidence of lieu land fraud in California and Arizona shortly after taking office. He began house cleaning, and presumably urged the Commissioner to take greater care in preventing frauds. Late in 1902, Representative Williamson asked for an area to be reserved, and BingerHermann's suspicions were aroused. He checked up on the ownership of the land—a precaution, as Harry Brown wrote, "never before taken." Hermann found that "to reserve the townships recommended by Mr. Williamson would create an acre of base for every acre reserved," and on November 26 he denied Williamson's petition. Subsequent investigation indicated that in one township all but eleven sections had been entered; in another, half the acreage was withdrawn, and in two others, one third. "Had these lands ever been drawn into a permanent reserve " Brown wrote, "there would have been lieu base in plenty for somebody." The projected withdrawal also reflected on the Geological Survey, which had recommended the area also.

A similar incident took place in regard to a request of the Crook County Stockman's Association, which wrote to H. D. Langille, the officer in charge of the Geological Survey group in the vicinity, stating that they desired certain lands in Crook County reserved. Langille took the petition at its face value, but Hermann, after investigation, found much of the land was alienated, and thought it not advisable. [20] Of this incident Brown wrote:

This case is typical of the slight ground on which field officers have been in the habit of making forest reserve withdrawals. Langille, without any personal knowledge of these lands, hastened to recommend their immediate withdrawal. Yet this same Langille. . . frankly told the Land Office that he had erred in making that recommendation, for he had subsequently learned upon examination how much of the lands referred to had passed from the government. [21]

In 1903 several changes came about. Binger Hermann was dismissed from his post, partly for nepotism and inefficiency, partly for having suppressed a report by a special agent on the Benson-Hyde lieu land operations. He was succeeded by W. A. Richards, a former governor of Wyoming, who had more ability and less family loyalty than Hermann. Also, the Bureau of Forestry took over the boundary work from the Geological Survey, and H.D. Langille was transferred to that bureau to take charge of the work. The investigations of the Bureau were more thorough than those of the Survey, taking into consideration matters of land ownership and public opinion as well as the technical matters. [22] Finally, the administration had become alert to the dangers of lieu land fraud. Roosevelt, on his western tour, was warned of this danger by Harvey Scott and Governor Chamberlain. On May 21, 1903, he wrote to Commissioner Richards:

I have been greatly interested in what Governor Chamberlain of Oregon and Mr. Scott, of the Oregonian, have told me in reference to the forest reserves in the western part of the state. Both gentlemen say that formerly the railroads benefited immensely by the extension of the reserves to cover their land, which enabled them thereby to exchange their scrip for very much more valuable land in consolidated bodies. They tell me, moreover, that on the proposed reservation in southern Oregon a wagon road company will profit enormously, as well as a railroad company.

Will you kindly have a competent investigation made, and have your representative not only personally investigate on the ground but see Governor Chamberlain and Mr. Scott, and go over the whole matter with them. The very fact of my anxiety to extend the various reserves as rapidly as we can makes me unwilling to extend them in any way that will do damage instead of benefit to the cause. Please also have your representative explain in full to both Governor Chamberlain and Mr. Scott exactly what the policy of the Department is in the management of the reserves; that they are used for the permanent benefit of the settler, the ranchman, the lumberman. [23]

The housecleaning in the Department of the Interior did not receive a great deal of publicity, and by 1903 the Oregonian became concerned about possible fraud in entire Oregon reserves through operation of the lieu land acts. On September 7, in a front page article, the fact was proclaimed that one fourth of the state had been withdrawn. The areas withdrawn were:

<u>Forest</u>	<u>Number of Township</u>	<u>Acres</u>
Wallowa	29	668,160
Joseph	14	322,560
La Grande	17	391,680
Blue Mountain	136	3,133,680
Morrow	15	345,600
Cascade (addition)	26	599,040
Warner Mountain	166	3,824,640
Rogue River	58	1,336,620
	<hr/>	<hr/>
	464	10,336,320
Cascade Range	192	4,436,120 [24]



The story continued that the policy of large scale temporary withdrawals had begun about a year previously. Hasty surveys of the Geological Survey had been enlarged by the Bureau of Forestry. Some withdrawals had been made to forestall the operation of timber speculators; but many had been made indiscriminately, with examination of only one or two townships in a section. The paper called attention to the fact that many wagon road grants were in the vicinity—the Willamette Valley and Cascade Military Wagon Road grant in the Blue Mountains, The Dalles Military Wagon Road, also in the Blues, and the Oregon Central Military Wagon Road grant in the Warner Mountains; and it was felt that the owners of these grants might profit by operation of the lieu land law.

The next day the paper enlarged on the subject. Boasting of its past record in uncovering graft in the creation of reserves, and acknowledging the need for better federal controls, the paper stated that there had been altogether too much dishonesty in the government:

When it is seen that in the creation of each reserve some corporation has a selfish interest to be subserved; when it is seen that some few individuals get a "tip" concerning future actions of the Land Department, so they can supply themselves with "base" in the forthcoming withdrawal of land from entry, and when it is known that reserves are being proposed for the conservation of water when such a purpose is absurd, the presumption is unavoidable that the forest reserve policy is being manipulated, by selfish private interests.

The paper attacked the lack of responsibility on the part of those concerned with the work.

There is evidence of an intention to cover up information which the people are entitled to and which they would have if the newspaper correspondents were given access to records which may be published without injuring the public business.

The Land Office decided to let the Oregonian correspondent have access to Land Office records dealing with the reserves. They may have been motivated partly by a desire to appease the paper; more likely, they had by this time their case against the lieu land sharks ready, and desired to lay a propaganda background before filing suit. [25] On October 5, Harry Brown was given access to the papers and wrote a fine series of muckraking articles. His articles on the Rogue River withdrawal accused Hermann of nepotism and carelessness; that on the Blue Mountain reserve indicated that Williamson and Ormsby were in league with the land sharks, and both indicated that the Geological Survey and Bureau of Forestry were careless in their work. In the issue of October 12, he discussed the methods of the land speculators, with special reference to Congressman Williamson; and on October 8, the origins of the proposed Warner Mountain, Joseph and La Grande reserves.

The position of the Land Office was also clarified. In interviews with Brown on October 19 and 23 Richards explained the Land Office policy. There was, he said, evidence of collusive acts of fraud. The only possible way to prevent such action under the present lieu land law was to put the land out of reach of scrip speculators and land grabbers by making temporary withdrawals. Action was being taken to stop leaks in the Land Office, and to repeal the lieu land law. Meantime, the temporary withdrawals would stand, and no permanent withdrawals would be made until the lieu land act was repealed.

The Oregonian felt it had won its campaign. In an editorial of November 2, the dispatch was quoted, and the paper remarked:

This assurance will remove practically all opposition to the creation of reserves in forested regions. The extensive withdrawals of public land for reserve purposes . . . were sufficient to arouse apprehension that the old program was to be repeated. . . . The administration's intentions regarding forest reserves is quite clear now, and a better feeling will result from the understanding. [26]

The editorial campaign of the Oregonian continued, but its main focus came to be on the Oregon land fraud trial, which ultimately involved the Oregon school land ring, S. B. Ormsby, and all but Fulton of the Oregon Congressional delegation. This, though attempted by path, is not the main theme. But in another aspect of the fight against fraud in land administration the editor of the paper played an important part. This was in regard to reform of the Land Office on the local level.

By late 1903, it was evident that the registers and receivers in many of the local land offices were in corrupt alliance with the timberland speculators, and several in Oregon were fired. Naming of such officers was traditionally a piece of senatorial patronage; but the senators of Oregon were suspected of being in with the land sharks. Bartlett, the register who has already been mentioned in connection with the Grande Ronde Lumber Company, was among those discharged, and Senator Fulton asked that he be replaced by one Knowles. This President Roosevelt refused to do. In a letter to Fulton on August 25, 1903, Roosevelt stated that it was the President's duty to appoint the successor, not that of the Senator. If the Senator would give him the name of a good man, he would appoint him; but Fulton's candidate was not "strong enough to prevent free swing being given to lumber concerns, timber locators, and other corporations and individuals whom it would be his duty to oppose." Instead, Roosevelt appointed another man whom he knew to be honest. Meantime, Roosevelt added, there was need for new men at the Lakeview office, and Fulton was urged to recommend "some first class men" for the positions.

A copy of the letter was sent to Harvey Scott, and a few days later Roosevelt wrote to Scott. Anticipating a fight with Fulton on the patronage, he gave Scott permission to make public the letter to Fulton if a coalition of Oregon and Washington senators developed over the patronage. A good type of man was needed for the posts, Roosevelt wrote, and "no possible coalition in the Senate could force me to appoint any particular man." If worse came to worse, he said, he would ask Scott for the names of people for the different offices; but his hopes were that the Senators would send in the names of honest men.

The Senators did not do so, and it soon became evident that they had close ties with those involved in land frauds. Roosevelt sought advice from the sources in Oregon he could trust, ignoring his own Senators, and crossing party lines. For advice on appointments, he relied on Governor Chamberlain (a Democrat) and Harvey Scott, using as intermediaries Malcolm Moody and the State Land Agent, Oswald West. [27]

Creation of the Blue Mountain Reserve. Between 1903 and 1906, boundary workers of the Bureau of Forestry explored the land covered in the early withdrawals, adding new bodies of timber in a race against land thieves, and eliminating areas earlier withdrawn but on

examination found not suitable for reserve purposes. Langille traveled tirelessly over the region, examining areas, meeting people, and explaining the purposes of the reserve. He found much of the hostility due to ignorance of the benefits and purposes of the reserve; and after explanation the hostility died. At Canyon City, the center of hostility to the reserve, stockmen had organized the "Honest Forest Reserve Association" to oppose the reserve, and had prepared a remonstrance for the Land Office. Langille met with them in a saloon—the common meeting place for discussion of serious business—and explained to them the value of the reserve. They adjourned without action, and abandoned the remonstrance. Once the purpose of the reserve was explained, Langille found a large number in favor of it; and this became more true when the fact became evident that the reserve was not an attempt to aid land speculators. Land locators, lieu scrip dealers, and miners, he found generally opposed to the reserve; resident stockmen favored it. [28]

A few tracts were added to the reserve, and many tracts eliminated. Sumpter, like Baker City, asked for land to be reserved to protect the municipal water supply, and these were added. Several tracts of land were added in the Powder River country at the request of irrigators. A large number of tracts taken up under the Timber and Stone Act, the Homestead Act, the Timber Culture Act and the Desert Land Act were eliminated, though much of this was later added when claims were canceled for non-compliance with the law. The grant of the The Dalles Military Wagon Road, and some tracts of state land, were also eliminated. [29]

Two lumber companies requested eliminations from the reserve. The Grande Ronde Lumber Company requested through Senator Mitchell that eleven sections in T. 4 S., R. 36 and 37 E., W. M., be eliminated from the reserve, for the benefit of settlers and the company. Langille's reply was:

The fact that the Grande Ronde Lumber Company desires these lands not included in the reserve is to me sufficient reason to justify their inclusion within the boundaries. The Grande Ronde Lumber Company has recently been absorbed by the Oregon Lumber Company, which owns and has operated on large areas of the Pine Belt of Eastern Oregon. All sections contiguous to the Grande Ronde River have been logged over by them and left in a hopelessly denuded condition. It is only natural that they should desire to continue their operation and cover all of the desirable timber bodies in that region. [30]

The Oregon Lumber Company, with headquarters at Baker, also asked for elimination of an area along the line of the Sumpter Valley railroad; this, also, was not granted. [31]

Creation of the reserve was delayed at least a year by the land fraud trials involving Williamson, Hermann, Ormsby, Mitchell and others; the papers dealing with the reserve were used as evidence in the trial. At length, however, on March 18, 1906, the reserve was proclaimed, covering an area of 2,627,270 acres.

## V. Other Reserves in Eastern Oregon

The Heppner reserve. The area which later became the Heppner reserve was a spur of the Blue Mountains west and south of the main range, in form a high plateau averaging 4,500 feet in elevation. The timber type was much the same as in the Blue Mountains, primarily pine on the

southern slopes, trending into tamarack on the northern. The timber was badly needed for protective cover, to preserve the springs that had their sources in the woods. Forage was of the Pacific bunchgrass type.

The mountains had coal mines, and there had been a timber boom in the mountains in 1902, when timber locators found rich timber bodies and "located scores of patriots on the lands for the consideration of \$100 per location." The main industry, however, was grazing. California sheep used the area for a range, and in 1902 a range war broke out, when miners and cattlemen joined to keep the sheepmen out. Colts and Winchesters were used to protect the range; one owner lost 400 sheep, and others in proportion, and several herders were wounded. The whole sympathy of the people was with the cattlemen. As the Oregonian reporter wrote, "No Grant County jury that it would be possible to assemble would convict a Grant Countyman for shooting a shepherd engaged in pasturing 'outside' sheep on Grant County range." [32]

There was need for a reserve there for a variety of reasons. The prime need was to regulate grazing. Every acre that could grow a blade of grass was in demand. In addition to the resident stockmen, the spur was used as a driveway to the main range of the Blue Mountains, and many transient sheep found it a substitute range. The area was badly overgrazed; some twenty bands of 2,000 sheep grazed the area, and partial users brought the number up to 360,000.

The temporary withdrawal of the area was made on May 29, 1902, on the recommendation of H. D. Langille. He had, at the time, no personal knowledge of the country, but was aware of the fact that a large number of timber land entries were being made at the La Grande Land Office, and desired to protect the local timber supply. The initial withdrawal covered parts of Morrow, Umatilla and Gilliam Counties, and included

<u>Township (South) Range</u>	
7	23
6-7	24
6-7-8	25
6-7-8	26
6-7-W1/2-8	27
4-5-6-N1/2-7	28
4-5-6	29
4-5-6	30

The original withdrawal was about 334,000 acres. Much of this had proved to be unsuitable, but other vacant land had been added. The area of the revised reserve was 261,600 acres, of which 18,320 acres had adverse title through homestead, Timber and Stone entries and school land.

Langille examined the area in 1903, and found sentiment generally favorable to the reserve. He arrived at Heppner just after a flash flood had nearly destroyed the town, and probably found people willing to listen to his discussion of the value of protective cover. Aside from this,

however, both cattlemen and sheepmen desired the reserve to get a stable grazing policy; and the Heppner Gazette strongly supported its creation. [33]

The Maury Mountain reserve. The situation on the small Maury Mountain reserve was much like that in the Heppner reserve. This tract, like the Heppner, was withdrawn to forestall timber speculators. As Langille wrote in asking for the withdrawal,

Several sections of the timber land have already been covered with lieuscrip secured by base within the proposed Blue Mountain reserve, but this base cannot be valid at this time, hence it is my desire to secure these lands for forest purposes before it is too late. [34]

The ninety sections were withdrawn April 21, 1903.

The area was valuable to protect the sources of the Crooked River, which rose in the area and received no additions below the timber. The grazing situation was much the same as in the Heppner. Sheep were shot every spring, ricks, barns and houses burned, and threats of personal violence made by cattlemen against sheepmen. One of the sheepmen had lost thirty-six tons of hay and seven barns by burning, and had 2,000 sheep shot. Much of the public domain had been illegally fenced by the leading cattleman. In addition, timber theft was common in the locality, with one mill cutting 6,000 feet a day in the area withdrawn.

Sheepmen, the investigator reported, were largely in favor of the reserve, feeling that it would help solve their grazing difficulties. Cattleman, on the other hand, opposed it, thinking that they could handle matters in their own way. [35]

The Wallowa and Chesnimmus reserves. The Joseph River temporary withdrawal was made May 21, 1903, on the recommendation of H. D. Langille, who feared that this area, like the Heppner and the Maury Mountain areas, would be used for speculative purposes. The withdrawal was in the Powder River country, the most rugged area of land in northeastern Oregon, with peaks ranging up to 10,000 feet in height. Little agriculture was practiced in the area, as much of it was above timberline, and all was at a high elevation. Bull pine in places grew to the volume of 10,000 board feet per acre; but the timber was badly scarred by light-burning. The area, of 747,910 acres, was classified as follows:

	Acres	%
Forested	545,580	71.61
Burned	48,700	6.51
Grazing	52,800	7.06
Barren	100,880	14.82

Some lumbering activity was carried on in or near the reserve. Nine mills, operating mainly to supply the needs of the miners, were located between Union and Pine Valley on the south side of the reserve, and three operated on the north side; their combined output amounted to three million board feet per year. There was some mining, particularly in the vicinity of Cornucopia, but grazing was the main activity in the region. Sentiment was favorable toward the reserve, with

seventy per cent for, ten percent against, and twenty per cent indifferent. Much of the opposition centered at Baker City, where people were interested in the mining at Cornucopia.

Adjoining this withdrawal was the Chesnimmus withdrawal, another grazing reserve with the same general characteristics and activities as the former. The withdrawal of this area was at first contested by people from Wallowa City, where business had been aided by an influx of timber locators, and where some farmers had been alarmed at the withdrawal of agricultural land. By 1904, however, eighty-five percent of the people affected were for the reserve. [36]

The Wenaha reserve. The Wenaha reserve was the only reserve in the region situated partly in both states. The area is a high one between the Grande Ronde and the Snake Rivers, in northeastern Oregon and southwestern Washington, covering parts of Columbia, Walla Walla, Garfield and Asotin Counties in Washington, and Umatilla, Union and Wallowa Counties in Oregon. It consists of high broken mountain ranges, basalt rim rocks and narrow gorges, and ranges in elevation from 1,700 to 7,000 feet. The area rises gradually from a series of benches on the Grande Ronde River to narrow divides and deep canyons in the north. The foothills had once been a tract of unbroken coniferous forests, but in 1904 these were cut over, and the hill tops burned and denuded by overgrazing of sheep. Higher up, there was bull pine and white fir, with the white fir extending its area at the expense of the bull pine; higher still, a mixed stand of red fir, tamarack, white fir, and lodgepole pine.

This area was bunchgrass country, and furnished grazing for 200,000 sheep, 40,000 cattle, and 15,000 horses. Most of the sheep were home-owned, in Asotin, Walla Walla, Garfield, and Columbia Counties in Washington, and in Umatilla, in Oregon, with some coming in from Idaho. For winter range the desert was used—the scab land, so called from its outcrops of trap and basalt. In spring, after the lambing season, the herds were taken to the hills in bands of 1,500 to 2,500, leaving the desert in May, going up the slopes in June, to arrive in the timbered land by July or August, and reach the alpine meadows by September. They returned to the lowlands in October.

This reserve was another of those which had their origin in the needs of cities. On July 17, 1900, E. H. Libby, President of the Lewiston Light and Power Company, and founder of Lewiston, asked the Land Office for examination of the mountains in the vicinity of Asotin Creek, that a reserve might be created there to protect the stream flow. The area was made a temporary withdrawal in October, 1902; and immediately a large number of petitions pro and con came into the Land Office. [37] R. R. Peabody of Dayton, Washington, and a number of others who claimed residence in T. 9 N., R. 41 E., W. M., protested on the grounds that they had homes in the area contemplated. The Asotin County Wool Growers also protested against the reserve. On the other hand, Cary B. Toflin, an Idaho man interested in the reserves, made a trip there in 1902 to see for himself; and in a letter to the Land Office of March 2, 1902, he stated that many people protested the reserve because of misrepresentations by sheep men. He himself favored the reserve for its favorable effect on water supply. By 1903 sentiments swung strongly toward the reserve. D. F. Welch, County Clerk of Asotin County, and W. H. Hooper, a local farmer, wrote favoring the reserve for its effect on water needed for irrigation, and before the end of the year many petitions came in from the residents of Garfield, Asotin and Wallowa Counties asking that the temporary withdrawal be made permanent. [38]

W. H. B. Kent made an inspection of the area in 1903-04. In his report he strongly favored making the reserve a permanent one. He wrote,

Local sentiment is strongly in favor of this reserve. The only opposition comes from nomadic sheep men from beyond the Columbia and Snake Rivers and from misapprehension of settlers on unsurveyed lands who have been led to believe that that a forest reserve would make it impossible for them to obtain title.

Farmers, water mill men, irrigation interests, cattlemen, and local sheep owners all favored the reserve. The chief administrative problem, Kent wrote, would be division of range between cattle and sheep. Kent favored allotting the bunchgrass range on the lower slopes of the mountains to the cattle, leaving the ridge tops and interior hills to the sheep. [39]

## VI. Reserves in the Southern and Eastern Oregon Grazing Lands

The same general conditions that furnished the background to creation of reserves in northeastern Oregon also operated in southern and central Oregon. Range wars, conflicts of resident stockmen with tramp or out-of-state sheep owners, and timber speculation, all played their part.

In Klamath and Lake Counties there is a high plateau, broken by basin ranges with internal drainage, and many alkali lakes and swamps. In the northern part of the region lies the headwaters of the Deschutes River. The main cities, Bend and Prineville, are on the outskirts of the area, and serve as outfitting centers, while within the area itself are small towns, such as Lakeview, Paisley and Silver Lake. Grazing was, and is, the main industry.

The Warner Mountain withdrawal (later the Fremont reserve) was originally concerned with the protection of the water supply. In 1898 Forest Superintendent B. F. Allen, of California, made investigations which culminated in creation of the Modoc National Forest, just below the California border. In a report to Commissioner Hermann of May 27, 1900, Superintendent G. I. Teggard asked that an additional reserve be created in northern California and around Goose Lake across the Oregon border, on the grounds that it would protect the water supply and stop unlawful cutting of timber around Goose Lake. Teggard reported that a great majority of the people were for the reserve, with the only objectors sheepmen, sawmillmen and shake makers. Disastrous fires, he reported, had been caused by the light-burning sheepmen; and shake makers had ruined millions of feet of sugar pine. The Geological Survey, however, rejected consideration of the reserve in 1902, giving "characteristically" no cause. [40]

The settlers themselves decided to take action. They were having difficulty over grazing matters. Local ranchers grazed some 13,800 cattle, 2,200 horses and 38,500 sheep. The local range would support this number; but the local stockmen were troubled by nomadic herds. The area was overrun each year by thousands of mutton sheep, traveling on the California sheep trail. They would drive up the Deschutes Valley ostensibly to a California market, but in reality to graze in the area and head north again in the fall. Probably 100,000 foreign sheep grazed in the area annually, devastating the local range. Range warfare broke out, and large numbers of the visiting herds were killed. Some settlers were forced to rent range on the nearby Klamath Indian Reservation.

Encouraged by the success of grazing regulation in the Cascade Mountains, the settlers sought relief by asking for creation of a reserve. Local ranchers circulated a petition for a hundred miles to the north and to the south of Silver Lake, asking for instant creation of a reserve, that grazing might be regulated. Not a rancher in the district affected refused to sign; W. H. B. Kent compared the list of names on the petition from settlers of the Deschutes Valley, Silvies and Summer Lake Valleys, and Paisley, with the list of actual settlers, and found sentiment unanimous for the reserve. One remonstrance against the reserve was circulated by F. W. Chrisman of Silver Lake, a hotel keeper who desired to stand in well with the timber locators; but it was signed by floaters and timber locators rather than bona fide residents.

In May, 1903, the Bureau of Forestry investigated the area and recommended its temporary withdrawal, which was accomplished on July 27, 1903. In 1904 840,010 acres, on examination, were released as unsuitable for a reserve, and other areas in the Oregon Central Wagon Road Grant were released. The area was permanently withdrawn as the Fremont National Forest in 1906. [41]

An additional temporary withdrawal, which eventually became a part of the Fremont Reserve, was added on the western edge of the Fremont in 1904. The area was part of that affected by a great speculative boom in timber, begun in 1900 and at its height in 1902, which concerned the area between Ashland and Klamath Falls on the west and upper Klamath Lake and Summer Lake on the east. Rumors were prevalent that a railroad would be built into the area from the south, making large stands of bull pine and sugar pine accessible. Speculators came into the region by the hundreds, entering by way of Ashland or Klamath Falls, traveling by wagon across country and locating in the mature bull pine country around Sprague River and Summer Lake. The majority of the speculators were from Wisconsin, Iowa and Minnesota, much to the disgust of native Oregonians in the area. By October 23, 1902, two thousand entries had been made on timber land in Klamath and Lake Counties. [42]

The examiner found most of the best timber taken up, usually under the Timber and Stone Act, though, as he reported, "A few, being short of ready cash, have made entries under the Homestead Act, and are going through the usual flimsy pretext of making a home and farm, with a 9 x 9 log shack and a square rod of scratched-up gravel." About ten per cent of the land in the proposed reserve had been alienated in this way. Here, also, as on the adjoining sections of the Fremont, sheep had driven out the cattle. Little opposition to the reserve was voiced by bona fide residents; there was some, however, from timber locators and tramp sheepmen. [43]

## VII. 1907 Reserves

Boundary work, and creation of new national forests, continued until 1907. In that year an amendment to the appropriation bill took away from the President, and gave to Congress, the power to create national forests in Oregon, Washington, Idaho, Montana, Colorado, and Wyoming. This amounted to repeal of section 24 of the law of 1891. Had the blow fallen full force, it would have given the forest administration a severe blow. Roosevelt and Pinchot, however, had the facts available on timbered areas in the states concerned; and in the time before Roosevelt signed the bill, he proclaimed twenty-one new reserves, or additions to old ones, in the area concerned, totalling more than sixteen million acres. [44]



Writers have contended that Roosevelt's action was violently opposed in the west, but this verdict must be subjected to some qualifications. Most of the area had been examined by the Bureau of Forestry or the Forest Service long before the withdrawal, and the action was not an unexpected one. Press opinion in the Puget Sound area was violently opposed to the action; but that press had always been unfriendly to the conservationists and often irresponsible in attacks on them. [45] Both Portland papers supported the President's action.

Lumbermen's opinions varied. Puget Sound papers editorialized that the reserves would redound to the benefit of timber barons, who owned tracts of land around the reserves and could buy from them as well as log their own holdings. Small loggers, on the contrary, lacking transportation or access, could get no such sales. [46] However, the Secretary of the Pacific Coast Lumber Manufacturer's Association told Roosevelt that western lumbermen approved of his action; and the Oregonian, in interviewing Oregon lumbermen, found a general feeling that the action would have little effect on the lumber market. The Inman-Paulsen interests, which owned the largest mill in Portland, and the Western Lumber Company, supported the reserve policy heartily, and little adverse sentiment was recorded by the interviewer. [47] The policy of cooperation between the industry and the forest administration was well established by this time, and there is nothing in the lumber trade journals to indicate a wave of indignation over the action. It is likely that the editorials in the conservative papers represented, as E. T. Allen put it, "the feelings of a very small coterie of Bellingham timber speculators" rather than the feelings of the region as a whole. [48]

Official stands of the states varied greatly. In Washington the official opposition was headed by E. W. Ross, the State Land Commissioner. Mr. Ross will be the subject of detailed attention in a later chapter; it is sufficient at this time to say that he was the implacable enemy of the Forest Service, and responsible for much of the bad publicity the Service received in the Seattle and Tacoma newspapers. It was he who was primarily responsible for two long legislative memorials against the reserves, one containing thirty-two, the other thirty-eight, "whereases." [49] E. T. Allen, at the time of the session, had gained permission to present the point of view of the Forest Service to the members of the joint legislative committee on forest affairs; but hardly had he begun to do so when Ross took the floor, attacked the Service bitterly, asked for an executive session and hustled Allen out the door. Allen had no chance to present the Government's case. [50]

In Oregon the situation was different. Here Roosevelt, Governor Chamberlain, Pinchot and regional members of the Forest Service worked closely on conservation matters. The Oregon State Legislature also petitioned Congress that year; but their petition related to administrative matters, rather than asking for reversal of the President's action. [51]

In the areas immediately affected by the reserves, the answer is easier to arrive at. The Bureau of Forestry, and later the Forest Service, in their boundary work, took great pains to get the views of those living in, or using the forests. Their reports are entitled to a high degree of credibility, since they were made on the spot by trained and honest men, and were confidential reports for the Chief Forester, rather than propaganda prepared for public consumption. From their reports, it would appear that in a substantial majority of the cases, the people immediately affected by the reserves favored such additions.

TABLE 2  
ROOSEVELT RESERVES OF 1907

Name of Reserve	Acres	Date of Recommendation of Withdrawal	Local Sentiment of Those Actually Affected by Reserve
<u>Washington</u>			
Snoqualmie	2,275,000	1904	pro-reserve
Colville	857,000	1905-07	pro-reserve
Olympic (addition)	119,000	?	against reserve
Rainier (addition)	730,000	1904	unknown
Total acreage, Washington	3,981,000		
Area of pro-reserve sentiment	3,132,000		
Area of anti-reserve sentiment	119,000		
Unknown	730,000		
<u>Oregon</u>			
Blue Mountain (addition)	977,000	1904-07	pro-reserve
Siskiyou (addition)	446,000	1903	against reserve
Wenaha (addition)	71,000	1904	pro-reserve
Cascade (addition)	514,000	1904	pro-reserve
Ashland (addition)	154,000	1904-07	pro-reserve
Tillamook	165,000	?	?
Coquille	140,000	?	?
Umpqua	802,000	1904	mixed
Imnaha	783,000	1904	pro-reserve
Total acreage, Oregon	4,052,000		
Area of pro-reserve sentiment	2,499,000		
Area of anti-reserve sentiment	446,000		
Mixed or unknown	1,107,000		

## CHAPTER 7

# THE NATIONAL FORESTS IN DISTRICT SIX, 1905-1913

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I. E. T. Allen

Administration of the National Forests came under the Department of Agriculture in 1905, and Pinchot was given the opportunity to run things his own way. One of the first steps he took was a reorganization of the administration, to give more regional autonomy. Formerly matters having to do with administration of the national forests, such as selling timber or buying tools for fire fighting, had to be cleared with the Washington office. Local problems could not be solved on local grounds, as Pinchot desired, under this system. After consultation with Henry Gannett, F. E. Olmsted, E. T. Allen and others, a policy of district decentralization was developed. Though the change was not completed until 1908, a beginning was made in 1905. Chief inspectors were chosen for each district, whose duties would be to improve personnel of the forests, and inspect and report on actual work done in regard to permits, contracts, protection and improvement of the forests. [1] In Washington and Oregon, District 6, the district inspector was E. T. Allen, a man who for over thirty years exercised a powerful influence in forest management, both in the Pacific Northwest and in the United States.

