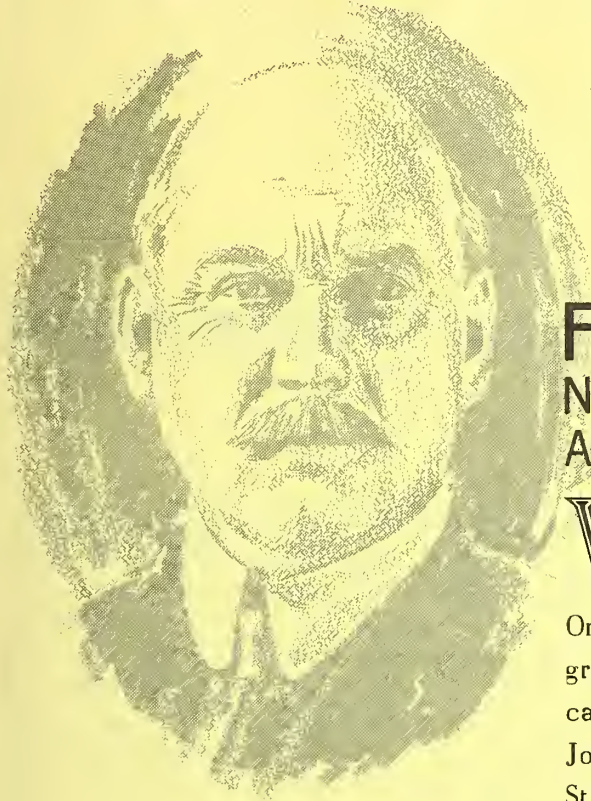


A99.59
Un3F

UNITED STATES
DEPARTMENT OF AGRICULTURE
LIBRARY

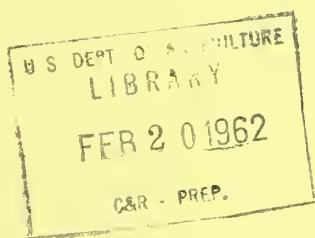


BOOK NUMBER A99.59
394891 Un3F



FIFTY YEARS OF NATIONAL FOREST PROTECTION AND DEVELOPMENT UNDER THE WEEKS LAW

On March 1, 1911, President Taft approved an Act of Congress which proved of far-reaching consequence in American forestry. Known as the Weeks law after its author, John W. Weeks, the act laid the groundwork for Federal-State cooperation in forestry and made possible the establishment of National Forests through the purchase of forest lands where they could not be set aside under the provisions of the Forest Reserve law.



In the half-century which has elapsed since enactment of this measure, some 20 million acres of land have been acquired by the Federal Government for National Forest purposes. Nearly all of this land is in 48 National Forests located in the Eastern United States. A few parcels are, however, located in the West where lands have been acquired to round out National Forests established under the Forest Reserve law.

The Weeks law has proved a great stimulus to the cooperation of the Federal Government and the States in the effective protection of forest land.

After 50 years of operation, it is clear that the Weeks law has been instrumental in extending to all parts of the Nation the benefits of improved management and protection of forest resources. This material has been prepared as a source of information about the law, its origin and development, its principal provisions and accomplishments, and its author.



*Mt. Pisgah, prominent feature
of first Weeks Law
National Forest.*

HISTORIC FRAMEWORK

The Forest Reserve law of 1891 made possible the establishment of Forest Reserves (called National Forests after 1907) from lands in the public domain located mostly west of the Great Plains. Legislation whereby forest reservations could be established did not exist, although the need became apparent early. Interest in development of public forest reservations in the East was high during three decades preceding enactment of the Weeks law. Thus it may be said that the Weeks law was not only a specific legislative measure in itself but also, and more especially, it represented the culmination of interest which extended over a period of 30 years.

