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Leon F. Kneipp

LAND PLANNING AND ACQUISITION,  
U.S. FOREST SERVICE

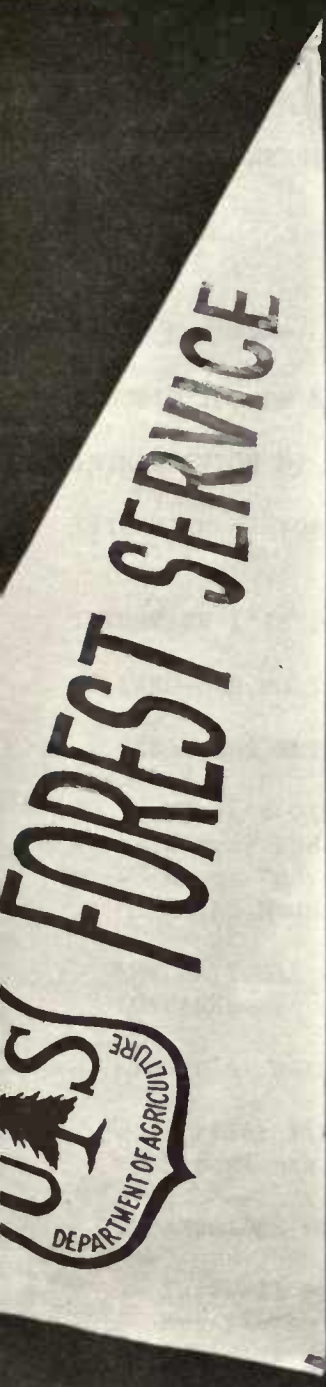
With an Introduction by  
Ira J. Mason

An Interview Conducted by  
Amelia R. Fry, Edith Mezirow,  
and Fern Ingersoll  
1964-1965  
Edited by Fern Ingersoll

Sponsored by  
Resources for the Future and the  
United States Forest Service

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Chief Lyle F. Watts, Leon F. Kneipp, and Assistant Chief E.E. Carter on the occasion of Kneipp's "graduation" [retirement] from the Forest Service, 31 December 1946.





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## PREFACE

This interview was made possible by a grant from Resources for the Future, Inc., under which the Regional Oral History Office of The Bancroft Library, University of California at Berkeley, embarked on a series of interviews to trace the history of policy in the U.S. Forest Service. Dr. Henry Vaux, Professor of Forestry, University of California, Berkeley, was the Principal Investigator of this project. Eighteen interviews were undertaken in the years between 1964, when the project received its first grant from Resources for the Future, and 1970 when the last funds were expended with five interviews still to be completed. In 1974 a grant from the History Section, U.S. Forest Service, enabled the Office to finish the remaining interviews.

The Regional Oral History Office was established to tape record autobiographical interviews with persons prominent in the recent history of the West and of the nation. The Office is under the administrative supervision of the Director of The Bancroft Library.

Willa Klug Baum  
Department Head

1 July 1974  
Regional Oral History Office  
486 The Bancroft Library  
University of California at Berkeley



UNIVERSITY OF CALIFORNIA  
SCHOOL OF FORESTRY  
AGRICULTURAL EXPERIMENT STATION

March 20, 1964

BERKELEY 4, CALIFORNIA

Mrs. Amelia R. Fry  
Regional Cultural History Project  
486 General Library  
Campus

Dear Mrs. Fry:

The significance of the proposed project for securing information from certain selected people long associated with the development of the U. S. Forest Service rests on two facts. On the one hand, there are a small number of men still alive whose personal experience and memory covers virtually the entire history of the growth and development of the Forest Service since 1905. If we are to secure the best possible insights and understanding of the history of the Forest Service as a conservation agency the recollections and mature viewpoints of these men who were associated with the Service throughout their careers would provide unique and invaluable source material. The time remaining during which this information could be collected is obviously limited. A second justification is found in the fact that to date there has been no comprehensive historical evaluation of the role of the Forest Service as a conservation agency. Ise has published a critical history of National Park policy under the sponsorship of Resources for the Future which serves as an initial evaluation of the National Park Service. About 1920 Ise published a study on forest policy but that is obviously now confined to only a very small part of the significant history. A series of <sup>inter</sup>views such as are suggested in the present proposal could provide both new source material and the inspiration for a critical historical evaluation of the Forest Service.

The results would be of the greatest importance to the field of forest policy. The Forest Service pioneered both the articulation and the implementation of the concepts of sustained yield and multiple use as policies for natural resource management in the U. S. It instituted numerous innovations in the organization and administration of programs of handling federally owned resources. It developed on a large scale new techniques for cooperation with state and local units of government in such matters as fire protection and landowner education. It pioneered in a number of respects in the development of research as a functioning guide to operational policy of the government. Each of the contributions just enumerated are of the greatest possible significance for forest policy and for important implications going far beyond the natural resources field. The project here proposed would throw much light on the way in which each of the innovations noted above developed and would contribute greatly to our understanding of them.

Very sincerely yours,

Henry J. Vaux  
Dean





## DESCRIPTION OF SERIES

Interviews: A Documentation of the Development of  
the U.S. Forest Service 1900-1950

This Resources for the Future interview series on the birth and development of the Forest Service began as a sudden disturbance in the ever-active brain of Ed I. Kotok in early 1964. One wintry day in early 1964, as we were putting away the tape recorder after one of our last sessions together, I mentioned casually that I would not be in the Bay Area for the summer: I had to go East.

Ed's eyebrows shot up. It was obvious that a final piece had fallen into place in a mental jigsaw that he had been carrying around for some time. He said that there were quite a few of his retired colleagues still in Washington, D.C., some of whom were the original "Pinchot boys." If only, he mused, the Oral History Office could find financing for an entire series on the Forest Service, maybe from a foundation like Resources for the Future.

Henry Vaux, then Dean of the School of Forestry at Berkeley, was the logical one to turn to. He gave advice and counsel on a priority system for selecting the men to interview. From deep in his perspective of specialized knowledge of forest policy, he saw the opportunity to preserve information that would otherwise be permanently lost.\* At best, the tape-recorded memoirs could reveal, more frankly than annual reports and official letters, some of the political and economic facts of life that influenced the development of policy in the agency. The actual decision-making process, told first-hand and linked with the official rationales and actions on particular issues, could be useful in appraising contemporary policy questions and their multiple alternatives. Today, as in 1905, forest policy is a field where special interest pressures are in a state of varying equilibrium with the public interest. To see the policies and decisions of the past materialize, to witness through the administrators' eyes the expected or (more often) the surprising effect of those actions in the past - such a visible continuum could provide a depth of experience for those who are presently wrestling with the economic and political disequilibriums of resource management.

Horace Albright, a veteran interviewee of oral history operations, lent his encouragement to us and probably his enthusiasm to his friends on the board of Resources for the Future. We contacted three top-priority potential interviewees to see if they were willing to indulge us in our tape recording scheme, and we received a yes, a no, and a maybe. This changed to two yeses and, in place of the no, a substitute interviewee equally as valuable. By late spring, a modest grant to the Oral History Office marked the beginning of the series, Henry Vaux agreed to be Principle Investigator, and we were off.

\* See appendix, Letter from Vaux to Fry, March 20, 1964.



## Structure of the Series

The series, with a working title of "The History of Forest Service Policy, 1900-1950", began and ended as a multiple use project. Its major aim was to provide tape-recorded interviews with men in the Forest Service who during most of the half-century had been in policy-making positions. The series also served as a pilot attempt to try the relatively new technique of oral history as a method of gathering primary information within a specific subject field (one which might be defined here as the origins, operations, and effects of policy in public administration). The method, in turn, was hung on the superstructure of a list of retirees who were considered to be able to contribute the most to that subject.

Each major interview contains the standard stock of questions on Service-wide controversies of the past: the attempts to reorganize the conservation agencies - specifically, to transfer the Forest Service out of the Department of Agriculture; the efforts to get passage of federal legislation that would have regulated timber management on private lands; the competition with other agencies and with private owners for land acquisition determinations; on-going issues, such as competing land uses like mining or grazing, which often reflected years of patient negotiation with and bearing up under the pressures of well-organized special interest groups.

Each interview covers as well topics that are unique to that particular person's experiences, so that tracing "policy in its origins, operations, and effects," necessitated a detective job to discover, before an interview took place, those policy questions with which the particular individual had had experience. It was here that an interviewee's own contemporaries frequently gave guidance and counsel; advice was also provided by academic specialists in forest economics, recreation, fire control, silviculture, and so on.

Given questions on the same subjects, the interviewees sometimes speak to them from contrasting points of view, and thereby provide a critique of inner validity for the series. For instance, while Lee Kneipp and Ed Crafts comment on the informal power in Congress of the Forest Service's widespread constituency, other men (such as Ed Kotok) who actually had been in the field and involved in local public relations verify how the system worked.

The structure of an oral history series depends on many factors beyond the control of the oral historian: the health of the interviewee, his willingness to interview, and how much he can or will say about his career. The fluid state of our interview list caused our cup to runneth over more than once with more interviewees than we could add to our original list of three. Twice the list was enlarged - and fortunately funded further by Resources for the Future. The phenomenon of expansion was due largely to the tendencies of a few memoirists (especially Christopher Granger, Lee Kneipp, and Raymond Marsh) to touch lightly on events in which he had only a slight involvement, then refer the interviewer to the man who could tell the whole story from a leader's eye view. The result is that some of the interviews on the accompanying list are one-subject, supplemental manuscripts.



added, the Forest History Society at Yale became interested. At present the development of the index is a cooperative enterprise between the Oral History Office, the Forest History Society, and the U.S. Forest Service. A master index of uniform headings from each volume is available at the Oral History Office and at the Forest History Society.

By-products

One frequently finds that the oral history process is a catalytic agent in the world of research. First, it stimulates the collection of personal papers and pictures which, while valuable during the interview in developing outlines and chronology, are later deposited either with the transcript in Bancroft Library or with related papers in another repository.

Another happy by-product comes from the more literate who are motivated by the interview to do further research and writing for publication. Thus, Paul Roberts is currently writing an entire book, complete with all the documentation he can locate, on the shelter belt, its whys and hows. Ray Marsh is meticulously combining both writing and recording in a painstaking, chapter-by-chapter memoir which will cover his earliest reconnaissance days, the administrative posts in New Mexico, the fledgling research branch, and his work with Congress; his stories of those earliest years have already appeared in American Forests. Tom Gill, fortunately frustrated by the brevity of the interviews, which were condensed into the short travel schedule of the interviewer, is writing a more comprehensive treatise that will no doubt be unique in this or any other forest history: Tom Gill on Gill and international forestry.

Also, there is the self-perpetuation phenomenon-- oral history begetting more oral history. The interview with National Park Director George Hartzog has led to serious efforts on the part of the Park Service to establish a regular annual interview with the Director-- not necessarily for publication. Also under consideration is a Service-wide plan for oral history interviews of all its major leaders, which could serve as a continuation of the series conducted by Herbert Evison in the early 1960's.

Ed Kotok did not live to see the finished series. Just as Lee Kneipp never saw his finished manuscript, and Chris Granger's final agreement, covering the use of his manuscript, was found still unmailed on his desk after his death. All other contributors, however, were able to devote hundreds of man hours to the reading, correcting, and approving process required in finishing a manuscript. Although Ed did not get to read and approve his own transcript, all who knew him will agree that the series stands as one more symbol of his propensity for plunging in where few have tread before.

(Mrs.) Amelia R. Fry  
Interviewer - Editor





## THE RESOURCES FOR THE FUTURE SERIES

Tape-recorded interviews on

## THE HISTORY OF FOREST POLICY, 1900-1950

- Clepper, Henry, Executive Secretary, Society of American Foresters.  
The Society of American Foresters, 1968
- Crafts, Edward C., Assistant Chief, U.S. Forest Service  
Congress and the Forest Service, 1950-1962, 1975
- Dana, Samuel T., Dean, School of Natural Resources, University of Michigan.  
The Development of Forestry in Government and Education, 1967
- Gill, Tom, Forester, author, head of Pack Foundation.  
The Summary of the Career of Tom Gill, International Forester, 1969
- Granger, Christopher, Assistant Chief, U.S. Forest Service.  
Forest Management in the United States Forest Service, 1965
- Hall, R. Clifford, Director, Forest Taxation Inquiry.  
Forest Taxation Study 1926-1935, 1967
- Hartzog, George B., Director, National Park Service.  
The National Parks, 1965, 1973
- Hornaday, Fred, Executive Vice-president of American Forestry Association.  
The American Forestry Association: 1928-1964, 1968
- Keller, John W., Forester, Pennsylvania Department of Forests and Waters.  
Recollections of Gifford Pinchot, 1974
- Kelley, Evan W., Director, Guayule Rubber Project, U.S. Forest Service.  
The Making of a Regional Forester, 1974
- Kotok, E. I., Assistant Chief, U.S. Forest Service, state and private forestry; research.  
The U.S. Forest Service: Research, State Forestry, and FAO, 1975
- Kneipp, Leon F., Assistant Chief, U.S. Forest Service.  
Land Planning and Acquisition, U.S. Forest Service, 1975
- Marsh, Raymond, Assistant Chief, U.S. Forest Service.  
Collected papers and unedited transcript of interviews





Peirce, Earl, Chief, Division of State Cooperation, U.S.  
Forest Service.

Salvage Programs Following the 1938 Hurricane, 1968

Pomeroy, Kenneth, Chief Forester for American Forestry Association.

The American Forestry Association: Operations, 1968

Ringland, Arthur, Regional Forester, Region 3, U.S. Forest Service; Secretary of National Conference on Outdoor Recreation; founder of CARE.

Conserving Human and Natural Resources, 1970

Roberts, Paul, Director, Prairie States Forestry Projects, U.S. Forest Service.

Forest Service Issues and Legislation to 1951, 1974

Shepard, Harold B., in charge of Insurance Study conducted by the Northeastern Experiment Station with Yale University.

The Forest Insurance Study, 1967

Sieker, John H., Chief, Division of Recreation and Lands, U.S. Forest Service.

Recreation Policy and Administration in the United States Forest Service, 1968

Swift, Lloyd, Chief, Division of Wildlife Management, U.S. Forest Service.

Wildlife Policy and Administration in the United States Forest Service, 1968



## INTRODUCTION

Lee Kneipp's career spans the period from the time when the Forest Reserves were in the custody of the General Land Office prior to 1905 to the early post World War II era--close to half a century and certainly a most dynamic time in the history of the national forests, the Forest Service, and the conservation movement.

Kneipp's role, beginning as a Land Office guard in the Arizona forest reserves through various field responsibilities in the Southwest to Regional Forester at Ogden, Utah, and on to Assistant Chief of the Forest Service for more than twenty-five years is in itself amazing. Most of the leaders of the Forest Service in its formative years came from the early classes of Yale, Michigan, and other eastern forest schools. Kneipp had no formal education in forestry. In fact, he never attended any college.

More amazing than Kneipp's ability to progress in an organization with a strong professional training orientation, was his self-development into an outstanding scholar among his peers both within the Forest Service and with the federal or other agencies with which he dealt. In "The Secret Diary of Harold L. Ickes" there are several critical entries about Kneipp and his activities to maintain and expand the national forest lands. In spite of his hostile attitude, Ickes unwittingly testifies to Lee's obvious erudition by always referring to him as "Dr. Kneipp."

Kneipp had intelligence, a large work capacity and strong drive. He was fortunate to find a life-long public career where these talents could be applied to a complex of activities which were in process of dynamic development.

Such charisma as Kneipp possessed came from his evident culture, ability, and application rather than from any effort on his part to dress up his personality or manner of presentation. Indeed he was a hard and blunt taskmaster, more interested in getting to the essence of a situation and starting corrective action than in the feelings of confreres, assistants, or opponents.

Kneipp's early field experiences in the Southwest during the beginnings of the Forest Service and when he was serving in the lower levels of the organization undoubtedly provided a solid practical background for his role as a top policy maker of the Forest Service. But at least by the time I got to know him (1937) he spoke hardly at all of events in his early career.

As Assistant Chief of the Forest Service in charge of lands and land acquisition for the quarter century from the end of World War I to the early post World War II period, Kneipp performed two vital functions for the Forest Service.



He preserved the integrity of the National Forest System lands from dissipation through claims of states, Indian tribes, land grant railroads, and other federal agencies. The national forest system is preponderantly derived from reservation of public domain lands. The forest reservations from which the national forest system originates are of a relatively low order on which many other types of reservations such as those for reclamation, power, and national monuments can be superimposed. In certain areas, forest reservations significantly conflicted with indemnity selection rights of major land grant railroads. They covered lands claimed to be a part of Indian reservations. Several of the western states sought to satisfy shortages in their admission land grants, from the national forests. Kneipp was a tower of strength and a fountain of wisdom in the defense of national forest land status.

A particularly difficult phase of this part of Kneipp's responsibilities developed from Harold Ickes' drive to place the Forest Service under his control in a rechristened Department of Conservation. The details of this unsuccessful effort are told in "The Secret Diary of Harold L. Ickes." As Ickes' efforts to take over the Forest Service in toto were rebuffed, he launched a campaign of piecemeal attrition through proposals for large expansions of the national parks and monuments into the national forest system. Kneipp both directed and served as Forest Service spokesman in efforts to pare down these proposals to reasonable dimensions.

One unusual and complex problem arose from Secretary Ickes' assertion of Department of Interior jurisdiction over the unpatented lands within indemnity selection boundaries of the revested Oregon and California Railroad land grant. The involved history of this land grant and its revestment by the United States need not be recounted here. For present purposes it suffices to say that these lands comprise approximately 250,000 heavily timbered acres on the western slope of the Cascade Mountains within the national forests of western Oregon. All of these lands had unquestioned national forest status until the Ickes claim in 1940. In due course these lands became known as "the controverted O and C lands." It proved indeed to be a lengthy controversy which was finally settled by Act of Congress in 1954 under which National Forest status for these areas was retained with provision that receipts from them should go into the so-called "O and C fund" to which certain Oregon counties have special distribution rights.

It was Lee Kneipp's careful work in the early stages of this controversy in digging out the precedents bearing on the maze of issues of this legal complex which provided the basis for this legislation which preserved the national forest status of the controverted O and C lands.\*

---

\*The following transcript records Lee Kneipp's disappointment at the outcome of the O and C struggle: full national forest status for distribution of the income off the controverted lands was not preserved, although the lands were put under the administration of the Forest Service. [Ed.]



Kneipp's second field of responsibility was forest land acquisition. The national forest system in the states east of the Great Plains began in a small way after passage of the Weeks Law in 1912, but the bulk of the present system was acquired during the first two terms of Franklin Roosevelt's presidency. This period of high activity came in the middle of Kneipp's incumbency as Assistant Chief responsible for forest land purchases. In that period a buyer's market prevailed since many forest land ownerships were in financial distress. Kneipp ran a tight-fisted organization which made the funds available for land purchase go a remarkably long way.

During our last conversation in a hospital room a few weeks before his death, Lee told me that as he looked back over his career he had no regrets and for the future he had no fears.

Ira J. Mason

Director of the Division of  
Timber Management (retired)  
U.S. Forest Service  
6 June 1975





## INTERVIEW HISTORY

Leon Kneipp's Forest Service experience was so rich and he was so willing to share his clear memories and frank evaluations of it, that three people-- Amelia Fry, Edith Mezirow, and I--successively interviewed him. The twelve interviews were held between July 8, 1964, and November 12, 1965. Mr. Kneipp died on October 29, 1966, too soon for him to review the interview transcript.\* I have edited these transcripts, listening to all the tapes.

Amelia Fry did the first two interviews during a trip from California to Washington, D.C., in 1964. While she prepared the outline of questions for subsequent interviews, their correspondence developed a warm relationship, both personal and professional, as the following excerpts show.

Fry to Kneipp (undated, probably August 1964):

Your help in Washington on both your own interview and those of others, plus the good references you gave me for pertinent documents, added a great deal to the productivity of my visit.

Kneipp to Fry, September 4, 1964:

...this seems an appropriate time to let you know that the old adage "Out of sight, out of mind" in your case does not apply....

...your tape-recorder data pretty well cover my novitiate and Paul Roberts' Book, Hoof Prints on Forest Ranges, carries me to 1915. The next 5 1/2 years I spent as Regional Forester in charge of the Intermountain Region; one principal effort was to reduce the overstocking of forest ranges being neutralized by patriotic clamors to stock them more heavily so as to help win the war.

From mid-1920 to the end of 1946 changes in national forest status was one of my major responsibilities, additions to and eliminations from national forests; transfers to or from other types of Federal management; acquisition of lands through ex-

---

\*Obituary in appendix.



changes of national forest land and/or stumpage; purchases of lands for national forest purposes under the Weeks Law and the Clarke-McNary law, etc. From mid-1920 to 1935 I also headed up the recreational development programs, until they expanded to a stage requiring separate action. In 1924 I served as Executive Secretary for the National Conference on Outdoor Recreation, created by President Coolidge in May of that year and under leave of absence from the USDA, continued to so serve until the end of 1924. In 1930 President Hoover appointed a Committee on the Conservation and Administration of the Public Domain. The most comprehensive and detailed reports on the physical conditions actually existing on the majority of the lands involved were prepared by the Forest Service. I was assigned to the direction of the study and was the one who personally presented the results thereof to the Committee. I mention these last two subjects because they otherwise might not come to your attention, or you might not be aware of my association with them.

Kneipp to Fry, February 2, 1965 (possibly this should be March 2, judging from A. Fry's response of March 5):

The multiplying years finally have run me to earth. The three medicos who now constitute my medical guides, with the full concurrence of my son and my daughter-in-law, both doctors, have decreed that I no longer can roam at large as a free agent in a self-operated apartment, consequently I'm now an inmate of Washington's newest and most modern nursing home, the Mar Salle, 2131 O St. N.W., Washington, D.C. Right now I'm in a quandry as to how to stow the one-time cherished possessions that filled living room, bedroom, three large walk-in closets, a bath and a kitchen in the compass of one small room.

Then again, I've again been reviewing records of the memories of the dead past: the earliest appropriation and receipts, the earlier personnel and organization data, etc., subjects which perhaps have little or no current usage or value but possibly to ardent young researchers with P.D. stars in their eyes might be really exciting. The days are gone, the projects often are only memories, the men who guessed right or wrong about them largely have gone to their reward. So gradually the thought has taken form in my mind: why not send them to you. I cannot imagine any way in which they now could hurt the Forest Service, whereas they might dispel some long lingering latent doubts and misgivings. The accumulation I have in mind makes a pile about two or three inches thick. If you have some trusted agent here who will take them and package them and ship them to you I will deliver them, but it will have to be done promptly as the relinquishment of my apartment is impending.



Kneipp to Fry, February 9, 1965:

On the forenoon of January 8, an ambulance rushed me to the George Washington University Hospital, from which I was not released until February 1. The disruption of my normal thought processes has retarded prompt response to your letter of January 29.

The "Questions For Interview" accompanying your letter of January 22 rather stuns me. After all, it is almost forty-three years since the General Exchange Act of March 20, 1922 was approved; 33 years since Hoover attempted to transfer the unreserved public domain to the jurisdiction of the Department of Agriculture. A tremendous program of review of old records would be necessary to avoid statements that would not hold up under adverse criticism, and that is now beyond me. The growing number of special bills to authorize exchanges in single national forests or limited areas, inspired by owners of lands who desired to get their holdings in better shape or exchange them for timber they could log, probably did more to get Congress to pass the General Exchange Act than any other single factor. Congress, in all, has enacted more than eighty laws authorizing exchanges of lands for national forest purposes.

Fry to Kneipp, February 11, 1965:

Had I known you were so ill, I would have delayed sending you such a heavy outline--certainly not something to hit a man with when he is down. Do not feel compelled to address yourself to every question on that opus; there are some that you may want to leave out because, as you point out, it has been a very long time since some of these events actually occurred.

The main thing is just to help you recall any anecdotes regarding the high points in history of land planning and acquisition in the Forest Service, and to enable you to evaluate what went on. I am happy to just leave it up to you (and Mrs. Mezirow) to decide on those items which you will want to discuss on tape and leave out the remainder. You may have other things to include, too, that I have omitted.

Fry to Kneipp, March 5, 1965:

What a great relief to hear from you again. Your letter sounds as if you are as vigorous as ever, although I am forced to conclude that there is something resulting from your hospital stay that means your health is not as status quo as it was, or maybe that your overendowment with doctors has finally resulted in the inevitable medical decision, the nursing home. At any rate, I am



glad to see that you are still inside that bustling city and not in one of those idyllic horsey types of plantation homes in lower Alexandria or some place equally dull.

First matter of importance is Yes, please do send the Press Clipping collection....Same for the records of appropriations, receipts, personnel, organization etc. I am writing Mrs. Mezirow so that she can do the packaging and mailing with you.\*

It sounds as if you are in the midst of something that might be second only to the San Francisco earthquake as an upheaval.... Going through old records, etc., may remind you of things you want to include on the tape, so feel free to add things as you and Mrs. Mezirow go along. I hope the current reorganization will leave you free enough to take an afternoon off now and then to continue the interviews.

In Lee Kneipp's letters to Amelia Fry, there were also paragraphs concerning events in his career that he thought would particularly interest her. When these were not covered in interviews, they have been included in notes to the transcript.

The outline written by Amelia Fry was used by Edith Mezirow. When Mrs. Mezirow left for Los Angeles, I continued where she had left off. Mr. Kneipp consistently wanted to get down to "basic" questions concerning public attitudes or Forest Service organization, which he felt had to be understood before other questions could be answered without distorting deeper realities.

Mrs. Mezirow interviewed Mr. Kneipp twice in his apartment at 2122 Massachusetts Avenue, just across the street from the Cosmos Club of which he was a member. Before their third meeting Mr. Kneipp moved to the Mar Salle Home. It was here that I met him. The room was small, especially for a man who had freely ranged the West in the early part of the century; but his mind and spirit went beyond those walls. Some of our five interviews were scheduled, others resulted from telephone calls in which he might say, "Mrs. Ingersoll, I was just thinking over a part of that Ballinger-Pinchot controversy that might interest you," or "I've just read a recent issue of Forest History with an article about U.S. government acquisition of lands and it leaves out some very important facts."

Although, by this time, Mr. Kneipp had had to dispose of many of his books and papers, I was constantly amazed at his ability to remember dates, places, names, and the terms of pertinent acts of Congress. When I spoke with William Bergoffen, a retiree of the Forest Service, he recalled Lee Kneipp "standing up before the National Forest Reservation Commission arguing why certain lands should be taken into the national forests. As he stood in front of the micro-

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\*These are now in The Bancroft Library, University of California, Berkeley.





phone, quoting various acts of Congress, he accompanied his words by the jingling of his keys and coins in his pocket." The jingling still accompanied his words when he talked with me.

Since there were three interviewers, it was inevitable that Mr. Kneipp, on occasion, repeated stories. As editor, I have deleted duplicated versions of these stories, unless they were so interwoven with both contexts that they were inextricable, or if the second telling brought out facts or feelings not expressed in the first. I have indicated deletions in notes.

Unfortunately Mr. Kneipp died before funds were available to make the editing of his transcript possible. How he would have enjoyed going over the typed version! Names and places were not always clear on the tape. The typist indicated this with a [?]. Referring to Samuel Trask Dana, Forest and Range Policy: Its Development in the United States, Paul H. Roberts, Hoof Prints on Forest Ranges, U.S. Forest Service directories, and standard reference tools, I checked anything that seemed uncertain. Unless Mr. Kneipp's intent was absolutely clear, I indicated his probable meaning in a note rather than making a change in the transcript. When I was unable to clarify the word or phrase, I left the [?]. When there was a phrase which, although seemingly clear on the tape, was not meaningful in context, I have indicated it by [?].

Occasionally I have supplied additional information in notes; however, in the very complicated issue involving the lands granted to the Oregon and California Railroad (O&C), the legal issues were so complex that I felt it wisest to include in the appendix all of Lee Kneipp's own documentation of hearings and other references, together with a listing of the papers that he deposited at The Bancroft Library, rather than trying to fill in details.

In a collection of photos of Mr. Kneipp, one seemed particularly interesting: smiling broadly, he was receiving an award. Both Amelia Fry and I felt it would make a good frontispiece. After checking with numerous past and present employees of the Forest Service, William Bergoffen identified the occasion. A "skit" was put on when four men--Lee Kneipp, W.D. Brush, J.A. Fitzwater, and one other--retired from the Forest Service on December 31, 1946. In a mock graduation, Chief Lyle Watts held a plaque while E.E. Carter, assistant chief in charge of Timber Management, questioned the "candidates." Bergoffen remembers that Carter spoke of the salary Kneipp had made in the old days, compared it with the present, and said, "Now, candidate Kneipp, explain your lack of progress!" Later, someone asked Lyle Watts what he thought of such a performance, and he replied, "Any time you can get four men with 120 years of service among them, I'm perfectly willing to go through it again." Before this affectionate and playful mock graduation at the time of his retirement, the only college graduation Lee Kneipp had had was from the school of hard knocks on the Chicago waterfront.



At first I was about to discard the idea of using the picture as a frontispiece. I was hoping to find one taken when he got the first annual award from OPEDA (Organization of Professional Employees of the Department of Agriculture) on November 7, 1966, for his "outstanding contribution to the public welfare through leadership and vision which helped bring about the protection and development of a national forest system."

Then I thought of the afternoons I had spent with Lee Kneipp when so often there was a bit of sardonic humor in what he was saying, so often a bit of pride in the fact that he had known how to deal with sheepmen and cattlemen, yet so often deep pleasure in drawing on his vast stores of knowledge from reading and considering the implications of what he read. And I decided that Leon Kneipp would have liked the high good humor implied in a picture of himself receiving a degree for a lifetime of knowledge acquired on the Chicago waterfront, in western and eastern forests, in Washington offices of the Forest Service, and in the hearing rooms of Congressional committees.

Fern Ingersoll  
Interviewer-Editor

2 December 1975  
Regional Oral History Office  
486 The Bancroft Library  
University of California at Berkeley



From The Washington Post, 30 October 1966

# Leon Kneipp, 85, Dies; Forest Service Pioneer

Leon F. Kneipp, 85, retired assistant chief of the Forest Service in charge of lands, died Saturday at the Washington Hospital Center after a short illness.

A member of the group which established the Department of Agriculture's Forest Service in 1905, Mr. Kneipp began his career as a forest ranger in the Territory of Arizona in 1900.

He was appointed supervisor of the Pecos River Forest Reserve in New Mexico in 1904 and in 1905 he was one of the eight men from various parts of the West who went to Washington to establish new rules and procedures to govern the administration of the National Forests.

In 1907, he became a forest inspector and later became chief of grazing control for the Forest Service. He was made assistant forester of the Forest Service in 1908 and in 1914, as district forester, he was given charge of all national forests in Utah, southern Idaho, western Wyoming, northern Arizona and most of Nevada.



LEON F. KNEIPP

Mr. Kneipp became assistant chief of the Forest Service in charge of the lands branch in 1920. He served in this capacity until his retirement in 1946.

During his administration of the lands branch, he was instrumental in acquiring for the United States approximately 20 million acres of

natural forestland east of the Mississippi River and four to five million acres in the West.

In 1924, Mr. Kneipp served as executive secretary of President Coolidge's Committee on National Outdoor Recreation, whose members included Herbert Hoover, then Secretary of Commerce, and Theodore Roosevelt Jr., then Assistant Secretary of the Navy.

Mr. Kneipp was a member of the Cosmos Club and the Organization of Professional Employees of the Department of Agriculture of which he was executive officer. In 1959, the organization gave him its first annual award, and cited his "outstanding contributions to the public welfare through leadership and vision which helped bring about the protection and development of the national forest system."

He lived at the Mar-Salle Home for the past two years and for many years before at 2122 Massachusetts ave. nw.

Surviving are two sons, Robert F. Kneipp, 2800 Quebec st. nw., and John A. Kneipp, 12301 Stony Creek rd., Potomac, Md.



INTERVIEW I

8 July 1964

Interviewer-Amelia Fry

LAND-USE POLICIES: POWER OF THE DEPARTMENT OF AGRICULTURE

- Fry: I thought we might talk about the land-use policies of the U.S. government. This would concern some legislation, too.
- Kneipp: I looked back over that item on the western range.\* That presents in detail both the philosophy and the policy that we in the Forest Service, even back as far as that time, 1936, regarded as in the best interest of the people of the United States. From that you can derive a great number of comments about the diversion from that policy. From that you can derive a pretty good understanding of what the whole purpose of the Forest Service has been from the time of Gifford Pinchot.
- Fry: I understand that about 1906, right after the Forest Service was founded, there was given to Agriculture an unusually free rein in arriving at its own land-use policies. Did decisions of land-use come under your office, too?
- Kneipp: No. At that time I was connected with grazing. That [the free rein of Agriculture] isn't strictly true. For example, one of the most pernicious acts that was ever passed was the Forest Homestead Act of June 11, 1906, under which about 21,000 tracts, containing a little over two million acres, were listed as forest homesteads, against the best judgment and opposition of Gifford Pinchot and

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\*U.S. Congress, Senate Committee on Agriculture and Forestry, The Western Range: Letter from the Secretary of Agriculture transmitting, in response to Senate Resolution No. 289, a report on the western range--a great but neglected resource. Seventy-fourth Congress, second session, 1936.





Kneipp: everybody interested in conservation. But, it was an alternative: either yield or lose the whole thing. If the Forest Service didn't agree to letting these little tracts of land be passed to private ownership, why, the solution was to abolish the National Forest. So even at that early stage there was no free hand. In fact the Administration itself didn't have a free hand--that is, neither the Department nor the President.

Fry: This is the June 11 act. Is that the one?

Kneipp: Yes, June 11, 1906. The Forest Homestead Act.

Fry: By the time you were in a position to be in charge of this sort of thing, that had been amended.

Kneipp: That had been abolished. Of course it was a great sizzle. By 1920 we made a survey of the situation. We found that out of the 21,000-odd listings all together, less than five per cent actually were being used for the purposes for which they were supposed to be listed. Hundreds and hundreds of them were never listed at all. There were other hundreds upon hundreds that were listed and were traced and [it was found they] were filed on up to as many as six times and then relinquished or abandoned. Because on these little areas of forty or fifty or sixty acres, the grassy flat had an elevation where the crop-growing period was only seventy to eighty days.

[It was] actually ludicrous, except [that], in a way, there was a passing condition. There were all these little mining camps scattered around through the West and there were little ranches--one thing or another of that kind--mining particularly. These little ranches at that time furnished produce--vegetables, and things of that sort. Or beef, or eggs, or one thing of that kind. This enabled them to eke out a limited existence which was all very simple. But as that local market diminished, or as it was invaded by more economical production from the outside--as transportation improved--the people who had lived on these little twenty- or thirty- or forty-acre tracts couldn't make enough to live on. So they abandoned them. The Forest Service acquired several hundred of them back through land exchange in later years at appraisals anywhere from four dollars to eight dollars an acre.

With that aside, there was another thing. There was no control over [mineral] land in the Department of Agriculture. The act of June 4, 1897, stipulated that the National Forest shall not include any mineral lands. Or if mineral lands were within the Forest, they should continue to be subject to the general mining laws, which of course are nothing more than the old mining regulations of the early days of the forty-niners and were abused in every way imaginable, and which the Forest Service had no control over whatever.



- Kneipp: With those two exceptions, in which the Forest Service and the Department of Agriculture were completely helpless, there was control over the land. That is, the idea was to make it as fully productive as possible, have it yield the highest measure of timber and foliage and water and things of that sort.
- Fry: Regarding whether the use should be given to grazing or recreation or pre-planning, these decisions did not have to go to Congress?
- Kneipp: It was all under the Secretary of Agriculture. All the regulatory power was vested in the Secretary of Agriculture by the act of February 1, 1905.
- Fry: And this was later upheld by the Supreme Court. I guess it was challenged by grazing interests.
- Kneipp: Yes. In this book here there is a discussion of the two cases: the Light case [United States vs. Fred Light] and the Dunbard [?] case.\*
- Fry: In the book by Paul Roberts, Hoof Prints on Forest Ranges?
- Kneipp: Yes. He gives a very interesting description of both of those cases in which grazing interests opposed the Forest Service's attempt to regulate the pastures of domestic stock. The Supreme Court upheld the law in both instances.
- It was rather interesting. When they were having the wrangle with the cowman [Fred Light] in Colorado, one of the rangers ran a mowing machine while the cowman sat down and discussed the thing with the foresters [Jesse W. Nelson and a ranger from the Holy Cross Forest].
- Fry: You mean the ranger ran the mowing machine--?
- Kneipp: They went out to talk this thing over with the man. He was riding the mowing machine. He was putting up his haying, which was a very critical period in every rancher's life at that time. So that he might stop and discuss the subject with the visiting forester, the local ranger took his place on the mowing machine while he talked the thing over.
- Actually, the first act was a little sixty-eight word paragraph in the act of 1892. That was a very voluminous act which modified a number of the previously enacted land laws of different times.

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\*The other important case concerning grazing, mentioned by Paul Roberts, was United States vs. Grimaud and Carajous.



Kneipp: This either abolished or repealed or modified them. At the very last moment, there was a sixty-eight word paragraph appended that the President made by executive proclamation, withdrawing all reserve, non-appropriated public lands for forest reserve purposes. But there was no authority or detail given as to what was to be done with the lands, except that they could not any longer be entered under any of the land laws. That tied them up for a period of five years to everybody's discomfort. There was a certain amount of trespass going on all the time, which the General Land Office winked at because they couldn't actually do anything about it and didn't want to anyway.

Then there was enacted the act of June 4, 1897, which went into a great deal of detail. It authorized the various types of use and defined various conditions, such as the right of entry and egress to all settlers and persons roaming the lands inside the boundaries of the reserves. There was that clause that the mineral lands should not be included. Such mineral lands that were within the boundaries should be subject to their own laws relating to the patenting and location of lands or be under the continued jurisdiction of the Secretary of the Interior. So just a few years ago every little transactional land exchange or anything else involving national forest land had to clear not only the Department of Agriculture but also the Department of the Interior.



## RELATIONS BETWEEN INTERIOR AND FOREST SERVICE

Ickes's Disapproval of Hearst Land Transaction

Fry: Did this function as a kind of rubber stamp by Interior?

Kneipp: Not always. For example, when "Honest" Harold Ickes killed a very wonderful exchange with William Randolph Hearst. He had a beautiful tract of ponderosa pine land up on the McCloud River in Northern California. That's where he and Marion Davies had their summer home. The tract was a regular little empire in itself, and it had a magnificent stand of timber on it. It was nothing he really needed, and he was beginning to retrench some of his property holdings. An arrangement was worked out whereby he would trade this large acreage of land (forty or fifty thousand acres), in alternate sections, for two different tracts of land which had a high recreational value and for which he could find a ready market. Everything progressed up to the point of presenting it to the Secretary of the Interior for approval. Ickes simply disapproved it because he didn't like William Randolph Hearst.

The exchange didn't go through. About five or six years ago, the Hearst executives sold the land for about five times as much as he would have gotten in that proposed exchange with the government. Once in awhile, Ickes particularly, and more than any of the others, would exercise a right of veto for some reason like that. Usually, however, and even in Ickes' case, he [the Secretary of the Interior] protested against having to handle the run-of-the-mill exchanges of which there were a great many, on the grounds that this was dealing with a function of the Secretary of Agriculture and therefore could be handled by him. It has only been in the past few years that that finally was legally authorized. The first land exchanges went through in about 1915 or 1916. Over that long period, any land exchange went to the Secretary of the Interior.





Survey Under Weeks Law

Fry: Along this line, is it correct that land also had to be surveyed and approved by the U.S. Geological Survey, which is in the Interior?

Kneipp: That would be under the Weeks Law, the act of March, 1911. The only way they could justify the government buying land, and withdrawing it from state and private ownership and taxation, was to find some national interest--some Constitutional justification. The only Constitutional justification they could find was that of commerce. Commerce included transport by water, so the Weeks Law originally stipulated that the land would have to be on the watersheds of navigable streams and exercise a favorable influence on the flow of such streams. That determination had to be made by the U.S. Geological Survey. They had to go in with their tongues in their cheeks to certify that buying 600,000 acres up in the White Mountains of New Hampshire, for example, would have a beneficial effect upon the navigability of rivers.

When the Clarke-McNary Act was passed [1924], permitting the purchase of land not only for the stabilization of stream flow but also for the production of timber, then that requirement was dropped, and the determination as to the public interest in the land was then vested in the Secretary of Agriculture. But from 1911 until 1922\* there had to be a finding by the Weeks Law in every instance.

Fry: This stopped, then, before the controversy over transfer of lands to Interior really got under way, didn't it?

Kneipp: No, there was always a controversy over the transfer of lands.

Fry: You mean that wasn't just an Ickes baby?

Kneipp: No. But it reached a most acute stage in his case.

Fry: Did you find that the U.S. Geological Survey engineers stopped or blocked the purchase of lands just because it wasn't one of their departments?

Kneipp: No. They were very cooperative. As a matter of fact, in the early days the Geological Survey, the Reclamation Service, and the Forest Service had pretty much the same philosophy and viewpoint, and there was a community of interests. For example, Pinchot [Gifford] got a

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\*L. Kneipp may be referring to the year of the General Exchange Act; more likely he meant to say 1924, the year of the Clarke-McNary Act.



Kneipp: great deal of help from Frederick Haines Newell, the initial director of the Reclamation Service, and Arthur Davis, who was a chief engineer. And he got a lot of help from the leaders of the Geological Survey at that time. They were all buddy-buddy. The only dissension in the Interior Department was the General Land Office because they were living on a fee basis. Once land was reserved for forest reserve purposes there were no more entry fees, and therefore they thought it was cutting into one of their basic prerogatives.

One time, while Hubert Work was Secretary of the Interior [1923-1929], there was a joint committee organized to work out these differences. The leading man on the Interior Department group was Burlew [Ebert K.] whom Work had brought along with him from the Post Office Department. We had a long series of meetings discussing this, that, and the other thing, and we made a series of proposals. Burlew finally stood up at the conference table and said, "Gentlemen, we're just wasting our time. What you're proposing is that the Interior Department will give up prerogatives which it has long cherished and which it would be most reluctant to release. We simply will not do it and there is no use talking about it."

Fry: This was under Work, then?

Kneipp: Yes, under Work when he was the first year Postmaster General and then he was Secretary of the Interior. He brought Burlew with him, over from the Post Office, as I remember. That put the thing violently at that time. That was either under the Harding administration or the Coolidge administration, one or the other.\*

That old attitude was a long existent one. I was amused at Ray Lyman Wilbur. The Weeks Law commission [National Forest Reservation Commission] consisted of the Secretaries of War, the Interior, and Agriculture, two members of the United States Senate and two members of the House of Representatives. No Weeks Law purchases could be made, until very recently, until they were first authorized and approved by this committee.

We got along fine. While I was in charge of that work, we acquired about fifteen million acres under the Weeks Law and the Clarke-McNary Law. At one of those meetings, Ray Lyman Wilbur, at the close of the meeting, said, "This is an excellent program. The only comment I have to make is you should do a great deal more of it."

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\*Hubert Work was Secretary of the Interior in both the Harding and Coolidge administrations.



Kneipp: Just before that particular time, we had submitted to the Interior Department a proposal to transfer to the national forest status a large block of unreserved public lands in one of the Western states--I forget whether it was California or Colorado--which was partly an enclave into a national forest and partly abutting on the national forest and was identically the same type as the national forest land. The Secretary of Agriculture had submitted a report and maps to the Secretary of the Interior, Ray Lyman Wilbur. Ray Lyman Wilbur refused to give his approval to the change of status. It had a great deal more merit than that bunch of Weeks Law purchases of which he said his only criticism was that we weren't doing more of it. In other words, he was wearing two hats as a member of the Weeks Law commission [National Forest Reservation Commission]. He was all for the Secretary of the Interior when he was agin' it [national forest land acquisition].

We knew what was going on. Some of his subordinates [would] come around and shove a newspaper clipping or a letter under his nose and said, "Look at what those so-and-sos over in the Forest Service are trying to do. They're trying to take some of our land away from us." The natural reaction was, "I'll show the so-and-sos that they can't get away with that as long as I'm here."

### Kings Canyon

Fry: Along about this time they tried to get, and finally succeeded in getting, national forest lands for Kings Canyon National Park.\* Those efforts were going on in Congress in the 1920s.

Kneipp: Yes. Kings Canyon started along when Henry S. Graves was Forester, between 1910 and 1920. Graves [Chief, Forest Service] and Greeley [William B.] who succeeded him, were agreeable to perhaps eighty per cent of the proposition but thought that about one-fifth of the proposed addition embraced lands which were not actually a part of the Kings Canyon complex and were very valuable for national forest purposes--for timber production--and [were] tied in economically with the other adjoining national forest stumpage. There was a long haggle over that. That started before I came back from Ogden [in 1920].

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\* Kings Canyon National Park in California was created by Congress on March 4, 1940. It consists almost wholly of land formerly in the Sequoia National Forest and the Sierra National Forest.



Kneipp: Finally, however, there was a terrific campaign put on. I still have the letter from Colonel Ed Fletcher of San Diego, who was a member of the state legislature, written to S. Bevier Show [Regional Forester] telling about the pressure being brought to bear on the California legislature to support the Kings Canyon [park] status.\* At the time that was up, Representative De Rouen [René L.] of Louisiana was chairman of the House Committee on Public Lands--what is now Interior and Insular Affairs. De Rouen died. His son had been his clerk. When Joseph Robinson\*\* of Utah became chairman of the committee, he retained De Rouen, Jr. as clerk for an additional period so that he could complete his law course at George Washington University and finally get his degree.

Joe Robinson came from Utah; I had had charge of the Utah national forests for five years, and we were on very friendly terms. Young De Rouen, seeing that Joe Robinson was so friendly to me, was also friendly to me. So one day when I was in the inner room of the office of the House Committee on Public Lands, he was telling me about a meeting that had been held in his father's office, [and about] who had sat here and there and the promises they made. The California representatives would support the Kings Canyon proposal to change the edges of the park--what reciprocal action would be taken by the Interior Department? De Rouen says, "You know, not a damn one of those promises was kept." That gives you some picture of the other side of the thing.

Fry: I'm still trying to get the picture built. In Kings Canyon, were you aware of any pressure from the Los Angeles water interests who wanted to preserve the river for water and power purposes?

Kneipp: Not personally. There was some talk of that. There had been those other watersheds in Los Angeles and San Francisco. Gifford Pinchot got in a terrible dragout [?] with San Francisco.

Fry: That was Hetch Hetchy in Yosemite and this is Kings Canyon. I think, as a matter of fact, the river still is not within the land of the park.

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\*Mr. Kneipp later suggested in a letter to Amelia Fry that the originals of two letters concerning Kings Canyon National Park vs. Friant Dam, written under the dates of February 21, 1939 and March 7, 1939, from Colonel Ed Fletcher to S.B. Show, would be on file in the Forest Service regional office.

\*\*Probably James W. Robinson, Utah House of Representatives, 1933-1947.





Kneipp: I was thinking that the Kings Canyon proposition was being vetoed and branded as another Hetch Hetchy drive. There was something to that effect. Of course, Los Angeles had their eye on the Owens River project and also the water from the Colorado. Los Angeles had recourse that San Francisco would not have in the way of additional water supply. I'm not sure--it might have been Los Angeles. Although, in my memory, the water opposition to Kings Canyon was connected with the Hetch Hetchy grab. San Francisco was aspiring to get the Kings Canyon.

Fry: Do you remember anything about the power interests involved?

Kneipp: No. I don't know anything about that. Of course, there was a lot of power there. The big fight on now [1964], of course, is who is going to build the line of transmission from the Oregon boundary down to Southern California to transfer the surplus power from Oregon and Washington.

Usually, however, the Los Angeles water grabs were hooked into the Owens River Valley and the Colorado. The chief engineer in Los Angeles, who was in charge of all their water programs for so many years, was a very remarkable and capable man. He had vast visions. He foresaw the growth of Los Angeles to a far greater degree than almost anybody else did at that time.

Eighty per cent of the Kings River proposition was approved by Graves and Greeley for transfer to the Park Service. The little difference of opinion was about twenty per cent that was not really an integral part of the Canyon itself and which was believed to be more valuable for timber production than any other purpose.

I don't know if you have ever heard of Coert du Bois\* or not. He was one of the early regional foresters in San Francisco. Mather [Director Stephen T., National Park Service] brought a big party out there to make a trip over the Sierras with the view of putting all the upper crests of the Sierras into a national park. Du Bois got busy forthwith and made a tour of inspection of that particular part of the Sierras. Just by happenstance he ran into Mather and his party, who were on national forest lands, as a matter of fact. His naive assumption was that Mather would ask him to stop and have some coffee, rest himself, and go along with them for awhile and talk things over. But Mather didn't. Mather treated him with the utmost coolness and got him out of the camp just as fast as he could.

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\*According to Arthur Ringland, this regional forester originally spelled his name "Dubois" and only later changed the spelling to "du Bois."



Kneipp: Then he took the party out down through the Sierras to show what a wonderful national park it would make.

Du Bois was a very impetuous individual and had very high esteem for himself--which was justified as he was a very bright man--and that imbued him with a sense of outrage that I don't think he ever got over from that time on. In the first place, if there'd been any protocol at all, Mather could have written to him and said, "I'm going to take a party through your various national forests--Tahoe, the Sierra, and so forth--to show them the country and to see whether they can see any national park values in them or not." But he didn't do that. Then when Du Bois rode into his camp, on national forest land, and encountered him and the party right in the very center of the act, instead of saying, "Wait and look [?] at your saddle, and come along with us," he got a cold shoulder. Next time I landed in San Francisco, I could hardly talk to Du Bois about the National Park Service without exciting very feverish comments. [Laughter]

#### Rocky Mountain National Park

Fry: What about the Rocky Mountain National Park in Colorado, which also was made out of national forest land? Was that under your period?

Kneipp: No. That was made earlier. I don't think there ever was very much disagreement about the Rocky Mountain National Park. It is a comparatively small one. It didn't have very much mineral value, and at that time nobody thought it would have very much tourist value, so far as that was concerned.

Fry: The only protest was from the grazing interests. Is that right?

Kneipp: There might have been some protest from the grazing interests. And there might have been some protest from the Forest Service interests although this would probably be that it fits right in with the forest area that surrounded it on all four sides, the same kind of land, and no reason why it should be a separate jurisdiction.

Fry: But you didn't have any opposition, then, that was staged to this?

Kneipp: Not at that time. As a matter of fact, that was created before the National Park Service.



THE NATIONAL PARKS ASSOCIATION AND THE PARK SERVICE:  
POLICIES COMPARED

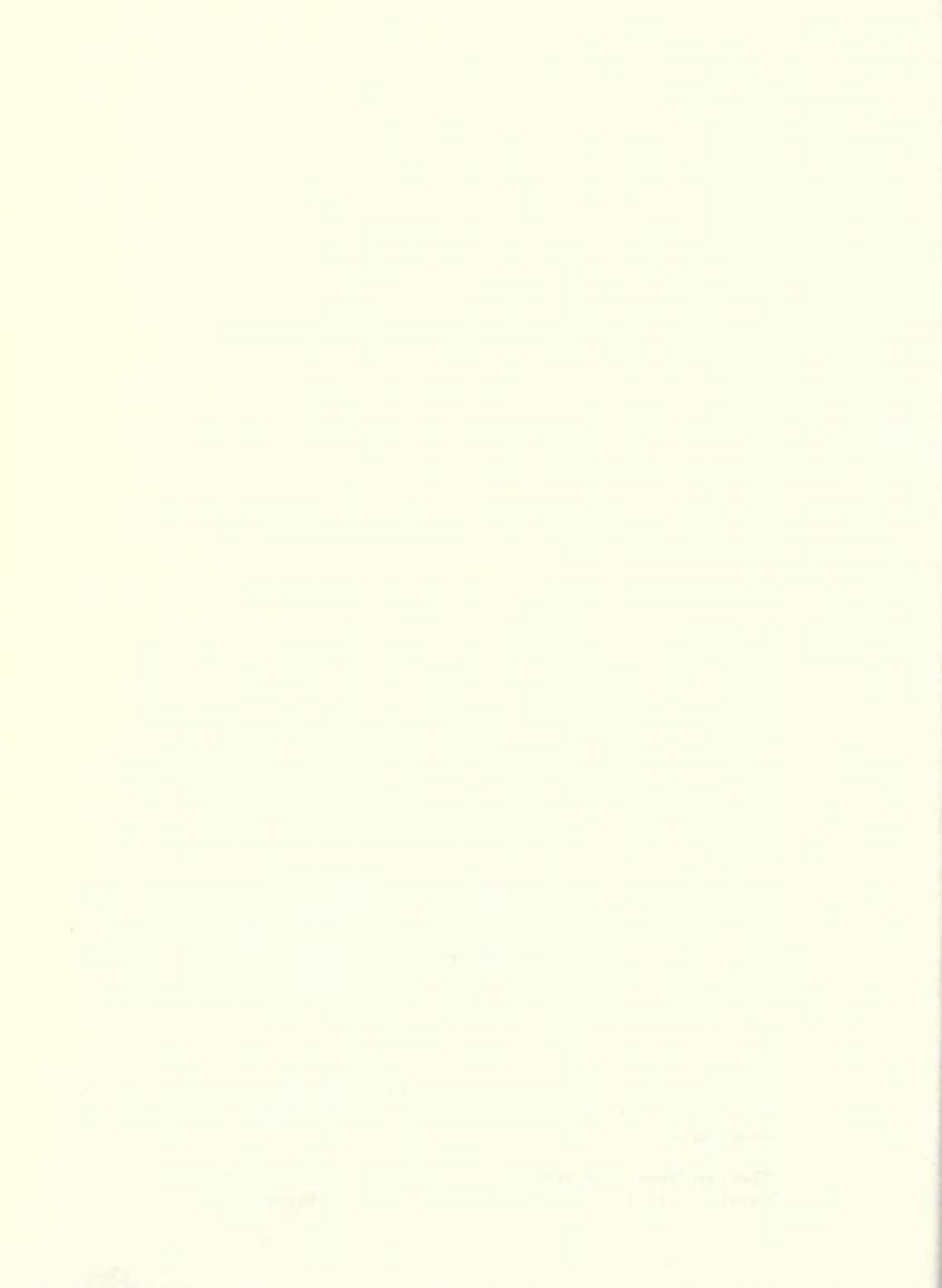
- Kneipp: By the way, have you met or are you planning to meet Harlean James?
- Fry: I didn't realize she was here.
- Kneipp: Her name is in the telephone book yet. You know she was the most successful national park propagandist and lobbyist that has ever been in Washington.
- Fry: Didn't she have something to do with the National Parks Association?\*
- Kneipp: She was it. J. Horace McFarland was a very successful printer in Pennsylvania. Way back in 1909 or 1910, he started a drive to create a national park association. Up to that time the national parks, such that existed, were administered largely by the army. They were patrolled by the soldiers; and some had civilian superintendents, and some were just in charge of the ranking army officer. J. Horace McFarland, who was a very charming little gentleman, thought that was wrong. He started in 1911, I think, and it was only shortly after that that he hired Harlean as his secretary-- not his printing secretary but his representative here. She was a whirlwind.

The Park Service Act wasn't passed until 1917.\*\* They [the Park Service] really weren't functioning until 1920. In 1919, after the Grand Canyon Park had been created, it continued under the jurisdiction of the Forest Service because the Park Service wasn't prepared to man it and operate it. The last year I was regional forester at Ogden [1919], I made a tour of the Park north of the Canyon as part of my own domain [laughter].

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\*The organization incorporated in 1919 as the National Parks Association changed its name in 1970 to the National Parks and Conservation Association.

\*\*The National Park Service was organized in 1917, but the act of August 25, 1916, had created the National Park Service.



Kneipp: I suppose you heard the story about how Mather got to be head of the--

Fry: No.

Kneipp: There's an autobiography of Mather--rather a frank book in some ways.\* He made a million or so out of the Borax Trust. He was their sales agent and wound up by having all their list of customers. Then he got another supply and began selling his borax to the same list of customers. So the borax people bought him up and made him a million or two.

That made him a free agent. He started touring the West. He wrote a letter to Franklin K. Lane, then Secretary of the Interior, criticizing one of the national parks he had visited. So Lane wrote a letter back to him and said, "Dear Steve: If you don't like the way the national parks are being run, why don't you resign and come to Washington, take the job of chief of the National Park Service and run them the way they ought to be run." And he did.

At that time, the concept of the national park was that these were to be the supreme examples of the works of Nature. The very outstanding examples, and not more than one or two of each type: so many of volcanism, so many of erosion, so many of slips and faults and brakes, and so forth. And they were to be preserved with sanctity that was almost holiness. Nothing was to be allowed to impair them.

When Mather first took the job, he had pretty much that point of view himself. Then he surrounded himself with Horace Albright, Arno B. Cammerer, and Demaray [Arthur E.]; and then the dreams of empire began. Then it was that all these complications began developing.

At first there was complete agreement. If you look back at the old National Parks Association literature when Robert Sterling Yard was the secretary of it, you'll find that Yard was standing out for the old concept--the absolute perfection of virginity. One day there was a hearing before the House Committee on Public Lands. I was appearing as a witness. Harold Ickes was there and testified. Henry Wallace was to be there but didn't come. So I showed Yard a statement I had thought of making in regard to the Interior Depart-

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\*The Library of Congress lists no autobiography of Stephen T. Mather. It does, however, list a biography by Robert Shankland entitled Stephen Mather of the National Parks with editions published in 1951, 1954, and 1970.





Kneipp: ment. Yard got quite excited. He said, "Why don't you make it? Why don't you make it? Go on back and tell the chairman that you'd like to make another statement and read that into the record!" [Laughter] In other words, I was criticizing the departure from the original concept of perfection into a concept of public recreation and popularization and expanding the territory and multiplying the activities and opening the parks to the same types of use that other areas were already available for.

Yard was quite out of sympathy with the change in the policy of the Park Service from the original policy of the middle teens to the later policy of the twenties and thereon.

By the way, have you seen Anthony W. Smith? I think he has the same job now that Yard had, the head of the National Parks Association. Smith was a member of the CIO, somewhat of a Walter Reuther type. He got interested in the preservation of Nature, and particularly the creation of a big redwood national forest in Northern California. He got Mrs. Helen Gahagan Douglas to introduce a bill to that effect. That apparently had something to do with the defeat of Representative Lea [Clarence F., House 1919-1949], as it was up in Lea's district. Lea was passive. When Mrs. Douglas introduced a bill affecting his district, he made no protest against her violation of protocol, and the people up there were so opposed to the bill that they blamed Lea. That probably reacted on Lea when he came up for re-election and was defeated.

Tony Smith got so interested in the whole subject that it began to divide his interests, take away part of the interest he previously had had in the rights of labor. He's a very keen little chap, and he'll give you a double-barrel point of view. That is, he would rather have been friendly with the Forest Service. I drafted his bill for him and did a lot of things for him, and I think he still holds me in a fair degree of esteem. However, at the same time, I think he's now on the National Park [Service] side.

Fry: I didn't understand if you meant the bill you drafted was the Helen Gahagan Douglas bill or not.

Kneipp: Yes. He asked me to draft a bill; and after I drafted the bill, he turned it over to Mrs. Douglas and she introduced it.

Fry: Someone told me that the reason there was so much opposition to that was because it asked for so much land. Do you think it might have had more success for passage if it had just limited the land under consideration?

Kneipp: Under the Weeks Law, Colonel Fletcher of San Diego, who was one of the prize boosters of California, became agent for the group who



Kneipp: had a big block of redwood timber up there. He put on an irresistible drive. He came to Washington time after time; he had Congressional pressure and other things. So finally it was agreed that the government ownership of the block of redwood would be a desirable thing. At that time we were able to buy the redwood for 75¢ or \$1 a thousand feet, only a tenth or twentieth of what it would bring today. I think we got altogether something like eighteen or twenty thousand acres which has a value for research purposes, although the rest of the country is pretty badly despoiled now. I think that if they [Anthony Wayne Smith, Helen Gahagan Douglas] hadn't put in that Park [National Park Association] bill, but simply had supported an extension of the Weeks Law purchase of it, it would have been possible in time to have acquired perhaps as much as 100,000 acres of that redwood, because a lot of it at that time was stagnant. That is, there was no market for it and the people were very eager to sell.

What we bought just saved the owners, the Mays, from bankruptcy. In other words, their taxes had accrued to such a point that they were going to lose all of their holdings through tax delinquency. The money they got out of the land that they sold under the Weeks Law enabled them to eliminate their delinquent taxes and hold their properties. Then, by about that time, prices began going up and prospects got better and better.

Tony Smith was rather ambitious. I think he felt he had labor behind him--that was before the AFL-CIO merger--and there were a number of pressures he could bring to bear. I think he was overly optimistic about it. Therefore, he suggested a considerably large area. Several hundred thousand acres. Whereas, if he had gotten behind a special appropriation under the Weeks Law to buy another fifty or a hundred thousand acres, it might have gone through.

Fry: He was sympathetic to the National Parks Association even at that time, so he probably wouldn't have considered Weeks Law, would he?

Kneipp: Oh, yes. He would have considered anything. His primary object, of course, was to get as big a block of the redwoods under control. Drury [Newton] was already conducting a Save-the-Redwoods League and that was another element, too, of conflict of purpose there. The proposed national forest would have taken in the same territory in which Newton Drury was conducting his Save-the-Redwoods League purchases. Therefore, Drury\* might have looked down his nose and just let the Redwoods League do it--it would be done better and [be] less objectionable.

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\*Probably Kneipp meant to say Anthony Wayne Smith.



Fry: The Redwoods League may have had some internal split about whether to have this state-owned land or federally-owned land, at that time in their policy.

Kneipp: That will happen, of course. Nothing is constant. The Sierra Club at one time used to be a very devout friend of the Forest Service. Then they split up into factions and cliques, and now they spend as much time cussing the Forest Service out as they used to do in lauding it.

Fry: Was the National Park Association able to help you in your acquisition program in giving support at all, although it was primarily for the National Park Association?

Kneipp: No. They didn't pay any attention to anything except national parks. Robert Sterling Yard was a national park devotee, and he had a dream of the perpetuity of a magnificent series of virgin areas in their pristine perfection. That's all he was interested in. Actually the Association didn't take form until about 1915, and the Weeks Law began in 1911.

In the main, the Weeks Law movement was an eastern movement. It started in Asheville, North Carolina; and the people in the Atlantic Coast states and Southern Appalachia were becoming appalled at the devastation that was going on. They had a meeting in Asheville in 1899 to see what could be done about it. They felt that federal action of some kind was necessary. They debated then as to whether it was to be a national park or national forest--forest reserve area, as it would have been then. They finally concluded that, for the future, they foresaw that a national forest with the timber cutting carefully regulated on the sustained yield basis would be better than a national park, which was merely set-aside areas for preservation. So they put all their arguments in support of a national forest.

At that time there wasn't any national park movement as such. As I was saying, at that time the national parks were largely under the military.







F. Kneipp, Santa Fe,  
Mexico, 1906.



Leon F. Kneipp, Ogden, Utah, about 1918.



Kneipp, 1915. Regional Forester  
of the Intermountain Region.



Leon F. Kneipp





## KNEIPP'S CAREER: ASSISTANT CHIEF, IN CHARGE OF LANDS

Fry: I have a note here that you were in charge of lands under the Weeks Law and had Weeks Law acquisition to do in 1935. Is that the right date?

Kneipp: No.

Fry: You became in charge of land in the Washington office in 1920, didn't you?

Kneipp: Yes. In the Washington office, they had these six divisions: they had Operation; Research; Timber Management; Range Management; Lands (use, boundaries and claims, land classification); and State and Private Forestry (cooperation of the states, fire protection under the Weeks Law, and promotion of state and private forestry and all that sort of thing).\* Each of those [divisions] was in charge of an assistant chief [of the Forest Service].

In 1915 I transferred to Ogden, at my own request. I had been Assistant Chief [of the Forest Service] in the Branch of Grazing.\*\* I felt that I ought to have a freer place for my talents out in the field, so I got appointed as regional forester at Ogden beginning

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\*Mr. Kneipp seems to have combined the names of the branches, or divisions, as they existed in several different periods. According to the Forest Service Field Program, in 1920 the Washington office was divided into the following branches: Operation, Forest Management, Grazing, Lands, Research. In 1935, according to the U.S.F.S. Directory the divisions were: Operation and Information, National Forests, State and Private Forestry, Land Acquisition, Forest Research.

\*\*In interview X, Mr. Kneipp further discusses this period of his career and his request for transfer. According to Paul Roberts, "In 1907, he [Kneipp] went to Washington, D.C. There at Potter's request he was transferred to his staff, and soon became Chief of

[Faint, illegible text covering the majority of the page]

1904

1904

1904

Kneipp: January 1, 1915. The man who preceded me was E.A. Sherman. He was brought to Washington and made the Assistant Chief in charge of Lands. Lands at that time embraced all these various activities-- everything involved in the creation or the diminution of a national forest or any change in the title of the lands, in the classification of the lands, or the occupancy of the lands, the application to the lands of any general laws, etc. All these came under the Branch of Lands and included recreational development, in time.

In 1920 Sherman was promoted to the position of associate chief, and I followed him into the Branch of Lands as assistant chief [of the Forest Service, in charge of Lands].\* At that time it [Lands work] took in the Weeks Law and the whole range of forest activities that didn't fall under the other five classifications. That continued up to 1935. By that time the Weeks Law work, the land exchange work, and the Clarke-McNary acquisition work had reached such a stage that they transferred recreation, uses, claims and classification to Chris Granger, as assistant chief in charge of forest management.