Edward Tyson Allen [2] was born in New Haven, Connecticut, the son of Professor O. D. Allen of Yale. He was first educated at a grammar school; but at the age of ten his formal education ended. His father at that time resigned his position and moved west, settling in heavily timbered country in the Nisqually valley near the foot of Mt. Rainier, sixty miles by foot or horse trail from the nearest settlement or road. There Allen grew up, and was educated by his father. Young Allen met Pinchot on one of his trips west in 1896 or 1897, and served him as packer. In 1898 he worked as a ranger under the old Land Office regime. That fall he worked for a time on the Tacoma Daily Ledger as a reporter, but by December 2, 1898, had decided on forestry as a career, and wrote to Pinchot telling him of his decision. Pinchot encouraged him in this. [3] The next year Allen was selected as a Student Assistant, and spent the summer with Alfred Gaskill in the northwest, making a study of red fir for the Bureau.

In 1900 Allen again worked in the northwest, gathering information for a technical treatise on the western hemlock. Farsighted lumbermen like Frank Haines Lamb had long been concerned over the loss of revenue, and waste, caused by the non-salability of western hemlock. The treatise was intended to benefit lumbermen by explaining the possible uses of the wood and facts about its growth and reproduction. Allen, with one assistant, studied old growth hemlock from April to June in Snohomish County and second growth hemlock in Cowlitz County. Pinchot sent him eight assistants in July, and he continued the work, doing the falling himself because of the July shutdown of mills. This was, he wrote, "about as well, anyway, to get the Harvard rubbed off the students before they come in contact with the loggers." During this time he managed to ingratiate himself with Senator A. G. Foster, vice President of the St. Paul and Tacoma Lumber Company, whom he had met the year before with Pinchot and Overton Price. As he wrote in his letter:

My ostensible purpose in seeing him was to ask for suggestions. I thought it would jolly him a little to appear to be anxious to carry out any wish he might have in booming fir and hemlock. My true reason, was to use him as a lever to wrest something out of the St. P. and T. L. Co., which is a mulish and disobliging corporation.

The attempt was signally successful. He finally worked up considerable interest in our methods of obtaining yield tables, rate of growth, etc., and repeatedly turned to his secretary and remarked, "Well, well, there's more in this than I thought there was." He asked my opinion on several of the problems of the forest reserves, and finally grabbed me by the arm and started on a tour of the mill, introducing me to the superintendents and asking them to give me any assistance they could.

By November 3, Allen had gained Foster's confidence to the point that Foster was asking Allen for assistance in a speech he was preparing, to point out that proper management of forest watersheds was more desirable than expenditures for storage basins. [4]

Allen's work for the next five years was varied. He was loaned to the Department of the Interior for a year or more, first to clean up an administrative tangle in the Black Hills, and later as a special agent of the Department in other parts of the country. In 1902 his treatise on western hemlock was published. Later he did inspection work in the Priest River country of Idaho, and in Wyoming and Colorado.

In 1906 he went to California. That state had long been in the vanguard of states cooperating with the Federal forest policy. In 1903, the legislature passed an act permitting the State Board of Examiners to enter into contract with the Bureau of Forestry to investigate the forest resources of the state and formulate a state forest policy. One of the recommendations that came out of the study was that a State Forester be appointed to carry on the state forestry work. Pinchot recommended Allen for the job, and Allen accepted, retaining a foothold in the Service, however, as Inspector.

Allen's work was mainly educational, awakening the public to the value of forestry work and fire prevention. The California Promotion Committee, which represented all commercial organizations, the boards of trade, chambers of commerce, and other groups were all called on for support, through special appeals, personal and circular letters, newspaper articles and pamphlets. Similar appeals were addressed to stockmen, miners, land owners, and water users.

The response of the organizations was on the whole favorable. Writing to Pinchot December 17, 1905, Allen told how the California Promotion Committee had passed resolutions on the reserve work, asking for extension of reserves, and had also passed resolutions on grazing on the reserves. Allen wrote,

I got on the resolutions committee and in that way got them through. A lot of fool forest resolutions were handed in but I wrote a substitute and stuck the grazing clause in the middle so no one caught its importance in time to kick.

In Southern California he found sentiment strong for the reserves—almost too strong, in fact. Fruit growers near Pasadena and San Bernardino were so anxious to have fire line and trail work pushed near the reserve that they offered to contribute two thousand dollars from their own pockets for the purpose of financing it. When a reduction of forest forces became necessary for reasons of economy, Superintendent T. P. Lukens of the San Bernardino and San Gabriel Reserves protested. Lukens, a former mayor of Pasadena, asked the Chamber of Commerce of that city to protest also, and other remonstrances came from the Pasadena Board of Trade, the Merchant's Association, and other civic groups. Allen had his clashes, sometimes with men of prominence and influence. He disputed with W. B. Greeley, then stationed in southern California, over their relative spheres of authority, and with Stewart Edward White, who had the ear of the President and rendered well-meant but unsolicited advice on how to handle the reserves.

Yet Allen's achievements, in his year in office, were considerable. He began a systematic administration of the California State Redwood Park; secured the cooperation of five counties in fire preventive work with the State Forestry Board; and worked out agreements on protection against range fires with the Stockmen's Preventive Association of Alameda and San Joaquin counties. He felt, at the end of his term, that he had succeeded in changing public opinion for the better. His work, he wrote, had been primarily educational; the work of his successors would be to use this foundation for better administration of the state's forests. [5]

In July, 1906, Allen was appointed to the post of Forest Inspector, in District 6, composed of Washington, Oregon and Alaska. [6] By both training and aptitude, he was eminently qualified to fill the position. His training as a newspaper man, and his work for the state and the Bureau of Forestry, had taught him the value of good public relations, and the channels by which the people could be reached. He was both an experienced technical forester and a trained administrator. Moreover, he was known and respected by the lumbermen, whom he knew both through working with them and through his book on western hemlock. Though personally shy as a deer, and far from being a glad-hander of the Chamber of Commerce type, he inspired the confidence both of the public and of the men under him in district work.

## II. Personnel and Public Relations in District Six

The chief problems of the new district inspector were three in number: To create a favorable climate of opinion toward the Forest Service; To tighten up and improve local administration of the forests; and to supervise, and improve, use of the forests. On these tasks he set to work with vigor; with such vigor, indeed, that within three years he was on the verge of a nervous breakdown, and had to take a rest cure in Tahiti.

Allen used all the tricks he had learned as newspaperman and as administrator to create a favorable public opinion. He befriended C. S. Jackson, editor of the Oregon Journal, and invited him to a series of supervisor and ranger meetings as his guest. [7] On the state level, in Oregon, he was able to work closely with Governor Chamberlain during this period, but in Washington relations remained strained until 1909, because of a close tie-up of interests hostile to the forest service with state newspapers and politicians.

A favorable public opinion, however, depended primarily on how local problems were handled by the men administering the forests. Much depended on the local district organization, the ability of the supervisors and rangers to meet the public and to work with them in solving local problems. It was one of Allen's chief problems in the first two years of his administration, and one of his greatest lasting achievements, to get a strong working district organization.

The supervisor and ranger posts were, at the time of Allen's arrival, manned by Land Office appointees, who had got their jobs before 1905. The actively dishonest ones had been weeded out, but none of them were technically trained foresters. Some were excellent men, making up in intelligence and industry what they lacked in technical training, and having a knowledge of local conditions that was extremely valuable. Allen's task was to weed out the obvious incompetents, and fill their places with competent men; to get a nucleus of men with professional training; and to transfer the men to the posts they were best suited to fill.

Allen had from the beginning some competent trained help. H. D. Langille, W. H. B. Kent, and others engaged in boundary work were, when the boundary work slackened off, available for other duties. Fred Ames, a technically trained forester who had worked in the southwest, came out as an assistant to Allen in February, 1907; [8] and Shirley Buck, a clerk in the Wenaha forest who had shown unusual competence, was transferred to Allen's Portland headquarters in 1907. [9] Granville Allen, E. T. Allen's brother, was appointed supervisor of the Rainier National Forest. [10]

In addition, some of the men in the supervisor and ranger posts were above the average in capability. Such a man was M. J. Anderson, supervisor of the Siskiyou forest, who has been mentioned before in connection with the Minto-Muir dispute. Anderson, a well-educated man who had an excellent knowledge of land laws, had built trails in the mountains and told the people of the benefits of the reserve, with the result that the Service had become popular in the section. E. T. Allen, in attending a meeting of the Oregon Irrigation Association at Grants Pass, wrote that in the three days the session lasted he had not heard a word of criticism of the Forest Service. As he wrote, "The banner above the stage bore the words, 'We appreciate the Forest Service.' Resolutions were passed praising the Service and the National Forest Policy." That such was the feeling was due to Anderson's work. [11]

There were other men of similar caliber. In the Olympic Forest, Supervisor Fred Hanson and Ranger Christ Morgenroth were capable woodsmen; both were squaw-men, and this circumstance helped create better relations with the Indians in the area. [12] A. S. Ireland, a native Oregonian of pioneer stock, was made supervisor of the western division of the Blue Mountains, and helped avert a range war in the Prineville district. [13] Cy Bingham, a man of cockney and Irish ancestry who had been in turn cowboy, millwright, miner, stationary engineer, blacksmith and assayer, in 1903 settled down and became a ranger, and for five years, with his wife, patrolled the Cascade forest. He became supervisor of the Deschutes, and served there for thirteen years. [14]

Some of the men were valuable for other reasons in addition to their administrative worth. One of these men was Smith C. Bartrum, who had become a ranger in 1899 and was promoted to Supervisor of the Umpqua forest later. In January, 1907, Allen received word that the Oregon legislature planned to attempt to enact a forest fire law, and that he might aid in getting the right

kind of a law passed. Allen sent Bartrum, who was a former politician, to act as lobbyist. Bartrum was instrumental in getting the law through, and was nominated to the Oregon State Board of Forestry as a Forest Service representative. As Allen wrote, "I feel that Mr. Bartrum's service in passing the bill makes it impossible to name anyone else." [15]

In 1908 a district reorganization was put into effect. As Overton Price wrote to Allen, then taking a rest on Tahiti, "In its larger aspects it is the same one that you and Olmsted and several more of us have had in mind for a great many years." [16] Men like Overton Price, F. E. Olmsted and E. T. Allen were convinced that district independence would be the answer to the question of solving local problems on local grounds. The forests to that time had been run, in all essentials, from Washington, but Washington was so remote that it was difficult to get a smooth and efficient local organization with healthy local initiative. The District Inspector idea had aided to some extent, but did not go far enough. The reorganization of December 1, 1908, divided the forests into six virtually independent districts, in charge of district foresters. Each was to be a Washington in miniature, with the Washington functional organization, and the district forester was given practically full authority to run his district. The organization was carried down to the national forests, under their supervisors; and the forests in the northwest were cut into twenty-six smaller national forests for convenience in administration. [17]

The change meant a much larger staff for the district, and much greater responsibilities for Allen, as District Forester. He returned to Portland, and made arrangements for the influx of technical men and clerical help that would arrive in December. A list of the new personnel came on October 31, and Allen rented office space in the old Beck building for them. [18] To the new staff, and especially the female clerical staff, the move was a high adventure. Will C. Barnes, the chief of grazing, caught some of their spirit when he wrote, on the eve of their departure:

Oh, they're whispering in the corners  
And talking in the hall  
They are scheming and a-planning  
Where to migrate in the fall,  
They are telling one another  
Of the places they like best;  
Oh, the whole blame outfit's "locoed"  
'Cause we're going out West.

"Have you ever lived in Portland?"  
"Is it wet or is it dry?"  
"Do you think you'd like Missoula?"  
"If you do, please tell me why."  
"Is the living high in Denver?"  
"Are the ladies there well dressed?"  
Oh these are the burning questions,  
'Cause we're going out West.

"Now I want to go to Frisco

Even though the earth does quake."  
"Well, I'm wild to see a Mormon  
So I'd much prefer Salt Lake."  
"Do you think that I'll get homesick?"  
"Are the Frisco fleas a pest?"  
What a turmoil has been started  
'Cause we're going out West.

"Oh, they say that board's expensive  
In the town of Albuquerque."  
"But you needn't take a streetcar  
For to reach your daily work."  
"Well, I've heard the living's awful  
(Now please don't think me silly)  
But really, do they live out there  
On only beans and chili?"  
Oh, such like doubts and troubles  
Daily agitate the breast  
Of each one in the Service  
'Cause we're going out West. [19]

With the newcomers, District Six was at last on a solid basis. George Cecil, whose love of the out-of-doors led him to leave his father's shoe factory for the Forest Service, was Assistant District Forester; C. J. Buck, Chief of Operations; Fred Ames, Chief of Silviculture, and Howard O'Brien, former supervisor of the Innaha, Chief of Grazing. Technical experts such as Julius Kummel, Chief of planting, and Thornton T. Munger, of Silvics, were brought in. The group was a good example of the young, capable, intelligent, enthusiastic young men Pinchot was capable of recruiting and inspiring with his own idealism. They were able to grow up with the job. As Fred Ames, reminiscing later, wrote:

I sometimes marvel at the nerve we all had in tackling the jobs entrusted to us. Fortunately for the public, our organization, and ourselves, although the amount of work was no less, the responsibilities and chances for costly mistakes were infinitely smaller than they are now. We had a chance to grow up with the business.

Shirley Buck, writing of Daniel F. McGowan, of Claims, wrote:

In December, 1908, it was clear that Dannie could discern little difference between a lien selection and a mineral claim, but now in 1923, after 20 years of hard work, the Northern Pacific Railway will attest that he has fathomed all the intricacies of the public land laws and ranks as the discoverer of the million dollar comma, which he uncovered before a Congressional committee. [20]

The supervisor staff was also strengthened by appointment of some able men. Some of the larger forests were divided into smaller units, for convenience in administration; and some of the weaker



supervisors were replaced. H. O. Stabler, a Yale graduate, was appointed to the Columbia National Forest, a part of the old Rainier; T.T. Sherrard, one of the founders of the Society of American Foresters, to the Mt. Hood; M. L. Erickson to the Fremont, and Burt Kirkland to the Snoqualmie. A. H. Sylvester, a former civil engineer who had surveyed the Mt. Hood quadrangle for the Geological Survey, became the first supervisor of the Wenatchee, and made a remarkable record there. As with the district forester job, the individual responsibility was great, and the positions required big men to fill them. As one supervisor wrote, "Here and there an inspector might be fairly close on the supervisor's trail, but on the whole a supervisor was pretty much on his own." [21] They did, on the whole, a competent job under conditions which were difficult at times, meeting new emergencies with ingenuity as they rose. The inspection report, and the correspondence of Allen, Ames and Kent reveal a variety of personalities and problems, and a variety of interpretations of the Use Book to meet them. [22] One thing all the reports have in common, however, then as now the bane of the field force; complaints against the endless number of official forms to be filled out in triplicate for the files. Nor was the complaint confined to Rangers and Supervisors; E. T. Allen, in one of his rare moments of leisure, composed a satire on the subject, a literary gem as timely now as it was then. In it the hero, a ranger of the stereotyped novel or movie variety, finds both his field work and his love affair interfered with by the vast number of forms to be filled out. [23]

Allen attributed much of the success of the Service to the district system of organization. In his farewell note to Pinchot, on leaving the Forest Service to head the Western Forestry and Conservation Association, he spoke of the lack of friction and *fine esprit de corps* among them, and ended, "The district system has had an important effect by establishing personal acquaintance and confidence among lumbermen and others." [24]

Numerous problems arose in regard to the personnel, however; and one of the most troublesome stemmed from suspicion of fieldmen toward office men, and the distrust of those with technical training toward those without. Supervisors and rangers, so far as good men were available, were picked from local men. As the business managers of each forest, who had responsibility for local administration; and as public relations men, whose success might make the difference between local hostility and cooperation, men who had roots in the community had definite advantages. Their job required general ability rather than a knowledge of technical forestry.

These abilities, however, did not imply an ability to get along with the technical men. The trained men in special branches of the service, as grazing, silviculture, and so on, worked and reported to their special branch, but did their work under the supervisors on the ground. The work was planned to enable the technician to make use of the supervisor's local knowledge of an area; but in practice bad feelings often developed. A trained man from an eastern school might justifiably feel that he knew more about forestry than his superior; on the other hand, the local man might well feel that the technical man had learned too much from books and not enough from life.

A number of such incidents occurred. [25] Pinchot and Allen were both concerned over the matter, and looked for some solution. Allen's point of view was that there was a definite need for technical man, and would be more need in the future. But there was also need for practical and local knowledge. There were two ways of achieving this balance; first, teaching the practical man

the scientific end of the work; and second, teaching the technical man the local end of it. The first had not succeeded, as Western woodsmen were not willing to spend the time and money needed. On the other hand, technical men were at first inefficient when faced with new conditions, but did learn to cope with them.

The problem was a difficult one. The ranger deserved to be rewarded for improvement in his work by higher wages and promotion, and might leave the Service if he did not get such rewards. On the other hand, if the technical man had no chance for promotion he also would leave. There was, Allen wrote, already trouble in getting and holding foresters.

"First, we try to meet the Western point of view by giving our technical men Western experience. Second, we are criticized by the West for doing so to the extent we have. Third, the technical man complains because we offer him no opportunity."

However, technical men should not be merely technicians; they should learn the forestry work as a whole, starting as apprentices on the local level. Eventually there would be room for both types. The work would, Allen thought, increase so much that technical men would be advanced to posts outside the Supervisor's position; also there would be more need for deputy supervisors and rangers, as time went on. Meantime, Allen tried to meet the situation by periodic meetings of supervisors and rangers with technical men in the various districts, to create mutual understanding; by detailed inspection work, to know more of the forests and the men; and by training of rangers in the Use Book. [26]

Allen discussed the matter with Pinchot in the late winter of 1908, on a trip to Washington. It is probable that as a result of this and other conferences that Pinchot conceived the idea of using the off season for training of rangers and lower personnel at ranger schools. In 1908 the Forest Service decided that rangers might take short courses at professional forestry schools, if such could be arranged, to improve their competence, and draw pay and transportation costs while so doing. [27]

Both the University of Washington and Oregon Agricultural College had been giving some instruction in forestry, the former under Edmond Meany since 1894; but the instruction was not on a professional level, and to Allen seemed of indifferent value. [28] Growth of interest in forestry led President Thomas F. Kane of the University of Washington to establish a professional school of forestry.

Kane hired Francis G. Miller, a graduate of the Yale Forestry School, who had been teaching forestry at the University of Nebraska, to head the new school. Miller started his course in 1907, with an initial enrollment of seven forestry majors, which had increased to eleven by the second semester. [29]

By October, 1908, plans were made to start a short course in the winter, when work was slack. [30] Miller, who was teaching singlehanded, asked to borrow A. H. Sylvester of the Wenatchee National Forest, to teach topographical mapping; and Allen secured permission for him to do so. [31] Allen also prepared a list of recommended courses, of the kinds which would be of most value for the rangers. The list included Forest Measurement (cruising and scaling), to be taught by

a professional cruiser with Miller's aid; Surveying (landsurveying, mapping, and engineering), to be taught by the University staff; Law (trespass, and federal and state laws), to be taught by the Forest Service law officer; Forest Administration, also to be taught by the law officer; and Silviculture, to be taught by Miller. [32]

The course flourished, and did much toward establishing the School of Forestry on a firm foundation, as well as making more competent rangers. Thirty to thirty-five rangers each year got a degree of technical training for the twelve week period of the winter months. The number of Forest Service officers used in the program increased; the schedule of 1910 shows as teachers J. B. Knapp of Protection, W. E. Henry, Engineer, T. P. McKenzie of Grazing, C. J. Buck of Lands, T. T. Hunger of Silviculture, and F. E. Ames, of Sales and General Silviculture. Several members of the Service were borrowed for greater lengths of time, including Burt Kirkland and W. T. Andrews. [33]

In 1910, the ranger short course received a set-back. Probably in connection with the whole campaign against Pinchotism, protests were made by congressmen and others that rangers and Forest Service men attending school duties were receiving pay while absent from their field work. About the time the short course was due to start for the year 1910, the Solicitor of the Department of Agriculture ruled that Forest Service men could not be absent from their duties with pay to attend school, nor could transportation be allowed for that purpose. Despite this, all but two or three of those at the University of Washington elected to stay for the course at their own expense. [34] The next year, President Kane asked the Secretary of Agriculture for a new ruling on the matter. He stated that the ranger courses were organized on a cooperative basis, with the University furnishing most of the equipment and the Forest Service men giving courses of special interest in their field. Thirty men desired to attend the course that year. If the Forest Service instruction was curtailed, he wrote, it would lessen the value of the course; also the University would find it hard to reimburse the Forest Service instructors, since it was the end of the biennium. E. T. Allen supported President Kane, stressing the value of the course, the duty of the Department to back its men, and the fact that it was the off season for field work. Secretary Wilson compromised to the extent of stating that the Forest Service would meet the expenses of men and lecturers in traveling between Portland and Seattle, provided the University paid for their subsistence while in Seattle. [35]

The next year a new policy was adopted. Forest Service members whom the University desired to hire for the short course were given leave without pay. Lectures in connection with the course could be given freely by officers in cases where there was no expense for travel, i.e., where officers were stationed in the same town. Members of the Service in other parts of the region could give lectures to a limit of forty days, but the travel and subsistence would be paid by the University, and the lectures would necessarily be pertinent to Forest Service work. [36] The short course continued under this arrangement for some years.

The short course was valuable not only in training personnel, but in getting increased cooperation in forestry between state and national government. Such men as W. T. Andrews, J. P. Hughes and Burt Kirkland were borrowed by the University to aid in their forestry education program. In so doing, they aided those they taught in understanding Federal forest policy. Professor Miller, in

cooperation with the Forest Service, aided in a study of forest taxation in Washington. In education, there was growing cooperation between state and Federal government. [37]

### III. Grazing

Grazing policy in the national forests was well established by 1905, through studies by Coville, Pinchot, and Potter. The policy was based on favoring the local stockmen at the expense of "tramp" or out-of-state stock owners. Permits for grazing on the range in national forests were allotted in order of preference to (1) stockmen resident on the national forest; (2) stockmen with a ranch on the forest, but resident without; (3) stockmen living in the vicinity of the forest, and (4) outsiders with an equitable claim, based on prior use of the forest range. A fee was charged for grazing; though challenged it was upheld by Supreme Court decision in 1911. Grazing allotments would be decided by Forest Service officers, working in cooperation with local stockmen's associations who would act in an advisory capacity. Locally, the Forest Service encouraged the formation of local livestock associations, for the purpose of creating better understanding among the stock owners, and better use of forest forage resources. The permittees cooperated in enforcement of special rules adopted for users of a given range, after the rules were approved by the Forest officer in charge. Such matters as salting, roundups, use of purebred bulls, clearing of stock driveways, improving springs and the like, were worked out by the associations, with the cooperation of the Forest Service. [38]

Relations of grazers with the Forest Service in the Pacific Northwest were remarkably harmonious during this period—more so, probably, than in any other region. There were several reasons for this. One was that the success of Coville's pioneer work in 1897 gave the northwest a headstart in regulated grazing over other districts. A second factor was the complicated range situation in eastern Oregon and Washington, where tramp sheepmen and absentee owners plagued the local stockmen. Local stockmen wanted regulation of grazing, to protect their own interests. The great sheep trails were closed by 1908, and the tramp sheepmen left to the unappropriated public domain; the only area of conflict left was among local stockmen. A third was that the large livestock associations had but little strength in the region; local livestock owners felt their loyalty to the local livestock association, the "company union," that the Forest Service had fostered to solve local problems. [39]

In a given area, much depended on the skill of the local ranger or supervisor in settling local problems. Thus W. W. Cryder of the Colville Forest reported sentiment favorable there on the ground that grazing regulation benefitted the local community, and kept outsiders out of the forest; and C. H. Chidsey, Supervisor of the Heppner National Forest, was liked by the stockmen and "instrumental in changing public sentiment adverse to the forest policy to one very favorable." [40] In the Okanogan country a series of range wars broke out just previous to creation of the forest, between resident cattlemen and invading sheepmen. Three thousand sheep were killed. Then, as one cattleman said, "The national government adopted a system by which the national forest reserve could be used for grazing, a policy which proved a God's blessing to all of us." Grazing permits were issued; allotments for sheep and cattle made; and L. E. McDaniels, of the Grazing division, helped the local men form the "Buck's Peak Cattle and Horse Raiser's Association" to help work for range peace. [41] In the Imnaha forest, a move to have a large area of the reserve, a 1907 addition, returned to the public domain, was blocked by stockmen, who

petitioned to have it retained in the forest. The supervisor estimated that ninety percent of the stockmen favored Forest Service regulation. [42]

Various problems rose in the local level. Light-burning by stockmen remained a problem, particularly since fire is no respecter of boundaries, and fires that started on private land or on the public domain often swept into national forests. The great fires of 1910 educated some stockmen, and more stringent state fire laws also aided, but the problem still remained. In the Wenaha forest which is situated both in Washington and Oregon, protests arose over the relative allotments of Oregon and Washington sheep. [43] Some controversies were tedious, and time consuming, even comical, but were not serious. Such was the case of Cornelius Finacune, who asked to graze 1200 sheep on the Goose Lake Reserve. The Supervisor, M. L. Erickson, turned down his request on the ground that he was not a landowner; had no record of prior use of the range, had no established range, and did not specify any particular range in his application. Erickson topped it off by writing, "Furthermore, you are of doubtful citizenship, and in view of the above, your application cannot be approved." Finacune took the remark on his citizenship as personal insult, and appealed to Senator Fulton, who in a letter to Pinchot, warmly defended his Irish constituent. [44] In the Wenatchee, where Basque rather than Irish shepherders were hired, a different situation arose; the herders could not understand the instructions of the rangers, written or spoken. H. A. Sylvester suggested that the notices be printed in several languages. [45]

The system of working out grazing problems through the local protective associations and on the local level was highly successful. Disgruntled grazers at first appealed to their congressmen, to the disgust of the regional staff; but Albert Potter, of the Washington grazing office, advised the regional administration to treat such communications with courtesy and respect. [46] Matters were usually settled on the ground, however. In the Fremont forest, the closing of the old California mutton sheep trail, the leasing of the Weyerhaeuser lands, and the work of Guy Ingram, in charge of grazing there, made relations easy to handle. When disputes arose, Ingram rode out with the disputants to the area in question, and settled the matter on the spot, acting as arbitrator. [47] The same policy was carried out by Cy Bingham of the Malheur, who handled delicate relations between sheepmen and cattlemen by meeting with representatives of both and arbitrating their differences of opinion. [48] The District Forester, in his report for 1912, found only two complaints from advisory boards, and both these were settled in a satisfactory manner. [49] The chief complaints from the larger state associations was that more Forest Service men were not present. Washington administrative policy permitted only the District Forester and the District Chief of grazing to attend such meetings; but in the minutes of many meetings regret is expressed that the supervisors and other local officers did not attend, to help thrash out local problems. [50]

Other factors aided in creating harmonious ranger relations. Cooperative agreements were worked out with other owners of range land. One of the main problems in land use was caused by the "checkerboard" holdings of railroads and Weyerhaeuser lands within or adjacent to the national forests. Since the sections met at a tiny point, there was no access from one section of railroad land to another without trespass over government land, and vice-versa. Hence, whoever leased the railroad land had control of the alternate sections of government land; for nobody could enter the government land because the railroad land barred ingress. Grazers in such an area of

mixed ownership would have to deal with both the private owner and the government for getting on allotment.

