Public Land Issues in the United States

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In those far western states where the federal government still retains much land in public ownership, there has long been dissatisfaction with some public land policies. The growing national concern in recent years over proper use of the natural resources has intensified this feeling. Fifty-two percent of the land in Oregon, sixty-three percent of that in Idaho, sixty-six percent of that in Utah, and eighty-six percent of that in Nevada still remain under federal management. These and other states beyond the Rocky Mountains maintain that the policies adopted for management of the natural resources within their boundaries have been too much influenced by the eastern states where the federal government either never had or no longer retains extensive areas of public land. Federal ownership and management, they complain, seriously undermine state authority within the federal system, and the policies adopted deny the newer states of the Far West opportunities for economic growth which the older states had enjoyed.

Among the specific grievances are the following:

The creation by congressional authority of wilderness areas in the national forests has withdrawn potentially valuable mineral and forest land from economic use.

The withdrawal power allows the secretary of the interior to take public lands from any economic use.

Shale oil deposits in Colorado and Utah which might become the basis of a great economic development have been withdrawn.

One hundred sixty million acres in grazing districts under the management of the Bureau of Land Management are being withheld, although the act authorizing the withholding was intended, so the West argues, for only a few years at the most.

Free homesteading has virtually ended, notwithstanding the abundance of public land the government still possesses.

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Wyoming and Colorado dislike the fact that the income from mineral leases on public lands in these states has gone into the Reclamation Fund and has been spent, for the most part, in other states.

At the same time, ecologists, conservationists, and land reformers were advocating and continue to advocate that the wilderness areas within the national forests and parks should be greatly expanded, that additional national parks should be created, that the Mineral Act of 1872 allowing mining in national forests and scenic spots should be repealed to protect the natural features of these areas, that users of the grazing lands of the government should pay the going price for pasturage use instead of the extremely low rates politics has dictated in the past, and that rights of Indians to their reservations should be protected. Most of all, assurance was wanted that narrow self-interest not be allowed to displace broadly supported multiple-purpose programs for the use and enjoyment of these national resources. Congress, badgered from all sides to make major changes in land management and disposal policies, deemed it wise to refer the overall problem to a public land commission to aid in studying and drafting proposals to submit to Congress. In 1964 Congress created the Public Land Law Review Commission, gave it generous financial support and asked it to report its recommendations in four, later in six, years.

In making appointments to the commission, Congress and the president failed to recognize that the public lands of the West are regarded by most Americans as a great national treasure to be protected and utilized for the benefit of all, not just for local and especially economic interests. As a result, ten of the thirteen congressional members and three of the six presidential appointees were from the states with remaining public land. Fear was expressed that such a sectionally oriented commission might give undue emphasis to the view that development and exploitation for short-range returns should have paramount consideration, and that the goals associated with conservation might be set aside.

One of the first projects the commission found necessary for its other studies was an overall history of the acquisition, management, and disposal policies of the public lands and the steps taken toward the preservation and development of such areas as have been set aside as permanent reservations. Having studied and written extensively on these problems over forty years, I was privileged to prepare this overall account. Some of the high points are presented herewith.

American land policy from independence to the end of the nineteenth century had four objectives inherited from the colonial period: to produce revenue for the government; to facilitate the settlement and growth of new communities; to reward veterans of wars; and to promote education, the establishment of eleemosynary institutions, and the construction of internal improvements by grants of land. Spokesmen for all four of these objectives clashed over the relative importance of each and caused the adoption of inharmonious and incongruous measures.

The need to refund the heavy debts contracted during the Revolution, which went unpaid under the Confederation, induced Thomas Jefferson, the agrarian radical; Alexander Hamilton, the fiscal conservative; and Albert Gallatin, who represented a midway position; to agree to pledge the income from land sales for the retirement of the debt. The public lands were to be sold and the proceeds "appropriated toward sinking or discharging the debts . . . and . . . applied solely to that use." This solemn pledge of August 4, 1790, and of April 1798, was to hold Congress to a revenue policy until the debt was retired. Land was to be sold in large tracts at competitive bidding on a wholesale basis, and it was expected that the buyers would then retail it.

