

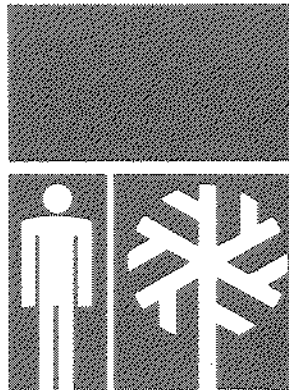
D-2101

special history study
naval live oak reservation program, 1794-1880
september 1983

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SPECIAL HISTORY STUDY

A HISTORY OF THE NAVAL LIVE OAK
RESERVATION PROGRAM, 1794-1880: A
FORGOTTEN CHAPTER IN THE HISTORY OF
AMERICAN CONSERVATION

GULF ISLANDS NATIONAL SEASHORE
FLORIDA/MISSISSIPPI

By
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U.S. DEPARTMENT OF THE INTERIOR/NATIONAL PARK SERVICE

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INTRODUCTION

The purpose of this study is to facilitate the preservation, development, and interpretation of the 1,337.87-acre Deer Point Naval Live Oak Plantation on the Santa Rosa Peninsula, Florida, which today forms part of Gulf Islands National Seashore. The plantation was established as part of the U.S. naval live oak reservation program, which was an intermittent focus of U.S. defense strategy from 1794, when Congress moved to rebuild the American navy, until the 1860s, when iron warships were developed. This report surveys all of the naval timber preservation efforts made during this period, with emphasis on the naval live oak plantation at Deer Point in this historical context.

The naval live oak reservation program is a chapter in the history of American conservation that has been almost entirely forgotten. The subject matter proved to be much more complex, and the amount of documentary material amazingly more voluminous, than had been anticipated, with the result that time and money for the project was insufficient to permit researching and studying all phases of the program at the same depth. Chapters 1 through 5 present a detailed history of the origin, development, and operation of the naval live oak reservation program from 1794 to 1837. Chapter 6 provides general accounts of the operation of the program from 1838 to 1861 and of the end of the program in 1878-80. Chapter 7 summarizes the history of the entire period. Finally, chapter 8 presents data on the physical history of the Deer Point plantation from 1822 to 1832.

The information compiled in this report--which is almost all new and completely unsuspected--indicates that the Deer Point Naval Live Oak Plantation is a cultural resource "of the first order of significance." If this proves true, the planning, development, and interpretation documents for this area of Gulf Islands National Seashore should be amended to ensure the appropriate use of the plantation.

The major findings of this report are summarized below:

Samuel L. Southard, secretary of the navy under President John Quincy Adams, formulated the first comprehensive naval live oak reservation program for the United States in 1827. The focal point of Secretary Southard's planning for the reservation system was the Santa Rosa Peninsula and Pensacola Bay region of West Florida.

Secretary Southard purchased the land for the Deer Point plantation because it was one of only three tracts of private land in what he envisioned would become a 60,000-acre system of naval live oak reservations surrounding the Pensacola Navy Yard. Only five land purchases (including this one) were ever made by the U.S. government for the purposes of preserving live oak timber (most lands in the timber reservation system were reserved from the public domain). The 1,337.87-acre tract that would become the Deer Point plantation was acquired for \$4,900 on March 10, 1828.

The Deer Point plantation was the only naval live oak plantation ever established in the United States and the first experimental tree farm, public or private, in the nation. It began operations January 18, 1829, about 64 years before the first privately operated tree plantation was established.

Land near Deer Point abutting the plantation was included in the third naval timber reservation to be established in the United States and the first to be established in the territory of Florida, which would subsequently become the heart of the naval live oak reservation system. This reservation, comprising 1,219.36 acres, was established in 1830.

The Jackson administration (1829-37) was at first hostile to the naval live oak program, as it was to most of the programs initiated during the Adams administration. Jackson's first secretary of the navy, John Branch, directed his general attack on the program specifically toward the Deer Point plantation, apparently because he knew of

Adams's great interest in this experiment. Branch's closure of the plantation in January 1831 triggered a bitter and extended debate in Congress about the U.S. naval timber reservation policy. Although Congress did not force Secretary Branch to reopen the Deer Point plantation, it reaffirmed the naval live oak reservation program formulated by the Adams administration and directed that the reservation system be expanded.

Jackson's very able second secretary of the navy, Levi Woodbury, reformulated and greatly expanded the naval live oak program between 1831 and 1834. Under Woodbury the reservation system was expanded to approximately 150,000 acres, including some 90,000 acres in Florida.

Woodbury authorized the reopening of the Deer Point plantation on September 21, 1831, and the plantation continued to operate as a unique unit of the national naval live oak reservation system until the outbreak of the Civil War in 1861.

1. LIVE OAK AND THE U.S. NAVY, 1794-1860

BUILDING A FLEET, 1794-1832

Congress, on March 27, 1794, enacted a law that authorized the establishment of the second American navy and directed President George Washington to have six frigates built for this purpose.¹ The warships were to be used to protect American merchant vessels from the Algerines, who were then at war with the United States and attacking American ships. On June 9 Congress appropriated the sum of \$686,888.82 to pay for the construction, and it was hoped that the frigates would be completed within one year's time.²

Two major changes in the original plans, however, prevented completion on schedule. One cause of the delay was the decision to make each of the vessels about 300 tons larger than originally planned; the second cause was "that instead of making use of common timber for building the frigates, he [President Washington] caused the best live oak and red cedar to be got in Georgia, from whence it was to be exported to the [six] different naval yards established under his direction." The tasks of locating, purchasing, cutting, and transporting the live oak timber proved to be much more difficult, time consuming, and hence costly, than had been anticipated. The resulting delay and the runaway inflation that was then ravishing the nation's economy caused a huge cost overrun. In January 1796, two years later, Congress was informed that an additional appropriation of \$453,272 would be required if all of the six frigates were to be completed.³

1. American State Papers: Naval Affairs, 4 vols. (Washington, 1834-61), 1:19 (hereafter cited as ASP). The first American navy was the Continental navy of the War of Independence, which was authorized by the Continental Congress on October 13, 1775. At its maximum, in 1777, the Continental navy had 34 vessels in commission. In 1782 it had only seven vessels left in operation. The United States had no navy from 1784 to March 1794.

2. *Ibid.*

3. *Ibid.*, 19, 38, 25-28.

By March 1796 the Regency of Algiers and the United States had made peace, and given the limited terms of the 1794 act, construction of the six warships therefore came to a halt. After reconsidering the situation, however, Congress on April 20, 1796, directed President Washington to complete three of the six frigates.⁴ Consequently, the first three warships of the new U.S. Navy, the United States (44 guns), the Constitution (also 44 guns), and the Constellation (36 guns)--all constructed of live oak timber--were launched in 1797.⁵ Planned and built by the War Department under the supervision of the secretary of war, the three new frigates were turned over to the newly created Navy Department and the new secretary of the navy in 1798.⁶

The second expansion program of the U.S. Navy, 1798-1800, resulted in the addition of four more vessels built of live oak to the fleet. These were the frigates Chesapeake, New York, and Philadelphia, and the sloop of war John Adams.⁷

Building did not resume again until after the War of 1812. Between 1814 and 1816 the Madison administration built and launched a total of seven live oak warships. These included three ships of the line (74 guns each), two frigates, one sloop of war, and one schooner. In the period 1819-21 President James Monroe had nine more live oak warships--four ships of the line, one frigate, and four schooners--added to the American fleet.⁸

Although none of the details of subsequent shipbuilding are recorded in this report, it is known that by 1832, a total of 60 warships had been built of live oak, including 12 ships of the line, 20 frigates, 20 sloops of war, and 8 schooners. These ships are listed in appendix A of this report.

4. Ibid., 25, 37-38.

5. Ibid., 39.

6. Ibid., 65.

7. Ibid. 4:218.

8. Ibid.

IMPORTANCE OF LIVE OAK IN AMERICAN NAVAL ARCHITECTURE
1794-1857

In the first of his progress reports on the construction of the six frigates (December 27, 1794), Secretary of War Henry Knox informed Congress: "That the passing of said act [of March 27, 1794] created an anxious solicitude that this second commencement of a navy for the United States should be worthy of their national character. That the vessels should combine such qualities of strength, durability, swiftness of sailing, and force, as to render them equal, if not superior, to any frigates belonging to any of the European Powers. Researches, therefore have been made for the best principles of construction, and such proportions adopted as have appeared best, upon the most mature advice and deliberation."⁹

The qualities of superior strength and durability for the vessels were to be achieved by constructing them of live oak timber obtained from the islands and coast of Georgia. Continuing, Secretary Knox wrote: "The frigates will be built of live oak and red cedar, in all parts where they can be used to advantage. These valuable woods afford the United States the highest advantages in building ships, the durability being estimated at five times that of the common white oak. Besides these woods, the best white oak, pitch pine, and locust, are directed to be used in the construction."¹⁰

Three navy captains, John Barry, Richard Dale, and Thomas Truxtum, supported the secretary of war on the importance of utilizing live oak, which they called "the most durable wood in the world," and they further remarked in a letter dated December 18, 1794: "The building these frigates of live oak will certainly be a great saving to the United States, as we are well satisfied (accidents excepted) that their frames will be

9. Ibid., 1:6.

10. Ibid. Underlining in the statement added by the author.

perfectly sound half a century hence, and it is very probable they may continue so for a much longer period. On the contrary, we are fully convinced, from experience, that if they were to be built of the best white oak of America, their durability at the utmost would not exceed one-fourth of that time, and the expense of building and equipment is the same, whether the ships are of the best or of the worst wood of this country."¹¹

The "naval constructor," or architect, Joshua Humphreys of Philadelphia also submitted a report, on December 23, 1794, in which he noted many details of the ships' construction.

As soon as Congress had agreed to build the frigates it was contemplated to make them the most powerful, and at the same time, the most useful ships. After the most extensive researches, and mature deliberations, their dimensions were fixed, and I was directed to prepare the draughts; which was accordingly done, and approved. These plans appear to be similar with those adopted by France, in their great experience in naval architecture; they having cut down several of their 74s to make heavy frigates; making them nearly of the dimensions of those for the United States. From the construction of those ships, it is expected the commanders of them will have it in their power to engage, or not, any ship as they may think proper; and no ship, under 64, now afloat, but what must submit to them. . . .

The next object was the materials that those ships should be composed of; accordingly it was agreed that the frames should be of live oak and red cedar; that is, the stern post, and all the stern frames, the upper piece of the stem, and all the frame (except the lower piece) the first, second, and third

11. Ibid., 8. Underlining by the author.

futtocks, three-fourths of the top-timber, stanchions, counter timbers, bow-timbers, hawse-pieces, night heads, breast hooks, partners for masts and knees, all of live oak; and one-fourth of the top timbers, the half top timbers, and half counter-timbers, of red cedar.¹²

Humphreys continued that it was decided to also make the floor timbers of live oak, rather than white oak, because "there are recent instances of white oak decaying in a few years; and the duration of live oak and red cedar may be computed from forty to fifty years." He added that the live oak timber from Georgia "is greatly superior to any in Europe." The keel, keelson, beams, ledges, carlings, planks for the sides, bottom, ceiling, deck-plank under the guns, dead-woods, lower piece stern, and wales were to be made of "the best white oak," and the decks of "the best Carolina pitch pine."¹³

In the final report on the construction of the first three frigates (May 1, 1798), Secretary of War James McHenry wrote to Congress: "Heavy ships of war, built of live oak and cedar, are, unquestionably, capable of sustaining much harder service, and ruder shocks, and will last much longer, than ships of the same size, constructed of white oak. The durability of ships built of live oak and cedar, compared with those built of the common white oak, may be estimated as five is to one."¹⁴ The American navy by 1794 thus relied greatly on live oak in the construction of its warships.

12. Ibid., 8-9. Joshua Humphreys of Philadelphia had designed, built, and repaired warships for the Continental navy during the Revolution, beginning in November 1775; see William J. Morgan, ed., Naval Documents of the American Revolution (Washington, 1966), vols. 2-5.

13. ASP 1:8-9.

14. Ibid., 38.

Thirty-eight years later, and after having built 60 warships of live oak, the navy's great faith in and reliance on the use of live oak timber had not been shaken. Secretary of the Navy Levi Woodbury wrote to Congress on December 14, 1832, that an adequate American supply of live oak timber was imperative:

I consider live oak timber as invaluable for frames in naval architecture; and a supply of that or any good substitute, from abroad, would not only render us dependent in so essential an article for national safety, but become very precarious when most needed in war, and be much more costly than the artificial cultivation of the live oak tree on our own soil, where it is indigenous and luxuriant. . . . The live oak is a supply "of the best quality," because it is superior in strength, resistance, and hardness, to the celebrated British oak which forms "the wooden walls" of England. It is, when used for frames, much more durable than that, or even cedar, which the ancients called "the everlasting wood," and in some quality surpasses the teak of India, which is confessedly the best timber for the greatest number or variety of naval purposes that the research of man has yet discovered. It is a supply "at lowest prices," also because British oak, if we could obtain that, would probably cost now at the port of exportation, exclusive of freight here, about . . . 96 cents per foot, when live oak costs, delivered here, only about 120 cents per foot, on an average, and will last twice, if not thrice, as long, and require only about one-third as much for annual repairs.¹⁵

In reviewing the navy's experience with live oak since 1797, the secretary noted: "It is well known that these [annual] purchases [of live oak timber] have heretofore been very irregular. But all this timber which

15. Ibid. 4:202.

has been used in the frames of public vessels constructed since A.D. 1797...has been about 974,363 cubic feet. That is, on an average, about 27,838 feet per year."¹⁶ He continued:

Many of the vessels afloat, which have been launched within the last 15 years, will probably endure more than one-fourth of a century longer, while some of them built earlier, may perish sooner. Four of our present frigates, the Constitution, the United States, the Congress, and the Constellation, were all afloat before A.D. 1800, and three of them in 1797. Though they have since undergone frequent repairs, yet their original frames, except where destroyed by too large and frequent boring for treenails, or where constructed of timber not well seasoned, mostly remain sound. As the improved practice of bolting with copper and iron, and consequently, of making smaller and fewer holes, shall prevail extensively, the first-named source of injury to our ships-of-war will diminish; and though from 10 to 15 years is the average estimated duration of an English oak vessel in commission, and only from six to ten years the duration of the vessels of many European powers, when made of oak or of fir, yet our experience, and the changes above mentioned, justify a belief, that from 40 to 50 years, will in the future be nearer the truth, in respect to the serviceable duration of the frame of vessels built of well seasoned live oak.¹⁷

Secretary Woodbury then cited the following figures to support his opinion:

Of the whole quantity of live oak put into the frames of public vessels in building since 1797, being about 974,363 cubic feet, there now remain about 165,480 in commission [in active

16. Ibid., 195.

17. Ibid., 196.

vessels], 322,633 feet in ordinary [reserve vessels], and 354,000 on the stock [in new vessels under construction], leaving only 132,250 feet not now on hand. Of this last quantity, 8,000 feet were sold by order of Congress, in A.D. 1801; 68,375 feet were captured and supposed to be destroyed by our enemies in four different wars; 44,500 feet were burned by ourselves in 1814; 3,375 feet have perished by shipwreck; and only about 8,000 feet by great natural decay, requiring rebuilding. This makes a loss of live oak vessels in 35 years, by the last cause, of nominally almost nothing.¹⁸

Secretary of the Navy Isaac Toucey's annual report for 1857 contained a statement prepared by Joseph Smith, chief of the Bureau of Yards and Docks, indicating that the Navy Department still regarded live oak timber as a vital national resource. Chief Smith wrote: "Information has reached the bureau that there are agents and contractors for foreign governments among our own citizens, who receive compensation for spoliating upon the naval [reserved live oak] lands, and for buying up ship timber for exportation--thus becoming instrumental in building up foreign navies to the detriment of our own.

"It is a conceded fact," Smith continued, "that the finest ship timber now known is grown in the southern States of Florida, Alabama, Mississippi, and Louisiana; and it is believed that a sufficient quantity of the best quality cannot be found in any other quarter of the globe for the increasing demands of commerce, navigation, and war purposes; and hence the resort of foreign governments to this country to obtain such materials."¹⁹

18. Ibid., 196-97.

19. Annual Report of the Secretary of the Navy, December 8, 1857, p. 666. The export of live oak timber cut on public lands without the permission of the United States government was illegal after 1817.

DENSITY AND DISTRIBUTION OF LIVE OAK IN THE UNITED STATES

From 1783 until 1803 the live oak resources of the United States were limited to the groves located on the islands and coasts of Georgia and South Carolina. The Louisiana purchase of 1803 added the live oak trees of Alabama, Mississippi, and Louisiana to the supply available to the new republic. The acquisition of East Florida and West Florida from Spain in 1821 further added to the live oak resources of America.

Secretary of the Navy Woodbury wrote to Congress on the subject of live oaks in December 1832:

Without taking the islands and coasts of South Carolina and Georgia and Texas [which still belonged to Mexico] into the following computation, there is a tract, from the St. Mary's [River, on the Georgia-Florida boundary] to the Sabine [River, on the Louisiana-Texas boundary], of over 1,300 miles in length and about 20 in width, on which in many places, the live oak is known to grow spontaneously. Of more than 17,000,000 of acres within that tract, individuals are now [in 1832] supposed to own nearly 1,000,000. . . .

From the peculiar character of the growth of the live oak in detached hammocks or trees. . . the lands hitherto reserved on account of their live oak timber do not generally contain over two trees to an acre, on an average; and in a very few cases are there over five full grown and sound live oaks on an acre, taking the whole of any one reservation. . . .

In appropriate soil, the sprouts from the roots and stump of the live oak are found to be very numerous and thrifty. . . . From these sprouts, in a good soil, it is computed that in 50 years--about the duration of the live oak timber in a vessel--trees will grow, of an ample size for ship-building; though in

poorer soil, and from the acorn, 70, 80, or 100 years might be necessary.²⁰

In his report to Congress of November 15, 1814, Secretary of the Navy Benjamin W. Crowninshield had estimated that the construction of one 74-gun ship, or ship of the line, required 2,000 large oak trees, "equal to the estimated produce of 57 acres."²¹ In 1832 Secretary Woodbury estimated the annual demand of the navy for live oak at 62,286 cubic feet, and figuring that each tree would average 50 feet of timber, he calculated that 1,245 trees must be cut annually--"the produce of 62 acres, if the oak trees are counted at 20 trees to an acre."²²

PROCURING LIVE OAK TIMBER FOR U.S. NAVAL CONSTRUCTION 1794-1860

The initial system established by the War Department in 1794 to secure live oak and red cedar for the construction of six frigates apparently set the basic pattern that was subsequently followed by the Navy Department from 1798 to 1860 in providing for a supply of these timbers. The contracts for the construction of the first six frigates were negotiated by the Treasury Department. With regards to the contracts that provided for the procurement of timber, Commissioner of Revenue Tench Coxe reported to Secretary of the Treasury Alexander Hamilton on June 9, 1794: "An agreement was made with John T. Morgan, a master shipwright, of Boston, to go to Charleston [S.C.], for the purpose of procuring, in concert with persons in that place and in Savannah [Ga.], the live oak, red cedar, and pitch pine materials. His business was to search for the timber, to superintend the cutting and forming it by the

20. ASP 4:199, 201.

21. Ibid. 1:321.

22. Ibid. 4:201.

The cost of procuring the timber in Georgia amounted to \$124,918.37. Of this total, \$66,717.53 was the price paid for the timber and its transportation to the coast; the carpenters and axmen received \$20,091.72 in wages, and John F. Morgan, master ship carpenter and superintendent of the woodcutters, was paid \$8,698.50. The remaining \$28,898.90 was spent on tools, provisions, and transportation of the workmen and oxen. Another \$96,403.33 was expended for freight in transporting the live oak timber from Georgia to the naval yards, making a grand total of \$220,821.60 spent by the United States government to obtain the live oak timber, from 1794 to 1797.³⁰

In subsequent years, from 1798 to 1860, the Navy Department continued entering into contracts with lumbermen and shipowners to provide the live oak timber as needed. These contractors, usually from the northern ports, would then proceed by water to the southern territories and states that had live oak groves. Here, near the coast, they selected their trees, either on public or privately owned land, cut their timber, loaded it upon their vessels, and then transported it to the proper naval yard.

30. *Ibid.*, 41-42. Total cost of all work on the six frigates from 1794 to December 31, 1797, was \$1,147,697.74.

2. EVOLUTION OF THE TIMBER CONSERVATION IDEA, 1794-1824

PURCHASE OF LIVE OAK LANDS IN GEORGIA, 1799-1800

In December 1794, naval architect Joshua Humphreys, the designer of the first six frigates for the new U.S. Navy, suggested that it would be good policy for the United States government to acquire live oak lands for the purposes of ensuring a future supply for the navy and also to keep the price of live oak timber at a reasonable rate. Humphreys wrote: "It will be well to consider that great quantities of the finest live oaks are destroyed to clear the land, and that some of the maritime nations must resort to this country for timber, which will, in a few years, put it out of the power of the United States to secure the quantity of timber they will most assuredly want, without paying a most exorbitant price. If they were to purchase some of the islands plentifully timbered with live oak, I have reason to believe the land may be sold for the first cost after the timber is taken off."¹

In January 1797, a Mr. Parker, reporting for the congressional committee investigating the problems and costs of constructing the new frigates, suggested to the House of Representatives that it would be a good idea for the United States to acquire some live oak land in Georgia and South Carolina. Parker wrote on January 25, 1797: "Your committee further report, as their opinion, that a sum of money should be appropriated for the purpose of purchasing and fitting up a naval yard; and also, that it would be expedient for the United States to secure some of the lands in South Carolina and Georgia, well clothed with live oak and red cedar timber, for the purpose of building ships of war."²

Secretary of War James McHenry, also writing in January 1797, endorsed this suggestion in the following terms:

1. ASP 1:9 (Humphrey's progress report for Dec. 23, 1794).

2. Ibid., 26.

Permit me to observe that, if Congress perceive advantages in the extension of their marine, or think it expedient that early precautions should be taken to secure to the United States a lasting fund of live oak for future use, it will be proper that authority should be given for the purpose, as well as to purchase a site for a navy yard. The probability is, that an article so important to maritime nations as live oak will be sought after with much avidity, and that the land which is clothed with it may pass into hands that may make its attainment hereafter more expensive, if not impracticable.

But whether it is right that the United States should be the purchaser of such land, is a question, which no doubt you have examined.³

The first three frigates were launched in 1797 and turned over to the newly established Navy Department in 1798. In December 1798 Benjamin Stoddert, the first secretary of the Navy Department, presented Congress with a plan for enlarging the American navy. He proposed that 12 ships of the line (74 guns), 12 more frigates (36 and 44 guns), and 20 or 30 smaller vessels should be constructed over the next few years. (Four ships were actually constructed during the second expansion program of 1798-1800.) In considering the timber that would be necessary to build these vessels, he pointed out that the rapid spread of cotton cultivation in Georgia was resulting in the destruction of live oak forests at an alarming rate and suggested that \$100,000 should be appropriated to purchase several islands off the coast of Georgia that were covered with live oak. Specifically, Stoddert noted:

Timber can at present be had in almost every part of the United States, but in the greatest abundance, and of the

3. Ibid., 26-27 (James McHenry to Mr. Parker, Jan. 11, 1797).

best quality, on the Chesapeake Bay, and the waters which empty into it, and in the Southern States. The live oak of Georgia is thought to be almost indispensable in the construction of our largest ships, to be used in those parts most subject to decay, but the white oak of the Chesapeake is not greatly inferior. It is, however, highly desirable to use the live oak of Georgia as long as it can be obtained, more especially in the ships built eastward of the Chesapeake; and by a proper mixture of this timber with that of the growth of the country, good vessels may be built in every part of our country.

The islands on the coast of Georgia, on which the live oak is found, are supposed to be more healthy than the main land near the coast; they are also thought to be very important for the production of cotton; hence the valuable timber is becoming scarce every where convenient to water transportation. Two methods suggest themselves for obtaining supplies beyond the immediate demand. To buy one or two of the most valuable islands, and cause the timber to be preserved for the future uses of the navy, or to purchase the timber as the islands are cleared by the owners, and have it transported to the places fixed on for building our ships, and docked until it is wanted. With respect to a purchase, the lands are held at prices greatly beyond what was the supposed value of them a few years ago; and it is believed they have become less valuable for public purposes, in consequence of the efforts which have been made, and are daily making, to clear them for cultivation.

On the subject of other kinds of timber, possibly, when it is seen by the citizens that it is worth preserving, it may be sufficient to trust, in a great degree, to their attention to private interest, for the preservation of a quantity equal to the

public demand. It would, however, be but provident to expend one hundred thousand dollars, in a way to secure enough of the white oak and yellow pine, both of which are indispensable in the construction of good vessels, to last the public, in aid of supplies from individuals, for ages; 100,000 dollars could be so laid out, and I believe the expenditure would be judicious.⁴

In 1799 Congress passed a law which authorized President John Adams to expend a sum "not exceeding \$200,000, to purchase growing timber, or lands on which timber was growing suitable for the Navy, and to cause proper measures to be taken to have the same preserved for the future uses of the Navy." Acting under the authority granted by this law, President Adams acquired two islands covered with live oaks that lay off the coast of Georgia. The first, Grover's Island, containing about 350 acres, was purchased for \$7,500 on December 19, 1799, and the second, Blackbeard's Island, containing about 1,600 acres, was acquired for \$15,000 in April 1800.⁵

In January 1801, in commenting on a request for an appropriation of "210,000 for the purchase of growing or other timber, or timbered lands, for the navy, and for preparing proper places for securing the timber procured," Secretary Stoddert remarked: "It will be impracticable to get more live oak from Georgia, after the frames already contracted for are completed, except from the islands belonging to the United States, and these are too small to furnish more than a few of the most material pieces for many ships. It will, also, soon be impracticable to obtain, in the United States, any other kind of timber superior to white oak but

4. Ibid., 65-66.

5. Ibid., 4:113, 197-98; Report of Secretary of the Navy Samuel L. Southard, Jan. 29, 1827, to Henry R. Storrs, Chairman of the Naval Committee, House of Representatives, in Executive Papers, 19th cong., 3d sess., Serial HR-138, vol. 5, document 114, p. 3 (hereafter cited as Southard to Storrs, Executive Papers).

there is reason to believe that, when our timber is as well seasoned, our white oak ships will last as long as those of most other countries."⁶

The demand for live oak from 1794 to 1800 to construct seven warships had been considerable, and the amount of timber required to build these vessels just about exhausted the live oak resources of the United States, which were then concentrated completely in the states of Georgia and South Carolina. Fortunately, the Louisiana Purchase of 1803 made available to the United States the live oak groves located on the public lands in Alabama, Louisiana, and Mississippi. But the location and extent of these groves would remain unknown until 1818-20, when the first surveys were conducted. From 1801 to 1814, under the administrations of Presidents Thomas Jefferson and James Madison, the navy had no major construction program underway and very little live oak was required except to make repairs to existing warships. All timber that was required was either cut off privately owned lands in Georgia and South Carolina or obtained from the two government-owned islands off the coast of Georgia, which the federal government allowed individuals under contract with the navy to strip of their timber.⁷

THE FIRST TIMBER CONSERVATION LAW, MARCH 1, 1817

The War of 1812 revealed to President James Madison the wisdom and desirability of having a larger and more powerful American fleet. The third naval building program, which followed the war, again created a large demand for live oak, refocusing attention on the problems of obtaining adequate present and future supplies of this timber. In reporting to Congress on November 14, 1814, on the reorganization and expansion of the navy, Secretary of the Navy Benjamin W. Crowninshield, of Salem, Massachusetts, remarked:

6. ASP 1:74-75. Underlining by the author.

7. Ibid. 4:197-98.

Timber, which forms an object of much solicitude in Great Britain, deserves the particular attention of the [Navy] Department, the reorganization of which will doubtless be made to combine the necessary talents and means to provide for every branch of the service, by a seasonable, diligent, and judicious collection, in secure and convenient depots, of all the materials which enter into the construction and equipment of ships of war.

When it is considered that one seventy-four gun ship requires two thousand large oak trees [34,000 cubic feet], equal to the estimated produce of 57 acres, the importance of securing for the public use all that valuable species of oak, which is found only on the Southern seaboard, is sufficiently obvious.⁸

Apparently as a direct consequence of the awareness created by the third naval construction program, Congress passed and President James Madison approved on March 1, 1817, just before leaving office, "An Act making reservation of certain lands to supply timber for naval purposes."⁹ This Timber Act of March 1, 1817, is considered to be the first law ever passed by Congress that was in any manner designed to preserve timber on the public lands and to protect it against depredation.¹⁰

8. Ibid. 1:321.

9. U.S. Statutes at Large 3:347-48. This act is included as appendix B of this study.

10. Benjamin H. Hibbard, History of the Public Land Policies (New York, 1924), 457-59; Hans Huth, Nature and the American (Berkeley and Los Angeles, 1957), 167-68. See also Charles W. Snell, "Conservation of Natural Resources," NPS Monograph, Theme 19 of the National Survey of Historic Sites and Buildings (San Francisco, 1963), 4-5.

The law directed the secretary of the navy "to cause such vacant and unappropriated lands of the United States as produce the live oak and red cedar timbers to be explored, and selection to be made of such tracts or portions thereof, where the principal growth is of either of the said timbers, as in his judgement may be necessary to furnish for the navy a sufficient supply of said timbers." The secretary was given the authority to employ agents or surveyors, "who shall report to him the tracts by them selected, with the boundaries ascertained and accurately designated by actual survey or water courses, which report shall be laid before the President, which he may approve or reject in whole or in part; and the tracts of land thus selected with the approbation of the President, shall be reserved unless otherwise directed by law, from any future sale of the public lands, and be appropriated to the sole purpose of supplying timber for the navy of the United States." The law established a fine "not exceeding five hundred dollars and [imprisonment] not exceeding six months" for any person or persons duly convicted before any court having competent jurisdiction of cutting or removing timber from the reserved lands, unless duly authorized to do so by order of a competent officer and for the use of the United States. The act further provided for sanctions against the master, owner, or consignee of any vessel that knowingly took on board any timber from the reserved lands without proper authority and for the use of the navy. "The ship or vessel on board of which the same shall be seized, shall, with her tackle, apparel, and furniture be wholly forfeited." Any vessel carrying timber from the reserved lands to a foreign country was also subject to forfeiture, and the captain to a fine not exceeding \$1,000.¹¹

FIRST LIVE OAK SURVEY AND RESERVATION, 1818-20

The first initiative taken under the authority of the Timber Act of March 1, 1817, occurred in November 1818. In that month President

11. U.S. Statutes at Large 3:347-48.

James Monroe's Secretary of the Navy Crowninshield appointed James L. Cathcart and James Hutton, agents, and John Landreth, surveyor, to explore and select the public lands in Alabama and Louisiana that contained growths of live oak and red cedar that would be useful for naval construction. To transport, supply, and support their surveys along the coast of Louisiana, the three men utilized the services of the naval vessel Nonsuch from November 28, 1818, to May 19, 1819. In April 1819 they also examined land in Alabama. The expenses of this first survey totaled \$14,415.61, as itemized in table 1.

Table 1: Expenditures of the First Live Oak Survey, 1818-20

<u>Agent and Dates of Employment</u>	<u>Salary</u>	<u>Contingencies</u>	<u>Subtotal</u>
James L. Cathcart, Nov. 4, 1818, to Feb. 20, 1820	\$ 3,255.13	\$ 522.01	\$ 3,777.14
James Hutton, Nov. 14, 1818, to Dec. 20, 1819	\$ 2,261.00	0	2,261.00
John Landreth, Nov. 18, 1818, to Feb. 22, 1820	2,604.11	340.75	2,944.86
Subtotal: Survey Team	\$ 8,120.24	\$ 862.76	\$ 8,983.00
<u>Transportation</u>			
Cost of equipping <u>Nonsuch</u>	0	\$ 627.51	\$ 627.51
Salary of crew of <u>Nonsuch</u> , Nov. 28, 1818, to May 18, 1819	\$ 4,805.10	0	\$ 4,805.10
Subtotal: <u>Nonsuch</u>	\$ 4,805.10	\$ 627.51	\$ 5,432.61
Totals	\$12,925.34	\$1,490.27	\$14,415.61

Source: ASP 4:104, 106-7.

The survey party submitted voluminous reports of their findings. Acting on their recommendations on February 29, 1820, President Monroe created the first naval live oak reservation in the United States by reserving, or

withdrawing from public sale, eight islands in Louisiana. It was thought at the time that these islands comprised a total of 19,000 acres; however, in 1844 this reserve would be found to contain only 6,897.00 acres.¹² Other tracts of live oak and red cedar that had been located and reported during the surveys were judged to be insufficiently timbered to justify their reservation.

The eight islands comprising the first naval live oak reservation were located in Lake Chetimaches (now called Grand Lake, see maps 1 and 7). Navy Commissioners' Island was reported to contain about 1,000 acres, with 800 acres supporting about 2,400 live oak trees from 3 to 5 feet in diameter. Cypress Island and the contiguous Six Island Group were reported to total about 18,000 acres with the following timber reserves: 35,000 live oak trees from 3 to 8 feet in diameter on 14,000 acres of these seven islands, and a cypress forest on the remaining acreage.¹³

An act of May 15, 1820, assigned the former duties of the three-man survey team to the public surveyors of the General Land Office, but for all practical purposes the search for live oak came to an end when James Cathcart completed his work on February 20, 1820.¹⁴

On May 5, 1821, Evan Bowles was appointed an agent, with a salary of \$300 a year, to guard the timber on public lands in Louisiana from

12. The 19,000-acre figure is from ASP 4:223. The 6,897-acre figure, which is carried forward in subsequent computations in this study, is from "Correspondence Relative to Reservations of Timber-Lands for Naval Purposes, copied for the use of the Navy Department by the Genl. Land Office," Entry 181, Record Group 45, National Archives, p. 61 (hereafter cited as Reservation Correspondence Book). See appendix K.

13. ASP 3:954, item D.

14. Southard to Storrs, Executive Papers 5:4. Several of the letters of James Cathcart and James Hutton regarding their plans to survey timberlands in Alabama have been published in The Territorial Papers of the United States (Washington), vol. 18, The Territory of Alabama, 1817-1819, 465-66, 617-19 (hereafter cited as Territorial Papers, Alabama).

depredation. He was to determine the names of any settlers residing on public timberlands, procure information on the titles by which they alleged to occupy these lands, make quarterly reports of his activities, and take the necessary legal measures to bring to justice those who trespassed. Bowles was employed for two years, but the position was then allowed to lapse.¹⁵

The Louisiana island reservation was the only one created under the act of March 1, 1817. No timber was ever taken by the federal government from the reserved islands or from any privately owned lands in Louisiana to build or repair naval vessels. In 1832 the Navy Department would no longer have any reliable information on the status of the live oak trees on the Louisiana reservation. Indeed, it would not know if a single tree was still standing.¹⁶

THE PROBLEM OF FLORIDA, 1821-24

The United States' acquisition of East Florida and West Florida from Spain in 1821 added large tracts of live oak, red cedar, and yellow pine to the timber resources of the nation. But Florida from 1821 to 1829 was a frontier area, and the locations and extents of the timber groves on public land were unknown. Because the land had never been surveyed, an uncertainty existed about the validity and locations of claims and titles held under Spanish grants. There was no easy way to determine which were public or private lands, and this uncertainty made it difficult to prevent the cutting and carrying off of timber from the public lands.

15. Southard to Storrs, Executive Papers, 5:4; ASP 4:105. However, a chart in ASP 3:953, item A, indicates that the sums of \$300 and \$425 were paid in 1828 and 1829, rather than in 1821 and 1822, as the "salary of the agent in protecting the live oak on the public lands in Louisiana." The chart appears to be in error as to the years.

16. Southard to Storrs, Executive Papers 5:4; ASP 4:110, item A (Hutton's 1831 report, reprinted in appendix E); ASP 4:220, item K.

Alarmed by the reports from Florida of lumbermen rushing south to cut live oak timber on the public lands, Congress passed and President Monroe approved on February 23, 1822, "An Act for the Preservation of the Timber of the United States in Florida."¹⁷ The law authorized the President of the United States "to employ so much of the land and naval forces of the United States as may be necessary effectually to prevent the falling, cutting down, or other destruction of the timber of the United States in Florida, and also to prevent the transportation or carrying away such timber as may be already felled or cut down."¹⁸

Acting at the request of the president, Secretary of the Navy Smith Thompson on March 5, 1822, informed Secretary of War John C. Calhoun "that the President wishes you to give orders to the Commanding Officers in Florida, and its vicinity, to take immediate and effectual measures to prevent the shipment and exportation of the Timber mentioned; and to put a stop to further proceedings of any persons who shall attempt cutting timber on the public lands of that Country."¹⁹ On the same day Secretary Thompson also directed the secretary of the treasury to dispatch a revenue cutter from Savannah to the St. John's River in East Florida "to prevent the departure of Vessels loaded with Timber and to enforce the Act of Feb. 23, 1822." Soldiers were to be put aboard the cutter to assist in this task.²⁰

On March 9, 1822, Secretary Thompson ordered the navy into action, writing to Capt. John H. Elton, the commanding officer of the U.S. brig Spark at Charleston. Elton was to "proceed directly to the River St. John, East Florida, enter that River, take a position to command the

17. The Territorial Papers of the United States (Washington), vols. 22-26, The Territory of Florida, 1821-1844, ed. by Clarence Edwin Carter (1956-62), 22:370 (hereafter cited as Territorial Papers: Florida).

18. U.S. Statutes at Large 3:651. This act is included as appendix C.

19. Territorial Papers: Florida 22:373, 378-79.

20. *Ibid.*, 372-73, 451-52.

ingress and egress, and allow no Vessel to pass without a strict examination. The enclosed Copy of an Act of Congress [of February 23, 1822] will point out to you the object in view. . . . You will be joined by Mr. James Hutton as an inspector of timber who will take a General Survey of the Country round to examine the growth of timber & its actual state, as well as to see what has been cut and now remains to be transported to the U.S. Navy Yards." A gunboat (No. 168, commanded by Capt. John Cassin) was to accompany the Spark and assist in this patrol.²¹

James Hutton, of course, had been one of the two agents who had conducted the timber survey of Louisiana and Alabama in 1818-19. Hutton now made the first survey of the timber resources of East Florida, working from March 11 to August 28, 1822, and he submitted two reports, dated May 16 and August 28, 1822, on his findings.²²

Despite the act of 1822 and the use of the army, navy, and Revenue Service to enforce the law, numerous reports of the cutting of valuable timber on the public lands in East and West Florida continued to reach the secretary of the navy in 1822, 1823, and 1824.²³ The Monroe administration, in spite of its best efforts, was not able to solve the timber problem in Florida.

21. Ibid., 377-78, 379.

22. Ibid., 378, footnote 20; ASP 4:105, 107. Hutton was paid a total of \$799.50 for this survey work. Of this sum, \$501 was for salary and \$298.50 for contingencies. The instructions of the secretary of the navy to Hutton, dated March 22, 1822, are in Book 3 of Misc. Letters Sent, Board of Navy Commissioners, Record Group 45, National Archives. Hutton's two reports to the secretary of the navy are in Books 4 and 5 of Misc. Letters Received, Secretary of the Navy, RG 45, NA.

23. Numerous letters are in Territorial Papers: Florida 22:583, 584, 648, 668, 669, 700, 701, 781, 794-95, 809-10, 847-48.

3. FORMULATION OF A NAVAL LIVE OAK RESERVATION
PROGRAM UNDER PRESIDENT ADAMS AND SECRETARY SOUTHARD,
1825-29

On March 4, 1825, John Quincy Adams took office as the sixth president of the United States. As his secretary of the navy, Adams chose Samuel Lewis Southard (1787-1842) of Basking Ridge, New Jersey. President Monroe had selected Southard as his secretary of the navy in September 1823, and Adams now asked the secretary to continue in that appointment, which he did until 1829, when the Adams administration left office. The navy increased from 35 to 52 vessels during Southard's term as secretary, though only about 16 of these were regularly kept on duty. The naval personnel rose from about 3,400 to 5,600, with an average of about 200 officers and 250 midshipmen, while the annual cost rose from about \$2 million to \$3 million.

The Pensacola Navy Yard in West Florida was started by Southard in 1825, and he urged a more intelligent location of similar bases. As secretary, Southard made several farsighted recommendations, but the only one to bear immediate fruit was the building of the first naval hospital in 1828. He also urgently advocated the establishment of a naval academy, a thorough charting of the coast, a naval criminal code, a rank higher than captain, reorganization and increase of the marine corps, establishment of regular communications across Panama, and as will be discussed here, a preservation program to conserve a future supply of live oaks for the use of the navy.¹

SURVEY OF THE FLORIDA PUBLIC TIMBER, 1825-27

On March 5, 1825, the day after the new administration had taken office, William P. DuVail, the territorial governor of Florida, addressed a letter

1. Dictionary of American Biography, s.v. "Southard, Samuel."

to Secretary Southard, directing his attention to the problem of protecting public timber in Florida. DuVail wrote:

It is important, to the . . . United States, that some effectual measures, should be speedily taken, to preserve the ship-timber in the Territory of Florida.

The Navy of the United States, (if it is not at this moment) will soon be dependant on Florida for the live oak and red cedar so essential to its existence. A great waste in a short time, has been committed on the Publick timber, so much so, as to satisfy me, that the utmost attention & vigilance is required to preserve it. Allow me to suggest that some person should be appointed to visit St. Andrews bay and the coast of Florida and report on the lands best timbered which should be reserved for the use of the Navy--All squatters who may be on the lands reserved should be immediately removed, for these settlers distroy much of the best wood, by belting the trees. In order to prevent shipment of valuable timber and to prevent Smuggling on the Florida coast, three revenue Cutters will be necessary for such an extent of sea-board. One should cruise along the coast from Pensacola to Charlotte harbour, another should be stationed at Key West, which should ply round Cape Florida, from Charlotte river on west, to Indian River on the East of the cape,; the third should be stationed at the mouth of St. Johns river, to cruise to the mouth of Indian river.

This is the only effectual measure that can be adopted to secure, the shiptimber and to suppress smuggling.

Their is no part of our coast, so exposed as Florida . . . or which presents so many little rivers, inlets, and bays, remote from, our settlements--If an organized system of smuggling, is once fully in operation, it will cost much time, trouble, and expence to suppress it. If measures are, taken in due time, much revenue will be secured to the Government, and the most

valuable shiptimber preserved which if distroyed nature will not replace in an age.²

DuVail concluded by suggesting Timothy Twitchel of Pensacola as a well-qualified person to examine the Florida coast, if Southard deemed this advisable.

The secretary sent DuVail's letter to the president with the following note: "To the Prest. The preservation of live oak timber is an object of great importance to the future interests of the Navy--and fears are entertained that much of the most valuable in Florida will be destroyed if immediate measures be not taken to secure it, I have therefore to propose that an agent be appointed to examine that Country, & report to the Dept. on the quality quantity & location of it--with the best means of . . . [securing] & preserving it." Southard suggested Twitchel as the agent and estimated that from \$400 to \$500 ought to cover the cost.³

Southard wrote again on the subject on March 17, and President Adams responded on the 18th by approving Southard's plan, writing, "Let Mr. Twitchel be appointed and instructed to report if possible before the next Session of Congress."⁴ But this projected survey came to nought in 1825 because the only funds available to pay for this project, part of a general contingency fund of \$5,000, had already been earmarked for other plans.⁵

In 1826 money for the live oak survey became available, and James Hutton of the 1819 and 1822 surveys was again engaged. His instructions, prepared by the commissioners of the navy and dated August 23, 1826, directed him to thoroughly explore and examine the public and private lands on which live oak was growing in South Carolina, Georgia, and East

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2. Territorial Papers: Florida 23:205. See maps 9 and 10.
 3. Ibid.
 4. Ibid., 224.
 5. Southard to Storrs, Executive Papers 5.

Florida to "ascertain its locations, quantities, and qualities, and make . . . [detailed] returns, shewing the probable quantity and quality, in each place; the distance from navigable water, suited to coasting vessels; state of roads and water communications; probable expense per cubic foot of putting it on board vessels; names of the owners; probable price per acre at which the land could be bought; price of timber standing; amount fit for the different classes of vessels in the Navy; and, particularly, the growth on the public lands, and practicability of increasing it; with other matters, useful in forming opinions on the whole subject."⁶ Hutton began the survey on September 23, 1826, and completed his work on May 12, 1827, receiving a total of \$2,148.13 for the project.⁷

In his final report Hutton found the live oak resources of the Atlantic coast to be 734,200 cubic feet (or about 14,682 trees), distributed as follows:

South Carolina, 15,700 cubic feet

Georgia, 49,800 cubic feet

East Florida (as far south as Indian Riverhead), 668,700 cubic feet

Of the total cubic feet, 114,200 were suitable for ships of the line, 298,200 for frigates, and 321,800 for sloops of war.⁸

In a letter written to Secretary Southard in 1826 from the St. John's River, "one mile below Jacksonville," Hutton informed him that "the St. John's [which Hutton had examined in 1822], up to that point, together with its tributary Creeks, 15 miles up, is entirely cleared. Live oak has, in fact, been a staple export. The Collector, at the Bluff, informed

6. Ibid., 6.

7. ASP 4:105, 107. Of the total of \$2,148.13, \$1,097.25 was paid as salary and \$1,050.88 for contingencies.

8. Ibid., 110-11, chart A (included as appendix E of this study); also printed in a slightly varied format in ASP 4:220-21, chart K.

[Hutton] that, for the last six or eight years, the numbering of vessels that had cleared, loaded with it, has averaged 150, not carrying, each, less, than 2,000 feet." In presenting this information to Congress, Southard remarked: "This calcuation would make, in the eight years, more than two millions of feet, which have been carried away from that one point of the coast. The estimate is probably much too high, but it is sufficiently authentic to justify an inference that more of this timber has probably been consumed abroad, than in this country, and to create great anxiety for the future."⁹

Secretary Southard also explained to Congress the difficulties of enforcing the Timber Preservation Act of February 23, 1822, in the Florida Territory, writing in his report dated January 29, 1827:

The length of the Coast of Florida: the number of inlets, rivers, and harbors, in which vessels, loading with timber, can lie; the sparseness of the population; the small number of the public vessels or other means which could be employed for the object: the difficulty of deciding whether the land from which the wood was cut, was public or private, have conspired to prevent the execution of the law from being, in all respects, efficient. Immense quantities of timber have been taken away, probably more than one half which was growing in positions easily approached, and on which, therefore, it was most valuable. The greater part has, doubtless, been taken from lands claimed by individuals, and no accurate opinion can be formed of the amount which has been removed from the public lands. Still, it is unquestionable, that many depredations have been committed, and the timber sold, in the West Indies, and elsewhere.¹⁰

9. Southard to Storrs, Executive Papers 5:6; ASP 4:113.

10. Southard to Storrs, Executive Papers 5:5.

ACT OF MARCH 3, 1827, TO IMPROVE THE NAVY AND TO PRESERVE
THE NAVAL TIMBER

Secretary Southard's January 29, 1827, report to Congress presented his suggestions for formulating a national live oak preservation program. The Congress was considering legislation that would grant the Navy Department authority to begin a six-year construction program to enlarge the American fleet, and the legislators had inquired, in a resolution of the House of Representatives dated January 12, 1827, "into the expediency of providing, by law, for the more effectual preservation of the live oak timber on the public lands; and further . . . into the expediency of forming plantations for the rearing of live oak for the future supply of that timber for the Navy of the United States."¹¹

Southard estimated the amount of live oak required for the program under consideration at "about 34,000 cubical feet to build a ship of the line, 23,000 to build a frigate of the first class, and 8,000 to build a sloop of war, of the size of those now building. It would, therefore, take about 927,000 feet to rebuild [the existing fleet of] 12 ships of the line, 17 frigates of the first class, and 16 sloops of war; and 12,000 feet for each steam frigate that may be authorized."¹² Hutton's figures, not yet available, would soon reveal that there were only about 734,200 cubic feet of live oak left on the Atlantic coast of the United States.

Based on his careful historical review of the efforts of past administrations to preserve and protect live oaks on the public lands, Secretary Southard presented Congress with a three-phase plan to provide for the long-range needs of the navy. To ensure an adequate future supply of live oak timber for naval purposes, the secretary wrote, the federal government should engage in the following three activities:

11. Ibid., 1.

12. Ibid., 8.

1. The purchase of such tracts of land as are particularly valuable. These must be such as have the largest quantity of timber, and of the best quality, on them, and are situated upon, or within a short distance of, navigable water. It is an extremely heavy wood, and difficult to be managed, and, if far from navigable water, the expense of transporting it would be too great to justify the purchase.

2. Reservations in Florida and Louisiana, where the situation of the land, and the quantity and quality of the timber are suitable. The power to make these reservations is supposed to be already in the Executive, but the means to make the surveys and to provide the necessary agencies to protect it from depredations, require Legislative provisions.

3. Planting trees upon the lands already owned by the Government, or such as may be purchased. It is probable that subsequent inquiry will show that no land need be purchased for that object. Grover's and Blackbeard's Islands, and the land adjoining the Navy Yard, at Pensacola, with other favorable positions, may be sufficient. The cultivation and growth of this timber is not well understood by any of whom information has been sought; but facts have been acquired which justify the inferences, that it may be cultivated both from the seed and by transplanting; that in the early history of Florida it was cultivated both for ornament and use; that its growth, though not very rapid, is hardy; and that, in favorable situations, it will, in fifty years, be of a sufficient size for many, perhaps most, naval purposes.¹³

Fourth, to meet immediate needs, Southard recommended:

13. Ibid., 7.

Provision should be made for the purchase of large quantities of timber, fitted to repair or rebuild each class of our vessels. Because the owners of the timber will sell to any one who will give the best price for it; and if they do not sell, they will destroy it, for the purpose of promoting their agricultural interests. There is no mode of securing it from this fate but purchasing it by the Government.

Such a policy, would keep the timber out of foreign navies that might some day be our enemies. It will lay up an article which may be perfectly preserved for many years, and grow better as it becomes older and more thoroughly seasoned. The timber laid up under the law of 1799 was used long afterwards, and found as permanent and valuable as any ever used in the Navy. It will provide, in peace, an article which it is difficult, and almost impossible, to procure in war; especially in such a war as is most likely to be encountered by us; a war with a nation having a powerful military marine. The transportation of timber, at such a time, to any of our Navy Yards, except perhaps that at Pensacola, would be attended with immense hazard and expense. We should be compelled to rely on inferior materials and suffer severely the consequences of our neglect.¹⁴

Congress responded favorably, and on March 3, 1827, President Adams signed into law "An Act for the gradual improvement of the navy of the United States." This law was to be the cornerstone of all subsequent naval reservation and protection efforts by the United States government from 1827 to 1861.

Section 1 of the 1827 act appropriated annually the sum of \$500,000 for the next six years, thus launching the navy on a \$3 million construction

14. Ibid.

program. Section 2 granted the president the authority to procure all the timber necessary to construct the new vessels and to store and preserve the timber until it was needed. Section 3 was the keystone of the live oak preservation movement:

SEC. 3. And be it further enacted, That the President of the United States be, and he is hereby, authorized to take the proper measures to preserve the live oak timber growing on the lands of the United States, and he is also authorized to reserve from sale such lands, belonging to the United States, as may be found to contain live oak, or other timber in sufficient quantity to render the same valuable for naval purposes.¹⁵

SECOND NAVAL TIMBER RESERVATION, 1827

Secretary Southard moved immediately to use the authority granted by the Act of March 3, 1827, to implement his program. First the administration reserved 3,602.25 acres of red cedar lands in Monroe County, Alabama, thus creating the second naval timber reserve to be established in the United States.