In 1908 George S. Long, local manager of the Weyerhaeuser interests, conferred with Allen in solving the problems of grazing on the 300,000 acres of Weyerhaeuser in the Fremont and Goose Lake district. Long gave Allen a free hand, and Allen worked out an agreement. The Forest Service would determine the area to be grazed, the block including both railroad and Forest Service sections. Permittees would get their permits through the Forest Service, to apply to the whole area, and would pay the grazing fee for the Forest Service permit. The company, which usually charged for grazing by the acre, rather than the head, would collect the grazing charge for their own acreage. Similar agreements were made with the Northern Pacific and the Great Northern railroads. [51]

Work was also done in improving the range. In 1907 the Service, in cooperation with the Bureau of Plant Industry, began a study of sheep ranges, under the general direction of Arthur Potter and Frederick V. Coville. Beginning in the Hilly Meadows country of the Wallowa Forest, a series of grazing surveys were carried out, aimed at finding new range and increasing the range's carrying capacity. In the region, the work was carried on first under the leadership of James Tertius Jardine, a special agent of the Forest Service in range and livestock management, who later became director of the Oregon State Experiment Station; later, as local men, such as Guy Ingram gained competence, it was carried on by individual workers in each forest. In 1910 the Office of Grazing Studies was set up as a new function within the organization, and the work went on at an increased tempo. C. S. Chapman, Allen's successor as District Forester, took a special interest in the work of discovering new range and new water supplies for stock.

The good relations between grazers and the Service showed to good advantage in 1911, when in January of that year both the Oregon Woolgrower's Association and the National Woolgrower's Association held their meetings in Portland. The Oregon association meeting preceded that of the national by a day. At this meeting, District Forester Chapman praised the work of this sheepmen in helping control the fires of the previous year, and spoke of the value of sheep driveways as fire lines. Both he and Thomas P. McKenzie, regional Chief of Grazing, described the work of the Service in range reconnaissance and drilling for water in the Paulina Mountains, to increase the carrying capacity of the range. The resolutions of the Association praised Chapman and the Forest Service for their work. [52]

The National Association meeting opened January sixth. The meeting began with a long attack on Pinchot and Pinchotism by the Idaho delegates, but closed on a note of friendship to the Service. This was largely due to the work of the Oregon delegation. The key to the friendly tone was a resolution by the Wallowa delegation, passed unanimously, that advisory boards be appointed for the state and national associations. Writing to the Forester about this, Chapman reported:

Undoubtedly, there has never been such good feeling on the part of the state associations toward the Service as at present. Through opening up of new range in Washington and endeavoring to develop water in the Paulina Mountains, the Oregon wool growers feel that the Service is really trying to help them and are in an attitude to cooperate with us to

the fullest extent.... It was extremely fortunate that the Oregon Association met the day preceding the opening of the National. The support of the Oregon grazers tended very largely to temper the proceedings of the national meeting, which, in the past, has been anything but fair to the Service. A few talks were made attacking the policy of the Service, but on the whole the proceedings of the National were far more friendly than I judge they have been in the past.

The Forester complimented Chapman on his handling of the affair, almost his last official act before leaving the Service. [54]

#### IV. Timber: Fires, Sales and Research

Fire remained one of the chief problems of the forest. The most important features of this, in the perfecting of a firefighting organization involving state, Federal and private owners, is the theme of the next chapter. Within the district organization, however, there were important developments in fire fighting, techniques, and in agreements with agencies other than the timber business.

Techniques of fire fighting were not highly developed, and the Service men had to feel their way. Trail systems were built to areas of fire danger, so far as funds permitted. Patrols, rather than lookouts, were relied on as the best way to spot fires, though opinions varied from forest to forest, and each supervisor had his pet method. Lookouts were usually platforms of some sort placed in the top of trees, with some sort of primitive alidade to assist in locating the fire; the Osborne firefinder was still some time in the future. The Washington National Forest, for example, reported "Lookout towers, 40 ft. high, 12 ft. square at the base carrying a platform 8 ft. square, will be built on forests where there need is practicable. Upon the platform will be a routable; upon the table a map, and upon the map a coat of shellac, also the cardinal points of the compass." [55] Other forests recorded similar contrivances to aid in locating fires. Charles Flory, Chief of Operations, worked out in 1912 a system using "a circular protractor with a disk removed from the center so as to leave only a graduated perimeter" fastened to the map. By the swing of an indicator balanced on the map to indicate the lookout point, the bearing of the fire could be read. By pointing the azimuth to another point a cross shot could be made. [56]

Actual work in putting out fires was usually a matter of hand work with axe and shovel, using packhorses or mules if they were available, for transportation. By 1911 or 1912, however, the mechanical revolution had begun. Supervisor Bartrum and a local representative of the Fairbanks Morse Company about that time designed a gasoline pump for fire fighting. Heavy in weight, the pump was nevertheless useful on a railroad flat car in areas where railroad logging was carried on. [57] By 1911 a motorcycle was used in the Crater forest on patrol work, though it suffered difficulty in getting through the "pumpy" dust; and in the open pine forests of the Deschutes, the Model T Ford, with its high wheel clearance and general dependability, was used widely for going on fires. [58] By 1911 also, Cy Bingham had invented a collapsible plow for building firelines. [59] Nevertheless, mechanical changes were slow in coming; it was not until 1924 that Ranger John Kirkpatrick could write in his diary:

Automobiles, graded trails, and good roads are softening us and making the performances of past years seem like a dream.... Times have changed and men too or their inclination to standard knocks. [60]

It remained for the next twenty years to bring about the great era of experimentation in fire fighting; the heliograph and carrier pigeon experiments, the development of the bulldozer, the tank truck, and the portable gasoline pump, and the first use of air patrol and radio.

Relations with state forestry agencies and with private owners will be discussed in the next chapter; but several of the cooperative agreements with other groups should be mentioned here. Many of the fires were started by railroads, on lines that crossed national forests, which spread from the railroad right of way to the forest. On March 14, 1910, agreements were reached with both the Great Northern and the Northern Pacific lines, that the companies would pay all expenses, exclusive of the regular wages of the protective force, for fires started within two hundred feet of the track, or for which the railroad was otherwise responsible. Similar agreements were reached between the railroads and the fire fighting associations in Washington, Oregon, Idaho and Montana, regarding railroads crossing private holdings. [61] Agreements also were made with some of the eighty cities of the northwest which drew on sources within the Pacific Northwest, so that by 1917 cooperative agreements, generally sharing the cost of watershed protection on a 50-50 basis, were reached with Tacoma, The Dalles, Baker City, Oregon City, Dufur and Toledo. [62] Relations were less happy between the Forest Service and the Reclamation Service, when difficulties broke out in connection with the clearing and slash burning by the Reclamation Service near Lake Keechelus, on the Wenatchee National Forest. Fires spread from the slash to forest land, and the Forest Service attempted to get the Reclamation Service to pay part of the cost of putting out the fire. This the Reclamation Service refused to do. [63]

Timber sales were not large during this period. Private timber was still available and accessible, and most of the actual cutting done on the forests was in the form of special use permits for local settlers, and small sales. The cutting policy for the future, when the national forests would be an important source of the nation's timber, engrossed the attention of the men in the district, however. They were concerned with two phases of it: the future needs of the industry, and the need for information on the timber resources of the region.

On August 8, 1908, E. T. Allen wrote to the Forester his views in regard to timber sales. He believed that in general the national forests would supply a rotation of crops when private timber was exhausted. Hence, needs of the future was the important factor, and should be the prime aim in directing policy, even if it meant ignoring present demands. The cutting rules should be primarily set up as a means of establishing good silvicultural conditions, rather than making money for the government; hence, stumpage prices should be set on the basis of whether it was desirable to increase or decrease sales. The needs of the future should govern the number and size of sales. There was also need for more research, even if it meant neglecting current sales work. On the west slope forests, no information was available as to safe cutting practices. More was known about east side forest types, but even there there was need for more research. More had to be found out about production; productive and non-productive areas; classification of age groups and relation of the stand to age and differing conditions. Fortunately, the lumber industry was too



depressed to admit of any large application for a year or so, and Allen believed that there was no immediate need for worry about sales. [64]

By January, 1909, terms of sale for the district were worked out. The policy allowed the district to make sales on its own of twenty-five million board feet per sale west, and ten million east, of the Cascades. Larger sales had to have approval of the Chief Forester. Allen had desired the right to make independent sales of fifty million west and twenty million east of the mountains; but it was felt to be better policy to have the Forester approve or disapprove large sales, to avoid establishing a set policy too soon. The purchaser, of course, had to follow rules set by the Forest Service in selective cutting, fire control, and slash disposal. [65]

National policy and regional desires clashed to some extent later that year. Allen's wish was to spend time in research. So, ideally, was Pinchot's; but he ran into political difficulties. One of the big talking points in favor of transfer of the reserves to the Department of Agriculture was that they would pay for themselves; but this prediction was not realized. The lumber market was in the doldrums; much of the reserve timber was inaccessible, and the Service lacked a trained personnel to handle sales. Pinchot wrote to Allen a number of times, asking him to push sales, to get receipts above that of the previous year. The Service, he wrote, was committed to raising more revenue; and mature timber in the woods was rotting faster than it was being cut. [66] Nevertheless, the sales in 1909 was not large; a total of 16,532 M. was sold, valued at \$27,283; and 20,954 M. was cut, valued at \$23,621. [67]

Sales policy in the district was described in a paper by Fred Ames, in charge of sales. The Forest Service, he wrote, was in the position of a man with some technical training and some practical experience called in to take charge of a large concern. He needed to know the class of goods in stock; the sources to whom he could supply them, and the details of marketing and manufacturing them. Through reconnaissance studies, classification of timber types and research, they could arrive at the yield at a given time, and decide when a second crop could be grown. So far, however, only very crude methods had been used to regulate cutting on the national forests. Complete utilization, in the form of low stumps and small tops; assurance of a second crop, and safety of the timber from fire was as far as they had gone. As to sales policy,

Of necessity the sales policy has varied to meet the pressure of circumstances which bore no relation to silvicultural regulation of cutting. The revenue had to be increased, it was necessary to demonstrate that the Forests were 'paying propositions,' the idea that the 'reserves' bottled up the resources of the country had to be dispelled.

So far they had played safe in the district. They had few large sales, with no possibility of overcutting; for the future they needed to know what they had, where it was located, what regulation was needed, and what type of reproduction was best. For the future it would be well for the Service to take the initiative in making sales; to sell timber past its period of maximum growth, to set the forests in working plans as soon as possible, on the basis of a substantial annual yield; to take care in making cruises and estimates; and to make prices on the merits of the stand, rather than allowing recommended prices to become a straitjacket. [68]

Forest sales increased in 1910, to 52,106 M., an increase of 215%; and the value of timber sold increased to \$113,888, an increase of 317%. The price of stumpage had stiffened, and several bodies of mature and accessible timber were found in the Umpqua and the Olympic forests. Moreover, the lumbermen were gaining some acquaintance with, and confidence in, the Forest Service personnel. E. T. Allen resigned that year, to head the Western Forestry and Conservation Association. His successor, C. S. Chapman, had years before done work for the Weyerhaeuser Company in the old Division of Forestry, and was known and trusted by the Weyerhaeuser interests. The man in charge of timber sales, Fred Ames, was a quiet, competent man with a deep-rooted New England sense of honor, and quickly gained the respect of the lumbermen. In 1911 the first large sale of the northwest, the Pelican Bay sale of 103,512 M. was made in the Crater Forest. [69] Large scale cutting in the National forests, however, had to wait for the war years.

The District Six reorganization of 1908 was marked also by an increase in investigative work. It is to Pinchot's credit that, with great pressure on the Service for boundary and administrative work, he still managed to allot each year sufficient funds to carry on research. Work in the field before 1908 had been done largely as an offshoot of other work; but in 1908 a section in Silvics was set up, headed by Thornton T. Munger, a recent Yale graduate in forestry. Munger had come out earlier that year to investigate the relationship of lodgepole pine and ponderosa pine in the Deschutes pumice land, a silvical matter first brought to the attention of the Service by W. H. B. Kent. [70] Under Munger and others many problems were studied; such as the role of fire in reproduction of Douglas fir; the effect of slash burning on future reproduction; damage to ponderosa pine by base scars in light-burning areas; reforestation of the sand dunes in the Siuslaw forest, and other regional matters. Experimental reforestation was carried on in the Olympic forest in 1909, and seed planting was tested in 1910 in the old burns of the Siuslaw.

In 1908 Raphael Zon interested Pinchot in establishing Forest Experiment stations in the various National Forests. The purpose was to carry on

...experiments and studies leading to a full and exact knowledge of American silviculture, to the most economic utilization of the products of the forest, and to a fuller appreciation of the indirect benefits of the forest.

Stations would be established in typical areas, and each station would deal with problems peculiar to that region. Such a system would develop a scientific basis on which a forest policy for the region could be founded. [71]

The first of these stations was established in Colorado. By 1911 plans were made to establish one in the Pacific Northwest. In May of that year, W. B. Greeley wrote to the District Forester, stating that a sum of \$3000 would be available for establishing such a station in a fairly typical locality in the region. The District Six personnel were luke-warm toward the idea, fearing that it would be established at the expense of the Division of Silvics, which had enough work of its own to do, and also fearing that the area was too complex for any one station to study more than local problems. Establishment of the station was postponed for a year; but a portion of the grant made available for special silvical studies on amabilis fir, grazing, ponderosa pine reproduction, sand dune experiments, and studies of cut-over areas. [72] By the next year, T. T. Munger had looked

for suitable areas, and decided on the Wind River valley, out of Carson, Washington, as the best place. He pointed out in his report that there were seven main timber areas in the district—the fog belt of the Coast Range, the west slope of the Cascades north of the Umpqua River, the south of the Umpqua, the Blue Mountains, the Siskiyou Mountains, the east slope of the Cascades in Washington, and the pumice stone east slope in Oregon—and that each area had problems peculiar to itself. Brush disposal in the pumice stone area had to be studied there, as did chapparal brush in the Siskiyou in that area, and so on. The pressing problem of the area, however, was study of artificial reproduction of Douglas fir, and this could well be studied at an experiment station.

The Wind River valley had several assets. It had a climate typical of the Douglas fir region; not so humid as the coast or the Snoqualmie areas, but more moist than the Santiam or Cascade forests. The area was accessible, eleven miles by road from Carson, which was fifty-eight miles by rail from Portland. Its location in the center of the Yacolt Burn made it handy for fir studies of all kinds of reproduction, at all altitudes and in all varieties of soil. In addition there were other silvical studies that could be made in the area, such as natural reproduction in the 1902 burn; studies of 75-90 year old second growth Douglas fir, and test plots of various kind. [73]

The station was established the next year. C. R. Tillotson began the investigative work, succeeded by C. P. Willis, who in turn was succeeded in the Spring of 1913 by Julius Valentine Hoffman. [74] The establishment of the station and the independent silvical studies carried on at the same time, permitted remarkable progress to be made during the next decade.

## V. Lands

The chief activity in regard to lands centered around enforcement of the agricultural lands acts, and especially the Forest Homestead Act of June 11, 1906. Often, in drawing the boundaries of the National Forests, small tracts of agricultural land had been included; this act permitted these tracts to be homesteaded. The bill had its origins in the findings of the Public Lands Commission, and was backed by the Forest Service. [75] The bill was undoubtedly desirable, as it would tend to stop the continual agitation for such lands as were located in the reserve; but the fact that it might serve as a cloak for land grabs and a sounding board for enemies of Federal forest control was appreciated by the Forest Service and its friends. John B. Waldo, writing to Pinchot about the bill, stated his belief that all public lands should be reserved, and feared the effects of the bill, on the ground that at some time the fox might be in charge of the chicken coop. "Were the friends of the Forest Reserve system to be always in charge, things would be different. But suppose a Heyburn becomes Secretary of Agriculture or Chief Forester—everything would go for agricultural lands that anybody wants." [76] And Senator Fulton, one of those who, like Heyburn, Borah, Mundell and Carter were sympathetic to, or in league with the land looter, aroused a storm of protest in suggesting that 50,000 acres in the vicinity of Cottage Grove be eliminated as agricultural land from the Cascade Range Reserve. Residents said there was not a hundred acres of agricultural land in the area; and an indignant mass meeting was held in Cottage Grove on the matter. [77]

The burden of the work in regard to this and other land claims in the National Forests fell on the Forest Service. The Departments of Agriculture and the Interior made an agreement in 1906, that

Forest Supervisors would make reports on the validity of mining and agricultural claims rising within their forests. The reports would be transmitted to the Department of the Interior, and serve as a basis for determining whether a contest should be initiated against the claim. At first, the General Land Office generally rejected any claim where an adverse report had been submitted by the Forest Service. [78]

Almost immediately there came difficulties over interpretation of the laws. The task of determining agricultural lands was more than an academic one. G. F. Allen, Supervisor of the Rainier Reserve, wrote to the Regional office asking advice on some of the lands. The area in which he was supervisor, on the upper reaches of the Cowlitz, was timbered to the very banks of the streams. Some of the homesteads there had been made by local boys on timber lands. Their economy was a mixed one; they would clear a garden spot, split cedar shakes for sale, and work out part of the year. Such lands were not, within the meaning of the June 11 act, homestead lands, yet the occupants were engaged in genuine homestead activities. On the other hand, listing such lands as homestead lands would logically make all level timbered lands subject to elimination or settlement.

There was also difficulty in the administration over interpretation of the law. On April 5, 1907, Allen received a letter from Overton Price, the Associate Forester, urging liberality in interpretation of the law on the grounds of political expediency. In line with this, Allen listed some of the lands in the Rainier forest, the least valuable for timber, as homestead sites. Price later that year acknowledged that he had been in error, and gave orders for the future to resolve doubts in favor of the Forest rather than the applicant. [79]

R. E. Benedict, Supervisor of the Olympic National Forest, discussed the matter at a Supervisor's meeting in March, 1910. He explained the purposes of the act, to open up agricultural land in the forests, usually in the narrow valleys of rivers. The bill referred to agricultural land only, and was not meant to extend to any others. The examiners were urged to be conservative in their judgments. There was, he pointed out, ample undeveloped farm land outside the forests. Of the total area of 15,713,280 acres in Washington, 5,970,670 was not available for agricultural use, being in national forests, parks, or military reservations, or city and farm lots. Of the remaining 9,735,610 acres, 415,600 was improved farm land; 267,360 prairie land; 2,168,040 cut over land; and 5,549,410 timbered land. Thus there was 9,320,000 acres awaiting development outside the forest.

Benedict felt that the points for examiners to bear in mind were (1) whether the areas were needed for public purposes, such as recreational grounds, reservoirs, town sites, rights of way or gravel pits; (2) whether they were needed for forests, either for watershed protection, to prevent erosion, or to provide timber for the community; (3) whether the area was mineral land; (4) whether it was valuable timber land; and (5) whether it was valuable for agriculture. Above all, the examiners should use care to protect the interests of the Government. [80]

Three areas furnished special trouble for the Service in regard to such claims; the Methow valley, the Curry county region, and the upper Skyomish river. Not only did they afford an administrative problem, but the protests were used by conservative politicians, states rights groups and speculative interests as a spring board for attacks on the Service as a whole.

In the Methow valley, the creation of the Washington Forest Reserve in 1897 had included the whole valley; but on protest from settlers the bottom lands had been eliminated from the reserve. Lee Harris examined the area thoroughly in 1906-07, and established a definite boundary; but after passage of the June 11 act many fraudulent claims, some mining and some timber, were established. George Milham, Supervisor of the forest, was in a difficult position. Though hard-working and conscientious, he lacked experience; and the Washington office failed to back him up.

Protests poured in to the Forest Service about the injustices done to hard-working home-seekers and their wives and children. The chief spokesman was F. F. Ventzke, U. S. Commissioner and deputy land surveyor. Ventzke was interested in forcing the Forest Service to let loose of timbered land, and in collecting fees for filing and final proof. Senator Wesley Jones, a man with a quick ear to the complaints of constituents against the Forest Service, came to the aid of the claimants, as did Senator Piles and the local newspaper. Also Pinchot did not back up his own man; he answered Jones' letter of protest in a favorable manner, without consulting with Milham. However, later that year, on his western trip, Pinchot looked over the matter on the ground, in company with Harris, Milham and Allen. He found that on the basis of the Harris surveys there was no real ground for the claims.[81] Finally, in 1909, Jones and Pinchot came to an agreement and Jones, in view of the low value of the land and its remoteness, agreed to let the matter drop. [82]

The Curry County and Skykomish claims were in part an outgrowth of political attacks on the forests. Woodrow Wilson, in his campaign for the presidency, had promised a greater role to the states in developing their own resources; and this encouraged those hostile to the Federal forests in states of the West to revive old land claims and old charges against the Forest Service. The theme of the Public Lands Conference held in Salt Lake City in 1913 was States Rights. Typical of the local agitation was a series of remonstrances against the Forest Service by Curry County residents. W. A. Wood, manager of the Curry County Abstract Realty Company of Gold Beach, wrote on February to Henry Graves, the Chief Forester, on February 7, 1913, protesting forest policy, and stating, "The methods used by the underlings of the department would cause a Revolution in Mexico, slaughter in Turkey, and the election of a new Parliament in Great Britain." He reported that people often went into the reserve and selected places to homestead, only to find that the ranger wanted it for a ranger station. In addition, he stated, claims of people who had lived on the forest for years were being contested. Graves replied that he would investigate any specific cases that came up. Later that year, a resolution from the Curry County Commercial Club, full of wrath and "whereases," was sent to the Forest Service and to the Oregon Congressional delegates. The resolution abounded in statements about "resources withheld from use," "aid to capitalist vs. homesteader," officers "bigoted, and without authority of law," engaged in a "system of petty espionage;" loss of \$30,000 per year in taxes, and the "unbelievable tyranny of all officers connected with the Forest Service, from the Secretary of the Interior (sic) down to the lowest menial." It recommended that all national forest reserves within the country be opened to settlement. [83]

The movement was aided by a lax administration on the part of the Department of the Interior. President Wilson's Secretary of the Interior, Franklin Lane, was no friend of the Forest Service; in this respect he was perhaps even worse than Ballinger. A westerner, he believed in the disposal

of the public domain. The reins had already been tightened on the power of the forest supervisors to determine adverse claims, in that a departmental ruling in 1910 required them to turn all their findings in to the Department of the Interior, that the law officers there might determine whether they were justified in putting the claimant to the expense of a hearing. [84] More important than this was a new interpretation of land laws by the Land Office, especially those regarding residence.

In 1913 the Land Office changed several of its rulings. A ruling of 1886 was reversed, which permitted claims to lands within the National Forests to be reinstated without regard to Forest withdrawal from entry. Another, reversing a ruling of 1901 by Secretary Hitchcock, permitted "That an entry which is invalid at the date of the Forest withdrawal, because of the claimant's failure to comply with the law, may be revived by subsequent visits." A third interpretation permitted brief periodic visits, and summer resident to be interpreted as meeting the requirements of continuous residence for five years, in taking up a homestead. Failure to maintain a residence could not, by the new ruling, be established by showing that the claimant had his home elsewhere; was employed elsewhere; was never found on the land; or had not harvested his garden. [85] The new interpretation inaugurated a new outburst of claim hunting and of attempts to revive long dormant squatter's claims, as means of getting timber. This was the period of the Big Creek claims in Idaho, described by both Henry Graves and David Mason as the most flagrant cases of timber fraud on record, and of many similar cases in the northwest. John Maki, a claimant in the Siuslaw forest, cultivated no land during the first three years of his claim; though in the fourth he sowed one sack of potatoes and twenty pounds of grass seed. "He did not ever eat or sleep in the cabin for 3-1/2 years after the entry, and 1-1/2 years after the forest withdrawal" yet the Land Office interpreted his claim as a genuine one. Oscar L. John, a claim holder in the Snoqualmie, had a claim on a north slope, of 45% slope, "after ten years of alleged occupancy the claimant succeeds in cultivating one-twentieth of an acre, on land that rose from an elevation of 1320 feet on one side to 6800 on the other and contained twelve million feet of timber." Here again the claimant was upheld. [86]

In the Pacific Northwest, the set of claims that had the greatest publicity were situated on the north fork of the Skykomish River. Henry Graves gave them considerable attention in his compendium on timber frauds in 1913. Of these he wrote:

This group is important not because the claims show any features essentially different from those already described, but because of their wide publicity and the public and political support which the claimants have sought in the effort to make their causes successful. Bills have been introduced in Congress to clear list five claims, which were cancelled because of a conclusive showing of failure to meet the requirements of the Homestead Law.

The claims were in the Skykomish River valley, a narrow canyon not over one-quarter mile wide, with steep slopes rising from 1500 to 3500 feet above the river. The Valley is in the torrential portion of the drainage, evidenced by rubble and silt deposits over the level portion of the valley. It had a heavy stand of timber, however.

The claimants were not squatters, but vacationists. One was by profession a hotel keeper in Index, living ten or fifteen miles from his claim; another a carpenter, living and working in Everett; a third, a real estate man of Snohomish; the fourth, an agent for the Singer Sewing Machine Company; and the fifth owned a home and operated a laundry at Snohomish. Graves wrote, "There can be no clearer and more convincing evidence of the widespread effort to cure public timber fraudulently by technical manipulation of the land laws than that such a group should claim the rights of squatters on locations many miles up in the rugged mountains."

The Forest Service protested these claims in 1908. [87] The claimants immediately thereafter became more regular in their visits and made some slight improvements; but any genuine equity in their claim should have to be established, before 1908, when examination was made. They were given a hearing before the Land Office in 1910, and the claims cancelled in 1912. Since then, they had been representing themselves as pioneers, dispossessed by a bureaucratic Forest Service; Senator Jones and Representative Falconer introduced private bills to clear list their claims; and they were aided by the cries of the conservative press, raging against governmental injustice toward the homemaker "whose hair has turned gray while he and his family strove against heavy odds to wrest a livelihood from the fertile lands along the North Fork of the Skykomish." [88]

On the lands question, then, the Service came under heavy fire. Graves, new to his position and under fire from several directions, was forced to make concessions not altogether to his liking, nor to that of the district personnel. In 1913, yielding to pressure from interested groups, he reduced the size of the Deschutes reserve, releasing some land that might marginally be regarded as better for other purposes than growing trees. It was not, he explained, a matter of saving the area concerned; it was a matter of saving the national forest program. The District force felt that he had made unnecessary concessions; and it is probable that this was the case. [89]

## CHAPTER 8

# THE TRIPLE ALLIANCE

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### I. Background

The spirit of adventure, of building to the measure of the opportunity, which the Western movement carried into spacious and varied provinces beyond the Mississippi, has changed as the surges of migration have passed over these regions. It has been modified by a growing reliance on association instead of competition. [1]

The story of state and private work in forest conservation during the period 1905-13 is considerably more difficult to evaluate than Federal efforts during the same period. The documents available on Federal activity are more plentiful, and more revealing, than those of the states or of private individuals. Lumber companies are only beginning to open their files to historians; and such company histories as have been written in the past are largely thin in substance and eulogistic in tone. [2] Not one of the studies of state politics in the period has shown clearly the relation of state timber owners or other resource users to state politics, nor clearly related conservation to the progressive movement in the states concerned. [3] In sketching this period, then, the broad outlines rather than minute details will be dealt with.

A second difficulty has been that fundamental work in forest conservation has been overshadowed by events on the national scene. This was the era of magnificent indignation; of muckraking attacks against "timber barons" and their henchmen in Congress; of attacks on Federal forest policy by various groups who felt that it was holding up development of the country; of the Pinchot-Ballinger dispute, and of Woodrow Wilson's promise to give the states a larger share in developing their own resources. Their views, important not only for the nation but for the states in the Pacific Northwest; but the national political fireworks tend to obscure the fundamental work done on the state and regional level in forest conservation.

The background to the period 1905-13 is complex. Under the Roosevelt administration, the conservation movement gathered momentum and was extended to other fields than forests, such as coal lands and water power. Conservation was a field in which Roosevelt was thoroughly at home. He had become interested in the movement early, probably originally through his work as a field naturalist, and his desire to protect vanishing species of game; and also through realization of the effect of the wilderness on the human spirit, in fostering the manly virtues and the democratic spirit. In his writings and in his actions, he displayed a knowledge of land management and resource use unequalled by any other president. He had a wide practical knowledge, through travel in the wilderness and work as a rancher; read widely in the field, and surrounded himself with associates, such as Pinchot, W. G. McGee, and James Garfield, who helped inform him.

In no other field does Roosevelt show to better advantage as a reformer than in this. He showed here none of his habitual inclination to accept half a loaf, but hewed to the line even at the risk of alienating members of his own party, and brought all the weight of public opinion and of his own



prestige to bear on the issues at stake. His letters to western senators hostile to the movement, such as Heyburn of Idaho and Fulton of Oregon; his actions in checking land fraud in Oregon, New Mexico, California, and Wyoming; and his backing of Pinchot in creating a better forest administration than had formerly existed, reveal Roosevelt the reformer at his best. He dramatized the movement by a series of conservation conferences; and on his recommendation state commissions were formed to aid the movement. In this, as in other movements, he was aided by writers. Muckrakers and publicists, like Harry Brown, S. A. D. Puter, Stewart Edward White, and Charles Shinn, gathered material to praise the role of workers in the movement or lambaste its enemies. A few novelists began to find in the activities of foresters a new incarnation of Leatherstocking. [4]

Nevertheless, as Roosevelt's second term drew to a close, there were storm clouds ahead. Roosevelt's party was predominantly a conservative one; he had managed, with remarkable political skill, to get positive action, but in doing so antagonized the conservative wing of his party. Protests by the vested interests arose against the program, taking the form of public land conferences and moves to curtail the President's power to create more national forests. There was also some slipping in sentiment on the part of the lumber interests, partly due to a slump in the lumber market, partly to the Bureau of Corporation's investigation of the industry, partly by the equivocal stand both Roosevelt and Pinchot took on the lumber tariff.[5] The Forest Service had also steered close to the fringes of legality in many of its actions. Many administrative sites were withdrawn, ostensibly for ranger stations, but many of them to save power sites from private exploitation. [6] Further, it maintained a publicity bureau in the department; got free college training for its staff, by means of the ranger short course; and planted resolutions at meetings of groups concerned with forest uses. [7] These policies aroused some opposition not only among members of the public, but also among some members of the Service. The hostility engendered was by no means a wave of resentment; it was sporadic rather than steady, localized rather than universal, and influenced by the work of local interests and pressure groups as well as by national policies.