#### Earlier Field Successes

Fry: I'm interested in why you felt there was freer play for your talents in the field?

Kneipp: I had been a field man. I was not a trained forester at all. I had no training in forestry. In fact, I had very little formal education. But out in the West I fitted in, and my earlier experience enabled me to adapt to getting along with the types of people who were in the West. I had grown up on the waterfront of Chicago in the old

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the Office of Grazing Control. In 1908 he became Assistant Forester, second to Potter in the Branch of Grazing and virtually in charge of the Branch, beginning in 1910, when Potter became Associate Forester." (Paul H. Roberts, Hoof Prints on Forest Ranges [San Antonio: The Naylor Company, 1963], p. 43).

Although Mr. Kneipp, in other interviews, occasionally mentions an Office of Grazing Control, it does not seem to have been an entity which existed for very long in the organization of the Forest Service. During the years 1909 to 1914 Kneipp is listed in the field program directories of the Forest Service as assistant forester in the Branch of Grazing with Potter listed as associate forester in the Office of the Forester and as "associate forester, in charge" in the Branch of Grazing.

\* In 1920 the titles were actually Associate Forester and Assistant Forester since the top post was Forester.

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1. Introduction  
2. Theory  
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Kneipp: South Waterstreet produce district of Chicago. [Laughter] I started my career as an office boy for two produce merchants who were selling produce--fruit and vegetables and things of that kind--to all the wholesalers and distributors up and down South Waterstreet.

Fry: How old were you then?

Kneipp: I was fourteen or fifteen. That brought me in touch with all the tough hucksters who filled their wood trucks in the morning to go out and sell vegetables through the streets of Chicago, the way they used to do in those days. [Laughter] I learned a lot. As Paul Roberts quotes me in this book here, I found that some people were trustworthy beyond belief and others were untrustworthy beyond imagination.

In that process, I got hooked up with one of the biggest Great Lakes steamship companies, and that brought me into another field of action. Steamship captains, ladder captains, warehouse men, and dock whollopers. When I got out West, I found that the sheepmen, the cowmen, the miners, the shearers, and the cow punchers weren't very greatly different from the class of people with whom I'd been dealing for several years. So I got along admirably. Words to that effect apparently leaked to Gifford Pinchot and Overton Price, so they kept pushing me into higher jobs.

Finally they brought me into Washington. But, after being in Washington for seven years, I thought the tension was getting higher and higher and maybe I had better get back there [the West] in an atmosphere with which I was more familiar. So I let them know that I would like to be considered for a field position. When this regional forest survey agency\* occurred and Sherman was brought in, I went out there.

#### Experience Greater Than Formal Training

Fry: There is one question I would like to ask because I am interested in this development of forestry as a profession. Along about that time in the 1920s, did you feel that the pressure was building for foresters with formal training?

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\*Probably Mr. Kneipp is referring to the National Forest Reservation Commission which had been set up in 1911, under the Weeks Law. The power of the commission was extended in 1913. Sherman was brought to Washington and Kneipp went to Ogden in 1915.

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Kneipp:

As a matter of fact, in the early days when the Bureau of Forestry was operating and immediately after the forests were transferred to the Forest Service, the men working under Gifford Pinchot, the technicians who were working in the various fields, were quite frank in their statement that, as soon as enough professionally trained foresters could be acquired, the roughnecks who were then on the job would be displaced. There was a very frank expression of that point of view by a great many. Not all of them, of course, but some.

It didn't bother me at all. Actually, I had gone into the thing as a sort of an adventure. My mother had married a second time, to a man who in earlier years had been my father's law partner in Chicago, and [she] had moved to Arizona with my sister, leaving me in Chicago. I had gained a job which had previously always been performed by adult men and was getting the same pay the adult men were getting. I was perfectly satisfied. I lived in a nice little hotel down out on the south side of Chicago, out in Woodlawn.

But, during the winter months, navigation on the Great Lakes was all tied up. There wasn't anything much to do in the winter months. As a west-bound freight agent for a big steamship company, I could get very generous fare concessions; so in 1898 I went out and spent the winter months with my mother and sister and step-father. Then I came back to Chicago in March. Then the next December I did the same thing, intending to come back to Chicago in March as usual. But that very fall the people of Prescott [Arizona] had become instrumental in having almost 500,000 acres of the land around Prescott made a forest reserve, to keep the timber from all being cut by the United Berg and Mining Company which overdrew (?).

Here was this new national forest, but this was only a starter. My stepfather [Robert E. Morrison] was United States Attorney for the Territory of Arizona at the time. My mother was fearful that I was going astray in Chicago, that I would probably be taken in tow by some designing woman or something of that kind. So my stepfather and another lawyer, S.J. Hulsinger, said there was a big future in this forest work. However, there didn't seem to be any at the time: the whole western attitude was much against it. So they expressed the opinion that I would have no difficulty in getting this sixty-dollar-a-month job because the rangers had to supply their own horses and they had to pay their expenses, and by the time they did that there wasn't anything left out of their sixty dollars. The local boys didn't want the job. But they pictured to me that this was bound to grow, was bound to become a major opportunity. So I just took the job, actually without any intent to make it a career and just to enjoy riding a lot of high-stepping horses around, carrying a white handled six-shooter and one thing or another of that kind.





Kneipp: One year passed and another year passed, and I got a raise in salary. A couple of more years passed, and I got assigned to another state. A couple of more years passed, and I was brought into Washington. [Laughter] So I really just drifted, as a matter of fact, without any effort on my part.

Fry: You were too far downstream to bail out then. So here you are. You were in Arizona and became a ranger in 1900. Then you were transferred to New Mexico in 1905? In the regional office?

Kneipp: No. Well, it was the regional office, in a way. In Arizona and New Mexico, under the Interior Department was a district in charge of an inspector. At that time, forest reserves were the chief spoils [?] of Joe Cannon who was speaker of the House of Representatives. A man from Illinois, I.B. Hanna, was made superintendent,\* and he got into a conflict with one of Binger Hermann's protégés from Oregon. He was confined to quarters. That is, he [was] reduced to being temporarily in charge of the Pecos River Forest. In January 1904, he became ill. One of the local rangers was appointed; and the Superintendent came along, fired him, and wired for another ranger. Then they sent me over there to take charge. When the Supervisor [I.B. Hanna] recovered in March or April, then I went back to Arizona. Immediately after Christmas, at the end of that year, he died; and they wired me to go up to Santa Fe again to take charge of the Forest again.

During that interim, the transfer was made from the Interior Department to the Department of Agriculture, and the Forest Service was put under Civil Service. So there I was.

Fry: You managed to pass the Civil Service exam?

Kneipp: I didn't have to.

Fry: You were already in?

Kneipp: I had been in charge of the area two different times, for a period of two or three months each time. People who were under appointment at the time of the transfer did not have to pass any formal examination. Their mere existence and practical experience was supposed to be proof positive, although Gifford Pinchot weeded out more than half of the force as soon as he got charge. He had

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\*Under the forest reserve system a superintendent had charge of a larger area than a supervisor had. In 1898 eleven superintendents were appointed by the Bureau of Land Management, one for each western state. When the forest reserves were transferred to the Department of Agriculture, these superintendents became known as forest inspectors.

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Kneipp: gotten a pretty good line on who everybody was and how valuable they would be. Those whom he didn't think were of value were eliminated p.d.q., and the others were kept.

Fry: Do you know if this damaged the cooperation from Papa Joe Cannon any?

Kneipp: No. He was a spoilsman. He was a political opportunist. Of course, it was just small-fry with him. If a boy in Illinois contracted tuberculosis and was told by the doctor he had to get to a warm climate, Cannon would get him an appointment as a ranger on the forest reserve in Arizona.

One of the rangers on the Prescott, Harry Hanna, who subsequently became a justice on the Supreme Court of New Mexico, after it gained statehood, was carried out on a stretcher in 1904; and it was two or three months before he could drag himself up on a horse and ride a mile. But he recovered his strength and health. Meanwhile, he and another ranger were rivals for the supervisorship of the Prescott and they had a fight. He was sent back to college to get his law degree. The other ranger was exiled to another forest. That left me as the only person on the Reserve who knew anything about it. So opportunity played into my hands. In other words, it's always confirmed my philosophy that it's better to be born lucky than rich.



## IMPRESSIONS OF GIFFORD PINCHOT

Fry: I'm interested in hearing anything you can say on your first-hand experiences with Pinchot. He was kind of interested in that area down there. Did your jurisdiction include the Grand Canyon at that time?

Kneipp: Yes. The Grand Canyon was not made a national park until 1918 or 1919. Up to that time, it had been part of two forests. On the north side it was part of Kaibab National Forest and on the south side it was part of the Coconino or Tusayan. During the time I was at Ogden, I had charge of the north side.

My experience with Pinchot: The first time I met him was in 1904. He was out in Denver attending a meeting of the American National Livestock Association, and he had a number of field men meet him in Denver. His purpose was to size them up and form judgments about their availability and potentialities.

The next time, I was one of eight men who were brought into Washington here on a special detail. Eight of us who were in charge of forest reserves in the West received notice to report to Washington early in December to undertake a revision of the Use Book, which was the first manual of procedure. It developed afterwards that the stockmen had protested to President Theodore Roosevelt against the proposal to charge a grazing fee for livestock on the national forests. Tom Patterson, who was then Senator from Colorado, had secured a promise from Roosevelt that he would give the stockmen a hearing. He set the date of the hearing for December 5 or 6, 1905. This group of eight of us came in from various parts of the West in late November. Pinchot just casually mentioned to T.R. that he had these eight men who were in charge of eight different forest reserves in different parts of the West in here on a job, working up a new manual, and that when he listened to the stockmen, perhaps he might want to hear what these eight men had to say as well.

So, T.R. said that was "Bully. Sure, bring them along." So on the designated morning, the eight of us with Pinchot and Albert F. Potter marched over to the White House and into the Cabinet Room.

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Kneipp: Senator Patterson and several prominent stockmen from Colorado were there, like Bayer and Adams [Alva], who had been governor of the state [1897-1899, and 1905], and two or three others. They protested that grazing had always been free, and it simply was impossible to break down that time-honored tradition and to begin to charge them eight cents a month to graze a cow on the range, which was what the first proposal was. That was the second time I met Pinchot. I was in Washington for the whole of that work, about a week or ten days; but actually, after the meeting with the President, we weren't burdened very greatly with dry routine of detail about the land use. We went back to our respective places.

Eighteen months after that [1907], I was selected to be an inspector of grazing out of Denver under Smith Riley, who was the district inspector. But before I went to Denver, I was to come to Washington for a period of training. I had to stop in Oklahoma to investigate some nasty charges against a forest supervisor, which had been made by his daughter-in-law. I did that on the way in.

It was perfectly agreeable to me to go out to Denver and become an inspector of grazing. But a month or so after I had been in here and I had made my report, Potter told me that the plans had been changed. Instead of going to Denver to be an inspector of grazing, I was to stay in Washington and become the Chief of the Division [Office] of Grazing Control under him. From that time on, of course, I was very intimately associated with Gifford Pinchot until the time that Taft fired him in 1910. I was one of the dozen or fifteen men who gathered in his office the morning he made the announcement that he was no longer Chief of the Forest Service.

That [association with Pinchot] was a very inspiring and very delightful experience. Of course, I didn't terminate my association with him at that time. In writing to Professor Richardson, I told him that my acquaintance with him [Pinchot] began in 1905 and was terminated when I got a telegram in 1946 from his wife that "Gifford died last night. Funeral at [his country place in Pennsylvania]\*on Wednesday." Cornelia Bryce Pinchot, she signed it. Incidentally, I didn't get the telegram until about eighteen days after, because I was making my farewell tour of all the national forests. And she had simply addressed it "See phone for address." When they phoned and I wasn't home, they just held the wire until I got back.

Fry: But you knew about it by then.

Kneipp: Yes.

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\*Grey Towers, Milford, Pennsylvania.





Farewell Speech

Fry: Could you recreate for us the way he made his good-by speech after Taft fired him?

Kneipp: Yes. He wrote to me later asking me the names of the people in attendance, and I told him that I was so busy listening to him that I couldn't remember all who were there with certainty.

His speech wasn't the truth. As a matter of fact, what actually had happened was that Taft [President William H.] was completely repudiating the whole Theodore Roosevelt conservation policy. Ballinger [Secretary of the Interior Richard A.] was his prime mover in doing it. Gossip was at the time that Mrs. Taft was telling Taft that he ought to be his own man now that he was elected President and he ought not to be imitating somebody else. He ought to formulate a series of policies which were his and not Theodore Roosevelt's.

There were all kinds of breaks [breakdowns]. Under Theodore Roosevelt a number of very valuable, potential water-power sites were withdrawn under various classifications to keep them from being entered [for private ownership], as they subsequently were to a large extent. One of the first things that Ballinger did was to cancel all of those withdrawals. There were any number of instances of that kind. The breakdown all the way along the line of all the things that the conservation group--not only Pinchot, but Frederick Haines Newell [Director, Reclamation Service], Arthur Davis, the Geological Survey group, and many others--had been fighting for during the previous eight years. So, it was really a rebellion, as a matter of fact, although you couldn't prove it.

Fry: On the part of Taft, you mean?

Kneipp: No. On the part of this group who were seeing all of their lives' work destroyed.

Fry: Yes. After Taft got started.

Kneipp: These charges by this man Glavis [Louis R.]--this fellow who went up to Alaska and found out about the Cunningham claims.

Fry: Oh yes. The underling.

Kneipp: Pinchot became his champion and got into this terrific battle with Ballinger over the action taken on those claims. But it wasn't just on account of those claims which, after all, turned out to be relatively unimportant because the coal wasn't very valuable. It was really a challenge to the whole attitude--a challenge to the complete obliteration of the new conservation program, although in the context it was based entirely on the Cunningham claims.



Kneipp: So Pinchot simply told the assembled group that he was sorry to say that his connection with the Forest Service had been terminated, but he knew that we all had faith in his principles and we would work for them just as fully as we could under the controlling circumstances. He hoped we would continue to do so and would stay on the job.

There was one tragedy. His chief assistant was Overton W. Price, who was a very brilliant man. Price had made some statements during Pinchot's absence that excited quite a lot of critical comment. He became obsessed with the idea that it was those statements that had brought the thing to the point of a crisis. It played on his mind. Pinchot, with his own means, set up a conservation office here in Washington and put Price in as the man in charge of it. Price did some work for the Canadian government and for other private land owners; and whatever he was paid, he put into the upkeep of that little office on the grounds that Mr. Pinchot shouldn't be asked to carry the whole burden himself. But finally, apparently it got to be too much for him.

Canada had employed him to make another further survey of its timber resources and plan a [word unclear]. He packed his bag and was ready to take the train. He was saying good-bye to his family over in Alexandria. He went into the other room, and on the top of his bag was a revolver. He opened his bag and took the revolver out and shot himself. Considering the type of man he was, the brilliant mind he had, and his fine personality, I think his grief over his feeling that he was a prime mover in bringing about the downfall of Pinchot and the downfall of the conservation movement was what prompted him to take this tragic end.

#### Relationship with Subordinates

Fry: I wanted to ask you if you could make some comments that would give us an idea of how Pinchot operated. We have his Breaking New Ground and have a picture of this just from his own viewpoint and some of the implications of things he said. But we need somebody to tell us how he was able to infuse his own philosophy so that the men under him seemed to be able to act on this in their relations to the public and in their ideals of forest conservation, almost as if they were little Gifford Pinchots.

Kneipp: Well, it's simple enough. Gifford would work with anybody who was willing to do it that way. In the first place, there was no intervention of class or grade. In other words, his attitude toward the most unimportant of the members of the Service was the same as it was toward the most important. He was a friend to everybody, although a stern friend. He was a pretty ruthless taskmaster.



Kneipp:

I wrote a story [about Pinchot] one time--tried to sell it to the Reader's Digest but didn't. At the time, they had these administrative districts, and they were bringing men in [to Washington] from the field--rangers, supervisors, or technical assistants--and putting them in charge of the district. They were supposed to take the initial action on everything coming from that district in regard to the administration of the activities of the Forest Service. They would review the original reports and draft the replies, and [the replies] would gradually work their way up through the staff until they came to Pinchot. If they were sound, he would sign them. If they weren't sound, he simply took a big blue pencil and made a big cross across the face of the letter and sent it back.

Then the poor neophyte would go running around like crazy from one man to another, seeking his advice, "What's the matter with this? What did I do that was wrong," etc. Sometimes it would be pointed out that some statement of policy he had made or some law he had quoted was incorrect. He would correct it and rewrite the letter. I would have the pleasure of finding from the file clerk that it had been signed and sent on its way. Or it might come back again with a cross on it. He would go through the same process. If it came back a third time with a cross on it, it also had "See G.P." in big blue letters up on the corner of the letter. Then he'd go up in fear and trembling with his letter to see G.P. And G.P. would tell him what was wrong with the letter. Either the tone was improper, or he was using loose language, or he was expressing an attitude that was bureaucratic or something of that kind.

The star case, however, was one that happened to a man. When he got the third letter, he went up there with his letter. Pinchot looked at it and he said, "When was the city of Pendleton moved from Oregon to Washington?" The writer, writing to a man in Pendleton, Oregon, had addressed it Pendleton, Washington, in the superscription of the letter. That was all it was. The point was he made an impression out of it. They all read their entire addresses very carefully after that because that was booted around immediately. Everybody heard about it, and it was passed along from one generation of detailees to another.

So he didn't handle them with kid gloves at all. On the other hand, he was never mean. He never asked anybody to do anything that was unethical or dishonest or in the slightest way questionable or indecent. He had very high standards of ethics and honesty himself, and he believed everybody ought to live up to them. What happened was simply that if people didn't like him, why, they quit. And if they did like him, they simply soaked up more and more of that until they were practically little duplicates of him in thought and standards and everything else.





Training of Personnel

Fry: Did he give you any formal training at all? For such things as dealing with the public or getting across the philosophy of conservation to the general public?

Kneipp: Yes and no. Of course, we very frequently attending meetings at which he delivered lectures, not only here but throughout the West. He had me come up to Denver on my way back [to Santa Fe] in 1905 when he was right at the height of the battle between his opponents and the proponents traveling with him.

He had one little trick I remember on that thing. He didn't drink and he didn't smoke. But he had a chamois bag filled with polished semi-precious stones; opals, moonstones, granites, agates, and things of that kind. And instead of counting prayer beads or worry beads or spinning a prayer wheel, whenever he had some problem bothering him, he would empty out this little bag of stones in his hand and shift them from one hand to the other, and look at them, and admire their colors and shapes. That would bring him a soothing state of mind or mood.

He was watching you all the time. There were service meetings every week, and when he was there he would preside. The representative of each unit would make a brief report of what was going on in his unit. And Pinchot would make a report to the whole meeting on what developments had occurred during the week that had come to his attention that he thought were of importance. Or, he would tell about suggestions which had been made as to changes in policy or procedure and try to get the consensus as to their merit or demerit or complications. Everybody was free to speak. In fact, if one simply sat there, didn't say anything, one was simply demeaning himself in Pinchot's judgment. They didn't have to be yes-men at all. If they didn't believe a thing was right, they said so. So there was a free and easy camaraderie, you might call it, between the two of them [Pinchot and any subordinate].

Fry: Weren't the communications rather strictly defined upward? Or, if you wanted to, could you simply write straight to Pinchot instead of going through your immediate forester? Without being considered improper.

Kneipp: It wouldn't be considered improper by Pinchot. Of course, if you bypassed some intermediate who was superior to you, you might incur his displeasure. But there was no godlike sanctity about Pinchot or Price. Their office doors were open all the time whenever they didn't have somebody there. There was enormous day-to-day contact. As soon as you got into a position of any degree of importance, you began coming in contact personally with Gifford Pinchot and Overton





Kneipp: Price and the men who surrounded them and were next in importance to them.

There were trips together in the field, a great many times. The whole thing was that, in the early days, the process of educating the organization was carried on. We were all like a bunch of circuit riders. We'd have ranger meetings and regional meetings, geographically, and get together with supervisors in some cases or the rangers in other cases, or both, and discuss problems. The rangers would ask us questions, which we tried to answer. And we would ask them questions, which they'd try to answer. There was a general reading of minds after awhile. And, of course, in those days all travel was by horseback, by logging train. And you simply rubbed shoulder to shoulder or knee to knee and talked and talked. You got to know each other pretty well.

If you were on a pack trip and the weather got cold, and separate beds weren't warm enough, you put two beds together--two bunks--double bedding and so forth. So, all those things operated to make it not bureaucratic at all. It was the condition which prevailed more or less throughout the West, among miners and cattlemen and everybody else. Or in the woods among loggers and trappers and so forth. But I think this was the explanation: instead of it being a government extending out from Washington, extending its tentacles out in the form of personalities who had nothing in common with the circumstances they were dealing with--they were people with much the same backgrounds, much the same types of values and standards. They exchanged ideas freely.

#### Evaluation of Rangers

Fry: There's a book here on the forest ranger in which the thesis of their autonomy is put forth. And I wondered if you found greater autonomy then than there was later. Or if you found greater autonomy in the West than in the eastern forests?

Kneipp: At first there was. There had to be as a matter of fact, then. The Washington office was rather small. And the regions of the forest reserve were detached. And all they could do was pick the best man they could, and leave a lot to his judgment. They'd check up on him once in awhile.

There were lots of things that we did. I remember one time addressing the staff of the solicitors of the Department of Agriculture about how simple things were. A ranger brought a sheepherder in one time for trespassing and leaving a burning fire--it was



Kneipp: [a case of] repeated trespass. The first thing to do was to take him before the United States Commissioner in Santa Fe, old Judge Victor. The ranger and I appealed before him with the prisoner. The judge said, "I'm sorry, but my commission expired yesterday. I no longer have any authority. I find I can make more money working against the government than I can for it. I won't make any effort to have my commission renewed. But, if it were renewed, I'd be glad to accept the renewal and continue to serve."

I saw perfectly clearly the thing to do was to go over to the governor's office. Miguel Otero [Gildy] was governor at that time, and Clara Olson was his secretary. I knew Clara very well. Then we had to get in touch with the judge of the court, Judge McPhee, to see whether he was willing that the commission should be renewed. It was agreeable on all hands. They took care of it right away. I went back to see the commissioner.

He listened to the case. First we detailed the trespass, and this man admitted that he had been trespassing in this area. He had been warned repeatedly, but he thought we didn't have any right to bother him. So the judge made a very profound decision. He asked me to compute the value of the grazing that this man had obtained by trespass, which I did at a very liberal figure. The judge said to the man, "Now, you go down to the post office and get a money order payable to the United States for this amount of money and bring it back here and give it to this supervisor. He can put it in an envelope and mail it to the fiscal agent of the Forest Service. I will not bind you over to the grand jury; but if you don't [pay], I will bind you over to the grand jury." This was entirely extra-legal, nonjudicial. [Laughter]

The man said, "Sure." He was a Mexican. He had one of these big potederios [?]\* working with him and they financed him. He hiked down to the post office and came back with the money order. He gave it to me, and I put it in the envelope. And the judge didn't bind him over. The whole thing was settled without any red tape or anything else. The man never came back again. It so shook him. [Laughter]

Fry: Once you got the commissioner reappointed, all was well.

Kneipp: Yes. If it had been a very lucrative position or anything of that kind, it wouldn't have been so easy. And old Judge Victor was a very popular man--very fair-minded.

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\*Possibly Mr. Kneipp is referring to the "partidarios" whom Paul Roberts describes as individuals to whom large flock masters "put out" all or a portion of their flocks on shares.



Kneipp:

About two or three times a year, some member of the Washington office would drop in and sit around, talk awhile, check through a few files, discuss problems, and then go on his way. Then there would be reports to Pinchot and Overton Price and the rest of them from local people. Members of Congress would say that such and such a man was getting along pretty well; they weren't receiving any complaints about the way he was handling things. Or else [congressmen said] he was a so-and-so and the people were going to do something drastic to him pretty soon if he kept on the way he was acting. There were those kinds of checks and balances. When the straw was [words unclear], they just let him go.

I remember one very fine man, Fred G. Plumber. He started our land classification and worked on our forest atlas work. He came in to see me. (I had a very fine office in the old Federal Building on the second floor. It was the office of the inspector of the two districts I fell heir to.) After he talked awhile, he looked at the books and the records and said, "Well, let's go down and sit in the plaza and talk things over." So we went down and sat in the plaza for two or three hours. He aired his views, and I aired my views. Then he said, "It's pretty near time for me to catch the train," and away he went. But, just on that one basis alone, he was a great booster of mine from that day on to the day of his death. Those things entered into it.

Or take Bert Potter, for example. In 1900 a timber trespasser was arrested and charged with cutting timber in violation of the law. He was denuding the whole area around Prescott for the sake of the United Verde Smelting Company. I was detailed to work up the case. I was the principal witness against him. He was found guilty and fined. It put a stop to his operations. He quit right then and there. He had been cutting for a long while before that, to such an extent that the people got busy and had this 440,000 acre forest reserve created as a means of limiting his depredations.

Fifteen or sixteen years after that, Potter, who was then the Assistant Forester in charge of Grazing, was in Ogden. We took a walk way out to the edge of the town and back again. He said, "Do you remember that case against Nelson for timber trespass in Prescott in 1900?" I said, "Sure I do!" I was the one who had stamped all the logs and had been the principal witness. He said, "Do you remember who the man was that was the foreman of the jury that convicted him?" And I said, "No, I'm sorry to say I don't. I was so busy trying to keep my ducks in a row and not make some misstatement before the court that I actually didn't pay much attention to the jurymen." "Well," he said, "I was the foreman of that jury." [Laughter] So evidently the impression he'd formed of me there had something to do perhaps with my movement along.



Kneipp:

Old Gene Bruce, who was the rough, tough lumberman from the Adirondack region of New York, the hated one of all the professional foresters because he decried their professionalism, came out to Santa Fe. He wanted to go out to a timber sale. That was a Sunday evening. The Mexican band was playing on the plaza. As was the custom, the people were walking around the plaza, the girls in one direction, the men in the other. I was talking to a couple of maiden ladies of medium age in front of the old palace. And a man walked up to me and whispered, "There's a man around here asking about you." I said, "Where is he?" He said, "He's standing down on the next corner. He's right down there."

So I excused myself to these two ladies, who were actually beyond my age class, as a matter of fact, and went down. He said he was Gene Bruce. He said, "This is Sunday and this is unofficial. Don't let me spoil your good time. If you want to go back and talk to your girls, why go on and talk to them." I assured him there was nothing serious whatever, the ladies were far beyond my age limit. So he said, "Well, come on over to the hotel."

So he said he wanted to go out. The only way he could get there would be to take the train to Espanola and then ride fifty miles by trail, or else take the railroad over to Santo Domingo and ride about fifty miles by trail. I told him and he said, "Can you start tomorrow morning?" I said, "Yes, I was going out on a trip and I've got my outfit all packed."

In the morning we took the little narrow gauge [railroad] down to Espanola. We had our outfit with us. I went around and arranged to hire some horses--two saddle horses and a pack horse--and have some grub put in my pack-out kit. When I came back to this little hotel in Espanola, I could hear a raucous male voice bawling to high heaven old church hymns. I walked into the hotel and there was Gene Bruce sitting at an old organ, playing on the organ and singing church hymns at the top of his voice.

The idea was that to make this fifty mile trip we'd ride about thirty miles out, camp for the night, and then go on the next day to the camp where the timber sale was. While we were eating lunch, preparatory to taking off, Gene turned around. First he said, "What's your name?" I said, "My name is Kneipp." He said, "Oh hell, I know your name is Kneipp. What's your given name? What do your folks call you?" I said, "They usually call me Lee." He said, "If any so-and-so has the right to call me anything, he always calls me Gene." So it was Lee and Gene from that time on. He was one of Gifford Pinchot's guides and right hands.

We were sitting at the table and he said, "Lee, what's the use of us riding out thirty miles and laying out like a couple of damn coyotes today or this afternoon? Why can't we just stay in this







Kneipp: nice hotel today and then ride all the way through tomorrow?" He was a man along in his fifties at that time and rather heavy. I said, "That's all right with me, if you think you can do it." He said, "When I was a boy, I ran away from home in New York and I went out to Texas. For two years I rode with the trailherds bringing cattle from Texas into Wyoming or Montana. I don't know why I can't ride fifty miles a day as well as any of you fellows." I said, "All right, if you think you can." Sure enough, he did.

It was amusing when we got there. Carl Woodward, or Doc Woodward, who was the forest assistant, meanwhile had gone around the other way to go to Santa Fe to see me. [Laughter] We were stopping at a ranch house, belonging to the father of two men that Doc had had working for him. He was an ornery son-of-a-gun. While we were eating our delayed dinner, he started telling large Oregon camp stories of the kind that are supposed to be a little bit nauseating. He told one, and Gene looked at me and kind of winked. Encouraged, he told another one, a little worse. Gene nodded his head. Then Gene started in with a real good one, probably the pick of the flock. Pretty soon, one of the boys got up and left the table. Pretty soon the next boy got up and left the table, and in a little while the old man got up and left the table. Of course, being privy to Gene's idea, the effect on me wasn't quite as bad as it was on the others. So we were left in peace and quiet to finish our dinner.

I just mentioned that as typical of the kind of contacts you had all the time. Old Nick Carter, who died here a few months ago, came into the office. He always used to tell about seeing me there with a big, shiny tin badge on my shirtfront. He didn't know about the white handled six-shooter I had in the right-hand drawer of my desk in case of an argument. He wanted to go out and see the forest, and he wanted to be sure I got a gentle horse for him, which I did. So we rode over across the south end of the site of the Crystal Range to Pecos town [?]. Then Nick discovered all of a sudden he had a very important engagement he had to keep somewhere else, and he had to go back to Santa Fe the next morning. He had ridden very little. Of course, I was riding all the time. I had my own saddle horse. We hightailed it back to Santa Fe with Nick's head and chin bobbing as the horse trotted and galloped. Nick apparently made a very respectable report about how I was conducting things.

So I went on. You asked how Gifford Pinchot kept things rolling. The reason I'm reciting these things is he just got the reactions of these different men and what they thought about each man. Later when I became a member of his staff, and before he was finally let out, the same process developed with me. When I'd go out and make an extended trip over the Forest, he'd want my opinion about the supervisor, what the public attitude was, what different kinds of rangers they had, and so forth.

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Kneipp: First he judged the men himself by personal contact and by these details into the Washington office and by the way they conducted themselves there. Then he judged them when they attended conferences at which he delivered talks. [He judged on] how they mingled with the stockmen or the lumbermen or whoever they were. Then he got these reports from his immediate associates as to their field appraisals. He had a pretty good idea. He didn't make very many mistakes. He had a few pets that were too highly regarded, but it was usually because they made some appeal to his sympathy. They had had a bad break of some kind so he would make excuses for them. But usually he was pretty exacting.

#### Delegation of Authority

Fry: Someone who has such complete access to information about what was going on all the time sometimes has difficulty in delegating a job. Did he ever have any trouble?

Kneipp: No, he didn't have any difficulty in delegating a job at all. The minor letters were signed by an assistant chief. Or if they were very minor, if they were just routine, they were signed by a chief of a division. If they were of intermediate importance, they were signed by an assistant chief [of the Forest Service] or what is now called a deputy chief.\* Only the major letters, the letters of policy or procedure or involving other bureaus and departments of the government, went up to Pinchot--except that training process that I was telling you about where he blue-crossed the letters and sent them back. That was really not so much administrative as educational.

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\*The line of command here is confusing. In Pinchot's day there were several branches. Each of these were headed by a man who was an assistant chief of the Forest Service. In the early period these men were called assistant foresters. When they headed a branch, such as Grazing or Lands, they were designated as Chief of Grazing, or Chief of Lands. Under most of them, there was an assistant chief, for that branch. If it was an important branch it was divided into divisions or offices. Each of these divisions, or offices, had a chief.



Importance of English

Fry: He was just being a good English teacher!

Kneipp: [Laughter] Yes. That was another thing. He used excellent English and so did Price. He took men who came in from the field, who in their ordinary conversation might possibly say, "I clumb up a tree," or "I snuck up a hill and clumb a tree." I remember Potter himself using that very phrase one time. But after years of association with Price and Pinchot, why, that all passed out of the picture.

Potter was relating one of his earlier experiences one time at my home. He was telling my wife and myself about an adventure of his when he was in the cow business in Arizona. I remember very distinctly that he was trailing somebody whom he thought was stealing his cattle. He said, "I snuck up a hill and clumb a tree." But Potter's English, as you'll see in the quotations in this book here, was excellent.\* In other words, by the time he got through with the Forest Service, his English was as good as anybody's.

Fry: I understand that when Pinchot was head of the Department of Forests and Water in Pennsylvania he had his staff come in and attend a few sessions by a newspaper man that he brought in. And they practiced writing newspaper editorials so that they could write their local press and keep the people informed and write it in such a way that the newspapers would print it.

Kneipp: Well, G.P. had some very capable men. He had Bristow Adams and Findley Burns, among others. Both of them attained considerable fame after [their work in] the Forest Service as writers in their particular fields.

Fry: But he didn't give you people any special training or anything like that?

Kneipp: Not as such. Everett A. Smith was one of his chums and had been a classmate of his in Yale. He was the man who headed up, you might say, the "Safeguard the English Language from Maltreatment Department," if you'd call it that. Each unit had to make its contribution to the annual report. They would all be carefully edited by Smith. He'd come down and discuss phraseology and format. In other words, it was all a great educational process, as a matter of fact, but conducted in such a pleasant way that it was almost imperceptible.

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\*Paul Roberts, Hoof Prints on Forest Ranges (San Antonio: The Naylor Company, 1963).



Kneipp:

"Dolly" Smith himself--"Dolly" was his nickname--was quite a purist, quite a master of English. He went away before Gifford Pinchot died, actually before he could go any further with the Breaking New Ground. He was the one who picked up the work. And Pinchot turned over three hundred and some odd boxes of paper to the national library [Library of Congress] here. Then Smith died and Rafael Zon was the one who finally finished Breaking New Ground. Nobody knows how much he cut out of what Pinchot put in or what Smith cut out. So the book really doesn't represent Pinchot at his best. Probably if he'd undertaken more systematically to finish it while he still maintained all of his supreme mentality, it would have been a much better book.

Fry:

Or just tape recorded it. [Laughter]





## INTERVIEW II

13 July 1964

Interviewer-Amelia Fry

GROWING MOVEMENT FAVORING FOREST CONSERVATION:  
INTERRUPTIONS IN TAFT AND EISENHOWER ADMINISTRATIONS

[Mr. Kneipp and Mrs. Fry began this interview by reviewing the first interview and adjusting their outline.]

Kneipp: [You asked whether the power to determine use of land] was vested largely in the secretary of agriculture or whether it was subject to certain limitations beyond him. The answer, I think I made, was that in general the administration of the national forests was under the secretary of agriculture, but not exclusively so. For example, in connection with the land exchange acts of June 11, 1906, and some eighty others altogether, final approval rested with the secretary of the interior.

One omission was that certain types of executive orders or acts of Congress might except, or impose some burden on, land subsequently given a national forest status and that the secretary of agriculture had no right to override those executive orders. For example, if the president made a withdrawal for a reclamation project or some other public service, even though the land was national forest, the withdrawal would still be done. For example, there were in the national forests about sixteen so-called national monuments which comprised lands which previously had been withdrawn for national forest purposes and which withdrawal had never been stopped. But when the president issued an executive order transferring the jurisdiction of the national monuments to the National Park Service, or to the secretary of the interior, that applied to those sixteen areas and made the initial national forest withdrawal subordinate. So there were those certain exceptions which limited the power of the secretary of agriculture to decide the use to which certain lands would be assigned. But for those exceptions--the exceptions made either by executive order or by some act of Congress--that power of decision did rest with the secretary of agriculture.

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Fry: Do you see anything else on this outline of the first interview that we should change?

Kneipp: The thing is to reverse a little bit here. You say 1892 permitted the president to withdraw unappropriated land. What you should have said was that the act of March 3, 1891, authorized the president to withdraw unappropriated land for forest reserve purposes. Then when the more detailed act of June 4, 1897, was passed, it stipulated that the national forests were to continue subject to the general mining laws. The act of 1897 did not define methods of land exchange. Land exchange didn't come into the picture until about 1915 or 1916. What the act of June 4, 1897, did was to prescribe in considerable detail the conditions to govern the administration of the national forests. The first act, of March 3, 1891, was simply a sixty-eight word paragraph which authorized the president to withdraw unappropriated lands, but it didn't say anything about their subsequent disposal and use. That created a condition of stagnation that led to the more explicit and detailed act of June 4, 1897. It was that act which specifically stipulated that the areas so withdrawn should not include mineral areas. Or, if they did include mineral areas, that they would not be affected by such withdrawal.

Fry: I thought I just read in your book by Roberts and then also in Dana's book,\* about a land exchange act that took place quite early, in 1904 to 1906 somewhere. It may have only concerned Oregon and California land, or railroad exchange land.

Kneipp: There were certain exchanges with the states that began first. In other words, there were a series of exchanges with the states by which the odd-numbered sections to which the state would have been entitled if they had been surveyed prior to withdrawal were exchanged for other sold blocks of land that the state could administer more satisfactorily. But the first exchange that I can recall involving private land was a United States marshal in the state of Utah who owned some good timber land in the Cache National Forest and wanted to exchange it for some unappropriated public land outside on the unreserved public domain. That was while I was regional forester out there [between 1915 and 1920]. But the general exchange acts are given in this book here.

Fry: You mean this happened before the general exchange acts?

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\*Samuel Trask Dana, Forest and Range Policy: Its Development in the United States (New York: McGraw-Hill, 1956).



Kneipp: Yes.

Fry: Was he able to go ahead and do this?

Kneipp: Yes, he got what he wanted. He owned a tract of forested land in the Cache National Forest, and he wanted some land further west in Utah that he could use for grazing purposes. And his political influence was such that he at the time was United States marshal for Utah. As I recall it, there was a special act passed permitting that exchange.

But that was just a trifle because shortly thereafter the general exchange acts came into being. Altogether Congress ratified the principle of exchanging national forest land, or national forest stumpage, for private land in a series of eighty or more different acts. They [the acts] came up as [related to] individual tracts, and they came up in their application to single national forests or related groups of national forests. They came up in relation to areas which adjoined but were outside of national forests. So the principle had been before Congress and had been ratified by different Congresses of both political kinds and under both political administrations, at least eighty times.

And yet when the Eisenhower administration took over, and Benson [Ezra T.] became secretary of agriculture, and Butz [Earl L.] became one of his assistants, they practically vetoed all exchanges. In one case, which was very favorable to the United States, Butz told my successor [Howard Hopkins] that the land was of such a value that it should never be owned by the United States. The owner wanted to trade it for stumpage so he could sell. And Butz vetoed it on the grounds that land of that productive quality, even though it was inside the national forest, should never be acquired by the United States. In fact, the Eisenhower regime practically nullified this whole structure of eighty different legislative acts by Congress. They also almost nullified the Weeks Law. They limited it very sharply.

Fry: How did they limit the Weeks Law?

Kneipp: By refusing to recommend adequate appropriations for its conduct.

Fry: Through the budget?

Kneipp: Through the budget.

Benson's administration of the Department of Agriculture, which was in conformity with Eisenhower's avowed principles, stood out in sharp contrast to the general policy of both the administrations and the congresses from the beginning of the Weeks Law up until that time. In other words, if the land was good and sufficiently valuable to warrant private ownership, why, it ought to be



Kneipp: allowed to stay in private ownership. Our friend Eisenhower last night [July 12, 1964] practically repeated the same thing in his address to the [Republican National] Convention. He didn't express it that broadly, but the general principles that he enunciated were principles under which this gap occurred. Otherwise, the public would today own a considerably larger acreage of the kind of land that the National Forest now wants but doesn't own or never will own, because the land could then have been acquired from anywhere from a quarter to a half of what it would now cost to acquire the same land.

Fry: Does this mean McArdle [Chief Richard E.] was caught in between two points of view, or was McArdle very much of Eisenhower's point of view?

Kneipp: McArdle was helpless. I met him in the hall one time. He was telling me how everything had stopped. I went on and told him what I just told you about Congress having ratified the exchange principle philosophy in eighty different acts.

I said, "Why don't you tell Butz about that. Tell him that he is reversing a long established principle that has been ratified by both Democratic and Republican congresses and presidents."

And he said, "Well, when will I get a chance to tell him that? I've got a date with him for fifteen minutes next Wednesday about something I've been trying to talk to him about for a long time. I've got to use that fifteen minutes for that purpose."

I said, "Why don't you write a memorandum?"

And he said, "When can he read it?"

In other words, Butz nullified these well-established policies without ever affording the opportunity even to discuss them, to analyze the merits or demerits of them or the extent to which they had become embodied in the legislative philosophy of Congress and both the Democratic and Republican administrations.

You see, the act of 1891 was passed under Grover Cleveland but the first withdrawal of national forest reserves was made by Benjamin Harrison. It kept on that way from that time on. That is, there was no clear-cut antagonism to the concept no matter whether it was a Republican or Democratic president, until Eisenhower got in.

Fry: Were there other sharp, outstanding distinctions and policy changes when Eisenhower came in?

# THE HISTORY OF THE UNITED STATES OF AMERICA

BY CHARLES A. BEAN, D.D., LL.D., AND JOHN W. BARKER, D.D., LL.D.

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Kneipp: There were a great many, I guess. Of course, I was out of the Forest Service--I had retired by that time, so I wouldn't be as familiar with them. Of course, I'd retired with regard to the exchange matter [?]. It just so happens, since I'm telling you about McArdle, that I met him in the corridor. His face was screwed up in an agonized expression. He looked as though he was about to break down under the strain. That was where we engaged in that conversation. In other words, throughout the entire administration, there was great difficulty in explaining either to Benson or to Butz, who was the assistant secretary at that time and handled the Water Service activities, any of the information that they should have had or should have sought before they reached the General [Eisenhower]. I didn't try to horn in. But I would hear a lot from different people from time to time.

You might say that beginning with 1891, then increasing in 1897 to some degree, then coming to a new stage in 1901 when Theodore Roosevelt became president, and advancing to a more active stage in 1905 when the Forest Service was established, there was a fairly consistent congressional attitude and administrative attitude toward the concept of national forest conservation. It was not any runaway proposition, but there was no obstruction, no negation, no complete stoppage. Things went on just quite satisfactorily.

Now in Taft's administration there was a re-examination of the whole national forest system that resulted in the elimination of twenty-six million acres from the national forests during the first three years of Taft's administration. But that was partly explicable. At the time those areas were put in the National Forest, there was no other public land law that gave any protection to the users of the western range. As the livestock producers became established ranch owners and began to build up permanent outfits that they wanted to perpetuate, they sought increasingly to get legislative protection, some form of protection from the nomadic transient use of their ranches by non-resident stock owners. The national forests were the first withdrawals permitting control of nomadic grazing use of the public lands of the United States. So in many instances the livestock growers were the strong promoters of national forests. They were some of the strongest promoters the Forest Service had in those early years, because they saw that out of the national forest administration there would be protection of their interests and equities from invasion by outside nomadic itinerant stockgrowers. And they brought about the establishment of a great many areas of national forest land that were not truly most valuable for timber production or ownership protection.

This elimination of altogether about twenty-six million acres that occurred during Taft's administration was in large part exclusion of lands of those types. In other words, whereas that



- Kneipp: protection of the western interests, the established interests, had been regarded with a friendly eye under the Theodore Roosevelt administration, it was regarded with an unfriendly eye under the Taft administration.
- Fry: This was your first year in your stint in Washington [1907], wasn't it, as assistant to Albert Potter in Grazing, when this happened?
- Kneipp: Yes. It was a great surprise to me. I remember I went to the old Belasco Theatre which is down on the east side of Lafayette Square. There was a meeting there. Taft had been elected but not yet inaugurated. He and Roosevelt appeared on the stage. Roosevelt put his arm around Taft's big, bulky shoulder and lauded him to the skies. And they were just as buddy-buddy as they possibly could have been. Taft gave everybody the impression--they were mostly bureaucrats--that under his administration things were going to go on just the same as they had been under T.R.'s. But the bureaucrats found out within less than a year that wasn't so.
- Fry: When did you first find out that these lands were going to be taken out of the Forest Service?
- Kneipp: When questions were raised by the Interior Department, mainly, I think. [The Interior Department claimed that] certain described areas were not primarily valuable for the production of timber or the conservation of stream flow. Therefore they could not be subject to national forest withdrawal. In many cases we had to admit that that was probably so. There wasn't any point in arguing about it because there probably was a strong case.

Actually, an amusing condition prevailed when I was regional forester out in Ogden, in the Intermountain region. That took in all of Utah, the western half of Wyoming, the southern half of Idaho, most of Nevada, and the part of Arizona north of the Grand Canyon. Pursuant to this idea of trimming out the non-forested areas, I sent men out to make examinations and provide boundaries for us. There were several amusing instances where the local stockmen would stake them to their best saddle horses, give them the best cuts off the quarter of beef that was hanging up out behind the kitchen, and have them come back home recommending that, instead of elimination, there be an addition made to the area. In other words, there was no protection to an honest, sincere grower of livestock, especially cattle, of what might be regarded as his prior use range, except the National Forest. And there were a great many areas put in at the urgent request of the stockmen, even though they opposed the idea of a grazing fee in 1905. Nevertheless, even after



Kneipp: the fee was opposed, they kept on urging additions to national forests merely to keep out the transient herds of sheep and the people who would buy big bunches of Mexican feeder and Mexican yearlings, and bring them up and dump them on the public land just to fatten them up and put them on the market that fall.

Those are the two instances of interruption of what otherwise was a continuous and growing movement in favor of forest conservation. One was under Taft and the other was under Eisenhower. One was under Taft and the Pinchot-Ballinger controversy, and the other was under Eisenhower and Ezra Benson.



GENERAL LAND OFFICE ADMINISTRATION OF FOREST RESERVES  
(1900-1905)

- Fry: Do you want to go into your days working under the General Land Office in Interior between 1900-1905 on the [forest] reserve land and what happened when there was a change over and this became a part of the Forest Service?
- Kneipp: That hasn't been brought out. If you want me to, I'll start in on that. I think it's worthwhile giving that picture.
- Fry: Good. I just read that part in Paul Roberts's book in which he just said that some of the men stayed on for careers in the Forest Service and others dropped out. It wasn't clear why.
- Kneipp: Those were the men who were out in the field. I was going to go back to the [word unclear] situation in the Interior Department itself, in the General Land Office, and start from there.

What were then called the forest reserves were administered by a section of the General Land Office of the Department of the Interior. That was known as Division F. Exclusive of a small stenographic and clerical force of just a few, Division F consisted of four people. One was Captain Jerome B. Satterlee, who was a Civil War veteran who was born and raised in Iowa, and who had never had much experience in the West, but who actually was a very fine character and a man of marked conscientious scruples. The second was a maiden lady by the name of Lucy M. Strong. She was quite an educated and cultured woman of strong personality. She had never had much experience in the West. The third person was John D. Leland. He was in charge of the grazing use of the forest reserves, issuance of permits, and matters of that type. The fourth was James T. Murphy, who was the fiscal control and personnel control man. That is, he handled the accounts and allotments, appointments, and matters of that kind, which were very simple in those days. The amounts involved were small, and the appointments were non-civil service.





Kneipp:

It was quite amusing. In those days the records were all handled in the letter press copybook type. I don't know if you're familiar with that old practice or not. The books were tissue paper. The typed letter was put in this book with a wet rag on top of the tissue paper, and the book was put in a press, and you twisted it down, and the moistened ink made an impression on the paper. But before a letter was signed and sent out, it had to be initialed in the upper right-hand corner, first by the person who originated it, next by his or her superior, next by his or her superior, and next by his or her superior. So you would see on these letters, signed by the Commissioner of the General Land Office, you might see J.T.M., J.D.M., E.A.S., L.S.M., or J.B.S. Everybody in the field knew where the instructions were coming from.

Some of the instructions were actually ludicrous. There was no realization [of local conditions] at all. Just to give an example: At one time a man applied for a permit to install a sawmill in the Gila National Forest. He wanted to buy a block of timber, and they had sold him the timber. So he wanted a permit to erect a sawmill to saw the timber into lumber. The superintendent in Santa Fe transmitted the request to the Washington office and got a reply back stating that sawmills were not looked on with favor because of the possibility that they might cause dangerous forest fires. Then looking at the map it was noticed that the San Francisco River reversed the course [?] at the point at which the timber sale was proposed, to a point outside of the boundary of the forest reserve; and in the East it was a common practice to drive logs down the river from the places where they were cut, to sawmills a considerable distance away. And therefore, it was suggested that this timber buyer, instead of erecting his sawmill in the forest, should drive his logs down the San Francisco River to a point outside. The superintendent, who was I.B. Hanna, said, "It was only two months ago that I rode a horse up that San Francisco River, and I had to travel for half a day before I could find water enough to water him." He had a terrible time explaining to them that on account of the intermittent flow of the San Francisco River there was no possibility of driving logs [laughter].

On another occasion there was a letter written out to him [I.B. Hanna] to the effect that the rangers apparently had considerable time when they were not otherwise engaged in specific duties. It was suggested that as a measure of fire protection they might be given rakes with which to rake the needles and pine cones away from the base of the pine trees, so that in the event of forest fires, the trees would not be killed by fire. Now if you can imagine going out on tens of millions of acres of land doing that--

Those were typical. Now, I might explain how all this came to my knowledge. When I was transferred over to Santa Fe, temporarily in 1904, while the superintendent was under suspension, I took charge



Kneipp: of his office, which was a very large and luscious office in the old so-called Federal Building. It contained all the files relating to all the forest reserves in Arizona and New Mexico from the very beginning. Since it wasn't a very difficult job, I used to spend all of my time reading these records, reading over the letter copies and also reading the letters to which they [the local supervisors] responded. Therefore, I got a picture of the problems which existed in trying to administer the forest reserves in those two territories, as probably nobody else in the world had at that time, not even Gifford Pinchot. That was probably one factor that pushed me ahead and caused me to attain a condition of advancement that probably I wouldn't otherwise have enjoyed. Here was all the awful picture of one supervisor reporting that, of his ranger force, seventeen were so incapacitated by tuberculosis that he couldn't get any work out of them. Others complained that they had no means of stamping timber that had been sold because they had no stamps, no marking hatchets with which to stamp. This file was made up of examples of scores and scores of instances of complete ignorance of the conditions prevailing on the forest reserves.

I was in Santa Fe for about three months in 1904 in my first period of transfer over there. The second time I was transferred there was the beginning of 1905. I was there until the middle of 1907. So I had an additional two and a half years with which to familiarize myself with the conditions that had prevailed during the period from 1900 on to 1905 when the Forest Service took over.

This is another illustration, going back to J.D. Leland, who was in charge of the grazing business. He was selected because his father operated a big dairy farm in western New York. After he was transferred to the Forest Service, a supervisor in California was accused of malappropriation of funds and one thing and another. Since Leland had handled the transaction in Washington, he was subpoenaed as a witness to go to San Francisco to testify at the trial of the supervisor. Gifford Pinchot said to Leland, "Now Mr. Leland, during the preceding years you've been handling all the grazing affairs on the forest reserves without having much opportunity to familiarize yourself with the conditions that existed on those reserves. This trip of yours to San Francisco will give you an opportunity to study the field end of it. So I suggest that, after you have completed your service as a witness, you visit some of the forest reserves in California, and have the local men show you around--take you out in a buckboard and drive you around and show you what the forests look like and what the livestock business is on the ground." So Leland nodded his head and indicated he was in complete agreement.

Anyway, the case closed about five o'clock. The supervisor was convicted. Mr. Leland took a six o'clock train for Washington.



Kneipp: D.C. He didn't have the slightest desire to go out and see what a forest reserve looked like or how livestock was managed on the range or anything else.

He was still on the payroll when I was brought to Washington because they just didn't have the heart to fire him. After I came in, I took over his desk. One of the big bottom drawers of the desk was completely filled with letters which he had dictated to the field offices in the forest reserves in special cases laying down courses of action or rendering decisions or issuing instructions, which had [later] been changed either by Gifford Pinchot or by Overton W. Price or by Alfred F. Potter. Changed radically. Drastically changed and reorganized. Of course the reorganized instructions were sent out, but Leland had carefully saved all of these old letters, I think with the idea of using them sometime or another to show how wrong the new administration was and how his well-grounded and well-authenticated instructions were being overridden and ignored. So it was kind of tragic for me to take the whole drawer full of stuff and dump it in the wastebasket. [Laughter]

Fry: One thing we'll want will be the name of the California supervisor.

Kneipp: I don't know who he is; I don't know if I ever heard of him. The case occurred along in nineteen \_\_\_\_\_. After Pinchot took charge, he found out that this man had been guilty of these misappropriations of funds and other improper actions and instituted proceedings against him. It never seemed worthwhile to look it up. If you want to go back among the legal records of 1906 or 1907 you might find it. It would just be the United States versus so-and-so, and probably nobody now remembers it except me. Anyway, the point was that Leland was subpoenaed as a witness because this man's defense was that he had acted in conformity with instructions he had from the Washington office, and Leland was the man who had given the instructions. So he had to go to San Francisco to authenticate that the instructions that had been violated were his instructions.

Now, of course, on the other hand, Captain Satterlee was a very fine man of the highest ideals and interests. He had always regarded me with some degree of favor. When he became subordinate to me, there was no resentment on his part at all. As a matter of fact, the ties of association became even stronger. I admired him greatly. He told me that the way the forest reserve activities were conducted during the time he was in charge was such that he had an almost irresistible impulse to resign and denounce the whole thing. But there was not only the question of his economic dependence on his job, but there was the further hope on his part that if he served there long enough he'd be able to establish a much better, more ethical atmosphere in the administration.





- Fry: What was Satterlee's job before 1905?
- Kneipp: He was in charge of anything that affected the forest reserves.
- Fry: Everything, then.
- Kneipp: That is, he was subordinate to the commissioner of the General Land Office. He was a top man. Of the four lines of initials on all the letters, his was the top line. Miss Strong was next to him, Leland was next to Miss Strong, and Murphy was down at the bottom.

#### Loss of Timber Lands

- Kneipp: Now what happened was a favorite device. If you get these things that I asked [Fred Grover] to get for you [to send from the Forest Service], there's one very significant thing here [opening a book, Establishment and Modification of National Forest Boundaries]. On this page here [p. 2], there are a large number of national forest withdrawals listed.
- Fry: Yes, in 1897.
- Kneipp: Yes. Then read this footnote here [p. 2]. In other words, that means the forest reserves had been officially established by [presidential] proclamation. The proclamations were then suspended and individuals and states were then permitted to go in and take up millions of acres of the land which had been designed for reservation as a forest reserve. After a year, such of the lands that had not been taken by 1898 were thereupon to become again effective to withdrawal. [But in the meantime,] with the connivance of the General Land Office, there were literally millions of acres that should today be national forest lands that became either state lands or private lands.
- Fry: This is in Wyoming, Utah, Montana, Washington, Idaho, and South Dakota that this exception applied.
- Kneipp: There were some more as that practice continued. Now in the Olympic National Forest alone, three-quarters of a million acres of the finest timber that ever grew in the United States were excluded from the original withdrawal, under that provision, on the grounds that the lands were chiefly valuable for agricultural purposes. Up to the time that the Olympic National Park was established, in the early thirties, in all of that adjacent area there were only about forty or fifty homesteaders eking out a very





Kneipp: bare existence. And all of the timber land had passed to the ownership of a very few large corporations, losing billions of feet of timber in that one instance alone.

Fry: Was this largely timber lands?

Kneipp: They were all timber lands. The finest timber lands in the United States.

Fry: No range lands?

Kneipp: No range lands, no! Couldn't drive a horse through most of it.

Another example is the Lincoln National Forest in New Mexico, which was withdrawn as the Alamo [National Forest] and others.\* After the withdrawals, it [the withdrawal order] was suspended, and the state went in and selected a large acreage--scores upon scores of thousands of acres of the very best of it--as state selections in lieu of scattered sixteen thirty-sixes elsewhere in the state. After the state had made all its selections, then the Forest was re-established. In other words, there was a systematic plundering.

Fry: Was this administrative decisions then? It was not from Congressional action?

Kneipp: No. The act of 1891 authorized the president by executive order to withdraw these areas. And by executive order the president did withdraw them. Then by ensuing executive orders, which undoubtedly were recommended by the then Secretary of the Interior, the President suspended the executive orders, so these selections could be made. Then, after everybody had grabbed everything they wanted, the orders were then reactivated to take in the residue. That's just one example. If you go through this list you'll find others just like them. Trouble is, I'm trying to tell you a story that, to do the thing any justice, we ought to spend any number of pleasant afternoons like this going into some detail.

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\*The Lincoln had a long history of adding and eliminating land. The Alamo forest became part of it in 1917. The Alamo, in turn, had previously added lands of other forests such as the Guadalupe and the Sacramento national forests, in 1908. These two were then discontinued.



Fry: Yes, I have a suspicion this is going to have to continue somehow after I go back to California.

Kneipp: I'll go back to Captain Satterlee. He told me that he had several run-ins with the commissioner of the General Land Office, and he absolutely refused to do some of the things they did. But he had some good political support, so that rather than make an issue out of the matter they would bypass him some way or another. They would arrange to run it through channels other than those under his direct charge. So the end was accomplished even though he personally refused to be an accomplice. He had the choice then of resigning or refusing to play ball and getting fired. He was really a very fine man, a man of high character, and the fact that he spent all his years in an environment of that kind was the thing I couldn't understand.

Miss Strong--as a matter of fact, she was a strong-minded old maid. She had the three males terrorized, I think, most of the time. She was a very delightful woman in many ways. She finally wound up in a rest home up in Philadelphia, and died there.

You couldn't blame them. They were working in an atmosphere where that was the common practice. It was the custom. The whole idea was to get this damn land off the unappropriated status and onto the tax rolls. That was the governing philosophy all through-out, from the time the General Land Office was established in 1841. That's the idea that the National Chamber of Commerce still advocates, although sometimes they put land on the tax rolls that costs the county twenty times as much to support as the land pays the county in taxes.

My inducement to go into this work was largely that my stepfather advocated it, although he may have done that in deference to my mother. She wanted to get me out of Chicago because she thought I was going astray. Also he was a far-sighted man, and they knew that the forest reserve was essential to the protection of Prescott.

One other man who talked to me was a man by the name of Samuel J. Hulsinger. He was an attorney from Indiana who had contracted tuberculosis and was advised by his doctor to move immediately to a dry climate. So he came out to Arizona. As a means of support, he obtained an appointment as a special agent of the General Land Office. They had a corps of special agents who went out and investigated entries and things of that kind. He was a great friend of my stepfather and they went to dinner very often. He was also a man of very high ideals and culture. He told me it was inevitable that, in the course of time, this question of forest conservation was going to be one of the big questions. He thought it

1997

1998

1999

2000

2001

Kneipp: would make a fine career for a young man, such as I was then, to launch out on even though it didn't pay anything--it hardly paid my expenses. And, as a matter of fact, if I hadn't been able to live at home part of the time, I just couldn't have afforded it, although I did get a fifty per cent promotion in twenty-two months. That helped a lot, both financially and in esprit de corps.

So Hulsinger told me that it was bound to be one of the big, ultimate questions of the nation. Therefore he strongly advised me to do as my folks suggested, to stay there and grow up with it.

But Hulsinger himself was not the usual type of special agent. You'd go through the country lots of times and you'd see a house--a structure built on the land--and maybe it would be twelve feet long and eight feet wide and five feet high, with a little roof on top. That was all. And somebody would ask the ranger, "What's that?" He'd say, "Oh, that's a homestead house." My first query was, "What do you mean by a homestead house?" He'd say, "This rancher has a daughter and she's taken up a homestead. She homesteaded this 160 acres, so they put that house here so she could go over on the 30th of June and sleep there." [She'd sleep there] the night of June 30 to July 1, and thus be able to testify that she had resided on the 160 and prove up on it. Now, the special agent would know perfectly well that a house of that kind was not a bona fide residence. Yet there were literally, as far as I can find out, thousands of homesteads where final certificates were issued on nothing more than that.

One of my first experiences with the public land laws was when I first went to Arizona. In the election of 1900, my stepfather was a candidate for the job of congressional delegate. Arizona was only a territory. Why he wanted it I don't know because he was making then fifteen or twenty thousand dollars a year, which was big money then. Anyway, he wanted the honor and the distinction. So, on account of my being his stepson, I was offered a job as one of the clerks in the voting place.

So, we went down there early--the judges of the election, the clerks, and the watchers. Before the voting began, one of the prominent citizens of the town, who was quite an extrovert, came in waiting for the polls to open so he could vote. One of the judges said, "Ed, I see where you've just proved up on that claim of yours up on Beaver Creek." And Ed said, "Yep, I've got my final certificate, and in just a few months or so I'll have a patent for a nice piece of land." Well, the judge said, "Ed, you know damn well you never slept on that land, on that entry, one night of your whole life. And you know damn well you never as much as stuck a spade in the ground." Ed waved his hand and said, "I know, I know, I know. Three of the most reputable and respected citizens





Kneipp: of the Verde Valley testified under oath that I had resided on it five years to the exclusion of a home elsewhere, and that I had cultivated and raised a crop on one-fourth of it, and I just didn't have the heart to make liars out of them." That was a joke in those days; that was the way the lands were run; everybody laughed; it was fun. Even a minister of the gospels would have done the same thing without incurring the slightest ignominy. It was the practice. In other words, the feeling out there everywhere was that those damn fools in Congress didn't know anything about the West. They had enacted a lot of stupid laws; so instead of trying to comply with those stupid laws, why, let's go ahead and make the most of it and push for the thing you want.

#### Law-twisting of Land Grabbers

Fry: The land agents, then, more or less fell in with this?

Kneipp: They ignored it time and time again. They used to go through some stunts like they'd go out on a claim. There was nobody there at all. The stove had some ashes in it, but no evidence that it had been used for months. So they would put a dated newspaper in the stove. And then if they went back the next year and still found that newspaper there without having been burned up, why, that was proof positive that nobody had built a fire in that stove that year.

There were common notices [?] like the Miller and Lux outfit, one of the enormous land-owning outfits in the West. When I first went out in that country I was told all kinds of stories. They would put a rowboat--they built a skiff out of boards--on the running gear of the wagon. A man would get in it, and they'd hook a team of horses on the running gear and haul it over a quarter section of land. Then the man would then execute an affidavit that he "had rowed," spelled r-o-w-e-d, a boat over the whole quarter section and enter the land under the swamp act, which applied only to swamp and overflow land. And this land over which he "rowed" the boat was land of an elevation of several thousand feet and was dry as a bone. Nothing on it but grass. Sometimes there was no water within five miles of it. If somebody filed an affidavit that they had "rowed," r-o-w-e-d, a boat over this section, as long as it was the right section, it was all right.

I have an instance of my own. Mining claims were a proper method [of getting land]. Whenever any assemblage of males centered around a new mining camp or a construction camp of any kind, the first things that cropped up were saloons. The next





Kneipp:

things were ladies of pleasure. You would find these structures on pieces of land which were unappropriated for mines. You'd go there and say, "How come?" The saloonkeeper would say, "Here, come on out and let me show you my location monument." They located a claim, you know, by building a monument and filing a notice that they were taking a little piece of the land, fifteen hundred feet long and three hundred feet on each side of the monument. Then you were supposed to dig discovery holes which would disclose the existence of a paying load of mineral. You went in and recorded your file in the county recorder's office.

So when they started to build the railroad from Meyer to Crown King, a railroad that lasted only a very few years, a lady by the name of Bernice Swanbeck established an institution right alongside of the railroad track, half way between Crown King and Meyer. It was a board-and-batten saloon building and some plain outbuildings and several tents out back. No male ever went into the saloon without several of the female habitués making clear to him why they were there and what their interest was in him.

When we'd report cases of that kind to the General Land Office, they would tell us to serve ten-day notices to vacate the claim. We would serve them, and they [saloon owners] would laugh. In one case one fellow pasted three of them up on the glass of the bar. Anyway, we served notices on Bernice, which she didn't pay any attention to. Meanwhile, however, she went ahead and applied for a patent. It was surveyed by a licensed mineral surveyor who was under oath at the General Land Office. He plotted a tract of land that lay parallel with the road for a distance of fifteen hundred feet and showed along the center of it the central mineral lode. Actually, on the land there was a huge dike of quartz, wider than that bookcase here and it stuck up shoulder high. And actually it lay at right angles to the road. But they had laid the mining plan right along the road so they'd get fifteen hundred feet frontage, whereas the only mineral structure that was there lay at right angles to the road. If they had used that as the center of the claim, they would only have gotten a six hundred foot frontage and that would have been obstructed largely by the formation.

So, the case was finally carried to court. As I said, no males who ever went in there were under any doubt as to what the girls were doing there. Sometimes after they disappeared and came back, there wasn't any doubt as to what they had done there, exchanging compliments with their patron and he with them.

Frank Pooler was supervisor. Frank C.W. Pooler was supervisor of the Prescott National Forest. He filed a report and it was referred to the United States Attorney. However, it was referred to the Department of the Interior for hearings. They referred it to the United States Attorney for prosecution. The



Kneipp:

hearing was held in court, and Pooler was to be one of the witnesses--he had first seen the thing when he was a ranger there. At one time he had served Crown King district and had served notices on Bernice. Later he had been supervisor of the Forest and had served it again. His testimony was to be the most correct. But the attorney for the defense immediately challenged him, on the grounds that unless he was willing to swear under oath that he personally had had sexual intercourse with one of the women within the boundaries of the claim, that his testimony would be nothing but hearsay and therefore was not acceptable. The court held that his objection was sound and threw the case out. If he had testified to that effect he would have made himself an immediate candidate for dismissal from the Forest Service.