The reserve was delineated on the basis of the survey that live oak agents James L. Cathcart and James Hutton had conducted in Alabama in 1819. On April 14, 1819, agents Cathcart and Hutton had written to Israel Pickens, registrar of the Land Office at St. Stephens, Alabama, and directed him to withdraw the land on Cedar Creek from sale until the president could consider taking action. Several days later, the agents had met with the registrar in person. On August 23, 1820, having written to the commissioner of the General Land Office, Josiah Meigs, to the same effect, Cathcart and Hutton were informed by Meigs that "the Cedar Lands which you wished to be reserved for the use of the Navy

15. U.S. Statutes at Large 4:242-43. Sections 1 through 3 of this act are in appendix D of this study.

were sold long before your letter was written" and that accordingly the cedar lands in Monroe County could not be reserved.¹⁶ Other correspondence in the General Land Office Letter Books, which the live oak agents never saw, indicates that the Monroe County red cedar lands were actually sold at public sale from April 22 to April 26, 1819, a few days after the registrar at St. Stephens had been informed in person and probably also by letter (assuming it had arrived) that these lands were valuable for their red cedar.¹⁷

After receiving inquiries on the subject from the Navy Department in January 1827, the commissioner of the General Land Office informed Secretary Southard that a portion of the Monroe County cedar lands had been relinquished to the United States since 1819, that is, the purchasers had never completed paying their purchase price, and that another portion of them had been "further credited probably with a view of cutting all the timber and then suffering the lands to revert to the U. States."¹⁸ With title to the land thus again invested in the United States and with the authority granted by section 3 of the act of March 3, 1827, President Adams was able to reserve this land on April 17, 1827.¹⁹

As a second step, on May 1, 1827, Secretary Southard ordered the commandant at the Pensacola Navy Yard, Melancton T. Woolsey, to plant live oak seedlings on the naval reserve lands at Pensacola, West Florida.²⁰ As a third step, on November 12, 1827, Southard appointed Charles Haïre, who was later described as "a young Irish apothecary," as

16. Reservation Correspondence Book, 66-67. Underlining by the author.

17. Ibid., 66.

18. Ibid., 66-67.

19. Ibid., 61, 72-74. Plats of the cedar lands in Alabama are in the Timber Reserves of the General Land Office, Record Group 49, Cartographic Section, National Archives, pp. 2-3 (hereafter cited as the Timber Reserves Book).

20. Territorial Papers: Florida 23:731, footnote 81.

a live oak agent with the duties of examining, surveying, and reporting upon the live oak resources of West Florida.²¹

Southard summarized the progress made in 1827 in his annual report to the president, dated December 1: "Under the second section of the act [of March 3, 1827] for the gradual improvement of the navy, . . . contracts have been made for the frames of five ships of the line, five frigates, and five sloops of war." The construction of these 15 vessels, according to the secretary's calculations of January 29, 1827, should have required about 325,000 cubic feet of live oak. Continuing, he noted: "Under the authority vested in the Executive, reservations of land have been made in Louisiana [in 1820] and Alabama, and of a tract adjoining the Naval yard at Pensacola. Orders have been given to the commandant of the yard to plant live oak on the latter. An examination of the coasts of South Carolina, Georgia, and Florida, as far south as the Mosquito inlet [in East Florida], has been made [by James Hutton in 1827], with a view to the purchase and reservation of land having timber upon it."²²

FLORIDA LIVE OAK SURVEYS, 1828 TO MARCH 4, 1829

As has been noted, Charles Haire was engaged on November 12, 1827, to make the first inventory of live oak timber in West Florida. On March 28, 1828, he hired Thomas F. Cornell, a young New York attorney, as his assistant, and utilizing the schooner Live Oak, the two men began the task, starting in the vicinity of Santa Rosa Sound and Pensacola Bay. Haire's reports were not officially reviewed by the Board of Navy Commissioners until September 1830, under the Jackson administration, and he did not finish his task until April 19, 1831 (see chapter 4). In 1828, however, Haire and company began to furnish Secretary Southard

21. ASP 4:105-7.

22. Ibid. 3:931.

with the first accurate data on the live oak resources of the westernmost part of the coast of Florida.

In all, Haire and his assistants examined 31,187 live oak trees standing on 38 tracts of land in West Florida and found the usable quantity of live oak timber fit for naval purpose to amount to about 1,130,655 cubic feet, thus more than doubling the known quantity of live oak on the Atlantic coast as reported by James Hutton in 1827 (see appendix F for Charles Haire's report.)

Table 2: Expenditures for Surveying the Live Oak Resources of Florida, 1826-31

<u>West Florida Survey, 1827-31</u>	<u>Salaries</u>	<u>Contingencies</u>	<u>Subtotals</u>
Charles Haire, chief agent, Nov. 12, 1827, to Apr. 19, 1831, including costs of schooner <u>Live Oak</u>	\$ 6,275.00	\$ 7,899.35	\$14,174.35
Thomas F. Cornell, assistant, Mar. 28, 1828, to Feb. 28, 1829	1,705.00	314.40	2,019.40
John Lee Williams, assistant, June 21 to Nov. 1, 1829	660.00	0	660.00
John Clark, assistant, Nov. 30 to May 31, 1831	2,740.00	0	2,740.00
Thomas Mason, assistant, Sept. 8, 1829, to Sept. 8, 1830	1,500.00	0	1,500.00
Subtotal, survey of West Florida	<u>\$12,880.00</u>	<u>\$ 8,213.75</u>	<u>\$21,093.75</u>
<u>East Florida Survey, 1826-29</u>			
James Hutton, agent, Sept. 23, 1826, to May 12, 1827	1,097.25	1,050.88	2,148.13
William D. Acken, preservation agent for public timber, Apr. 10, 1828, to July 14, 1829	1,844.20	1,244.20	3,088.40
Subtotal, survey of East Florida	<u>\$ 2,941.45</u>	<u>\$ 2,295.08</u>	<u>\$ 5,236.53</u>
Totals, Florida	\$15,821.45	\$10,508.83	\$26,330.28

Source: ASP 4:105, 107.

The total costs of the West Florida and East Florida surveys are listed in table 2. It is estimated that the Adams administration (through February 1829) spent approximately \$6,744.18 for Haire's West Florida survey.²³ This was in addition to the cost of Hutton's East Florida survey and agent William D. Acken's salary and expenses for the preservation of timber on public lands in East Florida from April 10, 1828, to July 14, 1829.²⁴ Total expenditures of the Adams administration for the surveying and protection of live oak timber in Florida from 1826 to March 1829, including the work of Hutton, Haire, and Acken, thus came to about \$11,980.71.²⁵

PLANS AND LAND ACQUISITION FOR WEST FLORIDA RESERVATIONS, 1828

By January 1828 Secretary of the Navy Southard had conceived the idea of establishing two giant naval live oak reservations on the public lands in West Florida for the purpose of ensuring a future supply of live oak timber for the navy. Each reservation was to include about 30,000 acres of land, and both were to adjoin the Pensacola Navy Yard, which would provide for their protection (see maps 3 and 4). Southard's plans included the idea of cultivating live oaks on a plantation to be established within one of the reservations. In January 1831 Florida delegate Joseph M. White would recall some of the thinking that went into Southard's plans for the live oak reservations and plantation:

23. This estimate was arrived at by taking one-third of the total cost of Haire's expenditures, or \$4,724.78, and adding it to the money paid to Thomas F. Cornell, \$2,019.40.

24. ASP 4:105, 107; ASP 3:956-58.

25. ASP 4:105, 107. ASP 3:953, item A, indicates that a total of \$7,099.77 was spent in 1827 and 1828 for agents' salaries including their per diem allowances and traveling expenses, "for examining and surveying the live oak lands in Louisiana [?], Florida, &C." \$7,110.32 was spent for this purpose in 1829. The figures for 1827-28, as stated in item A, are too low.

The remedy [for preserving a live oak supply] suggested by the late Secretary of the Navy, . . . was the reservation or purchase of lands in favorable positions for plantations. . . . In the execution of the act for the gradual improvement of the navy, the late Secretary, upon information derived from naval officers and other intelligent and scientific gentlemen, determined to make a reservation of about thirty thousand acres of land between Pensacola Bay and St. Rosa's Sound [the Santa Rosa Peninsula], almost entirely surrounded by salt water, and combining more advantages on account of soil, situation, contiguity to the navy yard, accessibility to approach on all sides, healthiness of position, and convenience to protection from the fortifications and garrison, than any other on the whole coast within the live oak region.

A ditch of a few hundred yards, where the bay and sound approach near each other, would make it entirely surrounded by water, and exclude the fires from the wood beyond. . . .

The Board of Navy Commissioners, with Commodore Bainbridge at its head, first suggested the idea of planting near the Navy yard at Pensacola [1827].

One of the most scientific officers in our army, Brigadier General Fenwick, who had traveled over Europe, and is remarkable for his practical good sense as for his scientific attainments, spoke in the highest terms of the proposed plantation, between Pensacola Bay and St. Rosa's Sound, in a letter which I sent to the Secretary.

The practicability and success of planting and cultivating forest trees has been demonstrated in every country of Europe. The live oak itself has been cultivated by the Spaniards in Florida, and by private gentlemen in Georgia. . . .

In this light have plantations been regarded by many profound philosophers, enlightened patriots, and illustrious monarchs. They did not deem any of the artificial means for increasing the growth of ship timber beneath their care, and the name of Evelyn [Evelyn, author of Sylvia, 1825], at whose suggestions the forests [of white oak] were planted which now supply the British navy, is associated in every truly thinking mind with the imperishable renown which that navy has acquired.²⁶

The United States government owned the entire area of Southard's two proposed reservations except for three private inholdings. Southard proceeded to gain the necessary authority and to purchase this privately owned land, in the order and for the prices shown in table 3.

On January 29, 1828, Secretary Southard informed the chairman of the House Committee on Ways and Means:

In making the necessary inquiries to execute the law [of March 3, 1827] of last session respecting live oak timber, it has been discovered, among other things, that there is a large tract of land in the neighborhood of the Navy yard at Pensacola, which belongs to the United States, and may be reserved with more advantage and less expense than any other probably on the whole coast. There is one objection only in the way: near the centre of it is a tract of 1,600 arpents [on the Santa Rosa Peninsula near Deer Point, now part of Gulf Islands National Seashore], which belong to individuals, and which, being in the possession of others, will render it more difficult to protect and guard.

The land has on it some very valuable timber [live oak], and some improvements. The whole together would form very far the best plantation for live oak which can be found in Florida.

26. Ibid., 4:113, 115 (letter to Congress, Jan. 22, 1831).

Table 3: Land Purchases for Proposed West Florida Reservations, 1828

<u>Owner</u>	<u>Arpents of Land</u>	<u>Price of Land</u>	<u>Price of Timber</u>	<u>Total Price</u>
Santa Rosa Peninsula from Henry M. Brackenridge on March 10, 1828 ^a	400	\$1,800.00	\$ 400.00	\$ 2,200.00
from Joseph M. White on March 10, 1828 ^b	1,200	1,900.00	800.00	\$ 2,700.00
Bayou Grande Tract from Joseph M. White on May 27, 1828 ^c	1,250	2,361.11	0	2,361.11
St. Carlos De Barrancas Tract from Francisco and Fernando Moreno on June 2, 1828 ^d	800	3,000.00	0	3,000.00
Totals ^e	3,650	\$9,061.11	\$1,200.00	\$10,261.11

Sources:

^a ASP 3:937, items N and O; 938-39; 941, item V. The original deeds, maps, tracings, and descriptions of the land are in Real Estate Division, Bureau of Yards and Docks, Record Group 45, National Archives.

^b Ibid., 933, 931, 932, 941.

^c Ibid., 935, item J; 937, item M; 947; 935, item K.

^d Ibid., 947; 942, item W; 940-41, item S-2; 936, items L-1 and L-2; 939-40, item S.

^e Ibid., 953, item A. This chart erroneously lists the sum of \$10,261.11 for the purchase of a plantation in East Florida, instead of West Florida.

Under these circumstances I request that authority may be given to purchase the 1,600 arpents. The whole cost and expense may be about \$5,000, which may, with propriety, be taken from the appropriation in the law of the last session of Congress for the gradual improvement of the navy.

The only authority required is that to make the purchase: no appropriation is necessary.²⁷

Congress granted the requested authority on March 19, 1828, and authorized the expenditure of up to \$10,000 for the purchase of lands.²⁸ Meanwhile, on March 10, Southard had already purchased the 1,600 arpents near Deer Point for \$4,900.

On April 16, 1828, Southard wrote to President Adams, setting forth his plan for creating the West Florida live oak reservations and forming within one of them a live oak plantation to experiment with propagation and cultivation:

SIR The 3d Section of the "act for the gradual improvement of the Navy of the United States", authorises the President, "to take proper measures to preserve the live oak timbers growing on the lands of the United States," and "to reserve from sale such lands, belonging to the United States, as may be found to contain live oak or other timber in sufficient quantity to render the same valuable for Naval purposes".

27. Ibid. 3:945. This privately owned land was the property of Judge Henry M. Breckenridge and Joseph M. White, delegate from West Florida to Congress. The land is now included in Gulf Islands National Seashore. Underlining added by the author.

28. U.S. Statutes at Large 4:256; ASP 3:945.

The 3d Section of the "Act making appropriations for the support of the Navy for the year 1828", appropriates Ten thousand dollars for the purchase of such lands as the President of the United States may think necessary and proper, to provide live oak and other timber for the use of the Navy, to be paid out of the money appropriated for the gradual improvement of the Navy.

Under these provisions a purchase has been made of all the private claims upon the neck or isthmus of land between Santa Rosa Sound and Pensacola Bay.--A purchase has also been made of a part, and Contracts are now making for the remainder of the Claims upon the tract lying between the Navy Yard at Pensacola on the East, Perdido River and Bay on the West, Big and Rill Bayou on the North, and the Gulf of Mexico upon the South.--When these latter contracts shall have been completed, the United States will own the whole of these two tracts of land.

Examinations have been carefully made under the direction of the Navy Department into the situation of both these tracts and I have to report, that, on both, there are large quantities of valuable live oak, and other timber, useful for Naval purposes, and that they are both admirably fitted, by their location and other circumstances, for the planting and Cultivation of live oak, and that by a prudent use of it, forests of that timber may there be created which will be incalculably important in the future progress of the Navy.--

I have also consulted the Commissioner of the General Land Office, who informs me that it is not important to the public interest that these tracts should be offered for sale.

I have therefore respectfully to request, that directions may be given to the Commissioner of the General Land Office, to

reserve both from sale, and that they may be placed under the exclusive control of this Department, with a view that the timber upon them may be preserved and nursed, and live oak planted upon such portions where it is not now growing, as are fitted for it.--

The reservations desired are.--1st All that tract of land lying between Pensacola Bay and Santa Rosa Sound, and extending East wardly to a line drawn from the head of East River (which falls into Pensacola Bay at East River Bay) due South until it strikes Santa Rosa Sound [the Santa Rosa Peninsula].--2d All that tract of land lying between the Navy Yard, Perdido Bay and River, the Gulf of Mexico, and Grand or Big Bayou, and a line drawn from its head or western water to the head or Eastern Water of Rill Bayou.--²⁹

While awaiting the president's decision, Southard purchased the remaining two inholdings.

For unstated reasons, President Adams failed to issue the directive authorizing the establishment of the two 30,000-acre live oak reservations at Pensacola Bay prior to leaving office on March 4, 1829.³⁰ There are two probable reasons for his failure to create the reservations, both related to the Timber Act of March 1, 1817. This law required that careful surveys must first be made and that the boundaries of the reserves must be platted accurately on land maps. The final reports of the Haire surveys were not available prior to September 1830, and the

29. Territorial Papers: Florida 23:1064-66.

30. *Ibid.*, 1065, footnote 65, states that no directive from Adams to establish the reservations had been found. Also, George Graham, commissioner of the General Land Office, wrote to Secretary of the Navy John Branch on July 16, 1829: "It is believed, however, that no reservations for Live Oak have been made by the Agent (Haire) within the limits of the lands heretofore proclaimed in Florida" (Reservation Correspondence Book, 14).

General Land Office did not have its first official land survey map of the Pensacola area (map 3) ready for distribution until August 1829. It thus appears that it may not have been legally possible in 1828 for the president to create the two proposed live oak reservations under the 1817 and 1827 acts.

ESTABLISHMENT OF THE DEER POINT NAVAL LIVE OAK PLANTATION,
1828-29

Another gentleman, in addition to Secretary of the Navy Southard, who was to contribute important ideas to the project of establishing a naval live oak plantation in West Florida was Henry M. Breckenridge of Pensacola. Breckenridge had come to West Florida in 1822 and on June 5 of that year had been appointed as the federal judge for West Florida.³¹ He had a residence on 400 arpents of land on the Santa Rosa Peninsula (see map 11). This was one of the tracts that the Navy Department purchased on March 10, 1828. The judge was intensely interested in trees and had planted a grove of various trees on his property. Beginning in March 1828 Judge Breckenridge and Secretary Southard commenced a learned correspondence on the raising of trees and of the live oak in particular.³² Breckenridge responded to a request from Southard with a long letter, dated June 1, 1828, "on the subject of the culture of the live oak, and the mode of employing the public land to be reserved at this place to the best advantage." Judge Breckenridge first outlined his knowledge of the natural history of the live oak and then continued:

Having given this brief sketch of the natural history of the live oak, I shall proceed to the subject to which you have been pleased to call my attention [the proposed live oak plantation and reservation to be formed near Deer Point].

31. Territorial Papers: Florida 22:451.

32. ASP 3:920-21.

This point or tongue of land is certainly the most advantageous that could possibly be selected for the purpose of making a fair experiment of the cultivation or preservation of the live oak. The weight of the wood is so great that it will not bear land transportation but for very short distances. The plantation ought, therefore, to be near the coast; and being in the immediate vicinity of the navy yard, the value and adaption of almost every tree could be known. On this narrow peninsula, the land transportation need not exceed three-quarters of a mile. At present, live oak has to be culled and collected from a variety of places at a multiplied cost; whereas, by having a large plantation, every kind of timber might be met in a small space; and this spot being so completely detached, and without inhabitants, it will be readily placed under the complete control of the government. For at least fifteen miles [east] to Williams' creek [along the Santa Rosa Peninsula], it is, in spots of several hundred acres, already thickly set with young live oak, as well as occasional groves of pine trees; and there are many tracts of 500 or a 1,000 acres of low, open, moist pine woods and savannahs, where the experiment of planting may be made at small expense, for they will neither require enclosing nor clearing. This point abounds with a very valuable yellow pine, remarkable for the fineness of its grain and freedom from sap, and which would be valuable for many purposes in ship building. The first consideration, and that which should precede any other, is the expenditure in the proposed undertaking, and the advantage, either immediately or remotely, to be derived from the expenditure; for although it be the national object to have in store the best materials for the construction of our ships-of-war, yet that object, important as it is, may be attained at too great an expenditure of the public money. In this instance, I think, however, the expense will be found not to exceed that which would be fully justified, even considering it only as an experiment, but an experiment worthy

of an enlightened nation, in a matter of the highest importance, and that with the strictest attention to economy.³³

After summarizing the history of the successful British white oak plantations that produced timber for the British navy, Breckenridge returned to the proposed plantation and costs of operation:

I would endeavor, in the first place to combine, as far as practicable, immediate advantage with future benefit--present and certain benefit with matter of experiment, however promising. The first thing, therefore, would be to take care of the trees already planted by the hand of nature, and by proper care and attention accelerate and improve their growth; and in the next place, to plant trees of the largest size that will bear transplanting, in situation the most favorable, and where their culture will be attended with the least expense. This point where I reside may contain about 4,000 acres, and, until we reach the open grassy woods of long leaf pine, the whole or nearly the whole is already thickly set with live oaks of every size, and will require no planting, but they are intermixed with short leafed or old field pine, with a variety of shrubs and water oaks, rendering the whole an impassable jungle. Within this tract, to which I would recommend that the first operations should be in a great measure confined, there may be found about 400 full grown trees, fit for any purpose of ship building, and about 4,000 thrifty young trees, from four to 12 inches in diameter, which, with proper care, may be fit for use in 10 or 15 years. The attention and expense bestowed upon these cannot be considered as an experiment; the benefit would be certain. But the principal operation, and which would not be as certain as the last, but much more so than planting, would be to clear out a given number, say 10,000 young trees,

33. Ibid., 922-25.

having the advantage of old roots, of two inches and upwards in diameter, and I think the clearing away a few yards round each tree would suffice to give room and air; and in addition, I think the opening wide avenues for the latter purpose would be advisable, judging from the effect of the military road, where the young live oak trees on each side have doubled the growth of those some distance off. The full grown trees would require some little attention also. I would cut away all the pine, water oaks, and hickories, around them, which would produce a large quantity of fire wood, that might be cut up afterwards for the supply of the navy yard. I think I would even recommend cutting down some of those trees which have attained such a size as not to promise much increase; the timber being cut to moulds and transported to the navy yard, may be preserved in sheds for a hundred years, without any other inconvenience than that of becoming so hard as to break the tools of the workmen. I would recommend this plan generally for all the live oak on the [Santa Rosa] Sound, the Choctawhatchy Bay, and other places convenient for the yard; but this might be done at any time, and is only suggested for this reason, that, if the matured stems were cut away, the young sprouts might be nursed into fine trees in a shorter time than by any other mode; at least the accumulation of bark and trash about their roots ought to be cleared away. There are some truly noble live oaks on this point, which are well deserving of some attention. As to the plantations, I would be content the first year with setting out a few thousand trees in the open savannahs, immediately above the tract of which I have been speaking, and if they will readily take root, these plantations would have many advantages; there would be less trouble in keeping down the other growth, there being nothing but grass and scattering pines, and the pine cut down never sprouts. These first plantations I would regard as entirely experimental, and to be made with much care. The proper season and the best mode of transplanting evergreens are not well known, but

planting at different times and in different ways, the best would soon be ascertained. It will be entirely unnecessary to grub, clear the ground, or enclose it, as was done at great expense in the small experiment at the navy yard [in 1827], where, perhaps, hundreds of good roots were dug up to make room for acorns. The wild grass should be cut away a few yards round the plant; the grass is easily killed, and its destruction in the immediate vicinity of the young trees will be a great defence from the fires--the only thing to be much dreaded. I have watched with a good deal of interest the plantation of live oak on the public square in Pensacola, but three of them have taken root, but these are growing handsomely. I found, on inquiry, that the corporation had given a dollar a piece for handsome young trees, 10 or 12 feet high; but they were taken up with very little root, planted too deep in the ground, and were never watered. Those planted at the cantonment have all taken root, and are flourishing; while those at the navy yard, from unskillful planting and not being watered, have shared the fate of those at Pensacola.

With 10 laborers, I would engage to clear out 10,000 of the youngest trees, in the manner I propose, in one year, and plant from one to three thousand; so that five hands would suffice, not only to take care of them during the succeeding years, but to make annual additions of from one thousand to 5,000. But in order to clear and prune the 400 full grown trees, and the 4,000 half grown, it would require the aid of 10 additional laborers for one year. My plan of operations, it will be seen, for the first year is entirely confined to the four or five thousand acres in this immediate vicinity, and perhaps a few miles in the open pine woods. In the course of two or three years, after seeing the success of the present undertaking, other subordinate establishments might be made between this and Williams' Creek [15 miles to the east], at two or three of the principal natural groves of live oak, when the full grown trees, the half grown, and the young ones, may be

treated in the same way, and adjacent plantations formed. Two or three poor families would be glad to settle at Twitchell's, Ellis's, and Williams' hammocks, where there is some land cleared, and would be very useful to keep the fires out of the woods; a very small compensation would satisfy them, or they could be engaged as laborers. Boats passing and repassing along the sound, to ascend the Choctawhatchy river, often encamp and leave their fires burning, which communicate with the grassy savannahs, and every few years, in very dry weather, and when the leaves have accumulated, it penetrates into the thick woods, doing much injury. A few poor Indian families have also made this their hunting grounds, but there would be no difficulty in keeping them away.³⁴

Breckenridge then presented the secretary with a definite estimate of operating costs for the first year:

My estimate of the expense for the first year would be as follows:

For 20 laborers for one year, at \$15 per month, 300 working days,	\$4,000
For rations, &c	1,000
Cart, oxen, boat, tools	300
	<u>5,300</u>
Salary of a superintendent	400
Overseer	500
	<u>\$6,200</u>

A few hundred dollars would be required, in addition, for quarters, storehouses, and other temporary buildings. But I would not recommend an expenditure of more than ten thousand dollars at the outside until the reports and opinions of persons in whom the government can place full confidence shall have given satisfactory assurance of at least fair prospect of success

34. Ibid.

in the further prosecution of the experiment. If ten laborers only be allowed, it will be recollected that the expense will not be remitted in proportion; the saving would only be in their wages and rations, and I would recommend even continuing the ten laborers the second year, but after that, with occasional assistance, five would suffice. It would probably take several years to make a fair trial, particularly in the transplanted trees. According to my estimate, the present value of the four hundred grown trees alone would be eight thousand dollars and of the four thousand trees half grown, at five dollars, twenty thousand dollars; and several thousand cords of pine wood could, at the same time, be obtained with a little additional expense. Ten thousand dollars would be money safely expended for objects of present and certain value.

Some legislation might, perhaps, be necessary to declare the tract of land a reserve for this purpose, and in order to prevent depredations. This point has been a kind of common for many years, where persons came to cut wood to sell for the use of the town, and for the navy and army. Perhaps a simple notice in a public newspaper, forewarning all such persons, and strict instructions to the district attorney and the agent to proscribe all trespassers, may be found to answer any purposes. A penalty on persons setting fire to the woods would, however, be very useful. I have thus given a hasty outline of any plan, and it will give me great pleasure to attend to any further suggestions on this interesting subject.³⁵

On June 10, 1828, Judge Breckenridge wrote a second letter stating that his estimate of clearing 10,000 trees a year was too low:

35. Ibid. 3:922-25; 4:105.

I think 20 or even thirty thousand might be cleared. The [Deer] Point might hold from three to four hundred thousand, and it is already set for this purpose, but I think that number would be too great for 4,000 acres. . . . I have had one laborer continually employed in pruning the oak trees about me, and in extending the clearing ground. Much of the work has been with a view to see what a hand can accomplish in the way of clearing out the trees from the undergrowth. As this laborer has been employed for the benefit of the government, I think it reasonable that his wages should be allowed, at least for the future. . . . A boat will be necessary. Perhaps by an order to the superintendent of the navy yard one might be furnished. It will be necessary to the establishment, at any rate, and the one which I have is very crazy and unsafe.³⁶

Secretary Southard presented Judge Breckenridge's recommendations and estimates to President Adams for the chief executive's consideration. On July 5, 1828, Adams noted the following in his diary:

July 5, 1828--Mr. Southard called after Breakfast. . . . We spoke further of Judge Brackenridges' [sic] letter respecting the cultivation of the Live Oak. I consented that the Judge should be engaged to superintend the exploration of a forest of these trees near Pensacola, and to employ from 10 to 20 men upon the necessary labor of clearing and dressing and taking care of the trees; to which I desired that planting of acorns should be added. This part of the establishment he supposes to be unnecessary, and that it will be sufficient to cultivate the trees already growing. But the natural history of the live oak has many singularities, and has not been duly observed. Among my reasons for desiring that a considerable plantation of them

36. Ibid. 3:925.

should be raised from the acorn is, that their growth to maturity may be observed, and perhaps a better knowledge of them be obtained. Mr. Southard will write to Judge Brackenridge accordingly.³⁷

For reasons that are not known, Secretary Southard did not act on President Adams's instructions until December 6, 1828. On that date, Southard wrote to Judge Breckenridge as follows:

I have received your letter of the 1st and 10th June, containing your suggestions respecting the cultivation of live oak, on the land purchased and reserved for that purpose near Pensacola, and tender to you my sincere thanks for the information and plans which you have communicated.

I do not perceive in them anything important which does not appear to me correct, except that which related to the planting of the acorn. The President entertains an opinion, which is justified by the best writers on the subject, and among others by Evelyn and Duhamel, that a good, if not the best mode of raising the oak, was from the acorn. But whether this opinion be correct or not, it is desirable that it should be tested by full experiment on the reserved land; and it is the earnest wish of the President that this should be done.

I desire, by direction of the President, in this letter, to appoint you the superintendent of the tract and plantation, with a yearly compensation of four hundred dollars; and if you undertake to perform the duty, the Executive will look to you for a careful and judicious management of the whole matter.

37. Charles Francis Adams, ed., The Memoirs of John Quincy Adams (Philadelphia, 1876), 8:50-51.

You will be authorized to employ an overseer, at a salary of not more than \$500, and as much less as you can procure a fit person for.

You are authorized, also, to employ not more than 20 laborers for one year, and procure such oxen, carts, boats and tools, and erect such houses and accommodations as may be necessary, seeking in everything the utmost economy, and rendering quarterly accounts of the expenses, and statements of the progress made in the labor.

It is desired that the labor be directed--

1st. To clearing out the ground on which the oak is already growing, so as to give it the best opportunity for increase.

2nd. To plant young trees.

3d. To select a favorable spot of 200 or 300 acres, and plant the acorn upon it, in such mode as to make the most satisfactory experiment, and to keep accurate statements of the progress on this point for future use.

As you are superintendent, you are authorized to take such measures as may be necessary to prevent fires, and trespasses of every description. It is important that these measures be as little harsh and violent as the nature of the objects will permit.

You are also authorized to purchase the private rights or claims to portions of the land which you mention in your letter, provided it can be done on the terms you state. If you make the purchase, you will take the necessary conveyances and authority from the claimants for a patent to issue in my name, as Secretary of the Navy, for the use of the United States.

In clearing out the ground, it is supposed a large quantity of wood will be cut, which may be sold to advantage; it is desirable that this should be disposed of, so as to reduce the expenses as far as practicable.³⁸

In concluding his letter, Secretary Southard remarked, "I shall be glad to receive from you frequent communications of your views and opinions on this interesting subject."³⁹

Judge Breckenridge accepted the position of superintendent on January 5, 1829, writing to Secretary Southard:

I . . . accept with pleasure the appointment of superintendent of the live oak plantation at Deer Point. I also return you my sincere thanks for the assurances you give me [in a second letter also written December 13] that the orange grove and improvements [Breckenridge's residence] will remain permanently in my possession, which for the present is all I could desire.

Immediately on the receipt of your letter, I wrote to Mr. Samuel Davis, who resides with his family on the place, and appointed him overseer, and employed four of his men [slaves] who had been previously employed at the navy yard. It is a great advantage to have a person there interested in the success of the undertaking, and to him the plan of operation is perfectly known. I have also entered into an agreement with a gentleman of the name of Garnet, who happens to be here from Virginia, for the hire of 10 men [slaves], who are now at Pensacola; so that by the tenth of this month, at furthest, the work will have been commenced. . . . I will follow the advice of the President

38. ASP 3:946, item CC. Underlining by the author.

39. *Ibid.*

in the planting of acorns; which, I find, also accords with the opinion of Commodore Woolsey, who is well informed on such subjects, and enters into the views of the President with judgement and zeal.⁴⁰

Henry M. Breckenridge was entered officially on duty as superintendent of the naval live oak plantation at Deer Point on January 18, 1829.⁴¹ The first federal tree farm in the United States was in operation.

ACCOMPLISHMENTS OF THE ADAMS ADMINISTRATION, 1825-29

President John Quincy Adams and his secretary of the navy, Samuel L. Southard, conceived and instituted a far-ranging live oak preservation program intended to ensure an adequate future supply of live oak timber and other timbers for the use of the navy. They proposed the creation of two reservations, each of 30,000 acres, in West Florida, adjacent to the Pensacola Navy Yard, and also the establishment of a live oak plantation to experiment in the artificial propagation and cultivation of these trees. The Adams administration started this program, but was only able to execute a portion of it before being forced out of office. This much, however, they did accomplish: (1) the creation of the second naval timber reserve in the United States, 3,602.25 acres of red cedar lands in Monroe County, Alabama, on April 17, 1827; (2) a comprehensive survey of the live oak resources of South Carolina, Georgia, and East Florida, 1826-27; (3) the first 16 months work on a survey of the live oak resources of West Florida, 1827-31, with a view to reserving about 60,000 acres of public land containing live oaks; (4) the purchase in 1828 of 3,650 arpents of land near Pensacola to form a part of the proposed reservations; and (5) the establishment in January 1829 of the first naval

40. Ibid., 926, item 9. Underlining by the author.

41. Ibid. 4:107, item C, no. 4.

live oak plantation on 1,600 arpents of this purchased land. In furthering this program, the Adams administration expended a total of about \$22,241.82. Of this sum, \$11,980.71 was for the live oak surveys and \$10,261.11 for the acquisition of the private lands.

In March 1829, the question was how would the new Jackson administration regard the Adams live oak program?

4. ATTACKS AGAINST THE LIVE OAK PROGRAM UNDER
PRESIDENT JACKSON AND SECRETARY BRANCH,
MARCH 1829 TO MAY 1831

On March 4, 1829, Gen. Andrew Jackson took office as the seventh president of the United States after having been engaged in what has been characterized as "the most unprincipled and degrading presidential election the United States had experienced."¹ Jackson and his supporters had made charges of corruption against the federal civil service during the election of 1828. The facts of the matter were that there was some incompetence among those in office, but no corruption. The general and his partisans, however, believed the charges they made. As president, Jackson removed everyone suspected of having supported Adams, and when their places proved insufficient for the victors, others were also swept out.²

Four of the six men Jackson chose for his first cabinet proved to be incompetent. Among the less-than-able men was his first secretary of the navy, John Branch of Halifax, North Carolina. Branch (1782-1863) was the son of a wealthy planter and had inherited an ample estate. He served as governor of North Carolina from 1817 to 1820 and as a U.S. senator from 1823 to 1829. He was to be secretary of the navy from 1829 to May 1831.³

The evidence suggests that the new secretary viewed certain aspects of the naval live oak program with extreme suspicion, apparently because he was aware that they had been instituted during the Adams administration and that the former president was still interested in them.

1. Samuel Eliot Morison and Henry Steele Commager, The Growth of the American Republic, 2 vols. (New York, 1942), 1:469.

2. *Ibid.*, 472.

3. Dictionary of American Biography, s.v. "Branch, John."

ESTABLISHMENT OF THE FIRST WEST FLORIDA RESERVATION,
1829 TO NOVEMBER 1830

Chief live oak agent Charles Haire and his assistants were allowed to complete the live oak survey of the Pensacola region of West Florida that they had begun in March 1828. In August 1829 the General Land Office completed the first land survey map of the Pensacola area, and on September 23, 1829, the commissioner of the General Land Office submitted copies of the map to the secretaries of the army and the navy.⁴ Conditions were at last such that President Jackson could now create naval live oak reservations in West Florida, if he and Secretary Branch so desired.

On September 6, 1830, the seven reports prepared by Haire, documenting that the 38 tracts examined in West Florida contained 312,137 live oak trees, or 1,130,655 cubic feet of timber, were laid before the Board of Navy Commissioners for their review.⁵ They recommended on September 22 that reservations containing live oak and some red cedar and white oak be established on the Santa Rosa Peninsula near Deer Point,⁶ at various sites around Choctawhatchie Bay,⁷ at several locations at St. Andrew's bay, and on St. Vincent's Island.⁸ These recommendations would be submitted to Secretary Branch on November 3, 1830.⁹

4. Territorial Papers: Florida 24:270-71. See map 3.

5. ASP 4:109, item E, no. 1. A summary of Haire's report is in appendix F of this report.

6. *Ibid.*, 109, report 3, schedules 1, 3, and 4.

7. *Ibid.*, 109, report 4, schedules 1 and 2 (4 tracts); report 5, schedules 1 to 11, including more than 700 acres in several tracts.

8. *Ibid.*, 109, item E., no. 1, report 6, schedules 1 to 5; report 7, schedules 1 to 4, comprising about 700 acres.

9. *Ibid.*, 109, item E, no. 2.

Prior to receiving the recommendations, however, Branch went to the chief executive with a letter from Judge Henry M. Breckenridge (letter not found), superintendent of the naval live oak plantation at Deer Point, identifying the lands he thought should be reserved. Branch wrote to President Jackson on October 23, 1830:

I have the honor to recommend that the following tracts of land, containing timber valuable for naval purposes, be reserved from sale, under the provisions of the 3d Section of the Act of the 3d of March 1827 for the gradual improvement of the Navy, viz In Fractional Township 3 Range 29--S[outh] & W[est] and North of Sta Rose Sound

Sec. 4 Lot No. 1 containing	137.72 acres
2 "	80.00 "
3 "	80.00 "
4 "	80.00 "
Fraction No. 1 on the bay [Pensacola]	102.00 "
[Sec. 5] No. 2 "	159.00 "
No. 1 on the sound [Santa Rosa]	74.50 "
[Sec. 9] No. 2 "	112.50 "
No. 3 "	100.00 "
	[925.72 acres] ¹⁰

President Jackson approved the reservation on October 23, 1830.¹¹ This, the third naval live oak reservation in the United States, was located on the Santa Rosa Peninsula near Deer Point, abutting the west side of the naval live oak plantation established the previous year.

On November 1, 1830, Elijah Hayward of the General Land Office in Washington, D.C., pointed out to Secretary Branch that the reservation of October 23 had failed to include and thus protect certain key sections:

10. Reservation Correspondence Book, 86; reservation shown on plat no. 40 in Timber Reserves Book. See map 4.

11. ASP 3:953, item C; Reservation Correspondence Book, 88.

"Fractional Sections No. 1, No. 7, and No. 10, and Lot 5 of Fractional Section No. 4" (see map 4). He added that "if those fractional Sections should be sold by the U. States it occurs to me that in the course of time they might afford convenient harbors to ill disposed persons who might commit depredations on the timber of the tracts already reserved, and thereby defeat in some measure, the great object of the Navy Department."¹²

On November 26, 1830, Secretary Branch presented the Naval Commissioners' and Hayward's recommendations to President Jackson for his consideration.¹³ Jackson approved both recommendations on November 28, 1830.¹⁴ The effective result of this order, however, was limited to Hayward's recommended additions. The additional tracts on map 4 were reserved, but it was impossible to legally reserve the land at Choctawhatchie Bay, St. Andrew's Bay, and St. Vincent's Island because the official land maps on which the boundaries had to be marked had not yet been drawn.

The result of the Haire survey and of President Jackson's orders of October 23 and November 28, 1830, was thus limited to the establishment in 1830 of a 1,219.36-acre naval live oak reservation, which adjoined the west side of the 1,337.87-acre (1,600-arpent) naval live oak plantation on the Santa Rosa Peninsula near Deer Point. With these two areas and a 626.15-acre tract of other navy lands (section 6 on map 4), the entire western end of the Santa Rosa Peninsula came under the jurisdiction of the Navy Department by the close of 1830.

12. Reservation Correspondence Book, 87.

13. Territorial Papers: Florida 24:457.

14. List of Lands Reserved for Naval and Live Oak Purposes (hereafter cited as Abandoned Reservations List), "Abandoned Military Reservations, Alabama and Florida," Entry 181, Record Group 49, National Archives (hereafter cited as Abandoned Reservations File).

The Jackson administration, from March 4, 1829, to April 19, 1831, spent a total of about \$14,349.57 to support the Haire surveys.¹⁵ To this should also be added \$4,469.61 for the cost of the schooner Florida, which was sent to survey the coast of Louisiana from November 1830 to April 18, 1831.¹⁶ Thus, the grand total spent on surveys prior to May 1, 1831, was \$18,819.18. The Florida, under the command of Lt. Thomas R. Gedney, explored the coast of Louisiana from Barrataria Bay as far west as Atchafalaya Bay and charted the channels and shoals. Lieutenant Gedney also collected information on live oak. Secretary Branch, however, failed to require Gedney to report on his live oak findings, and this data did not become available in Washington until January 20, 1832, when Lieutenant Gedney submitted a live oak report as a result of orders from Secretary of the Navy Levi Woodbury.¹⁷ (The report is described in chapter 5.)

CLOSING DOWN OF THE DEER POINT PLANTATION, APRIL 17, 1829,
TO JANUARY 18, 1831

From the beginning, and apparently because it had been established by and was dear to the heart of former President Adams, Secretary Branch exhibited considerable hostility towards the naval live oak plantation at Deer Point. On April 7, 1829, Branch informed superintendent Breckenridge: "The Commissioners of the Navy are about to visit Pensacola, and have received instructions to examine the several tracts of land purchased by this Department.

15. Based on figures in table 2, chapter 3, assuming that two-thirds of the total costs of Haire's expenditures (\$9,449.57) and the full salaries of assistants Williams, Clark, and Mason (\$4,900) were paid by the Jackson administration.

16. ASP 4:106. Cost of outfitting the Florida, \$627.00, plus salary of crew for one year at \$7,683.74, here calculated at one-half for a 5½ month period.

17. *Ibid.*, 98-99, item A, no. 1; 103-4, item A, no. 12.

"You will be pleased to suspend all operations commenced under former instructions, relating to that tract which is under your immediate superintendence, until, you shall hear further from the Department."¹⁸

Breckenridge continued to operate the plantation, but he received no further instructions from the new administration and was not able to collect one cent of his salary or any of the money he had paid out to cover the costs of operation of the plantation since January 18, 1829. Judge Breckenridge visited Secretary Branch in Washington about this matter in July and learned that the secretary hoped to close down the plantation permanently. Breckenridge responded to the discussion in a letter written on July 6:

Having followed literally the instructions of the Secretary of the Navy, I was not aware that there would be any hesitation in settling the accounts. . . . If it should be your opinion that the operation should cease before the end of the year (say at the end of the second quarter, which would be the 18th of the present month), it is desirable that some order should be taken as early as possible. If terminated with the second quarter, there will still be a fraction of the third quarter, say a month, as the order cannot reach Pensacola until about the first of August.

If it should be determined to discontinue the 20 hands before the end of the year, I would recommend the continuance of the present overseer with four or five hands, with a reduced salary; and it will afford me pleasure to continue to act in the same capacity in which I have acted, leaving it entirely to the pleasure of the President as to the compensation, if any, he may think proper to allow.¹⁹

18. Ibid. 3:926. Underlining by the author.

19. Ibid., 927, item 13.

While Superintendent Breckenridge was in Washington, Commodore John Rogers, the chairman of the Board of Navy Commissioners, visited Pensacola and inspected in detail the three tracts of land the United States had purchased in 1828 and also the live oak plantation, in accordance with instructions received from Secretary Branch.²⁰ Branch apparently hoped that evidence of fraud and mismanagement would be uncovered which would provide him with a reason to end operations at the live oak plantation. If this was Branch's plan, then he was disappointed, for Commodore Rogers's report proved to be favorable to the live oak plantation and did not provide any evidence to sustain the secretary's suspicions.²¹ The live oak plantation thus continued to function during 1829.

On January 17, 1830, former President Adams noted in his diary some information that helps explain Branch's attitude towards the Deer Point plantation: "After the morning service, I had for two hours a succession of visitors. First, Mr. [Joseph M.] White, [a delegate] of Florida, who began to tell me of his recent conference with the President [Jackson] upon the removals from office. . . . White says that the plantation of live oaks that I caused to be formed near Pensacola is in an extremely flourishing condition; that Branch, the present Secretary of the Navy, wanted to put it down with the other naval establishments, and sent Commodore Rogers to make a report upon it; but that the report was so highly favorable to it that it has been suffered to live."²²

But Branch was not a man who gave up easily. On August 30, 1830, he wrote to Superintendent Breckenridge: "I have to inform you that your account and vouchers have been referred to the Fourth Auditor for

20. Ibid., 943-44, item X is extracts from Rogers's report, which was written July 3, 1829. The full report is published in Senate Documents, 21st Cong., 1st sess., Serial 192, 1:231-37.

21. Rogers's report of July 3, 1829, is considered in some detail in chapter 8 of this study.

22. Adams, Memoirs of J. Q. Adams 8:72.

settlement; and in reference to the expenses on account of this concern, it is the desire of the Department to be brought to a close as early as practicable, with the understanding that they positively terminate with the present year."²³

Breckenridge acknowledged receipt of these orders on October 24, 1830, and responded: "Notice has been given to the persons who have laborers employed, that the work will cease at the end of the year, that is, with the next quarter ending the 18th of January [1831]; and every arrangement has been made to comply with your intimation."²⁴

The superintendent then pleaded with Secretary Branch to save the plantation:

I hope that some measures will be taken to preserve the plantation; for, unless a few laborers be employed at the end of the year for this purpose, it must go to destruction. I will cheerfully do the best in my power, without any charge to the government, to keep out the fires, and to prevent trespasses, but this will not be sufficient to do justice to the work. The trees have nearly all been pruned a second time, but it will require a third pruning and sprouting, which can be done by five hands, and nothing will then be necessary but to prevent the accidents to which I have alluded. The third pruning is necessary on account of the great number of lateral twigs sent forth from the trunk, and which the trees will continue to do for some time after the bodies have been pruned up.

If a few hands will be allowed, say from two to five, (but I think the latter number at least,) I will undertake, for the sum [\$400] which has been allowed me as superintendent, to

23. ASP 3:928, item 14.

24. Ibid., 950.

continue the care of the trees for the next year, and will, out of that sum, engage a white laborer, who can, at the same time, act as overseer of the hands. I should feel great regret to see the work abandoned when it is so promising, and after so much expense and labor have been bestowed. The space now occupied [by the plantation and reservation--3,183.38 acres] can sustain at least 60,000 trees, the whole of which, in less than 20 years, and many much sooner, will be fit for most purposes for ship-building.²⁵

On January 18, 1831, after nearly two years in office, Secretary Branch was finally able to close down the naval live oak plantation at Deer Point, which had been exactly two years in operation. Expenditures for the operation of the plantation from January 18, 1829, to January 18, 1831, are shown in table 4. In both years Superintendent Breckenridge had kept the costs of operation below his own estimates of \$6,200 a year.²⁶

Table 4: Expenditures for the Deer Point Plantation, January 18, 1829, to January 18, 1831

	<u>1829</u>	<u>1830</u>	<u>Subtotals</u>
Salary of Superintendent Breckenridge	\$ 400.00	\$ 400.00	\$ 800.00
Salary of overseer Samuel Davis	\$ 500.00	\$ 500.00	\$ 1,000.00
Operation of plantation	<u>\$4,181.64</u>	<u>\$4,449.91</u>	<u>\$ 8,631.55</u>
Totals	\$5,081.64	\$5,349.91	\$10,431.55

Source: ASP 3:953, item A; 4:107

25. Ibid.

26. Ibid. 4:105.

ACCUSATIONS OF FRAUD IN THE ADAMS ADMINISTRATION,
DECEMBER 1830 TO JANUARY 1831

On December 16, 1830, the House Committee on Navy Affairs, at the instigation of Delegate Joseph M. White of Florida, passed a resolution calling upon Secretary Branch to submit to them all papers relating to the 1828 purchase of three tracts of live oak land at Pensacola, Florida. White's purpose was to challenge Branch's closing of the Deer Point plantation in Congress, thus forcing a public debate on this decision.²⁷

On December 25, 1830, John Quincy Adams had another visit from Florida Delegate White, who briefed Adams on the background of the current attack. Adams noted in his diary:

Mr. White mentioned to me that in the reports from the Navy Department at this session of Congress, it is announced that after the present year, the plantation in Florida, which I had commenced, and which are now in a very flourishing state, will be abandoned and broken up, on the allegation that along the whole coast of Florida and of Georgia nature produces the live oak in so great abundance that an artificial plantation can be of no use there. This, White says, is an egregious misrepresentation, and is contradicted by a mass of testimony upon which I commenced the plantation. There are now, he says, 70,000 trees on the ground set apart for it by my direction, requiring an expense not exceeding \$7,000 to maintain, and which will now be abandoned to perish or come to nothing. He wishes to have the plantation established by a special act of Congress and not to depend on the discretion of

27. Ibid 3:934, item 1; 950-91. White later commented: "It was with a view of inviting the serious attention of Congress to the consideration of this important subject, that I introduced the resolution calling for the reports of the superintendent and overseer of the live oak plantation"; ASP 3:115 (White to Congress, Jan. 22, 1831).

the Executive, and was now consulting Evelyn [Evelyn's Sylvia, 2 volumes, 1825]. He asked me to write on the subject; but I thought it would be useless at present. I advised him to consult Du Hamel upon Plantation, as well as Evelyn.²⁸

On January 7, 1831, acting in response to the House resolution of December 16, Secretary Branch submitted to Congress a great mass of deeds, powers of attorney, correspondence, and receipts related to the purchase of three tracts of land at Pensacola by the Adams administration in 1828.²⁹ Also included were the letters and reports of Henry M. Breckenridge, superintendent of the Deer Point Naval Live Oak Plantation, regarding that plantation. Excluded, however, were any data on the amount of live oak timber still available in the United States or on the live oak program in general.

Secretary Branch's apparent strategy was to divert Congress's attention away from the closing of the live oak plantation and a consideration of the national live oak program by accusing Superintendent Breckenridge, Delegate White, former Secretary of the Navy Southard, and by association, former President Adams, of fraud, corruption, conspiracy, engaging in illegal acts, and exceeding the powers granted to the chief executive by the Congress in the execution of the live oak program and the establishment and operation of the live oak plantation. Branch hinted that fraud was involved, writing: "[Item] T [transmitted] is a copy of a deed, dated 2nd June, 1828, from Joseph M. White, on his own account, and as attorney in fact for H.M. Breckenridge, conveying to Samuel L. Southard 1,600 arpents of land [the site of the soon-to-be established naval live oak plantation near Deer Point on the Santa Rosa Peninsula] 'for a valuable consideration,' which lands are the same conveyed in deeds marked E and V, at a consideration as named in the deeds of

28. Adams, Memoirs of J.Q. Adams 8:254-55.

29. ASP 3:918-51 covers nearly all of these submissions.

\$3,300, when the valuable consideration actually paid for them was \$4,900, as appears by the contracts and accounts settled. Why the deeds do not show the precise sums paid for the several tracts of land purchased as above is unexplained by any documents in the [Navy] Department." Surely dark forces and evil men must be at work here, the secretary insinuated. Moreover, Branch complained, "the deeds from Mr. White to the Secretary of the Navy are all without warranty, without relinquishment of dower, vague and indefinite, and three of them have never been recorded."³⁰ More signs of corruption, no doubt.

The 3,650 arpents of land purchased in 1828 were supposedly bought for their live oak trees, but "from these papers [X and Y]," Secretary Branch asserted, "it appears that, on the 400 arpents of land purchased from Mr. Breckenridge [section 3 on map 4 and map 11], there are about 10 acres of live oak land bearing 117 trees fit for use, and many too small to be of any present value. It does not appear from these papers or any other in the Department, that, on the lands purchased of Mr. White [2,450 arpents], there is a single tree fit for use."³¹ The Adams administration had misstated the facts here, to say the least, Branch implied.

To indicate that expert opinion would support his allegations, Branch wrote:

[The] paper marked R contains extracts from a communication made to the [Navy] Department, by Mr. [Thomas F.] Cornell, late [assistant] agent associated with Mr. [Charles] Haire for the examination and survey of lands producing live oak, &c., dated 16th July, 1829.

