

National Park Legislation From 1872-1916.

by

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Introduction

The park and playground movement in America began in Boston, Massachusetts as early as 1634. In that year the Boston Common containing forty-eight acres was set aside as a city park.¹ The chief emphasis was put upon this movement in the middle of the nineteenth century due from the increase in the number of cities and the great urbanization movement characteristic of that time.² Up to 1866 when Central Park was opened public pleasure grounds were generally considered undesirable, if not unattainable luxuries. Soon after this park was opened to the public it became immensely popular and was visited by thousands from all over the country. From this time municipalities seemed to gradually realize that liberal expenditures for the purchase and improvement of public pleasure grounds were not only legitimate but were demanded in the interests of public welfare. In some cities few strong men worked persistently for parks, contending in many cases against local newspapers, prominent business men and united influence against the erection of city parks. The park promoters were successful in the end. The land near the city parks has been increased in value and the parks have been considered of great educational and recreational value to cities.³

After the city park movement began some far sighted men saw that there was within our borders scenery so rare and so superb that it should not be destroyed and existed on too great a scale to be owned by any power other than the United States.⁴

These men were conscious of the many factors that might lead to a destruction or exploitation of the natural scenery of the United States.

There was a great movement to the west in the middle of the nineteenth century. The discovery of gold in California in 1849 had started a large migration to that state which was later spread to other western territories. In 1858 the Comstock Lode was discovered in Nevada and in 1861 and 1862 rich discoveries were located on the Salmon and Boise Rivers in Montana Territory. Gold had been first noticed in this region as early as 1852. A great migration swept across the mountains into Montana in 1860. There were many adventurers from both the Northern States and Southern who sought in these remote regions exemptions from the tributes and levies of war. During the mining craze in Montana many parties had passed through the Yellowstone park region but they did not appreciate its importance or publish what they saw. Two things had assisted the miners in the 60's in their exploration of these western states. The transcontinental railroads had been begun which carried large numbers to the west. The Santa Fe system had been chartered in 1859 and the Union Pacific in 1852. The other was the pacification of the Indians in the western states that was brought about in 1863.

The change in the public land policy to one of settlement had considerable to do in the bringing about the creation of national parks. Preemption and homestead acts had been passed which made it possible for persons to make entries upon the public lands.

It became clear to a great number of public spirited persons that the land containing beautiful scenery could be taken up by private interests and that beautiful formations would be carried off for mercenary purposes in short that the history of the Niagara would be repeated. Mention was made in the debate on the Yellowstone Park Bill that some difficulty had resulted on account of private entries upon the land which included the Mariposa Big Tree Grove and Yosemite Valley which was turned over by the government to California in 1864.

The National Park Idea⁵ was in reality the product of no one man's mind although this credit is given to Cornelius Hedges who suggested it just before the Yellowstone Park was created. In truth no special credit for originality should attach to the matter. It was a natural and unavoidable proposition. To those who saw these wonders and were not absorbed in gold seeking as to be incapable of appreciating their importance, it was clear that within a few years, they must become objects of universal interest.

In Folsom's manuscript of his article in the Western Monthly which appeared after his exploration to the Yellowstone Park region in 1869 a reference was made to the park idea, but the publishers cut out a large part of his paper giving only the description of the region and this reference was cut out with the rest. Folsom also suggested the idea to General Washburn of which fact N. P. Langford was a witness. From

Mr. Folsom's suggestion no direct result can be traced.

In as much as the development must have started from one source it is of historic interest to find out what it was. While the members of the Washburn Expedition of 1870 were sitting around their campfire, which was located near the junction of the Firehole and Gibbon Rivers on the evening of September 19, conversing about what they had seen and picturing to themselves the important pleasure resort which so wonderful a region must soon become a suggestion was made by one member of the party that it would be profitable speculation to take up land around the various objects of interest. Conversation had not gone far when Cornelius Hedges interposed and said that private ownership of that region or any part of it ought never to be allowed but ought to be set apart by the government and forever held to the unrestricted use of the people of the who United States. This higher view as given by Mr. Hedges was accepted by the rest of the party. It was then agreed that the project should at once be set on foot and pushed vigorously to a finish. As soon as the party reached Helena a series of articles appeared in the daily papers of That city describing the late expedition and in one written by Hedges in the Helena Herald on November 9, 1870 occurred the first public reference to the park project. The next mention made were in Langford's lectures in Washington, January 19, 1871, in New York on January 21 and at a later date in Minneapolis. He closed his lectures with a reference to the importance of setting aside this region as a national park.

Chapter 1
Yellowstone National Park.

John Colter.

John Colter was a private soldier in the expedition of Lewis and Clark. Colter had so won the respect of these officers that when he applied for a release from service when they had returned as far as Mandan, North Dakota, they willingly granted it. He wanted to stay in the Northwest and trap for beaver the following winter. Colter stayed in the northwest till the spring of 1807 when he started back to St. Louis. He had reached the mouth of the Platte River when he was met by Manuel Lisa bound for the upper Missouri at which place he had been told by Lewis and Clark a wealth of beaver fur could be found. He persuaded Colter to return with him.¹

Lisa had expected to find the Blackfeet tribe of Indians at enmity with the whites because one of their number had been killed by Captain Lewis. This conviction undoubtedly caused him to build his first establishment on the Yellowstone River in the territory of the Crows, the enemies of the Blackfeet. After he had established his fort at the mouth of the Big Horn River he sent Colter to visit the Indians of the country adjacent to the fort for the purpose of trade. As the result of this expedition the first knowledge of the Yellowstone was obtained by a white man. Colter was sent to the Crow tribe five hundred miles from the fort. His route on his trip according to his map was by the way of the Big Horn and Wind River to the source of the latter thence across the Wind River Range to the headwaters of the Colorado and from there to Jackson Hole at the eastern base of the Tetons. He apparently crossed

the Teton Pass to Pierre's Hole west of the range. An encounter with the Blackfeet Indians occurred here and after this fight he decided to take the shortest route back to the fort. He took the trail north directly across what is now the Yellowstone Park. He undoubtedly saw the west arm of the Yellowstone Lake, the hot springs district, the Grand Canyon and Falls of the Yellowstone.²

When Colter returned to St. Louis in 1810 he reported his expedition to Lewis and Clark who incorporated his route in their map. This map and references given by Biddle, Brackenridge and others accredit Colter with being the first to see the wonders of the Yellowstone. No accurate account is given of the date of this expedition but it is thought to have been about 1809. Colter told many of his experiences in this country to the people of St. Louis and although General Clark and the above mentioned authors deemed his accounts worthy of records the general public regarded him as an "unmitigated prevaricator." This region was for a long time desirably known as "Colter's Hell."³

Jim Bridger

In the summer of 1830 Bridger entered the Big Horn Basin. The party of trappers of which Bridger was a member crossed the Yellowstone and marched to the Great Falls of the Missouri. They ascended the Missouri to the Three Forks, following the Jefferson Forks to the divide. It was supposed that Bridger saw the wonders of the Yellowstone for the first time on this

trip. His description of the things he had seen seemed so exaggerated to his hearers that he was not believed. He was disgusted with the attitude of the people he met to whom he told of the grandeurs he had seen. Before 1860 Bridger had related these accounts to military and scientific men as well as others but he had convinced these gentlemen that there was more of fancy than fact to his stories.⁴

Bridger was as determined as Colter had been before him to spread a knowledge of this region but did not succeed any better. He tried to have his narratives published but no periodical would lend itself to his service. An editorial in the Kansas City Journal in 1879 stated that Bridger had told the editor about the great wonders of the Yellowstone region thirty years before. In 1856 the editor had prepared an article to publish from the accounts given him by Bridger. Bridger had described the mud springs and other wonders of that region where to use his expression "it is a place where hell bubbled up." The editor of the Kansas City Journal was much interested in these statements but had been warned by a man who seemed to know Bridger that he would be laughed out of town if he printed any of "old Jim Bridger's lies." The faithlessness with which people regarded Bridger remained a cloud on his life for some time but he lived to see himself triumphantly vindicated. The editor later publicly apologized to Bridger, who was then living at Westport Missouri.⁵

Raynolds' Expedition

Captain Raynolds of the Corps of Topographical Engineers of the United States started on an expedition to explore the region where the principal tributaries of the Yellowstone River flow and to locate the sources of these three rivers along with those of the Gallatin and Madison Forks, tributaries of the Missouri. This was the first government expedition to the region which is now the Yellowstone National Park. Raynolds was in this field two seasons but it was not till the summer of 1860 that he went toward the Upper Yellowstone. The expedition left winter quarters at Deer Creek, Wyoming in May and went to the place where the Wind River and the Popo Agie unite as the Big Horn River. The party divided at this place, one division under Captain Raynolds was to ascend the Wind River to its source and then cross to the headwaters of the Yellowstone. They were then to follow the Yellowstone River down to the Great Bend where they were to cross over to the Three Forks of the Missouri.⁶ The other party was to skirt the Absoroka Range and to join the other party at Three Forks. The two parties were to meet July 1, if possible.

The expedition had encircled the region of the upper Yellowstone. Raynolds was obstructed in his effort to make any further exploration as the government desired that he should go north of the British boundary as there was to be a total eclipse of the sun on July 18, and as the line of greatest occultation was to be from that place the observation

would best be made from there. Chittenden says that this condition rather than impassible mountains of unmelted snow was the chief obstacle to a thorough exploration of the Upper Yellowstone.⁷

Raynolds report of this expedition appeared in 1868 although his map was prepared sooner as to meet the demand for it by the new settlers of Western Montana. His map clearly revealed what was known and unknown in this region. Raynold's report was the first official recognition in any form of the probable existence of extensive volcanic phenomena in the region of the Upper Yellowstone. Raynolds' said in his report that Bridger described an immense boiling spring that was a perfect counterpart of the geysers of Iceland. He concluded that as Bridger was uneducated and had probably never heard of such natural marvels elsewhere he must have seen what he claimed to have seen. Raynolds said that at no very distant day he expected the mysteries of this region to be revealed. He regarded the Upper Yellowstone Valley as the most interesting unexplored district in our widely expanded country.⁸

Within thirteen months after Raynolds expedition the Civil War had broken out and every officer of the army had been called to service. Western exploration ceased entirely till 1865. Had Raynolds' report been published sooner and the Civil War had not occurred this region would probably have been explored in the sixties. No more public notice was taken of this country till the expedition of 1869.⁹

Expedition of 1869.

The constant rumors regarding the wonders of the Yellowstone region had aroused the interest of people of Montana to ascertain their verity. This agitation began as early as 1867 but did not materialize till 1869 when an expedition was proposed. The expedition failed as a military escort could not be secured for the party. Three men however determined to made the exploration themselves regardless of this fact. They were David C. Folsom, C. W. Cook and William Peterson. They provided themselves with ammunition, field glasses, compasses, thermometer and provisions for six weeks and started from Diamond City on the Missouri River September 6, 1869.¹⁰

They ascended the Missouri River to Three Forks then by the way of Bozeman and Ft. Ellis went to the Yellowstone to where it joins the East Fork inside the present limits of the park. They explored the Grand Canyon and Falls of the Yellowstone, Sulphur Mountain, Mud Volcano and Yellowstone Lake. From the Yellowstone Lake they crossed the mountains to Shoshone Lake northwesterly to the Lower Geyser Basin near Nez Perce' Creek. They saw the Founiaint Geyser in operation at this place. They next went up the Firehole River to Excelsior Geyser and Prismatic Lake from which they turned down the river home. They were thirty-six days on this exploration. Folsom wrote an account of this journey which was published in the Western Monthly of Chicago in July, 1870. It is one of the most popular descriptions of that part of the Park country and was later reprinted in pamphlet form by 1894, upon the request

of Mr. Langford, first superintendent of the park. This article and personal accounts by Folsom were influential in causing another party to make an expedition the next year.¹¹

Washburn-Doane Expedition of 1870.

The Washburn-Doane Expedition was planned by leading citizens of the Montana Territory, with the purpose of verifying the stories told of the Upper Yellowstone. The Company felt that if half of the stories related were true that were told of the wonders of the Upper Yellowstone, they would be amply compensated for all the troubles and hazards of the expedition. As the time drew near for the departure several men backed out when they heard that a large number of Indians had come up into the Upper Yellowstone Valley. The Company numbered nine. They were General H. D. Washburn who served in the war of rebellion and served also in Congress, Samuel T. Hauser, President of the First National Bank of Helena, Cornelius Hedges, a leading member of the bar of Montana, Hon. Truman E. Evarts, lat United States assessor for Montana, Walter Trumbull, son of Senator Trumbull, Ben Stukney Jr., Warren C. Gillette, Jacob Smith and N. P. Langford. The preparation for the trip was simple. Each man was supplied with a strong horse with California saddle and bridle, a belt filled with cartridges, a pair of revolvers and a hunting knife were the necessary protection provided. Major General Hancock had promised an escort of cavalry men to join them at Ft. Ellis in Galatin Valley, one hundred twenty miles from Helena. They arrived at Ft. Ellis in four days. There they received a military escort

Directed by Lieutenant Gustavus C. Doane, Second Cavalry, with one sergeant and four privates.

The party entered the present territory of the park on August 26. Gustavus Doane said in his report that the party followed up the Yellowstone River, passed around two sides of the lake and down one branch of the Madison to the main stream. He stated that they did not explore one third of the great basin. He said that the district would be in easy reach of travel if the Union Pacific Railroad by way the lower Yellowstone. The exploring party had viewed the wonders of the Yellowstone and had been convinced that there was unusual geyser phenomena in this area. This party had been very skeptical of the stories that had been told about the geysers. Mr. Hedges had said, "I think a more confirmed set of skeptics never went out into the wilderness than those who composed our party, and never was a party more completely surprised and captivated with the wonders of nature."¹² Doane said in his report that as a country for sightseeing it was without parallel, as a field for scientific research it promised great results in branches of geology, mineralogy, botany, zoology, and ornithology, and was probably the greatest laboratory that nature furnished on the surface of the globe.

This expedition had aroused an intense and wide-spread interest throughout the country. Washburn, Hedges, Trumbull and others prepared numerous descriptive articles for the local Montana papers. Many of these accounts are among the best that have been written upon the Park. These have been reproduced in every important paper in the land. The Helena Herald

in October 21, 1870 noted the interest aroused at this time in contrast with the sixty years of disinterest. The report of Doane, the first official report of the Park was completed December 15, 1870. It was sent to Congress, February 24, 1871. Magazine articles were prepared by Langford and Trumbull. Mr. Langford also interested the people of the United States in the park by his lectures at Helena, Minneapolis, New York and Washington.¹³

The Joint Government Expedition of 1871.

The United States Geological Survey became interested in the Yellowstone after the exploration of 1870 and it, along with the military department sent expedition in 1871. Captains Barlow and Heap of the United States Engineer Corps were sent by General Sheridan to continue and perpetuate the work begun by Lieutenant Doane.¹⁴ Dr. F. V. Hayden made a reconnaissance of the region simultaneously with Barlow and Heap. These expeditions camped near each other and were accompanied by the same military escort. They branched off from the Washburn route at the mouth of the Gardiner River, and in their ascension of this river discovered the formations now known as Mammoth Hot Springs. The party went to Tower Creek and thence over Mount Washburn to the Canyon and Falls. They visited in consecutive order the following places: Sulphur Mountain, Mud Geyser and lake, Upper Basin, Shoshone Lake, Yellowstone Lake and Baronet Bridge. They went out of the park at Mammoth Hot Springs.¹⁵

These parties did some original discovering. They had discovered the Mammoth Hot Springs on the Gardiner River,

opened up a route between the Yellowstone River and the Lower Geyser Basin, explored the Lower Basin, mapped the shore line of the Yellowstone Lake, mapped the headwaters of the Snake River and made some explorations in the Lamar River Valley.

These explorations were of great importance for what they did in the work of collecting accurate data of the entire region. A large collection of photographs were obtained by Captain Barlow and Dr. Hayden. Practically all of Barlow's photographs and collection were destroyed in the Chicago fire of 1871. The photographs and specimens collected by Dr. Hayden proved to the people what description seemed to exaggerate. The showing of this collection of pictures to Congressmen in the winter of 1871-72 had much to do in influencing that body to pass the Park Bill.¹⁶

Yellowstone National Park Bill.

The vigorous agitation for the creation of the Yellowstone National Park was arranged at Helena, Montana principally by N. P. Langford, Cornelius Hedges and William Clagett, a recently elected delegate to Congress from Montana. Clagett had prior to this time independently urged the creation of this park. Langford went to Washington when Congress convened and he and Clagett drew up the Park bill with the exception of the description of boundaries which was done by Dr. Hayden. Clagett introduced the bill into Congress on December 18, 1871 and Senator Pomeroy of Kansas expressed the desire to introduce it into the Senate. Clagett took the measure to the

Senate Chamber as soon as he had presented it in the house and it was then immediately introduced into that body.¹⁷ It was referred to the Committee of Public Lands in both houses. No formal report was made by the Senate.¹⁸ Hon. Mark H. Dunnell, of Minnesota, chairman of the Sub-committee having charge of the bill addressed a letter to the Secretary of Interior asking his opinion upon the proposed park bill. The Secretary replied under date of January 29, fully indorsing the bill. He submitted a report by Dr. Hayden which presented all the main features of the case. The bill was taken up by the Senate and debated on January 23.¹⁹ Several senators objected to having this tract set aside as a public park. Cole of California thought that there was so much land in the Rocky mountains that could not be occupied and could therefore be set aside as national parks but he contended that the land that could be cultivated should not be reserved from settlement. Edmunds of Vermont reminded him that the land was north of 40° north latitude and being seven thousand feet above sea level was not good for agricultural purposes. Senator Trumbull of Illinois recommended the passage of this bill so as to keep some one from gaining access to the entrance of the natural curiosities in this region and charging people toll for entering. The bill passed the senate on January 30.²⁰ No yea and nay vote was taken.

The bill was called up for debate in the house on February 27. Dawes of Massachusetts strongly advocated the measure and it was passed without opposition. The vote on the bill in the

House was 115 to 65 in favor of the bill. The bill was signed by President Grant on March 2.²¹

The bill was steered through Congress by the efforts of the three men Dr. Hayden, Mr. Langford and W. H. Clagett. Dr. Hayden had an important part in this work because he had been a representative of the government in the exploration of 1871. He exhibited the collection he had made of maps of the district, sketches and photographs of geyser, craters, hot springs, waterfalls, lakes, canyons, mountains and other natural curiosities and beauties. Four hundred copies of the issue of Scribners Magazine which contained the articles which Mr. Langford had written were bought and put on the desks of members of Congress on the days when the measure was brought up for a vote. Langford had devoted much time during the winter of 1871-72 to this park creation project. Hon. Clagett took an active part in advocating the park bill. This bill received perhaps the most thorough canvass of any bill that had ever passed Congress. All the members of Congress had been personally visited and persuaded to the cause.²²

The provisions of the bill as passed by Congress were:²³

. Sec. 1. Boundaries were provided for the Yellowstone National Park which was set apart for the benefit of people of the United States.

Section 2. The Secretary of the Interior was given exclusive control over the park. He was to make rules and regulations to provide against the destruction of natural curiosities of the park and the wanton destruction of game and fish.

Description of the Yellowstone National Park.

The Yellowstone National Park is mainly in the north-western part of Wyoming with small strips in the adjoining states Montana and Idaho. It is approximately sixty-two miles long and fifty-four miles wide making an area of 3,348 square miles or 2,142,720 acres. Of this area 126,720 acres are in Montana and 23,040 acres in Idaho. The central portion of this park area is a broad elevated, volcanic plateau about 8,000 feet in elevation. Mountains with peaks rising from 2,000 to 4,000 feet above the general level of the plateau surround this inclosed table land on all sides.

The geysers in the Yellowstone National Park are celebrated the world over because for size, power, and variety of actions, as well as number they are unequalled. There are five active geyser basins, the Norris, the Lower, the Upper, the Heart Lake and Shoshone Basins on the west and south portions of the park. Almost the entire region is noted for its hot water phenomena. Marvelously colored hot springs, mud volcanoes and other strange phenomena are frequent. At Mammoth Norris and Thumb the hot water has brought to the surface quantities of white mineral deposits which have terraced beautifully incrusted basins high up in the air over the edges of which pour the hot water.

The Grand Canyon of the Yellowstone is a scenic feature of the first order on account of its marvelous coloring. One may stand on Inspiration Point which pushes out almost to the center of the canyon and look almost vertically down upon the foaming Yellowstone River. To the south a waterfall twice the height of Niagara emerges seemingly from the pine clad hills

and pours downward to be lost again in green. The steep slopes are inconceivable carved and fretted by the frost and the erosion of ages. The whole is streaked and spotted and stratified in every shade from the deepest orange to the faintest lemon. Dunraven Pass, Mount Washburn and Tower Falls are scenic features of great interest in the park.

There are extensive fossil forests in the northern part of the park. There is a small fossil forest containing a number of standing trunks near Tower Falls near the eastern border of the park along Lamar River. The Yellowstone National Park is one of the largest and most successful wild animal refuges in the world. Trout fishing is also unequalled here. All three of the rivers abound in trout. The Yellowstone lake which is about centrally located has many fish in it. It is also of interest on account of its beauty.^{24.}

Early attempted Legislation from 1872 - 1879.

No laws were passed concerning the Yellowstone National Park for eleven years after its creation. The Secretary of the Interior transmitted the report of Superintendent Langford for the year 1872 to Congress on February 4. This report was an outline of the needs for an appropriation for the park. On the 24th he sent a letter to Congress relative to an appropriation for the purpose of opening up the Yellowstone National Park by the construction of wagon roads within its boundaries. It was referred to the Appropriations Committee. The next year on February 21, the Secretary presented the draft of a bill to amend the original park bill. Three days later

another bill was introduced into the house for this purpose but not acted upon. March 6 another bill was presented by Senator Windom supplementary to and amendatory to the first bill. This bill was reported back from the Committee on Public Lands with a report recommending an appropriation of \$25,000 for the purpose of surveying the boundaries and other purposes as directed by the Secretary of the Interior. The house bill introduced by the man on February 24 was reported back with amendments on March 31. On April 6, 1874 joint resolutions of the legislature of Wyoming Territory relative to certain wagon roads from Green River City to Yellowstone National Park were sent to Congress. A bill providing for the location and construction of a wagon road from Green River City, Wyoming Territory to the Yellowstone National Park and to Ft. Ellis, Montana Territory was introduced. The report of the Secretary of Interior for 1873-74 especially mentions the needs of the park. On May 8 the Windom Bill was considered by the Committee of the Whole in the Senate and recommended to the Committee on Public Lands. It was reported back on the 15th with a further amendment.

The report of the Secretary of the Interior for the year 1877 called attention to the unprotected condition of the park and the report of Supt. Norris gave additional information with valuable suggestions concerning the management of the reservation. In 1879 action was taken by Congress and it appropriated \$10,000 for the protection and improvement of the park.²⁵

Administration of the Yellowstone National Park.

The park bill of 1872 provided that the Secretary of the Interior should be given exclusive control over the park and it was his duty to make and publish regulations for the care and management of the park.²⁶ The bill did not make any provision for enforcing the Park regulations. Congress made no appropriation for the park so the early administration was very inefficient. Langford, one of the chief promoters of the park bill was made the first superintendent of the park. He was paid no salary and no money was appropriated by Congress to carry out his duties. Much of his efforts were fruitless. He held this office five years and then was succeeded by Norris of Michigan in 1877. Norris was appointed by Carl Schurz, Secretary of the Interior under Hayes. Norris served as explorer, a path-finder, poet and historian in the park. He was fortunate in securing an aporopriation from Congress, for the support of the park.²⁷ His term of service began the real administrative history of the park. His work was broad in scope. He traveled the existing trails and went into the less known regions of the park. He started the first road construction in the park. His articles published about the park revived new interest in the park at an opportune time.

Conger of Iowa succeeded Norris on February 1882. Conger did not take an interest in the work of the park and his administration of the park was weak and inefficient. It was during this rule that the schemes for trying to secure the monopolistic lease by the Yellowstone Park Improvement Company

was tried out. Much destruction to game, fish and natural curiosities took place at this time. No one at this time remained in the park through the winter. Railroad projects for securing right of ways through the park or for segregation of the park began to appear. It soon became evident that radical measures had to be adopted if the Park was to be preserved in its original condition. General Sheridan went through the Yellowstone Region on the years 1881, 1882 and 1883 appealed to the country to take some definite action. The Governor of Montana and others appealed to Congress to pass legislation preserving the park from destruction.