Early Interest

In the early 1880's a Reverend C. D. Smith of Franklin, N. C., is reported to have editorially ad-

vocated establishment of a National Park in the Southern Appalachians. Similar proposals were advanced by Dr. Henry O. Marcy of Boston, and Prof. Joseph A. Holmes, Dr. Chase P. Ambler, and Senator Jeter C. Pritchard, all of North Carolina. Dr. Marcy, in presenting a paper before a medical meeting in New York City in 1885, advocated establishment of a reservation under State control in western North Carolina to insure perpetuation of the region's health-giving properties. Dr. Ambler of Asheville became the principal early-day advocate of a public reservation in the Appalachians. Prof. Holmes, State Geologist of North Carolina, aroused interest and support in a number of southern States. Senator Pritchard was the first to initiate action in Congress.

The Appalachian National Park Association (renamed the Appalachian National Forest Reserve Association in 1901) was organized in Asheville in 1899 and became the first organized effort to secure a public forest reservation for the Appalachian area. Dr. Ambler was its first secretary. The first major activity was the preparation of a memorial to Congress advocating a Federal reservation in the Appalachians. The memorial was presented to Congress by Senator Pritchard on January 4, 1900. Supporting

*The Great Gulf Wild Area
in the Presidential
Range, White Mountain
National Forest, a key
New Hampshire Watershed
serving 18 communities
with a steady supply
of clean water.*





Winter sports and timber harvesting emphasize the importance of Multiple-Use Management.

resolutions were presented by the Appalachian Mountain Club, the American Forestry Association, and the American Association for the Advancement of Science.

A few years later similar interest developed in New England, chiefly in the White Mountain region, where the Society for the Protection of New Hampshire Forests had been organized in 1901. Phillip Ayres, first forester of this organization, became a militant and persistent advocate of a public forest reservation in the White Mountains. Others in New England who were active in support of this proposal in the early days included Harvey N. Shepard, president of the Appalachian Mountain Club; Frank Rollins, Ex-Governor of New Hampshire and first president of the society; Curtis Guild, Jr., Ex-Governor of Massachusetts and president of the American Forestry Association from 1909 to 1910; Senator Jacob H. Gallinger and Representative Frank D. Currier of New Hampshire, and Senator Frank Brandegee of Connecticut.

Interest in forest reservations also developed in other States including Arkansas, Missouri, West Virginia, New York, and Minnesota, but the Southern Appalachian region centering around Asheville and the White Mountain region of New Hampshire continued to be the chief centers of interest and action.

Legislative Development

Following presentation of the Appalachian National Park Association memorial by Senator Pritchard in 1900 some 47 other items were introduced in Congress before the Weeks law was finally enacted. Some highlights are:

In 1900, Senator Pritchard secured an appropriation of \$5,000 for the Department of Agriculture to use in investigating forest conditions in the Southern Appalachians. He also introduced, in 1901, the first

Senate bill for the purchase of a National Forest Reserve in the Southern Appalachians.

In 1903 Senator Gallinger and Congressman Currier introduced in the Senate and in the House, respectively, measures designed to bring about a forest reservation in the White Mountains.

In 1906 Senator Brandegee presented the first so-called "union bill", a measure which, had it passed, would have provided for the establishment of a National Forest Reserve in the Southern Appalachians and one in the White Mountains. Many other measures were presented in the House or in the Senate looking towards establishment of forest reservations in States east of the Great Plains. None of these measures were approved although some were reported favorably in either House or by committees of Congress.

In 1908 Congressman Charles F. Scott, chairman of the House Committee on Agriculture, reported a bill which provided for cooperation between the States and the Federal Government in forest protection. It also provided for a commission of Congressmen and Senators to study the need for public forest reservations. This bill also failed to pass.



*Millions enjoy summer recreation
in National Forest playgrounds.*



THE WEEKS LAW

Mr. Weeks presented his bill in the House on July 23, 1909, and a similar bill was introduced in the Senate by Senator Gallinger on December 20 of the same year. The Weeks bill with some minor amendments was passed by the House on June 24, 1910, by a vote of 130 to 111. The Senate accepted the bill passed by the House in lieu of the Gallinger bill and passed it on February 15, 1911 by a vote of 57 to 9. It was signed by President Taft on March 1, 1911.