Roosevelt's view as to wilderness values are found in many places; the prefaces to The Wilderness Hunter and to African Game Trails contain typical statements. Arthur Carhart, Timber in Your Life (New York, 1954), 54, has analyzed this feeling. A critical appraisal of Roosevelt's conservation policies, that pictures them as the root of his other reform policies, is in Whitney R. Gross, "Ideas in Politics: Conservation Policies of the Two Roosevelts," Journal of the History of Ideas, XIV:3 (June, 1953), 421-38. Stewart Edward White's "The Fight for the Forests," in American Magazine, LXV:3 (January, 1908), 252-261, is a good account of the muckraker's work on looters of the forests and their tie-up with politics. His book, The Cabin, gives an appreciation of the work of the service, and especially of Charles Shinn, ranger in the Sierra (North). His novel, The Rules of the Game, is probably the best on the subject; as in all his books, characters are wooden, but background and action is good.

With the Taft administration, a new phase came to the movement. Taft, both through temperament and through political ineptitude, became identified with the conservative wing of the party. His dismissal of James Garfield, and appointment of Richard Achilles Ballinger to succeed him as Secretary of the Interior, aroused the suspicion of many. Ballinger's appointment was a piece of senatorial courtesy to Senator Piles, a man closely allied to the Gugenheim

and other speculative interests in Washington. [8] Ballinger's record, while commissioner of the Land Office, while marked by improved clerical methods so far as expediting business was concerned, was characterized by a lax policy toward the public land. [9] The Pinchot-Ballinger dispute revealed Ballinger as violating the spirit if not the letter of Roosevelt's policies, and Taft himself as weak and intellectually dishonest. The matter had much to do with the discrediting of the Taft administration, and the election of Wilson. [10]

## II. The Timber Industry

### A. Its Structure

Lumbermen faced two problems during this period: one was the economic problem of operating at a profit; the other was the technical problem of managing their forests. Their business was in an unhealthy state; their own efficiency as speculators and logging engineers had operated against them. The difficulty lay in the fact that there was no precedent for the situation in which the industry found itself shortly after the turn of the century. Lumbering in the United States had for two centuries been the story of converting raw materials. In the Mississippi Valley and the Lake states the supply was so readily available and the demand so great that not only manufacturing costs were assured, but the stumpage was out before the carrying charges became prohibitive. The vast supply in the west had been expected to follow suit. There was no way to use the timber without getting title; so speculators and locators got the timber by hook or crook, and turned it over to the mill men. The large purchase of Weyerhaeuser from the Northern Pacific increased the price; national forests were remote and limited, and legitimate operators could only get a supply of timber by bidding against, or buying from, the speculators. In a period of fifteen years, from 1890 to 1910, the lumber industry loaded itself with a fifty-year supply of raw material, much of it on borrowed money.

After 1906 taxes on timberland rose. People reacted adversely to the profits popularly attributed to the timber barons, which were, in many instances, from speculative rather than manufacturing activities. They desired to recover the unearned increment in stumpage values, and also believed that higher taxes would force cutting of timber, which in turn would increase employment and make for good times. On the other hand, the cost of stumpage remained as high as ever; a new and more vigilant public land policy prevented the operator from manipulating the land laws, as he had formerly done; and the price of manufactured timber did not increase. Carrying costs and fire protection were judged to be private functions, paid solely by the owner, without public assistance. As time went on, the curve of the carrying charge approached that of sales value.

A few figures will serve to illustrate this. In 1913 there were in the Northwest 500 billion feet of timber privately owned. At a cost of one dollar per thousand stumpage, the investment was five hundred million dollars. At six percent cost of investment, this amounted to thirty million per year. In 1913 the owners paid six million dollars in taxes and protection, making a total carrying charge of thirty-six million. The total lumber production for the year was five and one half billion board feet, which at thirteen dollars per thousand was worth \$72,150,000. Cost of production in wages, supplies and the like amounted to 85% of the sum, leaving \$10,822,000 to cover raw material and profit, or about one-third enough to meet the carrying charge. Even in 1906, when manufacturing costs and carrying charges were lower, the industry did not pay its way. [11]

Nor was the situation likely to get better as time went on. The raw material could not be used up, in many cases, until the carrying charge exceeded the cost of the timber's value as a commodity. Private stumpage, bought at a dollar per thousand, held for forty years, would have to be worth over sixteen dollars for the operator to break even.

There were other factors which operated as well. The lumbermen were not particularly skillful business men. They made little attempt to advertise their product to make it more attractive, or to make refinements in their product to meet modern needs. Nor did they experiment in economical distribution of their goods, aside from price fixing agreements and lobbying for a tariff. Neither did they cultivate public opinion. The public had no knowledge of forest economies; they had been so impressed with the speculative side of the business that they had lost all sight of its value. The scandals in Oregon had created something of a "timber baron complex" in that state, so that many looked on the timber owner with much the same abhorrence that John Muir looked on a sheep. There was also, in regard to Federal forest policy, some lack of harmony between the administrative and the legislative branches of the government. Congress, by refusing to create a national forest policy, made it difficult to have any long range forest planning. The pressure to sell national forest timber was a case in point; it came,

...not from anyone wanting timber, but from Congress which insists it return revenue to the treasury and from western states which collect re-embursement through their percent of receipts, for less of taxes. [11a]

In regard to conservation, there were several areas of agreement between the industry and the conservationists. Pinchot, and others in the Forest Service, recognized the need of prosperity for the industry. Operators will not practice conservation unless it pays them to do so. From the standpoint of logging operations, there was need of it; if the price of lumber was low, logs sawing out to a poorer grade than No. 2 common would be left in the woods; if hemlock was unmarketable, such logs would be left to rot. Pinchot realized the need of revision of the tax structure for forest land.

There were other areas of agreement also. Silviculturally, the type of cutting lumbermen used on the westside—block clearcuts—was the best type to insure reproduction of Douglas fir. In making sales on National Forest lands, the main adjustments the operator would have to make to Federal standards would be in fire precautions and utilization of top and butt logs. [12] The more substantial owners realized that the days of speculative profits were over, and that they would have to pay some attention to reforestation and conservation. The Bureau of Forestry, with its working plans, and the research work of the Forest Service, met with hearty cooperation from the far-sighted operators, such as Weyerhaeuser, St. Paul & Tacoma, and the Northern Pacific. Such plans would not necessarily be put into effect until such time as they could be done so with profit, but meantime the material was useful.

On fire, also, there was a community of interest. Fire yearly devastated the timber holdings, private, Federal and state, of the Northwest. As time went on, the Forest Service developed its own protective organization, and the larger companies did likewise; but many holders did not. The checkerboard pattern of timber ownership made such protection desirable; it included a network of Federal land, in and out of Federal forests; the O. & C. lands; state lands, and private holders.

Fire is no respecter of boundaries; and the system of protection developed by one owner was nullified if at any time fire might creep over the boundary line.

## B. Conservation Work

Until 1902, conservation work on the state level was carried on largely by groups other than lumbermen. In Oregon, the Oregon Alpine Club reorganized and changed its name to the Mazamas. This club had a large and vigorous membership, with mass trips to Mt. Hood or the Lake Chelan country of over a hundred members, and attracting guests from as far away as Washington, D.C. Their members were of importance in arousing public sentiment against raids on the Cascade Range reserve, increasing an administration for Crater Lake National Park, and instating the municipal park movement in Portland. Its leader, William Gladstone Steel, also organized the Oregon Forestry Association, which numbered in its membership such men as John B. Waldo, A. J. Johnson and Col. L. L. Hawkins. This group was primarily concerned with spreading knowledge of forestry in the state. [13]

In Oregon, the conservation group was somewhat more various in nature. Its members included Edmond Meany of the University of Washington, who had started a forestry course of sorts there in 1894; [14] Elias Payn of Olympia, who worked at getting a bill for state acquisition of tax delinquent cut-over land through the legislature; Addison G. Foster of the St. Paul and Minnesota Lumber Company, and Judge Thomas Burke. All these men were active members of the American Forestry Association. They, like the Oregonians formed a state Forestry Association, to promote knowledge of forestry. [15]

In 1902 an event occurred that spurred the timber owners to action to protect the forests. That year was a disastrous one from the standpoint of fire, in both states. In Oregon, 2,124,000,000 feet of timber burned, in a series of fires in Marion, Clackamas and Tillamook counties; the loss, in timber burned and incomes, mills, barns and saved timber destroyed was estimated at \$3,910,000. In Washington the fire was even more disastrous. The Yacolt Burn, which covered much of Skamania and Clark Counties, cost sixteen lives, destroyed 5,026,800,000 feet of timber, and cost a property loss of \$8,857,000. In Oregon, the loss was largely to small private owners, as the large companies had not yet begun to operate in the area; in Washington Weyerhaeuser and the Northern Pacific had extensive losses. [16]

This fire awakened owners to the fact that fire can run in green timber, and to the need for protection. They set to work on two levels; first, in trying to get better state laws to protect their timber, and second in forming organizations of private owners to cooperate in preventing and fighting fire.

Both states had fire laws. It is common law doctrine that fire trespass shall be punished and both states early wrote fire laws in their state laws. In addition, Oregon in 1893, in its first desire to protect its forest reserves, passed a law making sheriffs and deputy sheriffs ex-officio game, fish and fire wardens to enforce all statutes of the state against fire. To encourage vigilance by the citizens, the informer would get half of any fine levied, the other half to go to the county in which the crime was committed. Washington, in the same year, passed a comprehensive fire law. This law made the State Land Commissioner ex officio state fire warden, and the

county commissioners of each county were boards of deputy fire wardens. State timber cruisers were made special patrolmen, with power to enforce the laws and make arrests without warrant. It was the duty of the state fire warden to enforce all laws for protection of forests within the state, and to investigate origins of all fires. The deputies could fix the closed season for burning, in each county. [17]

Lumbermen in both Oregon and Washington tried to get new and better fire laws in 1903, especially to get a state force of firefighters to protect the timber. Largely through the efforts of the Weyerhaeuser interests, they had some success in Washington. The old law was amended, permitting the boards of county commissioners, as deputy fire wardens, to issue burning permits and hire men to fight fire. Actually, the boards failed to do so, since the counties would have been under the obligation to pay expenses and per diem for the work. As for the slash-burning permits, there was no time limit in their use, and no examination of the area by those who issued the permits. County commissioners, as a whole, were not much interested in this aspect of their work. [18]

The year 1904 was also a bad fire year, and new legislation was sought. At the 1905 meeting of the Washington legislature, lumbermen again under the leadership of the Weyerhaeuser interests, sought repeal of the former law. It was replaced by the Forest Protection law of 1905, which set up for the first time a body primarily concerned in forest protection. A State Board of Forest Commissioners was set up, with the State Commissioner of Public Lands as ex-officio member. These men were to serve without compensation. They could appoint state fire wardens and deputy fire wardens for the timbered country, and pay them wages and per diem for their work. The legislature appropriated \$7,500 for the biennium.

As often happens, however, the state legislature had been niggardly; less than \$500 was left by the end of 1905. The State Board of Forest Commissioners appealed to the forest owners for donations of money to keep them going during the second year of the biennium; from an appeal to 800 corporations and persons, only twenty-seven answered, and they sent in only \$157. Finally, E. W. Ross, the Land Commissioner, offered to allocate an appropriation of \$2000 set aside for state timber lands if the Board could raise enough more for protection. An appeal to George S. Long, the local manager for the Weyerhaeuser interests, netted \$4000, and a second appeal to the lumbermen raised the fund to \$10,000. By early 1907 this, too, had been spent, but a third appeal to the lumbermen got enough money to balance the books. [19]

In Oregon, the case was somewhat different. Here, too, the lumber interests worked in 1903 to get a law through to provide protection, and a protective force for the timber lands in the state. The legislature finally approved a law which set up a state forest commission, consisting of five men from five different districts in the state. County fire wardens, and county ranger system, was set up; the wardens to be paid by the state, the rangers by the county. The law also provided for a closed season on burning, and recognized the duty of the state to enforce any forest law, state or Federal, within its boundaries.

The law, however, was vetoed by Governor Chamberlain, then in the middle of his struggle with the lieu land men who did not feel any too friendly to lumbermen as a group. He vetoed it on the grounds that the bill might well be a burden on the taxpayer, since no definite appropriation

had been made for the biennium; and that it would help protect the private owner at state expense. The state itself, with no more than 50,000 acres of land left, would pay the bill and get few of the benefits. [20]

Two years later the Oregon State Legislature passed a bill which put the cost of enforcement on the timber owners. By this law, county courts could hire wardens, who would be paid by the timber owners of the county. Permits for slash burning would be issued by the county clerks. Protests rose against this law, due to the fact that permits for burning could be obtained only at the county seat, and were good only for a limited time; a provision which was hard on people in remote parts of a county. In 1907 there was a move to repeal the law. The Forest Service intervened, sending Smith C. Bartrum, Supervisor of the Umpqua Forest down to advise the legislature; and a new measure, set up a state board of Forestry; classified the punitive portions of the fire laws; and set up a state controlled warden force with authority to make arrests and to issue burning permits. However, only \$500 was allocated to run the Board through the biennium. [21]

Private owners not only worked to get state legislation through, but began work on the guild basis. This activity started in the Weyerhaeuser subsidiaries of Idaho. There, in 1906, four associations were founded, made up of all the timberland owners in northern Idaho, who cooperated in protecting their property from fire. In 1907 the state aided them, cooperating with them in protecting stateland interlocked with the private land, and having costs assessed on an acreage basis. The associations spread to Washington by the spring of 1908, under the name of the Washington Forest Fire Association, with a membership of fifty. They, too, were assessed for protection according to acreage. A similar organization, the Oregon Forestry Association was started in Oregon. It was headed by J. N. Teal, son of a pioneer steamboat builder in Oregon, and attorney for the Oregon and Washington Lumber Manufacturers Association. In Oregon, however, protection was on the county basis, including in each protective group the owners of a given county. [22]

After 1907 the relations of Federal, state and private conservation agencies became more complex. Like the Blue Mountain reserve story, there was activity on two levels. Conservation policies became an issue in partisan state and national politics, and this must be examined. Second, we should examine the relations between private, state and Federal groups in the practical work of forest conservation.

### III. Political Currents

The situation in 1907 may be briefly recapitulated. Both Oregon and Washington had passed fire laws; in both the appropriation for the law was insufficient, but in Washington the lumbermen came to the rescue, and future appropriations were adequate. In both states associations of private owners had been organized, to cooperate with one another in fire fighting and patrol work. The Forest Service during this time was also working on the fire problem.

However, there were political differences between the two states, and conservation was a political problem. In Oregon the state administration came under strong governors during this time. Both George Chamberlain and Oswald West were friendly to the federal conservation movement. Both worked closely with the administration in clearing up the Oregon land frauds; both worked

closely with the Forest Service in conservation matters; and both were interested in clearing up such land problems as school land management and the management of the O. & C. lands. On the whole, the state had a responsible press. Both the larger Portland papers, the Oregonian and the Journal had fought to expose the Oregon land frauds; and though by 1909 the Oregonian had become more conservative in its editorials than before, the Journal still stood for the Pinchot conservation policies. Furthermore, the State Board of Forestry was a non-political board; besides the Governor, the Secretary of State and the State Forest Fish and Game Warden, it consisted of the member of the Oregon Agricultural College in charge of forestry work, and three men from the state, appointed by the Governor on recommendation of the Lumber Manufacturers Association of Oregon, the Oregon Forestry Association, and the Forest Service. [23]

In Washington there was a different set of circumstances. Control was in the hands of a conservative group of Republicans, both in the state government and in Congress; a group "impervious to attacks from without, and insensitive to attacks from within." [24] Members of Congress and of the state legislatures, and administrative officers, had close ties with speculative interests operating in the state and in Alaska. [25] The larger papers, except for those on the east side, were highly conservative in their viewpoints, and had close ties with the speculative interests and the conservative political machine. The Board of Forestry was a political group, the chairman politically elected and the members chosen by the Governor. Furthermore, the Chairman of the Board, State Land Commissioner Ross, had an implacable hatred of the Forest Service.

Edward W. Ross was one of the stalwarts of the Republican Party. First manager of the Ankeny Senatorial campaign, and later manager of John Wilson's campaign, in 1906, he was elected Land Commissioner. Ross' dislike for the Forest Service was ostensibly on the grounds that the national forests had within their boundaries 500,000 acres of state land, mostly Sections 16 and 36, which were unobtainable for sale. Doubtless there were other reasons for his enmity; the role played by political conservatism, and possibly the fact that there were ties between the speculators and the State Land Office, must also be considered. His views came close to setting the tone of state politics and policy. Moreover, he hindered the cooperation on forest matters between state and federal government, such as had developed in Oregon. Due to his influence, J. R. Welty, the State Forester, refused to answer communications addressed to him by the Forest Service or the Washington Forestry Association. [26]

The differing attitudes of the two states showed up clearly in a conference of 1907. A public lands conference was called at Denver, mainly a protest by grazers who desired to do away with federal control of grazing and turn the grazing land on the public domain over to the states. The meeting was dominated by the stock raising states of the Rocky Mountain West; Colorado had five times as many delegates as any other single state, and Wyoming more than all the remaining western states combined. To the Oregonian, aware of the ties of Senator Mondell of Wyoming with the Union Pacific and with coal interests, it seemed an eastern plot to destroy Roosevelt's conservation policies. The paper's Washington dispatch read,

It has occurred to some Eastern interests that the best way to break down Mr. Roosevelt is to undermine him in the West. An effort inspired in the East will be made in the West

against the President to arouse antagonistic sentiment among Western men on account of public land and forest reserve policies. [27]

The Oregon administration took steps to give aid to the administration. Malcolm Moody informed Oswald West, the State Land Agent, that Pinchot would like a strong pro-conservation group at the meeting. West informed the Governor, who told West to select a group that would vote for the Roosevelt-Pinchot ideas. West "scoured the state for ten hard-boiled conservationists who were willing to attend and pay their own way," and sent a group of articulate spokesmen for federal policies. [28] The Washington delegation, on the other hand, was headed by Ross, who was placed on the Resolutions Committee, a logical place for him since the conference had been organized to frame hostile resolutions. At least one hostile resolution, to reduce the size of the national forests, was sponsored by the Washington delegation, and was probably written by Ross. The convention failed to achieve its purposes. The attempt to pack the meeting was so flagrant that the move lost public sympathy; and Roosevelt wielded the "big stick" by publicly condemning the meeting as an attempt on the part of the interests to loot the public domain. [29]

In 1908 an event occurred that was of importance for both states. In that year Roosevelt held a series of meetings with the governors of western states in Washington and at Memphis. The meetings were focused on the program of conservation. Roosevelt asked that conservation commissions be formed in each state, to deal with the problems peculiar to that state, and to work with the National Conservation Commission.

The work of the conferences, in helping to create an awareness of the conservation problem and broaden its scope beyond that of timber and water to include water power, minerals and soil, is well known. [30] Its regional effects have not been studied. Acting on the resident's recommendation, the Governor of Oregon appointed a seven-man Conservation Commission. It was headed by J. N. Teal, head of the Oregon Forestry Association. Teal had a great deal of vigor and organizing ability, and thoroughly believed in conservation. In the first report of the Commission, he recommended a new state water law; interstate cooperation in regulating water use and fisheries; and state action in reforestation, management of cut-over lands, and revision of taxes on timber land. Pointing out that Oregon lagged behind other states in fire protection, he urged that a larger sum than the present \$250 per year be appropriated. Such a sum, the Commission reported, amounted to one-half cent per square mile; the Forest Service was spending \$11.25. The State Board of Forestry, they reported, was active, but needed more financial backing. [31] The Commission was, until 1913, the most effective single force for conservation in the state.

In Washington, the situation was somewhat different. Earlier in the year, before the Washington meeting, the State Republican Convention had met and reflected in their resolutions the Ross views on state control of lands within the states. The stock stories were told of home owners and stockmen, left in the reserves, without roads, deprived of their land and desolate. [32] Success in the elections of that year seemed to indicate a continuation of the conservative regime. Nevertheless, there were signs of dissent by many from this point of view, though the conservative Republicans were oblivious to the restlessness of the rank and file. [33] The refusal of the State Land Board to cooperate on conservation with the other forestry agencies antagonized many people. O. E. Westfall, Chief Forester of the Washington Forestry Association,



spoke for many when he demanded that the state take more definite action to protect its forest wealth, and particularly on the need to "appoint a fire warden who will at least take the trouble to answer letters. As the matter now stands, the fire warden not only refuses to answer civil inquiries but also shows no result from his work." [34] Evidence of dishonesty in the Land Office was publicized by a series of articles in the Spokesman-Review on the Brewster Flat sales. [35]

In November, the Washington Forestry Association met to discuss the President's directive. The meeting opened with an attack by E. W. Ross on the Presidential conference. He had, he said, gone to the conference to talk over matters of school land with the President; but the President had suppressed all news of that. He echoed the ideas recently stated by Elihu Root, that the states have more responsibility and ridiculed statements by Carnegie on mineral conservation. [36] E. T. Allen answered him the next day, denying that the President had suppressed any news at the conference, and defending the government's land policy. The government, Allen said, had control of the remote areas, in the reserves, which were not readily accessible. The state at present was not prepared to take over the timber land, having no system of administration; they could do so, when it could be done on a business-like basis. Meantime, he said, the land was cared for without cost to the state, and the state got one fourth of the proceeds of federal management. [37]

The meeting did have some tangible results, however. The matter of the Conservation Commission was discussed, and the Washington Forestry Association organized the Washington Conservation Association. This Association, in turn, met and made plans to organize a Conservation Congress to be held in 1909, in connection with the Alaska-Yukon Exposition in Seattle. Governor Meade was asked to appoint a commission to take care of the matter. He appointed a Conservation Commission, well loaded with conservative Republicans, including J. J. Donovan, the author of "Whatcom Excitement" and a delegate to the State Republican Convention which had endorsed states rights; John L. Wilson, the former Senator; S. A. Perkins, owner of a string of conservative Puget Sound newspapers; E. W. Ross; and J. R. Welty, the reticent State Forester; Frank Lamb, the timberman of Hoquiam and a host of others. [38]

The Congress was held in Seattle August 26-28, 1909. As usual, proponents of both points of view tried to pack the meeting. The speeches show strong support for the federal program by members of the Oregon delegation, such as J. N. Teal, H. D. Langille, and E. T. Allen. On the other hand, a speech favoring increased state control of resources was given by Governor M. E. Kay. There was a behind-the-scenes fight on the part of the resolutions committee, in which the states-rightsers, led by Federal Judge C. H. Hanford, fought against any endorsement of federal control of timber and water power, but were finally defeated. Probably the most important decision of the conference was to make it an annual affair. [39]

The period between the Seattle conference of 1909 and the St. Paul conference of 1910 was marked by events of importance to the conservation movement. On the national scene, the states-rights group in Washington was aided by statements of the new Secretary of the Interior, Richard Achilles Ballinger, favoring state, rather than federal control of natural resources. The following statement is typical:

It seems to me that we should not try to impose the whole burden of conservation on the general government, but leave it to the states and to the municipalities to work it out,

except insofar as national interference is necessary to protect national interests, and I want to be understood as opposed to the theory that because the state has not exercised to the full its power in the matter of reform, ipso facto the national government must exercise them. [40]

The divergence between the points of view of Pinchot and of Ballinger widened as the year went on, and by early in 1910 Pinchot was dismissed. [41] Further, at the time there were test cases pending before the Supreme Court, the decisions of which would affect the whole framework of the conservation movement. [42]

Most of the State officials, and members of Congress, favored the Ballinger viewpoint, either because of political conservatism or because of close relations of politicians with speculative interests. States rights, then as now, offered a convenient cloak for obtaining private benefits at public expense. Some of the more articulate spokesmen of this group have been mentioned. They include E. W. Ross, the State Land Commissioner; J. J. Donovan, who had at one time been an investor in the Cunningham coal claims, in addition to his other speculative activities; [43] Cornelius Hanford, a Federal district judge famous for his liberal interpretation of the land laws, and a close business associate of Ballinger and Ross; [44] Sidney Perkins, owner of a string of Puget Sound newspapers, the one-time private secretary of Mark Hanna, who desired to turn the clock back to Hanna's day; and A. P. Sawyer, a water power speculator, who also owned stock in the Seattle Post-Intelligencer. [45]

However, there were other groups, possibly less noisy but just as powerful, within the state. Miles Poindexter swung to the insurgent side, in defending the Pinchot policies, as early as December, 1909. [46] Lumbermen and conservation associations backed the Pinchot views, as did the Grange. [47] Furthermore, there came changes in state politics which greatly aided the conservationists and did much to discredit the speculative group. Governor Cosgrove died in office and was succeeded by M. E. Hay, a conservative states-rights Republican who had the saving grace of being honest.

In June, 1909, E. T. Allen wrote to Pinchot,

The official situation in the state of Washington is very interesting. As you know, the old State administration, which practically controls the Seattle papers, has always been very hostile to us. Ross dominates this faction. It is to his influence that I ascribe the fact that the State Fire Warden will not answer any communication from me or from the Supervisors. The new governor, Hay, is carrying on a fight with all the rest of the State officials. He has put one in jail, forced another to resign, and called a special session of the State legislature to impeach the rest of them. He and Ross are supposed to be bitter enemies.

Allen went on to say that there might be a chance with the new regime for cooperation in fire work, school lands, and classification of state lands. [48]

Hay, in cleaning house, forced the resignation of his Secretary of State, and found his Insurance Commissioner guilty of malfeasance in office. He appointed an investigating committee to

look into speculation in school lands; there was strong opposition to this, but by threatening to hold the Legislature in session indefinitely until it had done its duty, he got such a committee. By April, 1910, the committee had reached the conclusion that there had been much laxity in State Land Office operations.

The method of operations of the state land ring would require some explanation. The state laws governing sale of timber were sound ones. Lands, by law, were to be sold by bid or auction, rather than at a definite price, in tracts of not over 160 acres; and on lands with over one million feet of timber to the quarter section, the timber was to be sold separately from the land. On the face of it, the policy was constructive, but speculators found a loophole. State cruisers, in partnership with speculators, would cruise the area and report much less than the real volume of timber. The appraisal would be low, and the timber sold at a low price. [49]

By April, 1910 the report of the committee was complete, and the Spokesman-Review began a series of feature stories and editorials, pointing out that the State Land Commissioner knew what he was doing when he opposed formation of the investigation committee. Eighty acres of land in Cowlitz County, cruised at 100,000 feet, had produced 3,100,000 feet of timber and still had 110,000 feet left. In another area, a section was sold at exactly its appraised value, \$5,652.60, in 1901; two years later it was sold to the Silver Lake Railroad and Lumber Company (in which Ross had an interest) for \$59,972. A half section, sold as brush land, had on it timber worth twelve to fifteen thousand dollars; another, sold at 3,200, at that time was worth \$32,480. In 1908 a half section had been given a state cruise of 100,000 feet, though a county cruise had given it 2,800,000 a year before, and the present cruise gave it 3,210,000 feet. The Spokesman-Review called for a Heney to fight the fraud. [50]

As the time for the Conservation Congress approached, tempers ran high. There was fear in many states that the St. Paul Conference would be a sounding board for the progressive element of the Republican Party; a fear that was justifiable, as Pinchot, in St. Paul, had attempted to get the state party leaders to endorse the progressive stand on conservation. [51] Because of this, Governor Hay called a meeting of western governors to meet at Salt Lake City before the St. Paul Conference, that the West might present a united front against "Pinchotism." The meeting drew up resolutions in favor of state control of resources, and demanded that these views be heard at the conference. [52]

With this background, the Second Conservation Congress met in St. Paul, September 5 through 8, 1910. The meeting promised fireworks on several grounds. The Pinchot-Ballinger dispute was fresh in everyone's minds, and partisans of both sides were there. The organizers of the convention faced the difficult problems of asking votes of confidence for both Pinchot, Roosevelt and Taft, a seeming attempt to reconcile the irreconcilable. Moreover, partisans of both the disposal and the conservationist points of view desired to have the convention endorse their views on withholding or exploitation of forest, water, or mineral resources.

The delegates from the Northwest were a mixed lot. From Washington, M. E. Hay and E. W. Ross, representing the states-rights group, was there; but at least two of the delegates whom Hay had appointed had other views. The Oregon delegation was, during the convention, one of the strongest backers of the federal program, but had become so by a bit of political maneuvering.