Congress took the matter up for debate during the debate on the Appropriation Act of 1883. A clause in the Sundry Civil Bill made an appropriation for the park of \$40,000 and provided that \$2,000 yearly should be paid the superintendent of the park and \$900 annually should be paid to the ten assistants of the park superintendent. These assistants were to be appointed by the Secretary of the Interior and they were authorized to remain in the park continuously and protect the game, timber and objects of interest in the park. This Act also provided that the Secretary of War should furnish troops upon the request of the Secretary of the Interior for patrol purposes in the park.²⁸ The Secretary of the Interior seems not to have cared to ask for military assistance so no protection was provided during years 1884, 1885 and 1886. As Congress failed to enact the needed legislation relief was sought

from the Wyoming Territorial government. Since practically all of the Yellowstone Park was within the limit of Wyoming it was considered within the field of the Territorial Legislature of Wyoming to pass a law for protecting the park. This agitation in 1884 secured the passing of an act designed "to protect and preserve the timber, game, fish and natural curiosities of the park." This law was very stringent but failed to accomplish its purpose. The officials chosen to enforce were poorly qualified for their work. They made some arrests that were unjust and tyrannical. They co-operated with the park assistants called "rabbit catchers" and these park assistants shared as informers the fines levied by themselves. This law of the Territorial Legislature was repealed in 1886. In the debate on the bill brought up in the Senate to reimburse Wyoming for money expended in protecting the Yellowstone it was estimated that Wyoming had spent \$7,780.44 during these three years. This bill for reimbursement passed the Senate but was not acted upon in the house.²⁹ This money was paid to Wyoming in 1902.³⁰

The year 1886 marked a turning point in the administration policy of the park. Congress ceased to appropriate for the park on account of the bad repute into which the park had fallen. No appropriation was made after 1886 for compensating a superintendent or assistants which situation threw the entire administration and protection of the park into the hands of the military force. The regime of civilians superintendents passed away and was replaced by military superintendents.

The Military control continued from year to year and the commanding officer at Ft. Yellowstone was designated as acting superintendent. He made reports to the Secretary of the Interior. The soldiers were not only used for protecting the park but as rangers. Captain Moses Harris, First United States Cavalry was sent to relieve Wear of Missouri in 1886.³¹ Trespassers were removed from the park and the park regulations were revised and extended and posted in all parts of the park. Punishment was provided for any violation of them.

After 1888 appropriations for the park were made under the war Department till 1901. The Secretary of the Interior made expenditures from the park revenues.

By the act of July 10, 1890 which admitted Wyoming as a state in the union exclusive jurisdiction of the portion of park that is in Wyoming was given over to the National Government. This law did not apply to the small strips that are in Montana and Idaho.³² An act passed in 1894³³ enabled the park authorities to enforce the regulations and provide protection for the park not known before. The next year an act was passed that provided that expenditures from the revenues could be used only for managerial purposes.

In 1899 a bill was passed which provided for the payment for certain improvements made by citizens in the Yellowstone Park. C. J. Baronett of Gardiner, Montana had constructed a bridge over the Yellowstone and James C. McCartney of Gardiner and Mathew McQuirk had constructed buildings at Mammoth Hot Springs before the park was reserved. The government had

used these improvements without compensating the owners.

Compensation of \$9,000 in all was appropriated for these three owners.³⁴

Small appropriations were again made in the Interior Department in 1901 for administration and protection. From these appropriations clerical help was furnished to the acting superintendent and a few scouts and other employees were paid.³⁵

In 1916 a more stringent protective act was passed. This act made it possible to treat violations as misdemeanors and thus do away with the necessity of formal indictment. The legislation and military system by 1916 had accomplished much in providing protection for the park so that it could be developed. A garrison had been built at Mammoth Hot Springs to house a squadron of cavalry. Numerous station houses and been built at different points in the park for the use of small detachments in patrolling the park. Military control was withdrawn from the park in 1918 and since then the National Park Service has administered it.³⁶

Concession Privileges.

The Park bill of 1872 provided that the Secretary of the Interior could grant leases for building purposes. The term of the lease was to be limited by a ten years term. Just "small parcels of ground" could be leased and these were to be at places most conveniently situated for the accommodation of visitors.³⁷ No leases were granted by the Secretary for a number of years after the park was dedicated. A few informal

permits for occupancy had been granted. Nine plain log cabins with dirt roofs had been built in 1880. There were only two buildings of respectable dignity, the headquarters building at Mammoth Hot Springs and Marshall's Hotel in the Lower Geyser Basin at this time.³⁸ Winter residence in the park was out of the question at this time.

In the early part of Supt. Conger's administration the Yellowstone Park Improvement Company tried to secure a lease that would give them about 4,440 acres of land in the park, about a square mile around each object of special interest in the park. They had tried to exploit the government for their own private interests under the cloak of improving the park and providing accommodations to the tourists. Mr. Joslyn had made this contract with them in the absence of Mr. Teller, the Secretary of the Interior. The contract had provided that the Secretary of the Interior should select ground for the building of a hotel and until this was done the hotel could not be built. Reference to a subsequent lease was made throughout the contract and the company were not to have any power until this lease was executed. This contract if executed would have amounted to giving this company exclusive hotel and transportation privileges in the park for a nominal rent of two dollars an acre. This contract had not given the right to cut timber and erect hotels.³⁹

On December 7, 1882 Mr. Vest of Missouri presented a resolution that provided that the Secretary of the Interior should send to the Senate copies of any contracts made by the

Interior Department in regard to leasing the Yellowstone National Park or any portion of it to any person or company for the construction of hotels, telegraph lines, stage lines or any other information concerning the park.⁴⁰ This communication was sent by the President pro tempore of Senate on the 11th of the month.⁴¹ Vest next submitted a resolution from the Committee of Territorial Lands on December 12 which provided that this committee should investigate conditions in order to determine what legislation should be passed to protect the public property and preserve the game in the park. This committee were to examine the boundaries and advise whether they should be extended, whether the Secretary of the Interior should make contracts leasing portions of the park and granting special privileges for the establishment of telegraph lines and running stages. This committee was required to submit a report.⁴² This report was made on January 5.⁴³ A bill to amend the bill of 1872 was introduced at the same time. Four days later Vest introduced another resolution in the Senate requesting the Secretary of the Interior to give all official matter relative to a contract made with certain parties in the Yellowstone Park to the Senate.⁴⁴ This matter was laid before the Senate on January 19.⁴⁵ It concerned the contract made with the Yellowstone Park Improvement Company.

Action was taken by a number of states and associations to try to preserve the park from falling into the hands of monopolists. Mr. Davis of Illinois presented a resolution of the Legislature of Illinois urging Congress to pass legis-

lation that would give visitors the right to view the curiosities of the park without being extorted by monopolists.

It also expressed thanks to Lieutenant General Sheridan and Senator Vest for not allowing this condition to happen.⁴⁶

Townshend of Illinois presented another joint resolution from Illinois Legislature the next day.⁴⁷ The governor of Montana sent a petition to Congress recommending it to pass legislation for the preservation of the game in the park and that careful measures be adopted in regard to leasing.⁴⁸

The Kent Company Sportsmen Club of Grand Rapids, Michigan sent a petition to Congress on February 1, 1883 urging Congress to enlarge the park. Resolutions from the Sportsmen's Association of Western Pennsylvania was received by Congress on February 14 indorsing General Sheridan's report relative to the park.⁴⁹

Vest offered a resolution in the Senate on February 17, 1883 which provided for the appointment of a select committee of five senators by the president pro tempore of the Senate for purpose of deciding what legislation should be passed to protect the timber, game or objects in the park and to provide for a system of police to secure administration in the park. The expense of making the report was to be paid by the Senate. The Secretary of the Interior was prohibited from making any contract or allowing cutting of timber or erection of buildings prior to the submission of this report by the committee. Garland suggested that the Committee of Territories having presented a bill for this purpose should be the one to examine the conditions. Vest gave as his reason for proposing

a new committee that part of the Senators of the Committee retired from office on March 4 and the membership of the house also expired on that day.⁵⁰ The consideration of the resolution was objected to and it was dropped till the 26th of February when it was called up again by Vest. He offered an amendment providing that no expence should be incurred by the Committee to visit the park. He said that the necessity of having a committee was to keep speculators from treating the park as if it were their exclusive property. Rufus Hatch with others were cutting down timber for the erection of a hotel without a lease from the Secretary of the Interior.⁵¹ The consideration of the resolution was postponed and consequently was never taken up as Congress passed the needed legislation on March 3, 1883.

The bill which had been introduced by the Committee on Territories in the Senate on January 5, 1883 had provided for the extension of the park boundaries. The question of an interference with private claims was also involved in this bill. The consideration of this bill was dropped because on February 23 amendments in regard to leases were offered to the appropriation bill of that year.⁵³ An amendment was offered to this bill which made provision that the Secretary of the Interior could grant leases for the construction of buildings for the accommodation of visitors for periods not exceeding ten years. No surplus ground was to be granted but only that which was necessary for hotels and storehouses. No exclusive monopolies were to be granted. No lease was to restrict the access to any portion of the park. McCook made

a motion to amend the provision by prohibiting the Secretary of the Interior from granting any leases in the park and declaring previous made leases invalid. He gave his reasons for offering this amendment as the Secretary of Interior had made this lease of 4,440 acres which gave the company almost exclusive monopoly in the park. He referred to the report of General Sheridan that stated that game was destroyed in large numbers. He also called attention to letters of John Schuyler Crosby, Governor of Montana and Inspector General D. B. Sackett urging that legislation be passed to enlarge the area of the park and to provide for its protection. Cobb proposed the adoption of the McCook amendment. He objected to letting the Secretary of Interior have such large discretionary powers to grant leases. Page of California objected to the McCook amendment in the grounds that since the government does not have any buildings to accommodate the public that this franchise ought to be granted to private parties and companies. The McCook amendment was agreed upon in the house.

The bill was taken up for debate in the Senate on March 1. The Senate amended the bill so as to exclude the clause prohibiting the Secretary of the Interior from granting leases as agreed upon in the house, and also the extent of the lease was ten acres for a period of ten years of time. An eighty acre lease had been suggested at first but Vest made a motion to substitute twenty acres instead. Vest said that the Secretary of Interior had interpreted the construction of the

Act of 1872 to mean twenty acres for a lease as the communication that had taken place between the Secretary of Interior and the park superintendent in regard to the lease made to the Yellowstone Park Improvement Company had stated that "no application will be entertained for the leasing of more than twenty acres in any one tract." West later made a motion to insert ten acres instead of twenty acres which was agreed upon by the Senate. Another provision provided that no ground should be leased within one fourth of a mile of any geyser or curiosity in the park. The Appropriation bill as passed provided for making all previous contracts invalid.⁵⁴ The scheme of the Improvement Company had been frustrated and the foundation laid for the present administrative system.

There was a bill introduced in 1887 in regard to leases. It provided for granting leases for a period of twenty years instead of ten. Another bill in 1889 made the same provision, and also added that no ground within one-eighth of a mile of any curiosity should be leased. This bill had passed the Senate but failed in the house.⁵⁵ McRae of Arkansas presented a resolution of inquiry into the house on March 2, 1892 requesting the Committee of Public Lands to examine and report by bill or otherwise the information concerning leases made by the Secretary of the Interior before March 20, 1889 to the Yellowstone Park Association. They inquired why the right of transportation to this association had been rescinded and given to S. S. Huntley.⁵⁶ As a fact however the Secretary of the Interior had granted the privileges of transportation which had been previously operated as an adjunct to the hotel business in the park to a new company, the Yellowstone Park

Transportation Company directed by Silas S. Huntley from 1891-
1901.⁵⁷

No law concerning leases was passed from 1883 to 1894. On January 7 of the latter year Hayes of Iowa introduced a bill into the house to regulate leases in the Yellowstone Park.⁵⁸ This bill was debated on the 6th of April. Hayes explained that this bill increased the number of acres of a lesse to twenty. He presented a letter from the President of the Yellowstone Park Association who gave his reasons for wanting the change in amount of acres of a lease made. In order to go the 130 miles of distance in the park there had to be a chain of hotels. The Yellowstone Park Association owned at that time six leases. They had used up the ten acres allowed them and as there was a need for another hotel at Upper Geyser Basin the Company could not build it. No one was building one and the tourists were not accommodated. For seven years bills for this purpose of increasing the number of acres to twenty had been before Congress but all had failed to be passed. The Secretary of the Interior had recommended this bill in his annual report in 1893 and also in a letter to the Committee on Public Lands. Henderson remarked that one had to travel twenty miles for want of a hotel in the Upper Geyser Basin as the same ground had to be covered three times by having to go back to the Mountain Hotel for the night. Dingley offered an amendment providing that the Secretary of Interior could make such annual rental as he deemed fit. This amendment was agreed to and the bill was passed by both houses and

signed by the President on July 30, 1894.⁵⁸

In addition to the provision of the act of 1883 the one of 1894 provided that the lease would be subject to forfeiture if the lessee failed to obey the park regulations. Any lessee was given privilege of surrendering his old lease and taking a new one under this law. The terms of this act were not mandatory upon the Secretary of the Interior but were to be exercised at his discretion.⁵⁹

On February 14, 1906 Hansbrough introduced a bill into the Senate to amend the act of 1894 relative to leases. It was debated on March 26. Hale objected to the increase in the amount of land for leases. The bill was passed by the Senate but reconsidered upon the motion of Heyburn of Idaho. Heyburn offered an amendment providing that any mortgage, lien or incumbrance created under the provision hereof shall be in effect only a chattel mortgage and shall be subject to the rights of the government to compel the enforcement of the terms of the lease or contract of the mortgager. Heyburn said that this bill gave the persons building the large hotels in the park the authority to mortgage their property. He thought this mortgage should only be a chattel mortgage as that Congress could have authority over it. This bill was passed over by the Senate.⁶⁰

In the meantime a bill⁶¹ had been introduced into the house by Lacey of Iowa to amend the act of 1894 concerning leases. It was considered in the Senate on May 3. The bill contained

three provisions:

1. The Secretary of Interior was empowered to grant a lease to a person, company or corporation of tracts of land not exceeding twenty acres in size and not more than ten in number for a period of ten years for the transaction of business.

2. Any one holding a lease could mortgage with the consent of the Secretary of Interior and any mortgage, lien or incumbrance created under these provisions were subjected to the rights of the government to compel the enforcement of the terms of the lease. Any purchaser under the foreclosure of such incumbrance shall be subjected to all conditions assumed by the original contractor. The bill was signed by president Roosevelt on June 4, 1904.⁶²

During the next session of Congress two Senate Bills were introduced to amend the Act of August 3, 1894, concerning leases in the Yellowstone Park. The Flint Bill was debated in Senate on February 2. It provided that the Secretary of the Interior should lease for a term of twenty years instead of ten as provided in the amended act of 1906. Carter said that this bill was necessary in order to construct expensive buildings in the park. The hotel at Mammoth Springs had to be removed and a new one builded in its place. The House passed it twenty-six days after this. It was signed by the president on March 2, 1907.

Bird and Game Protection.

During the debate upon the Park bill in the Senate on January 30, 1872 Anthony of Rhode Island offered an amendment

to strike out the words "for gain or profit" so that there would be no destruction of game for any purpose. He was opposed to preserving the park for sportsmen. Pomeroy of Kansas considered that the main object was to prevent the wanton destruction of game for merchandise. He did not object to allowing campers catch fish and kill game for their own use and subsistence. Tipton of Nebraska approved of entire prohibition because he feared if the door was once opened for the killing of game the entire destruction of it would result.⁶⁴

The act passed provided that the Secretary of Interior should make resolutions providing against the "wanton destruction of the fish and game found in the park" and against their capture or destruction for purposes of merchandise for profit. It also stated that he should cause all trespassers to be removed from the park.⁶⁵

No laws were passed for eleven years relative to the Yellowstone Park. During that time much game was killed. The Appropriation Act⁶⁶ of March 3, 1883 provided for the compensation of a park superintendent and ten assistants who should reside in the park throughout the year. Their duty was to protect the game, timber and objects of curiosity in the park. The Secretary of War was authorized upon the request of the Interior to furnish troops to prevent trespassers from entering the park and to remove any from within. This act was passed during superintendent Conger's term of office. His neglect of his duties had caused Congress to pass this

legislation. In 1883 the killing of birds and animals in the park and the taking of fish by any other means than hook and line was prohibited.

The Secretary of Interior failed to obtain the support of the military troops so from 1884 to 1886 Wyoming territory was called upon to pass legislation protecting the park. An act was passed by this territory in 1884 for protecting the timber, game, fish and natural curiosities in the park. The poor execution of the act brought about its repeal in 1886. In this year the civilian superintendent was replaced by military authority which lasted till 1918 in the park.

Under the military regime trespassers were removed and more protection provided for game. By the act that admitted Wyoming to the Union⁶⁷ national jurisdiction over the part of the park in Wyoming was relinquished to United States Government and this situation brought about a condition whereby the game in the park was under the laws of three different bodies of government, the states of Montana and Idaho being under their respective state laws and the rest of the park under the administration of United States Government.

A large herd of buffaloes have been kept in the Yellowstone Park and the general public have been greatly interested in their preservation since the animals are a relic of our frontier history. In March 1894 a notorious poacher was caught by a scout in the act of killing buffalo in Pelican Valley. Quite a number had been slain and it pointed to the fact that in a short time the entire herd would have been ex-

terminated had not this destruction been checked. Outlaws had killed animals in the park and boasted about it and all that had been done was to take away their guns and blankets and put them out of the park. A representative of the "Forest and Stream" magazine was in the park at the time of this event and he published the news which aroused Congress to take action in passing a protective game act.⁶⁸

On March 26 Lacey of Iowa introduced an "act to protect the birds and animals in Yellowstone National Park, and to punish crimes in said park and for other purposes." This bill was amended and passed by the house on April 10. Coffeen offered an amendment to the bill in the house which provided that the United States District Court should appoint a commissioner to enforce the provisions of this act and that the United States District Court should hold one session of the court annually at Sheridan, Wyoming.

The bill was amended by Senator Vest in the Senate providing for \$1000 fine or imprisonment not exceeding two years or both for an offence. The commissioner was authorized to grant bail in all cases bailable under the laws of the United States and the state. A provision for the erection of a jail in the park was made. The bill passed the Senate but the house raised a motion to non-concur in the Senate amendments. A conference Committee of three from the house and three from the Senate were appointed to make a report. The conference report was practically the same as the house bill with a few exceptions. The section referring to a lease

was omitted. The conference report was agreed upon. This bill was approved by President Cleveland on May 4, 1894.⁶⁹ This act made the hunting, killing, capturing at any time of any bird or wild animal except dangerous animals in self defense punishable. Protection was accomplished through this law and further legislation was not needed. In 1916 however, this act was amended by making the penalty of violation punishable by a \$500 fine instead of \$1000 and the term of imprisonment was reduced to six months. The right to graze animals in the park was also prohibited this year as a provision in the National Park Service Act.⁷¹.

Park Road Legislation.

The park road agitation began soon after the park bill was passed although Congress had been assured that no appropriation would be asked for some time. Superintendent Langford presented an outline of what was needed for roads and requested Congress to make an appropriation. Dunnell of Minnesota offered an amendment to the sundry civil appropriation of \$25,000 for the construction of roads within the limits of the park and other purposes.⁷² The money was to be expended under the direction of the Secretary of the Interior. The amendment was not agreed to and no appropriation was made till 1879 when Congress began giving money for the Park. During the five years of the Norris regime about \$70,000 were appropriated and the largest part of it was used for road building. Norris opened up a large part of the country but the roads were

not well built and the work had been replaced.

The balance of the appropriation of 1883 of \$40,000 that was not used for paying the park superintendent and his ten assistants was to be used in the construction and improvement of suitable roads and bridges in the park.⁷³ The work was put under the supervision and direction of the Corps of Engineers of the Army. D. C. Kingman was the first officer detailed for the purpose. His term of duty was three years during which time the foundation of the present road system was laid. Congress continued to make annual appropriations ranging from \$30,000 to \$75,000 until about 1899. The amount of appropriations was then increased. Congress was authorized to appropriate some \$750,000 for the three years 1902-1905. With this sum and the amount spent before about a million dollars had been used for road building. The work of road building has remained under the charge of the Corps of Engineers except during the years from 1894 to 1898. It was definitely placed under this department in 1900.⁷⁴ The park road system was practically completed by 1906. The total amount appropriated for roads and bridges in the park up to the year 1911 was \$2,046,586.23.⁷⁵ The roads in the Yellowstone are in excellent condition.

Railroad Policy.

The attempt by railroads to secure an entrance in the park for private interests caused the government to adopt the policy of preserving this park in its natural condition, not changed by man. The country has expressed itself as a

unit on this question. Much effort has been exerted by public spirited men to save the park from this form of destructive innovation. Cooke City on the northeast boundary has been the chief source of interference although several of the great transcontinental lines have been using their influence for this purpose.

A bill granting right of way to Cinnabar and Clark's Fork Railroad Company to connect the Northern Pacific with Clark's Fork Mines was introduced in 1883.⁷⁶ Another bill for this purpose was introduced in Senate a little later. It was debated in the Senate on the 27th of May. The amendment of the Committee of the Railroads provided that the right of way to the Cinnabar Railroad Company was granted by the way of Yellowstone River to its junction with the East Fork and then along the East Fork to Soda Butte Creek and from there along to Clark's Fork Mining District. This amendment was agreed upon. Conger offered an amendment which provided that the right of way should be 100 feet wide. His amendment provided also that no timber shall be cut outside the right of way and that no gravel, stone or dirt should be taken except by the written permission of the Secretary of the Interior. Conger stated that this bill would not be used as a precedent or as a consent that highways could be run through the park but was just passed as a condition of necessity whereby the citizens could get their ore from mines to the markets of the world. Garland offered an amendment reserving to Congress the right to repeal, modify or amend the act. Logan's amendment to this bill provided that a competent engineer of the

army should make an examination to see if a railroad could be constructed to the park that would not enter the park and if such a fact was found this act was to be null and void.⁷⁷ This bill was dropped but another one taken up in the Senate on December 1, 1886.⁷⁸ This bill had three sections. (1) The right of way granted to the Cinnabar & Clark's Fork railroad was to be 100 feet on each side of the center line of the railroad track. (2) All charges for freight and passengers were to be reasonable, no discrimination shown, and Congress was to have power to make regulations. (3) If the construction of the railroad was not completed in three years the right of way was to be forfeited. Payson said that this railroad was necessary for there was no communication between Cooke and Cinnabar except by wagon road. The objection raised that this railroad would destroy the natural scenery of the park was not considered by him because there were no natural curiosities in this part of the park. The consideration of the bill was taken up again on December 14, for debate.⁷⁹ The report of the Committee was read. According to this report the laws of Montana to construct a railroad from Cinnabar, a point on the Livingston Branch of the Northern Pacific Railroad to Cooke City. Cooke City was located in a mining district of about 500 mines. The turns of the river carry the road into the northern part of the park. Three mines were in operation that would have to be abandoned if railroad facilities were not provided. The Committee did not think the natural scenery would be interfered with by this

railroad. It considered this the only feasible route for the railroad. Grosvenor offered an amendment providing that the right of way be 100 feet instead of 200. Holman remarked that these mines could be reached by another means. He referred to the answer of Professor Arnold Hague of the Geological Survey who said that if a railroad was necessary one could be constructed to reach Cooke City from Billings on the Northern Pacific without entering the park. Cox considered the measure as one inspired by corporate greed and natural selfishness as against national pride and natural beauty. He said that the Secretary of the Interior had opposed it in his report for the reason that this railroad would be a cause of forest fires and will cause disagreements between railway companies and park managers. Cannon said that the timber in this part of the park should be preserved to feed the streams. McAdoo objected to the bill as it would take away from the public domain a great amount of land when the public land question was an important one before the people of the United States at the time. He feared that the railroad would be a monopoly. Cox moved to strike out the enacting words of the bill. The consideration of this bill was now discontinued.⁸⁰

Bland of Missouri presented a petition⁸¹ from citizens of Montana in 1890 against the bill for a railroad through the Yellowstone Park. Sanders on the 16th of May the same year presented a petition of S. F. B. Biddle and residents of

Miles City, Montana urging Congress to pass legislation to grant a right of way for railroads through the Yellowstone National Park. Later action was taken by the party of agitation for the railroad by the introduction of two bills into the Senate for the purpose of changing the park boundaries. Sanders introduced one of the bills on the 14th of December and Warren one on the 26th of February 1892. The Warren Bill was debated on May 10 in the Senate. Platt stated that the bill proposed to segregate from the park defines a little portion in the northeast corner which would cover the area over which the railroad would be built omitting the objection of admitting a railroad into the park. Vest opposed the bill. He said that the portion of the park cut off is for the purpose of friends of the park who were unable to resist the efforts of the lobby who wanted to force the railroad through the park under a charter from Congress in order to sell it for a large sum to the Northern Pacific Railroad Company. Gorman asserted that the Northern Pacific Company had made it possible for the public to see the park but he objected a railroad being run into the park as it would furnish a precedent all it should be tried from all sides of the park. Berry objected to the bill if it provided for an extension of the park. He believed that for the best interests of the country that the land in the Yellowstone Park should be divided up into 160 acre tracts and homesteaders allowed to settle upon them or if not settled to be sold and the money put in the Treasury. Bate opposed the bill on the grounds that the Yellowstone Park was a reservation set apart by the Govern-

ment for the benefit of people of the United States and Europe and should be used for that purpose. This bill was voted upon and passed the Senate by a vote of 32 to 18 but was never passed in the house.