TITLE:

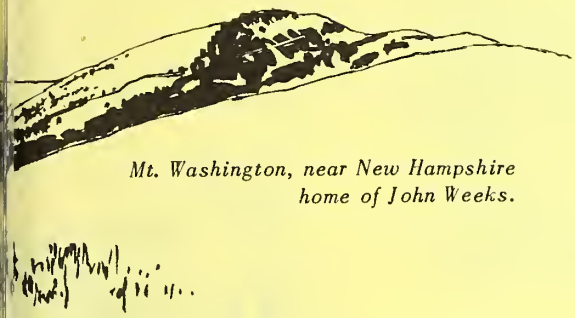
“AN ACT To enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers.”

PRINCIPAL PROVISIONS:

- SEC. 1. Gives the consent of Congress to the States to enter into agreements with other States for the purpose of conserving forests and water supplies.
- SEC. 2. Appropriates \$200,000 to enable the Secretary of Agriculture to cooperate with any State or group of States in protecting from fire the forested watersheds of navi-

gable streams, cooperation to be limited to States which have a system of forest fire protection.

- SEC. 3. Appropriates \$1,000,000 for F.Y. 1910 and not to exceed \$2,000,000 for each fiscal year thereafter for the examination, survey, and acquisition of lands located on the headwaters of navigable streams.
- SEC. 4. Designates a commission to be known as the National Forest Reservation Commission and consisting of the Secretaries of War, Interior, and Agriculture, two Senators and two Members of the House, to consider and pass upon lands recommended for purchase and to fix the price at which they may be purchased.
- SEC. 5. Requires that the National Forest Reservation Commission report annually to Congress on its activities and expenditures.
- SEC. 6. Authorizes and directs the Secretary of Agriculture “to examine, locate, and recommend for purchase such lands as in his judgment may be necessary to the regulation of the flow of navigable streams,



*Mt. Washington, near New Hampshire
home of John Weeks.*

and to report to the National Forest Reservation Commission the results of such examinations.” Requires examination by the Geological Survey to show that control of such lands will promote or protect navigation.

SEC. 7. Authorizes the Secretary of Agriculture to purchase lands approved by the Commission at prices fixed by the Commission. Requires prior consent of a State before land may be acquired within it.

SEC. 8. No payment may be made for land until title is satisfactory to the Attorney General. Permits the Secretary to take action necessary to secure safe title.

SEC. 9. Permits, under specified conditions, acquisitions subject to exceptions and reservations to the owner from whom title passes.

SEC. 10. Provides that small areas of land chiefly valuable for agriculture included in acquired tracts may be occupied for agricultural purposes and may be offered for sale as homesteads to actual settlers in tracts of not more than 80 acres.

SEC. 11. “. . .the lands acquired. . .shall be permanently reserved, held, and administered as national forest lands. . .”

SEC. 12. Civil and criminal jurisdiction over persons on acquired lands shall not be affected by their reservation and administration as national forest lands.

SEC. 13. Provides that five percent of moneys received from national forest lands shall be paid to States to be expended by the counties in which the lands are located

for the benefit of public schools and public roads.

SEC. 14. Appropriates not to exceed \$25,000 annually to pay the expenses of the National Forest Reservation Commission.

Amendments and Modifications

The act of March 4, 1913 amended section 9 so that lands could be acquired subject to rights of way, easements, and reservations which would not interfere with the use of the lands by the United States.

The act of June 30, 1914 amended section 13 so as to increase payments to the counties from five percent to twenty-five percent of the receipts.

The Clarke-McNary law, act of June 7, 1924, extended the Federal land purchase policy under the Weeks law. Lands necessary for the production of timber as well as for the protection of navigation, within the watersheds of navigable streams, could be purchased. Section 2 of the Clarke-McNary law authorized the Secretary of Agriculture to enter into cooperative agreements with the States for the protection of State and private forests against fire, thus extending a similar provision of the Weeks law.

