THE ORIGIN AND EVOLUTION OF THE NATIONAL MILITARY PARK IDEA

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by

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UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Office of Park Historic Preservation
Washington, D.C.

FOREWORD

Ronald F. Lee retired in 1965 as Director of the Northeast Region of the National Park Service. Previously he had held numerous positions of high responsibility in the Service, including Assistant Director and Chief Historian. He was one of the principal architects of the national historic preservation program launched by the Historic Sites Act of 1935. He was also instrumental in giving shape and direction to the broadened program authorized by the National Historic Preservation Act of 1966.

After his retirement, Ronnie served as a special assistant to the Director of the National Park Service. Among his many contributions in that capacity was a series of studies of the evolution of National Park Service policies and programs. His immensely imaginative and valuable presentation of the "Family Tree of the National Park System" was published the week before he died in 1972. His study of the Antiquities Act of 1906 was reproduced and given wide distribution in 1970.

Even before undertaking the Antiquities Act project, Ronnie began work on a history of the National Military Parks. He completed a draft and several revisions but was never fully satisfied. The Antiquities Act and then the family tree diverted him.

Several times I urged Ronnie to let us reproduce the military park study. He always declined with the explanation that he wanted to do more research and give more thought to the subject. Death prevented him from returning to this project. Because the manuscript contains so much of value and interest, we are now making it available in the same format as its companion study of the Antiquities Act.

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Frontispiece: Chickamauga and Chattanooga National Military Park

PREFACE

[What follows is Mr. Lee's preface for his projected work on Federal involvement in historic preservation, of which the present study was to be the first part. The second part was issued in 1970 under the title "The Antiquities Act of 1906." Succeeding parts were to treat the national memorials, the preservation of certain historic buildings, and the role of the National Park Service in historic preservation from 1916 to 1933.]

This is an account of how the Government of the United States began, almost a century ago, to support the preservation of some historic sites and buildings important to the whole Nation. It traces the growth of Federal historic preservation policies and programs over the years to 1933, and recalls some of the leading men and women in Congress, Government, the professions and public life who contributed most to that growth. It describes two early efforts in Congress to secure national preservation legislation that at the time were unsuccessful though not without indirect value. It follows in some detail the origin and growth of Federal support for the marking and preservation of American battlefields; the protection of historic and prehistoric structures, ruins and other antiquities on Federal lands; the erection of national memorials; and the preservation and exhibition of some examples of historic architecture. Last of all it describes the convergence of these generally independent developments into a considerably more unified but still evolving national historic preservation program during the years 1916-1933 as these diverse historic properties were successively brought into the National Park System and their future entrusted to the National Park Service of the U.S. Department of the Interior.

Any undertaking of this kind should begin by defining what is meant here by the term "historic preservation." This itself requires a look into the past. The first serious analysis of the historic preservation movement in the United States was made in 1933 by Lawrence Vail Coleman in his book "Historic House Museums." Dr. Coleman chose to concentrate in his study on what had recently become a widespread phenomenon--historic houses set aside for public exhibition springing up in communities and States all over the Nation. Based on a careful survey of selected examples, Coleman summarized the growth of the concept from its beginning in 1850 and set forth in classical terms the policies and standards which ought to guide preservationists in undertaking historic house museum projects. The book met with an immediate and widespread favorable response. For many years it continued to exert constructive influence and can still be read with profit today.

Coleman's "Historic House Museums" was so well done and so widely read, however, that unintentionally it fixed in the minds of an entire generation of Americans the idea that "historic preservation" and "historic house museums" are synonymous terms. Dr. Coleman himself held no such narrow view. At the very beginning of his book he was careful to point out at some length the great importance of the many early buildings that still survive in their original or in adaptive uses, including historic government buildings, college halls, churches, military structures, libraries, and private dwellings. He made abundantly clear that he recognized these several important categories, but he did not attempt to discuss them in detail in his book.[1] He omitted mention of historic sites, such as battlefields, in his special treatise, as well as the numerous archeological sites and structures found throughout the United States. Finally, he deliberately excluded the many historic houses in private ownership shown rarely, if at all; patriotic chapter houses not open to the public; historic houses extensively remodeled for museum occupancy; historic taverns and tea rooms; antique shops; and temporary restorations. He ended up with a carefully screened list of some 400 historic buildings, most of them houses, which, as he said, have "ceased to be" what they were and "have become exhibition houses."[2]