A few other bills were introduced into Congress for the purpose of granting railroad companies right of ways through the park but none were passed. Three bills⁸² were introduced during the first session of the Fifty-Second Congress to grant the Montana Mineral Railroad right of way through the Yellowstone Park. The introduction of bills was usually followed by petitions urging or opposing the legislation provided for by the bills. Sanders presented a petition from the Board of Trade of Butte, Montana asking for the passing for the segregation of the northeast corner of the park for railroad construction.⁸³ Petitions were presented from the Nantucket Improvement Association against the encroachment of railroads in the Yellowstone National Park on the 16th and 17th of May 1892. A bill to grant Grand Island and Wyoming Central Railroad right of way through the Yellowstone was introduced into the house by Coffeen on January 8, 1894.⁸⁴ Petitions from citizens of Wyoming, Idaho and Utah were presented to Congress opposing this bill. A number of bills to allow David B. May and others to construct an electric railroad in the Yellowstone were introduced from time to time but none were ever passed.

Three men were untiring in their efforts to keep railroads from encroaching upon the park. They are Senator Vest of Missouri, William Hallett Phillips and George Bird Grinnell.

Appropriations for Yellowstone National Park from
1872 to 1916.

1872-1873	no appropriations.	
1879	Protection and improvement	\$10,000.00
1880	Protection and improvement	10,000.00
1881	Protection and improvement	15,000.00
1882	Protection and improvement	15,000.00
1880	For deficiency on account of protection and improvement	89.76
1883	Protection and improvement of park.	15,000.00
1879	Protection and improvement, deficiency	150.00
1877-78	For salary and expenses of Supt. Norris from April 18, 1877 to June 30, 1878.	3,180.41
1884	Protection and improvement, including salary of superintendent \$2000 and ten assistants at \$900 each.	40,000.00
1885	Protection and improvement of park including salaries.	40,000.00
1886	Protection and improvement of the park including salaries.	40,000.00
1886	Continuation of compensation, superintendent and employees.	934.25
1886	Reimbursement for expense of quarters of late Superintendent Conger deficiency act of Sept. 30, 1890.	169.37
1887	Protection and improvement (construction of roads, bridges under direction of engineer officer detailed by the Sec. of Way.)	20,000.00

1894	For office of U. S. Commissioner and aid	5,000.00
1895	Reimbursement of U. S. Commissioner the amount paid for completion office and aid buildings.	385.75
1902	Repairs to U. S. Commissioners buildings	450.00
1902	Administration and protection.	5,000.00
1902	Surveying northern and western boundaries.	3,300.00
1903	Administration and protection	5,000.00
	Completion survey of eastern boundaries	2,800.00
	For payment to E. F. Stable for survey of western boundary, deficiency act.	13.99
	For payment to E. F. Stable for additional allowance for surveying boundary.	313.71
	Purchase of buffalo and providing corral and feed, deficiency.	15,000.00
	Payment to State of Wyoming for the protection of the park.	7,780.44
1904	Administration and protection including \$2,500 for maintenance of buffalo.	7,500.00
	Surveying boundaries, deficiency.	1,440.30
1905	Administration and protection including \$2,500 for maintenance of buffalo.	7,500.00
1906	Administration and protection including \$2,500 for maintenance of buffalo.	7,500.00
1907	Administration and protection (\$2,500 for buffalo)	7,500.00
1908	Administration and protection (\$2,500 for buffalo)	8,000.00

1909	Administration and protection (including \$2,500 for maintenance of buffalo, and \$2,500 for surveying and marking unmon- umented portion of park boundaries.)	10,500.00
1910	Administration and protection including \$2,500 for maintenance of buffalo.	8,000.00
1911	Administration and protection including \$3000 for maintenance of buffalo.	8,500.00
1912	Administration and protection including \$3,000 for maintenance of buffalo.	8,500.00
1913	Administration and protection including \$3,000 for maintenance of buffalo.	8,500.00
1914	Administration and protection including \$3,000 for maintenance of buffalo.	8,500.00
1915	Administration and protection including \$3,000 for maintenance of buffalo	<u>8,500.00</u>
	Total Appropriations.	\$355,207.98

Appropriations under the War Department.

1888	Protection and improvement	\$20,000.00
1889	Protection and improvement	25,000.00
1890	Protection and improvement	50,000.00
1891	Protection and improvement	75,000.00
1892	Improvement of the park.	75,000.00
1893	Improvement of the park.	45,000.00
1894	Improvement of the park.	30,000.00
1895	Improvement of the park.	30,000.00
1896	Improvement and protection.	30,000.00

1897	Improvement and protection	\$35,000.00
	Improvement and protection	35,000.00
1898	Improvements.	5,000.00
	Improvements of the park.	.78
1899	Improvement and protection	40,000.00
	Improvements	93.75
1900	Improvements and protection	40,000.00
1901	Improvement and protection	60,000.00
1900	Improvement of the park	99.80
1901	Improvement	6.95
	Improvement for 1898	162.62
1902	Improvement of the park.	113,000.00
1903	Improvement of the park.	250,000.00
	Payment to Northern Pacific Ry. Co.	
	for transportation of cast-iron pipe.	31.96.
1904	Improvement of the park.	250,000.00
1905	Improvement of the park.	250,000.00
1906	Improvement of the park.	133,000.00
1907	Maintenance and repair of improvements in park.	55,000.00
1908	Maintenance and repair of improvements in the park.	75,000.00
1909	Maintenance and repair of improvements in the park.	65,000.00
1910	Maintenance and repair of improvements in the park.	65,000.00
1911	Maintenance and repair of improvements in the park.	75,000.00

1912	Maintenance and repair of improvements in the park.	\$70,000.00
	Construction of chapel in park on or near military reservation.	25,000.00
1913	Maintenance and repair of improvements in the park.	100,000.00
	Widening and improving surface of roads for building bridges and culverts to make roads suitable and safe for animal drawn and motor propelled vehicles.	77,000.00
1914	Maintenance and repair of improvements in the park.	125,000.00
	Widening to not exceeding 18 feet and im- proving surface of roads and for building bridges and culverts in the park to make such roads suitable and safe for animal drawn and motor-propelled vehicles.	75,000.00
1915	Maintenance and repair of improvements	125,000.00
	Widening to not exceeding 18 feet, and im- proving surface of roads, and for building bridges and culverts in the park to make such roads suitable and save for animal drawn and motor-propelled vehicles.	100,000.00
1915	Widening to not exceeding 18 feet and im- proving the surface of roads and for building bridges and culverts in the forest reserve leading out of the park from the east boun- dary to make usch roads suitable and safe for animal drawn and motor propelled vehicles.	30,000.00

1916 Maintenance and repair of improvements	\$125,000.00
Widening and improving the surface of roads for building bridges and culverts to make such roads suitable and safe for animal drawn and motor-propelled vehicles	50,000.00
Completing the widening to not exceeding 18 feet of roadway and improving the surface of roads and for building bridges and culverts in the forest reserve leading out of the park from the east boundary to make such roads suitable and safe for animal drawn and motor propelled vehicles.	<u>20,000.00</u>
Total-----	\$2,848,395.86

Recapitulation

Appropriations under the Interior Department

from 1879 to 1916 inclusive.	\$355,267.98
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Appropriations under the War Department

from 1888 to 1916 inclusive	<u>2,848,395.86</u>
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Total-----	\$3,203,603.84
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Chapter 11
Yosemite National Park
Description

The Yosemite National Park is located in the crest of the Sierra Nevada Mountains which are about 4,060 feet in altitude. The park at its present size includes primeval forests, great valleys inaccessible heights, the River Merced, the Mariposa Big Tree Grove and the Yosemite Valley. The Mariposa Big Tree Grove contains some of the largest trees and the most ancient living things in the world. The Sequoia gigantea trees are said to be from 6,000 to 7,000 years old. The Merced River has its source in the Vernal Heights Valley. It flows down thru the park forming lakes and pools that reflect the grand precipices and snow-capped peaks. It is sometimes a gentle stream and sometimes a wild and uncontrollable mountain torrent, in one place leaping a perpendicular height of 2,500 feet. There are grass-clad valleys, ornamental with ferns and bright flowers and cascades with rainbow colors adorning the mist which floats about it. There are many large rocks some rising as high as 3,000 feet. The park has an approximate area of acres. The Yosemite was discovered in 1851 by mounted volunteers who were pursuing Indians into their fastnesses. It soon became quickly celebrated because of its exceptional beauty and extraordinary character.

Cession of Yosemite and Maripose Big Tree Grove to California.

The history of the Yosemite National Park legislation began in 1864 although the National Park was not created until

October 1, 1890. The United States early recognized the necessity of protecting the tract of land which included the Yosemite Valley and the Mariposa Big Tree Grove and area of about 56 square miles for the benefit of people who enjoy grandeur in nature. The United States had not established the policy of creating National parks and as it was at the time of the Civil war the United States ceded this area to California to be held by it for public use, resort, and recreation. This reservation was to be managed by the Governor and eight commissioners. On September 28, 1864 Gov. F. Law issued a proclamation reciting the act of Congress and appointing eight commissioners. The board took possession of the tracts and the State Legislature accepted the trust by an act approved April 2, 1866. The commission had been chosen from the best men who did all they could to develop the park. California administered this area till it was ceded to the United States to be included in the Yosemite National Park in 1906. During this period of about forty years California had expended about \$496,000 upon it. Forty thousand of this amount was used for the construction of a hotel and twenty five thousand for an electric light plant. All the money expended had been within the limits of the park and not for trails leading to the park.²

Park Creation Act.

On March 18, 1890 Vandever of California introduced a bill in the house to establish the Yosemite National Park in

California. It was referred to the Committee on Public Buildings and Grounds. Payson introduced a substitute bill for the Vandever bill on September 30. The Payson bill provided that a certain tract of land in the state of California should be set aside as a forest reservation. Payson made a report from the committee. In this report he said the bill under consideration established as a national park a tract of land which contained "primeval forests, great valleys and inaccessible heights, the walls of which vary from 2,000 to 5,000 feet and from the highest points of which the plummet will swing clear of the base." He said the committee deemed it a duty of the government to preserve it for present and future generations. The rapid increase of population and resulting destruction of natural objects had made it incumbent on the government to preserve the wonders and beauties of our country from injury and destruction in order that they may afford pleasure as well as instruction to the people. The area was said to be about 2,096,640 acres of which amount 134,400 were patented claims.

This act did not interfere with the grant made to California of the Yosemite Valley and the Mariposa Big Tree Grove in the act of 1864. The act³ was approved by President Harrison on October 1, 1890. Troops for protection were authorized⁴ in 1900.

Right of Way Act.

A bill⁵ relative to rights of way through the Yosemite National Park was passed on February 15, 1901. This act pro-

vided that the Secretary of the Interior should regulate rights of way over the public lands forests and other reservations and the Yosemite, Sequoia and General Grant National Parks for power, telephone, telegraph, irrigation and water supply lines and systems. The grants were to be subject to certain provisions and to be revocable at the discretion of the Secretary of the Interior.

Recession of Yosemite Valley and Maripose Big Tree Grove.

Every since the creation of the Yosemite National Park by Congress in 1890 which set aside a tract of 1,000 square miles surrounding the Yosemite Valley a dual jurisdiction had resulted. The United States hesitated to make any appropriations for the construction of extensive improvements which would really result in the improvement of state property at national expense. As a result all the roads were toll roads and tribute was levied on each park visitor. The number of tourists to the park increased each year and in 1903 many could not be accommodated. President Roosevelt recommended the cession of the Yosemite Valley and Maripose Big Tree Grove by California to the United States so that it could be used for the enjoyment by the people. In order to make this park accessible it was desired that the portion in the south west corner included in the area of park should be excluded and included in the forest reserve so that it could be used for a trolley car line. A letter of the Secretary of the Interior explained that the area in the south west portion comprising 10,480 acres should be withdrawn from the park and made a part of the forest reserve so as to be used for the construction

of an electrical car line over it. This would not mar the natural curiosities of the park. A statement was prepared by the Secretary of the Sierra Club under the direction of the board of directors and adopted by the board as its official expression that a recession should be made.

Hon. John Bigelow, Supt. of the Yosemite National Park in his annual report of 1906 recommended that the United States acquire Yosemite Valley, purchase toll roads, and patented lands which are scattered over the park for the following reasons. 1. It was necessary to secure adequate appropriations from Congress. The valley would be rendered more attractive and financially more productive for the state. 2. California was not able to properly care for the park. The main stage roads in the valley were in a deplorable condition. 3. The management was poor in contrast with that of the Yellowstone. 4. State pride and sentiment was the strangest argument against the proposed change but this was a misconception as it only meant a termination of trust. United States would not take the valley away but would render it more accessible to the public. 5. John Muir, president of the Sierra Club recommended it so as to secure the improvement of the park. 6. Roosevelt favored recession. 7. The people and native sons of California favored recession. 8. The Committee of the State Board of trade, the board of directors of the Sierra Club, the California Water and Forest Association, San Francisco Chamber of Commerce, Oakland and other cities favored the recession. 9. Various newspapers throughout the state have endorsed the proposed claim in editorial comment. 10. The care of the Yosemite in the past had shown

that it was necessary to turn it over to the United States government as California had other interests which used her money and made it impossible to keep up this park.⁸

The public sentiment was so strong for recession that the California Legislature on March 3, 1905 ceded the Yosemite Valley and the Mariposa Big Tree Grove to the United States. The recession was to take effect from and after the acceptance by the United States.

On March 3, 1905 Perkins of California called up in Congress for consideration a joint resolution⁹ which provided for the recession and regranting by the state of California to the United States the "Cleft" or gorge in the granite peaks of the Sierra Nevada Mountains and the headwaters of the Merced River known as the Yosemite Valley which had been granted to California in the Act of June 30, 1864. This land was to be reserved as a part of the Yosemite National Park subject to the provisions of the Acts of October 1, 1890 and February 7, 1905. All revenues derived from the privileges granted under these acts were to be used for the welfare of keeping up the park. An additional appropriation of \$20,000 was made. Perkins of California was influential in securing the passage of this resolution in the Senate. On March 3, 1905 Hemenway called up the resolution for consideration in the house. He proposed to strike out all legislation in the resolution except the appropriation for the management of the park. The amendment was agreed to and the resolution passed. The resolution was signed by President Roosevelt on March 3, 1905.

Despite the wording of the above title the bill which was passed merely carried an appropriation for the management of

the park and said nothing about the acceptance of a recession. Another resolution was necessary to be passed before the recession could be made. During the first session of the Fifty-ninth Congress in 1906 resolutions were introduced by Perkins and Gillet of California. The fourth one embodied laws for the acceptance of a recession and was introduced by Gillet on March 12, 1906, and was considered favorably. This House resolution provided that this recession of this tract of land should be ratified and accepted. The boundary lines on the south and west of the park were to be changed. All lands excluded from the park were to be a part of the Reserved Forests and shall be under laws governing Forest Reserves. The Secretary of the Interior could require the payment of rights of way over the park reservations. No logs were to be hauled over a right of way for railroad purposes except by the consent of the Secretary of the Interior. No patented lands privately owned were to have lien land scrip provisions of land laws. The Secretary of the Interior was permitted to use money from privileges granted in the park and forest reserve for the improvement of the park and forest reserve. The resolution passed the house and was referred to Senate Committee on Forest Reservation and Protection of Game. On June 9, 1906 this bill was debated in the Senate. Perkins urged the passage of the resolution as this would eliminate the dual jurisdiction over the area. He stated that in 1905 a fire had occurred on the boundary line of this National Park and there was a contention between the United States government and the state as to which territory the fire was in and as a result many trees had been burned. The legislature

of California was in favor of the recession. No appropriation were needed that year according to the report of the Secretary of the Interior. Kittridge of South Dakota offered a document to the Senate which was sent to the Chairman and members of the Committee on Forest Reservations and the Protection of Game. This document showed that one of the main objections to the recession of this land by California to the United States was because there was no provision whereby the state government could render civil or criminal process within the lands ceded to the United States. This would make it an asylum for fugitives from justice. The cession by California to the United States provided only that the United States shall hold them for public use, resort and recreation and imposing on the United States the cost of maintaining the same as a national park.

The resolution¹⁰ was signed by President Roosevelt on June 11, 1906.

Consolidation of park Lands.

During the third session of the Fifty-Eight Congress in 1905 five bills were introduced which provided for the transference of certain lands in the Yosemite National Park to the Sierra Forest Reservation. Mr. Perkins of California introduced Senate Bill No. 5567. He urged its passage as his constituents in California wanted it passed. The bill⁶ provided that the Secretary of the Interior should require the payment of such price as he may deem proper for privileges on lands segregated from the Yosemite National Park accorded under the act of February 15, 1901, relating to rights of way through certain parks, reservations and other public lands. The money

received was to be used for the welfare of the park. The bill made a special provision that no one holding lands in this area could change them for tracts outside of it. This bill passed the Senate. The bill was referred to the House Committee on Public Lands. Gillet of California called up the bill in the House. He explained that the purpose of the bill was to exclude from the park the land which had no scenic beauty and upon which there was about 60,000 acres of patented lands including a great many mines. Under park regulations the people could not improve the park, work their mines or develop water power. This bill would give the people of that country the right to develop the industries and business enterprises in that area. After the bill was prepared two commissions examined conditions and reported favorably for the bill. The bill was passed by the House but on January 10 the speaker's signature was ordered to be erased from the bill.

Another Senate bill and two house bills were never received any further consideration than the Public Land Committee. On January 9, 1905 Gillet of California introduced a bill in the House which was passed by both houses and approved by President Roosevelt on February 7, 1905. The only difference between this bill and the one that had passed the Senate previously was in the boundaries. This bill excluded all the land that the Secretary of the Interior recommended to be excluded. When the park was first established arbitrary lines were run and a commission spent the summer of 1904 in California for the purpose of finding out what the boundaries should be. A letter of the Secretary of the Interior Hitchcock was read which stated that this bill incorporated the lands recommended by the commission

appointed by him.

Previous to the enactment of the law by Congress on April 9, 1912 to secure title for the United States to patented lands in the Yosemite National Park a number of bills had been introduced for that purpose. This bill was introduced by Perkins of California on March 8. It was debated in the house on April 2. Representative Mann of Illinois objected to having the money from the sales of timber or lands authorized by Congress as provided in the bill to be used by the Secretary of the Interior in the management, improvement and protection of the park but instead he requested that it should be deposited and covered into the Treasury as miscellaneous receipts. Raker of California said that he could see no objection in the amendment and recommended that the bill be passed. The purpose of the bill was to eliminate private holdings within the Yosemite National Park and to preserve the natural timber along the roads in the scenic portions of the park. The bill provided that all timber shall be cut under the regulations of the Secretary of the Interior. The amendments to the bill were agreed to and the bill passed both houses and was signed by the president on April 9, 1912.

On March 18, 1914 Works introduced a bill to amend section 1 of the act of 1912 relative to patented lands. Works explained that the bill was intended to allow the Department of Interior to exchange lands with a lumber company in the Yosemite Park. The lumber company owned timber in the park in a conspicuous place, had their mills established and threatened to destroy the timber. Negotiations had been made between the Interior

Department and the Lumber Company to provide for the exchange of the Lumber Company's timber for timber lands further in the park which would prevent the great destruction to the timber which was of scenic beauty to the park. The company was threatening to go ahead as it had been delayed so long. There was no objection to the bill and it was passed immediately. The bill¹² which was approved by President Wilson on April 16 provided that the Secretary of the Interior and Agriculture were empowered at their discretion to obtain and accept for the United States a complete title to lands within the boundaries of the park for lands to Sierra and Stanislaus National Forests adjacent to the Yosemite National Park. The purpose of this bill had been to eliminate private holdings in the Yosemite National Park and to preserve intact timber along and adjoining the roads in the scenic portion of the park or patented lands.

An act¹³ was passed May 13, 1914 which provided for consolidating of certain forest lands in the Sierra National Forest and the Yosemite National Park in California. The Secretary of the Interior was authorized to exchange lands lying in the Sierra National Forest for privately owned lands lying in the forest and in the park, lands thus acquired lying in the forest to go to the forest and those in the park to the park.

The appropriation act¹⁴ of July 1, 1916 authorized the Secretary of the Interior to accept patented lands and rights of way over the same or over other lands in the Yosemite Park

donated for park purposes.

Hetch Hetchy Bill.

For twelve years previous to the enactment of the act granting to the city of San Francisco all necessary rights of way in, over and through the Yosemite National Park together with such lands in the Hetch Hetchy Valley and Lake Eleanor Basin as the Secretary of the Interior deemed necessary for reservations etc., San Francisco had been trying to secure this right. After the act of 1901 authorizing the Secretary of the Interior to permit rights of way through the National Forests, Yosemite, Sequoia and General Grant for water conducts and for water plants, dams and reservoirs etc had been passed James D. Phelan, Mayor of San Francisco on July 27, 1901 filed a claim to the water of the Hetch Hetchy Valley. He applied for the rights of ways for reservoirs but Secretary Hitchcock refused to grant the right on January 20, 1903. Phelan transferred his rights to the city of San Francisco which applied for a new hearing. The application was again refused. Hitchcock objected to the grant on the grounds that it was his duty to preserve the park in its natural condition. Victor Metcalf, then Secretary of Labor and Commerce supported Hitchcock's views. Hitchcock said that Congress did not intend to grant any permits which would alter the natural condition of the park or they would not have provided that any permission given by the Secretary of the Interior might be revoked by him or his successor at his discretion.

San Francisco waited till Hitchcock retired and Garfield succeeded him who granted the application on May 11, 1908.

But as San Francisco could not sell bonds on the uncertainty of a reversible decision it brought the bill up in Congress to confirm this grant in perpetuity. The objections to such a bill were that (1) the Hetch Hetchy was not necessary as a water supply for San Francisco. (2) the valley was the property of the nation which would not be recompensed. (3) the American people would lose the whole group of their remarkable wonders as this would establish the precedent for mutilating parks. An appropriation of \$1200 was made in 1910 by Congress to examine data in regard to the water supply in San Francisco to be submitted to that city.

The plan of San Francisco was to damn up the Tuolumne River and submerge the Hetch Hetchy Valley under 150 feet of water damaging one of the worlds greatest natural wonders because it could get a cheap water supply. It had thirteen sources of water supply but the reason it did not try to obtain any of these was because it would have had to purchase them from private companies and it wanted instead \$40,000,000 worth of water and electric power rights in exchange for common grazing mountain land known as Hog Ranch.

The Yosemite National Park comprises the summit watershed of two streams, the Merced and the Tuolumne Rivers. The Tuolumne River runs through the Hetch Hetchy Valley. This was one of the best camping grounds for tourists in the park. San Francisco promised to maintain roadways to the proposed lakes in the Hetch Hetchy Valley but as their reason for acquiring this source of water supply was because the water was so pure that it would not have to be filtered so in order to

keep it in that condition it would have to prohibit camping in the entire watershed of the Tuolumene which was more than one half the area of the park. Strother writing in the World Work in 1909 said that if San Francisco could acquire a water supply over a higher public use the enjoyment of future generations of Americans then there was no guarantee of the preservation of these parks by park laws. The act of 1890 tried to prevent such an occurrence. This act had tried to check the ravages of sheep men and lumber men.