By the terms of various acts approved since the Weeks law, the National Forest Reservation Commission exercises similar authority over land acquisitions made under those acts. Since its inception in 1911 as a result of the Weeks law, 16 Secretaries of War, 12 Secretaries of the Interior, 11 Secretaries of Agriculture, 11 Senators, and 11 Congressmen have served on the National Forest Reservation Commission. John Weeks himself served as its president when he was Secretary of War from 1921 to 1924.

*Anglers' Delight, a rapid, well-stocked
stream in the National Forest.*



Accomplishments

Detailed statistics on land acquisition by State, year, and purchase unit (or National Forest) are given in the annual reports of the National Forest Reservation Commission. The Commission has to date approved for purchase nearly 19 million acres of land under the Weeks law, and 200,346 acres under forest receipts acts and other special acts. Land exchanges approved by the Commission have added nearly 600,000 acres to the National Forest system.

Thus the Weeks law has materially increased the area of forest land under multiple-use management, resulting in more intensive development of the timber, recreation, water, wildlife, and forage resources. Watershed management is particularly interesting because of the several references to watersheds and rivers in the act. In John Weeks' home State of New Hampshire, the White Mountain National Forest pro-

vides water for domestic and industrial use of numerous communities and for recreation. The same is true of other Weeks law forests.

In forest fire cooperation, the number of States cooperating with the Federal Government under the terms of the Weeks law increased from 11 in 1912 to 29 in 1925 when the Clarke-McNary law took over this item. During the same period the area of State and private lands protected increased from 61 million



*Boundary Waters
canoe area, Superior
National Forest.*



*Advancements in fire
detection facilities
point to progress in
forest fire protection
that was stimulated by
cooperative features
of the Weeks Law.*

*John W. Weeks Memorial, Mt. Prospect
State Park, Lancaster, N.H.,
formerly his summer home.*



acres to 178 million. State expenditures for fire control increased from \$350,000 to \$1,844,000 (rounded) during the same time. Presently 48 States cooperate under the Clarke-McNary law. Details are given in the annual reports of the Chief.

Effectiveness of this intensified protection is indicated by "then and now" comparisons of fire statistics. In 1916, the earliest year for which acceptable data are available, the average forest fire had an area of 200 acres. In 1959, the most recent statistical year, the corresponding figure was 22 acres.

John W. Weeks

Descended from Leonard Weeks who migrated from England about 1650 and settled near Portsmouth in New Hampshire, John Weeks was born on a farm near Lancaster in the same State on April 11, 1860. He was reared on the farm and attended a district school nearby. He entered the U.S. Naval Academy in 1877; after graduation in 1881 he spent two years in the Navy, then worked as a civil engineer in Florida.

Mr. Weeks married Martha Sinclair in Haverhill, Mass., in 1885; established a home in Newton, Mass., and organized the investment firm of Hornblower and Weeks in Boston in 1888. He entered politics in Newton and after serving as an alderman several years was elected mayor in 1901.

Elected to the House of Representatives from the 12th Congressional District of Massachusetts,

November 8, 1904, Mr. Weeks was appointed almost at once to the Committees on Banking and Currency and on Expenditures in the State Department; and to the Committee on Agriculture in 1907. Elected to the Senate in 1912, he was defeated for re-election in 1918.

Appointed Secretary of War by President Harding, March 4, 1921, Mr. Weeks continued in that position under President Coolidge until October 13, 1925, when he resigned because of failing health. He died in Lancaster, New Hampshire, July 12, 1926, and is buried in Arlington National Cemetery; surviving him are a son, Charles Sinclair Weeks, who has served in the U.S. Senate and as Secretary of Commerce, and a daughter.

References

A very large volume of literature having to do with the establishment of National Forests in the East and with the development of the Weeks law is available. The most complete and succinct account is in John Ise's book, "The United States Forest Policy," published by the Yale University Press in 1920. Other reliable sources of information include the Congressional Record, the records of the Appalachian National Park Association (stored in Raleigh, North Carolina) and of the Society for the Protection of New Hampshire Forests (in Concord, New Hampshire), various early issues of "American Forests", and many other books and periodicals having to do with development of forestry activities in America. The biography entitled "The Life of John W. Weeks" by Charles Washburn will interest many forest officers.