Today almost all preservationists recognize that "historic house museums," though of great importance, are only one form of historic preservation. The main emphasis nowadays is in a different direction--on continuing most historic buildings in use, rather than making them into museums and having them cease to be what they were. There is much emphasis, too, on important architectural monuments other than houses and on historic districts and historic towns--concepts which go far beyond the historic house museum idea. In "Principles and Guidelines for Historic Preservation," published by the National Trust and Colonial Williamsburg in 1966, appears this statement:

> Modern preservation is, therefore, directed toward perpetuating architectural and aesthetic as well as historic and patriotic values; historic districts as well as individually notable buildings; "living monuments" as well as historic house museums; grounds and settings, including historic gardens, town squares, and traditional open space as well as historic architecture; open air museums and historic villages including characteristic architecture which cannot be preserved in place; archeological sites, including prehistoric villages, earthen mounds, pueblos and other ancient ruins, as well as historic sites with foundations and artifacts of successive periods; and objects and

> interior furnishings from the decorative arts including books and documents, which illuminate our past and inspire the present.[3]

Each of the elements in this definition, and still others, such as urban renewal, that might be added, has its own preservation history, usually rooted in the nineteenth century, and often beginning as early as all but the earliest of historic house museums.

Unfortunately few historians of historic preservation in the United States have as yet investigated the subject in this broader context. Most well-known accounts are by and large histories of the movement to establish historic house museums. While this movement was a major feature, it was still only part of a broader trend toward historic preservation in the United States which had diverse beginnings. Naturally we need to know all we possibly can about historic house museums, their sponsors, their trials and achievements, and their widespread influence. Dr. Charles B. Hosmer, Jr., in his *Presence of the Past*, illuminates this phase of historic preservation, until 1926, very well. Like Lawrence Vail Coleman, however, Dr. Hosmer also chose to focus his attention on historic buildings set aside for exhibition and studied some 400 examples for this purpose.[4] The examples he describes in many ways parallel the 400-odd historic buildings surveyed for different reasons by Dr. Coleman. The conception that "historic house museums" and "historic preservation" are synonymous has thus taken on new life and tends to be repeated by others.

The consequent emphasis on the preservation of domestic dwellings, a good many of which are primarily of regional, state, or local rather than of national interest, leads to the idea that private individuals and semi-public organizations overwhelmingly dominate historic preservation history in the United States and that government, and particularly the national Government, has been a relatively insignificant factor, at least until 1926. The present study, adopting a broader concept of the meaning of historic preservation, reaches somewhat different conclusions.

The Federal Government on behalf of the Nation entered the field of historic preservation, conceived in its broader sense, during the last quarter of the nineteenth century, first as a participant in the Centennial of the American Revolution and then in response to widespread public demand that the whole country support preservation of the battlefields of the Civil War. National interest, prompted largely by scientists and educators, soon turned also to preservation of irreplaceable historic and prehistoric antiquities on the vast expanses of still unsettled

Federal lands. Meanwhile, broad public support developed throughout the nation for establishment of national memorials to Washington and the concepts of the American Revolution and to Abraham Lincoln and national unity after the Civil War. In due course, but lagging well behind historical societies, the Federal Government also began to preserve historic houses and other historic buildings as exhibits, in addition to adopting the practice of continuing many important historic public buildings in use, among them early custom houses, forts, lighthouses, coast guard stations, and other functional structures. Even the early national parks, "vignettes of primitive America," carried historical overtones. From these and other roots, which originated in the nineteenth century, there gradually developed the national historic preservation interests which formed the nucleus for the Federal policies and programs we have today.