Agrarian followers of Jefferson disliked the emphasis upon revenue in the disposal of the public lands. They agreed with him that "the small landholders are the most precious part of a State," that a stake in the land made people more responsible, and that "vast grants" or large ownerships tended toward "monopolies" which were socially and politically undesirable. They wished to give the common man easy access to the public land and the chance to acquire ownership out of the capital they might accumulate from cultivating it. This involved permitting settlers to search out attractive locations, improve them, and after a few years of occupation and development, to preempt them at the minimum price. Frontier settlers wanted no competition from speculators at a public auction and therefore demanded the prior right to purchase their tracts at the minimum price of $1.25 an acre. They also wanted the public lands reserved for actual settlers. Failing that, they wanted the sales postponed to give them time to accumulate the $200 for their quarter section (160 acres). At the same time they wanted no restrictions placed on the areas into which they might move, and they urged the speedy removal of the Indians from desirable areas and the rapid survey of the land.

Besides these advocates of a wide open land system permitting individuals to settle wherever they wished, there was an element of the popu-

lation concerned with the business in land, timber, and minerals. No one has essayed the history of the land business, but when one thinks of the number of speculators, land agents, land lookers, timber cruisers, dealers in land warrants, scrip, and tax titles, and lawyers who were absorbed in these frontier occupations and of the fortunes that were made and lost in land speculation, it is easy to see that the influence of these classes was large. Persons engaged in the land business wanted no restrictions placed in their way of profit, no regulations such as were suggested by the commissioner of the Land Office at one time, no investigations of their activities. On the positive side they favored legislation that would attract immigration, provide internal improvements and encourage statehood. They joined with pioneer settlers in booster activities that would stimulate a demand for land and a rise in its value.

The third objective — using the public lands to reward war veterans — was pursued liberally by Congress. Veterans of all wars through that with Mexico in 1846–48, even if they had served only a few days, were given warrants they could exchange for land, first in military tracts, later anywhere that public land was open to entry. True, the maximum grant of 160 acres, which was given to officers as well as enlisted men, was small in comparison with the more generous bounties officers had received in the colonial period and in the Revolution — they ranged up to 15,000 acres for major generals — but in a more democratic age the old disparities among ranks seemed less desirable. The great majority of the warrants was sold well below the government minimum price for land, thereby reducing the cost of land for speculators and settlers.

Very early the public land states exhibited disenchantment with federal ownership, administration, and determination of policy concerning the public lands. They recalled that they were admitted into the Union "on an equal footing with the original states, in all respects, whatever," and yet were denied ownership of the ungranted land within their boundaries, whereas all of the original thirteen had retained the ungranted lands within their boundaries. Furthermore, the new states had been required to make a compact that they would not tax the newly granted lands for five years after they were sold. To win the acceptance of such compacts, the new states were offered one-thirty-sixth of the public lands within their borders for schools and smaller grants for other purposes. No state was content with its bargain then, nor has any since regarded the compact it had to accept to gain admission into the Union as anything but a one-sided agreement. Some states have tried to induce the federal government

to surrender its lands to them, while others strove to gain larger donations. Congress had become increasingly liberal until, with the admission of Alaska, the new state was given the privilege of selecting from the public lands within it more than a hundred million acres, or an area three times as large as New York State. School donations were increased from one section in each township to two sections when California was admitted in 1850, and to four when Utah, Arizona, and New Mexico were admitted in 1896, 1911, and 1912. Large grants were given for agricultural colleges, and, most important, for the construction of roads, canals, and railroads, for the dredging and improvement of navigable rivers, and for irrigation. The states, having found a way of gaining ownership of a portion of the public lands, came forth with many proposals for internal improvements, some dubious to say the least. Most questionable was the donation of the swamp lands to the states. The states were expected to drain them, something that strict constructionists thought the federal government lacked the power to do.

