

THE APPALACHIAN FORESTS

Putting the New Law Into Operation

THE new national forest law calls into action several official agencies, but the initiative in the purchase of land as well as the consummation of such purchase when authorized rests with the Department of Agriculture which, of course, acts through the Forest Service. The Service has made very complete arrangements for an efficient carrying out of the full intent of the law. Assistant Forester William L. Hall, who conducted the investigation in the Southern Appalachian and White Mountains under the \$25,000 appropriation in 1907, and is therefore well fitted for the task by personal knowledge of the conditions in both sections, has been recalled from Madison, Wisconsin, where he has been in charge of the branch of forest products since the opening of the new laboratory last year and has been put in charge of the work of establishing the new national forests. McGarvey Cline, who was Mr. Hall's second in command at Madison, has been put in charge of the branch of forest products with headquarters at that place.

Mr. Hall has already established his office in Washington and is at work on the great and responsible task in which so many people in so many states are interested. For reasons which were mentioned in *AMERICAN FORESTRY* last month the White Mountain situation is being especially studied, but the southern mountains are also being districted and undergoing preliminary examinations and offers of land are being received and considered from several of the states which have passed the necessary enabling act.

In this matter of offers of land, the need of public spirit on the part of land owners cannot be too strongly emphasized. Here is an enterprise which has been urged for the public good. The unselfishness of its advocates has been repeatedly and sincerely affirmed. Now comes the actual test of citizenship. Will those who hold the lands recognize the public necessity, as Congress has somewhat reluctantly done, and meet the government half-way? Or will they hold their property for impossible prices and thereby delay and obstruct the development of this great enterprise?

The correspondence received thus far, while considerable, is not sufficient to answer these questions. When the circular explaining the plans and methods of the government has been thoroughly distributed fuller indications will doubtless appear. Thus far there have been several moderate offers made from both north and south, and some impossible ones. One proposal was made to sell the government a tract, not of the highest timber value, for seventy-five dollars an acre, which was about eight or ten times other offers that represented quite as great a value. Owners who hold at such figures may as well save their paper and postage. Such offers cannot be considered.

It has been hoped that some owners of means might make gifts of land to the government, as Mr. Harriman did to the state of New York. This is

a good cause, a great public cause that will hand down large benefits to posterity and tend to preserve the prosperity of our civilization. It is certainly a good object for public-spirited givers. It is a cause that is sufficiently in the public eye to satisfy those who like to have their giving known of men, and it has the enduring quality of a monument. Forest lands, given to the nation to preserve and maintain, will stand for all time as reminders of the good will of the giver to his country and to those who come after him.

Admitting, however, that those who may be able to be thus generous are few, the attitude of those who sell the land to the government, as they compose a far more numerous class, is much more important. If they meet the officials half-way with good offers at fair or low prices, it will assist greatly in the early and successful establishment of the forests. The appropriation will not be sufficient to purchase half of the land that is needed for the purpose of the act. Let us urge owners, then, not to try to speculate in the needs of the people, but to help make this money go as far as possible. It is not a gift from some invisible source that is going into the purchase of these lands. It is our money that is being spent and it is for the interest of the seller of the lands as it is of everyone else that it be used to the best advantage. To make this new policy a success, the same full and interested cooperation that secured the enactment of the law is necessary. No close-fisted policy, or attempt to make money out of the government, or unload useless property at high prices, will pay in the long run. In most cases cut-over lands stand the lumber companies practically nothing. They bought the stumpage, and having secured it they have no further interest in the land. Such tracts the government should be able to obtain at a nominal figure, leaving larger amounts to put into protective forests where the standing timber must be purchased and largely retained.

No hard and fast policy in regard to purchase can be laid down in advance. For the beginning at least each case must be considered on its individual merits. Perhaps when the nuclei of the necessary forests have been developed, the policy of rounding out and completing may appear more clearly.

Mr. Hall believes that there are great possibilities in that section of the bill which provides for national and state cooperation for fire protection. Under the terms of this provision the government may expend for fire protection an amount, not exceeding the amount appropriated by the state for the same purpose, in any state which has provided by law for a system of forest fire protection. Three or four states, notably New Hampshire and Vermont, are already planning to come in under this provision and the organization of the forest service in these states is such as to entitle them to the benefit of its provisions. Mr. Hall confidently believes that the passage of this law will lead to the suppression of forest fires in the eastern United States within a few years.