From these it appears that the quality of the lands purchased by the government, from Mr. White and Mr. Breckenridge, is

30. Ibid., 919-20.

31. Ibid.

far inferior to many thousands of acres of land owned by the government, which last will not command the minimum price of one dollar and twenty-five cents per acre, and expressing the opinion that these lands, for which \$9,000 had been paid by the government, "could not, at this moment, command 9,000 cents, except for the buildings erected by Judge Breckenridge, one of the former proprietors, and some other little improvements, of no use to the government, put on one of the tracts by him previously to the sale to the government."³²

Saving his most sweeping charges to the last, Secretary Branch alleged that the purchase of the land and the establishment of the naval live oak plantation were illegal because the president of the United States and his secretary of the navy had exercised powers not granted by the laws of the land:

The report of the Secretary of the Navy [Southard] to the President [Adams], dated 1st December 1827; the contracts made [by Southard with White, Breckenridge, and others to buy 3,650 arpents of land], and the money advanced on January 29th, 1828 [for the right to cut live oak on some of this land]; the deeds [for the 1,600 arpents of land at Deer Point] executed on the 10th of March, nine days before the special session [appropriation bill of March 19, 1828, which granted the authority to expend up to \$10,000 for the purchase of land in Florida] became law; the authority given on the 23rd of March to purchase to the amount of \$3,400, when there was only \$2,100 of the \$10,000 left; the payment on the 27th of May of \$261.11 beyond the \$10,000; and finally the authority given [by Secretary Southard to Superintendent Breckenridge] on the 6th of December 1828, to purchase pre-emptions [on the Santa

32. Ibid.

Rosa Peninsula near the Dear Point plantation] all prove that, practically, at least, the act for the gradual improvement for the navy [of March 3, 1827] was construed to authorize the purchase of lands, and establishment of live oak plantations. Out of the appropriations for that object, not only all these lands have been paid for, but also all buildings, and labor upon them, carts, oxen, utensils, and provisions, together with the salaries of the superintendent and overseer, without any special authority from Congress. . . .

Whether, in the course which has been pursued, in relation to this whole business, the interest of the public has been consulted or promoted, and whether it is expedient at this time, under all the circumstances of the case, further to prosecute the propagation or culture of live oak, is respectfully submitted to your consideration.³³

In a carefully researched, learned, and brilliant letter to the House Committee on Naval Affairs, Florida Delegate White replied on January 22, 1831, to Branch's charges, attempting to refute them and also to defend and demonstrate the need for the live oak program developed by the Adams administration.

As to the amount of money paid for the 1,600 arpents of land near Deer Point, Delegate White first accurately reviewed the history of this purchase and then wrote: "The Secretary [Branch] must know that the government agreed to pay \$4,900 for 1,600 acres--land, timber, and improvements, and that that identical sum was paid, and no more."

"The remarks on this subject tend only to mislead those unacquainted with the facts, and serve to insinuate some gratuitous obliquity of

33. Ibid.

purpose, unjust to the individuals in question and discreditable to the [Navy] Department."³⁴

Of Branch's complaint that "the deeds are all without warranty, without relinquishment of dower, vague and indefinite, and three have not been recorded," White replied:

The contracts do not require warranty, the titles were unquestionable, with a regular chain of conveyance; and if the Secretary had read the letter, of which he sent a copy from Saratoga, he would have seen that his predecessor was told if the deeds were not satisfactory, any others would be executed that he should prescribe.

These titles were confirmed by the United States [land] commissioners [in Florida], and the report approved by Congress, and were to be consummated by a patent from the United States. . . .

The assignments were made, considered satisfactory, and a letter written by the Commissioner of the General Land Office, stating the fact, and that he had noted them, so that the patents should only be issued to the Secretary for the United States. The Secretary can, at any moment, order the patents, and perhaps with as little trouble, and more utility to the government, than making this unnecessary imputation. This is most probably the reason why one of the deeds was not recorded. The report says three, but it will be found that only one is not recorded. The contract did not require me to have it recorded; and when Commodore [John] Rogers was sent out there [in July 1829] with these deeds in his pocket, if deemed important, an order might have been given to him to

34. Ibid., 112-13, 116-17.

have it recorded. The contract was to procure and make titles, and it was done in a way satisfactory to those with whom the contract was made. As to their being vague and indefinite, if the Secretary could think of any mode in which they could be rendered more certain, I should be glad to make them so. The lands were not surveyed, and no other or more definite description could have been used.³⁵

To Branch's charge that there were only a few live oak trees on the three tracts of land purchased in 1828, White replied:

Mr. Southard was informed that neither of the individuals know how much live oak was on the land, and was told he had better inquire into that fact. He answered, that he was satisfied that it would amount to more than the advance made for it; and time has shown he was much better advised than the persons selling. The live oak on 200 acres of the 1,600 [section 3, map 4] will sell at any navy yard in the United States for more than \$8,000, after deducting all expenses.³⁶

White also responded to the statements of Thomas F. Cornell:

The Secretary has thought proper to select an extract from the report of a young man [Thomas F. Cornell], dismissed by his predecessor, representing that the land is not worth nine thousand cents. Its very extravagance should have excited distrust; and when he compared it with the amount paid by us, he must have considered it strange, if he had time to think about it, that the land which cost me near \$1,500, some of it purchased six or eight years since, should not be worth 100

35. Ibid.

36. Ibid.

dollars. If the Hon. Secretary had been solicitous to furnish a correct estimate of its value, he might have referred to the correspondence of Judge Breckenridge, in which he states to his predecessor that Commodore Warrington [commandant of the Pensacola Navy Yard] said his part was worth \$2,500; he could also have seen that the ship carpenter, in the employment of the government, stated that the United States had got a great bargain out of the judge and myself. If the Secretary did not know the value of live oak, and had sent to the navy yard, his ship carpenters would have told him that the value of 117 trees, the number he states, after deducting every expense of getting it to the navy yard, is \$8,658, at the lowest calculation. The number of trees, however, reported by Commodore Rogers is 173, on 200 acres of Judge Breckenridge's land: the lowest price of which, deducting all expenses, is \$10,530. . . . The United States have, then, purchased a tract of land from Judge Breckenridge, with improvements, that cost \$3,000, for \$2,200, the live oak on, which is worth \$10,530, . . . and yet the censure of Congress and the nation is plainly invoked by the Secretary upon his predecessor for making a bad bargain! It must be borne in mind, too, that this purchase was not made so much for the live oak, as to complete a [live oak] reservation, and give exclusive control.³⁷

Continuing, White wrote sarcastically:

On the other 1,200 acres [sections 2, 3, 33, and 34 on map 4, which were sold by White to the government], it was impossible for any man to say how many grown trees were in the hammocks, in consequence of the woods [according to Commodore Rogers's report] being impenetrable in many places.

37. Ibid.

There may be a great many trees, and yet "no paper in the Department show that there is a single one fit for use." From all I can learn, I have no hesitation in believing that there will be found, on the 1,200 acres, more trees now fit for use than would amount to double the sum paid for it. The remark is general, that of the lands purchased of me, there was no document showing that there was any fit for use.³⁸

Turning to the live oak program, Delegate White deplored the closing of the naval live oak plantation at Deer Point:

It is with very great regret that I saw, in the report of the Secretary of the Navy at the commencement of the present session of Congress, a determination announced to abandon the live oak plantation on the coast of Florida. I consider the continuance of this policy, established by Congress upon mature consideration, indispensable to the future existence of our navy, and intimately connected with the general prosperity of our country. . . .

The reasons given by the honorable Secretary of the Navy for abandoning a system of artificial propagation and culture, recommended by the late Executive of the United States [John Q. Adams], and adopted by Congress, will be found in the following extract from his report:

"Further efforts have been made for the execution of this act, as far as it relates to the preservation of the live oak growing on the coasts of the Atlantic and Gulf of Mexico. By the fourth section of the act [March 3, 1827, for the gradual improvement of the navy] the President is authorized to provide for the

38. Ibid.

preservation of timber, but it seems to have been intended that the power should be limited to that object. An interpretation of the law has been heretofore entertained, extending this power not only to the planting of the acorns and the cultivation of plantations of young trees, but to the purchase, from individuals, of lands producing them. . . .

"When it is considered that this timber is the natural product of the United States, from the St. Mary's to the Sabine; that the greatest part of this belongs to the United States, and is proposed to be retained with a view to preserving a supply of this important material, it can scarcely be necessary, for the present, to engage in its artificial propagation or culture."³⁹

"It will be seen from the foregoing paragraph," White continued sarcastically,

that he refers to the fourth section of the act for gradual improvement of the navy. Upon looking into the act, the committee will find that the fourth section of that law relates to the construction of dry docks, and does not contain anything relating to the subject.

If the honorable Secretary meant the third section when he quoted the fourth, he has omitted to give the material part of that section under which an authority was claimed to do more than provide for the "preservation of live oak."

The third section of that act, under which the Executive, with the express sanction of Congress, commenced this work, after providing for the preservation of timber proceeds: "He is also

39. Ibid.

authorized to reserve from sales, such lands as may be found to contain live oak in sufficient quantity to render the same valuable for naval purposes."

The object of this provision, independent of the power to preserve that already fit for use, was to give authority to reserve lands on which small trees were growing, to render them valuable for naval purposes in future.

Disregarding, however, the technicalities of construction, and the contemporaneous interpretation of Congress when the bill was under consideration, and of the President after it became a law, the honorable Secretary might have found laws as old as the [Navy] Department itself, conferring in more unequivocal terms, the grant of power.⁴⁰

White then dealt with the powers of the president. He presented Congress with an accurate summary of the history of the naval live oak preservation program since 1799, including the background of the timber acts of 1817, 1820, and 1822. He discussed the legislative history of the naval act of March 3, 1827, and quoted what some members of the Jackson party in Congress had said in favor of the bill. He outlined the problem of depredations of timber on public lands and described how former Secretary of the Navy Southard had attempted to solve the problem. White then wrote:

With all the vigilance of the President, corresponding with the entire interest indicated by these repeated acts of legislation, the timber has been so rapidly disappearing that the Navy Board suppose there is now not more than one-fourth of the quantity there was in 1820. This is owing to three causes:

40. Ibid.

1st. A large portion of it is on lands belonging to individuals, who sell it to contractors, who furnish foreigners, foreign governments, and persons engaged in building steam and merchant vessels;

2d. The numerous bays, inlets, and rivers along the coast, enable trespassers to cut timber from the public lands; and

3d. Is the inefficient plan, now adopted, to detect violations of law, and to punish trespassers? . . .

The remedy suggested by the late Secretary of the Navy [Southard] in his report [of January 29, 1827] to Congress, was the reservation or purchase of lands in favorable positions for plantations. This report was printed, and referred to the Committee on Naval Affairs, and it was their opinion that the bill then pending, as well as the laws passed anterior to that time, gave the power to adopt a system of artificial propagation.

In the execution of the act [of 1827] for the gradual improvement of the navy, the late Secretary, upon information derived from naval officers, and other intelligent and scientific gentlemen, determined to make a reservation of about 30,000 acres of land between Pensacola Bay and St. Rosa's Sound [on the Santa Rosa Peninsula], almost entirely surrounded by salt water, and combining more advantages on account of soil, situation, contiguity to the navy yard, accessibility to approach on all sides, healthiness of position, and convenience to protection from the fortifications and garrison, than any other on the whole coast within the live oak region.⁴¹

41. Ibid., 114.

In response to Secretary Branch's charges that Southard had misled Congress in purchasing three tracts of land in West Florida for the live oak reservation, Delegate White responded with an accurate account of how the former secretary of the navy had sought and obtained a special act from Congress which granted him the authority to purchase private lands for this purpose. "From this view of the subject," White continued,

which is sustained by the records of the Navy Department and the journals of Congress, it is apparent that Congress [in 1828] approved the purchase, and the plan recommended of resorting to the artificial culture of live oak.

The attack upon the [live oak] system is, therefore, an imputation on the wisdom of Congress and the ascription of it to an interpretation of the act for the gradual improvement of the navy, a gratuitous imputation on the late Secretary and those with whom the contract was made.

If a policy of such moment to the country, deliberately entered upon by Congress; ought to be abandoned, it would seem at least its abandonment should result from some act of the same body after like deliberation.⁴²

"The present Secretary of the Navy himself," White noted ironically, "most probably voted for the [1828] appropriation, as the journals of the Senate do not furnish any evidence of opposition to it, and he has himself continued the [live oak] plantation for 18 months, receiving periodical returns and paying all the expenses connected with it. It is now doubtful from this [Branch's] report whether it has been discontinued for want of authority, or because the live oak is the natural product of our coast from the St. Mary's to the Sabine."⁴³

42. Ibid.

43. Ibid.

White then introduced into the evidence statements prepared by William Darby and William D. Acken. Darby had explored the coastal area of Louisiana in 1812, prepared a map of that state, and written the book Sketches of Louisiana. Acken had been employed by the navy from 1816 to 1822 as superintendent of cutting and moulding live oak in East Florida; in 1825-26 he had examined the live oak growing in Georgia and South Carolina; in 1826 he had worked for the navy at Mobile, Alabama; and from 1828 to 1829 he had been the naval live oak agent for East Florida. Both of these men, familiar with live oak and knowledgeable about the gulf coast from Perdido Bay, Florida, to the Sabine River in western Louisiana, warned that live oak was not abundant in this region but was in fact sparsely scattered "at remote distances, and in small bodies" along the coasts of Alabama, Mississippi, and Louisiana.⁴⁴

"If the committee," White continued

will call for a report made by the Commissioners of the Navy, at the present session of Congress, to the Executive, they will find from official data [the 1826-27 James Hutton report for East Florida, Georgia, and South Carolina, and the 1830 Charles Haire report for West Florida]⁴⁵ how small is the quantity, and how rapidly it is diminishing. . . . The timber is disappearing by exportation, by sales, and by clearing up the country for cultivation, until the coast of Georgia is nearly shorn of every branch, and a large portion of East Florida. There is none, it appears, between the Sabine and the Mississippi, and the small quantities in Alabama and the State of Mississippi are inaccessible, and useless when found, growing, as it is, in low

44. Ibid. William Darby's letter is published in ASP 3:955-56; William D. Acken's letter in ASP 3:956-57.

45. See appendixes E and F.

and marshy places. Compared with the demand, there is but a small portion in West Florida. The woods are annually fired by the hunters and stock owners, and the young trees destroyed, so that if natural product is our dependence, we shall be, in half a century, without live oak enough to repair such a vessel as the Constitution, and shall have to sell her ex necessitate.

The time has now arrived when we must decide whether it is in the interest of the United States to resort to artificial culture, and plantations of live oak, or do without them. A wise policy does not confine itself to the present moment, but looks to the future, and demands the adoption of a system that will confer lasting benefits upon our country in time to come.⁴⁶

Great Britain, Russia, and France, White noted, all planted oaks to provide timber for their navies.⁴⁷

"I am sure the President [Andrew Jackson]," Delegate White remarked, "never could have given his sanction to the discontinuance of the [Deer Point] plantation, unless it was for a supposed want of power under the existing laws, and I cannot doubt that a supplemental act to promote so patriotic an object would meet his entire concurrence."⁴⁸

In concluding his letter, Delegate White again referred to the allegations of corruption and fraud, and remarked: "I have, then, shown the land was well adapted to the object for which it was purchased; that the purchase was made after the contract was submitted to Congress, and that it was made for a sum far below its value, in the opinions of the most respectable and honorable men in this country. I have further

46. ASP 3:114.

47. Ibid.

48. Ibid., 115.

shown that, as soon as Judge Breckenridge was informed that there was any complaint, or likely to be any, he petitioned Congress to rescind the contract, which was refused."⁴⁹

On February 1, 1831, the House Committee on Naval Affairs requested from Secretary Branch all such information the Navy Department had in its possession relating to the purchase of land for live oak plantations at Pensacola, costs of acquisition, sums of money expended on the propagation of live oak and data on the quantity of live oak growing in the United States, as reported by Navy Department agents.⁵⁰

Secretary Branch responded to Congress's request on February 7, 1831, and this time did submit summaries of the survey reports of the live oak agents from 1819 to 1830. Branch wrote concerning the reports: "The quantity of that timber reported to this Department by the United States agents amounts to 2,214,855 cubic feet [as far as had been ascertained], . . . on the Atlantic Coast [and the secretary should have added, the gulf coasts of Florida and Louisiana] of the United States. It is to be observed, however, that a comparatively small portion of the public lands has been critically examined. The reports of the agents, as far as they go," Branch assured Congress, "seem to have been founded on accurate examinations, and may be considered as probably correct."⁵¹

To refute the statements of the two live oak authorities, Darby and Acken, that there were actually only rather limited numbers of live oak trees in Alabama, Mississippi, and Louisiana, Branch submitted letters by

49. Ibid., 117.

50. Ibid., 951-52.

51. Ibid., 952. Secretary Branch's estimate of 2,214,855 cubic feet was derived from James Hutton's survey data for South Carolina, Georgia, and East Florida (included in appendix E) and Charles Haire's survey data for West Florida (included in appendix F), plus Branch's own estimate of 350,000 cubic feet of timber for Louisiana, which had not yet been resurveyed.

two politicians, Edward Chandler, U.S. district attorney for the district of South Florida, and E.D. White, congressman from Louisiana. Both of these gentlemen wrote that they thought there were numerous live oak trees in the areas that had not yet been surveyed.⁵²

Not only was there plenty of live oak on the examined lands and probably lots more on the unexplored public lands, Secretary Branch continued, but the tree reproduced itself lavishly in a natural state: "In the report [of Branch] to the President of the United States at the commencement of the present session of Congress, an opinion is expressed, in reference to the planting of live oak acorns, that it is unnecessary, for the present, to engage in the artificial propagation of the live oak. . . . In addition, . . . it may be stated, from sources entitled to entire confidence, that plants of young live oak spring up in great abundance wherever this timber, at any former period, has attained maturity and been cut down."⁵³

Secretary Branch then drew on the letters of Superintendent Breckenridge to support his decision, writing:

Mr. Breckenridge, in his communications to the Department, states that, on the small piece of land to which his culture has been confined, many thousands of young trees have been wholly or partially pruned, &C., and that more than 70,000 may, in a short time, be brought into the same state of cultivation. Commodore Rogers, in his report [of July 3, 1829] on the subject of the timber on the lands purchased by the government, states that, although there are few grown trees on these lands, the young live oak has sprung up in great abundance, and appears to flourish in great luxuriance; and,

52. Ibid., 954-55, items F and G. The actual live oak surveys made in 1831-32 indicate that Darby and Acken were much closer to the truth in their statements.

53. Ibid., 952.

indeed, from every quarter whence information has been obtained on the subject, it seems that this plant is produced in lavish prodigality by the hand of nature wherever the tree has once existed and been removed. Such being the facts of the case, where can be the danger of the extermination of this timber, or where the necessity for planting acorns or transplanting scions?⁵⁴

Secretary Branch concluded his letter to Congress: "The preservation of the forests of young live oak, in common with other trees of larger growth, has been recommended to Congress as an object to be 'prosecuted with an active and undeviating purpose' and to this object the Department feels itself bound to devote the most unremitting attentions. It is deemed proper to add, that whenever the national legislature shall determine to engage in the erection of establishments for the propagation and culture of plantations of timber of the use of the navy, it is presumed it will speak its determination in language which will be explicit, and not leave its intention to be inferred by implication."⁵⁵

Former President Adams was following the debate with interest and on February 20, 1831, recorded in his diary the following information on the live oak struggle:

After church I paid two visits. The first at L'Etourno's to Mr. White, the delegate from Florida. While I was with him, Judge Breckenridge, District Judge of West Florida, came in. Mr. White continues to be deeply concerned at the determination of the present Secretary of the Navy to break up the plantation of live oaks which I had taken so much pains, and incurred so much public expense, to commence. The report of the Secretary of the Navy against it is remarkable at once for gross

54. Ibid.

55. Ibid. Underlining by the author.

ignorance and wilful misrepresentation and he has been guilty of a dishonorable suppression of a report from the Commissioners of the Navy, because it would have refuted and falsified his own. Mr. White lent me for perusal a letter, dated the 22d of January last, from himself to the Chairman of the Naval Committee of the House of Representatives, denying the facts and refuting the argument in the report of the Secretary; and also two letters to him [White] from W.D. Acken, and one from William Darby, all showing the importance of my plantation, and indeed its indispensable necessity to preserve the existence of live oak for timber. The malicious pleasure of destroying everything of which I had planted the germ and the base purpose of representing as wasteful prodigality the most useful and economical expenditures, are the motives that act upon the Secretary of the Navy and the present Administration. It Happened that for the live oak plantation purchases were made of about 1,600 acres of land from White and Breckenridge; and although the timber upon them was worth more than they cost, this circumstance was seized upon to represent the transaction as a fraudulent job and squandering of public money. Judge Breckenridge, when this was suggested, immediately petitioned Congress to be permitted to take back his land at the same price which he had received for it; and that petition was rejected. The Plantation, both of young trees growing when I commenced it and of those from acorn which I had cause to be planted, is now in a condition as flourishing as possible, and more than 100,000 live oaks are growing upon it. All is to be abandoned by the stolid ignorance and stupid malignity of John Branch and of his filthy subaltern, Amos Kendall.⁵⁶

56. Adams, Memoirs of J.Q. Adams 8:322-23. This is the last reference in Adams's diary to the live oak plantation at Pensacola, Florida. Amos Kendall was at that time in the Fourth Auditor's Office of the U.S. Treasury Department; ASP 3:934, 950-51.

CONGRESSIONAL SUPPORT OF THE NAVAL LIVE OAK PROGRAM,
FEBRUARY 1831

On February 26, 1831, the Committee on Naval Affairs rendered a report on the live oak question to the House of Representatives. The committee did not find any evidence of fraud or corruption in the 1828 purchase of three tracts of land in West Florida. It did not find that President Adams had exceeded his authority in purchasing private lands for live oak purposes and in establishing the Deer Point Naval Live Oak Plantation. It found that the existing laws authorized this, and also the utilization of the live oak surveys and the establishment of naval live oak reservations. The committee refused to order Secretary Branch to revive the Deer Point plantation or to direct him to raise live oak from the acorn, but they did urge him in the strongest terms to conduct more extensive surveys of the live oak resources, to make more and extensive reservations of public lands with live oaks, and to devise an efficient system to protect against depredation the timber standing on established timber reservations and public lands.

More specifically, they wrote:

As respects the value of these lands, the information given is less than satisfactory. Further examination is, in the opinion of the committee, necessary to decide on the fitness and value of these lands for purposes of supplying live oak.

It is perfectly competent for the Executive to cause the fullest inquiry and examinations to be made of these and all other lands for live oak purposes, without further legislation on the part of Congress.

On the point whether these lands are of a quality, and so situated and timbered, as to make them a proper location for a live oak nursery, the information given is in some respects uncertain, and in some instances contradictory. The agents

[Haire and Cornell] appointed by the late Secretary of the Navy [Southard], after full examination, decide against the location as bad in soil, and not advantageous in timber.⁵⁷

Under these circumstances, before large sums are expended on this, or any other location, the committee advise the most careful and satisfactory examination, and the final selection of those sites which combine the advantages of the sea breeze, proper soil, and a thrifty growth of young live oaks, in situation as free as may be from the incursions and fires of fishermen and hunters, and where the timber may be secured against intruders to cut it for home consumption or export. The means in the power of the [Navy] Department to make these examinations are abundant, and the disposition to do so most clearly expressed.

Some question has been made respecting the efficiency of the conveyances for these lands. . . . The committee would recommend in this, as in every other case of a purchase of lands, that all the conveyances and title deeds be referred to the Attorney General for his opinion; and that the Secretary of the Navy obtain, as far as he may be able, from all persons, such further and other conveyances and assurances as the Attorney General shall advise, to vest in the United States the legal and equitable estate in said lands. . . . At present, therefore, it is supposed no legislation is necessary on this point.

57. The November 27, 1827, date given for the Haire and Cornell report is suspect, and the report was probably written at a much later date. Haire did not begin work as a live oak agent until November 12, 1827, and Cornell did not begin until March 28, 1828. The men probably inspected the land in October 1828, long after the property had been acquired; ASP 3:944, item Y.

The most material part of the subject is that which relates to the quantity of live oak, and the preservation of it for naval purposes. . . . The penalties provided for the preservation of live oak and cedar timber, by the act of March 1, 1817, appear to be sufficient as to all lands to which they extend; but doubts may be raised as to their application to the lands subsequently acquired by the United States, which would include the whole coast of Florida. To remove these doubts, the committee report a bill extending these penalties to injuries to the timber on any lands acquired or to be acquired for naval purposes.

The means provided for reserving proper portions of the public lands for the preservation and growth of live oak [under the act of March 1, 1817, the amendment to this act of May 15, 1820, and the act for the gradual improvement of the navy of March 3, 1827] appear to be adequate, and no legislation on the subject is necessary. . . .

In that letter [of February 7, 1831, to the chairman of the committee], the Secretary of the Navy states that "the preservation of the forest of young live oak, in common with other trees of larger growth, has been recommended to Congress as an object to be prosecuted with an active and undeviating purpose, and to this object the Department feels itself bound to devote the most unremitting attention.

The means to effect these purposes are deemed sufficient; and though there may be no necessity for growing the oak from the acorn at this time, the committee are of opinion that the examinations of the public and other lands to ascertain the quantity and quality of the live oak, should be prosecuted with increased industry and adequate force. Extensive locations and reservations should be made with all possible dispatch, and the

most efficient means should be adopted to preserve the live oak on all such lands, and to encourage and facilitate the growth of the young live oaks.⁵⁸

IMPLEMENTATION OF THE SEVEN-DISTRICT LIVE OAK SURVEY AND PATROL SYSTEM, APRIL TO MAY 1831

Given a free hand by the House Committee on Naval Affairs, Secretary Branch left the naval live oak plantation at Deer Point closed down, and the tree farm was to remain dormant from January 18, 1831, until October 1831.

Inspired no doubt by the remarks made by the House committee in its report of February 26, 1831, Secretary Branch devised and put into operation in April and May 1831 a new live oak survey, which was intended to make a comprehensive survey of the complete live oak resources of the nation, and also a live oak preservation and patrol system, which was to be effected by naval vessels cruising along the coast. The 1,300-mile-long coast of the United States from the St. Mary's River on the Georgia-Florida border south and west to the Sabine River

58. ASP 3:917-18. Underlining by the author. On March 3, 1831, President Jackson approved the first law passed by Congress that specially made provision against general timber depredations on public lands other than live oak naval reservations. Whether this general timber act was in any way influenced by the naval committee hearings of January and February 1831 has not been investigated. Under the act of March 3, 1831, the guardianship of public timber was made the responsibility of a system of timber agencies established under the supervision of the solicitor of the treasury. In 1855 the duties of the timber agents were transferred to the registrars and receivers of the district land offices of the General Land Office, without, however, giving any increased recompense for these additional duties. The land officers were instructed to seize and sell stolen timber, deposit the proceeds in the U.S. Treasury, and report the cases to the proper U.S. district attorneys for prosecution. However, the inadequate administrative provisions authorized by Congress for enforcing this act made the law practically ineffective.

on the Louisiana-Texas boundary was subdivided into seven "Live Oak Districts," and an "Agent for the Preservation of Live Oak" was placed in charge of each district.⁵⁹

The first live oak district extended from the mouth of the St. Mary's River on the northern boundary of Florida, south to Cape Sable at the southern extremity of the Florida peninsula. This district, which included all of East Florida, was under the charge of live oak agent Thomas Mason, who entered on duty on June 1, 1831.

West Florida's coast, fronting on the Gulf of Mexico, was divided into districts 2 through 5 (see maps 9 and 10). The second district extended from Cape Sable west to the mouth of the Suwannee River in West Florida and was under the charge of live oak agent Samuel Reid, who received his appointment on May 12, 1831. The third live oak district extended westward from the mouth of the Suwannee River to the township range line between ranges 5 and 6 east from Tallahassee. Eli B. Whitaker, appointed on April 18, 1831, was the live oak agent for the third district. The fourth live oak district extended from the line between ranges 5 and 6 east of Tallahassee, west to the line between ranges 25 and 26 west of Tallahassee. District four was under the charge of live oak agent John E. Frost, who was appointed to this position on May 11, 1831. The fifth live oak district extended from the line between ranges 25 and 26 west of Tallahassee west to the mouth of the Perdido River on the Florida-Alabama border. The fifth district was under the charge of live oak agent John Clark, who entered duty on May 11, 1832. After General Clark's death, on October 12, 1832, Wylie P. Clark assumed the office. Located in the fifth district were the Pensacola Navy Yard and the Deer Point Naval Live Oak Plantation/Reservation on the Santa Rosa Peninsula.

59. Secretary Branch's detailed instructions to his live oak agents, issued in April and May 1831, are in appendix I of this report. Secretary of the Navy Levi Woodbury's supplemental instructions to these agents, dated June 23, 1831, are in appendix J.

The sixth live oak district extended from the mouth of the Perdido River west to the mouth of the Mississippi River and included the coastal areas of Alabama, Mississippi, and a small part of Louisiana. Live oak agent John Jerrison, appointed to office on May 12, 1831, was in charge of the sixth district.

The seventh live oak district extended from the mouth of the Mississippi River west to the mouth of the Sabine River on the Louisiana-Texas (U.S.-Mexico) boundary, and included most of the coast of Louisiana. George Blair, appointed on May 11, 1831, was the live oak agent for the seventh district.⁶⁰

The agents were to receive a salary of \$1,800 per annum, \$1.25 per day for use of a horse, and \$26 per month to hire an "attendant" (slave).⁶¹

The chief duties of this new system of agents "were to make a further and full examination and reports of the whole live oak timber which might be found still to remain on lands belonging to the public, and of the most valuable lots of this kind of timber noticed on private lands."⁶²

To protect the live oak standing on public land from depredation, Secretary Branch purchased and outfitted in May 1831 three schooners which were to form the live oak patrol fleet, manned by officers and men of the U.S. Navy. The Spark, commanded by Lt. William P. Pierce, was to cruise the waters of the first district, that is all of East Florida's coast. The schooner Ariel, under the command of Lt. Ebenezer Farrand, was to patrol the gulf coast of West Florida, which included the second,

60. ASP 4:33, 105-7, 112; "Correspondence Book of the Navy Department with its Seven Oak Agents, April 1831 to December 1833, and with the commanding officers of the three Naval Live Oak Patrol Schooners, June 1831 to January 1832," Record Group 45, National Archives (hereafter cited as Agents' Correspondence Book).

61. ASP 4:107.

62. *Ibid.*, 200 (Secretary Woodbury's statement of Dec. 14, 1832).

third, fourth, and fifth districts. The third schooner, the Sylph, commanded by Lt. H. E. V. Robinson, was to cruise the gulf coasts of Alabama, Mississippi, and Louisiana, or the sixth and seventh districts.⁶³ These vessels put out to sea in June 1831.

The cost of operation of the new live oak survey from April 18, 1831, to about January 30, 1832, came to \$8,523.94. With the cost of outfitting three patrol schooners included, the total expense of Secretary Branch's live oak survey and patrol system for an eight or nine month period in 1831 came to \$10,734.77 (see table 5).

These two programs started, Secretary Branch resigned in May 1831. He had become involved in the complications and embarrassments incident to the "Eaton affair." Mrs. Peggy Eaton, the wife of John H. Eaton, President Jackson's first secretary of war, had been a notorious character in Washington prior to her marriage to Eaton. When Eaton became a member of Jackson's first cabinet, the president decided to champion her cause socially and to force his cabinet and the official society of Washington to accept Mrs. Eaton and grant her social recognition. This decision split his cabinet, and the resulting quarrels and incidents in Jackson's losing battle caused great amusement in the press and among members of the Adams-Clay party. In an effort to end this embarrassment Jackson "reorganized" his cabinet in May 1831, and he forced Secretary John Branch to resign.⁶⁴

ACCOMPLISHMENTS OF THE FIRST TWO YEARS OF THE JACKSON ADMINISTRATION

During the first two years of the Jackson administration, March 1829 to May 1831, Secretary Branch managed to spend a total of \$39,825.46 on

63. Ibid., 33, 112, 106. The cost of equipping the three schooners in 1831 came to \$2,210.83.

64. Morison and Commager, The Growth of the American Republic 1:473-75.

the naval live oak program, more than the combined expenditures of the Monroe and Adams administrations from 1817 to 1829 (see table 6). Although all was not lost, the immediate returns from Secretary Branch's expenditures were rather modest. Branch allowed Charles Haire to complete his project of surveying the live oak resources of West Florida begun under the Adams administration. Secretary Branch, like Secretary Southard before him, was unable to translate the immense amount of data on trees provided by the Haire reports into extensive naval live oak reservations because the General Land Office had not yet completed land survey maps of the region in which most of these trees stood. The total cost of the Haire surveys, from 1827 to 1830, came to \$21,093.75, but without official land maps the boundaries of the proposed naval live oak reservations could not be accurately marked.

Utilizing information provided by Henry M. Breckenridge, superintendent of the naval live oak plantation at Deer Point, Secretary Branch and President Jackson established the third naval timber reservation in the United States on October 23 and November 28, 1830, by reserving a total of 1,219.36 acres of land located on the west side of the live oak plantation. This reservation, together with the 1,337.89-acre live oak plantation established in 1829, and the 626.15 acres in section 6, an adjacent tract owned by the United States, placed the entire western portion of the Santa Rosa Peninsula under the jurisdiction of the Navy Department by the end of 1830.

On the negative side, after two years of hostility and harassment, Secretary Branch was finally able to halt all operations on the naval live oak plantation on January 18, 1831. When his decision was challenged in Congress in December 1830, Branch tried unsuccessfully to divert that body's attention from a rational consideration of a naval live oak program for the nation by charging his critics, and the Adams administration in particular, with deceit, fraud, corruption, and an illegal use of the chief executive's powers. Partisan politics were thus introduced into what had previously been regarded as a bipartisan national defense program.

Table 5: Costs of Secretary Branch's Live Oak Survey Team,
April 18, 1831, to March 19, 1832

	<u>Salaries</u>	<u>Contingencies</u>	<u>Total</u>
For making maps, to General Land Office	0	\$ 137.75	\$ 137.75
Agents			
1st District, Thomas Mason, June 1, 1831, to Nov. 30, 1831:	\$ 900.00	88.00	988.00
2nd District, Samuel Reid, May 12, 1831, to Dec. 31, 1831	829.00	351.75	1,180.75
3rd District, Eli B. Whitaker, Apr. 30, 1831, to Jan. 17, 1832 (district discontinued on Dec. 31, 1831)	1,004.93	410.45	1,415.38
4th District, John E. Frost, May 11, 1831, to Dec. 17, 1831	900.00	423.01	1,323.01
5th District, John Clark, May 11, 1831, to Sept. 30, 1831	600.00	549.05	1,149.05
6th District, John Jerrison, May 12, 1831, to Mar. 19, 1832	600.00	565.00	1,165.00
7th District, George Blair, May 11, 1831, to Mar. 19, 1832	<u>450.00</u>	<u>715.00</u>	<u>1,165.00</u>
Subtotals, Maps and agents	\$5,283.93	\$3,240.01	\$ 8,523.94
Cost of outfitting three live oak patrol schooners in 1831	<u>0</u>	<u>2,210.83</u>	<u>2,210.83</u>
Totals	\$5,283.93	\$5,450.84	\$10,734.77

Source: ASP 4:105 (schooners), 106-7 (agents).

Table 6: Expenditures for the Naval Live Oak
Reservation Program, 1817-31

<u>Monroe Administration, 1817-25</u>	
Cathcart-Hutton survey of Louisiana and Alabama, 1818-19	\$14,415.61
Louisiana timber agent, 1821-22	725.00
Hutton survey of East Florida, 1822	<u>799.50</u>
Subtotal, Monroe administration	\$15,940.11
<u>Adams Administration, 1825-29</u>	
Hutton survey of Georgia, South Carolina, and East Florida, 1826-27	\$ 2,148.13
Haire survey of West Florida, 1827-29	6,744.18
Timber preservation agent for East Florida, 1828-29	3,088.40
Acquisition of 3,650 arpents of land in West Florida for naval live oak reservation, 1828	<u>10,261.11</u>
Subtotal, Adams administration	\$22,241.82
<u>First Two Years of the Jackson Administration, 1829-31</u>	
Haire survey of West Florida, 1829-30	\$14,289.57
Operation of the naval live oak plantation at Deer Point, Pensacola, West Florida, Jan. 18, 1829, to Jan. 18, 1831	10,431.55
Secretary Branch's survey of seven live oak districts, Apr. 18, 1831, to March 19, 1832	8,523.94
Cost of Schooner <u>Florida</u> survey of coast of Louisiana, Nov. 1830 to April 18, 1831	4,469.61
Cost of outfitting three schooners for the live oak naval patrol, June 1831	<u>2,210.83</u>
Subtotal, Jackson administration, 1829-31	\$39,825.46
Total expenditures for live oak program, 1817-31	<u>\$78,007.39</u>

Congress responded by directing the secretary of the navy to undertake extensive surveys to determine accurately what the total live oak resources of the United States were, and on the basis of this information, to also establish extensive reservations of the live oak growing on public lands, for the purpose of ensuring an adequate supply of this timber for the future use of the navy. They further directed the secretary to devise a more efficient means for protecting the live oak and other valuable naval timber on public lands from depredation. Finally, while they did not order the secretary to reopen the naval live oak plantation at Deer Point, or to again engage in the artificial propagation and cultivation of live oak, they found that the president of the United States had the full legal authority under the act of March 3, 1827, to institute such programs if he deemed them in the best interest of the nation. In effect, then, the Congress of the United States reaffirmed the national live oak program that had been formulated by Secretary of the Navy Southard in 1827-28, during the Adams administration.

As a result of Congress's recommendations, Secretary Branch, in April and May 1831, instituted an extensive new live oak survey of Florida, Alabama, Mississippi, and Louisiana, and also put into effect an elaborate and costly live oak naval patrol that was intended to protect the trees from depredation. The results, if any, from these two new programs, however, were to depend on President Jackson's second secretary of the navy, Levi Woodbury, who took office in May 1831.

5. REFORMULATION AND EXPANSION OF THE LIVE OAK
PROGRAM UNDER PRESIDENT JACKSON AND SECRETARY WOODBURY,
JUNE 1831 TO DECEMBER 1834

Levi Woodbury, President Jackson's second secretary of the navy, was from Portsmouth, New Hampshire. Woodbury (1789-1851) had been a justice in the New Hampshire superior court, governor of New Hampshire (1823), and a U.S. senator (1825-31). In May 1831 Jackson appointed him secretary of the navy. As secretary, Woodbury continued the expansion of the navy, reformed the rules of conduct and procedure, and as is discussed in this chapter, executed an extensive and very creditable naval live oak program for the nation. Woodbury has been described as a man of calm determination, scholarship, logic, and courage and also as an indefatigable worker. Woodbury resigned as secretary of the navy on June 27, 1834, to become President Jackson's secretary of the treasury. He served in this latter office from 1834 to 1841. As secretary of the treasury Woodbury helped Jackson conduct his war on the Bank of the United States.¹

REOPENING OF THE DEER POINT PLANTATION, SEPTEMBER 1831

Apparently aware that Secretary Woodbury was a different type of individual than former Secretary Branch, two friends of an extensive national live oak program, Henry M. Breckenridge and Delegate Joseph M. White, made overtures to the new secretary and offered him what was intended to be constructive criticism. Judge Breckenridge began the correspondence on July 27, 1831, writing to Woodbury about the naval live oak plantation at Deer Point:

The Trees which have been pruned are remarkably flourishing; they are to the number of 80,000, but require thinning, and

1. Dictionary of American Biography, s.v. "Woodbury, Levi."

clearing of the lateral twigs. I have paid every possible attention to them, and shall continue to take care of them. My residence is on the plantation at Deer Point.

In my last communication to Mr. Branch, I offered to superintend the plantation without any charge to the government, provided an overseer, at moderate wages, say \$300, were allowed, together with a few hands. I thought it useless to urge this subject on Mr. Branch, who, I believe, had taken up strong prejudices, but I am confident that on a full examination of the subject, you will be satisfied that it is well worth a small expenditure. I refer you to Commodore [John] Rogers, who was on the spot [in 1829].²

Secretary Woodbury responded affirmatively to Breckenridge's letter on September 21, 1831, and authorized the judge to resume operations on the Deer Point Naval Live Oak Plantation, which had lain dormant since January 18, 1831. Secretary Woodbury wrote:

Your letter of the 27th July, 1831, relating to the continuance of the cultivation of the live oak plantation at Deer Point, near Pensacola, has been received.

The subject to which your letter refers having been maturely considered, I am of opinion that it will be expedient and proper to comply with the proposition contained therein, "to continue some further attention to the cultivation of the live oak plantation at Deer Point, near Pensacola," with the distinct understanding, however, that the expenditure, to be hereafter made thereon, shall be confined to the care and labor necessary for the preservation of what has already been done: with this

2. ASP 4:119, item F, no. 9.

in view, you are hereby authorized to cause these to be commenced and prosecuted as proposed in your letter, and under the limitations above specified.

You will please, from time to time, report the condition of the plantation, the amount which may have been expended for the objects proposed, and such other details as will keep the Department fully informed of the progress of the labors and care bestowed upon it.³

Thus after nearly three years of almost constant warfare, the Jackson administration gracefully accepted the naval live oak plantation at Deer Point into the fold. The tree farm was henceforth to function from October 1831 to 1861 as an accepted naval institution.

DOUBTS ABOUT THE NEW LIVE OAK SURVEY AND PATROL SYSTEM, 1831

The new live oak survey and patrol system, instituted by Secretary Branch in April and May 1831, were in operation when Woodbury took office. Six of the seven live oak agents were appointed by Branch and one by Woodbury.⁴ On June 23, 1831, Woodbury issued supplemental instructions to his seven agents, intending to improve the quantity and

3. Ibid., 119, item F, no. 10; 106, item C, no. 1. Underlining by the author. To determine what the real facts were, Secretary Woodbury, on September 26, 1831, also ordered live oak agent John Clark to examine the three tracts of land purchased in 1828 and the live oak plantation; ASP 4:123, item F., no. 22. Clark replied on December 4, 1831, submitting a favorable report; ASP 4:107-8, item D, no. 1. Clark's report is considered in some detail in chapter 8 of this study.

4. Woodbury appointed Thomas Mason, agent for the first district, on June 1, 1831 (see table 5 in chapter 4).

quality of the data they would provide.⁵ The surveyors began their tasks in May and June, and the three naval live oak patrol vessels put to sea and assumed their stations in June 1831.⁶

Judge Breckenridge sent off a second letter to Secretary Woodbury on August 4, 1831. The first portion presented the secretary with an account of the natural history of live oak, and the judge then commented on the current live oak surveys and patrols as follows:

4. The greater part of the full grown trees have been more or less injured by fires, at least in the trunk; and the mode adopted of measuring the tree with a string, which has been followed by the live oak surveyors, Dr. [Charles] Haire (a young Irish apothecary) and Mr. [Thomas F.] Cornell (a young New York attorney) cannot afford much satisfactory information. Is it not surprising that the proper sort of persons should not have been employed for a business of this nature, when common sense would point him out? That person is a ship carpenter of experience, who can tell the adaptation of each tree, and every part; who knows its value, and can see its defects, instead of making a rough, and perhaps idle, estimate of the number of cubic feet it contains. The body of the tree is seldom of any value, and, in the greater number of instances, must be deducted from the estimate by the surveyors. It is the natural shapes of the limbs, the angles which they form, that renders them valuable. Besides, unless those limbs exceed a certain diameter, they are of no use. . . . A stick, which, when cut to mould, will not side, as it is expressed, eight inches, is of little use, even for merchant vessels. . . .

5. Reservation Correspondence Book, 42-45. Instructions are in appendix J of this study.

6. Ibid.

5. The tree which has attained a certain growth is not likely to improve much in the natural forest, especially where it is crowded by thickets, or other trees. When freed from this, and the ground kept clean about it, the tree will again take a start, and there is scarce a limit to the size it will attain, not in height, for the trunk is usually low, but in the space to which it will extend its giant arms. Unless the full grown tree be cultivated, it is better, therefore, to cut it down when it is found on public lands, transport it to the navy yards, and put it away under sheds, or in ponds of fresh water, where it will keep a 1,000 years. The navy yard at this place has ponds of fresh water, within 200 yards of it, of sufficient size to contain 1,000,000 cubic feet. For this fact, I refer you to Commodore Woolsey's communication to the Navy Board, or perhaps to your Department. Ship carpenters and laborers ought to be employed for the purpose, and the expense will probably not much exceed that of the agents on the strange establishment organized by Mr. Branch, shortly before his retiring from office. The timber may be roughly cut to mould on the spot, and thus transported to the navy yard.

6. I speak with perfect confidence when I assert that the whole amount of live oak timber, on public land, between the Mobile Bay [in Alabama] and the Appalachicola River [in West Florida, to the east of Pensacola], does not exceed 200,000 cubic feet, if so much. Those lands within the waters of this bay have already come into market, and are open to entry by individuals; and it is a matter of surprise that no steps have been taken to secure them for public use. But all the expense and trouble of watching and superintending will be saved by cutting the timber at once, and placing it in deposit. I think it doubtful whether there is more than 80,000 cubic feet on the shores of the Bays of Escambia and St. Rosa, and Choctawhachie, (commencing at the upper end of St. Rosa

Sound, and sometimes called St. Rosa Bay.) [All in West Florida, see map 9]. This is now either private property or may become so, except the reservations made at my instance [in 1830] at the live oak plantation [at Deer Point]. The live oak timber growing on private property should be purchased, as it stands, at a moderate price, to be estimated by a judicious ship carpenter, and it should be cut and carried away.

7. Some encouragement should be given to individuals to prune and nurse the young trees, to thin them and keep away the fires; with this care, and having the advantage of an old root, the growth is fully as rapid as that of the chestnut or locust. An allowance of \$100 a year to a common laborer with a family, would be sufficient to induce him to clear 500 trees annually, and prune and take care of them. His cattle could graze in the adjoining pine woods, and he could cultivate a little patch to aid in his support. These could be under the superintendence of the collectors or inspectors of the revenues of the respective districts, with a small additional compensation. Two or three extensive plantations, such as that at Deer Point (which I am now taking care of at my private expense), might be formed as models, and for the purpose of a more scientific culture. The young trees can be forced by a little pains to assume the shape most desirable.

8. On the Gulf of Mexico, I do not believe there has been 10,000 feet of live oak transported on private account for the last 10 years. There are no persons engaged in cutting it. About nine years ago, Mr. Hackley attempted to cut some at Tampa Bay [West Florida], but was stopped. About three years ago, an attempt was made at St. Marks [West Florida], and the timber was seized, condemned, and sent to Norfolk [Navy Yard, Va.]. The officers of the collection districts are sufficient to afford ample protection from all trespasses on the live oak of the public lands [underlining added]. I will take

the liberty of referring you to the map. From the entrance to this harbor [Pensacola Bay] to Mobile Bay [in Alabama], there is not a stick [of live oak] on the coast. There are some few groves up the Perdido Bay [in West Florida], which are private property. There are some groves on the Mobile Bay, likewise private property. On the islands west of the bay, scarcely anything grows but stunted pines.

On the lands on the north side of the lakes, and along the Pascagoula and Pearl rivers [in Mississippi], there are some groves, but with very few exceptions they are private property. The timber is untouched, and is not likely to be disturbed by any one. West of the lakes [in Louisiana], the coast presents a vast uninterrupted grassy marsh, almost to the Sabine [River on the Louisiana-Texas border]. Where live oak is to be found in this region, it is almost uniformly private property; but it is usually some distance from the coast on the inland lakes and bayous: the cost of transportation must be considerable, and being grown on rich soils, I do not think its quality equal to that which is grown on the silicious soils of Florida, Georgia, or South Carolina. Then, I ask, of what use are the cruising schooners, when there is nothing to cruise against? Of what use are the live oak agents? What are those persons to do? [underlining added]. Their services are ideal, and the expense is not so--that expense would bring the timber to the place of deposit, and save all anxious thoughts in relation to it. The lands might then be sold to individuals, if they thought proper to purchase, although, in fact, they are of little value in Florida, but for the timber. The eastern side of the [Florida] peninsula, and the neighboring parts of Georgia, have been nearly exhausted of live oak. Having the ocean on each side of it, that tongue of land [the Florida Peninsula] was peculiarly adapted to the growth of the tree. It was found on the St. Johns [River] and on its branches [in East Florida], at least as high as the tide flowed, and on the open ponds inland.

It has now been so much culled and exhausted, that the transportation to the places of water carriage amounts, in many instances, to 25 cents the cubic foot: but the greater part of the live oak lands there are private property. On this [west] side of the [Florida] peninsula from the entrance of this harbor to the east pass, we have the Island of St. Rosa, on which there is no live oak. On the main land, on the north side of the [Santa Rosa] sound and around Choctawhatchie, on St. Rosa Bay, there are many groves, as I have already stated: but the timber must be carried out of this [Pensacola] port, and therefore the collector requires no assistance for protection. Beyond the east pass there is no live oak on the coast to St. Andrew's Bay. In fact the whole of the coast from Mobile Bay [Alabama] to Appalachicola [West Florida], consists of sand hills as white as snow, and growing only a few dwarf pines and blasted heath. Within the Bay of St. Andrews there is much good live oak, which may be easily protected by the inspector at that place, but which ought to be cut and transported, where it grows on public lands. From St. Andrews to St. Marks [both in West Florida, see map 9] there is little or no live oak, excepting on some of the interior lakes, and on the Islands St. Vincent and St. George, and in the immediate vicinity of the bays. There is little live oak after this on the coast as far [east] as Tampa Bay, and there is no one disposed to molest it.

9. The system of protecting the live oak organized by Mr. Branch immediately before going out of office, you will see by the foregoing is an idle thing, a useless expense. . . . The whole thing was an electioneering contrivance, to operate upon individuals to the prejudice of Colonel [Joseph M.] White [delegate from Florida]. It is the constant inquiry, what are these inspectors or superintendents of live oak to do? and no

one can answer the question; they cannot answer it themselves.⁷

In October 1831 Florida Delegate Joseph M. White made his first overtures to the new secretary of the navy, writing on the 23rd: "I intend. . . to address to you a communication exposing the useless and extravagant expenditure of public money at this time, under the pretence of protecting the live oak in Florida, under the system adopted by your predecessor; which, from my knowledge of your character and discernment, I am sure cannot receive your sanction when the facts are known to you."⁸ White submitted his letter on suggested reforms to Woodbury on November 4, 1831. The delegate wrote:

There are two objects intended to be accomplished by the appointment of the agents who are charged with the superintendence of this business.

1. The exploration of the coast, and the reservation of such lands as may be found to have upon them timber suitable for naval purposes.
2. The detection of trespassers, and the prosecution of them before the courts of justice.

With regard to the exploration of the coast with a view to this object, I will remark that the whole of it, from the Mississippi to the Perdido [on the Alabama-Florida border], has been examined by several agents of the Navy Department, and their reports received and filed, particularly those of [James] Hutton and [William D.] Acken. From the Perdido to the Appalachicola

7. ASP 4:110-21, item F, no. 11.

8. White wrote two notes, the first on October 11 and the second on October 23, 1831; ASP 4:111, item F, no. 1; 112, item F, no. 3.

[rivers in West Florida] has been examined by agents, Mr. [Thomas F.] Cornell, Dr. [Charles] Haire, John Lee Williams, and John Clark; the remainder of the coast could be examined by General Clark, in the ensuing winter, to Tampa Bay, if such an examination should be deemed necessary.

On the eastern side the same explorations have been made by Mr. Newell and Achen [sic, William D. Acken].

There can be no sales of the public lands until they are surveyed [by the General Land Office], and no reservation, of course; in fact there can be no designation of lands until the public surveys are completed. As these surveyors are now instructed specially to report in their field notes all lands having live oak upon them, and as no reservation can be made before the surveys, it appears to me that this part of the duty now assigned to the agents can be much better done, where it has not already been done, by the surveyors of the land, without expense to the government. I think, on this branch of the subject, they are entirely useless.

In regard to the detection of trespassers on the public lands, I have first to remark that it is now too late to think of that, as nearly all the timber that was accessible at all has already been cut off. There is, however, a much more efficient protection, by instructing the collectors and surveyors of ports in Florida not to clear out any vessel laden with live oak, without proof of its having been cut on private lands.

This course is authorized by the act of the last session, and that simple instruction would accomplish all the purposes of all the agents.