Those who searched the Constitution for specific authorization for any action they might favor argued that grants for public schools, roads, and canals, and railroads could be justified on the ground that they would enhance the value of the remaining lands and thereby bring to the government as great a return as if no land had been given away. By giving one-half the land in alternate sections for internal improvements and raising the price of the reserved sections to the double minimum, there would be no loss. Congress was willing to vote huge grants to the transcontinental railroads during the years 1862–1871; this was a nearly perfect rationalization for grants it wished to make.

Congress experimented with subsidies to worthy projects that could not be achieved without federal aid in the form of public lands at that time. In voting these bounties it slowly expanded its own vision of America's destiny and of the powers of the national government under the Constitution. The national government built the National Road in Ohio and other states, roughly route 40 today, with the income from the sale of public lands. National grants of land made possible the Illinois and Michigan Canal, the predecessor of the Chicago Drainage Canal, and the widely used Soo Canal and hundreds of miles of other canals in Ohio, Indiana, and Wisconsin. The national government's lavish land grants made possible early construction of the Union Pacific Railroad, the Northern Pacific, the Santa Fe, and the Southern Pacific, and it was the national government whose land grants provided a source of funds for com-

mon schools in frontier communities, that encouraged moves for the establishment of the great state universities and agricultural colleges. These national land grants made it necessary for state and railroad land departments to be created to sell these grants at the highest price obtainable if the purposes for which they were given were to be achieved. In the 1850s when Congress was relaxing its own emphasis upon revenue, issuing great quantities of military bounty warrants and scrip that sold for less than $1.25, graduating the price of land in proportion to the length of time it had been on the market, and moving toward a policy of free grants, the states and railroads were attempting to extract from their grants the greatest possible return. The incongruity was apparent to few at the time.

The last and greatest concession to the public land states came in 1954, when Congress was persuaded by a powerful lobby of oil interests and states rights conservatives to surrender to the states the tidelands with their enormously valuable oil, gas, and sulphur resources which the Supreme Court had previously declared to be national property.

But to go back. The year 1862 was a red-letter year for farmers of the West, for in that year Congress adopted four wide-ranging measures that were to remake the map of the United States by facilitating the building of four transcontinental railroads and many hundreds of miles of other lines in the West and opening up to settlement the last of the arable lands of the country. The grants to the Pacific railroads, the adoption of the Homestead Act with its promise of a free grant of 160 acres to all who would settle upon and develop their tracts for five years, and the concentration of the Indian tribes in ever-narrower reservations made possible the last great sweep of population westward, the swift transfer of many millions of acres to farm makers, and the admission of thirteen new commonwealths into the Union. Not to be overlooked were the acts creating the Department of Agriculture and granting land to each state to aid in establishing agricultural colleges. In all the history of the West there never was such a combination of measures in one year that was so productive of growth.

By 1900, 600,000 people had gained ownership of land by the homestead route, a total that reached 1,622,000 in 1961. Great as was the victory of the agrarian reformers in gaining free lands for actual settlers, they failed to halt large sales to speculators, land companies, cattle companies, and lumbermen. Indeed, many of the large mineral holdings of the Hanna interests and of the United States Steel Company, the hundreds of thousands of acres of rich Douglas fir, ponderosa pine and redwood hold-

ings of the Weyerhauser and the Georgia lumber companies and huge oil and range cattle empires of California of today were created after 1862.

With the adoption of free homesteads, the revenue concept was not abandoned. Land already offered and great areas to be put up at auction in the future were available for purchase in any amount at $1.25 an acre, or at less cost if bounty land warrants or scrip were used. In the event that homesteaders preferred to take title after six months on their claims, they could commute their 160-acre entries to cash entries by paying $200. The Desert Land Act of 1877 offered settlers arid land in tracts as large as 640 acres if they would conduct water to it and pay $1.25 an acre. The Timber and Stone Act of 1878 provided for the sale of 160 acres of land, presumably to nearby residents, for the timber or stone for construction purposes for $2.50 an acre. Actually the government received far more from land sales and mineral leases after the initiation of free lands than it did before. True, after 1862 the income from public lands constituted a very small percentage of the gross government revenue in contrast to the earlier years when it amounted to as much as forty-eight percent in one year. Revenue was no longer a major objective, though there were those like Carl Schurz who felt that a fair price in relation to value should be paid for forest land.