The delegates in Oregon were selected in two groups; Governor Bowerman picking state delegates, and the lumber associations the conservation delegates. The Bowerman delegates were of the conservative, or states-rights, group. The lumber associations, on the other hand, had chosen a strong group who endorsed the Roosevelt-Pinchot policies, including Malcolm Moody; F. W. Mulkey, chairman of the Progressive Republicans in Oregon; E. T. Allen and J. N. Teal. On arrival in St. Paul, the conservation group met in a rum session in a hotel room, organized the delegation, naming T. N. Strong chairman and M. A. Moody head of the resolutions committee, and passed a resolution favoring federal conservation control. The states-rights group wrote a manifesto, full of "whereases" and righteous indignation, stating that they had not had a hearing and that they believed Oregon should develop her own resources. [53] This group was not in evidence at the convention, however, and it is probable that they went home in a huff. On the other hand, J. N. Teal was placed on the executive committee, and E. T. Allen on the forestry committee.

On the whole, the convention went off fairly peacefully. Governor Norris of Montana condemned the federal conservation policies, but was answered by such men as Governor Pardee of California; J. J. Hill attacked the Reclamation Service, but James Wilson, the Secretary of Agriculture, answered his strictures with home-spun humor. The resolutions passed were, on the whole, favorable to the federal program. It remained for the Washington delegation to provide the most entertainment.

Governor Hay, in his speech, spoke for state control of lands within the state. He remarked on the school land situation, the fact that reserves bottled up the resources of the state, and the need for reforestation. His speech, moderate and reasonable, was from all indications well received. [54] However, later on delegate Christopher G. Herr stated that Hay spoke only for himself, and not for all the people in the state. The 50,000 members of the Grange, he said, repudiated the idea of states-rights. [55] The real clashes came later, however, between E. W. Ross and delegate William Douglas Johns.

Ross at various times interrupted the proceedings on points of order, claiming that the delegates were ignoring vital business and hamstringing expressions of opinion. On one of these occasions Johns exclaimed, "I am from the State of Washington and glory in it, but I do not glory in some of the men that the Governor appointed." Later Johns brought up a series of charges against Ross and Hay. Stating that the administration of the state had been careless with the resources, he accused Ross of letting water power sites worth millions go for the sum of \$10,000. As he stated, "The waters of the Chelan River in the Cascades James J. Hill secured (125,000 horse power) by paying filing fees to the state. No wonder he favored state control." [56] He brought up the Olympic land frauds, where "they sold out from \$600 to \$800 per quarter; a few holding out until within the last few years, and the result is it has passed into the hands of speculators." And of Ross' forest management:

If the National Forests of the State of Washington were turned over by the United States Government to the State of Washington and its officials, and the tender mercies of Land Commissioner Ross, they probably would go just exactly as the Olympic Forest went — into the hands of speculators. . . .

Then came the open clash:

Ross: (claiming privilege) The Gentlemen, so far as the Delegation from the State of Washington is concerned, speaks for himself, and for no one else. Mr. Jones: Thank God, I do not speak for you! Ross: The Gentleman who has just spoken sounded the only discordant note in a meeting of 500 citizens of Seattle where, to a man, they endorsed Richard Ballinger (Hisses from the house).

Ross then launched into a speech, rambling almost to the point of incoherency condemning the conservationists and upholding his administration of the state lands. [57]

The convention struggle was watched with interest by people within the state. J. J. Donovan, erstwhile author of the Whatcom Excitement wrote in the Bellingham Sun-Herald attacking the action of the convention in again setting Pinchot and his policies on a pedestal. The effects of the forest policy, he wrote, were:

An area greater than the 13 old colonies . . . is administered at an annual deficit of \$2,000,000 and with a waste by rot of more timber than is cut annually.

And in a letter to Senator Wesley L. Jones, he wrote:

I am somewhat curious to watch the development of the existing convention struggle, especially as it affects the rights of the state and nation, but Mr. Roosevelt's ideas, according to their logical conclusion, mean the nation will go into the development of water power, opening of mines, and sawing of timber. It may be that we may yet compete with Russia in the working of mines by convicts. [58]

The period 1910-12 was comparatively quiet so far as conservation as a political issue was concerned. In 1910 Miles Poindexter, representing the Pinchot views of strong governmental action on conservation, won the primary nomination over Judge Thomas Burke, who backed the Ballinger states-rights views. The victory of Poindexter is commonly regarded as the result of weakness and division in the Republican Party; but it is reasonable to suppose that the exposure of state land frauds, in which members of the conservative wing of the party were concerned, alienated many voters and awakened the public to the fact that the cry of states-rights was being used as a mask for stealing public property. [59] In 1911, the cases Light vs. United States and United States vs. Grimaud clearly settled the question of the right of the United States to manage her public lands, and knocked another prop from under the states-rights position, [60] The fires of 1910 tested and demonstrated the strength of the Forest Service as a working organization, and made for a more favorable point of view toward that organization. Finally Hay, himself, who was by no means opposed to conservation, began some constructive work in regard to conservation. He appointed a commission to examine the question of timber taxation and to recommend a set of laws for reforestation of logged off lands and sale of state lands. J. J. Donovan was named as chairman of the commission; but its membership included many who were more friendly to the federal conservation group than Donovan. Frank G. Miller, of the Forestry Department, and two other professors from the University were included; and several lumbermen, including Frank H. Lamb and George S. Long, were on the committee. The

commission worked closely with the Forest Service, and came up with a program of tax revision, classification of lands, and a non-political State Forestry Board, chosen like that of Oregon. [61] The State Legislature also appropriated a sum of \$10,000 to the State Geological Survey, for soil and land classification in the cut-over area. [62]

In 1913, however, new crises loomed up. Wilson's position, that the states should play a more active part in conservation, seemed made to order for the states-rights group. A new public lands conference was called for 1913 in Salt Lake City. In Washington, old remonstrances were dusted off, and new ones written. From Skamania County came a memorial asking that 114,000 acres of allegedly arable land in the Wind River watershed be eliminated from the National Forest. From Lewis County came a petition castigating the Forest Service for its administration of the June 11 act, and asking that all land below 3,500 feet in elevation (including administrative sites) be set aside as agricultural land. [63] In Congress, Representative Lafferty of Oregon revived his bill to transfer the National Forests to the states, and Representative Humphrey of Washington introduced a resolution calling for an investigation of the Forest Service. [64]

Those concerned with conservation gathered material for a counter offensive. On the suggestion of C. J. Buck, an album of photographs, showing fraudulent timber claims in Lewis County, was gathered and sent to Henry Graves to use at the Salt Lake City Conference. The report of the Washington legislative investigating committee was also forwarded, to illustrate Ross' management of state lands. [65] Charles Flory, in a long letter to The Forester reported that there were comparatively few requests for eliminating lands from the forest, and most of these came from stockmen and commercial clubs who were interested in more settlement or in fees for locating settlers. In Washington, he reported, the main protests came from the Bellingham papers, both the Herald and the American Reveille. In these, the heaviest stock-holders were J. J. Donovan, vice-president of the Larson Lumber Company, a chronic troublemaker; E. B. Deming of Pacific American Fisheries; E. W. Purdy, owner of the First National Bank of Bellingham; G. H. Hyatt, Mayor of Bellingham; the Bellingham Bay Improvement Company; and S. A. Perkins, owner of the Tacoma Herald, and a power in the local conservative wing of the Republican Party. All were interested in exploiting land, fish, lumber, and other resources. Another interested party was W. T. Beck of Republic, attorney for Canadian Pacific interests. Flory reported, "His attitude is believed to be the result of an attempt of his company to secure certain rights of way along the San Poil River in opposition to the Great Northern Railway Company, and having been delayed in the enterprise by the requirements of the Department of the Interior." Beck believed that if the Colville National Forest had been under state control, there would have been no difficulty. [66]

Graves collected a huge dossier on land frauds, concentrating on the Big Creek and St. Joe River claims in Idaho and the Index claims in Washington. Pinchot worked up an account of the Washington claims, including information on coal land withdrawals in the Bellingham area and reports of maladministration by Ross. [67] T. T. Munger, preferring national to state control of the national forests, worked up what still remains one of the most lucid defenses of the advantages of such a management. [68] In Oregon, Governor Oswald West prepared a paper for the Salt Lake City Conference, defending federal control of rivers and forests.

The counter-offensive was successful. [69] In Washington, the memorials passed the Senate but died in committee in the House. Probably the desire of the state for more Weeks Act money, and

the propaganda barrage of the Forest Service, had some influence. At Salt Lake City, the views of West, pointing out that the states were not prepared to go into the business of managing forest lands, found support from Governor Hunt of Arizona. [70] In Congress, Representative J. W. Bryangave a lengthy, brilliant defense of the Forest Service, indicating the absurdity of the charges Humphrey had made, and Humphrey's own intellectual dishonesty in making them; and pointing out the close alliance of politics, newspapers and land looting in the Puget Sound area. Both Humphrey's resolution and Lafferty's bill failed. [71]

#### IV. The Triple Alliance

On the professional and associational levels, there were other important developments, which the froth and bubbles of political controversy tended to obscure. Among those interested in the realities of forest conservation, rather than creating a sounding board for partisan or private purposes, there was a wide area of agreement. In 1909, Allen wrote to Pinchot, reviewing regional matters:

The past six months have seen a really remarkable change in the attitude of practical lumber men in both Oregon and Washington. . . . The more progressive and dominant ones are converted not only to fire protection but to conservative holding of cut-over lands, and the necessary work should be directed at the public and the legislatures, rather than at the land owners themselves.

In Oregon, both the Oregon State Board of Forestry and the Oregon Conservation Association worked closely with him. The Oregon Conservation Association, an organization consisting of public spirited citizens doing work in every sort of resource management, handled the clerical and educational work for the State Board of Forestry. Lumbermen in the state, Allen reported, would accept practically anything Allen set before them. In Washington, the Washington Forest Fire Association worked closely with the Forest Service and with the Yellow Pine Associations. [72] Among all these organizations there was a community of interest in fire prevention, reforestation, and establishing forestry on a sound basis in the area. Sometime during this year, probably on a vacation in Tahiti, Allen dreamed of a new superorganization, which would combine all the protective and conservation groups into a single great organization. This dream he realized before the year was out. [73]

In 1909 two meetings of the Lumbermen's protective Associations in Washington, Oregon and Idaho were held in Spokane. In the course of discussing the fire protection work of the associations, Allen suggested that a new organization be founded, an organization in which diverse interests and management need not interfere with the single aim of protecting timber from fire. Individual owners, it was proposed, could join their local organizations; and a league of assistance of the various organizations could be formed to cooperate in protecting forests. The program met with approval, as far-sighted men like George S. Long and Frank Haines Lamb had been thinking along the same lines. [74] Formed first under the name of the Pacific Northwest Protection and Conservation League, the organization changed its name by December to the Western Forestry and Conservation Association. By December, the association decided to keep on the permanent staff a combination forester and publicity man. Allen's background of experience in public relations, his competence in forestry work, and the fact that he was respected by the

loggers, made him amply qualified for the job. In addition to this, he had won the confidence of George S. Long, the local manager of the Weyerhaeuser interests. On receiving assurances from Long that he would have a free hand, he accepted the position.

The organization had, and continues to have, a widespread effect on conservation matters in the Northwest. Initially concerned mainly with fire protection, as the major forest problem in the area, it rapidly became the clearing house for matters dealing with reforestation, tax revision, planting and other aspects of forestry. Its constitution provided for membership by federal and state forestry agencies. [75] as well as private owners. The organization rapidly expanded into the chief center of information for timber interests from the states of Montana, Idaho, Oregon, Washington, and California; the State Forest Boards of these states, as well as other conservation groups; the Forest Service of Districts 1, 5 and 6; and the Provincial Forests, private owners and associations of British Columbia and Alberta.

Its annual meetings provided a clearing house for points of view and constructive suggestions on matters of common interest to all connected with timber management. Here the organizing ability of Allen, the diplomacy of C. S. Chapman, the vision and local knowledge of H. D. Langille, and the influence of George S. Long, could all work for common ends. Yearly reviews of the fire season in each state and district; discussions of mistakes and favorable gambits in fighting fires; methods of cutting down risk on logging operations; telephone, trail and patrol systems, enforcement of laws, and considerations of desirable legislation—all these and other problems were talked over fully and frankly. The give-and-take of the meetings helped break down old animosities. J. J. Donovan, long the source of hostile resolution, remarked at one of the meetings:

Two years ago I had the misfortune in the Logging Congress in Portland to suggest in some slight detail that there might be room for improvement in the administration of the Forest Service. I immediately offended Mr. Allen, and he swore he would get even. He has gotten even with me, and incidentally, is getting even with some of you who may be good friends of him, because I have come to consider Mr. Allen about the most efficient man on that job in the United States. [76]

The chief immediate need for fire protection in the area was to get more state appropriations for Oregon. Fire damage in the state had amounted to 61,037 acres of timber burned, worth \$2,485,776, in addition to damage in second growth non-merchantable timber. The action of the state on this was next to nothing; they had appropriated \$500 for the biennium, in contrast to \$75,000 for fish protection, \$34,000 for game protection and \$13,000 for horticulture for the biennium. The reason for this was that the people felt that the owners of the timber had stolen it, and should protect it at their own expense. They ignored the role the timber industry played in wages and labor. By contrast with Oregon's frugality, Washington had appropriated \$35,000 for the biennium; the Washington Forest Fire Association spent \$40,000 for protection, the Oregon owners a similar sum, and the Idaho owners \$51,000. The Forest Service spent \$35,000 that year for protection, in addition to \$241,538 for improvements such as trails and telephones which could be used for fire fighting. There was need for concerted work by all these agencies. [77]

The protective program was aided by a bad fire year. The year 1910 was the worst fire year since 1902 in the Northwest. Idaho and Montana were hard hit; Washington less so, but in Oregon a



series of bad lightning storms made this the worst fire year thus far recorded. In Washington, A. L. Llewelling, President of the Western Forestry and Conservation Association, persuaded President Taft to send Federal troops to fight the flames. Troops were then sent to the aid of the Forest Service in the Crater fire, in southern Oregon, where a handful of Forest Service men under C. J. Buck had to hold 26 miles of fireline. The value of the permanent improvements of the Forest Service, in the way of telephone lines and trails, was demonstrated in that fire; and people as never before became aware of the need for protecting the forest resources of the region. As one writer put it,

The success with which the affiliated private forest protective associations of the Pacific Northwest met the difficult situation thrust upon them by the menacing fires throughout the region makes a remarkable showing. Scarcely less noteworthy is the fact that this success was due, first to the example of the Forest Service, whose methods were closely followed by the associations, and second, to a liberal policy of spending money in order to get results. The private cooperators spend from one to ten times as much on fire protection alone as the government spends for the entire administration of the national forests. [78]

The lumbermen's associations, the Forest Service and others interested in conserving the forest set to work to get more protective measures. They were aided by passage of the Weeks Act, in February, 1911. The bill, to "enable any state to cooperate with any other state or states or with the United States, for protection of watersheds of navigable streams," [79] held out the bait of federal funds for protection of watersheds to those states which could qualify, which meant whether in the judgment of the Forest Service they had taken steps toward getting a protective system of their own. It was obviously to Oregon's advantage to qualify. C. S. Chapman, the District Forester, resigned from the Forest Service early in 1911 to head the Oregon Forest Fire Association, an organization separate from, but affiliated with, the Washington Forest Fire Association, and made up of owners in Oregon. He began at once to press for better fire legislation. [80] Through united efforts of that organization, the Forest Service, the Western Forestry and Conservation Association, the Oregon Conservation Commission and the Oregon Conservation Association, a bill was passed through the Oregon Legislature that materially strengthened the fire organization of the state. It provided for the appointment of a professional State Forester, to administer the state forests, and an appropriation of \$60,000 for the biennium, for fire protection and investigative work. The State Forestry Board was not only a non-political board with a trained man as administrator, but had money enough to run on. In addition, the State got \$5,000 Weeks Act money. [81]

The results of the program began to show by 1911. Far less fire damage occurred during that year, partly due to the fact that it was not so bad a fire year, partly to increased interest in spotting and putting out fire. More convictions were obtained against illegal burners; the Washington Forest Fire Association alone obtained thirty convictions. In Oregon, 423 men were in the field in addition to Forest Service personnel; 32 men paid by the Weeks Act, 23 county supervisor wardens, 3 selected and paid by the counties at the request of private owners, 192 private land patrolmen and 173 public spirited citizens. More patrols were organized on a county basis, in Klamath, Lake, Coos, Jackson, and Linn Counties. In Washington, 80 patrolmen of the Washington Forest Fire Association worked with 30 wardens and 33 patrolmen hired by the

State under the Weeks Act, cooperating with one another in the checkerboard areas to avoid duplication of effort. [82]

The work continued along the same lines in 1912. In Oregon the county associations reached ten in number, patrolling land at an average cost of one and one-half cents an acre. Again, each state received Weeks Act money, this time to the amount of \$10,000. The Western Forestry and Conservation Association since its formation had carried on a campaign against fire, supplying newspapers with bulletins and news items, issuing hundreds of circulars and folders to school children, state officials, local associations, railroads, and civic groups on fire protection. The program of education of this and other conservation groups began to have results, in decrease of the number of man-caused fires. In 1909, 94 per cent of all fires in the region were caused by human agencies; this had dropped to 87 per cent in 1910, to 70 per cent by 1911, and to 61 per cent in 1912. [83]

In 1913 the system of protection was brought to completion. In that year Oregon passed the most advanced fire law to be found in any state of the Union. Associations, the Forest Service and the state protective agencies cared for most of the forest land in the state; but there remained areas, particularly in southern Oregon, belonging to absentee owners, who were not in any of the associations. The law provided that every forest owner should provide an adequate fire patrol for his timber and that, in case he should neglect this, the State Forester should provide one, at a cost of not over five cents per acre. This fee would amount to a lien on the property, to be reported to the county courts and levied and collected as a land tax, in the same way that other property taxes were collected. The law resulted in full coverage of timber land within the state. [84]

## V. Conclusion

The year 1911 is commonly considered a landmark in the history of forest conservation in the United States as a whole. In that year was passed the third great legislative act, having to do with forest conservation. The Act of 1891 had established National Forests, and that of 1897 had opened them for use. The Weeks Act of 1911 established the principle of cooperation by state and federal government in protection of the forests, and foreshadowed the extension of that work in the Clarke-McNary Act of 1924.

The year 1911 is a landmark also, in that the next decade witnessed new problems, and new approaches, in forest conservation. It was a period in which leadership in the conservation movement passed to Congress, and where congressmen like Chamberlain of Oregon and La Follette of Wisconsin kept the gains made by Roosevelt against a hostile or indifferent executive branch. These progressives were greatly aided by the fact that between 1911 and 1921 a series of ten Supreme Court decisions upheld the Roosevelt conservation policies. The new generation of congressmen showed a greater interest in, and a greater grasp of, the problems of forest conservation, and passed much constructive legislation.

On the part of the Forest Service, the period marked the professionalization of the bureau. By 1920, most of the Land Office appointees with an interest in forest conservation had been replaced by men with college training in forestry. The Service was strengthened by the new and

competent staff; and for that period at least, the members still retained the crusading spirit of Pinchot.

This was the period, too, in which the industry came of age. During the period 1911-24, a series of searching studies of the industry, technical and economic, were made by such bodies as the Federal Trade Commission, the United States Chamber of Commerce, and the Bureau of Corporations. Problems relating to the lumber industry, such as taxation, monopoly, waste and reforestation, came under close scrutiny. The sick industry took much of the initiative in curing itself, though it was aided by state and federal studies. Not the fact of federal forest control, but the extent of federal control over private cutting, was the large question of the 20's; and in this the loudest opposition came from California, and the most constructive suggestions from the Northwest. [85]

For the Pacific Northwest, however, the year 1913 may serve as a better milestone for several reasons. The Oregon compulsory patrol law was the final touch to a protective system unequalled anywhere in the United States. [86] It involved a triple alliance of federal, state, and private owners, over a forest acreage of forty million acres. Leadership and purposes were well agreed on. E. T. Allen, who along with his Forest Service background, had an understanding of the lumbermen's point of view, was able to reconcile differences of opinion with skill and diplomacy. The industry had also a leveling of other men from the Forest Service, such as C. S. Chapman and H. D. Langille, who aided in mutual understanding. The unity was also aided by the purpose of the Western Forestry and Conservation Association in seeking no end except the general good; "equally without sympathy for the propagandist who locates all forest evils in the greed of the lumberman and seeks remedy by resent-breeding compulsion, or for the essentially individualistic lumberman who does equal harm by his own bad methods and the retribution he draws on the industry." [87]

The principle of cooperation was deep-rooted in the area, as many of the former movements were indigenous in nature. Such was Waldo's memorial of 1889, calling for a forest reserve to be administered equally by state and federal government; such was the general acceptance of the Coville plan, and the cooperation of Harvey Scott and Governor Chamberlain in halting land frauds; such was the action of E. T. Allen in forming the triple alliance, and that of J. N. Teal, of the lumber interests, in the work of the Oregon Conservation Commission. And in the twenties the most influential proponent of this point of view was another man from the area, Charles McNary.

The unity of sentiment of the three groups, and the strength of the federal administration in the region, was well expressed in 1913, at the time of the "states-rights" agitation. The fact has already been mentioned that T. T. Munger, J. W. Bryan, and Governor Oswald West all spoke strongly against the "states-rights" movement as a cloak for the predatory interests. It is also significant that there was a third strong defense of the federal administration, this time from the lumber associations.

At the fifth Conservation Congress, held in Washington, D. C., J. N. Teal, attorney for the Oregon and Washington Lumber Manufacturers Association, and head of the Oregon Conservation Commission, delivered a ringing defense of federal control of forest resources.

Since, as he pointed out, federal forest control had been held constitutional by the courts (U. S. vs. Grimaud, 220 U. S. 506 and Light vs. U. S., 220 U. S. 523), he assumed that the matter could be discussed primarily in terms of public policy. The question resolved itself into whether the state or the federal government was better suited to carry out the policy. In Teal's opinion, the federal government was the better suited.

We have all read, doubtless, many resolutions and addresses issued by congresses, legislatures and publicists advocating turning over the public forests to the respective states. As yet there have appeared absolutely no concrete suggestions of a proposed State policy. Much less has there been discussion what the states have done with their public lands in the past. There run through all the arguments, appeals not only to prejudice but also to that sentiment of selfishness and personal gain implanted in us all. Conceded as it must be that the national forests are now legally the property of the nation, it would seem that those seeking to change the present status for alleged public welfare would have the burden of showing, first, that they have some plan under which they propose to control and dispose of them; second, that such a plan will produce better results than we are now securing; and third, that actual experience shows the states to have developed their superior competence to execute such a plan in the interest of the public. None of these fundamental requirements is ever discussed by the State Control advocates. We can therefore turn only to past performance to ascertain, if possible, what the test of experience shows the results of State control to be.

Pointing out that the states had been given large grants of land, he showed how they had squandered their heritage. Oregon had disposed of practically all her timber land at \$1.25 per acre, and Washington, while still in possession of much state timber land, had so far done nothing in forestry work save appropriate money for protection.

Not even at this late time has a single State a well-defined policy expressed in the law and adequately supported, looking to the properly co-ordinated care, disposal, and conservation of its natural resources. There is hardly a public land State in which there have not been charges of graft and fraud in connection with the disposal of public lands. Scandals of great and small proportions have been so numerous as to be commonplace . . . When earnest, sincere men sought to remedy abuses, they were sneered at as dreamers and reformers, and where policies were sought to be established by the State they were as vacillating as the swinging pendulum. [88]

# BIBLIOGRAPHY

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## I. Primary Material

### A. Unpublished

#### 1. Department of the Interior Records, National Archives

This is a large collection of the papers relating to the National Forests which came into the Land Office during the period 1891-1905. The papers are contained in something over two hundred large cardboard file boxes, which have the names of the forests on their covers. The papers are arranged alphabetically, in order of the date they were received at the Land Office. Contents are of an extremely miscellaneous nature. They include petitions and remonstrances both for and against the reserves, from state governments, civic groups, associations and private individuals; orders and directives of Land Office Officials; Presidential orders; and reports of Special Agents of the Land Office, the Geological Survey, and the Bureau of Forestry. The only classification is chronologically and by National Forest. However, Jeannie Peyton, a clerk of the Land Office, prepared two skeleton outlines to the incoming papers: "History of the Creation of Federal Forest Reserves under Section 24 of the Act of March 3, 1891," and "Forest Reserves Established during President McKinley's Administration, 1892-1901." Both these typewritten manuscripts are found in Research Compilation Files, dr. 354, in the Forest Service Files of the National Archives.

#### 2. Bureau of Forestry and Forest Service Records, National Archives

The papers of the Bureau of Forestry and of the Forest Service are complex in nature and large in quantity. They consist of correspondence of the old Division of Forestry; reports of special agents; inspection reports of the regional inspectors of the Forest Service, prior to 1905; and records of the Forest Service itself.

Several collections are of special value for the period and region covered. One is the Research Compilation files, a collection of 250 feet of material, of unique or special character. Harold Pinkett, archivist in the Natural Resources Division, has published a guide to this collection in "Records of Research Units of the United States Forest Service in the National Archives," *Journal of Forestry*. 45:4 (April, 1947), pp. 272-75.

Bureau of Forestry files, down to 1897, consist primarily of incoming and outgoing correspondence. After 1897, when the Bureau took on more activities, the correspondence is larger in volume and more various in nature. There are large numbers of special reports dealing with this period in the collection.

In 1905, the Forest Service succeeded the Bureau of Forestry. Their files are arranged according to the organization of the Forest Service, classified chronologically according to both function and region; and the investigator will find it well to familiarize himself with that organization

before beginning his work. In addition to this, however, there are many special files, dealing with timber land frauds, historical material, and the like.

### 3. Gifford Pinchot Papers, Library of Congress

This collection proved to be of value primarily in corroborating material Pinchot mentioned in his autobiography. The value of the collection is not as great as it might be because (1) much of it is still unsorted; (2) some of the papers, including his diary, are still in the possession of his widow; and (3) much of the material duplicates what is found in the official correspondence, in the Archives. Despite their limitations, the collection proved to be of value.

### 4. Regional Collections

The Pacific Northwest Forest Experiment Station, and the Regional Headquarters of the Forest Service, Portland, Oregon, both have historical files, dealing mainly with persons and personalities. Some material is also to be found in the State Archives of both Oregon and Washington.

### 5. interviews

K. C. Langfield, Mt. Adams Ranger Station, Trout Lake, Washington  
David Gibney, U. S. Forest Service, Portland, Oregon  
A. R. Standing, U. S. Forest Service, Ogden, Utah  
Fred Ames, University Club, Portland, Oregon  
R. S. Jacobsen, Randle Ranger Station, Randle, Washington  
Frank Kehoe, Randle Ranger Station, Randle, Washington  
Thornton T. Munger, Buena Vista Drive, Portland, Oregon

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\*All published by the U. S. Government Printing Office, Washington, D. C.

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# NOTES

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## Chapter 1

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1. Jeannie S. Payton, "Forestry Movement of the Seventies in the Interior Department, Under Schurz," in Forestry Quarterly, XVII:4 (April, 1920), p. 406.
2. A few examples of such distortions may be cited. John Ise and Jenks Cameron in their excellent books concentrate on congressional and administrative action. Andrew Denny Rodgers, in his biography of Bernhard Eduard Fernow, gives him much credit for the success of the movement and makes only one mention of John Muir; while Linnie Wolfe Marsh, in her biography of John Muir, hails Muir as the father of forest conservation and makes only one mention of Fernow. Roy Robbins, Richard C. Lilliard, and E. Louise Peffer picture the movement as an eastern one with almost everyone west of the hundredth meridian hostile to it. The most balanced accounts are Herbert A. Smith, "The Early Forestry Movement in the United States" Agricultural History, XII:4 (October, 1938), 326-46; and W. N. Sparhawk, "The History of Forestry in America," in The Yearbook of Agriculture, 1949 (Washington, 1949), pp. 702-15.
3. The clearest brief account, with valuable statistical tables, of the public domain and its disposal is Stephen S. Visser, "The Public Domain and its Disposal" in Guy-Harold Smith (ed.), Conservation of Natural Resources (New York, 1952), pp. 13-24. More detailed standard accounts are Benjamin Horace Hibbard, A History of Public Land Policies (New York, 1939), and Roy Robbins, Our Landed Heritage (New York, 1950).
4. Hibbard, op. cit., pp. 462-65.
5. Andrew Denny Rodgers, Bernhard Eduard Fernow (Princeton, 1951), pp. 9-11, gives a good account of the laws as applied to forest lands. John Ise, The United States Forest Policy (New Haven, 1920), pp. 41-72, gives a scholarly analysis of timber and laws. Surveys of the effects of the laws are found in Hibbard, op. cit., pp. 228-472. and Robbins, op. cit., pp. 119-285. There are a large number of articles in The Forester, Forestry, and Irrigation, and The Journal of Forestry dealing with particular cases.
6. Henry David Thoreau, The Maine Woods (Boston, 1893), pp. 212-13. The essay was first published in the Atlantic Monthly in 1858. Chittenden, in his history of Yellowstone National Park, quotes the statements of Catlin desiring to have a "Nation's Park," containing man and beast in all the wilderness and freshness of their nature's beauty.
7. The best known standard account of these changes wrought by urbanization is Arthur Meier Schlesinger, The Rise of the City (New York, 1933), pp. 314-16. However, the best analysis of these forces is that by Lewis Mumford, The Brown Decades (New York, 1931), pp. 56-96.
8. Robert Athearn, Westward the Briton (New York, 1953), pp. 9, 116-20, has some analysis of the Colorado tourist attractions. Harlean James, Romance of the National Parks (New York,

1939), pp. 36-65, gives a lucid treatment of the California situation. There is need for more scholarship on the subject.