I need not say to you, that every vessel is liable to seizure and condemnation that has not a regular clearance and manifest,

and that there is not a single instance in which timber has ever been shipped without a clearance, because the vessel is forfeited by the act, and detection is certain at the port of destination.

The ports of the first district are St. Johns and St. Augustine. I am informed by the present [live oak] contractors, that, after this year, they will never return to that section.

The second district, Tampa Bay. The military commander there has instructions to drive off persons by force. There has been no live oak cut there since 1826. The agent is no sort of use.

Third district. There is no port of entry or delivery, and no harbor into which a boat drawing four feet can enter. Nature has there provided a protection.

4. [Fourth district]. St. Marks, or Magnolia, on St. Marks. A line to the collector or marshal will save any necessity for an agent there.

5. Appalachicola, St. Andrews, and Pensacola. I would recommend that this agent be required to continue and complete his exploration, where surveys were made before [the 1831] instructions to surveyors.

6. Agent of no sort of use.

7. I do not know anything about.⁹

Secretary Woodbury's subsequent actions and recommendations indicate that he gave Judge Breckenridge's and Delegate White's suggestions for reform careful consideration.

9. ASP 4:118, item F, no. 5.

Acknowledging the receipt of White's letter on November 7, 1831, Secretary Woodbury in fact replied: "These [recommendations] will be examined with a desire to derive from them such information as may tend to promote the proper discharge of duties of protecting this timber, as required by the several acts of Congress for that purpose made and provided."¹⁰

Reports from his own live oak agents, who appear to have been honest men, tended to substantiate many of the statements made by Breckenridge and White. On November 23, 1831, Thomas Mason, agent for the first district (East Florida), reported that he had thus far found only one large hammock of live oaks, which was located 20 miles southwest of St. Augustine and about 16 miles from the coast. "Many of the trees," he wrote, "are 15 feet in circumference."¹¹ On October 1, 1831, Samuel Reid, agent for the second district reported:

I have explored the country on the southeastern side of the Suwannee river for about 40 miles up that river (to its junction with the Santa Fe), and four or five miles into the interior, and about 40 miles, southwardly, along the shores of the gulf. . . . For five miles from the mouth of the Suwannee, there is but little live oak; the same remark applies to the shores of the gulf.

From the banks of the river, fine live oak hammocks are found in township No. 12 range No. 13, and townships No. 7, 8, 9, 10, and 11 range 14, south and east; surveys of these have not yet been made [by the General Land Office; consequently the land could not be reserved].

Five miles above the mouth of the Suwannee, on the banks of the river, live oak is found in considerable quantities, and as

10. Ibid., 118, item F, no. 6.

11. Ibid., 100-101, item A, no. 6.

you ascend the river, increases in size and quantity; so on the Santa Fe.¹²

On January 1, 1832, Reid also reported that "the shores of both Tampa and Hillsborough Bays contain immense quantities of long leaf yellow pine, of the largest size."¹³

On October 1, 1831, Eli B. Whitaker of the third district reported: "I have visited that river [the Suwannee], commencing my operations in township 11, range 13, . . . and have found it mostly pine barren, and no live oak, except now and then a shrub; thence about 20 miles west to the Stinhatchie. Upon this river I found live oak and red cedar, though not in great abundance, of sufficient quantity and quality to merit attention. . . . The live oak from 18 inches to five feet diameter, and from 20 to 40 feet length of body. The largest of the red cedars about three feet diameter." Whitaker recommended that the public lands in sections 21, 28, 29, and 32 of township 8, range 10, and the half of township 9, range 10, south and east, "embracing palmetto in abundance," be reserved.¹⁴ On November 23 Whitaker submitted a second report, stating: "I have examined such parts of my district where I thought there might be a probability of finding live oak, such as the Fenchaloway and Econfina rivers, with some of the intervening country. It is indeed a poor, pine barren, dreary country--no live oak there. . . . It is my opinion that the timber suitable for naval purposes, growing on government lands in my district, is not very considerable, or of great importance."¹⁵ The agent also requested permission to resign.

12. Ibid., 99-100, item A, no. 3. This land was to be reserved on August 14, 1857.

13. Ibid., 100, item A, no. 3.

14. Ibid., 99, item A, no. 2.

15. Ibid.

Replying on December 7, Secretary Woodbury wrote: "You will continue until the close of the year to make further examinations for navy timber in such parts of your district as are unexplored, in conformity to your instructions. At the termination of the year your resignation of the agency will be received, agreeably to your wishes."¹⁶

John E. Frost, agent for the fourth district, rendered his report on November 27, 1831:

Examinations of that portion of the surveyed lands in the district lying east of the meridian line, have resulted in the ascertainment of the fact that there are no lands in this district worthy of reservation. On the eastern side of the St. Mark's river there is a narrow strip of hammock, through which there are scattered a number of live oak trees; but this land has been taken up, and the live oak is not in sufficient quantity to make the acquisition of the land an object to the government. After passing through this hammock, you enter into an open, piny wood country, extending for some miles. You then get into a low swampy region (that has not and will not be surveyed). This description of the country extends to the Ausila.

On the east side of that river there is a hammock of considerable extent, containing some live oak: this is also taken up. Then piny woods, cypress, and other swamps, extend to the Fenaholoway, near the eastern limits of the district. Upon this river there is some live oak, but indifferent; also, some small hammocks, near the head of East river, below St. Marks, but not worth the attention of government.¹⁷

16. Ibid., 122, item F, no. 17.

17. Ibid., 101, item A, no. 7.

On November 15, 1831, agent John Clark reported on the fifth district: "I repaired to the Econfina river, which empties into the north arm of the St. Andrew's Bay [West Florida], embracing an area of perhaps 20 square miles. After a thorough examination, I was unable to find as much as one quarter section of timber sufficiently valuable to justify my reporting it for reservation. . . . Within the whole range of this country, there are not 200 trees of live oak suitable for the navy."¹⁸ In a second report, dated December 4, General Clark announced, "I shall go hence to St. Andrew's Bay, where I shall take the live oak boat and proceed to Choctawhatchie Bay, and round it, &c, as I find it impracticable to make the examination there satisfactorily on horseback."¹⁹

From former live oak agent Charles Haire, Secretary Woodbury also obtained some previously unreported data. On December 8, 1831, Haire wrote that he had examined St. George's Island, West Florida, and discovered three hammocks containing a total 456 acres, with 3,519 live oak trees between 2 and 7 feet in circumference, or about 37,733 cubic feet of timber, and 3,260 young live trees under 2 feet in circumference. Also growing on the same hammocks were 1,013 red cedar trees between 2 and 6 feet in circumference, or about 3,809 cubic feet of timber, and 1,800 young red cedars under 2 feet in diameter. In a hammock on the east side of the Appalachicola River, a mile above the town of the same name, Haire reported, he found 840 live oak trees between 2 and 19 feet around, or 55,743 cubic feet of timber, and 338 red cedars between 2 and 8 feet in circumference, or 3,047 cubic feet of timber.²⁰

On December 14, 1831, John Jerrison, agent for the sixth district, which included Alabama and Mississippi, informed Secretary Woodbury: "So far as my examinations have extended, I have not discovered, on the coast,

18. *Ibid.*, 100, item A, no. 5.

19. *Ibid.*, 108, item D, no. 1.

20. *Ibid.*, 101, item A, no. 8.

tracts with sufficient quantity of live oak to justify their reservation by the government."²¹

George Blair, live oak agent for the seventh district, explained his difficulties in exploring the wilderness of Louisiana to Secretary Woodbury on January 2, 1832: "I have been constantly and actively engaged in a general exploration of the live oak region lying between the southwestern extremity of Vermillion Bay and the Bay of Barrataria, and beg leave herein to present a brief account of my examinations; premising that I have experienced much difficulty and delay from the want of co-operation of the schooner intended to cruise on this coast, in which I hoped to visit Pican Island and other important points on the uninhabited coast to the westward of Vermillion, from the want of copies of maps and surveys from the surveyor's general's office, and from the want of an assistant."²²

After reporting seeing large quantities of valuable live oak in this region, Blair continued:

Whether any or what portion of the country here described has been surveyed and sold I am unable to say. To carry into full effect the view of the Department, it will be necessary that the agent be provided with an assistant, and all the necessary means for encamping in the woods for weeks at a time, as on many townships there is not a single inhabitant; or he should be provided with a boat and hands; such a boat, too, as he could sleep comfortably on board of and be protected from bad weather, for, unlike the mild and genial climate of Florida, an exposure to the pestilential night air of Louisiana would in nine cases out of ten prove fatal to life. The whole seaboard of Louisiana is so indented with bayous and lakes as to render it

21. Ibid., 101, item A, no. 9.

22. Ibid., 102-3, item A, no. 11.

impossible to traverse the country on foot or on horseback, while the best live oak, being found on the margins of these lakes and smaller bayous, must make it apparent that they can only be visited and inspected in a water conveyance.

In suggesting, however, any further expenditure of money for the purpose of reserving and protecting the live oak lands of Louisiana, candor and a sense of duty which I owe to the government compel me to declare that I do not think the ultimate and doubtful advantages to be derived from it will warrant it. . . .

First, I assume as settled that the live oak of Louisiana is of very inferior quality when compared with that of Florida; add to this the difficulties of the navigation, there being no inlet, between the southwest pass of the Mississippi and the southern boundary of the United States, over which vessels can pass with safety, drawing more than seven and a half feet of water, nor any harbor between those points where a vessel drawing 10 feet of water can lay in safety, the only anchorage for vessels of that description being in the open sea, liable to shipwreck with every gale of wind; then the high price of every description of labor in Louisiana, and consequent difficulty and heavy expense in procuring and placing timber on ship board; so that, until these difficulties shall be overcome by the increased value of live oak, or an improved state of navigation and decline in the price of labor, I do not believe the government will look here for a supply of navy timber so long as it can be procured elsewhere. Secondly, until this period shall arrive, I do not believe that the government lands bearing valuable live oak will be materially injured or reduced in quantity by pillage or from any other cause; the God of nature in his wisdom having happily thrown around it better safeguards than any which the ingenuity of man can suggest, the live oak being generally found on the marginal strips of

high land which skirt all the lakes and bayous, and which are too narrow ever to attract the attention of the cultivator of the soil, or on those islands which are everywhere found rising up in the midst of the extensive sea marsh, remote from market, and so encompassed with difficulties and disadvantages as to forbid the idea of their ever being settled. There are, certainly, exceptions to these cases, but the exceptions are few; then the live oak is not valuable to the planter, and is never used by him either for the purposes of building, fencing, or for fuel, while the difficulties of the navigation and the high price of labor before referred to, serve as an effectual bar to persons who might otherwise be disposed to cut it for the purpose of transportation to, and sale at, our northern ship yards; and, on this point, too, experience teaches a lesson which will not be forgotten by the present generation, for in every instance where persons have attempted to cut ship timber in Louisiana, either by contract with the navy or individuals, the result has been the entire ruin and failure of the contractor, there not being a single case to the contrary, so far as I can ascertain. If, then, to the expense of guarding and protecting the live oak lands be added the probable value of the land proposed to be reserved from sale, (at the idea of which I have already heard the voice of murmuring and complaint,) the amount will more than counterbalance any probable advantage which may be derived in future from a continuance of the system. These, sir, are my views of this subject; but I beg it to be borne in mind that they are to be taken only in reference to the district of country lying between the Mississippi and Sabine rivers, and that I know nothing of the other live oak districts.²³

Recalling that Secretary of the Navy John Branch in November 1830 had dispatched the schooner Florida, under the command of Lt. Thomas R.

23. Ibid.

Gedney, to explore and survey the coast of Louisiana, Secretary Woodbury, on January 6, 1832, ordered the lieutenant to submit a report on the live oaks he had observed in this region. Lieutenant Gedney responded on January 30 and reported that on the 5½-month cruise the Florida had examined the coast of Louisiana from Barrataria Bay as far west as Atchafalaya Bay, but that 150 miles of the coast from the latter bay west to the boundary with Mexico had not yet been explored. Within the region of Louisiana that he had inspected, however, Lieutenant Gedney estimated that there were 95,108 live oak trees growing on 47,554 acres of land. Of these totals, the officer calculated 93,028 trees grew on public land and 2,080 trees were located on privately owned lands.²⁴

On February 10, 1832, Secretary Woodbury sent a copy of the Gedney report to George Blair to facilitate that live oak agent's work in the seventh district.²⁵

On February 27, 1832, Secretary Woodbury requested data from fourth auditor Amos Kendall "on the salaries paid to the several agents and their assistants who have been employed in the survey of the live oak lands of the United States since the passage of the act of Congress of the 1st of March 1817 to the present time" and also on the cost of equipping and operating the live oak survey and the three patrol vessels. Auditor Kendall responded on March 19, 1832, with the figures that have been summarized and presented in tables 5 and 6 (in chapter 4) of this study.²⁶ Secretary Woodbury was now aware that the cost of operation of Branch's live oak survey and patrol system during the first eight or nine months had required an expenditure of \$10,734.77. Of this total, \$8,523.94 was to support the operations of the seven live oak agents and \$2,210.83 to outfit the three patrol schooners (not including the salaries

24. *Ibid.*, 103-4, item A, no. 12. A summary of the data is included in appendix H of this study. See also ASP 4:98-99, item A, no. 1.

25. *Ibid.*, 123, item F, no. 20.

26. *Ibid.*, 103-7, item C, nos. 1, 3, and 4.

of the crews). It was also apparent to Woodbury that the Jackson administration during its first three years in office had managed to expend a total \$39,825.46 on the live oak program, or more than the combined expenditures of the Monroe and Adams administrations during the 12-year period of 1817-29.

These data, together with the reports from his live oak agents, must have confirmed in Woodbury's mind that perhaps there was some substance to the statements made by Judge Breckenridge and Delegate White, that live oak trees in nature were not as numerous as Secretary Branch had contended and also that perhaps the Branch-devised live oak survey and patrol system were both costly and inefficient.

ESTABLISHMENT OF NEW RESERVATIONS AND REASSESSMENT OF NAVAL TIMBER NEEDS, 1832

Woodbury apparently planned to remedy the situation quickly. On February 10, 1832, in responding to a letter from live oak agent Frost of the fourth district, West Florida, the secretary wrote: "The Department is very desirous that a general examination and description of the live oak on the public lands, as well as those not surveyed as on those which have been, should be made as speedily as practicable. The agencies in the several districts will all of them be discontinued as soon as possible: one of them [Eli B. Whitaker in the third district] has already been discontinued. If you are convinced there is no more valuable navy timber in your district than has yet been reported, I can excuse you entirely, and you are hereby excused accordingly: otherwise, I hope the examination will be completed without delay."²⁷

The naval live oak patrol was also altered. On March 19, 1832, the secretary of the navy informed the Speaker of the House of Representatives: "The only vessel now employed in the protection of the

27. Ibid., 123, item F, no. 21. Underlining by the author.

live oak is supposed to be the Ariel [cruising off the gulf coast of West Florida], as the Sylph [patrolling the coasts of Alabama, Mississippi, and Louisiana, or the sixth and seventh live oak districts] was probably lost in the heavy gale last August [1831], and the Spark [cruising off the Atlantic coast of East Florida, or the first district], January 25, 1832, was ordered to Norfolk [Va.]. All these three vessels," Woodbury added, ". . . were directed to forward the survey of our coasts and rivers, as well as to protect the live oak."²⁸

The six remaining live oak agents pressed ahead in their surveys, and on December 14, 1832, Secretary Woodbury was able to advise Congress: "These examinations have been completed in the 3rd and 4th Districts [of West Florida], and principally in the 5th [also in West Florida] and 6th [Alabama and Mississippi] districts. In others [the first, second, and seventh], extensive tracts remain yet to be explored, and especially in the first [East Florida] district, between Cape Sable and Cape Florida, and in the western part of the 7th district [Louisiana]. It is represented that large quantities of valuable live oak timber exist on the public and some on private lands, in those regions that have not yet been accurately examined by the present agents."²⁹

Because the General Land Office had by 1832 completed accurate land survey maps of extensive portions of West Florida, Alabama, Mississippi, and southeastern Louisiana, Secretary Woodbury was now able to convert the data gathered by his agents into legally established naval timber reservations. During 1832, in a series of six executive orders, President Jackson established a grand total of 62,380.78 acres of reserves in these four states or territories to protect a total of 51,817 mature live oak trees (see table 7).

28. Ibid., 98.

29. Ibid., 200.

Table 7. Reserves Created by President Jackson in 1832

<u>State or Territory</u>	<u>District/ Agent</u>	<u>Location</u>	<u>Date of Reservation</u>	<u>Acreage Reserved</u>	<u>Mature Live Oaks</u>
West Florida ^a	3 Whitaker	Stinhatchee River (map 9)	Feb. 1, 1832	13,376.11	14,556
Louisiana ^b	7 Blair	Lakes Verret, Grass, and Palourde (map 7)	May 30 and Nov. 8, 1832	46,838.08	22,030
Mississippi ^c	6 Jerrison	Round Is. in Pascagoula Bay, Pascagoula River, Bayou Creole, South side of the Bay of Biloxi, and Point Clear Bayou near the Bay of St. Louis	Oct. 20 and Nov. 28, 1832	1,966.59	15,079
Alabama ^d	6 Jerrison	Mobile County (map 8)	Nov. 28, 1832	<u>200.00</u>	<u>152</u>
Totals				62,380.78	51,817

Sources:

^aReservation Correspondence Book, 89-90, for president's order. Timber Reserves Book, plats on pp. 15-16 for location. Abandoned Reservations List for acreage of 13,376.11 acres; different figures of 14,076.79 (Reservation Correspondence Book, 61) and 14,556.79 (ASP 4:223, item N) were probably too large (see appendix K). ASP 4:204, item A, for the number of trees (see appendix G).

^bReservation Correspondence Book, 123-30 for president's order. Timber Reserves Book, plats on pp. 71A-76 for location. Reservation Correspondence Book, 61, for acreage of 46,838.08; different figure of 47,851.72 (ASP 4:223, item N) was probably too large (see appendix K). ASP 4:212, item A, for number of trees (see appendix G).

^cReservation Correspondence Book, 108-13, for the president's order. Timber Reserves Book, plats on pp. 52, 54-58, and 63 for location. Reservation Correspondence Book, 61, for acreage of 1,966.59 acres; different figure of 1,510.13 (ASP 4:223, item N) was probably too small; location in this item should read township 9 (not 3), range 14. ASP 4:211-12, item A, for number of trees (see appendix G).

^dReservation Correspondence Book, 113-15, for the president's order. Timber Reserves Book, plat on p. 4 for location. Reservation Correspondence Book, 61, for acreage of 200 acres; different figure of 60 (ASP 4:223, item N) was probably too small (see appendix K). ASP 4:211, item A, for number of trees (see appendix G).

On February 25, 1832, the House of Representatives had passed a resolution requesting that the secretary of the navy report to the Congress "at an early period of the next session of Congress, such information on this subject [live oaks for naval purposes] as he may be furnished with by the agents or others who may be employed in the service, with his views of the best means of preserving the naval timber growing on the public lands; or, if he deem it necessary, that he lay before the House a plan or system which he may think best calculated to secure to the nation an adequate supply of this material, either by cultivation, or the purchase of lands now containing such supply."³⁰

Secretary Woodbury began preparing this paper in the most thorough and scholarly manner. From the Topographical Bureau of the War Department and from the commissioner of the General Land Office, Woodbury obtained the best possible estimates of the total amount of public and private lands in the live oak region of the United States.³¹ His naval officers and architects provided him with comprehensive estimates of the total amount of live oak used from 1794 to 1832; a list of all the naval vessels constructed of this timber (see appendix A); the prices paid for the live oak; the amounts of timber used for construction, used for repair, on hand, and lost by war or at sea; and estimates of present and future needs.³² A comprehensive report of the findings of the seven live oak agents during the period 1831-32 was prepared,³³ as were summary

30. Ibid., 191.

31. Ibid., 214, item D, nos. 1 and 2 (provided on Sept. 12 and Oct. 16, 1832).

32. Ibid., 215-18, items E, F, C; item H, nos. 1 and 2; and item I (data provided in Nov. 1832).

33. Ibid., 204-14, items A and B; included as appendix G of this study.

reports of the 1827 findings of James Hutton³⁴ and the 1827-30 findings of Charles Haire.³⁵ Studying this information, Secretary Woodbury wrote his report, and the great mass of documents was then laid before Congress to back up Woodbury's long letter of December 14, 1832.³⁶ Woodbury's report may be regarded as an attempt to formulate a rational national live oak program that was based on the facts of the situation rather than partisan emotions.

Woodbury informed Congress that the total number of mature live oak trees in the United States examined by agents in the seven live oak districts from 1825 to date was 153,630 trees. Of this total, 144,655 trees stood on about 16,460,160 acres of public land, and 8,975 trees stood on about 1,000 acres of private land (see table 8; Woodbury did not include data for southwestern Louisiana, which had not been revisited). Using three figures--the estimated yields of 20, 50, and 80 cubic feet of live oak timber from each tree--Secretary Woodbury presented Congress with three estimates of the amount of naval live oak timber available, as shown in table 9 (see table 10 for the geographical distribution for the mean estimate of 50 cu ft/tree).

Secretary Woodbury then ventured the opinion that "about fifty [cubic] feet [per tree], mean between the two estimates, . . . will probably be found to be the most accurate; as the quantity to each oak tree, on an average, in England, is computed at 45 feet, and the oak, though it may not be generally of so great height as the British oak, yet, from its

34. Ibid., 220-21, item K. An earlier version is included as appendix E of this study.

35. Ibid., 222, item L; included as appendix F of this study.

36. Ibid., 191-203, with documents, 204-23.

Table 8. Number of Live Oak Trees on Private and Public Lands, 1832

State or Territory	Live Oak District	Total Number of Trees Examined	Number on Private Land	Number on Public Land	Acreage of Public Lands	Comments
Florida						
East Florida	1	1,980	800	1,180		
West Florida	2	22,840	none reported	22,840		
	3	15,556	1,000	14,556		
	4	1,739	none reported	1,739		
	5	<u>61,292</u>	<u>4,595</u>	<u>56,697</u>		
Subtotal, Florida		103,407	6,395	97,012	11,840,640	2,812,160 acres in Florida were Indian land
Alabama	6	152	0	152	478,720	
Mississippi	6	26,461	1,000	25,461	499,200	
Louisiana						
Southeastern La.	7	23,610	1,580	22,030		
Southwestern La.	7	not included				Estimated by Gedney in 1832 at 95,108 live oak trees, 93,028 on public land and 2,080 on private land. These growing on estimated total of 47,554 acres.
Subtotal, Louisiana		<u>23,610</u>	<u>1,580</u>	<u>22,030</u>	3,641,600	
Totals		153,630	8,975	144,655	16,460,160	

Sources: ASP 4:213-14 for number of trees; ASP 4:103-4, item A, no. 12, for Gedney estimate; ASP 4:214, item D, nos. 1 and 2 for acreage of public land.

Table 9. Summary of Timber Estimates, 1832

	Number of Live Oak Trees	Cubic Feet of Timber		
		at 20 cu ft/tree	at 50 cu ft/tree	at 80 cu ft/tree
Public lands	144,655	2,893,100	7,332,750	11,572,400
Private lands	<u>8,975</u>	<u>179,500</u>	<u>448,750</u>	<u>718,000</u>
Totals	153,630	3,072,600	7,781,500	12,290,400

Source: ASP 4:213-14 (included in appendix G).

Table 10. Mean Estimates of Live Oak Timber on Private and Public Lands, 1832

State or Territory	Live Oak District	Cubic Feet of Live Oak Timber (estimated at 50 cu ft/tree)		
		Total	On Private Lands	On Public Lands
Florida				
East Florida	1	99,000	40,000	59,000
West Florida	2	1,142,000	none reported	1,142,000
	3	777,800	50,000	727,800
	4	86,950	none reported	86,950
	5	<u>3,064,600</u>	<u>229,750</u>	<u>2,834,850</u>
Subtotal, Florida		5,170,350	319,750	4,850,600
Alabama	6	7,600	0	7,600
Mississippi	6	1,323,050	50,000	1,273,050
Louisiana				
Southeastern La.	7	1,180,500	79,000	1,101,500
Southwestern La.	7	not estimated		
Subtotal, Louisiana		<u>1,180,500</u>	<u>79,000</u>	<u>1,101,500</u>
Totals		7,681,500	448,750	7,232,750

Source: ASP 4:213-14

longer horizontal limbs, it often yields more ship timber. At this rate of computation, there would be 7,781,500 cubic feet."³⁷

"The proportion of this timber," Woodbury continued,

which is large enough to construct ships of the line, is sometimes considered about one-half; and to construct frigates, about one-third; and to construct sloops and schooners, one-sixth.

But, reducing this proportion to one-fourth for ships of the line, one-fourth for frigates, and one-half for sloops and schooners, . . . and computing 34,000 cubic feet as sufficient for the frame of a ship of the line, 23,000 for that of a frigate of the first class, 18,000 for one of the second class, 8,000 for that of a sloop, and 1,800 for that of a schooner, which are near the average quantities; and the whole [2,893,100] number of feet on the public land [computed at 20 feet per tree] would suffice for the frame of 173 vessels: one-fourth of these would be ships of the line, one-fourth frigates, and one-half sloops and schooners--the last two in equal proportions.

The whole second number [11,572,400 feet, computed at 80 feet per tree] would suffice for 693, and the median number of feet [7,232,750, computed at 50 feet per tree] for 433 similar vessels.

Of the live oak standing on private lands, this, if all of it should hereafter be obtained for the navy, would provide sufficient for 10 or 43 or 27 vessels.³⁸

37. Ibid., 192. Secretary Branch on February 7, 1831, had estimated the total at 2,214,855 cubic feet.

38. Ibid.

Woodbury thus estimated that the available live oak timber growing on both public and private lands would suffice for the construction of somewhere between 183 and 736 warships, with 460 ships being the more likely average between these two extremes.

The secretary presented figures that indicated a total of about 974,363 cubic feet of live oak had been put into the frames of naval vessels built from 1794 to 1832, and that of this total, only 132,500 feet was not still on hand.³⁹

"From all these data," Woodbury continued,

it appears that all our annual wants, while our present force and present policy remain not essentially changed, will amount to about 62,286 cubic feet of live oak timber. This is 3,400 feet for small ordinary repairs; 25,886 for rebuilding, to supply accidental losses and great natural decay; and 33,000 for deposit for gradual improvement [adding new vessels]. . . . As before stated, we have heretofore purchased, in all, about 168,000 feet of live oak, for repairs; about 974,363 cubic feet, that has been made up into vessels; and about 431,845 feet now in depot for gradual improvement, exclusive of repairs. . . . The whole amount of our supplies, then, heretofore obtained in any way and from any quarter, having been about 1,594,208 cubic feet, these would, on an average, be about 45,549 feet per year, and about one-fourth less than the whole quantity per year [of 62,286 feet] estimated as proper and necessary to be hereafter obtained.⁴⁰

39. Of the 132,250 feet not on hand, 8,000 feet had been sold in 1801, 68,375 feet had been captured by enemies in four different wars, 44,500 feet were burned by Americans in 1814, 3,375 feet were lost in vessels lost at sea by shipwreck, and only about 8,000 feet were lost by natural decay; ASP 4:196.

40. ASP 4:107.

The secretary pointed out that the projected timber needs could probably be supplied from private lands for some years before turning to the supply on public lands:

Taking, then, only the medium estimated quantity of 448,750 feet of timber, examined and reported by the agents as remaining on private lands, without including Georgia or South Carolina, or any allowance for the one-third not yet explored, and it would, if all procured for the navy, supply all our demands, estimated at 62,286 feet annually, during seven or eight years. . . . It is still manifest from all the facts before us, that our probable annual wants, can, for some years to come, be chiefly supplied by purchases of live oak growing on private lands. But whenever the prices of this kind of timber shall rise, so as to indicate a great scarcity on private lands. . . I think it will then become our true policy to permit the older and larger trees to be removed for the public use from the public lands. Even before that event, those trees on the public lands which have begun to decay, from any cause, have ceased to grow, might be sold advantageously to the contractor, in aid of the other supply obtained from time to time from private sources.

Should a removal in this way be enough to satisfy the balance of all our annual demands, our resources would thus continue inexhaustible for many years, or until the private sources so fail that the mode of cutting from the public lands will not furnish a sufficiency for the balance. But, if a further indiscriminate removal should become necessary to supply the full amount of our annual demands, and if we take as correct the medium estimated quantity of 7,332,750 feet of timber, examined and reported by those agents as now remaining on the public lands, without including any allowance for what may be found on the above-mentioned one-third of these lands [about 5,333,333 acres] not yet explored by them, in some of the

districts that quantity would supply the whole extent of our annual demands, as at present computed, during about 116 years after the private resources entirely fail.⁴¹

Under the existing conditions Secretary Woodbury did not believe it was necessary for the government to engage in artificial cultivation of the live oak. But, he added: "At the same time I am fully convinced that whenever we reach a condition rendering artificial cultivation necessary for a full supply of our reasonable wants in live oak timber . . . the expense of that kind of cultivation, to the full extent requisite to furnish that supply, ought not to be permitted to deter us from undertaking it, because I consider live oak timber as invaluable for frames in naval architecture; and . . . essential . . . for national safety."⁴²

In the event that artificial cultivation of the live oak was ever necessary, Secretary Woodbury recommended that "this should . . . be done in situations on the reserved public lands adjoining navigable waters, and in all respects most favorable to success. In appropriate soil," he reported,

the sprouts from the roots and stump of the live oak are found to be very numerous and thrifty; and the preservation and trimming of the best of these, bid fair, from experiments already made both here [at Deer Point] and abroad, to succeed better than the transplanting of saplings, or the planting of the acorn, in the places where the tree is intended to grow. Should the sprouts not vegetate spontaneously in situations where wanted, then, of course, the planting of the acorn, or transplanting of saplings, would in these situations become necessary. From these sprouts, in a good soil, it is computed that in 50 years--about the duration of the live oak timber in a vessel--trees will grow, of an ample size for ship-building;

41. *Ibid.*, 200.

42. *Ibid.*, 202.

though in poorer soil, and from acorn, 70, 80, or 100 years might be necessary. The trees, as wanted for use, should be cut and removed only as they reach their full size, or are found too thick for a luxuriant growth, or from any cause have ceased to be thrifty. Experience abroad has shown also that, after an oak tree has ceased growing, though it may remain standing for many years, and tradition says, of some abroad, hundreds of years, without material injury, yet it is more economical, and the tree is better for naval use, if soon after it has ceased growing it be cut, and the timber placed first in dock, and afterwards under cover. Such trees, not increasing in size or value, might, as before remarked, be sold to advantage to contractors, before a general resort is had to other trees on public lands, and their places could be profitably occupied by new trees springing up, and annually increasing in size and value.⁴³

Secretary Woodbury also considered the problem of how many acres of the estimated 16 million acres of public land with live oak on them should be reserved to ensure a future supply for the navy:

It will be recollected that our whole annual demands have been estimated at about 62,286 feet; and this, at the medium rate before mentioned, of 50 feet per tree, would require yearly 1,245 trees; and, at only 20 trees per acre, or half the proportion allowed of English oak in artificial plantations [in England], would include the growth of 62 acres annually; and calculating 75, the average between 50 and 100 years, as necessary to reproduce the live oak after once cut down, it would take only 4,640 acres to meet our whole annual demand of live oak in all future time, at the present size of our force

43. Ibid., 200-201.

afloat, and on our present policy in providing for its gradual improvement. But this estimate is not, in my opinion, sufficiently large as regards the number of acres which may probably be required in their natural condition to supply all our wants of live oak timber.

From the peculiar character of the growth of the live oak in detached hammocks or trees, and from our system of surveys into only sections, halves, and quarters, the lands hitherto reserved on account of their live oak timber do not generally contain over two trees to an acre, on an average; and in very few cases are there over five full grown and sound live oaks on an acre, taking the whole of any one reservation. . . .

Considering then, that two such trees to an acre . . . is a more correct estimate than 20, and that, in such cases, 50 feet to a tree, the medium computation, may not be too high, but rather below than above the truth as to the size of this monarch of the forest, and allowing the largest time of 100 years for a tree to reach maturity, it would only require us to reserve, in all, 62,287 acres to enable us hereafter, with the purchase of more trees or more lands, to have an inexhaustible source of supply of this important material for a navy not larger than our present establishment. Computing only 20 feet to a tree, the small estimate, and the number of acres should be increased to 155,710. Computing 80 feet to a tree, the largest estimate, and the number of acres would be reduced to 38,900.

In order to meet the contingencies and injuries from fires, depredations, and other causes, and especially from the probable failure hereafter of our title to some of the lands reserved, it may be judicious to reserve, in all, at least 160,000 acres of live oak timber, which will be nearly three per cent more than the largest number of acres I have before

estimated, and 60 per cent above the quantity deemed probably sufficient or necessary for our present demands and present policy as to gradual improvement. Pursuing this course, should we hereafter find that we have a large surplus of timber, some of the reservations ascertained to be least valuable for their live oak can be sold to advantage for cultivation; and if both lands and timber should rise much in value, still further and profitable sales could be made of the lands as the timber is removed from them. In this event, or in case of our demands for live oak becoming likely to be much enlarged at any future time, artificial cultivation could be resorted to on the best reserved lands left, so as easily to increase, in due season, double and quadruple their natural produce of live oak trees to the acre.⁴⁴

Secretary Woodbury recommended that the naval live oak reservation system should be built up to a total of 160,000 acres of public land:

We have already reserved, within a few years [1830-32], 67,417 acres of live oak, and on the most liberal estimate as to a sufficiency, in their natural state, should reserve less than 100,000 acres more, to supply forever all that may be required by the demands and policy before mentioned.

More than this further quantity has already been recommended by the agents for reservation, on account of the valuable growth on it of live oak, and most of which had not yet been reserved, in consequence of its not having yet been surveyed. The 19,000 [actually 6,897] acres reserved as long ago as 1819 [actually 1820], in Louisiana, and not yet re-examined, may be found still so covered with timber as to justify a reliance upon that as a part of the further quantity needed.⁴⁵

44. Ibid., 201. Acreage cited is from ASP 4:223, item N (see table 7 notes).

45. Ibid. Underlining by the author.

Regarding the public purchase of additional live oak lands or the establishment of additional plantations, he concluded that "on the facts and estimates herewith submitted, imperfect and inaccurate in many respects, yet . . . I can see, in order to secure for our navy, while of its present size, an adequate supply of live oak timber, no occasion at this time either to make further purchases on private lands on which this tree grows, or to carry the artificial cultivation of it, on any of the public lands, beyond what has already been attempted."⁴⁶ All experiments at artificial cultivation would be limited to the naval live oak plantation at Deer Point, near Pensacola, West Florida.

The secretary also made some recommendations regarding the protection of live oak timber growing on public lands:

On this subject, the legal remedies which now exist for depredations committed are deemed sufficient, so far as respects punishment. But, for the detection and prevention of trespasses, I think it should be further provided by law, that the masters of all vessels which sail from Florida, Alabama, Mississippi, or Louisiana, laden with live oak, should furnish to the collector, before allowed a clearance, satisfactory evidence that the timber was cut on private land; or, if on public lands, was cut with the permission of the proper officers. As an additional security against depredations, and particularly against injuries by fires, I would recommend that it be made the duty of all public officers in the above named States and Territory, connected with the customs and the land offices, to keep a vigilant eye on the security of our live oak, and to prosecute persons known to be guilty of gross neglect, or wanton wrong, to the damage of this species of public property. These provisions, added to the present laws, and coupled with the prompt reservation of the lands on which

46. Ibid., 203. Underlining by the author.

valuable growths of timber exist, as fast as the country is surveyed where they are found, will constitute, in my opinion, "the best means of preserving the navy timber growing on the public lands."⁴⁷

The live oak program formulated by Secretary Woodbury in December 1832 was clearly based on the consideration of a wide variety of evidence and careful consideration to the suggestions that Judge Breckenridge and Delegate White had made to him in 1831.

CONSUMMATION OF THE NAVAL LIVE OAK RESERVATION SYSTEM,
1833-34

Although Woodbury had informed Congress that he believed there were quantities of unexamined live oak trees in the first, second, and sixth districts, he discharged all his agents except the man in the fifth district by early 1833. General John Clark, the live oak agent in the fifth district, had died on October 12, 1832, and his position had been filled by Wylie P. Clark.⁴⁸ Clark would complete his work late in 1833 and then resign. Secretary John Branch's super live oak survey, begun in April 1831, would thus end in November 1833, although the last reservations to be created as a result of this work would not be officially established until 1834.

The probable reason for ending the surveys in the first and second districts (the peninsula of Florida, see map 10) and the sixth district (southwestern Louisiana), was that the General Land Office had not yet completed the land surveys of these sections and it was therefore not

47. Ibid., 192-93.

48. A note on the index page of the Agents' Correspondence Book records the date of General Clark's death.

possible to legally establish timber reservations. To keep the door open for reservations in the future, Secretary Woodbury presented President Jackson with a plan for providing the Navy Department with continuing information on live oaks after the live oak surveys ceased operations. Woodbury wrote on February 3, 1833: "I have the honor to request that the commissioner of the General Land Office may be instructed to issue a general order to all Surveyors of public lands in Florida, Alabama, Mississippi, and Louisiana, to note the number, size, and location of all good live oak trees within 20 miles of sea-board, on land hereafter surveyed by them, and report the same monthly to this Department, in order that the land on which they grow may be reserved, when the number, size and location of the trees are such as to render it expedient. The agencies being mostly discontinued as to live oak, it becomes necessary, in order to reserve more land hereafter, to have the above information from the Surveyors." Jackson approved this request on the same day.⁴⁹

In response to the president's order, Elijah Hayward issued a circular on April 2, 1833, to the surveyor generals of the four live oak states and territories, ordering them to put this plan into effect.⁵⁰ This plan, however, created extra work for the Land Office surveyors and did not provide any extra compensation. Apparently as a result no information on live oaks was passed on to the Navy Department as proposed, and it is certain that no live oak lands were reserved from 1835 to 1845.⁵¹ Woodbury's plan for a continuing survey utilizing employees of the General Land Office thus failed to work in practice.

The use of customs collectors to check the cargoes of all vessels for live oak also failed to provide complete protection to live oak growing on

49. Reservation Correspondence Book, 52.

50. Ibid., 57-58.

51. Ibid., 63. The circular of April 3, 1833, apparently lay unused and forgotten from April 1833 until May 1844, when it was rediscovered.

public land, for in the unsurveyed sections of Florida and even in some surveyed sections, it was sometimes alleged that public lands were privately owned. Customs officials were not equipped to resolve this type of problem.

Woodbury was successful in expanding the naval live oak reservations to about 160,000 acres, as he had recommended in his report to Congress. The new additions, three reservations totaling 75,400.62 acres, were all located in the fifth district, West Florida, and were the result of the work of agent Wylie P. Clark. Data for the individual reservations are shown in table 11. With these additions, Woodbury's figures probably indicated there were about 159,000 acres in the naval timber reservation system, however later surveys would indicate that there were actually 149,500.01 acres reserved. West Florida, with almost 90,000 acres in reservations, was clearly the heart of the system (see table 12).⁵²

With this work in the final stages of completion, Levi Woodbury resigned as Jackson's secretary of the navy to become the president's secretary of the treasury on June 27, 1834. No further additions were made to the naval timber reservations during the remainder of Jackson's term as president, December 31, 1834, to March 4, 1837.

52. Comprehensive lists of acreages in reservations were recorded in 1832, 1844, and 1878 (see appendix K). According to the 1844 figures, which differed somewhat from the figures recorded in 1832, there were 146,901.24 acres in reservations by the end of 1834. Woodbury would not have been aware of all the recalculations that occurred between 1832 and 1844. He would undoubtedly have used the 1832 figure of 19,000 acres for the southwestern Louisiana reservation. Not knowing which of the other 1832 or 1844 figures he used, his total would have probably been somewhere between 159,000 and 159,800 acres. (These totals do not include the acreage in the Deer Point plantation.) Later recalculations of the Florida reservations, recorded in 1878, account for the difference between the total of 146,901.24 acres recorded in 1844 and the figure of 149,500.01 acres given as the probable actual amount in this report.

Table 11. Reserves Created by President Jackson on 1833-34

<u>State or Territory</u>	<u>District/ Agent</u>	<u>Location</u>	<u>Date of Reservation</u>	<u>Acreage Reserved</u>	<u>Mature Live Oaks</u>
West Florida ^a	5 Clark	Santa Rosa Peninsula, east from the Deer Point plantation (maps SA, B, C, and D; map 9)	Dec. 6, 1833	9,359.59	6,440
West Florida ^b	5 Clark	Choctawhatchie Bay (maps 9 and 6)	Nov. 13, 1834	19,790.30	10,840
West Florida ^c	5 Clark	St. Andrew's Bay (map 9)	Nov. 13, 1834	<u>46,250.73</u>	<u>24,952</u>
Totals				75,400.62	42,232

Sources: ^aReservation Correspondence Book, 96-97 for the president's order. Timber Reserves Book, plats on pp. 35-39 for location. Abandoned Reservations List for acreage (see appendix K). ASP 4:206, item A, for number of trees (see appendix G).

^bReservation Correspondence Book, 99, for the president's order. Timber Reserves Book, plats on pp. 28-34 and 42 for location. Abandoned Reservations List for acreage (see appendix K). ASP 4:205-6, item A, for number of trees (see appendix G).

^cReservation Correspondence Book, 100, for the president's order. Timber Reserves Book, plats on pp. 17-27 for location. Abandoned Reservations List for acreage (see appendix K). ASP 4:206-11, item A, for number of trees (see appendix G).

Table 12. Summary of Naval Timber Reservations, as of 1834

State or Territory	Live Oak District	Acreage of Reservation	No. of Mature Live Oaks	Mean Est. of Live Oak Timber (cu ft)	Comments
Florida					
East Florida	1	0			
West Florida	2	0			
	3	13,376.11	14,556	727,800	Reserved Feb. 1, 1832
	4	0			
	5	1,219.36	not est.		Reserved Oct. 23 and Nov. 28, 1830
		9,359.59	6,440	322,000	Reserved Dec. 6, 1833
		19,790.30	10,840	542,000	Reserved Nov. 13, 1834
		46,250.73	24,952	1,247,600	Reserved Nov. 13, 1834
Subtotal, Florida		89,996.09	56,788	2,839,400	
Alabama					
	6	3,602.25	none		Reserved Apr. 17, 1827; red cedar lands, no naval live oak timber
		200.00	152	7,600	Reserved Nov. 28, 1832
Subtotal, Alabama		3,802.25	152	7,600	Reserved Oct. 20 and Nov. 28, 1832
Mississippi					
	6	1,966.59	15,079	753,950	Reserved Oct. 20 and Nov. 28, 1832
Louisiana					
Southeastern La.	7	46,838.08	22,030	1,101,500	Reserved May 30 and Nov. 8, 1832
Southwestern La.	7	6,897.00	13,794	689,700	Reserved Feb. 29, 1820; originally estimated at 19,000 acres with 38,000 trees; resurveyed about 1843 (see appendix K)
Subtotal, Louisiana		53,735.08	35,824	1,791,200	
Totals		149,500.01	107,843	5,392,150	

Source: Derived from tables 7 and 11.

Note: This summary of timber reservations does not include the tracts that were purchased (as opposed to reserved) by the Navy Department for naval live oak purposes between 1799 and 1828. These tracts totaled an additional 4,887.87 acres:

Grover's Island, Ga., 350 acres, purchased Dec. 19, 1799, for \$7,500
 Blackbeard's Island, Ga., 1,600 acres, purchased in April 1800 for \$15,000
 Deer Point, W. Fla., 1,337.87 acres, purchased Mar. 10, 1828, for \$4,900
 Near Pensacola Navy Yard, W. Fla., about 1,600 acres, purchased May 27 and June 2, 1828, for \$5,361.11

ACCOMPLISHMENTS OF THE JACKSON ADMINISTRATION, 1829-34

After a somewhat shaky start under Secretary of the Navy John Branch (1829-31), the Jackson administration under Secretary Levi Woodbury (1831-34) compiled an excellent record in formulating and executing a national naval live oak reservation program.

Secretary Woodbury ordered the naval live oak plantation at Deer Point reopened after having been closed down from January 18 to September 22, 1831. This experimental tree farm would continue to function until 1861.

The extensive live oak survey begun by the Adams administration was completed in West Florida, Alabama, Mississippi, and Louisiana in 1831-33, thus providing the Navy Department with an accurate and fairly comprehensive inventory of the live oak resources of the United States.

In a series of orders based on the act of March 3, 1827, President Jackson between 1830 and 1834 added a total of 139,000.76 acres of public land to the naval live oak reservation system of the United States, thereby increasing the total acreage in the naval timber reservations from 10,499.25 acres in 1828 to 149,500.01 acres in 1834. On the basis of the data supplied by the live oak surveys, it was decided that it was not necessary to purchase additional private lands to add to the existing naval timber reservations or, at least at that time, to establish additional naval live oak plantations to cultivate and propagate live oaks. If a need arose in the future, Secretary Woodbury ascertained, the act of March 3, 1827, gave the president of the United States the necessary authority to create additional tree farms.

Two innovations devised by Secretary Woodbury failed to work in practice: The surveyors of the General Land Office never carried out their assigned role of collecting and transmitting live oak data, as he had planned, and the customs officials were not effective in stopping the illegal trade in live oak timber from the public lands.

POSTSCRIPT JANUARY 10, 1838

On January 10, 1838, the secretary of the treasury, acting on orders from President Martin Van Buren, reserved an additional 7,587.65 acres of land in the Pensacola Bay area for naval purposes (other than timber). Of this total, 3,410.31 acres were located on the Santa Rosa Peninsula, just east of the naval live oak plantation at Deer Point (see map 5A).⁵³ In April 1838 all of Santa Rosa Island, which had no live oak trees, was also reserved for naval purposes.

With the 1838 reservation, a solid block of 15,953.28 acres of land extending eastward along the Santa Rosa Peninsula from Deer Point was brought under the jurisdiction of the Navy Department. This block included

- 626.15 acres purchased for other than timber purposes
- 1,337.87 acres purchased in 1828 for live oak purposes
- 1,219.36 acres reserved in 1830 for live oak purposes
- 9,359.59 acres reserved in 1833 for live oak purposes
- 3,410.31 acres reserved in 1838 for other than timber purposes

Thus, in 1838 about half of the 30,000-acre naval reserve that Secretary of the Navy Southard had envisioned in 1827 actually came into being.

53. Timber Reserves Book, plats on pp. 38-40, 101-2. The 1838 reservations on the Santa Rosa Peninsula included T. 3, R. 29, secs. 2, 3, 6; T. 2, R. 29, secs. 26, 33, 34, 35, 36; T. 2, R. 26, secs. 26, 27, 31, 32, 33, 34, 35.

6. FINAL YEARS OF THE LIVE OAK PROGRAM, 1838-80

The time and funds available for research were not adequate to allow the investigation of the 1838-80 period in as much depth and detail as the earlier formative years. However, the general history of the later years is accurately summarized in the account that follows.

LIVE OAK AGENTS REEMPLOYED, 1841

The live oak agent staff had been disbanded by Secretary Woodbury in 1833, and the live oak patrol by the three naval schooner had ended in 1832. Henceforth until July 1841 the Navy Department apparently followed Woodbury's recommendations to Congress of December 14, 1832, and relied on customs collectors at the ports, federal district attorneys, and public land officers in the live oak region to protect the naval live oak reservations. Many depredations occurred, however, and in July 1841 Secretary of the Navy George E. Badger again appointed officers with the title of "agent of the public timber."¹

A year later, on July 7, 1842, Secretary of the Navy Abel P. Upshur approached Congress for funds to hire three such agents, writing: "There are now employed, two Agents, one in East Florida and one in Louisiana. Another is required for the West Coast of the Florida. I have not seen the bill making appropriations for the Navy, since it passed the Senate, but I am informed that it contains no appropriation for this object. It appears to me to be altogether too important to be overlooked. . . . With the aid of small vessels of the Navy, as contemplated in the bill now before the Senate, or its Naval Committee I do not doubt that ample protection can be extended along our whole

1. Territorial Papers: Florida 26:360-62.

coast, for 15 or 20,000 dollars per annum. The value of the timber annually destroyed for want of such protection, is many times as great."²

In 1845 the timber agents were placed under the supervision of the Navy Bureau of Yards and Docks, and by the early 1850s their numbers had been increased to six, with four agents stationed in Florida, one in Alabama (until April 1855), and one in Louisiana and Mississippi.³

The two following letters illustrate the difficulties confronting the naval timber agents in their efforts to protect live oak reservations in Florida during the 1840s. In the first of these, the newly appointed "agent of the public timber in East Florida," Nathan Sargent, wrote to the secretary of the navy, describing the existing situation in that territory, as of July 28, 1841, and recommending that his job be abolished as the task was hopeless:

SIR. Having been charged by you with the duty of preserving from waste removal &c, the timber growing on the Public Lands in East Florida, and specially the Live Oak; and having proceeded to Florida for the purpose, I found myself at once embarrassed in the discharge of my duties by causes which I will as briefly as possible state.

The Timber reserved for public use consists of Hammocks of Live Oak scattered over nearly the whole of East Florida but particularly near the coast & along and near the streams navigable for vessels or batteaux. The reservations made by the agents sent out for that purpose have never been surveyed nor plotted upon any map, and through described perhaps as accurately as they could be without such survey it is impossible

2. Ibid., 504.

3. Annual Report of the Secretary of the Navy, December 8, 1855, p. 665; December 1, 1856, p. 543.

to know their bounds for in fact they have none defined: and in case a private grant happen to lie contiguous, it would be out of the power of the Agent, were the owner of this grant cutting timber to determine whether he were within his own limits or trespassing on the public land. As a lawyer you know the difficulty of defending what is not defined. These private grants, very many of which have been confirmed to the claimants by the Territorial courts, are also scattered over the whole extent of E. Florida, and in some cases bound upon the public reservations and perhaps in part cover them; and as neither have ever been surveyed & their boundaries marked, a serious difficulty meets the Agent at the very threshold of his duties, & this difficulty must continue to exist until the country is surveyed, & the private grants & the public reservations properly called & bounded.

But suppose this difficulty surmounted, the Agent has at present no means of going from place to place along the coast, up the creeks and inlets where vessels would be likely to secrete themselves, nor from Key to Key, to look for trespassers. A coast of some six or seven hundred miles in extent, from Amelia Island on the North & East round the Southern point of the Peninsula, up past Tampa Bay to the Mouth of the Suwanee, on the west, including the numerous Keys, some of them thirty miles in extent, that lie scattered round the southern part of Florida, is committed to his charge, while a very large portion, say nine tenths of it, at least, is an entire wilderness, and inaccessible at present, by land. How is he to guard all this coast & these Islands from depredation? True, he has the privilege of passing to & fro in the public steam boats, but he must confine his movements to theirs, visit the places they visit, go when they go & return when they return, and as they go only from one military post to another without touching at intermediate places along the coast or on the St. John's River, and as trespassers will take

special care to avoid these places, it is to little purpose that the Agent avails himself of this privilege.

As there is seldom an evil without some resulting good, in the present case, the Indian war, a most grievous and lamentable evil, performs the duty of the Agent in the Southern part, & indeed in nearly the whole of E. Florida, more effectually than he could perform it himself under the most favorable circumstances, and so long as the Indians occupy the country, there is no danger of the Live Oak Timber being cut & carried away. The same cause will of course deter the Agent from exposing his life among the Hammocks.

From what I have said you will probably come to the conclusion that, for the present, at least, the Agency might as well be abolished, or the duties & salary of the Agent suspended. Although I am the incumbent of the office, my own sense of what is due to the Government & to frankness, compels me to say that to this conclusion my mind has also arrived after looking at the subject in its various bearings. I know the President & his administration are desirous to carry out the principle of Retrenchment in all cases where it can be done without detriment to the public interests, and I cannot but admit that I think this a proper case for the application of that principle, although I may be the sufferer by it.