Congress continued to make grants to states, with increasing liberality. Notwithstanding, the newer states after 1860 did not receive as large a proportion of their land as did Florida, Louisiana, Michigan or Arkansas, which had been given their swamp and overflowed tracts by the acts of 1849 and 1850. Furthermore, Congress was placing restrictions upon the price for which the land could be sold. In the case of the omnibus states — North and South Dakota, Montana, and Washington — which entered the Union in 1889, the minimum price was $10 an acre. Thus while giving land directly to homesteaders, the federal government was requiring the states to withhold their place grants until they could sell at the minimum it established.

Equally difficult to reconcile with free lands were the grants to railroads. The colonization railroads advertised their lands extensively in Europe and in the older parts of the United States and brought in many thousands of settlers to buy and develop their lands. At least one railroad recovered the full original cost of its construction from its land sales, and some others did nearly as well.

To consider legislative proposals concerning the public lands, Congress first used special committees; in 1805 the House set up a standing

committee on public lands, and in 1816 the Senate did likewise. There seem to have been fairly close and cooperative arrangements between the General Land Office, which was created in 1812, and the Senate and House Committee on Public Lands, though Congress annoyed the land officials, especially in the early period, by continually asking for detailed statistics of lands surveyed, offered, and sold, or collections. Essential as the information was in planning for legislation, assembling it in detailed form, which Congress requested, required that the too-few clerks, already far behind in their regular work, be assigned to the task. The hope of catching up with the delivery of patents, acting upon contested entries, posting tract books and fulfilling other heavy record-keeping obligations was thus further deferred. By its requests for reports Congress would blithely pile up obligations for the office, but when it came to voting appropriations for additional clerks and raising salaries to levels prevailing in other government agencies, it was unresponsive. It is tedious to read the reports of the commissioners of the General Land Office who for years placed as their first recommendation the need for expanding the staff and increasing salaries when there were so many other badly needed reforms. Yet the commissioners were right, for better administration — and that meant abler personnel — was the first necessity.

Meantime the business of wholesale purchasing of public lands, subdividing them, laying out towns, and retailing lots and small farm tracts became one of the biggest of the country and one on which many fortunes were founded. As population grew in the older areas and people swarmed to the new, the demand for land sent prices upward, revealing marvelous opportunities for profit by anticipating future land needs. Land speculation had been one of the early factors behind the establishment of the colonies. Most of the founders from John Winthrop to George Washington had invested in land, and few of them thought of a possible conflict of interest between their investments and the legislation or administrative practices that made rising prices possible. As the way opened for the granting of land for canals, roads, and railroads, few people saw anything wrong in favoring legislation that would enhance the value of their lands along the routes of proposed projects. Settlers who had less capital and less political influence could anticipate the coming of immigrants to their areas by buying an extra quarter section or at least by trying to control it through a claim association. High to low speculation in land was indulged in. Not only did western settlers try to accumulate in proper and legal ways more land than they had the capital and physical energy

to develop, but they were also ready to misuse the settlement laws and to take advantage of their loopholes, the dishonesty of local officers, and the cupidity of the investigating agents. In some areas they were led to this type of conduct by the fact that the quantity of land they could legally obtain from the government was not a large enough economic unit; in other instances they were bogus settlers, acquiring land for large cattle companies or speculators. It seems clear that some western settlers had larceny in their hearts concerning government land.