Last month a summary was published of the announcement of the Forest Service with reference to the purchase of land under the Weeks law in the Southern Appalachian and White Mountains. This announcement has been printed as a circular for general distribution and copies can be had by application to the United States Forest Service. The circulars are accompanied by blank forms for submitting proposals of land and include the text of the Weeks law. The circular, issued under date of March 27, 1911, will be of interest to readers of this magazine and is reproduced here:

PURCHASE OF LAND UNDER THE WEEKS LAW IN THE SOUTHERN APPALACHIAN AND WHITE MOUNTAINS

GENERAL INFORMATION

The act of Congress approved March 1, 1911 (Public, No. 435), created a National Forest Reservation Commission and authorizes the acquisition of lands on the watersheds of navigable streams for the purpose of conserving their navigability. The Secretary of Agriculture is authorized and directed to examine, locate, and recommend to the Commission for purchase such lands as in his judgment may be necessary to the regulation of the flow of navigable streams, and he is authorized to purchase, in the name of the United States, such lands as have been approved for purchase by the National Forest Reservation Commission at the price or prices fixed by said Commission. The full text of the law is to be found on page 7.

The general purpose of this law is to secure the maintenance of a perpetual growth of forest on the watersheds of navigable streams where such growth will materially aid in preventing floods, in improving low waters, in preventing erosion of steep slopes and the silting up of the river channels, and thereby improve the flow of water for navigation.

While the improvement of the flow of navigable streams is the fundamental purpose, other benefits incidental in character but nevertheless important will be kept in view. Among these are (1) protection against disastrous erosion of the soil on mountain slopes and against the destruction of the soil and soil cover by forest fires; (2) preservation of water powers, since, like navigation, they depend for their value upon the evenness of streamflow; (3) preservation of the purity and regularity of flow of the mountain streams, with a view to their use for the water supply of towns and cities; (4) preservation of a timber supply to meet the needs of the industries of the country; (5) preservation of the beauty and attractiveness of the uplands for the recreation and pleasure of the people.

Aside from its application to the watersheds of navigable streams, the law is not restricted to particular regions, except that lands may be purchased only in the States whose legislatures have consented to the acquisition of such land by the United States for the purpose of preserving the navigability of navigable streams. The States which have passed such legislation and in which purchases are now contemplated are: Maine, New Hampshire, Maryland, Virginia, West Virginia, North Carolina, Tennessee, South Carolina, and Georgia.

The sources of the navigable streams which have their origin in the Rocky Mountains or the mountains nearer the Pacific coast are already to a large extent protected by national forests. The Appalachian Mountains, including the White Mountains, are for the most part without such protection. Because of their altitude, steepness, and lack of protection they are in a class by themselves in their need for the action authorized under this law.

The first lands to be examined for purchase will therefore be in this region. The area needing protection in the Appalachians is very large. It is far larger than can be purchased with the funds appropriated under this law. Much difference exists, however, in the character of the lands in different parts of the region. Mountains are higher, slopes steeper, rainfall heavier, and the soil more easily washed in some sections than in others.

Careful examinations made during the past 10 years in practically all parts of the Appalachian region have proven that the conditions which affect streamflow to an extreme extent are to be found in relatively limited areas. These areas are scattered more or less widely. By careful selection of the tracts it will be possible to do much for the permanent improvement of the watersheds by the purchase of only a part of the mountainous region.

Within these areas not all, and in some cases not a very large proportion, of the land will be needed by the Government for the purpose in view. Just what lands should be purchased will be determined in every case as a result of a careful examination.

Some of the important areas are already known, and the purpose of this circular is to invite proposals for the sale of lands within them. A list of such areas is to be found on page 4, and a blank form and an official envelope to be used in making proposal for sale accompany this circular. Additional copies of the blank may be had upon application to the Forester, Forest Service, Washington, D. C. The blank should be accurately and fully filled out and mailed, securely sealed in the envelope. If possible, a map showing the boundaries of the tract should be submitted with the proposal for sale. If the proposal is satisfactory, the Secretary of Agriculture will expect the owner to execute to him an option on the land for a reasonable length of time.

Lands of the following classes will be considered for purchase when they lie within a designated area: (1) Timbered lands, including both land and timber; or the land, with the timber reserved to the owner under rules of cutting to be agreed upon at a

time of sale; (2) cut-over or culled lands; (3) brush or burned land not bearing merchantable timber in quantity, but covered with a growth of brush which is useful for watershed protection, and burned land whether covered with young timber growth or not; (4) abandoned farm land, whether remaining cleared or partially covered by timber growth. Good agricultural lands will not be considered.