9. Luther H. Gulick, "Metropolitan Political Developments," in Robert Moore Fisher (ed.), The Metropolis of Modern Life (Garden City, 1955), p. 77; W. Stull Holt, "Some Consequences of the Urban Movement in American History," The Pacific Historical Review XXII:4 (November, 1953), pp. 348-49; Annual Report of the Secretary of the Interior, 1903 (Washington, 1903), p. 24.

10. David Lowenthal, George Perkins Marsh (unpublished doctoral dissertation, University of Wisconsin, 1953), pp. 542-46; Mumford, op. cit., pp. 56-96.

11. Sparhawk, op. cit., pp. 705-06; Herbert A. Smith, op. cit., pp. 334-35; Rodgers, op. cit., pp. 95-98, D.A.B., V, p. 485, and XII, pp. 162-63.

12. Highlights in the History of Forest Conservation (Washington, U.S.D.A., 1948).

13. Rodgers, op. cit., pp. 48-61.

14. Ibid., p. 135.

15. Bernhard Edouard Fernow, Report on the Forest Investigations of the U. S. Department of Agriculture 1877-98 (Washington, 1899).

16. Edgar T. Ensign, Report on the Forest Conditions of the Rocky Mountains and Other Papers (Washington: 1889, U.S.D.A., Forestry Division Bulletin No. 2).

17. Peyton, op. cit.

18. The best biography of Fernow and his work is that by Rodgers.

19. Herbert A. Smith, "The Early Forestry Movement in the United States," Agricultural History, XII:4 (October, 1938), pp. 326-46; Rodgers, op. cit., p. 7.

20. Sparhawk, op. cit., p. 706. A list of the bills is contained in Bernhard Edouard Fernow, Report upon the Forestry Investigations of the United States Department of Agriculture, 1877-1898 (Washington, G.P.O., 1899). Little information is available on most of the bills. Fernow from 1886 on, annually introduced a general bill for federal timber land management, later known as the Hale Bill. The Colorado Forestry Association introduced several bills reserving the crest of the Rocky Mountains in that state; and also several bills were introduced for smaller areas to protect city watersheds and recreational areas. John Muir was responsible for at least two bills introduced by Senator John F. Miller of California to reserve areas in the Sierra Nevada. Las Vegas, New Mexico, introduced several bills to protect her watersheds. In addition, several eastern members of Congress introduced bills to create parks or reserves in the west.

21. Probably the most accurate account of the action is found in Rodgers, op. cit., pp. 155-56. Opinions vary as to who or what group was entitled to the most credit. Among those given a

high degree of credit is John Muir. Biographers have, as is usually the case, given their subjects credit for what was a cumulative triumph. Thus, John Muir's biographer feels that to John Muir was due the credit for convincing Noble; the sketch of Pettigrew in the D.A.B. gives him most of the credit; and Ensign, Noble, and Bowers have their champions. Actually, it was, as Jeannie Peyton has mentioned in the passage cited at the beginning of this chapter, a cumulative triumph.

22. This analysis is mainly based on Lancaster Pollard, "The Pacific Northwest," in Merrill Jensen (ed.), Regionalism in America (Madison, 1952), pp. 187-212. His charts of population movements and trends are especially helpful.

23. Statistical Abstract of the United States, 1951 (Washington, 1951), p. 658. The figures are revealing:

	1889	1899	1909	
Michigan	4,300	3,018	1,809	(Billions of board feet)
Minnesota	1,084	2,342	1,562	
Wisconsin	2,866	3,389	2,025	
Washington	1,064	1,429	3,863	
Oregon	446	735	1,899	

24. Edward Norris Wentworth, America's Sheep Trails (Ames, 1948), pp. 206-18; Fredrick V. Colville, Sheep Grazing in the Cascade Mountains of Oregon (Washington, 1898), pp. 120-21.

25. Ibid., pp. 284-85.

26. H. H. Bancroft, Works (San Francisco, 1889), ii, pp. 654-58.

27. D.A.B., II, pp. 86-87.

28. Randall V. Mills, Sternwheelers up the Columbia (Palo Alto, 1947), pp. 154-68, has given a good picture of seashore recreation and society at the time. The columns of the Sunday Oregonian for the months of August, when the season was in swing, contain interesting material on social stratification within the beach society.

29. Rudyard Kipling, From Sea to Sea (New York, 1899), I, pp. 101-21.

30. The summer hotels flourished until the late 20's, but then most became the victim of the transportation revolution. Most are now abandoned, their purpose outlived; the former two-day

trip to Portland is now but an hour's drive. The old homesteads in the neighborhood have been divided and sold as sites for summer cottages; and the hay pastures have now become a golf course. Old trails, kept open since the 80's by communal effort of the original settlers, are now posted with "no trespass" signs, or have been destroyed by gypos looking for logs.

31. A good example of Steel's booster activities regarding Portland can be found in his personal magazine. Steel Points, I:1 (October, 1906), pp. 1-15. The issues for January and April, 1907 (I:2 and I:3) give an account of the Club's activities in relation to Mt. Hood and to Crater Lake. Most park histories retell Steel's own story of the creation of Crater Lake National Park; the most recent retelling is in Robert Shankland, Steve Mather of the National Parks (New York, 1951), pp. 44-45. The constitution of the Oregon Alpine Club may be found in Steel's book, The Mountains of Oregon (Portland, 1890), pp. 67-81.

32. "House Memorial No. 8," Journal of the House of the Legislative Assembly for the Fifteenth Regular Session, 1889 (Salem, 1889), pp. 118-21. Waldo gives his own account of the memorial in The Forester, IV:5 (May, 1898), pp. 100-01.

## Chapter 2

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1. Bernhard Edouard Fernow, Report Upon the Forestry Investigations of the U. S. Department of Agriculture 1877-1898 (Washington, 1899: 55th Cong. 3rd Session H.D. 181), p. 191.

2. No complete account of forces concerned in making the reserves exists. Some information may be found in Lawrence Rakestraw, "Uncle Sam's Forest Reserves," Pacific Northwest Quarterly, 44:4 (October, 1953), pp. 145-51.

3. James High, "Some Southern California Opinion Concerning Conservation of Forests 1890-1905," The Historical Society of Southern California Quarterly, XXXIII:4 (December, 1951), pp. 291-312.

4. "Ashland and the Rogue River Valley," The West Shore, XV:7 (July, 1889), pp. 354-57; Alfred L. Lomax, "The Ashland Woolen Mills, 1865-1900," The Oregon Historical Quarterly, XLVI:2 (December, 1945), pp. 327-31; John Almack, "History of Oregon Normal Schools," The Oregon Historical Quarterly, XXI:2 (June, 1920), pp. 95-169; Report on the Population of the United States at the Eleventh Census, 90 (Washington, 1895), I, p. 285; John B. Leiberg, "Cascade Range and Ashland Forest Reserves and Adjacent Regions," Twenty-First Annual Report of the United States Geological Survey: Part V, Forest Reserves, pp. 472-573; letter of Max Pracht, in The Morning Oregonian, August 28, 1893, p. 3.

5. Petition by the Common Council and Board of Trade, January 25, 1892; Letter of Max Pracht to J. N. Dolph, January 27, 1893; in National Archives Department of Interior, National Forests (hereafter abbreviated as N.A., D.I., N.F.) Ouichita to Ashley, box 4.

6. Joseph Gaston, Portland and Its Builders (Portland, 1911), I, pp. 338-39.

7. Henry Failing to Land Commissioner, January 11, 1892, N.A., D.I., N.F., Mount Baker to Mount Hood, Part 5, Box 107; Oregonian, March 2, 1892.
8. Commissioner Thomas Carter to Secretary of the Interior, March 12, 1892; Frank Dodge to C. E. Loomis, April 30, 1892; Report of C. E. Loomis, May 21, 1892, N.A., D.I., N.F., Mt. Baker to Mt. Hood, Part 5, box 107.
9. What prompted the Land Office to ask for the examination is not known. However, there had long been desire, on the part of local and national recreational groups, and foreign travelers, to make Mt. Rainier a national park, and the Land Office undoubtedly had received such requests. What, if any, specific request was being acted on is not known, as the Commissioner's letter to Mosier is not in the Land Office file.
10. Cyrus A. Mosier to General Land Office Commissioner, November 14, 1891, N.A., D.I., N.F., Gallatin to Gifford Pinchot, box 53.
11. Cyrus A. Mosier to Commissioner, October 8, 1892, Ibid.
12. "Report relative to the Proposed Reservation of Public Lands, Mount Rainier Region," by Cyrus A. Mosier, Special Agent of the General Land Office, Seattle, Washington, April 8, 1892, ibid.
13. Letters to Land Commissioner by T. R. Kemp, November 15, 1892; J. Hampton, October 29, 1892; Byron Phelps, November 22, 1892; F. A. Twichell, October 27, 1892; Board of Trustees of Seattle Chamber of Commerce, December 7, 1892. Letter of Commercial Club of Tacoma to Benjamin Harrison, January 26, 1893, accompanied by clipping from The Tacoma Ledger January 7, 1893, ibid.
14. Oregonian, March 25, 1892.
15. Oregonian, April 14, 1892.
16. S. A. D. Puter and Horace Stevens, Looters of the Public Domain (Portland, 1908), p. 322. There is some evidence that even before this time Steel was engaged in promoting a larger reserve, but the evidence is ambiguous.
17. "Petition of the people of Klamath Falls for Reserves around Crater Lake, April 13, 1892"; and "Petition of American Forestry Association (n.d.)" in N.A., D.I., N.F., Wichita to Willamette, Part I, box 174. There is no evidence to indicate whether this group was in touch with the Alpine Club or whether they did it on their own.
18. "Petition to the President of the United States," April 27, 1892; Petition, n.d., of the Alpine Club; R. G. Savery to Secretary of the Interior, July 23, 1892, N.A., D.I., N.F., Wichita to Willamette, Part I, box 174. In view of the fact that some fraud was involved in creation of the reserve, it may be noted that most of those who signed were motivated by honest reasons. Of those who signed, only one—F. L. Maya—can be definitely identified as belonging to the timber

sharks; on the otherhand, a fair number may be identified as among those who then or laterwere concerned with the conservation movement in Oregon. Most of thesigners had previously been signers of the petition to withdraw CraterLake.

19. Petition of homesteaders,ibid. The petition from the miners is not in the Land Officefiles, but is mentioned in various places.

20. Petition of Oregon Alpine Club,January 13, 1893, ibid.

21. Oregonian, June 8,1892.

22. The Journal of the Senate ofthe Legislative Assembly of the State of Oregon for the SeventeenthRegular Session, 1893 (Salem, 1893), pp. 13-15.

23. W. G. Steel to E. A. Bowers,Acting Land Commissioner, May 1, 1893, N.A., D.I.,N.F., Willamette, box 174.

24. John H. Cradlebaugh to LandCommissioner, April 13, 1893; C. W. Kimball to S. W. Tamoreaux, June 12,1893, ibid.

25. The balance of forces here arenot entirely clear. Puter indicates that the looters had support in theLand Office; this statement may be regarded as not proven. It is likelythat the Land Office decided the benefits conferred by the reserve wouldoutweigh the damage done by fraud; and there are indications that theLand Office made an agreement with the State that the latter would notaccept the disputed sections as base.

26. Cong. Rec., 53rdCongress, 1st sess., p. 2372. This was not the only bill drafted in1893. Senator J. N. Dolph of Oregon, who had been the main Congressionalsupport of the faction supporting the reserves in that state, drafted abill for governing the reserves. The bill provided for theclassification and withdrawal of timber lands for the usual purposes ofprotecting and improving the forests, securing water flow, and insuringa permanent supply of timber for local communities. A hierarchy ofinspectors, superintendents, and rangers would manage the forest toprevent trespass and fire and to supervise cutting. The bill had thebacking of the American Forestry Association, but it died in committee.Oregonian August 13, 1893.

27. Ibid., 53rd Congress,3rd Session, p. 109, 164-67.

28. Rodgers, op. cit., pp.207-08.

29. Report of the Secretary of the Interior, 1893 (Washington,1893), pp. 77-70.

30. Report of the Secretary of the Interior, 1892 (Washington,1892), pp. 46-51.

31. Petitions from such groups came in from Montana, where residents ofthe Bitterroot Valley petitioned for withdrawal of the Lake Como area;California, where the Sierra Club petitioned for the Lake Tahoe region;and Colorado, where the Colorado Forestry Association petitioned for

the entire crest of the Rocky Mountains, for a distance of six miles on each side of the summit, to be reserved. The Colorado Forestry Association petition is found in Report of the Secretary of the Interior, 1895 (Washington, 1895), CXX. The other petitions are found in the Land Office files at the National Archives. Some information on them appears in Rakestraw, "Uncle Sam's Forest Reserves."

32. Homer Cummings and Carl McFarland, Federal Justice (New York, 1937), p. 385. The grievances of the sheep men in the northwest will be dealt with in detail in a future chapter.

33. W. G. Steel to Bernhard Edouard Fernow, January 23, 1894, N.A., D.A., F.S., Gen. Corr., 1886-1908, dr. 29.

34. Fernow's side of the discussion is found in Rodgers, op. cit., pp. 206-20; Pinchot's in Gifford Pinchot, Breaking New Ground (New York, 1947), pp. 86-93. The petitions and instructions to the members are printed in Report of the Secretary of the Interior, 1896, XII-XVI.

35. Pinchot, Breaking New Ground, pp. 91-92, has a good discussion of the persons and personalities involved.

36. Report of the Committee Appointed by the National Academy of Sciences . . . (Washington, 1897), p. 5.

37. Pinchot, Breaking New Ground, pp. 105-07; Rodgers, Fernow, pp. 221-23; Linnie March Wolfe, Son of the Wilderness (New York, 1945), pp. 270-72.

38. The services of John Muir in drawing up this portion of the report are obvious.

39. Report of the commission, pp. 16-20, 37-47.

40. Interestingly enough, Minto's wrath was directed against the wrong person. He attacked the American Forestry Association, whose leader, Fernow, had fought the appointment of the committee. Fernow protested this misapplied wrath in The Forester, IV:2 (February, 1898), pp. 29-30.

41. Pinchot, op. cit., pp. 105-09.

42. The Forester IV:5 (May, 1898), p. 96.

43. Memorial of the Chamber of Commerce . . . Relative to the Forest Reserves in the State of Washington (Seattle, 1897).

44. Congressional Record, 55th Congress, 1st Session, pp. 1568-69.

45. Robbins, op. cit., pp. 316-20, gives a good sampling of these editorials. The newspaper hostility in the Puget Sound area had no counterpart in Oregon. News items and newspaper



editorials in that state indicated a favorable attitude toward the reserves. Oregonian, March 20, March 24, and April 14, 1897.

46. L. K. Hedges (ed.), Mining in the Pacific Northwest (Seattle, 1897); Muriel Sibell Wolfe, The Bonanza Trail (Bloomington, 1953), pp. 286-92; "The Monte Cristo District," The Mountaineer XI (1918), pp. 26-27.

### Chapter 3

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1. Cameron, op. cit., pp. 208-09. Binger Hermann, as Land Commissioner, held in 1898 that the Forest Lieu was intended to apply only to actual settlers of agricultural land in the reserves. In 1899, however, Hitchcock, the Secretary of the Interior, said it applied to any tract, including railroad lands. 1 se., op. cit., p. 182.

2. Rodgers, op. cit., p. 224, citing Fernow's account.

3. E. T. Allen, "The Application and Possibilities of the Federal Forest Reserve Policy," Proc. of Soc. of Am. Foresters, I:1 (May, 1905), pp. 41-52.

4. Ibid.

5. The Forester, V:7 (July, 1899), p. 163; and V:9 (Sept., 1899), p. 199.

6. Office memorandum of E. A. Sherman, January 17, 1913, National Archives, Department of Agriculture Forest Service (abbreviated as N.A., D.A., F.S.), Land, Timber Fraud Claims, dr. 40, has information on some of these cases. The Roosevelt correspondence, v. 3-6, has much information on Roosevelt's battle with Fulton to get honest men in these offices in Oregon. This situation was by no means limited to the northwest; in Idaho, for example, Borah's indictment for connection with land frauds practiced by the Barber Lumber Company came about through his connection with William Balderston, Register of the Boise Land Office.

7. Cameron, op. cit., p. 210. Pinchot has given Fernow much less than his due in his autobiography, Breaking New Ground (New York, 1947).

8. Oregonian, Sept. 4, 1907.

9. Pinchot, op. cit., pp. 122-30.

10. Gifford Pinchot to E. T. Allen, June 17, 1899, N.A., D.A., F.S., Letterbook A-Q.

11. George Cecil to Gifford Pinchot, March 25, 1901, ibid., Misc. Corr., Chief's Office, 1898-1906, Ca-Ce.

12. T. T. Munger to the writer, December 19, 1953.

13. Pinchot, op. cit., pp.132-212, 235, 262, gives a colorful and accurate account of their work. A typical agreement was that of the Weyerhaeuser interests with the Bureau, reached in 1903, involving 1,300,000 acres in Washington. The text of the agreement read that the Bureau would study and propose plans of harvesting and reproducing forest on the Weyerhaeuser land, to promote the value and usefulness of the land and to perpetuate the forest on it. Costs of the investigation would be divided; the Bureau would pay its own employees, and also pay for the preliminary trip of inspection; the actual travel and subsistence expenses, estimated at \$5,000, would be paid by Weyerhaeuser. The Weyerhaeuser Corporation would also provide assistants to the departmental representative without charge. The Department was permitted to publish the plans for the benefit of lumbermen and other interested people. A similar agreement was also reached with the Northern Pacific. Forestry and Irrigation X:4(April, 1904), pp. 154-55.

14. No studies have been made on the heads of the Interior departments and the Land Office. Such studies are badly needed, for an intelligent study of public land policy. On Hitchcock, Pinchot has expressed his opinion in Breaking New Ground, pp. 172-73; and Elting Morison has given a brief evaluation in The Letters of Theodore Roosevelt (Cambridge, 1951-54), V, pp.445-46. John Ise has scattered references to Hermann in his book, and makes probably the best judgments: his conclusion is that Hermann was honest. (The trial of Hermann was not for complicity in land frauds, but for alleged burning of official correspondence before leaving office.) Pinchot in his autobiography is generally hostile to Hermann, but in one instance (p. 203) gives him credit for an enlightened viewpoint. My own opinion is that the searchlight thrown on his activities by the press in his home state helped keep him on the straight and narrow.

15. Pinchot, op. cit., pp.250-54, gives a good account of this work.

16. John D. Guthrie, "William Henry Boole Kent," Journal of Forestry, 44:8 (August, 1946), pp. 44-48. Kent left the Forest Service in 1910, due to his drastic deflation of a high-up official who was something of a stuffed shirt. He went to the Philippines, where again a flock of legends surrounded him; raised, and became an authority on fighting cocks in Connecticut; and served in World War I, where again many legends surrounded him. He later took to writing western stories, which are of fair quality; though not the equal of those by Earnest Haycox, they are fully equal to those of Luke Short. He now lives in Glendora, California.

17. I am indebted to T. T. Munger for information on both Kent and Langille. Two books have material on the Langille family: Fred McNeil, Wy'East, The Mountain (Portland, 1937), and Mount Hood: A Guide Compiled by the Works Project Administration (New York, 1940). The quotation is from an inspection report on the Alexander Archipelago Forest Reserve by F. E. Olmsted, N.A., D.A., F.S., Insp. Corr., Dist. 6, Afognac-Bull Runn, dr. 907773.

18. Pinchot, op. cit., pp.172-81, 196-97, 255-62.

19. State activity was also important, but it can be dealt with in a separate chapter.

20. The classification used in this section is that found in Luther Halsey Gulick, American Forest Policy (New York, 1951), pp. 40-45.

21. Ralph S. Hosmer, "The Society of American Foresters, An Historical Summary," Journal of Forestry, 35:11 (November, 1940), pp. 837-54.
22. The role of the industry will be elaborated on in a later chapter.
23. Edward Norris Wentworth, America's Sheep Trails (Ames, 1948), gives a good account of the woolgrowers' associations, and something of their influence. There is no comparable study for the cattle industry.
24. Ibid., pp. 501-09.
25. Two other groups which might be mentioned, and which were important in some sections of the country, were irrigators and miners. These groups, however, were not particularly important in the Pacific Northwest.

## Chapter 4

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1. Gifford Pinchot, "How Conservation Began in the United States," Agricultural History, XI:4 (October, 1937), p. 264.
2. John Muir, The Mountains of California (Boston, 1916), i, p. 222; ii, pp. 89-97, 121; Linne Marsh Wolfe (ed.), John of the Mountains (Boston, 1938), pp. 173-74, 348-251; Wolfe, Son of the Wilderness, pp. 191, 246, 259.
3. Minto has written his own biography in Rhymes of Early Life in Oregon and Historical and Biographical Facts (Salem, 1915).
4. The standard biography of Muir is that of Wolfe, op. cit.
5. Oregonian, April 4, 1897.
6. The question as to grazing in the reserves was not limited to the Cascade Range. It was also a vital question in Arizona, Wyoming, and California. There is need for regional studies of this aspect of forest use.
7. Commissioner of the Land Office to Secretary of the Interior, February, 1896, N.A., D.I., N.F., Willamette, box 174.
8. Petition of the Sheep Owners of Wasco County, June 16, 1896, ibid.
9. Oregonian, March 23, 1897.
10. Journal of the Senate . . . of the State of Oregon, 1897 (Salem, 1898), p. 41. The Oregon delegation in Congress made the same proposal to the Secretary of the Interior.

11. A balance sheet on these matters would show Minto more than holding his own with the Academicians. On foreign and out-of-state ownership of sheep, the Academy statement held true for much of the west; however, it was not true of the Cascade Mountain area. Minto's statements on floods was perfectly correct, so far as it referred to the Pacific Northwest. His statement as to snow lying longer under the trees was upheld by the bible of the conservationists, G. P. Marsh's The Earth as Modified by Human Action (New York, 1898), pp. 67-8. Recent experiments on the Rocky Mountain state watersheds indicate that a judicious cutting may increase year round flow.

12. John Minto's ideas are best summarized in A Paper on Forestry Interests (Salem, 1898). Most of the ideas there found were written in piecemeal form before that time. Many of the criticisms of the conservationists' main tenets are found in E. A. Carman, H. A. Heath and John Minto, Special Report on the History and Present Condition of the Industry of the United States (Washington, 1892), pp. 961-83. Here he also praises the Australian manner of handling the grazing lands. He was a frequent contributor of letters to the editor, and wrote quite a number on grazing matters between 1893 and 1897 to the Oregonian.

The Australian system of grazing land use allowed sheep owners to go out in advance of settlement and graze their herds. They were allowed to take up a relatively small tract as a freehold; and to lease other large tracts, amounting to thousands of acres, for terms varying from three to fourteen years. During this time they were permitted to buy their lease. James G. Leyburn, Frontier Folkways (New Haven, 1935), pp. 134-50.

13. Fredrick V. Coville, Forest Growth and Sheep Grazing in the Cascade Mountains of Oregon (Washington, 1898). Coville also supported the Academicians on the question of snow remaining longer in the timber than in the open.

14. Oregonian, March 29, March 31, April 2, April 4, April 8 and April 12, 1898.

15. Oregonian, March 29, 1898.

16. The Forester, V:1 (January, 1899), p. 20.

17. Oregonian, March 2, 1898.

18. Oregonian, April 30, 1898.

19. Petition of Oregon Wool Grower's Association to Binger Hermann, Commissioner, June 15, 1898, N.A., D.I., N.F., Willamette, box 175.

20. S. B. Ormsby, Forest Superintendent, to Binger Hermann, December 13, 1898, ibid.

21. The Forester, V:1 (January, 1899), p. 15; and V:2 (February, 1899), p. 33.

22. Oregonian, May 29, 1899. In his journal Muir wrote: "Met Judge George. Had a long talk on forest protection, found him lukewarm. Mr. Steel uncertain on the same subject. Told him forest

protection was the right side and he had better get on that side as soon as possible. He promised to do what he could against sheep pasture in the Rainier Park and also in the Cascade Reservation. Met Hawkins, fat and easy, who said he did not like to fight like Quixote on the sheep question or any other . . ." Wolfe, John of the Mountains, p. 380.

23. Oregonian, August 24, 1899.

24. Just how Wilson managed to impress his ideas on the Department of the Interior is not evident. However, Secretary Wilson had been in office longer than the Secretary of the Interior, Ethan Allen Hitchcock, and was a stronger man; Pinchot described Hitchcock as "rattling around in his job like a nail in a milk can." Wilson probably overrode any objections that Hitchcock had. The action was almost certainly opposed by Fredrick V. Coville and other career men in the Department of Agriculture, and by Binger Hermann, Commissioner of the Land Office.

25. Oregonian, September 3 and 6, 1899. Similar action was taken in regard to the Bighorn reserve in Wyoming, where grazing was permitted in 1899 for the first time.

26. Oregonian, September 5, 1899.

27. Oregonian, September 16 and October 7, 1899. Steel, of course, was the "bell-wether."

28. Oregonian, September 22, 1899.

29. Oregonian, October 11 and 12, 1899.

30. Oregonian, October 14, 1899.

31. Oregonian, October 19, 1899.

32. Oregonian, October 17, 1899.

33. Oregonian, October 27, 1899. The letters cited are but a few typical ones of many received during the controversy.

34. The forces which made Secretary Bliss change his mind are not evident. It was probably occasioned by the fact that the scientific staff of his Department and the Department of Agriculture were against him—Pinchot, Coville, Bowers, and Hermann—and probably also due to the rumpus kicked up in the Oregonian, which he undoubtedly read.

35. The situation in Arizona, in the Black Mesa and San Francisco forest reserves, was as complex as that of Oregon. Here the irrigation group in the Salt River Valley opposed grazing flocks on the headwaters of streams from which they got their water. Their attitude was supplemented by interests that desired to exchange their checkerboard railroad lands inside the new reserves for more valuable lieue land outside. To gain time for the transaction, they stated that sheep would destroy the cover and thereby make the watershed worthless, and that the area should be owned en bloc by the federal government. They also got support from some cattlemen.

Sheep were excluded about the time the reserve was created; pressure from stockmen forced Hitchcock to rescind his order, and in the meantime a study was made by Pinchot, Coville and a sheepman, Albert Potter. They reported that grazing under regulation was not injurious to forests in this, as in the humid areas. However, Hitchcock again rescinded his order; once more stockmen went east and protested, and Pinchot succeeded in persuading Secretary Hitchcock to rescind his order. Grazing privileges were assumed on most of the forest reserves thereafter. The best account of this episode is found in Wentworth, op. cit., pp. 502-03.

36. Charles McKinley, Uncle Sam in the Pacific Northwest (Berkeley, 1952), p. 266.

37. Muir's biographer states that in 1897 Muir, while in Seattle, read a statement by Pinchot, then in the city, stating that sheep grazing on the reserves did little harm. Muir met Pinchot, found that he was quoted correctly, and angrily stated that they were through with each other. (Wolfe, Son of the Wilderness, pp. 275-76) The specific incident related is not based on primary evidence, and there are some reasons for doubting that the incident was as dramatic, or the break as complete, as is indicated; that point may be cleared up when the complete journals of Pinchot and Muir are open to the public. However, the incident did mark the beginning of the break between the two groups.

38. John Minto, "Sheep Husbandry in Oregon," Oregon Historical Quarterly, III:3 (September, 1902), pp. 219-47.

39. Oregonian, February 10, 1904.

## Chapter 5

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1. "Olympic Forest Reserve, Washington," Twenty-First Annual Report of the U. S. Geological Survey (Washington, 1900), 153-56; Gifford Pinchot, Surveys of the Forest Reserves (Washington, 1898), pp. 87-91.

2. Edwin T. Coman and Helen M. Gibbs, Time, Tide and Timber: A Century of Pope and Talbot (Stanford 1949), pp. 1112-13.

3. R. LeBar to the Secretary of the Interior (n.d.), N.A., D.I., N.F., Okanogan to Olympic, part II.

4. Statement of Henry Gannett, February 11, 1899, and Gifford Pinchot, March 13, 1899, ibid.

5. Cloes' inspection report, May 11, 1899, ibid. Cloes probably did not leave his dental office.

6. These petitions, remonstrances, prayers and supplications are found in ibid.

7. Charles D. Walcott to Binger Hermann, September 26, 1899. ibid.

8. Both Pinchot and E. T. Allen valued Sheller as a source of inside information on Land Office politics. Allen in 1906 hired him as supervisor of the Blue Mountain National Forest, where his ability to win friends and influence people helped him make friends for the forests in that area. He was transferred to the Wenatchee National Forest in 1907, where he was conspicuously less successful; he took to drink and was fired the next year.