The second of the early objectives — facilitating the growth of new communities — was never forgotten. Business interests in the newly developing states constantly tried to attract settlers and were ready to prevent any action — even to suppress the truth — that might retard immigration, settlement, and development. Before 1902 many westerners held that all public lands should be reserved for homesteaders and that none should be sold to absentee speculators. In 1889 they succeeded in ending unlimited sales, and in 1891 they halted cash sales, though commutation and desert land sales continued. Next they proposed to divert practically all income from these sales into a revolving fund for the construction of dams and reservoirs to provide water for the irrigation of arid lands. Reclamation soon grew into a mighty giant bringing to the semi-arid states both a farm population and the possibility of industrial development and urban growth.

Retrospectively, critics may see that many blunders were made in legislating for the administration and disposal of the public lands. Too many laws were shaped in the hurly burly of discussion on the floor of the Senate or the House with numerous amendments, deletions, and words changed without careful attention to the effects of these alterations. When the differences between the versions of the two houses were ironed out in conference and the measures reported back for final adoption, time was often short, and they were too speedily approved. Hidden jokers, subtle changes in meaning, and the removal of powers administrative officers needed to carry out their responsibilities effectively were not uncommon. The inflexible government price of $1.25, maintained until 1854, caused buyers to seek the best land. Combined with the rapid opening of new areas to purchase and settlement, the inflexible price scattered settlement widely, delayed the coming of social institutions and pushed the frontier of settlement far into the Indian country, with friction and wars the result.

Classification and appraisal of the public lands were out of the question before 1870, but thereafter some progress might have been made with

more constructive leadership. Homesteading might better have been confined to areas with sufficient rainfall, but banned in the semi-arid lands west of the 102nd meridian and heavily forested regions of the upper lakes states, the Rocky Mountains and the Pacific Coast. Settlement laws, including the Homestead, Timber Culture and Desert Land acts and other measures ostensibly adopted for settlers, such as the Timber and Stone Act and the Forest Lieu Act, should, after an initial but short trial, have been amended or repealed, as all succeeding commissioners recommended. The Preemption and the Timber Culture acts were repealed in 1891, but Congress permitted the Timber and Stone Act to remain in operation, to the great and constant annoyance of the commissioners. Registers, receivers, and surveyors generally were responsible to the local and national political leadership which gave them their appointments. Too often, if the local leaders were in the lumber business or in the livestock industry, the conflicts of interest were commonly resolved in favor of private interests rather than the government. Great ownerships — partly corporate and partly individual — of timberlands, rangelands and even farmlands were established; at times there was concern because the proportion of tenant-occupied farms was increasing.

Yet with all the poorly drafted legislation, the mediocre and sometimes corrupt land officials, the constant effort of settlers, moneyed speculators, and great land companies to engross land for the unearned increment they might extract from it, the federal land system seems to have worked surprisingly well. Outside the cotton-growing South where the plantation system prevailed before 1860 and tenancy and sharecropping subsequently, suitable public land was acquired by small owner-operators, and tenancy was less common. Disregarding the southern states, a total of 1,738,176 farms had been created in the public land states by 1880, and only in four states — California, Oregon, Colorado and Nevada — did the farms average over 160 acres. Of these farms, 1,381,406, eighty percent of the total, were owner-operated. This is good evidence that the railroad grants, the land given to endow the states, and even the speculative purchases, were being divided into single-family farms. Except in Illinois and Iowa, tenancy seems to have been largely the result of ownership passing from one generation to another.

By 1900 the public land states, still excluding the Cotton South, boasted 2,404,968 farms, seventy percent of which were owner-operated. It was still possible to say that the public domain had been so disposed of as to increase the class of small landowners, as Jefferson had desired.

Before the close of the nineteenth century, many thoughtful people became aware of the value and future significance of the natural resources still held by the federal government and of the need for more attention to the methods of managing and disposing of them. This was reflected after 1900 in the greater care given to the framing of new land legislation. Furthermore, although the surveyors general and registers and receivers of land offices were still a part of the patronage system as late as 1933, the emphasis upon civil service reform and the better salaries paid these employees assured a somewhat better type of official, as is evidenced by the diminishing criticism of their activities. When scandals did occur, they were the responsibility of men at the top, not in the lower echelons.