[Pause to begin new tape]

One thing about this Swanbeck allegation, it's subject to confirmation. That is, the report of the mineral survey made by the authorized mineral surveyors, undoubtedly is in the Interior Department yet. And in all probability, anybody who wanted to go out and traverse that rock between Crown King and Meyer probably would find somebody occupying that piece of private land where Bernice filed for it. Of course, Bernice, by this time, has been gathered to her fathers.

There is one ludicrous story about it: After Pooler left there, there was a new ranger hired by the name of Copely. He flew into Crown King with a story that he was going to look for the Hi Jolly camels--the old tradition about the camels that the United States brought in with the idea of using them. Well, Hi Jolly was their driver and the theory was that some of them broke away and were perpetuating themselves. Copely came in there and said he had been hired to look for them.

He wanted a job and he applied for a ranger job and got it. He was a very fine horseman, a very wonderful horsebreaker. And instead of buying horses he arranged with some of the ranchers that he'd take their colts and for their use he'd train them into good horses.

So, one day he was riding a horse of that kind when he went down to Bernice's place to serve a ten-day notice on her. All the hangers-on were all eyeing him and bawling him out. That didn't bother him because he was as tough as anybody could be, and what's more he was angry. He bawled them out and told them what he thought of them, and then he went out the front door. But in his rage he was a little bit careless about getting on this colt. The colt started bucking before he could get into the saddle, and threw him into a water barrel, which was at the corner of the building, head first. It was full of water that had dripped from the eaves of the building.



Kneipp: There he was, in there head first. Everybody was out conversing, and one of the male hangers-on said, "Well, we guess if he got in there himself he can get out himself." But Bernice said, "No you don't. I don't want any murder charge on my hands. Get him out of there!" They grabbed him by the legs and dragged him out, and finally drained enough water out of him so he could get onto his horse and on his way. [Laughter]

That typifies the life of a ranger a little bit. Some rangers, at least.

Fry: There were some risks involved in being a ranger, then. If you insisted on calling up these false claims, these claims usually got a just trial, didn't they?

Kneipp: Of course, the first thing was a hearing before the Interior Department.

Fry: What usually happened then?

Kneipp: The first hearing was held before the register and receiver of the local land office. That could then be appealed to the commissioner of the General Land Office if either party was dissatisfied. If either party was still dissatisfied, it finally could be appealed to the Secretary of the Interior.

But in this case I think the nonvalidity of the claim was sustained by the General Land Office. A ten-day notice was served, and because it was ignored, the case was then referred to the Department of Justice for the initiation of judicial proceedings. That is the way poor Pooler got into court and had the choice of putting himself in one precarious position or another.

As I say, that's all a matter of record, although I don't know how long they keep the record.

#### Differences When Forests Transferred to Agriculture

Fry: When you decided to remain on with the Forest Service, could you tell what differences this made in employment?

Kneipp: I made a little talk three years ago before the new Kennedy administration came in. I belonged to OPEDA [Organization of Professional Employees of the Department of Agriculture]--in fact, I helped to reorganize OPEDA. There I made this statement. These are notes that I made for talks at different times. I summarized the situation this way:

*[Faint, illegible text, possibly bleed-through from the reverse side of the page]*

*[Faint, illegible text at the bottom of the page, possibly a footer or additional bleed-through]*



Kneipp:

"When the forest reserves were transferred from the Department of the Interior to the Department of Agriculture fifty-six years ago (this was three years ago), I was ranger in charge of the Pecos River Forest Reserve in northern New Mexico. As an incumbence thereof I had to be accepted by Agriculture. Since then my consistent belief has been that it is one of the most fortunate circumstances of my career. I have felt so particularly because I came increasingly into association with men, and later with women also, who notably exemplified what was to be a new type of federal workman --not alone in the Forest Service but likewise in the Bureau of Animal Industry, Plant Industry, Entomology, Soils, Biological Survey and others. Their notable difference was that they tended to regard their official activities not merely as a means of earning a living at jobs, but as opportunities for expression of their aspirations and talents, as media for creative forms of self-fulfillment."

That summarizes my reaction. This was written fifty years after all that happened.

Fry:

This was a talk before what organization?

Kneipp:

OPEDA. When Kennedy [President John F.] came in, there was quite a change in some of the personnel, advisors and officials, etc. So OPEDA seized upon that as an opportunity to grant a summer award, as this one is, to another man, T. Roy Reed, who had just retired and had been chief of personnel for the Department. That was to be attended by all of the new group of departmental people, the new administrative group. I was asked to make a brief statement and this was part of that statement. At that time there were two to three other men who are now assistant secretaries of the Department, and some men who came in merely as advisors, temporarily, and then after a little while moved out. Some fifty or a hundred men.

Fry:

Did the forest reserves lose some of their more colorful people when they were transferred to Agriculture?

Kneipp:

Oh yes, they lost some. Not right away, however. For example, one of the colorful men who was in that group that came to Washington here, of which I was one, was Seth Bullock, the sheriff of Deadwood, South Dakota. There was a rumor that T.R. [Roosevelt] had had an appointment under Seth as a deputy marshal at one time. When, in 1905, we appeared before Roosevelt in the White House, the cattlemen had spoken first and they all alleged to Roosevelt that the forest reserve was only in the hands of a bunch of kids who didn't know which end of a horse to put the bridle on. After the stockmen had talked, Roosevelt went along the line to the nine of us and said, "How are things in your place?" We each gave

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Kneipp:

an expression of our views. When he came to Bullock, he said, "Seth, I've been under the impression that you've lived in the West quite a number of years." Seth had been out there all the time that Roosevelt was in South Dakota. Seth nodded his head very gravely and said, "Yes, Mr. President, I've been there several years." Roosevelt made him the United States marshal for South Dakota very shortly afterwards, so he left the Forest Service of his own volition.

But he was a terror. He had kept two or three extra fine saddle horses. When he'd go out with one of the rangers, who would be plodding along on a poor, little, old, tired horse, he'd have a horse that would go forty or fifty miles a day, and they had to keep up with him. So they admired him as a man, but they hated him as a supervisor.

Then there was another man in charge of what is now the Shoshone Forest in western Wyoming. I forget his name; I knew it perfectly well. He was brought in [to Washington] on a detail (the kind I was telling you about, where men are brought in and put in charge of all the activities of a certain district to prepare the initial responses and actions). He was brought in for that purpose.

He came into the office, and we had a lot of fun for three or four days, kicking around. He came in to see G.P. He said, "Well, I guess I'll go back. I've seen everything here now that I want to see. No use me staying here any longer." Pinchot said, "We'd hoped you'd stay here so that you'd give us the value of your experience or perhaps qualify yourself for higher responsibilities when you went back to Wyoming, or back to Region Two. He shook his head and said, "No. I don't like that sort of thing. If I could stay out in the woods, I'd stay. But I don't want to stay out in this damn place. I want to go back to Denver." [Laughter] So he dropped out.

Frank R. Stewart was a supervisor of the Prescott Forest Reserve; Pinchot had taken a strong dislike to him and he was eased out. But he was a protégé of Senator Charlie Dick of Ohio, and he went down to Phoenix and he got a high federal position down there. I'm not sure if it was a United States marshal or what it was.

Anyway, his first wife had died. He was very devoted to her. He'd made some money by investments in undertaking parlors and things of that kind which were rich sources of income. When he was down in Phoenix he was kind of the catch of the town even though he was along in his fifties; he had money, he had prestige. His getting fired from the Prescott Forest Reserve didn't do any

The first part of the paper discusses the general theory of the subject, and the second part discusses the application of the theory to the case of the present case. The theory is based on the assumption that the system is in a state of equilibrium, and that the forces acting on the system are balanced. The application of the theory to the present case shows that the system is in a state of equilibrium, and that the forces acting on the system are balanced.

CONCLUSION  
 The results of the present study show that the system is in a state of equilibrium, and that the forces acting on the system are balanced.

It is concluded that the system is in a state of equilibrium, and that the forces acting on the system are balanced. This conclusion is based on the results of the present study, and is supported by the theory of the subject.

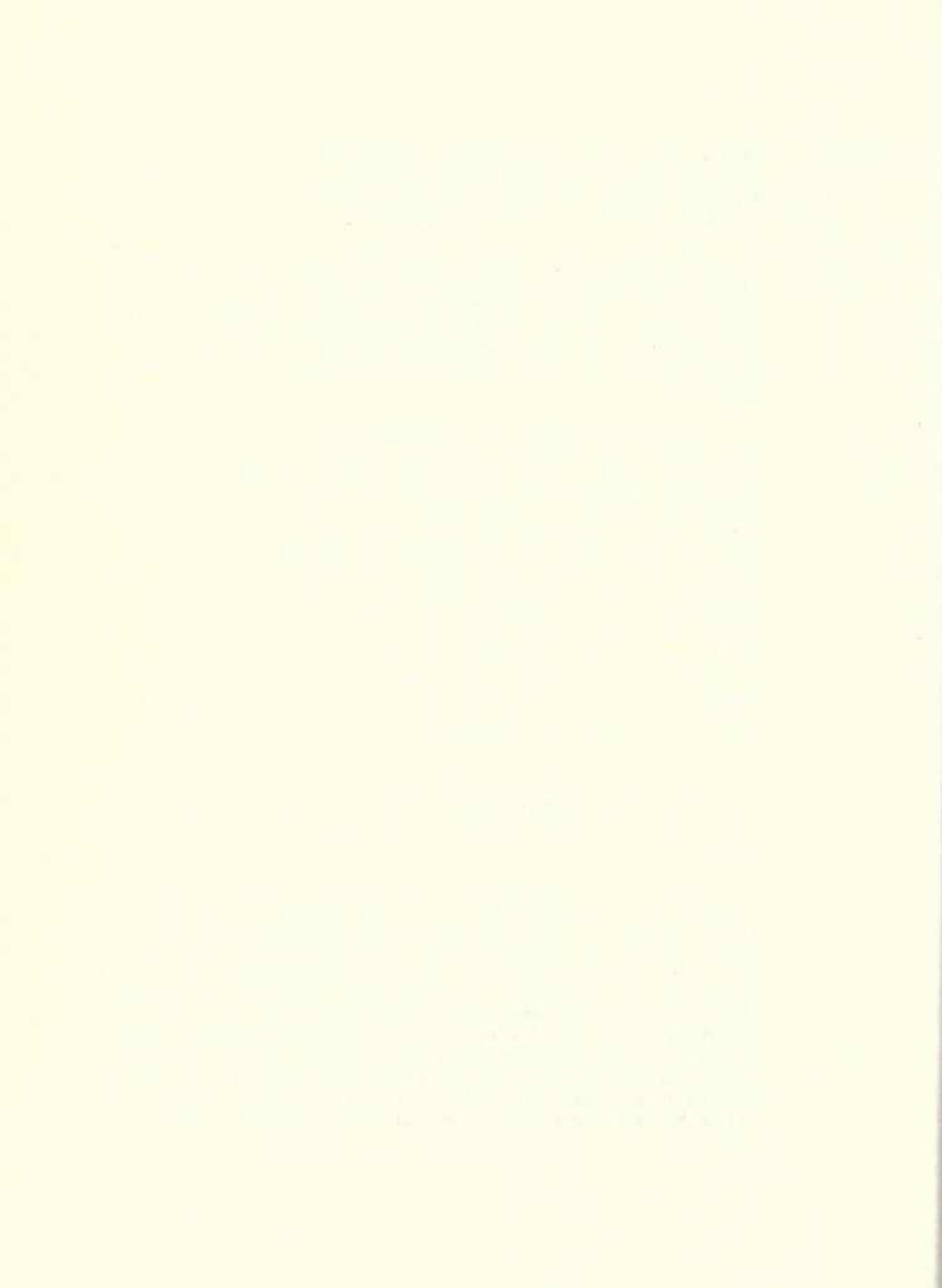
Kneipp: harm at all. But he was one of the men who had gotten in [the forest reserves] politically without any qualifications whatever. For that reason they were weeded out quickly. There were quite a number of others. I don't remember all of them.

In other words, Pinchot's own staff, which was then the Bureau of Forestry in the Department of Agriculture, had been making reconnaissance examinations throughout different forest reserves all over the country. They had been getting in touch with the local men and undoubtedly they were reporting back to Pinchot those that they thought were up to par and those that were not.

For example, when I was a ranger, I rode up on the top of Mount Union and looked out over my district to see if there were any fires. While I was there, Tommy Gerard and one of his assistants came up there who likewise looked over the forest and found me sitting there, so I gave them a lot of information about the forest, what they could see. They went on their way. After I came into Washington and had become an assistant chief of the Forest Service, along about 1910 or 1912 one of the public relations men, Bristow Adams, said, "Do you know that I have a photograph of you, a slide of you, that I show in my talks?" I said, "No, I've never heard of it." And he said, "Here it is," and pulled one out. It was a picture of me sitting on the top of Mount Union, with my legs crossed, holding my pipe, my boots showing up and my hat on the back of my head, surveying the country. Apparently I was exemplified as the right kind of ranger, who looked out for fires.

All those things, I think, came in to Pinchot and Price and other men. What happened was that when the transfer was made, those that had a good reputation were kept and those who were not were let out.

Going back parenthetically to this man Stewart, he had been a buggy-whip salesman in Ohio. He was, however, active in politics and an adherent to Senator Charles Dick--Charlie Dick, as he always called him. He got rather annoying, and the edict was they had to get [him] out of Ohio; Dick had him transferred to a position in the post office in Kansas City. When he was in Kansas City, he got in the same kind of embroilment and had to be moved somewhere else. So Dick apparently prevailed on Speaker Cannon, who was the presiding genius in appointments, to give him this supervisor job in Prescott. He came out to Prescott not knowing a thing in the world about the West or the forest reserves, never having had any experience except in Ohio in the post office.



Kneipp:

Of the other two rangers who'd been out in Prescott, one had been sent back to college--had had a fight--and the other had been exiled and quit in order to go to Oklahoma for the drawing. I was the only person there who could tell him anything about forest reserves; the result was that he kept me right close at hand. I learned to operate an old Smith Premiere typewriter which at the time had a double bank of keys, one bank of caps and one of small letters. In addition to doing the ranger work, I actually did the clerical work. That was where I got my first knowledge of how the wheels revolved outside of just the ranger business. First I had these several years of experience in the supervisor's office, traveling with him, and then becoming sort of a ranger in charge. They jumped my salary \$60 to \$90 a month after twenty-two months.

Then, he would detail me to go out around to the other ranger districts and check up on them or go out and help them. Or take new men out and introduce them to their district supervisor--like an over colonel. In effect I became a sort of assistant supervisor although my appointment simply was forest ranger. That was probably one of the reasons I was picked to go to Santa Fe to take charge of the Pecos River [Forest Reserve]. That is, Captain Satterlee and the others knew what I had been doing in Prescott, helping Stewart, and therefore thought I would be able to take over the job in Santa Fe.



## O. AND C. LANDS: BRIEF INTRODUCTION

Fry: One thing I would like to get from you is your experience in handling the O&C [Oregon and California]\* lands and also the Northern Pacific lands. I wonder if you could write those up and send them to me.

Kneipp: I might play a nasty trick on you. I had a lot to do with it. I have a collection of papers here.

After I left [retired, 1946], the thing was highballed into court, and the court found in favor of the contesting counties with regard to the 475,000 acres of revested lands. They were revested in 1916; and, on the basis of an act of 1921, they were revested in such a way as to give the counties in which they were situated an equity in them. The Supreme Court decision of 1921, in relation to the Northern Pacific case, held that the refusal of the Interior Department to grant the Northern Pacific the several million acres of land that were pending was improper. Up to that time the Interior Department held that the rights were formative [?], and Northern Pacific wasn't entitled to the additional lands of the claim. Five years after the O&C lands were revested and ceased to be O&C lands, the Supreme Court decision was seized on by Guy Cordon, who has made a very good thing out of it since and became a senator from Oregon eventually. And we fought it through for years. I have a whole collection of materials here: some hearings and some statements. I often wondered what to do with them.

Fry: I would like to deposit these in Bancroft Library for the use of writers and scholars.\*\*

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\*Dana refers to these lands as "O. and C." L. Kneipp, in his writing, designated them as "O&C." This transcript will use Mr. Kneipp's designation in the text and Mr. Dana's in the headings.

\*\*Mr. Kneipp did deposit these materials in The Bancroft Library.

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Kneipp:

This material could keep someone busy for a year or two, I guess. There's one book of hearings there, and there's a lot of statements that I typed down at different times. We fought the battle through three or four congresses, and up to the time of Eisenhower the other side hadn't gotten away with it. But the minute he took over, the counties became vested right away.

Here is one [item] I wanted to read from. When McArdle retired, what is known as the Forest Service Old-timer's Club [XFS club] gave him a luncheon on May 1, 1962, at the Rome Restaurant. McArdle was present, and he made a talk which was so noteworthy to me that I typed a two-page record of it. In this two-page record is this paragraph in regard to the 472,000 acres of O&C re-vested lands inside of national forest boundaries, stating that

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"Oregon and California Railroad Lands Grant Revestment Proceedings Bibliography," which was prepared either by or for Mr. Kneipp, has been put in the appendix, partly to indicate the extent of the hearings on this case. Leon Kneipp, in several of his statements for congressional hearings, spoke highly of the last item on this list: David Maldwyn Ellis, "The Oregon and California Railroad Grant, 1866-1945," Pacific Northwest Quarterly 39:4 (October 1948), 253-283.

A very clear statement entitled, "History of the Oregon and California Railroad Land Grant Revestment," covering the period 1866-1916, was written by L.F. Kneipp at an unknown date. Since it contains information not brought out in the interviews, it has been put in the appendix.

Also included in the appendix is a statement Mr. Kneipp made before the Committee on Interior and Insular Affairs on HR 6662 which had been introduced in the House of Representatives on February 18, 1952. Mr. Kneipp made this statement as a private citizen, after his retirement. It is particularly interesting because it is an example of his style of arguing before a congressional committee.

A fourth document appearing in the appendix and illustrating Mr. Kneipp's wit, is a letter to the editor of the Washington Post, February 8, 1954, comparing the plight of the then voteless citizens of the District of Columbia to the fortunate situation of the citizens of the eighteen counties of Oregon affected by decisions on the O&C lands.

Other documents in the collection pertaining to the O&C lands, which Mr. Kneipp deposited in The Bancroft Library, have been listed by date and relevance to pending legislation. See appendix.

The following information is for your reference only. It is not intended to be used as a substitute for professional advice. Please consult your attorney for more information.

Kneipp:

"Fred Mynatt of the Office of the General Counsel held out to the end for continuation thereof [of national forest status for these lands]. But McArdle felt strongly that acquiescence with the contentions of the sixteen [eighteen] counties would create a more agreeable and cooperative atmosphere in which state, county, and federal agencies could work. So Mynatt said that if everybody else felt that way, he must be wrong. So he receded from his earlier position."

Mynatt had been in charge of the Forest Service group of attorneys in the general counsel's office, and he had been working on the case for years and years. He had always consistently supported our viewpoint that the land was national forest land, and should not revert to the counties. McArdle's own statement to the XFS Club shows that he [Mynatt] agreed only very reluctantly. That [loss of national forest status] happened, I think, because there was agreement on the part of Agriculture and McArdle, and Agriculture\* and Benson [Secretary of Agriculture Ezra Taft] and everybody, so that the two cabinet members joined in recommending to the attorney general that he move that the court find title vested in the counties. In other words, that was an agreed verdict, without any opposition from the departments [Agriculture or Interior]. Now, I've never gone down to search the records to see exactly what the details were; that's just a surmise. But it's the only thing I can figure out.\*\*

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\*Mr. Kneipp may have meant to say Interior, which at the time of the final decision--1954--was under Douglas McKay.

\*\*At this point L. Kneipp told the story of Chris Granger's being ordered by the White House not to testify on the O&C lands. The story was told also to Mrs. Mezirow (interview IV) with the same details. The one exception is noted in interview IV. It appears in interview IV because there are added details about Chris Granger's attitude toward the vestment of the O&C lands.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that this is crucial for ensuring the integrity of the financial statements and for providing a clear audit trail.

2. The second part of the document outlines the various methods used to collect and analyze data. It includes a detailed description of the sampling techniques employed and the statistical tests used to evaluate the results. The goal is to ensure that the data is representative and that any conclusions drawn are statistically sound.

3. The third part of the document provides a comprehensive overview of the findings. It discusses the overall trends observed in the data and highlights any areas of concern or interest. The findings are presented in a clear and concise manner, making it easy for the reader to understand the key points.

4. The fourth part of the document discusses the implications of the findings and provides recommendations for future research. It suggests that further studies should be conducted to explore the underlying causes of the observed trends and to develop more effective strategies for addressing any identified issues.

5. The final part of the document is a conclusion that summarizes the main findings and reiterates the importance of the research. It emphasizes that the results provide valuable insights into the subject matter and that they have the potential to inform decision-making in the field.

## INTERVIEW III

2 December 1964

Interviewer-Edith Mezirow

## REGION FOUR: COOPERATION OF SENATOR REED SMOOT

Kneipp:

You had one condition there [in the West] that was quite stable and settled. As the second generation qualified for entry under the Homestead Law of 1862, they in turn took up what they knew were the best lands in the vicinity. Additionally, as their progeny came into the picture, they took the remainder. So there was well-established, stabilized agricultural use; but it had one serious drawback. It was grossly overrun by nomadic livestock--nomadic flocks of sheep and cattle. [The land was used] by people with nothing more than their pack mules, burros, and their sheep dogs. Their sheep kept coming in and using the ranges that these local people [those who lived on the land under the Homestead Law of 1862] depended on for the support of their livestock throughout the year--their winter ranges as well as the summer.

We [Forest Service and settled farmers] had a very cooperative and friendly attitude. And there was one unique thing: that was that when Congress passed the law prohibiting the creation of national forests or forest reserves in six states in 1907, and in Arizona and New Mexico in 1926, Utah was excepted. It was left out. That is, there were no restrictions placed on the creation of forest reserves in Utah. The explanation was that we worked very closely with Senator Reed Smoot, who was one of the Apostles of the Mormon church as well as a United States senator. We never made any changes in national forest status without consulting Senator Smoot. He liked that situation so well that he never even remotely considered subjecting Utah to the restrictions that applied to six of the other states.\*

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\*Mr. Kneipp told at this time the story of his appointment with Senator Reed Smoot. Since the context is more complete when the story was retold in interview VII, it has been deleted here.

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Kneipp: But in eastern Nevada and in that part of Idaho south of the Salmon River, there was a little different situation. There was a larger proportion of so-called "Gentiles." In that country a Jew could be a "Gentile" because he is not a Mormon. [Laughter] There was more speculation, and there was a very active opposition on the part of Senator Heyburn [Weldon B.], who made very vicious attacks on Gifford Pinchot. He went on the part [was on the side] of Senator Borah [William E.], who was not very cooperative at all times.

Mezirow: What states were those senators from?

Kneipp: William E. Borah [like Weldon Heyburn] was from Idaho.

Now, in Wyoming we got along very nicely with the Senators John B. Kendrick and Francis E. Warren (who was said to be the largest sheepowner since Moses). [Laughter]\* It's hard to discuss the whole region.

ACT OF 1915: PREVIOUS MINING-CLAIM ABUSES NOT PROSECUTED BY  
INTERIOR DEPARTMENT

In answer to Mrs. Fry's first question [on land use, I note that] she refers to the act of March 1915.\*\* Now, prior to that time, all of the uses that she enumerated and a great many more that are hardly mentioned in polite society were being carried on everywhere, but under the guise of pseudo-mining titles. That was a continuation of the old practice of the Forty-niner days,

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\*Probably L. Kneipp meant "since Abraham." Paul Roberts writes that Francis E. Warren "was frequently referred to as the greatest shepherd since Abraham."

\*\*L. Kneipp refers to the Agricultural Appropriations Act of March 4, 1915, which "authorized the Secretary of Agriculture to grant permits for summer homes, hotels, stores, or other structures needed for recreation or public convenience in national forests in tracts of not more than five acres and for periods of not more than thirty years."





Kneipp: you know. Whenever they wanted to occupy a spot of ground, they filed a mining claim, put up a monument, dug a little hole, and put a notice in the camp. And sometimes when I'd go around to the saloon, or a place where ladies were the principal source of attraction, I'd ask what they were doing there and what business they had occupying the land. Their reply was, "Come on out here and I'll show you my mining location," which was simply a fraud.

The best summary of that situation I find is in the report of the Eighty-third Congress, first session, House of Representatives Report No. 1093, National Forest Mining Claims. Report to accompany HR 5358. That report was written after the subcommittee of the House Committee on Agriculture had spent four years of studying the project, and had made the very detailed study touring the states of Washington, Oregon, and California. Here are some of the things they said, for example:

"The purpose of staking a mining claim on public lands has often been abused. Much public property has been taken over by people seeking timber and water rights, fishing and hunting facilities, and sites for hotels, tourist cabins and filling stations."

Then over here on page three they say, "There can be no doubt that the existence of many thousands of mining claims on the national forests constitutes a handicap to the proper administration of those forests, and interferes with the right of the people of the United States to use and enjoy those forests for other useful and valid purposes."

Now here is the big surprise. Over here on page six the committee report says, "The witnesses who appeared in opposition to the bill were the American Mining Congress, several members of Congress, and a representative of the Department of the Interior. The committee also received an unfavorable report on the bill from the Department of the Interior. These reports were not cleared with, nor approved by, the Bureau of the Budget. The favorable report on the bill received approval and clearance."

The Department of the Interior had known for fifty years that these conditions were widespread, and just as this committee reported them to be. I know personally, because I wrote a lot of the reports and I rode out to serve the ten-day notices to vacate the premises, which was all we could get out of the General Land Office. When they [the General Land Office] got a report of this kind, they said, "Well, give them a notice to vacate the premises in ten days." So we would type out a notice and take it out and deliver it to them. After a few months, nothing had happened; and we would report back to the General Land Office and their instruction would be to give them another notice.

The first part of the report  
 deals with the general situation  
 and the results of the survey.  
 The second part contains  
 a detailed description of the  
 methods used in the study.  
 The third part discusses the  
 findings and their implications.  
 The fourth part concludes the  
 report and offers some  
 suggestions for further research.

The following table shows the  
 results of the survey. The  
 first column lists the  
 different categories, and the  
 second column shows the  
 number of respondents in  
 each category. The third  
 column gives the percentage  
 of the total sample. The  
 fourth column shows the  
 mean value for each category.  
 The fifth column indicates  
 the standard deviation.

Kneipp: I remember at least one case where this one outfit had three such notices pasted in a row on the mirror back of the bar. It gave them status and prestige--their defiance of the Forest Service officials. And how any representative of the Department of the Interior could advise the Congress that the bill that was about to be passed should not pass, is beyond any logical justification whatever.

Now, to meet the situation, the Forest Service had to employ six mineral examiners. Men of unusual qualifications as mining experts and geologists. We had one in the Denver territory, one in the Albuquerque office, one in the San Francisco office, one in the Ogden office, one in the Portland office, and one in the Missoula office. And through their activity in proving the claims were fake claims that did not meet the requirements of the mining laws, the need arose then for some other means of legitimatizing the occupancy of the lands. And that was why this item Mrs. Fry mentions was put in the Agricultural Appropriations Act of 1915. She asks whether it necessitated any change in our organization. As a matter of fact, it was a great relief because looking after all these hundreds of thousands of fraudulent mining claims was a much heavier drain on the administrative work completion than merely issuing a permit. And often permits were justified. Of course, for some of them we couldn't issue permits very well without [the claim] being searched, and [we] didn't.

Mezirow: So in other words, there were already homes, hotels, and stores--

Kneipp: There were thousands of them.

Mezirow: --and this just sort of legalized it.

Kneipp: All we did was legalize it. They were called special-use permits. They [the occupants of the land] had to pay fees commensurate with the value of the occupancy which might be anywhere from \$5 a year up to \$25 or \$50.

We hear so much about the different secretaries of the interior being the leaders of natural resource conservation. This condition continued for more than half a century without any definite and constructive action being taken by the Department of the Interior. And tied right in with that was the grazing situation. When the Indians were finally subjugated, and the buffalo were all killed off, there was a great influx of domestic livestock--cattle, sheep, horses, and swine--until the country was just overloaded. And from 1880 until 1900 the western range country of three quarters of a million square miles (765 million acres) was being grazed into the ground. The people who had vested interests, who were really trying to build up legitimate ranches, were praying for relief.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that this is crucial for the company's financial health and for providing reliable information to stakeholders.

2. The second part of the document outlines the specific procedures for recording transactions. It details the steps from initial entry to final review, ensuring that all necessary information is captured and verified.

3. The third part of the document addresses the role of the accounting department in this process. It highlights the need for clear communication and collaboration between different departments to ensure the accuracy and timeliness of the records.

4. The fourth part of the document discusses the importance of regular audits and reviews. It explains how these activities help to identify any discrepancies or errors and ensure that the records are up-to-date and accurate.

5. The fifth part of the document provides a summary of the key points discussed. It reiterates the importance of accurate record-keeping and the role of the accounting department in this process.

6. The final part of the document concludes with a statement of commitment to transparency and accuracy. It expresses the company's dedication to providing reliable financial information and maintaining the highest standards of record-keeping.

Kneipp:

Before, when the forest reserves were taken over by the Forest Service, grazing management was started immediately. It's covered in detail in the book called Hoof Prints on Forest Ranges. Within about five years, the Forest Service had the grazing situation pretty well straightened out, in a way to handle it systematically and scientifically. But as for the other three or four hundred million acres of western land, the Department of the Interior didn't do anything until 1934 when the Taylor Grazing Act was passed. That was fifty-four years after the need became apparent. And then, instead of passing an effective act, they rejected the recommendations and urgings of the Forest Service, and passed an act which placed the Taylor grazing lands under the control of a board of the livestock men themselves; so that, six or eight years ago, Senator Murray [James E.] of Montana, who was then chairman of the Committee on Interior and Insular Affairs, was just foaming at the mouth over the horrible, run-down condition of the Taylor grazing lands. Now, since then they have done something to improve it. They've tightened up a little bit. But, it took them a half a century to get around to doing it. Whenever I see these pretentious claims that are made about how the secretary of the interior--especially "Honest" Harold Ickes--was a great leader of the conservation of natural resources, it makes me laugh.

#### WEEKS LAW: NEED FOR MEANS OF PURCHASING FORESTS IN THE EAST

Mezirow:

What about the Weeks Law of 1911?

Kneipp:

The original act of Congress of 1891 authorizing the creation of forest reserves was applicable only to the public domain of the West, as I have explained somewhere else--maybe to Mrs. Fry--east of the Mississippi, the greater part by far of the forest lands had long before passed to either state or private ownership, and there was no way by which they could be placed under federal administration except to buy them back. And that couldn't be done except with the consent of the state. It couldn't be done except by the outlay of many, many millions of dollars. It couldn't be done without withdrawing from state taxation the lands that were thus acquired. So there were no forest reserves to speak of east of the Mississippi, except some little tag ends in northern Minnesota, Michigan, and Florida (only just three or four little remnants).

Clear back in 1875 the Academy for the Advancement of Science began to agitate the need for forest protection. In the middle seventies, the American Forestry Association was created. There





Kneipp: was increasing alarm in the East because of the rapidity with which the eastern timber was being cut. The whole agricultural development was based on the wooden type of construction--stores and residences and almost everything else--to fill in the prairies and cleared lands. The eastern supplies of timber were being depleted so rapidly that they were approaching the conditions that prevailed in Europe during the eighteenth and nineteenth centuries which led to the intensification of forest re-management in those countries at that time, a hundred or two hundred years before.

So a group met in Asheville in 1899 to urge that steps be taken to alleviate this threatened mass destruction of forest resources in the East. After thinking the matter over, there was some suggestion of a national park. But that was tabooed on the ground that a national park would withdraw all of the major timber resource from industrial utilization and economic use, and that consequently a forest reserve type of administration, which permitted economic use, was the probable one.

Then, from 1899 on, there were twelve years of prolonged controversy and debate, pro and con, as to the constitutionality of the purchase by the federal government of land in the East for national forest purposes. While that was going on, John W. Weeks, who was originally a member of the House of Representatives, developed an interest in the thing. New Hampshire joined with the southeastern states in a drive to get legislation. And in 1911 this legislation was enacted by Congress and was called the Weeks Law because John W. Weeks was the sponsor of the legislative program. Strangely enough, in later years all lands purchased under the Weeks Law had to be approved by a commission consisting of three cabinet members: the secretary of war, who was the out-ranking one, the secretaries of interior and agriculture; two members of the Senate and two of the House of Representatives. John W. Weeks had by that time become secretary of war, so he became the presiding officer of the Weeks Law for forest land-purchase program.

#### Surveying Land for Purchase

Mezirow: Did you have to supervise the examination and surveying of the land in that area under the Weeks Law?

Kneipp: Yes, in most of it. It started in 1912 or 1913. But when I was transferred back here in 1920, there had only been about 1,900,000 acres approved for purchase, and not very much of that had actually been purchased because they were feeling their way out, they were developing a procedure.





Mezirow: How did they decide what the land would be used for?

Kneipp: The Weeks Law provided that the only lands that could be purchased were forested lands on the headwaters of navigable streams where the U.S. Geological Survey found that the maintenance of the forest cover would stabilize the flow of the streams. And the reason for that was that the only constitutional thing they could hang it on was the commerce laws. At that time a great deal of the commerce was still being conducted by riverboats. So the limitations of the Weeks Law were that it [forest land purchased] must be on the upper headwaters of a navigable stream, and the U.S. Geological Survey, which was in the Interior, must find that the maintenance of its forest cover would favorably stabilize the flow of the stream.

Then, in 1925, Michigan and some of the other southern states not on the headwaters of streams began to suffer the same problem of what to do with their cut-over lands, which at that time wouldn't sell for much of anything at all. So they put on a drive to have a special committee investigate the extension of the Weeks Law to land other than those originally authorized. Senator Charles McNary of Oregon was the chairman of that committee. It had five or six quite illustrious members. After they made a whole season's study of the situation, they recommended the amendment of the Weeks Law to include the purchase of lands for the production of timber where it was found by the secretary of agriculture that that would be in the public interest and where the establishment of such purchase units was authorized by the National Forest Reservation Commission.

There was an awful lot of land and only a little bit of money. So it was a buyer's market. People who wanted national forests would urge the establishment of a unit and the Forest Service would then detail men who were qualified particularly in the forestry field to make an examination of the area as to its productivity, site quality, and practicality as a managed forest unit. They would make a study of the ownerships and the species of timber and the growth and yield potentials of the various species and submit what is called a purchase program. That would be submitted to the reservation commission [National Forest Reservation Commission] in a boiled-down, factual statement with maps showing ownerships; and they would then authorize its establishment as a purchase unit. After that the owners of land within the defined boundaries would then be advised that the government would consider the offers of their lands for sale under the Weeks Law. As I said, there was a great deal of land and not very much money. It was the buyer's choice.



## FOREST HOMESTEAD ACT OF 1906: DISPROPORTIONATE COST AND USE

Mezirow: Who classified the land as to whether it was agricultural or non-agricultural? Who did the survey?

Kneipp: You're talking about two different things. You're getting away from the Weeks Law now, and you're getting away from Region Four.

What happened in regard to that land classification came up in connection with the Forest Homestead Act of June 11, 1906. There had been a tremendous drive to open the forest reserves to homestead settlers. And the laws under which they were reserved did not authorize that. It was strongly opposed by the Forest Service, because the lands had very shallow soil mantels and they were at relatively high elevations where the frost-free period was of short duration and permitted only the production of the most hardy kinds of crops. And practically all of the water available for irrigation had already been appropriated by owners of lands further down the streams. The use of that water on the lands down the stream would produce three or four times as valuable a crop as its use on the mountain areas up in the national forest. But the attitude of Congress was so threatening that they practically told Gifford Pinchot that if he didn't agree to homestead settling in the national forests they'd abolish the national forests or cut them down so they wouldn't amount to anything. So, very much against his will, that is as a matter of saving what he could out of the wreckage, he and his legal advisors prepared this forest homestead bill of 1906.

Mezirow: Who authorized the Forest Homestead Act? Who drew it up?

Kneipp: The people who were threatening the abolition of the whole forest reserve system. They told G.P. what they wanted, what would be acceptable to them as a compromise, and he had no option except to draw up a bill of the kind they would accept or else see them get rid of the national forests--finally destroy the whole system.

I see in one of her letters, Mrs. Fry makes a reference here to about 2.5 million acres. I must have talked to her or she got it from somebody else.

Mezirow: She says when the classification was complete in 1919, there were about 2.5 million acres listed for entry.

Kneipp: The first thing we did was to start individual classifications where individual persons applied for the listing of certain tracts. That was rather a slow process, so Congress later imposed in an appropriation bill [Agricultural Appropriations Act of August 10,



Kneipp:

1912] a requirement that the secretary of agriculture should classify the whole national forest area and segregate out all of the lands which, in his judgment, were chiefly valuable for the production of agricultural crops. So that became a black and white classification of all the forest lands in the West. It didn't apply to the East because the Weeks Law conditions of purchase was a classification in itself. It only applied to the land withdrawn from the public domain.

As a result of that, there was quite a large core of men organized to classify these lands, and they classified about 2100 and some odd different tracts, including about 2.25 million acres of land. That was classified by writing separate letters to the secretary of the interior, with eight carbon copies, describing these lands sometimes by minor, theoretical, legal subdivisions where practical--otherwise by metes-and-bounds surveys which required very expensive engineering surveys.

In course of time, several hundred--maybe altogether not far from a thousand--of those [tracts] were recalled. Either people saw they were no good and they wouldn't enter them; or else, in some cases, there were as many as six successive entries and relinquishments before they finally threw in the sponge. (There are volumes in the South Building of [the Department of] Agriculture that are half the size of that table top there and about four inches thick, composed of great sheets of maps, four inches to the mile, and sheets of paper, about twenty by twenty-four inch sizes, with a map and type classifications of all this stuff. The total special appropriations that were made for the job itself were around \$800,000. But the great bulk of the work was by the people who carried on [under] what was then called the statutory rule--the general appropriations of the Forest Service. As nearly as I can approximate the whole thing probably cost about \$2.5 million.) In 1920, when a check was made to see what had happened to all these areas, it was found that only about 5 per cent of the listed acreage actually was being used for the purposes prescribed by the Forest Homestead Law.

We had one regional forester out in San Francisco at that time, Coert Du Bois, whose rule of thumb that he gave his men was, if a fellow wears a fifty jumper [?] and a six and three-quarters hat, list the land, because the damn fool won't know any better than to try to farm it. But if he wears a thirty-six jumper and a seven and five-eighths hat, refuse to list it because he'll never waste his time trying to do anything with it if it's listed. That was more or less an exaggeration--a case of hyperbole, but it illustrated the local thought on the subject.



STOCKRAISING HOMESTEAD LAW OF 1916: CRUEL TREATMENT OF NEW  
CATTLEMEN

Mezirow: What about stockraising?

Kneipp: That Stockraising Homestead Law was in 1916. That did not apply to the national forests. It applied only to the unreserved and unappropriated and designated parts of the public domain. What it did was a delusion and a snare in itself, to a large extent. That is, it permitted the homesteading of four sections, four square miles of land. That should be 640 acres in the section and this was four sections. The maximum would be 2560 acres.\* Now that the grazing land was practically vacant at that time, [it] would hardly ever support more than ten or a dozen head of cattle to the square mile. And of course, during the growing season the cattle had to be put somewhere else to give the grass a chance to grow so that there would be something for the cattle to feed on during the winter. A lot of the land, for example, in western Nevada, has only five inches of rain. A lot of the land in the upper headwaters of the Rio Grande will support only five head of cattle per section per year. So giving a man an isolated tract of land upon which, with good luck, he could graze twenty-five to thirty head of cattle, was the cruelest kind of treatment, except for where the existing ranches already had patented lands. Then their sons and their daughters, or their hired men, for that matter, could make grazing homestead entries adjoin their lands, and the lands thus acquired were added to what they already had. To that measure it did promote a better livestock agriculture, because it gave them grazing land that more realistically approached the requirements.

PROBLEMS OF PUBLIC DOMAIN

Mezirow: If you had any public lands under Interior jurisdiction which were adjacent or near your forest, did this cause dissension between the Forest Service and the livestock men because you had to be more conservative in allowing use of range land?

Kneipp: We had it in this way. After the Taylor grazing districts were set up, the stockmen were smart enough to play the Forest Service against the Taylor Grazing Service. If the Forest Service got to

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\*The Stockraising Homestead Act permitted not more than 640 acres per person.





Kneipp:

be what the stockmen thought was too exacting, they let it be known that if that kept on they would petition to have their area transferred over to the Taylor Grazing Service. And inversely, in the Taylor grazing districts, if the man who was in charge of that tried to make them behave themselves, and use the range properly, they would point out that there was just as much justification for that range to be in the national forest. If he persisted in being bullheaded, why they would just start a movement to have it transferred to national forest status. So that was a common practice, widely prevalent throughout different parts of the West. It came up time and time again: "If you'll go ahead with these fool ideas of yours, I'll just get out from under you and shift over."

Now, aside from that, there was a long battle between the Forest Service and the Interior Department about having additional parts of the public domain added to the national forest. In some cases there were actually enclaves within the forest boundaries. And in many places they were parts of the same national or geographic entity. The cattle grazed off and on, partly under forest permit and partly on either the public domain or under the Taylor grazing program.

The Forest Service admitted any number of proposals of that kind [additions to national forests] but they were invariably rejected--I reviewed it one time when Ray Lyman Wilbur was secretary of the interior. He was ex officio, a member of the National Forest Reservation Commission. At one meeting he said, "This is a very excellent program. The only critical comment I have to make is you are not doing more of it." Now before him for consideration, for a period of several months, there had been a report from the Forest Service recommending a number of minor additions to forest reserves [national forests] in Colorado which had been examined by a special agent of the Department of the Interior in cooperation with the forest officers. The special agent had agreed that they ought to be in the Forest. There were a dozen or twenty different cases, and in some instances he merely looked up at a big timbered slope full of giant pine timber and he'd say, "There's no use of us going up there. I can see right from here that's all forest land and it ought to be in the national forest." But after giving us that okay under the Weeks Law, Mr. Wilbur went back to his office and signed a letter completely rejecting the recommendations that the secretary of agriculture had made for these additions in Colorado. That was only one place; there were numerous other places all over the country. In many cases the stockmen who were using the land would just as soon have had it in the national forest because there was control in the national forest and they were better off.



Kneipp:

Former Governor Spry, after he ceased to be governor of Utah, was appointed commissioner of the General Land Office; and as I had been a resident and voter in Utah for five years, we knew each other very well. One day we were having a chat over the telephone, after he became commissioner. I asked him about action on the proposed transfer to the Forest Service. He said, "The trouble with you fellows is that you're always asking for some of our land but you never will give us any of your land." And that was the way these big questions of state were settled. They were all on important watersheds.

Some day every acre of that land is going to be vital to the future of this nation, not only in the matter of timber growing but in the minimization of the silt and sedimentation and the filling up of the reservoir sites, because when those natural reservoir sites become level with the ground, as many already have, unless scientists discover some way of transmuting silt and sediment into a gas or liquid that can flow out, the site won't be available to store water anymore. They can't literally haul out a million cubic yards of silt and sediment and put them somewhere else. If they do put them somewhere else, where will they put them so they won't flow into another reservoir?

#### RANGE OVERSTOCKING IN WORLD WAR I

Mezirow:

What happened during the war? Were there any patriotic clamors to stock the ranges more heavily so as to help win the war?

Kneipp:

Yes, there was. But not as much in Region Four as there was elsewhere, although there was some. But we discouraged it because we knew the ranges were already overstocked with the permanent permits which had been issued for years. But the property was carrying a third more livestock than they ought to carry because, you know, the forest plant is a vegetative organism. It's a product of the chemical elements of the soil, which through the sunlight are synthesized in the foliage of the plant with carbon dioxide. And that results in storing the roots of the plant as plant food and producing viable seeds that will mature and ripen and scatter out and reseed the adjoining lands. When the stock eat down so much of the crown of the plant that the exposed leaf surface is insufficient to supply the living plant with the health food to keep it alive or to produce viable seeds, why, it begins to die. It is succeeded by economically less desirable plants that require less soil and water. So we discouraged the overstocking of the lands, but we were up against all kinds of problems.



Kneipp:

For example, some of the big livestock financing concerns, like the Clay Robinson Company of Chicago, had agents out all over the country urging the livestock men to borrow more money to buy more stock. I made the trip up to Boise, Idaho, on the train one time with one of their agents, who was a very fine gentleman. That was his purpose: to go up there and persuade some of the sheepmen in central Idaho to invest more heavily in sheep, with the Clay Robinson Company largely financing them, getting the money out at interest.

One of the sheepmen in Boise at that time--a very fine gentleman named Jim Clinton [James E. Clinton]--got in up to his neck to such an extent that he hired one of my principal assistants away from me. Homer E. Fine had been in charge of the Office of Grazing for Region Four. Homer quit the Forest Service and joined Clinton in handling his livestock operations. Then, after World War I had finally petered out, the break came; and Homer told me that Clinton had him stationed in Idaho between Soda Springs and Cokeville. For thirteen days his orders were to receive a trainload of sheep at Soda Springs, unload them there, and put them in the charge of herders, and let the herders feed them down through Idaho until they could be disposed of. Thirteen trainloads in thirteen days on a range that was already more than fully occupied by the people whose ranches and homes were already using the same area to its utmost capacity. There was one big sheepman there who went up like a skyrocket and came down like a dead stick: he committed suicide. And Jim Clinton wound up finally over in California with two bands of sheep that he had tried to pay out on.

So the financial force and the greed of the stockmen themselves to try to capitalize did break down our resistance to some degree. But not fully, fortunately, because the ranges now are in bad shape as it is, in spite of all the subsequent reductions that have taken place. Had more sheep been put on them in 1917 and 1918 and 1919, they'd be just that much worse off now.

But in some of the other regions I think they were more patriotic. They just kind of took the lid off. The net result was pretty much the same: in a patriotic move, they risked the future of the nation in damaging the basic productive value of millions upon millions of acres of lands. And you don't wonder that the Colorado River, as it goes down the Grand Canyon, carries with it hundreds of thousands of tons of silt and sediment, month after month.\*

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\*At this point Mr. Kneipp told a story of the inconsistent thinking of a member of the Committee on Conservation and Administration of the Public Domain, in response to Kneipp's report on silting. The details are the same as those of the story when told in interview V, where the story adds more to the context.



Mezirow: Was there any effort by lumbermen to furnish more logs for the war effort?

Kneipp: Yes, but not in Region Four. Region Four was one of the least heavily timbered of all the regions. Its primary importance was the pasturage of domestic livestock and the protection of irrigation watersheds. When I was out there, that one region supported 40 percent of all the livestock permitted on national forest lands. The only timber resources of great volume were in central Idaho, just south of the Salmon River--around Boise and the Sawtooth Mountains and from there on north. Most of the saw timber, particularly over on the east side of Idaho, was a lodge-pole pine and minimum-growth area. The Wasatch range had some timber on it; but it was not, never had been, a very important lumber producer. So as far as that region was concerned, the war practically did nothing that wouldn't have happened anyway.

Mezirow: Was any military use made of forests in Region Four? During World War I?

Kneipp: No, not that I can recall. A great number of men from Region Four joined the Tenth Engineers, forest engineers who went overseas to supply lumber for the American troops. There were also the Twentieth Engineers. That withdrew quite a number of the experienced forest officers.

TRANSFERS OF LAND FROM FOREST SERVICE TO PARK SERVICE:  
YELLOWSTONE, GRAND CANYON, BRYCE CANYON, TIMPANOGOS CAVE

Mezirow: How about transfers of land from the Forest Service to the National Park Service while you were regional forester? Did this ever occur?

Kneipp: That was a constant practice. Horace Albright was the superintendent of the Yellowstone National Park. His big, romantic dream was to extend the Yellowstone clear down south to embrace all of Jackson Hole and down to the Hoback Canyon. The Hoback was one of the principal feeders of the east branch of the Snake River. That would have encompassed the entire Jackson Hole, as it is called, the Jackson valley area. He worked on that pretty insistently and finally got away with a lot. He induced Rockefeller to spend several billion [million] dollars and buy enough land in Jackson. And he finally persuaded Senator Kendrick [John B.] to agree to having the Teton Mountains put in a national park but with the strict stipulation that they would not be merged with Yellowstone; that they would be known separately as the







Kneipp: Titon National Park. Kendrick wasn't going to have his beloved Titons made the stepchild of Yellowstone.

Mezirow: What about the Grand Canyon?

Kneipp: The Grand Canyon there wasn't very much fuss about. The Forest Service had administered the south rim of the Grand Canyon from 1905 on. The old Bright Angel Hotel is there. And we had an old San Francisco newspaper reporter who manned the lookout tower right near Bright Angel Hotel, and spent most of his time helping Captain John Hance, the Canyon liar, keep the tourists entertained.

I rode horseback one time from Camp Verdy to Prescott with a man. Our horses just naturally pulled together as they went down the road. We got to talking. He told me his name was George Hance and he was from the old fort down in Verdy. He says, "I have one distinction. I have one brother who is a natural-born singles winner. (He has an odd shaped ankle, twisted out, so he kind of throws his foot around as he walks.) The other is the biggest liar in Arizona!"

Captain John Hance just gloried in that title. He was supplied with board and lodging and, I guess, paid a salary by the Bright Angel people to sit in the hotel lobby. The tourists would engage him in conversation, and he would spring some of his gags on them. He had the whole gang hanging around him after a while, hanging on his every word. For example, he was telling about how the Indians were chasing him wildly on horseback. They chased him to the edge of the Canyon. His horse was going so fast he couldn't stop, and the Indians were right behind him. So the horse leaped over the edge of the Canyon.

And everybody looked at him with astonishment and said, "How did you ever escape?" "Well," he said, "as we went down, we kept level and I figured that if I got off him just before we hit the ground, it wouldn't be any different from getting off him anywhere else. So that's what I did. The horse was all squashed to pieces, but it didn't hurt me a bit!" [Laughter] That was just characteristic of the kind of stories he told. So George was perfectly justified in claiming the family honor.

But actually the Park Service, you know, wasn't created [organized] until 1917. They weren't prepared to take the north side of the Grand Canyon over until 1920, so that during my last six months as district forester for Region Four, I also administered the north half of the Grand Canyon National Park. I was the one who arranged for the first camp to be established by the Wylie Camps, which was a tent camp that used to accommodate the visitors in the park. But nobody worried much about that. There



Kneipp:

was a fine stand of timber on the Cayopath (?) Mountains;\* but it was two hundred and some odd miles from the nearest station, so nobody thought it was going to be very important. Of course, now with trucks that's all [word unclear].

Then they took in Bryce Canyon, also. That was part of a national forest. And later they took in the Cedar Brakes, which was also part of a national forest. They wanted to take in Timpanogos Cave, which they did take in finally. It was made a national monument, under the administration of the Forest Service. Then Roosevelt transferred jurisdiction over the sixteen national monuments to the Park Service. So they took over Timpanogos Cave also, which is right back of Salt Lake City.

They played a dirty trick on us. When Roosevelt [Franklin D.] issued his order under his reorganization authority, he proposed to transfer the sixteen national monuments, although all but one of them had much longer been withdrawn under national forest law. The understanding was that if it [the transfer proposal] was not objected to by one house of Congress or the other within sixty days, it would then become final. So Bob Stuart [Robert Y.], who was then the chief of the Forest Service--and there were several of the national monuments that he thought were very important as parts of the national forests--suggested that I talk it over. So I went over [to the National Park Service] and had a conference with Arno Cammerer, who later was director of the Park Service. And they told us that they were not interested in any of the sixteen national monuments except three or four of the most outstanding. But as to the rest of them, they would not ask the President to make the transfer operative. So I went back and reported to Bob Stuart and he said, "Well, if that's the case we'll not make any issue of it at all. We'll just let it ride." So we sat by innocently and the sixty days expired. The first thing we knew, Roosevelt had transferred all sixteen of the national monuments to the Park Service.

So I went over to see Cammerer and Demaray. They explained that when they made that statement to me, they had not secured authority from Mr. Albright to make such an agreement. When they told Mr. Albright about it, he said that such an agreement would never receive his approval and that therefore the whole sixteen had to be transferred. So there may be honor among thieves but not all of us.

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\*Probably the Kaibab National Forest, which is on the north side of the Grand Canyon. There is a Kaibab Plateau.



REGIONAL FORESTERS IN EARLY YEARS: CLYDE LEAVITT, E. T. ALLEN,  
WILLIAM B. GREELEY, SMITH RILEY, FRITZ OLMSTEAD

Mezirow: I wonder if you could evaluate the current work and personalities of other regional foresters whom you knew at that time who became national leaders in the forestry movement later on.

Kneipp: There were only six districts at first, you know, in the West. The first group of district foresters were more or less the close associates of Gifford Pinchot and the coterie that centered around him. They knew all the ideology of the new forestry movement, but none of them was very clearly familiar with the western conditions: that is, with the operating conditions on the ground--actually moving logs, or actually herding cattle or sheep. In other words, they were the idea men, the doctrinaires. But they had this advantage, that they surrounded themselves with a number of men who in some specialized field did have a great deal more experience and knowledge than they had in that particular field. I think the secret of a lot of success of the Forest Service was that these district foresters, or most of them, gave those men more or less free rein, recognized that these men themselves had a superior knowledge and judgment, and didn't steamroller them, or flatten them out, or say, "This is the way it's going to be."

Now, there was one man in Region Four who actually had had no experience whatever in managing a forest reserve administration, Clyde Leavitt. But he did have a very thorough training in forestry. In the original setup, when the regions were established, I was assigned to be his associate, his district forester. In other words, they were going to connect the two of us together. He would supply the technical details and I would supply the horse sense. But before that happened, they decided to make me chief of grazing control in the Forester's office, so I never went out there--at that time.

But E. T. Allen, who was in charge of Region Six (Oregon and Washington), was a very fine character; and he became very prominent in the commercial logging world out there. He resigned from the Forest Service to go into commercial logging and was very highly esteemed by everybody.

Bill Greeley [William B.] had had a little experience in a minor position in a forest; he went to Missoula. He had not had an extensive experience, but he was one of the outstanding thinkers, which fact is proved by his ultimately becoming the district forester out in Missoula. Then, in 1912, he was brought to Washington as assistant forester in charge of all the timber sales and silviculture work of the Forest Service. And then in



Kneipp:

1927 he was hired by the West Coast Lumber Manufacturers at a salary far surpassing what the government was paying him, to be their director. Finally he wound up as one of the favorite children of the National Lumber Manufacturers Association. So he got along pretty well.

In Region Two, Smith Riley was one of the idealists. He had been an inspector when there were inspection districts, but he had never been a very active operator. He never got his hands dirty or anything of that kind--hadn't done any rolling logs or earmarking a calf. But, there again, as I say, he surrounded himself with a number of pretty capable men. And as long as they let him play with his hobbies, why, he let them run the business the way it ought to be run; and it was run pretty well.

Out in Region Five was Fritz Olmstead [Frederick E.]. He had been one of Gifford Pinchot's idea men and close associates. He was also a brother-in-law of Coert Du Bois, who succeeded him as district forester in that same region. It's pretty hard to say just where the talent lay. But Du Bois was a very aggressive, very active person. Quite dynamic, almost like the young Kennedy [President John F.], whereas Fritz Olmstead was a more suave and diplomatic individual and wasn't quite so headstrong. So that worked out all right.

So, all in all, the six districts got off to a pretty good start with the exception, I should say, of Clyde Leavitt's. He didn't stay very long. He was out there early in 1909; and he was succeeded in 1910 by E. A. Sherman, who had been an inspector up in Montana and Idaho, and who before that time had been a newspaper editor and reporter. [Earlier, he] had lived up the creek from Missoula about forty or fifty miles, way up in the Bitter-root Mountains. So he was a very down-to-earth person. He was very lovingly known as "Old Smoothie" because he had the--well, the best comparison I can think of to L.B.J. [President Lyndon Baines Johnson] at the present time is E. A. Sherman.

District Four was kind of wild at first. There were several young clerks in the outfit who didn't like the way things were being run. They were getting out of hand pretty much. But it only took Sherman about six months or so to get them all strung out and responding with a good line (?) every time he gave a signal. Everything was lovely.





## IMPRESSIONS OF HENRY S. GRAVES

Mezirow: Sounds very contemporary. How about Graves? Can you make any appraisal of Graves?

Kneipp: Oh, Graves was a very fine gentleman. He was a scholar, a student. He was the ideal of a scholar and gentleman. A very brilliant man. He resigned early. He was Pinchot's very close friend and intimate associate, so when Pinchot's father sponsored the Yale Forest School at Yale in 1901 or '02, Graves was selected to be the dean of the Forest School. And he retained that position until 1910 when Taft fired Pinchot. Then, Secretary James Wilson wanted Albert F. Potter to be made chief of the Forest Service--he had been in charge of all the grazing--but Taft wanted Graves. Potter had been out in the field; and when he came back he told Taft right away, "I haven't got anything like the qualifications that Mr. Graves has, either technically or in any other way, so I strongly urge you to appoint him," which didn't suit "Tama" Jim so much--Secretary Wilson was called Tama Jim. (He and another Wilson were both very active in Iowa politics, and they both had the same initials; so, to differentiate them, they named them after the counties in which they originated. The secretary of agriculture belonged to Tama County, so he was Tama Jim.) So the secretary was very much disappointed but he took his medicine like a real man, as he always did.

Graves was completely detached from the whole progressive development of the thing except as he got it indirectly through Pinchot and Overton W. Price. But one thing began to happen. After he had been in office two or three years, some of his first students began graduating and getting out on the forest, and forging ahead to higher and higher responsibilities. And as they did that, and as he communicated with them, and as they communicated with him, why, he became more and more fully imbued with the whole complicated situation. So that before he finally did resign, because he wanted to go back to the Yale Forest School that was his first love, and Greeley was then available to succeed him as chief of the Forest Service, Grave's administration generally was quite a happy one.

But I teased him [Graves] a great deal. Several of the very technically trained men in Region Four, who had had no practical experience whatever and hadn't even been born in the West, became envious because they were being passed over in filling vacancies for supervisors. There were thirty-one national forests in the region at that time. So, a committee waited on me one day and told me they were very much aggrieved. They felt I was discriminating against them because I was not a technically trained forester. They felt they had just grounds for complaint, so they challenged



Kneipp: me to appear before them at a meeting and justify my actions. That was right at the beginning of the war period and I [had] just filed a letter with the War Board from the secretary of agriculture that I was so necessary to the interest of the government that I must be excused from the draft, although I was married and had two small children dependent on me and probably wouldn't have been called anyway.

To get the thing off my mind and not have it interfering with a thousand other things that were racing through my head, I called in my secretary and dictated a rather blunt and brusque explanation of the reason these men weren't being appointed: their lack of knowledge of the local mores, procedures, and practices. So I went down and read it. Afterwards was pleasant enough: they didn't throw any bricks or call any names.

Shortly after that, one of Gifford Pinchot's immediate and close friends, Rafael Zon, came out to Ogden and bootlegged one of the copies of my dictated statement and took it back to Washington. It created quite a furor. Herbert A. Smith came out as a sort of minion from Graves to talk to me about it. I stood pat. Before he got through, he more or less agreed. But Graves resented it. However, in 1931 or 1932, there was a fellowship established for Graves and another man by the name of Gearen, I think, to make a study of the part of the technically-trained forest assistants, or junior forester, in national forest administration. They worked on it for two or three years. They got out a printed pamphlet of forty or fifty pages; and to a very amusing degree to me, they practically confirmed about half of the things that I said in that statement of 1917. In other words, when they got to studying the whole situation, making a wide sweep of the campus, they found that my reasons for not recommending these callow youths were valid after all. But he never held any resentment against me. Our relations were always very pleasant.

When he resigned and William B. Greeley took his place, "Old Smoothie" [E. A. Sherman] became associate chief, and then I was vaulted to take "Old Smoothie's" place as chief of the Branch of Lands.

Mezirow: You became "Old Smoothie," huh? [Laughter]

Kneipp: I don't know. We didn't operate quite the same. People used to hear my name and say, "I've heard a lot about you." I wondered what they'd heard, because I stepped on some toes quite often.



## INTERVIEW IV

3 December 1964

Interviewer-Edith Mezirow

O. AND C. LANDS: CONTROVERTED STATUS ROOTED IN DECISION  
FAVORING NORTHERN PACIFIC RAILROAD

Mezirow: When I talked to Mr. Granger this morning on the telephone, he wondered if you would discuss the Douglas bill.

Kneipp: That's the redwood bill. I discussed that. [Interview I] The other [topic] was the Northern Pacific situation, and the third was the Oregon and California land grants.

Well, the Northern Pacific [situation] would probably be the first one in order, because it was that that gave rise to the effect on the Forest Service of the problem of the Oregon-California revested lands. And that in turn preceded the sequoia bill. So I could pick them up in that order. I might remark that this is a long, rather complex discussion to which I haven't given any careful attention for the last seventeen years, and I'm not able to spend days checking my observations.

To start with the Northern Pacific: during the Civil War period, during the 1860s, there was an urgent desire to connect the Pacific coast with the settled part of the East in order to keep us from seceding from the Union or being occupied by any other nation. The solution was railroads. They started with the Southern Pacific Railroad along the South; and the intermediate route was the Union Pacific to Ogden, and the Central Pacific from Ogden to San Francisco; and then the third route that was desired was from Lake Superior westward to Puget Sound in Washington Territory--and that was called the Northern Pacific.

The basic inspiring interest was the matter of maintaining the integrity of the whole present continental United States, to obviate any possibility of division or secession or anything of that kind. So the Northern Pacific land grant was initiated by



Kneipp:

the act of July 2, 1864, and the statutory reference is 13 stat. 365. The basic purpose was [reading from a document] "to furnish, maintain, and enjoy continuous railroad and telegraph lines with the appurtenances [?], namely beginning on a point on Lake Superior in the state of Minnesota or Wisconsin; then westerly to some point on Puget Sound."

Now, the means that were employed at that time to encourage those transcontinental projects were land grants. The grant of the Northern Pacific was "every alternate section of public land not mineral, designated by odd numbers, to the amount of twenty alternate sections per mile on each side of said railroad line; and ten alternate sections of land per mile on each side of said railroad land wherever it passes through any state." That would make the basic grant forty miles wide on each side of the line of railroad construction, but consisting only of the odd-numbered sections. The even-numbered sections would remain in the public domain. It was provided that in the event that any of the odd-numbered sections within the basic grant had passed to some ownership out of the government, then in lieu thereof the railroad could go into a secondary grant extending ten miles from the initial grant and take up odd sections there. So, in other words, the whole scene of the grant was fifty miles on each side of the railroad.

The railroad was extended and the terms were met progressively, to a considerable degree. The railroad was constructed and, of course, served a highly useful purpose. But in the meantime, a great many national forests were established along the route of the [rail]road, all the way from Minnesota west to the territory of Washington. In course of time, the railroad asserted the fact that because of other appropriations of the odd-numbered sections within the original basic grant, they were unable to obtain the full measure of the grant except by taking the sections which had in the meantime been withdrawn for national forest purposes.

The Interior Department rejected that point of view and persisted in rejecting it for a great many years on the ground that the withdrawal of the lands for forest reserve purposes precluded their selection by the railroad company. Back of that there was a certain degree of reasoning, I think--in fact, I've been told repeatedly--that the claim [of the railroad] was not altogether valid; that the railroad could have satisfied the full measure of the grant within the original basic limits if it had proceeded promptly to exercise the authority of the grant. But at that time, the population was small, land was a drug on the market, the demand for it was relatively low. The even-numbered sections were still parts of the public domain that could be acquired very





Kneipp:

readily by compliance with the Homestead Law after the act of '62. And the railroad would have had to pay a part of the cost of the township and section surveys necessary to define the rights. So they stalled. They kept on stalling, not wishing to tie up large investments in survey contributions, and not wishing to be subject to taxes on all these lands [for] which they could not then foresee a ready market. That was one of the conditions, I think, which led the Interior Department repeatedly to reject applications [from the Northern Pacific railroad] to select lands within the basic grant, inside of the national forests.

So in the late 1917s or 1918s, the railroad appealed to judicial action, and carried their case to the Supreme Court of the United States. In 1921 the Supreme Court held in favor of the railroad, on the grounds that when the United States had entered into a formal commitment to meet certain conditions, it could not then inhibit itself from carrying out that condition by some act subsequent, such as a withdrawal for another purpose. That completely reversed the position of the Department of the Interior prior to that date. And the railroad established considerably enlarged ownership inside of the national forests. Speaking offhand, I think the total measure of the grant was something over fourteen million acres and the part that they had within national forest boundaries altogether amounted to two or three million acres. I'm not sure, but it was quite a substantial amount. There were whole townships where the railroad owned every other section--every odd-numbered section.

So that completely reversed the previously long-standing position with regard to the subservience of railroad grants to other later dedication of public lands to other purposes. Now, there can be all kinds of debate about that. Because the railroad was built, the railroad began to serve and has since continued to serve vital public purposes. There were all kinds of shenanigans in connection with the operation of the thing. The earlier railroad promoters weren't what Kipling called plaster-of-Paris saints, by any means. Or, in fact you might say they were plaster-of-Paris saints, because their appearance was much more saintly than their reality.