Some fifteen bills to grant to city and country of San Francisco rights of way through the Yosemite National Park were introduced between the years of 1909 and 1913. During the first session of the Sixty-third Congress nine bills were introduced for this purpose. House bill 7207 introduced by Raker of California on August 1, 1913 was debated on the 29th of that month. Ferris of California said that the city of San Francisco was suffering from a water famine and about one third of the city was without water connection and notices in the newspapers were urging the people to cut down on the water supply. A letter of Lane's was read. Lane had been city attorney for San Francisco and in that position he made an argument, before Secretary Hitchcock in this matter. He said that the situation was one of emergency and duties. Ferris said that the bill granted a right of way over a part of the Stanislaus Mountain Forest and Hetch Hetchy Valley which is 20 miles from Yosemite National Park. The dam site was to be about 142 miles from San Francisco and to cost \$77,000,000. The city

of San Francisco agreed to construct roads and trails and bridges and improvements amounting to \$1,000,000. In addition beginning at the end of the five year period San Francisco agreed to pay \$15000 a year for the first 10 years, \$20,000 for the second ten years and \$30,000 for time after that till changed by Congress. Ferris denied that it would destroy the park but said that he believed that it would improve it as the bill exacts of the people of San Francisco as a condition precedent that it build street car lines, roads, trails and a railway to the park so that the poor could visit the park. At that time only rich people could visit the park as they had to go on the burros or pack trains.

A letter of Chief Forester Graves endorsed his approval of this bill. He said that the forest would not be injured. As no trees were to be cut or devastated in the part where the pipe line went. Pinchot, former chief forester indorsed this bill. He said that there was no use of water higher than that for domestic use. The question was faced as to which was the best policy of action to leave the valley in its state of nature or use it for the benefit of the city of San Francisco. The fundamental principle of the whole conservation policy he thought was that of use, to use every part of the land and its resources and put it to that use that will serve the most people. The construction of roads, trails and telephone systems which would follow the passage of this bill would be an important help in park and forest reserves according to his opinion.

Ferris stated that water in California was almost like gold dust and that every drop of it would have to be used for

some purpose in time. He said that the only opposition the Committee had been able to find had been a few people who thought it was wrong to dam up a gorge and collect the mountain waters that came down from the melting snows and use them for economic purposes. He asserted that five years before he had opposed the bill and signed an adverse report as at that time the city was in litigation with a local water company and it could not come to terms about taking over the local supply. Another reason for opposition was that they were not putting enough in the bill to protect the irrigation people below the dam. Brown of New York favored this bill. He said the natural tendency of the people and newspapers is to judge parks by the ones they are familiar with. In the crowded eastern cities no encroachment any more solid than that of an open band stand is allowed in the municipal parks for the reason of having space where people may get fresh air. In the Yosemite park there is plenty of fresh air and the crying need there is for water. The few acres used to conserve the water from melting snows can serve no higher purpose. Upon the passage of this bill 400,000,000 gallons of flood water shall be used by people of California. The Hetch Hetchy in his opinion would be made accessible as a recreation ground for those to whom it is now only a name.

Hann of Illinois said that because the Hetch Hetchy Valley was not accessible was no reason for destroying it. San Francisco he feared was probably taking a load upon itself that would bear down too heavily upon its people if it attempted to

issue \$77,000,000 for waterworks which was provided in the bill.

A letter of Robert Underwood Johnson was read which gave an insight into the working of the city of San Francisco's for this right. For twelve years John Muir supported by eight or ten organizations thwarted the project of letting San Francisco secure the "Welch Hatchy valley as a water supply. The proponents of this scheme had been defeated four times. The supervisors of the city taking advantage of the announcement that no general legislation would be considered at the extra session had invented an emergency and with the aid of salaried officials who had been in Washington for several months (with a fund of \$45,000 water supply bond issue of 1910) to draw upon were trying to secure a treasure that would give the city 500 square miles or half of the national park. The scandal consisted in these facts (1) The appeal was made on ex parte evidence furnished by the city and not fully verified by the advisory board of Army engineers appointed by Secretary Fisher and (2) that in presenting data to this board the city actually withheld a report showing that the M'atilumne River region would afford abundant resources.

James D. Phelan advocate of the scheme admitted that an abundant supply could be gotten by paying for it. The object of the scheme seemed to be to get something for nothing. The city's reports had been insufficient. The city was requested by the Interior Department to investigate and report all possible available sources. It had not been done in good faith. The

report of H. H. Wadsworth, assistant engineer and secretary of the board said on July 1, 1913 that he had not seen the Bartell report, the elaborate report on the Makelumne River. The Bartell Report was withheld from the Army Board and substitution was made which placed the resources of the Makelumne at 60,000,000 gallons instead of 432,000,000 daily. With the \$45,000 the city made an elaborate investigation of the source desired and a very inadequate investigation of all but one of the others. The grant to the city would do an immeasurable wrong to residents of California in the San Joaquin Valley. Without water this valley would be practically a desert. This central valley should have had prior claim on the water. The residents of the valley were against this legislation although the city agents agreed to divide with them the coveted valley in order to silence opposition. The passing of this was in the opinion of Robert Underwood Johnson a precedent in fact under which all national parks would become the loot of corporations.

Colonel Heuer United States Engineer said in 1898 that the engineers who have made surveys of Lake Elenor and Hetch Hetchy informed him that there were other Sierra supplied which could be had at less cost than the Hetch Hetchy. To him it seemed that the American people were asked to subsidize the city's water supply to the extent of the money value of the Hetch Hetchy and of 500 square miles of phenomenal scenery.

Raker discussed the procedure which a bill for this purpose had taken in this session of Congress. Two bills were introduced in this Congress but not acted upon. House Bill

6281 received a complete hearing by the Committee of the House. The Committee went through that bill thoroughly suggesting amendments and appointing a sub-committee to go into the language so as to cover every phase. Then a subsequent bill H. R. 6914 was introduced and gone over by the committee and after it had been thrashed out in the work of six weeks the committee agreed upon amendments to the original bill. To avoid extra confusion in the House Baker introduced H. R. 7207. The bill¹⁵ was passed by both houses and approved by the president on December 19, 1913.

Concession Privileges.

The act of October 1, 1890 creating the Yosemite National Park provided that leases should not be of any larger area than five acres and were granted for a period of ten years. In 1913 by a provision of an appropriation act¹⁶ the Secretary of the Interior could grant a lease for the construction of a hotel and other buildings in accordance with the provisions of the act of June 4, 1906. It repealed the parts of the act of October 1, 1890 which conflicted with this grant. The next year an act¹⁷ was passed which authorized the Secretary of the Interior to grant leases not to exceed twenty acres. The term was increased to twenty years and no person or corporation was allowed more than ten such tracts. Provision was also made for the appraisement at the termination of the lease and for the mortgaging of the lessee's rights if desired. The effect of the bill was to allow the Secretary of the Interior to lease

a place for the construction of a hotel in the Yosemite. Such a provision was already in existence relative to other parks and this proposed to extend the right to the Yosemite Park. It was greatly desired so that a hotel could be built and put in operation in 1915 when the Panama Exposition was held in San Francisco.

Road Legislation.

Conditions were such that for many years the only approach to the park was by horseback as there were no roads but only a few trails. The first road constructed to it was in 1874. On February 5, 1892 a bill¹⁸ was introduced by Caminette which granted the Mariposa Company right of way for a wagon road from Mariposa City across the Yosemite Valley. The right of way was to be one hundred miles wide. The road was to be constructed within a period of five years or the land was to revert to the United States. President Harrison signed this act on June 15, 1892. In 1904 by a provision in an appropriation act the Secretary of the Interior was authorized to ascertain what portions of the Yosemite Park were not necessary for park purposes and to select the location for a road. From 1896 to 1916 some twenty bills were introduced in Congress for the purpose of purchasing toll roads in the Yosemite Park and for the construction of wagon roads to the park but none of them were acted upon. In 1913 a memorial from the California Legislature was sent to Congress urging it to purchase and keep up the Tioga Road so that it could be used as a public highway free to all kinds of vehicles. This road was improved by Congress. The total appropriation made by Congress for road

work between the years 1890 when the first appropriation for this purpose was made and 1912 was \$113,578.42.¹⁹

Appropriations

1890	Oct. 1 to July 1, 1898 no appropriations.	
1899	For improvement	\$4,000.00
1900	For improvement	4,000.00
1901	For protection and improvement	4,000.00
1902	Protection and improvement	4,000.00
1903	Protection and improvement	6,000.00
	Payment of expenses incurred by officer de-	
	tailed from Sequoia Park to Yosemite Park	
	for investigation.	49.25
1904	Protection and improvement	6,000.00
1905	Protection and improvement	5,400.00
	Yosemite Park Lands Commission for examin-	
	ation of conditions etc to ascertain what parts	
	not necessary for park purposes and determine	
	course proposed road to Yosemite Valley	3,000.00
1906	Protection and improvement	5,400.00
1906	Management, protection and improvement	20,000.00
1907	Protection and improvement	5,750.00
1908	Protection and improvement	30,000.00
1909	Protection and improvement	30,000.00
1910	Protection and improvement	30,000.00

1911	Protection and improvement	62,000.00
	For examination of water supply in Yose-	
	mite National Park for the city of San	
	Francisco	12,000.00
1912	Protection and improvement, construction and repair of bridges, fences and trails and improvement of roads other than toll roads.	50,000.00
1913	Protection and improvement	80,000.00
1914	Protection and improvement	125,000.00
1915	Protection and improvement	100,000.00
1916	Protection and improvement	75,000.00
1916	To cover claim of Crane Co. for water system supplies.	<u>196.80</u>
	Total-----	\$661,796.05

Chapter III
Sequoia National Park.

The Sequoia National Park contains seven townships and extends across the whole breadth of the Kaweah Basin. Its natural eastern boundary is the high Sierra, and the Northern and southern boundaries the Kings and Kern Rivers, including the sublime scenery on the headwaters of these rivers and perhaps nine tenths of the Big Trees in Existence.¹

The Big Tree (*Sequoia Gigantia*) belongs to an ancient stock. The genus was once common, flourishing in the now desolate Artic regions, in the interior of North America and in Europe. Only two species have survived, the *gigantia* and *sempervirens*. The Former is found in the western slopes of the Sierra and the latter to the Coast Mountains both in California with the exception of a few groves extending into Oregon.² The largest are about 300 feet high and 30 feet in diameter. Thousands of these trees were tens of thousands of years old when Columbus set sail from Spain. The tree for a century or two or until it is from one hundred to one hundred fifty feet high is arrowhead in form. The lower branches gradually drop as it grows older and the upper ones thinned out till it becomes dome shaped at the top. They are singularly regular and symmetrical in general form. The bark is a rich purplish brown in color. It is from one to two feet thick. Toward the end of the winter the trees bloom while the snow is from eight to ten feet on the ground. The root system forms a flat far reaching network two hundred feet or more in width, and has no tap root. The Big Tree does not attain to anything like prime size and beauty before its fifteen hundredth year

or old before three thousand. The trees are not affected by anything but accidents. All of the very old sequoias have lost their heads by lightning. John Muir explored the region in 1875.³

The creation of the Sequoia National Park was covered by two acts. On July 28, 1890 "an act⁴ to set apart a certain part of land in the state of California as a public park" was introduced into the house by Vandever of California. It provided for the reservation from sale or settlement two townships and three sections of land in the southern part of California about 30 miles from the Yosemite Valley on which were several groves of the sequoia or big trees believed to be the finest specimens of such trees in the world. Payson of Illinois said that some enterprising citizens were making efforts to secure these tracts under the land laws of the United States but the Secretary of the Interior had prevented their action. It was thought advisable to place these lands beyond the reach of speculators and preserve these immense trees for future generations, for it is a curious fact that these trees have not only attained a great age but the wood appears more enduring than almost any other and is believed will endure for generations. The Secretary of the Interior recommended the passage of this bill. It passed the House without debate. It was reported back from the Committee On Public Lands in the Senate by Plumb of Kansas on September 8 and was passed in the Senate without debate.

President Harrison signed the act on September 25, 1890. The provisions of the act were practically the same as those for the Yosemite. The remainder of the Sequoia park was reserved by Section 3 of the Act⁵ of October 1, 1890 which set aside the Yosemite and General Grant National Parks. Military protection⁶ was provided for it in 1900. The Secretary of Interior was authorized to grant rights⁷ of way over it in 1901. There were twelve bills introduced between 1904 and 1914 to purchase certain private lands in the Sequoia National Park. An appropriation act⁸ of 1914 had a provision authorizing the Secretary of the Interior to accept rights of way over patented lands within the Sequoia National Park. A provision of the appropriation act⁹ of 1916 went still farther and authorized the Secretary to accept gifts of patented lands or rights of way over the same or over other lands in the park.

Appropriations.

From September 25, 1890 to June 6, 1900 no appropriations for the park were made by Congress.

1901	Protection and improvement	\$10,000.00
1902	Protection and improvement	10,000.00
1903	Protection and improvement	10,000.00
1904	Protection and improvement	10,000.00
1904	Protection and improvement, deficiency act of March 3, 1903.	89.69
1905	Protection and improvement	10,000.00
1906	Protection and improvement	10,000.00

1907	Protection and improvement	19,000.00
1908	Protection and improvement	15,550.00
1909	Protection and improvement	15,550.00
1910	Protection and improvement	15,550.00
1911	Protection and improvement	15,550.00
1912	Protection and improvement, construction and repair of bridges, fences, trails.	15,550.00
1913	Protection and improvement, construction and repair of bridges, fences, trails, and improvement of roads other than toll roads	15,550.00
1915	Protection and improvement, construction and repair of bridges, fences, trails and improvement of roads other than toll roads including the purchase of site for ranger station not to exceed \$500 by act of Aug. 1, 1914.	15,550.00
1916	Protection and improvement, construction and repair of bridges, fences, trails and improvement of roads other than toll roads including the purchase of site for a ranger station not to exceed \$500.	<u>15,550.00</u>
	Total-----	\$210,039.69

General Grant National Park.

The General Grant National Park is a short distance northwest of the Sequoia National Park. The park is only two miles square and contains a large grove of Sequoia trees. The largest of its trees is the General Grant, said to be the largest tree in the world. It is thirty feet in diameter some distance above its craggy bulging base.¹

The park was reserved as a national park in 1890 by the same act² that reserved the Yosemite National Park. The same limitations, restrictions applied to it as to the Yosemite. In 1900 protection was provided for by an act³ of congress. In 1901 the Secretary of the Interior was given the permission to permit and regulate the rights of way over this park.⁴

Appropriations for General Grant National Park from 1890 to 1916.

1890 Oct. 1 to June 1, 1900 no appropriations were made by Congress.

1901	Improvement	\$2,500.00
1902	Protection and improvement	2,500.00
1903	Protection and improvement	2,500.00
1904	Protection and improvement	2,000.00
	For improvement in park in 1901	58.65
1905	Protection and improvement	2,000.00
1906	Protection and improvement	2,000.00
1907	Ibid	2,000.00
1908	Ibid	2,000.00

1909	Ibid	2,000.00
1910	Ibid	2,000.00
1911	Ibid	2,000.00
1912	Ibid	2,000.00
1913	Construction and improvement and construction of fences, trails and repairing and extension of roads	2,000.00
1914	Ibid	2,000.00
1915	Ibid	2,000.00
1916	Ibid	<u>2,000.00</u>
	Total-----	\$33,558.65

Chapter IV

Mount Rainier National Park.

Mount Rainier National Park is in the west central part of Washington. Its main scenic asset is Mount Rainier. During the seventies James Bryce and Professor Gettel well known german Geologist visited Mount Rainier and in a report¹ expressed the hope that this peak might be preserved by the federal government as a national park. They said they had seen nothing more beautiful in Switzerland or any other place. The movement to create this park began in 1894. In 1896 a bill was passed by the house with little opposition as Doolittle assured those who opposed taxing the people to keep this park that no appropriation would be asked for as Washington intended to make the necessary apropriations. This bill was debated in the Senate on March 3. Vest of Missouri objected to the provision in the Bill allowing railroads and tramways in the park on account of the danger from forest fires, a condition which he had fought for twenty years in regard to the Yellowstone Park. Wilson of Washington assured him that this region was not hindered by drought as it was close to Puget Sound where rainfall was 108 inches annually. He informed Vest that the Mount Rainier reserve was to be laid out square and through the portion that was not desirable, Paradise Valley, a railroad was to be run. He said it was impossible to reach the reserve except through the valley and every one should have an opportunity to go there by train. Vest withdrew his objection from the bill as he said he did not want to stop any citizen of Washington from going to heaven if he could get there through

"Paradise Valley". This bill passed the Senate but was too late in passing to receive the president's signature. A number of bills to establish this park were introduced in every session of Congress the year when it was created. The Wilson bill "to set apart a portion of the Pacific Forest Reserve to be known as Washington National Park" was introduced on December 7, 1897 and was amended in the house by Lacey of Iowa so as to allow settlers railroads owning land in the park to exchange their lands for lands outside the park and the other to change the name to Mount Rainier National Park. Both of these amendments were agreed upon and the bill² was signed by President McKinley on March 3, 1899. The act³ as passed in addition to the usual park bill provisions extended the mineral land laws to lands within the park. In 1904 a bill⁴ was introduced and considered in the Senate providing for an appropriation of \$50,000 to be kept available to be used by the Secretary of the Interior for the protection of the Park, and for the construction and repair of bridges, fences, trails and roads. No appropriations were made however till 1906.

In 1908 the further location⁵ of mining claims was prohibited in the park but the claims that had previously been acquired in good faith under the mineral laws were not affected by the act passed.

The federal government in 1916 accepted the cession of exclusive jurisdiction over the park⁵ which had been ceded by the state of Washington on March 16, 1901. The state reserved the right of process and taxing. The park was placed in the

western Washington federal judicial district. Hunting, fishing, spoliation and vandalism were prohibited and a penalty of fine and imprisonment was provided for the violation of any of the park rules. A commissioner was authorized to reside in the park who should have jurisdiction over all complaints concerning park regulations. In 1917 the Secretary of the Interior was authorized to accept patented lands or rights of way over the same in the park.⁷ This authorization also applied to the Rocky Mountain, Mesa Verde and Crater Lake parks.

Appropriations.

1899 March 2 to June 20, 1906 no appropriations were made by Congress.

1907	Protection and improvement	\$2,500.00
1908	Protection and improvement	3,000.00
1909	Protection and improvement	3,000.00
1910	Protection and improvement	3,000.00
1911	Protection and improvement	3,000.00
1912	Protection and improvement, construction of bridges, fences and trails	5,000.00
1913	Protection and improvement, construction of bridges, fences, trails and improvement of roads.	20,000.00
1914	Protection and improvement, construction of bridges, fences, and trails and im- provement of roads.	13,400.00

⁷ For survey for the extension of the pre-
sent road from a point at or about Lang-

	mire Springs eastward to the eastern boundary line of the forest reserve surrounding the park and for survey of necessary trails	\$10,000.00
1915	Protection and improvement, construction of bridges, fences and trails, and improve- ment of roads.	<u>30,000.00</u>
	Total-----	\$143,500.00

Appropriations under the War Department.

1903	Survey of most practicable route for wagon road into park and for the construction of the road.	\$10,000.00
1904	Appropriation for continuing the con- struction of the wagon road	30,000.00
1906	For continuing the wagon road construction	50,000.00
1907	For continuing the wagon road construction	50,000.00
1908	For continuation of wagon road construction	50,000.00
1909	Completion of wagon road	25,000.00
1910	Additional work upon the wagon road	<u>25,000.00</u>
	Total-----	\$240,000.00

Recapitulation

Appropriations under the Interior Department 1907

to 1916 inclusive	\$143,500.00
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Appropriations expended under the War Department -

1903 to 1910 inclusive	<u>\$240,000.00</u>
Total-----	\$383,500.00

Chapter V

Crater Lake National Park.

Crater Lake National Park is located in the heart of the Cascade Range of mountains in southern Oregon. The area of the park is 249 square miles or 159,360 acres. The main features of the park is Crater Lake which is six miles in diameter and of a depth of 4,000 feet, 2,000 feet of which is water. This lake has no outlet. It occupies the crater of an extinct volcano. The Cascade Mountains in this park merge into a broad irregular platform surmounted by volcanic cones. The cones are of different sizes and are irregular in their distribution. Each one has been an active volcano.¹ The top of the mountain has apparently been cut smoothly off. Along the sides of the mountains there seem to be an unusual variety of fauna and flora, rendering the place of great scientific value. The park is about sixty-five miles from the California Oregon boundary line.²

Crater Lake was first seen by white man in 1853 but Indians had explored this region before this time. Prospectors were the earliest explorers of the lake. Lord Maxwell and Mr. Bentley accompanied by Captain O. G. Applegate of Modoc War fame and three other men made a boat trip along its borders in 1872. Several of the prominences were named after members of the company. The first geological survey was made of Crater Lake in 1883 under the direction of Evorett Hayden and J. S Diller. In 1886 soundings of the lake were made. Dutton was the first to discover the more salient features of geological history of the lake.³

There was a movement in the latter part of the eighties to turn this region containing the Crater Lake over to the State of Oregon for a public park. Dolph of Oregon had introduced a bill⁴ into the senate to this effect on December 4, 1889. It passed the Senate but was killed in the Public Lands Committee in the house.

The first bill⁵ introduced into Congress to create Crater Lake a national park was in 1898, by Tongue of Oregon. This bill was referred to the Public Lands Committee in the house and reported back from that committee favorably but no further action was taken on it. During the first session of the Fifty-sixth Congress two bills⁶ were brought up, one in the senate and one in the house by McBride and Tongue of Oregon respectively. Both were reported back from their respective committees but then dropped. In the next Congress two more bills⁷ were introduced. The Mitchell Bill in the Senate was dropped but the Tongue House Bill was taken up in the House on April 19, 1902 and debated.

The provisions of the bill as first introduced were:

1. Boundaries were designated and a provision was made for the reservation of this land as a public park for the benefit of the people of the United States.
2. The control of the park was to be in hands of the Secretary of the Interior who was authorized to make rules for the preservation of natural objects and game in the park.
3. Trespassing was declared unlawful. Mining, lumbering or any business enterprise was pro-

hibited. Violations were made punishable by a minimum fine of \$50 and maximum of \$500 or one years imprisonment. The Secretary of the Interior was given authority to provide for the use of the park to be made by scientists excursions, and pleasure seekers. The Secretary of Interior was authorized to permit hotel and restaurant keepers to establish plans for the accommodation of visitors. 4. The marshall of United States was authorized to appoint one or more deputy marshalls to reside in the park. The park was put under the jurisdiction of the United States judicial district of Oregon. 5. All costs and expenses arising in cases under this act shall be paid as any costs in the United States Courts. 6. The Secretary of War was authorized to furnish the necessary troops upon the request of the Secretary of the Interior to protect the park.

Tongue was the chief supported of this bill in the house. He stated that the object of this bill was to withdraw this land from public settlement so as to preserve it in its present condition both for beatuy and scientific value. Tongue called attention to the fact that this same bill had been reported three times in three separate Congresses. Unanimously favored by the Committee on Public Lands and had been recommended by the Secretary of the Interior, Commissioner of the Land Office, officers of the Geological Survey and by the Biological Department and two or three other of the bureaus of the agricultural department, in fact, by all the scientific

officers of the federal government. The main discussion in the house settled around the question as to whether mining should be allowed or not. Stephens of Texas thought that the park should be opened up to the establishment of mining claims. Tongue assured him that there were no minerals in that region and if there had been it would have have been discovered as it was one of the oldest settled sections of Oregon and one of the counties where the first mines had been discovered. Shafroth of Colorado Offered the amendment to allow the developing and locating of mining claims. McRae of Arkansas objected to the amendment upon the grounds that it was unprecedented to open national parks to free mining as it carried with it the right to utilize any and all of the public timber in the park in the operation of mines which would defeat the very purpose of the park. Mondell of Wyoming objected to this amendment. The bill as finally considered was amended so as to strike out the last three sections of the bill and to allow for the location and working of mining claims. The bill was approved by President Roosevelt on May 9, 1902.⁸

Appropriations under the Interior Department.

