Forestry and Politics in Texas, 1915-1921

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As Americans entered the 20th century, they reflected on the future of a nation transformed in a relatively short period of time from a predominantly agrarian, rural country into a powerful industrial, urban one. Huge corporations with an increasingly pervasive hold on the marketplace had appeared, generating tremendous wealth, not for all Americans, but for the conspicuous few. Sprawling slums, populated by workers who labored and lived in the most deplorable of conditions, despoiled the cities. Also, in the wake of this rapid industrialization, fueled in part by the exploitation of human resources, Americans faced the frightening prospect of the depletion of the nation’s natural resources as well. To correct the social, economic, and political ills afflicting the nation, reform-minded Americans rejected the philosophies of an earlier age which denied governmental action as a solution to society's problems and launched a "moral, political, economic, and intellectual revolt" which became known as progressivism. With Theodore Roosevelt's assumption of presidential duties in 1901, progressive sentiment took residence in the White House, stimulating and sanctioning a movement, which in its twenty years of activity would cross party lines and leave few aspects of American life free from examination.

Of the issues progressives raised, the need to conserve the nation's natural resources held a special attraction for many far-sighted Americans, including Roosevelt. Prodded by United States Chief Forester Gifford Pinchot, Roosevelt fought to protect America's water, mineral, and forest reserves. Conservation activists joined Pinchot and Roosevelt in attempts to regulate resource utilization through such activities as a Governors' Conference in 1908 to publicize conservation concerns, withdrawal of forest and water reserves from private leasing, educational efforts directed at public indifference to the conservation issue, cooperation with lumbermen interested in scientific forestry, and the passage of legislation to facilitate efficient resource use at the local level. Of the early legislative successes forest conservationists enjoyed, the 1911 Weeks Act proved the most important in encouraging state forest protection activity through its authorization of federal appropriations for states having organized forest protection agencies. In the Gulf South the comparatively late entrance of commercial lumbermen into southern pine forests and the more subtle nature of fires there, attracting significantly less public attention than the billowing, crown fires of the Northwest, precluded the establishment of forestry agencies before the turn of the century. As the new century opened, however, and fire and lumbering activity opened more of the wooded aisles to the sunlight,
southerners lobbied for creation of specialized forestry agencies which could receive significant federal aid under the cooperative features of the Weeks Act. By the second decade of the twentieth century both Texas and Louisiana had established such agencies, followed by Mississippi, Oklahoma, and Arkansas in the next two decades. 

In Texas, interested citizens, including lumbermen J. Lewis Thompson of the Thompson Brothers’ Lumber Company and John Henry Kirby of the Kirby Lumber Company, Gulf Coast Lumberman editor Jack Dionne, and the tireless “father of Texas forestry,” W. Goodrich Jones, commenced agitation for an organized forestry policy for the state early in the twentieth century. Across a span of fifteen years they wrote letters, planned conservation conferences, passed conservation resolutions, drew a positive response from the press, and launched a movement to educate the public and their representatives in Austin to the desperate need for an organized forestry system for Texas. By 1915 they achieved their legislative goal of establishing a Department of Forestry, ironically during the administration of Governor James Ferguson, no particular friend of Texas progressives. The timing of the act’s passage, however, does not deny its link to Texas progressivism. Progressives in Thomas Campbell’s gubernatorial administration, 1907-1911, which has been called “the high tide of progressivism in Texas,” awarded forest conservation a low priority in their assault on corporate excesses, but they did exhibit some interest in forestry matters. In 1907 Texas legislators approved creation of a Department of Agriculture, which included among its duties, tree planting, forest preservation, and reforestation. In the same year the legislature awarded certain fire policing powers to the Game, Fish, and Oyster Commission to curtail forest fire damage. Although these agencies virtually ignored their forestry duties because of public apathy and a lack of actual authority, these actions represented a recognition of the need for forest protection. In 1908 Campbell sent Jones as his personal representative to Roosevelt’s Governors’ Conference where in an address to the delegates, Jones pledged the state’s support for national conservation programs and dedicated Texans to conservation efforts in their own state. The Texas visit of United States Chief Forester Gifford Pinchot to confer with the Conservation Committee of the Yellow Pine Manufacturers’ Association and to observe the operations of the Thompson Brothers’ Lumber Company as well as to assess the possibility of timber regrowth on the company’s land further enhanced the possibility of a more concerted forestry movement in Texas. Pinchot himself ranked this conference as a giant step towards greater government and business cooperation in the wise use of resources, an attitude representative of many progressive-era conservationists who saw the need to rely on lumber industry support, where practical, to achieve their common goal of
efficient utilization. Furthermore, in 1910, two hundred Texans, including Commissioner of Agriculture Ed Kone, Jones, and Thompson, convened as the First Congress of the Texas Conservation Association which subsequently recommended the creation of a Department of Forestry. The cooperative effort of government officials, conservationists, and private lumber interests apparent in both the Pinchot visit and the Texas Conservation Association meeting was a harbinger of future conservation activities in Texas.