Another result of the greater appreciation of the value, uniqueness, and diminishing amount of the public domain, with its forests, wildlife, white water streams and scenic spots, was that some people began to question whether private ownership was superior to public ownership. The rapid depletion of the standing forests in the lake states gave rise to the fear that in a generation or less, at the then-current rate of cutting, supplies would become so depleted as to compel reliance on other countries. Scientific forest management as practiced abroad attracted attention. Conservation was promoted both by preservationists who wanted to lock up certain resources such as Yosemite and Yellowstone to prevent exploitation of their timber, minerals, or water power and to retain these great works of nature in public ownership for future generations, and by advocates of scientific management and use of the forests, the minerals, and water power. The concept of permanent reservations was difficult for many to accept. Had not America's greatness rested upon the license to exploit without government interference? Yet a number of national parks were set aside even before the National Forest Reservation Act of 1891 was passed. This act made possible the first steps in developing a conservation program before the end of the century.

True, three commissioners of the General Land Office and Carl Schurz, secretary of the interior in 1877–1881, were alive to the abuse of the land laws by which the best of the forest, mineral, and range lands was being acquired in large monopolistic holding and tried to halt the abuses through rigorous enforcement procedures. Unfortunately, Congress, whose public land committees were packed with westerners who favored a wide-open land policy to hasten the transfer to private ownership, frustrated all such efforts by sanctioning wholesale timber cutting on the public lands and refusing to plug the many loopholes in laws designed,

so their framers said, to benefit actual settlers only. Schurz and the three commissioners were lonely defenders battling to protect the public lands against the Philistines who in the days of Presidents Harrison and McKinley pretty well swept their good work aside.

Theodore Roosevelt brought to the conservation movement strong national leadership, a dramatic ability to interest the public, and an understanding of presidential powers and how to use them to advance the ends he favored. Needled, taught, and inspired by Gifford Pinchot, Roosevelt tripled the areas in national forests, transferred them to the Department of Agriculture where they were safe from greedy spoilsmen, withdrew from entry great areas of mineral lands, retained water power sites in federal hands, required stockmen to pay fees for range use and to provide funds for the protection and improvement of the public ranges, and prevailed on Congress to provide for the sale of mature stumpage and the use of the income for forest management.

Roosevelt and Pinchot made a team unmatched in American history for what they preserved for future generations in preventing the despoliation of the national forests. Conservation with scientific management became the fifth, and to many the overwhelming, objective of American land policy.

Presidential and congressional leadership came together in the adoption of the Newlands Act of 1902 by which the income from the sale of the public lands was to be available for the building of giant dams and irrigation ditches to reclaim millions of acres of arid lands for agriculture. Since 1902 several billion dollars have been expended in constructing great power dams, storing vast quantities of water, and irrigating with it millions of acres of productive land. Though many serious mistakes have been made in carrying out the reclamation policy, the constructive side in developing the West has surpassed the hopes of all but the most visionary of the early sponsors.

Since 1909 numerous additional national parks and seashore and wilderness areas have been created. The hand of the exploiter has been kept out of Echo and Grand Canyon (except for the Glen Canyon dam), and in 1968 portions of the noblest redwoods of northern California and of the many glaciers, lakes and rugged peaks in the North Cascades in Washington were created as national parks. Americans are today better alerted to the greater needs for land for recreation, for more cautious use and conservation of natural resources still publicly owned.

A sixth objective has become quite basic in determining land policy in the twentieth century. Instead of thinking of the economic value of land in terms of its best use either as range land or for forest for watershed protection, recreation, preservation of wildlife, mining, industry, or urban proliferation, the modern multiple-purpose objective takes all these factors into consideration, and upon that broad base the future use of any particular tract may be determined.