Where valuable mineral deposits are known to exist, the right to remove such deposits may be reserved to the owner, under conditions to be agreed upon, such conditions to be incorporated in the written instrument of conveyance.

Lands lying within the designated areas can not be recommended for purchase unless examination by the United States Geological Survey shows that their control will promote or protect the navigation of streams on whose watersheds they lie.

Lands proposed at exorbitant prices will not be considered. The holding of land at too high a price in any of the areas will prevent the Government from undertaking purchases within it.

No limitation is put upon the size of tracts to be proposed for sale. Proposals will be received for small as well as for large tracts within the areas designated, but small tracts can only be examined when they lie adjacent to or near large tracts which are being examined or where the aggregate of all tracts offered for sale is sufficient to justify an examination.

The right of any landowner to deal through an agent is, of course, recognized. The placing of lands in agents' hands, however, is unnecessary, as the owners themselves may deal direct with the Government.

The lands purchased by the Government under this law are to be included in national forests. Such forests will in no way interfere with hunting and fishing within the areas. The laws of the States in which the forests are located will apply as at present and the forests will be open to anyone and everyone. The use of the forests for all reasonable purposes, including recreation, will be encouraged.

In general the procedure in making purchases will be as follows:

(1) The filing of proposal for sale of land by the owner or owners.
 (2) Examination of lands. This examination will usually include a careful estimate of whatever timber is standing upon the tract, an estimate of the value of the tract as a whole for the production of timber, and the determination of its importance in regulating the flow of navigable streams.

(3) Approval of lands for purchase by the National Forest Reservation Commission and the fixing of the purchase price or prices. Approval for purchase is given only after recommendation has been made by the Secretary of Agriculture on the basis of the field examinations.

(4) Final negotiations with the owner or owners of land as to terms of sale.

(5) Examination of title.

(6) Actual conveyance of the title of the land by the owner to the Government and payment therefor by the Government to the owner.

AREAS WITHIN WHICH PROPOSALS FOR SALE ARE INVITED.

The areas roughly designated in the following descriptions have been selected as those within which proposals will first be invited. Lands chiefly valuable for agriculture are not desired, and where such lands occur within the areas described they will not be recommended for purchase, unless such lands occur in such small scattered areas that their exclusion would be impracticable.

White Mountain Area, New Hampshire and Maine.

Lands on the Carter-Moriah Range of mountains in the townships of Shelburne and Gorham, on the Presidential Range in the townships of Gorham and Randolph, on Cherry Mountain and the Dartmouth Range in the township of Carroll, and lands in the Low and Burbank Grant, Thompson and Meserve Purchase, Bean Purchase, Martin Location, Green Grant, Pinkham Grant, Bean Grant, Cutts Grant, Sargent Purchase, and Hadley Purchase, in the county of Coos in the State of New Hampshire; lands on the Franconia Range of Mountains, the Little River Mountains and the Rosebrook Mountains in the township of Bethlehem, the Franconia Range of Mountains in the townships of Franconia and Easton, on Mount Moosilauke, Mount Kineo and Mount Carr, in the township of Warren, on Mount Carr in the townships of Wentworth and Rumney, and Black Hill and Mount Kineo in the township of Ellsworth; lands above an altitude of 1,000 feet in the township of Woodstock; lands east of the Pemigewasset River in the township of Thornton; and lands in the townships of Benton, Waterville, Lincoln, and Livermore in the county of Grafton in the State of New Hampshire; lands above an elevation of 1,000 feet in the townships of Chatham, Jackson, Bartlett, and Albany, and on the Sandwich Range of Mountains in the township of Sandwich in the county of Carroll in the State of New Hampshire; and lands in Batchelders Grant in the county of Oxford in the State of Maine.

Youghiogheny Area, Maryland.

Lands in Garrett County, situated on the main watershed of the Youghiogheny River between the towns of Oakland and Friendsville, west of Hoopole Ridge and Negro Mountain.

Potomac Area, Virginia and West Virginia.

Lands in Virginia situated in Shenandoah County west of Stony Creek and Little North Mountain and south of Capola Mountain; lands in Rockingham County west of Little North Mountain and north of Slate Springs and Rawley Springs; lands in West Virginia in Pendleton County east of Moorefield River and north of Little Fork; lands in Hardy County east of Moorefield River and south of North River.