But nevertheless, there was no feeling on the part of the Forest Service that the decision was wrong. Its one point was: why didn't the railroad exercise the full measure of its grant while it could obtain the full measure, without taking lands that were valuable for forest purposes? And the railroad's comeback was, although they didn't admit it in frank words, "We didn't want to take it right away because we would have had to make large outlays for surveys and we would have had to pay taxes on land that we couldn't sell for Lord knows how long." So that started a new premise.



Kneipp: That actually covers basically the Northern Pacific situation, and it was the beginning of the O&C [Oregon and California] situation. So we'll revert now to the O&C situation.

The O&C situation was designed to promote a railroad from the Columbia River to the north boundary of California, to connect there with the Central Pacific, [which ran] from the north boundary of California to the city of San Francisco, and [thus] to give a railroad line from the Columbia River to San Francisco Bay. Now, it started originally as two separate routes, and there was quite a complicated status there for a while; but finally the two of them were merged together. There was quite a little procrastination in completing the details; but the road was finally built, and it is now a part of the Southern Pacific system, from San Francisco to Portland, and has been for forty years or more.\*

The O&C railroad is covered by the act of July 25, 1866, and the statutory reference is 14 stat. 239. The terms of the grant were "every alternate section of public land, not mineral, designated by odd numbers to the amount of twenty alternate sections per mile, on each side of said railroad line; and when any of said alternate sections or parts of sections shall be found to have been granted, sold, reserved, occupied by homestead settlers, preempted or otherwise disposed of, other lands designated as aforesaid shall be selected by said companies in lieu thereof."

But, the law continues further, "and the sections and parts of sections of lands which shall remain in the United States, within the limits of the aforesaid grant, shall not be sold for less than double the minimum price of public lands when sold." Now, at the time of the act, the price of the public lands was \$1.25 per acre. So that stipulation raised the price of the public lands to \$2.50 per acre. And the law continues, "provided that bona fide and actual settlers under the preemption laws of the United States may, after due proof of settlement, improvement, and occupation as now provided by law, purchase the same at the price fixed for said land at the date of such settlement, improvement, and occupation; and provided also that settlers under the provisions of the Homestead Act who comply with the terms and requirements of said act shall be entitled within the limits of said grant to [word unclear] for an amount not exceeding eighty acres of the land so reserved by the United States, anything in this act to the contrary notwithstanding." In other words, the law stipulated that after the railroad got the land, it was bound by the terms of this grant to sell not more than eighty acres to a bona fide settler at \$2.50 per acre.

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\*The O&C railroad became part of the Central Pacific and this, in turn, became part of the Southern Pacific.



Kneipp:

Time went on, and after a while the land which, when the grant was made, was practically worthless on account of the huge volume of heavily timbered lands throughout that part of Oregon, and the fine agricultural farmlands down in the Willamette Valley and all the other valleys in Oregon, became highly valuable on account of timber. Lots of it supported stands of Douglas fir, some running as high as forty or fifty thousand board feet per acre. Some of it worth as much as \$2 per thousand board feet, or in other words, a value of \$80 to \$100 per acre for the timber alone. And immediately there was a flock of alleged bona fide settlers beginning to clamor for the railroad to sell them eighty acres of that land for \$2.50 per acre, which would be \$200 for land which possibly might be worth several thousand dollars on account of the timber value on it. So the railroad declined to sell. They were quite obdurate about it.

So there was organized in the state of Oregon a terrific coalition of forces to have the land grant broached and annulled because of the failure of the railroads to observe that requirement of the law. However, nothing occurred until, by the act of 1916, the land grant was annulled. All of the lands which the railroads had not previously disposed of were sold. That act of annulment was dated June 9, 1916, and the statutory citation is 39 stat. 218. That provided that, as to the full measure of the grant other than that which the railroad had sold to some third parties, the railroad would be paid \$2.50 per acre, which was the amount under the grant it was obligated to sell the land for, but at which price it had refused to sell. So the grant was entirely wiped out, and the remaining undisposed lands were revested in the ownership of the United States.

Meantime, 472,000 acres of the revested lands had been included in the boundaries of national forests--some of them by act of Congress and the rest of them by executive order. And they were treated as national forest lands. There was no disposition to act [otherwise] until after the Northern Pacific case was settled by the Supreme Court [1921]. Then the coalition in Oregon brought up a novel idea. That was, that the cancellation of the grant by the act of June 9, 1916, was entirely illegal, according to the Supreme Court. And, while the restoration of the lands to the O&C railroads could not be made, the sixteen counties\* in which the O&C revested lands were situated were the logical and legal beneficiaries of the terms of the grant, and were entitled to succeed to all of the rights of the O&C railroad in relation to the undisposed-of lands.

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\*Although Mr. Kneipp mentions eighteen counties in other statements, a chart drawn up by Chief Lyle Watts on April 24, 1952,





Kneipp: In one of those things I showed you yesterday there is a statement by a J. P. Lafferty who, in 1951, asserted that the value of the revested lands was \$2 billion, and that the income that the counties were getting from it was \$10 million a year. He was urging that the law be revised so that, instead of the money going all to what he called the eighteen counties (my mind recalls sixteen counties), it should be distributed widely throughout all the counties in Oregon. In other words, if the counties are going to be the beneficiaries, they should not be the particular counties where the land is situated, but they should be all of the counties which had to bear the governmental costs of state operation.

Kneipp's Struggle for Vestment as National Forest Land

Mezirow: Presently these lands are still national forests?

Kneipp: Well, they had been all those years. In Oregon they have a county judge system in which the county judge is the official head of the county. He has legal powers greater than the county commissioners, or supplementary to the county commissioners. And, in one of the counties, there was a county judge [Guy Cordon] who was a lawyer in one of the little towns. It was a county that contained a large acreage of controverted lands. In his position as county judge, he took a very active part in the whole thing. He headed

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entitled "Allocation to O&C Counties From 25% Payment of Forest Reserve Fund Receipts, State of Oregon, Fiscal Years 1917-1951," lists sixteen counties. They are: Benton, Clackamas, Coos, Curry, Douglas, Jackson, Josephine, Klamath, Lane, Lincoln, Linn, Marion, Multnomah, Polk, Tillamook, Yamhill. Chart filed with Kneipp papers at The Bancroft Library.

This discrepancy seems accounted for in a statement made by L. Kneipp, "The Basic Facts Relating to Bill S 2225" (introduced June 26, 1953, and reintroduced with amendments May 11, 1954): "The paramount purpose of the bill S2225 is to endow or vest eighteen counties in western Oregon with a permanent statutory right to or equity in three-fourths of all gross revenues hereafter derived from said lands. Under now prevailing laws, sixteen of these counties would receive one-fourth of such revenues. Passage of S2225 therefore would reduce future income to the United States Treasury by \$75 million or more."





Kneipp:

up the drive which continued year after year, from the middle twenties up until the middle forties. And a number of bills were introduced in Congress, some of which gave the counties an increasing share of the gross receipts from the land but did not give them the entire right.

Senator McNary was rather neutral in regard to the thing. He could not oppose the bills that were introduced to transfer the O&C equities to the counties, but neither did he strongly support them. He appeared before the congressional committees at different times and made factual statements, but he did not throw his weight around asserting that the rights should be vested in the counties as against the United States. When he died in 1944, who should be appointed to his position but the county judge--as Senator of the United States!

Cordon and I were antagonists to each other, although we were on very friendly terms. I remember going over to McNary's office one time to see him about something else, and this man [Guy Cordon] came in. We used to swap smoking tobacco. I smoked one brand and he smoked another; and he'd fill his pipe out of my pouch, and I'd fill mine out of his. So I remarked, "We lobbyists do get around, don't we?" He smiled; we were always very friendly. Later on when he was appointed Senator and was put on the Committee on Interior and Insular Affairs, I expressed my regret because, I said, "Now I won't be able to get even with you." And he looked at me with an expression of complete and absolute surprise. He said, "What? Get even with me?" [Laughter]

But anyhow, in 1946 it was brought up again and Interior was in favor of it [transfer to the eighteen counties of 75 percent equity in controverted O&C lands which were within national forests], supporting the position all the time. Agriculture was opposing it. There were reams and reams of testimony taken.\* Anyway, it was referred by agreement between the Department of the Interior and the Department of Agriculture to the appellate court here in the District [of Columbia]. The appellate court reached a unanimous and unopposed decision that the title be vested in the counties.

That meant that the Eisenhower administration was trying to assure the re-election of Guy Cordon. It was an agreed verdict. I think the two departments had got together and agreed to it, to accept that verdict.

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\*A statement by L. F. Kneipp, May 8, 1946, on HR 6662 is with the papers relating to the O&C lands deposited in The Bancroft Library. See listing of other papers in appendix.



Forest Service's Reconciliation to Loss

Mezirow: Did that mean that the wealth from this land would be divided among all the counties?

Kneipp: No! The interest would be vested entirely in the sixteen or eighteen counties which the re-vested lands were in. The land was actually worth at least a billion dollars. I have said several times at hearings that if those bills passed, the citizens in those counties wouldn't have to pay any taxes, they'd be getting a dividend every year from the returns from the O&C land.  
[Laughter]

There was this thing about it, however, that the counties, realizing the changes taking place in the timber economy of the nation and the way we're rapidly approaching scarcity that is going to mean exceptionally high prices, have been very generous in allowing a large part of the receipts to be used for betterment purposes: for recreation development, for better fire protection, and for better road construction. So actually, the members of the Forest Service, Chris Granger especially, years ago became quite reconciled to it.

But there is one funny thing. I had always appeared for years as the representative of the Department of Agriculture at the hearings of Congress, and one set of hearings was held just before I retired, either 1945 or 1946. I was on a trip in the West and couldn't be present, so Chris Granger substituted for me and appeared before the House committee and testified along the same lines that I had previously testified. Arrangements were made that he should appear before the Senate committee the ensuing week. Just the morning of the day that he was to appear, there was a telephone call from the White House directing him not to appear before the committee and not to offer any testimony in regards to the bill.\*

Later, when I mentioned that to Chris, he laughed and said, "I'd forgotten that!" So the iniquity of it didn't impress him too greatly. And actually, I think he honestly feels now that the way the thing turned out, the people are just as well off--the nation generally--as far as the care of the forest property is concerned, as they would have been if the decision had been the other way, except that the enormous returns from that timber are being confined to eighteen small counties instead of extending to the whole nation's income.

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\*When L. Kneipp told this story to Mrs. Fry he said that the event was "before Eisenhower. It might have been under Truman." This would accord with the 1945 or 1946 date given by Kneipp for the incident.



Mezirow: Or at least the whole state's.

Kneipp: At least the whole state's. When Guy Cordon became Senator, he was assigned to the Committee on Interior and Insular Affairs. He was then appointed chairman of the subcommittee to handle the O&C and other related bills. So he had the whole thing in the palm of his hand. He was the one who decided whose testimony would be heard and who would handle the parliamentary procedure in the Senate. So I think, although I couldn't prove it--this is merely a surmise on my part--he probably is enjoying a comfortable remuneration for his long, extended efforts. And according to my oldest son, when a man sticks his neck out, takes a gamble, and wins, he's entitled to the proper share of the loot. [Laughter] So, I haven't ever called on Guy since this thing was quit--in fact he is no longer a Senator now. He was defeated in the next election, when he ran for re-election, in spite of the Eisenhower efforts to re-elect him. Senator Wayne Morse is the one who took his place.

As a matter of fact, in other parts of the state of Oregon than the eighteen counties, there might have been a feeling that he was engaged in some sharp and misrepresentative practice. That might have helped obstruct his re-election. If I remember correctly, I think Senator Morse had made some offhand comments that indicated that he took no particular pride in the way the thing worked out. I don't assert that as a fact, but that is my recollection. Anyway, that's the O&C case. The infinite details are all, of course, skipped--not in there at all. There were very extensive records of the whole thing. I gave a lot to Mrs. Fry--written out on big sheets of paper after I retired. For this purpose I think I have given you enough.

#### HELEN GAHAGAN DOUGLAS BILL: HISTORICAL BACKGROUND OF DEFEAT

The next item, then, would be the Helen Gahagan Douglas bill. That relates to the sequoias of Northern California. There are two species of sequoia. Sequoia gigantea occurs in the mountainous part of the center of California--near the Yosemite National Park and that general vicinity. They're the trees of the greatest diameter. The other species is the Sequoia sempervirens, which attains a greater height--sometimes as much as 320 or 330 feet, but not quite so large a diameter as the mountain type, the gigantea. And that [Sequoia sempervirens] occupies a coastal strip in Northern California, extending north from around Mount Tamalpais. Some of the sequoias are there. A park there was donated by Congressman William Kent, who was representative



Kneipp: of California for a great many years. The species extends from there clear into the edge of Oregon, or did. And on account of the very nature of the trees--their enormous size--logging was always very destructive; but it [the logging] was very extensive because the tree has a wide range of values. It's rather toxic to insects and fungi; it splits readily; and it makes grape stakes that California wine [grapes] can be grown out of and one thing or another. It was being cut rather rapidly and with no adequate provision whatever for its replacement. So along in the thirties there was a movement on the part of the Forest Service to at least get a small part of the sequoia stands in Klamath County\* as a base for forest research.

Mezirow: Who began the first consideration of this? Dewey Anderson?

Kneipp: It was a junior forester named Person, if I remember.\*\* He was a specialist there, and he was assigned to that section and did some good work. He had spent a year or two in making studies of the logging conditions in the northern sequoias and had reached a number of conclusions as to the severity of the utilization and the improbability of an adequate replacement under the common private commercial practice. [He concluded] that only by systematic, scientific forestry could there be any hope of regenerating the equivalent of the original stand.

Of course there had been a long-established movement which in recent years had been headed up by Newton Drury. He was at one time head of the Save-the-Redwoods League. Then he became chief of the National Park Service for a number of years. Then he was replaced and went back to California but is still very active in the Save-the-Redwoods League management. They had purchased a number of the key tracts, soliciting funds from all over the country, and had done quite a little work. They had acquired several very inspiring and beautiful tracts. But they were purely for inspirational purposes. There wouldn't be any systematic logging or any initiation of any intensive type of forestry.

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\*Klamath County is in southern Oregon. Probably Mr. Kneipp is referring to an area along the Klamath River in Northern California. The Klamath National Forest, however, has acquired lands both in Oregon and California.

\*\*This name is rather unclear on the tape. However, it may be Person, and there is an H. L. Person listed in the U.S.F.S. Directory for November, 1936, as dealing with redwood research at the California Forest and Range Experiment Station.





Kneipp:

But on the basis of Person's studies, the regional office-- and Bevier Show was regional forester at that time (he was a brother-in-law of Ed Kotok, who referred Mrs. Fry to me)--began urging the acquisition, by the United States under the Weeks Law, of an adequate area of the sequoia type. But the Washington office wasn't too enthusiastic about that because the amount of money available under the Weeks Law was not very large and the need for it in the eastern states greatly exceeded its possibilities. So it seemed to be against the public interest to rob the Weeks Law territory of a part of its limited income in order to invest in the heavily timbered areas in California. But the germ [of the idea] was going on there.

Then all of a sudden there came into the picture a very unusual character by the name of Colonel Ed Fletcher, who was one of the old-time pioneers of San Diego, California. (He had an autobiography printed at his own expense and honored me with a copy of it--I think my number was 1612; and I sent it out to the Arizona Settlers Historical Association.) Colonel Ed Fletcher just simply wouldn't take no for an answer. He came to Washington and persisted. He was a very congenial and likable person--one of the old pioneers of the early days; but he was a regular Winston Churchill in refusing to recognize defeat or resistance. And about that time\* was when President F. D. Roosevelt allotted the Forest Service a large amount of money which had been appropriated for the Works Progress Administration. Altogether he made available out of those appropriations something over \$40 million, on the theory that the Forest Service's acquiring lands in need of rejuvenation was contributing in as effective a way to Works Progress as the money would if used any other way, in furnishing employment and stimulating industry.

So when that money became available, Colonel Ed Fletcher was right here in the Washington office on the job, and we set up two purchase units. He represented the Ward interests.\*\* The Wards were a moneyed family in the East here that had invested heavily in the sequoia timber land in Northern California--so heavily, in fact, that they were faced with the difficulty or impossibility of escaping the tax collectors. And Colonel Fletcher said that in view of that fact, because of their urgent need for some means of paying past taxes, they would sell the land to the government at a price that no other owner of similar land would even consider, which was true.

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\*According to Dana, "Large sums were made available for forestry and other conservation activities through the Federal Emergency Relief Act (1933), the National Industrial Recovery Act (1933) and the Works Relief Act (1935)."

\*\*When Mr. Kneipp spoke of this incident in interview I, he spoke of the land owners involved as the Mays.



Kneipp:

So, on that basis there were two purchase areas set up under the Weeks Law. One was the northern redwood area in Klamath County and the other was the southern redwood area in the other counties south of Klamath County. However, nothing ever was done in that second area. But in the northern redwood area, there finally were options and a total of 14,491 acres of virgin sequoia land--a very excellent example of the sequoia type--was acquired and paid for and vested in the United States. And, in a way, the measure was self-defeating, because as soon as the Wards got the thirty dollars and some odd cents an acre out of that amount of land, something around \$300,000 or \$400,000, they immediately liquidated all of their delinquent taxes and escaped any further possibility of tax reversion; the market, or price, for redwood had gone up very greatly, and they were no longer disposed to make a sacrifice sale such as they did in the case of the first fifteen thousand acres. So that was the way things stood.

The area was used for research purposes--Person stayed there for a long while, continued growth and yield studies, and later was succeeded by other technicians. No purchases were ever made in the southern redwood area. When the two units were first established, the southern one had an area of 500,000 acres and the northern one had an area of 300,000 acres. But just before the activities [government purchase of redwood land] terminated, the northern area had been reduced to 88,000 acres [which was] the maximum that the government would consider.

At that point there came into the picture a fellow that you ought to get acquainted with. He's a very interesting character. His name is Anthony Wayne Smith, and he is now the president of the National Parks Association, with offices here in Washington. But at the time [of the interest in the purchase of sequoia land], he was one of the inner circle of the CIO--before the CIO merged with the American Federation of Labor. And he became greatly interested in the redwoods situation. He'd gone out there on a trip, and they were trying to organize woods operators. He traversed this area and was horrified at the apparent destruction of what had been one of the manifestations of Nature's efforts. So he started a movement, with the backing of the CIO, to have a national forest established by an act of Congress. At his request, I drafted a bill for him--a quite extensive bill that covered, I think, an area of about three-quarters of a million acres--within which the United States would purchase forest lands as the means of maintaining and preserving a sequoia forest. There had been other bills drafted, but they were not satisfactory; so he [Tony Smith] asked me to draft a bill, and I did so and just sent it over to him. We [the Forest Service] did not sponsor the bill or further it or anything of that kind. In fact the bill interfered with what we had in mind as a moderate-sized, giant-sequoia forest of an experimental character.



Kneipp:

Now that was in Congressional District Number One. I don't think that the representative from that district [Clarence F. Lea] at that time is any longer in Congress. But he himself was lukewarm about it because he knew that, if the government took it over, there wouldn't be complete utilization of all the timber resources and a continued employment role of anything like the proportions that had prevailed, but that there would be a more gradual utilization on a sustained yield basis. Of course, on a sustained yield basis you can't cut all your timber off at once; you can only cut an amount or part of that which is being reproduced on the other part of the same holding. So this particular man in Congress wasn't too keen about it himself; on the other hand, he wouldn't interpose any objection. Apparently he didn't want to offend Tony Smith or the CIO because labor was a very important element in his small congressional career.

He interposed no objection to Smith's inducing some other member of the House of Representatives to introduce the bill, and the one that Smith won over to his side was Mrs. Helen Gahagan Douglas. So she introduced the bill which would have created a national forest of somewhere within a half and three-quarters of a million acres in the sequoia belt; but practically the whole belt rose up in united opposition, and the bill didn't get anywhere.

A funny thing: The man who was to succeed me [Howard Hopkins] and I were in Eureka, California--we were looking at the area and I was telling him all about it and familiarizing him with it, so that if it ever came up again he'd know something about it. Senator Knowland [William F.]--he was running for the Senate for the first time--was in the same hotel we were in, and we spent the evening watching him roam around, button-holing different people and holding conferences with them. From what we could hear or infer, his reaction was that it would be poison for a man who was running--trying to get the vote of that country--to advocate anything of that sort, so he didn't.\* And in the meantime, of course, logging had continued progressively and prices of the stumpage went up progressively, and the Forest Service ceased to receive any more money from the Works Progress Administration and the whole thing just died; so we have there right now 14,491 acres. I remember because I looked it up last night.\*\* That's all that

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\*Kneipp was succeeded by Hopkins in 1946, the same year William Knowland first ran for the U.S. Senate after being appointed to that position in 1945.

\*\*The figure Kneipp gives is not clear on the tape. However, an area of 14,491 acres of northern redwood in the Klamath watershed





Kneipp: exists today of that agreement that took place along in the middle thirties somewhere.

It's too bad that it happened. In the meantime the Save-the-Redwood League is still working, and I think the state of California has done a little more itself or in cooperation with the Save-the-Redwoods League; and it may not be a total loss.\*

One theory was that one way to propagate the sequoia is the same that was found successful in the Douglas fir belt. That is, cut patches of this stuff at one time, leaving heavy stands of seed-bearing trees around it. Then it is subjected to a good, clear burn which will burn off all the inflammable material and get rid of it so that it won't burn again and kill any reproduction that may occur in the interim, and also it makes a good seed bed.

So nobody knows for certain, at least I don't--maybe they do out there--whether the cuttings that have taken place in the past are now actually repropagating or not, or whether they're coming up to sequoias or coming up to inferior species, like Douglas fir or some of the other firs or other species of less value. But I'll never forget the persistence and tenacity with which Colonel Ed Fletcher fought--it's an illustration of what one man can do if he just sticks his jaw out and persists in doing it. He never did anything wrong or mean, he never misrepresented, he never tried to bribe, he never invited us out to dinner or sent us any cases of whiskey or anything of that sort. In fact, all he did was advance arguments.

Mezirow: Is he still around?

Kneipp: Oh no, he's dead now. He died, I guess not so very long ago, about five years ago maybe, five or ten years--in the past five or six years. And that autobiography of his is really worth reading. It deals with the growth of San Diego from the time that it was a little bit of an Army post and all the wheeling and dealing it would require to make a city out of it.

Mezirow: Do you have it?

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is listed as purchase approved and accepted in A Report of the National Forest Reservation Commission for the Fiscal Year Ended June 30, 1963 (Senate Document No. 48).

\*See also the interview by Ed Craft in this series. In addition, a memoir of Congresswoman Helen G. Douglas is in process.





- Kneipp: No, I sent it on to Tucson, because Tucson has always had a deep interest in Yuma, and the San Diego country [?]---the Salton Sea and what's that big valley up there?--the Salton valley [Imperial Valley]. So the book would probably be of as much interest to an old-time Arizonian as it would be to anybody else. They were very glad to get it because it was a very limited edition, and each one was numbered separately.
- Mezirow: Well, I guess that just about covers the Douglas bill.
- Kneipp: Yes, I think that's just about all there is to it. Now, Mrs. Douglas was defeated [in 1950] by Nixon [Richard M.], and just how much her advocacy of this bill contributed to her defeat I don't know.
- Mezirow: There were so many factors involved in that election that it would be difficult to say.
- Kneipp: Well, that's true, but still, there could have been a festering sore up there in that row of counties in northwestern California, [so that the voters] could have reacted quite appreciably against her. I don't think she had any ulterior purpose. Frankly, I think she wanted to have the support and good will of the CIO, because labor was a pretty important factor down in Los Angeles [her district].
- Mezirow: And they were really backing her. She really had the support of labor in that election, I remember.
- Kneipp: Tony Smith had this first experience, and since that time--he got blooded in that--he has taken an increasingly active part, especially in the national park end of it; but his affiliation with the national parks I don't think has ever caused any rancor on his part against the Forest Service. But I know he's very friendly. I think probably that he is a keen observer, a keen analyst. If there is any desire to define the focus of conflict between the Park Service and the Forest Service, then he's the person whose testimony I'd rather see put on the record than a great many others.



## INTERVIEW V

23 March 1965

Interviewer-Edith Mezirow

BASIC PROBLEMS OF FOREST SERVICE: PRESSURE TO GET LAND ON TAX ROLLS; DEPLETION OF INFERIOR LAND; FREEDOM OF ACTION

Kneipp:

The outline that I have seems not to be basic at all--it'll give us only a few scattered incidents and episodes. What really ought to be done, if they [oral historians] are going to do anything at all, is to go into the basic problem of the forest situation in the United States. I'd rather start it that way and then evolve it. Mrs. Fry asked me personally what I did about this or what I did about that. Actually it was the whole organization. I was in charge of one of the five major divisions of the organization. Everything passed through me and received my approval, and to a large extent originated with me, but I could hardly say that it was my personal accomplishment. It was the fruits of many consultations, and some modifications of original drafts, and things of that kind.

I think, to begin with, a picture of the Forest Service as an organization would clarify the atmosphere. And after I define my one-fifth part in the organization, then let us assume that I simply functioned as the head of that particular unit. It was not I, personally, who did the thing, but it was done at my suggestion, direction, or approval.

Mezirow:

Or your influence too.

Kneipp:

Or my influence, or something of that sort. So if you want to start on that basis, we can do that.

It goes even further back than that, as a basic weakness in the whole national point of view, the whole economy. There was an article in the [Saturday Evening] Post last year about a group of goats on an island called Capri. They were gradually eating themselves out of existence because they were so depleting the organic cover of the island that erosion was vastly accelerated.



Kneipp: The loosened soil particles were being washed away by wind and rain to an extent where the island eventually was sinking beneath the waters of the ocean. To some degree, the analogy is applicable to the United States.

The basic approach always has been this attitude of free thinkers and freedom of action; any activity or enterprise of any kind that returned a revenue in excess of its cost of operation was ipso facto a field for private management. And if the reverse were true, if the proper requirement was it involved an expenditure in excess of the monetary return, then it ipso facto was a procedure for public action. That has been the whole attitude, and it is today what we call free thinking, but years ago they used to call it laissez faire. It also means to "get what you can while the gettin' is good and to hell with the other fellow." That attitude prevails even more so now than it did then.

Therefore, we have a basic attitude of mind on the part of the American people which creates an obstacle to any course of action that might be dictated by logic and reason, or by consideration for the welfare of future generations. That is one of the big difficulties that attended the whole work of the Forest Service. Even as august an institution as the United States Chamber of Commerce has been a consistent howler that the lands should be put on the tax rolls; whereas experience has demonstrated in thousands of places that the taxes derived from lands passed to private ownership have been far less than the public cost of maintaining that land in private ownership through road construction, police action, schools, medical services, and the thousand and one other things. For example, in Minnesota one time, one of the members of the county council was telling me, they found they had two isolated farmers with families each of which had sufficient number to require schooling for the children, and it was costing the county about \$2,400 per year to provide teachers, and to plow the roads during the wintertime, and to do the other things. One councilman woke up and said, "I wonder what it would cost to buy those two so-and-so's out?" He was delegated to find out, and found out that the two men would sell out for \$2,400. They made a contract whereby they bound themselves not to go back and relocate in the same township, and the county saved \$2,400 a year. It was in absolute defiance of the Chamber of Commerce idea that everything must be on the tax roll, and that is prevalent throughout the entire country.

In relation to forests now, foresters site forest lands on the basis of productivity in site classes. The first site class is that which is most favorable to the rapid growth of the best species of timber. The second is subordinate to the first, and the third is subordinate to the second, and the fourth is



Kneipp:

subordinate to the third. Between those site classes, in productivity, in volume of production, in period of economic and silviculture maturity, and in quality of the species, there are gaps of from 10 percent to perhaps 25 percent between one class and the other. Yet the idea is that any land bearing timber is like money in the bank and ought to be put on the tax roll right away. That is the general attitude in the United States. The result is what the land economist calls a "wasting resource." That is, a return can be derived from it only by periodically diminishing its capability of making a return at all, until finally it becomes absolutely worthless. It is incapable of making any return whatever and there is loss, or perhaps it becomes a relief project to be restored to productivity at the cost of \$1,000 or \$1,500 an acre or something of that kind. That is going on all the time.

As a matter of fact, the last census showed that out of 33,070 counties there are 709 counties that have lost population because of their reduced production and their inability to give the younger generation the types of livelihood and opportunity that are reported by other more populous centers of the country, so the younger generation are just moving out. If Pa wants to be content with raising a few bushels of wheat per acre, well then, let him, but not for them. They are going out where they can make \$15,000 or \$20,000 a year; or at least make something over \$6,700 a year, which is now the median limit [?]. All those processes are going on all the time, and everyone is blindly shutting their eyes to them. They are all negative to a continuation of the resources. Now this is only partially true; this is not true of the entire country but only part. However, if those parts for which it is true were segregated and were dedicated to types of use such as pasture lands or such as inferior types of forest production, their productivity could be conserved and there would be no ultimate impairment of the basic capability to produce.

Now, the Forest Service got into that at the start and had all of this to face, basically--this right of freedom of action. I've often confronted them [Forest Service colleagues] and said, "[Suppose] a man went into the barber at a barbershop and said to the barber, 'What do you think? The government is trying to tell me how to cut the timber on that section of land of mine up on the city watershed. If you owned that section of land, would you want the government to tell you how to cut that timber?' Now there is one chance in ten thousand that the barber would ever own a section of such land. But his instant reply would be, 'Hell no, I wouldn't want it at all! I am against it.'" The Forest Service has had to compete throughout all of its history, which is now sixty years, with these basic conditions which are formless and faceless but almost predominant. If you ask why a thing is





Kneipp: opposed or not opposed, then you're getting into a basic reason which the man himself can't offer.

COMMITTEE ON CONSERVATION AND ADMINISTRATION OF THE PUBLIC DOMAIN (1930): MEMBERSHIP A "JOKE"

Mezirow: Did that Hoover public land commission [Committee on Conservation and Administration of the Public Domain] have anything to do with this?\*

Kneipp: Well, the General Land Office had something to do with it for one hundred years, but they did not do anything with it until 1934. They opposed everything until 1934, and even now the so-called Taylor Grazing Act land has been sliding downhill for the thirty years that it has been under the administration. Only recently are they [Department of the Interior] beginning to spend very large sums of money in trying to redeem it.

Mezirow: Weren't you on that Hoover public land commission?

Kneipp: No, these field examinations were made by the Forest Service, and I was in charge of them all, and in charge of the preparation of the reports. I appeared before the committee [Committee on Conservation and Administration of the Public Domain] and explained the findings at considerable length. The committee was a joke, as a matter of fact; half of them did not know any more about public lands than they knew about the rings of Saturn. I have the copy of their report here.\*\* You can see the men who were picked out.

Mezirow: Didn't they ultimately think that private ownership was better than public ownership?

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\*According to Dana, President Hoover "proposed the appointment of a commission to study the whole problem of the disposal of the remaining unreserved public lands. This proposal was approved by Congress on April 10, 1930, in an act authorizing the President to appoint a Committee on the Conservation and Administration of the Public Domain."

\*\*U.S. Committee on the Conservation and Administration of the Public Domain Report, January, 1931. Available at the library of the Department of Agriculture, Washington, D.C.



Kneipp: Yes. They defined five possible approaches. They went on to say that, for a large part of the area, private ownership might be the best solution.\*

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\*The five general policy points of the report of the Committee on the Conservation and Administration of the Public Domain are:

1. That all portions of the unreserved and unappropriated public domain should be placed under responsible administration or regulation for the conservation and beneficial use of its resources.
2. That additional areas important for national defense, reclamation purposes, reservoir sites, national forests, national parks, national monuments, and migratory bird refuges should be reserved by the Federal Government for these purposes.
3. That the remaining areas, which are valuable chiefly for the production of forage and can be effectively conserved and administered by the States containing them should be granted to the States which will accept them.
4. That in States not accepting such a grant of the public domain responsible administration or regulation should be provided.
5. We recognize that the Nation is committed to a policy of conservation of certain mineral resources. We believe the States are conscious of the importance of such conservation, but that there is a diversity of opinion regarding any program which has for its purpose the wise use of these resources. Such a program must of necessity be based upon such uniformity of Federal and State legislation and administration as will safeguard the accepted principles of conservation and the reclamation fund. When such a program is developed and accepted by any State or States concerned, those resources should be transferred to the State. This is not intended to modify or be in conflict with the accepted policy of the Federal Government relating to the reservation stated in conclusion No. 2 above.

In regard to the passage of land to private ownership, the following item listed in the report under the special recommendations is important:

The lands passing to the several States under the proposal shall be subject to lease, sale, or other disposition as the State legislature may determine.



Mezirow: Did you think that was good?

Kneipp: No, it was not. Any child who had given any thought to the subject would know that it was not good. There is a lot of public land in the West, for example, tens of millions of acres that have an average annual precipitation of only five inches per year.

Mezirow: Who was pressing for that recommendation for private ownership?

Kneipp: Well, Bill Greeley was the only one who refused to sign the report, and here is the membership: Ray Lyman Wilbur, Secretary of the Interior. He was the president of the University of California at the time.\* Arthur M. Hyde, Secretary of Agriculture. He was an automobile dealer from St. Louis, Missouri.\*\* James R. Garfield, who had at one time [T. Roosevelt's administration] been Secretary of the Interior, was a lawyer in Cleveland, Ohio. I. M. Brandjord, commissioner of state lands and investments, was the Public Land Commissioner of Helena, Montana. H. O. Bursum, who had been a United States Senator, was a big sheep owner in the area south of Albuquerque, New Mexico. Gardner Cowles was the publisher of the Register and Tribune in Des Moines, Iowa. James P. Goodrich was an attorney and former governor of Indiana. W. B. Greeley was the secretary-manager of the West Coast Lumbermen's Association. Perry W. Jenkins was vice-president for a while of the Great Lakes-St. Lawrence Tidewater Association.

That was an amusing thing. Perry Jenkins was a rancher in Wyoming, and I knew him quite well. We had gathered in the foyer of the Hotel Utah one time, and he was telling me that when he started out, he decided that he would try to master the entire field of knowledge. After a strenuous effort on his part, he decided that it was an impossibility so he would confine himself to mathematics. After spending a year or so on mathematics, he decided that the entire field of mathematics was of such vast extent that he could not possibly hope to master it, so he would confine himself to one segment of it. Calculus, I think it was.

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\*Ray Lyman Wilbur, who served as secretary of the interior from 1929 to 1933, was president of Stanford University, 1916-1943.

\*\*Arthur M. Hyde was secretary of agriculture from 1929 to 1931. In the Biographical Directory of the United States Executive Branch, in addition to legal and political positions, he is listed as having at one time been a "distributor for Buick."



- Kneipp: Finally, after working on calculus for a year or two, he saw that he could never make much headway in that respect, so he went out to Wyoming and bought a sheep ranch. Of course, he wanted all the free range that he could get for his sheep.
- Mezirow: Did you work closely with Mr. Greeley on this committee?
- Kneipp: Well, Ray Lyman Wilbur was the secretary of the interior. He was not the chairman; he was only a member.\* The ex-officio members were Ray Lyman Wilbur, secretary of the interior, and Arthur M. Hyde, secretary of agriculture. They were the two ranking members. I presume you are talking now about this examination in 1932?\*\*\*
- Mezirow: Yes.
- Kneipp: Hoover was going to transfer the General Land Office to the Department of Agriculture but did not.
- Mezirow: From the little that I have read, it seems that the lands in question were sort of sub-marginal lands--they were worn-out grazing lands. Why did the stockmen's lobby feel that they could do better with the lands?
- Kneipp: The mass of people who were given the subject to study--that's an explanation in itself.\*\*\*

Here is another member: Rudolph Kuchler, president of the State Taxpayers' Association of Arizona.\*\*\*\*

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\*The chairman was James R. Garfield.

\*\*L. Kneipp probably means the examination that preceded the committee's recommendations submitted to President Hoover January 16, 1931.

\*\*\*The committee consisted of twenty members and two ex-officio members.

\*\*\*\*When Mr. Kneipp told, in interview III, the story which now follows, he said that the Arizonian was an insurance man. He also said that the reservoir referred to was on the lower Gila River.





Kneipp: Arizona is my state, so I was particularly interested in Kuchler. Early in my preparatory statement, he claimed that I was grossly exaggerating the degree of watershed erosion that was taking place and the extent to which it was diminishing the water-storage capacity of the reservoirs. It was not my course to argue; I was just to talk. Later on I got to talking about a reservoir down on the Gila; I've forgotten which one it was. I referred to it as one having a capacity of 75,000 acre feet. He hopped up excitedly and said, "There's another proof of your exaggeration. It's true that it was designed to hold 75,000 acre feet, but it has become so filled with silt and sediment that its real capacity is only 25,000 acre feet." Between his first and second remark he saw no inconsistency whatsoever.

The big jokes were that George M. Lorimer was in there from the Saturday Evening Post, and there was George W. Malone, state engineer of Nevada, who as Senator from Nevada was one of the jokes of his period of service.

Mezirow: These are all members of the committee?

Kneipp: Yes, these are all members of the committee appointed by Hoover.\* And Charles J. Moynihan, attorney from Montrose, Colorado. I. H. Nash, state land commissioner of Idaho. William Peterson [director of experiment station and extension division] was the only one who really knew anything about it. I have here a copy of his book which shows a grasp of the situation that none of the others had, but apparently none of the others read it. That Peterson book has some awfully good stuff in it.\*\* Mary Roberts Reinhardt, she was a member of the committee.

Mezirow: What was she doing there? Adding a little romance to the committee?

Kneipp: She was a writer of fiction; she was a best-seller writer. Huntley N. Spaulding, treasurer of the Spaulding Fiber Company and former governor of New Hampshire, who would know a lot about the public domain.\*\*\* Ross K. Tiffany, hydraulic engineer and former state supervisor of hydraulics in Olympia, Washington.

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\*Elwood Mead, commissioner, Bureau of Reclamation (representing California) was also a member.

\*\*Library of Congress cards show no listing of a relevant book by William Peterson. The William Peterson whose records of an exploration of the valley of the upper Yellowstone in 1867 were edited by Charles W. Cook, would have been too old to be part of this committee.

\*\*\*No laughter, but tone seems faintly sarcastic.



Kneipp: Wallace Townsend, attorney and member of the Arkansas River Association in Little Rock, Arkansas. Little Rock had practically no public domain in it. E. C. Van Petten, president of Van Petten Lumber Company in Ontario, Oregon. Francis E. Wilson, attorney and interstate river commissioner in New Mexico--Santa Fe, New Mexico. Wilson had been a serf in the office of the forest supervisor at Flagstaff, Arizona, for a number of years. Then he studied law, and finally "grewed" up.

To be honest and factual, the committee had about as little justification for its existence as any committee could have. In other words, they were picked out because they were best sellers and things of that kind.

Mezirow: Like Mary Roberts Reinhardt.

Kneipp: People of that class. Now, that is the committee that Hoover appointed to determine what ought to be done with three-fourths of a billion acres of the nation's estate. The men who were making the reports [Forest Service employees] were men who were sitting down with the ranchers, or in front of their fireplaces on a late evening or early in the morning, talking about how the country was going to ruin and what could be done about it. We gave them [the committee] a lot of their [foresters] reports, and the amazing thing was the tremendous amount of damage that was being caused by over-grazing by comparatively small numbers of stock. Maybe there might be only two or three thousand head of stock on a given unit of territory, and yet, the amount of sediment and silt that was being carried by the streams was tremendous. It showed a complete loss of the productive soil mantle, whatever soil mantle there was. All organic productivity is the production of the soil mantle, which is a product of anywhere from 500 to 1000 years of time and chemical and mechanical action, and bacterial, and general [word unclear] action. You wash away one inch of this and it produces nothing at all.

Hoover tried to redeem himself later [which is] another topic here on that subject, however. So I won't go into that now. In other words, after listening to all this and getting this report, he finally tried to transfer the General Land Office to the Department of Agriculture.

Mezirow: And not to the Department of the Interior?

Kneipp: No, it was in the Department of Interior.

Mezirow: But he did not transfer it to the Department of Agriculture?

Kneipp: He did not, and for this reason. The reorganization act provided for the execution of an executive order making a transfer, and



Kneipp: then it lay before the two houses of Congress for a period of sixty days. If neither of the two houses voted negatively, then the order would [have] become effective; but if either of the two houses voted negatively, then the order would [have] become inoperative.

So what happened was, rumor had it that at that time Marian Schlasson (?) was married to a niece of Senator Pat McCarran [Patrick A.] of Nevada and he was also an employee of the General Land Office, and McCarran led the fight against the ratification of the thing [transfer of General Land Office to Agriculture]; and all the registers and receivers, or maybe by that time there were only receivers, in all the public-land states fought tooth and toenail to induce their members of Congress to oppose the approval of the order because they had their jobs. Their jobs paid certain fees, which amounted to considerable sums of money; and if this transfer became effective, they would have lost those jobs and the fees. Therefore, the House vetoed the order [January 19, 1933].

SOCIETY OF AMERICAN FORESTERS AND AMERICAN FORESTRY ASSOCIATION:  
KNEIPP RESIGNED

Mezirow: What about the Society of the American Foresters' Committee on Forest Policy?

Kneipp: Well, I resigned from the Society of American Foresters many years ago because it seemed to me to be nothing but a labor union. It had no morals or no principles greater than the average labor union. It was perfectly obvious to members of the Society, other than those who were federally employed or state employed, that unless there was a great increase in private forestry there would not be any great increase in the profession. I don't know just what the record brings out; I have not had the curiosity to read it, besides my eyesight is getting poorer all the time. But anyway, it was either at that time [Committee on Forest Policy, 1928] or prior to that time, that I resigned on the grounds that it seemed to me to be an agency designed primarily to defeat the objectives and goals of Gifford Pinchot, although he was the "father" of the whole society. Later for the same reasons, I resigned from the American Forestry Association, which is a joke. American Forests goes to every member of the Association, and their sworn circulation is now about 38,000 copies issued; that includes all the complementaries and the gratuitous copies sent to clubs and things of that kind. It is estimated that there are 4.5 million owners of private forest land; half of the forest land in the United States is still in private ownership. Yet,



Kneipp: an agency that issues only 38,000 copies of its official publication poses as the spokesman for all the private owners in the United States, which of course is not true. They are maintained mostly, I think, by the National Lumbermen's Association and by the West Coast Lumber Manufacturers Association and by the American Forest Products Association. Their entire payroll wouldn't issue their magazine, as a matter of fact, were it not for all the lavish advertisements the magazine carries each month. The magazine says practically nothing to the man who owns two sections of forest land and wishes to know just how to handle it properly in order to get the most profitable results from it. It engages in all sorts of hyperbole about beautiful sunrises, and deer tracks, and moose calls, and things of that sort.

#### FALL'S ATTEMPTS TO TRANSFER FORESTRY

Mezirow: Could we talk a little about Secretary of the Interior Fall's attempt to transfer the national forests in the early twenties?

Kneipp: Well, that was funny. Fall [Albert B.] was a livestock grower in New Mexico. He used partly the White River Indian Reservation and partly some of the land proposed for inclusion in a national forest. The humorous part of the situation was that he had two very beautiful daughters; and Arthur C. Ringland, who at that time was the regional forester, was thoroughly enamored of one of the daughters. He and Fall got along fine for just a little while until they found that while their agreement as to the daughter was unanimous, as foresters there was absolutely none. He [Secretary Fall] got so incensed in the course of time, he made the transfer of the national forests one of the announced purposes of his career.

Mezirow: Just because of that?

Kneipp: Just because he couldn't get the numbers of livestock that he wanted; he wanted greatly increased numbers of livestock. Ringland insisted that he was not entitled to them, which is right; he wasn't. He let it be known that if he ever got the Forest Service into his department there would be a very sweeping change in both personnel and the policies of the Forest Service.

As to Mr. Fall's later career, why of course all you have to do is refer to the public prints to see what his character was, how moral he was. His administration was rotten. He had a man by the name of Charlie Stafford from Santa Fe as his secretary, and in his own office the staff used to refer to Charlie as





- Kneipp: "Charlie Saphead." That was their nickname for him, and he was doing a lot of Mr. Fall's heavy thinking for him.
- Mezirow: Do you remember Victor Murdock of Kansas?
- Kneipp: No, I do not. I remember him in a way. He was a supporter of the theory of conservation, a strong supporter of Gifford Pinchot, but I don't remember him personally.

#### SUPPORT OF FORESTRY BY FARM ORGANIZATIONS

- Mezirow: Didn't some of the farm organizations support forestry also?
- Kneipp: Most of them did. I want to mention this point if I haven't mentioned it before. Shortly after the Custer massacre and the Battle of Wounded Knee, the Indians were placed under complete subjection. The white settlers began pouring into the country in tremendous numbers, as you can see if you read this book, Hoof Prints on Forest Ranges. That tells how they just flowed from Texas out into that whole country.

Well, part of them were just speculators--itinerants getting what they could while they could. However, there were a great many of them who honestly engaged in building up permanent enterprises--fine ranches, homes, pastures, farms, corrals, and everything of that kind. But, of course, on the lands they owned, they could not support a sufficient number of livestock to afford them a decent living so they were dependent on the outside range, on the public domain. Every year practically, except when they established their deadlines and tried to make them stick, the ranges that they were saving for their fall and winter range, for example, or the early spring range, were overrun by herds of nomadic stock. In some cases they were sheep, vast shepherds with only a burrow in the center. In other cases men would buy thousands of yearling feeders down in Texas, then they would take them out and dump them on the range, add two or three hundred pounds weight to them, and load them on the cars and send them to Chicago.

That left the resident rancher with his nice home, and his nice barns, and everything, without anything to support his stock. So that type of men kept growing--putting in windmills and all that sort of thing and really building up the country. They were the ones who started the demand for range control, and they started it back in the nineties with no beneficial



Kneipp:

results whatsoever. The General Land Office paid no attention to them. There were a whole series of bills, I forget the name now, but a Senator from Kansas\* introduced one bill after another for about eight years that had the support of the majority of the cattlemen and the resident stockowners, but the bill was defeated every year.

Therefore the act of 1905 which specified the making of a national forest was the first specific control of the public range of three-fourths of a billion acres instituted by the United States. It was the first condition to be created under which a speculative nomad could not come in and eat clear around the fence of a well-established settler. Naturally there was a strong sentiment in favor of some similar action. The men who owned the well-developed places wanted it; the men who didn't own anything except a bunch of stock didn't want it. Then there were those in between who owned bunches of stock and had well-developed fences who were fearful that [their] cattle would [be put] out of the western grazing tent, and therefore opposed it as a restriction of their freedom of action.

Some of them lived to publicly announce their regret like Ike Bear of Meeker, Colorado, who was one of the prominent opponents of the Forest Service in early years. He and Elias Ammons were chums in fighting Gifford Pinchot. Yet, about 1910 or 1912, at a public meeting I heard him get up and announce that while he had opposed the bill [Burkett bill, putting public domain under range control] for many years, he had now reached the conclusion that he had been absolutely mistaken and wrong, and that the country would be a great deal better if the bill had been enacted when it was first proposed.

So you have that interplay of forces; in other words, it was all a matter of plunder and power. The fellow who thought that he could make the most by keeping it free and having his own way, fought it. [Regulation was supported by] the fellow who thought he could make the most by instituting an orderly method of growing a crop of grass every year and feeding it to animals, as they did in California during that period when they secularized the California grazing [about 1834]--the period of the Dons--and they could have those happy, middle-sized ranches, everybody was prosperous, everybody was riding from ranch to ranch. However, they [those who supported regulation] did not win. There were not enough of them.

My first visit to Arizona was in 1898, and in 1899 I went back again and stayed there. At that time, of course, the population of the United States was less than eighty million people. In the West, the travel was very limited. There were

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\*In Interview X, L. Kneipp mentions Senator Burkett as having introduced such bills.



Kneipp: several railroads: the Southern Pacific, the Santa Fe, the Union Pacific, the Union, and the Northern Pacific. From them there were some branch lines radiating out, and from them there were some stagecoaches radiating out, and from them you could ride with the parcel post. If you wanted to see the great bulk of the country, though, the only way you could see it was to get on a saddle horse, trail a pack horse behind you, and ride it. It was a wonderful, beautiful country. If it had been honestly and constructively maintained, it would be producing a great deal more wealth today than it is. There would not have to be half as much concern about what the future will hold. Everywhere you went there was this little nuclei of people who wanted to put their roots in the ground and build a permanent place.

#### DEVELOPMENT OF RECREATION IN THE FOREST SERVICE: NUISANCE AT FIRST

Mezirow: When did the development of recreation in the Forest Service begin?

Kneipp: Well, it began at an early date. As a matter of fact, to the early-day ranger recreation was a nuisance. The few people who had automobiles would go out in the mountains. Their automobile tires would sink into the ruts cut by the mule or the horse-drawn wagon, and then the auto couldn't move. So they [automobile owners] would fill the ruts full of rocks. Then when the next group of teamsters came along, the rocks were an obstruction and they had to get out and heave the rocks out of the ruts in order to get their wagons through it. There was a lot of cursing at the few auto owners at that time--there were only a few dozen of them around.

Another trouble was that they [recreation seekers] made a practice of camping around the places where the cattle would use the water. In some cases the water would be three or four miles away from the feed. The poor, thirsty cow would come in to get a drink of water at her accustomed watering place, and a dozen snoring recreationists lying around there would keep her from doing it.

Some of the bright boys decided that the thing to do would be to create a counter-attraction; to clear off areas with the proper kind of surroundings, and install plain pit toilets and hand pumps and fireplaces. If the people had those to choose from, then they would take them in preference. That was the real beginning of the recreation activity. That merges into





Kneipp:

quite a campaign of oil-drum-campstoves. There were a great many consumers of oil who had empty drums; they would give them to the forest officers who would take a torch and burn them in half. Then they would burn a little door on one side and a little chimney-pipe hole on the other side; then they would bury the bottom in the ground. That made an ideal stove--put out the fire, leave the door open to cool, the old ladies used to put their goulashes up on top of the dome where there was plenty of room. It was about two feet in diameter. It was purely utilitarian and to a large extent a compromise.

Of course, you know, forestry had its origin in recreational use for the nobility back in the twelfth, thirteenth, and fourteenth centuries. Practically all the foresters were employees of the king, or a prince or a duke, or somebody of that sort. They were to take care of the game, to keep it from being poached.

When Silcox [Ferdinand A.] came in [as Chief of the Forest Service] in 1935 [1933], his aesthetic tastes were offended by these oil-drums, which were too utilitarian, too non-aesthetic. He suggested a higher level, that is rock-and-rod fireplaces, and better constructed toilets, and piped water where water could be piped in. Still it was primarily to keep the people from interfering with the regular business of the Forest Service. At the same time, however, it had the effect of creating a new interest on the part of foresters. There was the realization on their part that they had an asset; they had something that made people happy and supportive of national forests. They realized that forests that had beauty, charm, and wildlife appeal were much more apt to be popular and widely supported and permanently maintained than where these things did not exist. It [recreation] stepped up little by little, partly by demand of the public. As I say, though, in the beginning it was to avert a conflict between the recreationists and the grazers--and to some extent the sawmillers, because sometimes the sawmiller would have his mill at some lake that had been a popular swimming place a short time before.

It was realized also that unless the people had a real love for forests, their protection from devastation and cooperation in fire prevention would not be very strong. However, as many other cases in this sorry world of ours, the dollar will outweigh practically everything else, or at least it will try to. To sum up the answer to your query, basically the Forest Service initially opposed recreation because it was conflicting with their timber lands and their grazing lands. I remember holding a meeting down at Buena Vista, Virginia, one time after having served seven and one-half months as executive secretary of the National Conference on Outdoor Recreation. I brought up the





Kneipp: question of recreation. One of the men, Chick Mattoon [?], who is now dead, listened until his patience couldn't stand it any longer. Then he said, "Oh hell! If we are going to be foresters, let's be foresters!" The funny part of it was that, in the course of time, he became a very enthusiastic recreationist. His son is now specializing in recreational use out in Ogden, Utah. So even he became converted.

National Conference on Outdoor Recreation: Kneipp as Executive Secretary (1924)

Mezirow: Weren't you a chairman at a national conference on outdoor recreation [1924]?

Kneipp: No, what happened was that young Theodore Roosevelt, Jr., who was then the assistant secretary of the navy, gave the idea that recreation was growing in popularity so much that if Coolidge [President Calvin] would call a national conference on outdoor recreation, and invite to participate in it the hundred-and-some-odd organizations that had some recreational elements involved, it would be a decidedly popular political move.

He canvassed all the bureaus and departments and got a group of us together. For example, Ding Darling, the famous cartoonist, who was at that time Chief of the Biological Survey, which is now the Fish and Wildlife Service, was strongly for it. On account of our prior experience, I laid out a sort of prospectus for the meeting. Coolidge at first scoffed at the idea, young Teddy told me. He thought it was out of character for him, and might cause an adverse rather than a favorable reaction. Then, as he gave it further thought and talked to more people, he was won over to it. Also, he decided it would be a good thing to let people know he was human, that he was a nature lover. He decided that it was a good thing, so he named Theodore Roosevelt, Jr., as the secretary of the organization, and proceeded to borrow me from the Department of Agriculture as his executive secretary as thanks for the plan that I had laid out in advance, which was the only plan presented at the meeting, as a matter of fact. The rest of them did not give it any thought.

We had had some experience with it [planning for recreation] for years, so I borrowed a couple of Forest Service people--a public relations man and an operations man; we had a highly successful conference of people representing 120 agencies. You will find a complete record of the thing in the Arizona Pioneer Historical Society in Tucson,\* one of the few copies of the

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\*Also in the National Archives, Washington, D. C., according to Arthur Ringland.



- Kneipp: proceedings of the whole thing--the President's speech, the President's photograph, and everything else. It [the conference] was so popular that they suggested that I be given six months' leave of absence without pay from the Department of Agriculture and serve during that period as the Executive Secretary until we could get someone to take my place; someone who would make a permanent job of it. Therefore, the meeting was held on May 23 and 24, 1924, and I served until the end of the year.
- Mezirow: Was there some kind of a coordinating committee set up?
- Kneipp: Yes, as a part of this whole movement the President established five members of his cabinet as a coordinating committee. They were the secretary of war, the secretary of the interior, the secretary of agriculture, the secretary of labor, and the secretary of--I forget the other one now.\* Then they in turn selected subordinates of their own to function in their behalf as a working group.
- Mezirow: It sounds like the same old bureaucracy.
- Kneipp: I got a wonderful trip out of it one time, and Greeley accompanied me as far as Salt Lake City. I was in Ogden at the time, so he detailed me to go on the rest of the way--came on down to Bryce Canyon and Hurricane Reef and along the north rim of the Grand Canyon, went down the Canyon and stopped at the Phantom Ranch over night and climbed up the next day to the top of the south rim--the El Tovar--then went on from there down to the Bandelier National Monument down near Santa Fe.\*\* It was very amusing.

Mather was along. He had his own car; it was a Packard car, and his own private chauffeur named Walter who also ran a chain of

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\*The members of the cabinet committee were "Secretaries Weeks of War, Work of Interior, Wallace of Agriculture, Davis of Labor, Hoover of Commerce, and Assistant Secretary of the Navy Theodore Roosevelt, Jr. This organization recommended that a conference of interested organizations be called. The President concurred and 128 organizations represented by 309 delegates met in Washington May 22, 23, and 24, 1924. The cabinet committee became an integral part of the organization of the conference. [Based on memorandum entitled Organization of Conference, from the National Archives, as cited in A. C. Ringland, "Conserving Human and Natural Resources," in ROHO interview series.]

\*\*In a note to Mrs. Fry, Lee Kneipp wrote of this expedition and its effect on the Cameron claims. See appendix.



- Kneipp: filling stations in Los Angeles, but who, as avocation, served as Mather's chauffeur on these jaunts throughout the country.
- Mezirow: Who was this Mather?
- Kneipp: Stephen T. Mather was the head of the National Park Service, and he was a member of the committee.
- Mezirow: What was its function supposed to be? The committee's function?
- Kneipp: To determine the extent to which the eight areas should be maintained, or enlarged, or multiplied, or subjected to different policies.

So in pairing the couples off at the hotel in Bryce Canyon, I was paired off with Walter, so we had a nice cabin together. Walter brought in a big, long, wooden box, and said, "Would you care to have a drink?" This was in Prohibition days. I said, "I've never refused one yet." He said, "I've got one here and I know where to get some more when I get to Barstow, so let's go at it!" So I was the only one of the group, I think, that night who had a really convivial evening.

"Primitive Areas": Sentiments For and Against

- Mezirow: How did most of the division heads and your colleagues feel about recreation land in those days? Setting aside land for recreation?
- Kneipp: Well, they were opposed to it at first. They did not mind the recreation; they minded the "primitive areas." At this meeting of May 1924, I was amazed to find the almost unanimous sentiment among the representatives of these hundred-and-some-odd groups against the unnecessary penetration of roads into inaccessible areas. After the Bankhead bill that was passed in 1916, which made money available to build roads to open up the forest areas, to give them greater access, every forester immediately proceeded to plan a road that would bring his firefighters within a half hour's walk of any possible fire, whereas prior to that time, it sometimes took them three days to walk to the fire. By the time they got there, they could not fight until they had had another day's rest. But this group was strongly opposed to it. They said that there was no sense in penetrating a whole series of mountains with high-pressure roads unless there is real justification for it.



Kneipp:

When I came back to the Forest Service in 1925, I brought back this idea with me. I told them what I had found from all these prominent and very influential people. It made quite a hit with Greeley right away and with Sherman, who was associate chief; but some of the others opposed it on the grounds that we would just have a bunch of damned tourists getting in the way and every tree would be felled, and they were against it.

However, Greeley backed me up; and in 1927, I think it was, we established the system for primitive areas.\* It amounted to something over nine million acres. We had three systems of areas.

I consulted with Dr. John C. Merriam, who was the president at that time of the Carnegie Institute of Washington. I said, "What will we call these areas in which we are going to maintain unmodified, natural conditions as far as practical?"

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\*In a "brain-picking" session with Mrs. Fry, April 7, 1965, Professor James Gilligan, who wrote a thesis on wilderness policy in the twenties, said that Aldo Leopold, a great hunter and fisherman, who had been a staff man on the Gila National Forest in New Mexico and then went to the regional office in New Mexico, could foresee the impact of the auto. He originally suggested a 500,000 acre tract be set aside without roads in each western state. He persuaded the regional office to set aside an area in the Gila National Forest. He wrote many articles promoting the idea of wilderness. Kneipp and Greeley jumped on this idea. Kneipp was influential inside the Forest Service. The Forest Service said they would not have developed recreation as Mather was doing, but "real wilderness." The L-20 regulation was made in 1929 setting aside primitive areas, but mining and cutting were allowed on a slow-down or deferred basis. There were to be "no roads for the present."

The wilderness policy came out of the Chief's office, which was unusual. There was great difficulty in persuading regional officers and forest supervisors.

Bob Marshall was an outspoken man, hired by Silcox in 1937. He came in as a "Silcox boy" to be Chief of the Division of Recreation and Lands. Most of his time was spent using his influence to get supervisors to put in more wilderness. The L-20 regulation did not do all that was needed. He persuaded Silcox to set up U-1 and U-2 areas in which there would be no roads and no timber cutting, in 1939. U-1 was for smaller areas; U-2 was for larger. Marshall loved







Kneipp:

He said, "Well, you cannot call them wilderness areas because actually they have all been invaded by the fur trappers, and by the gold seekers, by the hunting parties and all that sort of thing." He said, "I would be modest. I would say simply that they are areas in which there would be no artificial means of habitation, transportation, or subsistence. In other words, if anyone went in there, they had to sleep out under the stars, and carry a tent, and they would have to carry a pack on their backs, and they would have to walk."

So we called them primitive areas. But that did not satisfy the boys with lots of hair on their chests, the exhibitionists who wanted to show what men they were and to give the impression that, having gone through a primitive area, they were next to the voyageur-trappers who ate their meat without salt.

Therefore, they broke it down into three systems of wilderness areas. Bob Marshall had become chief of the Division of Recreation and Lands. He was a great walker--fifty miles a day was just a stroll to him. He decreed that a primitive area would have to be an area that could not be crossed in less than a full day's walking time. It would be fifty miles. A wilderness area would be one that could be crossed in not less than half a day's walk, twenty-five miles. Thirdly was the natural area which could be crossed in just an hour-or-two stroll. That made a big hit--wilderness, wild, and natural. It just swept the class of intellectuals who were in favor of that sort of thing like wildfire. It has prevailed ever since.

At the time, it was not contemplated that there would be a total exclusion of material use, commercial use. Modified timber cutting would be allowed if they used the proper method. Also grazing would be allowed under the proper circumstances, and things like that. It is growing more and more into a demand that it be practically analogous to a national park. They want to shut out timber cutting, grazing, and everything just about. I think the thing will break down of its own resistance, because actually you can find in the woods any summer a man who is totally lost and he is only a mile from his camp. He doesn't need any half million or million acres to be primitive. All he has to do is walk about a mile from his camp to where it is primitive.

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wilderness. He was proud of his speed on foot in the wilderness. He died of a heart attack soon after the setting up of the U-1 and U-2 areas.

The primitive area, it was decided, would each be reclassified for U-1 or U-2. Livestock and miners would thus be kept out. Then World War II hit. Until around 1960, most of the acreage was still in "primitive" classification.



## EXPANSION OF PARKS TO INCLUDE FORESTS: LASSEN, CRATER LAKE

Mezirow: Wasn't there some attempt at expansion of Lassen National Park with Forest Service land?

Kneipp: Yes, there was, and partly properly so because the lava flow from the Lassen National Park extended north into a series of potholes and caverns and passageways. When the Indians were fighting the whites of the United States Army, they got into part of that area and held out there for a much longer length of time than they could have resisted otherwise. So part of the area then had a battlefield aspect. On account of the thin sheets of lava--or the density of the lava, actually--its facility for growing timber was not very high. On account of the porous nature of the ground underneath, its facility for water conservation was not very high. But for a tourist to get into a tangle of those lava potholes and get lost, well, that was something. I think there was a compromise reached on the subject after a while.

The trouble with the Park Service has always been that they like--I think Walter Lewis, or whoever it was, said that, "In order to have a good funeral, you have to have a distance." You could not just take a man and push him in a hole; you had to bury him and parade him a ways. The old theory in the National Park Service was that, in order to have a real national park, you had to have acreage so you could have roads built around for the people to traverse and travel around in buses and so forth. Several of the hitches between the Park Service and the Forest Service actually were due not to the intrusion of the truly park-like elements, but to the insistence of the addition of a large acreage of additional land that had no park-like quality but did support the high grade of timber and would add greatly to the economy of that particular part of the forest.

Mezirow: What about the Crater Lake National Park enlargement, did you know anything about that?

Kneipp: Well, I went up and down Crater Lake two or three times and around it. I had some interesting experiences. Actually there was a big peak off to the west, a sort of a pyramidal peak, I forget the name of it now, and it is about, offhand I would say, maybe five or ten miles from the lake proper. However, it gave a picture, and the Park Service was hell-bent on having that whole area on account of that one peak, although there were hundreds of millions of feet of valuable saw timber surrounding it that would be involved in the land that they wanted to take in. We just could not see that the existence of that one



Kneipp:

topographic feature that was several miles distant from the lake was essential to the beauty of the lake, which is beautiful enough in itself, untouched. I forget how the thing ever did come out. It wasn't changed while I was in office, and I don't know what has happened to it since.

#### ORGANIZATION OF FOREST SERVICE--PINCHOT PERIOD TO 1935

In view of these outlines [questions from Mrs. Fry], I think an explanation is desirable to give an understanding of the nature of the Forest Service. It would be worthwhile to make known the organizational structure and the diffusion of authority. Also the processes by which decisions are reached should be made known.

Until Silcox reorganized the Forest Service in 1935, it was a comparatively simple outfit. At the head you had Gifford Pinchot and his associate, Overton W. Price, who were both very outstanding and inspiring men. Then immediately subordinate to them there was a small service unit called Finance and Accounts that handled the estimates and the personnel appointments, travel accounts, and all that sort of thing. There was a law division which consisted of three of his intimate friends. The first one was George W. Woodruff. He was the first legal advisor to Pinchot and, I think, a classmate of Pinchot's.

Among the novices that were brought in on detail, the old-timers used to have a standing bet that they [the novices] could not go to Woodruff with a simple question that could be answered yes or no and get an answer in thirty minutes. They [the novices] usually lost. I never could understand it, but it came to me later on that what he was doing was picking their brains. He was getting their whole philosophy of life, public service, humanity, and everything. He was circumlocuting the question and carrying it off into all sorts of advice words so as to find out what the whole mental process of the kid was--whether he was a good bet or just mediocre. In time, however, he was promoted to another government position. He was succeeded by Philip W. Wells who was also a classmate of Pinchot's, and a very close, intimate associate. With Wells there was a man named Bradley, I think. That was the top organization; that was the main office.





Kneipp:

Then the organization was divided into six branches, as they were then called.\* Each one was under an assistant forester, what is now called a deputy chief. They have elevated the title now to deputy chief; it means that he has all the power of the Chief [of the Forest Service] except the power to hire and fire. There was the Branch of Operation; another branch was Forest Management. Another branch was Grazing. Another branch was Lands. Another branch was Research, which had a wide series of extensions of branches. There then was a branch of Public Relations, which at that time included the relations with the states. The states then did not have the large organization that they have now. In fact, it was rather small. So those were the six men, the assistant foresters they were called, or deputy chiefs as they would now be called, to whom were entrusted the major responsibilities for these six lines of work. Then there was also an Office of Engineering, but that was not a branch; that was a separate project.