I. GENERAL OBSERVATIONS

In the late twentieth century, under the shadow of nuclear weapon proliferation, the historic battlefields of the eighteenth and nineteenth centuries seem to many to have little direct connection with modern life. And to present-day historic preservationists, who are concentrating their attention on saving America's irreplaceable architectural heritage including many early domestic dwellings clustered together in historic districts, the preservation and marking of battlefields may sometimes seem to be an almost irrelevant undertaking. It was not always so. Serious Federal involvement in the historic preservation movement first began, almost a century ago, with the erection of monuments at Saratoga, Bennington, Yorktown, and other Revolutionary battlefields. This national involvement deepened during the 1890s with establishment of a carefully thought-out system of national parks, later called national military parks, to preserve major battlefields of the Civil War. As we turn back to try to recapture the preservation spirit of those days, it may be worthwhile to reconstruct some of the circumstances, even though they may seem obvious.

During the lifetimes of most Americans now living, our Nation's wars--World Wars I and II, the Korean Conflict, and the War in Vietnam--have been fought on foreign soil. But during the eighteenth and nineteenth centuries, until 1898, our wars were fought largely on our own soil. The War for Independence, the War of 1812, the Indian Wars, and the Civil War were all fought principally at home. When the Army War College surveyed the far-flung engagements of those wars for Congress in 1925, it estimated that the locations of over 3,400 encounters, skirmishes, and battles could still be identified in the towns and countryside of the United States. When the movement began, in the 1870s, to preserve and commemorate a selection of these battlefields through Federal participation, many citizens were still living whose grandfathers and even fathers had fought during the Revolution, and tens of millions were living who had experienced, directly or indirectly, the tragic fighting of the Civil War. The great issues of those wars were part of their lives and to them preserving and marking the major battlefields was a national obligation.

The manner in which this obligation was at first discharged also deserves comment. Like any other period, the twentieth century has its prejudices. One of our prejudices seems to be against monuments on battlefields. But let us recall some of the circumstances three generations and more ago when many of these monuments were placed. For one thing, several important

Revolutionary battles, like Saratoga, Bennington, and King's Mountain, were fought in remote places, where pioneer farms were surrounded by wooded areas, often wild. In the nineteenth century it seemed entirely possible that with the passage of time the very identity of some important locations would become overgrown and lost even if the events themselves were not forgotten. One purpose of those who placed monuments on battlefields was to provide permanent identification for those historic locations, as well as to commemorate the participants. In their view, to achieve this purpose monuments should be solid, enduring, and accurately located.

During the 1890s and early 1900s when the Civil War battlefields were acquired, marked, and monumented, great emphasis was being given in the United States to scientific accuracy in historical work, following the example of the German school of historians. It was considered highly desirable to study, document, map, and mark every troop position in unmistakable detail on the ground itself. By doing this well, the historian served not only the needs of fellow historians but also those of the professional soldier, the scientific student of war, to whom it was vital to study the strategy and tactics of the great campaigns and battles in detail on the ground. To the professional soldier, the American Civil War was the first modern war.

Almost all this occurred before the advent of the automobile as a familiar family vehicle. Veterans of North and South traveling to Shiloh for reunions in the 1890s had to travel many miles from the closest railway station to the battlefield by horse-drawn farm wagons. And so it was in many other places. The pace was different in those days, and once arrived, veterans walked over the terrain where once they had fought. A field they might have leisurely studied on foot for three days, we will cover by automobile in half an hour. Monuments and markers were peculiarly appropriate for the day in which they were placed.

Significantly, too, during the period between the Civil War and World War I when many of the battlefields were preserved and marked, a new and deeper feeling of nationality was rising in the United States. There was, says Merle Curti in *The Roots of American Loyalty*, "a marked shift in emphasis away from the older legalistic concept of the Union to the organic theory of the nation."[2] In the last quarter of the nineteenth century over half a hundred new patriotic societies were launched, including the American Flag Association in 1897. At the same time, new professional organizations were being formed, among them the American Historical Association in 1884. The spirit of the times was conducive to a new search for the roots of loyalty and nationality. It was part of such a time to search out, mark, and preserve important historic sites of the Revolution and the Civil War, and to involve the national Government directly in the task.