The timber protection issue evidently attracted certain reform-minded individuals during progressivism's heyday in the state, but it also drew the support of individuals, motivated by varying concerns, who did not fit the "progressive" mold. A superficial examination of forestry's legislative spokesmen—Representatives Bernard Schwegman of Bexar County, Louis H. Scholl of Comal County, Frank H. Burmeister of Atascosa County, Louis S. Wortham of Tarrant County, T. F. Baker of Scurry County, H. R. Walters of Anderson County, Charles S. Gainer of Brazos County, Sam H. Dixon of Harris County, Richard F. Burges of El Paso, and Senators Claude Hudspeth of El Paso, J. R. Astin of Brazos County, and L. H. Bailey of Harris County—to determine their connection with other progressive issues in Texas, such as women's suffrage or prohibition, produces conflicting evidence. Of forestry's advocates in the legislature, only Representative Burmeister clearly held a position of leadership in a major progressive reform movement, women's suffrage. In March, 1915, he introduced a joint resolution before the legislature for a women's suffrage amendment. Representative Burges, whom Jones credited with assuring the 1915 legislative victory for forestry, served only two terms in the legislature, from 1913-1917, which limits efforts to assess his penchant for other "progressive" reforms. However, he officially endorsed the more equitable treatment of married women concerning property rights and advocated substantial aid for the state's public education system, which suggests a propensity for changing rather than conserving the status quo. Senator Hudspeth, who worked for the 1915 forestry bill's passage in the close Senate fight, gained some notoriety as a Wilson critic and also allied himself with Joseph W. Bailey, one of progressivism's most vociferous foes in Texas.

Of Texas' chief executives subsequent to Campbell, Governors William P. Hobby and Pat M. Neff, heirs of Texas progressivism, responded positively to Jones' requests for official support. On the other hand, it was progressive adversary James Ferguson, "a special friend of [Jones']" who signed the bill into law. Furthermore, Jones told members of the Texas Forestry Association in 1939 that in the fight for the bill's passage, the greatest struggle occurred in the Senate, for "the Germans in the House were solid for it." As a group these Germans were also solidly against another "progressive" reform—prohibition.
All together, this collection of conflicting evidence supports the contention that Ferguson's demagoguery, “Baileyism,” and the divisive prohibition issue clouded progressive/conservative battle lines and thus confused efforts to label individuals and causes subsequent to Ferguson's election in 1914.

More important to understanding the political nature of the forest conservation movement is Jones' own motives and methods. Jones' correspondence reveals little or no interest in other contemporary political issues, although throughout his years of conservation work he welcomed and received political support for forestry from a remarkably divergent group of individuals. Between 1915 and 1921, for example, the Texas Federation of Women's Clubs, the Single Tax League, the Texas Congress of Mothers and Parent-Teacher Association, and the Texas Lumbermen's Association, among others, endorsed some or all of Jones' legislative projects. Jones' own advocacy of forestry apparently emanated more from a deeply-rooted love of nature and its forests and his German educational experiences than from a desire to lash out at one expression of industrial excess. Only when a dramatic rift emerged in the forestry movement, produced by the lumber industry's successful assault on a proposed severance tax on cut timber, did Jones react with bitter, angry rhetoric against the lumber titans. Thus, typically, Jones' lobbying before the legislature, his sincere but practical cooperation with lumbermen, and his multifaceted appeals to the public symbolize the nature of the Texas forestry movement itself from 1915-1921. Stimulated through popularization of the cause by Roosevelt and other progressives, Texas forest conservation efforts grew out of the concern of conservation-minded individuals, regardless of party or philosophical persuasion, who for a variety of political, economic, or personal reasons feared the loss of Texas' forest wealth.