Now, within each of the six branches the man in charge, the assistant forester as he was then called, was presumed to have a complete and comprehensive knowledge of everything that was going on within his field. Also, he was not subject to any modification or change by any other assistant forester except through the process of service meetings which they held each week. Then if he brought up some proposal that was thought to be faulty, and one of the other assistant foresters objected to it and was sustained by the majority, well then, of course, it was overruled. That was the only way, or unless the Chief [the Forester] or the Assistant Chief\*\* demured. That was the only way the Assistant Chief [Assistant Forester] could be subordinated; otherwise he had full power within his realm.

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\*Mr. Kneipp's memory of the organization of the Forest Service does not quite tally with the organization as listed for any one period in either Forest Service directories or Darrell Havenor Smith's The Forest Service: Its History, Activities, and Organization. Mr. Kneipp's outline which follows is approximately the organization as it existed in 1930, according to Smith, although Smith lists Engineering as a branch. In 1909, the year before Gifford Pinchot was dismissed, there were only four branches: Operation, Silviculture, Grazing, Products, according to U.S.D.A. Forest Service Field Program.

\*\*Probably Mr. Kneipp meant Associate Forester, later called Associate Chief.





Kneipp:

Now, he [the Assistant Forester] handled everything; for example, take Lands which I was in charge of from the middle of the 1920s until 1946. That embraced everything that had to do with the status of lands, the enlargement or the reduction, or the abolition of national forest, or the merger of one national forest with another, or partial merger, or a transfer to a national park, or the redivision into ranger districts--anything that had to do with the unit as an entity. Also everything affecting the title--the classification of lands under the classification act, the listing of lands under that act, and the preparation of all the reports of the secretary of the interior listing these little areas--those reports had to be made in eight carbon copies.\* He had everything in connection with mining claims; that is, the full authority of mining claims rested with the secretary of the interior, but if they [claimants] were not complying with the law and charges were made of non-compliance, then it became the Chief Forester's job to get it straightened out.

Then gradually recreation came along, and also rights of way, and holding of tenure on land. This all came under the Chief of Lands. He would not just fire orders out right and left like a machine gun; he would get in touch with the regional foresters. In fact, I used to spend from a third to a half of the time in the field traveling around with the representatives of the regions looking at these different proposals and forming my own judgment about whether they were right or wrong, or subject to modification. Then, after the thing was finally shaped up in the way that I thought it ought to be, it was then circulated among all the other assistant chiefs for comments and initiating, if they agreed, before it was given to the Chief or the Assistant Chief\*\* for a signature, or sent to the secretary [of agriculture] for a signature.

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\*Probably Mr. Kneipp is referring to the Agricultural Appropriations Act of August 10, 1912, which directed the secretary of agriculture to select, classify and segregate all lands that may be opened to settlement under the homestead laws applicable to the national forests (Dana). If so, he would have meant to say secretary of agriculture, rather than secretary of interior. However, as Mr. Kneipp explained in interview I, the secretary of interior, until recent times, had to approve of all land exchanges. In this sense, perhaps he was referring to the secretary of the interior.

\*\*Mr. Kneipp probably meant the Associate Chief here.



Kneipp:

Then we had everything to do with the proposal to form new national forests. There were all kinds of petitions to have new national forests established. Sometimes there were petitions to have them abolished. Sometimes there were petitions to have them modified--part added to one and part to another to facilitate the users, and so forth. Generally speaking, anything that affected the status or tenure of the forest, [like] legislation that affected the status or tenure of the forest, was the responsibility of the Associate Forester.\* He did not have all the work to do himself, as I have said. He worked through various devious channels. He kept in touch with the chairmen of the various committees of Congress. He appeared before Congress very frequently to testify.

Incidentally, I ran across a list here of some of the testimonies that I gave.\*\* You can keep that. There were more than that, of course; sometimes I would be merely a passive spectator but would be called upon for comments. This was merely the card index that I kept. I did not include everything that was said and done.

This fellow Dushay, for example, Julius Dushay a while back had an article implying a giant conspiracy on the part of all the conservationists to put everything under the Forest Service. This happened along in earlier years. That was a complete amazement to me because if it had happened it would have happened all through me. I would have supervised all the negotiations and the correspondence and I would have prepared the letters to the secretary, I would have appeared before the congressional committees if such a thing had been happening. This picture that he gave was of a most awesome conspiracy, dire in the attempt to abolish everything except the Forest Service. It just shows to what extent a columnist will let his imagination go astray when he turns it loose.

Now, I will admit that I talked to lots of congressmen; I knew lots of them. I was on very friendly terms with members of Congress--Senators. I discovered early in my career here,

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\*Mr. Kneipp probably meant to say the Assistant Forester, or Assistant Chief, in charge of the Branch of Lands.

\*\*"Appearances by L. F. Kneipp As a Witness Before Senate and House Committees of Congress, Initially as an Assistant Chief, Forest Service, U.S. Department of Agriculture and Subsequently in an Unofficial Capacity as a Citizen Only." See appendix.



Kneipp: in the twenties, that when you were dealing with some rough-neck backwoods Senator or Congressman from some rural section, and you lapsed into the idiom of his section, you could just do wonders. You might just let some little word slip, and that would shock and surprise him. I might be horrified at his doing it, but if I ever made the occasion to use the same word or some equivalent word later on, why, we were buddy-buddy then. They were my friends.

#### FOREST SERVICE AND PARK SERVICE FIELD-TRIP PRIVILEGES COMPARED

There was never any attempt, that I am aware of, of any buying of votes or support. We depended on reason and logic, and on the local good will. For example, when Regional Forester Evan Kelley took a Congressman out one time on a field trip with the crew to show the work of the Forest Service, he found that he had to pay the Congressman's meals and lodgings out of his own pocket! It was an established rule that all visitors of the camp had to pay so much for a bed and so much for a meal. This Congressman thought that he was ridin' for free; but, of course, he was not, so Kelley had to spend \$20 of his own.

Now, in the national parks it is entirely different. In the Yellowstone Park, which was one of the first, their contract stipulated that anyone visiting the park in an official capacity would be given board and lodging and all accommodations free of charge. It was just wonderful to ride up to one of these big hotels and have the manager standing out at the front door and handing you a green card or a pink card or a yellow card, and knowing that anytime you wanted to go into the dining room or the lunch counter, all you had to do was toss that card aside and that was it. As time went on, though, they modified that so that instead of it being free, they reduced it to the minimum rate for the cheapest room.

Mezirow: Like per diem.

Kneipp: No, not like per diem. If the lowest room was \$4, then the rate for that room was \$4 although the tablet on the wall might say much more.

I was telling you before about Stephen Mather. He came to me late at night and said, "I just got a message that makes it absolutely imperative for me to go to Los Angeles right away. There is a train leaving in a few minutes, and Walter is going to meet me (at whatever the junction point was) with the car. When the



Kneipp: boys get up in the morning, you tell them the arrangement here is that \$4 a day is the most that can be charged for room and board at the hotel."

Oddly enough he and I were supposedly bitter enemies, and yet, we were on very friendly terms. So I told him that I would, and in the morning who should come down to sit with me except Doctor Temple who was the representative from Pennsylvania in the thirtieth district. He was in a terrible stew. Mather had had him for his roommate in their royal suite, and Mather was gone. He said, "Mr. Kneipp, I am a man of only moderate means. I try to live within my very modest income, and I do it but without any extravagance whatever. When I woke up this morning and opened the door to my closet, I was horrified to see a tablet stating that the rate per person in that room was \$36 a day. I had not had any expectation that I would have to make an expenditure of that type."

I said, "Calm yourself. Mather left about 11:30 on the train to meet his car at the Colorado River, and he told me to pass the word along that the rate for everybody would be \$4. I'm glad to tell you that, because the rate on my room was \$16." [Laughter] The old gentleman sighed and said, "That is a relief. I can now enjoy my breakfast."

Mezirow: I'm afraid that I'm going to have to go.





## INTERVIEW VI

30 March 1965

Interviewer-Edith Mezirow

## LAND USE POLICIES: IDIOCY OF NATIONAL POLICY

Mezirow: Can we talk about land-use policy?

Kneipp: There are not any such things as land-use policies. As a matter of fact, the whole land-use situation is analogous to the Tower of Babel. Some while back I read that after the Louisiana Purchase had been made, and the United States had acquired a large acreage of land to the west of the original thirteen colonies, there were three prominent citizens who advocated different approaches. One was Alexander Hamilton, who favored a sort of a royal control over all of the resources. The second was James Madison, who favored a certain degree of reservation to meet emergency needs and to serve aesthetic and other purposes, but also a considerable diffusion of the ownership of the land and the resources among the people. The third was Andrew Jackson, and he said that the people had won this land from the British and had acquired it from the French with their own money, and therefore they were going to share in the benefits of the new ownership. The Andrew Jackson philosophy swept the country, just as at his inauguration they were all over the White House in their muddy boots and stood on the furniture and ruined the lawn and everything else. In other words, everything went.

Shortly after that the General Land Office was created, and its policies from the beginning were the policies of Andrew Jackson. In other words, the basic philosophy was resolve all doubts in favor of the climate [of public opinion] unless the facts were so obviously to the contrary that they could not be ignored. As I told you once before, the general attitude has been one of power and pilfer. It is a case of get rich quick. The land laws have been modified and amplified to serve every kind of device for entrenching and increasing the holdings of land owners.



Kneipp:

That attitude still prevails. Hardly a month goes by that you do not find some statement in the paper that such and such land ought to be passed to private ownership and put on the tax rolls. At the same time throughout all our metropolitan areas here the decadence of the overtaxed central business areas is so rapid and so pronounced as to necessitate tremendous contributions of federal funds in an effort to resuscitate them. So when you talk about land policy, it's a joke.

I was just looking here at this book.\* On page two there are listed fourteen forest reserves which were created in 1897, all on the date of February 22. They were all crudely justified forest reserves. On the same page there is a notation telling what Congress approved on June 4, 1897: "...the executive orders and proclamations dated February 22, 1897, setting apart and reserving certain lands in the states of Wyoming, Utah, Montana, Washington, Idaho, and South Dakota as forest reservations,... are hereby suspended. The lands embraced therein are restored to the public domain the same as though said orders and proclamations had not been issued. Provided further, that lands embraced in such reservations not otherwise disposed of before March 1, 1898 (which is just ten months later) shall again become subject to the operations of said orders and proclamations as now existing or hereafter modified by the President." In other words, after making that noble start, they practically nullified it by throwing the selected areas open to appropriation both by states and by private groups.

Tremendous blankets or gaps were cut in some of the choicest timber-producing areas of the United States. For example, I guess that I mentioned to you before that from the Olympic National Forest in western Oregon, there were more than 800,000 acres of the finest Douglas fir type of timber eliminated in order to promote agricultural development. It was finally put back many years later. That 800,000 acres was almost all taken up by private corporations. Actually, when they came to enumerate the agricultural developments, there were hardly one hundred--little pitiful ranches scattered here and there with people trying to eke out an existence. The great majority of that 800,000 acres of land reverted to a few large owners. It was a monopolistic ownership, though.

There was one humorous phase. There was one man who owned a large acreage, almost 200,000 acres, on the peninsula, the Olympic Peninsula. He had a ranch to sell to a group of investors. They met in Oregon and agreed to all the terms.

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\*U. S. Department of Agriculture. Forest Service. Establishment and Modification of National Forest Boundaries: A Chronologic Record, 1891-1962. On file at The Bancroft Library.



Kneipp: This old gentleman said, "These terms are satisfactory to me, and I think it's a very good transaction; but I have made a practice of never signing an important contract until I have slept on it overnight." So he would not sign the contract that night, and it was during that night that this tremendous Olympic blow-down occurred that destroyed literally billions upon billions of feet of timber all through the straits there, and including most of his. Naturally the next morning the other parties of the agreement had not the slightest interest in buying his 200,000 acres of very valuable timber. It merely illustrated what happened to the timber [on other lands where forest reservations were turned over to private ownership.]

It [the act of June 4, 1897] was under the guise of promoting agriculture, but it simply promoted monopolistic ownerships of some of the finest quality Douglas fir and related species in the whole United States or in the whole world. From February 22, 1897, to June 4, 1897, in one hundred days, Congress practically repudiated the act of February 22, 1897. So when you talk about a land policy, a forest-land policy or any kind of a land policy, you are coming up repeatedly and historically and without any doubt about it--because it is all a matter of public record--against the same idiocy of national policy.

#### General Exchange Act of 1922: Relief to Lumbermen

Mezirow: But later on, for example, the General Exchange Act of 1922.

Kneipp: As a matter of fact, the Exchange Act of 1922 was a relief to lumbermen. In 1922 the cutting was so widespread, and the acreages of cut-over land were so great, and the demand for them in competition or to be free public domain was so little that they had practically no worth. I may be a little bit at fault on this, but my memory is that in Idaho delinquent taxes on lands were not only liened against the particular lands on which the taxes were delinquent, but also they were liened against any other real property owned by the same owner in the state of Idaho. In order to be able to allow their land to go delinquent without suffering a penalty, they [tax delinquents] even went so far as to organize dummy corporations to which they then donated this worthless cut-over land, so that when the question came of proceeding against the delinquent, the only penalty that they [tax collectors] could impose was to take more delinquent land away from them.

Arkansas, for example, when we started buying there in the thirties, had a system that the land became delinquent after the



Kneipp:

taxes had remained unpaid for several years--three or five years. The land would then be offered for sale as delinquent property. The land could not be sold to the previous delinquent owner. But to get around that they would work in trios or quartets, so that after the land went delinquent under A, it was bought by payments of a very nominal sum, far below the delinquent taxes, by B. After he had held it for a certain period and run up another bunch of delinquent taxes, it was offered for sale and then bought up by C. By that time A, not being a preceding owner, could succeed C.

Therefore when the Forest Service finally initiated the purchase of the forest lands under the act of March 1922, there was a great abundance of land offered at very low prices--some of it was as little as 75¢ an acre. The prices paid were very low. In fact the land was a drug on the market. Nobody could farm it. That is, there were not enough people to farm it, and there was not good enough soil. Nobody had any other use for it, and if it remained in private ownership, then the owner was on the tax roll; and if he did not pay his taxes, then it became delinquent.

In various ways variations of that condition prevailed, so that you might say in 1922 the attitude of the organized lumber industry was strongly in favor of the United States acquiring all the lands that the industry did not wish to acquire. But they were strongly opposed to the United States' acquiring any forested land that the industry did wish to acquire. That was the philosophy that prevailed, and it has prevailed ever since. In other words, if it were not worth anything, then let the United States have it and we [the lumber company] could get some nice stumpage in exchange for it which we could use to saw off lumber and make money out of. However, if some outfit were on the rocks and it were about to sell out for one-third of the worth of the stumpage, the United States under any circumstances was not to deal with that outfit because the covert reason was that he [the larger lumber company] intended to buy it.

There was a case, one out of many, in Mississippi where a man died owning one hundred-and-some-odd thousand acres of fine timber land, and he left it to his widow. She was not a very business-like woman. The potential buyers offered her so little that she finally turned to the United States to buy the land under the General Exchange Act of March 20, 1922. An agreement was reached and she had signed an option. (Mind you, there was no compulsion in any of this acquisition work. It was no exercise of eminent domain. The only action and condemnation was to correct laws and defects in title so as to make the title acceptable to the attorney general.) So the option she signed







Kneipp: was for the highest figure that had been offered her for the property, which was a wonderful property with the Big Bee River running right through the middle of it. Logs could be floated down that river to sawmill sites. From there they could be hauled by rail all over the Southeast. So as soon as she executed the option, we asked the National Forest Reservation Commission to consider [buying], which they were perfectly willing to do. And only briefly before they were slated to meet, only a few days prior, she withdrew the option. In other words, the other timber growers combined to persuade her that it was a mistake for her to sell that land to the government for such a ridiculously low price when they were willing to pay her more for it. So she cancelled the option, and the government never did buy the property.

Now those are instances that are a matter of record in the files of the National Forest Reservation Commission. That last one particularly.

#### Forested Military Reservations: Changing Status

Mezirow: Didn't the Clarke-McNary Act have something to do with the transfer of lands from military reservations to the national forests?

Kneipp: Well, I wrote a letter to Mrs. Fry about that and explained it.\*

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\*Lee Kneipp to Amelia Fry, February 2, 1965: "About the military forested areas going through their on again, off again, status. As a young member of the House of Representatives from New Hampshire, John W. Weeks by sheer force of his personality had what was known as the Weeks Law enacted. The years rolled by, and he became the secretary of war and by his superior rank the head of the National Forest Reservation Commission. He reasoned that, since the Weeks Law was so popular and worthwhile, it might well apply to the heavily forested parts of military reservations, and so ordained. The army men in charge of the reservations hated the idea. As Major Wolf, liaison officer for the War Department, put it, twirling his index finger circularly about his head, "You know how officers are when they are in charge of isolated commands; there's nobody above them but God." So when Weeks ceased to be secretary of war, the C.O.s [commanding officers] asserted their rights to work out problems with live ammunition in densely forested parts of the reservation so no loggers dared operate there and the pseudo forest reserves died a-borning."



Kneipp: They [the military] were not only killing the poor county loggers in the woods, but they were killing the beautiful big timber with the live ammunition that might explode when the saw hit it. Or if it did not explode, it would bust the saw all to pieces and leave the fragments of steel in the log so that the timbered areas lost all value for forest production purposes. We simply saw that as a bad job: There was no possibility of doing anything with it. There were some few commanding officers who made a pretense at going along, usually through one of their subordinates. Some of them were not so keen about exercises with live ammunition, and so their objections were not so strong.

However, at Fort Benning, for example, there was a very rabid opposition. [The Fort Benning situation brings out] another factor: These military reservations all contained certain areas of crop-producing lands, cotton lands. What the military did was to release all the crop-producing land in the reservation to a single owner who was usually a storekeeper and an investor--a financier. Then he would parcel it out on sharecropping agreements in what they call down South "deducs." The sharecropper explained that the "deducs" that he objected to were deduct for this and deduct for that. After a while there was nothing left to deduct for him.

Then the Forest Service took them over, and we refused to allow that condition to prevail but insisted that each person who was tilling a piece of land and occupying it should get a part in his own name.

Mezirow: Was that one of the reasons that they decided to transfer the lands to the Forest Service?

Kneipp: Well, they were not transferred. This is another one of the reasons why the lands were transferred back [to the army] from the Forest Service, because these men under this new principle made more money than they ever made before. Some of it was cash money. They were finally able to pay their fairly reasonable fees. They were able to get credit till they could make [harvest] their crop. What they had left after they payed their debts was more than they had ever had beforehand. This is just hearsay; I cannot testify to the facts. But the Supervisor, Perkins at that time, said that, when it was decided to relinquish the lands back to the army, some of the men who had been tilling them for the preceding two or three years actually cried. Their lot had been so much better that the idea of going back to the old sharecropping idea and the old deducs almost broke their hearts.

So you have the military arrogance on the first part: The fact that I am entitled to this area and I am going to do whatever I like with it. And then there was the other thing--



Kneipp: the financial reports that said, "You are destroying the economy of the Old South. You are introducing here new economic elements that are prejudicial to our way of living." So between the two of them, it [transfer to the Forest Service of forest lands on military reservations] went down the drain.

Forests, Watersheds, Ranges: Need for a Single Agency

Kneipp: Now you're getting back to the question on policy. As a matter of fact, the Forest Service is sixty years old--created in 1905. And as the economic use of the country has developed, the 8% of the land area of the continental United States [in national forests] has been subject to practically every type of use that the remaining public domain has been subject to. Every type of development has occurred. It is very, very infrequent now that anyone advocates the abolition of a national forest. But on the contrary an increasing number of towns are advertising the proximity of a national forest as one of their major assets.

The national forest system of disposing of resources, the multiple-use system, for example, and the removal of certain types of minerals under permit rather than by alienation of the title--as well as different types of occupancy for different purposes--have all been in effect for a long while with perfect satisfaction.

There is no reason in the world why all the remaining public domain now under the Bureau of Land Management should not be placed under the same status. That is, you had a sixty-year test of the best uses of lands, such as those involved in the 600,000 acres of land that is still owned by the United States in the continental United States. What economy it would be to create a single agency of forests, watersheds, and ranges! And the same personnel could handle all three in many instances. You would not have these little enclaves, and you would not have adjoining areas where the question is whether the man should be a G.S. 14 or 15 or 17, and where the transfer or change of status is objectionable because that reduces the grade of the top man from 16 down to 14. That would be insufferable that he would have to take a reduction like that, so he is opposed to the transfer of a unit to the national forest, for example, although every factor of public land management would be affirmative because it [the land] is co-terminous with the national forest. It [the land] is used by the same people who use the national forests. It is used for the same purposes as the national forests.





Kneipp: In other words, throughout the great bulk of the remaining public lands, the B.L.M. [Bureau of Land Management] lands and the forest lands, there is a similarity of basic economic and public uses that do not justify the large number of divisions that they still have. I have a tabulation showing the number of acres of land ownership, and there are about twenty different titles.

#### LAND ACQUISITION: SUMMARY OF PROCESSES

Mezirow: Mrs. Fry was interested in knowing about land acquisition. I wonder if you would summarize the different processes and kinds of land acquisition for which you were responsible, such as the assignment of heretofore unreserved public land, outright purchases, accepting donated lands, and so forth?

Kneipp: Well, because of the basic policy of the Forest Service, as was brought out in this book, Hoof Prints on Forest Ranges, there was a lot of sentiment in the East supportive of a system of national forests. However, most of the forest lands of the East had already passed to private ownership. Consequently, there were a number of Constitutional issues involved and a number of financial questions--taxation of the lands by states, counties, and municipalities, and so forth. On the other hand in the western states, west of the Mississippi, the lands acquired by the Louisiana Purchase were wholly at the disposal of Congress, which had unlimited authority. The start was to withdraw these so-called public domain lands by the passage of the act of 1891 by presidential proclamation. That was the way the large acreage of national forest lands was acquired.

As the country was settled, as I told you before, the Indians were subdued and subjugated, and a great many people began developing really permanent properties in the West. This was not transient profiteering; but rather, they built permanent homes, ranches, and so forth. They had no protection whatsoever against nomadic livestock owners or any kind of speculators, so there arose a growing demand for the creation of national forests because it was the only type of public land law that afforded such protection. As the condition continued, people began to propose that additional lands--cut-over lands, lands that had been cut-over for logging and had then been left unprotected--be acquired also.

Historically, the first case of acquisition by exchange that I remember was when I was regional forester at Ogden, Utah. The United States marshal in Utah then was named Aquila Nebeker





Kneipp: at Ogden, Utah. He owned a piece of fertile land in the Salt Lake Valley, which was northwest of Ogden, and he wanted to enlarge his holdings. He said, "Now I have up here in the national forest a tract of heavily timbered land that would be a great deal more valuable for forest reserve purposes than this land lying down here. So I am going to ask you people to support a bill which I am going to have Senator Smoot introduce to authorize the exchange of this piece of cultivable land down in the valley for this piece of forested land up in the national forest." That bill was enacted. I think it was the first land exchange bill that was enacted. That set an example. It was not gratuitous on our part. As a matter of fact, I thought that old Aquila was somewhat of a nuisance; he bothered me, running around taking up my time proposing something that did not seem at all feasible or legal. Other people who were dependent for range on cut-over forest lands that were leased to outside sheepmen, proposed exchanges.

Therefore, in the course of time there were a number of bills before Congress. I think the last count of the number of bills enacted by Congress authorizing consolidation of national forests by exchanges of national forest land or stumpage was eighty. Perhaps it is even over eighty now. What happened was that these bills began coming in more numerous and the question arose, "Why cut the dog's tail off an inch at a time? Why not pass a general bill and exercise a general exchange, thoroughly, with the proper safeguards subject to the complete approval by the secretary of the interior who would issue the passes and everything else?"

Mezirow: About how long did that all take to actually complete the process of that acquisition?

Kneipp; The time that I was in Ogden. I was in Ogden as the Regional Forester--of course, they are now called deputy chiefs--from 1915 to the middle of the 1920s. I think that Aquila Nebeker actually agitated this thing about 1917 or 1918 or in there. I only speak from memory and the records might disprove me, but it's my recollection that his was the first bill of that type that was passed.

Mezirow: And it took about five years?

Kneipp: It took a long while because, in the first place, I think that Interior was opposed to it.

Mezirow: After that bill was passed, in the future, how long would it normally take for your office to acquire a piece of land by acquisition?



Kneipp:

If you are talking about Weeks Law land or land under the act of March 20, 1922, the Department of Justice requires a title as perfect for lands that are being sold for a dollar an acre as it does for land being sold at a dollar a square foot. Suits and condemnation with the consent of the vendor would drag along for years sometimes; not that the vendor was not willing to accept the consideration, but simply that it had to go through all the legal processes and eliminate the defects in title that themselves had been cured by subsequent defects in title. In some instances the Weeks Law work took years, maybe as many as five or ten years for a case to be completely settled.

The General Exchange Act involving the public lands was acted on only briefly by the Department of Justice, but primarily by the Department of the Interior. In their cases they applied much less exacting standards for title purity. It could be as little as six months or a year. It had to be advertised a certain length of time. Then in the course of time, as some of the counties began opposing it, blindly as it happened, the proposed exchanges had to get the consent of the committees in the county. All in all I would say that a land exchange involving the public domain under the Interior Department would probably take about not much over a year.

#### Forest Service Attitudes: Budgetary Competition

Mezirow:

What were the attitudes toward land acquisition within the agency [Forest Service]? How did the chiefs and others, such as Sherman, Carter, Tinker, all feel about land acquisition?

Kneipp:

So far as the land exchanges involving non-timbered national forest land or stumpage were concerned, they were all favorable. When it came to the purchase of land under the Weeks Law with money appropriated by Congress, there was a difference. They favored the consolidation of the national forests, which were only in some cases 25%-33% under the control of the government as a matter of fact.

The reason they figured to lose was that it goes clear back to the budget. The Administration sets a budget, and then that budget is divided among the various administrative departments. Then the departments divide their share of the budget among the various agencies of the department. Then each agency divides its share of the budget between one type of activity and another type of activity. Therefore, there were contentions. If so much money were allowed for the purchase of land, there would not be



Kneipp:

enough for fire suppression, or there would not be enough for the type of research work that was required. There was a selfish interest: The director of an experiment station might oppose the acquisition of a very desirable tract of highly productive forest land on the grounds that, if the money were appropriated for that purpose, the increase in the appropriation that he was seeking to start a new research project would not be available.

That came up with a man by the name of Cates at Palo Alto. He was working on his dissertation for his doctor's degree, although I never heard what happened to it. I don't know whether he ever got it or not. However, in our correspondence he evidently had run onto the fact that there was rivalry even in as close an organization as the Forest Service. That was one example.

I have kidded Chris Granger, for example. One year the budget as approved by the Department [of Agriculture] and sent to the Bureau of the Budget, had \$3 million for the acquisition of lands. And Earl Eldridge, who at that time was the Chief of Operation--he is now dead--and Chris Granger, who was one of his prize buddy-buddies, were strongly enthusiastic about a highly superior type of ranger station as being necessary to retain the type of trained man and his wife and his family that the Forest Service desired to maintain permanently in its personnel. They proposed that the \$3 million item be cut out for acquisition, and the money be switched over and be made available for ranger stations. Now it just so happened that two of the men on the Agricultural Department branch of the Bureau of the Budget were old protégés of mine. One was Jim Scott and the other was Sam Broadbent. Both of them gave me a grain of credit for having fostered their careers. So they said, "No, not on your life!" In other words, they were protecting my \$3 million of acquisition money. However, it was a fruitless proposition because Congress cut out both items. They struck the whole \$3 million out of the bill before it was passed.\*

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\*Mr. Kneipp began talking about recreational use of land. This information was moved to the section, "Development of Recreation in the Forest Service," interview V.



Guayule Acquisition

- Mezirow: Mrs. Fry says that you have a very interesting story about the acquisition of lands for the guayule\* project.
- Kneipp: I saw that in her letter to me, but the man who conducted all that was Paul Roberts. And he is the one who wrote that book, Hoof Prints on Forest Ranges.
- Mezirow: She was under the impression that you had a story about Congressman Philips?
- Kneipp: There may have been, but it doesn't register in my mind. The guayule acquisition was during the war [World War I] when there was fear that we would be unable to acquire sufficient rubber to motorize our military machines. The guayule rubber was the nearest to natural rubber at that time that there was. Also the yeild of guayule, although it is just a shrub, is quite high.
- Mezirow: Wasn't there a lot of opposition from the cotton growers?
- Kneipp: I don't think so because there was--well, there might have been in California because cotton had become quite important in California, and guayule is practically a native plant in California. It may be that the Californians opposed any dissemination of the guayule standards. Actually, I did not follow that subject closely enough because their strides in artificial rubber were so rapid that pretty soon it totally eliminated the importance of guayule. There is another rubber which occurs quite prominently in New Mexico. It has a bad effect on sheep. If they swallow any quantities of it, the rubbery material forms lumps in their stomachs and cannot pass; and it finally kills them. So those are the two that they experimented with.

Change in State Attitude: Civilian Conservation Corps Funds

- Mezirow: Another question that Mrs. Fry has here--why did some states fail to consent to purchases under the Weeks Law?
- Kneipp: They thought that they saw the federal camel's head horning in under the state tent. There were several reasons. For example, Sherman [Associate Chief Edward A.] and I were up at Warren, Pennsylvania, and the Allegheny Foresters had just started in

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\*A small shrub of northern Mexico and Texas, cultivated for the rubber obtained from its sap.





Kneipp:

1924. That is now one of the prides and joys of Pennsylvania and was instigated by the city of Pittsburg as part of flood control work of Pittsburg. We were invited to a woman's tea or I guess maybe a DAR [Daughters of the American Revolution] meeting. We were exposed to considerable criticism on the grounds that in Pennsylvania they are certainly wealthy enough and intelligent enough to grow all the timber they need without the federal government. That was just a case of state egotism.

There were other cases where foresters were hanging by a thread to comparatively unimportant jobs, and they were fearful that, in the bitter competition of the federal government with its greater means and greater area, their jobs would just lose significance.

There were other instances where the states were just opposed to federalism. However, that changed tremendously when the WPA [Works Progress Administration] money became prominent and Roosevelt [President Franklin D.] alloted \$46 million to the purchases of lands under the Weeks Law. For example, we had been trying for years to get a foothold in Mississippi, without any success whatsoever because the Mississippi state forester was influential politically. When I drew up the executive order for the President's signature, I limited it to the 140 areas that had already been approved. All of a sudden there were tremendous outbursts in Mississippi over the denial of any part of that new movement to Mississippi. I remember Senator Pat Harrison picked me up at the old Atlantic building, and took me over to the old Department of Justice building. He told his driver to park at the top of the street until he came back. If anyone said anything to him, [his driver was to] tell them that the car belonged to Senator Pat Harrison of Mississippi. When we came back, the car was still in the middle of the street after an hour. The chauffeur said, "Yes, there were cops that came up to me, but I told them what you said and they went on by." Anyway, Pat Harrison and his successor, whose name I cannot remember, strongly boosted purchase units in Mississippi, not to get the lands reforested so much as to get the CCC [Civilian Conservation Corps] camps there with their tremendous payrolls.

Demands arose all over the country for the CCC work, which was of such character that very few private landowners would derive from it a financial benefit equal to what it would cost, or anything like it. Therefore, they [private landowners] were quite unwilling to allow the government to start in on their private property with the CCC program unless it became understood



Kneipp: that the improved property was theirs in fee simple.\* They wanted no strings attached. It was either that or inspired opposition. The idea of going in and spending hundreds of thousands of dollars on some big timber company's property and then letting them have all the benefit of it did not work either. It was finally decided that they [the federal government] would concentrate the CCC work on the lands owned by the United States, which were mostly in the West.

Next it developed that the shipment of a CCC enlistee from somewhere up in New Hampshire, for example, out to Oregon and then shipping him back again at the expiration of his period of enlistment, cost more than it would cost to buy enough land in his own state to keep him busy during the same period of time; and when he got through, all the work that he had done would accrue to the value of the government, and all the land would belong to the government. Therefore, there was quite a reversion on the part of a number of the states: From anti-Weeks Law they became strongly pro-Weeks Law. The only states that I remember rejecting it were Maryland, New York, and Massachusetts.

Anyway, there were several reasons [for states failing to consent to purchases under the Weeks Law]: state egotism (a feeling of superiority); anti-federalism; and state forester negativism. These all worked; and sometimes there were private operations, i.e. some would-be logger who was fearful that the government would purchase a particular tract of land which he had proposed to buy and operate himself. There were various reasons. As I said before, it was a matter of power and pilfer. If there's anything in it for us, we're for it. If there's nothing in it for us, we're against it.

#### Fight Against Misuse of WPA Money

Mezirow: Another question here--after the Clarke-McNary Act made acquisition of the White Mountain and Appalachian forests more likely, there were still some major difficulties. Could you describe your major problems in acquiring these lands?

Kneipp: There was only one difficulty. When the Weeks Law program was first started, the objective was one million acres in New England,

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\*Fee simple--with unrestricted rights of disposition. [Webster]



Kneipp: in the White Mountains of New Hampshire and Vermont, and five million acres in the southern Appalachian Mountains. Then these other states began cutting in enviously saying, "If these certain states can have this, why can't we have it?" So we had that Clarke-McNary committee go out in 1924. The original Weeks Law required the certification of the Geological Survey that the maintenance of a forest cover on a specified tract of land would contribute favorably to the navigability of a navigable stream; [but in 1924] they cut that out and merely required that it be on a navigable stream and be capable of producing timber. Actually what happened was the spreading out way beyond the original six million acres until at the present time under the Weeks Law, there are about sixteen million acres. That is under the amended act, the Clarke-McNary Act.

The big proposition is to get money. We were partly responsible for that ourselves. In 1935 a very expensive tract, the Chianester (?)\* tract in the Allegheny unit, was offered for sale under urgent conditions at the price of about \$750,000. Also the Delta tract in Mississippi, a tract of only sixteen thousand acres of exceptionally fine hardwood timber, was offered for about \$750,000. Also, in Texas, there were large offerings amounting to about \$750,000. Since this money that we were getting was work-relief money, and the President's allocation was highly debatable (it could be justified only on the grounds that by buying this land, he thus created an opportunity to provide work for CCC men), he [the President] straddled the legal principle.

I got a very delightful ninety-day trip to Germany, or to the Germanic countries, out of it. I opposed it [the purchases] on the grounds that the use of that money was inconsistent because these were three areas upon which there was no requirement of any CCC work. They were three virgin areas.

Then this year, 1935, when I was opposing the purchase of these high-priced, small-area tracts of land, I was selected as one of the six members of the forestry group that went to Europe for a wonderful ninety-day trip. When I got back, all three of the tracts had been approved for purchase. Up until that time, the sentiment in the National Forest Reservation Commission had been strong to appeal to the President to allot an additional \$30 million of this WPA money in order to buy more land.

I got back and tried to pick up the scattered threads. Secretary of War George H. Dern was the head of the commission.

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\*Probably Tionesta. I have made the change on the following pages.



Kneipp: I remember he sought me out in the Department of Justice in the office of the assistant attorney general. He said, "I just had a conference with the President. I mentioned this idea of allotting more money, and the President said that he would not under any circumstances allot any more WPA money to the Weeks Law purchases." In other words, somebody had tipped him off that there had been two and three quarter million dollars invested in land that did not afford any CCC employment.

The funny part of it was that in the Tionesta area, those foresters in Pennsylvania insisted that there should be no harvesting of the decadent timber, that it must be allowed to run its natural course--to die, to fall, to decay, and to return to the soil, so that foresters could find out what the natural process was. The fact was that it would probably take two or three centuries for that natural course to run, whereas the timber that was there and could be marketed the next year was worth several hundred thousand dollars. That was the issue; and the science won. That was the end of FDR's allocation of funds--of relief funds, at least, to Weeks Law work.

Mezirow: Do you know anything about the Hook bill?

Kneipp: No, I don't remember anything about the Hook bill particularly.





## INTERVIEW VII

7 April 1965

Interviewer-Edith Mezirow

EUROPEAN TRIP; MINOR IMPORT OF MEETINGS; IMPORTANCE OF  
DAY-TO-DAY CONTACTS

Kneipp:

You have one question here [on outline] about my experiences at the world forestry meeting in Europe.\* I did not attend that meeting. The only European trip that I ever made was as one of six members of the Forest Service under the auspices of the Overlander Trust. Overlander was a German who came to the United States and made a large fortune in knitting women's hosiery. He left a fund, I think of a million dollars, to be devoted to promoting the better understanding between the citizens of the two countries by financing parties from each country to visit the other each year until such time as the fund was exhausted.\*\*

The only world forestry meeting that I remember was [attended by] Silcox and C. E. Rachford. Silcox was the Chief of the Forest Service and Rachford was his special assistant. He had been assistant chief [of the Forest Service] in charge of grazing prior to that time. So I knew very little about that. Actually I have attached very little importance to any of those meetings. There was a great deal of froth and flutter on the surface, but underneath conditions remained pretty much the same as they were, and pretty much the same as they would have continued if the

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\*The question concerned the Second World Forestry Congress, Budapest, Hungary, 1936.

\*\*In interview VI, from which duplicate information about this trip has been deleted, L. Kneipp said the trip occurred in 1935. The "parties" mentioned here were called "delegations of technicians" in the earlier interview.



Kneipp:

meeting had never been held at all. In other words, the long-established trends continued to prevail. They do not become modified overnight just because some spellbinder makes some striking assertion or contradiction. So these meetings, as a matter of fact, were far less effective generally than person-to-person acquaintanceships, whereby some member of the Forest Service became well acquainted with some influential member of Congress or the public who would regard him as a man of such esteem as to thereafter support him in all of his programs, proposals, and things of that kind.

I think that explains my somewhat meteoric rise in the Forest Service. The people of the various regions in which I had served before I came to Washington thought so highly of me that they strongly endorsed me. No one could see any point in replacing me with someone else. I think it generally is true that the growth of the Forest Service is based more upon personal qualities, characteristics, ideals, ethics, judgments, and integrity than they were upon any roundly worded declarations of one kind or another. Actually it was that sort of relationship that put the Forest Service through its most effective period.

#### MEMBERS OF CONGRESS

Helpful to Forest Service: Carl Hayden, Charles L. McNary, Clinton P. Anderson

There are some questions here about some members of Congress: Which Senators or Congressmen were important in helping get through legislation that was crucial to the development of the Forest Service? Who was helpful on the appropriations?

Senator Carl Hayden of Arizona was outstandingly helpful on appropriations. He had been a member of the Senate from the time Arizona gained statehood in 1912. Everybody had absolute confidence in his judgment and his personality. A mere nod of approval from him was sufficient to carry any item.

Another man who rated very highly in the Senate was Senator Charles L. McNary of Oregon, who at one time was the majority leader of the Republican party--one of the giants when Franklin Roosevelt was President. While he had to watch his step and not be too one-sided [since] Oregon sentiment was



Kneipp:

somewhat divided, nevertheless his whole trend was helpful and favorable. I was sort of his "man Friday" in the Forest Service in that whenever he had a problem of any kind, instead of spending a day or so trying to figure out whom to see and talk to about it, his secretary would merely call me up and tell me what the problem was. Then I would nose around and find out who was handling it and what the situation was, whom to talk to. I would then pass this on to him [McNary]; then McNary would talk to him [the person dealing with the problem] and everything would be settled very quickly.

I think that was one of the reasons that I got along so well with McNary. He went so far as to tell me confidentially that he strongly advocated my selection as the Chief of the Forest Service following the death of Silcox in 1939, but that Roosevelt had flatly knocked it down on the grounds that my philosophy was not right. I think that was true--my philosophy and Roosevelt's were diametrically opposed in a great many ways. Since he was in and I was out, then his were right and mine were wrong.

That did not hurt my opinions at all. If McNary had prevailed, my tenure of office would probably have been rather short after that. I would not have been very happy. As it was, I dragged along until I reached retirement age and then retired in complete peace, happiness, and contentment. I have spent the last seventeen years that way.

There was another mentioned here--Anderson [Clinton P.]\* of New Mexico, whom I first knew as a newspaperman in Albuquerque, New Mexico. He was from South Dakota and had become tubercular. He came to New Mexico to regain his health, which he did. He was a very brilliant chap. He did not stay in the newspaper business very long; he went into politics and was highly successful. He has been there ever since. He has been mixed. For example, he has done many fine things in support of Forest Service; and, at the same time, he was one of the men who favored giving the livestock growers of the United States vested equity in the national forest lands which would have encumbered them [the national forest lands] forever.

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\*Clinton P. Anderson was a member of the House 1941-1945. In 1945, the year before L. Kneipp retired, Anderson became secretary of agriculture, serving until 1948. In 1949, he entered the Senate.



Incident of Anderson Against Forest Service Interest

Mezirow: Why did he feel that way?

Kneipp: I don't know. It was just one of those turmoil periods when compromise was the order of the day, and he compromised. He knew better, and previously his attitude had been supportive of the Forest Service. Nevertheless, he supported this thing [bill giving livestock growers vested equity in national forest lands] and it went through the Senate very quickly. Fortunately, I was able to get before a House committee [including] Fob of Texas\* and Hill [William S., House 1941-1959] of Colorado, two fill-ins at the very last half hour of the hearing.\*\* I furnished them with a statement that the Wildlife--well, anyway, they had copies made and placed on the desk of every member of the House of Representatives that night, [they] had a mimeograph.\*\*\* The next day the House vetoed the bill, and very properly at that.

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\*This name is not clear on the tape. There is no Representative Fob listed in the Biographical Directory of the American Congress, 1774-1971, nor was there a representative from Texas with a similar name during Hill's tenure.

\*\*Judging from the dates of service of the Congressman Hill, this hearing must have occurred no earlier than 1941. There is, however, no listing of Kneipp's appearance to testify on a grazing issue between 1941 and the time of his retirement (1946) in the Witness Index, in which such appearances are commonly, although not invariably, recorded.

In this Index there is a listing for an appearance, when Kneipp would have appeared in an unofficial capacity as a citizen, within the terms of the Congressman mentioned:

House Committee on Agriculture. Prescriptive Grazing Rights on National Forest Lands. Eighty-third Congress, Second Session. HR 6787. February 25-26, 1954. Page 90.

\*\*\*Mr. Kneipp could not remember the name of the wildlife organization which worked with him to furnish a statement to the House of Representatives. This might have been the National Wildlife Federation, the Wildlife Society, or the Wildlife Management Institute, all of which were in existence in the forties.





- Kneipp: There was practically no opposition. I think I was the only one who spoke in opposition to that bill. The Department of Agriculture was quite silent about it. The members of the Forest Service were absolutely deaf and dumb about it.
- Mezirow: Let me see if I understand this. This was a bill that favored giving livestock owners a vested interest in forest land.
- Kneipp: That is correct. It would have given them what would have amounted to a vested right to graze their animals in the national forests in the same numbers and under the same conditions that had previously prevailed. It would have given them property rights. The Senate passed it and handed it down. When I stood before the Senate committee at a last-minute protest, Ellender [Allen J.] of Louisiana was quite nasty about it.
- Mezirow: He is quite capable of that.
- Kneipp: Even Aiken [George D., Senate 1941- ] of Vermont frowned on my attempted last-minute effort to change the Senate viewpoint, although after the printed statement was furnished to him after I made the statement before the House subcommittee, he then announced that he would have absolutely nothing to do with that bill. As soon as the facts became known to him, he was adamant in his opposition to it, but on the basis of the facts given to the Senate committee, he was favorable to it and voted for it. That shows the kind of legislation that we get right along.

I have sat in committee hearing after committee hearing and have heard statements made to the committee that I knew from my own personal knowledge were absolute untruths. They were never checked at all or questioned. They were accepted and many bills have been passed on the basis of just such statements. This idea of democratic principle that we talk so much about-- democratic process--there is an awful lot of hokum in it. This is especially true if the chairman of your committee is inimical and gimmicks the program in such a way that the proponents of a bill get all the breaks and the opponents get none at all, which happens all too often.

#### Incident of Uninformed Congressmen

- Mezirow: Yes, I know; I have gone to a great number of committee hearings. It is very discouraging to go. So many political pressures are forced on the committee members.



Kneipp:

So many that they cannot possibly keep track of them. In the early days you could sit down personally and talk to a Senator. He would give you half an hour if he were interested, and he knew something about it. However, now he has two or three assistants. His mind is made up by maybe the second or third of the three assistants. He himself cannot possibly go through the tremendous budgetary record and all the documentary, supporting evidence that is supplied.

I had one amusing experience one time in connection with this O&C bill. During a recess of the joint committee, I attended lunch at the Senate and House restaurant. Opposite me was Senator Walsh [Thomas J., Senate 1913-1933] who was then from Montana and is now dead, and Senator Lindbrook, or whoever it was, of Wisconsin.\* That was not quite his name, but he was the Senator from Wisconsin. I had been living with the O&C record for two or three years and could almost recite it front to back. So Senator Lindbrook asked Senator Walsh to tell him about this O&C case, which Senator Walsh proceeded to do at length. I never heard a more serious misstatement of fact in my life than Walsh made to this other Senator. Senator Walsh himself was an honest man; there is no doubt about that. But he had absolutely no more knowledge of what the facts were than I have of what the condition is on the face of the moon. That is characteristic of a great many of the events that have gone to make up our history in the last fifty years. So if I get a little bit skeptical about things of this kind, it is because the prejudice does have some basis.

Helpful Members: John McSweeney, John W. Clarke, Reed Smoot, John E. Chenoweth

Now McSweeney [Representative John] was favorable, but his interest was all in research work and things of that kind. This was probably proper, as a matter of fact. If the Forest Service had devoted more time to the economics of forestry in the United States than to the emotional aspects, forestry today would be in a far better position than it is. There is a great deal of so-called forest land in the United States that will not pay for itself under any kind of management that would reasonably preserve its productivity.

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\*Since there has been no Senator Lindbrook of Wisconsin, it seems likely that Mr. Kneipp was referring to Senator Irvine L. Lenroot who served in the Senate from 1918 to 1927.



Kneipp:

Even in the European countries like Germany, for example, where they import 40% of all their lumber, and where wages before Hitler were very low, forestry seldom paid any appreciable profit as the mere growing of trees. It only paid 4% or 5%, something of that kind. A normal business would have paid twice this or more. One of the charms of forestry there [Europe] was the prestige it gave to the forest landowner--the social prestige--and his friendly relationships to the governing agencies and all that sort of thing. But so far as yielding cash return at interest rates (that would have been on the amount of money [for which] the forest as an entity would be sold), it did not compare with the average commercial enterprise in Germany. It was the prestige, as I say, and the pleasure and the fringe benefits like the hunting rights, and all that sort of thing, that made the strong appeal.

John W. Clarke, who was a member of the House, was a very helpful man. He was the co-author of the Clarke-McNary bill which extended the scope of the Forest Service work in 1924. He was generally very friendly and cooperative.

Representative Bertrand Snell [New York] was probably not quite so much so, but still he was not negative.

Senator Reed Smoot was very, very cooperative because by mutual consent Utah was rather something of a fief of his. If anything was to be done in Utah, it was not done without consulting Senator Smoot first. He liked it that way. Therefore when the act was passed prohibiting any further extension of the national forest except by act of Congress, Utah was not included. It was left out because Senator Smoot would much rather have the existing arrangement, i.e. that they would not be extended except by act of Senator Reed Smoot.

I remember one day I went to see him about some very important matter in his state. He said, "Now I am getting ready for one of our major hearings. I am going to be very busy for several days going over the budget and the testimony. I cannot afford now to take the time to discuss the subject with you. But if you will be here at 10:30 o'clock on Sunday morning, I'll be glad then to go over it with you in detail." So, of course, I said that I would be glad to [meet him then]. Sunday morning I showed my qualifications to the guard, was admitted to the Senate Office Building, went up and stood in the corridor near the Senator's office. Right at 10:30 I heard a click of heels on the marble hall, and around the corner came Senator Smoot with a whole great big bundle of mail under his arm. He was as good as his word, and he talked to me twenty or thirty minutes about this proposition, and finally approved





Kneipp: it; however, not without going into it in great detail so that he knew exactly what was involved. Generally speaking he was a strong supporter of the Forest Service throughout his years in the Senate.

There were other men; for example, Representative Chenoweth [John E.] of Colorado. I have always owed him a debt of gratitude. The O&C bill was planned for a secret hearing;\* there was no public announcement of it made. The printed agenda did not show that there was any intention to discuss the subject. The Congressman from Oregon--I don't remember his name--he was the editor of the paper at Roseberg. He was there. Somebody else was chairman. The thing was packed. Inadvertently, one of the people who was in favor let it be known that it was going to come up and be decided that day. I dashed out to a telephone and got hold of Representative Chenoweth who was up in his office several floors away. I told him what was going on. He simply remarked, "I'll be right down. I did not know a meeting was to be held."

In marched Chenoweth. You could see consternation spread through the hall. So the chairman went through the preliminaries. Chenoweth arose to a question of personal privilege. He said, "As a member of this committee, it is my feeling that a bill of this importance should not be acted on out of order. It should not be acted upon until there is a date set for a full hearing and both sides are represented."

The group that was there was helpless. All they could do was agree to postpone action until it could be acted on. During that session of Congress, it did not pass. Now, if it had not been for Representative Chenoweth's quiet appearance at that last second, they would have sent the bill through that very day.

#### Importance of Personal Relationships: Compton I. White

Here and there throughout the Congress there were numerous men whom I had met out West and different places. As a matter of fact, the old Roosevelt Hotel, which is now a senior citizens' hangout, used to be quite a rendezvous for members of the House.

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\*This incident must have occurred between 1941 and 1946, the year of Kneipp's retirement. Chenoweth's first term in the House was 1941-1949. His second term, 1951-1965, would have been after Kneipp's retirement.





Kneipp:

As many as thirty or forty of them would be there for a session. They would pull all their chairs together in one part of the assembly room. They would hold their rump sessions in the hotel in the evening to discuss the merits of different bills. It just so happened that I was the friend and guest of one of the tenants of the hotel. Therefore, I had the excuse to come in and listen. That was very helpful sometimes just by my explaining something, or asking a question, or calling attention to some negative legislation.

In other words, legislation is made up, to a large extent, not at the showy committee upon committee upon committee and all that sort of thing, or [by] resolution upon resolution, but [by] what you might say is the consensus of a group which hardly takes a definite form, except in the minds of the individuals.

It is hard to name all of them [Congressmen who supported and opposed the Forest Service position]. There are dozens and dozens of them.

Old Cope White--they called him Cope--Compton I. White of Idaho. His son [Compton I., Jr.] is now [1965] representative of the same district. He [Compton White, Sr.] was born and brought up on a ranch on the Northern Pacific Railroad at Sand Point. He used to boast about how his father, whose wife died when he was quite young, had raised a family of ten children on that ranch plus [holding] his job as station agent at Sand Point.

[Cope White felt] it was a shame to lock up all those millions and millions of acres of fine land and prevent other people from doing the same thing. He was definitely inimical at first, although the then Regional Forester, Evan Kelley, wrote and said that he believed that Mr. White was absolutely honest and sincere, and that all of our dealings with him ought to be on that basis. We ought to try to furnish him facts where he did not have facts. We ought not to resent any negation on his part.

It so happened that when he [Cope White] came in to pay his first visit, I was acting chief. Every summer I used to be delegated to be acting chief when the Chief and his associate went out on field trips. So he came stalking down the hall to pay his first official visit. As I afterward told old Representative Addison T. Smith who is now dead, he reminded me of an old western sheriff entering a log cabin full of outlaws. But we got to be quite chummy after a while.



Kneipp:

The reason that it was funny was that he inadvertently used a western idiom which was far from polite. Having used it, it kind of scared him. He stopped, confused at displaying how coarse his talk could be. It so happened that in responding to him, I used an idiom that was also prevalent in that part of Idaho, not too polite either. Anyway, before we got through, he was using his idiom both as a verb and a noun and a negative. He went so far one time when he was presiding temporarily as chairman of the House Committee on Public Lands as to permit me to subject Guy Cordon, who had already been nominated as a Senator but had not yet been approved by the Senate, to a very searching examination. He just sat back and imposed no restraints on me until the regular chairman came in and was horrified to see what happened and stopped me dead in my tracks.

The point was, though, that I had reached an understanding with old Cope, and we got along fine. While he and I would squabble like a couple of old fishwives over forest reserve policy, we always did it in a friendly way.

#### SECRETARIES OF AGRICULTURE: MINOR INFLUENCE IN CABINETS

Mezirow:

What about the secretaries of agriculture?

Kneipp:

The secretaries of agriculture is a hard subject to discuss. I want to look up a word here--it has a few connotations, but it expresses my idea. I was going to say this: The secretaries of agriculture, for all the time that I ever had any association with them, have more or less politically been, to use a phrase, sucking a hind-teat. [Laughter] In farm terminology this implies the method of getting the least milk of any, as you may know.

They never have carried the influence of some of the ranking members of the President's cabinet, not even anything like the influence of the secretary of the interior. It is hard to differentiate between a particular secretary of agriculture as a man whom you would know on the basis of his personally expressed philosophy and the secretary of agriculture whom you knew as the mouthpiece of an administration.

Time and time again, from the time when the office was in a little old red brick building that has now been torn down and supplanted by the marble structure, in going into the secretary's office to see him about some matter, I have always been impressed by the fact that there was hardly a visit when there was not at



Kneipp: least one man who was there trying to sell him a gimmick of some sort in relation to some particular legislative step. This was not a step that would promote the public welfare so much as it would promote the welfare of some particular group or clique. He was always torn between these conflicting representations. He always had to weigh which was which, and which carried the most weight, and which had the best standing with the President, and which one probably would receive the presidential approval and so forth.

James Wilson, David F. Houston, Henry C. Wallace, Arthur M. Hyde, Henry A. Wallace

Now you take James Wilson [1897-1913], for example. He was of the old agriculture type. He was initially a real farmer, and he never lost all of the true farmer's characteristics: friendly but blunt, outspoken speech, down-to-earth pragmatism in reaching conclusions, and things of that sort. And not opposed to new ideas simply because they were new, or not clinging to ancient ideas simply because they were ancient.

So in many respects--of course I was young then and had a little different viewpoint than I do now--I would regard him as more nearly a true secretary of agriculture and less of a politician than any of his successors. However, Alice Longworth was quoted in some memorial recently as referring to Secretary Wilson as a "bore" when it came to being a dinner companion. Possibly to her, with her sophisticated attitude toward life, he was a bore. To a true farmer, though, who was wondering what was going to happen to the crops if they did not get rain by next Friday, he was not a bore at all. He was a man who had shared the same experiences and knew what he was talking about.

Mezirow: What about Houston [David F.]?

Kneipp: He occupied the position from 1913 to 1917. Then he was transferred to the position of secretary of the treasury.\* From that he graduated to a very high civilian position in New York City. In my rating he was a very estimable man; he was

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\*David F. Houston was appointed secretary of agriculture on March 5, 1913 in the cabinet of President Wilson; appointed secretary of the treasury on January 31, 1920. Biographical Directory of the United States Executive Branch.



Kneipp: solid, substantial, his ethics were good. I never heard him suggest the slightest questionable action of any kind--departmentally or any other way. He was serious; he would hear a subordinate through before jumping to conclusions, instead of shutting him off before the man could tell him half of what he [Wilson] could or should know. Altogether he was a first-class man, in my opinion.

Mezirow: How about Henry Wallace?

Kneipp: The first Henry Wallace was the father--Henry C. Wallace. He was much the same calibre as James Wilson, and to some extent as useful. [?] He was the real founder of Wallaces' Farmer; you see, there were two Wallaces.\* He died in 1924. He was a man of very high integrity. While I do not know this personally, I will agree with my sources: A tremendous drive was being put on to steal the heavily timbered and highly valuable lands in north Idaho--to take homestead locations. It had tremendous drive behind it. It was carrying a lot of weight, and had Borah's support. Borah consistently supported bills which would give Nellie Kildie and Lynn Lindquist 260 acres from which, after they had been burned over, there was more than \$100,000 worth of timber sold. They hadn't cultivated patches any bigger than this bedroom.

Mezirow: Who were they?

Kneipp: Nell Kildie was a waitress in one of the nearby towns. Lynn Lindquist was a logger working all over the country wherever he could get a job. But they made these two filings, and they hired as their lawyer a Boise, Idaho judge, who had been Senator Borah's initial supporter. Because of Borah's loyalty to this judge, he introduced that bill in three or four, or possibly five, different Congresses although the evidence against it was overwhelming. But every new Congress, you could count on Borah introducing another Kildie and Lynn Lindquist bill.

The part of the elder Wallace was that he announced that if the Administration would support this negative legislation that was pending, then he would resign and give the public an understanding of why he was resigning. That had a deterrent effect, because he was a man of very high prestige in Idaho.

He supported the Forest Service strongly whenever it was right, but he had no hesitancy whatsoever in slapping our ears down if he thought that we were going astray.

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\*Henry C. Wallace served in the cabinets of Harding and Coolidge, 1921-1924; Henry A. Wallace served in the cabinet of F. D. Roosevelt, 1933-1940.





Mezirow: What about Arthur M. Hyde [1929-1933]?

Kneipp: Hyde was the poorest secretary of agriculture in my experience. He was an automobile dealer in Kansas City, Missouri. His connection with agriculture was the fact that his rich wife owned a large number of farms. As an obedient husband, he officiated in a managerial way in handling this farm property.

One incident that sticks out in my mind was this: It was proposed to buy an extension of the Ouachita National Forest in eastern Oklahoma. It was very poor land and very poor site quality. There was no market for it whatever; it was not even good grazing land. However, it did tie onto the timber unit of the Ouachita, so the Forest Service finally recommended its appraisal. They got an appraisal value of \$1 an acre. It was all cut over; all the timber had been cut from it.

It needed the approval of the National Forest Reservation Commission. The owners of the land exhausted every possible means of getting access to our appraisal of the land--the details of the appraisal, i.e. the quality of the land, the timber growth, and so forth. Of course, at that time the policy of the commission was not to disclose the facts of appraisal until after the option had been executed and signed, and the land had been acquired.

Just a few days before the meeting at which this was to come up, several people from this group [the landowners] came to Washington. They visited the offices of the Forest Service and endeavored in every possible way to see the appraisal. However, they were not allowed to do so because of the commission rules. The day before the commissioners' meeting, Secretary Hyde's office telephoned to the Forest Service to immediately hand over that particular case which showed an appraisal value of \$1.21 an acre. Of course, there was no option except to send a special messenger over with it right away. That afternoon the option of \$1 an acre was withdrawn. Later in the afternoon a new option of \$1.21 an acre was substituted. Now the only possible explanation was that they had access to this appraisal through the connivance of Secretary Hyde's office, although he was a member of the National Forest Reservation Commission, which had approved the rule that there would be no disclosure of the appraised values until after the options had been signed.

Generally speaking, his whole activity, as I recall it now, was lackadaisical. It was purely political. There was no profundity of thought, no convincing display of logic and reason or anything of that kind. It was compromise pure and simple; political expediency. So of all the secretaries, I held him in the least esteem. He is dead now, I guess.



- Kneipp:               There was one other man--
- Mezirow:             Henry A. Wallace came next.
- Kneipp:             Henry A. Wallace was the idealist. He was quite the antithesis of his father. He was engaged in the development of hybrid corn, which was a wonderful thing because it has marvelously increased our corn-crop production.
- Mezirow:             He is working in Guatemala--with the Indians in Guatemala--introducing hybrid corn to them.
- Kneipp:             I don't know where he got the idea. No, I guess his idea was purely scientific--that by cross-mating different varieties of corn and combining the genes in different ways, the number of grains to the cob would be greater and the size of the cob would be bigger, and the maturity of the grain would be more expeditious. The hybrid corn has done marvels not only in the United States but throughout the whole world.

But as a down-to-earth pragmatist, he was not striking. At a farewell luncheon at the office of the Forest Service at the time he retired to run for the vice presidency, he admitted it himself. There were just the five or six assistant chiefs and the acting chief of the Forest Service at the table. We had lunch brought in. We were letting our hair down, and he admitted that in looking back over his career, he could see now that if he had it to do over again, there were a number of things that he would have done differently.

But to give you an idea of the man, in a way: One of his sports at one time was to take a whole staff to run up the steps of the Washington Monument.

- Mezirow:             Why did he do that?
- Kneipp:             He wanted to show their hardihood. He could run up the steps; and if he could, then they had to. [If] any of them had any heart trouble, the chances are that he [would have] had to come out on a stretcher. But some way or another they managed to do it, and there were some mutterings among themselves.

Another thing he had--he told this himself at the same luncheon--was boomerang throwing. He interested his particular staff--the little coterie surrounding him--in throwing Australian boomerangs. They would go out on the grounds of the Washington Monument, and throw boomerangs to see who was most adept. One man watched with a great deal of interest several times. Finally, he spoke to Wallace and said that he had



Kneipp:

access to a type of boomerang that was different from the one they were using. He thought it would be a far better instrument--it would go farther and return more accurately. So Wallace said, "Well fine! Bring it around and we will try it out." So they did, and in the tryout the thing struck a rock or something and was shattered into two or three pieces. Then it developed that it was the prize exhibit from the Smithsonian Museum. This man was one of the custodians, who had taken it from the exhibition. The damage was not severe; it was simply cracked, so they called in all the technicians of the [Agriculture] Department to glue it together and varnish it together in such a way that the crack was not evident. Then it was restored to its place in the exhibition; but there were no more strange boomerangs thrown. In fact, I don't know that there were any more thrown. He told that himself at the same luncheon. In other words, that will give you an inkling of the degree to which he had deviated from his father who was so hardheaded, and whose instruments of thought were logic and reason and all that sort of thing.

At the same time, he was a very friendly chap. He was very fair to all of his employees and his subordinates. He was never unpopular at all.

#### Power of Secretary of Interior Ickes

There was another incident that might bear repeating now. The citizens of Ogden, Utah, had drawn up a petition to have the watershed from which the town of Ogden gets its water supply, added to the Cache National Forest, which lay immediately to the northeast of where this land was. The petition was endorsed by Abe Murdock [Orrice A.] who was then a representative from Utah to the House.\* He later became the Senator from Utah, and still later became a member of the National Labor Relations Board, and may be yet for all I know.

It was strongly endorsed and considered for acquisition by purchase under the Weeks Law. The area was approximately 1/4 million acres, and there were only 66,000 acres of it that were public domain. That [acreage] was still public domain because it was so worthless that no one ever felt it desirable to

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\*This incident must have occurred between 1933 and 1941, the years in which Abe Murdock was a representative to the House.





Kneipp:

execute the affidavits that would have been necessary to establish title to it. Any two or three men who wanted to lie about a piece of land could almost inevitably make their point stick unless there was opposition.

So it [the addition to the Cache National Forest] was proposed. Of course, all these additions in Utah had to pass through the Department of the Interior and through Ickes before the President would consider them. So Ickes opposed it strongly on the grounds that it was nothing more or less than an attempt to extend the facilities of the Forest Service. There were 66,000 acres of public domain that should not be given a national forest status, although they were right on this very vital watershed of the city of Ogden. We had in the office at that time Dana Parkinson who had been supervisor of the Wasatch National Forest at Salt Lake City, and who had been a close friend of Abe Murdock. I called Parkinson in and gave him the devil for having deceived us--mislead us--with regard to the attitude of the [word unclear] there. He did exactly what I expected. He went right over to tell Abe Murdock what Ickes had declared. It created so much concern that Franklin D. Roosevelt appointed Secretary of War George Dern, who was a ranking member of the cabinet next to the secretary of state, as the chairman of a special committee to go into the matter.

A hearing was held in Dern's office. Dern was there and his special assistant Martin. Wallace took me over with him in the agricultural limousine. Ickes was there with his assistant secretary, Burlew. Dern had had a committee to make a study of all the flood-damaged areas in Utah that had been damaged by the preceding year's flood. They found, without exception, that the flood in every instance had originated in an area that had been so denuded by deforestation and over-grazing that the soil movement started there and gained momentum. It washed out towns, roads, farms, and everything else. So Dern was quite sympathetic to the idea. He was favorable to it. While we were in Dern's office, the phone rang and Martin answered it and said to Ickes, "The President wants to speak to you."

Ickes walked over to the phone. We could only hear one-half of the conversation. He said, "Oh, thank you, Mr. President. I greatly appreciate the praise that you are giving me.\* You

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\*Since both Henry A. Wallace and Harold L. Ickes were members of the cabinet at the time of this incident, it must have occurred during the first two terms of F. D. Roosevelt's administration.





Kneipp:

know, of course, that I am always willing to serve you in any way that I can." (I might explain that just the day before, he had gone up to New York City and taken the hide off of Al Smith. He had accused Al of about every crime on the political calendar.) He said, "Yes, Mr. President, in any similar situation you can count on my support. I will be glad to do whatever I can." So he hung the phone up. Then he announced to the assembled group, "The President just called me up to express his appreciation of that speech that I made yesterday." That cast a kind of a damper over the whole meeting. Here was the President, picking out his hatchet man for a kiss on each cheek. He became more and more vociferous.