1902 and 1903	Protection and improvement	\$2,000.00
1904	Protection and improvement	2,000.00
1905	Protection and improvement	3,000.00
1906	Protection and improvement	3,000.00
1907	Protection and improvement	3,000.00
1908	Protection and improvement	7,315.00

1909	Protection and improvement	3,000.00
1910	Protection and improvement	3,000.00
1911	Protection and improvement	3,000.00
1912	Protection and improvement	3,000.00
1913	Protection and improvement	3,000.00
1914	Protection and improvement	7,540.00
1915	Protection and improvement, repairing and extension of roads	8,040.00
1916	Protection and improvement, repairing and extension of roads.	<u>8,000.00</u>
	Total-----	\$58,895.00

Under War Department

1910	Surveying, locating, preparing plans and estimates for roads and trails in the park.	\$10,000.00
1913	Construction of wagon road and necessary bridges through park, system of tanks and water supply pipes for sprinkling.	50,000.00
1914	Continuation of the construction of a wagon road and the necessary bridges through park, with system of tanks and water supply pipes for sprinkling	75,000.00
1915	Continuation of the construction of a wagon road, the necessary bridges through park, system of tanks and water supply pipes for sprinkling	85,000.00

1916 Continuation of the construction of a wagon road and the necessary bridges through park, with system of tanks and water-supply pipes for sprinkling. 50,000.00

Total----- \$270,000.00

Recapitulation

Appropriations under Interior Department \$ 58,895.00

Appropriations under War Department 270,000.00

Total----- \$328,895.00

Chapter VI

Wind Cave National Park.

The Wind Cave National Park is located near the southern end of the Black Hills of western South Dakota. It is about twelve miles east of Hot Springs and the same distance southeast of Custer. It has an area of $16\frac{1}{2}$ square miles or 10,560 acres. The entrance to the cave is $8\frac{1}{2}$ miles north of Hot Springs which is the most convenient railway station.¹

The park contains a cavern of considerable size which has many miles of galleries branching and reticulating along the joined planes of carbonaceous limestone and numerous chambers of stalatitic and stalagmitic formations.

The secretary of the Interior in his report in 1900 recommended that this region should be set apart as a national park. Two geologists were sent out to make an investigation of the tract and they reported that this cavern was of great interest and beauty. This cavern had attracted a large number of tourists. In the summer of 1899 over 1000 visited it. A fee of one dollar had been charged for admission and guidance through the cave.²

The bill creating the Wind cave National Park was introduced by Gamble of South Dakota on June 11, 1902. It was referred to the Committee on Public Lands. It was considered favorably by that committee. On June 19 it was passed by the Senate. It was referred to the Public Lands Committee in the House on June 20 but it was not considered in the house till December 6 when it was substituted for a house bill intro-

duced by Lacey of Iowa on June 13. Lacey remarked that this tract was similar to the Yellowstone with no geysers but containing caves. The land was what the Yellowstone country would be if the geysers would die. It had been excavated by hot water in the same manner that the geyser land is now being excavated in the Yellowstone. Canon of Illinois withdrew his objections to the bill when he was assured that it did not interfere with the irrigation legislation devoting the proceeds from public lands to that fund. The bill was signed by the president on January 8, 1903.³

The park was placed under the exclusive control of the Secretary of the Interior who was authorized to prescribe rules and regulations and establish such service as he deemed necessary for the management and protection of the park. He was given discretionary power to rent or lease the cave from which the park is named, and also the parcels of ground within the park for the erection or such buildings as were necessary for the accommodation of visitors. The income of rentals and leases was to be expended for the care and improvement of the park. The act provided for the relinquishment of unperfected bona fide claims and patented lands within the park for lands outside of the park.⁴ A letter of instructions providing for selections in lieu of lands situated within the limits of the park was issued, August 14, 1905. At the time of the creation of the park there were 10 entries covering 1,519.15 acres. Five of these had been canceled by 1907.

When the park was created Sections 16 and 36 had been set aside for use as school land for the State of South Dakota by the act admitting South Dakota to the Union as a state. Negotiations were entered into with the governor of South Dakota with a view to having the state relinquish its right to such school lands and selecting in lieu thereof lands outside the limits of the park. This was accomplished.⁵

In 1913 a game preserve was established in the park for a permanent range for a herd of buffalo to be presented to the United States by the American Bison Society and for such other native American game animals as may be placed there. The Secretary of Agriculture was authorized to secure adjacent land by purchase or condemnation for the purpose of getting a permanent water supply for the stock. The game preserve was to be inclosed with a substantial fence and sheds and buildings built for the protection of the animals. An appropriation of \$26,000 was made for the purpose by the Department of Agriculture.⁶

Wind Cave National Park, South Dakota.

1904	Protection and improvement	\$2,500.00
1905	Protection and improvement	2,500.00
1906	Protection and improvement	2,500.00
1907	Protection and improvement	4,400.00
1908	Protection and improvement	2,500.00
1909	Protection and improvement	2,500.00
1910	Protection and improvement	2,500.00

1911	Protection and improvement	2,500.00
1912	Management, Improvement and protection	2,500.00
1913	No appropriation was made	
1914	Improvement and protection	2,500.00
1915	Protection and improvement	2,500.00
1916	Protection and improvement	<u>2,500.00</u>
	Total-----	\$31,900.00

Appropriations under the Department of Agriculture.

1913	For the establishment of a game preserve in the park for a permanent national range for a herd of buffalo to be presented to the United States by the American Bison Society and for such other native American game an- imals as may be placed there. The Secretary of Agriculture may secure adjacent land by purchase or condemnation as necessary for the purpose of getting a permanent water supply. Sheds and buildings may be erected for care of these animals.	\$26,000.00
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Recapitulation

Appropriations under the Interior Department from 1904 to 1916 inclusive	\$31,900.00
Appropriations under the Department of Agriculture for 1913	<u>\$26,000.00</u>
Total-----	\$57,900.00

Chapter VII

Platt National Park

The Platt National Park has a total area of 848.22 acres. It extends in irregular form a distance of approximately 3 miles from northeast to southwest along Rock and Sulphur Creeks, including the entire course of the latter and has a circuit of 9 miles. There are 33 mineral and 2 non-mineral springs in the park. Most of the mineral springs are sulphur although there are bromide soda and iron springs. The Bromide and Bromide-Sulphur springs are in the southwestern part of the park, Beach and Pavilion in the Northwestern and the Wilson Springs in the southern part. The Antelope and Buffalo springs, non-mineral in character are situated at the extreme northeastern and upper end of the park at an elevation of 1,083 feet above sea level, and discharge 5,000,000 gallons daily which is the entire flow of Sulphur Creek.¹

Reservation of Sulphur Springs

The Legislative history of the Platt National Park began with the introduction into Congress of an "act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes and Indians and for other purposes." This bill contained a section which provided for the cession by the Choctaw and Chickasaw Indian tribes of a tract of land, 640 acres in

extent in the vicinity of Sulphur, Oklahoma to the United States Government. This land was to be selected by the Secretary of the Interior and maintained as a national park.

Mr. Curtis of Kansas introduced this bill on March 29, 1902. It was reported back from the committee on Indian Affairs and debated in the house on the 17th. The bill passed the house on the next day. It was brought up for debate in the senate on the 23rd and 24th. Bailey of Texas offered an amendment to strike out the provision in regard to Sulphur Springs. He objected to it on the grounds that he did not think the government ought to become the "keeper of bath houses and the dispenser of mineral water."

Platt of Connecticut approved of the provision relative to the Sulphur Springs as he thought that this was the best method of preserving these springs for the benefit of the public. The amendment of Bailey's however, was concurred in and the bill was passed by the Senate. Stewart of Nevada then made a motion that the Senate request a conference committee with the house of representatives on the bill and its amendments. The motion was adopted and Stewart, Platt and Jones of Arkansas were appointed conferees of the Senate. On June 25th the house disagreed to the senate amendments and asked for a conference. Curtis, Lacey and Little were appointed. Stewart presented the conference report to the Senate on June 27. It provided for restoring the matter which was stricken out by the Bailey amendment. It also provided by adding at the end a proviso that the government of the United

States shall not be expected to bear any expense upon the land except as provided for in the act. It was the intention of the government to convey these lands to the territory or state organization in the future. The report was agreed upon by both houses of Congress and was signed by President Roosevelt on July 1, 1902.²

Section 64 of this bill³ authorized the Secretary of the Interior to select within four months after the ratification of this agreement all the natural springs about Sulphur and the creeks adjacent that were necessary for the utilization and control of the waters of these springs. These ceded lands were to be under the exclusive control of the United States. No part of this reservation could be plotted or disposed of for town site purposes during the existence of the two tribal governments. The Indian tribes were paid twenty dollars per acre for the land. All improvements upon the land at the time for the agreement were to be appraised by the Secretary of the Interior and paid for by Treasury warrants. The Sulphur Springs Reservation was placed under the Jurisdiction of the United States Court for the southern district of the Indian Territory.

Enlargement of Park.

The reservation was increased in size in 1904 by an act⁴ which authorized the Secretary of the Interior to add to the original Sulphur Springs reservation some 200 acres. Sixty dollars an acre was paid for this land. All money received from any privilege granted within the park was to be used for its improvement. A punishment of not more than one

hundred dollars or less than five dollars fine was provided for a violation of the rules and regulations prescribed by the Secretary of the Interior.

When Oklahoma was admitted as a state to the Union⁵ in 1906 federal jurisdiction over the Sulphur Springs Reservation was granted to the United States government. The state reserved the right of process.

In 1906 two resolutions were introduced into Congress to change the name of the Sulphur Springs Reservation to the Platt National Park. Sperry of Connecticut introduced one⁶ in the house on June 25, 1906 and Brandegee⁷ of Connecticut one in the senate on June 23. The Brandegee Resolution authorized the Secretary of the Interior to change the name of Sulphur Springs Reservation to "Platt National Park" in honor of Orville Hitchcock Platt, twenty six years a senator from Connecticut and for many years a member of the Committee on Indian Affairs in recognition of his distinguished services to the Indians and to his country. The resolution⁸ was passed without debate by both houses and signed by President Roosevelt on June 29, 1906.

No appropriation was made for the care of the park for a number of years and much trespassing prevailed as a result. As many as 5,550 head of stock were removed in five months during the summer of 1907. In 1912 two thousand head of cattle were driven through the park in changing them from one pasture to another, or for getting them to available watering places, or for shipment to market.⁹

The topography of the country around Sulphur Springs was such that the drainage and sewage from the city of Sulphur fell into Rock Creek in the Park and at times during floods the waters of the creeks would rise, overflow the banks and completely cover the adjacent mineral springs contaminating the springs. The city of Sulphur had requested surveys to be made to provide a sanitary sewer system in the park. The approximate cost of such a sewer system was estimated at \$30,000. As the city of Sulphur would be benefited by the improvement in the park it was decided that it should bear half of the expense of constructing the sewer system and such an estimate was presented to Congress.¹⁰

Green, superintendent of the park in 1909 had written letters¹¹ to the Interior Department in which he told of the unsanitary conditions in the park due to the lack of a sanitary sewer in Sulphur. He said this park was the playground of Sulphur and of the visitors but an account of the unsanitary conditions it could not be populated as it should be. Charles Emanuel¹², mayor of Sulphur in 1909 said that the city was without funds and he called upon the Interior Department to relieve the situation in justice to the health of the community and to the large number of people who visited the park. A resolution¹³ of the mayor and council of Sulphur was sent to the Secretary of the Interior urging the installation of a proper sewerage system in order to keep the park as a health and pleasure resort, and to keep infectious diseases from occurring.

A resolution was drawn up by the Chamber of Commerce of Sulphur on January 25, 1911 which made a strong appeal to Congress to maintain this park for several reasons: 1. The park had been acquired by the government from the Choctaw and Chickasaw Indian Tribes with the provision that it kept and maintained as a national park forever for the use of all the people. If the government abandoned it it would revert back to the Indian tribes and they would dispose of it which would destroy its usefulness as a health and pleasure resort. 2. The people of Sulphur gave up their holdings on this land and if the park were abandoned by the government it would be a violation of this agreement. 3. Abandonment of the park would be a dishonor to Senator Platt for whom it was dedicated. A resolution had been drawn up by the State of Oklahoma in 1910 that embodied the same appeal but it had not been presented to Congress. The people of Oklahoma wanted this park improved because it was a memorial to the Indian race and for fear that it would fall into the hands of speculators. Congressman Ferris of Oklahoma did not think the government ought to want to abandon it in 1912 when it had created it in 1902 and then had enlarged it in 1904. He stated during the discussion on the sundry civil appropriation bill of 1912 that Oklahoma was proud of the park and during the years 1910-1911 thirty thousand people had visited it. He said Oklahoma did not get any appropriation for rivers and harbors and thought it ought to appropriate the required

amount for improvement of the park. He said Oklahoma was very poor as it had more than one third Indians whose ¹⁴ lands were not taxable.

In the act¹⁵ making appropriations for the current and contingent expenses of the Bureau of Indian Affairs approved August 24, 1912 provision was made for the appropriation of \$17,500 for the construction of a sanitary sewer system in the park. The amount was to be available when a like amount was appropriated by the town of Sulphur for the same purpose. As soon as the town of Sulphur made this appropriation the Secretary of the Interior was to direct the expenditure of all the money to be used on the park.

Appropriations.

1902 to 1910 no appropriations for the park were made by Congress.

1909 to 1910 appropriations of \$16,000 for certain specified improvements out of park-revenue fund. This was ineffective as the revenue-fund balance was only sufficient to carry a reduced force of employees for the proper protection of the park.

1911	Care and maintenance	\$5,000.00
1912	Maintenance, bridging, roads, trails	10,000.00
1913	Maintenance, bridging, roads, trails.	8,000.00
1913	Construction of sanitary sewer (contingent on city of Sulphur, Okla.)	17,500.00
1914	Maintenance, bridging, roads, trails.	8,000.00
1915	Maintenance, bridging, roads, trails.	8,000.00

1916	Maintenance, bridging, roads, trails	\$8,000.00
	To cover the cost of repairing damage	
	to bridges, roads, trails, buildings.	<u>10,000.00</u>
	Total-----	\$90,000.00

Chapter VIII

Sully's Hill National Park.

The Sully's Hill National Park is located on the south shore of Devil's Lake, North Dakota. It has about two miles of shore line and its western boundary is one mile from the Fort Totten Indian School. This tract is well wooded. It contains many rugged hills, among which is Sully's Hill on the western boundary. Sweet Water Lake is in the southwestern part of the park.¹

The Sully's Hill National Park was created by a section of a bill "an act to modify and amend an agreement with the Indians of the Devil's Lake reservation in North Dakota which was introduced into the house by Marshall of North Dakota on January 26, 1904.² The provision in the bill relative to the Sully's Hill National Park authorized the president to reserve a tract of land in the northeastern part of North Dakota embracing Sully's Hill which comprised about 960 acres as a public park "more particularly for the use of the Devil's Lake Indians".³ This amendment was agreed upon by the house and the bill was passed by that body on February 4, 1904. The act⁴ was approved by President Roosevelt on April 27, 1904.

President Roosevelt opened up this land acquired from the Devil's Lake Indians to settlement June 2, 1904 in pursuance of the authority given him by the preceding act of Congress of that year.⁵ The tract comprising the Sully's Hill Park was reserved from settlement.

Little attention was given this park after its creation. No appropriations were made for it prior to June 30, 1913. In 1914 an appropriation of \$500 was made to examine the lands to see if they contained any valuable minerals.⁶ The appropriations bill of June 30, 1914 appropriated \$5,000 for the purpose of establishing the game preserve in the park.⁷ The act authorized the Secretary of Agriculture to build fences to enclose the park and to build sheds for the protection of animals and birds in the park. The park was to be stocked with buffaloes, elk, deer and birds which the Secretary of Agriculture wanted to put in it. A suitable headquarters was to be established for the superintendent and roads and trails were to be constructed so as to make it convenient for visitors. Appropriations were made in 1915 and 1916, for improving the game preserve in the park.⁸

Appropriations for Sully's Hill National Park.

Under the Interior Department.

1904 June 2 to 1913 June 30 no appropriations were made by Congress.

1914 Appropriation was made so that the land in the Sully's Hill Park could be examined for the

purpose of seeing whether it contained any valuable
minerals. \$500.00

Under the Department of Agriculture.

1915	Improvement of the game preserve in the park.	\$5,000.00
1916	For the improvement of the game preserve and for the construction of fences, sheds buildings, corrals, roads, etc.	<u>5,000.00</u>
	Total-----	\$10,000.00

Recapitulation.

Appropriations under the Interior Department	\$ 500.00
Appropriations under the Agricultural Department	<u>10,000.00</u>
Total-----	\$10,500.00

Chapter IX

Mesa Verde National Park.

The Mesa Verde National Park is located in southwestern Colorado. It contains the remains of cliff dwellings of the prehistoric civilization of our south west. The builders of Mesa Verde's prehistoric dwellings were of the Pueblo type. This region was discovered by two herdsmen, Ruhard and Alfred Wetherill who were hunting for lost cattle on a December day in 1888. From the edge of a canyon they saw what they took to be a city with towers and walls under the overreaching cliffs of the opposite side. This place was explored later by them and called Cliff Palace. It was a village of 200 living rooms and 22 kivas or sacred rooms for worship. Sometime later they found another community dwelling which they called "Spruce Tree" house. These names have been preserved to the present day. This city is considered to be the oldest civic center scheme in America. It had been in existence 5 or 6 centuries ago.¹

The movement for securing this tract of land so that it could be set aside as a national park began in 1903.² Patterson of Colorado introduced an amendment into the Senate to an Indian appropriation bill proposing that Congress should appropriate \$500 to enable the Secretary of the Interior to negotiate with the Weeminuchi Ute Indians for relinquishment to their claim on the Mesa Verde. This appropriation was provided in the Indian Appropriation Act of March 3, 1903. On December of this year a bill³ was introduced into the Senate by Shafroth of Colorado to create the Colorado Cliff Dwellings National Park. It

did not receive any consideration. Hogg of Colorado introduced a similar bill⁴ in 1905. In this same year a bill was introduced by Patterson of Colorado which provided for allowing for mining claims within the park. It was given up and the house bill introduced by Hogg substituted for it. This bill passed Congress and was signed by President Roosevelt on June 29, 1906. This bill⁵ provided that the Secretary of the Interior should have the custodianship of all the prehistoric ruins on the Indian lands within five miles of the boundaries of the park. It gave the Secretary the authority to grant permits to persons to examine, excavate and gather objects of all the prehistoric ruins on the park provided that it was done for scientific and educational purposes. No provision was made for granting leases within the park.

A number of bills were introduced between the years 1906 and 1910 to amend the original Mesa Verde Park Bill so as to allow for the granting of leases. A Senate Bill No . 1751 was considered in the Senate on March 15, 1910 which provided for giving the Secretary of Interior the right to lease land both in the park and on the five mile strip. Secretary of Interior Ballinger recommended the bill⁶ in so far as it applied to the Mesa Verde Park but he did not approve of the granting of leases in the five mile strip for the reason that these public lands should not be leased in the same manner as park lands. This five mile strip included 50,000 acres of entered, patented, and granted land and 45,000 acres of land of the Southern Ute Indian Reservation. He advised that the lands in the Southern Ute Reservation which contained a large number of prehistoric ruins that ought to be protected and cared

for should be added to the park. He said the Indians favored the exchange of these lands for lands located in the southeast corner of the Montezuma National Forest. The bill passed the Senate and was amended so as to provide for the granting of leases by the Secretary of Interior to persons to mine coal in a portion of the park and to provide for the using of this money received from the leases in the improvement of the park and the five miles wide strip. The bill was considered in the house on April 13. Mann of Illinois objected to the money being used for park purposes. Parker of New Jersey contended that the park people would be more careful about leases if the money for leases went into their hands for the improvement of the park but he did not approve of leasing. He thought it was a dangerous practice to give friends leases of coal lands in the park when Congress was proposing that no leases for coal lands should be made except under general statute. The bill passed the house and was sent to President Taft and was vetoed by him on April 28.

A provision⁷ of the appropriation act for 1910 gave the Secretary of Interior the authority to grant leases with the conditions that the leases would not include any ruins or any lands that would make any of the ruins or any lands that made the ruins inaccessible to the general public.

An agreement was made with the Indians at Navajo Springs Agency by Mr. Abbot and Mr. McLaughlin for the purchase of the land from the Southern Ute Indians on May 10, 1911. The United States government secured the "Balcony House" and most of the

important ruins of the five mile strip region. By this agreement 14,526 acres of the Indian lands were ceded by the Indians to the United States in exchange for 30,240 acres of park lands which would become a part of their reservation⁸. A bill⁹ providing for the ratification of this agreement with the Wiminuchi band of Southern Ute Indians was brought up by Curtis of Kansas on March 8, 1912. The bill provided for the extinguishing of the jurisdiction of the Interior department over the prehistoric ruins known as the five mile strip. The Secretary of the Interior recommended the passage of the bill. It was reported back from the house committee on January 28, 1913 but dropped. An Indian Appropriation act¹⁰ of June 30, 1913 provided for the confirmation of this agreement with the Indians and provided for the repeal of the section of the act of June 29, 1906 which gave the Secretary of Interior jurisdiction over the five mile strip.

Appropriations.

1908	Protection and improvement	\$7,500.00
1909	Protection and improvement	7,500.00
1910	Protection and improvement	7,500.00
1911	Protection and improvement, including \$12,500 reserved within appropriation for constructive of main wagon road.	20,000.00
	For examination and leasing etc. of coal lands in the park.	2,000.00

1912	Protection and improvement	7,500.00
1913	Protection and improvement	15,000.00
1914	Protection and improvement	10,000.00
1915	Protection and improvement	10,000.00
1916	Protection and improvement	<u>10,000.00</u>
	Total-----	\$97,000.00

Chapter X
Glacier National Park.

The Glacier National Park is south of the international boundary line in the northern part of Montana. It contains about 1400 square miles with equal areas on the east and west slopes of the main ridge of the Rocky Mountains. There are a large number of Glaciers in the park, sixteen of which are living ones. These are the only ones found on this side of Alaska. There are many lakes and streams in the park. Waters flow from this area to the Hudson Bay, Gulf of Mexico and Pacific Ocean. Mount Cleveland which reaches an elevation of 10,434 feet above sea level is the highest peak. There is practically no agricultural land and no mineral bearing formations of any significance or commercial value within its exterior limits. Mountain goats, sheep, black bears, deer, elk, and moose and a large variety of birds are found there. The old ptarmigan still lives on these remnants of glaciers. Two lakes, are in this park, Marys and McDonald are of unmatched beauty.¹ This park is accessible from the great Northern Railroad.

Little is known of the earlier history of the Glacier National Park Region. Perhaps the first account of it is the story told by old Hugh Monroe of the visit long ago, of a missionary priest to the Lower St. Mary Lake. In the maps sent back to President Jefferson by Lewis and Clark in 1804 a mountain is indicated at the location of Chief Mountain which was called King Mountain, meaning Chief of Mountains. There

are two early records of the general region one by A. W. Tinkham who approached it from the west side in 1853. On May of 1854 Doty who was accompanying Governor I. I. Stevens on his exploring trip in charge of a railroad survey along the forty-seventh parallel entered this region which is now the park. Doty made a report of his exploration.

In 1882 Professor Raphael Pumpelly tried to cross the main chain of the Rocky Mountains by the Cut Bank Pass but on account of the depth of the snow turned back. In 1883 he succeeded in crossing and discovered the glacier which is a part of the ice flow from Blackfoot Mountain which is now called Pumpelly Glacier. Stiles, a well-known newspaper writer between 1870 and 1890 and W. R. Logan who had been long in the service of the Indian bureau and the first superintendent of the Glacier Park were in the company of Professor Pumpelly. Professor Pumpelly, a scientist and nature lover had described the park region as "the grandest scenery in the United States." A few prospectors by this time were washing for gold along the lower reaches of Swift Current and Kennedy Creeks and on the St. Mary River.

George Bird Grinnell of New York went there on a hunting trip in 1885. These mountains had always been a hunting ground for the Indians. Game was plentiful in these mountains. Mr. Grinnell from the year 1870 had freely given his time money, scientific and literary attainments and talents to the cause of the preservation of the forests, the wild life of the country and above all to the welfare of the Indians in the West.

He discovered the Grinnell Glacier. From 1887 on he returned to this region each summer and autumn for a number of years, devoting his time to hunting and climbing, exploring and the study of the Blackfeet Indians. In 1891 he discovered and named the Blackfeet Glacier, the largest ice mass in the park.²

This region was one of great precipitation and so long as its forests were preserved would be a storage reservoir of great value. It occurred to Grinnell to have this region set aside as a national park. He suggested that the government should buy the St. Mary region and turn it into a national reservation which was the first concrete shape of a project for the Glacier National Park. The proposal was elaborated in his article Crown of the Continent published in the Century Magazine. The Great Northern Railroad was being built through the country and it was believed that its builders could be persuaded to see the material advantages in backing the project. The conservation of water supply, forests and game were not familiar truths at this time.