9. Report of D. B. Sheller (n.d., 1899), ibid.

10. Report of Rixon and Dodwell to Henry Gannett, November 22, 1899, ibid. The reports of both Sheller and the Geological Survey field men were correct in regard to the number of settlers, and to the fact that a good number were bona fide settlers rather than speculators. Their opinion of the worthlessness of hemlock was a common opinion at that time. Gannett was perfectly correct, however, in regarding the land as timber land rather than agricultural land.

11. Henry Gannett to the Secretary of the Interior, December 13, 1899, and March 15, 1900, ibid.

12. "Olympic Reserve," Twenty-First Annual Report of the Geological Survey, p. 152; Annual Report of the Commissioner of the General Land Office, 1900 (Washington, 1900), pp. 87-91.

13. George W. Woodruff, Federal and State Forest Laws (Washington, 1904: U.S.D.A., Bulletin 57), pp. 247-49. Some 41,947,310 acres were restored to the forest between 1901 and 1907.

14. The following table is suggestive:

Original alienations of the area eliminated from the Olympic National Forest

	<u>Acres</u>	<u>%</u>
Original homestead entries	220,299.18	32
Timber & Stone entries	287,187.34	42
Railroad lands	34,654.97	5
State lands	134,569.16	20
Vacant public lands	3,262.24	1
	<hr style="width: 100%; border: 1px solid black;"/>	
	679,972.89	100

Ownership, 1912, of area eliminated from Olympic National Forest

	<u>Acres</u>	<u>%</u>
Original homestead entries	57,958.07	9
Railroad land	6,430.69	1
State lands	133,150.72	19
Small owners (160 A. or under)	93,804.55	14
Speculative owners (Over 160 A)	256,133.57	37

Timber & Logging companies	129,253.05	19
Vacant public lands	3,262.24	1
	<hr/>	<hr/>
	679,972.89	100

N.A., D.A., F.S., Timber claimfrauds, dr. 40.

15. Annual Report of the Commissioner of the General Land Office, 1901 (Washington, 1901).

16. A description of the Washington reserve is contained in H. B. Ayres, "The Washington Forest Reserve," Nineteenth Annual Report of the U. S. Geological Survey, 1897-98 (Washington, 1899), pp. 283-313. Other descriptions are found in the unpublished reports of the Bureau of Forestry as follows: "Washington Forest Reserves: Description of the Valleys," by H. B. Ayres, 1897; "A Favorable Report on the Proposed Addition to the Washington Forest Reserve, Washington," by M. G. Gowsell, 1903; and "Report on the Proposed Addition to the Washington Forest Reserve, Washington," by W. T. Cox. These reports are in N.A., D.A., F.S., Research Compilation Files, Region VI, dr. 137. The petitions, letters, protests, and remonstrances are in N.A., D.I., N.F., Mt. Baker, boxes 105 and 106.

17. E. T. Allen, "The Applications and Possibilities of the Federal Reserve Policy," Proceedings of the Society of American Foresters I, 2 (Nov., 1905), p. 52.

18. E. T. Allen to Gifford Pinchot, February 23, 1907; Pinchot to Allen, March 2, 1907, N.A., D.A., F.S., Insp. Corr., District 6, 1906-08, dr. 94/777. Pinchot to Allen, March 7, 1907, ibid., Insp. Corr., Allen. E. T., 1907, dr. 27.

19. Some information on the road is found in The Columbia River and Oregon Timberman, I:7 (May, 1900), p. 19. See Map 2.

20. The documents cited are in N.A., D.I., N.F., Gifford Pinchot, box 55.

21. Ibid.

22. J. W. Cloes to Commissioner of Land Office, November 7, 1898; D. B. Sheller to Commissioner, December 30, 1899, ibid.

23. Oregonian, September 21, 1899.

24. Oregonian, July 3 and 27, 1901.

25. U. S. Bureau of Corporations, The Lumber Industry (Washington, 1913-14), II, pp. 39, 44.

26. N.A., D.I., N.F., Gifford Pinchot, box 55.

27. Report of the Commissioner of the General Land Office, 1901 (Washington, 1901), pp. 108-09.



28. "The Proposed Snoqualmie Forest Reserve in Washington," by R. B. Wilson, July, 1904, N.A., D.A., F.S., Research Compilation Files, Mt. Hood-Umpqua, Dr. 138. The following tables of land status are of interest.

Railroad land	571,746 acres	35.80%
Unsurveyed land	4,220	.26
	34,600	2.17
Patented	46,960	2.94
Homestead entry	3,120	.20
Timber & Stone entry	6,120	.38
Lieu selection pending	600	.04
State selection, approved	1,160	.07
School land	15,120	.95
School land unsurveyed	76,480	4.79
Mineral land	1,280	.08
Squatter's claims	32,000	2.00
Public land	803,340	50.32
	<hr/>	<hr/>
	1,596,960	100.00

29. "Ashford Addition to the Mt. Rainier Reserve," by John Leibig, 1905; "Proposed Addition to the Eastern Boundary of the Washington National Forest," by E. T. Allen, 1905; "A Favorable Report on the Proposed Additions to the National Forest in Chelan and Okanogan Counties," by Lee A. Harris, 1906; "Proposed Colville National Forest," (n.d.), N.A., D.A., F.S., Research Compilation Files, Region VI, dr. 137 and 138.

## Chapter 6

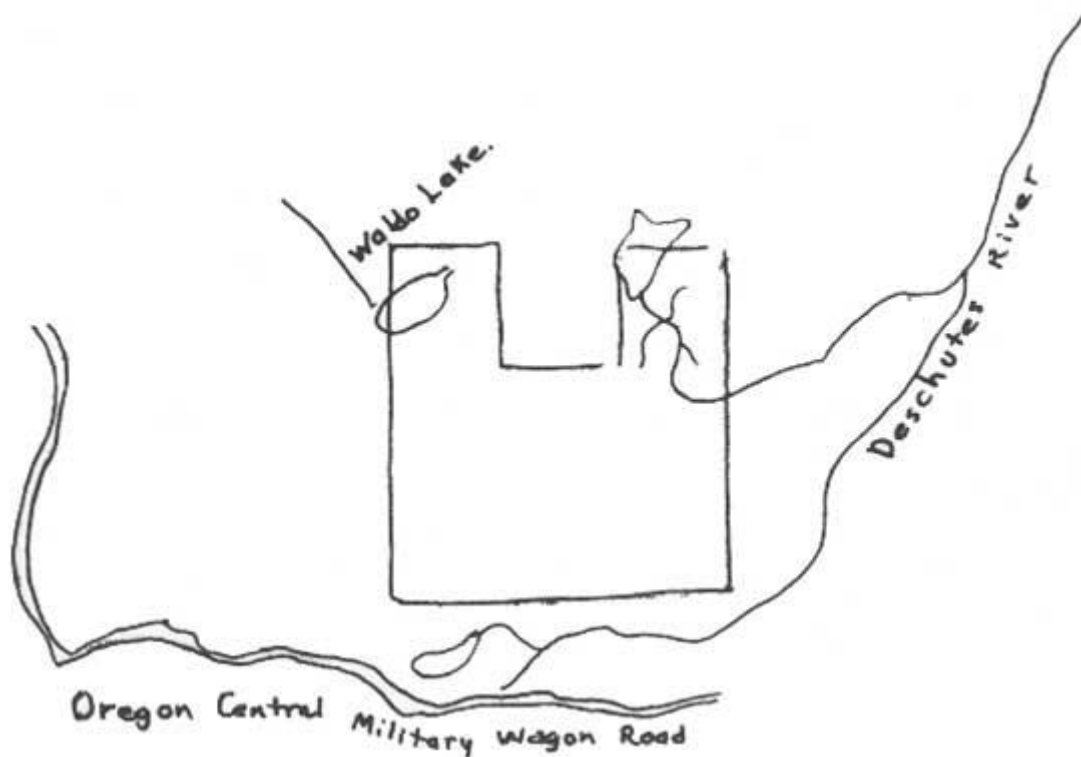
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1. Puter and Stevens, op.cit., pp. 347-50, is the standard study. A more valuable study, so far unexploited, is the series of articles by Harry Brown in the Oregonian, October and November, 1903. Brown had access to Land Office material, and used it well. There is, however, still much work to be done, in studying the lieu land frauds from both the disposal and conservation points of view.

2. Report of the Secretary of the Interior 1904, p. 387.

3. The Oregon Central Military Wagon Road grant extended from Eugene to the eastern border of the state, and covered odd sections for three miles in width on each side of the road, with indemnity limits to six miles on each side of the road. The government brought suit against the road in 1889, alleging failure to construct the road, but were unsuccessful. Bureau of Corporation, The Lumber Industry, III, pp. 57-8 and 78.

4. Ibid., map 2 facing p. 80; also map 3 of this thesis.



MAP 3  
PROPOSED PENGRA ELIMINATION

5. G. G. Allardt, The Commissioner of the General Land Office, October 2, 1899, N.A., D.I., N.F., Willamette, part II, box 175.

6. S. B. Ormsby to Binger Hermann, October 25 and 26, 1899, ibid. Steel brought both the weight of the Oregon Forestry Association, a branch of the American Forestry Association, which he had just organized, and the Mazamas against the project.

7. John B. Waldo to S. B. Ormsby, October 16, 1899, ibid. Steel forwarded a copy to Thomas Ryan, Acting Secretary of the Interior. The quotation from Geike is from Geological Sketches at Home and Abroad (New York, 1892), pp. 305-06. Geike was of the erosionist school of geologists, believing that most of the features of the earth are due to the action of air, rain, frost, rivers, and other areas of subaerial erosion, as opposed to the convulsionists, such as Clarence King, who believed subterranean movements were the main causes of physical features. He traveled in this country in 1879, on a trip arranged by the American geologist Hayden, going through Wyoming, Montana and Idaho, and finding there confirmation of his ideas. He was also the first to observe the effects of fissure flows of lava, as opposed to crater flows, on his trip through the lava fields of the Snake River country, and the first to study similar fissure flows in Iceland, northwestern Europe and the Deccan. Waldo's citation of Geike is another example of the wide familiarity of westerners with the scientific literature of the time.

8. Letter of transmittal to BingerHermann, October 9, 1899, by M. J. Anderson and other stockmen. GeorgeSorenson to Senator John H. Mitchell, March 6, 1901. H. J. Dufur to JohnH. Mitchell, n.d., 1901. Malcolm Moody to Binger Hermann, March 9, 1901,N.A., D.I., N.F., Willamette Part II, box 175.Sorenson, the timber broker, along with Ormsby, the ForestSuperintendent, were hand in glove with the speculators; the others werehonest in their intent.

9. The correspondent was wrong insuspecting that the area was in the O. & C. grant; but he wasprobably right in thinking someone would profit by the withdrawal.Ownership maps in The Lumber Industry III, p. 80, show extensiveholdings by the Southern Pacific, Hill and Weyerhauser, and the C. A.Smith interests. Of these the C. A. Smith interests were those whocustomarily manipulated the land laws, and it was likely Ormsby wasworking for this group.

10. T. Leonard Charman, Secretaryof the Board of Water Commissioners, to John H. Mitchell. February 18,1902.

Similar letters were sent to the other delegates toCongress. N.A., D.I., N. F., Willamette, part II,box 175.

11. "Proposed Santiam Addition tothe Cascade Range Reserve," L A. Braniff, 1904; "Proposed RoseburgAddition to the Cascade Range Reserve," W. H. B. Kent, N.A.,D.A., F.S., Research Compilation Files,Wenatchee-Willamette dr. 139.

12. The official reports on thereserve are in N.A., D.I., N.F., Siskiyou, Part Iand II, box 145. Harry Brown, the Oregonian's Washingtoncorrespondent, utilized the documents in one of a series of articles on"The Forest Reserves in Oregon," of which the issue of theOregonian for October 13, 1903, is significant.

13. The remonstrances were on theusual grounds that the reserve had agricultural lands locked up in it;that it was unnecessary, since the Cascade Range existed; that brushland in the reserve was a fire hazard; that the reserve was not neededfor watershed protection; and that many settlers were waiting to proveup their claims.

14. H. D. Langille and W. T. Cox, "A Report on the proposed Siskiyou Forest Reserve, Oregon," N.A.,D.A., F.S., Research Compilation Files, Region VI, dr.138.

15. "Report on the Proposed BlueMountain Reserve, 1906," R. D. Langille, N.A., D.A.,F.S., Research Compilation Files, Region VI, dr. 139, gives agood picture of the region. The Oregonian carried numerousstories of the range wars; for example, the issues of September 19,1902, and October 31, 1903. Wentworth, op. cit., pp. 260-65,gives a good account of the migratory herds in Oregon. He finds exactstatistics on the number of sheep hard to arrive at.

Figures on the number of sheep grazed in the area(from the Oregonian, September 19, 1902) are:

	<u>Sheep</u>	<u>Cattle</u>	<u>Horses</u>
Morrow County	150,000	60,000	3,500
Umatilla	145,000	16,000	15,000
Union	40,000	18,000	10,000
Wasco	105,000	5,000	5,000
Wheeler	80,000	10,000	4,000
Crook	175,000	20,000	15,000
Grant	100,000	16,000	5,000

16. Oregonian July 31, 1901; Citizens of Baker City to Moody, September 27, 1901, and L. Gabrill to Gifford Pinchot, December 7, 1901, N.A., D.I., N.F., Blue Mountains, box 17.

17. Puter, op. cit., pp.347-50.

18. Ibid. The rank and file members of the Wool Grower's Association were probably sincere in their desire to have a reserve to stop range wars. However, J. N. Williamson, one of their members, had more dishonest motives, as he was in league with the Puter group.

19. The Journal played an important part, as well as the Oregonian, in breaking the story of the land frauds. Like the Oregonian, once it was aware that frauds were involved, it attacked the land looters; in addition, as a Democratic paper, it attacked the officials involved even more severely than did the Oregonian. The Oregonian however, because of its wider circulation, its Washington correspondent, and its influence both in the region and in the nation, played a more important part in the national movement. The Journal however, did play a significant role in the state, by its support of Governor Chamberlain for the governorship. An evaluation of the role of the Journal is found in Marshall N. Dana, The First Fifty Years of the Oregon Journal (Portland, 1951), pp. 79-82, 86-88.

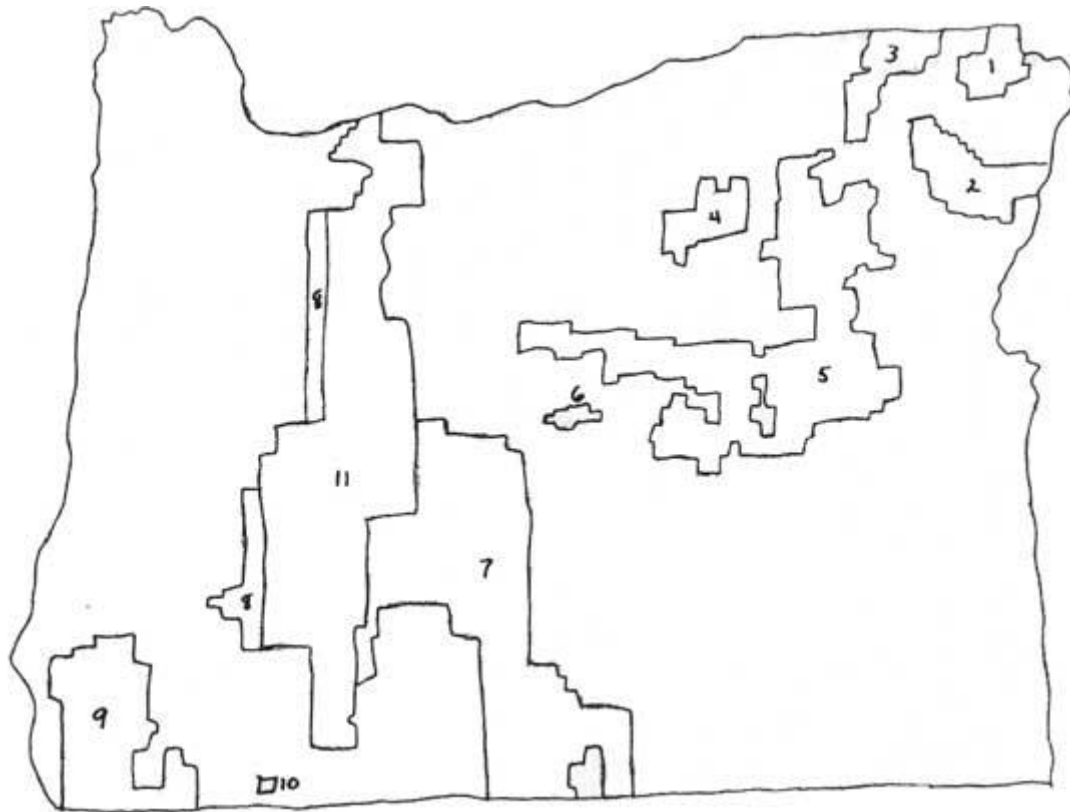
20. The presumption is that the Association had already obtained title to the areas around waterholes and springs, and by their control of private land in the reserve could control the grazing.

21. The pertinent papers are in N.A., D.I., N.F., Blue Mountains, box 17. Harry Brown's story, based on the Land Office files are in the Oregonian October 5 and 7. Brown's evaluations are sound, though he is somewhat harsh in his evaluation of Langille.

22. Report of the Secretary of the Interior. 1904, pp. 21-4; Report of the Commissioner of the Land Office, 1908, pp. 25-27.

23. Elting Mormon (ed.), The Letters of Theodore Roosevelt (Cambridge, 1950-53), III, p. 477.

24. See Map 4.



MAP 4  
TEMPORARY WITHDRAWALS IN OREGON, 1903  
(From The Oregonian, Sept. 7, 1903)  
Legend for Map 4

1. Proposed Joseph River Reserve
2. Proposed Willowa Reserve
3. Proposed La Grande Reserve
4. Proposed Morrow Reserve
5. Proposed Blue Mountain Reserve
6. Proposed Maury Mountain Reserve
7. Proposed Warner Mountain Reserve
8. Proposed Rogue River Reserve
9. Ashland Reserve
10. Cascade Range Reserve

25. The articles were severe in their criticism of public officials as well as the land sharks, but probably their value in exciting the public against the land looters was thought to outweigh this. H. D. Langille, who came in for some harsh criticism from Brown, prepared an article for the Oregonian in his own defense, and submitted it to the Bureau of Forestry for clearance. As he said, "They are roasting me pretty hard in the state, and I would like to get back at them but of course will not do so at the sacrifice of the Bureau's interests." (H. D. Langille to O. W. Price, October 22, 1903, N.A., D.A., F. S., Chief's Corr.). The article was not published.

26. No more permanent reserves were created until the repeal of the lieu provision in 1905. The Oregonian took credit for this policy, which left the landlooters holding the bag; but more likely, the Land Office and Bureau of Forestry arrived at it independently.
27. Morrison, op. cit., III, pp. 572-73, 594-5; IV, pp. 1176-77, 1302; Theodore Roosevelt, An Autobiography (New York, 1913), pp. 359-60; Oswald West, "Reminiscences and Anecdotes," Oregon Historical Quarterly, LI:2(June, 1950), pp. 107-110.
28. "Report on the Proposed Blue Mountain Reserve," by H. D. Langille, 1906, N.A., D.A., F.S., Research Compilation Files, Region VI, dr. 139; interview with T. T. Munger.
29. Ibid.; "Supplemental Report on the Blue Mountain Reserve, Oregon," H. D. Langille, 1904, N.A., D.I., N.F., Blue Mountains, Box 17.
30. H. D. Langille to Secretary of Agriculture Wilson, N.A., D.I., N.F., Blue Mountains, box 17; Oregonian, October 6, 1903. The Grande Ronde Lumber Company was a Chippawa Falls, Wisconsin, firm. E. W. Bartlett, the dishonest Register at La Grande that Roosevelt removed, was a stockholder, and probably aided the company in getting land. The firm had close ties with the Booth-Kelly Company, and may have been a subsidiary. The Columbia River and Oregon Timberman, I:4(February, 1900) has some information on their logging operations.
31. Of this company, Langille wrote, "It is common knowledge that their employees have been supplied with funds to purchase land under the Timber and Stone Act, and it is a matter of record that their claims have been transferred to the company on the same day following receipt of patent." "Report on the Proposed Blue Mountain Reserve," H. D. Langille, N.A., D.A., F.S., Research Compilation Files, Region VI, dr. 139.
32. Oregonian, September 19, 1902.
33. "The Proposed Heppner Forest Reserve, Oregon," H. D. Langille, 1903, N.A., D.A., F.S., Research Compilation Files, Region VI, dr. 135.
34. H. D. Langille to Land Office Commissioner, April 20, 1902, N.A., D.I., N.F., Blue Mountains, box 17.
35. "Report of an Examination of the Proposed Maury Mountain Forest Reserve," Edward A. Braniff, 1903, N.A., D.A., N.F., Research Compilation Files, Region VI, dr. 137.
36. "The Wallowa Reserve," A. Gaskill, 1903; "The Proposed Wallowa Forest Reserve," Frank A. Clarke and H. D. Langille, 1904; "The Proposed Chesnimus Forest Reserve, Oregon," H. D. Langille, 1904, N.A., D.A., F.S., Research Compilation Files, Region VI, dr. 135.
37. Oregonian October 8, 1903.
38. The petitions and letters mentioned are in N.A., D.I., N.F., Umatilla to Umpqua, box 164.

39 "The Proposed Walla Walla Forest Reserve, Washington and Oregon," W. H. B. Kent, Survey and Recommendation, Bureau of Forestry, ibid.; "The Proposed Wenaha Forest Reserve," W. H. B. Kent, 1904, N.A., D.A., F.S., Research Compilation Files, Region VI, dr. 139.

40. Oregonian October 8, 1903.

41. "The Proposed Fremont Forest Reserve and Addition to the Cascade Range Reserve in Oregon," W. H. B. Kent, 1904, in N.A., D.A., F.S., Research Compilation Files, Region VI, dr. 137. Interview with K. C. Langfield, a forest ranger who knew personally the stockmen who circulated the petition.

42. Columbia River and Oregon Timberman, I:12 (October, 1900), p. 9; Oregonian, August 2, October 13, 14, and 23, 1902. The chief lumber interests that profited were the Booth-Kelly Company, the C. A. Smith interests, and the Weyerhaeuser subsidiaries. The Booth-Kelly Company acquired the nucleus of its holding through the Oregon Central Military Road Grant; but most of the holdings were acquired by using dummy entrymen. The Lumber Industry, III, pp. 57-59, map 80.

43. "The Proposed Sprague River Addition to the Goose Lake Forest Reserve," by Franklin W. Redd, 1904, N.A., D.A., F.S., Research Compilation Files, Region VI, Deschutes-Mt. Baker, dr. 137.

44. Pinchot, Breaking New Ground, p. 300; Robbins, op. cit., pp. 348-49; Cameron, op. cit., pp. 244-45; Roosevelt, Autobiography, pp. 459-60.

45. Robbins, op. cit., has quoted at length from such attacks.

46. Ibid.

47. Oregonian March 6, 1907.

48. E. T. Allen to Gifford Pinchot, February 25, 1907, N. A., D.A., F.S., Insp. Corr., Allen, E. T., 1907, dr. 710/27.

49. Congressional Record, 59th Cong. 2nd Session, pp. 3507-08; 60th Cong., 1st Session, p. 167.

50. E. T. Allen to Gifford Pinchot, February 23, 1907, N.A., D.A., F.S., Insp. Corr., E. T. Allen, dr. 710/27.

51. Congressional Record, 59th Cong., 2nd Session, pp. 3506-07. The State Legislature asked that grazing fees be given to the school funds in lieu of tax money lost by creation of the reserves, and asked for a law to administer the O. & C. lands.

## Chapter 7

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1. Cameron, op. cit., 255, n. 1.
2. A brief biographical sketch of Allen appears in Shirley W. Allen, "E. T. Allen, Journal of Forestry. 43:3 (March, 1945), 222-3.
3. Pinchot to Allen, December 10, 1898, in N.A., D.A., F.S., Gen. Corr., A-L Letterbook.
4. Foster's speech is in The Forester, VII:3 (March, 1901), 88-91. Allen's letters and reports are in N.A., D.A., F.S., Gen. Corr., E. T. Allen, and Allen, E. T., Miss. Corr., dr. 58/420.
5. Allen's reports and correspondence are in N.A., D.A., F.S., Insp. Corr., Allen, E. T. 1906-07, dr. 26/209, and Insp. Corr., Dist. 6, 1907, dr. 23/706. He wrote a brief account of his work in "California's Forest Policy," Forest and Irrigation, XI:7 (July, 1905), 370-371. The First Biennial Report of the State Forester of California (Sacramento, 1906), has some information on Allen's work. The Los Angeles Times, June 28, 1906, has information on Luken's remonstrance.
6. Practically speaking, Allen's work was concentrated in Washington and Oregon. Alaska was pretty well left to local supervisors and rangers.
7. Memorandum April 25 1908, in N.A., D.A., F.S., Insp. Corr., 1908, Dist. 6, dr. 211/70.
8. Gifford Pinchot to Fred Ames, in ibid., Insp. Corr., Ames, F. E., Feb. 18, 1907.
9. E. T. Allen to James Adams in ibid., Insp. Corr., Allen, E. T., 1906-07, dr. 26/709.
10. Described by John Kirkpatrick, a ranger who worked under him for many years, as "an eccentric man, but an amiable, kindly disposed gentleman, absolutely honest and loyal to those whom he felt were honest and deserving" (The Six-Twenty-Six, VIII:1 November, 1924).
11. E. T. Allen to the Forester, September 14, 1907, in N.A., D.A., N.F., Insp. Corr., Allen, E. T., 1906-07, dr. 26/709. Fred Ames in his inspection report praises Anderson's work, (ibid., Insp. Corr., District 6, Cascade-Whitman, 1908); and T. T. Munger has confirmed these statements in an interview.
12. W. T. Cox, Insp. Report, Olympic, March, 1906, in N.A., D.A., N.F., District 6, Olympic-Washington, 1905-1908, dr. 93/776. The Ranger, VII:1 (April, 1932), 6.
13. The Ranger, II:1 (April, 1926).
14. The Ranger VII:1 (April, 1932).



15. E. T. Allen to the Forester, November 15, 1907, in N.A., D.A., N.F., Insp. Corr., Allen E. T., 1906-07, dr. 26/709.

16. Ibid., Allen Corr., 1908, dr. 25.

17. Although Pinchot in his autobiography takes credit for the idea, the real originator of the plan was apparently F. E. Olmsted. Allen traveled with Secretary of Agriculture James E. Wilson on his tour of the West in 1907. Writing to Assistant Forester Overton Price, he said, "In short, his [Wilson's] own idea seemed, as I said before, without my suggestion, almost exactly the district forester scheme proposed by Olmsted long ago. He says it is unreasonable to pay me \$2700 and then have important matters go to Washington, where since the Forester is too busy to go into detail, they are controlled by men paid less and therefore not so competent. If they are more competent than the Chief Inspector he says they ought to be out there in our places. He says it is absurd to have us here at all if we cannot give direct orders to the supervisors when orders are needed." Gifford Pinchot papers, Pers. Subj., Forest Service, 01-07, box 1920, Library of Congress.

18. N.A., D.A., F.S., Allen Corr., 1908, dr. 25.

19. Reprinted in The Ranger, VI:3 (April, 1929).

20. The Ranger, VII:3 (April 1929). The Office of Information and Education, Region 6 (Portland, Oregon) has a file of biographical information on most of the men. Scattered references are also found in the regional newsletters, The Ranger and The Six-Twenty-Six.

21. Ibid.

22. One example of such ingenuity, shown by a ranger in the Cascade forest, deserves special mention. It has to do with whiskey.

"Your expense account Certificate 112 is returned. Item 1, quart of whiskey, is rather unusual, and your explanation is noted. Please submit on a separate expense account the items potassium permanganate and 1 quart of whiskey, together with the explanation given in the returned voucher. I would also support this account containing the above items by letter stating that the whiskey will be kept in the Supervisor's office for future medicinal use with fire fighters or temporary laborers. I desire these items to be submitted separately so that the account may be forwarded the Washington Office for advice. The purchase of whiskey as medicine establishes a precedent which the Washington office must rule on before payment. The remainder of the items may be submitted in some future account."

Now for the reason:

"There was a fire in a rattlesnake-infested part of the district. Word was brought to me about 12:00 p.m. I needed a few men and the only ones in evidence in the village were the few still with their feet on the rail and their elbows on the bar. They steadfastly and profanely refused to help me with my fire unless I carried along a supply of snake bite medicine. I think I could have gotten

by with the account but for onething—after the fire, there was no whiskey to be "kept in theSupervisor's office for future medicinal" or any ether use. (It wasgood stuff, and only cost \$1.50 per quart.) Nobody was snake bit.We got the fire out." (P. A. Thimpson, Cascade.)