The actual fight for creation of a state forest agency in Texas began on January 15, 1915, when Representative Burges forwarded to the House Committee on Forestry a comprehensive forestry bill designed principally by the United States Forest Service's Chief of State Cooperation, J. Girvin Peters. This bill would have created a State Board of Forestry, headed by a state forester and funded by a $20,000 appropriation, to plan and supervise all forest policy matters. Federal aid in drafting and lobbying for the measure did not assure its acceptance, however, as evidenced by the debate the bill's introduction produced in the legislature. In describing his lobbying for the bill before the legislators, Jones recounted the appraisal of one Texas legislator on the issue of forest conservation. “You have talked a lot, now I want to say something. I don't want no forestry dudes coming to Texas. I've read all about them. They draw the people's pay and spend their time behind their offices playing lawn tennis.” Furthermore, he categorically char-
acterized all foresters as "a lot of damn grafters" and promised to use his influence to defeat the bill. Expressing a sentiment typical of an era when few Americans expressed outrage at the exploitation of natural resources, Jones' adversary concluded "we've got enough lumber in Texas for a hundred years. I'm a farmer and I'm fighting 'bresh' all the time. The pesky trees grow faster than we could cut them down." Prevailing against such ignorance remained a frustrating task for Jones and his supporters in their legislative work for years to come.

Before the bill reached a vote it underwent a major change in response to concern that an independent state forestry board would be too vulnerable to political influence. More importantly, for several years Texas A&M College had wanted a forestry department within its system, so with the opportunity to achieve that goal at hand, Texas A&M President William B. Bizzell and A&M Dean of Agriculture Edwin J. Kyle rewrote the measure, eliminating the independent board and incorporating a Department of Forestry within Texas A&M College. The House Committee approved this change and added one of its own, halving the proposed $20,000 appropriation to fund the agency. In this revised form the measure passed the House by a comfortable margin, but in the Senate, opposition mounted and only one affirmative vote saved it from defeat. Despite the narrow victory, forestry's lobbyists left Austin, confident that Governor Ferguson, a hunting companion of Jones, would sign the bill into law. Much to their surprise, Ferguson balked at this final step, basing his action on a desire to save the state a little money. He argued that an A&M graduate could be persuaded to accept the position of head forester for half the proposed $3,000 salary. Jones, Bizzell, and State Geologist William B. Phillips retraced their steps to Austin and in a face-to-face meeting with Ferguson convinced him to sign the bill, a promise he fulfilled on March 31, 1915. With this success, Jones and his cohorts optimistically looked forward to a brighter day for Texas' timber resources. Their optimism soon faded, however, in the face of the department's shortage of funds and resulting limitation on actual fire protection work. Out of necessity the department turned to an educational program aimed at contradicting popular myths extolling the beneficial effects of fire in the woods, known as light-burning. This educational program undoubtedly contributed to the small drop in timber loss witnessed in 1917 and 1918. Conservationists pointed to this improvement, minimal as it was, as an indication of the soundness of scientific forestry practices, but Texas' next legislative session saw the serious debate of that question.