Conservation had its advocates in all parts of the country, but its support in the states, in which large amounts of public lands remained until recently, was distinctly more tepid than elsewhere. Why, said west coast lumbermen, were the public forests to be withheld from purchase and cutting when such withholding had not existed elsewhere? Why should the grazing lands be retained in federal ownership and managed by an agency quartered in Washington? Why should eighty-six percent of the entire acreage of Nevada, sixty-six percent of Utah, sixty-four percent of Idaho be retained in federal ownership, kept off the local tax lists, the timber withheld from cutting, the range lands denied to sheepmen or cattlemen who had no local property base, the power sites developed by public agencies and not subject to local taxes? In the past the states had mismanaged and wastefully disposed of the land granted them, but in the twentieth century, many of them were managing their landed property as well as the federal government. These western states came to think of the extensive federal lands within their borders, reserved or withdrawn from entry, as retarding their development, slowing down their progress, and keeping them in thralldom to a remote government not capable of understanding their needs. Too often they forgot that substantial portions of the returns from mining, lumbering, grazing, and water power development on the public lands were either flowing into reclamation development or the building of access roads and other improvements in their section, or for water for cities and industries.

Finally, in appraising the American land system, the question that should be asked is not whether East and West have received their proportionate share of the public domain, or the income from it, or whether the western states have been treated in an unequal and niggardly fashion in not being granted all the land within their boundaries. The questions are whether land-hungry settlers were able to establish themselves permanently on suitable land with secure titles to farms of efficient size, whether the minerals, forests, and grazing resources have been efficiently used without undue waste, and whether the long-run interests of a growing

nation have been foreseen and provided for. The public lands have come to have different levels of interest for society as society has matured. At one time the government was concerned only with revenue and the public mainly with surface rights to good land for farms. Later it became important first to develop, then to conserve, the natural resources of the land in timber, minerals, oil, and water. Nowadays the land as living space and play space has taken on new values. Our more mobile population in which those who are east today are west tomorrow tends to erase sectional attitudes once important.

A NOTE ON THE SOURCES

The transfer of the public lands in present United States to private ownership has had its share of studies, but for the colonial period they are few, and it is a rare one that carries the story of colonial and state land policies into the recent period with an examination of their results. National policies and the politics involved in their adoption have been ably examined by Benjamin H. Hibbard, *History of Public Land Policies* (1924); Roy M. Robbins, *Our National Heritage: The Public Domain, 1776–1936* (1942); and E. Louise Peffer, *The Closing of the Public Domain: Disposal and Reservation Policies, 1900–1950* (1951). Each of these studies delves into the results, but the lack of more intensive studies of the operation of the land laws forced their authors to rely on politically oriented sources. In *The Public Lands, Studies in the History of the Public Domain* (1963), Vernon Carstensen brings together from scattered references a number of revisionist essays worthy of use. Malcolm Rohrbough, *The Land Office Business: The Settlement and Administration of American Public Lands, 1789–1837* (1968), is based on an examination of the correspondence of officials managing the public lands. Robert P. Swierenga, *Pioneers and Profits: Land Speculation on the Iowa Frontier* (1968), provides an outlook on land speculation for a portion of Iowa. A popular general account of public land policies is Everett Dick, *The Lure of the Land: A Social History of the Public Lands from the Articles of Confederation to the New Deal* (1970).

The most comprehensive analysis of public land policies and their effects from the early colonial beginnings to the present was made by Paul W. Gates for the Public Land Law Review Commission, *History of Public Land Law Development* (1968). It does not replace Thomas Donaldson, *The Public Domain* (new edition, 1971), with its vastly detailed tables.

Marion Clawson and associates of Resources for the Future have a number of studies of recent questions revolving around the use of the remaining public lands, most important of which are *The Federal Lands: Their Use and Management* (1957), and *Land for the Future* (1960).

Most important is the report of the Public Land Law Review Commission, *One Third of the Nation's Land*, with its 137 "specific recommendations," which was presented to Congress in 1970.