Monongahela Area, West Virginia.

Lands situated in Randolph County, on the watersheds of Dry Fork, Laurel Fork, Glady Fork, and Shavers Fork, and on the watersheds of the eastern tributaries of Valley River south of the town of Elkins, and on the watershed of the West Fork of Greenbrier River; in northern Pocahontas County, lands situated on the watershed of Greenbrier River west of East Fork and Deer Creek, and north of the junction of the Greenbrier River and North Fork; and the lands on the upper watersheds of Shavers Fork of Cheat River.

Massanutten Mountain Area, Virginia.

Lands in Rockingham, Shenandoah, Warren, and Page Counties, situated between the North and South Forks of Shenandoah River, comprising in general Massanutten Mountain north of McGaheysville post office and south of Waterlick post office.

Natural Bridge Area, Virginia.

Lands situated on the Blue Ridge and outlying mountains in Northern Bedford County; in Botetourt County east of Buchanan and south of the James River; and in Rockbridge County south of the James River.

White Top Area, Tennessee and Virginia.

Lands comprising the main ranges of the Iron Mountains in northeastern Johnson County, Tenn., and eastward through Washington, Smyth, Grayson, and Wythe Counties, Va.

Yadkin Area, North Carolina.

Lands in Wilkes, Caldwell, and Watauga Counties, situated on streams flowing into the Yadkin River from the north lying west of the post offices of Louis Fork, Purlear, Mulberry, and Hall Mills.

Mount Mitchell Area, North Carolina.

Lands in Buncombe County situated on the Great Craggy Mountains; lands in Yancy County situated on the Black Mountains and South Toe River watershed south of the post office of Micaville; lands in McDowell County situated north of the main branch and west of the North Fork of the Catawba River; and lands in southwestern Mitchell County south of Brush Creek and West of Mica post office.

Smoky Mountain Area, North Carolina and Tennessee.

Lands in North Carolina situated in Haywood County north and west of Jonathan Creek and west of Pigeon River below the mouth of Jonathan Creek; in Swain County north of the little Tennessee and Tuckasegee Rivers; lands in Tennessee in Cocke County south of Denny Mountain and the Big Pigeon River; in Sevier County south of Chestnut Ridge, Galtinburg post office, and Cove Mountain; and in Blount County south of Round-top Mountain and Tuckaleechee post office and east of Hesse Creek and Abram Creek.

Pisgah Area, North Carolina.

Lands situated in Jackson County north of Little Hogback Mountain, Laurel Mountain, Sheep Cliff, and Shortoff Mountain, and east of Buck Knob, East Laport post office, and Carver Mountain, and south of the Asheville and Murphy Branch of the Southern Railroad; lands in Haywood County south of Pinnacle Knob, Snaggy Ridge, and the post offices of Three Forks, Cecil, Retreat, and Cruso; lands in Buncombe County south of Dunsmore post office and Stony Knob; lands in Henderson County west of Seniard Mountain and Buck Knob; and lands in Transylvania County north of the Hendersonville and Lake Toxaway Branch of the Southern Railroad, and Lake Toxaway, and west of the Boylston Creek.

Nantahala Area, North Carolina and Tennessee.

Lands in North Carolina in Swain County west of Little Tennessee River; lands in Macon County on the Nantahala Mountains and the watershed of the Nantahala River; lands in Clay County on Valley River Mountains, Tusquitee Mountain, Vineyard Mountain, and Chunky Girl Mountain; lands in Cherokee County on Valley River Mountains, Snowbird Mountains, and Unaka Mountains; lands in Graham County south of the Little Tennessee River; lands in Tennessee in Monroe County south and east of Salt Spring Mountain, Sassafras Mountain, and on the watershed of Tellico River above the mouth of Wild Cat Creek.

Savannah Area, Georgia and South Carolina.

Lands situated in Rabun and Habersham Counties, Ga., and in Oconee County, S. C., on the watershed of the Chattooga River above Ramsey Ferry; in Oconee County, S. C., on the watershed of the Chauga River; in Rabun County, Ga., on the watershed of the Tallulah River, south of Plumorchard Creek; in Habersham and White Counties, Ga., on the watersheds of Soque and Chattahoochee Rivers north of Pinnacle Mountain, Grimes Nose, and Yellow Mountain.