When the Thirty-fifth Legislature convened in January, 1917, its members, cognizant of a slowdown in the state's economy, and no doubt sensitive to the Ferguson controversy brewing, pledged to trim the budget by abolishing useless projects. The Senate Finance Committee, incor-
rectly convinced that forestry served no public interest, completely eliminated the Department of Forestry from the state budget. This action sent Jones rushing to Austin to reargue the department’s value. Refused a hearing before the committee, Jones, resourceful as always, lobbied the legislators informally, deluging them with telegrams and editorials favoring retention of an organized forestry bureau. Jones later reminisced that he found most legislators responsive to his arguments except Senator J. C. McNealus of Dallas who, Jones declared, “didn’t strike me as being in his right mind.” Jones found the senator so opposed to anything progressive that he threatened to “make a cotton warehouse out of both the University and the A&M College.” Fortunately the senator’s unenlightened views did not prevail, and under pressure from the Texas Forestry Association (TFA), an organization founded in 1914 to lobby for forestry in Texas and presided over by Jones, the committee acquiesced in appropriating $11,500 for the department’s use. Jones perceived the department’s reprieve as a blessing, for he noted “[the legislators] were under a panic cutting the little items and letting the big ones stand.”

Following this incident in the legislature, the department’s first head forester, John H. Foster, suffered great personal disappointment and frustration at the budget committee’s parsimony. The legislature’s wasting of $28,000 to study a clear issue and then equipping the department so sparsely that it simply could not function tested his patience to the fullest. He angrily charged the committee’s members with apathy, ignorance, and political chicanery, contending they were more interested in finding fault with Governor Ferguson’s administrative accomplishments than with protecting the public interest. In light of the sequence of events in Ferguson’s administration that same year, Foster’s contention was probably accurate. Joining him in castigating the legislature for its wastefulness and indifference, the outspoken lumber trade journal, The Southern Industrial and Lumber Review, remarked that “Texas has been well cursed with ‘nuts’ but in this particular instance the production seems to have been overdone and to spare.” Forestry’s advocates had saved the department, but this monetary crisis revealed the precarious nature of the 1915 victory. Yet another political fight in the near future would further disquiet them.

The even greater diminution of the state’s timber supply by the close of the second decade of the twentieth century, a product of a more active cutting policy demanded by American participation in World War I, stimulated a more vocal public concern for timber conservation. Texans viewed increasing acres of denuded, cut-over lands and sought some solution. Out of this concern developed a dramatic battle between public forestry and its advocates and the lumber industry, a fight which disrupted the coalition Jones had cultured for so long. Forestry again
became a hot political issue, and verbal abuse and recrimination on both sides shook the forest conservation movement, stifling the passage of much needed legislation well into the 1920s.

Traditionally, lumbermen converted logged-off lands into agricultural or grazing tracts for public sale, because once cut over, the land became a significant tax burden for lumber companies. "Wild-land taxation," as lumberman Harry T. Kendall, Sales Agent of the Kirby Lumber Company, termed it, thwarted attempts at private reforestation, making it economically unfeasible. Therefore, lumbermen, adhering to a "cut out and get out" policy, cut both mature and immature timber before increasing land tax valuations could offset the timber's value. Once lumbermen cut over and sold their timbered land, Kendall admitted, most expected to reinvest the capital in another enterprise such as banking, ranching, or manufacturing. Privately, lumbermen like Kendall shared conservationists' concern over denuded land and supported reforestation practices, but the only solution, they asserted, lay with the state. Either the tax system had to be altered or the state should take responsibility for purchasing cutover lands, reforesting them, and placing them under the state's control. As they viewed over four million acres of cutover land, concerned Texans led by members of the Texas Forestry Association and the state's new Chief Forester Eric O. Siecke, took these suggestions and concerns into account and pressed the state to rectify the situation.