In 1891 and 1892 indications of copper were found in the foothills of this territory. The country being an Indian Reservation prospecting was illegal. Appeals were made to Congress to purchase the mountains and foothills region from the Indians and throw it open to settlement. The result of this agitation was the passing of the act by Congress authorizing the purchase of the land from the Blackfeet Indians and in

1895 the Secretary of the Interior appointed Grinnell who was named at the request of the Blackfeet Indians themselves, and also W. C. Pollock and W. M. Clements to treat with the Blackfeet Indians. The purchase was made and the action of the Commission was confirmed by Congress in June 1896. The land was thrown open for settlement in April 1898. There was a great incursion of miners into this area. Minerals were not found and in 1902 almost all of the prospectors had abandoned the region. When the mining excitement ceased Grinnell recognized that the time was propitious to advance his plan to establish the region as a national park.³ He suggested the plan to Senator Carter of Montana and urged some of Carter's friends to appeal to the senator for the same purpose. On December 11, 1907 Carter introduced a bill⁴ in the Senate which was referred to the Committee on Public Lands but was reported back on May 1, 1908 adversely and it was indefinitely postponed. On February 24 he introduced another bill⁵ "to create the Glacier National Park" into the Senate. This bill was debated on May 15 and was amended so as to provide for the exclusion of all surveyed lands and all mining claims made before January 1, 1908 from the tract. Any settler on such excluded lands was to have the right of ingress and egress. Another amendment put the park under the exclusive control of the Secretary of Agriculture. The Secretary of Agriculture was given authority to grant leases of parcels of land not exceeding ten acres to one person or company for a period of not longer than twenty years. He was allowed to sell down or dead timber.

The use of water for the generation of power was permitted for not exceeding fifty years. The Secretary could grant a right of way for the construction of a railroad along Flathead River within the park. This bill passed the Senate but was then dropped.

The bill⁶ that created the Glacier National Park was introduced by Carter of Montana June 26, 1909. The bill was reported from the Committee with an amendment to insert at the end of the bill a proviso to authorize the Secretary of the Interior to grant a right of way for the construction of railroads under the provisions of the acts of Congress authorizing and permitting the construction of railroads on and across the public lands within the limits of the forest reservations to any person or corporation who may desire to construct such railroads along the Flathead River or any of its tributaries within the boundaries of the Glacier Park. The amendment was agreed to. Several railroads had been surveyed up the North Fork of the Flathead River west of the park for the purpose of gaining access to the coal fields in British Columbia. This river constituted the only gateway through the mountains from the north. A railroad already occupies the valley of the Middle Fork south of the park. The railroads were not to enter the park any farther than necessary to evade large cliffs and natural obstacles. Heyburn of Idaho thought that the existing rights of the railroad company should be recognized to construct on either side of the river as a part of the valley lay on east and part on the west. He advocated

having a record of the recognition of the existing rights of the railroad companies in construction of this track.

Penrose of Pennsylvania considered the section especially adapted for a park as it is unfit for cultivation or habitation and did not have any mineral resources. Bacon of Georgia approved of giving it to the state of Montana to be created as a state park so as not to be of such an annual expense to the government. Carter of Montana contended that the National parks of the United States are two few in number for the pleasure and accommodation of the people of the United States. He thought that the construction of wagon roads would not be necessary as it is so rugged that horse trails would be sufficient thus saving the expense of building roads. As the Canadian Government had reserved the land contiguous to the north of this park with a view to providing a refuge for wild game in the region the United States it was thought should protect the mountain sheep and goats in the region in the United States. Dixon offered an amendment providing for the granting of a right of way throughout the valleys of the north and middle forks of the Flathead River for steam or electric railways under the laws applicable to the acquisition of such rights upon the unappropriated public domain of the United States and to allow the United States Reclamation Service to enter upon and utilize for flowage or other purposes any area within said park which may be necessary for the development and maintenance of a government reclamation project. Dixon explained that the purpose of the bill is to protect the

surveys of the Chicago, Milwaukee and Puget Sound Railroad and the Great Northern which had filed their plats of the definite line of their routes. These two routes crossed the Flathead River probably one half dozen times. This was the only route into Canada from the United States for about 200 miles. The government of Ottawa had reserved an area about one half as large as that proposed by the United States north of the park. Chamberlain of Oregon offered an amendment providing that no lands in the proposed park claimed by any railroad company or corporation then having or claiming right of indemnity selection by virtue of any law or contract whatsoever should be used as a basis for indemnity selection in any state or territory for any loss sustained by the reason of the creation of the said park. Chamberlain remarked that the purpose of the bill was to keep any railroad company or corporation having lands in the park from using the lands lost to it as a basis for selection elsewhere. Dixon said that this amendment was unnecessary as the Northern Pacific Railroad the only one in Montana which had a land grant was one hundred miles distant from the park at the nearest point. The amendment was agreed to and the bill was passed by the Senate. This was the second time a bill had passed the Senate but the house was slightly interested in the measure and at length L. W. Hill who had visited the region became an enthusiastic partisan of the bill. He urged its passage on account of the possibilities for public benefit as well as the important material advantages to the Great Northern Railroad. Congressman Pray supported the bill. He said that he had received letters and petitions

from all over the country urging the passing of the bill. The house amended the Senate bill by striking out 3 provisions (1) The allowing of rights of way to be acquired through the valleys of the north and middle forks of the Flathead River for steam or electric railways. (2) the provision authorizing the United States Reclamation Service to use lands for reclamation projects and (3) the provision that prohibited the exchange of lands within the park for those outside. The Senate voted to nonconcur to the House amendments and a conference Committee of the two houses was appointed. The house after it had received more information agreed to recede from its amendments to the Senate bill. The bill⁶ was approved by President Taft on May 11, 1910.

Little appropriation was made for the improvement of the park. The Great Northern Railroad through the efforts of Mr. L. W. Hill stepped into the gap and expended many thousands of dollars building safe and good roads to the lakes as well as camping places for tourists which later grew into attractive hotels. Much of the earlier developments of the park was due to L. W. Hill.⁷ In 1911 provision⁸ was made that the revenues of the park could be used for the administration and improvement of the park.

Authorization for the acceptance of rights of way over patented lands in the Glacier Park was provided in 1914⁹ and again repeated in 1915¹⁰ and 1916¹¹.

A bill¹² approved by President Taft on February 12, 1912 provided for the sale of 160 acres of land near Midvale Montana to L. W. Hill for hotel purposes. Midvale was the rail-

road terminus to the Glacier National Park. The land was to be sold from the Blackfeet Indian Reservation. The proceeds were to be deposited in the treasury to be used for the benefit of the Blackfeet tribe of Indians at the discretion of the Secretary of the Interior. The purpose of the bill was to build a hotel at Midvale so as to provide accommodations for visitors. Few visitors would get off at Midvale as there were only a depot and section house there at this time.

From the time the park was created till 1914 seven bills were introduced to accept the cession by Montana of exclusive jurisdiction over the park. The Meyers Bill introduced into the Senate on July 17, 1912 was amended so as to provide for a park commissioner with jurisdiction over the park who should reside in the exterior limits of the park at a place designated by the court making such appointment. He was to receive a salary of fifteen hundred dollars per year. The bill was passed by the Senate but failed to be passed by the House.

¹⁴ Exclusive jurisdiction was accepted by the United States government on August 22, 1914. Rights of process and taxation were reserved to state of Montana. The park was placed in the western district of Montana. Hunting, fishing and spoliation were prohibited in the park and penalties prescribed for the same. Provision was made for the appointment of a commissioner for the park.

In 1915 an act was passed which authorized the Great Northern Railroad Company to revise the location of its right of way. The grant was subject to the limitations contained in the act of 1875 which was amended in 1899.

Appropriations

1911	For improvement of Glacier National Park including the construction and repair of roads and trails	\$15,000.00
1912	For administration and improvement, con- struction of roads, bridges, telephone lines and the repair of roads, trails and bridges.	69,200.00
1913	For administration and improvement, con- struction of roads, bridges, telephone lines and repair of roads, trails and bridges	75,000.00
1914	For administration and improvement, con- struction and repair of roads, bridges and telephone lines.	100,000.00
1915	Same purposes as for 1914	75,000.00
1916	For same purposes as for the preceding year.	<u>75,000.00</u>
	Total-----	\$409,200.00

Chapter XI

Rocky Mountain National Park.

The Rocky Mountain National Park includes the famous Long's Peak, Grand Lake and Estes Park. For over 40 years Estes Park had been familiar to travelers and tourists. Kit Carson went there in 1840. The first house in the region was built by Joel Estes in 1860. Lord Raven, an English peer was one of the first to enter Estes Park and he was so entranced by the beauties of the scenery and the presence of wild game that he undertook to establish himself there permanently. He obtained 10,000 acres of land including the greater part of the park with the idea of establishing an immense game preserve and incidentally of entering the cattle business on a great scale. His interest in this park is shown from his account in his book The Great Divide and a chapter is devoted to this park in his Canadian Nights. Isabella L. Bird, an English writer visited this park in 1873 after a visit to the tropical islands of the Pacific Ocean and she has written an account of it in A Lady's Life in the Rockies. She said she had never seen any scenery to equal that in Estes Park.

The entire region is equal in grandeur to the Swiss Alps. There are nearly 200 lakes and a dozen snow capped peaks. The timber line in this proposed park is about 11,500 feet. There are many kinds of wild animals including mountain sheep, grizzly bears, black and brown bears, deer and beavers. There are about three thousand varieties of wild flowers in the park.¹

The movement for establishing this natural park began in 1912. Two bills² were introduced into Congress by Thomas and Rucker of Colorado in 1912 and in 1913 two more bills³ were in-

troduced by the same men. The Colorado Legislature sent a memorial to Congress which was introduced by Thomas⁴ on February 11, 1913. It urged Congress to pass an act creating the Rocky Mountain National Park within the boundary as provided by Marshall, Chief geographer who had been sent out by Secretary of the Interior Fisher to examine the country proposed to be included in the park. Nothing was done about establishing the park during this session as a few individuals were trying to include a large part of four counties and embracing some 800,000 acres of land. Much of the land was mineral and a considerable portion patented or privately owned land. After a large amount of correspondence had been carried on by the Agricultural and Interior Departments and after business men's organizations, chambers of commerce, enterprising citizens of Denver, Boulder and Grant Counties, the Denver Chamber of Commerce and the Real Estate Exchange, had been induced to hold meetings and the report of Marshall had been made an agreement was made between the Interior and Agriculture Departments and the above mentioned participants of the project. The provisions of a bill were drawn up and duplicate copies were presented in the house and senate by Taylor and Thomas respectively. These bills were referred to the Interior and Agricultural Departments and investigations took place for 15 months. More conferences took place and by further investigation and correspondence it was determined to eliminate further lands and reduce the size of the park to about one third of its contemplated dimensions. The bill was again rewritten

and reintroduced in the Senate by Thomas on June 29, 1914 as bill S. No. 6007 and a few days later as bill S. 6309 and again introduced in the house by Taylor of Colorado on July 2, 1914. These bills were again referred to the two departments.⁵

Much detail work was put upon this bill of creating the Rocky Mountain Park during the last three years. The Secretaries of the Interior and Agricultural were both in favor of it. Secretary Lane in the report of January 9, 1915 said that he favored the creation of this park as it embraced unsurpassed mountain scenery and a most salubrious climate and was accessible to the great centers of population in the eastern United States. The bill was supported by the Colorado Legislature and both political parties of the state. Many organizations over the country including the National Federation of Women's Clubs, Daughters of the American Revolution and hundreds of recreation and outing organizations recommended the passing of the bill. The people of Colorado were especially anxious to have this park created at this time on account of the European war and the Panama-Pacific Exposition at San Francisco bringing the tourist travel to the western part of the United States. Secretary Lane wanted it to receive the benefits of the tourist travel that had formerly gone to Europe.⁶

The bill was taken up in the Senate and amended so as to provide for the exchange of private owned lands in the park for those outside. It passed the senate on October 8, 1914.

It was considered in the house on January 18, 1915. Taylor of Colorado was a strong support~~e~~ of this bill as he thought the creation of this park would be a milestone in the development of Colorado and worth many millions of dollars to Colorado and many times that sum to the nation. Mann of Illinois believed the most valuable purpose for which a country like this could be used was for the preservation of its scenery. Kent of California wanted this area dedicated as a national park instead of being left as a forest reserve so that the animal life would be free from molestation and the question of timber cutting for utilitarian purposes would be eliminated. Johnson of Washington remarked that the bill was the only one that was going through Congress on "greased skids." He said that according to the report of the committee it was stated that there was no opposition to the bill which was not the case. He stated that in a letter of the Forest Range Settlers League dated December 8, there were a number of arguments against the bill. He mentioned that he had personally received a number of letters from citizens of Colorado that were opposed to the measure. He opposed the bill for the reasons that it would cut the forest reserve in two, increase the number of Federal employees, add nothing to the great natural scenic beauty, make the locality more accessible but would give the tourists an opportunity to pay more and would develop the schemes of real estate speculators and hotel men who had already secured available hotel sites without the proposed park. He feared these men would charge extreme

prices and would not be subject to the regulations governing national parks. Campbell of Kansas, Seldomridge of Colorado, Ferris of Oklahoma, Lenroot of Wisconsin, Slayden of Texas were others who approved the bill. Shirley of Kentucky did not approve of an annual appropriation of \$10,000. He opposed the provision requiring that all the funds derived from concessions, privileges or other sources should be expended in the park. Taylor offered an amendment to strike out this provision which was agreed upon and the bill was passed and approved by the president on January 26, 1915.⁷

Appropriations.

1915	For protection and improvement	\$3,000.00
1916	For protection and improvement	<u>8,000.00</u>
	Total-----	\$11,000.00

Chapter XII

The Lassen National Park.

The Lassen Volcanic National Park is in northeastern California. It contains within its boundaries the only active volcano in the continental United States. The park has an area of 124 square miles. Ten years before the establishment of the park two of the cones considered the best examples of recent volcanism, Lassen Peak and Cinder Cone were set aside by President Taft as the Lassen Peak and Cinder Cone monuments. These were included in the Lassen Park.

Lassen Peak located at the southern end of the Cascades where these mountains join the Sierra Nevada is the only active volcano in the United States exclusive of Alaska and Hawaii. The greatest physical changes that has occurred on the earth's surface in recent centuries have been within this park area. The mild renewal of eruptive activity on Lassen peak in 1914 and 1915 attracted the attention of the scientific world as well as that of travelers. Lassen Peak is 10,460 feet in altitude, Cinder Cone, 6,907 feet, Prospect Peak 9,200 feet and Harkness Peak 9,000 feet. There are some smaller volcanic peaks and fantastic lava beds both ancient and modern, fumaroles, hot springs, mud volcanoes and boiling springs. The cones which are easily climbed have remained almost perfect. The west front of the park exhibits a magnificent skyline culminating on the north in pink toned lava crags which rise to a height of over 8,500 feet above sea level, and over 3,300 feet above the older lava flows upon which they rest. The central cone of the crags rises to a height of two-thirds of a mile above the crater, and at its base is approx-

imately one mile in diameter.

The Cinder Cone is unusually beautiful on account of its fantastic lava beds and multicolored volcanic ejecta. It is bare of vegetation leaves the impression of having been formed recently but by a study of the growth rings of the older forest trees near the edge of the lava beds it is thought to have been in eruption about 1771. Cinder Cone is nearly all of a reddish, dark brown or cinder slate color. At its east base are the chromatic dunes, colorful heaps of volcanic ash.¹

For a period of 200 years Lassen Peak was quiet. In 1914 it started a series of small eruptions. The greatest of these were on the night of May 19 and the afternoon of May 22, 1915. A mushroom-shaped cloud was hurled to a height of about four miles above the summit of the mountain and afforded a magnificent spectacle from the view of Sacramento Valley.² At night flashes of light from the mountain summit, flying rocket-like bodies, and cloud glows over the crater reflecting the light from incandescent lavas below were seen by many observers from various points of view. Today Lassen Peak may be classed between semi-active and active. This park region has become known to the public through the writings of Dr. Diller of the United States Geological Survey.

Besides the volcanic peaks this park contains other features of scenic interest, the Warner Canyon, Los Molinos Canyon and many beautiful lakes. One of the most important features is the beautiful game preserve. The park is accessible from the Southern Pacific and Western Pacific.³

In 1912 a bill to create this region into a national park was referred to the department of the Interior. A report was made by the acting secretary Thompson on February 23 favoring its creation. On April 7, 1913 a house bill No. 52 "to establish the Lassen National Park" was introduced by Raker of California. The bill was considered favorably by the Public Lands Committee but was not acted upon as too many other bills had the right of way over it. During the time these park bills were pending in Congress the citizens of Northern California were busy constructing roads and trails to assist the government in making this park accessible from the towns and cities of the Sacramento Valley. The people of California urged the creation of this park as it would add another beauty spot or playground for the people of America as well as the people from abroad who visit America. It would provide an opportunity for thousands of California citizens to go to the mountains for vacations. Recommendations and resolutions from citizens of California were sent to Congress urging the passage of the park bill. The Lassen Highway Association adopted a resolution heartily approving the bill and urging its incorporation into a law.⁴

On December 6, 1915 Raker introduced a bill in the house which was identical to the bill brought up by him in 1913. This bill embodied the provisions which were common to the acts creating the national parks. This bill was recommended by Franklin Lane, Secretary of the Interior. The bill was passed by both houses and signed by President Wilson on August 3, 1916.⁵

Chapter XIII.

Hawaii National Park.

The Hawaii National Park includes the summits of three volcanoes, Haleakala on the Island of Maui, Mauna Loa and Kilauea on the island of Hawaii. The Haleakala Volcano on the Island of Maui has been inactive for centuries. This volcano is of more than ten thousand feet in height. It has a large crater at its summit that is one of the world's show places. This crater is seven and one-half miles long by two and one-third miles wide. Its surrounding walls rise two thousand feet in height. Its broad sandy floor is covered with plants called silver swords, yucca-like plants from three to four feet high. Thirteen volcanic cones rise from this floor within the lava rim to a height of several hundreds of feet. The reason this crater was left in all its beauty' was because side vents drained the fires from below.

Mauna Loa on the Hawaii Island is the greatest of living volcanoes. Mauna Loa is 13,675 feet in height. Its slopes are covered with ancient mahogany and tangles of giant tree fern at the lower part and lava at the upper part. Its summit crater Hokuaweo is three-quarters of a mile long by a quarter mile wide. It has erupted frequently for many decades. Every five or ten years it gets into action with violence sometimes at the summit but since the central vent has lengthened in recent years at the sides. It has been studied very systematically.

Kilauea is also on the Island of Hawaii. Its crater of fire furnishes the most spectacular exhibit of the park. This volcano was said by Prof. Jagger and other scientists to be the

most active and the most continuous volcano in the world. It is a boiling, gurgling sea of lava that can be seen there at any time of day or night.¹

The Hawaii National Park was created² in 1916. Two bills for the purpose of creating it were introduced in 1915 by Kalaianoale, a delegate from Hawaii and Warren. No action was taken upon either of them. In 1916 another bill was introduced by Kalanianoale which was taken up and debated in the House on April 17, 1916. Ferris of Oklahoma remarked that Prof. Jaeger, a scientist from Boston had conducted an investigation upon the brink of the Kilauea volcano and thought it was of unusual interest. The Secretary of the Interior approved the bill. The bill was amended by Shafrroth of Colorado in the Senate by striking out the provision in regard to the limitation of \$10,000 appropriation for the development of the park. The house refused to agree to the Senate amendment and a conference committee was appointed. The conference left the limitation provision in the bill and the bill³ was signed by President Wilson on July 31.

Chapter XIV

National Military Parks.

Chickamauga and Chattanooga National Parks.

The Chickamauga and Chattanooga National Military Park which was created in 1890 lies within the two states Tennessee and Georgia. It embraces the battlefield of Chickamauga. The boundaries were authorized by Congress and ratified by the 2 mentioned states. This park contains an area of about 15 square miles. Orchard Knob an area of about seven and one half acres was at first the strongest point of the Confederate lines through the center of the plain around Chattanooga is included in the park. It was used as Grant's and Thomas's headquarters during the battle of Missionary Ridge. Other points of interest in the park are Bragg's headquarters on Missionary Ridge, the ground of Sherman's assault and of Hardee's defense at the north end of Missionary ridge, a portion of land north of Missionary Ridge which commands a view of this central slopes of the ridge which the Army of the Cumberland assaulted. Sites for monuments and enough of Lookout Mountain to illustrate Hooker's bold assault upon the stronghold and Walthalls brilliant defense were purchased by Congress.¹

The government purchased the roads along the missionary Ridge and over Lookout Mountain in the park and the roads leading to and from the field. These approaches were substantially constructed. About 45 miles were completed by 1895. The municipal and county authorities at Chattanooga improved the main avenues from the city to their junctions with the park roads. They granted permission for erecting monuments, markers and historical tablets at convenient places in and around the city.

The practical result of this liberal action by Chattanooga was a practical incorporation of the whole city itself in the park. The city and the adjoining lands were part of the great battlefields. The central drive along Missionary Ridge was practically completed by 1890.²

The battlefields within or along the approaches are Chickamauga, Wauhatchie, Orchard Knob, Lookout Mountain, Missionary Ridge and Ringgold, one of the park approaches. These battles lasted eight days. The purpose of this park project was to preserve and restore the accurate history of these famous fields and to reveal the prowess of the American soldier in battle.³

Congress appropriated \$725,000 for the development of this park during years 1890-95. The states made appropriations of \$400,000 to pay for monuments and the commissions looking after the work.⁴ Twenty five states including Southern States had commissions working to aid the national commission in locating the fighting lines of the troops. Equal care was given to the marking of Union and Confederate lines. Historical tablets for armies, wings, corps, divisions, brigades and batteries. The names of the commanders of each organization and an account of the movements at all points were given on these tablets. Field batteries were restored on each side where they were engaged. Siege pieces were put on Lookout Mountain and at several points around Chattanooga. Three observation towers were stationed on Chickamauga Field and two on the Missionary Ridge. The tactical movements of the battles can be followed to the minutest details from these towers.⁵

The national Dedication was authorized by an act of Congress. The dedication was to take place during September 1895 under the direction of the Secretary of War Hon. Daniel S. Lamont. It was unprecedented in history. Representatives of all three departments of the government with Governors of all the states with their staffs, the Lieutenant General of the Army, Admiral of the Navy and all veterans of the Union and Confederate forces were invited. The state monuments were to be dedicated and the reunion of the Society of the Army of the Cumberland were to occur at this time. The ceremonies continued a week and the meetings were addressed by the most prominent public men of the nation and by noted veterans of the opposing armies.

In 1895 a bill was introduced by Grosvenor of Ohio "to allow the regular army and national guard to use the Chickamauga National Park for military maneuvers". This bill was considered in the house on March 4, 1896. The amendments of the committee were read. They changed the wording of the bill to read that in order to obtain practical benefits of great value to the United States from the establishment of National Military parks, all these parks instead of just Chickamauga Park and the approaches were to be used as a national field for military practices for the Regular Army and national guard. The Secretary was given discretionary power to open the parks for such practices and to prescribe regulations for its use. Grosvenor said the laws organizing these military parks had made no provision except for the preservation and adornment of them. Cannon of Illinois asked if there was a movement to take the Park for use of the army once a year for practice.

Hall remarked that the expense of the park would not be increased but just give ten square miles of the finest field for drill. Bartlett of New York asked to have the word "militia" substituted for "National guard", as he said that in seventeen states that word "national guard" was not used. Grosvenor replied that the word "national guard" covered all the troops recognized under the laws of the United States and the militia re recognized as belonging to the National Guard. The bill was passed by the House on March 5 and referred to the Senate Committee. It was considered in the Senate on May 11. Hawley explained that there was a disposition upon the part of the National Guard or militia of several states to go there to drill and that no money would be required by the bill except such as the Secretary of War would make within the limits of the appropriations for purposes of assembling troops from time to time. The bill passed the Senate and received the president's approval⁶ on May 14, 1896. This park was used by the United States government to train the Spanish American war troops.

A bill to prevent trespassing upon the Chickamauga and Chattanooga National Park was considered and debated in the house on February 1, 1897. The committee on Military Affairs recommended that the bill be amended by striking out "Chickamauga and Chattanooga" and substituting "any national parks". Section four of the bill was also eliminated. Cox said that it seemed to afford the guardian of the parks the power to arrest and it did not confine him to the inside of the park. Hall

asserted that the passage of the bill was necessary to preserve the parks. Terry of Arkansas thought the minimum punishment for hunting was too high. He said some fellow with an old flint lock musket might stray into the park to hunt and be fined fifty dollars which was too much. He offered the amendment to eliminate the "fifty dollar fine" as the minimum and leave it to the discretion of the court and to put the maximum fine at one thousand dollars. The amendments of the committee and Terry were agreed to and the bill was passed by the house. The Senate could not agree to pass the house bill and a conference of both houses was appointed. The conference agreed that in place of the matter stricken out the following matter should be substituted. "Any person to whom land lying within any national park may have been leased who refuses to give up the possession of the same after the termination of the lease or any person retaining possession of the land lying within the boundary of the said park who have received money for them after the possession of these lands has been demanded by the United States by any park commission or park superintendent shall be considered trespassing and the United States can bring action in the court for the recovery of these lands." A provision was made that this act should only apply to military parks. The conference report was adopted by both houses and the bill⁷ was approved by President McKinley on March 3, 1897.