I will take the liberty however, to suggest, that as there may be some Hammocks of Live Oak more exposed to trespassers than those which lie in the immediate vicinity of the Indians, and as some of the public lands covered with pine timber are exposed to the depredations of the owners of sawmills--especially on the St. John's River, in case the suggestion above made should be adopted, the duty of protecting the public timber be assigned to some one or more of the public officers now in the Territory, and a small compensation allowed therefor in addition to their present emoluments which are very small.

Should the Agency be hereafter re established it will be indispensable that the Agent be allowed the use of a small vessel--say of 60 or 70 tons burden, and three or four men to navigate her, with which to cruise along the coast and among the Keys, look into the creeks and inlets &c: and he should also be authorised to appoint assistants, say four or five with a very small compensation, at different points of the coast to watch trespassers & give notice of their depredations. Without all this, so soon as the Indians are driven from the country it would be morally impossible for him to protect the Timber from depredators.

I will take the liberty further to remark, that great caution should be used in selecting a person to take charge of the public Timber; for if he be not one whose integrity is above temptation, the opportunity he would have of colluding with trespassers and thereby filling his pocket at the expense of that which he was sent to protect, might overcome his sense of duty to the Government. The situation of the Timber in E. Florida & its great value, offer strong inducements to dishonest practices on the part of the Agent.⁴

The second letter, also to the secretary of the navy, from Walker Anderson, the U.S. district attorney for the district of West Florida, written on July 23, 1843, reveals that the situation was apparently not much better in the Pensacola Bay area:

SIR Frequent complaints have been made to me in my official character, of depredations committed upon the lands of the United States in this vicinity reserved as Live oak Plantations--Heartily desirous of arresting so great an evil, I

4. Territorial Papers: Florida 26: 360-62. There was public land with live oak on it in East Florida, but none of this land had been placed in naval live oak reservations. The first East Florida naval live oak reservations were to be established in 1853.

have had frequent conferences with M. Antoine Collins the Keeper of the Live Oak Plantation (so called) on Santa Rosa Sound with a view of procuring such evidence as might enable me to prosecute the trespassers to conviction and I have now the names of some fifteen persons who have been cutting oak & other valuable timbers along the margin of this Bay & of the Sound, but neither M. Collins or myself have the means of ascertaining what lands yet belong to the United States and what have been offered for sale.

May I ask of you the favor to furnish either M. Collins or myself with such a chart of the reserved lands on the waters of this Bay as will be our guide in accomplishing the object of arresting the depredations now being carried on!

I will take advantage of this opportunity, to solicit respectfully your attention to the whole subject of growing and protecting the live oak on the waters of this Bay. The Depredations committed on that timber have been very extensive & still continue--To furnish a single barge load of firewood, frequently such waste & injury is committed as can not be repaired in many years--and that an enormous wrong is done to the government for an individual benefit scarcely worth consideration. There is no person whose proper business it seems to be to guard this species of property--M. Collins, who seems desirous of doing every thing within the scope of his authority, is only "Keeper of the Live Oak plantation"--a piece of property [at Deer Point] consisting of a few hundred acres about ten miles from this City. That particular tract he protects with all proper fidelity & he aids me in finding out those who trespass on the other public lands, but he has no authority to interpose in any way to prevent the trespass--We have no live oak agent & there has never been I believe any force detached to drive off persons committing the depredations.

I would respectfully submit to your consideration the expediency of adopting some system which would embrace the twofold object of preserving the live oak we already have and cultivating other plantations. To one accustomed to observe the slow growth of the Oak species in Northern climates, the rapid growth of the Live Oak in this latitude is truly astonishing--I have seen trees more than a foot in diameter in favorable situations which have not been planted thirty years & such favorable situations abound in this part of Florida.--It is true that abortive attempts to have been made to cultivate this tree but the spots selected have been most unfit for such a purpose & were chosen apparently for no other reason than their immediate vicinity to the Navy Yard.⁵

REMOVAL OF TIMBER LANDS FROM THE RESERVATION SYSTEM, 1843 AND 1853

In 1843 and again in 1853 Congress was induced to pass laws returning certain reserved naval timber lands to public sale under the usual terms. These two breachings of the protective walls that had been erected around the naval timber reservations were both apparently inspired by planters and settlers anxious to claim valuable timber lands.

By 1840 the U.S. General Land Office in New Orleans had permitted 50 private entries to be made in the 46,838.08 acres of naval live oak lands that had been reserved by President Jackson in southeastern Louisiana in 1832. The persons making these entries had claimed the right of preemption under the laws of 1834 and 1838. The Navy Department challenged these claims in court, and the issue was finally carried into the halls of Congress.

5. Ibid., 698-99. The last reference is to the Deer Point Naval Live Oak Plantation.

Table 13. Deletions from and Additions to the Naval Timber Reservation System, 1835-55

State	Acreage in Reser- vations, 1834	Tyler Admin.	Polk Admin.	Fillmore Admin.	Pierce Admin.
Florida	89,996.09			3,002.60 addition (Feb. 16, 1853) ^a	3,381.40 addition (Sept. 20, 1853) ^b
Subtotals	89,996.09	89,996.09	89,996.09	92,998.69	10,791.75 addition (Oct. 4, 1855) ^c 107,171.84
Alabama	3,802.25			3,602.25 deletion (Mar. 3, 1853)	
Subtotals	3,802.25	3,802.25	3,802.25	200.00	200.00
Mississippi	1,966.59	1,966.59	1,966.59	1,966.59	1,966.59
Louisiana	53,735.08	46,838.08 deletion (Mar. 3, 1843)	14,720.00 addition (Oct. 21, 1845) ^d		
Subtotals	53,735.08	6,897.00	21,617.00	21,617.00	21,617.00
Totals	149,500.01	102,661.93	117,381.93	116,782.28	130,955.43

Sources:

^a Ibid., 43-45.

^b Ibid., 46-49.

^c Ibid., 50-51, 96.

^d Ibid., 64-65, 67-69.

Presidential orders for the withdrawals in Florida and Louisiana are in the Reservation Correspondence Book.

On March 3, 1843, President John Tyler approved an act of Congress which provided "that any persons entitled to pre-emption under the existing laws, within the lands of said townships, be admitted to make their proofs and complete their titles, in the same manner as if the reservations for live oak had not been made."⁶

The total of naval reserved timber land in Louisiana thus fell in 1843 from 53,735.08 acres to only 6,897.00 acres, the eight islands on Grand Lake, which had been reserved in 1820 (refer to table 13).⁷

The second intrusion into the naval timber reserves came in 1853. On March 3, 1853, President Millard Fillmore approved an act of Congress that threw the 3,602.25 acres of red cedar lands in Monroe County, Alabama, which had been reserved by President John Q. Adams in 1827, open to public sale on the same terms as any other public lands.⁸ The total of naval timber reserved lands in Alabama thus fell from 3,802.25 acres to only 200.00 acres in 1853. The small surviving naval timber reservation was the live oak lands, with 152 trees, that President Jackson had established in 1832.

REVIVAL OF THE LIVE OAK SURVEY AND ESTABLISHMENT OF ADDITIONAL RESERVATIONS, 1845-60

No further lands were added to the naval live oak reserves from November 15, 1834, until October 21, 1845. On this latter date, however, President James K. Polk reserved about 14,720 acres of Louisiana public land on Grass Lake, Lake Polourd, Lake Verret, and Grand River, thus replacing some of the 46,838.08 acres of timber land

6. Reservation Correspondence Book, 131-33.

7. Ibid., 61.

8. Timber Reserves Book, note on index page, opposite to the entry for location plats of this land and citing U.S. Statutes at Large 10:259; plats on pp. 2 and 3.

that had been lost on March 3, 1843.⁹ The total number of acres in the Louisiana naval live oak reserves thus rose from 6,897.00 acres in 1843 to 21,617.00 acres in 1845, and this latter figure was the total acreage for Louisiana from October 21, 1845, to 1861 (refer to table 13).

In the 1850s the program of surveying the public lands for valuable naval timber and establishing reserves to preserve it was revived on a large scale. The General Land Office by this date had completed the official land surveys of the first and second live oak districts in Florida. Live oak and other timber that had been examined in the 1831-34 live oak survey could now be legally protected by naval reservations created under the authority of the act of March 3, 1827. The first in this new series of naval timber reservations, containing 3,002.60 acres and located on the Hillsboro River and Lake Augusta in East Florida, was established by President Millard Fillmore on February 16, 1853, just before leaving office.¹⁰ Later in the same year, on September 20, 1853, President Franklin Pierce established another timber reservation of 3,381.40 acres in East Florida.¹¹ President Pierce also established a second reservation of 10,791.75 acres in East Florida on October 4, 1855.¹² These reservations are listed on table 13.

In the secretary of the navy's annual report, Joseph Smith, chief of the Bureau of Yards and Docks and supervisor of the timber surveys, remarked: "It is desirable that the timber agents should be versed in the art of surveying, as much expense and considerable embarrassment is sometimes experienced when they are ignorant of this branch of business.

9. Ibid., 64-65 and 67-69, for plats giving location and acreage of reserved lands and date of the president's order. Details behind this 1845 establishment have not been investigated in depth.

10. Reservation Correspondence Book (Secretary of the Navy John P. Kennedy to Secretary of the Interior A.H.H. Stuart, Feb. 17, 1853); Timber Reserves Book, 43-45 for plats showing location and acreage of reservations and date of the president's order.

11. Timber Reserves Book, 46-49.

12. Ibid., 50-51, 96.

The boundaries of the lands, in many cases, are very conflicting. The lines run under the old Spanish agents are almost obliterated; the conflict between the claims of the States under grants from Congress, and the contested rights of private settlers under pre-emption laws, give rise to much dispute and litigation, and therefore it is highly important that the government agent should be a competent surveyor, in order to determine the facts in cases of conflict between these claims respectively."¹³

Chief Smith described the duties of his timber agents in 1857 as follows:

There are four timber agents employed in Florida, and one for the States of Louisiana and Mississippi. The [sixth] agency in Alabama was abolished in April 1855. The agents are required to traverse their respective districts monthly, and make reports of observations. It is their duty to see that no depredations are committed upon the lands which grow live-oaks, long-leaved yellow pines, and red cedars; and to explore the public lands with a view to the selection of such tracts as contain timber suitable for the use of the navy, and report them to the department for reservation by the President for naval purposes.

Within the past year [under three orders issued by President Buchanan], about 50,000 acres of land [actually about 28,000 acres] growing valuable naval timber has been selected and reserved; and instructions have been issued to all the agents to renewed industry in this respect, lest the liberal [land] grants by Congress to the States and private corporations may take precedence of the interests of this department.

The whole expense attending this work is about \$12,000 per annum, and the amount is quite inconsiderable compared with

13. Annual Report of the Secretary of the Navy, December 1, 1856, p. 543.

the valuable interests involved. If this expenditure were not thus judiciously disbursed for the protection of the naval timber, the land speculators would construe it into a license to spoliat upon the public domain at will, and millions of dollars' worth of the finest ship timber in the world, would be exposed to the cupidity of the home depredator and the contractors for foreign governments.¹⁴

The three naval timber reservations established in 1857, all located in Florida, are listed on table 14. In a series of five orders issued in 1858, President James Buchanan reserved an additional 58,968.20 acres of naval timber lands in Florida and Mississippi, as also shown on table 14.

In the annual report for 1858, the chief of the yards and docks, Joseph Smith, wrote of this progress:

A considerable quantity of land has been selected for reservation, but care has been taken not to select it in compact bodies, so as to interfere with the rights or interest of settlers in obstructing them from their ordinary outlets of trade; nor are the selections recommended for reservation until the number and size of the trees shall have been reported. As a general rule no lands are selected which are desirable for agricultural purposes.

The aim is to reserve only the lands growing the best and greatest number of valuable trees to the acre, or section, suitable for naval use.¹⁵

14. Ibid., December 8, 1857, pp. 665-66.

15. Ibid., December 6, 1858, p. 473.

Table 14. Reserves Created by President Buchanan, 1857-60

<u>State</u>	<u>Location</u>	<u>Date of Reservation</u>	<u>Acres Reserved</u>
Florida	Yellow pine along the west bank of the Suwannee River, West Florida	Aug. 14, 1857	21,724.80 ^a
	Yellow pine in East Florida	Sept. 18, 1857	1,601.10 ^b
	Live oak between Sweet Water River and West Black Water River, East Florida	Oct. 23, 1857	4,482.48 ^c
	Banks of the Suwannee River, West Florida	Nov. 30, 1858	23,246.80 ^d
	East Florida	Nov. 30, 1858	12,841.40 ^e
	East bank of Suwannee River, West Florida	Mar. 1, 1859	19,875.56 ^f
	West bank of Suwannee River, West Florida	Nov. 30, 1859	3,826.25 ^g
	East Florida	Dec. 19, 1860	<u>240.12^h</u>
	Subtotal, Florida		87,838.51
Mississippi		Apr. 6, Apr. 16, Aug. 16, 1858	22,880.00 ⁱ
	Total acreage reserved by Buchanan, 1857-60		110,718.51
	Previous Reservations, 1820-55		<u>130,955.43</u>
	Grand total, acreage in reservations, 1860		241,673.94

Sources:

^aTimber Reserves Book, plats on pp. 77-81, 83-84, 88.

^bIbid., plats on pp. 97-99.

^cIbid., plat on p. 85; 41.

^dIbid., plats on pp. 78, 83-84, 89-90, 7-8, 10.

^eIbid., plats on pp. 91-95.

^fIbid., plats on pp. 9-13, 86-88.

^gIbid., plat on p. 14.

^hIbid., plat on p. 100.

ⁱIbid., plats on pp. 59-62.

Presidential orders for the withdrawals in Florida are in the Reservation Correspondence Book.

Much of the land reserved on the east and west banks of the Suwannee River was thus laid out in a checkerboard pattern.

In 1859 President Buchanan signed two more orders adding a total of 23,701.81 acres to the naval timber reserves (see table 14).

In the annual report for 1859 Chief Smith reported: "The general aim [of the timber agents] has been to protect the reserved timber lands from depredation rather than enlarge the quantity of reservations and consequently but few trespasses have been committed. This fact is due to the faithful vigilance and stringent preventive measures enforced by the agents." But, Smith pointed out, the lawless conditions existing in the frontier counties of the four southern live oak states made it difficult for the timber agents to secure convictions. Specifically, he wrote:

There is, however, a difficulty in the way of a complete enforcement of preventive measures against trespassers, and it is found in the decisions of the courts and juries. In illustration upon this point, I cite from a report lately made to this bureau, showing the status of suits vs. depredators, which states that where the parties plead "guilty", the jury only awarded the nominal damage of "one cent" in each case, as the value of the timber. The wanton intent to defraud the government, the amount of timber spoliated upon, nor its comparative value in money, not being considered sufficient reasons to vary from a nominal verdict of "one cent."

It is difficult for the government to procure the conviction of trespassers, on account of the sympathies of the juries;¹⁶ and if convicted, the damages, in the nature of the circumstances,

16. Other evidence indicates that the timber trespassers paid well for local labor, thus providing a supply of cash income in areas where money was not otherwise readily available; hence the "sympathy" of local juries, who did not wish to see their fellow citizens or themselves unemployed.

can only be nominal. Much expense is incurred in procuring convicting proof, such as surveys of the land trespassed upon, summoning witnesses, attendance at court, &c. In order, therefore, to avoid expense in fruitless prosecutions against those who depredate upon the public lands, the agents will be empowered to seize the timber and demand compensation for its value; and if payment is refused, then to sell it at public auction, for cash, to the highest bidder, and deposit the proceeds in the treasury; or ship it to the nearest navy-yard, where wanted, if considered most advisable [underlining by the author]. In cases where the timber has been taken away before the discovery of the trespass, the only recourse will then be to the courts of law for redress. . . .

Indeed, the importance of the subject cannot be too highly estimated. The southern States, especially Florida, afford the only nursery to the government for a sufficient supply of live-oak and other suitable timber for naval purposes. The demands of foreign and domestic commerce are fast consuming the best qualities of this class of ship material, accessible to market, which can be procured from private sources; and as the supply from this source diminishes, recourse will be had to the government reservations to gratify the cupidity of speculation and advance the interests of private gain.

It is therefore essential that the most vigorous means should be constantly employed to prevent depredations upon the reserved naval lands, and to exact proper compensation for a trespass when committed; and it is confidently believed that the system now established and in operation through the present corps of timber agents will effectually secure this desirable object.¹⁷

17. Annual Report of the Secretary of the Navy, December 2, 1859, 1195-96.

The final addition to the U.S. naval timber reserves occurred on December 19, 1860, when President Buchanan signed an order reserving 240.12 acres of public timber land located in East Florida.¹⁸ Four months later, on April 12, 1861, the Civil War began in the United States.

During the period 1838-61, the naval live oak plantation at Deer Point, on the Santa Rosa Peninsula, West Florida, continued to function.¹⁹

SUMMARY OF ACCOMPLISHMENTS, 1838-61

After 11 years of inactivity (1834-44), the naval timber survey and reservation program was resumed in the mid 1840s. Resumption was perhaps triggered by the losses in 1843 and 1853 of a total of 50,440.33 acres (3,602.25 acres in Alabama and 46,838.08 acres in Louisiana) from the established reservations. During the period 1834-60 the presidents of the United States added 142,614.26 acres to the U.S. naval timber reserves, to bring the total of these reserves to about 241,673.94 acres as of January 1, 1861 (refer to table 15).

The heart of this naval timber empire was in Florida, which contained a total of 198,010.35 acres. The timber lands in Florida were distributed as shown in table 16.

18. Timber Reserves Book, plat on p. 100.

19. The ground cover and location of the plantation, including the location of the superintendent's residence, are shown on the 1859 Coastal and Geodetic Survey chart, "Entrance to Pensacola Bay, Florida, Triangulation and Topography, by F.H. Gerdes, Assistant. Hydrography by the party under the command of Lieut. J.K. Duer, U.S.N. Asst.," published in 1859.

Table 15. Summary of Naval Timber Reservations, 1838-61

<u>State</u>	<u>Acreage Prior to 1834</u>	<u>Additions 1835-61</u>	<u>Deletions 1835-61</u>	<u>Acreage in 1861</u>
Florida	89,996.09	105,014.26	0	195,010.35
Alabama	3,802.25	0	3,602.25	200.00
Mississippi	1,966.59	22,880.00	0	24,846.59
Louisiana	<u>53,735.08</u>	<u>14,720.00</u>	<u>46,838.08</u>	<u>21,617.00</u>
Totals	149,500.01	142,614.26	50,440.33	241,673.94

Source: Derived from tables 12, 13, and 14.

Table 16. Distribution of Reserved Lands in Florida, 1861

<u>West Florida</u>	<u>Acres</u>	<u>Year Reserved</u>
Santa Rosa Peninsula, East and Pensacola Bays	10,578.95	1830, 1833
Choctawhatchie Bay	19,790.30	1834
St. Andrews Bay	46,250.73	1834
Steinhatchee River	13,376.11	1832
Suwannee River	<u>68,673.41</u>	1857, 1858, 1859
Subtotal, West Florida	158,669.50	
<u>East Florida</u>	<u>36,340.85</u>	1853, 1855, 1857, 1858, 1860
Total	195,010.35	

Source: Derived from tables 7, 11, 13, and 14.

END OF THE NAVAL LIVE OAK RESERVATION PROGRAM, 1861-80

On January 10, 1861, three months before the firing on Fort Sumter, Confederate troops occupied the Pensacola Navy Yard and with it the naval live oak plantation at Deer Point. The other naval timber reservations, all located in the four southern states, also soon passed under the control of the Confederacy. With the development of ironclad warships during and after the Civil War, however, naval timber--live oak, red cedar, and yellow pine--soon lost its importance in the naval construction program. The large acreage of reserved naval timber lands was no longer required for national defense purposes, and Congress took steps to place these lands on sale.

On March 3, 1879, President Rutherford B. Hayes approved "An Act to authorize the Secretary of the Navy to transfer to the Secretary of the Interior, for entry and sale, all lands in the State of Florida not needed for naval purposes." Section 1 of the law authorized the secretary of the navy "to cause an examination to be made of the condition of all lands in the State of Florida, which have been set apart or reserved for naval purposes, excepting the reservation upon which the navy-yard at Pensacola is located, and to ascertain whether or not such reserved lands are or will be of any value to the Government of the United States."²⁰

Section 2 of the act directed: "That all of said lands which, in the judgement of the Secretary of the Navy, are no longer required for naval purposes shall, as soon as practicable be certified by him to the Secretary of the Interior, and be subject to entry and sale in the same manner and under the same conditions as other public lands. Provided, that all persons who have, in good faith, made improvements on said reserved lands so certified at the time of the passage of this act, and who occupy the same, shall be entitled to purchase the part or parts so

20. U.S. Statutes at Large 20:470-71. The act of March 3, 1879, is included as appendix L of this study.

occupied and improved by them, not to exceed 160 acres to any one person at \$1.25 per acre within such reasonable time as may be fixed by the Secretary of the Interior." Section 3 of the law authorized the secretary of the navy to expend up to \$3,000 to carry out the provisions of the act.²¹

On March 29, 1880, Secretary of the Navy R. W. Thompson advised Secretary of the Interior Carl Schurz:

In obedience to the requirements of said law [of March 3, 1879] I have caused the necessary examination to be made, and in order the result may be fully communicated to you, I now have the honor to send you the report of the officers who made it, accompanied by the necessary explanatory maps.

The lands thus shown to be no longer of value to the government for naval purposes are accordingly turned over to the Interior Department.²²

On March 31, 1880, the secretary of the interior referred the reports and six maps to the commissioner of the General Land Office with instructions to take the necessary action to dispose of these lands under the terms of the act of 1879. The lands thus transferred in 1880 included most of the naval live oak reservations in Florida, and additional quantities of Florida naval timber lands were similarly released at various times during the 19th century.²³

21. Ibid.

22. This letter and other related correspondence are contained in the Abandoned Reservations File.

23. The secretary of the navy made another transfer of Florida lands under the act of 1879 on March 26, 1895. The 1878 land maps, six in number, referred to in the above correspondence, are in the Timber Reserves Book.

7. SUMMARY AND CONCLUSIONS: NAVAL LIVE OAK
RESERVATION PROGRAM, 1794-1880

From the rebuilding of the second American navy in 1794 until the development of the iron warship during the Civil War, live oak timber, because of its superior strength and durability in relation to other woods, was regarded by naval officers and architects as a natural resource absolutely vital to the national defense of the United States. The early 19th century efforts to acquire timber lands and to protect the trees on these lands rose and fell with naval construction programs: When vessels were abuilding, attention was focused on the difficulty of obtaining the timber and also on the limited quantity available; but when the fleet was not being expanded, these problems tended to sink out of view.

Prior to the acquisition of Alabama, Louisiana, and Mississippi in 1803, and of Florida in 1821, the live oak resources of the United States were quite limited and were concentrated on the coasts and offshore islands of Georgia and South Carolina. The naval building programs of 1794-1800 brought the live oak problems before the president and the Congress, and it was resolved that steps should be taken to ensure a future supply of this timber for the use of the navy. In 1799 Congress appropriated money for this purpose, and on December 19, 1799, and in April 1800 President John Adams purchased two live oak covered islands off the coast of Georgia, Grover's Island, about 350 acres, and Blackbeard's Island, 1,600 acres, for a total of \$22,500.

The Jefferson administration allowed the navy to languish, and not until the War of 1812 was underway did President James Madison see the wisdom and desirability of having a larger and more powerful American fleet. In the period 1814-21 sixteen warships--seven ships of the line, three frigates, one sloop, and five schooners--were built. Live oak was again in great demand, and once again naval officials worried about a future supply of the valuable timber.

As a result of this concern Congress passed and President Madison approved on March 1, 1817, just before leaving office, "An Act making reservation of certain lands to supply timber for naval purposes." This was the first law passed by Congress to preserve timber on the public lands and to protect it against depredation. The law directed the secretary of the navy to have a survey made of the vacant and unappropriated public lands of the United States for tracts of land producing valuable growths of live oak and red cedar "to furnish for the navy a sufficient supply of said timbers." The act gave the president the authority to reserve from any future sale the public lands that were selected because of their growths of live oak or red cedar, unless otherwise directed by law.

Acting under the 1817 law, live oak agents James L. Cathcart and James Hutton conducted a timber survey of the public lands in Alabama and parts of Louisiana in 1818-19. President James Monroe, acting on the basis of the agents' report, on February 29, 1820, reserved what was thought to be 19,000 acres (later determined to be 6,897 acres) of public lands in Louisiana, thus creating the first naval live oak reservation in the United States. The reserved lands, believed to contain a total of 37,400 live oak trees, consisted of the eight islands in Grand Lake (then called Lake Chetimatches) known as the Navy Commissioners' Island, Cypress Island, and the Six Island Group.

The timber surveys ended in 1819, and no further public lands were ever reserved under the act of March 1, 1817. An agent was apparently employed from 1821 to 1822 to protect the public timber in Louisiana under the authority of the 1817 law, but the penalties for depredation were not effectively enforced. The Timber Act of March 1, 1817, thus appears to have been a single isolated action that did not lead directly to any further significant development in the naval live oak reservation program.

Credit for formulating a national naval live oak reservation program is attributed to President John Quincy Adams and his very able secretary of

the navy, Samuel L. Southard. Two factors at once directed the attention of the Adams administration to the live oak problem. One was the addition of the East and West Floridas to the United States in 1821. This new territory was rumored to contain vast quantities of live oak, red cedar, and yellow pine--the timbers valuable for naval purposes. From 1822 to 1825 numerous reports were received from federal officials and public-spirited citizens in Florida that lumbermen from northern ports were illegally cutting thousands of feet of valuable timber on the public lands along the coasts of Florida. The second factor was the decision of the administration to begin a six-year building program for the navy. Great quantities of live oak and red cedar would be required for this construction. To ascertain the facts about the nation's live oak resources, live oak agent James Hutton was engaged from 1826 to 1827 to make a comprehensive survey of the live oak trees on private and public lands in South Carolina, Georgia, and part of East Florida. Live oak agent Charles Haire was then employed from 1827 to 1829 to make the first inventory of the live oak resources of West Florida, from the Pensacola Bay/Santa Rosa Peninsula region east to the Apalachicola River.

On January 29, 1827, Secretary of the Navy Southard presented Congress with a three-phased plan that was designed to institute the national live oak preservation program. To ensure an adequate future timber supply, Southard recommended, first, that the United States purchase those tracts of timber lands already known to be particularly valuable; second, that after new surveys had been made, extensive reservations of naval live oak lands be established in Florida and Louisiana; and third, that the government engage in the artificial propagation and cultivation of live oak on lands already owned by the United States, or such lands as might be purchased for plantations.

Congress responded favorably, and on March 3, 1827, President Adams signed into law "An Act for the gradual improvement of the navy of the United States." This law proved to be the cornerstone of all federal preservation efforts in the naval live oak program from 1827 to 1861.

Section 1 of the 1827 act authorized the appropriation of \$500,000 per annum for a six-year, \$3 million naval construction program. Section 3 authorized the president "to take proper measures to preserve the live oak timber growing on the lands of the United States, and . . . to reserve from sale such lands, belonging to the United States, as may be found to contain live oak, or other timber in sufficient quantity to render the same valuable for naval purposes."

The Adams administration moved immediately to implement the provisions of this act. On April 17, 1827, acting on the basis of information provided in the 1819 report of agents Cathcart and Hutton, President Adams reserved 3,602.25 acres of valuable red cedar lands in Monroe County, Alabama, thus establishing the second naval timber reservation in the United States. To collect the data necessary to establish new reservations in West Florida, live oak agent Haire, as mentioned above, began his timber surveys on November 12, 1827.

By January 1828 Southard had also conceived of the idea of forming two giant live oak reservations, each of about 30,000 acres, in the vicinity of the Pensacola Navy Yard in West Florida. One reservation was to occupy most of the Santa Rosa Peninsula, on the east side of Peninsula Bay, and the other was to be on the isthmus between that bay and Perdido Bay. Only three privately owned inholdings, totaling 3,650 arpents, existed within the boundaries of the proposed reservations. On March 19, 1828, Congress granted the president the authority to acquire these lands, and Secretary Southard made the purchases on March 10, May 27, and June 2, 1828, for a total of \$10,261.11. These three tracts and the two Georgia islands purchased in 1799-1800 were the only privately owned lands known to be purchased by the U.S. government for live oak purposes.

As a third step in his live oak program Secretary Southard proposed the establishment of a naval live oak plantation on one of the tracts he had recently purchased--the 1,600-arpent, or 1,337.87-acre, property near Deer Point on the Santa Rosa Peninsula, which had been acquired for \$4,900.00 on March 10, 1828. President Adams reviewed and endorsed

the plantation idea on July 5, 1828. He further directed that "the planting of acorns should be included," noting in his diary that "among my reasons for desiring that a considerable plantation of them should be raised from the acorn is, that their growth to maturity may be observed, and perhaps a better knowledge of them [the natural history of the live oak] be obtained."¹

Secretary Southard did not issue the official order authorizing the establishment of the Deer Point Naval Live Oak Plantation until December 6, 1828. The tree farm began operations under the direction of Superintendent Henry M. Breckenridge on January 18, 1829. By September 1829 about 40,000 live oak trees had been pruned and cleared of undergrowth, and a large nursery, where many acorns were planted, had been established. Six miles of "avenues," or firebreaks, had been cleared, and three double cabins had been constructed to house the 20 slaves who worked the plantation under the direction of overseer Samuel Davis.

President Adams and Secretary Southard left office before they could execute their plans for creating extensive new reservations in West Florida. They were unable to establish the proposed 60,000 acres of reserves in the Pensacola Bay region for two reasons: First, agent Haire had not finished the timber surveys in this area, hence there were a lack of data; and second and more important, the General Land Office had not yet produced the essential public land survey maps for this region. Without the land maps, it was impossible to legally describe and locate the boundaries, which was requisite to establishing the naval live oak reserves. The Adams administration thus succeeded in formulating a comprehensive and long-range live oak preservation program, but due to circumstances beyond its control, it was able to execute only portions of the overall plan.

1. Adams, The Memoirs of J. Q. Adams 8:50-51.

On March 4, 1829, General Andrew Jackson took office as the seventh president of the United States, following a campaign in which charges of corruption had been made against the Adams administration and the federal civil service. Although the allegations were false, Jackson and many of his aides believed them to be true and were suspicious of the programs devised by the Adams administration. John Branch, Jackson's first secretary of the navy, 1829-31, exhibited this attitude towards the new naval live oak reservation program.

In August 1829 the General Land Office completed its official land survey map of the Pensacola region, and on September 29, 1829, copies of the map were provided to the secretaries of the army and of the navy. For the first time, it was legally possible to establish naval live oak reservations in some portions of West Florida.

One year later on October 23 and November 28, 1830, acting on information provided by Henry M. Breckenridge, superintendent of the Deer Point Naval Live Oak Plantation, and Elijah Haywood, commissioner of the General Land Office, President Jackson issued the orders establishing the first naval live oak reservation in Florida, and the third such naval timber reserve in the United States. The new reserve, established under the act of March 3, 1827, and containing 1,219.36 acres, abutted on the western side of the 1,337.87-acre live oak plantation on the Santa Rosa Peninsula and extended westward to Deer Point.

Agent Haire completed his West Florida survey of the live oak resources from Pensacola Bay east to the Apalachicola River and, on September 6, 1830, submitted seven reports for final review by the Board of Navy Commissioners. In their recommendation the commissioners urged the reservation of extensive tracts of live oak lands at Choctawhatchie Bay, St. Andrew's Bay, and St. Vincent's Island, all east of the Pensacola Navy Yard. President Jackson approved the proposed reservations on November 28, 1830, but the effect was null and void. The General Land Office had not yet surveyed the lands in these three areas, making it impossible to legally establish the three additional proposed reservations.

Secretary Branch was extremely hostile toward the Deer Point plantation, apparently because he was aware that former President Adams was greatly interested in its operation and had played a key role in its establishment. On April 7, 1829, only a few weeks after taking office, Branch ordered operations at the plantation to be shut down. As of July 6, 1829, Superintendent Breckenridge had yet to be reimbursed for the cost of operating the plantation or to receive any of his salary. Branch's intention to close the tree farm permanently was countered by a favorable report on the plantation submitted by the Board of Navy Commissioners in July 1829. The secretary was not deterred, however, and on August 30, 1830, he issued firm orders that the Deer Point Naval Live Oak Plantation was to cease all operations as of January 18, 1831.

The order to close down the tree farm caused a reaction from the supporters of the live oak reservation program. A resolution by Congress on December 16, 1830, inspired by Delegate Joseph M. White of Florida, forced a public debate on Branch's decision and called upon the secretary to present the evidence that would justify his actions. Secretary Branch responded on January 7, 1831, in a savagely partisan attack. Instead of presenting the desired data, he accused Superintendent Breckenridge, Delegate White, former Secretary Southard, and former President Adams of engaging in fraud, corruption, and conspiracy in the purchase of lands for live oak purposes and also alleged that Southard and Adams had misled Congress and engaged in illegal acts in executing the naval live oak program, particularly in the establishment and operation of the live oak plantation. Finally, he argued that the plantation was a needless expense because immense quantities of live oak grew in a natural state along the 1,300-mile-long coast of the United States from the George-Florida border to the Louisiana-Texas border. Delegate White responded to Branch's charges, one by one, in a lengthy letter dated January 22, 1831. The many documents released by both sides have greatly enriched the history of the naval live oak movement.

On February 26, 1831, the Committee on Naval Affairs rendered its report on the dispute to the House of Representatives and in effect reaffirmed

its support of the national naval live oak program as formulated by the Adams administration. The committee did not find that the submitted evidence supported the charges of fraud, corruption, and conspiracy in the purchase of the three tracts of land in 1828. It found that existing laws, namely the acts of March 1, 1817, May 15, 1820, and March 3, 1827, fully authorized the use of live oak surveys, the establishment of additional naval timber reserves, and the establishment and operation of the Deer Point plantation. Secretary Southard and President Adams had thus not misled Congress or engaged in illegal acts. In spite of these findings, the committee refused to order Secretary Branch to reopen the Deer Point plantation, but they instructed him in no uncertain terms that the reservation program was not to be abandoned: "Though there may be no necessity for growing the oak from the acorn at this time, the committee are of the opinion that the examinations of the public and other lands to ascertain the quantity and quality of the live oak, should be prosecuted with increased industry and adequate force. Extensive locations and reservations should be made with all possible dispatch, and the most efficient means should be adopted to preserve the live oak on all such lands, and to encourage and facilitate the growth of the young live oaks."²

Secretary Branch allowed his order closing down the live oak plantation to stand, and the tree farm, which had closed on January 18, 1831, did not function again until some time in October 1831.

Responding to the committee's instructions, Branch devised a "super" live oak survey for the entire live oak region of the United States and instituted an elaborate system of patrol by naval vessels, intended to protect the trees on public lands from depredation. In April 1831 Secretary Branch divided the 1,300-mile-long coast of Florida, Alabama, Mississippi, and Louisiana into seven live oak districts, and in April and May he appointed an agent in charge of each district. These agents were to survey, examine, and locate the live oak, red cedar, and yellow pine

2. ASP 3:917-18. Underlining by the author.

resources of their respective districts so that extensive additional timber reservations could be established, as recommended by Congress. The first live oak district included the entire Atlantic coast of East Florida; the second, third, fourth, and fifth districts extended westward along the gulf coast of West Florida. The sixth district embraced the coasts of Alabama and Mississippi, and the seventh district comprised the coast of Louisiana.

For the patrol system, Secretary Branch acquired and outfitted three schooners, which put to sea with navy crews in June 1831. One vessel was to cruise the Atlantic coast of Florida, the second the gulf coast of West Florida, and the third the coasts of Alabama, Mississippi, and Louisiana. Having taken these steps, Secretary Branch resigned from President Jackson's cabinet in May 1831.

Jackson's second secretary of the navy, Levi Woodbury, proved to be an able administrator and a man of scholarship, logic, and courage. He went to great lengths to obtain facts and ideas from authorities in the live oak field, and he exhibited a remarkable ability to consider ideas and suggestions on the basis of their merit rather than their political origin. On September 21, 1831, he authorized the reopening of the Deer Point Naval Live Oak Plantation and reappointed Henry M. Breckenridge as its superintendent.

Having been presented with evidence that the three naval patrol schooners were ineffectual in protecting live oaks from depredation, Secretary Woodbury discontinued the cruises in March 1832. Woodbury would also discharge the live oak agents as soon as their tasks were done; all seven offices would be abolished by the end of 1833. But Woodbury would go on to see that the valuable timber lands identified by his agents, where those lands had been surveyed by the General Land Office, would be placed in reservations.

After assembling data from every conceivable source, Secretary Woodbury, on December 14, 1832, submitted to Congress what was obviously a rational attempt to formulate a national live oak reservation

program that was based on the facts and free of partisan emotions. He informed Congress that the live oak agents had surveyed and examined a total of 153,630 live oak trees on the private and public lands in the seven districts of the live oak region. The estimated timber, calculated at 50 cubic feet per tree, was 7,781,500 cubic feet, or enough timber to build 460 warships. Figures provided by his naval architects and officers indicated that the United States had used a total of 1,594,208 cubic feet of live oak for its fleet from 1794 to 1832 and that 62,286 cubic feet of live oak per year would be required to meet the annual needs of the navy. In another series of involved calculations, estimating live oak trees at two trees per acre and considering the fact that it took about 75 years for a tree to mature, Woodbury arrived at the conclusion that about 160,000 acres of public live oak lands should be reserved to ensure an adequate future supply of this timber for the navy.

In the light of this data he also found, "no occasion at this time either to make further purchases on private lands on which this tree grows, or to carry the artificial cultivation of it, on any of the public lands, beyond what has already been attempted [by the Adams administration]." ³

On behalf of the Jackson administration, Woodbury thereby gracefully accepted the several accomplishments of the Adams administration, but he also presented adequate data to support his conclusion that it was not necessary to purchase additional lands or to establish additional plantations, at least not at that time. Woodbury also added: "At the same time I am fully convinced that whenever we reach a condition rendering the artificial cultivation necessary for a full supply of our reasonable wants in live oak timber . . . the expense of that kind of cultivation, to the full extent requisite to furnish that supply, ought not to be permitted to deter us from the undertaking, because I consider live oak timber as invaluable for [ship] frames in naval architecture; and . . . essential . . . for national safety." ⁴

3. Ibid. 4:203. Underlining by the author.

4. Ibid., 202.

In 1832 President Jackson signed orders establishing a total of 62,380.78 acres of naval live oak reservations in Alabama, West Florida, Louisiana, and Mississippi. Over the next two years he created three additional reserves, all in West Florida, adding 9,359.59 acres to the system in 1833, and an additional 66,041.03 acres in 1834. The 1833 reservation was situated on the east side of the Deer Point Naval Live Oak Plantation and extended eastward along the Santa Rosa Peninsula. With this addition and the nontimbered lands that would be reserved on January 10, 1838, there would be a solid block of about 15,953.28 acres under the jurisdiction of the Navy Department on the Santa Rosa Peninsula, or about one-half the 30,000-acre naval reserve proposed by Secretary of the Navy Samuel L. Southard in January 1828.

Between 1830 and 1834, President Jackson added a total of 139,000.76 acres to the naval live oak reserves of the United States. This, with the 6,897.00 acres reserved in 1820 and the 3,602.25 acres withdrawn in 1827, made the total acreage of the reservations 149,500.01 acres (thought to be about 160,000 acres) in 1834. Valuable growths of live oaks were also found in East Florida and along the Suwannee River in West Florida, but the lands could not be reserved in 1834 because the General Land Office had not yet surveyed the lands in these districts. Having achieved the desired goal of some 160,000 acres, the search for live oak came to an end. Levi Woodbury resigned as secretary of the navy in June 1834 to become Jackson's secretary of the treasury.

Two other of Secretary Woodbury's innovations failed to work well in practice. Having disbanded most of his live oak survey team by early 1833, Woodbury attempted to ensure a future supply of information on the number, sizes, and locations of trees in the live oak region from the surveyors of the General Land Office. These surveyors, as they examined and mapped the public lands in the unsurveyed sections, were to forward this information to the secretary of the navy. On April 2, 1833, in response to President Jackson's orders, the commissioner of the Public Lands Office issued a circular to the surveyor generals in the live oak region to put this plan into effect. In practice, however, the plan failed; the surveyors had many other problems to contend with and there

is no evidence that any of the requested data was ever passed on to a secretary of the navy.

After ending the naval live oak patrol in 1832, Secretary Woodbury relied for the protection of public timber reserves on a law that required the masters of all vessels carrying live oak from Florida, Alabama, Mississippi, or Louisiana to furnish the port collectors with satisfactory evidence, before being allowed to clear the port, that the timber was cut on private land, or if on public land, was cut with the permission of the proper officers. While this system was probably more effective than the naval patrol, the port collectors were not equipped to check the papers that stated where the timber was cut and to determine if the alleged land titles were valid.

Because of repeated reports of timber depredations, the secretary of the navy reactivated the post of timber agent in 1841. By 1842 there were three such agents, one stationed in East Florida, one in West Florida, and the third in Louisiana. In 1845 the agents were placed under the supervision of the Navy Bureau of Yards and Docks. At first the duties of these agents were restricted to detecting and halting the cutting of live oak timber on naval reservations and other public lands. In the early 1850s these duties were expanded to include a new survey for live oak, red cedar, and the long-leaved yellow pine on the public lands so that such lands could be added to the naval timber reserves.

The resumed timber surveys were apparently triggered, at least in part, by the loss of 50,440.33 acres of reserved live oak and red cedar lands from the established naval timber reserves. The first loss occurred on March 3, 1843, when President John Tyler approved an act of Congress that placed on the open market the 46,838.08 acres of live oak lands that had been reserved in southeastern Louisiana in 1832. This loss was partially offset on October 21, 1845, when President James K. Polk reserved 14,720 acres of live oak lands in the same section of Louisiana. The second loss occurred on March 3, 1853, when President Millard Fillmore approved an act of Congress that threw open to public sale the

3,602.25 acres of red cedar lands that had been reserved in 1827 in Monroe County, Alabama. Fillmore, however, balanced this deduction by reserving 3,002.60 acres of timber lands on the Hillsboro River in East Florida on February 16, 1853.

The resumed timber survey, as has been mentioned, got underway in the early 1850s. The number of timber agents were increased to six; four of these officers were stationed in Florida, one worked in Alabama (until April 1855), and the sixth was assigned to Louisiana and Mississippi. In 1853 and 1855 President Franklin Pierce reserved a total of 14,173.15 acres of timber lands, all located in East Florida (previously the first live oak district). The timber survey got into high gear during the Buchanan administration. In various orders issued in 1857, 1858, 1859, and 1860, President James Buchanan reserved a total of 110,718.51 acres of public lands. Of this total, 22,880.00 acres were located in Mississippi and 87,838.51 in Florida. Of the Florida total, 19,165.10 acres were situated in East Florida and the remaining 68,673.41 acres in West Florida, along the Suwannee River in the old second district.

The total gross number of acres added during the period 1835 to 1861 came to 142,614.26 acres, which after the 50,440.33 acres of lost land were deducted, represented a net gain of 92,173.93 acres. The total number of acres in the U.S. naval timber reserves, as of January 1, 1861, thus stood at about 241,673.94 acres. Florida, with a total of 195,010.35 acres in 1861, was the heart of the naval live oak reservation system.

The end of the story is quickly told. On January 10, 1861, Confederate troops seized the naval yard at Pensacola, and on April 12, 1861, the Civil War officially began at Charleston, South Carolina. The U.S. naval timber reservations immediately passed into the hands of the Confederacy.

The development of iron warships during and after that conflict made live oak, red cedar, and yellow pine no longer of vital importance to the defense program of the United States. On March 3, 1879, President

Rutherford B. Hayes approved an act of Congress which granted authority to his secretary of the navy to transfer to the secretary of the interior, for entry and sale, all reserved lands in the state of Florida that were no longer needed for naval purposes. On March 29, 1880, in compliance with this law, Secretary of the Navy R. W. Thompson submitted to Secretary of the Interior Carl Schurz long lists of Florida reserved lands, together with maps showing their locations. Included in this transfer was most of the 195,010.35 acres of naval timber reservations in that state. On March 31, 1880, Secretary Schurz referred the lists and maps to the commissioner of the General Land Office to take action to dispose of these lands at public sale, as required by the act of 1879. The transfer of additional naval timber reserves continued at various times during the last quarter of the 19th century.

Table 17. Acreages in Naval Timber Reservations,
1834 and 1860

<u>State</u>	<u>1834</u>	<u>1860</u>
Florida		
West Florida	89,996.09	158,669.50
East Florida	0	36,340.85
Subtotals, Florida	<u>89,996.09</u>	<u>195,010.35</u>
Alabama	3,802.25	200.00
Mississippi	1,966.59	24,846.59
Louisiana	<u>53,735.08</u>	<u>21,617.00</u>
Totals	149,500.01 acres	241,673.94

Source: Derived from tables 12 and 15.

Table 18. Naval Timber Lands Reserved by the Various Presidents of the United States

<u>President</u>	<u>Established</u>	<u>Total Acreage</u>	<u>Comments</u>
John Adams			President Adams purchased two islands off the coast of Georgia: Grover's Island (350 acres, Dec. 19, 1799) and Blackbeard's Island (1,600 acres, April 1800).
James Monroe	1820*	6,897.00	This reservation was originally thought to contain 19,000 acres.
John Quincy Adams	1827**	3,602.25	President Adams also purchased three tracts of land totaling 3,650 arpents in 1828 for live oak reservation purposes. About 1,337.87 acres of this land was placed in the Deer Point Naval Live Oak Plantation, established Dec. 6, 1828.
Andrew Jackson	1830, 1832-34**	139,000.76	
James K. Polk	1845**	14,720.00	
Millard Fillmore	1853**	3,002.60	
Franklin Pierce	1853, 1855**	14,173.15	
James Buchanan	1857-60**	110,718.51	

Source: Derived from tables 12, 13, and 14.

* Under the authority of the act of March 1, 1817

** Under the authority of the act of March 3, 1827

8. PHYSICAL HISTORY OF THE DEER POINT NAVAL
LIVE OAK PLANTATION, 1822-61

DEEDS AND LOCATIONS OF LANDS ACQUIRED MARCH 10, 1828

Tract A (Sections 3 and 33)

The deed of Joseph M. White, attorney for Henry M. Breckenridge, to Secretary of the Navy Samuel L. Southard, transferring title to 400 arpents of land in consideration of \$2,200.00 on March 10, 1828, describes the boundaries and location of the land as

all that tract of land, containing 400 arpents, situate on Santa Rosa Sound, about four miles below Deer Point, fronting on said sound, in the county of Escambia, and Territory of Florida, which said tract of land was granted by the Spanish government to Jayme Barcelo, and confirmed by the land commissioners of the United States for West Florida, to Henry M. Breckenridge and Richard K. Call, which confirmation was approved by an Act of Congress, and which tract of land is more particularly described in the plat of survey and title papers recorded in the books of said commissioners, and now deposited in the office of the Keeper of the Public Archives of Pensacola.¹

Breckenridge's claim, claim A-51, was confirmed by the U.S. land commissioners² and then approved by an act of Congress of April 22, 1826.³ The March 10, 1828, deed for tract A is recorded in Deed Book B, page 54, of the records of Escambia County.

1. ASP 3:941, item V.

2. American State Papers: Public Lands 4:182.

3. U.S. Statutes at Large 4:156.

Map 4 shows the location and bounds of the two sections, the acreage of which was distributed as follows:

Township 2, range 29, section 33	28.85 acres (plat 39)
Township 3, range 29, section 3	<u>539.94 acres</u> (plat 40)
Total	568.79 acres ⁴

The earlier articles of agreement signed between Breckenridge and Southard on January 29, 1828, indicate that Breckenridge was then planning to sell only the western half of the 400 arpents to the United States and that his residence was located on that portion.⁵

Tract B (Sections 2 and 34)

The deed of Joseph M. White to Secretary of the Navy Samuel L. Southard, transferring title to 1,200 arpents of land in consideration of \$2,700.00 on March 10, 1828, describes the boundaries and location of this unimproved land as

all that tract of land, containing 1,200 arpents, situate on Santa Rosa Sound, about four miles below Deer Point, fronting on said sound, in the county of Escambia, and Territory of Florida; which said tract of land was granted by the Spanish government to Samora and Jayme Barcelo, and confirmed by the land commissioners of the United States, for West Florida . . . to Henry M. Breckenridge and Richard K. Call, which confirmation was approved by an act of Congress; and which tract was conveyed by the said Breckenridge and Call [on March 14, 1825, and May 6, 1828] to said Joseph M. White, and is more particularly described in the plats of survey recorded

4. Timber Reserves Book, 39-40. See map 4.

5. ASP 3:937-38, items N and O.

in the books of the said commissioners, and is now deposited in the office of the keeper of the public archives of Pensacola.⁶

White's claim, claim A-52, was confirmed by the U.S. commissioners⁷ and then approved by an act of Congress of April 22, 1826.⁸ The March 10, 1828, deed for tract B is recorded in Deed Book B, page 64, of the records for Escambia County.

Map 4 shows the location and bounds of the two sections, the acreage of which was distributed as follows:

Township 2, range 29, section 34	460.90 acres (plat 39)
Township 3, range 29, section 2	<u>308.18 acres</u> (plat 40)
Total	769.08 acres ⁹

Summary

The total of 1,600 arpents transferred to the Navy Department on March 10, 1828, for \$4,900 equaled 1,337.87 acres. These lands were distributed as follows:

Township 2, range 29, sections 33 and 34	489.75 acres
Township 3, range 29, sections 2 and 3	<u>848.12 acres</u>
Total	1,337.87 acres ¹⁰

6. Ibid., 932, items E and F; 933, item H.

7. American State Papers: Public Lands 4:182.

8. U.S. Statutes at Large 4:156.

9. Timber Reserves Book, 39, 40.

10. The original deeds, maps, and tracings of the three tracts of land in the Pensacola Bay region that Secretary Southard purchased for a total of \$10,261.11 in 1828 are on file in the Real Estate Division, Bureau of Yards and Docks, Navy Department Records, RG 71, NA.

PHYSICAL IMPROVEMENTS EXISTING IN 1828

Tract A (W½ sec. 3, T. 3, R. 29)

In a letter to Secretary Southard dated March 21, 1828, Judge Breckenridge indicated that he had improved tract A in 1822, and he described his land as "being protected on the north by a sheet of salt water five miles wide, and a thicket of live oak and pine of a mile in depth, and with an exposure to the sea on the south." The judge further requested permission from the secretary to reserve from the completed sale "the few acres [10 to 20] which contain my house and favorite trees and shrubs." The trees consisted of orange and lemon trees, "together with a variety of exotic fruit trees," which Breckenridge had planted and cultivated. Among his shrubs were some peppers.¹¹

On April 12, 1828, Secretary Southard informed Judge Breckenridge: "The law for the purchase has been made, and the circumstances of it explained to Congress. It does not, therefore, seem possible to alter it, but I do not doubt that a satisfactory arrangement may be made in other respects; and I will communicate with you as soon as time is afforded to decide what will be done with the reservation. In the meantime, be pleased to keep possession, and to use it so as to meet your own views, without injury to the improvements."¹²

On May 9, 1828, the judge thanked Secretary Southard for permission to continue to live there and remarked: "I am much attached to the spot, having occupied it four or five years as a summer retreat from the visitations of yellow fever, which, it is to be feared, will become more frequent in Pensacola, as its size and importance increase. It continues

11. ASP 3:920-21, item A, no. 1. Among his trees there were also olive and almond trees; see ASP 3:921, item A, no. 4.

12. *Ibid.*, 921, item A, no. 3.

to be my residence, and it is my chief amusement to take care of it, and even to add new embellishments."¹³

On December 6, 1828, Secretary Southard offered Judge Breckenridge the position of superintendent of the proposed naval live oak plantation which was being established on tracts A and B (sections 2 and 3, and 33 and 34) near Deer Point. The salary would be \$400 per year, and if Breckenridge accepted, Southard continued:

You will be authorized to employ an overseer, at a salary of not more than \$500, and as much less as you can procure a fit person for.