II. MONUMENTS FOR BATTLEFIELDS OF THE AMERICAN REVOLUTION

Daniel Webster delivered one of his greatest orations, a fascinating commentary on the first half-century of our national history, at the cornerstone laying for the Bunker Hill Monument on the fiftieth anniversary of the battle on June 17, 1825. It took eighteen years for a voluntary association of citizens to complete the monument but it was finally dedicated in 1843, again to the accompaniment of Daniel Webster's rolling sentences. Most of the other important battlefields of the American Revolution had to wait for the coming of the Centennial years to receive similar attention. In the 1870s a series of historical societies and monument associations sprang up along the Atlantic seaboard, oftentimes working in cooperation with local governments, to mark familiar battlefields. Their efforts were dedicated but uneven; and in many cases they fell short of what was needed to commemorate the battlefields of greatest interest to the whole Nation. At this point, the Congress of the United States for the first time took up several fundamental questions of national historic preservation policy. Between 1876 and 1886, Congress considered or took action on five significant aspects of preservation: (1) it appropriated funds to erect, or to assist in the erection of monuments on eight Revolutionary battlefields in seven States; (2) it seriously considered a general program of matching projects; (3) it arranged, through one of its committees, for a study and evaluation of all the battlefields of the Revolution; (4) it considered a classification of such battlefields into two categories as recommended by one of its committees; and (5) it considered the creation of a national board to guide the work.

Eight bills were introduced in the Senate and House between 1880 and 1886 incorporating one or more of these ideas. Although in the end none were enacted, these bills and the accompanying committee hearings and reports raised important questions of national historic preservation policy in Congress for the first time. The solutions proposed reappear many times in one form or another in the long history of national preservation legislation down to the present day.

The first member of Congress to sponsor legislation to help historical societies erect monuments on Revolutionary battlefields was Senator Justin Smith Morrill of Vermont (whose home in Strafford is now a national historic landmark). On May 31, 1880, Senator Morrill introduced S.1805, "A Bill Relative to Revolutionary Battlefields." He had already served twelve years in the House and fourteen years in the Senate and was one of the most influential leaders in Congress. His public services were many but today he is best known for the Land-Grant College Act, which led to the important federally supported system of state colleges and universities, and the Second

Morrill Act under which the Federal Government annually gives $25,000 to each of the land-grant institutions. With his long experience with Federal grants, it is not surprising that in his bill, Senator Morrill proposed a system of matching grants to help chartered historical societies and associations erect monuments on Revolutionary battlefields not yet commemorated in this manner. The grants were to go to "any monument association or historical society" which "shall have procured a charter from one of the United States..." and shall have "commenced to raise money to carry out its patriotic object." If it met these requirements, the society or association would "be entitled to one dollar from the Treasury of the United States for every dollar actually raised by its own efforts: Provided, the sum so raised shall not be less than ten thousand dollars and not more than fifty thousand dollars."[3] Senator Morrill had a well-established interest in matters of this kind. As chairman of the Senate committee on buildings and grounds, he had been largely responsible, not only for terraces, fountains, and gardens around the Capitol, but also for legislation to complete the Washington Monument.[4] He was one of the first historic preservationists in Congress.

In 1880, however, Congress was far from ready for this kind of general legislation. Senator Morrill's bill was soon amended by the Committee on Military Affairs to eliminate the general program of matching grants and limit the bill to one project only--Bennington battlefield. As amended, the bill authorized the Secretary of the Treasury to pay forty thousand dollars to the governor of Vermont to be transferred by him to the Bennington Monument Association which had raised an equal amount to erect a monument "to commemorate the Revolutionary battle of Bennington." Like the general measure, the amended bill provided that "no moneys shall be paid out of the Treasury until the design of the monument shall have been approved by the President of the United States, or by a commission appointed by him...," and until a board of three Army officers had certified that the combined funds were sufficient to complete the monument according to the approved design.[5] In this amended form the bill passed Congress and was approved by the President on February 11, 1881.