A bill⁸ to allow the Chattanooga and Rapid Transit Company to cross the Dry Valley Road to the Chickamauga and

Chattanooga Park was passed May 7, 1893. It provided that the Secretary of War should at his discretion grant to the Chickamauga and Chattanooga Rapid Transit Company a right of way for a single track across the Dry Valley Road upon the recommendation of the park commissioners. The park commissioners were to approve the right of way and no change was to be permitted except with their consent. The Company was to agree to keep the crossing over the road in good condition.

On February 18, 1910 a bill "to amend the act establishing the Chickamauga and Chattanooga National Military Park" was considered in the Senate. The bill was amended so as to provide that the park would be under the charge of three commissioners who had participated in one of the battles about Chickamauga or Chattanooga. One was to act as secretary and one as chairman of the commission. Their salaries were to be three hundred dollars per month. The office of the commission was to be removed to Chattanooga from Washington. Mann of Illinois thought that the commission should be cut down to one member and the salary to two hundred dollars. The Secretary of War supported the bill. Kiefer said that the reason that the office had been located at Washington was because General Boynton lived there and had transacted the principal part of the business then. He said there was no need for it at Washington now. Taft signed this bill⁹ on April 11, 1910.

A joint resolution "to create a commission on the selection of permanent military maneuver grounds at Chickamauga and Chattanooga National Military Park" was passed by Congress and approved by President Taft on February 25, 1911. It provided

that the president of the United States should appoint a commission consisting of five army officers to investigate the conditions at the Chickamauga Park and advise whether a maneuvering ground and camp for inspection should be stationed there. The commission were to consider the advantages or disadvantages of the land contiguous to the park and report as to the number of acres of land that it was necessary to purchase and the probable cost of the same. The commission was to file their report in the War Department. The commissioners were to serve without pay but their traveling and living expenses were paid.

Antietam National Military Park.

Antietam National Military Park is in Washington in the northwestern part of Maryland. It contains an area of about forty acres.¹ It was created by a provision of an appropriation act² passed August 30, 1890. It provided that the lines of battle of the Army of the Potomac and the Army of Northern Virginia should be located and marked. Fifteen thousand dollars were appropriated for marking the position of each of the forty three different commands of the Regular Army engaged in the battle of Antietam and for the purchase of sites for tablets for the marking of such positions. The park was placed under the care and supervision of the Secretary of War. The lands comprising it were acquired under Congressional acts passed in the years 1892³, 1895⁴ and 1896⁵ respectively for the purpose of marking the lines of battle upon the battlefield of Antietam.

Shiloh National Military Park.

Shiloh National Military Park is situated in Hardin County near the Tennessee River. It contains an approximate area of 3,546 acres. The bill to create the Shiloh National Military Park was introduced by Henderson of Iowa on March 30, 1894. It was reported back from the Committee on Military Affairs to which it had been referred on December 4 by Outhwaite of Ohio. On the same day it was considered in the Committee of the Whole in the House. The bill provided that the park was to be established for the purpose of preserving the battleground on which the army of the southwest fought one of its chief battles. The boundary lines of the park were definitely marked out. The park was placed under the control of the Secretary of War who was authorized to make agreements in regard to leasing. He was to appoint a commission who had charge of the construction etc. Any state having soldiers in the battle were allowed to enter the park to mark out lines of battle with the permission of the Secretary of War. A punishment by fine was provided for destruction to the objects of the park. Henderson stated that the purpose of the bill was to provide for the establishment of a park on the field where the battle of shiloh or Pittsburg Landing was fought so as to represent the western soldiers. The price of the land to be bought was ten dollars an acre. Amendments were made by the Committee and Stockdale offered an amendment providing that no discrimination should be shown against states as to the manner of designating lines, but any grant made to any state by the Secretary of War was to be used

by any state. The bill passed the house and was referred to the Senate Committee and December 6. It was reported back from that Committee by State of Tennessee on December 13 with a report.

The report stated that the amount to be appropriated was \$150,000 to make a national park out of the land that was unsightly upon which one of the most important and deadly battles of the Civil War was fought. It was considered necessary to mark the lines of both the Federal and Confederate armies in order to understand the field indefinitely. The bill proposed to leave the matter under the control of three commissioners, one of whom had served under General U. S. Grant in the Army of Tennessee one in the army of the Ohio under Buell, and one under General A. S. Johnson in the Army of the Mississippi. Men from twenty-one states had engaged in that battle. The total number engaged was between 90,000 and 100,000. About twenty-five per cent of the armies was disabled. Tennessee was to grant jurisdiction over this park to the United States, and the Secretary of War was authorized if necessary to proceed under the general laws of condemnation to secure title to this land. Those holding lands in this tract were given the privilege to lease their land at a nominal rent and to remain on the grounds if they would keep it in good condition. The park is eight miles from Savannah. The purpose of the bill was to restore the body of the park in the same condition so far as possible as it was at the time of the battle. Each state was to mark the lines of the troops after the plan of Chickamauga. The only expense to the United States

was to be for marking the positions of the regular regiments and batteries only eight in number. Some of the most noted generals were present on the field. The field was to preserve to the nation for historical military study the best efforts of the commanding officers on both sides. The bill passed the Senate on December 19, 1894. Senator Cockerall of Missouri considered it as an opening wedge to make every battlefield a national park and to create an enormous expenditure. The bill¹ was approved by the president on December 24, 1894.

Since the Shiloh Military Park has been established many bills have been introduced for various purposes, to extend the limits of the park, to provide for road construction and to amend the original park bill. Eight bills to extend the limits of the park were introduced before 1914 but none of them were considered. Six memorials from the Legislature of Wisconsin were presented to pass the bill extending the limits of the park. Thirteen bills to provide for a road to Shiloh National Military Park were introduced during the years 1895 and 1914. Sims of Tennessee introduced eleven of these. Several bills were introduced to allow the Corinth and Shiloh Electric Railroad Company to construct electric railways through the park. On June 21, 1906 a bill² for this purpose was passed. The bill provided that the Secretary of War should grant a license to the Corinth and Electric Railroad Company to construct tracks through the park. The company was to enter an agreement with the Secretary of War that it would keep up the tracks and roadbeds in a good condition.

Gettysburg National Military Park.

The Gettysburg National Military Park is situated near the town of Gettysburg in Adams County in southern Pennsylvania. It contains an approximate area of 2,302 acres. It embraces the most prominent portions of the lands upon which the battle of Gettysburg was fought July 1, 2 and 3, 1863.¹

Steps had been taken to preserve the site and mark the positions occupied by Union troops during the battle since 1873. Acts in the following years were passed for this purpose, 1873², 1880³, 1887⁴, 1888⁵, 1889⁶, 1893⁷, a resolution 1894⁸ and an act⁹ in the same year, Acts of 1895¹⁰ and 1896.¹¹

The first bill to establish Gettysburg National Military Park was introduced by Hawley of Pennsylvania in 1892 as an act¹² "to appropriate marks and preserve the Battle of Gettysburg." Bingham of Pennsylvania introduced another bill¹³ in 1894 for the establishment of this park. In the next session of Congress Sickles of New York introduced a bill¹⁴ on December 6, 1894 to create the Gettysburg Park. It went to the House Committee on Military Affairs and twelve days later the House reported a substitute in its place. The legislature of Pennsylvania favored the park and sent a resolution to Congress urging the passage of the bill before that body. Quay of Pennsylvania presented a petition on December 22, 1895 from the Association of the Survivors of the 82 Regiment of Pennsylvania Volunteers requesting the enactment of legislation making Gettysburg battlefield a national military park. The bill was passed February 8, 1895.

The roads of the Gettysburg Park were not in a good condition in 1896 and Hawley introduced a bill¹⁵ on March 12 for improving the public roads in the park. The bill as amended by

the Senate provided that the Secretary of War is authorized and directed to acquire lands in the vicinity of Gettysburg which would not exceed in area the parcels of land that were occupied by troops on July 1, 2 and 3 of 1863 and other adjacent lands to maintain the topographical features of the battlefield and in his discretion to maintain and improve the public roads within the park. Nothing contained in this act was to interfere with the rights acquired by any state or by any military organization to the ground on which its monuments or markers were placed nor the right of way to the same. Curtis of New York explained the purpose of bill in the House. He said that Congress had granted different states the right to put up monuments on various parts of the field. These monuments were not to be encroached upon by this bill. The bill was signed by the president on June 10, 1896.¹⁶

Numerous bills were introduced in the following session of Congress for the purpose of buying additional lands and improving the conditions of the roads in the park which matters were taken up in the general appropriations acts.

Vicksburg National Military Park.

The Vicksburg National Military Park in Mississippi was created for the purpose of preserving the history of the battles and operations of the siege and defense on the ground where they were fought. It has an approximate area of 1,324.21 acres consisting of a strip three and one half miles by one half mile in width. The lines run in a south and southwesterly direction to the Mississippi River. Twelve states participated

in the seige. It was contended that Vicksburg and Gettysburg from their Historical association and point of influence were inseparable. Negotiations for the capitulations of the one was going on while the other was being fought. The armed strife of both were practically terminated upon the same day. Four of the great battles of the Civil War had already been preserved by their creation into military parks and it was deemed appropriate to set aside this park.¹

Twelve states had appealed to Congress to have Vicksburg created a national park. Both the Grand Army of the Republic and the United Confederate Veterans Association wanted it established as a national park.²

Catchings of Mississippi introduced a bill for the purpose of creating this park on January 10, 1896 but it was never considered any farther than the committee. He introduced another bill for the same purpose on December 9, 1897 which was passed without opposition by both houses of Congress and signed by President McKinley on February 20, 1899.³ The office of the Commissioners was to be in either Vicksburg or the park.

Appropriations of sixty-five thousand dollars was made in 1900⁴ and one hundred thousand in 1901⁵ for carrying out the work of developing this park.

On June 29, 1911 Williams of Mississippi introduced a bill into the Senate for the purpose of providing for the construction of a Confederate Naval Monument at Vicksburg National Military Park. It was debated on July 18, 1911. The bill aroused considerable feeling among the members of Congress. This bill appropriated fifty thousand dollars for a memorial which was

not to cost more than one hundred twenty five thousand dollars commemorative of services of the Confederate Navy on the Mississippi River and its tributaries during the Civil War. Two hundred thousand had been appropriated for the Union side. The reasons given for wanting the bill taken up at that time and passed was that there was a movement at that time to have a great national reunion of the Blue and the Gray at the semi-centennial of the surrender of Vicksburg on July 4, 1913 and Major Rigby, chairman of the Vicksburg National Military park Commission and the other park commissioners wanted the memorial for both sides completed by that time. Cummins of Iowa thought it was a prudent policy to perpetuate the memory of the events of the Civil War. He did not think it mattered about whether the justice of the cause of one side or the other. He stated that the government had invited the several states to erect monuments to both sides to their soldiery in the Civil War in these national military parks and since the government had already appropriated money for the erection of a monument to signify the valor of the United States navy it ought to appropriate a less sum for the Confederate monument. Williams offered an amendment to strike out the word "service" and substitute the words "commemorative of the courage and constancy of the Confederate Navy". Dixon of Montana felt that the taking of an appropriation from the Federal Treasury to perpetuate by federal law the acts of those who sought to destroy the very government from which the appropriation is taken would be an act of disrespect to the one half million Federal soldiers still

living in 1911. He contended that the establishment of a Confederate monument at Vicksburg Park would be an opening wedge for the establishment of such monuments at all of the national military parks. Works of California gave his reason for urging the passing of the bill as it would be a means of bringing the people of the north and south together. Heyburn of Idaho said that it would be intolerable for Congress to incorporate in an act an appropriation of money to commemorate the deeds of attempted destruction o" the Union. He said that the newspapers were evidently in favor of the legislation. He thought that the fact that men are silent in regard to the cause of Union had been the chief cause that brought on the War of Rebellion. He asserted that the war had cost the nation the lives of millions of men on both sides, millions of dollars, four years of domestic business stagnation and four years of lost opportunity, and now the government sees fit to celebrate this condition by picturing in marble and bronze those that were responsible for it. It was thought be some Congressmen to be poor patriotism and Americanism for any one to try to arouse the feeling of animosity between the north and south. The Civil War to their thinking did not begin with the year 1861 but was fought out sixty years in every form since the Republic was born. Martin of Virginia corrected a statement of Dixon of Montana, in which Dixon had said thrt Pickett's Division was composed of North Carolina troops. Dixon was not satisfied till he had made the statement that North Carolinian troops did the most fighting in the Civil War. He backed up his statement

with a quotation from a book Deaths in the Confederate Army. Martin refused to debate the question with him but assured him that North Carolina did her part. Williams of Mississippi contended that there should be no bitterness between the sections. He urged the passing of the bill since it had been prepared by the Park Commission, a majority of whom were ex-Federal soldiers and was approved by the War Department. He said it was not just a request by the South as the impression had gone out. This bill was passed by the Senate but then dropped.

This legislation was desired before the celebration of the fiftieth anniversary of the siege of Vicksburg was to be held on October 16, 17, 18 and 19 in 1917. This celebration was to be participated in by both Union and Confederate soldiers and it was to be held under the auspices of the National Association of Vicksburg Veterans which had been organized in Chicago, Illinois on August 9, 1913.

Lincoln Nation Park.

The Lincoln National Park comprises the birthplace of Abraham Lincoln. It is about two and three fourths miles from Hodgenville, Kentucky. The farm is one hundred thirty-seven acres in size. A magnificent marble memorial hall has been erected to inclose the cabin in which Abraham was born. There is a substantial residence on the farm which is occupied by the superintendent. Some eight or ten years before its creation as a national park a number of citizens of Kentucky and others scattered over the United States formed an association for the purchase of the farm in which Lincoln was born. This association cleared the farm from underbrush and built a beautiful memorial hall around the log cabin and endowed the farm with a fund sufficient to maintain it. They felt that they had fulfilled their undertaking and desired to turn it over to the nation to be preserved for all future generations.¹ The conveyance² of the property was made to the United States on April 11, 1916 although a bill to accept the gift of the Lincoln homestead from the Lincoln Farm Association had been introduced into Congress by Johnson of Kentucky as early as 1914.

During the first session of the Sixty-fourth Congress two bills for the acceptance of the Lincoln Homestead from the Lincoln Farm Association was introduced by Borah³ of Idaho and Johnson⁴ of Kentucky. The Johnson Bill was taken up in debate on the House on April 5, 1916. McKinley of Illinois

read a report of the committee which stated that the purpose of the bill was to authorize the United States to accept as a gift the farm and log cabin and also the endowment fund made up of \$44,000 City of Louisville, Kentucky four and one half per cent bonds and \$2,000 of three per cent bonds. The market value of the bonds in 1916 made the bonds worth \$50,000. The income from the endowment fund of the property was \$2,000 annually which made it self-sustaining. The report recommended the passage of the bill. The debate on this bill was not a debate of pros and cons relative to the bill but a free expression from all the Congressmen of sentiment in honor of Abraham Lincoln. Fess of Ohio said that history usually dealt with Lincoln as the war president and the preservation of the union as his crowning glory but this proposition gave an opportunity to dwell upon the childhood, the poverty-stricken family, the place where he spent the first seven years of his life. This contribution by this proposition makes it possible that the nation itself might preserve the beginnings of the life of America's greatest citizen. It will connect his greatness as he left us with the simple beginning of his life and will help refresh the future generations with the inspiration of American opportunity. Clark of Florida thought that the fact that this bill was introduced by Johnson of Kentucky a son of the man who raised the first Confederate flag that fluttered the breezes of Kentucky showed that we are a United people and all wanting to do honor to Abraham Lincoln. Eagle

of Texas said that although he had lived in the south where he shared the sentiments with the southern people toward the heroes of the "lost cause" he thought the common sentiment of the south toward Lincoln was one of admiration and sympathy. Rainey of Illinois remarked that since the long journey that Lincoln undertook, when he left his Kentucky farm ended at New Salem, Illinois, he would like to see the two places connected by the good highway sometime in the future. He compared the careers of Lincoln and Douglas who spent the formative years of their lives twenty miles apart in the State of Illinois. He expressed the hope that some day we can honor Douglas in this country without detracting anything from the position Lincoln occupies and must always occupy. Crisp of Georgia read an article of Judge Cobb of Georgia eulogizing Lincoln and expressed the regret of the southern people that Lincoln did not live to carry out his policy of reconstruction. Cannon of Illinois remarked about Lincoln's wonderful ability to undergo trials. He said of all men in his judgment there was no man in the United States who was so well equipped from his early life to be president as Abraham Lincoln. Sherwood of Ohio thought that this would be a Mecca where all the children of the nation can gather and take courage in the story of a man born in a rude log cabin who learned to read books at night in the silent woods by the light of a pine knot and who became the leading figure as one of the greatest epochs of all history. Smith of Minnesota, Hicks of New York, Russell of

Missouri, Sloan of Nebraska and Switzer of Ohio all dwelt upon the humbleness of Lincoln's birth and the inspiration which it would give to the youth of the country to preserve his birthplace for that purpose. Barkeley of Kentucky thought it was appropriate to accept this gift at that time since it was the one hundredth anniversary of the removal of Lincoln from Kentucky to Indiana. Clark offered two amendments to change the word "state" in Section three of the bill and substitute "war" and to put the park under the war department. The amendments were agreed to and the bill was passed by both houses without debate and signed⁵ by President Wilson on July 17, 1916.

Chapter XV

Evolution of the National Park Service.

General Park Legislation.

General park legislation began in 1905. An act¹ was passed that year which provided that all persons employed in the national park service of the United States could arrest anyone found guilty of violating any national park regulation. The case was to be tried by the United States commissioner in whose district the arrest was made.

In 1906 an act² for the preservation of American antiquities was introduced by Patterson of Colorado on February 26 and without debate was passed by both houses and approved³ by President Roosevelt on June 8. It provided for a penalty of a fine of \$500 and 90 days imprisonment for the destruction of a historic or prehistoric ruin or monument. The president was given discretionary power to declare by proclamation historic landmarks, historic and prehistoric structures. The Secretaries of Agriculture and Interior was given authority to grant permits for the examination of ruins for educational and scientific purposes. The Secretaries of the two departments were authorized to make uniform rules and regulations to be published from time to time.

An act was passed in 1909 which provided for the codification, revision and amending of the penal laws of the United States. It provided that the cutting, causing to be cut or removal of any timber from the public domain was considered as timber depredations and a punishment of a one thousand dollar

fine or one years imprisonment was provided. A fine of one thousand dollars or one years imprisonment was also provided by the failure upon the part of any one to extinguish a fire at or near a public forest. A fine of five hundred dollars or years imprisonment was provided for the breaking of fences or the driving of stock upon the public lands of the United States. The destruction or changing of United States survey marks and the injury or obstruction of telegraph lines were punished by fines or prison sentences.

The appropriation act of 1911 provided that the Secretary of the Interior should include a statement of receipts and expenditures of each park after his estimate of appropriations necessary for each of the national parks. The appropriaition act the next year set a limit of one thousand as the amount to be expended for the construction of buildings in the parks. The Assistant Secretary of the Interior was given charge of park administration in 1913. In 1914 a general park superintendent and Landscape Engineer were appointed whose duty it was to supervise all park superintendents. In 1916 the Secretary of Interior was given power to employ a General Superintendent in the District of Columbia and field. The office of the General Superintendent was moved to Washington. The same year provision was made for the appointment of not more than four assistants to the General Superintendent.

National Park Conferences.

The first national park conference was held at the Yellowstone National Park in 1911. Secretary Fisher of the Interior

Department was the leader in calling this meeting and served as the chairman. Superintendents of the National Parks and all government officers having any relation to the nations playgrounds, the various concessionaires operating in the parks, principal officials of railroads that reach the parks and the president of the American Civic Association were representatives at this convention.

There was both free and open discussion. The various weaknesses of the administration of the parks was noted. At this period in the history of the development of the national park system no official in any department was definitely charged with the control and management of the 6,000,000 acres of land set aside for pleasure or scientific interest, no uniform policy of improvement or of control of concessions existed, and the funds for the improvement and maintenance were incidental and pitifully meager. Under the shifting army superintendents, engineering and policing there was no secure continuity of administration.

The persons attending this conference concluded that the Federal Park Bureau was necessary. Sec. Bellinger Fisher's predecessor had offered a bill during the Sixtieth Congress creating such a department. The railroad officials attending this conference expressed their willingness to lower rates to the parks so that more people could enjoy the beauties of the parks.¹

The Yosemite National Park Conference was held October 14, 15 and 16 of 1912. The superintendents of the National parks, officials from the Interior Department who handle park matters and representatives of concessioners of the transportation com-

panies tributary to the parks and representatives of independent organizations that have been interested in the problems of park administration were present at the conference. The purpose of the Conference was to consider all the questions that arise in the administration of the parks in order that the department might be able to make such changes in the regulation and to foster such development as would be best for the public welfare. Its discussion consisted of the subject regarding the advisability of admitting automobiles to the national parks.²

The third national park conference was held at Berkeley, California from March 11 to 13th, 1915. National park problems were discussed by officers of the government and others interested in park administration. The main thing accomplished by this as well as the two preceding park conferences was to get people to thinking about a better system of park administration.³

The fourth park conference was held at Washington D. C. on January 2 to 6, 1917. This conference was in large part a celebration over the establishment of the national park service created in 1916. Addresses were given by prominent men praising the establishment of the National Park service act as a tribute to Congress.⁴

National Park Service Act, 1916.

The movement to establish a national park bureau began about 1910 when Secretary Ballinger recommended the creation of a national park bureau in his annual report of that year. A bill for that purpose was introduced into Congress in 1911.

The presidents and secretaries of the Interior Department had been enthusiastic for such a bureau for several years before this although no definite action had been taken. President Taft in his message to Congress on February 2, 1912 recommended the establishment of a bureau¹ of national parks in order to insure the proper management of those wondrous manifestations of nature so beautiful that every one recognized the obligation of the government to preserve them for the edification and re-creation of all the people. He said that the first step in that direction was the establishment of a responsible bureau for supervising the parks. President Taft delivered an address soon afterwards on the subject. In this he said that the principle upon which governments were run was economy but a modern government to be what it ought to be must spend money. Utility involves expense. He said that the United States had set aside a number of areas that ought to be national parks but are only monuments. He said that it was the custom of the government to put everything that it did not know how to classify into the Department of Interior, the "lumber room" of the government. This was the situation in regard to the national parks. He said that if we are going to have national parks we ought to make them available to the people. He said "It is a proper expense, a necessary expense. Let us have the bureau." Secretary Fisher² made several appeals to Congress for suitable recognition and development of the national parks and for the establishment of a park service. He remarked that there was no consistent theory of legislation in regard to the national parks. While some of them follow the general lines of pre-

vious statutes there are wide variations in the statutory authority under which the parks are carried on to-day. The same thing was true with regard to appropriations which Congress made for the park. The importance and the political pressure which a particular park possessed brought to it an appropriation larger than those which were given to another. It would seem that no argument was needed to convince one that the one thing that we needed at that time for the efficiency of administration and economy in expenditure was to get the parks together under some division or bureau where they could receive the benefit of a central staff. A central organization was necessary where expert talent and men who could devote their time to the matters not merely with regard to one park but all the parks when the question arose. Horace McFarland³, president of the American Civic Association, which did so much to create the national park service, said "So I hold that in safeguarding and stimulating the essential virtue of patriotism the beauty of the American park stands forth as most of all worth while." The primary function of national forests is to supply lumber, and the primary function of the national parks is to maintain in healthful efficiency the lives of the people who must use that lumber. The forests are the nations reserve wood lots, the parks are the nations reserve for the maintenance of individual patriotism and Federal solidarity. On another occasion McFarland also stated that the value of the great scenic possessions was being increasingly recognized the world over. He said that its value was known to have a great influence upon the development of that best citizenship without which a country was poor indeed.