You are authorized, also, to employ not more than 20 laborers for one year, and procure such oxen, carts, boats and tools, and erect such houses and accommodations as may be necessary.¹⁴

With regard to Breckenridge's improvements on tract A, Southard informed the judge on December 13:

I understand it to be your wish to obtain a retransfer of so much of the land sold to the government as will embrace your improvements and orange grove, and for that purpose to have a law passed by Congress.

I would suggest that this may not be regarded by you as necessary, when you are assured that so much of the land as embraces the grove (say 20 acres) may remain permanently under your control, in such manner as you may cultivate and derive profit from it.¹⁵

13. Ibid., 921, item A, no. 4.

14. Ibid., 946, item CC.

15. Ibid., 925, item A, no. 8.

Breckenridge responded on January 5, 1829: "I do myself the honor to acknowledge the receipt of your two letters . . . and accept with pleasure the appointment of superintendent of the live oak plantation at Deer Point. I also return you my sincere thanks for the assurances you give me that the orange grove and improvements will remain permanently in my possession, which for the present is all I could desire."¹⁶

Operations on the naval live oak plantation at Deer Point began officially on January 18, 1829,¹⁷ and by January 27, 1829, Superintendent Breckenridge had 15 slaves at work on the plantation and quarters under construction to house these men.¹⁸

Tract B (E½ sec. 3, and all of secs. 2, 33, and 34)

Joseph M. White described tract B, on January 29, 1828, as extending "from the sound [of Santa Rosa] to the [Pensacola] bay. . . . There is also a large spring upon it, which supplied the navy when in the possession of Spain and England."¹⁹ No mention is made of any improvements or structures standing on tract B in 1828.

REPORTS DESCRIBING THE DEER POINT PLANTATION, 1828-32

The Report of Live Oak Agents Charles Haire and Thomas F. Cornell, circa October 24, 1828

The Haire-Cornell report no. 3, according to Secretary of the Navy John Branch, was written and dated November 12, 1827, prior to the Navy

16. Ibid., 926, item A, no. 9.

17. Ibid. 4:105, 107.

18. Ibid. 3:946, item DD.

19. Ibid., 931, item C.

Department's acquisition of the Breckenridge property on March 10, 1828. However, agent Haire did not enter on duty until November 12, 1827, and Cornell not until March 28, 1828. The given date of the report is thus inaccurate, and the "error" was probably deliberate, to strengthen the charges of fraud and corruption alleged in the purchase of the 1,600 arpents. The earliest and probably correct date for report no. 3 is October 24, 1828, and the remarks that accompany report no. 3 were probably written in July 1829, not 1827.²⁰

The extract from the October 24, 1828, report reads as follows:

The next growth of live oak, in the course of the examinations of the agents, is to be found at the residence of Judge Breckenridge, on the Santa Rosa Sound, and which place is noted on the map of Mr. Williams, above referred to. The schedule No. 2 exhibits the growth on this place. The accompanying map [see map 11] will show the quantity of land, in all about ten acres. (This comprises all the live oak land of any value embraced within the three tracts purchased by government, the rest being barren and unproductive, and of no value). . . .

Schedule No. 2--Of the quantity of live oak on Judge Breckenridge's tract of land, situate on Sta. Rosa Sound:

Fifty-five trees, containing 2,361 cubic feet.

The following is an additional portion of live oak found also in the above-described hammock:

Sixty-two trees, containing 2,036 cubic feet.²¹

20. Ibid., 944, item Y. The originals of the Haire-Cornell report no. 3, with schedules 1 to 6, are in the Abandoned Reservations File.

21. Ibid. See appendix F.

Thus, according to Haire and Cornell there were 117 trees, containing 4,397 cubic feet of live oak timber, growing on the property in October 1828.

Report of Commodore John Rogers, Chairman of the Board of Navy Commissioners, to Secretary of the Navy John Branch, July 3, 1829

In April 1829 Secretary Branch ordered the Board of Navy Commissioners to visit and inspect the Pensacola Navy Yard and the naval live oak plantation, apparently hoping to receive an adverse report on the tree farm, which would give him a reason for closing down the plantation.²²

Excerpts from Commodore John Rogers's report of this inspection follow:

Upon the subject of the lands sold to the Navy Department by Colonel Joseph M. White, on his own account and as agent for Judge Henry M. Breckenridge and for Francisco and Fernando Morino, I spent five days in examining the four tracts. The two first, consisting of 1,600 arpents (1,200 the property of Col. White, cost the Department \$2700, 400 belonging to Judge Breckenridge cost \$2,200) are bounded on the south by Santa Rosa Sound, and on the east and west by lands belonging to the United States. The eastern boundary of the first, 1200 arpents, being six, and the last, 400, about four miles distant [east] from the extreme end of Deer Point.

On the tract purchased of Judge Breckenridge, (see Plat No. ___), I should suppose, from the best examination I was enabled to make, that one-fourth of the whole may be considered what is commonly denominated hammock land,--the soil from 12 to 18 inches deep, consisting of decomposed

22. Ibid., 926, item A, no. 11 (letter of Apr. 7, 1829).

vegetable substances and oyster-shells, intermixed with the fine white sand, forming by nature so large a portion of the soil of Florida, particularly that part bordering on the Gulf of Mexico. On one part of these hammocks, one hundred or more live oak trees of large growth are to be seen, and on others, large stumps of the same tree are found; thus furnishing, if not conclusive, strong presumptive evidence that a soil that had once given growth to such timber, might, with care and proper management, be made to produce it again, if not by transplanting young and thrifty trees, at least by sowing acorns taken from trees of large growth, while in a sound healthy state. On the adjoining 1200 arpents, purchased of Colonel White, (see Plat No. ____), I am led to believe, taking the whole together, that not more than one-sixth part can properly be called hammock lands.--This, particularly the hammock land, is similar in quality to that purchased of Judge Breckenridge, and from the number of large stumps to be met with, it is inferred that large live oak trees had once grown on it; at present, however, it has but few, if any, of this description, although it contained several thousand young trees, 12 to 20 and 25 feet in height, and 2, 3, and 4 inches in diameter. The timber on the easternmost part of this tract consists principally of a stunted growth of pitch pine, intermixed with scrub, black jack, and water oaks.

The improvements on the two tracts are as follows: on that purchased of Judge Breckenridge, a frame dwelling, one story high (not plastered,) containing two large, and four small rooms, with a large passage running through the centre, having a portico in front and another in the rear of the house; a log kitchen, a stable, and other small out-houses; two gardens, the large one having in it several hundred small orange and peach trees; the other used principally as a vegetable garden, has some small fruit trees and shrubbery.

In addition to these, there are two new rough log buildings, sufficiently capacious to accommodate 20 negroes. On the tract purchased of Colonel White, there are no improvements other than the remains of two small log buildings, said to have been built by General Call. At the time I visited these lands, there were twenty hands employed in cutting down, and clearing out from among the young live oaks, all the undergrowth and other trees, such as white bay, black jack, scrub, black and water oaks, magnolia, &c.; and in this way, it was judged by Mr. [Samuel] Davis, the overseer, who accompanied me, that nearly or quite 200 arpents had already been cleared, in addition to two avenues in a north and south direction, and another in the centre, running east and west, that had been cut through the woods to give free circulation to the air, and prevent injurious effects from fires, such as these lands had previously been subjected to from Indian hunters and others. On the lands thus cleared, the overseer assured me that there were now growing 173 full grown trees--126 of six inches and over in diameter; 11,635 between two and six inches; and 9,965 of two inches and under--making in the whole 22,202, which he had already counted.

From the limited examination I was enabled to make, of these lands, it is impossible for me to say with precision how many acres had been cleared, or how many live oak trees they contained; but, from what I did observe, (and my whole attention was given to the subject) I am strongly inclined to believe that the overseer's statement is nearly, if not quite correct.²³

23. *Ibid.*, 943, item X, publishes these extracts. The full Rogers report is published in Senate Documents, 21st Cong., 1st sess., serial 192, 1:234-35. Overseer Samuel Davis's report of April 18, 1829, on the number of trees is in ASP 3:928, item 15.

Progress Reports of Superintendent Henry Breckenridge,
April and September 1829

In April 1829 Superintendent Breckenridge informed Secretary Branch:

The groves already assume a beautiful appearance. We have transplanted only a few trees, and as there were no acorns last year--the live oak bearing only every other year--it was impossible to commence a nursery from them, which, according to the opinion of some writers, is most advisable. Much of the time has been taken up in erecting comfortable cabins and cutting and protecting roads; that is, wide avenues grubbed smooth, so as to stop the progress of the fires, whose destructive effect in those hammocks is inconceivable. . . . Deer Point has been a common for the supply of fuel to the town, and it is extremely difficult to prevent the practice of cutting wood here for sale.²⁴

In a progress report written on September 1, 1829, Breckenridge informed Secretary Branch:

There are now upwards of 40,000 trees pruned and cleared, 10,000 more than I expected to clear during the year. I think I may safely calculate on at least 60,000 at the close of the year, which will probably complete the whole border of thrifty young trees along the margin of the water. The thickets occupying the middle ground will still remain, and I have always been confident that, if attended to, they will in time equal those on the borders. For the present, the mere precaution of keeping out the fires will be sufficient. The necessary buildings, consisting of three double cabins,

24. Ibid., 926-27, item 12.

with enclosures, have been completed, and about six miles of avenue handsomely opened.²⁵

Pensacola Gazette Article of December 19, 1829

On December 19, 1829, the Pensacola Gazette ran the following article on the Deer Point plantation:

At Deer Point there was a small cove, known as the Careening Ground. Here there was water of sufficient depth to permit vessels to be close in shore. While the British held West Florida, they had constructed two heaving down wharves. At various times ships had been repaired and some even built and launched here. By 1829 practically all signs of this activity had disappeared. In the past sickly season, the Careening Ground had been used as the quarantine ground.

Within recent years the live oaks that had thrived near the Careening Ground has been felled, leaving not more than 300 or 400 trees, some of which had not attained their full growth. Within the past 10 to 15 years, a fine growth of young oaks had sprung up. They bordered the beach to a depth of 100 to 300 yards and extended around the point to a distance of eight to ten miles. Intermixed with the live oaks were water oaks and short-leafed pines. Such was Judge Brackenridge's live oak plantation.

The young oaks were pruned and cleared of all parasites, and divided into classes, beginning with those fit for use today, those six inches and more; but not yet mature enough to be

25. Ibid., 930-31, item 21.

felled. Those from two to six inches and those under two inches. The second and third classes, that is those of six inches and over and those between two and six inches were the most numerous, and number more than 80,000 trees.

Employed on the plantation was one overseer and 20 hands. After one year Judge Brackenridge proposed to cut his crew in half. The hands were to care for the trees, finish the clearing and keep down the sprouts, etc. After two years, a few hands might have been needed for several years to "preserve and extend the plantation."

A large nursery had been established, and many acorns planted. Judge Brackenridge had voiced the opinion that the "great quantity of young growth and its rapid expansion when taken care of would render such a nursery unnecessary." The small number of mature live oaks was the result of destructive fires, which would break out in the adjoining pine barrens every 10 to 15 years. To prevent the spread of fires, roads, trails, and fire breaks had been opened.

"The full grown live oak," Judge Brackenridge remarked, "is not often found in extensive natural groves of any great extent, because it is usually a chance tree, which here and there escapes the effects of the destructive elements."²⁶

Overseer Samuel Davis's Progress Reports of January and July 1830

On January 19, 1830, overseer Samuel Davis reported the following work had been completed at Deer Point:

26. The article from the Pensacola Gazette, December 19, 1829, was collected by and is hereby included through the courtesy of historian Edwin C. Bearss.

The grubbing of the thicket has been completed; the protecting roads have been regrubbed; an additional road has been made from the big bluff on the sound, to the head of the spring in the rear of the cove; also, one connected with the road leading to the bayou at the Navy cove, for the purpose of affording a ready communication with that place, as there is a large quantity of wood in that quarter, which, if ordered, must be delivered at the cove; the three-rail post fence has been completed, and one of the enclosures, and a part of the other, have been planted with acorns; the other part has been kept for the experimental transplanting of the young live oak.²⁷

In his report of July 30, 1830, Davis commented:

The young live oaks cleared last year are extremely thrifty, and will, beyond a doubt, fulfill every expectation.

This is more particularly observable in those cleared during the first part of the last year; and the difference is perceivable throughout the work of that year. The trees which were freed from other growth, in the early part of that year, are now full of young branches from one to four feet long, while those cleared towards the close of that year exhibit the beneficial effects of cultivation in the most obvious manner, compared to those still encumbered with thickets.

The young plants from the acorns are still growing, but their progress is slow, and many have perished, although they have been carefully hoed over and freed from grass. My experience has perfectly satisfied me of the correctness of the opinion you

27. ASP 3:930, item 19.

have expressed, that there is no great benefit to be derived from forming nurseries, when such a vast number of young trees exist, already planted, and possessing old roots. What has been called the scrub or shrub live oak is nothing more than the genuine live oak repeatedly cut down by fires; it is that which occupies the middle of this tongue of land--the thrifty young trees on the margin of the water being indebted, for their superior growth and thrifty appearance, to being less frequently assailed by the destructive elements. The central clearing, made in pursuance of the suggestion of Commodore Rogers, clearly proves this fact. Here the character of the trees seems already entirely changed; and where the live oak has been cut to the ground, a healthy straight shoot has sprung up, from three to six feet in height--a growth equal to that from the acorn in three years. . . .

Among the various experiments directed by you, I have tried that of transplanting the young trees from the thickets. Of those transplanted but a small number have lived; these are growing, however, and are doing well; but the time and labor consumed in this operation are so great, compared to that of taking care of trees already planted by the hand of Providence, that I cannot recommend its continuance unless to fill such spaces as may be found too thinly set, which very rarely occurs.²⁸

On August 30, 1830, Secretary Branch issued orders directing that the operation of the naval live oak plantation at Deer Point cease as of January 18, 1831.²⁹ The tree farm was thus closed down from January 18, 1831, until sometime in October 1831.

28. Ibid., 928-29, item 16.

29. Ibid., 928, item 14.

Expenditures for the operation of the live oak plantation from January 18, 1829, to January 18, 1831, which totaled \$10,431.55, are listed on table 4 in chapter 4.³⁰

Live Oak Agent John Clark's Inspection Report of December 4, 1831

On September 22, 1831, Levi Woodbury, President Andrew Jackson's second secretary of the navy, reappointed Henry M. Breckenridge as superintendent of the naval live oak plantation at Deer Point and authorized him to resume operations on that tree farm.³¹ To determine exactly what the facts of the situation were at the plantation, Woodbury issued the following instructions on September 26 to General John Clark, the live oak agent for the fifth live oak district:

Sir: You are required, without delay, to make a critical examination of the lands near Pensacola, purchased of the

Hon. Jos. M. White, &c., and on which Judge Breckenridge has for some time been engaged in pruning, clearing, and in the general cultivation of the live oak tree. You will, after the fullest inquiry into the subject, report to this Department your opinion of the present condition of the plantation referred to; the value of the lands attached to that plantation; whether it is adapted to the rearing of the live oak, or what portion of it may be so suited; and whether it is as convenient for such cultivation or propagation of live oak as other lands in your district; and, generally, from the experiment which has been made under Judge Breckenridge's care, whether the cultivation of the live oak promises to pay for the labor expended in its production.³²

30. Ibid., 935, item A; ASP 4:107.

31. ASP 4:119, item F, no. 10.

32. Ibid., 123, item F, no. 22.

General Clark visited the Deer Point plantation in November and reported to the secretary of the navy on December 4, 1831, as follows:

1. There are in the plantation, I should suppose, 300 acres of land; the most of the trees appear to be in a thriving condition; the size generally from two to eight inches in diameter, and from 10 to 20 to 25 feet high. The best and most thrifty are those growing nearest the sound and bay (the sound on the south and the bay on the north;) in the middle ground the growth is more stunted and crooked.

The plantation, with the exception of a few acres, is thickly covered with undergrowth, from two to five feet high, which sprung up from stumps, roots, &c, &c. This is doubtless injurious to the live oak and should be removed.

The hands now engaged there are employed in doing so. I also observed that in many places the live oak are too much crowded, and if not given more space must greatly retard their growth.

2. As to the value of the land attached to the plantation: I should say, for ordinary agricultural purposes, it is of no value whatever, and its value for rearing the live oak can only be tested by time; and the facts stated in the above answer furnish all the data upon which I can form an opinion.

3. From my answer to the first question, you perceive that I consider the live oak on the plantation in a thriving condition, and there are a few trees standing on it of considerable size, and appearances of large stumps, from which I infer that the young trees will grow there, but it is not my opinion that the growth will be so rapid, or the trees so large, as if cultivated upon a better soil. Not having made a survey of the lands in question, I cannot say what portion of the tract may be suited

to the growth of live oak; however, including the part now in cultivation, I would suppose there are about 400 acres.

4. It is not more than seven miles from the navy yard, and easy of access by water; the timber would not require land carriage more than 700 yards. Hence, from its locality, it is more convenient for the Navy yard at Pensacola than any other position within my district. St. Vincent's Island is, in other respects, equally convenient, and is better adapted to the purpose, its soil being superior. There is also a body of land a short distance above the town of Apalachicola, which I conceive well adapted to its culture, but not so convenient.

On St. Andrew's Bay, places could be selected both convenient and suitable to the live oak. There is also a good situation on Choctawhatchie Bay.

5. The experiment made under the superintendence of Judge Breckenridge has not yet advanced sufficiently to enable me to form an opinion as to the probability of the production paying for the labor expended. The young live oak present a promising appearance at this time. It is my opinion that, in the course of three or four years, if the cultivation of the plantation is continued, the live oak will have attained such a size that but little labor would be required to keep down the undergrowth, which would injure them. From this view of the probable expenses, from its convenient location to the navy yard, the thrifty appearance of the trees (notwithstanding the sterility of the soil), and the expenditures which have already been made by the government, I would hazard the opinion that the experiment may be continued there with a fair prospect of the production paying for the labor expended. From the above reasons, and because the quantity of this timber, so far as my district extends, is much less than I had formerly supposed, I recommend the continuance of the cultivation, with an increase of five more laborers. If this is not done, those now engaged

should confine their labor to the cultivation of one-half of the plantation. . . .

P.S.--Having omitted to state my opinion of the number of trees now growing on the plantation, I would here say that I presume, from observation, the number reported by the superintendent, Judge Breckenridge, and the overseer, Mr. Davis, is correct, varying between 50,000 and 80,000.³³

LATER DATA, 1833-61

The subsequent history of the naval live oak plantation from 1833 to 1860 has not been studied in any detail. The available evidence, however, indicates that the tree farm continued to function until the outbreak of the Civil War in 1861.

The office of the superintendent of the plantation was vacant in 1837, and on September 19, William C. Bolton, commandant of the Pensacola Navy Yard, wrote to Secretary of the Navy M. Dickerson in regards to this matter:

The appointment of a superintendent of the plantation, taken from any class supplied by accident; and continued from necessity; does not afford sufficient protection. [There had recently been intrusions on the plantation.] The place is worth preservation, and any or all care that can be bestowed now, will reward the Navy some years hence, I think it might be convenient and desirable to some officer, a Lieutenant, disqualified for sea service to take the superintendency, on Service pay, which I think necessary. . . . He would require a Boats crew of six men, A horse or two & c &c--the Crew to be

33. Ibid., 107-8, item D, no. 1.

employed in trimming up--planting out &c when he has no better use for them, and the season admits. The fact of an Officer being thus placed, over the Plantation; would of itself, give security. As it now is, and has been, the power of the Commandant of the Yard only ideally reaches it. I have personally inspected the place twice, and other Officers also by my direction; from their observation; and, my own, I predicate these suggestions; You will bear in mind that I am located nine miles from the spot of which I speak, and a sheet of water, often rough, intervening.

The ravenous appetite for the possession of soil which has beset, and controlled other Considerations, among our people; has, I suppose caused the presents Claimants [Messrs. Le Barron and Innerarity], at a venture of Cost or less, to make the inroads; of which I complain. Their pretensions, ought not only, to be set aside; I think; but a useful lesson might be taught to others; who, by their example, may be induced or seduced into like error.³⁴

In 1843 "the Keeper of the Live Oak Plantation (so called) on Santa Rosa Sound" was Mr. Antoine Collins.³⁵

It should be noted that any live oak cut on the naval live oak plantation at Pensacola, or on any naval live oak reservations in Florida or elsewhere, prior to March 3, 1857, could have been used at the Pensacola Navy Yard only to repair naval vessels, for the yard did not construct any ships until 1857-59. The only two naval vessels built at Pensacola before the Civil War were the screw steamer Pensacola, authorized by the

34. Territorial Papers: Florida 25:424.

35. Ibid. 26:698 (Walker Anderson's letter of July 25, 1843, to the secretary of the navy).

act of March 3, 1857, and the steam screw sloop of war Seminole, authorized by an act of 1858. Secretary of the Navy Isaac Toucey, in his annual report to the president of the United States dated December 2, 1859, reported: "The Pensacola and the Seminole have been built at the Navy-Yard in Florida and are the first ships of war constructed there. These are fully equal in construction to those that have been built at the other Navy-Yards, and are highly creditable to that establishment. It has given full proof that it is able to build a ship-of-war in the best manner, and in point of economy, as well as skill, it is not inferior to any other. . . . The machinery for these [two] vessels has necessarily been constructed at other establishments."³⁶

36. Annual Report of the Secretary of the Navy, December 2, 1859, 1139-40.

MAPS

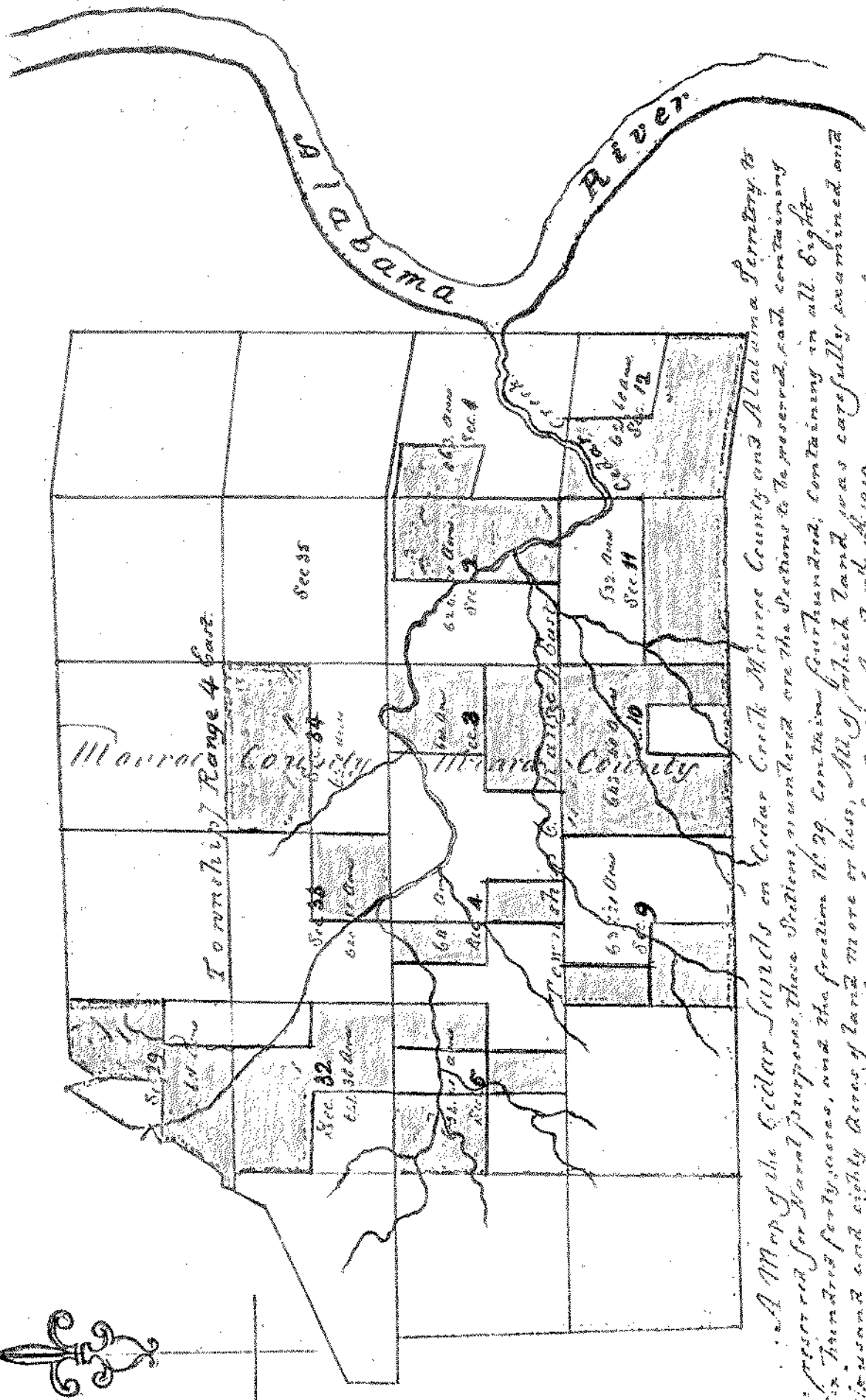
1. Louisiana Live Oak Lands Reserved February 29, 1820 / 199
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3. Pensacola Bay, West Florida, Properties Purchased for Live Oak Purposes, 1828 / 203
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Map 1. Louisiana Live Oak Lands Reserved February 29, 1820

A total of 6,897.00 acres were reserved on what is now called Grand Lake. Map by James L. Cathcart and James Hutton, 1819 (Timber Reserves Book, plat on p. 71B).

Map 2. Alabama Red Cedar Lands Reserved April 17, 1827

A total of 3,602.25 acres were reserved along Cedar Creek, a tributary of the Alabama River, in Monroe County (Reservation Correspondence Book, 73).



A Map of the Cedar Sands in Cedar Creek Monroe County and Alabama Territory is prepared for Naval purposes. These Sections numbered on the Sections to be reserved, each containing six hundred forty acres, and the fraction 1/4 of 29. Contain four hundred; containing in all, Eight thousand and eighty Acres of land more or less. All of which land was carefully examined and reported by divine. Written by Great & John Sandwith. April 17th 1810.

Map 3. Pensacola Bay, West Florida, Properties Purchased for Live Oak
Purposes, 1828

Properties are shown on a public lands survey map of the vicinity of the Barrancas and the Pensacola Navy Yard, prepared in August 1829 and sent to the secretaries of the army and the navy by George Graham, commissioner of the General Land Office, September 22, 1829 (Territorial Papers: Florida 24:270-71). The legend reads:

Those coloured yellow are confirmed private claims.

- No. 1 in T. 3 S. R. 30 West is presumed to belong to the Navy Department.
 No. 34 & 2 private claim in the name of H.M. Brackenridge
 No. 3 do do of H.M. Brackenridge and R.K. Call
 No. 6 do do do of Wm. P. Anderson
 Claimed by V.S. Pintado to the Line North & South four miles from the west end of St. Rosa Island, supposed to have been sold to the Navy Department by Mr. White.
 Fraction Township 3 S.R. 30 West contains 2346 Acres
 Fraction Township 3 S.R. 31 West do 1828
 4174 Acres

Map 4. Santa Rosa Peninsula, West Florida, Live Oak Lands Purchased or Reserved for Naval Purposes, 1828-30

By November 28, 1830, some 3,183.38 acres on the western end of the Santa Rosa Peninsula had been purchased or reserved for naval purposes:

1,337.87 acres of live oak lands in sections 2, 3, 33, and 34 were acquired from Henry M. Breckenridge and Joseph M. White on March 10, 1828. Plantation operations began on the western (improved) half of section 3 in 1829.

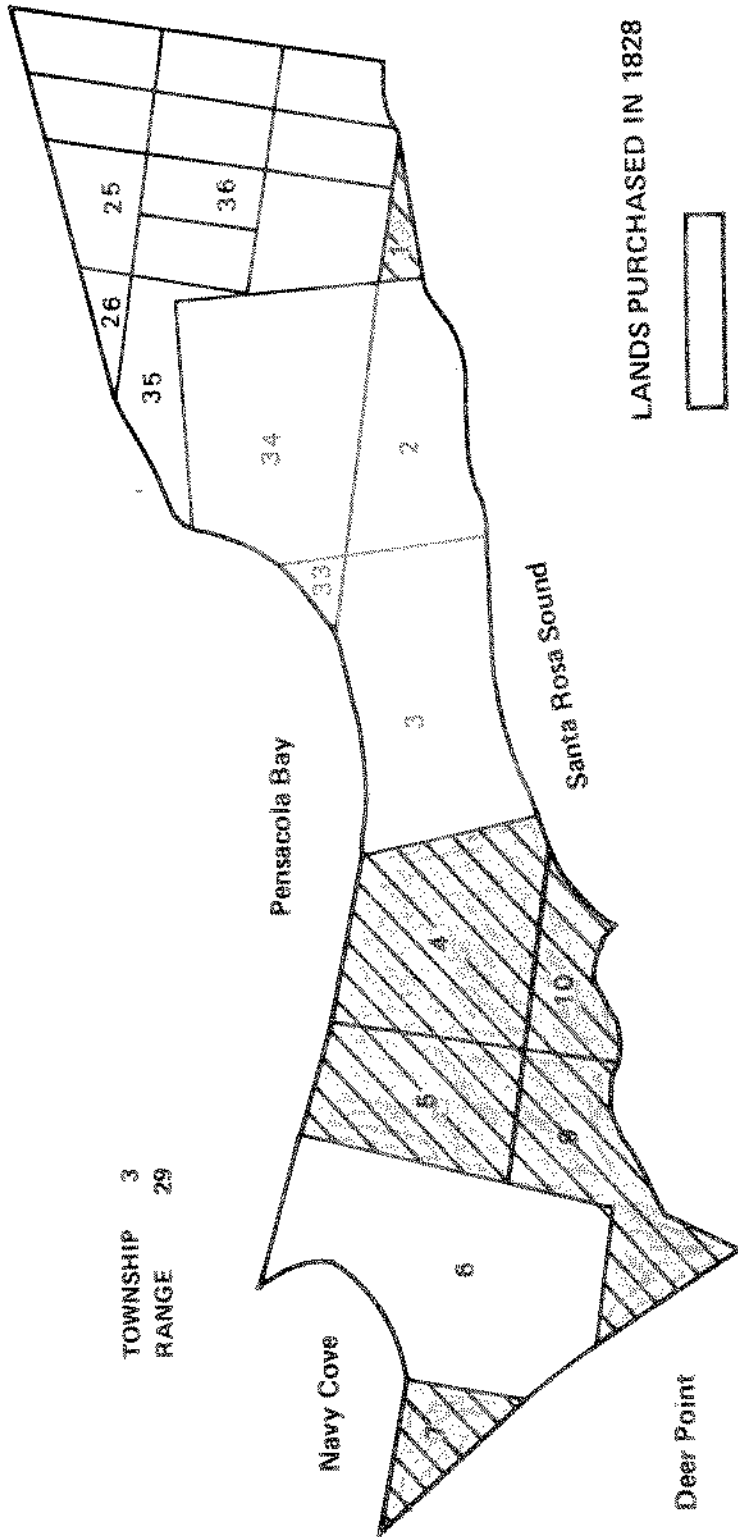
1,219.36 acres of live oak lands were reserved by President Jackson's orders of October 23 and November 28, 1830.

626.15 acres in section 6 were a private claim purchased by the Navy Department.

Information added to a map made before 1845 (Timber Reserves Book, plat on pp. 39 and 40).

TOWNSHIP 2
RANGE 29

TOWNSHIP 3
RANGE 29



LANDS PURCHASED IN 1828

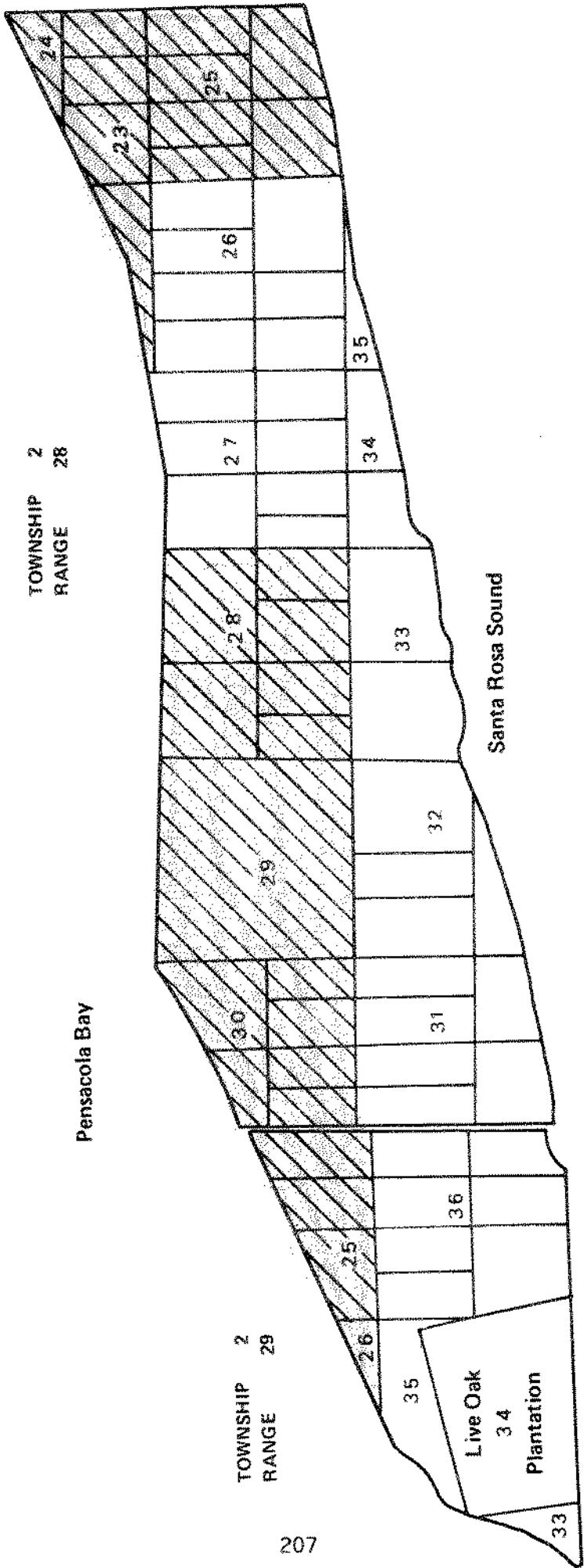


LAND RESERVED IN 1830



Map 5, Sheets A-D. Santa Rosa Peninsula, West Florida, Portion of the Live Oak Lands Reserved December 6, 1833

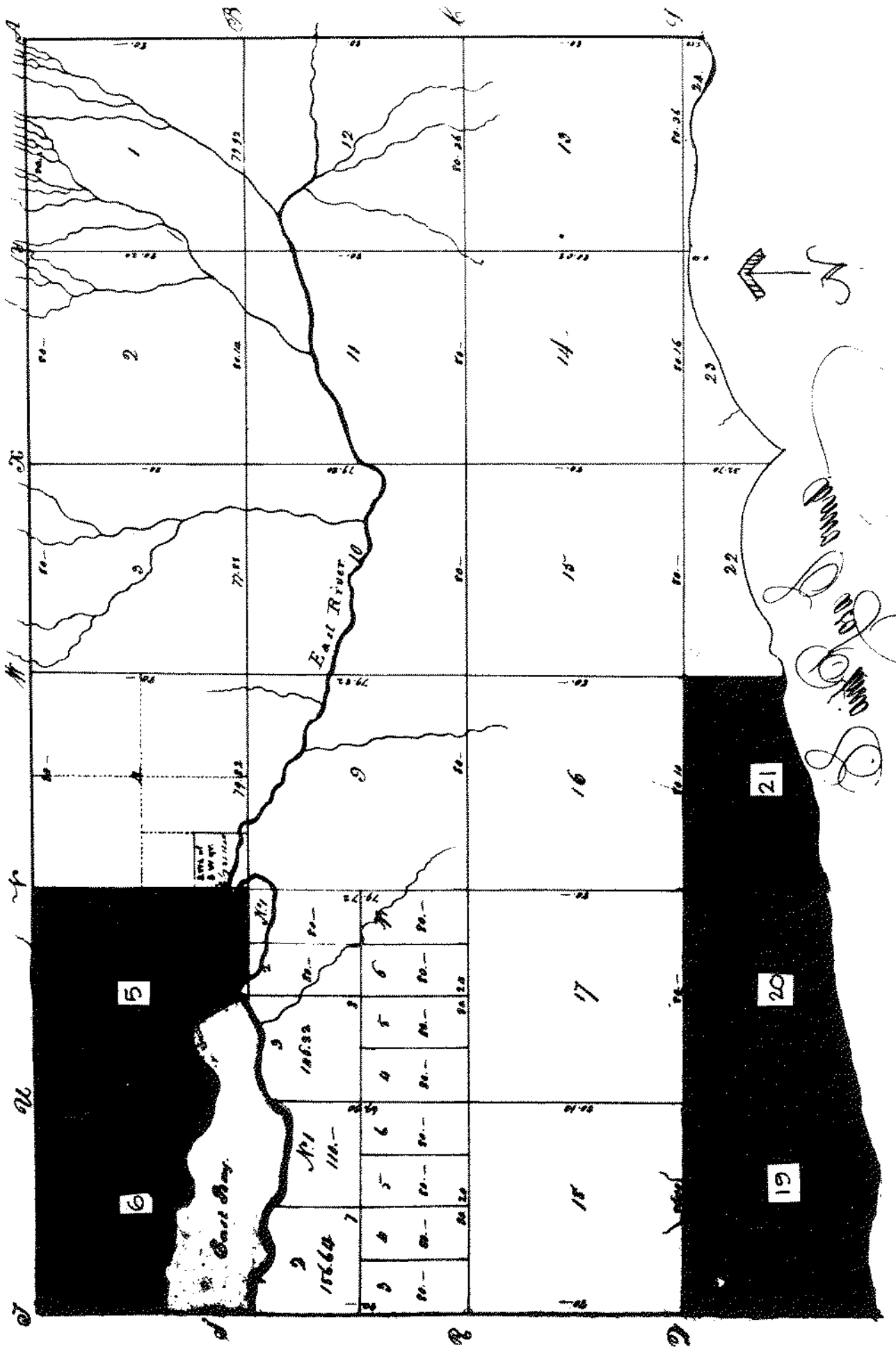
5A. Some 3,058.30 acres of the total 9,359.59 acres reserved by President Jackson on December 6, 1833, were situated immediately east of the naval live oak plantation near Deer Point. All the remaining sections shown on this map were reserved by President Van Buren on January 10, 1838. Information added to a map made prior to 1845 (Timber Reserves Book, plats 38 and 39).



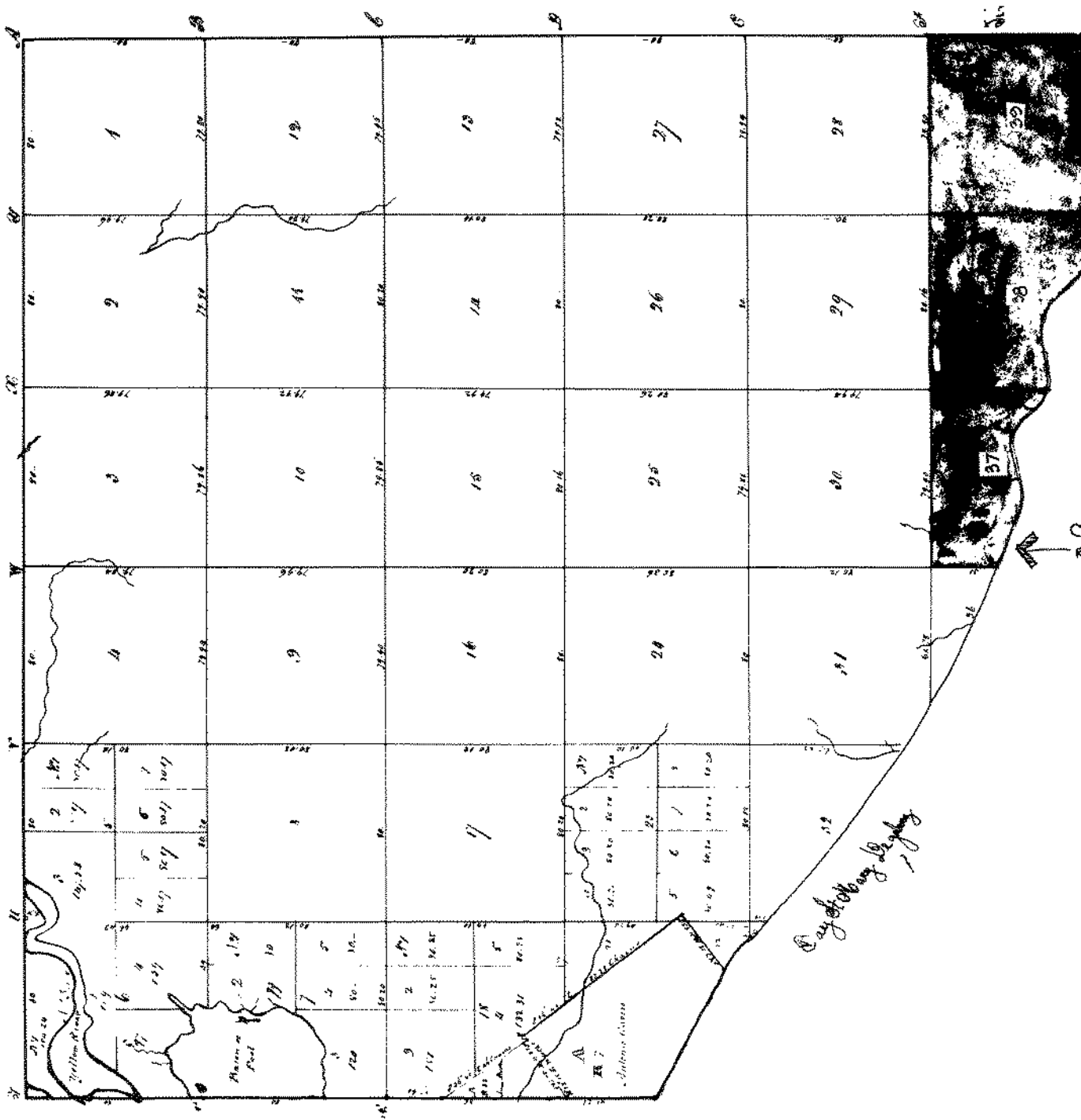
5B. Portion of the 1833 reservation in township 2, range 27. Map made prior to 1845 (Timber Reserves Book, plat on p. 37).



5C. Portion of the 1833 reservation in township 2, range 26. Map made prior to 1845 (Timber Reserves Book, plat on p. 35).



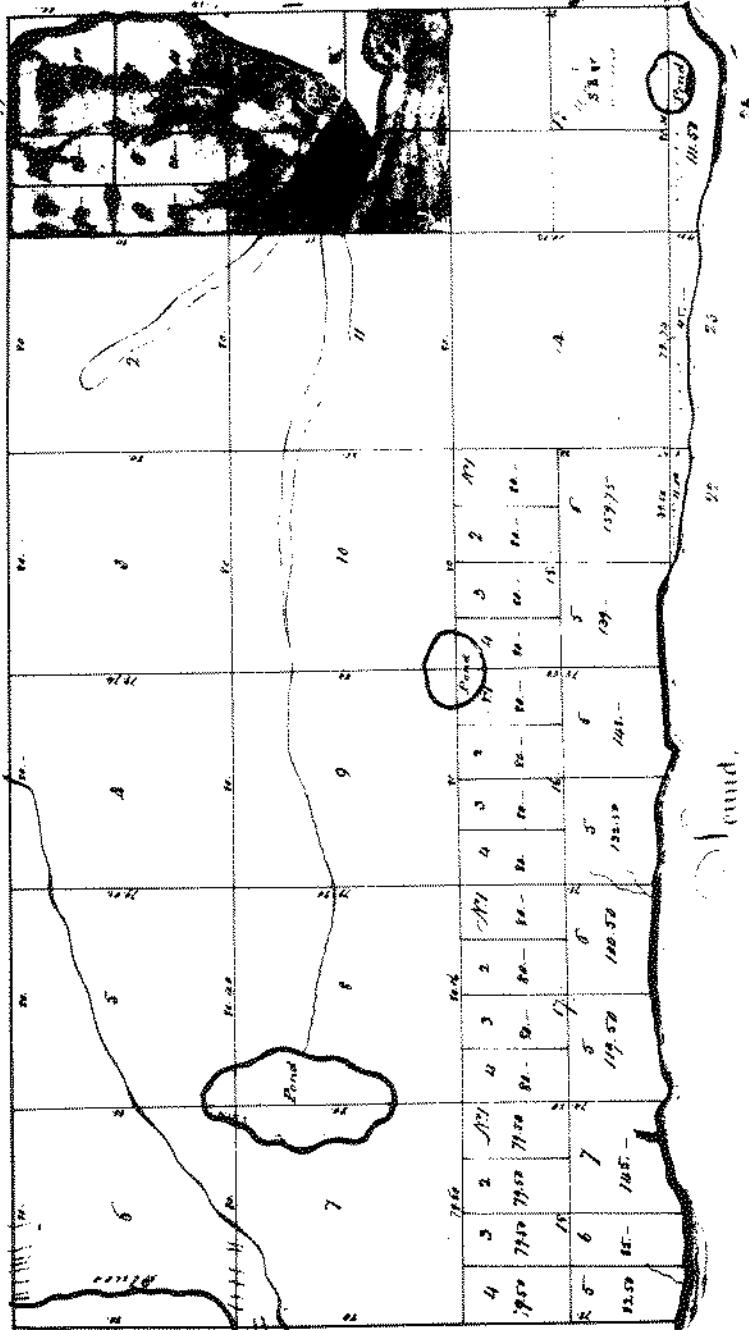
5D. Portion of the 1833 reservation in township 1, range 27. Map made prior to 1845 (Timber Reserves Book, plat on p. 36).



Map 6. Santa Rosa Sound, West Florida, Portion of the Live Oak Lands Reserved November 13, 1843

Portion of reservations created by President Jackson's order of November 13, 1834, situated in township 2, range 24 south and west, sections 1 and 12 (1,120.50 acres). Map made about 1845 (Timber Reserves Book, plat on p. 34).

T.H.R.XXIV. S & W.



(Land District West)
Peninsula of Florida.

Table of Contents

1	1000	1000
2	1000	1000
3	1000	1000
4	1000	1000
5	1000	1000
6	1000	1000
7	1000	1000
8	1000	1000
9	1000	1000
10	1000	1000
11	1000	1000
12	1000	1000

593.00

527.50

750.00
 275.00
 475.00

1000.00
 1000.00
 1000.00

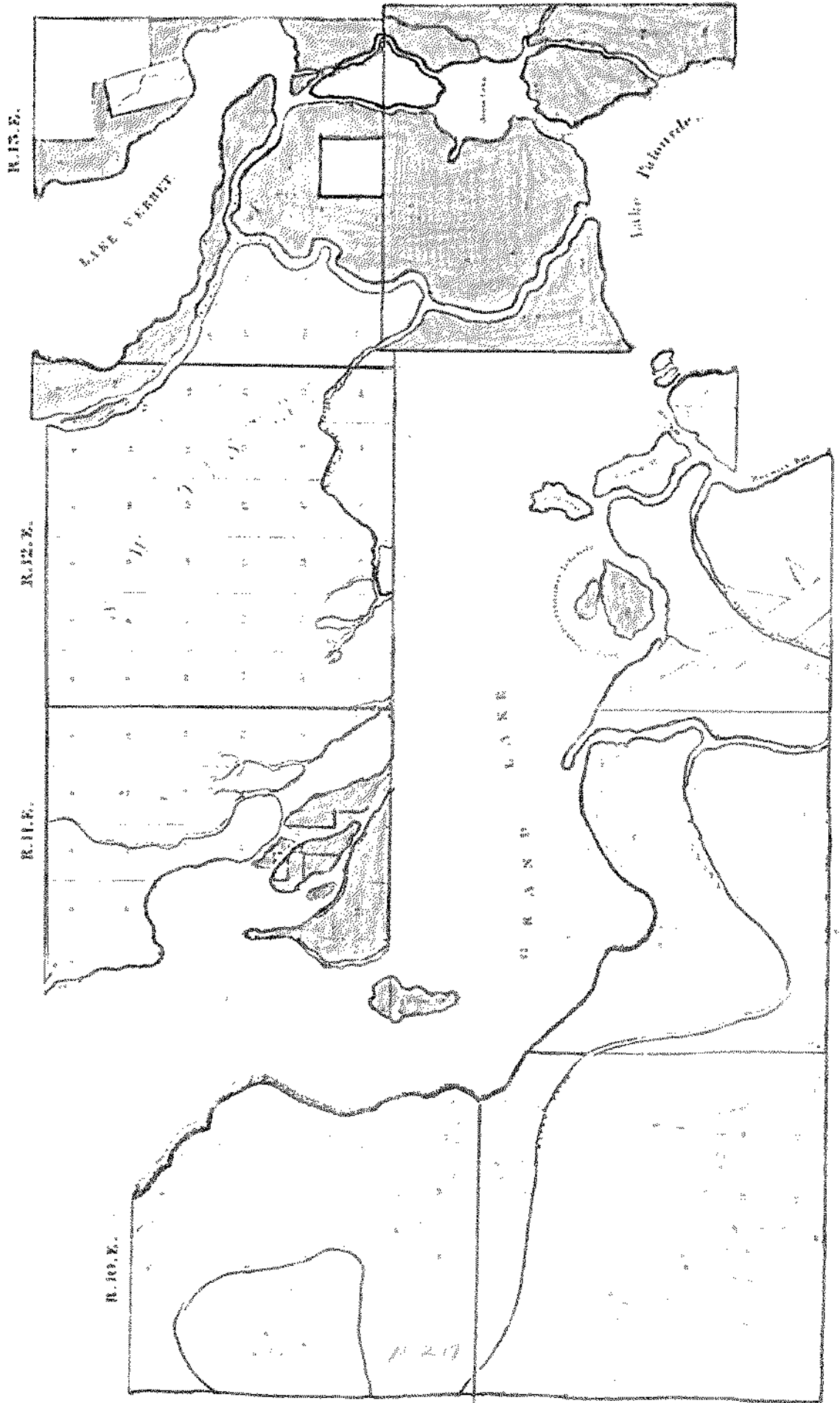
Gulf of Mexico.

St. Rosa Island.

(Land District)
Shows Reservations for Naval purposes
Reserved by President's order of
Order 13 1834.

