

This is a digital transcription of a document in the U.S. Forest Service Headquarters History Collection. We have attempted to maintain the general layout (relative font sizes, order, etc.). Page breaks are as close to the original as possible.

Department of Agriculture,
Office of the Secretary,
Washington, D.C.

February 1, 1905.

The Forester,

Forest Service.

Sir:

The President has attached his signature to the following Act:

"An Act Providing for the transfer of forest reserves from the Department of the Interior to the Department of Agriculture.

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
That the Secretary of the Department of Agriculture shall, from and after the passage of this Act, execute or cause to be executed all laws affecting public lands theretofore or hereafter reserved under the provisions of section twenty-four of the Act entitled 'An Act to repeal the timber-culture laws, and for other purposes,' approved March third, eighteen hundred and ninety-one, and Acts supplemental to and amendatory thereof, after such lands have been so reserved, excepting such laws as affect the surveying, prospecting, locating, appropriating, entering, relinquishing, reconveying, certifying, or patenting of any such lands.

"Sec. 2. That pulp wood or wood pulp manufactured from timber in the district of Alaska may be exported therefrom.

"Sec. 3. That forest supervisors and rangers shall be selected, when practicable, from qualified citizens of the States or Territories in which the said reserves, respectively, are situated.

"Sec. 4. That rights of way for the construction and maintenance of dams, reservoirs, water plants, ditches, flumes, pipes, tunnels, and canals, within and across the forest reserves of the United States, are hereby granted to citizens and corporations of the United States for municipal or mining purposes, and for the purposes of the milling and reduction of ores, during the period of the beneficial uses, under the rules and regulations as may be prescribed by the

Secretary of the Interior and subject to the laws of the State or Territory in which said reserves are respectfully situated.

"Sec. 5. That all money received from the sale of any products or the use of any land or resources of said forest products shall be covered into the Treasury of the United States, and for a period of five years from the passage of this Act shall constitute a special fund available, until expended, as the Secretary of Agriculture may direct, for the protection, administration, improvement, and extension of Federal forest reserves.

"Approved, February 1, 1905."

By this Act the administration of the Federal forest reserves is transferred to this Department. Its provisions will be carried out through the Forest Service, under your immediate supervision. You have already tentatively negotiated the transfer with the Commissioner of the General Land Office, whose powers and duties thus transferred I assign to you. Until otherwise instructed, you will submit to me for approval all questions of organization, sales, permits, and privileges, except such as are entrusted by the present regulations to field officers on the ground. All officers of the forest service transferred will be subject to your instructions and will report directly to you. You will at once issue to them the necessary notice to this effect.

In order to facilitate the prompt transaction of business upon the forest reserves and to give effect to the general policy outlined below, you are instructed to recommend at the earliest practicable date whatever changes may be

necessary in the rules and regulations governing the reserves, so that I may, in accordance with the provisions of the above Act, delegate to you and to forest officers in the field, so much of my authority as may be essential to the prompt transaction of business, and to the administration of the reserves in accordance with local needs. Until such revision is made, the present rules and regulations will remain in force, except those relating to the receipt and transmittal of moneys, in which case Special Fiscal Agents of this Department will perform the duties heretofore rendered by the Receivers of Local Land Offices in accordance with existing laws and regulations. The Chief of Records, Bureau of Forestry, is hereby designated a Special Fiscal Agent, and you will direct him at once to execute and submit for my approval a bond for Twenty Thousand Dollars.

On December 17, 1904, the President signed the following order:

"In the exercise of the power vested in the President by section 1753 of the Revised Statutes and acts amendatory thereof:

"IT IS ORDERED, That all persons employed in the field and in the District of Columbia in the 'protection and administration of Forestry Reserves in or under the General Land Office of the Interior Department' be classified and the civil-service act and rules applied thereto, and that no person be hereafter appointed, employed, promoted, or transferred in said service until he passes an examination in conformity therewith, unless specifically exempted thereunder. This order shall apply to all officers and employees, except persons employed merely as laborers, and persons whose appointments are confirmed by the Senate."

This order classifies the whole forest reserve Service, now transferred, and places it under the Civil Service Law.

In the administration of the forest reserves it must be clearly borne in mind that all land is to be devoted to its most productive use for the permanent good of the whole people, and not for the temporary benefit of individuals or companies. All the resources of forest reserves are for use, and this use must be brought about in a thoroughly prompt and businesslike manner, under such restrictions only as will insure the permanence of these resources. The vital importance of forest reserves to the great industries of the Western States will be largely increased in the near future by the continued steady advance in settlement and development. The permanence of the resources of the reserves is therefore indispensable to continued prosperity, and the policy of this department for their protection and use will invariably be guided by this fact, always bearing in mind that the conservative use of these resources in no way conflicts with their permanent value. You will see to it that the water, wood, and forage of the reserves are conserved and wisely used for the benefit of the home builder first of all, upon whom depends the best permanent use of lands and resources alike. The

continued prosperity of the agricultural, lumbering, mining, and livestock interests is directly dependent upon a permanent and accessible supply of water, wood, and forage, as well as upon the present and future use of their resources under businesslike regulations, enforced with promptness, effectiveness, and common sense. In the management of each reserve local questions will be decided upon local grounds; the dominant industry will be considered first, but with as little restriction to minor industries as may be possible; sudden changes in industrial conditions will be avoided by gradual adjustment after due notice; and where conflicting interests must be reconciled the question will always be decided from the standpoint of the greatest good of the greatest number in the long run.

These general principles will govern in the protection and use of the water supply, in the disposal of timber and wood, in the use of the range, and in all other matters connected with the management of the reserves. They can be successfully applied only when the administration of each reserve is left very largely in the hands of the local officers, under the eye of thoroughly trained and competent inspectors.

Very respectfully,

[signed]
James Wilson

Secretary.