The American Civic Association, the National Park Conferences, the Canadian Argument, Secretary Lane's reforms, Secretary Fisher's recommendations and President Taft's recommendations were influential factors in the establishment of the national park service. Seventeen bills to create a national park service were introduced between the years 1911 and 1915.

The bill⁴ that created the national park service was passed August 25, 1916. The act provided for the establishment of the National Park Service as the ninth bureau in the Interior Department. It was put under the charge of the Director appointed by the Secretary of Interior. Four assistants were allowed for the assistance in carrying on the work of the service. Not more than \$3,100 was to be expended for the salaries of the officials. The purpose of the service as defined in this bill was "to promote and regulate the use of federal areas (national parks) and to carry out the purpose of the park laws to preserve scenery, natural and historic laws and wild life for benefit of future generations. The Director was given authority to supervise, manage and control the several national parks and monuments under the Interior Department. The Secretary of Agriculture and Director were to cooperate on the management and supervision of monuments contiguous to national forests. The Secretary of the Interior was authorized to make rules and regulations in regard to the parks. Grazing permits were allowed in the parks when such use was not detrimental to the parks with the exception that it was not allowed in the Yellowstone National Park. The National Park Service began to operate after an appropriation was made for it in 1917.

Conclusion.

The primary reasons for creating national parks have been to preserve natural scenery for aesthetic and economic purpose, to provide places for popular recreation and to preserve places of historic interest, but the controlling reason seems to have been that people wanted parks and meant to have them. The public spirited men who have lead in this park movement have desired to preserve for the coming generations of Americans beautiful scenery so that they may see what America was like even though it is in samples. Under private ownership land of historic and scenic value was never safe from injury for private advantage. Much destruction of natural conditions has taken place in order that the earth may support its populations. Scenery to some was not considered of any importance but was looked at as material for millions of roofing shingles, yellow newspapers, tons of fuel, cement or tin cans. The universal love of nature study has been a part of the impulse for parks. Excursions to these parks have increased yearly. As the city population increased more the city parks become less adequate to their needs and as traveling facilities increased, it was found that parks further afield were getting out of the luxury class and into that of necessities. Stephen Mather, director of the National Park Service in replying to criticisms at a National Park Conference in Des Moines in 1913 said that national parks were mostly used, not by millionaires in limousines but by men who brought their families in flivvers and camped out.

It is impossible to measure the educational value of a park. Its influence permeates a community in subtle ways. Horace McFarland says that parks "deplete the population of hospitals, reformatories, sanitariums, and penitentiaries," a result of which all the other uses of the parks contribute in some measure.

From the creation of the Yellowstone National Park which was the direct result of the conception of the National Park idea till the National Park service was established fourteen national parks were created. The history of parks during this period is almost altogether a history of individual rather than group development. New parks were created from time to time and became thereupon so many new individual problems rather than parts of a general problem. No legislation of any importance applying to the park system was enacted during this period except the act for the preservation of American antiquities. Each of the national parks had problems that were also problems in other parks, questions of road constructions, bridge construction, care and maintenance of roads bridges, trails and concessions with regard to hotels, transportation, photography and other matters of that kind. They all raised questions that were similar in different parks and yet there was no way of coordinating these matters and bringing to bear for the benefit of all other parks the experience of any particular park or the successes or failures of the particular park superintendents and other officials. There was no department of the Interior as a section or division charged with the

administration of the park system to everything else. A person wanting information concerning national parks in Washington at this time had to pass around three offices. The Patents and Miscellaneous Division in the office of the Secretary of Interior, already occupied with an abundance of other duties gave such attention to the parks as time could be found for them. Each park was in a sense a law in itself and the parks were more of a conglomeration than a system during this period. The establishment of the National Park Service relieved this situation and provided for unification and coordination in the park system.

Reference Notes.

Introduction.

- 1 Americana Vol. 4 p 298
- 2 Caparn, State Parks, National Municipal League 261
Broadway, New York p. 1.
- 3 Review of Reviews Vol. 26, pp. 458-460, 1902.
- 4 Caparn p. 1.
- 5 Chittenden, Yellowstone National Park, Cincinnati,
Stewart and Kidd Co. 1915, p. 74.
Chapter 1, Yellowstone National Park.

Chapter 1, Yellowstone National Park.

- 1 Chittenden--Yellowstone National Park, Cincinnati, Stewart and Kidd Co. 1916 p. 21.
- 2 Ibid p. 23.
3. Ibid p. 31
- 4 Hebard and Brininstool. Bozeman Trail, Cleveland, Arthur Clark Co. 1922 p. 211.
- 5 Ibid p. 212
- 6 Chittenden p 49
- 7 Ibid p. 50
- 8 Sen. Ex. Doc. No 77 40th Congress 1st Session p. 10
- 9 Chittenden p. 53.
- 10 Ibid p. 61
- 11 Ibid p. 62
- 12 Ibid p. 64
- 13 Ibid p. 69
- 14 Sen. Ex. Doc 51. 41 Cong. 3rd Session p. 1.
- 15 Chittenden p. 71.
- 16 Ibid p. 71.
- 17 Ibid p. 75
- 18 Com. Rec. 42nd Cong. 2nd Session p. 520.
19. Cong. Rec. 42nd Cong. 2nd Session p. 520.
20. Cong. Rec. 42nd Cong. 2nd Session p. 696.
21. Cong. Rec. 42nd Cong. 2nd Session p.
22. Chittenden p. 77.
- 23 17 Stat L. p. 32, 33.

- 24 Secretary of Interior Laws and Regulations relating to
Yellowstone Park. Washington Govt. Printing Office 1924
p. 7-14.
- 25 House Ex. Doc. No. 75 45th Cong. 2nd Session p. 6-8.
26. 17 St. L. p. 33.
27. Chittenden p. 110.
- 28 Stat. L. No. 22. p. 626.
- 29 Cong. Rec. 55th Cong. 2nd Session p. 3140.
- 30 32nd St. L. p. 236.
- 31 Chittenden p. 115.
- 32 26th St. L. p. 222.
33. 28 St. L. p. 73.
- 34 Cong. Rec. 3rd Session p. 2726.
- 35 31st St. l. p. 1169.
36. 39th Stat. L. p. 526.
- 37 17 Stat. L. p. 33.
- 38 Chittenden p. 111.
- 39 Cong. Rec. 47th Cong. 2nd Session p. 3268.
- 40 Cong. Rec. 47th Cong. 2nd Session p. 71.
- 41 Ibid p. 162.
- 42 Ibid p. 193.
- 43 Ibid p. 870
- 44 Ibid p. 998.
- 45 Ibid p. 1330
- 46 Ibid p. 1942.
- 47 Ibid p. 2182.
- 49 Ibid p. 2678.

Chapter 1, Yellowstone Nat. Park (Cont)

- 50 Ibid p. 2835.
- 51 Ibid p. 3268.
- 52 22 Stat L. p. 626.
- 53 Cong. Rec. 47th Cong. 2nd Session p. 3193.
- 54 22nd Stat L. p. 626.
55. Cong. Rec. 51st Cong. 1st Session p. 10696.
- 56 Cong. Rec. 52nd Cong. 1st Session p. 1636.
57. Chittenden p. 117.
- 58 Cong. Rec. 53rd Cong. 2nd Cong. p. 970.
- 59 28th Stat. L. p. 222.
- 60 Cong. Rec. 58th Cong. 3rd Session p. 5805.
- 61 Cong. Rec. 59th Cong. 1st Session p. 2326.
- 62 34th Stat. L. 207.
- 63 Ibid p. 1219.
- 64 Cong. Rec. 42nd Cong. 2nd Session p. 520.
- 65 17th Stat. L. p. 33.
- 66 22nd Stat. L. p. 626.
- 67 26th Stat. L. p. 222.
- 68 Chittenden p. 120.
- 69 Cong. Rec. 52nd Cong. 2nd Session p. 4541.
- 70 39th Stat. L. p
- 71 39th Stat. L. p. 536
- 72 Cong. Rec.
- 73 22nd Stat. L. p. 626.
74. 31st Stat. L. p. 625.
- 75 Cong. Rec. 62nd Cong. 3rd Session p. 3539.
- 76 Cong. Rec. 48th Cong. 1st Session p. 740.

Chapter I, Yellowstone Nat. Park (Cont)

- 77 Ibid P. 4547-4553.
- 78 Cong. Rec. 49th Cong. 2nd Session p. 94.
- 79 Ibid p. 149.
- 80 Ibid p. 154.
- 81 Cong. Rec. 51st Cong. 2nd Session p. 109.
- 82 Cong. Rec. 52nd Cong. 1st Session pp. 1226, 517, 2567.
- 83 Ibid p. 4117.
- 84 Cong. Rec. 53rd Cong. 1st Session P. 561.

Chapter II, Yosemite National Park.

- 1 Muir John, Our National Parks, Boston and New York,
Houghton Mifflin Company 1901.
- 2 Senate Report No. 3623, 59th Cong. 1st Session.
- 3 26 Stat. L. p. 650.
- 4 31 Stat. L. p. 588-618.
- 5 31 Stat. L. p. 790
- 6 Cong. Rec. 58 Cong. 3rd Session p. 126.
- 7 33 Stat. L. p. 702.
- 8 House Rept. No 2339, 59th Cong. 1 Session.
- 9 Cong Rec. 59 Cong. 3rd session p. 3962.
- 10 34 Stat L. p. 831.
11. 37 Stat L. p. 80.
- 12 38 Stat. L. p. 345.
- 13 38 Stat L. p 376.
- 14 39 Stat L. p. 262-308.
- 15 38 Stat. L. p. 242.
- 16 38 Stat. L. p. 554.
- 17 38 Stat. L. P. 554.

Chapter II, Yosemite Nat. Park (Cont)

- 18 Cong Rec. 52nd Cong. 1st Session p. 892.
- 19 Cong. Rec. 62nd Congress. 3rd Session p. 3539.

Chapter III Sequoia National Park.

- 1 Muir, John, Our National Parks, Boston Houghton Mifflin Company, 1901 P. 329.
- 2 Ibid P. 268.
- 3 Ibid p. 235.
- 4 26 Stat. L. p. 478.
- 5 26 Stat L. p. 650.
- 6 31 Stat. L. P. 618.
- 7 31 Stat. L. p. 790.
- 8 33 Stat. L. p. 609, 649.
- 9 39 Stat. L. p. 303.

General Grant National Park.

- 1 Muir, John, Our National Parks, Boston and New York Houghton Mifflin Company 1901. p. 298.
- 2 26 Stat. L. p. 650.
- 3 31 Stat. L. p. 618.
- 4 31 Stat. L. p. 790.

Chapter IV Mount Rainier National Park.

- 1 Smith, Otis G. "Nations Playgrounds" R. of Rs. 1909 V. 40, p. 44-48
- 2 Cong. Rec. 55th Cong. 2nd Session. p. 2787.
3. 30 Stat L. p. 993.
- 4 Cong. Rec. 58 Cong. 3rd Session p. 260.
- 5 35 Stat. L. P. 365.
- 6 39 Stat. L. p. 243.
- 7 40 Stat. L. p. 105, 153.

Chapter V, Crater Lake National Park.

- 1 Diller J. S. Geological History of Crater Lake, Govt. Printing Office Washington, D. C.
- 2 House Rept. No 613, 55 Cong. 2nd Session.
- 3 Steel, Mountains of Oregon. pp. 12-33.
- 4 Cong. Rec. 50th Cong. 2nd Session. P.
- 5 Cong. Rec. 55th Cong. 2nd Session p. 2448
- 6 Cong. Rec. 56 Cong. 1st Session p. 3355, 2610.
- 7 Cong. Rec. 57th Cong. 1st Session p. 4141, 4799.
- 8 Cong. Rec. 57th Cong. 1st Session. p. 5872.

Chapter VI, Wind Cave National Park.

- 1 Report of Secretary of Interior 1907, Washington Govt. Printing Office. 1908.
- 2 Cong. Rec. 63rd Cong. 3rd Session p. 3369.
- 3 Cong. Rec. 57th Cong. 2nd Session p. 666.
- 4 State L. p. 765.
- 5 Report of Secretary of Interior 1907.
- 6 37 Stat. L. p. 293.

Chapter VII. Platt National Park.

- 1 Report of Secretary of Interior 1907, Washington Govt. Printing Office 1908.
- 2 Cong. Rec. 57th Cong. 1st Session p. 7782.
3. 32 Stat. L. p. 641, 556.
- 4 33 Stat L. p 267.
- 5 34 Stat. L. p. 267.
- 6 Cong. Rec. 59 Cong. 1st Session. p. 9032.
- 7 Cong. Rec. 59th Cong. 1st Session p. 9243.

Chapter VII, Platt National Park (Cont)

8 Cong. Rec. 59th Cong. 1st Session p. 9576.

9 Report of Secretary of Interior for 1907.

10 Ibid p.8

11 Cong. Rec. 61st Cong. 2nd Session p. 7799.

12 Ibid p. 7799.

13 Ibid p. 2799.

14 Cong. Rec. 62nd Cong. 2nd Session. p. 8205.

15 38 Stat. L. p. 532.

Chapter VIII, Sully's Hill National Park.

1 Report of Secretary of the Interior for 1907, Washington Govt. Printing Office 1908.

2 Cong. Rec. 58th Cong. 2nd Session p. 1233.

3 33 Stat. L. p. 319.

4 Cong. Rec. 53 Cong. 2nd Session p. 5843.

5 33 Stat. L. p. 2370.

6 38 Stat. L. p. 92.

7 38 Stat. L. p 434.

8 38 Stat. L. p. 1105.

Chapter IX, Mesa Verde National Park.

1 Yard, Robert, Glimpses of National Park, Washington Govt. Printing Office, 1925.

2 Cong. Rec. 57th Cong. 2nd Session. p. 1723.

3 Cong. Rec. 58th Cong. 2nd Session p. 104.

4 Cong. Rec. 58th Cong. 3rd Session p. 110.

5 34 Stat. L. p 616.

6 Cong. Rec. 61 Cong. 2nd Session p. 2816

7 36 Stat. L. p. 796.

8 Cong. Rec. 63rd Cong. 3rd Session p. 1816.

Chapter IX, Verde Mesa National Park, (Cont)

9 Cong. Rec. 62nd Cong. 2nd Session p. 3008.

10 38the Stat. L. p. 77, 82.

Chapter X, Glacier National Park.

1 Senate Rept. No. 106, 61 Cong. 2nd Session. p. 1-6.

2 Madison Grant, Glacier National Park, Govt. Printing Office, 1919.

3 Crown of Continent, Century Magazine 1901.

4 Cong. Rec. 60th Cong. 1st Session p. 269.

5 Cong. Rec. 60th Cong. 1st Session. p. 2366.

6 34 Stat. L. p. 616.

7 Glimpses of Our National Parks, Govt. Printing Office 1925.

8 36 Stat. L. p. 1363, 1421.

9 38 Stat. L. p. 609, 640.

10 38 Stat. L. p. 863.

11 39 Stat. L. p. 262, 308.

12 Cong. Rec. 62nd Cong. 2nd Session p. 1938.

13 Ibid p. 9165.

14 38 Stat. L. p.

15 30 Stat. L. p. 233.

Chapter XI, Rocky Mountain National Park.

1 House Rept. 63rd Cong. 3rd Session. No. 1275.

2 Cong. Rec. 62nd Cong. 2nd Session. P. 2682, 2676.

3 Cong. Rec. 62nd Cong. 3rd Session p. 2682, 2676.

4 Cong. Rec. 62nd Cong. 3rd Session p. 2969.

5 Cong. Rec. 63rd Cong. 3rd Session p. 1788.

6 Ibid p. 1788.

7 Ibid p. 2434.

Chapter XII, The Lassen National Park.

1. 34 Stat. L. p. 253.
- 2 House Rept. No. 749 p. 23.
- 3 Ibid p. 23.
- 4 Ibid p. 23.
- 5 Cong. Rec. 64th Cong. 1st Session p. 12096.

Chapter XIII, Hawaii National Park.

- 1 Yard, Robert "Glimpses of National Park" Washington Govt. Printing Office, 1925. p. 49-53.

- 2 39th Stat. L. p. 432.
- 3 Cong. Rec. 64th Cong. 1st Session p. 12507.

Chapter XIV, National Military Parks (Chickamauga and Chattanooga National Military Park)

- 1 Boynton, H. V. Chickamauga National Military Park, Century Magazine Sept. 1895 p. 703.
- 2 Ibid p. 704
- 3 Ibid pl 706
- 4 Ibid p. 705.
- 5 Ibid p. 706.
- 6 Cong. Rec. 54th Cong 1st Session p. 5380.
- 7 Cong. Rec. 54th Cong. 2nd Session p. 2962.
- 8 Cong. Rec. 55th Cong. 2nd Session p. 4827.
- 9 Cong. Rec. 61st Cong. 2nd Session p. 4498.
- 10 Ibid p. 3484.

Antietam National Military Park.

- 1 United States Military Reservations, National Cemeteries and Military Parks, Govt. Printing Office, 1916. p.
- 2 26 Stat. L. p. 401.
- 3 27 Stat. L. p 377.
- 4 28 Stat. L. p. 950.

Chapter XIV. Antietam National Military Park, (Cont)

5 29 Stat. L. p. 443.

Shiloh National Military Park.

1 Cong. Rec. 53rd Congress. 2nd Session p. 651.

2 Cong. Rec. 59th Cong. 1st Sess. p. 9157.

Gettysburg National Military Park.

1 United States Reservations, National Cemeteries, and Military Parks, Washington Govt. Printing Office 1916 p. 315.

2 17 Stat. L. p 651.

3 21 Stat. L. p. 170.

4 24 Stat. L. p. 535.

5 25 Stat. L. p. 538.

6 Ibid p. 970.

7 27 Stat. L. p. 599.

8 28 Stat. L. p. 584.

9 29 Stat. l. p 405

10 23 Stat. L. p 384

12 Cong. Rec. 52nd Cong. 1st Sess. p 1862.

13 Cong. Rec. 53rd Cong. 2nd Sess. p. 2256.

14 Cong. Rec. 53rd Cong. 3rd Sess. p. 105

15 Cong. Rec. 54th Cong. 1st Session p. 2717.

16 Ibid p. 6446.

Vicksburg National Military Park.

1 House Rept. No. 596, 55th Cong. 2nd Sess.

2 Ibid

3 Cong. Rec. 54th Cong. 1st session p.

4 31 Stat. L. p. 625.

5 31 Stat. L. p. 1169.

Chapter XIV, National Military Park (Cont)

Lincoln National Park.

1 House Rept. No. 221, 64th Cong. 1st Session.

2 39 Stat. L. p. 385.

3 Cong. Rec. 64th Cong. 1st Sess. p. 492.

4 Cong. Rec. 64th Cong. 1st Sess. p. 2799.

5 Cong. Rec. 64th Cong. 1st Sess. p. 11236.

Chapter XV, Evolution of the National Park Service.

1 33 Stat. L. p. 700.

2 Cong. Rec. 59th Cong. 1st Sess. p. 29721

3 34 Stat. L. p. 225.

National Park Conferences.

1 Proceedings of Yellowstone National Park Conferences,
Washington Govt. Printing Office 1911 pp. 1-205.

2 Proceedings of the Yosemite National Park, Conference,
Washington Govt. Printing Office 1912.

3 Proceedings of the Yosemite National Park Conference Washington Govt. Printing Office. 1915.

4 Proceedings of the Washington National Park Conference,
Washington Govt. Printing Office 1917.

National Park Service Act. 1916.

1 Cong. Rec. 63 Cong. 2nd Sess. p. 1788.

2 Ibid

3 Ibid

4 39 Stat. L. p. 535.

Bibliography.

Sources

Congressional Records 1872-1916.
Statutes at Large 1872-1916.
House Reports 1872-1916.
Senate Reports 1872-1916.
Secretary of Interior Annual Reports.
Senate Executive Documents.
Proceedings of National Park Conferences.

Secondary Works.

Chittenden, Yellowstone National Park, Cincinnati,
Stewart and Kidd Co. 1915.
Muir, John, Our National Parks, Boston, Houghton
Mifflin Co. 1901.
Hebard and Brininstool, Bozeman Trail, Cleveland, Arthur
Stark Co. 1922.
United States Military Reservations, National Cemeteries
and Military Parks, Govt. Printing Office. 1916.
Yard, Robert Sterling, Glimpses of Our National Parks,
Washington Govt. Printing Office. 1925.
Grant, Madison, Glacier National Park, Govt. Printing
Office. 1919.
Caparn, State Parks, National Municipal League Supplement
251 Broadway, New York, 1912.
American Encyclopedia.

Periodical Literature.

Bryce, James B. "National Parks" Outlook Dec. 14, 1912
V. 102: 811-15.

- Chamberlain, A. "Scenery as a National Assett" Outlook,
May 28, 1910, V. 95 p. 157-169.
- Claudy, C. H. "Our National Parks", Scientific American
Supplement, Nov. 11, 1916, V. 82: 312-314.
- Dean, W. H. "Advertising America", Outing Aug. 1916,
V. 68: 461-9.
- Johnson, R. U. "Dismembering your National Parks"
Outlook, Jan 30, 1909, V. 911: 252-3.
- Kock, F. G. "Protecting National Parks against Poachers"
Overland Monthly, Feb. 1915 V. 65: 117-22.
- Lewis, H. H. "Managing a National Park" Outlook Aug. 29,
1903 V. 74: 1036-40.
- Lockwood, J. A. "Uncle Sam's Troopers" Overland Monthly
April 1889, 2 series, V. 33: 356-68.
- Mather, S. T. "Do You Want to Lose Your Parks"
Independent Nov. 13, 1920, V. 104: 220-21.
- American Reviews of Reviews "National Parks on a
Business Basis" April 1915, V. 51: 429-31.
- Hills, Enos A. "Exploiting Our National Parks" New
Republic Nov. 10, 1920, V. 24: 272.
- "National Parks Improvements" Nation Feb. 1, 1915, V. 108:
157.
- "National Park Service" Outlook Feb. 3, 1913, V. 100: 246.
- "National Park Conference" Outlook Sept. 1911, V. 99:255-6
- "Protecting the Tourists" Outlook June 28, 1910, V. 113:
450-1.

- Rhoda, Jean "Uncle Sam's in the Yosemite" Overland June 1913,
V. 61: 590-4.
- "Saving the Yosemite National Park" Outlook Jan 30, 1909,
V. 91: 234-6.
- Schmeckebier, L. F. "National Park from the Scientific and
Educational Sides" Popular Science Monthly June 1912, v. 80:
530-47.
- Smith "Our Nations Playgrounds" American Review of Reviews
July 1919 V. 40: 44-8.
- Taylor, J. R. "Washington at Work" Surveys Jan. 1, 1916, V. 35:
390-3.
- "Wanted, A National Park Service" Outlook Mar. 1, 1916, V. 112:
491.
- Waugh, Frank A. "National Park Policy" Scientific April 1918,
V. 6: 305-18.
- "Technical Problems in National Park Development" Scientific
Monthly 1918 V. 6: 560-67.
- "National Parks Peril" Nation Aug. 1920, V. 111: 308-9.
- Branson, Isaac R. "Yosemite against Corporation" Greed" Aurora
Nebraska I. R. Branson 1909.
- Boynton, H. V. "Chickamauga National Military Park" Century
28: 703.
- Hague "National Parks and Pleasure Grounds" Scribners 35:513-27.
- "Yellowstone National Park" Popular Science Monthly V. 27: 289.
- Huir, J. "Features of the Proposed Yosemite National Park"
Century 18: 656.
- McCully "Mount Rainier National Park" Overland V. 55:552-60;
V. 56: 150-5.

- Cowan, J. L. "Mesa Verde" Overland V. 55: 340-6.
- Batchelor, "Crater Lake National Park" V. 41: 334-8.
- Smith K. L. "Glacier National Park" Outlook V. 108:478-83.
- "Glacier Park and its Wonders" Harpers Weekly V. 57: 15.
- "New Playgrounds for the Nation" Review of Reviews V. 41: 710-13.
- "Proposed Glacier Park" Outlook V. 94: 826. April 1910.
- "People's National Parks" 1912 Century V. 84: 313-4.
- Johnson "Dismembering Your National Parks" 1909 Outlook V. 91: 252-3.
- Muir, J. "Endangered Valleys" Century 1909 V. 77: 464-9.
- "San Francisco Against the Nation for Yosemite" World's Work V. 17: 11441-6.
- "Saving the Yosemite" Outlook V. 91: 234-6.
- "Shall the Yosemite be Despoiled" Independent 1909 V. 66: 111.
- "Yosemite Recession" Nation V. 80: 325-6.