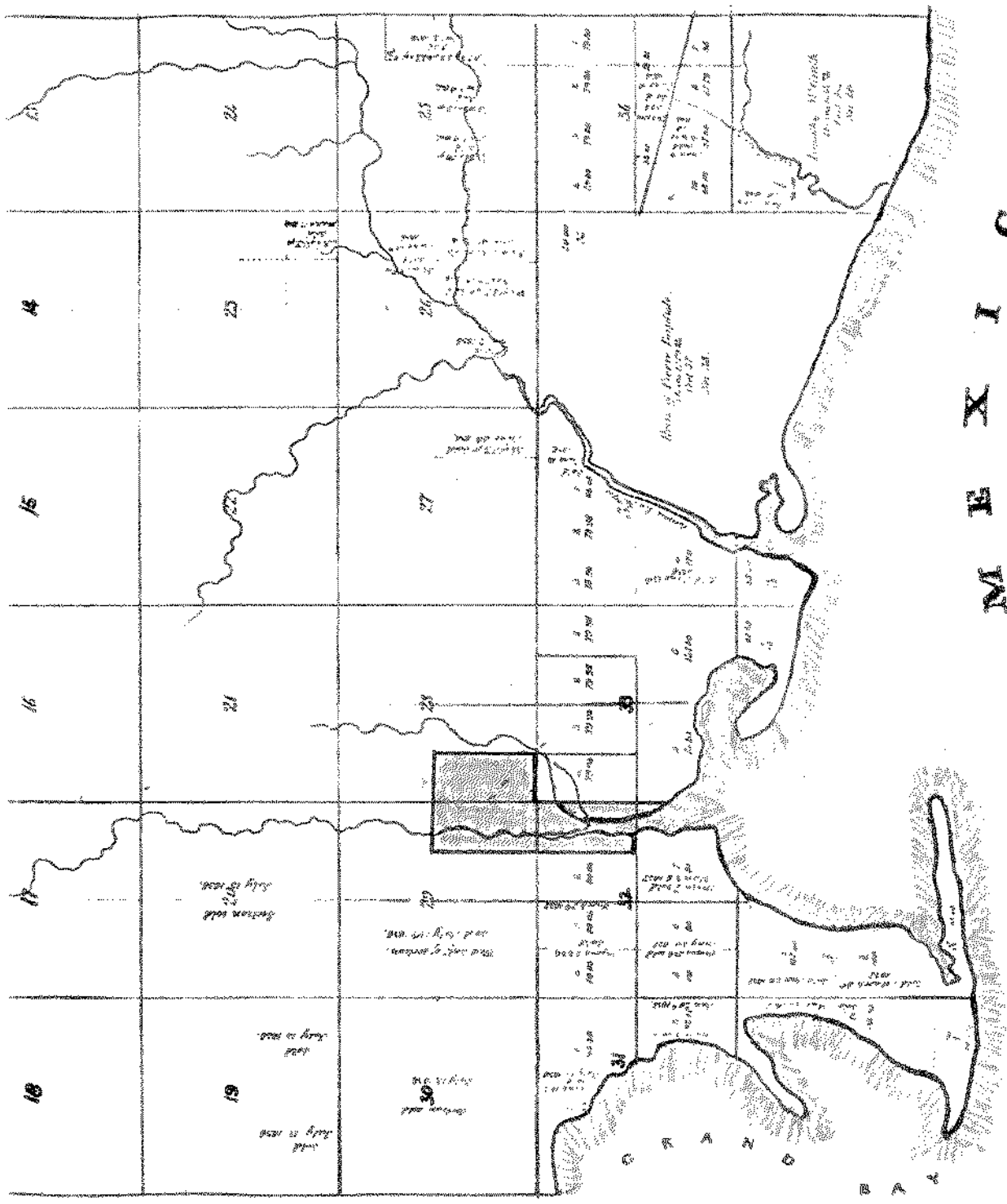
Map 7. Louisiana Live Oak Lands Reserved February 29, 1820, and
May 30 and November 8, 1832

Left and center, the 6,897.00 acres on Cypress Island, the Six Island Group, and Navy Commissioners' Island, reserved by President Monroe's order of February 29, 1820; right, a portion of the 46,838.08 acres reserved by President Jackson's orders of May 30 and November 8, 1832. Map dated May 21, 1844 (Timber Reserves Book, plat on p. 71A).



Map 8. Alabama Live Oak Lands Reserved November 28, 1832

The 200 acres reserved by President Jackson on November 28, 1832, were situated in Mobile County, Alabama, in T. 7 S., R. 3 W., sec. 28, W $\frac{1}{2}$ SW $\frac{1}{4}$; sec. 29, E $\frac{1}{2}$ SE $\frac{1}{4}$; and sec. 32, E $\frac{1}{2}$ NE $\frac{1}{4}$. Map certified January 14, 1843 (Timber Reserves Book, plat on p. 4).



M E X I C O

07

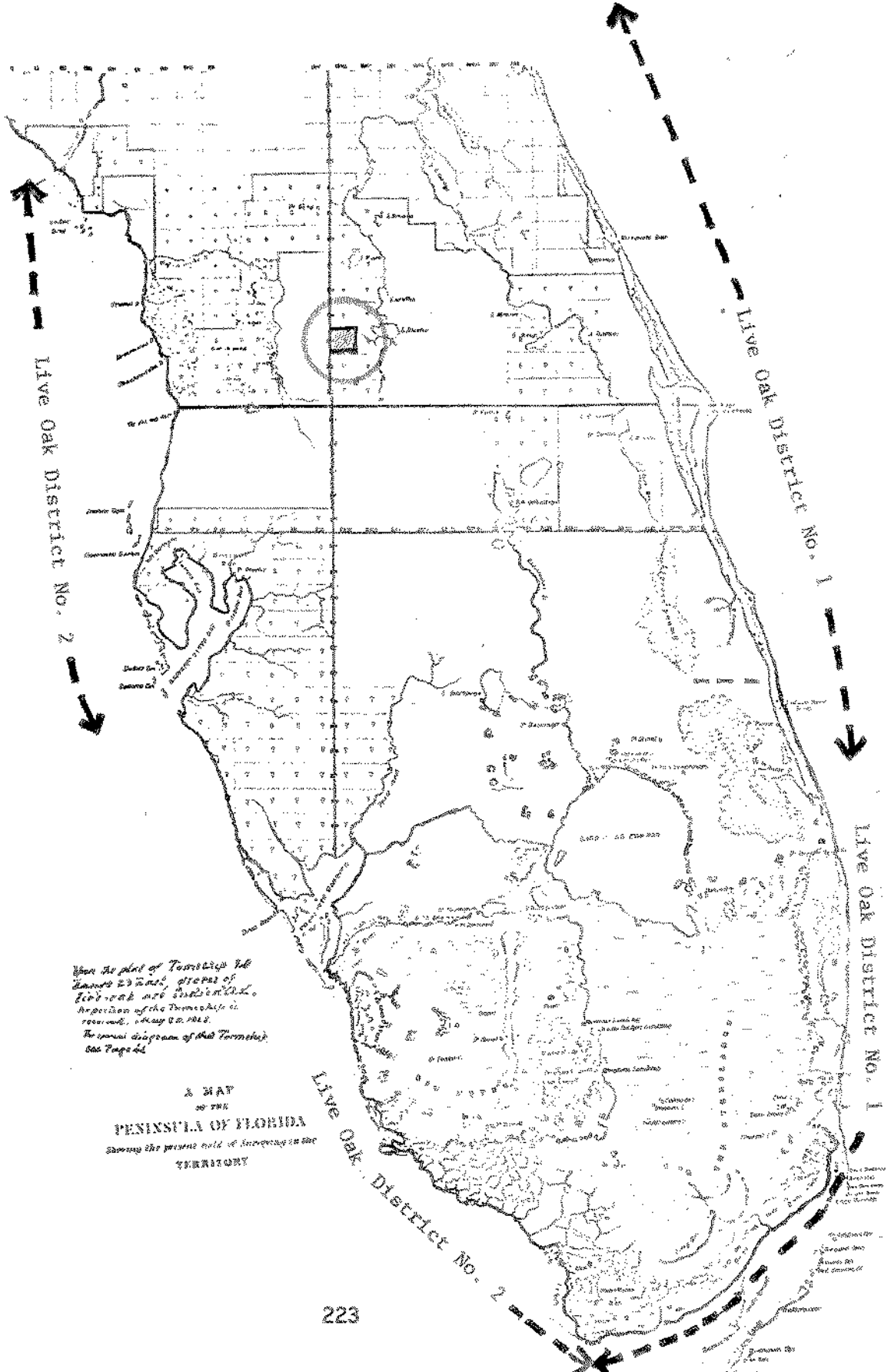
G U L F

Map 9. West Florida Live Oak Districts, From the Western Portion of District 2 Through District 5, and the Reservations Created from 1830 to 1834

Information added to a map prepared by the Surveyor General's Office, Tallahassee, October 1840 (Timber Reserves Book, plat following p. 15).

Map 10. West Florida Live Oak Districts 1 and 2.

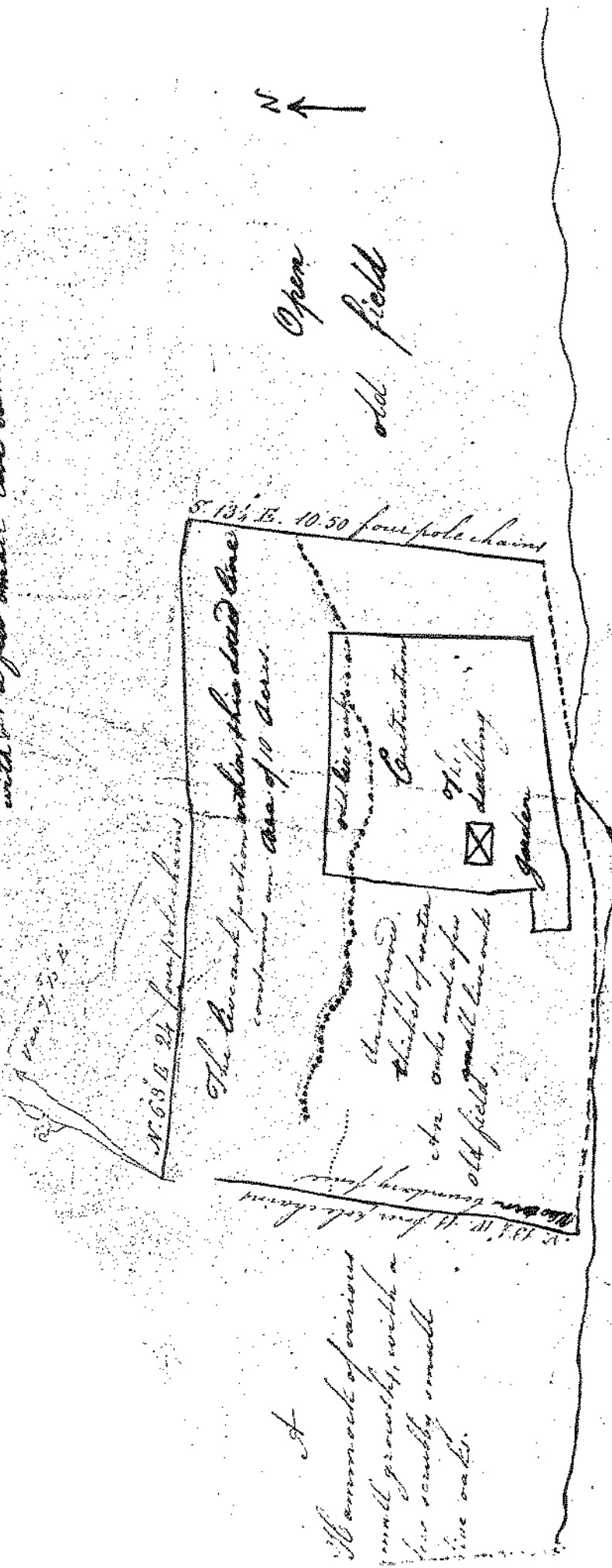
Information added to a map prepared by the Surveyor General's Office, St. Augustine, October 28, 1844 (Timber Reserves Book, plat following p. 15).



Map 11. Judge Henry Breckenridge's property on the Santa Rosa Peninsula, near Deer Point, Pensacola, West Florida, 1828

This property, situated on the western half of section 3, township 3, range 29, became the headquarters of the naval live oak plantation that began operations on January 18, 1829. The map, titled "Map of the portion of Judge Brackinridge's [sic] tract of land containing the live oak," was probably made October 24, 1828, and is contained in the report of live oak agents Charles Haire and Thomas F. Cornell, dated October 24, 1830 (Abandoned Reservations File).

A thicket of shrubs and large trees of various kinds, with a few small live oak.



Open old field

S. 13 1/2° E. 10.50 four pole chains

N 68° E 24 four pole chains

The live oak portion under this land line contains an area of 9 acres.

old live oak
Cestruction
of Mr. deekling
Garden

thicket of water
etc oaks and a few
old field, small live oak

N 13 1/2° W 11 four pole chains
the above boundary line

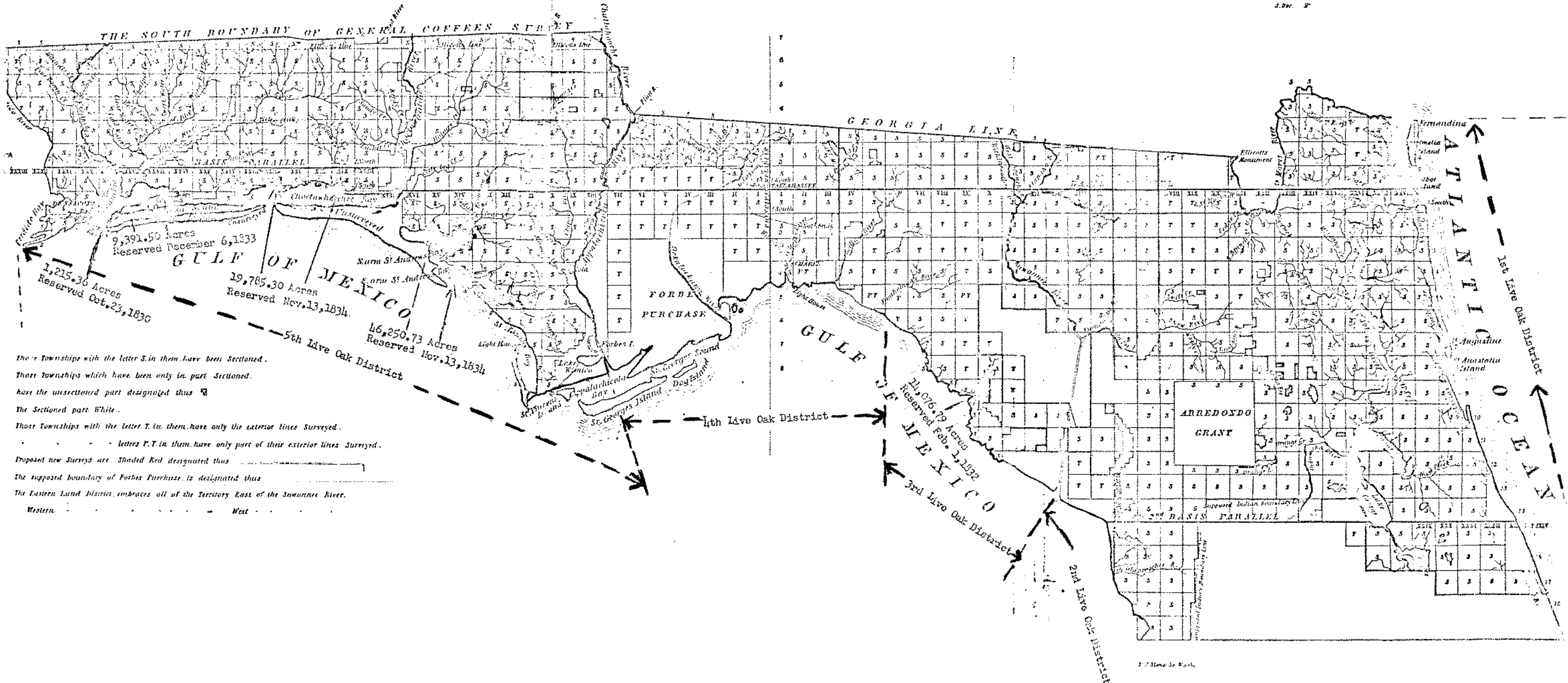
N

MAP of the portion of Judge Beach's widg's tract of land containing the live oak.

Area of the whole is 23.75 Acres.

A. Rosas Sound

A
Thicket of various small growths, with a few scrubby small live oaks.



Those Townships with the letter S. in them have been Sectioned.
 Those Townships which have been only in part Sectioned
 have the unsectioned part designated thus [Symbol]
 The Sectioned part White.
 Those Townships with the letter T. in them have only the exterior lines Surveyed.
 letters P.T. in them have only part of their exterior lines Surveyed.
 Proposed new Surveys are Shaded Red designated thus [Symbol]
 The supposed boundary of Forbes Purchase is designated thus [Symbol]
 The Eastern Land District embraces all of the Territory East of the Sunnuncie River.
 Western West

APPENDIXES

- A: U.S. Naval Vessels Built of Live Oak, 1794-1832 / 228
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A: U. S. NAVAL VESSELS BUILT OF LIVE OAK, 1794-1832

II, 1.

List of live oak vessels since 1797, and condition of them, and quantity of feet in them.

Names of vessels.	Timber used in frames.	Situation.	When built.	Where built, and building.
SHIPS OF THE LINE.				
Independence	Live oak	In ordinary	1814	Charlestown.
Franklin	19-20 live oak	do	1815	Philadelphia.
Washington	3 live oak	do	1816	Portsmouth, N. H.
Columbus	do	do	1819	Washington.
Ohio	do	do	1820	New York.
North Carolina	do	do	1820	Philadelphia.
Delaware	do	do	1820	Gosport, Va.
Alabama	do	On the stocks		Portsmouth, N. H.
Vermont	do	do		Charlestown.
Virginia	do	do		do
Pennsylvania	do	do		Philadelphia.
New York	do	do		Gosport, Va.
FRIGATES.				
United States	3 live oak	In commission	1797	Philadelphia.
Constitution	do	In ordinary	1797	Boston.
Guerriere, more than	2 do	do	1814	Philadelphia.
Potomac	do	In commission	1821	Washington.
Brandywine	do	do	1825	do
Santee	do	On the stocks		Portsmouth, N. H.
Cumberland	do	do		Charlestown.
Sabine	do	do		New York.
Savannah	do	do		do
Maritan	do	do		Philadelphia.
Columbia	do	do		Washington.
St. Lawrence	do	do		Gosport, Va.
Congress	do	In ordinary	1799	Portsmouth, N. H.
Conciliation	do	In commission	1797	Baltimore.
Macedonian	do	On the stocks, now building		Gosport, Va.
Philadelphia	7 do	Lost in war	1800	Philadelphia.
New York	2 do	Burnt in 1814	1800	New York.
President	do	Lost in war	1800	do
Columbia	do	Burnt in 1814	1814	Washington.
Cheasapeake	do	Lost in war	1800	Gosport, Va.
SLOOP-OF-WAR.				
John Adams	2 live oak	In commission	rebuilt 1829	Gosport, Va.
Peacock	do	do	do 1828	New York.
Boston	do	do	1825	Charlestown.
Lexington	do	do	1825	New York.
Vincennes	do	In ordinary	1826	do
Warren	do	In commission	1826	Charlestown.
Natchez	do	In ordinary	1827	Gosport, Va.
Falmouth	do	In commission	1827	Charlestown.
Fairfield	do	In ordinary	1828	New York.
Vandalia	do	In commission	1828	Philadelphia.
St. Louis	do	do	1828	Washington.
Concord	do	do	1828	Portsmouth, N. H.
Delaware	1 do	Sold	1797	Philadelphia.
Ganges	1 do	Sold	1799	do
Eyres	1 do	Lost in war	1803	do
Wasp	do	do	1805	Washington.
Argus	do	Burnt in 1814	1814	do
John Adams	do	Decayed.	1799	Charleston, S. C.
Erbe	do	In ordinary	rebuilt 1823	Baltimore.
Ontario	do	do	do 1823	do
SCHOONERS.				
Dolphin	1 live oak	In commission	1821	Philadelphia.
Porpoise	1-10 do	do	1820	Portsmouth, N. H.
Grampus	1 do	do	1821	Washington.
Shark	1 do	do	1821	New York.
Enterprise	do	do	1831	do
Boxer	do	do	1831	Charlestown.
Alligator	do	Lost at sea	1821	do
Lynx	1 do	do	1814	Washington.

Source: ASP 4:218 (list dated Dec. 14, 1832)

B: ACT OF MARCH 1, 1817

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Navy be authorized, and it shall be his duty, under the direction of the President of the United States, to cause such vacant and unappropriated lands of the United States as produce the live oak and red cedar timbers to be explored, and selection to be made of such tracts or portions thereof, where the principal growth is of either of the said timbers, as in his judgment may be necessary to furnish for the navy a sufficient supply of the said timbers. The said Secretary shall have power to employ such agent or agents and surveyor as he may deem necessary for the aforesaid purpose, who shall report to him the tracts by them selected, with the boundaries ascertained and accurately designated by actual survey or water courses, which report shall be laid before the President, which he may approve or reject in whole or in part; and the tracts of land thus selected with the approbation of the President, shall be reserved unless otherwise directed by law, from any future sale of the public lands, and be appropriated to the sole purpose of supplying timber for the navy of the United States: *Provided,* That nothing in this section contained shall be construed to prejudice the rights of any person or persons claiming lands which may be reserved as aforesaid.

SEC. 2. *And be it further enacted,* That if any person or persons shall cut any timber on the lands reserved as aforesaid, or shall remove or be employed in removing timber from the same, unless duly authorized so to do, by order of a competent officer, and for the use of the navy of the United States; or if any person or persons shall cut any live oak or red cedar timber on, or remove or be employed in removing from any other public lands of the United States, with intent to dispose of the same for transportation to any port or place within the United States, or for exportation to any foreign country, such person or persons so offending and being thereof duly convicted before any court having competent jurisdiction, shall pay a fine not exceeding five hundred dollars and be imprisoned not exceeding six months.

SEC. 3. *And be it further enacted,* That if the master, owner, or consignee of any ship or vessel, shall knowingly take on board any timber cut on lands reserved as aforesaid, without proper authority and for the use of the navy, or shall take on board any live oak or red cedar timber, cut on any other lands of the United States, with intent to transport the same to any port or place within the United States, or to export the same to any foreign country, the ship or vessel on board of which the same shall be seized, shall, with her tackle, apparel, and furniture be wholly forfeited.

SEC. 4. *And be it further enacted,* That if any timber as aforesaid shall, contrary to the prohibitions of this act, be exported to any foreign country, the ship or vessel in which the same shall have been exported shall be liable to forfeiture, and the captain or master of such ship or vessel shall forfeit and pay a sum not exceeding one thousand dollars.

SEC. 5. *And be it further enacted,* That all penalties and forfeitures incurred for taking on board, transporting or exporting timber by force of this act, shall be sued for, recovered, and distributed, and accounted for in the manner prescribed by the act, entitled "An act to regulate the collection of duties on imports and tonnage," and shall be mitigated or remitted in the manner prescribed by the act, entitled "An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities accruing in certain cases therein mentioned."

APPROVED, March 1, 1817.

The Secretary of the Navy enjoined to cause lands producing live oak and red cedar timbers to be explored and selections to be made of tracts, &c.

The tracts selected to be reserved, unless, &c. 1820, ch. 136.

Proviso: rights of persons claiming not to be prejudiced, &c.

Persons cutting timber on the lands reserved, or any live oak or red cedar on other public lands, &c. subject to fine and imprisonment.

Vessels taking on board timber from lands reserved, &c. forfeited.

Exportation of timber contrary to this act, subjects the vessel to forfeiture and the master to a fine.

Recovery of penalties, &c. and mitigation thereof, according to the acts mentioned.

1799, ch. 22. 1797, ch. 13.

C: ACT OF FEBRUARY 23, 1822

--An Act for the Preservation of the Timber of the United States in Florida.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, that the President of the United States be, and hereby is, authorized to employ so much of the land and naval forces of the United States as may be necessary effectually to prevent the felling, cutting down, or other destruction of the timber of the United States in Florida, and also to prevent the transportation or carrying away any such timber as may be already felled or cut down, and to take such other further measures as may be deemed advisable for the preservation of the timber of the United States in Florida.

Approved February 23, 1822.

Source: U.S. Statutes at Large 3:651

NINETEENTH CONGRESS. SESS. II. CH. 93, 94. 1827.

STATUTE II.

March 3, 1827.

CHAP. XCIV.—*An Act for the gradual improvement of the navy of the United States.*

Act of March 2, 1833, ch. 67.
Act of May 31, 1838, ch. 92, sec. 2.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, for the gradual improvement of the navy of the United States, the sum of five hundred thousand dollars per annum, for six years, is hereby appropriated, to be applied as in this act prescribed, and as may, hereafter, be directed by law.

President authorized to cause to be procured ship timber, suitable for the construction of vessels of different classes.

SEC. 2. *And be it further enacted,* That the President of the United States be, and he is hereby authorized to cause to be procured, ship timber suitable for the construction of vessels of the various classes now recognised in the navy of the United States; and also the timber proper for the construction of steam batteries; and to take the proper measures for having the said timber duly seasoned and preserved, so as to be fit for immediate use.

Measures to be adopted to preserve the live oak timber, growing on the lands of the United States.

SEC. 3. *And be it further enacted,* That the President of the United States be, and he is hereby, authorized to take the proper measures to preserve the live oak timber growing on the lands of the United States, and he is also authorized to reserve from sale such lands, belonging to the United States, as may be found to contain live oak, or other timber in sufficient quantity to render the same valuable for naval purposes.^(a)

(a) Acts providing for the preservation of timber for the navy of the United States are :—
An act making reservation of certain public land, to supply timber for naval purposes, March 1, 1817, ch. 22.

E: SUMMARY REPORT ON THE HUTTON SURVEY OF SOUTH CAROLINA, GEORGIA, AND EAST FLORIDA, SEPTEMBER 26, 1826, TO MAY 12, 1827

Locations.	Probable quantities.			Owners' names, &c.
	Of the line.	Frigate.	Subs.	
	Feet.	Feet.	Feet.	
ISLANDS OF SOUTH CAROLINA.				
Bull's Island.....			10,000	Fitzsimmons, Charleston.
Caper's Island.....			2,000	William Price, Charleston.
John's Island.....			200	W. Seabrook, Edisto.
Elish Island.....		500	1,000	do
Coffin's Island.....			1,000	Thomas Coffin, St. Helena.
Willen Head.....			1,000	William Hope, James Stony.
ISLANDS AND MAIN OF GEORGIA.				
Queen Vectors.....		300	500	Col. E. Tatnall, Savannah.
Hoosha Island.....		1,000	2,000	G. Rutherford, J. & T. Morrel, Savannah.
St. Catherine's Island.....		18,000	8,000	Estate of J. Johnston.
Blackbeard's Island.....		1,000	8,000	United States.
Little St. Simons's Island.....		2,000	8,000	Estate of Butler; E. King, agent.
Cumberland Island.....		2,000	1,000	New Lynch, Major Hamilton.
Black Point.....			3,000	Straight.
EAST FLORIDA.				
Amelia Island.....			9,000	R. Harrison, United States, and Foley.
Fort George Island.....				Only small.
St. John's river.....		2,000	7,000	Various, unknown.
Pottabury creek.....		8,000	12,000	Francis Reebard.
Dun's creek, north side.....		1,500	3,000	George Clark, St. Augustine.
do south side.....		1,000	2,000	do
do east side.....		1,000	4,000	R. Sanchias.
do west side.....			6,000	Overseer of B. Chaire, Tallahassee.
do head.....			500	Rottenbury, or the United States.
Murphy's Island.....			3,000	Murphy, of Augustine.
LAKE GEORGE.				
Drayton Island.....	8,000	8,000	8,000	B. Klagsley, of Fort George I.
Orange grove.....	200	400	800	James Bowden.
East side.....	1,000	1,000	4,000	Unknown.
Play Point.....	1,800	2,000		Andrew Storms.
Five miles south.....		1,000	4,000	do
Silver spring.....			1,200	
Salt spring.....			1,000	Schofield.
BLACK CREEK.				
Fleming's Island.....			1,000	George Fleming.
Above Fleming's Island.....			1,000	United States.
Brannan's.....		1,000	2,000	Samuel Brannan.
Brannan's.....		1,000	2,000	George Brannan.
S. Branch.....			5,000	Settled under pre-emption laws.
McGurt's creek.....		1,200	3,000	Mr. Hubanks.
PALM CREEK.				
Palm.....				Small.
Kinsley.....			500	B. Kinsley.
Do Castro.....				Antonio de Castro.
SEA COAST, EAST FLORIDA.				
Dirgo swamp.....	30,000	60,000	50,000	Estate of F. Fitch; administrators, T. Butler, D. C. Campbell, also B. Chaire.
Sampson swamp.....	3,000	5,000	10,000	R. Sanchias, C. Robie, others unknown.
North river, W. B.....		1,000	10,000	Pablo Labate.
MATANASK.				
Hernandes.....				All small.
Long's creek.....		5,000	8,000	G. J. Clarke and J. Placost.
OSAHAN'S SWAMP.				
Hernandes.....		1,000	4,000	Jos. M. Hernandez.
Perpall.....	1,000	8,000	10,000	J. W. Perpall, Augustine.
Clarke.....	5,000	5,000	10,000	G. J. Clarke, Augustine.
McDowell and Black.....	8,000	12,000	10,000	McDowell & Black, Charleston.
Bulow.....	50,000	60,000	25,000	Jos. Bulow, Smith's creek.

Sources: ASP 4:110-11, item A (Branch's report of Feb. 7, 1831); ASP 4:220-21, item K (Woodbury's report of Dec. 14, 1832).

Probable quantities.

Locations.	Probable quantities.			Owner's names, &c.
	Of the line.	Frigates.	Ships.	
	Feet.	Feet.	Feet.	
Ormond's		20,000	20,000	J. & M. Ormond.
Darby		3,000	4,000	Geo. Darby.
SPRUCE CREEK, BETWEEN TOMOKANO.				
Fitch		5,000	8,000	Estate of T. Fitch.
Kerr and Hernandez			8,000	Kerr and J. M. Fernandez.
Bulow's	20,000	22,000	10,000	John Bulow.
Banches		1,000	4,000	Deceased.
United States		400	8,000	United States.
TURBULL'S SWAMP.				
First	2,000	4,000	8,000	Hall, Cook & Co., of Darien.
Second		3,000	6,000	Ives, of New Smyrna.
Third	2,000	8,000	2,000	Thomas Napier, Charleston.
Fourth	2,000	8,000	9,000	Jos. Waller.
Fifth	3,000	5,000	10,000	A. Mitchell, Havana, or Gay & Area, of St. Augustin.
Sixth			9,000	Geo. H. McIntosh or King, of Darien, and Drysdale, Augustin.
Indian Riverhead		10,000	12,000	Sundry persons.
Night miles south		300	600	Not known.
Aggregate of probable quantity	114,300	208,200	321,500	

Note.—Much of this timber is very old, in and verging to decay.

**F: SUMMARY REPORT ON THE HAIRE SURVEY OF WEST FLORIDA
(PENSACOLA BAY REGION TO THE APALACHICOLA RIVER),
NOVEMBER 12, 1827, TO APRIL 19, 1831**

No. of tracts	Where situated.	From what source information derived.	Number of trees.	Quantity in cubic feet.
1	Land of Jno. Inzerarity, of West Florida, on Perdido Bay.	Schedule No. 1, report 1, of agents appointed by the Secretary of the Navy to examine and survey public lands in West Florida.	1,075	8,742
2	Land of C. Lavalette, on Escambia Bay.	Schedule No. 2, of same agents, report No. 1.	74	3,235
3	John De La Ruiz' tract.	Report No. 2, schedule 1, of same agents.	176	
4	Land of J. Bouffay, West Florida.	Report No. 2, schedule 2, of same agents.	217	1,506
5	John De La Ruiz' land, Escambia Bay.	Report No. 2, schedule 3, of same agents.	820	7,239
6	Rebo's tract, Yellow Water river.	Report No. 2, schedule 4, of same agents.	30	
7	Escerevano's tract, adjoining the above.	Report No. 2, schedule 5, of same agents.	24	
8	Donnelly's tract.	Report No. 2, schedule 6, of same agents.	75	
9	Behind Deer Point.	Report No. 3, schedule 1, of same agents.	34	1,053
10	Judge Breckenridge's tract.	Report No. 3, schedule 2, of same agents.	55	2,361
11	Judge Breckenridge's hammock.	Report No. 3, schedule 2, of same agents.	62	2,036
12	Twitchell's place.	Report No. 3, schedule 3, of same agents.	37	3,130
13	Sections 13 and 24, township 2, range 24; sections 16 and 19, township 2, range 24, south and west.	Report No. 3, schedule 4, of same agents.	448	32,625
14	Sections 25, 26, 35, 36, do., township 1, range 21 and 22, south of the base line, and west of the meridian.	Report No. 4, schedule 1, of same agents.	953	1,360
15	Hammocks A, B and C of same sections.	Report No. 4, schedule 1, of same agents.	909	
16	Sections 16, 15, 16, 21 and 22, range 20.	Report No. 4, schedule 2, of same agents.	1,036	17,623
17	East bank of Alaqua lagoon, sections 24 and 13, and township 1, south and west.	Report No. 5, schedule 1, of same agents.	137	9,598
18	Two hammocks between the Alaqua and Cedar creeks.	Report No. 5, schedule 2, of same agents.	242	7,353
19	At the mouth of Cedar creek, sections 32 and 35, township No. 1, range 18.	Report No. 5, schedule 3, of same agents.	259	23,396
20	At the mouth of Choctawhatchee river.	Report No. 5, schedule 4, of same agents.	145	8,640
21	On a hammock on the margin of the bay below the mouth of Choctawhatchee river.	Report No. 5, schedule 5, of same agents.	755	35,503
22	On a hammock at the end of Choctawhatchee Bay.	Report No. 5, schedule 6, of same agents.	616	27,070
23	On a hammock situated on the south side of the bay, opposite the mouth of the Choctawhatchee river.	Report No. 5, schedule 7, of same agents.	643	21,610
24	On a hammock situated on the south side of Choctawhatchee Bay, about one mile above Shell Point.	Report No. 5, schedule 8, of same agents.	832	30,630
25	On two hammocks on the northwest side of Shell Point, on the Choctawhatchee Bay.	Report No. 5, schedule 9, of same agents.	322	26,516
26	On the east side of the Second creek, above Mallet's, on the south side of Choctawhatchee Bay.	Report No. 5, schedule 10, of same agents.	605	18,500
27	On the west side of Second creek, above Mallet's, but more immediately on the bay.	Report No. 5, schedule 11, of same agents.	355	9,180
28	Near, and on Mallet's place, being on the south entrance of the Choctawhatchee Bay, and partly on St. Ross Sound, first division above Mallet's, entirely on the bay.	Report No. 5, schedule 12, of same agents.	120	2,779
29	Third division at Mallet's, principally on the bay, and partly on the sound.	Report No. 5, schedule 12, of same agents.	88	2,773
30	On various small hammocks on both sides of St. Andrew's Bay, commencing at Courtney's Point, on the left hand; and the hammock above Webb's Point, on the right; thence proceeding up the bay, including both sides of the bay.	Report No. 6, schedule 1, of same agents.	1,212	57,428
31	On the Escambia creek, about ten or twelve miles above the head of St. Andrew's Bay.	Report No. 6, schedule 2, of same agents.	65	8,230
32	On a hammock at Webb's Point, called also Bonavista, on St. Andrew's Bay.	Report No. 6, schedule 3, of same agents.	203	8,832
33	On the east arm of St. Andrew's Bay, commencing on the west side of Harrison's bayou.	Report No. 6, schedule 4, of same agents.	5,067	250,750
34	On the remaining divisions of the preceding chain of hammocks, and two creeks, called Forked and Shark creeks, on the east side of St. Andrew's Bay.	Report No. 6, schedule 5, of same agents.	835	38,484
35	On the south side of the east arm of St. Andrew's Bay.	Report No. 7, schedule 1, of same agents.	5,421	161,268
36	On the east side and entrance into St. Andrew's Bay.	Report No. 7, schedule 2, of same agents.	789	30,360
37	On St. Vincent's Island, hammock No. 1.	Report No. 7, schedule 3, of same agents.	2,475	30,847
38	On St. Vincent's Island, hammock No. 2.	Report No. 7, schedule 4, of same agents.	4,555	214,498
			312,137	1,130,065

Source: ASP 4:222 (Woodbury's report of Dec. 14, 1832). See also ASP 4:101, item A, no. 6 (Haire's report to Secretary Woodbury).

A, No. 8.

Extract of a letter from Charles Haire, late agent for live oak, &c., to the Secretary of the Navy, dated—

DECEMBER 8, 1831.

The whole extent of surveys made, at my removal, were the following:

A hammock on St. George's Island, containing 183½ acres of land, having growing thereon 961 trees, including from two to seven feet in circumference, producing an area of square hewn timber proportionate to each circumference of 6,591 cubic feet of live oak, and about 1,260 young trees under two feet in circumference; also, 199 red cedars, containing 745 cubic feet, and about 600 young trees; also, a second hammock, on said island, of 307 acres, having growing thereon 2,099 live oak trees, between two and twelve feet circumference, containing an area of 24,690 cubic feet, and probably two thousand young trees less than two feet girth, and 814 red cedars, between two and six feet circumference, producing 3,064 cubic feet, and about 1,200 young cedars.

Another hammock at East or Cat Point, opposite the town of Appalachicola, containing 55½ acres, having growing thereon 459 live oaks, area of which is 6,452 cubic feet, between two and nine feet circumference: all the above being on the margin of St. George's Bay. Also a hammock, one mile above the town aforesaid, on the east bank of the river, having growing thereon 849 live oak trees, between two and nineteen feet girth or circumference, affording an area of 55,743 cubic feet, and 338 red cedars, between two and eight feet circumference, having an area of 3,047 cubic feet, as well as many small trees.

**G: SUMMARY REPORT ON THE SEVEN-DISTRICT LIVE OAK SURVEY,
APRIL 18, 1831, TO DECEMBER 14, 1832**

Number and extent of district.	Number of trees.	Where situated.	Distance from navigation.	Remarks.
No. 1, Extends from the mouth of the river St. Mary to Cape Sable, on the southern extremity of S. Florida.	250	Northwest hammock	Three miles from flat navigation, and sixteen miles from schooner navigation.	Not surveyed.
	350	Called "Mill grants," Halifax river; relinquished claim.	Two miles from flat navigation, and five miles from schooner navigation.	Not surveyed.
	320	Opposite St. Lucia, Indian river.	Three miles from flat navigation, and eight miles from schooner navigation.	Not surveyed.
	390	Northwest side New river.	Four miles from flat navigation, and seven miles from schooner navigation.	Not surveyed.
	Total No. of trees.	1,310		
	These trees average 2½ feet, 25 or 30 feet to the foot limbs.			
No. 2, Extends from Cape Sable to the Suwannee.	20,000	On the Santa Fe, from its junction with the Suwannee: From the Yaucoos creek and bay to a small river called by the Indians Walker Seen; for sixty miles occupied by the agent on the Suwannee.	The Walker Seen is navigable for boats four or five miles; fifteen miles east of the Walker Seen empties the Amizana or With-look-u-shoo; the water deepens so as to afford a channel for vessels of small draft; whether this channel extends out to sea, or so to admit sufficient draft across the bar or not, is not ascertained.	Not surveyed.
	340	In township No. 18, range 7, within the distance of one mile, the agent reports 340 full grown trees, measuring 25,000 cubic feet.	.....	Not surveyed.
	1,000	On Choctawhatchee lake.	Six miles from navigation	Not surveyed.
	1,000	On House Run. About twenty-five miles to the southward empties the Aucilla river; 1,000 trees on six miles of that river.	Navigable about six miles. The Aucilla Keys, four miles from the mouth of the river, good anchorage for vessels of twelve foot water; inside of them, not more than six feet can be had over the bar of the river.	Recommended to be surveyed. Not surveyed.
	Total of No. 2	22,340		
No. 3, Extends from the Suwannee river to range line between 5th and 6th ranges east from Tallahassee.	14,560	The agent advised the register of the land office at Tallahassee to reserve the following tracts of land lying upon the Suwannee river, viz: sections 21, 20, 29, and 22, township 9, range 10, and the west half of township 9, range 10. The live oak from eighteen inches to five feet in diameter, and from twenty to forty feet length of body, of sufficient quality and quantity to merit attention.	Transportation to Stinkhatchee, not more than 1½ miles, and most of it under half a mile. This river is of sufficient width to navigate boats; strong current, but shoaly, and at low water hardly admitting the passage of a boat without a lead. The most remote part from the gulf is about twelve miles.	Reserved; surveyed.
		Total of No. 3	14,560	
No. 4, Extends from range line between 5th and 6th ranges east of Tallahassee, to the range line between 24th and 26th ranges west of Tallahassee.	200	On the north prong of the Wakullah.	Can be carried to St. Marks in boats to be put on board of vessels; no anchorage nearer.	Not surveyed.
	700	On the west side of the Wakullah.		
	250	On the east side of the Wakullah.		
	300	On Spring creek, same neighborhood.		
	325	Crooked river.	Sixteen miles from schooner navigation.	
	80	Near end on the hills, three square miles, 6th section, recommended to be preserved.	Nine and a half miles from schooner navigation.	
	75	Head of East river, eight miles from schooner navigation; four acres recommended to be reserved.	Eight miles from schooner navigation.	
Total of No. 4	1,730			

Source: ASP 4:204-14 (Woodbury's Report of Dec. 14, 1832).

Number and extent of district.	Number of trees.	Where situated.	Distance from navigation.	Remarks.	
No. 5, Embraces the coun- try between the Ap- palachicola Bay on the east, and the range line dividing the 29th and 30th ranges west of Talla- hamoc. This line passes near Deer point, four miles east of Pensacola.	NAME.	On Choctawhatchee Bay:			
	1st.	130	Immediately on the east side of the bay, two miles above its mouth.	The largest vessels may lie off near the mouth of the bay; vessels drawing five feet water may approach within three hundred yards of this hammock.	Surveyed.
	2d.	90	About one mile above the last ham- mock.	.....	Surveyed.
	3d.	160	On the bluff of the bay .....	.....	Surveyed.
	4th.	255	On the east side of the bay, about 1 1/2 miles from the last.	.....	Surveyed.
	5th.	1,000	About 600 yards above the 4th ham- mock.	.....	Surveyed.
	6th.	155	Just above the upper point of the 4th bayou.	.....	Surveyed.
	7th.	500	On the 1st and 2d large coves on the east side of the bay.	.....	Surveyed.
	8th.	1,600	Between the 5th and 6th bayous on the east side of the bay.	Water shoal in the cove, and land difficult of access.	Surveyed.
	9th.	90	About one mile from the upper point of land formed by the 2d cove on the bay.	.....	Surveyed.
	10th.	} 370	Hammocks Nos. 10, 11, and 12, in a line with each other, a due east course, and of the same character as No. 9.	.....	Surveyed.
	11th.			.....	Surveyed.
	12th.			.....	Surveyed.
	All of these four- teen hammocks are on the east side of Choctawhatchee Bay, and are worthy of re- servation.	13th.	} 1,025	Hammocks 13 and 14, of the same de- scription as the above.	.....	Surveyed.
14th.		.....			Surveyed.
		5,195			
		On the west side of Choctawhatchee Bay:			
	15th.	100	The 1st bayou on the west side of Choctawhatchee Bay stretches down from its head to the east entrance of St. Ron Sound.	Four feet may be carried into the bayou. Lafayette's bayou makes into the bayou on the west side.	Surveyed.
	16th.	60	On the west side of the bay, or lower side of Lafayette's bayou.	.....	Surveyed.
	17th.	125	The 17th hammock lies on the lower side of Lafayette's bayou; the lower part of it rests on the bay.	.....	Surveyed.
	18th.	45	About three-quarters of a mile below the 17th hammock.	Four feet water may be carried into Alaqua Bay.	Surveyed.
	19th.	250	On the east side of Alaqua bayou....	.....	Surveyed.
	20th.	100	On the west side of Alaqua bayou, and opposite Moore's old field; a small creek or bayou near the upper end of this hammock makes into Alaqua bayou.	About one mile from the bay....	Surveyed.
	21st.	200	This hammock lies on a basin of water connected to the bay by a narrow channel, three miles west and is on the mouth of Alaqua bayou, situated on the east side of the basin, commencing where it joins the bay, and extends up towards the head of the basin.	.....	Surveyed.
	22d.	200	This hammock lies on the east side of the basin, about one mile above the 21st.	Not more than two feet of water can be carried into the basin.	Surveyed.
	23d.	1,950	This hammock is situated at the head of the basin, and is separated from the 22d by a small bayou that makes into the basin.	.....	Surveyed.
	24th.	100	This hammock lies on the west side of the basin, near the lower or south part. The basin is in the foot cove formed by the bay below Alaqua bayou.	.....	Surveyed.

Number and extent of district.	Number of trees.	Where situated.	Distances from navigation.	Remarks.
No. 5. (Continued.)	HAM'KS.			
	25th.	1,225	Seven or eight miles below the mouth of the basin, on the west of it, immediately on the bluff of the bay, in the second cove of the bay, below Alaqua bayou.	Surveyed.
All the hammocks from the 15th are on the west side of Choctawhatchee Bay.	26th.	120	On the third cove below Alaqua bayou.	Surveyed.
	27th.	550	This hammock is in the fourth cove, below Alaqua bayou; Rocky Creek bayou is just below the fourth below Alaqua bayou.	Five feet water may be carried over the bar, and ten thence up to the head. Surveyed.
		500	Three other small hammocks, not particularly described.	Surveyed.
		<u>5,735</u>		
		St. Rosa Sound:		St. Rosa Sound is from one-half to a mile wide, and lies between the main land and the Island of St. Rosa, which separates it from the Gulf of Mexico.
On Saint Rosa Sound.	1st.	25	This hammock is on the sound, at Davis' old place, six miles west of the lands claimed by Gussow.	Surveyed.
On Saint Rosa Sound.	2d.	30	This hammock lies on the sound, and is called Williams' hammock, at the mouth of a creek that empties into the sound.	Surveyed.
On Saint Rosa Sound.	4th.	30	This hammock is about one mile west of Williams' hammock, and is known as Ellis' hammock, lying on the sound, and west of his clearing.	Surveyed.
On Saint Rosa Sound.	5th.	550	On the sound, about seven miles west of Ellis' hammock, immediately on the bluff.	Surveyed.
On Saint Rosa Sound.	6th.	95	This is known as Twitchell's hammock, about two miles west of Ellis'.	Surveyed.
On Saint Rosa Sound.	7th.	30	One mile west of Twitchell's is a hammock known as Ryan's, 7 or 8 miles east of Judge Brockenridge's place, near Deer Point, and is near the west entrance of St. Rosa Sound.	Five feet of water may be carried through the sound. Surveyed.
		<u>750</u>		
		Bay of St. Mary de Galves:		
	1st.	50	About 7 miles east of the plantation on Deer Point, on the south side of the Bay of St. Mary de Galves, and on a small bay extending east and west, connected to the head of that bay, called East Bay, two or three hammocks.	Surveyed.
	2d.	500	This hammock is at the head of St. Mary's Bay, on the south side, called McComb's hammock.	Three miles to St. Rosa Sound. Surveyed.
	3d.	400	This hammock is back of McComb's, about one mile west, on the bluff, on the same side of the bay.	Surveyed.
	4th.	500	This hammock is of the same description as the second, generally.	Surveyed.
		<u>2,050</u>		
		East Bay:		
	1st.	200	At the head of this bay, on the north side, about half a mile up a small creek, is a hammock extending up the creek.	Surveyed.
	2d.	300	On the same side of the bay, about one mile west.	Surveyed.
	3d.	100	On the north side of the bay.	Surveyed.
	4th.	1,000	On the same side of the bay.	Surveyed.
	5th.	1,000	On the same side of the bay.	Surveyed.
	6th.	1,000	On the same side of the bay.	Surveyed.
	7th.	40	On the same side of the bay.	Surveyed.
		<u>3,640</u>		
		St. Andrew's Bay:		
	1st.	75	The first hammock is situated on a tongue of land fronting the basin, 200 yards east of the mouth on the bayou.	About five miles up the sound, on the west, next to the basin of the bay. Reserved; surveyed.

No. 5.
(Continued.)

HAWK.

2d.	260	The next, about 300 yards east of the first.....	Reserved; surveyed.
3d.	150	The next, on a point 300 yards east of the last, and known as Courtney's Point; it is between the basin and the north arm of the bay.	Reserved; surveyed.
<hr/>			
488			
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1st.	168	On the west side of the north arm of the bay, 300 yards north of the last, immediately on the bluff.	Reserved; surveyed.
2d.	45	On the same side of the bay, up about half a mile above the last.	Reserved; surveyed.
3d.	100	Three hundred yards above the last hammock.....	Reserved; surveyed.
4th.	278	About 400 yards above the last, and 200 yards above this hammock.	Reserved; surveyed.
5th.	50	This hammock is about 100 yards from the last.....	Reserved; surveyed.
6th.	60	About 200 yards above the last.....	Reserved; surveyed.
7th.	40	About 100 yards higher up.....	Reserved; surveyed.
8th.	40	About one mile higher up this hammock a bayou makes into the bay; the west arm of the bay puts off to the west, nearly parallel with the coast, to the extent of ten or twelve miles.	Reserved; surveyed.
<hr/>			
780			
<hr/>			
1st.	22	This hammock lies at the west side of the north arm of the bay, above the west arm, about three-quarters of a mile above the mouth of the west arm, immediately on the bluff of the bay.	Reserved; surveyed.
2d.	21	This hammock lies three-quarters of a mile above the last.	Reserved; surveyed.
3d.	60	This lies above the last, on the west end near the mouth of a large bayou connected to the bay.	Reserved; surveyed.
4th.	30	About half a mile from the last, on the west side of the west prong of the bayou, and near the head of the prong.	Reserved; surveyed.
5th.	150	This hammock is at the head of the middle prong of the bayou, on the east side of the prong, and about half a mile from the last hammock.	Reserved; surveyed.
6th.	280	On the same side of the middle prong, 200 yards east of the last hammock.	Reserved; surveyed.
7th.	250	This hammock is 300 yards above the mouth of the bayou, immediately on the bluff.	Reserved; surveyed.
8th.	28	This hammock is about 300 yards above the last, and about 200 yards back from the bay.	Reserved; surveyed.
9th.	45	About half a mile above the last, immediately on the bay.	Reserved; surveyed.
10th.	48	This hammock is 200 yards above the last.....	Reserved; surveyed.
11th.	35	About 600 yards from the last, situated on the west side of a bayou near the mouth.	Reserved; surveyed.
12th.	27	This hammock is about 800 yards from the above, on the same side of the bayou.	Reserved; surveyed.
13th.	80	This hammock is at the source of a branch that makes into the south side of the bayou.	Reserved; surveyed.
14th.	50	This hammock is on another branch that makes into the bayou.	Reserved; surveyed.
15th.	20	This hammock is at the extreme end of the bayou, 200 yards from the last.	Reserved; surveyed.
16th.	30	On the north or upper side of the bayou, 400 yards back from the bay.	Reserved; surveyed.
17th.	40	On the upper point of land between the bayou and the bay.	Reserved; surveyed.
18th.	20	One hundred yards above the last hammock on the bay.	Reserved; surveyed.
19th.	68	About one mile from above the last hammock, immediately on the bay.	Reserved; surveyed.

tent of district.	trees.		gation.	
No. 5. (Continued.)	Haw'g. 20th.	55	Two and a half miles above the last, situated on the bay, quarter of a mile below the mouth of Cedar creek.	Reserved; surveyed.
	21st.	15	This hammock is situate at the mouth of Cedar creek, on the west side.	Reserved; surveyed.
		100	For three miles on the west margin of Cedar creek.	Reserved; surveyed.
		30	On the Erindon creek, three miles from its mouth.	Reserved; surveyed.
		15	This hammock is one mile above Bear creek, on the east side.	Reserved; surveyed.
		165	On the border of a hammock at the head of the bay.	Reserved; surveyed.
		100	In the hammock at the head of the bay	Reserved; surveyed.
		15	A large stream, East river, enters the bay on the east side; on the north side of the river 15 small trees.	Reserved; surveyed.
	1st.		The first hammock is Loftin's claim.	
	2d.	241	Second hammock on the east side of the north arm of the bay, about three-quarters of a mile below Loftin's field.	Reserved; surveyed.
		20	About a quarter of a mile below the last named there is a cluster of trees on the bluff of the bay.	Reserved; surveyed.
	3d.	50	About a quarter of a mile below the last, on the east side of the bayou below the head of the bay.	Reserved; surveyed.
	4th.	60	This hammock is just below a long point that juts into the bay, half a mile below the first bayou on the east side of the bay.	Reserved; surveyed.
	5th.	20	Three hundred yards below the last.	Reserved; surveyed.
	6th.	35	Three hundred yards below the last, on the upper side of the second large bayou below the head of the bay, and at the mouth of the bayou.	Reserved; surveyed.
	7th.	110	About 200 yards above the last, on the same side of the second large bayou below the head of the bay.	Reserved; surveyed.
	8th.	225	This hammock is on the lower side, and at the head of the second large bayou below the head of the bay.	Reserved; surveyed.
	9th.	30	On the lower side, and at the mouth of the second large bayou below the head of the bay.	Reserved; surveyed.
	10th.	20	About 300 yards below the last, on the bluff of the bay.	Reserved; surveyed.
	11th.	24	On the upper side of, and near the head of, the third large bayou below the head of the bay. This bayou makes into the bay through two mouths.	Reserved; surveyed.
	12th.	140	At the mouth and on the south side of the third bayou; it extends about 200 yards up the bayou, and 300 yards on the bluff of the bay.	Reserved; surveyed.
	13th.	150	This hammock is about 200 yards below the last, and extends on the bay about half a mile, and on the fourth large bayou below the head of the bay.	Reserved; surveyed.
	14th.	110	On the lower side of the fourth large bayou opposite the last.	Reserved; surveyed.
	15th.	125	About 400 yards below the last, on the bay. This hammock is 300 yards above what is called "Pine Point."	Reserved; surveyed.
	16th.	50	This hammock is at the head of the fifth large bayou, half a mile below "Pine Point."	Quarter of a mile back from bay. Reserved; surveyed.
	17th.	40	Situate on the bay, quarter of a mile above a point in the bay known as "Little Oyster bar."	Reserved; surveyed.
		20	On the north side of the north prong of the sixth bayou, below the head of the bay, is a cluster of 20 small trees.	Reserved; surveyed.
		30	On the upper side of the seventh bayou is a cluster of about 30 small trees.	Reserved; surveyed.
	18th.	31	This is on the lower side of the seventh bayou.	Reserved; surveyed.
	19th.	20	On the upper side of the eighth bayou below the head of the bay.	Reserved; surveyed.
	20th.	16.	On the lower side of eighth bayou, near the mouth.	Reserved; surveyed.
	21st.	100	On the upper side of the ninth bayou, below the head of the bay, 300 yards above the mouth. The bayou upon which the hammock is situate is called Deep Bayou, and is one mile below the eighth, and opposite the mouth of West Bay.	Reserved; surveyed.