The funny part was that he had accused E. A. Sherman, who was the Associate Chief of the Forest Service, of being the promoter of the whole thing. This was absolutely contrary to the facts because the Weeks Law money was the only money available for establishing national forests in the East, whereas in the West there was an abundance of opportunity to trade national forest land for timber or public land. Therefore, we did not want to see any of the Weeks Law money spent out in Ogden. We wanted it kept back where it was needed most.

Wallace said, "Well, since there are only 66,000 acres of public domain, I will withdraw my recommendation." We let the matter drop by canceling the request. So we broke up, and he took me back to the South Building [Department of Agriculture] with him to his office. I started making some explanation, and he rather impatiently waved his hand. He said, "Oh, what's the use of talking about it? They'll just lie about you anyhow. You won't get anywhere, so what's the use of talking about it?"

Time went on and it was about three months later that Depew Falck, who was the son of the old property clerk of the Forest Service but who had joined the Taylor grazing district organization [Grazing Service], came to see me. I had known Depew from the time that he was a kid. I had known his father for years. So he came to me. (I was in charge of all the Lands activities, of course.) He said, "If Secretary Ickes were now to withdraw his objection to the addition of that land to the Ogden watershed, do you suppose that Secretary Wallace would refuse to approve it?"

I said, "I don't know. I haven't talked to Secretary Wallace about it since. He treated it as a closed subject. There was no representation on the part of the Forest Service that was not a true, factual statement." The facts are just the same today as they were then. If Mr. Ickes now wants to withdraw his objection, I feel confident that Secretary Wallace will go ahead and approve the addition.



Kneipp:

Lo and behold, in about a week here came a letter from Mr. Ickes saying that upon further consideration, he had decided not to oppose the extension of the Cache National Forest or the inclusion of the 66,000 acres. Now, in his first two books that he brought out, he went on to say that he had withdrawn his protest in order to save the Congressman embarrassment.\* What had happened was that the whole town had started to build a fire under Mr. Ickes. It got too hot for him, so he just quietly retreated.

A year went by and the same situation arose in connection with the town of Wellsville Mountain, which lies about thirty miles north of Ogden. It is the watershed from which about a dozen very small communities derive their irrigation and domestic water. It was all privately owned and very badly denuded so that floods were sweeping down from the mountains clear across the main, traveled roads and blocking the highways, and were damaging the fields, and injuring the towns. So they petitioned to have that added to the Cache National Forest with the view to restoring better watershed conditions, and minimizing the flood conditions.

So we submitted that proposal to Mr. Ickes and he said, "No." So the regent wrote back and said, "What are you going to do about it?" I said, "Nothing. Let nature take its course." He said, "No, let the people of Utah deal with him [Ickes]. We won't say a word to them. We will simply say that the secretary of the interior had objected to the proposed action. Therefore, the secretary of agriculture was unwilling to take it."

In about three months more, here came another letter from Mr. Ickes in which he said, "Upon further consideration and further study, we have concluded to withdraw any objection to the extension of the Weeks Law purchase program to Wellsville Mountain." So Wellsville Mountain in the course of time became part of the national forest.

Now both of them [the watershed areas from which Ogden and Wellsville got their water] have been the scenes of very, very intensive watershed control. The endless digging of furrows along the sides of the mountains, and the planting of trees in the furrows, and the planting of vegetation on the banks of the furrows is something similar to the Incas' or Aztecs' farming of the fifteenth and sixteenth centuries in Central America.

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\*Probably Mr. Kneipp is referring to The Secret Diary of Harold L. Ickes. New York: Simon and Schuster [1953-1954]. 3 vols.



Kneipp: The watershed conditions are now infinitely less destructive than they were then.\*

Claude R. Wickard, Clinton P. Anderson, Edwin T. Meredith,  
Charles F. Brannan, Ezra Taft Benson, Orville L. Freeman

Mezirow: What was Wickard [1940-1945] like?

Kneipp: Wickard was a good, solid, substantial farmer. With the numerous run-ins that I used to have with Ickes at different times, he took a great deal of delight. Therefore, when I became the secretary of the Organization of Professional Employees of the Department of Agriculture and asked him to join, although he was the secretary of agriculture, he joined and dug up his \$2, stating that he had derived that much satisfaction out of watching the conflict between Ickes and myself. [Laughter]

He was not a strong man in a way, or he was expedient. I remember one time during World War II when new types of agricultural cultivation were strongly advocated as means of saving labor and of producing larger crops. As a means to that end, bonuses were paid--so much per acre--to persons who adopted such methods. Their lands were all air-photographed and examined. The acreages were figured out and checks were sent to them. That caused a perfect flurry of protest from farmers on the grounds that the methods for which they were now receiving checks were the methods that they had always followed because experience had taught them that they were by far the most productive and the most economical methods that could be used on farms of their types and for their types of crops. To pay them additional sums of money that ran into hundreds or thousands of dollars for doing what they would have done in any event was a gross violation of all common sense.

So Wickard called a meeting of the chiefs of the various bureaus and all the specialists in his office and asked whether they should recognize these widespread and numerous protests and discontinue the payments or whether they should continue to pay them as the law provided. At least 90% of the men who

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\*Mr. Kneipp tells the story of Ickes' stubborn adjournment of a meeting called to consider land purchase under the Weeks Law. See interview XII.





Kneipp: were at the meeting there insisted that the payment must be made if the law provided for it. Even though the landowner was making more money, and even though he had been doing it all his life, nevertheless the law said that if he were to till his land in a certain way and handle his crop in a certain way, he was to be paid a certain amount per acre. It was his legal right; and, therefore, he should have it even though as a taxpayer he objected to being paid. Wickard just let the thing go by default.

Of course, Wickard himself was an Indiana farmer; so there was a conflict of interest there, and I don't know if he got anything out of it or not. He would have been a smarter man if he had denounced the practice. But the farmers are by no means allergic to gold [?]. In fact, the farmer is probably the inventor of horse trading. Anytime you can skin a farmer, it is rather unusual. So they kept the practice up so long as the assumed crisis persisted, even though the letters continued to come in protesting against the idiocy of the practice of paying men for doing the thing that they wanted to do.

Mezirow: Then came Anderson--Clinton P. Anderson [1945-1948].

Kneipp: Anderson was a politician. He was not a farmer in the true sense of the word, although he was born in South Dakota, I think, on a farm. He was a compromiser and a member of the House of Representatives and a Senator. I don't think that basic philosophy was nearly so important as getting the vote out or getting the thing settled one way or another, or if we don't pass this bill, then we won't get that bill passed.

Although he was personally always very nice to me--as I said, I knew him when he was a newspaper man--I can't pay very high tribute to him.

On the other hand, there was another man there who was not really a farmer in the strict sense of the word, and yet I think was one of the most admired men who was ever secretary of agriculture. That is Edwin T. Meredith, who was president of Meredith's Weekly and House and Garden.\*

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\*Edwin T. Meredith "received the Farmer's Tribune from his grandfather as a wedding gift (1896); founded Successful Farming in 1902, selling his interest in the Farmer's Tribune; purchased the Dairy Farmer in 1922 and founded Fruit, Gardens and Home (later Better Homes and Gardens) that same year; on February 2, 1920, he became secretary of agriculture in the cabinet of President Wilson, serving until March 4, 1921." Biographical Directory of the United States Executive Branch.





Kneipp: Houston succeeded Wilson [as secretary of agriculture] and Meredith succeeded Houston. Now, Meredith was sort of a man of the world. He was a newspaperman, and he was a student of the whole agricultural economy, not only the farm economy but the home economy as well because House and Garden was one of his publications. He was not for the farmer regardless of the housewife, and he was not for the housewife regardless of the farmer; he was for both of them--thought that both should get a square deal. He was supportive of the work of the Forest Service whenever it looked reasonable, but he was not blindly supportive. If a thing looked questionable to him, he demanded proof.

He was one of the most popular men ever. His farewell reception was in one of the big hotels; I think it was the Mayflower. Down in the basement the place was just jammed; there were simply thousands of employees, government employees of various offices. He got a very fine send-off. Everybody liked him.

Mezirow: What about Brannan [Charles F., 1948-1953]? What was he like?

Kneipp: He was not a strong man. He was really a lawyer, you know. His farming was more of an avocation than a vocation. Actually, I think that his selection was more political than anything else. When Wallace was selected to run for the vice presidency, why then he popped into the vacancy [of secretary of agriculture].

Mezirow: How about old Ezra Taft Benson [1953-1961]?

Kneipp: In my opinion, he was horrible; he was the worst one we ever had.

Mezirow: I agree with you.

Kneipp: He was untruthful, for one thing; he's unbelievable. The fact that his son is a member of the Birch organization [John Birch Society] proves it.

Mezirow: Sort of clinches the whole thing, doesn't it?

Kneipp: Yes. Benson was against everything, and he had no organization. He picked out men who did not know a thing about the job.\*

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\*At this point, Mr. Kneipp told the stories of Butz's veto of Howard Hopkins's proposal for a land exchange, and of the difficulty Chief McArdle had in getting to see Butz, who was



Kneipp: [In vetoing the acquisition of land by the U.S. government], he was smashing well-established policies that had prevailed for years and had been approved by both parties generously, without even knowing what it was about except that it took the land off the tax rolls. He was, in other words, voicing the view of the National Chamber of Commerce--anything that took land off the tax roll was contrary to the public interest. His whole attitude was negative, as far as I knew. Now a lot of it was hearsay because by the time Benson became secretary, I had retired. All I knew was what I would hear from this man or that man, or the other man, with regard to decisions that had arisen in certain cases.

I would say that he was the poorest secretary of agriculture that the Department has ever had to my knowledge.

Mezirow: What do you think of Orville Freeman [1961-1969]?

Kneipp: I wouldn't go around pinning any large bouquets on him, as a matter of fact. In other words, he makes a pretense of support, but not a very assertive pretense. As a matter of fact, the issue of conservation has drifted out of Agriculture into the hands of the Interior. Udall [Secretary of Interior Stewart L.] is now [1965] the outstanding apostle of conservation, although they had nothing to do with it for ten or twenty years after Agriculture started it. Freeman never lifted a voice to raise a query about it, or to say "Why, we were doing this twenty years ago."

Yesterday, down at the office of the Forest Service, I found a card referring to a television address that I made in 1937 on primitive areas. I talked for fifteen minutes on an NBC hookup; and a very prominent naturalist and wildlife enthusiast in New York City, a man of outstanding character, talked the other fifteen minutes. I went to our chief of public relations, Davis, and asked, "What can you give for documentary proof of the fact that this condition of wildlife conservation they are now talking about was proposed by the Forest Service thirty-three years ago, at which time the remedies recommended were those that are now supported and that they are proposing to adopt?"

He grinned and said, "Well, if there is such a record--"

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Benson's assistant secretary. Both of these stories were told to Mrs. Fry in the early part of interview II.



Kneipp: So I read this card to him. They checked with their TV office. They could find no record. They said, "If there is a record now, it will be in the archives only."

What I pointed out was that when there were six automobiles on the roads instead of the three that were then running [in 1937], when there were five or more airplanes in the air instead of the one that was then flying, when there were twice as many people occupying the lands of the continental United States as there were then, what would be the most strongly craved boon of the people of the United States? I said the answer was solitude--some place where they could get away from the turmoil and the pressure of modern life.

They couldn't find it in their records. The woman whom I talked to--Dorothy Martin--who was an old-timer there, said, "We could do this, and we could do this, and we could do this."

I said, "That is three times you said that we could do something, but you never once said, 'We will do something.' Are you going to do anything?"

So she finally halted herself and said, "Yes, we will do it, or try to."

#### NATIONAL PARK SERVICE: BID FOR ALL RECREATION

Mezirow: I thought maybe we could talk about colleagues in other departments. A little bit about Stephen Mather maybe.\*

Kneipp: Volume got to be the thing, and they [Stephen Mather and his colleagues] tried to put through a bill giving the National Park Service complete control over all recreational activities on all federally-owned lands. Fortunately, I had some good friends in the Senate. The bill passed the House without any hearings. It was late in the session so the bill could not come up except by unanimous consent. If one Senator said,

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\*In response to this question, Mr. Kneipp told the stories of how Stephen Mather had been involved in the Borax Trust, of how he had first gotten into the National Park Service, and of how, surrounded by aspiring colleagues, he had changed his philosophy--all of which he told to Mrs. Fry in interview I.



Kneipp: "Let the bill go over," or "I object," it couldn't pass and it would be dead in that session. This friend of mine played his part consistently. Finally, Worth, who was then one of the assistants, came to see Chris Granger and myself, and he said, "What can we do to this damn bill if you fellows won't take down that fence and let it go through?"\*

We said, "Insert a clause in the sentence--except lands reserved for national forest purposes."

So he said, "All right, we'll do it." And they put it in, and the bill went through. That was their aspiration: They wanted to come into the national forests and set up little enclaves wherever there were a couple hundred groups of people. Then it would be a national recreation area, and the foresters would have to stand off and watch the thing from a distance. But we beat them to a standstill that time.

Mezirow: It sounds as though you managed to beat them to a standstill most of the time.

Kneipp: Well, we were lucky.

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\*This may have been Conrad Worth who was director of the National Park Service 1951-1964 and thus may have been a highly-placed assistant in the 1930s when Chris Granger was in charge of recreation for the Forest Service.





## INTERVIEW VIII

4 May 1965

Interviewer-Fern Ingersoll

## O. AND C. LANDS: STRUGGLE OF OREGON COUNTIES FOR PROFITS

Ingersoll: You've told us quite a bit about the roots of the O&C controversy in the decision favoring the Northern Pacific. Can you tell us some more about the struggle between the Forest Service and the counties for rights to the 472,000 acres [sometimes listed as 462,000] that had gone into national forests?

Kneipp: As a matter of fact, there was no argument about the Supreme Court decision of 1921 [Northern Pacific case], but immediately after it was promulgated the eighteen counties traversed by the O&C immediately started a campaign to make the decision applicable to the O&C unselected lands; and [finally] it worked.\* Guy Cordon, who was one of the eighteen county judges, was selected to fill the vacancy of Senator from Oregon after Senator McNary died. He was immediately allocated to the Committee on Public Lands\*\* and he was immediately made chairman of the subcommittee on the O&C lands. After that there wasn't anything to it.

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\*In 1954 Congress declared the controverted lands to be O&C lands. They were placed under the jurisdiction of the Forest Service, but since they were not true national forest lands, the counties got 75% of the revenue from them rather than the 25% they would have gotten from lands with the status of national forest. [Dana] See appendix for Lee Kneipp's statement on HR 6662 and list of documents pertaining to S 2225 and HR 5958. Also in the appendix is Kneipp's letter to the editor of the Washington Post, January 8, 1954, regarding S 2225.

\*\*Later known as the Committee on Interior and Insular Affairs.



Kneipp: Finally, the counties were not progressing very fast and they brought suit in the district court here [Washington, D.C.], and the judge remanded the case back on the grounds of a pure legal technicality, not on the basis of the merits at all. Somehow or other, when it got to the District Court of Appeals, the decision was based not on the technicality at all but entirely on the merits that hadn't been brought up at all before the court. Everything I've learned since convinces me that probably President Eisenhower and his group and Secretary Benson of Agriculture and the secretary of the interior and the attorney general had all joined in a consent agreement.

Ingersoll: What would the counties have had to gain by that?

Kneipp: They would have gained--instead of 25% of the income from the land, they would get 75%. And it's been asserted by one man, Lafferty, who had been a candidate for Congress two or three times, that the land was worth a billion dollars.

Ingersoll: Who was the first one who raised the question of the jurisdiction of the O&C lands? Mrs. Fry was told it was a Forest Service man perhaps. Could it have been Region One's solicitor, McGowen [Daniel F.]?

Kneipp: No, he had nothing to do with it. He did raise a similar question in connection with the Northern Pacific lands later on.\* He had absolutely nothing to do with this O&C whatever.

#### E. A. Sherman's Role

Ingersoll: What was Sherman's role in this? Do you know what position he took?

Kneipp: He was always a supporter of the Forest Service viewpoint, that the forfeiture of the O&C grant in 1916 wiped out any equities on the part of the O&C railroad whatever and left the land in

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\*In a section of interview VI, deleted because of repetition, Mr. Kneipp explained that "McGowen, a regional law officer at Missoula, Montana, tried to bring about the revocation of several hundred thousand acres [of land claimed by the Northern Pacific railroad] on the grounds that the railroad had deliberately delayed the survey on the land until after the expiration of the time limit. He didn't get anywhere."



- Kneipp: its original public domain status and therefore subject to withdrawal for national forest purposes.
- Ingersoll: Was he able to make any very strong moves in this direction? Did he have the right connections, or the power to do it?
- Kneipp: Oh, we appeared before committees a dozen different times and we advanced arguments that filled pages and pages. He didn't do it as much as I did because I had succeeded him when I came to Washington in 1920. He had been the assistant forester, what is now called the deputy chief, in charge of all the lands activities, but in 1920 he was promoted to the position of associate forester. I was moved up and put into the position which he had occupied. So from the time that the new agitation began in 1921, the whole subject was primarily within my field of authority.
- Ingersoll: Oh, so you did do a great deal of work on it then.
- Kneipp: Well, Sherman was a very brilliant man and he contributed a lot to the thing. He was probably responsible for some of the brightest remarks I made, but he did not make them himself. He used to come into my office. We would sit down and talk, and then I would go up before the committee and testify.
- Ingersoll: Is it possible to say now what some of the best arguments were in this case?
- Kneipp: The best arguments were that at the time the Northern Pacific decision was made in 1921, there was absolutely no O&C railroad land grant whatever in existence because Congress by an act in 1916 had canceled it, made it null and void, and paid them a cash consideration of \$2.50 per acre for the lands.
- For a dozen or more years, practically twenty years, Congress refused to recognize the position of the counties. They never did pass a bill.
- Ingersoll: How did the 75% ruling get established in those counties?
- Kneipp: The first proposition was that the lands would have a national forest status. They would pay 25% of their gross receipts to the county in which they were situated. During the period of 1916 to 1921, that was what the eighteen counties got--25%. Then there was a law enacted [act of August 28, 1937]--unfortunately I have sent all of my law books out to Arizona now so I can't quote anymore--and this law increased the



- Kneipp: amount to 50% to the counties. Then finally when this final appeal was decided by the Supreme Court, it raised it to 75%.\*
- Ingersoll: This was over a period of years, this raise from 25% to 50% to 75%.
- Kneipp: And the other 25% was set aside to cover the cost of administering lands. So, virtually, the final appeal decision was to the effect that the eighteen counties would get the entire revenues from the 472,000 acres of land, but would have to pay 25% of that into the Treasury in order to offset the cost to the Forest Service. This was for protecting the land, building the roads, and all that sort of thing.

Now, in a way that was not too bad so far as the local people were concerned. That was a lot of money, amounting into the millions a year, for them. The counties grew very ambitious, constructing fine roads and fine school houses and fine recreation areas and things of that kind. They devoted a lot of their money to purposes of that sort. The Forest Service would probably not have done these things because they couldn't at that time.

#### Watts's Campaign Against Cordon

- Ingersoll: How active during this period of time was Chief Lyle Watts? Did he campaign against Cordon when Cordon was defeated by Richard L. Neuberger?
- Kneipp: Yes, but he had retired prior to that time. He was no longer in active service.
- Ingersoll: He was not the Chief any longer, but as a man--?
- Kneipp: At the time that he opposed Cordon, he was no longer Chief of

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\*The present United States Court of Appeals for the District of Columbia Circuit was called the Supreme Court of the District of Columbia at the time of this decision. It seems likely that since Mr. Kneipp, earlier in this section, indicated that the final decision was made by the District Court of Appeals, he was referring to the same court here.





- Kneipp: the Forest Service. He was simply a federal retiree.
- Ingersoll: In what ways did he oppose Cordon? What methods did he use?
- Kneipp: He strongly supported Senator Neuberger. He and Senator Neuberger had been on friendly terms for a long while. When Neuberger became a candidate [about 1954], why Watts supported him in every way he could.
- Ingersoll: Was Watts a very strong political figure? Had he been in politics?
- Kneipp: No, he was not a strong political figure at all. In fact, he was one of the weakest, politically speaking, of any of the several chiefs of the Forest Service. The way he was selected, I think, is very interesting.

Bill Greeley had resigned from the Forest Service to become the secretary of the West Coast Lumbermen's Association. That left the position of chief of the Forest Service vacant. Earl Clapp continued as the [acting] Chief of the Forest Service, but he had aroused the dislike of Franklin D. Roosevelt who therefore would not appoint him to the position of Chief. His daughter at that time was married to the editor of the Seattle Post Intelligencer.

- Ingersoll: Whose daughter was this?
- Kneipp: Franklin D. Roosevelt's. The Seattle Post Intelligencer was one of the most powerful papers in the Northwest. I think one reason Roosevelt appointed Watts was probably the strong support that Watts received from the paper run by Roosevelt's daughter and son-in-law. Of course, later they got a divorce, but it was too late by that time. Watts had been Chief of the Forest Service for several years.

He was not an aggressive person, though. He was not combative; he tried to defend the interests of the Forest Service, but other than that he was not a fighter.

- Ingersoll: Do you think that it was mainly on the basis of Cordon's position on the O&C lands that Watts campaigned against him?
- Kneipp: Oh, I think probably it was, because his opposition continued all throughout the period that Watts had been Chief of the Forest Service. At that time Watts consistently opposed everything that Cordon stood for.
- Ingersoll: Do you think Watts's campaign against Cordon was very important in Cordon's not getting re-elected?



Kneipp: Well, general public feeling throughout the country was important. The tidewater oil lands were at stake, and that involved not only Oregon but the whole Southwest--Texas particularly. They [states with tidewater oil] were very anxious to maintain a majority that would continue that policy of making lands available to the state up to a certain limit beyond the ocean. As I remember it, the division was very close, and Cordon's vote was considered very, very important even though he was defeated and even though the bill [S 2225] did go through and [the counties] won.\*

Absence of CCC on O&C Lands

Ingersoll: Do you have any idea why there were no CCC camps on the O&C lands during the thirties?

Kneipp: Well, I think because of the dispute as to the true state of the lands; that is, both sides were claiming jurisdiction--the Forest Service was claiming jurisdiction and the counties were claiming jurisdiction.

The big difficulty with the CCC plan was that it involved an expenditure of an immense amount of money for the improvement of physical properties--either preventing their deterioration or restoring them to a more productive condition. There was not the slightest indication of any probability of any considerable proportion of the landowners being willing to pay out of their own funds anything like the expenditure that the government contemplated. So that forced the CCC to be diverted mainly to the West where there was still a tremendous quantity of undeveloped forest land, although it did have the effect also of greatly stimulating federal forest ownership in the East here. The income to be derived from the CCC camps was so appealing that states that previously had resisted every attempt of outright purchases under the Weeks Law changed their position and began using every influence that they had to have national forests established.

One reason that it was done here in the East was that it was found that most of the CCC selectees came from east of the

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\*This is difficult to understand. Possibly "Cordon's vote" means "the vote for Cordon" since Mr. Kneipp was talking about public feeling.



Kneipp: Mississippi. In order to pay the cost of fare out there and their subsistence and their return home, it was necessary to spend a larger sum than would buy an amount of land in the East on which they could do fully as effective work, and which would all belong to the United States after it was done. Work done on the private lands, of course, would revert to the private landowner as soon as the CCC program was over. Work done on land owned by the United States would continue to be a benefit for the United States. That greatly stimulated the extension of the Weeks Law work in the East here.

Anyway, I think Watts's position with regard to Cordon probably was prejudiced to some degree by Cordon's negative position with regard to the O&C lands. But actually, at the time when he was most actively opposing Cordon, it was purely as a federal retiree and private citizen and resident and boarder in Portland, Oregon.

Ingersoll: Was Watts from Oregon himself?

Kneipp: No, he was born in Iowa; but when he retired, he went out to Portland, Oregon, and bought a home there and lived there until he died. He had been regional forester at Portland, Oregon, for a great many years before he became Chief of the Forest Service. He became more attached to what he called District Six--that would be Oregon and Washington--than to any other part of the country. So immediately upon his retirement he went out there and bought a home.

Kneipp's Attitude Toward O&C Battles: Importance of Lawyer's Support

Ingersoll: Can you tell me any more about your own personal experiences during this long, drawn-out episode: some of those days, for instance, when Sherman would sit down with you in your office or his office and you would work out ways of presenting the Forest Service's case in court, Sherman's brilliance? Are there any mornings or afternoons that you can remember to give a personal view of this?

Kneipp: It was all more or less a continuous performance, as a matter of fact; there was nothing miraculous about it. There is nothing heroic about the average thing a man does in a moment of emergency. He does it because he thinks he can do it, not because he wants to be a hero.



Ingersoll: Was this more or less an emergency when the O&C case came up in 1916 and the Northern Pacific in 1921--when the political battles, the legal battles, were being fought? Was it thought of as a moment of emergency in the Forest Service?

Kneipp: No. No, it was not an emergency particularly--it was 472,000 acres of land that were right on the top of the Cascade Range and on the sides, a very highly productive and very valuable piece of forest property. As I told you a while ago, this man Lafferty, who was running for Congress, made the assertion that that 472,000 acres was worth a billion dollars. [Kneipp chuckles] It was not an emergency; it was just an event in the fight of the Forest Service to try to change the point of view of the United States.

In writing to Mrs. Fry, I referred her to this issue of the Reader's Digest, the article on William Booth [leader of the Salvation Army].\*

Ingersoll: I did see a copy of your letter to Mrs. Fry that made a comparison between Pinchot and William Booth.

Kneipp: Well, there were quite a number of analogies there. Their personalities were, of course, entirely different.

Ingersoll: Could you go on with those analogies a little bit?

Kneipp: Oh, I would have to read the article again.

Steps were taken by the opposition to stop them [Forest Service proposals for land use], to eliminate them, and all that sort of thing. There were a great many steps taken that were very well disguised. As a matter of fact, Mrs. Fry

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\*In a letter of February 9, 1965, Mr. Kneipp wrote, "I wonder whether you've read the February 1965 issue of Reader's Digest and Richard Collier's condensed novel, 'The General Next to God' therein. The personalities of William Booth, founder of the Salvation Army, and of Gifford Pinchot, the advocate of natural resource conservation, were quite dissimilar, but Booth's efforts to redeem the prostitutes of Britain and Pinchot's efforts to redeem the raped and ravaged forest lands of the United States involved a striking number of analogies; especially in the obstructive efforts of the opposition, which basically were not greatly dissimilar."





Kneipp: sometimes takes some of these committee meetings and conferences and group things as very serious movements; whereas to us who were on the inside and knew what was going on, they were simply devices, structural devices, to attempt to defeat or at least obstruct some proposal that the Forest Service had made that someone in the Forest Service had objected to.

Ingersoll: As you were working out the case for keeping those O&C lands as national forest lands, did you feel that there was a good chance that you would win?

Kneipp: Oh certainly. Certainly. The odd thing about it, one of the attorneys in the Office of the General Counsel of the Department of Agriculture had backed me up for a great many years in all of my interpretations of the acts. But anyhow we maintained our position from the time that the subject was first raised about 1921 until the summer of 1946 or fall of 1946.\* There were a number of hearings. When I heard of this final appeal decision, I think the thing that hurt me more than anything else was the apparent repudiation by Mynatt of the twenty years that he had seemed to be in complete agreement with me. In the meantime he had resigned from the Forest Service and gone back to the South to resume his law practice. But my feeling was such that if I had met him, I think that I would have refused to shake hands with him, although I had had a very strong liking for him all those years.

Ingersoll: Did you ever meet him again after that?

Kneipp: No, but there was an aftermath to it that was very interesting. When McArdle was retired from the position of Chief of the Forest Service in 1963, there was a meeting of what was called the XFS club--the retirees of the Forest Service who live in the Washington area. This was held at a restaurant here. McArdle was the guest of honor. He cited this agreement with

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\*It is difficult to understand why Mr. Kneipp uses the date 1946 up to which the position of the Forest Service was maintained. The battle was not really lost until 1954 when, by the act of June 24, the controverted lands were declared O&C lands, vested in the counties and only administered by the Forest Service. Richard McArdle, whom Mr. Kneipp felt was responsible for giving up the claim to national forest status for the controverted lands, did not become the Chief until 1953.



Kneipp: the state of Oregon--the acquisition and the change of the status of the lands--as being [the result of] his purpose to bring about a stronger cooperative feeling. He went on to say that the only man who had opposed it consistently was Fred Mynatt. But finally after a long period of resistance, Mynatt had said to him, "Well, I do not believe it is right, but rather than opposing the whole organization, why, I will withdraw my objections." So my regard for Mynatt was completely restored by that fact. At least he did not give up until he saw that he was licked.

So we had a very definite, strong feeling for twenty years, or more than twenty years--twenty-four years--no, more than that [since] it was 1916 to 1946--thirty years--that the true status of those lands was national forest lands. Mynatt throughout--he was a good attorney--always agreed with my interpretations of the laws, and the statutes, and the proposals to the committees, and everything else. The fact that he had run out on me, I think, was one of my most painful experiences of my whole forty-six years in the Forest Service.

Ingersoll: Have you ever tried to account for his change?

Kneipp: No, it did not make sense until I got hold of one of his close associates out in the hall of the South Building one day. I told him all about it--what McArdle had said the night before. I said, "When you see Fred, you give him my deepest and most sincere apologies." He said he would. I don't know whether he did or not, but he probably did because they were very friendly.

So it was not a moot question by any means. For twenty-six years it was before Congress, and Congress refused to approve it. It finally was approved by the Supreme Court of the District of Columbia on an appeal that had been carried up purely on a technicality, but where the decision was based purely on the merits and not on the technicality.

Ingersoll: Who were other men besides Sherman and yourself who worked particularly hard on the case?

Kneipp: Well, C. J. Buck who was the Regional Forester out in Portland, Oregon, for a good many years. Clarence J. Buck was consistent in his attitude. And Jack Horton, who was one of Buck's immediate assistants in charge of the land, was completely consistent in his attitude. I think generally throughout the whole state of Oregon, the great bulk of the national forest people felt the same way. But by the time the guillotine fell, of course, I had already retired. Buck had retired, and



- Kneipp: Horton had died, and a great many of the defenders had gone diverse ways. All we could do was to say that it was fate or politics.
- Ingersoll: After working all those years so hard for something that you believed in--
- Kneipp: Oh, of course, we didn't do that to the complete neglect of everything else. That was just one of the things that had to be handled as part of the yearly grist.\*
- Ingersoll: Can you tell me some more about Guy Cordon?

#### Cordon's Background

- Kneipp: [Laughter] Guy was a very interesting old fellow. Of course, I guess you can't blame anybody for taking a chance. He's fixed himself for life now as an attorney for this very happy group of eighteen counties. I don't suppose that he has to worry about his law practice any more.
- Ingersoll: Tell me some more about him.
- Kneipp: He was born in Texas in a very impoverished family. He told me in the early days about the impoverishment and the hardships they had to undergo. They finally rigged up a pretty good outfit and drove to Oregon. It was in such a state of undevelopment that they went broke, so they drove back to Texas. When they got back to Texas, their whole outfit had practically disintegrated, so they were back where they started from and worse off than when they started.

After a few years they were reading that the possibilities of Portland were so great that they decided to try it again. So they got together another outfit and went back to Oregon. This time he made it click. He'd studied law and he became a county judge. The county judge is the arbitrator; he would take questions and so forth from the county commissioner and all the county officials. Throughout the entire campaign [of

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\*In response to a question concerning the possibility of humor in the O&C struggle, Mr. Kneipp told a story he had previously told Mrs. Mezirow about trading pipe tobacco with Guy Cordon while they talked on friendly terms.



- Kneipp: the eighteen counties] from 1916 on, you might say, he was the brains of the outfit; he was the leading man, the leading attorney. He was the man who would appear the most frequently before the congressional committees and submit his arguments.
- Ingersoll: Did he have good arguing style--good points, well presented?
- Kneipp: He was a good, capable lawyer all right. He was not a very impressive man. He was a little individual and redheaded, or sandy-haired. But we never had any feelings of enmity or anything of that kind.
- Ingersoll: Do you think that he believed what he was arguing for, or do you think that it was just a job, and if he argued well, he did well?
- Kneipp: Well, that is a question that has amused me in discussions with lots of attorneys. I often ask an attorney for a man who is obviously guilty of some heinous crime why he defended the man or accepted the retainer. The argument always was that the man is entitled to a legal defense. Therefore, he is entitled to the services of a lawyer. If no competent lawyer would come to his defense, of course he would be convicted. So all attorneys can rationalize their defense of almost anybody--like the man who shot Kennedy, for example.
- Ingersoll: You think this is the way it was for Guy Cordon?
- Kneipp: I think it was the same attitude. Law in the United States has been classed, you know, not so much as a matter of equity and fact, as of playing a complicated game where the rules and procedures and so forth are so complicated that the one who is the most skilled in employing them is usually the one who wins the case. It is not a matter of conscience. It is like taking your automobile to an expert mechanic when you want to get it fixed.

Kneipp Before the Congressional Committees

- Ingersoll: Were you the man who actually argued the case before the congressional committee?
- Kneipp: I appeared before the committee on a number of occasions.
- Ingersoll: Did you work up the material yourself, the arguments?





Kneipp: Of course, I drew on the regional office and I drew on my own staff here. I drew on the Office of the Solicitor, as he was then called. He is called the General Counsel now. In other words, the thing to do was to survey the situation and try to find out all the salient points and gather them into a persuasive and convincing presentation. I do not suppose that I was any better than Cordon, as a matter of fact. He was out doing one side of the thing while I was out doing the other. There was never any recrimination between us.

One time after he became a Senator, he cautioned me about a hearing that I was to attend. I said, "This may be my chance to get even with you."

He looked at me with a mock air of astonishment and said, "Get even with me?"

Ingersoll: Were there any other times like that when you two encountered each other?

Kneipp: Oh yes, there were many harsh words over the thing. The most amusing incident, and I told this to Mrs. Mezirow also, was when the hearing was before the House Committee on Public Lands. The chairman of the committee at that time was DeRouen [René L.] but one of the members was called "Old Cope." He was a member from northern Idaho. Compton White. Cordon was testifying in support of his position, and DeRouen was called away to another meeting, another quorum of some kind. That left White in charge as the acting chairman. White and I, while we argued violently about a great many different things, were always on very friendly terms. One of the absolute taboos in a congressional hearing is that no one, other than a member of the committee, is permitted to cross-examine a witness or ask a witness any questions. So Cordon made some statement and I immediately challenged it with a question or two. And he came back, and I challenged that with a question or two. For about five minutes we had a very, very interesting debate. White just sort of sat back there in an amused condition enjoying the thing. He didn't try to stop me in the least. He didn't try to tell me that I was out of order or anything else.

However, someone got word to DeRouen and he came rushing into the room. He stopped it right away. It had gotten to the point where I was questioning Cordon's integrity about certain things. It was not in conformity with good congressional committee practice, I will admit.



## PERSONALITIES IN THE FOREST SERVICE

E. A. Sherman

Ingersoll: Could we go back to the point you made that Sherman was a particularly brilliant man who had a brilliant way of arguing ideas and strategy?

Kneipp: He was a very brilliant man, and I am sorry, I think that I have sent to the Pioneer's Library in Tucson, Arizona, the article written by Henry S. Graves, who had been Chief of the Forest Service for ten years, about Sherman following his death.

Sherman was born and raised on a pioneer Iowa farm. He spent his youthful days following a plow, and breaking up the tough prairie sod. But he went to Ames, Iowa, and he established a very close friendship with a number of the members of the faculty like Doctor Pammel, for example, who was one of the outstanding women in the arts and the sciences. But some way or another, I guess the times got bad in Iowa, but anyway he migrated to Montana, to Missoula. He became a newspaper reporter there. As such he became thoroughly imbued almost to the point of fanaticism with Gifford Pinchot's creative conservation of natural resources. He took the examination for the position of forest supervisor, and passed it. He spent a number of years at Hamilton, Montana, in charge of the Bitterroot National Forest.

It was during that time that eight men from the West were brought in on a detail, a very mysterious detail. It had been announced in 1905 that during the next year, the Forest Service would charge grazing fees for domestic livestock grazed on the lands of the national forests. The western stockholders, especially those in Colorado and southern Wyoming and eastern Utah, were very, very strongly opposed to it.

They appealed to President Theodore Roosevelt to give them a hearing, which he agreed to do in December of 1905. He said that he would listen to them. Their opinion was that it was a time-honored use that [grazing] had been free of charge and [this free use] ought not to be struck down, because it was part of the tradition of the West. To impose a charge, even if it were only 25¢ a head for the grazing of cattle or 5¢ a head for the grazing of sheep, was wrong.



Kneipp:

So the meeting was set for December 5 or 6. Along in the middle of November, eight of us, who were in charge of national forests out in the West, [were] directed [to] report to Washington to serve as a committee to revise the use [regulations] for the first manual of the administration. We all were more or less amazed at the thing, because we had been given to understand that, as soon as they got enough foresters around, they were going to fire the whole bunch of us who were not trained foresters.

We came in and we were assigned to a committee room for working on the use [book] for a week or so. Sherman was one of the eight--he was from Hamilton, Montana. Another one was Seth Bullock, the famous Marshall of Deadwood that you might have read about. Another one was Robert E. Miller, who was one of the first settlers in Jackson Hole, Wyoming, in the time when one sturdy soul had to swim the Snake River, naked on horseback, in the wintertime to get over to Pocatello [Idaho] to get the mail for the group. Another was Dan Marshall who had been raised in the Uinta Mountains in northern Utah. One was King Wade who came from Silver City, New Mexico, which at that time was one of the wildest parts of the United States. Another one was Ben Crowe from California. Another one was E. T. Mammering [?] from California. [E. T.] Allen came in but didn't attend the hearings because he was from the East where there was little cattle grazing.

Anyway, it developed that during the time that we were at Washington, Sherman and I were the only two of the group that had any taste for the theater, for the opera or drama. We paired off and went to see shows while some of the other boys went down to some of the rougher places. So from that time in 1905 our friendship was very close. He got in a mix-up over claims that he had made in Montana which were believed to be misrepresentative, and to punish him Pinchot transferred him to the Sequoia National Forest as the supervisor. This was in California. He was so brilliant and such a fine administrator that in a very few months he was brought into Washington to head up the land-classification activities--land acquisition, changes in the national forest boundaries, creation of new national forests, and all that sort of thing. He occupied that position from 1911 or 1912 until 1920. Then he was made associate forester when Graves and Potter quit. Greeley was made Chief and Sherman was made the Associate Chief.

Then I was brought in and fell heir to the job that Sherman had had during the preceding eight years, and our offices were kitty-corner to each other. What one of us could not think up, the other of us usually could. We got along fine.



Kneipp: When Silcox took over in 1935, he reorganized the Forest Service and demoted Sherman to the position of assistant chief again.

Ingersoll: What was Silcox's reason for doing that?

Kneipp: Oh, he was one of the new "schoolees" of the Franklin Roosevelt New Deal group. He was a protégé of one of Roosevelt's close friends.

Mrs. Sherman tried to prevail upon him to resign. She came into my office one day. She had had a birthday and the crowd had fixed up a birthday cake and given her a little party and all that sort of thing. She slipped away and came into my office. She said, "Ed thinks a lot of you; he would listen to you; and I wish that you would in any way you could persuade him to resign. We have more money than the two of us will ever spend." (They had no children.) "There are so many nice things in the world that we always wanted to see but have never been able to see. If he were to resign, we could have several splendid years to travel, to amuse ourselves, to see the world and other aspects of life, to be free from any tension. You do what you can to persuade him."

When I started to, he cut me off very abruptly. He was so wedded to the job that he would not think of resigning under any circumstances even if he had been demoted even further down the line.

What happened was that very late in 1939 or early in 1940, he died. He was considerably older than I was. He was about twenty years older. Mrs. Sherman is still alive, I think. They bought a house out on Military Road [Washington, D.C.]. She is a very reticent person. She does not like to be disturbed, so I do not call on her, but I look her up in the telephone directory every so often to see if she is still listed. And she was the last I looked.

And apparently she was quite right. They had always been very frugal. When he was the Regional Forester at Ogden, she told the women of Ogden at the Women's Club one time that, from the time they were married, Ed and she had saved one-half of his salary every month and invested it in 8% farm mortgages. She was perfectly correct in her reasoning. That is, they had plenty to live on. They did not have to worry about anything. There was a lot of the world that he had never seen and didn't know very much about except just by reading.

Ingersoll: He died, then, before the final O&C decision was made.





Kneipp: Yes, he died in 1940 or 1939.

Ingersoll: Then he never knew how it finally came out?

Kneipp: He never knew, but he was always firmly of the same opinion as the rest of us. Meantime, while he had been out in Ogden as the Regional Forester from 1912 to 1920, he had studied a course in law and passed the Utah bar. And if I recollect, I think that he also passed the [Washington] D.C. bar, but never practiced.

Ingersoll: Did he use this legal knowledge in the arguments that you and he were working out to present to Congress?

Kneipp: Oh yes. I would suggest some premise and if he thought that it would not [words unclear] law, then he would frankly tell me so. Or if he were doing the same thing--which he sometimes did--then I would frankly tell him so.

Ingersoll: Can you remember any specific times when things like these happened?

Kneipp: Oh, Lord, there are so many things to remember; that is, this whole O&C matter was only one matter. We had dozens of them. I cannot recall all of them. There were attacks on the Forest Service from time to time. There were drives to abolish national forests which sometimes were successful. There were drives to establish new national forests or enlarge the existing forests which were sometimes successful. We had all the mining claims situations, which was one of the most absurd things on earth. When the forty-niners got to California, they were authorized by law to adopt whatever local practices were necessary in their opinion. For the next three-quarters of a century their local practices almost governed the General Land Office. It has only been within the past four or five years that they adopted laws with regard to the appropriation of mineral lands that had any sanity to them whatever. They were abused in every possible way.

The favorite way was that when anyone wanted to start an institution on national forest lands--this might be a saloon or maybe it was a bevy of ladies or something of that kind--the first thing that they did was to build a monument and have a man dig a ten-foot hole in front of it, and put a notice in a tin can at the bottom of it. Then it was all put on the record and that was their mining claim.

Default on the part of their location might be a basis for attack by a private individual, but it was not for the



Kneipp: government. They were supposed to do \$100 worth of work a year in developing the claim which they never did. However, the United States could not state that fact as a grounds for canceling the claim until within the past four or five years.

Ingersoll: Why couldn't they do it before that?

Kneipp: It was due to the attitude of the land office.

Ingersoll: They just would not support this kind of a prosecution?

Kneipp: They would not support any modification of the law. It suited them just the way it was.

When the act was finally passed four years ago [1916], the Interior Department opposed it. One of its members appeared before the committee in order to testify in opposition to it, although the committee itself had spent two months studying the the situation on the grounds that it had sighted instance after instance of abuse and misuse of the land laws in support of their conclusions. Yet, Interior opposed the proposed act.

As I said, it [the land] could be used for anything, especially if they wanted to put up a saloon or anything of that sort; all they had to do was to locate a mining claim. If we would write into the General Land Office to report the improper occupancy, we were directed to give them a notice to vacate the premises within ten days. I used to painfully type out such notices on a double keyboard Smith Premier typewriter. Then I would take them out and serve them on the proprietor. He would look at them and smile and ask me to have a drink. There were two or three cases when they pasted me up in the corner of a bar mirror. That shows you the complete defiance that they had.

Ingersoll: And that would be the end of the whole thing?

Kneipp: That was all. We would report later on that they had not complied to the notice. That was before the Forest Service was created--the Land Office days are what I am talking about now.

Ingersoll: How did you feel about all of this at the time? Did it give you a very frustrated feeling?

Kneipp: No, I did not feel very frustrated at all. It was all high adventure to me. Very understandable--being in such beautiful country, riding lively horses, meeting all kinds of people from saints to sinners and dealing with them. I never suffered any



Kneipp: feeling of resentment or contrition or anything of that kind. I was more or less certain that eventually the thing would iron out. Unfortunately, it took about fifty years longer to iron out than it should have taken.

Earl Tinker

Ingersoll: Yes, those things often do. What about some of your other colleagues besides Sherman, some of the men who shaped the administration of the Forest Service, shaped events? What about Earl Tinker, for example?

Kneipp: Earl Tinker. Well, he had a very fine, keen mind. He was not overly sentimental or overly scrupulous or anything of that kind. I do not mean that he was obstreperous but if there wasn't any law against it, then he didn't see why he should not do it. He started in as a forest assistant. Then he went to the Black Hills National Forest in South Dakota. Then he was transferred over to one of the forests in Wyoming. Then he was made an assistant regional forester, or [assistant] district forester, as he was then called. From that toe hold, he started out to create a separate Forest Service region in the Lake states; [the area] at that time was being administered from Denver much to the dissatisfaction of the people in the Lake states who used to inquire acidly, "What the hell do they know about our views here?" or "Why do we have to be governed by them?"

He made a great success of that new region. It started out and it is one of the important regions now. Then he was made an assistant chief in charge of state relations, state cooperation. Then he became secretary of the Pulp and Paper Association and made a big success in that. He died rather prematurely. I guess he was in his mid-fifties when he died. But he was a go-getter. He had a very fine, keen mind. He was very pragmatic.

I remember starting out on a long canoe trip along the boundary lakes between Canada and the United States. We went around the famous Cathaway Circle.\* We started the same

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\*Possibly Mr. Kneipp is speaking of the Kawartha lakes in southern Ontario. These are fourteen lakes forming a system in which canoeing is done.





E.W. Tinker and Leon F. Kneipp, Milwaukee, Wisconsin. Early 1930s.



Leon F. Kneipp





Kneipp: morning that Lindbergh started for Paris, but it was five days before we found out that he had arrived there. We had been out in the wilderness all that time.

But just typical of Tinker, when we started out in the canoes, he made this casual remark. He said, "You want to understand now that if anything happens to these canoes and they tip over, then it is every man for himself." He said, "A man won't live more than a half hour or an hour in this ice cold water, so he had better spend whatever time he's got in saving his own life instead of worrying about trying to save somebody else's." That was good advice all right.

It just so happens that we made a number of trips of that kind over the years and nothing ever happened. Later, we flew over the forests in airplanes a couple of times waggling, and nothing ever happened. But that was his attitude: "You're a full-grown man, and if anything goes wrong, don't look to me to save you. I have myself to save." But he was a brilliant man, and aggressive and a driver. And apparently highly successful in it. He did quite well financially in the Pulp and Paper work--was still the secretary when he died. So he was one who was quite outstanding.

He was a small man. He couldn't have weighed over 140 or 150 pounds at the most. He was frail and slender. On the Superior forests, you know, you traveled by canoe. There were no roads in those days. An eighteen-foot canoe weighs about eighty pounds after it has had about two or three coats of paint applied to it and some grime on the inside. Usually three men would travel in a canoe. They'd alternate with the paddling. They usually carried four packsacks; so when we came to the fords, one man would take the canoe, and each of the other two men would take two of the packsacks and carry them across. Even up in that north latitude along in June or July it got pretty hot underneath the canoe on a bright, sunny day, and the black flies and the gnats got in. The Michigan dope that we smeared all over our faces made us look like Negroes but wasn't much of a help. Then sometimes I felt that the game wasn't worth a candle, but I'd see Tinker trotting along carrying his eighteen-foot canoe, and I would think, "Well, if that little son-of-a-gun can do it, then so can I." So he built my morale up more than almost anybody else could.

Ingersoll: Did he have very much influence on the policy of the Forest Service?

Kneipp: Oh yes, he had a lot because he was very popular with the state foresters. He had no hesitancy in telling the heads of the Forest Service or the other assistant chiefs what was right



Kneipp: and what was wrong; so if he found any grievance that had solid justification, he would come right out and fight to have it corrected.

What is now called State Forestry, which is a vast program of financial and physical cooperation of thirty-eight of the states, is largely the outgrowth of what he started. It was what he had in mind all the time. While he didn't stay in the Service to see it come to full fruition, the target was the one that he set up. So he was a very influential person for that reason.

Ed Kotok

Ingersoll: What about Ed Kotok?

Kneipp: Well, Ed was in research. He was one of the scientific men rather than an administrative man. Incidentally, he was the brother-in-law of Show who was state forester of Region Five--California--at the same time. Bevier Show. I don't know whether Show married Kotok's sister or whether it was the reverse, but they were very closely knit together both in their interests and in their matrimonial relations. They were both very good men although Kotok didn't have the concern about money that Show used to. He was under the blessing of the new interest in research and he could get money more readily.

One time he started to sink a well to open up new tracts of grazing land for an experiment. Finally he got down to a depth of 2200 feet. He expressed a little worry to me about it. I said, "You had better stop, or else you'll be hitting oil pretty soon." So he finally stopped, but he developed quite an extensive range-research program there. Well, he was the exuberant, ebullient type. He was quite enthusiastic about things, and quite profuse in his declarations and such, both on the merits of things that he favored and the demerits of things that he didn't favor. Show was more reserved, diplomatic, and the type who could quietly adjust things without saying much about it. He got along quite well, quite satisfactorily.

He is retired; they both retired. Show is dead now, but Kotok is still alive.\*

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\*Kotok died in 1966.



- Kneipp: One of the anomalies of the situation was that he was supposedly the outstanding authority on soil movement, soil erosion, and things of that kind.
- Ingersoll: Was this Ed Kotok who was the authority on soil, or was it Show?
- Kneipp: No, it was Kotok. He built himself a very beautiful summer home up on Walnut Creek in one of the national forests out in California. Lo and behold, the next storm that they had--the next series of tornadoes or whatever they were--cut an enormous cravass right in front of the front porch of his beautiful home. He had not paid any attention at all to the soil, which was very pliable and loosely bound.
- Ingersoll: He'd gotten so interested in building the house that he had forgotten about the underpinnings.
- Kneipp: Probably so. I think that he has salvaged a considerable part of it since by reinforcements and all that sort of thing.
- Ingersoll: Has that range-research program that he began gone on in the way that he began it?
- Kneipp: Yes, very much so. But it was not only range research; that was only one aspect. He was in charge of all the research. Among other things was the breeding of hybrid trees, hybrid species that would combine the greatest freedom from insect attack with the greatest firmness of root or root binding as protection against windfall. He also tried to get the most rapid growth or the best yield or the largest proportion of usable timber. That has developed now into quite a wide program.
- Ingersoll: Have they discovered something like this?
- Kneipp: Yes, they claim to have. They have not yet attained the ultimate ideal that they had in mind, but they are making progress. That is very painstaking work, you know; they have to climb up the male tree to get the pollen off the male, the pistils, stamens, or whatever they are. Then they have to climb up and shake the pollen on the bud of the female tree. Then they have to watch it for two or three or four years to see how the cones mature. Then they have to carefully select the cones, heat them, dry them, de-seed them, and then plant them. Then they have to mark the growth rates for a long time. It is quite a program; it may take twenty-five or fifty years before they get anything in the way of a conclusion or final data.



- Ingersoll: Then the men who begin it can hardly be in on the end of it, can they?
- Kneipp: They can hardly expect to live to see the final outcome. They can see the failures, of course.
- Ingersoll: If the tree dies?
- Kneipp: If the tree dies, or the cones fail to reach maturity, or something of that kind. Of course, then they know that they made a mistake. But they have a number of different species now upon which the cone growth, the seed growth, has reached a stage that is very hopeful. Now they are going into the seedling stage. They are planting them in seedling beds and then transplanting them, then finally planting them.
- Ingersoll: Did Kotok look forward to this sort of thing when he began the program, do you think?
- Kneipp: I think so. He is a Russian by birth, I believe, and he had a very pragmatic and facile grandmother, judging from some of the many funny things that he used to tell about her. Her constant urging was to "Keep your feet on the ground and don't lose your nerve" or something to that effect. So he worked somewhat along those lines. He was always hopeful but he wasn't engaging in any hyperbole or anything of that kind.
- Ingersoll: He must have been quite an imaginative man?
- Kneipp: Oh, he was, I guess. Mrs. Fry knows; she was the one who "sicked" him on me. He wrote me a note just the other day. I have it here. I would have sworn that I had it right here. Kotok wrote that I should not let the opposition get away with disparaging the good work that Gifford Pinchot had done and so forth. It was a very brief note to that effect.

#### Roy Headley

- Ingersoll: What about Roy Headley--he was another one of your colleagues, wasn't he?
- Kneipp: Well, Headley was a mistake in a way. He was a ranger out in California. This was at the time that the Taylor time studies were developing their popularity. He got very much absorbed in that. So much so that he would go around with a ranger on the ranger's tour and time everything that the ranger did--so many minutes to ride to a certain point, so many minutes to go to the post office and get the mail, so many minutes to go to the





Kneipp: store to get supplies, and so forth. He liked that idea--the planning of work so as to make every minute count. It gained such a dominance over other things in his thoughts that I don't think that he contributed quite the exalted, stimulating suggestions that he could have otherwise.

Ingersoll: He sounds like a rather small thinker.

Kneipp: He was, in a way. And he was one of the first men to buy one of those Carter automobiles where the gear was one wheel revolving in friction against another, and things like that. He was also a restraining voice on all increases in the budget. He was forever demurring at any proposed enlargements or expenditures--oh, not always, but it appeared to me that his attitude was often negative with regard to a number of meritorious suggestions. For example, he strongly opposed the creation of Region Nine that I was mentioning when I spoke of Tinker; and yet they have about fifty national forests in Region Nine now. It is one of the most important in the whole ten regions. But he objected strenuously to taking a Minnesota forest from Region Two and using it as the nucleus for a new region.

He was unwise in his stock speculations. His wife met my wife one time in the bank and expressed great regret that certain trips that they hoped to make would not be possible because Roy had invested in certain stocks that turned out to be--

He was perfectly honest and conscientious and had good ethics. He didn't surge ahead of the crowd by any means.

#### E. E. Carter

Ingersoll: What about E. E. Carter?

Kneipp: Carter was a typical old New England Yankee. He was born in Maine. He always looked back to the time when he used to go down to the wharf and buy a boiled lobster for a nickel and eat it right there on the fish wharf.

He intended first to engage in seamanship. I think he sailed around the Horn one time in a sailing vessel. When he heard the message from Gifford Pinchot and the rest of them about conservation and forestry, it captivated him so completely that it dominated him all the rest of his life. He would be



Kneipp: completely lost now from the time he was in charge, for a good many years, of the timber sale management. Sales that amounted to a couple of million dollars a year were big sales. Now they sell at the rate of a hundred million a year. They have also adopted all sorts of new devices for cruising timber and determining the volume and the value, making the appraisals. I don't know whether Nick would be happy with that or not. In fact, he rather prided himself on being--what's that old saying, "Be not the first by whom the new is tried. Be not the last to lay the old aside."

Ingersoll: Was that a phrase that he used himself?

Kneipp: No, he didn't use it himself. It was just expressive of his general philosophy of life.

Ingersoll: How concretely would you say this affected his job with the Forest Service?

Kneipp: It didn't affect it at all because at that time it was the only kind of a job that could be done. You had these vast expanses of timber that had no means of access. There were cases up in northern Montana and Idaho where in case there was a fire it took three days to walk the firefighters in to the fire. By the time they got there, they were so exhausted that they had to take another day to rest before they could even make a start at fighting the fire. To seel timber in any considerable quantities involved a heavy outlay of capital. Usually you had to have a railroad and a sawmill, of course; then there had to be innumerable logging camps scattered around the parts so it required a very considerable sum of money to operate on a large scale. A person could cut a few hundred cords of wood or a few thousand feet of log. At the prices that the lumber was then selling, that meant that you had to get every last stick of lumber out to amortize the cost of getting it out, to meet the cost of all of these improvements. Timber was selling for as little as \$1 per thousand feet or \$2 per thousand feet.

He fitted in with his time all right--at least for the first twenty or thirty years. He was an ardent tree lover and dendrologist.



## INTERVIEW IX

18 May 1965

Interviewer-Fern Ingersoll

## WILLIAM B. GREELEY AND CONSERVATION

Ingersoll: I've been reading William B. Greeley's book, Forests and Men. How do you view his move from working for the Forest Service to working for private lumber interests?

Kneipp: Many people wondered how Greeley, who had worked for the Forest Service, could later work for the lumber interests. I asked Greeley that very question. His answer was, "That's what I was afraid people would wonder." I think that Forests and Men was written by Greeley as an attempt to put forth a justifying philosophy.

When Greeley and I made a trip over the Monongahela, we were accompanied by Franklin Reed who was the Regional Forester, and J. G. Peters, the state relations man--state forestry man--and the supervisor. We spent a number of days going over the lands of the Parson's Pulp and Paper Company which had an enormous acreage (I forget now how much it was--somewhere between 50,000 and 150,000 acres). What we would do was to go out on the logging trains in the morning. Then we would go off across a chain of ridges or a group of valleys on foot. Then we would be picked up by another logging train and be taken back to camp, and then go home in the evening. By the way, the superintendent of the whole company was with us.

After we had completed that process, we got back to Parson's and we were standing on the porch. He [the company superintendent] said, "Next Saturday night, the whistle on the mule is going to blow for the last time. We're through. If we knew forty years ago what we know now, there would never have been any need whatever for that whistle to blow." In other words, they could have maintained their forest resource



- Kneipp: in such a way that they could have kept the mill running indefinitely. However, by following the old cut-out and get-out methods, they had no recourse except to scrap the mill and sell it for junk.
- Ingersoll: How long ago was that?
- Kneipp: It was in the early twenties.
- Ingersoll: Did it close down then?
- Kneipp: Oh yes. The government owns quite a large part of the Monongahela Forest, and it's coming back into fairly good shape, although it does not contain the wonderful growth of virgin timber that it had to begin with--trees four, five, or six feet in diameter. Of course, a lot of that had to do with the chestnut blight. Chestnut formed a large part of the forest growth along the whole Appalachian Range. That had been completely eliminated by chestnut blight. But there were all kinds of other fine trees--white oaks, a half a dozen different varieties of oak, and ash, and maple, and any number of things which could have been handled more as resources. If the company had done more as the Indians did--i.e., just take from the land what the land produced each year and leave enough for the land to produce the next year--they would have had a far happier situation today than they have. But they didn't do that. Profit was the incentive always. It seems that profit dominates almost everything else.

#### PRESIDENTS AS CONSERVATIONISTS

##### T. Roosevelt and Taft: Bull Moose Movement

- Ingersoll: Would you think that it was the influence of Teddy Roosevelt that really started the conservation movement?
- Kneipp: Of course it was, in this way. He and Gifford Pinchot had been very close friends when Roosevelt was the vice president. Pinchot had talked to Roosevelt time and time again about the needs of the situation. Other men had too. However, as the vice president, Roosevelt was practically a nonentity in those days. Then all of a sudden McKinley was shot. Within a very short time thereafter, Roosevelt began to say, "Let's do something about this forest situation!" And with his backing





Kneipp: and the awakening interest on the part of the American public, the thing changed and developed from inertia to momentum almost within a year. If there had been no Roosevelt, then there would be far less forestry today than there is. Or if Taft had been re-nominated in 1912, if he had been sustained in his support of Ballinger, for example, there would have been much less forestry than there is today. Ballinger and Taft were exerting every effort to go back to the condition that prevailed prior to the Roosevelt administration.

Ingersoll: Who was Ballinger?

Kneipp: Ballinger was a lawyer who was appointed secretary of the interior by Taft. He had been a high ranking lawyer specializing in big land cases and things of that kind. He was an ardent disciple of the philosophy that "them that has, gets." As soon as he became secretary of the interior, he began undoing all the things that Taft and Roosevelt had spent the preceding eight years doing. That's what caused the breach. This fuss over the coal lands in Alaska, I think, was simply a moving proposition [a case where a point could be made]. The condition that actually prevailed was that they [Taft administration] were withdrawing a number of younger and brighter minds in the country that were determined that no recurrence of the old conditions would be allowed to take place. They supported the Ballinger-Pinchot row.

Actually the man who prompted the whole thing--and I knew him personally and was never very much impressed by him personally--was a special agent who tried to have those coal claims canceled on the grounds of fraud. He was unable to succeed. He was turned down by Ballinger and the Interior Department. He then appealed to Gifford Pinchot for aid in bringing this situation to the attention of the people of the United States. That brought an immediate clash between Pinchot and Ballinger. It further brought about an immediate clash between Taft and Roosevelt who was then in Africa on a hunt.

When Roosevelt came back from Africa, Pinchot met him offshore several hundred miles to tell him about the whole horrible situation. By the time he landed in the United States, he was determined that there should be no more of that. If that was the way Taft was going to run the United States, the sooner they could run him in the better. That broke up a long-standing friendship.

Ingersoll: Between Taft and Roosevelt?

Kneipp: Yes.



- Ingersoll: Was Roosevelt able to do very much at that time to change the situation?
- Kneipp: Sure, he organized the Bull Moose movement, and there were enough followers of Roosevelt and the Bull Moose movement to deprive the Republicans of a majority which they would need to re-elect Taft.
- Ingersoll: Do you think that this was the main reason the Bull Moose movement was organized?
- Kneipp: I think it was one of the main reasons, yes. In other words, Taft misjudged the type of thought on the part of the American people. More and more of them year after year were deploring the waste, laxity, and the connivance of different groups; and they were hoping for a better and more realistic government. So when Roosevelt declared as an independent, at least he got more votes than Taft did. Of course, the Republican vote was divided between the two, and Wilson got more than both of them got together.

Woodrow Wilson: Peace Issue Dominated

- Ingersoll: What about Woodrow Wilson and conservation? What trends did he follow?
- Kneipp: He was supportive. Wilson was a student and a thinker and always had been. He was not a politician, and he was not as willing to compromise his convictions for votes. If he felt that a thing was right, then he was for it. Generally speaking, there was no question at all about the logic of conservation. You certainly couldn't keep on cutting more timber than grew without finally running out of timber; you could not keep on eating more grass than grew without being out of grass; you could not keep on washing away the productive top mantle of soil that represented five hundred years of natural action without getting down to the subsoil that wouldn't grow any crops.

Wilson did not require any arguments for that kind. He knew it in advance. He wasn't wildly enthusiastic; after all, he was a college professor and he weighed pros and cons. Generally speaking, though, his attitude was supportive. At least he didn't try to set the clock back to what it had been prior to 1908.



Ingersoll: With all of his international problems and concerns, did he have much time or energy to push conservation?

Kneipp: No, I don't think so; he was more concerned, of course, with the world situation. He took office in 1913 and World War I broke out in 1914. When it ended in 1918, he then took up the peace movement, the world peace program in which he was defeated, of course, and it wrecked his life. Therefore, he wasn't active in support of conservation the way that Roosevelt was because he simply didn't have time; or rather, he was dominated by the greater concept of the world that was flying to pieces and that had to be saved by all means possible.

Warren Harding: Laissez Faire

Ingersoll: What about Warren Harding?

Kneipp: Well, he was a false alarm. He was a good poker player and they would always play in the little green house at 1625 K Street. He was the one who appointed Albert B. Fall [as] secretary of the interior.

Ingersoll: So he probably moved things backwards, if that was at all possible, when public opinion was for conservation?

Kneipp: He just kind of let Fall run things. I don't think he took a very decided position one way or the other. I think it was just a case of laissez faire.

He gave a certain color of approval to conservation. For example, he died on the way back from Alaska where he had gone partly because of his interest in the forest situation up there. But in a case of that kind, it is hard to decide if a man goes there because of an overwinning conviction or because it is a nice, beautiful trip that he can have and enjoy immensely.

Herbert Hoover: Wall Street Support of Wildlife

Ingersoll: What about Herbert Hoover? People now say that Hoover was quite a strong conservationist. How do you feel about that, working as you did in those years?



Kneipp: Well, he was supportive. But as I recall offhand, he was not wildly supportive of it. Of course, he was another man who was inclined to rationalize and to use logic. He too realized that the continued misuse of all the raw elements of life would leave the world and the people of the world in a far less happy condition than they would be otherwise. But he had the scientist's point of view; that was that mankind would devise new substitutes as man has in many ways. He didn't view it with alarm to the extent that Roosevelt did. On the other hand, he was not inimical at all, as I recall. But you have a funny situation there which comes up more often with regard to recreation than with conservation in general. That is that the Wall Street group had always been a nuclear force behind everything. They supported all the wildlife things. The Boone and Crockett Club, for example, way back at the beginning of the century donated the first buffalo to build up the herd of buffalo that's now at the Wichita Wildlife Refuge. It was then a national forest.

Quite a number of prominent men of considerable wealth and power were interested in it. You find not so much the economic aspect of conservation as what you might call the aesthetic, spiritual, or recreational aspects drew their interest. For example, Horace Albright found a great deal of his support from the little Wall Street group. Men in New York believed in him and supported him a great deal more than men in other parts of the country did.

Ingersoll: That is ironic, isn't it? Was it simply that these men wanted to keep the vacation lands which they had the money to enjoy, or is it more complicated?

Kneipp: In their ways, they had all done well and profited exceedingly from the economic life of the nation in which they shared. I think it was more like donating a beautiful art gallery or Carnegie Library or something of that kind. They were promoting the aesthetic and spiritual aspects of conservation more for spiritual return than they were for monetary return. In other words, they wanted to give back.

In a way, it was very logical reasoning because all this depletion of national resources that took place--the timber that was cut in the Lake states, for example, or in the south Atlantic states or the Gulf states and finally out West--that money that amounted to the billions that the timber produced, didn't stay where it was cut at all.

Ingersoll: It went to New York.