In August and September, 1920, Jones wrote Governor William P. Hobby requesting the appointment of a "Committee of 50 on Forestry" to study the problem and to make recommendations. Reform-minded in his own right, Hobby complied, and out of the committee's activity emerged a series of resolutions which the TFA sponsored in 1921 before the Thirty-eighth Legislature as a comprehensive forestry bill. Among other things, the bill proposed revamping the state's taxation system through implementation of a severance tax of 12½ cents per thousand board feet on cut timber. Revenue from this tax would be applied to the purchase of state forests for public management and utilization. This tax resembled a Louisiana severance tax, adopted in 1911, which provided for the annual payment of an ad valorem tax on the land itself but none on the maturing timber's value until cut. Upon harvesting of the timber crop the state collected a percentage of the timber's value and placed it in a forestry fund. The TFA seized upon such an idea as the solution to the woes of both the state and lumber interests, but with few exceptions, members of the Lumbermen's Association, led by Houston attorney John A. Mobley and buttressed by Jack Dionne's anti-severance tax editorials in the Gulf Coast Lumberman, rejected the proposal. Subsequently, passions flared on both sides, aggravating an always potentially explosive relationship.
Jack Dionne charged that the tax was “class legislation,” which would “impose upon the purchasers of lumber today the burden of furnishing forests for all citizens of the state in the future.” The fact that Louisiana had such a tax system moved few Texas lumbermen. “The existence of fool laws,” Dionne wrote, “does not prove their worth...” Adopting a short-sighted, economically selfish position, the lumber industry deemed the tax discriminatory and too burdensome and proposed instead the sale of bonds to Texas citizens to finance reforestation in the state. In response to the lumber industry’s opposition, Jones bitterly confronted the lumbermen with the charge that they were in complicity with the oil and nursery men in their campaign to defeat the bill, revealing for the first time his tremendous frustration at their recalcitrance. In a personal letter to Max Bentley, editor of the Houston Chronicle, a frustrated Jones accused the lumbermen of sabotaging the forestry department’s activities and from the outset doing little to help the forestry movement itself. “I have sore spots all over me,” he wrote, “that have been made by these lumbermen ever since the tree work started in Texas and I can’t help telling you what very wicked people they are.” In a stroke of progressive rhetoric, Jones accused the lumbermen of wanting to “hog-tie Texas to the lumber trust of the North West.”

On the severance tax issue the lumber industry and forest conservationists truly reached a parting of the ways. Lumbermen may have agreed philosophically with the need to reforest, but it had to be on their own terms. Lumber interests feared passage of the severance tax as a dangerous precedent for government regulation and interference in their business and thus stymied the state’s attempt to give itself that power. To the relief of the industry and the chagrin of more idealistic conservationists, hopeful after months of legislative lobbying, the bill never came to a vote. The lumber industry’s influence, of course, played a large role in this but so did the complacent public which had long tired of any such “progressive” reform. To add insult to injury, the measure’s political opponents, including Lieutenant-Governor Lynch Davidson and Commissioner of Agriculture George Terrell, angered at the Department’s lobbying for the tax, attempted to place power over forestry matters back within the Department of Agriculture’s jurisdiction. This move forestry’s advocates accurately denounced as potentially disastrous. Terrell, an appointee subject to significant political pressure, had opposed the original forestry bill, and Jones had little faith he would accomplish the goals conservationists set upon the passage of the Burges bill. Jones and his cohorts thwarted the ploy, but the sobering experience of the legislative battle reminded them of their dependence on the lumberman’s support.

Hard feelings and suspicion between the two adversary groups
persisted, but with the tax fight over and the issue dropped for the time being, lumbermen cast a more friendly eye toward Texas’ forestry department throughout the rest of the decade. A reconciliation between the agency and the industry, facilitated by conservationists’ resignation to the practicality of conciliating rather than threatening lumber interests, and the department’s growing success in reeducating the public on the legitimacy and efficacy of a scientific forestry program contributed to a more politically receptive atmosphere in the future. Forest conservation achieved political popularity in the 1920s, as evidenced in the Democratic Party’s inclusion in its 1922 campaign platform of a demand for further forest conservation work. As a result, significant forest protection measures passed through the legislature, including a program to establish state forests. Forestry had come of age in Texas, and interested Texans, whatever their motives or interest in forest protection and renewal, could sigh with some relief that organized forestry had survived.

NOTES


3 Goldman, *Rendezvous with Destiny*, 162.


5 J. Girvin Peters, *Forest Fire Protection under the Weeks Law in Cooperation with the States*, United States Department of Agriculture, Circular 205 (Washington, 1912), 5-8.


Vernon's Annotated Revised Statutes of the State of Texas (Kansas City, Mo., 1965), 1, 298-299.