Number and extent of district.	Number of trees.	Where situated.	Distance from bayou.	Remarks.	
No. 5. (Continued.)	22d.	100 On ^e the upper side of tenth bayou, near the mouth. The tenth bayou is about three-quarters of a mile below the ninth, and one mile above "Big Oyster bar."	.....	Reserved; surveyed.	
	23d.	70. This hammock is about a quarter of a mile below the mouth of the tenth bayou, situate on a narrow strip of land bordering on the bay.	.....	Reserved; surveyed.	
	24th.	90 This is at the "Big Oyster bar," on the bluff up and down the bay.	.....	Reserved; surveyed.	
	25th.	80 This is on "Bright's Point," half a mile below "Big Oyster bar."	.....	Reserved; surveyed.	
	26th.	60 This is about half a mile below Bright's point, and separated from the hammock on that point by a marshy pond on the bluff of the bay.	.....	Reserved; surveyed.	
	27th.	300 This hammock is about 300 yards below the last, situate on the bluff of the bay. This hammock extends down to the eleventh bayou below the head of the bay.	.....	Reserved; surveyed.	
	28th.	85	This is situate between the eleventh and twelfth bayous, below the head of the bay. The twelfth bayou is half a mile below the eleventh.	.....	Reserved; surveyed.
		40	On the first bayou below Gautier's place is a small hammock, on which are 40 trees.	.....	Reserved; surveyed.
		60	One-quarter of a mile below Lottin's residence, a small bayou puts into the bay; on the west side of the bayou are 60 small trees.	.....	Reserved; surveyed.
		30	On the east side of the last bayou.....	.....	Reserved; surveyed.
			East Bay:		
			The east arm of the bay joins the basin about 300 yards east of the last bayou.		
	1st.	170	This hammock is on the north side of the east arm of the bay; it is on the west side of the first bayou that empties into that arm of the bay on that side.	.....	Reserved; surveyed.
	*2d.	3,320	This hammock is on the north side of the east arm of the bay, about two miles.	.....	Reserved; surveyed.
	3d.	2,025	On the east bay, on the east side of the last bayou, and extends up the bay about one mile. This is noted as an excellent hammock.	.....	Reserved; surveyed.
	4th.	100	This hammock is divided from the last by a small bayou.	.....	Reserved; surveyed.
	5th.	500	This is on the large and deep bayou last named.....	.....	Reserved; surveyed.
	6th.	40	This is at the mouth of the bayou on the east side.	.....	Reserved; surveyed.
	7th.	150	This is about 300 yards from the last on the bluff of the bay; there is a small bayou at the east end of this hammock.	.....	Reserved; surveyed.
	8th.	160	This hammock lies between the last bayou and the next one above, which is distant about 500 yards.	.....	Reserved; surveyed.
	9th.	300	This hammock is situated above the last bayou, and immediately on the bay, between the last and another bayou, distant about three-quarters of a mile.	.....	Reserved; surveyed.
	10th.	410	This hammock commences on the east side of the last bayou, and extends on the bay about one mile, to a point that juts into the bay.	.....	Reserved; surveyed.
	11th.	26	This is about 200 yards from the last bayou, situate on the bay.	.....	Reserved; surveyed.
12th.	35	This is about 100 yards from the last.....	.....	Reserved; surveyed.	
13th.	110	This is situate on a bayou about three miles above the last.	.....	Reserved; surveyed.	
14th.	20	This is on the north side of the east arm of the bay, one-quarter of a mile above the last bayou, situate on the bay;	.....	Reserved; surveyed.	
15th.	240	This is situate 200 yards from the mouth of a creek on the east side.	.....	Reserved; surveyed.	

* Joseph Howell claims a right of pre-emption to one quarter section of land in this hammock, the number of trees embraced by his claim not noted.

Number and extent of district.	Number of trees.	Where situated.	Distance from navigation.	Remarks.
No. 5. (Continued.)	Ham'g.	Wetappa creek:		
1st.	25	The first bayou on the south side of East Bay is three miles below the head of the bay. The second bayou is two miles below the first. This hammock is on the south side of the bay, about one quarter of a mile below the second bayou, immediately on the bay.	The Wetappa creek puts into the head of the bay on the south side; a deep sluggish stream, 5 and 6 feet water, up to a point about 12 miles from the Chiapola river, which empties into Apalachicola Bay.	Reserved; surveyed.
2d.	45	This is about one mile below the last, situate 300 or 400 yards back from the bay.	.....	Reserved; surveyed.
3d.	65	This is about 300 yards below the third large bayou, situated on the bay.	.....	Reserved; surveyed.
4th.	80	This hammock is about 300 yards below the one last mentioned.	.....	Reserved; surveyed.
5th.	25	This is about 300 yards below the above.....	.....	Reserved; surveyed.
6th.	90	This is about 300 yards below the last.....	.....	Reserved; surveyed.
7th.	100	This hammock is 50 yards below the mouth of the fourth bayou; one-half a mile below the last hammock.	.....	Reserved; surveyed.
8th.	20	This is about 200 yards below the last.....	.....	Reserved; surveyed.
9th.	40	This is about 300 yards below the sixth bayou; an uninterrupted marsh extends about two miles below this hammock.	.....	Reserved; surveyed.
10th.	200	This is just below this marsh, situated about 150 yards back from the bay.	.....	Reserved; surveyed.
11th.	150	This is about one-quarter of a mile below, on the lower side of a small bayou.	.....	Reserved; surveyed.
12th.	120	The seventh bayou is about one mile and a half below the eleventh hammock. The twelfth hammock is at the upper side of the seventh bayou.	.....	Reserved; surveyed.
13th.	25	This is at the head of the seventh bayou on the lower side.	.....	Reserved; surveyed.
14th.	500	This is about 150 yards below the seventh bayou; it is situate on the bay.	.....	Reserved; surveyed.
15th.	240	The eighth bayou is at the lower end of the last hammock. This hammock is at the lower side of the eighth bayou, and situated on the bay.	.....	Reserved; surveyed.
16th.	50	This is a small hammock, about 200 yards below the last.	.....	Reserved; surveyed.
17th.	115	This hammock is about one-quarter of a mile below the last.	.....	Reserved; surveyed.
18th.	500	This hammock is on the ninth bayou, one-quarter of a mile below the last; it is on the lower side, and situate on the bay.	.....	Reserved; surveyed.
19th.	300	This is about 200 yards below the last.....	.....	Reserved; surveyed.
20th.	600	This hammock is below the tenth large bayou, which joins the nineteenth.	.....	Reserved; surveyed.
21st.	85	About 300 yards below the last.....	.....	Reserved; surveyed.
22d.	1,500	This hammock is one-quarter of a mile below the last, situated immediately on the bay.	.....	Reserved; surveyed.
23d.	50	Just below the last hammock.....	.....	Reserved; surveyed.
24th.	95	This hammock is about 300 yards below the last, situate on the bluff of the bay.	.....	Reserved; surveyed.
25th.	1,400	This hammock is about one-quarter of a mile below the last.	.....	Reserved; surveyed.
26th.	150	The twelfth large bayou is just below the above hammock. The twenty-sixth hammock commences on the lower side of the bayou, and extends down the bay about 300 yards.	.....	Reserved; surveyed.
27th.	150	This is about 200 yards below the last.....	.....	Reserved; surveyed.
28th.	1,500	The thirteenth bayou is just below the hammock last named. The twenty-eighth hammock is on the lower side of the thirteenth bayou, and extends down the bay about one-half a mile.	.....	Reserved; surveyed.

Number and extent of district.	Number of trees.	Where situated.	Distance from navigation.	Remarks.
No. 5. (Continued.)	Hamm'k.			
	29th.	475 This hammock is on the lower side of the fourteenth bayou; it extends down to a point between the basin of the bay and the east arm of the bay; it is called "Red Fish Point." The east bay joins the basin or main body of the bay at this point. This point is the northern extremity of the tongue of land between the sound and the east arm of the bay.	.....	Reserved; surveyed.
	1st.	450 On the tongue of land between the sound and the east arm of the bay, south of "Red Fish Point," about one-quarter of a mile from the last hammock on the bluff fronting the bay.	.....	Reserved; surveyed.
	2d.	234 On the tongue of land south of "Red Fish Point," 150 yards from the last hammock.	.....	Reserved; surveyed.
	3d.	40 A small cluster 400 yards from the last.....	.....	Reserved; surveyed.
	4th.	500 One hundred yards from the last.....	.....	Reserved; surveyed.
	1st.	590 The first hammock on the east side of the sound; claimed by Loftis; he will float his claim.	.....	Reserved; surveyed.
	2d.	145 This hammock is about 400 yards from the last; there is a clearing on it by John Davis; since cultivated by Wm. M. Loftis.	.....	Reserved; surveyed.
	3d.	220 This hammock is on the east side of the sound; it is divided from the last by a small stream that runs out of the Bay Gull.	.....	Reserved; surveyed.
	4th.	90 About 200 yards below the last.....	.....	Reserved; surveyed.
	5th.	130 About 200 yards below the above.....	.....	Reserved; surveyed.
	6th.	150 This is about 100 yards below the last.....	.....	Reserved; surveyed.
	7th.	50 This hammock is about 300 yards below the last....	.....	Reserved; surveyed.
	8th.	350 About 200 yards below the last hammock.....	The agent states that most of the bayous do not extend further back than one mile from the bay.	Reserved; surveyed.
		400 Two or three hammocks on the coast of St. Andrew's Bay, opposite Sand Island, contain 400 trees. No particular description given.	.....	Not surveyed.
		12,065 St. Vincent's Island; recommended by the agent to be reserved; contains 12,065 live oak trees.	Can be approached by vessels drawing seven feet of water.	Not surveyed.
		2,000 On the east side of the bayou that puts into St. Vincent's Sound, there are seven small hammocks, containing 2,000 live oak trees.	.....	Not surveyed.
Total of No. 5.	56,697			
No. 6.	A.	152 East of Pearl river, Mi., and in the State of Alabama. This is on the southwest eighth of section 28, and southeast eighth of section 29, and northeast eighth of section 32, all in township 7, range 3, west land district; situate in the fork of a bayou, about one and a half miles from the mouth, which empties into the gulf.	The bayou has a bar at the mouth of not more than eighteen inches of water at low tides; but from that up to the hammock, there are from eight to ten feet of water.	Reserved; surveyed.
Sound trees (Unsound and hollow, 111.)	B.	407 This is on Round Island, Mississippi; it is three miles from the main land, south-southwest from Pascagoula Bay.	Shoal water for several hundred yards entirely round the island.	Reserved; surveyed.
Sound trees (Unsound and hollow, 14.)	C.	122 In section 32, in township 6, range 6, west land district, and east of Pearl river, Mississippi, about twelve miles by water, up the Pascagoula river, the principal part of the live oak is on an island formed by a lake that makes out of the river.	Any vessel that can pass the bar at the mouth of the river, can come up and lay alongside of the island.	Reserved; surveyed.

* The extent and validity of his claim not reported by the agent; and, as he is willing to float his claim, it is here entered as public land.

NUMBER AND EXTENT OF DISTRICT.	NUMBER OF ACRES.	WHERE SITUATED.	DISTANCE FROM NAVIGATION.	REMARKS.	
No. 6. (Continued.) Sound trees (Unsound and hollow, 29.)	HAWK.				
	D.	158	On the bayou Crooks, in township 7, range 6, west land district, and east of Pearl river, Mississippi, on the southwest margin of the bayou, about eight miles by water above the Bay of Passagnac; the bayou makes out of the east branch of Passagnac river.	The distance that the bayou is but little known; no difficulty was found in getting through with a boat, and there is sufficient water in the bayou for any vessel that can pass over the bar at the mouth of the river.	Reserved; surveyed.
Sound trees (Unsound and hollow, 252.)	E.	2,210	This lies on fractional section No. 19, and the northwest quarter of section No. 20, in township 7, range 9; also, the south half of fractional section No. 24, in township 7, range 10, east of Pearl river; all situated on the south side of the Bay of Biloxi, from five to six miles above the mouth, in the State of Mississippi.	These three all adjoin each other immediately on the margin of the Bay of Biloxi.	Reserved; surveyed.
Sound trees (Unsound and hollow, 262.)		1,268	On the northwest quarter of section No. 20 .....	.....	Reserved; surveyed.
Sound trees (Unsound and hollow, 187.)		668	On the south of fractional section No. 24, township 7, range 10.	.....	Reserved; surveyed.
Sound trees (Unsound and hollow, 567.)	F.	2,665	On section No. 24, in township 7, range 12 miles west and east of Pearl river, in the State of Mississippi, situate about five miles upon a fork of Point Clear bayou, which empties into the Bay of St. Louis.	There are not more than three feet of water at the mouth of the bayou at ordinary tides; from that up to this section of land there are from eight to ten feet of water.	Reserved; surveyed.
Sound trees (Unsound and hollow, 1,594.)	G.	7,511	On the fractional section No. 20, the east half and southwest quarter of section 20, and the northwest quarter of fractional section No. 21, in township 9, range 14; also the south half of section No. 25, and north half of section No. 26, in township 9, range 15, between the Bay of St. Louis and the mouth of East Pearl river, in the State of Mississippi.	Below the Bay of St. Louis and east of Pearl river.	Reserved; surveyed.
Sound trees (Unsound 1,912.) Total of No. 6.	H.	16,472 <hr/> 20,613 <hr/> -----	Between Lake Pontchartrain and Chef Menteur, near Fort-Mo. A.	Half a mile from Lake Pontchartrain	Reserved to be surveyed; not surveyed.
No. 7, Extends from the mouth of the Mississippi to the mouth of the Sabine river.		4,312	Louisiana. In township 15, range 10 east, southeastern land district; the whole of the 26 sections from No. 16 to 42, inclusive, lie on both sides of bayou Chlekahoula.	Convenient to boat navigation.	Reserved; surveyed.
		8,678	In township 17, range 10 east, 68 sections, from 1 to 68, lying on both sides of bayou Black.	Convenient to boat navigation.	Reserved; surveyed.
		1,111	In township 13, range 12 east, sections 4, 5, 12, 16, 23, 26, 27, and 35, on the east side of Grand river.	.....	Reserved; surveyed.
		1,422	In township 13, range 12 east, sections 1, 2, 3, 11, 12, 13, 24, and 25, on the margin of the northern part of Lake Verret.	.....	Reserved; surveyed.
		122	In township 14, range 12 east, sections 2 and 13, on the east side of Grand river.	.....	Reserved; surveyed.
		299	In township 14, range 12 east, sections 1 and 12, on the east side of Grand river.	.....	Reserved; surveyed.
		2,734	In township 14, range 12 east, on the east side of Grand river, and on both sides of bayous Long and Platt, and around Lake Verret.	.....	Reserved; surveyed.
		3,261	Township 15, range 13 east, on Lake Folegards, and Grass Lake, and the small bayous that make into and out of them.	.....	Reserved; surveyed.
Total of No. 7.		22,030			

Number of live oak trees examined in the 1st district.....	1,180
Number of live oak trees examined in the 2d district.....	22,840
Number of live oak trees examined in the 3d district.....	14,550
Number of live oak trees examined in the 4th district.....	1,739
Number of live oak trees examined in the 5th district.....	56,697
Number of live oak trees examined in the 6th district.....	15,613
Number of live oak trees examined in the 7th district.....	22,830
Total.....	144,655

This number of trees, at 20 feet each, make.....	2,893,100 cubic feet.
This number of trees, at 50 feet each, make.....	7,332,750 cubic feet.
This number of trees, at 80 feet each, make.....	11,572,400 cubic feet.

NOTE.—In the 7th district, not yet explored by the present agent, are Navy Commissioners' Island and Cypress Island, which were in 1819 examined by James L. Cathcart and J. Hutton, and afterwards reserved. They then had on them, according to their report, 19,000 live oak trees. In the same district, Lieutenant Gedney, in 1830 and 1831, examined west of the Mississippi, between that river and Atchafalaya, on the sea coast and islands, and reported 95,108 trees, mostly on public lands, and embracing the reservation above mentioned.

(See American State Papers, on Naval Affairs, vol. 3, No. 476.)

B.

Table of private lands reported by the live oak agents as valuable, and well known for that kind of timber, in the years 1831 and 1832.

District.	Number of trees.	Where situated.	Distance from navigation.
No. 1....	800	The agent in his report, 9th March, 1832, recommends the purchase of 300 or 500 acres of the west half of the Anderson tract of land, along the Hillsborough and Halifax rivers, at \$10 per acre. The number of trees not stated, but estimated at two trees to the acre.	
No. 2.....		None reported.	
No. 3....	1,000	In township 10, range 13, lying along the west side of Suwannee river, and about half a mile out. The proprietors are very willing to sell the timber. The land cannot be obtained without a large advance upon the original cost.	
No. 4.....		None reported.	
No. 5....	800	On St. Rosa Sound, on the main land, and situate on the point of land formed by the sound and a large bayou called Garner's hammock, and claimed by him under a pre-emption right to $\frac{1}{4}$ section on the sound. On the eastern shore near the mouth of Escambia Bay.	Five feet water may be carried through the sound.
	2,000	This hammock is covered by a Spanish grant, owned by a Spaniard named Bonafie who resides in or near Pensacola.	Vessels drawing 10 feet water may approach within 300 yards of it.
	400	About two miles above Bonafie's hammock, lying on the bay. This is covered by a Spanish grant and owned by a Spaniard named Philibar.	Vessels drawing ten feet water may approach to within 400 yards of this hammock.
	90	St. Andrew's Bay, 3 $\frac{1}{2}$ miles up Bear creek, on the west side, claimed by John Garo and Ann Daniel, under the pre-emption law of 1820; both claim the east $\frac{1}{2}$ of N. E. $\frac{1}{4}$ of sec. 8, T. 2, R. 13, S. and W. They are willing to float to other unoccupied lands.	
	40	This is claimed by Elizabeth Allen and Charles A. Sewall, under the pre-emption law of 1830. It is situate on fractional section No. 19, township 2, range 13, S. and W.	
	95	On the east side of the north arm of the bay, between East river and the bay, claimed by W. M. Loftin, under the pre-emption law of 1826.	
	580	On the bluff of the bay, on the lower side of the 12th bar at its mouth, and extends round Webb's Point, claimed by Walter Davis and R. H. Long, under the pre-emption law of 1830. Their claims are on S. E. $\frac{1}{4}$ of sec. 1, T. 3, R. 13, S. and W.	
		On the north side of the east arm of the bay, Joseph H. Howell claims a right of pre-emption to one quarter section of land. He is the assignee of Harrison, who claimed under the law of 1826. It commences on the east side of the bayou, and runs eastwardly on the bay. There is a fractional section No. 16 in this hammock. The number of trees embraced by his claim not noted.	
	590	At the extreme southern point of the tongue of land between the sound and the east arm of the bay known as Loftin's Point. Capt. Loftin claims this hammock under the pre-emption law of 1830, but is willing to float his claim.	
	4,595		

Re-Table Continued.

District.	Number of trees.	Where situated.	Distance from navigation.
No. 6...	1,000	On the west side of Pascaguola river, about 5 miles from its mouth, (by water,) is a tract of land of about 500 acres, owned by Capt. Lewis Alexis, formerly of the U. S. army. Should government purchase this tract, the agent recommends a reservation of the adjoining lands. The quantity not given or described.	
No. 7...	1,280	On Tiger Island, in Atchafalaya river, there is much valuable live oak, covered by private claims. Bryant's claim covers 1 mile square, 640 acres. Two trees estimated to the acre.	
	200	Rice Island, in Atchafalaya river: much valuable live oak, covered by private claims.	
	<u>1,580</u>		

RECAPITULATION.

Number of trees in district No. 1	800
Number of trees in district No. 2, none reported	
Number of trees in district No. 3	1,000
Number of trees in district No. 4, none reported	
Number of trees in district No. 5	4,595
Number of trees in district No. 6	1,000
Number of trees in district No. 7	1,580
Total	<u>8,975</u>

This number of trees, at 20 feet each, make 179,500 feet.
 This number of trees, at 50 feet each, make 448,750 feet.
 This number of trees, at 80 feet each, make 718,000 feet.

NOTE.—The above statement is based upon examinations made in 1831 and 1832, and does not include the survey by Lieut. Gedney, or of any other person, except the agents in the seven districts.

H: GEDNEY ESTIMATE OF THE LIVE OAK RESOURCES OF LOUISIANA,
JANUARY 20, 1832

Gedney's estimates, extracted from a report to Secretary Woodbury and presented in the following table, were based on his exploration of the Louisiana "coast, bays, inlets, &c from Barrataria Bay as far [west] as Atchafalaya Bay," from November 1830 to April 18, 1831. Atchafalaya Bay, Vermillion Bay, and the remainder of the coast westward to the Sabine River had not been visited.

Gedney Estimate of the Live Oak Resources of Louisiana

<u>Location</u>	<u>Acres</u>	<u>Trees</u>	<u>Ownership</u>	<u>Fit for</u>
<u>Southwestern Louisiana</u>				
Chiniere Periac Island	640	1,280	private	ships of 1st class
Bayoux between La Fourche River and Atchafalaya Bay (Bayoux Blue and Terrebonne)	756	1,512	public	sloops of war
Bayoux Petit Cayn and Sale	1,512	3,024	public	frigates and sloops of war
Bayoux Grand Cayn, De Large, and Du Card	3,402	6,804	public	ships of 1st class
Atchafalaya islands and bayoux to Bayoux Buff and Shaffer	2,646	5,292	public	ships of 1st class
On the Atchafalaya River	[5,000]	10,000	public	ships of 1st class
Belle Isle	[400]	800	private	ships of 1st class
Seven Islands, contiguous to the Atchafalaya River and Lake Chitimaches	27,709	55,418	public	ships of 1st class
Navy Commissioners' Island and Tiger Island	<u>5,489</u>	<u>10,978</u>	<u>public</u>	ships of 1st class
Subtotal	47,554	95,108	1,040 acres private 46,514 acres public 2,080 trees on private 93,028 trees on public	
<u>Southeastern Louisiana</u>				
Reserved by Live Oak Agent George Blair in Southeast Louisiana May 30 and Nov. 8, 1832	<u>46,838.08</u>	<u>22,030</u>	<u>public</u>	
Total	94,392.08	117,138	2,080 trees on private lands 115,058 trees on public lands	

Source: ASP 4:103-4, item A, no. 12 (Gedney's letter to Secretary Woodbury, Jan. 20, 1832). See also ASP 4:98, item A, no. 1.

I: SECRETARY BRANCH'S INSTRUCTIONS TO THE SEVEN LIVE OAK AGENTS, APRIL-MAY 1831

Abstract of instructions to the agents appointed to superintend the preservation of the live oak belonging to the United States.

The agents are required, in the first place, to procure from the surveyor general of the land office copies of the surveys of the lands within their respective districts, and within twenty miles of the sea coast, or fifteen of the sounds, bays, or creeks of salt water, on which live oak is known to be produced; to obtain from the register of the land office lists of the lands already sold, and which are not to be further noticed, unless so abounding with navy timber as to make it desirable it should belong to the United States; in this case, the fact is to be reported to the Navy Department.

In cases where copies of the surveys cannot be furnished by the surveyor general, the agents are authorized to employ a person to make the necessary copies, to examine the lands belonging to the United States, and, if bodies of valuable navy timber are discovered on any part of them, to report the same to the register, that he may withhold the lands from sale until the President of the United States can be informed of the fact, and reserve them, if he deems it expedient, for the use of the United States navy; to note minutely the soil of such tracts, their locality, with respect to the towns, bays, rivers, or creeks within their vicinity, and the facilities or difficulties of making roads, or boating the timber to landings from whence it may be taken to market; if such tracts belong to individuals, to note the same, &c., and to report, in detail, to the Department, at least once in three months, and to the register monthly, a list of all such tracts, &c.

The agents are further required to advertise their appointments in their respective districts, and to publish the provisions of the acts of Congress under which they perform their duties; to keep a steady watch on the sections of United States lands known to contain timber suitable for the navy; to report violations of these acts to the United States district attorney, and, generally, in all cases of doubt or difficulty arising under their appointments, to appeal to that officer for instructions; to accompany the

United States surveyors, while they are employed in the agent's district, and to refer to their field notes, &c., for such information as they may afford on the subjects under examination; to report also the form and dimensions of the timber obtainable from the live oak trees, according to diagrams with which the agents have been furnished; to communicate, to the commanders of vessels appointed to aid in the preservation of the live oak, information as to the titles of lands, necessary to enable them to determine upon the propriety of arresting or permitting the removal of navy timber, &c., and on all such matters as may facilitate the discharge of the duties confided to such commanders.

The commanders of these vessels are instructed to guard diligently the portion of sea coast assigned to each, respectively, against depredations on the navy timber; to examine the bays, rivers and creeks, for the discovery of such timber; to aid the land agents in exploring such watercourses, bays, &c., as may not be readily accessible without the use of boats, and generally to co-operate with them, as far as may be practicable under their instructions, in the discharge of the duties allotted to them.

The commanders are also required to visit the live oak districts frequently, and especially during the cutting season; if timber is about to be taken from lands which there is good reason to believe belong to the United States, to refer the subject, in the first instance, to the land agents, and finally, if necessary, to the United States district attorney. In the mean time they are authorized to forbid the removal of such timber; the agents are directed to note also the localities of any live oak lands they may discover, their proximity to landings from whence the timber may be transported to distant markets; to determine, as accurately as circumstances will permit, the geographical position of the principal capes, entrances into bays, rivers, &c.; to ascertain the depth of the water on the bars, or entrances thereof, distances to which they may be navigable, &c., and to communicate the information thus obtained to the Department only.

The following is a list of the land agents, and vessels and commanders thereof, appointed and employed in the preservation of the live oak, &c.

District the first extends from the mouth of the St. Mary's river, Georgia, to Cape Sable, or the northern extremity of the peninsula of Florida. Thompson Mason, agent.

District the second extends from Cape Sable to the mouth of the Suwanee river. Samuel Reed, agent.

District the third extends from the mouth of the Suwanee to range line between the 5th and 6th ranges east from Tallahassee. Eli B. Whitaker, agent.

District the fourth extends from range line between the 5th and 6th ranges east of Tallahassee to the Appalachian river. John E. Frost, agent.

District the fifth extends from the Appalachian river to the range line dividing the 29th and 30th ranges west of Tallahassee; this line passes near Deer Point, four miles east of Pensacola. John Clark, agent.

District the sixth extends from the western line last mentioned to the mouth of the Mississippi river. John Jerrison, agent.

District seventh extends from the mouth of the Mississippi to the mouth of the Sabine river. George Blair, agent.

The vessels employed are:

1. Schooner Spark, Lieut. Wm. P. Piercy, commander; the coast assigned to his protection extends from the St. Mary's to Cape Sable.

2. Schooner Ariel, Lieut. Ebenezer Farrand, commander; cruising ground extends from Cape Sable to the Perdido river.

3. Schooner Sylph, Lieut. H. E. V. Robinson, commander; this district extends from the Perdido river to the Sabine.

Source: ASP 4:32-33. A longhand copy of these instructions, dated April 18, 1831, and addressed to Eli B. Whitaker (agent for the third district), is in the Reservation Correspondence Book, 37-41.

J: SECRETARY WOODBURY'S SUPPLEMENTAL INSTRUCTIONS TO THE
SEVEN LIVE OAK AGENTS, JUNE 23, 1831

[To] John E. Frost [live oak agent for the first district, East
Florida]
Navy Department
June 23, 1831

Sir,

In addition to the instructions already furnished you by this Department, you will be required to examine all live oak lands within your district not yet surveyed, and in your reports designate them by describing the towns, rivers, creeks and bays nearest to them, and their bearings and distances from such places.

When the U. States Surveyors are engaged upon the public lands within the limits pointed out in your previous instructions, you will accompany and examine with them, the lands having live oak and other timber valuable for naval purposes, and refer to their Surveys for the locality and character of these lands. A copy of the instructions issued by the Commissioner of the General Land Office upon this subject, marked B, is herewith furnished for your information.

The forms and dimensions of the most valuable pieces required in the construction of vessels of war of various rates, are indicated in the accompanying Diagrams marked A. By comparing the trees with these Diagrams, you will be enabled to report the probable quantity of this description of timber that may be found growing upon each portion of a township that may appear to you worthy of reservation. Your examinations should be such as to enable you to report the probable number and kind of pieces that may be got from the trees--that is, the number and kind fit for Ships of the Line--for Frigates and for Sloops separately. Live oak for frames when got out to moulds may be considered as worth, when delivered on board of a vessel for transportation to each of our naval yards, from 95 to 125 cents per cubic foot--the larger the timber the more valuable, hence that required in the construction of a Ship of the Line may be estimated at 125 cents--that for a Frigate at 110 to 120 cents and that for a Sloop of War at 95 to 100 cents.

There are various timbers of other forms and dimensions used in the construction of Ships of War and you will therefore give a general account exclusively of the special one, above required, of the Live Oak growing upon any Section deemed by you worthy of reservation: and to enable the President to decide satisfactorily upon the expediency of exercising his authority to consummate such reservations, you will report all the localities Such as the nature of the Soil on the Section where the timber may be growing, and between that and boatable navigation--Whether there are roads thence to landings--the facilities of making roads, the distances to

Source: Reservation Correspondence Book, 42-45.

boatage--the depth of water at such landings--the distances thence to the place where the timber may be taken on board of vessels drawing not-less than 10 feet of water, and the obstacles, if any, in transporting the timber to such vessels.

Disappointments and mis-apprehensions having occurred with Several of the Agents in relation to the districts to which they were to have been assigned, as arranged by my predecessor, you are hereby authorized and permitted to exchange, Should you desire it, with either of the other agents, where the arrangement can be made with mutual satisfaction, and in the event of your doing so you will exchange instructions and promptly repair to the new district and commence your duties there without delay, and advise the Department of the fact.

Your former instructions are so far modified that you will report from time to time, at least once a month to the Registers and Receivers, the tracts on which you may find the Live Oak and other valuable naval timber in sufficient quantity that they may reserve the same from Sale until your reports upon the Subject to this Department can be laid before the President of the U. States, and his orders obtained to the General Land Office, and from thence to the respective Land Officers to reserve the same from Sale in conformity to the Act of the 3d March 1827.

You are now apprised that the Schooner Spark, Lieut. Wm. P. Piercy, Commander, has sailed for St. Augustine on the Atlantic Coast of Florida, at which, she is to rendezvous, and her cruising ground will comprehend the line of Coast, extending from the St. Mary's to Cape Sable, corresponding with the district allotted to you on land. The Commander is instructed as far as practicable without interrupting the cruises necessary for him to make, to aid and transport you in the discharge of your duties, from one point to another within your district, and cordially to co-operate in effecting the objects laid down in your former instructions: and on your part you are required to return in the most friendly and efficient manner such aid, information and Service as are compatible with the duties prescribed for yourself.

These instructions differ in the following points from those addressed to the other Agents. With Mess. Saml Read, Eli B. Whitaker, Thompson Mason, and John Clarke, the Schooner Ariel, Lieut. Thompson D. Shaw, Comr. is directed to co-operate within the limits of his cruising ground which will extend along the Coast of Florida from Cape Sable on the Southern extreme of Said Territory to the river Perdido the western boundary of the same. With Mess. John Jarrison and James Blair, the Schooner Sylph Lieut. H. E. V. Robinson, Comr, whose cruising ground will extend along the coast from the mouth of the Perdido the Western boundary of Florida to the mouth of the Sabine river which forms the Western boundary of Louisiana.

K: THE NAVAL TIMBER RESERVATIONS OF THE UNITED STATES, FEBRUARY 29, 1820, TO DECEMBER 31, 1860

Plat No. ^a	Township	Range	Sections	Acreage, as Recorded in			Alabama Reservations, 1827-61
				1832 ^b	1844 ^c	1877 ^d	
2	6	4E	1, 2, 3, 4, 5, 9, 10, 11, 12	--	2,720.00	--	
3	7	4E	32, 33, 34, 39	--	882.25 3,502.25	--	Red cedar lands reserved Apr. 17, 1827; opened to public sale Mar. 3, 1853 (Reservation Correspondence Book 72, 74-75)
4	7 & 8	3W	W $\frac{1}{2}$ SW $\frac{1}{4}$ sec. 28, E $\frac{1}{2}$ SE $\frac{1}{4}$ sec. 29, E $\frac{1}{2}$ NE $\frac{1}{4}$ sec. 32 (west land district, and east of Pearl River)	60.00 60.00	200.00 200.00	--	Live oak lands reserved Nov. 28, 1832 (RCB 113, 114-15)

Sources:

^aTimber Reserves Book.

^bASP 4:223.

^cReservation Correspondence Book, 61.

^dAbandoned Reservations List.

Plat No.	Township	Range	Sections	Acreage, as Recorded in			Florida Reservations, 1830-33
				1832	1844	1877	
40	3S	29W	sec. 4, lots 1, 2, 3, 4; sec. 9, lots 1, 2, 3 (Oct. 23, 1830)	925.72	937.72	676.22	
40	3S	29	sec. 1; sec. 4, lot 5; sec. 5, lots 1, 2; sec. 7; sec. 10 (Nov. 20, 1830)	(7) 1,219.36 1,219.36	(7) 1,219.36	543.14 1,219.36	Live oak lands on Santa Rosa Peninsula, West Florida, reserved Oct. 23 and Nov. 28, 1830 (RCB 86-88)
15	8S	10E	21, 28, 29, 32	2,556.79	2,556.79	2,556.79	
16	9S	10E	4, 5, 6, 7, 8, 9, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33	12,000.00 14,556.79	11,520.00 14,076.79	10,819.32 13,376.11	Mixed timber lands on Steinhatchee River, West Florida, reserved Feb. 1, 1832 (RCB 88-90)
35	2S	26W	5, 6, 19, 20, 21	--	2,253.33	2,369.56	
36	1S	27W	Frac. 37, 38, 39	--	1,459.28	1,470.07	
37	2S	27W	Frac. 1, 2, 3, 18, 19, 28, 30	--	2,260.00	2,451.66	
38	2S	28W	23, 24, 25, 28, 29, 30, 20	--	2,807.79	2,804.68	
39	2S	29W	25	--	263.62 9,044.02	263.62 9,359.59	Live oak lands on Santa Rosa Peninsula, West Florida, reserved Dec. 6, 1833 (RCB 96-97)

Plat No.	Township	Range	Sections	Acreage, as Recorded in			Florida Reservations, 1834
				1832	1844	1877	
17	4S	12W	31	--	640.00	640.00	
18	5S	12W	7, 10, 13, 14, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30	--	5,994.00	5,916.66	
19	2S	13W	20, 31	--	1,191.11	1,173.99	
20	4S	13W	19, 20, 21, 22, 23, 26, 35, 36	--	3,517.66	3,520.99	
21	5S	13W	3, 4, 5, 6, 7, 10, 14, 15, 17, 18, 20, 21, 23, 24, 25, 27, 28, 34, 35	--	7,214.66	7,374.66	
22	2S	14W	13, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 36	--	6,070.08	5,840.84	
23	3S	14W	1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 18, 19	--	5,099.85	5,398.85	
24	4S	14W	5, 8, 9, 10, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 33, 34, 35, 36	--	9,092.81	9,407.06	
25	5S	14W	2, 3, 11, 12	--	960.44	960.44	
26	2S	15W	17, 19, 20, 21, 27, 28, 29, 30, 34, 36	--	4,307.05	4,373.00	
27	3S	15W	1, 2, 3, 11, 12	--	<u>1,644.24</u> 45,731.90	<u>1,644.24</u> 46,250.73	Live oak lands on St. Andrew's Bay, West Florida, reserved Nov. 13, 1834 (RCB 100)
28	1S	19W	27, 28, 29, 31, 32, 33, 34, 36	--	3,020.25	3,014.50	
42	1S	20W	19, 20, 21, 22, 23, 24, 25	--		2,620.94	
29	1S	21W	22, 23, 24, 25, 27, 28, 29, 30, 31	--	3,505.25	3,505.25	
30	1S	22W	9, 10, 14, 16, 19, 20, 23, 25, 26, 30	--	4,933.00	4,882.86	
31	1S	23W	30, 31, 34, 35, 36	--	1,612.00	1,612.00	
32	2S	23W	4, 5, 6, 7, 18	--	1,920.00	1,920.00	
33	1S	24W	25, 36	--	1,114.25	1,114.25	
34	2S	24W	1, 12	--	<u>1,120.50</u> 17,225.25	<u>1,120.50</u> 19,790.30	Live oak lands on Choctawhatchie Bay, West Florida, reserved Nov. 13, 1834 (RCB 99)

Plat No.	Township	Range	Sections	Acreage as Recorded in			Florida Reservations, 1838-55
				1832	1844	1877	
38	25	28W	19, 21, 22, 26, 27, 31, 32, 33, 34, 35	--	--	2,645.37	
39	25	29W	33, 35, 36	--	--	764.94	
101	35	30W	4, 5, 6, 7, 8, 9 Grand Bayou-Navy Yard	--	--	2,349.34	
102	35	31W	1, 3, 16, 27 Grand Bayou & Grand Lagoon	--	--	1,828.00 (7,587.65)*	
43	27S	19E	3, 4, 9 (Lake Augusta)	--	--	598.00	
44	27S	20E	11, 12, 13, 14, 23, 24, 25	--	--	2,242.81	
45	27S	21E	SE $\frac{1}{4}$ sec. 5	--	--	161.79 3,002.60	Live oak lands on St. John's River, East Florida, reserved Feb. 16, 1853 (RCB 43-45)
46	95	29E	23, 24, 25, 36	--	--	2,044.16	
47	10S	29E	1	--	--	481.44	
48	14S	28E	7, 18	--	--	695.80	
49	15S	28E	7 (St. John's River)	--	--	160.00 3,381.40	Live oak lands on St. John's River, East Florida, reserved Sept. 20, 1853 (RCB 46-48)
50	31S	25E	2, 3, 10, 11, 14, 23, 24, 25, 26, 35 (Oct. 14, 1855)	--	--	5,453.15	
51	32S	25E	2, 10, 11, 15, 22, 27, 34 (Oct. 4, 1855)	--	--	4,173.92	
96	14S	23E	24 (Oct. 4, 1855)	--	--	1,164.68 10,791.75	Live oak lands reserved Oct. 4 and 14, 1855 (RCB 50-51, 96)

*The 7,587.65 acres in the Pensacola Bay/Santa Rosa Peninsula area reserved on Jan. 10, 1838, contained no important timber, and they are not included in the text figures for the timber reservation system. The reservation of these lands, however, afforded additional protection to the timber reserves, in that it foreclosed the public sale of lands in the immediate vicinity of the reserved live oak lands.

Plat No.	Township	Range	Sections	Acreage as Recorded in			Florida Reservations, 1857
				1832	1844	1877	
77	9S	13E	1, 2 (west bank of Suwannee)	--	--	1,411.58	
78	8S	14E	6, 7, 18 (west bank of Suwannee)	--	--	1,927.04	
79	7S	14E	17, 19, 20, 29, 30, 31, 32 (west bank of Suwannee)	--	--	4,486.28	
80	8S	13E	25, 35 (west bank of Suwannee)	--	--	1,509.97	
81	6S	13E	2, 3, 4, 10, 11, 13, 24 (west bank Suwannee)	--	--	4,956.60	
88	5S	13E	19, 20, 29, 30, 31, 32, 23 (west bank Suwannee)	--	--	3,281.75	
83	4S	11E	18, 19, 30 (west bank Suwannee)	--	--	1,910.50	
84	4S	10E	13, 24, 25 (west bank Suwannee)	--	--	2,241.08 21,724.80	Yellow pine lands on the Suwannee River, West Florida, reserved Aug. 14, 1857 (RCB 77-81, 83-4, 88)
97	3N	16W	Sec. 6	--	--	119.89	
98	3N	17W	1, 2, 11, 12	--	--	1,041.21	
99	4N	16W	30, 31	--	--	440.00 1,607.70	Yellow pine lands in East Florida reserved Sept. 18, 1857 (RCB 97-99)
85	3N	27W	3, 4, 8, 9, 10, 14, 15, 21, 22, 27, 28	--	--	4,482.48	
41	-	-	Newnanville Land District East Florida, May 6, 1844, Map of sec. 1-36	--	--	4,482.48	Live oak lands on the Sweet Water and Black Water rivers, East Florida, reserved Oct. 23, 1857 (RCB 85, 41)

Plat No.	Township	Range	Sections	Acreage, as Recorded in			Florida Reservations, 1858
				1832	1844	1877	
78	85S	14E	2, 10, 11, 15, 21, 22, 33 (east bank Suwannee)	--	--	3,713.10	
83	4S	11E	Sec. 7 (east bank Suwannee)	--	--	634.00	
84	4S	10E	11, 12, 14, 15, 23, 26 (west bank Suwannee)	--	--	3,370.74	
89	9S	14E	3, 9, 21, 28, 33 (east bank Suwannee)	--	--	3,128.48	
90	10S	14E	4, 5, 9, 10, 15, 21, 22, 27, 34 (east bank Suwannee)	--	--	5,593.05	
91	11S	14E	3, 9, 10, 22 (East Florida)	--	--	2,549.10	
92	29S	15E	22, 28, 29, 33, 34 (East Florida)	--	--	2,411.79	
93	17S	17E	1, 2, 8, 9, 10, 17, 18, 19 (East Florida)	--	--	3,560.70	
94	18S	17E	Sec. 6 (East Florida)	--	--	561.19	
95	16S	18E	22, 23, 26, 27, 28, 31, 34 (East Florida)	--	--	3,758.62	
7	2S	10E	12, 14, 24, 26, 36 (west bank Suwannee)	--	--	3,161.87	
8	3S	10E	12, 24, 36 (west bank Suwannee)	--	--	1,806.56	
10	2S	11E	8, 18, 30 (west bank Suwannee)	--	--	1,839.00	
						36,088.20	Timber lands on the Suwannee River, West Florida, reserved Nov. 30, 1858 (RCB 78, 83-84, 89, 90, 7-8, 10, 91-95)

Plat No.	Township	Range	Sections	Acreage, as Recorded in			Florida Reservations, 1859-60
				1832	1844	1877	
9	1S	11E	2, 36 (east bank Suwannee)	--	--	1,160.56	
10	2S	11E	2, 12, 14, 22, 24, 26, 34, 36 (east bank Suwannee)	--	--	5,124.25	
11	3S	11E	2, 4, 10, 14, 22, 26, 28 (east bank Suwannee)	--	--	4,481.75	
12	1S	12E	14, 28 (east bank Suwannee)	--	--	1,271.00	
13	4S	12E	8, 10, 14 (east bank Suwannee)	--	--	1,921.25	
86	5S	12E	2, 3, 4, 5, 6 (west bank Suwannee)	--	--	2,706.00	
87	4S	13E	20, 30, 32 (east bank Suwannee)	--	--	1,929.50	
88	5S	13E	14, 15 (west bank Suwannee)	--	--	1,281.25 19,875.56	Timber lands in West Florida reserved Mar. 1, 1859 (RCB 9-13, 86-88)
14	5S	12E	7, 8, 9, 10, 11, 14, 15 (west bank Suwannee)	--	--	3,826.25 3,826.25	Timber lands in West Florida reserved Nov. 30, 1859 (RCB 14)
100	4N	22W	12, 14	--	--	240.12 240.12	Timber lands in East Florida reserved Dec. 19, 1860 (RCB 100)

Plat No.	Township	Range	Sections	Acreage, as Recorded in		Timber Reserves Book	Louisiana Reservations, 1820-45
				1832	1844		
71A, 71B			Navy Commissioners' Island (800 acres) Cypress Island and Six Island group. Grand Lake (14,000 acres)	1,000	--	--	
72	135	12E	1, 2, 3, 4, 11, 12, 9, 13, 15, 16, 22, 24, 25, 26, 27, 33, Lake Verret	6,930.26	6,930.36	--	
73 (71A)	145	12E	Fract. 1, 2, 12, 13, Lake Verret	2,113.06	1,182.45	--	Live oak lands reserved Feb. 29, 1820 (RCB 68-69)
73 (71A)	145	13E	Fract. 3, 6, 7, 10, 11, 13, 14, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 28, 29, 32, 33, 35, 36	13,500.39	7,625.29	--	
74 Grass Lake and Lake Polourd (71A)	155	13E	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 30, 35, 36	8,896.36	15,099.52	--	
75 Terre Bonne	165	16E	16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41	7,515.29	4,960.18	--	
76 Bayou Black	175	16E	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66	8,896.36 47,851.72	11,140.28 46,938.08	--	Live oak lands reserved May 30 and Nov. 8, 1832; opened to public sale Mar. 3, 1843 (RCB 123-30)
64	155	1E	31, 32, 33, 34, 35	--	--	3,200.00	
65	165	1E	1, 2, 3, 4, 5, 6 on Grass Lake	--	--	3,840.00	
66	155	1W	31, 32 Lake Polourd	--	--	1,280.00	
67	155	2W	34, 35, 36, Lake Verret	--	--	1,920.00	
68	165	1W	1, 2, 3, 4, 5, 6, 12, Grande River	--	--	4,480.00 14,720.00	Timber lands reserved Oct. 21, 1845 (RCB 64-65, 67-69)

Plat No.	Township	Range	Sections	Acreage, as Recorded in			Mississippi Reservations, 1832-58
				1832	1844	Timber Reserves Book	
52			Round island, Bay of Pascagoula	--	139.00	--	
54	6S	6W	Sec. 32, west land district and east of Pearl River	--	564.06	--	
55	7S	6W	On Bayou Creole	--	50.00	--	
56	7S	9W	Frac. 19 & NW $\frac{1}{4}$ sec. 30, on South side of Bay of Biloxi	--	236.33	--	
57	7S	10W	S $\frac{1}{2}$ frac. sec. 24, also on south side of Bay of Biloxi, from 6 to 8 miles above the mouth	--	106.37	--	
58	9S	14W	Sec. 29, E $\frac{1}{2}$ SW $\frac{1}{4}$ sec. 30, NW $\frac{1}{4}$ frac. sec. 31	1,510.13	870.83	--	
63	9S	15W	S $\frac{1}{2}$ sec. 25, N $\frac{1}{2}$ sec. 36, sec. 24 (Oct. 20, 1832)	--	--	--	Timber lands reserved Oct. 20 and Nov. 28, 1832 (RCB 108-11, 113)
53	8S	5W	Frac. sec. 19 & 20 on Bayou Carole	--	548.75	--	Note: This property is crossed out in the Reservation Correspondence Book, pp. 117, 105.
59	3S	9W	2, 3, 4, 7, 10, 11, 12, 18, 22, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, 36 (April 6 and 16)	--	--	9,600.00	
60	3S	10W	25, 31, 32, 33, 34, 35, 36 (August 16)	--	--	4,480.00	
61	4S	9W	2, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15 (April 6 and 16)	--	--	6,400.00	
62	4S	10W	1, 2, 3, 4, 5 (August 16)	--	--	2,400.00 22,880.00	Timber lands reserved Apr. 6 and 16 and Aug. 16, 1858 (RCB 59-62)

L: ACT OF MARCH 3, 1897

An Act to authorize the Secretary of the Navy to transfer to the Secretary of the Interior, for entry and sale, all lands in the State of Florida not needed for naval purposes.

Reserved Land in Florida: Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that the Secretary of the Navy be and he is hereby, authorized to cause an examination to be made of the condition of all lands in the State of Florida which have been set apart or reserved for naval purposes, excepting the reservation upon which the Navy Yard at Pensacola is located, and to ascertain whether or not such reserved lands are or will be of any value to the Government of the United States for Naval purposes.

Section 2: That all of said lands which, in the judgement of the Secretary of the Navy, are no longer required for naval purposes shall, as soon as practicable, be certified by him to the Secretary of the Interior, and be subject to entry and sale in the same manner and under the same conditions as other public lands of the United States. Provided, That all persons who have, in good faith, made improvements on said reserved lands be so certified at the time of the passage of this act, and who occupy the same, shall be entitled to purchase the part or parts so occupied and improved by them, not to exceed 160 acres to any one person at \$1.25 per acre within such reasonable time as may be fixed by the Secretary of the Interior.

Section 3: That the sum of \$3,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated, to enable the Secretary of the Navy to carry out the provisions of this act. Approved March 3, 1879.

Source: U.S. Statutes at Large 20:470-71.

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As the nation's principal conservation agency, the Department of the Interior has basic responsibilities to protect and conserve our land and water, energy and minerals, fish and wildlife, parks and recreation areas, and to ensure the wise use of all these resources. The department also has major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.

Publication services were provided by the editorial and graphics staffs of the Denver Service Center. NPS 2101