Kneipp: It all concentrated in the big centers of economy, especially New York. That's one reason why there is some justification for a much heavier tax on large incomes than there is on small ones. People actually dependent on the land that needed conservation were not the ones who derived anything more than a livelihood from their part in the exploitation. The profit over and above the cost of conversion centered in the old ladies of Boston who owned the stocks in the banks and things of that kind. I think a great many of them looked on the less tangible aspects of conservation with more enthusiasm than they did these tangible aspects. In other words, they were not fearful that they would not have shingles to put on the roof because they could have slate put on instead; they were not fearful that they could not get boards to build a chicken house because they could have one made out of brick. They wanted to keep those elements that contribute to human enjoyment and human life, and conserving the natural beauty and the natural wealth was one way of doing it.

Other Supporters of Forests: Horace Albright, Harris Reynolds, Allen Chamberlain

Ingersoll: Do you think they thought of this themselves, or perhaps someone--someone from the Forest Service perhaps--talked to them about this? You mentioned Albright--did he go and talk to groups of these kinds of people?

Kneipp: He talked to everybody, Albright did. I showed you two letters here from Ed Fletcher telling about Albright going out to Sacramento to influence the Kings Canyon bill. Now, Ickes had called up Mrs. Rockefeller and had her postpone the dinner date in which Albright was to be present in order that he might go out to Sacramento and talk to the group out there. That wasn't an exceptional occasion.

Ingersoll: When do you think it was that these Wall Street and Boston people became interested in supporting conservation for spiritual reasons? What decade would you say they "fell" into it?

Kneipp: Well, there was a greater love in forests, I believe. The New Hampshire Forest Association had a secretary, Harris Reynolds (he's dead now), who for a great many years was a live wire working not only in New Hampshire but throughout the entire New England territory in promoting the love of forests and the importance of forests to their well-being, which was more than



Kneipp: right. He was hand-in-hand with everything like the beginning of the Appalachian Trail.

They had these trails through the White Mountains, for example, that were not "trails" at all in proper use of the term. In some places you had to go hand-over-hand up a tree to get from one level to another, or you had to worm your way through two close rocks like at "fat man's misery," just for the sport of it. They did it just for the sheer pleasure of being out.

Another man was Allen Chamberlain, who was a writer for the Boston Transcript. He was a very delightful writer too. He wrote not only on the conservation of nature but on many other things, but those were his favorite topics.\*

ATTITUDES AND ADMINISTRATION OF FOREST SERVICE AND PARK SERVICE: A COMPARISON

Ingersoll: I am very interested in the attitude of the people in the Forest Service in these early years--say the early 1920s. What was their attitude toward the national parks then?

Kneipp: The attitude toward the original concept of the national parks was not inimical at all. The Forest Service consisted entirely of foresters who believed in a program of economic utilization, optimum utility. They realized that taking care of supreme national wonders was out of their line. The hitch came when the Park Service proposed to take in large additional surrounding areas of forest lands which would diminish the economic importance of the forest and yet had no particular attraction to the visiting public any more than any other forest that they could go through.

It was from then on that the thing started. Of course, in a way there was a certain amount of friction from the very beginning. When the proposal was made to transfer the forest reserves from the Department of the Interior to the Department

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\*Mr. Kneipp referred here to the Weeks Law, sponsored by John Weeks. He had previously talked in detail with Mrs. Mezirow about it in interview III, so it has been deleted here.



Kneipp: of Agriculture, the anomaly was that the Department of the Interior had all the rangers and all the administrative authority and the Department of Agriculture had all the forests and all the trees. Ethan Allen Hitchcock, who was then the secretary of the interior, himself advocated the change. In fact, during the years 1902 and 1903, a number of trained foresters like E. T. Allen and Smith Riley and some others were loaned to the Park Service to train their rangers in how to take care of the forests and how to safeguard them. For two or three years that condition prevailed.

Incidentally, Allen became finally a tremendously important lumberman in the Pacific Northwest. Smith Riley became one of the six regional foresters when the Forest Service was divided.

The competition did not lie in the specific object of beauty that was to be preserved or the adequate protective fringe around it, but in a much greater space. The explanation was that the Park Service was working on Franchises to the highest bidder. The more room there was for bus rides and things of that kind, the higher the bid.

One example is Crater Lake, which is a natural gem. Surrounding Crater Lake for quite a distance is a part of the Cascade Range that is no way dissimilar from other parts. But at a distance of maybe ten miles or so, there was a very unique peak, a conical peak like a Ku Klux Klan man's cap stuck up in the air. This peak stood out above the whole general level of the country. A move was on foot to extend the park so as to take in that peak. There was nothing that you could do to the peak except to look at it. You couldn't climb its almost precipitous sides. If you did put in facilities for climbing, you would spoil all of its natural beauty to begin with. The Forest Service opposed it.

Ingersoll: Was this land that had been in the national forest?

Kneipp: Practically all the national parks were made out of land that was originally withdrawn from the national forests. This is not true of the Yellowstone, though. The Yosemite was withdrawn first as a national forest--or a forest reserve--where it was protected to keep people from going in and establishing private equities before it could be given a proper status. That was done in a number of instances.

Ingersoll: But excuse me--I interrupted you when you were speaking about the Crater Lake example.



- Kneipp: They were two entirely different objects of attraction. In Crater Lake you drove up to the rim and looked into this beautiful turquoise blue lake with the little island in the center and the fringe of trees along the back of it. It was perfect in itself. However, if you looked over here about ten or fifteen miles, you saw this sharp-pointed peak sticking up. There was no relation between the two at all. If you were on the peak, you couldn't possibly see Crater Lake because Crater Lake was in a depression. There are all kinds of incidents of that kind that developed this lack of coordination.
- Ingersoll: What could the Forest Service do at that time to preserve these lands that were no particular natural attraction and were really needed for multiple land use?
- Kneipp: Well, they had them under active administration. They had about one hundred national forests each in charge of a supervisor. They had seven hundred or eight hundred forest rangers each in charge of a district--anywhere from 50,000 to 250,000 acres, depending on the character of the country. They had scores and scores of forest technicians of different types: logging engineers, tree planters, dendrologists, etc. They were all working on all these lands all the time and had been since 1905.
- Ingersoll: But the Park Service threatened some of this very good work that was going on?
- Kneipp: The Park Service said to stop it. "You fellows get the hell out of there and let us put it in a park!" We would say, "Why do you want to put it in a park? There is nothing there that you can't find all over the country." Often, as I said, the reason was that they wanted a big surrounding acreage through which they could route touring buses and show the people. If people just came to see the Grand Canyon, then two or three hours might be sufficient. But if they could take them out in buses to this point and that point, and on saddle mules down to the Indian garitons [?] and then down to the Phantom Ranch, that made all the difference in the world: They were there for a week.





Strategy of the Forest Service: Common Sense of Members of Congress and Common People

Ingersoll: What kind of strategy were men in the Forest Service able to use to keep this land in the national forests when the Park Service put on pressure?

Kneipp: By appealing to the common sense of the local people, for one thing; by appealing to the common sense of the members of Congress, for another thing. We had no influence such as the Park Service had. The Park Service contracts all provided that anyone visiting a national park for official purposes would be given board and lodging free at the Yellowstone; then gradually as the parks increased, they would be given board and lodging at the minimum rate charged visiting people, which was only \$4 a day.

When Evan Kelley wanted to take a Montana Congressman out to show him what was being done in the way of fire control, he took him out to the camps. He had to pay for the man's board and lodging out of his own pocket because the Forest Service had adopted a rule that everyone at the camps had to pay their share of the costs of the camp just as they would if they were traveling anywhere else. Poor Evan got stuck \$30 or \$40, whereas if he had been a park ranger and had shown the Congressman Old Faithful, why, the manager would have been out on the front porch with the green card to hand to the Congressman which would give the Congressman carte blanche all through the hotel.

Ingersoll: How could appealing to the common sense of the local people make a difference for the forests?

Kneipp: Well, for one thing, the Forest Service was more "of the people, for the people, by the people." They had known us longer; they had known us since 1905. During the days when we traveled by pack horse or saddle horse, we would stop overnight at the ranches, sit around the fireplaces with the rancher, and discuss all the things that were bothering him. Or if we were going by a sheepherder's camp and saw that he was cooking lunch, he would invite us to stop and have lunch with him and we would talk about how he handled the ranch. If it was a country that didn't have anybody in it or anything, then we would go in there with our own pack outfits and take our pack horses, our beds, our cooking outfits, and our grub along with us and look at it and so forth.

Also we went to meetings. The Forest Service was the first to organize advisory boards of permittees. Way back in



Kneipp: the early days there were as many as eight hundred advisory boards. The cattle men would appoint committees as members of the board to meet with the forest officers to go over the plans for the coming year, and to make adjustments of the inconsistent conditions that had developed, or to correct what they believed to be injustices or things of that kind. This was especially true of the stockmen, as Paul Roberts brings out in his book. The men in charge of the grazing work, which was one of the big jobs at first, were on much more friendly terms with the stockmen than the foresters were with the loggers because the foresters had a lot of idealists among them with no western experience. An order was an order and had to be obeyed, whereas the fellow who was brought up on the ranges and had roamed around them for years, why, he knew when to be reasonable and reach agreements. So the stockman was the biggest and strongest supporter of the Forest Service for many years.

Ingersoll: Did they have an influence on Washington through letter writing and such?

Kneipp: The farmer had as much influence on Washington as almost any part of the country except for possibly New York or Chicago. At one time, the farmers made up about half the population; and long after it [their proportion of the population] dwindled down to the 7% that it is now, that feeling still prevailed--you must never antagonize the farmer.

Then we cooperated with all the big farm associations: the American Farm Bureau Federation, the National Grange, the American Farm Association, etc. We attended all their annual meetings, not only the national meetings but also a great many of their state meetings, even the little advisory board meetings. Somebody would go out there and talk things over and listen to their gripes, discuss how things might be improved without scrapping the whole idea, etc.

The first educational work in the Forest Service, beginning in 1908, was a series of ranger meetings that were held all over the country. The rangers in a particular state or perhaps two states, two adjoining states, could meet at a central point. They would meet with a group from the Washington office. The ranger would tell the Washington office man what was wrong with him and the Washington office man would tell the ranger what was wrong with him. There used to be a lot of red hot games of penny ante and that sort of thing at night after they would knock off.

Men worked their way up in the Service. They started out as \$60-a-month rangers and wound up as several-thousand-dollars-a-year supervisors. Just for example to get personal here. Anybody in that lower picture there that you know?



Ingersoll: Why, that's you, isn't it?

Kneipp: Well, now, that one man there was the supervisor of the forest, and the other man was the superintendent of Arizona and New Mexico. Their wives were along just for the joy ride. In other words, instead of trying to run the thing from Washington, there was more of an effort, in the first place, to get out and find out what people thought--what was reasonable and what was unreasonable. If you read that book [Hoof Prints on Forest Ranges] through, you can get a much better understanding of the situation.

### Strategy of Park Service

Ingersoll: Would this, do you think, be in contrast with the Park Service? Were they more apt to run the thing from Washington?

Kneipp: Yes, and another thing they did--I made a number of tours of the national parks at different times. One thing that I noted, in their summer guards that they had stationed at the big centers of tourist visitation, it was surprising the number of handsome, well-educated, young college men who were there holding down guard positions and whose fathers were important in Washington.

For example, I was out with Gilbert Pearson. President Hoover had appointed a committee, in 1930, to make a study of the extension of the Yellowstone Park. [In the group was a] doctor who was a close friend of Ray Lyman Wilbur who was secretary of the interior. This doctor had studied medicine (he was a bona fide doctor), but he had made a fortune in sheep and one thing or another. He was a close friend of Wilbur's, and Wilbur sent him out to get a personal opinion on the thing. We had thirty-seven head of horses in the party. There was an advisory committee of five, and there were about five more like myself along to alibi in the bad situations and to emphasize the good ones. Then they had packers, and they had horse wranglers, and they had cooks.

When we got over to Yellowstone, T. Gilbert Pearson, who was then the head of the Audoubon Society of America (in fact, he was one of the founders of it), was all a-twitter to get up to Mammoth Hot Springs because his son was up there as a ranger. The son was a fine chap, but here he was holding down a nice job, spending his evenings in one of the nicest hotels, talking at night to some of the prettiest girls, and getting paid for it. Naturally the father did not want to do anything



Kneipp: to spoil a proposition of that kind. Then around different places I met other sons.

Then another thing, just for example. At a meeting of the Bureau of the Budget one time, the Forest Service was to be heard after the Park Service. We were all sitting in the same room over at the Budget Bureau, which was in what is now the Executive Office Building. They were going over the Park Service budget. One Congressman came to a project for a bridge. He said, "What's the sense of spending all this money on a bridge at this place? You've got bridges all over the place now. What more do you want?"

One of the Park Service men stood up and said, "Do you remember that old bridge where you caught that great big trout?" The fellow's face brightened and he said, "Oh sure, sure! I remember that." This man said, "This is a new bridge to take its place. It will be about three hundred feet higher upstream." The Congressman said, "By gosh, that's a good project. Let's pass that now!"

There were all sorts of ways of persuasion that the poor Forest Service could not think of adopting. However, we were not entirely helpless. The supervisors would invite editors and special writers out on trips with them when they were going out on a pack trip. The editor or the special writer would pay for his own food and stuff, for his own saddle horse, and he would come along. Also Rotary Clubs were often invited to take a day's junket around a national forest to see what was going on. So we were by no means forlorn, alone, and without any recourse whatever. The Park Service did have certain advantages, though, like those hotel cards or the opportunity for a member of Congress to see a whole group of national parks under the choicest conditions--in great big, expensive buses and things of that kind that we did not have at all.

#### Decision Making: Park or Forest Land

Ingersoll: Was it Congress--a congressional committee--that made the final decision?

Kneipp: It was a congressional committee, or sometimes it was a subcommittee. The committee that Congress appropriates has two separate groups--the Senate and the House, and each has its own. One has eighteen committees and the other has twenty, I think. They have quite a considerable number, anywhere from ten to





Kneipp: twenty members. What they do is then to set up subcommittees and, according to the favor of the chairman, the subcommittees get the chance to go out and make inspections. Or they can go merely as Adam Clayton Powell does; he goes clear over to France any time that he wants to. He is the chairman himself, of course.

So the members of both houses of Congress, but particularly the younger Congressmen, do get out and see what is going on quite a lot. No one seems to want to stop it at all. In fact, the more they can see--they are not always fooled either--and the more knowledge they can acquire, then the more constructive their reaction is.

Ingersoll: Did these questions then mostly get settled in the 1920s--that is, whether certain lands would go to the Park Service or to the Forest Service, or has it been a continuous struggle?

Kneipp: Oh no, that was not done by congressional committees on trips of that kind, as a rule, although once in a while they would.

Ingersoll: Who made those decisions?

Kneipp: Well, the decisions were made in a great many ways. In some places the local people were being so overrun by nomadic trespassers--sheepmen, cattlemen, speculators, steers brought from Mexico and fattened on somebody else's range and then sent to Chicago, or sawmill operators cutting timber without the proper authority--that they would often petition to have a national forest established. They would petition their Congressmen to have them established.

From 1891 until 1906, I think it was, that could be done merely by an executive order or proclamation of of the President. What would be done would be to send a group of men, or at least one or two men, out to make a study of the area--all of its characteristics and resources and conditions. They would then prepare a report which would be reviewed in the Washington office.

Ingersoll: The Washington office of the Forest Service?

Kneipp: Yes. That was before the regions were established. After the regions were established, then the region would review it. Then it would be referred to the Department of Agriculture for review from a departmental standpoint. Then it would be referred to the Department of the Interior to be reviewed from their standpoint. Meanwhile, in many cases a member of Congress on his own initiative, or because his constituents asked him to, would introduce a bill with a long, elaborate description,



Kneipp: section by section, that such described lands would thereafter be a national forest or a forest reserve to begin with.

Later on they passed laws prohibiting the enlargement or the creation of national forests in six of the western states. Then later they added two more, Arizona and New Mexico, which was only a gesture, as a matter of fact, because I think Arizona and New Mexico are just about as happy now as if they had those national forests, because their populations now have jumped by the hundreds of thousands--[populations] who are supported mainly by tourist money. Phoenix, for example, has almost a half a million people now. What brings them there is not ordinary business. It's to go to the Westward Ho Hotel and all the other big places. Tucson, which used to be an old pueblo with about 30,000 people, now has two or three hundred thousand. Even the little town of Prescott, where I spent my youth, only had 3500 then but now has about 15,000. Much of that has been because of this open, government-controlled and managed land. It's that that the people come there to enjoy and see.

So at first it [the undertaking of land-use studies] was to stop unfair competition and to create greater stability of industry in given neighborhoods. And the Forest Service has initiated studies a lot on its own. There were areas in the northern Rockies, for example, where fires burned practically all through the summer because it was impossible almost to get anybody in there to fight them--no roads, no populations, or anything else. So the logical answer, instead of having all that timber go up in smoke, was to have it put into the forest reserve land and to have rangers put in there to put out the fires. Then gradually it evolved into the smoke-timber idea which you may have read about. Men don't spend hours, days, or sometimes several days walking to the fire. They go up in an airplane and drop down on top of it in just a few minutes. They have their supplies dropped to them. Fires, that in the old days would have spread over townships, are extinguished in just a few acres now.

There were any number of reasons [for a decision making land a national park or forest], although to be frank, power and pilfer were the motivating principles in the whole thing. Somebody wants to take the competition away who has taken some of their business; or somebody wants to attract a large bunch of tourists who would not otherwise come because they would not think that there was anything there. Even the little recreation areas are promoted for that purpose. In other words, as I said, power and pilfer--the almighty dollar--was the greatest influence imaginable.



Kneipp:

They don't make any secret of it, but if we let this beautiful Aspen Springs Valley just stay part of the national forest, only a few people would stray in there during the season. If you make it a recreation area, then there would be tens of thousands in there.

Now, the hitch of the whole thing is that those tens of thousands are going to destroy all the beauty of that beautiful Aspen Valley. You can see it all over the country already. As soon as man puts his foot into a virgin area, then the process of deterioration grows.

This bill that just passed Congress, this--

Ingersoll:

The Wilderness Act [September 3, 1964].

Kneipp:

Yes, the Wilderness Act. It is only going to be a stop gap, as a matter of fact, because whereas there might only be four or five people to the square mile in that area in the early days, and a man could holler and shoot and create all the uproar that he wanted to without bothering anyone, after it becomes a publicized wilderness and is advertised all over the country, every Tom, Dick and Harry who's from that part of the country will have to go there just to say that he has been there.

#### WILDERNESS AREAS AND HUMAN NATURE: KNEIPP PHILOSOPHY

Ingersoll:

Do you think that other people who managed the Park Service, people who came after Mather, had the same kind of philosophy that he did--that quantity was more important than quality?

Kneipp:

I think that they started to work on him right away for bigness and popularity and everything else.

Ingersoll:

And this has not changed under any of the directorships?

Kneipp:

Of course, I have not been in parks for a great many years myself now. When I went through them free and got paid for doing it, I used to visit them quite frequently. But I guess that it has been almost twenty years since I have been in a national park. But my old friends and my relatives, my young nieces who were young then are middle-aged now, in writing to me, bemoan the deterioration that has set in. Places that they used to love to go to, they say, are now badly deteriorated and have lost half of their charm. When you stand ten thousand or fifteen thousand people in a circle around Old Faithful to



Kneipp: watch it spurt up in the air, you are trampling all the area around Old Faithful into the dustbed. That can't go on forever because not only will the rain wash the dust away, but the frost and the wind will also move it.

In some of the European areas they are trying to preserve the wilderness condition, and began as far back as twenty-five or thirty years ago. They preserved the area, but they put in carefully planned paths which people were not allowed to leave. They could walk through on the path and look to the right and to the left, and the guides would point to the more remote slopes and areas to explain the flora and fauna, the topography, the geology, and so forth. However, the people had to stay on that four-or-five-foot path; they couldn't climb over the fence and go wandering off across the fields. That was the only way that they could preserve it. The day will come here when it will be more or less the same thing. I've been in places where the first time that I went into them, I thought Paradise couldn't be very much nicer. I have gone in there ten or fifteen years later and was sorry that I ever went back.

Ingersoll: What a heartbreaking experience!

Kneipp: Well, when you rode in the first time, you rode into a little grassy hollow with a lot of grass, a nice spring, some dead Aspen logs up on the hillside that you could pull down for a fire. You could fodder your horses, and they could get all they wanted to eat. You could hear the coyotes hollering and barking. Everything was lovely. You woke up at dawn, saddled your horse, and packed your pack horse and went your way. After you had left, there was not very much trace except where your horse had been grazing, of course, or the campfire, or a little flat place where the bed had been laid down. That was all.

Now you go into places of that kind and they are simply littered with beer cans and paper bags; and where benches have been put in, they have all been dragged together into great big heaps so that everybody can be sitting on one bench. Actually, to attain the ideal that motivates the wilderness idea, one would have to completely change human nature. There may come a time when human nature will change. That is, their sense of values will be more in a beautiful perspective or panorama than it will be in a new Rolls Royce car. Gradually we're coming back to it already.

For example, in Utah the hills in back of Lake Bonneville--the old Lake Bonneville which is now Salt Lake--were all simply eaten right down to the ground; great floods would rush down and flood across the roads at tremendous expense during the past twenty or thirty years. [Now] burrows [?] have been built





Kneipp: horizontally along the slopes. They have been seeded with rudimentary grasses. Then, later, after the rudimentary grasses began to afford some organic matter, shrubs were set in. Later, as they began binding the soil with roots, then young trees were set in. When you look at the slope now, it looks as it might have looked fifty or seventy-five years ago. However, it took a tremendous amount of effort and money to make it look that way. The water that used to come down and sweep the towns out of existence or fill the roads full of rocks, comes down in a more orderly flow now and can be used for irrigation.

Ingersoll: If we could only have the best of both, the old beauty with the new control.

Kneipp: But you can't without changing human nature. I was going to use this for a nettling statement in something that I was going to write but probably never will: Man is inherently rapacious and perditious. His highest desire is for supremacy. Anything that runs counter to those three basic motivations is going to suffer from its encounter with man. Sometimes man loses and gives up, but more often man wins for a while and then finally Nature triumphs and you have the Sahara Desert or something similar. Or what is that wonderful city in India? Angkor Wat or whatever it is?

Ingersoll: Angkor in Cambodia?

Kneipp: That marvelous mass of creative work that man could do. To create such an ideal settlement for human existence and then just go off and leave it.

Ingersoll: That has been one of the mysteries to me since I first heard about it.

Kneipp: Oh, there is no mystery about it at all; it is merely the desire for man's supremacy. If it is not supremacy, then it has got to be superiority, even if it is only being the first in a race or a fraction of an inch in a high jump or even if it is only a tenth of a second in a foot race. The supremacy is what counts.

Actually, so far as man is concerned, if he were to travel that distance on foot through that beautiful country, it would not make any difference if he traveled that hundred yards in ten seconds or thirty minutes. In fact, it would make a lot of difference. If he traveled it in thirty minutes, he could see a million things.

Ingersoll: He could be part of his surroundings much more.



Ingersoll:

But, you know, something interesting about Angkor and other ruins--I have seen them in Cambodia and on the border of Thailand--this to me is a place where man has built with the natural surroundings very well rather than destroying as many builders in America do. These men of ancient times built the temples into the sides of the mountain, around the lovely water. The mountain is almost a part of the whole temple. As you go up to some of them, you come to the first entry-way and that is on a low slope. Then the second inner arrangement is on a little bit higher slope as though in those times man and the natural setting were much closer together.

Kneipp:

Well, that is the charm of many parts of Europe at the present time, or of Asia and Africa, for that matter. Where man has harmonized his existence with that of Nature, you have a degree of beauty and of interest that is wholly different from Wall Street in New York City or the Rockefeller Block, but not nearly so productive. Man had to eat very simple food and wear very simple clothes. He could not spend a half million dollars on the Hope Diamond or anything of that sort. However, the joy of it was that he did not know the difference because he had never experienced [the more materialistic way of life]. As he became more educated and saw what the conversion of natural beauty into products could bring him, why, he began converting more and more natural beauty.

Where is it going to end? For example, now wages are so high that they cannot afford to take an old automobile apart to save the steel and copper and the chrome and things. So they are going to press it into a block, take it out into the ocean and drop it. Now man has got no way of ever replacing that steel. Already some of the biggest deposits of [iron] like in the Masabi Range in Minnesota are practically depleted. It just looks as though man will persist in his idiotic pursuit of profit and leisure and dominance until there's nothing left to exist on. What will happen will probably be that every man will have to revert back to a more primitive type of life. A great loss of value just as there has been before.

When you read about all the ruined cities in the Old World, [you learn] what great centers they were at one time and what beauties they had--wonderful palaces and hanging gardens. There is now only a little lump in the desert to indicate that there ever was such a thing there.

Ingersoll:

It has happened over and over again through history, hasn't it?

Kneipp:

And it is going to happen here too, sooner or later. Man's big alibi is that when we destroy this, we will invent something



Kneipp: better; but that is the debatable question. Are we going to invent something better? Will we find that it satiates us or does not satisfy us in any way or is inadequate for our needs? We become decadent and pretty soon we become like a bunch of digger Indians or those natives--what do they call those natives in Australia?

Ingersoll: The Australian aborigines.

Kneipp: In other words, scientists tell us that this universe is probably about thirteen million years old by all the different means that they have for gauging, [such as] the rate of decay of the different elements that compose the earth; some decay quickly and some decay only very slowly. By finding out what the residues are, they can find out how many years it has been.

Some of these days--we don't know how long it will be--there will be such a degree of decay that there won't be anything left and there won't be any men left to interpret it. I'm getting you clear away from all this real purpose in life of yours.

#### NATIONAL CONFERENCE ON OUTDOOR RECREATION: HOOVER'S SPEECH

Ingersoll: Perhaps we could go back a little bit. You started to tell me about some of the Presidents and some of their attitudes towards conservation. We got about as far as Hoover. Then we started to talk about the people on Wall Street and in Boston during that period who had supported conservation.

Kneipp: Well, I mentioned that because they were particularly influential for Hoover. And perhaps it was he who got them concerned with the thing. Maybe there was a subtle link there on his part. Maybe he said, "Here, you fellows have done so well in extracting the wealth of Nature from the surface of the earth that you ought to do a little something to see that that surface stays livable."

Ingersoll: Do you think that he actually said that to those people?

Kneipp: Well, I don't know.

Ingersoll: You surmise that he might have.

Kneipp: He could have said it. He was a very ardent fisherman for one thing. He has written some very interesting articles on Nature, and especially on fishing. As a matter of fact, now that I come to think of it, he has written something on conservation. He was a very remarkable man.



Kneipp:

For six months I was the executive secretary of the National Conference on Outdoor Recreation that was created in 1924 by President Coolidge. They had periodic meetings, and of course we had to have a program for them. Someone said it would be fine if we got Hoover for that program. He was the secretary of commerce at that time. So I went up to see him. Of course I couldn't just barge right in on him. I had to run the gauntlet of a half a dozen outer guards, one after the other, each of which was very pleasant, very courteous, and all that; but they subjected me to careful scrutiny and examination. The thing that impressed me was the almost complete awe and veneration with which almost all of them spoke of Hoover as though he were a god--something up on a special cloud all by himself.

He was in what is now just an office building at Nineteenth and Pennsylvania Avenue. His office, as I remember it, was way up on one of the top floors. Working up there was like working your way partly up to heaven; you just got a little further each time.

Ingersoll: Did you finally get in to see him?

Kneipp: Yes.

Ingersoll: Did he speak?

Kneipp: He said, "Yes, I will make a talk. You write a little talk for me."

So I wrote one about a page and a fraction--about a page and a quarter, probably--and sent it over to his secretary. I did not hear anything more about it, not until it came his time to speak. He unfolded those very same two sheets of paper. On the part that had not been typed on, he had written, in hand, two or three additional paragraphs of his own particular philosophy about the whole situation.

Chauncey Hamlin was at that time the head of the National Conference on Outdoor Recreation. He was a very wealthy man. He was one of that Wall Street group, too. He had been a Buffalo lawyer, but had moved to Wall Street, and had done very well financially.

When I showed him what Hoover had done with the paper, he said, "Oh, can I have that, can I have that?" So I said, "Well, as soon as I make a copy of it for publication, I will be glad to give it to you."

Ingersoll: Can you remember at all what Hoover's philosophy was on something like outdoor recreation?





Kneipp:

No, but I think the whole proceedings were published by the American Recreation Association, but only in a very limited edition of which I got one, plus the agenda, afterwards.



## INTERVIEW X

7 June 1965

Interviewer-Fern Ingersoll

## BALLINGER-PINCHOT CONTROVERSY: TRAIN MEETING WITH LOUIS GLAVIS

Ingersoll: I think any perspectives you have on the Ballinger-Pinchot controversy would be very interesting; go ahead with that.

Kneipp: Well, coal was discovered in Alaska. Ballinger [Richard A.], who was an Ohio attorney, was appointed by William Howard Taft as the secretary of the interior. He had been attorney for some coal claimants. They [Department of the Interior] approved passage of the coal claims into private ownership. There was a young special agent, as they called them in the General Land Office at that time, whose name was Louis Glavis.

Ingersoll: Tell me as much about this man as you can.

Kneipp: Louis R. Glavis, pages 398-409. [Looking him up in Gifford Pinchot, Breaking New Ground]

Glavis and Jones put their heads together. At the suggestion of Glavis, Jones made a third report. In it he said that "few, if any of the applicants [claimants] were complying with the requirements of the law." This report Glavis sent on to Ballinger with his endorsement, and asked to be put in charge of the Alaska coal cases.\*

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\*Horace T. Jones, like Louis R. Glavis, was a special agent for the General Land Office. Richard A. Ballinger was, at the time of this incident, 1907, the Commissioner of the General Land Office.



Kneipp: No reply. That worried Glavis. On November 22 he wrote again to Washington, asking to be called in for consultation. In granting his request Dennett [Ballinger's assistant commissioner] made this curious comment: "The situation you write about is, of course, a vexed one, and we all feel it needs skillful treatment." Or was it so curious, if Dennett knew that Ballinger was trying to patent claims known to be fraudulent?

Actually, from my own knowledge of mankind and human nature and judgment about character and personalities, I would not have attached the monumental importance to his allegations that was attached to them. The reason that they were blown up to such proportions, I think, was merely to keep the United States from reverting back to the pre-Theodore Roosevelt laissez faire attitude toward natural resources. That has been my personal recollection.

Ingersoll: Tell me how you remember Glavis. What was he like as you remember him?

Kneipp: He was a comparatively young man--in his early thirties, I would guess. Somewhat egotistical. I remember one time I traveled from San Francisco to Chicago with him on the Santa Fe Limited. He traveled in a compartment and wore grey suede gloves all the way.

Ingersoll: What part of the country did he come from?

Kneipp: I don't remember.

But anyway, to get back to my original premise, personally if I had been Chief of the Forest Service, I would have wanted to go into the verity of the situation much more than Pinchot and the group did before making such an extravagant issue of it. It actually wrecked the Republican party. If it hadn't been for the Ballinger-Pinchot case, there is no doubt in the world but that Taft would have been re-elected for a second term. However, by Roosevelt pinching off the Bull Moose party, that gave Woodrow Wilson the majority and put him in office for eight years. In my judgment I think that it was a darned good thing it happened because the whole attitude was a plunder attitude at the time--get what you can any way you can.

The general western reaction at that time was: A few little white lies with regard to this type of entry or that type of entry aren't anything anyway because everyone is telling them and nobody pays much attention to them. Congress is so ignorant about these things that they didn't know what they were doing when they passed these laws anyhow.



Ingersoll: Under what circumstances did you meet Glavis?

Kneipp: Well, the Interior Department had rejected his negative report on these claims, and "Ballinger wrote Dennett that the Cunningham claimants 'are in hardy accord with the main features of the Cale Bill and would like to see the same enacted into law.' Ballinger also recommended that coal claims thereafter located in Alaska should be paid for on the basis of their actual value, but that this provision should not apply to claims entered before the withdrawals."\*

The importance of the claims in the coal situation was this: It [the coal area] was midway between the North American continent and the Asiatic continent. All of the steamship transport that sailed from the United States to Japan and China and the East Indies had to go around a long, circuitous route with only very insufficient supplies of coal, whereas if this had really been a very important and highly valuable deposit of coal, it would have made a big difference in the operation of all the shipping through the north Pacific country. The people who owned the coal would have had a gold mine.

Ingersoll: Why was Glavis the man who took all this up? Why did all this become a very important thing to him?

Kneipp: I think that his pride was piqued; I told you that my own judgment of him was that he was quite an egotistical person. He had gone on record and been turned down and reversed; and of course his report was correct in a great many respects. There were many falsifications in the applications as to whether or not they were bona fide, and [as to] who would be the real beneficiaries of the claims if they had been granted. So Glavis did have some justification for being resentful of being overruled in court. That was not unusual at that time because it was a more or less prevalent practice. The average special agent never thought anything about being overruled or ignored in a matter of that kind.

Ingersoll: He probably went on his way and did something else.

Kneipp: That was just the way of the world. If it went through, it went through.

Ingersoll: At the time you met Glavis, were you working on this particular issue yourself?

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\*Pinchot, Breaking New Ground, p. 401-402.





Kneipp: No, I just happened to get on the train at San Francisco when somebody introduced us. We found that we were on the same train going to Chicago; so during the four days that we were on the train I met him and had several brief conversations with him.

Ingersoll: Do you remember any of the points of those conversations?

Kneipp: No, I can't remember now. They were not about his case, though. That had gone way beyond me. I was down in the lower echelons at that time, so I wasn't trying to tell anybody about how to run a coal case.

POTTER'S ESTEEM FOR KNEIPP: HANDLING OF THE NELSON TIMBER-CUTTING CASE

Ingersoll: Let's see. That must have been just about at the time when you were doing the work with the grazing division, wasn't it?

Kneipp: I was in grazing from 1908 to the end of 1914.

Ingersoll: I read in Roberts' book that Potter had asked especially for you. Why did he do that?

Kneipp: Well, there was one interesting thing. Of course, in the first place, we were both from Arizona. But when I had been in the Service many years and was regional forester at Ogden, Utah, Potter was visiting in the office and inspecting it. After office hours we took a long walk up Twenty-fifth Street up into the foothills of the mountains east of town.

Ingersoll: This was when you were at Ogden?

Kneipp: At Ogden, Utah, yes. In the course of the walk, he said, "Do you happen to remember who the man was who was the foreman of the grand jury at the time of the Nelson case?" Nelson was prosecuted for illegally cutting timber right close to Prescott, Arizona.

I said, "Well, to tell you the truth, I don't. I was so concerned about getting my ducks in a row and making logical statements that the names and faces of the grand jurors are just kind of a blurred mass to me." So he laughed and said, "Well, I was the foreman of that grand jury." I was practically the only witness, and Nelson was convicted.

Ingersoll: So it must have been your testimony that was very influential.



Kneipp: It was practically on my testimony that he was convicted. It was an important conviction because under the act of 1872 timber could be cut from the public domain for mining, agricultural or domestic purposes, without any permit or restriction whatever so long as it was more than eight inches in diameter--D.B.H.--diameter breast height.

The United Verde Smelting Company, which produced \$200 or \$300 million worth of copper before it bled out, had a practice of using these young, sappy timber trees--young, only partly grown trees--as "puddling" [?] poles they called them, to stir up the mass of molten copper and oxygenate it. Of course, that burned the pole to ashes when you put it into the molten copper and stirred it around. So, in the vicinity of Prescott, they were particularly cutting the very type of forest trees that would constitute the future forest if there was to be any at all. That is why the case was so important.

Nelson was found guilty and fined, and he and United Verde stopped this practice right away. At least this was true on public land. After that they went and bought privately-owned lands and cut their smelter poles off them.

Ingersoll: Was the timber not eight inches at breast height when they cut it?

Kneipp: Of course, after the land was patented, the owner could do anything that he pleased with it. The 1872 regulations were the ones that I quoted--permitting cutting for agricultural purposes above eight inches in diameter without restriction. These lands on which the timber was being cut had been withdrawn for national forest purposes but before the timber had been removed. So we started suit on that basis.

Ingersoll: Do you think it was your speaking at this trial that made Potter realize you were a man that he wanted later on?

Kneipp: Well, probably that gave him some favorable prejudice--my standing up before the grand jury at the age of nineteen and convincing him that this very reliable citizen, Nelson, ought to be convicted and fined.

It was amusing. Nelson's timber cutter claimed that he had cut the trees because Nelson had ordered him to cut trees of that size. Nelson said that that was true that he had pointed to a tree in front of the Mexican wood cutter's tent as indicating the size tree that he wanted cut. So after the court adjourned at 4:30 or so, the assistant district attorney, Tom Bennett, came around. He said, "Do you think that you can



Kneipp: get somebody else and a buckboard and take this Mexican with you, go out there, cut down that tree and bring the stump in here? Then we can offer it as evidence." I said, "Sure, it's only four or five miles."

So we got the buckboard and got the Mexican timber cutter and another ranger, and went out at a gallop. We sawed the tree off right at the ground and then about eight feet above it. Then we scored it with saw marks in such a way that the Mexican could identify it and swear that it was the same tree he had helped to cut from in front of his tent and that, therefore, it was the tree which Nelson had pointed out to him as being the size of tree that he wanted cut.

So we galloped into town and hid the tree that night. When court convened in the morning, we brought this stick in. Tom Bennett put a foot rule to the top of the tree. He said, "Gentlemen, in one direction this tree measures 6 3/4 inches, in the other direction it measures only 6 1/4 inches." So that was considerably below eight inches.

Ingersoll: So your case was proved!

Kneipp: Judge Hawkins, in addressing the jury for the defense, said, "Now you take this fellow Kneipp. He sneaks out there like a polecat in the middle of the night and manufactures this testimony against my client." [Laughter] However, my testimony wasn't rejected.

Actually, the only personal connection between Bert Potter and myself was that early dealing, at first. However, both Potter and my stepfather had been in Apache County in the cattle business in the late nineties. My stepfather, at that time, was not only in the cattle business with his brothers and his father, but he was also the county attorney. He and Potter were friendly on that account also.

Ingersoll: Did you know him in other ways before the time that he asked for you in Washington?

Kneipp: Oh yes, because I had been brought in, as this book [Hoof Prints on Forest Ranges] tells, in 1905 as one of the eight men to testify before President Roosevelt. The time that he asked for me was after I had been permanently transferred to Washington. This was in 1907 and the idea was for me to be indoctrinated and then sent out to Denver to act as an inspector under District Forester Smith Riley. This was all right with me; anywhere in the West was a lovable, enjoyable place to be at that time for me.



## KNEIPP'S REQUEST FOR TRANSFER TO THE WEST: FURTHER DETAILS

Ingersoll: But you stayed in Washington for quite a long period after that.

Kneipp: After I had prepared myself and had every expectation of going to Denver, about six weeks before I was to go, Potter button-holed me and said, "Mr. Pinchot and I have talked about you and our plans have been changed. Instead of your going to Denver as an inspector, you will remain here in Washington and be my assistant, be in charge of the Office of Grazing Control."

As a matter of fact, this was just sort of a paper title at the time because there wasn't much control up until that point.

Ingersoll: But during the period that you were in this office, the control grew a great deal, didn't it?

Kneipp: I had been there [New Mexico] from 1905 until 1907 when Potter picked me and asked for me. I had not had any technical training. My whole experience had been dealing with men of rather rough types as a matter of fact--loggers and ladder captains and steamboat captains.

Ingersoll: This was while you were in Chicago?

Kneipp: Yes, in Chicago. So I had expressed the desire to be transferred back to the West to a field position where I would be more in a kind of environment and atmosphere that I was accustomed to. In 1912 I wrote a letter to Potter to that effect, which is now in the Archives. I told him that I would like to be transferred and that Barnes [William C.], who was next to me, could succeed me there.

In the same year, 1912, he wrote back and said, "The time is not yet ripe to make that change." He wrote that he wanted me to stay there for a while longer, but that after I had become more thoroughly imbued with a knowledge of the Forest Service, why then he would be glad to support me for advancement to the position of district forester provided it was one of the good districts.

In 1914 things were getting a little bit messed up. Will C. Barnes, who was a medal-of-honor soldier during the Apache War, and who had been a close associate of Potter's during the eighties (they had both gone broke together in the cattle business twice) was the third man in the office; he was





Kneipp: subordinate to me. However, because of his long experience in the cow business and his general prestige, he had a very definite feeling that he ought to be the next man to Potter. A lot of other people felt the same way because at that time I was only twenty-six.

Therefore, I was perfectly agreeable to take the field position which would create a vacancy so that Barnes could be appointed. This would make us both happy--he'd have the job he wanted, and I'd have the job I wanted. That was what happened.

Ingersoll: It was then that you went out to Ogden, Utah.

Kneipp: Then I went out to Ogden and took charge of it [the Intermountain Region] on January 1, 1915.\*

Failure of the Burkett Bill: Horse-Laugh From the Opposition

Ingersoll: Paul Roberts writes that even though there was pressure for a long time for grazing regulation, Congress after Congress went by without passing any bills regulating any of this. What was your experience with such legislation?

Kneipp: Senator Burkett of Kansas, beginning early in the twentieth century, introduced a bill that was supported by the American National Livestock Association and by a number of others, including the Forest Service, that would have put the whole public domain under range regulation. That bill was introduced to at least a half a dozen different Congresses or maybe more. It was a good bill.

This bill involved everything that the Forest Service found to be justified by its experience. It was a bill that would give the bona fide stockman security in building up a real meat-producing ranch. It was defeated time after time.

Ingersoll: Were the nomadic and speculative stockmen strong enough to overrule what the other stockmen might have wanted?

Kneipp: Well, I remember the Burkett bill came up in 1916 or late in 1915 and it looked as though it would pass the House. I was

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\*Mr. Kneipp discusses several grazing issues already considered by earlier interviewers.



Kneipp: passing the Raleigh Hotel and there were two men who came out. One of them was Fred Gooding, one of the Gooding brothers. His brother [Frank R. Gooding] was a governor of Idaho and had been a Senator from Idaho. Another fellow was a little fellow named "Little Black" Jim Webster; he was a Mormon from Heaver, Idaho, I think it was. They had killed the bill the night before. They emerged from the Coach Street door of the Raleigh just as I was passing. They stopped and gave me a great big horse-laugh of jubilation.

Later--I think it was 1916--Representative William Kent of California, who was quite a wealthy man and not a large stock grower but a welfare man really--he donated that Mt. Tamalpais on the other side of San Francisco, that big tree grove, among other things--he reintroduced the Burkett bill in 1916. It was defeated again.

One reason for the defeat all through the years was the fact that the Interior Department was working tooth and toenail to defeat it.

Ingersoll: What is the background of that?

Kneipp: They were fearful that they would lose control. The Forest Service had demonstrated by a dozen years of constructive management that they could manage 135 million acres of land. The logical conclusion would be that if another 235,000 were placed under the [federal] administration, that the Forest Service could manage that also.

Ingersoll: How did they do this? What was their strategy to defeat it?

Kneipp: Their strategy has been to align the people who will believe them and who will support them either because they are inherently favorable to the doctrine or because they think by opposing the bill [favoring administration by the federal government] they will occupy a more favorable position on the public domain.

There are many questions about these things but, of course, they can't be proved now. Two-thirds or three-quarters of all the people involved are dead. Even those who are alive now were not all on the inside; they were not all in the know. They didn't have all the factors on both sides to weigh.

Ingersoll: So you must have been in the Branch of Grazing during those years when Burkett was trying to get these things through, weren't you?

Kneipp: I was, from 1907 to the end of 1914.



- Ingersoll: Did you do any work to try to get more support for the Burkett bill?
- Kneipp: Sure, that was part of the job.
- Ingersoll: What was your strategy in those days?
- Kneipp: Whenever you found a friend, why, try to make him friendlier; whenever you found an enemy, try to make him less inimical.
- Ingersoll: Did you try to find most of your support in the West or in the East also?
- Kneipp: Actually in the West. A large proportion of the bona fide livestock growers, the cattlemen especially, supported the bill. And a considerable proportion of the sheepmen who had big outfits, like the Woods Livestock Company, which owned ninety thousand head of sheep--as Roberts told about in his book--they supported the bill.

Sheep and Cattle: A Grazing Anecdote

- Kneipp: But everybody's idea was if you had a nice piece of range that would run fifty head of cattle, the thing to do was to try to get hold of another range for fifty head so you could run a hundred head of cattle. When you got that, then the thing to do was to get another range that would run another two hundred head of cattle. The whole thing reduced itself to a dollars-and-cents proposition.

There is one interesting story that I used to tell. There were a large number of very small ranches. As the big families passed into the second or third generation, the ranches grew smaller and smaller. They were divided among all the children--among all the sons, and there were many of them.

Finally a few head of stock was one of the principal sources of cash money to pay taxes with or maybe to pay tithing when they went to the [Mormon] temple. Sliding scale reductions had to be made on very small numbers of stock. They had to keep the number of stock on the land down to a number where it would not destroy all the grazing.

So a man came all the way up to Ogden from Manti and said, "I noticed that my share of cattle in the livestock herd has been cut one head, from sixteen to fifteen head." And E. A. Sherman said, "Yes, unfortunately that is so; but you know that



Kneipp: if you continue to graze that number of cattle, soon there won't be anything there to graze at all." So the man said, "I know that, Mr. Sherman. I am perfectly in agreement with that action, but my share amounted to only  $15 \frac{3}{5}$  of a head. The ratio of sheep to cattle is five to one. In other words, to give me my fair share, I think that you ought to give me an increase of two sheep to add to my fifteen cattle!" [Laughter]

Sherman said that was the first instance of a man ever coming in to ask for change. Actually those two sheep might bring in \$4 or \$5, by the time they were shorn. A single sheep [could] make a difference of [as much as] \$5 or \$10. To a man who was trying to raise a family on maybe fifteen or twenty acres of land, and living mainly on carrots and things like that--they were great on carrots--to him \$15 or \$20 cash money was quite a consideration. You could not be jocular with the people at all. It was almost their life's blood.

What happened was that the boys were driven away from the place. It was a wonderful place except that you had to be a Mormon to live there. There were any number of beautiful girls all up and down the San Pete Valley. In the cafeteria down in the Salt Lake Hotel, the array of girls waiting on the tables was simply magnificent. You could have picked a Miss America any time at all. The reason was that the men that they could hope to marry in their home town--the boys they had grown up with--first had to go on missions [lasting] usually about two years.

#### MORMON CUSTOMS: KNOWLEDGE OF FORMER MISSIONARIES

Ingersoll: Yes, that was an old Mormon custom. Can you tell about any more?

Kneipp: By the time they had gone on missions and seen something of the world and learned something about the economics of the world, they were not willing to go back and grope out a bare existence. They began taking up some of the arts, crafts, sciences, or things of that kind, and going to some other part of the world--to the big cities--and they became detached from the poor girls down on the farm.

I remember an instance in southern Utah. A ranger and I were riding around the Aquarius Plateau. It's a mammoth monadnock that sticks up down in southern Utah. On the north side of it, near the foot, is a little town called Loa. In Loa was the house of the [Mormon] bishop, who was the equivalent of





Kneipp:

a pastor in a Catholic diocese, or a minister in a parish. When we stopped there, he very cordially invited us to stay and have lunch. We used to time these things so that we would arrive somewhere [at a meal time] even though it was just carrots and we wanted a drink or something.

While we were waiting for luncheon to be prepared, we were sitting around the sitting room. A great, big, husky boy came in attired in blue denim and with big, heavy farm shoes on. From his appearance he looked like a regular country bumpkin. He didn't say much; he stood around a little while. I walked over to a corner of the room where there was a chromo [chromolithograph] of some famous painting. I was admiring it, and he came over. He said, "That is one of Rembrandt's favorites, but it is not his best painting by a great deal. Now such-and-such painting of his is much superior to this one. And in Munich they have three or four that are more than this." He went on to describe the art galleries of all of Europe. He would do honor to the New York Times as an art critic. He had a knowledge of all the masters and the classics of the Renaissance period.

Finally I said to him, "Where in the world did you absorb this tremendous amount of knowledge about art?" He said, "Oh, I was sent on a mission. I stayed over there for four years. Men on missions don't have much money to spend, so I spent most of my time going to art galleries and studying the art." Here he was. To look at him you would say, "Oh, that fellow is just a country bumpkin. He's probably never been more than fifty miles away from home." He was really one of the most interesting men that I had ever heard discuss art.

Another time, when I was riding back from Denver with one of my engineers--an assistant engineer--we got to discussing the labor situation. He launched into a discussion of the labor situation that really amazed me. He had a grasp of the whole thing, both the capitalistic side and the labor side.

Ingersoll:

Was he somebody who had gone out from Washington with you, or someone from the West?

Kneipp:

No, he was stationed at Ogden; he was a Utah boy and he had a more or less subordinate position at Ogden. So finally I said to him, "I haven't talked to many people who know as much about the labor situation as you do. How in the world did you get all this information?" He said, "Well, I was on a mission for several years. I became associated with a number of very interesting men who were affiliated with the labor groups.



Kneipp:

I got in a habit of going with them to their meetings. Then, in order to get a balanced picture, I started attending some of the other economic conferences to get the capitalistic side. That was one of the main methods I had of entertaining myself while I spent several years in Europe on mission."

Those two were just characteristic of the kinds of people that they were. But it just ruined the Mormon church in one way. The bishop used to govern largely by revelation. When he would talk to his flock, why, he had a revelation from God that they should do this or they should not do that. Revelations went over big because here was this little country region of maybe a thousand or two thousand people, not very widely traveled, coming from the Scandinavian countries or coming from some of the ghettos of Europe. They were at least no more than middle-class people with their own knowledge relatively subordinated.

All of a sudden when these girls or boys came back, they began to look a little bit askance at these revelations. Some man was actually running a hardware store and was the bishop. When the bishop, who was actually running a hardware store or a livery stable, took them into his sitting room and in a long, serious talk spoke of things that they were doing that were contrary to the wishes of God who had so expressed Himself, they became a little bit skeptical. After a while the number of members down South, the fundamentalists, began to be outnumbered by the liberals. These liberals had spent anywhere from two to five years traveling throughout the world. That made the Mormon church an entirely different organization than what it had been.

#### ATTEMPTED SOLUTIONS TO OVER-GRAZING

##### American Livestock Association Meeting: Opposition Killed By Own Talk

Ingersoll:

Your mention of a meeting a little while back reminded me of a telephone conversation we had a little while ago; you remembered a meeting of the livestock association in San Francisco. Could you tell that story?

Kneipp:

The meeting was in San Francisco, a meeting of the American Livestock Association. As was customary at their annual conventions, they organized a number of committees to take up



Kneipp: different phases of their problems. One of their committees was to discuss grazing on government lands. The chairman of the committee was the elder Senator Carey [Joseph M.] from Wyoming. His son [Robert D.] was also a Senator later on, and governor also.

The opposition was given the lead-off by Governor Elias Ammons, who was vitriolic in his opposition to any federal control of the public domain. The afternoon was waxing away. There was to be a banquet that night and everyone wanted to get freshened up and be ready to go to the banquet. Ammons talked on and on and on. It was to be a two-sided proposition: He was to state his case and then I was to state mine. He kept on talking on and on. Since he had been a governor of Colorado and was a very prominent and influential politician even then, of course he was treated with a great deal of respect and courtesy.

The hours got along and got along. Finally the members began to get restless. So I horned in and said to the chairman, Senator Carey, "Senator, Mr. Ammons has made a great many allegations here and taken a lot of your time. I don't want to do you an injustice or impose on you, so I'm not going to do anything but say just this--that a lot of the things that he said can be refuted, and a great many of the other things that he said can be satisfactorily explained." Senator Carey snapped up and said, "We know that!"

Ingersoll: Do you remember what period that would have been? Around what year?

Kneipp: It was when I was still with the grazing, so it was somewhere between 1910 and 1914.

Ingersoll: Do you remember what the situation was? What the problem was? What you were going to explain if you had had a chance?

Kneipp: Oh, the whole thing. There were all sorts of allegations. The opposition's allegation was that the national forests were being run by men who did not have the slightest knowledge whatever about livestock management on the open range, or to use a slang phrase, they did not know which end of the horse to put the bridle on. Also, that many of them were eastern-trained kids who had no experience whatever and had nothing except a purely technical knowledge derived from textbooks.

The people who were in favor of that bill had the defense that what Mr. Ammons said was not so. The great majority of the men who at that time were managing the national forests were men who had come into it from the West. They had come with



Kneipp: all sorts of capacities: as cowmen, as sheepmen, some as ranchers, ministers, or drugstore operators, or everything else under the sun.

Of course, what Ammons was featuring was the negative side, the know-nothings. What I hoped to picture to some limited degree was the fact that we had men that were born and raised right in the country, as a lot of them were. They had spent their whole lives there. We had men who had graduated from the Salem [Oregon] Agricultural College and from Logan, Utah--the Logan Agricultural College where Dr. Stewart is one of the outstanding men.

In other words, the whole issue of the afternoon was the background of the men; and here and there, of course, there would be an allegation of an injustice of some sort thrown in. However, when Senator Carey was so emphatic in his remark ("We know that!") it indicated that nothing anyone said to correct the errors of a man like Ammons could make any difference.

#### Developing Relationship Between Forest Service and Stockmen

Ingersoll: You told me before that you and other men from the Forest Service, particularly people who were interested in grazing, used to attend a good many of these stock association meetings. I think it might be interesting to try to think a little bit about how you were able to affect stockmen's attitudes, and also how you learned things at these association meetings that changed your policy making. Can you say anything along this line?

Kneipp: We started out this way, for example. First we had what is a thought talked about here [?] in Sherman's study of the situation. Then in 1907, 1908, and 1909, and approximately 1910, they held regional ranger meetings. At each of these regional ranger meetings, which would probably be held sometimes only one to a state but sometimes two or three, there would be assembled all of the forest officers from two or three or four of the national forests. Usually, a group of the younger men like myself would lead off in telling them what we thought could be done and should be done, and what we were trying to do. This was not in any highfalutin language, but in their own language, the vernacular.

Ingersoll: Who would be at these meetings--the foresters from the national forests and also the stockmen?





Kneipp: No, the first meetings were just to train the [Forest Service] men, to give them a picture of what their job was and how it ought to be gotten at. And there was a by-product of the thing. Not all of these first impressions of ours were totally sound. Every so often some bright ranger would bob up and just knock the bull's eye right out of the target.

Ingersoll: Can you give any example of this?

Kneipp: I can't think of them now, but they happened and more often than you would imagine. The trouble is this: The range practices differed so much in different parts of the country. What we were suggesting as a good range practice that we had picked up in one part of the country and were, therefore, advocating in another part of the country, proved to have been a poor range practice that was abandoned or never used.

Ingersoll: Of course, that was one of the reasons for the decentralization in 1908, wasn't it?

Kneipp: It was, yes. So after there had been the 1907 and 1908 sessions of that type, the six western regions were created as districts in the western public domain. Then was when the advisory board meetings came into the picture.

Ingersoll: Do comment on that advisory board because that is something we would like to know more about. Just who was on that? How influential were they?

Kneipp: They were supposed to be elected by the stockmen themselves.

Ingersoll: From among the stockmen?

Kneipp: From among the stockmen. They had to be the permittees and they had to be the selectees of the permittees. The Forest Service had nothing at all to do with appointing them except that--this happened quite frequently--when a man showed a particular capacity for getting along well with the Forest Service, getting things straightened out, he was often elected time after time. He knew how to take the wrinkles out and was therefore the favorite son. Even then, at the advisory board meetings you had the same result as at the 1907 and 1908 meetings; i.e., some of the practices that were advocated by the Forest Service were challenged by the stockmen. Very frequently some of the rangers at the same meeting would support the stockmen and say, "That was true," in this particular district, or that what the stockman was saying had been proved time and time again, or something to that effect.



Kneipp: So first you had the group of Washington office men, which was partly made up of field men, getting together with a new group of field officers which was considerably increased over the original number, with more rangers and more national forests. For two years the main idea was for the two groups to educate each other in the ways of handling a range and handling livestock.

Ingersoll: These two groups being the men from Washington and the local rangers?

Kneipp: Yes, Washington would say what they were trying to do, and the men from the field would tell Washington what it could do as far as what was practicable.

Then after the second year, or more particularly after the third or fourth or fifth year--after the advisory boards were more numerous--we [Forest Service men and stockmen] got to know each other. I think at one time there was a total of 830 advisory boards. Sometimes there would just be a district advisory board, maybe fifty or a hundred permittees using one ranger district. We got to know each other; and there were certain things [that drew us together]. For example, in the evening when there wasn't anything else to do, games of penny ante flourished. There were never any serious losses, and that would get it down to a first name basis and addressing each other with wild epithets and things of that sort.

So, by that process, it was discovered by a great many of the stockmen that these men in the national forests weren't the so-and-sos that the opponents were picturing them to be. More and more they kept getting up and saying so. As the wrinkles were ironed out and the thing was getting on a better working basis, and as some of the Forest Service suggestions were found to be more practicable, everything went along smoother. For example, in the earlier year, they used to run their lambs and ewes in herds as high as two thousand ewes. And then they would have maybe a 60% or 70% lamb herd. The Forest Service had advised a twelve hundred herd ewe band. Very soon with proper use of the range, they would be getting a 75% or 80% lamb herd. Or on some ranges where the lambs were originally pulled and sold when they only weighed sixty pounds, stockmen saw them gradually go up to sixty-five or sixty-seven pounds and finally up to seventy pounds or even above.

Ingersoll: What would happen in a case like that?

Kneipp: Well, it all supported, added strength, to the arguments advanced by the Forest Service. More and more men at these



Kneipp: annual state meetings got up and said, "That is true because we have tried it and we know it's so."

Ingersoll: As time went by and they got better organized, did the advisory boards themselves ever set quotas for the number of head per acre, or was this beyond their power?

Kneipp: No, there were no quotas. Oh, there were as to the carrying capacity.

Ingersoll: Yes, the quota of heads per acre, I mean.

Kneipp: In some cases they fought bitterly against any reductions as long as there was a scrap that could be eaten. Some of them did not have--well, it was pitiful almost, how ignorant some of them were.

There was quite a fight by a half-demented man who had been a schoolmate of Henry S. Graves at Yale and had been a very brilliant newspaperman. His name was Walter B. Sheppard. He finally became a sort of an exile. He went out to the Jackson Hole country to live by himself.

He kept writing to Graves all the time that the cattlemen were eating out the elk range to such an extent that the elk were all being exterminated. Finally, in 1917 I think it was, Graves was so concerned that he came out personally and brought along with him Smith Riley who was the Regional Forester in charge of the Denver district. As a matter of fact, there were more elk there than could be fed during the winter, and the state had to buy hundreds of tons of hay to feed the elk that could be supported by the national forest range.

But we started out with Ames, Graves, and Riley, and the supervisor and myself. There was a very fine young stockman named Roy McBride, who unfortunately died at a very early age--some bacterial or virus disease of some kind. He was a very lovable and brilliant person. We were walking up a hill when Riley, who was quite a botanist, reached down and plucked a flower. He held it up and looked at it and said, "That's a so-and-so." (I've forgotten the name of it now.) McBride looked at him in amazement. He said, "Jesus Christ! Do you mean to tell me that everyone of these hundreds of plants around here has a separate name?" Riley said, "Yes, they not only have a scientific name that is known the same the world over, but sometimes they have a half a dozen separate names depending on where they grow. In this place they are called a so-and-so; in another place they are called a so-and-so." McBride said, "Well, my God, there must be hundreds of them. How in the world can you remember them all?"



Kneipp:

That very same summer we had received a report from one of the outstanding world plant physicists, or agrostologists, showing that in the Manti Forest alone, he had found evidences of eighteen thousand different types of plant life. Some were very minute quantities, but they were identifiable by his means. And this man was amazed to think that there could be hundreds of names.

I mention that not to deride McBride, because I had a very high regard for him. He was just a local boy and what he knew was what men around him knew. He was quite a successful stockman too; he had a good herd. I just wanted to show the [lack of knowledge] of hundreds or perhaps thousands of the men who were fighting the thing.

#### Continuing Battle For Stock Reductions

Ingersoll:

Did they ever get to the point where they helped the government to set quotas--where they would say, "We think that so many head per acre should be allowed," with numbers that they put in themselves?

Kneipp:

Sometimes, but not often. For example, up to two years ago on the Wasatch Forest, which is very badly over-grazed now, although at one time it was just a garden spot in back of Salt Lake City [they fought any reduction]. When I was there, the cattle were following the grass right up to the snowline as it melted up towards the high elevations. They were just eating the plants right out of the earth.

Fight as we would, we could not get them to agree to reductions. That continued and [was especially bitter] three or four years ago. One of the very prominent members of the [Mormon] church, although he wasn't one of the apostles, [fought hard]. His name was Griffin, I think. He was important enough to be ambassador to one of the larger South American countries at one time and was very prominent in the church. He had a grazing preference entitling him to graze some twenty or thirty head on one of the ranges in Wasatch. He did not need the money because the church would take care of him until the last day of his life, as it actually did. (The [Mormon] church never lets its own suffer. That is the reason that they are against charity of any kind. Any decent group will take care of its own. That is what the tithing is for. One-tenth of all they make goes into the bishop's tithing fund, you know. So whenever there was any hardship of any kind, they would draw





Kneipp: the tithing out and give the people what they needed. So anyway, this man tried to incite a rebellion throughout the entire western range.

Ingersoll: When would this have been?

Kneipp: This was as recently as three or four years ago [c. 1961]. We were going to cut the permit for grazing of livestock in the meadow which his twenty-odd livestock grazed. That would mean that he would no longer have a grazing privilege. He wrote highly inflammatory letters not only throughout Utah, but throughout the whole western country. Here was a man intelligent enough to represent the United States to one of the South American countries. They [Mormons] would have regarded this man's statement with the same degree of infallibility as a Catholic would have regarded the Pope's. You had that to fight all the time.

The surprising thing is that this year [1965] [the Forest Service won.] [Tape cut for a minute] In other words, the tourist business and the winter sports business and things of that kind have so transcended the livestock business in the economy of that whole region that they are willing now to listen to the Forest Service to a degree that they never did before.

Ingersoll: It has taken all those years from the time that you were there until now.

Kneipp: When I was there in 1915, I tried to get them to cut the grazing season. And they did cut it. They [started] the grazing season ten days later so as to keep the--

Ingersoll: So you would have a little more growth before the heavy hoofs came in on it?

Kneipp: So there would be a little more of the roots before they [the cattle] got up to the snowline. It was a fight all the way. Yet, on the other hand, Reed Smoot, who was one of the Apostles of the Mormon church and a United States Senator and a highly intellectual man--he never disputed our position at all.

Ingersoll: Was he able to influence other Mormon stockmen?

Kneipp: No, he was a politician. He would have committed political suicide if he had come right out and said that we were right. However, he never told us that we were wrong.



Kneipp:

Here and there there have been cuts made and a lot of things have happened. In many places what had been sheep range or cattle range too had been the result of some of the enormous burns that occurred in the 1870s, '80s and '90s. There were great expanses--tens of hundreds of thousands of acres with nothing but grass, weeds, and shrubs on it. There was just scattered, incidental tree growth.

Now, that tree growth has thickened more and more until it had taken possession of the site practically to the exclusion of the herbaceous growth. Consequently, there is nothing to interest the sheepman in it anymore. At least if he wants to use it now, he has to use it with smaller numbers of sheep and with different methods of herding. He can no longer herd them in a big mass; rather, he must track more. The sheepmen simply prowl around the sheep as they move; and when they see tracks deviating from the general mass, then they follow them up and chase the sheep back again.

Further than that, they are adopting more of the policies of the agronomists and the agrostologists and are actually computing the volume of growth that can be removed from a plant during the plant's growing season without the plant being prevented from renewing itself the next year. In other words, they are gradually learning; it is quite different now from what it was then. However, they aren't all learning. There are still some who believe in the old method. You would be surprised at the number of men that you could argue with and say, "Do you admit that if you cut more timber in a certain area in a certain time, then that area will eventually produce no timber if you are cutting faster than it is growing?" Many of them will just say, "Oh, man will discover something. We'll plant it; we'll do something with it. We'll hybridize quicker-growing trees or something of that kind."

Or we will tell the stockmen the same things. "If you eat the plants, the grasses, the weeds, and the herbaceous plants down to the point where they can't produce viable seed any longer, where are your plants coming from?" Again you get that happy-go-lucky, "Oh, something will happen!"

In other words, it is true that changes are occurring. The last two or three years, my son took me out on trips throughout this country, where I came in the early twenties and started buying land under the Weeks Law: through Maryland, Virginia and West Virginia, and some of the adjoining states. The forest is coming back in quite an amazing degree. It's not coming back, however, with the quality. Whereas you had these enormous trees--four or five or six feet in diameter--



Kneipp:

representing the climax class of the white oaks or the various kinds of oaks or chestnuts and things of that kind, you are now having shorter-lived and fresher-timber trees occupying the space.

Now, over millenia of time, Nature would cure that. That is what is called the dominant species--those that can most effectively use the root food and the soil elements and the light elements. They will eventually crowd out those that cannot use them so effectively. However, that is going to take generations.



## INTERVIEW XI

26 October 1965

Interviewer-Fern Ingersoll

## BALLINGER-PINCHOT CONTROVERSY: AN UNRECORDED INCIDENT

Ickes's Article: Ballinger Not Guilty

Ingersoll: Through the years, has anything more ever come to your attention about the Ballinger-Pinchot row?

Kneipp: Well, the first thing will be a quote from the Saturday Evening Post:

The Ballinger case was a principal factor in the destruction of the Taft Administration and broke Secretary Ballinger's life and career....It is not too much to say that the Ballinger scandal cost Taft and the Republicans the Presidency in 1912.