23. E. T. Allen, "Ranger Young WildOn the Fire Line, or Lariat Laura's Fatal Form," in AmericanForestry XX:7 (July, 1914), 496-8.

24. E. T. Allen to theForester, November 15, 1909, in N.A., D.A.,F.S., Chief's Corr.

25. The case on which Allen spentmost of his attention is mentioned in a letter of Lee Harris to Allen,in ibid., Correspondence, E. T. Allen, dr. 25. On at least two occasionsPinchot issued letters reprimanding technical foresters in the districtwho had been undiplomatic in their relations with field men.

26. There is much correspondence onthe subject in Ibid., Insp. Corr., Allen, E. T. 1906-07, dr. 26/709and Insp. Corr., Dist. 6, dr. 23/70.

27. No information has been found onthe background of the action. Pinchot did have permission of the legaldivision of the Department of Agriculture, though the action was of doubtful legality.

28. E. T. Allen to the Forester,(n.d.) 1908, in N.A., D.A., F.S. Allen, 1908 Corr.,dr. 25.

29. Francis G. Miller, "How theCollege of Forestry was established at the University of Washington," inUniversity of Washington Forest Club Quarterly, IV:3 ( November,1925), 27-33.

30. Similar short courses werestarted in Montana, Colorado, and other Western states.

31. Allen to the Forester, October 16and 29, 1908; Allen to F. G. Miller, October 29, 1908; A. H. Potter toAllen, November 4, 1908, in N.A., D.A., F.S., Insp.Corr., District 6, 1908, dr. 24/70.

32. Memorandum, (n.d.) 1908, inibid., Insp. Corr., dr. 25.

33. C. S. Chapman to DistrictForester, December 10, 1910, in ibid., Silviculture-Supervision, R.6, 1908-16, dr. 3/291.

34. Francis G. Miller, op.cit., 29; Pinchot, op. cit., 458.

35. Thomas Kane to Secretary Wilson,January 5, 1911; E. T. Allen to Wilson, January 7, 1911; Wilson to Kane,January 27, 1911, in N.A., D. A., F.S.,Silviculture-Cooperation, 1908-16, dr. 3/291.

36. A. Potter to District Forester,November 10, 1911, in ibid.

37. W. T. Andrews, "Introduction ofthe Practical Teaching of Logging, Engineering, and Lumber Manufactureat the University of Washington, in University of Washington Forest ClubQuarterly, IV:3 (Nov., 1925), 34-7.

38. Iso., op. cit., 169,172-4; Cameron, op. cit., 332-5; Pinchot, op.cit., 268-73.

39. The situation is still true. Charles McKinley wrote in 1952, "Interestingly enough the state associations are not always in full harmony with the actions of the national conventions and their officials. Yet the voice heard in Congress concerning the fee and the subsequent appropriation controversy was the voice of the two bignational groups." He goes on to remark on the opposition to giving federal range land to the states by stockmen in the Pacific Northwest. Charles McKinley, Uncle Sam in the Pacific Northwest (New York, 1952), 264, 266.

40. Report of M. L. Erickson, 1906, in N.A., D.A., F.S., Insp. Corr., Dist. 6, Cascade (W)—Imnaha, dr. 92/775.

41. Ulrich E. Fries, From Copenhagen to Okanagan (Caldwell, 1949), 391.

42. Report of Howard O'Brien, 1907, in N.A., D.A., F.S., Grazing Allowances, Reg. 6., 1908-12, dr. 2/106.

43. Ibid., Grazing Corr., Region 6, 1907-12, 1/149.

44. M. L. Erickson to Cornelius Finacune, March, 1907; C. W. Fulton to Gifford Pinchot, August 17, 1907, in ibid., Insp. Corr., Allen, 1907, dr. 27.

45. H. A. Sylvester, Report, in ibid., Grazing Allowances, Region 6, 1908-12, dr. 5/109.

46. Fred Ames to the Forester, March 29, 1912; Albert Potter to Ames, April 8, 1912, in ibid., Reg. G-15.

47. Guy Ingram, "Grazing Report" 1908, in ibid., Grazing Allowances, Region 6, 1908-12, dr. 2/106; M. L. Erickson, "Grazing Report," in ibid., Insp. Corr., 1908, dr. 778/95.

48. Cy Bingham, "Annual Grazing Report, 1909, Malheur," in ibid., Grazing Allowances, D6, 1908-12, dr. 3/107.

49. George Cecil to the Forester, August 15, 1912, in ibid., Grazing-Supervision, Region 6, 1908-12, dr. 1/238.

50. Fred Ames to the Forester, November 3, 1911; L. F. Kneipp to Ames, November 9, 1911, in ibid. There are many examples of such requests scattered through the grazing correspondence.

51. E. T. Allen to the Forester, January 30, 1908, in ibid., Allen Corr., dr. 25.

52. Rodgers, op. cit., 408.

53. Oregonian, January 4 and 5, 1911.

54. Oregonian, January 6, 7,8 and 9, 1911. C. S. Chapman to the Forester, January 11, 1911; HenryGraves to C. S. Chapman, January 17, 1911 in N.A., D.A.,F.S., Grazing Supervision, Region 6, dr. 1/238.
55. Washington Hatchet, I:4April, 1912.
56. Minutes of Dist. CommitteeMeeting, April 2, 1912, in N.A., D.A., F.S.,Operations File, Region 6, dr. 183.
57. The Six-Twenty-Six,VI:1 (November, 1922).
58. The Crater Ranger, April,1911; The Deschutes Ranger, I:4 (August, 1914).
59. N.A., D.A.,F.S., Operations File, District 6, dr. 183/172.
60. Diary of John Kirkpatrick, inibid., Ranger's Diaries.
61. N.A., D.A.,F.S., Fire Control Correspondence, 1909-35; F—Cooperation;Acc, 1124, dr 35. The agreements with Railroads, to judge from inspectionreports, were well kept.
62. The Six-Twenty-Six, III:10(August, 1917); American Forestry, XX:7 (July, 1914), 498.
63. N.A., D.A.,F.S., Fire Control Corr., 1909-17; Co-operation, Reg. 5-6,Acc1124, dr. 41.
64. Ibid., E. T. Allen, Box 25.
65. Ibid., F. S. Timber Sales1908-30, Gen., R. 6.
66. Ibid.
67. "The Conduct of Timber Sales," byF. E. Ames, in ibid., Research Compilation Files, National Forests, Reg.5 and 6, dr. 135,
68. Ibid.
69. N.A., D.A.,F.S., I—Information, Hist. Info., box 44.
70. Overton Price to E. T. Allen,Aug. 18, 1908, in ibid., E. T. Allen Corr., dr. 25; interview with T. T.Munger.
71. Rodgers, op. cit., 471.
72. N.A., D.A.,F.S., Res. Compilation Files, dr. 378.
73. T. T. Munger, "Report on theProposed Wind River Experiment Station, March 4, 1912," inibid.

74. Munger interview.
75. Cameron, op. cit., 249.
76. John B. Waldo to Gifford Pinchot, May 26, 1906, in N.A., D.A., F.S., Pinchot Records, Agri. Lands-Conservation Charges.
77. John B. Waldo to Gifford Pinchot, March 27, 1906, in ibid.; Oregonian, March 25, 1906.
78. Darrel H. Smith, The Forest Service: Its History, Activities and Organization, (Washington, 1930), 40.
79. N.A., D.A., F.S., Insp. Corr., Allen E. T., 1907, dr. 27/710.
80. N.A., D.A., F.S., Research Compilation Files, National Forests, Reg. 5 and 6, dr 135.
81. Report of E. T. Allen, February 14, 1907, in ibid., Insp. Corr., Allen, E. T., Olympic-Washington, 1905-08, dr. 93; Allen to the Forester, June 15 and August 14, 1907, and Report of George Milham, November 5, 1907, in ibid., Insp. Corr., Allen, E. T., 1907, dr. 27/710.
82. R. E. Benedict to Overton Price, Sept. 9, 1909, in ibid., Chief's Corr., 14-W-3, Row 7, dr. 121.
83. Ibid., Operations File, District 6, Supervision, 1912-13, ace, 766, dr. 330/419.
84. Cameron, op. cit., 282. By the 1906 ruling the revisor was generally accepted.
85. Solicitor's memorandum to the Secretary of Agriculture, in N.A., D.A., F.S., Lands, Timber Fraud Claims, dr. 40.
86. Ibid.
87. There were a large number of other claims protested in this area, and invalidated during this time. Some of the examiners had exciting experiences; one, for example, was invited to dinner by a timber locator, and had "Rough-On-Rats" given him in his coffee. See Alford L. Thayer, "The Fraudulent Homesteader," in Forestry and Irrigation, XIV:11 (November, 1908), 579-84.
88. Henry Graves, "Timber Frauds in the National Forests," in N.A., D.A., F.S., Timber Fraud Claims, dr. 40. In the same collection Public Land Papers, dr 42 and 44, and Homestead Claims, dr. 27, contain much material, including a collection of extremely convincing photographs of homestead claim taken up for timber.
89. Interview with T. T. Munger.

## Chapter 8

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1. Fredrick Jackson Turner, The Significance of Sections in American History (New York, 1950), 254.
2. A good example of this type of company history is Donald H. Clark, 18 Men and a Horse (Seattle, 1949), dealing with the Bloedel-Donovan opera does everything but put a halo on the brow of its hero.
3. George Mowry's The California Progressives (Berkeley, 1951) mentions the conservation issue only briefly, though it was a live issue in the state, and some of the chief attacks on federal forest policy came from California lumbermen in the period 1910-20. Keith Murray's thesis on Republican party politics in Washington talks only in general terms of railroad and lumber interests control. Helen Wilson's thesis on Poindexter has little to say on his conservation stand.
4. No thorough study of Roosevelt's work as a conservationist has been made. His own account of his work, in the Autobiography, is a good one, especially in respect to his relations with the western Senators. Volumes 3-6 of his Letters contain many references to the forests and may be read with profit. Pinchot's Breaking New Ground is also of value.
5. Pinchot, op. cit., 295. Roosevelt's use of the tariff as a political lever to pry other concessions out of the party is dealt with in John Plum, The Republican Roosevelt (Cambridge, 1954), 72-105. Pinchot's stand is less well understood. His early favoring of a tariff on lumber in 1903 is recorded in John H. Cox, Organization of the Lumber Industry in the Pacific Northwest, 1889-1914 (unpublished doctoral dissertation, University of California, 1937), 174-8; and both Cox and Robbins (op. cit., 341), indicate that this meant Pinchot favored big corporations, and compromised his principles to some extent, by taking such a stand. What seems likely, however, is that Pinchot, like Roosevelt, was not much interested in the tariff except as a political weapon. At an Irrigation Congress in 1907 he spoke in favor of free lumber imports, saying that he had not taken a stand on the matter before for fear of antagonizing the lumber interests; but now that they were on his side, he could speak out (Oregonian, September 4, 1907). At the time the Conservation Commission was formed in the state of Washington, the Pacific Coast Lumber Manufacturers Association put great pressure on Governor Meade, to get his aid in making Pinchot commit himself definitely in favor of a tariff. (Robert B. Allen to Governor Meade, December 2, 1908; Victor H. Beckman to Meade, December 23, 1908, in Washington State Archives (hereafter abbreviated as W.S.A.), Natural Resources File, Governor Meade.
6. Pinchot, op. cit., 388-9.
7. Cameron, op. cit., 303-4; Ise, op. cit., 287-8; E. Louise Peffer, The Closing of the Public Domain (Stanford, 1951), 66-9.
8. Alpheus Mason, Bureaucracy Convicts Itself (New York, 1941), 38-9.

9. Puter, op. cit.,376-85.

10. Mason, op. cit.,182-5.

11. There was no uniformity in state and county taxes on timber land. It varied from two to three dollars on cut over land; in some counties a lump valuation of twenty to twenty-four dollars for timber lands; in others a valuation of two to five dollars per acre, plus fifty cents to a dollar extra for timber, however, the timber could not be held and managed at these rates of taxation.

One thing which operated in favor of the lumbermen, was the fact that cruises for the purpose of taxation by county and state cruises usually very much underestimated the volume of timber for the purposes of taxation. Sometimes there were two to three times as much timber on the acreage as the cruises estimated. The Lumber Industry, iii, 184-5.

11a. The best study of the industry and its structure is E. T. Allen, "The Situation of the Forest Industry from the Viewpoint of Permanent Forest Management, as reported by the Western Forestry and Conservation Association " in N.A., D.A F.S., Research Compilation File, dr. 408. This was prepared for an examination by the Federal Trade Commission of the lumber industry.

12. The situation was far different in California, where Forest Service and private standards of fire protection were very much at odds, due to the Californian's addiction to "light-burning."

13. Some statement of the aims and purposes of the group is contained in a letter of Steel to Pinchot, December 16, 1898, N.A., D.A., F.S., Pub. Rel. Corr., July 1, 1898 - May 15, 1899. dr. 47. Of the group, Waldo has already been mentioned. Hawkins was a rotund, Falstaffian individual, who apparently introduced the tropical pith helmet to the northwest. An ardent cyclist, he engineered a bicycle path from Portland to Mt. Hood. He also was the father of the city park system in Portland. A. J. Johnson was a nurseryman, who provided the Oregon forest exhibits for the Chicago World Fair. He also assisted the Geological Survey in its boundary work.

14. Meany, while attending the Chicago World Fair in 1893, heard Fernow talk about forestry and decided to introduce it at the University. He was aided in this project by the fact that the President, Mark Harrington, had at one time worked with Fernow in Washington. Meany entered into correspondence with Fernow, and in 1894 began instruction, modeling his course on Fernow's Amherst lectures. There is a large amount of correspondence between Meany and Fernow in the Fernow Correspondence, of the National Archives. See also Rodgers, op. cit., 217-218.

15. Pinchot, op. cit., 158, has paid tribute to Burke.

16. William T. Cox, "Recent Forest Fires in Oregon and Washington," Forest and Irrigation, VIII:11 (November, 1902), 462-70. Holbrook, op. cit., has told the story of the fire in his usual vivid fashion, 108-21.

17. Federal and State Forest Laws (Washington, 1904; U. S. D. A. Bull. 57), 109, 138-9, 194-6.

18. Report of the State Forester of Washington (Olympia, 1906).
19. Report of the State Forester of Washington, 1905 (Olympia, 1906).
20. Report of the Oregon Conservation Commission (Salem, 1912), 19-20.
21. Ibid., 21.
22. Another organization dealing with a problem closely related to forest conservation which came into being about this time was the Logged-Off Lands League, a group made up of those holding cut-over land. They became a significant group in the 20's; but at the present time, the main concern was with fire. Conservation has always been a matter of "first things first."
23. First Biennial Report of the State Board of Forestry for the year 1907-08 (Salem, 1908).
24. Keith Murray, Republican Party Politics in Washington During the Progressive Era (Ph.D. thesis, University of Washington. An analysis of the nature of some of the chief party members is found, pp. 10-13.
25. Ibid., pp. 50-52.
26. Seattle Times, November 5, 1908; E. T. Allen to The Forester, June 8, 1909, N.A., D.A., F.S., Silviculture-Supervision, R6, 1908-151;16, dr.2/290. Several things may be recognized in regard to the school lands of Washington, it was legally permissible, under the law of 1893, for the state to exchange school or other land in the reserve for federal land outside; and Ross' protests were ostensibly on this ground. There is no doubt that the Interior Department, in this and in other states, was slow in its land work, and there were just grounds for criticism. However, Ross desired exchange of land in blocks, rather than in isolated sections, which action would take Congressional legislation. Moreover, there is no doubt that both the Forest Service and the Department of the Interior were aware that frauds were being practiced in the sales of timber covered school lands, and may purposely have delayed action to avoid such practices. Ross undoubtedly had some legitimate grievances, but, he magnified them out of all proportion. For Ross' views on school lands, see his Eleventh Annual Report of the Commissioner of Public Lands (Olympia, 1911), pp. 53-57.
27. Oregonian, June 5, 1907.
28. Oswald West, "Reminiscences and Anecdotes—Mostly About Politics," Oregon Historical Quarterly LI:2 (June, 1950), pp. 109-10.
29. Oregonian, June 18, 19, 20, and 21, 1907; Cameron, op. cit., p. 242; Robbins, op. cit., pp. 351-52. There is need for some scholarly analyses of the various public land conferences which were held in the western states from 1907 to 1914. They are valuable in showing regional differences between parts of the west, on the public land questions. Taken as indicating a "Western" view toward these problems, however, they are apt to be misleading, in most cases



there were attempts to "pack" the meetings, so the minority views as well as the majority resolutions should be carefully analyzed.

30. Robbins, op. cit., pp.354-62, has a good evaluation.

31. Report of the Oregon Conservation Commission to the Governor, 1908 (Salem, 1908). The first efforts of the Commission were to get a new water bill, which they succeeded in getting by 1909, with the aid of the State Grange. They then turned their attention to the forests.

32. Seattle Times, May 16, 1908.

33. Murray, op. cit., pp.86-89.

34. Seattle Times, November 5, 1908.

35. The Brewster Flat sale involved the sale of state college lands just below the junction of the Okanogan and the Columbia River. The Land Office appraised the land at \$10 per acre; but E. A. Bryan, president of the Washington State College, protested that this valuation was grossly lower than its true value, and the Spokesman-Review characterized it as a land grab. Due to publicity by Bryan and the Spokesman-Review the tract eventually sold at an average of \$30 per acre (Spokane Spokesman-Review, May 7, 9, and 14, and June 9, 1908).

36. Seattle Post-Intelligencer, November 21, 1908.

37. Ibid., November 22, 1908.

38. W. S. A., Natural Resource File, Mead, has much correspondence relative to choosing members of the Commission.

39. Addresses and Proceedings of the First National Congress held at Seattle, Washington, August 26-28, 1909. Published by the Executive Committee of the National Conservation Congress (Seattle, 1909).

40. Mason, op. cit., p.30.

41. Mason has given the best account of the affair. The detailed background is given best in Pinchot, op. cit., pp. 391-490.

42. E. A. Sherman, "The Supreme Court of the United States and Conservation Policies," Journal of Forestry, XIX:8 (December, 1921), pp. 928-30.

43. Murray, op. cit., pp.80, 84.

44. Clarence Bagley, History of Seattle from the Earliest Settlement to the Present Time (Chicago, 1916), II, pp. 773-78, has an uncritical sketch of Hanford, which does mention his soft policy in interpreting the Timber and Stone Act. Hanford was impeached in 1912, but

resigned before the hearings were completed. Witnesses indicated that Hanford was a member of a state landring, which included among its members Ross and possibly Senator Turner. Report in the Matter of the Impeachment of Cornelius H. Hanford (Washington, 1912, 62nd Cong., 2nd Session, H.R. 1152), pp. 1260-61, 1265-67.

45. A. P. Sawyer wrote to Brainerd, March 13, 1901, "The President is very anxious to have the P-I uphold Ballinger and spoke to me twice about it. I think it would be a political mistake not to be gracious in this matter," Erastus Brainerd Papers, University of Washington Library. Ballinger's political alliances and friendships with Washingtonians are discussed in two articles by C. P. Connolly in Colliers: "Ballinger-Shyster," April 2, 1910, and "Who is Behind Ballinger?," April 9, 1910. I have no intention of going into the Pinchot-Ballinger dispute in detail, but the reader should recall it as the background to the scenes of these years.

46. Miles Poindexter to John L. Wilson Senatorial Club, December 31, 1901, Poindexter Papers, Ser. 1, File 23 (Microfilm, University of Washington).

47. Pinchot, op. cit., pp. 422, 457. Harriet Ann Crawford, The Washington State Grange: a Romance of Democracy (Portland, 1940), p. 155.

48. E. T. Allen to The Forester, June 8, 1909, N.A., D.A., F.S., Silviculture-Supervision, R. 6, pp. 8-16, dr. 2/290.

49. Washington State Land Policy, ibid., Public Land Papers, dr. 44. In other than timber land, the Land Office followed the expedient of a minimum appraisal, and advertisement of the sale in an out-of-the-way newspaper, which only those on the "inside" would be likely to read. Hanford Impeachment Proceedings, p. 1260. Scandal, laxness, and "the atmosphere of county court house politics" still surround state land sales in Washington. An analysis is found in Charles McKinley, "The Impact of American Federalism on the Management of Land Resources," Arthur W. MacMahon (ed.), Federalism: Real and Emergent (New York, 1955), pp. 309-10, 325.

50. Spokane Spokesman-Review, April 12, 13, 16, 25, 27, and 29, 1910; Ralph Dyar, News For an Empire (Caldwell, 1952), pp. 267-68.

51. Morison, op. cit., VII, pp. 95, 115.

52. The meeting was regarded by the Conservation forces as an attempt to pack the meeting by the railroad interests. Poindexter compared it to the Southern secession proclamation at the outbreak of the Civil War (Oregonian, August 4, 1910).

53. Oregonian, September 8, 1910.

54. Addresses and Proceedings of the Second Conservation Congress, Held in St. Paul, Minnesota September 5-8, 1910 (Washington, 1911), p. 64.

55. Ibid., pp. 120-21.

56. Ibid., p. 320. The waterpower question had become another burning issue in conservation. H. K. Smith of the Bureau of Corporations had printed a report showing control of the water power production in the country by a handful of companies. Men in the government like Smith, Henry L. Stimson, Pinchot, and Henry Graves believed that there should be government control of water power, with the right of the government to recapture water rights; power companies, however, desired rights in perpetuity. On the national scene, Roosevelt had adopted the Pinchot views and fought the power interests. In the Northwest, in Oregon, J. N. Teal and Oswald West, aided by the Grange, passed a good water bill; in Washington, as is indicated, the Grange had become alarmed over alleged power grabs, notably that of the Hanford Irrigation and Power Company, on the Columbia, and other power grabs near Port Townsend, Jerome G. Kerwin, Federal Water Power Legislation (New York, 1926: Columbia University Studies in History, Politics, and Public Law., n. 274), pp. 105-70, describes the battle during this period.

57. Ibid., pp. 320-24.

58. J. J. Donovan to Senator Jones, September 15, 1910, containing undated clipping of about same date in Jones Papers University of Washington Library. Later that year, at the Pacific Logging Congress, Donovan again raised the question of withholding the resources from the people. In Congress. at the same time, Abraham Lafferty, Congressman from Oregon, introduced a bill to turn over federal forests to the states in which they were located. On an urgent and forceful plea from Roosevelt, however, he dropped the bill, which died in committee. Morison, op. cit., pp. 187-89.

59. Murray, op. cit., analyzes the election as due to a split party.

60. Sherman, op. cit.

61. Report of the State Commission on Forest Legislation (Olympia, 1910).

62. Ibid.

63. N.A., D.A., F.S., Timber Fraud Claims, dr. 40. Both memorials were palpable fakes, and the Skamania County one at least was a hardy biennial. The Skamania County area included about 1-1/4 billion feet of timber, running from the summit of the Cascade Range, at Red Mountain, to Wind River. Eighty-nine per cent of the area was over 2,000 feet in elevation, 95 per cent over 1,500; and of that below 2,000 feet, half was precipitous. Agricultural land in the area is generally considered as that below 2,000 feet elevation. Lewis County had been the native habitat of Ross, and he may well have been behind the other petition.

64. 63rd Congress, 1st Sess., 88, pp. 1862-68.

65. C. J. Buck to E. T. Allen, February 20, 1913; George Cecil to The Forester January 3, 1913, N.A., D.A., F.S., Lands-Homestead Claims, dr. 37.

66. Charles Flory to The Forester January 7, 1913, ibid., Timber Land Frauds, dr. 40.

67. Gifford Pinchot to Henry Graves, February 19, 1913, ibid., Lands, Homestead Claims, dr.37.

68. T. T. Munger, "Statement of Reasons for Preferring National to State Control of the Present National Forests," ibid., Information, Hist. Mat., dr. 44. Munger's statement, so far as I know, was unpublished, but there are some evidences that it was used as the basis for other defenses of this policy.

69. The danger of a reversal of policy was probably overemphasized. Leadership in forest conservation passed from the executive branch to Congress at this time; but members of Congress in favor of the federal program were in the majority during Wilson's administration. In the Northwest, Poindexter, Chamberlain, and Rep. J. W. Bryan and William LaFollette were strong conservationists.

70. Conference of the Western Governors, 1913 (Denver, 1914).

71. Cong. Rec., 63rd Cong., 1st Session, pp. 2055-70.

72. E. T. Allen to the Forester, June 8, 1909, N.A., D.A., F.S., Silviculture-Supervision, R 6, 1908-16, dr. 2/290. To keep the record straight, it may be well to list the organizations.

1. State official bodies:

Oregon State Board of Forestry

2. State Conservation Commissions, formed on suggestion of T. R.:

Oregon Conservation Commission

Washington Conservation Commission

3. Voluntary Associations:

Oregon Forestry Association (recreational group, started by W. G. Steel—not important at this time)

Oregon Forestry Association (protective association of timber owners—headed by J. N. Teal)

Oregon Conservation Association (public spirited citizens interested in all phases of conservation)

Logged-off Land League (lumbermen, interested in settling and reforestation of logged-off land)

Washington Forestry Association (lumbermen and conservationists)

Washington Forest Fire Association (league of protective lumbermen's organizations)

73. H. D. Langille has given a possibly fanciful account of the origins of this idea. "Our good friend Allen, whose baptismal name you should know is Evergreen Timber, conceived the question down on the Island of Tahiti, among the primitive natives with whom he sojourns from time to time. The form of the query came to him with the seductive fragrance of carminative vanilla." Proceedings of the Forest Industry Conference of the Western Forestry and Conservation Association, San Francisco, 1915 (Portland, 1915), p. 20.

74. Proceedings of the Pacific Northwest Forest Protection and Conservation Association, Spokane, January 4-5, and April 5, 1909 (Portland, 1909).

75. Article IV of the constitution reads, "Any Association for the purpose of organized effort in the protection of the forests from fire and conservation of the forest resources of the states represented shall be eligible for this membership. . ."

76. Proceedings . . . of the Western Forestry and Conservation Association, Seattle, December 2 and 3, 1912 (Portland, 1912), p. 17.

77. Smith C. Bartrum, "Fire Protection on the National Forests," paper read at Supervisors Meeting, Portland, March, 1910, N.A., D.A., F.S., Resc. Cop. Files, District 6, dr. 317; Report of Oregon State Conservation Commission, 1910 (Salem, 1910).

78. The 1910 fires, and their effect on public opinion, is described in Stewart Holbrook, Burning Empire (New York, 1943), pp. 121-33. The quotation is from an editorial note in E. T. Allen, "What the Protective Associations Did," American Forestry, XVI:11 (November, 1910), p. 641. In the same issue, C. S. Chapman, "Forest Fire Work in Washington and Oregon," pp. 644-47, describes the general situation in those states, and C. J. Buck, "How Telephone Lines Saved Lives," pp. 648-51, discusses the value of the permanent improvements in the Crater fire near Ashland. George Cecil evaluates at length the changed public opinion toward the Forest Service in the Annual Report, Region 6, 1910, N.A., D.A., F.S., Operations File, D 6, Supervision Acc 236, dr. 183/172.

79. Ise, op. cit., pp. 212-18, describes, and analyzes the vote on the bill. Most of the lumber associations in the country lobbied for it, and the western Senators gave an almost solid vote for it.

80. Chapman kept his close ties with the Forest Service, as his office in the Beck Building was next door to the Forest Service offices.

81. First Annual Report of the State Forester to the Governor, 1911 (Salem, 1911); Report of the Oregon Conservation Commission to the Governor, 1912 (Salem, 1912).

82. First Annual Report of the State Forester to the Governor, 1911 (Salem, 1911); Report of the State Forester and Fire Wardens, 1911 and 1912 (Olympic, 1912); Proceedings of the Forest Fire Conference of the Western and Conservation Association, 1911 (Portland, 1911), pp. 5-9.

83. Second Annual Report of the State Forester to the Governor (Salem, 1912); Proceedings of the Forest Fire Conference, Western Proceedings of Conservation Association, 1912 (Portland, 1912), pp. 6-15.

84. Third Annual Report of the State Forester to the Governor, 1913 (Salem, 1914); Western Forestry and Conservation Conference, 1913 (Portland, 1913).

85. Cameron, op. cit., pp. 386-91, describes E. T. Allen's part in this debate.

86. Ibid., pp. 314-15.

87. E. T. Allen, "Method of Forest Cooperation," American Forestry XVIII:10 (October, 1912), pp.635-43.

88. J. N. Teal, "Federal Forest Policy," Report of the Forestry Committee of the Fifth National Conservation Congress, 1913 (Washington, 1913), pp. 323-56.

## VITA

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Lawrence Rakestraw was born at Carson, Washington, January 9, 1912. He was educated at Washougal grammar and high schools, graduating in 1930. He then attended Clark Junior College, Washington State College, and the University of Washington, before going to the University of Wisconsin on a scholarship in 1937. He obtained his Bachelor of Arts there in 1938, and his Master of Arts in 1939, majoring in history.

From 1941 to 1947 he worked for the Federal Government, most of the time for the United States Forest Service. In the winter of 1947 he enrolled at the University of Washington, and received his doctorate from there in 1955. He is employed as Assistant Professor of History at Northern Montana College.