Forestry Laws of Texas," Gulf Coast Lumberman, II (November 15, 1914), 34.


Dallas Morning News, April 6, 1910.


Governor Pat Neff to W. Goodrich Jones, November 20, 1920 and Governor Pat Neff to W. Goodrich Jones, May 4, 1921, Jones Papers: Dallas Morning News, December 18, 1920.


Gould, Progressives and Prohibitionists, 54, 56.


See TFA letter, W. Goodrich Jones to members, April 17, 1916, Jones Papers, concerning Texas Lumberman's Convention endorsement; Ir. Caddell Mars (President of Texas Congress of Mothers and Parent-Teacher Association) to W. Goodrich Jones, January 28, 1921, Jones Papers; Florence C. Floore (Texas Federation of Women's Clubs) to W. Goodrich Jones, January 29, 1921, Jones Papers; William A. Black, (Executive Secretary of Single Tax League) to W. Goodrich Jones, November 11, 1919, Jones Papers.

Maxwell, "One Man's Legacy," discusses Jones early life and interest in nature and forestry.

W. Goodrich Jones to Max Bentley (editor of the Houston Chronicle), February 20, 1921, Jones Papers; W. Goodrich Jones to Max Bentley, March 6, 1921, Jones Papers.


Second Annual Report of the State Forester, Agricultural and Mechanical College of Texas, Bulletin 8 (College Station, 1917), 3.


W. Goodrich Jones to John Henry Kirby, May 19, 1917, Kirby Papers.

W. Goodrich Jones to John Henry Kirby, May 19, 1917, Kirby Papers.

State Forester Hands Out a Needed Roast," Southern Industrial and Lumber Review, XXVII (March 31, 1918), 16.

"Forester Foster and the Legislative Committee," Southern Industrial and Lumber Review, XXVII (April 30, 1918), 11.

B. E. Fernow, "Forestry and the War," Journal of Forestry, XVI (February, 1918), 149.


"Forestry and the Texas Citizens," Texas Forestry Association Circular dated 1919, Jones Papers.

W. Goodrich Jones to Governor William P. Hobby, August 9, 1920, Jones Papers; W. Goodrich Jones to Governor William P. Hobby, September 22, 1920, Jones Papers.


Journal of the House of Representatives of the State of Texas at the Regular Session of the 37th Legislature (Austin, 1921), 219.


See for example "An Opinion on the Severance Tax," Gulf Coast Lumberman, IX (April 1, 1921), 17-18.

Dionne, "The Texas Forestry Association," 73.

"Houston Chronicle," March 6, 1921.

"Forestry Legislation," editorial in *Farm and Ranch*, April 30, 1921, Jones Papers. Jones contended that traditionally the oil industry opposed any such tax on any industry for fear that oilmen too would be required to pay a similar tax. Nurserymen opposed only the section of the act enabling the state to sell seedlings at a nominal cost, because they feared the "unfair" competition would ruin their business.

W. Goodrich Jones to Max Bentley, March 6, 1921, Jones Papers.

W. Goodrich Jones to Max Bentley, February 20, 1921, Jones Papers.

Letter written by W. Goodrich Jones dated February 22, 1921, Jones Papers.


W. Goodrich Jones to Governor Pat M. Neff, February 2, 1921, Jones Papers. A letter which Terrell wrote in 1918 in reply to a circular proposing an increase in the forestry appropriation confirms Jones' position. In the letter Terrell insisted that the Department of Forestry had wasted $10,000. "If a man did not have enough sense to plant trees on his land or to put out a fire to keep it from spreading to another's property, all of the advice that the paid agents of the government can give to such people is worthless." George B. Terrell to R. A. Gilliam, December 31, 1918, Jones Papers. The failure of the Texas Forestry Association and Department of Forestry to secure passage of the severance tax corresponds with the failure of Texas progressives to regulate profits on the extraction of oil and sulfur resources and to prevent these profits from filling the coffers of private individuals rather than accumulating in the state treasury for the benefit of all Texans. See Tinsley, "The Progressive Movement in Texas," 217.

"Dallas Morning News," September 6, 1922.