Such was the unequivocal assertion by the then Secretary of the Interior Harold Ickes in an article printed in the Saturday Evening Post dated May 28, 1940, volume 212, pages 9-11.\* The article was a disinterment of a long dead horse. Gifford Pinchot had been fired in January of 1910 after Ballinger had been exonerated by Taft and a joint congressional committee of six Senators and six Congressmen who expressed themselves eight to four for clearance of Ballinger, who resigned as secretary of the interior in March, 1911. The controversial coal claims--these were the Cunningham coal claims--had been canceled or withdrawn; Congress had substituted a leasing system in lieu of the simple title.

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\*Xeroxed copy filed with Kneipp papers at The Bancroft Library.





Kneipp:

According to Ickes, the congressional hearing covered forty-six days, including two days of arguments; the record covered 7660 printed pages which added up to almost four million words. Now, that was a decision reached in 1911. This article of Ickes's was in 1940.

In this full-page, featured article entitled "Not Guilty," by Harold L. Ickes, Secretary of the Interior, is a personal statement and a number of photographs. Ickes stated frankly that at the time that the question first arose, and before he entered national politics, he was as profoundly convinced of Ballinger's guilt as anybody could be and had joined in the hue and cry for Ballinger's immediate removal. He went on to say that new material had come to his attention and caused him to assign some of the brightest minds in his department to a re-study of the entire case. They had absolutely convinced him that the contrary was true--that Ballinger was in no sense whatsoever guilty of the charges against him but was the victim of a gross misrepresentation. This is where an unreported episode of the imbroglio becomes a matter of interest.

After the extended hearings in Congress without any definitive action being taken, the congressional committee let it be known that the tremendous collection of material, all the testimony, was of no interest to them any longer, and they requested that it be removed. As the Forest Service was the instigator of the hearing, allegedly, it was regarded as the proper agent to take possession of the material and make such disposal of it as desired. Accordingly, the solicitor of the Department of Agriculture took the huge collection of maps and charts and flatbooks and tracings and blueprints and innumerable mimeographed articles and statements into his possession.

Voluminous Testimony Shipped and Reshipped: Requested by Ickes

Ingersoll:

Let's see, you said that the agricultural solicitor took them.

Kneipp:

Yes, the legal officer of the Department of Agriculture. This occurred just as the Department of Agriculture was being moved out of a huge congeries of ancient buildings in what had been known as "Goose Flats" into its later, imposing South Building. It [the recorded testimony] was distributed around in such places as room could be found for it at the time.



Kneipp:

Eventually the solicitor decided that he could no longer be burdened with it since it was regarded as totally dead material fit only for the incinerator or, at least, for the closed files. Since the case related to the Chugach National Forest in Alaska and since the Chugach National Forest was in what was then Region Six of the Forest Service, with headquarters at Portland, Oregon, the whole mass of material was shipped out there to Portland where it again reposed for some years without any attention or care and with a considerable intermixture of all the old records. Eventually Alaska became so important that it was made into District Eight. Upon becoming District Eight, it fell heir to the accumulation of material which was then shipped to Juneau, the headquarters of the Chugach National Forest. There it again reposed in various nooks and crannies for some time until finally the District Forester from desperation asked to be relieved of responsibility for it. He was directed to return it to Washington.

Meanwhile, Gifford Pinchot had begun to write what was to be the magnum opus of his career--the recitation of all the events and happenings of his activity from the time he first pronounced the policy of conservation until he became the governor of Pennsylvania [Breaking New Ground]. Hearing that the Ballinger-Pinchot data were being routed back to Washington for disposal and assuming that it had no definite record value, Pinchot requested that he be allowed to retain it for further review so as to check the correctness of his various personal statements in the article that he was writing about it. That, in the course of time, was done. The years rolled on and Pinchot grew older--

Ingersoll:

Then all the material went out to Pinchot?

Kneipp:

Yes, all that which had come back from Alaska. Pinchot's mind became less active as the years rolled on. His boundless energies diminished so that the preparation, the final checking and the review became a long, drawn out process that never was entirely completed. Finally, Pinchot besought the Forest Service to take the incubus off his hands.

The Forest Service was just being transferred from the old Atlantic Building on F Street to a part of the new South Building of Agriculture. Its files were in a state of turmoil, so this material was put in a vacant room. It awaited the time when it could be more analytically examined and studied and part of it disposed of. It was quite an imposing array scattered over the floor of this normal size office-- comprising, as I say, flatbooks, charts, graphs, blueprints,



Kneipp:

engineers' reports and everything else. The intention was that at the proper moment, when time became available and personnel became available, a more discriminating analysis of the collection would be made.

Meanwhile, the [National] Archives had been established by law, but the [employees of] the Archives knew very little about the Ballinger-Pinchot hearings because they antedated its genesis, and [they] had shown no interest in it [the material] whatever. They were busy formulating what they conceived to be their perpetual plan of recording all the final data of the nation's history.

So the material lay there in that room, unguarded, until one surprising day Henry C. Wallace, the then secretary of agriculture, received a letter from Harold L. Ickes on the date of March 6, 1940. This letter said:

Dear Henry,

I would greatly appreciate the members of this Department [Interior] authorized by me to be given full and complete access to all records relating to the Ballinger-Pinchot hearing that are now in the files of the Department of Agriculture.

In other words, that was the opening of the grave. It would be perfectly honest to admit that it created quite a little consternation because the members of the Forest Service themselves by that time had forgotten half of what was in the files. They had made no recent efforts to check it [the material]. They didn't know how important it was or how serious it would be if there were a surreptitious removal from the files, or a surreptitious intrusion into the files, so they proceeded to detail a trusted representative of the Department of the Interior, carefully scrutinizing every document and practically searching them [the representatives of Interior] as they left the building.

There might be at least some disagreeable clashes over the applicability of this material which had had such an effect; incidentally, if it had not been for the Ballinger-Pinchot thing, Taft would undoubtedly have been re-elected. Woodrow Wilson would have never become President and whether there would ever have been a World War I is debatable. So this thing really was vital in many respects. It was not to be lightly tossed aside with someone saying, "Sure, come on over as visitors," since the general relationship of the two departments was not at all cordial.



- Ingersoll: Did different people in the Forest Service have different points of view as to what should be done at this point?
- Kneipp: No. Frankly, everyone had forgotten it. This had happened back in January of 1909, and now this was 1940.
- Ingersoll: But I mean did they have different points of view as to whether the secretary of the interior should be allowed free access to this material or not?
- Kneipp: I don't know because I didn't make a Forest Service issue of the thing at all. Being in charge of all that kind of work, I was sent Ickes's letter. I foresaw all these things I just described to you, and I was pondering over how to meet them. Finally, I went in and made this suggestion to the Chief of the Forest Service: "Why not turn over this entire thing to the National Archives immediately? Let people there do with it whatever they please. Let them accept the responsibility for it." It was entirely new to him. He had no real keen personal knowledge of the matter himself, so he said, "Why, yes. I guess that would be the best thing."

In answer to Ickes's letter of March 6, I prepared a letter which was signed by Henry Wallace, the secretary of agriculture, which reads as follows:

Dear Harold,

When your letter of March 6 was received in this department, the first thought was that the files you desired to have reviewed would be found in the National Archives to which the Forest Service, something over a year ago, transferred most of its old files of record value covering the years prior to about 1920. The file so transferred presumably included the record to which your letter refers. The check made to verify that presumption, however, resulted in the discovery that parts of the record were still in the possession of the Forest Service. The material referred to apparently was a part of the files of the Washington and the Portland offices of the Forest Service which files had been arranged for legal review and referred to the office of the solicitor of this department and later returned to the Forest Service following the apparent closure of the case.

Rearrangements of the material to conform to the general filing procedure would require considerable





Kneipp:

review and classification. The need for such action did not seem urgent while other activities pressed for attention. The material, therefore, remained bundled up until the receipt of your letter caused it to be examined. The logical procedure seems to be to transmit the material to the Archives for integration with the parts of the record already on file there. Then the entire file, properly arranged and referenced, will be freely available for any further examination desired by your department or mine, or by any other party of interest who may wish access to it. Such action accordingly is being taken. I believe that a review such as you contemplate can be made more readily and conveniently with the files at the Archives than if they were retained in this department. If it should develop that there are other files elsewhere in this department bearing on this case, access to them will, of course, be granted to your representatives.

Sincerely,

H. A. Wallace,  
Secretary of Agriculture

So I had one of the men in my office go down to the Chief of Operations of the Department [of Agriculture] and find out whether he had a half-ton truck available, with a driver for that afternoon, that could pick up a certain amount of material and take it over to the Archives. I knew him [Chief of Operations] pretty well. (In fact, I helped grade most of the Department by that time.) So he had the truck. [I wrote again to Mr. Ickes with Secretary Wallace's signature:]

On March 28, all such files were delivered to Arthur B. Kimberly of the National Archives. A further check of the files of the Forest Service confirms the previous impression that they no longer contain any records relating to the subject. My letter of March 19 contains the further assurance that, if other records bearing on the case should be discovered in the files of the Department, they would be made available for examination by your representatives. That assurance will, of course, be fully honored by this Department.



Impossibility of Research Before Article

Ingersoll: Now, the date that they had been delivered to Arthur B. Kimberly, then, was March 28; what was the year?

Kneipp: Nineteen forty. Now, the joke of it was this. I think that somebody in the Interior Department heard about the availability of this accumulation. There was no secret made of it. The files had just been put in that vacant, unguarded room until such time as they could be more effectively disposed of. I think that news very quickly found its way to the Department of the Interior. I think that this inspired the possible hope in the head of "honest" Harold that by going through all this material, they would discover something new. In fact, his article implied that part of his change of mind was due not only to the use of some of the brightest minds in the Department [of the Interior], but also to new material. I think that's what was just a little off side play, you know.

Now, the interesting point was that this material, as well as every last bit that we had of the Ballinger-Pinchot stuff, got to Archives on March 28. Ickes's article was published in the Saturday Evening Post issue of May 24. We all know and have always read that the articles of the Post are printed and distributed throughout the country a month or so in advance of the date of their ostensible issue, so that they may all be released at one time. For him to have indicated that this tremendous array of stuff could have been carefully and painstakingly reviewed after having been the source of forty-two days of congressional hearings, with seven million words of testimony and all the tremendous amount of supporting data, it would be suggesting almost a magical capacity.

There is a lot about this that you can read for yourself in GP's book, Breaking New Ground. He goes into things at quite great length. He doesn't mention this particular incident, though. This all happened after he had been out of the Forest Service for forty years. As I remember, it took Justice Brandeis, who was the attorney for Pinchot at the congressional hearings, seven weeks to peruse the records. Here is what Pinchot said:

The hearings covered four full months from January 26 to May 28, 1910. The Committee heard testimony on forty-six days and arguments on two additional days. In all, thirty-three witnesses were heard. The records of the hearings fill nearly five thousand closely printed pages. There were three sets of findings, each of them



Kneipp: voluminous. The Republican majority report, as we knew it would, in words at least, exonerated Ballinger completely. "Neither any fact proved, nor all those facts put together exhibited Mr. Ballinger as being anything but a competent and honorable gentleman, honestly and faithfully performing the duties of his high office with an eye single to the public interest."

But there were five dissenters. This special committee was six Senators elected by the Senate and six Representatives elected by the House. Five of the House members, I think, supported Pinchot, plus one dissenting Senate member. They didn't completely support him but leaned his way. Of the seven Republicans, all but one were solidly against Pinchot. The fact remains that immediately thereafter, Pinchot was fired; Ballinger resigned; Congress passed new legislation prohibiting the filing of claims under the normal coal mining act in that part of Alaska.

Ingersoll: As Ballinger had supported?

Kneipp: Yes. If you needed anything to piece this out, I suppose you could find it in Breaking New Ground by Gifford Pinchot.

Ingersoll: What was the page you were reading?

Kneipp: That was page 490, section 88, "Three Verdicts." There is one place in here where it says that Justice Brandeis, who was one of the great brains of the era, spent I think it said seven weeks perusing the material. For somebody to have gotten hold of this material and reviewed it all carefully with his bright, new, brilliant brains, prepared it for publication, and gotten it on the news stands within two and a half months was a marvel of modern publication. [Laughter]

So nothing happened. We never heard another word from Harold except that he wrote this article. He never requested any more material. He never raised a single question. I imagine what happened was that, when he went over to Archives and saw what was there, he decided that it was not worthwhile-- that he would not get a thing out of it compared to the trouble it would take. But it was just one of the little by-plays between two rival departments to show that all was not love, peace, and harmony in the Franklin D. Roosevelt administration.\* As I say, this has never been published and I don't think I have ever told anyone except maybe some personal friends of mine.

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\*Fern Ingersoll wrote in a letter to Amelia Fry, November 23,



Kneipp:

It was significant in that so much of our national policy, our whole legal code, is formulated not by logic and reason, but by entirely irrelevant, extraneous considerations that are often quite questionable.

For years it was standard practice, in fact there wasn't anybody in the Forest Service and the Interior Department who didn't know that that method of establishing claims [used by Ballinger]--property rights and coal lands and things of that kind--was a widely prevalent practice and condoned it.

#### BEAUTY AND WEALTH OF U.S.: MARRED BY GREED

You know, I have always loved this earth. I have no thought of going any happier place or anything of that kind. Yet, as I have traveled around more and more, and seen more of how man is despoiling the earth, how he is spoiling all the finest tenets of human relationships by misrepresentation and particularly treachery and treason, I can't help but admit that my love has to suffer some attrition. The worst thing is that the people you meet who seem so nice, seem so completely satisfied with the way things are. The only explanation that suggests itself to me is that we all have a streak of broad cussedness in us. We tolerate a lot of these off-color dealings with each other because of the possibility that we ourselves may want to use them at some time or another; so we don't want to handicap ourselves.\*

Profit has dominated everything in this country to such a point that it transcends all other considerations. Now with

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1965: "I called Mr. Kneipp today because I had the feeling that his full interpretation of the Ickes story had not gotten on the tape, probably through an oversight of mine. He said, 'Since the Ickes episode occurred when he was putting up a battle to have the Forest Service transferred to Interior, I believe he was going back to the Ballinger-Pinchot controversy as a fulcrum to swing support from Republicans who would not take sides otherwise. Also, he may have felt that he could make a public issue of it if the secretary of agriculture had denied him access to the records he requested. He might have thought the whole thing would cause a stir in the newspapers; but it didn't, as I remember.'"

\*Mr. Kneipp went on to cite the policies of Jefferson, Adams, and Jackson, which he had previously discussed.





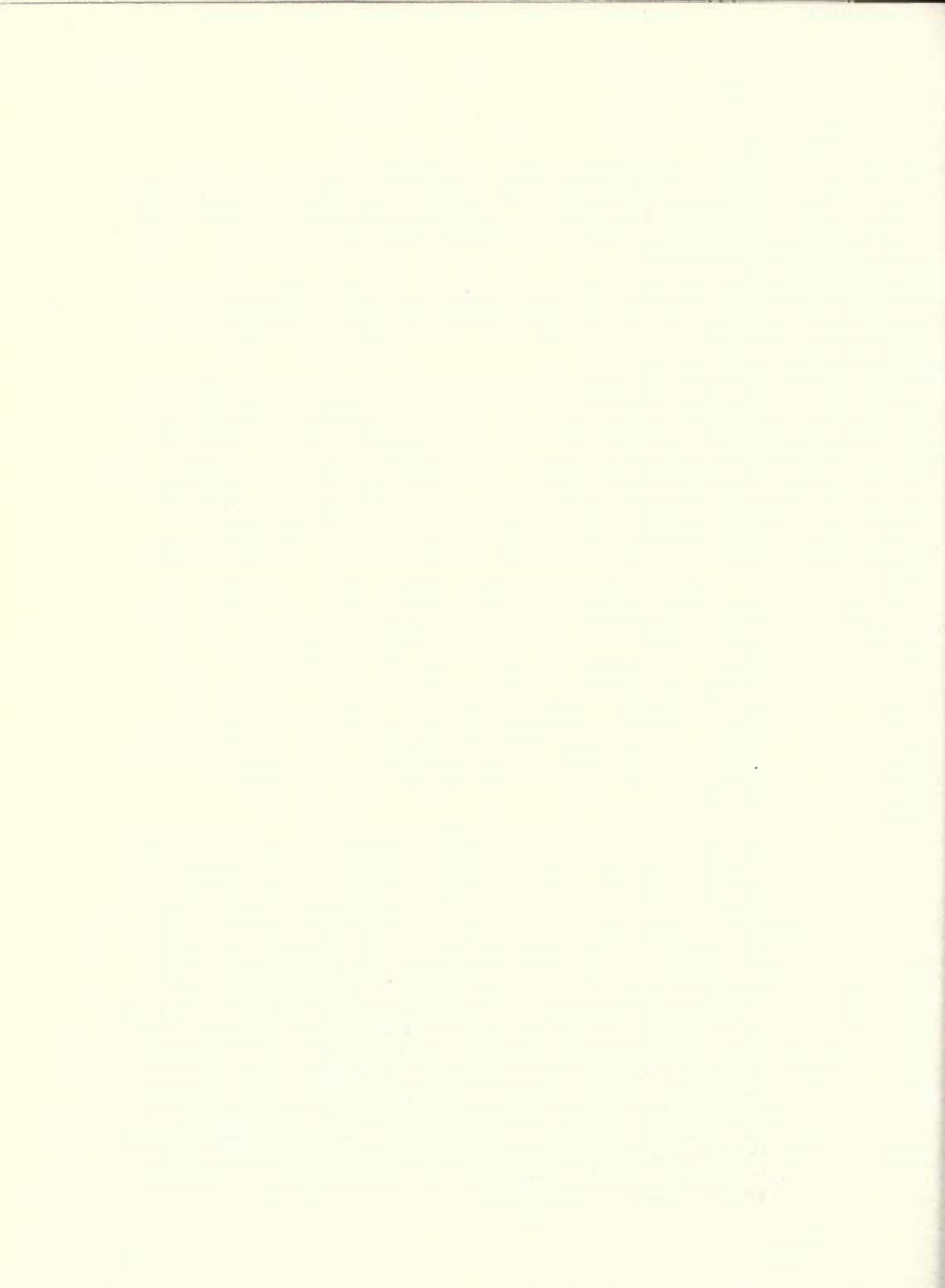
Kneipp: LBJ's new, bright dream, we're going to have to put back in human effort actually more than we took out in natural riches if we are ever going to regain anything like the status of existence we could have enjoyed if we had shown more moderation.

Ingersoll: What do you think about the plans for the "Great Society," the plans for the beautification of America and this sort of thing?

Kneipp: We can't make something out of nothing. In a way, they are almost approaching the problem like the parable of the loaves and the fishes. They are trying to feed the vast multitudes with a few fish and a couple of loaves of bread. I have seen things like the enormous iron fields at Bemidji, Minnesota, and the copper mines in various parts of the country, like Utah and Arizona. There are exhausted resources here and there and elsewhere where there were at one time flourishing cultures, prosperity, and everything else; all that is gone.

One of the most striking visits I had at one time was when I was appointed by President Harding as one of the three commissioners to reimburse the Chippewa Indians for the 190 million acres of their reservation which was taken for national forest reservation purposes. In order to get that one little concession made, it was necessary to agree to pay the Indians for the timber. They save 5% of the timber, in some cases, which silviculturally was wholly inadequate. In other cases they save 10%, which is also inadequate. That was a beautiful example of the northern pine region there in northern Minnesota.

So we went out and appraised the land and gave the Indians several million dollars for their holdings. That was in 1922. At that time the J. Neils Lumber Company was working full blast at Cass Lake to utilize all of its rights to the contracted timber before the contract expired. The town was just as busy as could be. The people in the stores were prospering; the streets were filled with people; on Sundays the people would stream to churches. Oh, and at the little hotel they had there, you sometimes had to stand around for a half hour before you could get a seat or a table. I went back a couple of years afterwards and walked around the town. I could hardly believe it was the same place. I walked into the hotel which had changed hands. I said to the proprietor, who was rather a brisk person, "What in the world happened to this town? I never saw it as quiet as this before, even on a Sunday morning." He turned around to me with sort of a smile and said, "What do you suppose would happen to a town that has lost a payroll of \$30,000 a week?" [Chuckle]



Kneipp:

There's the history of America time and time again. Not only of America, actually. There is a very interesting book, The Disappearing Cities. Out of a thousand or more ancient cities which have been outstanding to now, they picked out about a hundred which are the greatest centers of culture or economy or military force or education, and at their peak amounted to as many as a quarter of a million people. Some of them are now nothing but a mound in an expanse of barren desert. Some of them are little villages with just a few hundred people in them. Only a very few of them have retained anything like their ancient grandeur. What happened is simply that they used up their natural wealth. It's all exploitation.



## INTERVIEW XII

12 November 1963

Interviewer-Fern Ingersoll

## STRUGGLES WITH ICKES: HATRED OF THE FOREST SERVICE

Ingersoll: Can you tell me about any other incidents during the Ickes administration like the one you told about earlier?

Kneipp: There was one very interesting thing. The purchase of land for national forests in the eastern United States was under the act of March 1, 1911, known as the Weeks Law. That required that the lands to be purchased should be approved by a commission [National Forest Reservation Commission]. So periodically we would assemble records of the lands which had been offered and found to be acceptable and titles had been cleared and the options had been executed and everything was ready. We would ask the commission to meet and they would go over the matter case by case only in digest (that is, I would write out a digest of the significant points). I would present one case after the other. Then they would approve, modify or reject.

Such a meeting was held one time;\* and Ickes came waddling down the hall of the South Building and took his seat, but Wickard [Secretary of Agriculture Claude R.] wasn't there. So he [Ickes] fidgeted around for about five minutes and nobody appeared for the secretary of agriculture. Here we had a case which amounted to several hundred thousand dollars worth of land. It was one of the most important and desirable of the programs which had been worked up.

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\*This incident must have occurred in 1944 or 1945, because Wickard was secretary of agriculture from 1940 to 1945, and Brannan was assistant secretary 1944-1948.



- Kneipp: After about ten minutes he got up, went over and got his coat and said, "Well, this agency is designed primarily to serve the secretary of agriculture; since he has not seen fit to get here personally, nor to designate an authorized representative, the meeting cannot meet and is hereby adjourned." He stalked off down the hall, and all of us just sat there crestfallen. About two minutes after that, Charles Brannan, who was then assistant secretary [of agriculture] came dashing in breathless. It seemed that on the way out, Wickard had stopped him and engaged him in conversation for about five minutes while he was on the way over to the South Building to be present at the meeting. It was that fatal five minutes which had caused this disruption. There were numerous things like that which happened.
- Ingersoll: Did this particular meeting have to adjourn with nothing accomplished?
- Kneipp: Yes, it adjourned. We took no action whatever. Of course, at a later meeting, many of the same cases still covered by option were brought up and approved. In the meantime, the options had expired in some of the cases which were under option the first time, so they couldn't get those lands. The public interest was that much the worse off then.
- Kneipp: Did Ickes have reason for wanting to thwart getting these public lands, do you think?
- Kneipp: Sure! First he wanted to aggrandize himself, build his empire. Second, he had a hatred of the Forest Service.
- Ingersoll: Why was that?
- Kneipp: You'd have to know Ickes to understand. He had let it be known, and frequently, that if Congress did pass this bill authorizing the President to transfer the Forest Service to the Department of the Interior, that Ickes would promptly make drastic changes in the format of the organization and in the personnel of the organization. In other words, the Forest Service as such would have been wiped out or completely subordinated to the General Land Office.\* Oh, we had all kinds of run-ins.

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\*In a telephone conversation with Mrs. Ingersoll, November 23, 1965, Mr. Kneipp said that Senator McNary told him the following story which he, in turn, had gotten from his friend Key Pittman: In about 1941, when there was a strong chance





Ingersoll: When you say that you have to know Ickes to know why he had such a hatred for the Forest Service, what do you mean?

Kneipp: Well, it wasn't the Forest Service alone; he had a hatred for a good many people. I had to be with him for thirteen years from January, 1934, until he resigned after Roosevelt's death. That was in 1945. There were all kinds of stories told about how he married the second Mrs. Ickes who was very wealthy and who was a regular amazon of a woman, and who was obsessed with the idea of rectifying the injustices done to the American Indians. Every known circumstance that had any publicity indicated that she told Ickes to come to Washington and get Roosevelt to appoint him as the Commissioner for Indian Affairs. So he did. He had a long interview with Roosevelt. According to the public press of the time, Roosevelt said, "Well, I cannot appoint you to that particular office because I have already pledged myself to appoint another man. What I will do, though, is appoint you secretary of the interior in my cabinet. In that capacity you will then have jurisdiction over the Bureau of Indian Affairs."

I might state parenthetically that I was one of the old gang. I was in the General Land Office from 1900 to February, 1905. I belonged to the old gang. Not all of them were admirers of Ickes and they--in moans of "Auld lang syne"--would confide in me certain things that were going on in the Department. These were things that no one on the outside knew about. They were not at all admirable by any means either. As nearly as I could find out, it was not Ickes's passionate, excessive regard for honesty that caused him to be called "Honest Harold" as much as it was getting even with those SOB's who had treated him like a little dog when he had tried to tell them how to run politics in the state of Illinois. In other words, as nearly as I could figure out after thirteen years of association with some additional sources of

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that Franklin D. Roosevelt would promulgate an order to transfer the Forest Service to the Department of the Interior, Roosevelt had the order written out on his desk but was giving it a final pro-and-con consideration with advocates and opponents of the order. Pittman of Nevada, who was an opponent of the order, reminded the President that he had promised during his last campaign not to make the transfer, and this would most certainly be breaking his promise. Roosevelt picked up the order and tore it in half. Then he folded the two pieces together and deliberately tore them in half.



Kneipp: information, it was a matter of revenge rather than consideration for the public interest. He was going to put people in their places and show them that they couldn't treat him the way they had in earlier years and get away with it.

Westbrook Pegler has been denounced repeatedly because of his disparaging remarks about Ickes, some of which have been very brutal. Yet, of all the people who have made Ickes a subject of their paeons of praise or hymns of hate during the time he was in public office, I think Westbrook Pegler, to my personal knowledge or belief, came nearer to giving a true picture of the man than anyone else did.

Ingersoll: Give me some more pictures from your own experience of the disagreements, of the sort of thing that went on between the Forest Service and Ickes, the sort of problems that you ran up against.

Kneipp: A lot of things came up. We would make a proposal and he would say, "No," although it seemed to us that every fact and circumstance that was submitted and supported was justified.

Ingersoll: Would it be on any particular grounds, or would it be simply that he wanted to thwart the Forest Service?

Kneipp: In thirteen years, you see, Interior and Agriculture were closer together than Agriculture was with any other office in the cabinet because they were both dealing with the public lands. The power to acquire or dispose of public lands was vested in Congress. Congress would always demand the concurrence of the secretary of the interior, or at least would not override his dissent unless they were satisfied that he was wrong. So there were numerous things that came up. I can't remember a tenth of them.

There was a funny thing too. His first book came out in two volumes. In the first volume he endowed me with a Ph.D. to which I had no title whatever; in the second volume he also referred to me as "Dr." In the combined volume, which came out later, the Dr.'s had all been swept away; after that, I was Mr. Kneipp.

Ingersoll: How do you account for that?

Kneipp: I don't know. Life is too full of important things to waste time trying to account for it.

Ingersoll: These meetings that you had for the approval of public lands, meetings between the Department of Agriculture and the Department of the Interior--



- Kneipp: There were five departments all together. There were our two departments, the two Senators, the two Representatives, and the secretary of war. War, Interior, and Agriculture were the three cabinet heads; and the two Senators and the two Representatives were the four congressional heads.
- Ingersoll: Did Ickes feel that he had to attend each of these meetings personally?
- Kneipp: He was very prompt in attendance. If it were anything that seemed important, he attended. Or else he would have someone like Oscar Chapman, one of his assistant secretaries, come over in his place. He never let things go by default.
- Ingersoll: The secretary of agriculture felt, though, that he could send a deputy more readily, didn't he?
- Kneipp: Yes. At first the contention was that the secretary of war must always be present. A new attorney general, though--I forget which one it was--modified that rule and said any authorized or direct representative of the secretary of war could serve as his substitute. Since the departments are rated on their seniority, and War was next to State, the secretary of war's substitute was always the chairman. If neither of those two was there, then Ickes was the chairman. If neither of those two was there, then one of the two Senators was the chairman, provided there was a quorum. That didn't happen very often.

#### INTEREST CLASH IN THE NATIONAL FOREST RESERVATION COMMISSION

There was another amusing incident. It doesn't deal with Ickes but with Wallace [Henry A.]. Ding Darling, as you know, was a great cartoonist. He was also a great naturalist. He was made the head of the Bureau of Biological Survey.

- Ingersoll: Was that under the Department of Agriculture?
- Kneipp: Yes. He knew Iowa like a book; that was his native state. He was very strongly of the belief that the south end of Iowa was running into the Missouri and that the Missouri [river basin] was deteriorating badly as farming land. It was losing its economic productivity.



Kneipp:

So he proposed that the commission establish three purchase units in southern Iowa and extend the Clarke-McNary purchase authority to these three units. A program of about a hundred thousand acres was worked up. It was amply justified; the area had been very highly developed. The houses were well built and showed that the start of farming had been not the hard struggle type but had been well financed and was economically sound. These beautiful old homes were falling to pieces, though. The paint was peeling; the clapboards were coming loose; the area around the barnyards was deteriorating.

One morning, when a member of the Forest Service and I took an early ride after a heavy night rain, some of the streams were red, some were brown, some were yellow. They showed a tremendous overflow of debris; the soil was just pouring down the watersheds. The people wanted it; they petitioned for it, so we got this program together.

Wallace was going to preside. The then Commissioner of Conservation for Iowa, who was a woman--a very charming middle-aged woman--came on. Three of the Representatives from Iowa attended the meeting. Two or three other prominent people from Iowa were present to see this epical movement started and put under way. At that time, Wall Doxey, who was then a Representative from Mississippi, was a member. Senator George, who was a Senator from Mississippi, was a member.\* They were both anxious that the limited amount of money available for the purchase of lands for forest purposes should not be spent in new territories but should be spent in those which were already established.

Therefore, Doxey made a motion to the effect that no consideration would be given to any program at that meeting in any area in which the government did not already own 10% of the total purchasable land. Senator George, whom we all loved like a father almost, did the same--he seconded the motion. Roy [O.] Woodruff from Michigan, who was also a good friend of ours, supported it. One of the others supported it, so the motion was carried. So the Iowa purchase program died at birth.

Ingersoll:

That must have been discouraging for you.

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\*The only Senator George from Mississippi was James L. George who served in the late 1800s--too early for this committee. Possibly Mr. Kneipp was referring to Walter F. George of Georgia, who served in the Senate while Henry A. Wallace was secretary of agriculture.





Kneipp: It's worse than that. That happened twenty years ago; and the condition of that land since that time, the very obvious deterioration of productivity and economic value, has probably cost the United States in farm crop support and in various other things, half a dozen times as much as it would have cost to buy all of the hundred thousand acres and plant the trees and minimize the erosion. That's just another phase of the type of government that we have. That has come up time and time again. In other words, you have people that don't see any further than the end of their noses.

#### ACQUISITION OF LAND BY U.S.: NO HONEST ANALYSIS

Did you see this issue of the Forest History, the July [1965] issue? The thing that started me on this whole thing is that the key article here refers to the changing land ownership pattern of the United States by Wilson B. Sayre, a director of research of the American Forest Products Industry, Incorporated, Washington, D.C. Now, that is a satellite of the National Lumber Manufacturers Association; it is their mouthpiece. They have a habit of periodically, every two or three months, running a headlined article, as a press release, to the effect that the proportion of the acreage of land that the United States owns, out of the total area, has grown. In the beginning, according to this mouthpiece of the National Lumber Manufacturers Association, the government only owned a fifth. They then jumped up to a fourth. Then they jumped up to a third. The third increase was made after the Alaska Statehood Act was passed.

Ingersoll: Which, of course, increased the total amount of land that had no private ownership.

Kneipp: It added 375 million acres to the area. The United States had owned that ever since 1864. Of that 375 million acres, approximately two-thirds of it, or a quarter of a billion acres, is tundra. They don't explain that. They simply say that the United States government owns a third of the United States. They do not say that, of that third, a quarter of a billion acres is nothing but tundra in Alaska. Nor does it say anything about the millions of acres above timber line in the continental United States; or anything about the millions of acres where the average rainfall is less than five inches a year; or about the places where the soil mantle is so thin that in three or four years it's worn down to the subsoil; or the other types of land which engineers call a wasting resource (that is, one from which you can derive no profit except by destroying and capitalizing on the very



Kneipp: elements from which you would hope to get a profit. That's one of the specialities of the United States Chamber of Commerce.

Now, it is only fair that all these situations be placed before the people of the United States in their proper relationship. They should have an opportunity to judge, but they don't see that. For example, this man Sayre in the same article here in a footnote says--

Ingersoll: That is on page six.

Kneipp: He makes this statement: "Nearly half of the federal lands, 47%, is in Alaska." In other words, 375 million acres of the land still owned by the United States is in Alaska. Then he goes on to enumerate, "Most of the rest is in eleven western states that were formed out of the public domain, though more than 12 million of the 347.9 million acres of federal land in those states have been acquired."

In other words, in future years this will become more and more of an issue, and the people will begin to ask one another, "Who are the dirty so-and-sos who allowed this country to be made into another Sahara?" There will be a lot of digging through and comparing of things like this. I don't know if it will all reflect glory on Mr. Sayre or not.

Take Death Valley, for example, That land is 280 feet lower than the ocean. Take the mountain ranges above the elevation of ten thousand, where you have killing frost practically every month of the year. Of course, they have a recreation racket now, but at the time these plans [to acquire these lands] were made, nobody foresaw any high economic use which would ever make them a likely source of revenue and profit. Now, with the government developing [these areas] the way it is, they are literally bringing hundreds of millions of dollars into those western states every year through their recreational attractions. For example, when I first went to Phoenix, there were only ten thousand people there. Now they claim a half a million. This was all due to recreation and tourists. It is the same thing in most of those western states.

In other words, the thing that galls me is that there has been no group, such as is back of all these movements, that has honestly pictured what the situation is. They have not sat down and said, "Now let's analyze this constructively and see what we can do about it."



Ingersoll: Has there ever been anyone, any of your acquaintances, who has ever tried to honestly evaluate these things, to start this kind of a counter group?

Kneipp: Many, many of them. But their figures have been distorted, some of them in a positive direction, some in a negative [way]. Any physicist will tell you. Take Appalachia coal, for example. There are parts of eleven states with a big population where a man started out with a team of horses and a milk cow dragging behind the wagon, a crate of chickens tied on the axle, all his possessions, and a gun in the thing and went out and made a living and raised two or three generations. They were very proud people.

Now, the question is, how in the world are you going to take care of parts of eleven states which have been gutted of their coal and timber and will no longer support anybody? The new method which has come is strip coal mining, which would strip the top hundred feet of soil from a mountainside in order to get at a five- or six-foot seam of coal. After they have gotten out the coal, they go off and leave it there.

I've read enough history to know that man has been a damn fool ever since he attained the status of homo sapiens, but during the past three hundred or four hundred years, when we have had our greatest degree of enlightenment, and especially during our last fifty years--\*

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\*Unfortunately, the tape ran out at this point. But in line with Mr. Kneipp's thinking and concerns, his last phrase probably would have been "men have been more devoted to a policy of power and plunder than ever before."





## Appearances before Congressional Committees

APPEARANCES BY L. F. KNEIPP AS A WITNESS BEFORE SENATE AND HOUSE COMMITTEES OF CONGRESS, INITIALLY AS AN ASSISTANT CHIEF, FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE AND SUBSEQUENTLY IN AN UNOFFICIAL CAPACITY AS A CITIZEN ONLY.  
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Witnesses testifying before a Congressional Committee commonly, altho not invariably, are recorded in a Witness Index. Prior to 1945, this was maintained by the Senate Library. Since then it has been maintained by the Library of Congress. These indexes contain 47 cards recording L. F. Kneipp, Assistant Chief, Forest Service, U. S. Department of Agriculture, or subsequent to his retirement from that position, as a witness at Committee Hearings. In most instances the volume, part and page of the Senate or House hearing is shown, to facilitate subsequent reference. The detailed entries are as follows:

PURCHASE OF FOREST LANDS. House Hearing, Volume 305, #20, page 6, Jan. 13, 1922.

APPROPRIATION BILL F.Y. 1923. House Hearings, Vol. 307. Page 150. Feb. 1, 1922.

EXCHANGE OF LANDS ACQUIRED UNDER WRECKERS LAW: House Hearings Vol. 376, Part 2, Page 1, Jan. 22, 1925.

EXCHANGE OF FOREST LANDS: House Hearing, Vol. 376. Part 2. Page 1. Jan. 22, 1925

SUPERIOR NATIONAL FOREST: Senate Hearing. Vol. 312, Page 6, April 30, 1928

ELK REFUGE, YELLOWSTONE NATIONAL PARK: Senate Hearing Vol. 310, # 9, Page 18, April 16, 1928.

FIRST DEFICIENCY APPROPRIATION BILL F.Y. 1926. House Hearing., Vol. 403, #1. Page 298, Jan. 15, 1926.

SUPERIOR NATIONAL FOREST, MINNESOTA: House Hearing, Vol. 304, #19, Page 22, May 1, 1928

SECOND DEFICIENCY BILL 1928: House Hearing Vol. 495, #1, Page 262, May 28, 1928

GRAZING FACILITIES WITHIN NATIONAL FORESTS: Senate Hearing, Vol. 312, #1, Page 15. May 22, 1928.

REFORESTATION: House Hearing Vol. 540, #2, Page 35, Feb. 4, 1930.

USE & OCCUPANCY OF NATIONAL FOREST LANDS: 72d Congress. House Hearing, Vol. 644, #2, Page 10.

REVISION OF BOUNDARIES OF TREMONT NATIONAL FOREST, OREGON; House Hearing , Vol. 660, #9, Page 11. Feb. 6, 1934.

PERMANENT APPROPRIATIONS: House Hearing, Vol. 679, Page 5. Feb. 12, 1934.

ADDITIONAL APPROPRIATIONS FOR EMERGENCY PURPOSES: House Hearing. Vol. 678, #6, Page 41. May 18, 1934.

AGRICULTURAL APPROPRIATION BILL, F.Y. 1937: Senate Hearing, Vol. 517, #7, Page 138. March 13, 1936

SEUNT OLYMPIA NATIONAL PARK: house hearing. Vol. 760. Page 180, April 29, 1936 and Page 229, May 5, 1936.





PERMANENT SYSTEMS OF FLOOD CONTROL: House Hearing, Vol. 760, #1, Page 7, May 21, 1936.

CERTAIN REVEALED LAND GRANTS IN OREGON: House Hearing. Vol. 795. Part 10.  
Page 29. April 13, 1937--Page 81, May 24, 1937

ADJUSTMENT OF LANDS WITH STATE OF WASHINGTON: House Hearing. Vol. 803, #17,  
Page 40, June 29, 1937.

AGRICULTURE DEPARTMENT APPROPRIATION BILL, F.Y. 1939. Senate Hearing. Vol. 561.  
Page 233, May 2, 1938; Page 505, May 5, 1938.

AGRICULTURE DEPARTMENT APPROPRIATION BILL, F.Y. 1940: House Hearing. Vol. 841.  
Page 555, Feb. 15, 1939. Senate Hearing. Vol. 589, Page 292. April 17, 1939.

ACQUISITION OF VALID TITLES TO LANDS PURCHASED FOR NATIONAL FOREST PURPOSES:  
House Hearing. Vol. 855. Part 2. Page 582. May 4, 1939.

GOVERNMENT RATES ON RAILROADS (Bills S.1915, S.1990, S. 2294. 76th Congress.  
Senate Hearings. Vol. 607. Part 5, Page 57. June 5, 1939.

AGRICULTURE DEPARTMENT APPROPRIATION BILL, F.Y. 1941. House Hearing. Vol. 869.  
Part 1. Page 399. December 12, 1939.

FOREST LANDS OF THE UNITED STATES: Senate Hearing. Vol. 621. Part 6. Page 1976.  
Feb. 16, 1940

AGRICULTURE DEPARTMENT APPROPRIATION BILL, F. Y. 1941. Senate Hearing. Vol. 619.  
Part 4. Page 156. Feb. 27, 1940.

HOUSE COMMITTEE ON AGRICULTURE, 1940. House Hearing. Vol. 885. #1. Page 67  
April 23, 1940.

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- SALARIES OF FEDERAL EMPLOYEES. SENATE COMMITTEE ON POSTOFFICES & CIVIL SERVICE. 80th Cong. 2d Session. Jan. 15 to Feb. 10, 1948. Page 384.
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Prepared by or for Mr. Leon Kneipp. This bibliography is from the collection of documents deposited; items were not deposited  
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### HISTORY OF THE OREGON & CALIFORNIA RAILROAD LAND GRANT REVESTMENT.

To promote the construction and operation of a railroad from Portland, Ore. to the northern boundary of the State of California, one land grant was authorized by Congress through the Act of July 25, 1866 (14 Stat. 239; later amended by the Acts of June 25, 1868 (15 Stat. 80) and of April 10, 1869 (16 Stat. 47) while another separate grant was authorized by the Act of May 4, 1870 (16 Stat. 94). Subsequently the two grants were merged in the Oregon & California Railroad Co. Eventually, that became a part of the Central Pacific Railroad Co., which is a major element in the Southern Pacific Railway System; nevertheless the subsequent legal and legislative activities were conducted under the name of the original grantee, the Oregon & California Railroad. The railroad contemplated by the granting acts substantially was constructed and placed in operation by the late eighties and has since been a major factor in the economy of western Oregon.

The Acts of April 10, 1869 and May 4, 1870 specifically stipulated that: the granted lands should: "be sold to actual settlers only, in quantities not greater than one quarter-section to one purchaser, and for a price not exceeding two dollars and fifty cents per acre." To anybody familiar with the granted lands the absurdity and impracticability of that provision would be wholly obvious, because at least four-fifths of the lands were rough, rugged, rocky, thin of soil, steep of slope, and covered with dense stands of timber. A person who would certify that he actually intended to make bona fide settlement on a quarter-section would, in most instances, thereby demonstrate that he was a person of extremely poor judgement or, if under oath, a perjurer. Only the floors of the valleys were adapted to actual settlement and cultivation.





But completion and permanent operation of the railroad gave the timber on the granted lands new values. In testifying before the House Committee on Public Lands in 1916, Steve Williams, of the Department of Justice, who had a major part in the preceding legal proceedings, made the observation that rigid compliance with the sale stipulation of the granting acts could mean that by payment of the sum of \$400.00 a purchaser could acquire title to a property worth as much as \$20,000. The bright minds who became aware of that possibility quickly endeavored to take advantage of it. Land purchase applications multiplied. By 1907 the railroad had sold about 820,000 acres of the granted lands. In many of the sales the purchasers obviously had no intention to become actual settlers, single transactions involved many quarter-sections and prices of much more than \$2.50 per acre. Concurrently, the railroad rejected or refused to act upon many applications to purchase granted lands under the limitations of the granting acts.

Local sentiment became outraged and indignant. Actually, the several counties in which the patented grant lands were situated were assessing them at valuations of several times \$2.50 per acre; nevertheless the refusal of the railroad to sell them at not more than \$2.50 per acre was bitterly condemned. In 1907 the Oregon State Legislature passed a resolution demanding that the Federal Government initiate action to enforce the sale provisions of the grants.

In consequence, the Congress of the United States, adopted a joint resolution, approved April 30, 1908, which authorized and directed the Attorney General of the United States to institute and prosecute any and all suits in equity, actions at law, and other proceedings to enforce the rights and remedies of the United States. Such a suit was initiated in the Federal District Court for Oregon. In 1913 the district court granted the relief and declared the lands to be forfeited.



However, the Supreme Court of the United States, in the case of Oregon & California Railroad Company v. United States, 238 U.S. 393 (1915) reversed the district court as to its findings that the lands had been forfeited, on the ground that the provisions of the granting acts should be construed as covenants rather than conditions. The Court, in essence, held it to be the right of Congress to provide by legislation for the "disposition of the granted lands in accordance with such policy as it may deem fitting under the circumstances and at the same time secure to the defendants all the value the granting acts conferred upon the railroads." (emphasis supplied) The latter clause thereafter was commonly referred to as the "full value" ~~principle~~ or principle.

Contemporaneous records and testimony <sup>g</sup>strongly indicate that the dominant public desire and demand was for a legalized "potlatch"; a compulsory requirement that the railroad dispose of the granted lands under the quarter-section and \$2.50 per acre maximum price limitations. Some of the legislation initially proposed was along such lines, or for Federal sale of the lands under the limitations of the granting acts. Due to the extremely high timber and watershed values of the granted lands and their close physical and economic interrelationship with the existing national forests, the Department of Agriculture strongly urged that they be given a national forest status, but that proposal met with widespread opposition. Few were willing to relinquish a chance to acquire a \$20,000 property through a \$400 cash payment. A national forest status for the grant lands would, of course, foreclose any such chance or opportunity.

The popular dream of wide dispersal of the grant lands into private ownership on the bases of purely token values and legalistic compliance with the requirements of actual settlement did not find major acceptance by the Congress. There was no dissent to the principle of liquidating the grant lands, but more exacting conditions of liquidation were deemed necessary. Power sites were to be reserved. The price of \$2.50 per acre would apply only to those lands which supported less than 300,000 board feet of timber per forty acre tract.



Heavier stands of commercial timber were to be sold at their appraised value per thousand board feet, as demand warranted, but the purchase of such timber did not carry with it title to the land on which it stood. To compensate the counties for taxes lost through reestablishment of Federal ownership of the grant lands, they were to receive 25 percent of all revenues from the lands and resources thereon; another 25 percent was to go to the State for its common school fund; 40 percent was to be paid into the Federal Reclamation Fund; 10 percent into the Treasury of the United States. Such a compromise between prodigality of dispersal and permanent reservation finally dominated.

Such principles of natural resource control or disposal differed quite markedly from those governing the national forests. On the other hand they were not inconsistent with the principles followed by the Department of the Interior in passing the public domain to private and State ownership. Thus it was that the Act of June 9, 1916, which revealed the Oregon & California Railroad Grant lands in the United States stipulated that the Secretary of the Interior should carry out the terms of the Act.

The Supreme Court in its 1915 opinion specifically stated the exact lands to which that opinion related; namely 2,075,616.45 acres theretofore patented to the O&C RR CO., and 284,876.36 acres which remained unpatented at the time the answer was filed; a total of 2,360,492.89 acres. The initial hearings in the 64th Congress make it clearly evident that it was these exact lands the Congress had specifically in mind when it passed the Act of June 9, 1916..



APPENDIX 4

Re Oregon & California Revested Land Grant

H.R. 6662

To Transfer Certain National Forest Lands to the O&C Revested Land Grant.

STATEMENT BY I. F. KNEIPP, FORMER ASSISTANT CHIEF, FOREST SERVICE, U.S.D.A.  
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Mr. Chairman and Gentlemen: - I am no longer a bureaucrat, as I retired from the position of Assistant Chief of the Forest Service December 31, 1946. But as a citizen and taxpayer I continue to have a keen interest in any change in the status of the O&C Revested lands.

It is not immodest for me to claim some knowledge of the subject. During the decade preceding my retirement from the Forest Service I devoted much attention and study to the O&C Land Grant. I participated actively and extensively in the hearings on the several O&C bills that were introduced during that decade. The testimony I heard last Monday in this committee room is highly reminiscent of that I have heard at the several earlier hearings.

One listening to that testimony could logically infer that the revocation of the O&C Land Grant was the arbitrary act of the Federal Government. It gives no hint of the fact that the pressure for that action came from the people then forming the population of the 18 land grant counties, expressed through their representatives in Congress. But if he were to read and analyze the impersonal and disinterested history of the entire subject as set forth in the Pacific Northwest Quarterly, Vol. 39, No. 4, October 1948, in an numerously documented article entitled "The Oregon & California Land Grant, 1866-1945" by David Baldwin Ellis, a widely different judgment might result. Copies of that article undoubtedly are obtainable from the Library of Congress and if it were reviewed by the members of this committee they would have a much clearer picture of the O&C situation than will <sup>be</sup> provided by this hearing.





It is true that the management of the railroad engaged in the speculations that were the custom of the times. But it is also true that by the latter eighties the railroad had been established and its operation had created a new economic era within the territory it served. It might reasonably have been assumed that the local people would have let bygones be bygones. But the land grant acts stipulated that the granted lands were to be sold to actual settlers in areas not exceeding 160 acres at prices not exceeding \$2.50 per acre.

Anybody familiar with the granted lands would know that in relation to at least four-fifths of them these sales provisions were a huge joke. The lands for the most part were of steep slope, rocky, rough, hilly or mountainous and they supported stands of timber of from 25,000 to <sup>100,000</sup> board feet per acre. The cost of clearing such lands would greatly exceed the price at which better lands could be purchased. Were any man to swear he intended to clear and cultivate lands of such types and make his permanent home thereon, the physical facts would in themselves be a proof of perjury.

Meanwhile the 2,175,000 acres in which the railroad had established title were being assessed by the 18 counties at an aggregate value of over \$22 million; or an average of better than \$10.00 per acre. Popular indignation was fired by the refusal of the railroad to sell it at a maximum of \$2.50 per acre.

In the earlier stages of the movement the widely prevalent viewpoint seemed to be that of a glorified potlatch, through which the railroad estate would pass into the hands of a wide array of owners whose collective tax payments would exceed the aggregate of the taxes previously paid by the railroad. That concept seems to have inspired the campaign that led to the adoption by Congress of the Joint Resolution of April 30, 1908. But the U. S. Supreme Court held (238 U.S. 393) that the proper procedure would be further



legislative action by Congress. Pursuant to that view, Congress eventually enacted the Act of June 9, 1916.

Were an open-minded person carefully to read and analyze the entire record of this O&C case from 1905 to date, he might have difficulty in escaping the conclusion that if 18 private corporations had conducted a campaign to influence the views of Congress such as is at least implicit if not explicit in the record they almost certainly would have been accused of conspiracy. The repeated implications that in this O&C matter the 18 counties have been the victims of circumstances to which they did not contribute lack confirmation.

The Act of June 9, 1916 provided that out of the revenues thereafter derived from the revested lands the 18 counties would receive 25%; the State of Oregon 25%; the Reclamation fund 40%; and the U. S. Treasury 10%. The bill, H.R. 5858, 75th Congress, 1st Session, proposed, instead, that 50% of revenues be paid the counties; that an additional 25% be paid the counties in lieu of taxes accrued or which would accrue prior to March 1, 1938. Thereafter, that third 25% would be paid into the U. S. Treasury until it had reimbursed Federal funds paid to the railroad and in settlement of earlier accrued taxes. Thereafter, that third 25% would be paid to the State of Oregon to become a part of the irreducible school fund of the State. The fourth or final 25% was to be available for the administration of the Act.

The provisions of H.R. 5858 were not acceptable to the counties concerned. Consequently it was superseded by H.R. 7418, 75th Congress, 1st Session, which was enacted into the Act of August 22, 1937. Thus, by a series of legislative evolutions the 40% of revenues to the Reclamation Fund, the 25% to the State of Oregon, and the 10% to the U. S. Treasury prescribed by the Act of June 9, 1916 have all dropped out of the picture; and the



share of the 18 counties which initially was fixed at one-fourth of the revenues has now become three-fourths.

It was stated here Monday that all Federal funds advanced on the O&C lands have now been repaid. What that means is that out of the revenues derived from lands and resources to which it holds title the Federal Government has set aside sums equalling those it previously had advanced to compensate the railroad and to meet the ad interim tax demands of the 18 counties.

Another statement was that the Federal Government is not entitled to the O&C controverted lands. Those lands have never been in any ownership other than that of the Federal Government nor has the Government conveyed any part of the title thereto.

Another statement was that the controverted lands are not being managed as parts of national forests. Each odd-numbered section is surrounded on all four sides by even-numbered sections which, except to the extent they are privately owned, are national forest lands.

Another statement was that sales of timber from the controverted lands are not being made as otherwise they would be; that the O&C grant is unique; that the 462,000 acres are definitely a part of the grant; that they are vital to the economy of the counties; that the national forest lands are remote whereas the controverted lands go right through the heart of the counties. With each controverted odd-numbered section surrounded by even-numbered sections which, unless privately owned, are national forest sections these premises hardly seem tenable. Furthermore, during the past nine years \$5,318,941.90 worth of stumpage has been sold from these controverted lands.

Another statement Monday was that as early as 1888 the known deficiency in the primary limits of the Grant was 1,980,000 acres; whereas the total



available selectable land within the indemnity limits was only 1,400,000 acres. Yet as late as 1903, Secretary of the Interior Garfield held that the railroad was not thereby exempted from the requirement that indemnity for losses should be selected under the direction of the Secretary of the Interior.

Another statement Monday was that the opinion of Attorney General Jackson that nothing in the record justified the disturbance of the national forest status of the controverted lands had been withdrawn. There has been no such withdrawal. It has been alleged that said opinion was formulated at the request of the Department of Agriculture and was based on information furnished by that Department. Actually, the opinion was requested by and addressed to the Secretary of the Interior, who presumably presented the viewpoint of his department in detail.

Enactment of H.R. 6662 would immediately effect the apportionment of a fund of \$5,318,941.90 now held in a suspense account in the Treasury. If the national forest status is maintained, the part thereof payable to the 18 counties would be \$1,329,735.47. Were H.R.6662 enacted, the same counties would receive a maximum of \$3,989,206.41. In effect, therefore, H.R. 6662 is equivalent to an appropriation out of funds now in the Treasury of possibly as much as \$2,659,470.91.

The 462,731 acres to which H.R. 6662 would apply (with the exception of 520 acres in Linn County) are situated in only eight out of the eighteen Oregon counties which enjoy the benefits of the O&C Revested Land Act; nevertheless all of the eighteen counties would share proportionately in the distribution of the above-mentioned suspense fund.

The volume of commercial timber on the 462,731 acres to which H.R. 6662 relates is estimated to be approximately eight billion board feet. In the <sup>average</sup> annual year 1951 the average value of the/ cut <sup>average</sup> timber produced in these





was \$13 per thousand board feet; while the average value of the stumpage sold from the O&C Revested Lands was \$21.65 per thousand board feet. At the average (\$17.36) of these rates the timber of the lands affected by H.R. 6662 would be worth 138 million dollars. Were the lands continued in their present national forest status the county equity in the stumpage would be 34 million dollars; but if H.R. 6662 were enacted the county equity would increase to 104 million dollars.

In support of earlier bills of the same purport as H.R. 6662 the 18 counties concerned have been pictured as impoverished and tax-ridden because of the large acreages of Federal and theoretically non-tax-paying lands within their borders. From the actually revested O&C lands, during the period from June 9, 1916 to June 30, 1951, these counties have received an aggregate of \$28,141,911.90. Up to June 30, 1950, Douglas County, alone, had received \$6,320,196.30. Additionally, from the national forest receipts, during the fiscal years 1906 to 1951, 16 of the 18 counties received an aggregate of approximately \$10,004,300.00; two of them contain no national forest lands and three others contain only small acreages of national forest. Also additionally, large acreages of heavily timbered land reverted to these counties through tax delinquency during the twenties and early thirties and the lands thus vested in the ownership of the counties presumably have returned large earnings in recent years.

When Congress enacted the Act of June 9, 1916, and for five years thereafter, the prevailing doctrine was that prior reservation of lands under authority of Federal statute withdrew such lands from selection as indemnity for losses within primary limits. The Department of the Interior so



held when the Southern Pacific Railroad filed applications for such selections early in the century. That policy of the Department of the Interior was expressed by Clay Tallman, then Commissioner of the General Land Office, in a letter to the Head of the Forest Service under date of July 11, 1919. It was even more strongly expressed by the then Assistant Secretary of the Interior, Edward C. Finney, in a letter dated August 9, 1923. There is nothing to show that in passing the Act of June 9, 1916 the Congress had the slightest intention to modify the general policy by which the Department of the Interior was then governed.

The Acts of July 25, 1866 and of May 4, 1870 both stipulate that indemnity for losses within the primary limits shall be selected under the direction of the Secretary of the Interior. When the successor company applied to make such selections the Secretary of the Interior rejected the applications and the selections were never made. Up to the time the O&C grant was abolished by the Act of June 9, 1916, the Department of the Interior had never recognized that the grantee railroad had any equity whatever in the lands to which H.R. 6662 would apply.

The present claim of an O&C status for the lands affected by H.R. 6662 had its genesis in the decision of the United States Supreme Court in the case of the United States vs Northern Pacific Company (256 U.S. 51 (1921)). It will be noted that the O&C grant had ~~be~~ ceased to exist five years prior to the year that decision was handed down. That decision related to a wholly different grant and in no way did the O&C grant figure in the suit.

Stress is laid on the fact that the accounting suit instituted under the provisions of the O&C Revested Lands Act, included the 462,731 acres to which H.R. 6662 would now apply. Such inclusion was in harmony with the



decision of the United States Supreme Court (238 U.S. 393) upholding the power of the Congress to provide by legislation for the: "disposition of the granted lands in accordance with such policy as it may deem fitting under the circumstances and at the same time secure to the defendants all the value the granting acts conferred upon the railroads." (emphasis supplied). That value obviously was \$2.50 for each acre of land selectable under the grant at the time the railroad filed its maps of final location and otherwise complied with the prescriptions of the grant: Against the amount thus determined was to be credited the receipts for some 800,000 acres sold, much of it at prices greatly in excess of \$2.50 per acre. In the report of the decision in Federal Report 8F(2d) 645 in the first paragraph of the syllabus the purpose of the suit as stated by the court was: "to secure to the company the full value of the grant, which was \$2.50 per acre for the lands to which it was entitled, and to require it to pay over the excess, if any, which it had received, and to which it was not entitled,"

It is a matter of history that the railroad did not proceed promptly to fully exercise its granted rights, because it did not wish to own and be taxed for lands for which it could foresee no market in the reasonable future. So some of the lands were otherwise appropriated and some were reserved for public purposes. However, as they had been selectable at the time the railroad had met its construction requirements the court properly included them, but with a specific note in the decree that such inclusion did not require that the lands should be sold under the provisions of the O&C Act of June 9, 1916.

The foregoing are only a few of the points involved in this complicated question but they in themselves should be sufficient to convince the



Committee that a bill such as H.R. 6662 should not be enacted. Rather, the course warranted by preponderant fact and equity and the major public interest would be the outright repeal of the Act of August 28, 1937 (50 Stat. 874) and the transfer of all the revested O&C lands to a national forest status.





## District In Congress

WASHINGTON POST, FEBRUARY 8, 1954.

The residents of the District of Columbia crave full citizenship, national suffrage, as their inherent birthright. Concurrently they foresee the inexorable & imminent requirement of additional municipal facilities and institutions estimated to cost 300 million dollars. Congress manifests no enthusiasm over either of these aspirations. If residents of the District are to continue indefinitely as wards of the Federal Government, the funds made available to them should be adequate to maintain modern standards of municipal existence. If it is to be held that they should finance such standards with their own means, they should be granted the political freedom and power to do so. The prospects for either of these alternative courses are none too rosy.

Comparisons are said to be odious, yet they are sometimes illuminating. A case in point is that of 18 counties in western Oregon which embrace the 2,175,000 acres of Oregon & California Railroad grant lands that were reverted in the United States by the act of Congress approved June 9, 1916 (39 Stat. 218).

The volume of timber of commercial size and quality standing on these lands is estimated to be 50 billion board feet, a one-thirty-second part of all the saw timber now in the continental United States. The Bureau of Land Management report shows that the 835 million board feet of this timber sold during the fiscal years 1951 and 1952 commanded an average price of \$23.35 per thousand board feet on the stump. At that rate the total stand has a value in excess of one billion dollars.

The act of June 9, 1916, provided that thereafter 25 percent of the gross revenues from the reverted lands should be paid to the counties containing them; another 25 percent to the State of Oregon; 40 percent into the Reclamation fund, and 10 percent into the United States Treasury. But the act of August 28, 1937 (50 Stat. 874) dropped the State of Oregon, the Reclamation fund, and the United States Treasury out of the picture. Instead it provided that after certain conditions had been met (which they were several years ago), 75 percent of the gross revenues should be paid to the 18 counties and 25 percent could be used for the protection and management of the reverted lands. Thus, 18

counties whose aggregate population in 1950 was 1,285,337 (including 373,628 in the city of Portland), or only half again as large as that of the District of Columbia, will receive more than 750 million dollars, probably by the end of the century, to say nothing of the additional millions they will receive as 25 percent of the revenues from the national forest lands within their boundaries.

But that isn't all. There is pending in the current Congress a bill, S. 2225, which proposes to transfer to the O. & C. reverted land status an additional 465,000 acres which during the past half century have been continuously administered as national forest lands. That area is estimated to support 8½ billion board feet of commercial timber with a present value in excess of 150 million dollars.

Why do things like that happen to other political entities but never to the District of Columbia? Well, the Governor of Oregon, when the drive for reversion of the grant lands was at its peak, George E. Chamberlain, subsequently became a Senator from Oregon and a member of the Senate Public Lands Committee. The act of June 9, 1916, is known as the Chamberlain-Ferris Act. When Senator McNary died in 1944, his appointed successor was Guy Cordon, who for many years had been the counsel for the Association of Oregon and California Land Grant Counties, and who ever since entering the Senate has been a member of the Public Lands (now Interior and Insular Affairs) Committee. He is the sponsor of the pending bill, S. 2225.

On the House side the Public Lands, or Interior and Insular Affairs Committee, almost always has had at least one member from the State of Oregon. Representative Ellsworth has been a member of the House committee for the greater part, if not all, of the past decade. The seven counties which constitute his congressional district have a statutory equity of 79.1 percent or practically four fifths of the total share of the 18 counties in the revenue from the O. & C. reverted lands. Incidentally, their aggregate 1950 population was 368,007, or only about 40 percent of the population of the District of Columbia. How nice it would be if the District of Columbia could be similarly represented in the inner circles of the Congress!

L. F. KNEIPP.

Washington.



Leon Kneipp's Extension of Herblock's Cartoon  
Washington Post, 10 May 1954

"Kind Sir, I Am A Poor Little Shepherd Maid"



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1. Introduction

2. Methodology

3. Results

4. Discussion

5. Conclusion

6. References

7. Appendix

8. Acknowledgements



The departmental and judicial records must be replete with the details of the Cameron claims; perhaps the syllabi<sup>91</sup> of the published reports of the judicial decisions might set forth all the essential details. I'm not sure Ringland would remember all of them at this late date. While he was District Forester in the Southwest Region while the cases developed, the district law officers and forest supervisors took active parts. Speaking from uncertain memory and without specific participation in the handling of the cases, but merely to contribute to your comprehension the following is offered.

Even in the 1880's or early 1890's, crude trails descended from the south rim of the Grand Canyon to a point opposite Bright Angel Creek and up that to the north rim, but they were not safe for inexperienced riders. At one time I understood crude skiffs were kept on the banks of the stream, the swimming saddle horses being towed behind. The northwest corner of the territory, north of the Canyon, was a sanctuary for fugitives from justice and during the period the Arizona Rangers were in operation a Ranger sometimes was stationed there to snag on to the fugitives that were badly wanted or to chase the others out of the Territory.

With the building of the railroad from Williams to the Canyon and the operation of the Bright Angel Hotel, increasing numbers of tourists visited the Canyon and increasingly expressed desire to descend to its lower depths, at least to Indian Gardens. Saddle mules were made available and a thriving business seemed in prospect, except for the scary nature of the trail and demands for a better trail grew. They quickly were recognized by Ralph Cameron, who proceeded to locate a pattern of alleged asbestos mines linked together by a trail somewhat superior to the old one. There was only one fly in the ointment, each visitor had to pay a toll for right of passage. When the new hotel, the El Tovar, was constructed the volume of travel thereto greatly increased and so was the indignation of the greater numbers of trail riders.

The mineral examiners of the Forest Service thought the mining claims were phony, the deposits of asbestos minor in quantity and inferior in quality and so situated that economical utilization thereof was quite improbable. One apparent solution was to build a new trail with Federal funds but somehow they seemed hard to get. The alternative was initiation of hearings before the Department of the Interior to have the mining locations declared void because they did not conform to the essential provisions of the mining laws under which they were made. Meanwhile, if my memory is not faulty, a drive was made for purchase by the Government of Cameron's interest in the claims and trail. In the eyes of the Forest Service the entire proposal was a perv<sup>er</sup>sion of the mining laws and a holdup of the public and as such should be carried to an issue in the courts.

My personal participation was limited to one episode. In 1925 the Coordinating Committee on National Parks and Forests toured the west, accompanied by W.B. Greeley, then Chief of the Forest Service. At Salt Lake City I took his place. Eventually we arrived at the north rim of the Canyon, descended to the Phantom Ranch the first night, the next forenoon ascended to El Tovar. Part of the trail had been washed out by a heavy rain and a land slide. When the party reached that, where a crew frantically was working, Stephen T. Mather directed everybody to dismount and carefully walk across the slide. I was next to the end of the line and rode across without dismounting. Mather personally later told me that at the time Cameron was up at El Tovar writing a press release about an important group had risked death because of incompetent and extravagant trail construction when his safer and better trail could be purchased at much lower cost. Somebody stopped him by saying: "I wouldn't send that out if I were you. Kneipp of the Forest Service rode his mule clear across the slide without the slightest difficulty." So Cameron tore up the press release.

Cordially.



(Dec. 22 1964)



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