Senator Morrill's bill took care of Bennington, but none of the other neglected battlefields. At this point other members of the Senate and the House took up the idea of general legislation to authorize Federal grants-in-aid to help historical societies erect monuments on Revolutionary battlefields. Between 1881 and 1886 seven more bills were introduced embodying this concept. On March 16, 1882, Representative G. W. Geddes of Ohio reported adversely to the House on one of these bills, H. R. 4347, on behalf of the Joint Committee on the Library. The reasons Congressman Geddes gave for the Committee's adverse report reveal one of the important difficulties in the way of adopting a just national historic preservation policy, a difficulty

not finally resolved by Congress until passage of the Historic Sites Act in 1935. He observed first that the provisions of the bill "are entirely too general and comprehensive," and that by its terms "large sums of money would be appropriated to objects, the particular merits of which we are not and cannot be advised." Representative Geddes then offered the following intriguing observations about the relative importance of military and civil history. "Your committee cheerfully and unhesitatingly assent to the fact that no event in the history of this country is more worthy of being commemorated in monument, history and song than the military achievements of our fathers in our Revolutionary struggle with the mother country. Of equal merit, however, and as deserving of the admiration of the present generation and all future ages, is the work of our fathers immediately following the termination of the Revolutionary struggle.... We should not discriminate between the great historic events of the battlefields and of civil life, so as to confer on either undue importance, or a disproportionate amount of the praise and glory due for the rich blessings we now enjoy.... History plainly demonstrates that when the war of the Revolution closed,... the delicate and responsible duties incumbent upon our fathers were not half accomplished.... A national government was yet to be established, a constitution by the voluntary consent of the whole people was yet to be agreed upon and adopted.... The scenes of...trials and triumps are so numerous in both military and civil life that the most grateful posterity cannot feel it expedient to commemorate each and all by the means proposed in this bill. What your committee might feel called upon to recommend in any particular case can only be determined when it is presented. Your committee therefore report adversely...."[6]

The matter did not end there, however. Two years later, on July 2, 1884, Representative G. M. Woodward of Wisconsin brought to the floor of the House of Representatives a favorable report from the Committee on the Library on H.R. 2435, still another general bill "To encourage societies of the vicinage to erect monuments on the few important battlefields of the Revolution."[7] This bill contained all the former grant-in-aid features as well as some new provisions and was introduced on January 8, 1884, by Representative Samuel Sullivan Cox of New York City. A descendant of General James Cox, soldier of Brandywine and Germantown, "Sunset" Cox, as the Congressman was called by his friends, was a lawyer, prolific writer, and a talented and influential member of the House who had already served with distinction for almost a quarter of a century.[8]

Representative Woodward's favorable report on Cox's bill is unusually interesting. He began by carefully reviewing the actions Congress had taken or considered up to that time to commemorate the battlefields of the American Revolution. He pointed out that during the Centennial years, Congress had appropriated funds: "For a monument at Yorktown, $100,000; for Bennington, $40,000; for Saratoga, $30,000; for Newburg, $25,000; for the Cowpens, $20,000; for Monmouth, $20,000;

for Groton, Conn., $5,000...; for Oriskany, $4,000." He went on to observe that "Bills were introduced during the same time, but not acted on, for monuments to commemorate the battles of Guilford Court House, King's Mountain, Bemis Heights (the first of the two Saratoga battles), and the Brandywine...." These appropriations, made by an almost unanimous vote of the Congress, he said had been wise and met with the approval of the whole country. Nevertheless, there were serious "inequalities" in the result, for some very important battlefields had not yet been marked by monuments while others of lesser interest were already well taken care of. It was the purpose of H.R.2435 to attempt to correct these inequalities.[9]

At this point Representative Woodward presented the results of an analysis of Revolutionary battlefields made for the House Committee on the Library at their request by Benson J. Lossing, the well-known traveler, wood-engraver and author of the *Pictorial Field Book of the Revolution*. Lossing submitted his views to the committee in a communication dated February 26, 1884. According to Lossing there were fifty-eight engagements of the Revolution which might be designated as battles. Of these, four were in Canada and therefore outside the jurisdiction of Congress. Of those remaining, about twenty were already marked or in a fair way to be, including all the battlefields of first importance, several of second rank, and some of even lower grade. This left about fifteen battlefields of considerable note which should be made eligible for matching funds toward the cost of fairly substantial monuments, ranging from projects involving a minimum of $5,000 of matching Federal funds to a maximum of $100,000. Among these fifteen were Trenton, Princeton, Eutaw Springs, Guilford Court-House, Germantown, and the Brandywine. The committee estimated that, on the average, $20,000 of matching funds would be sufficient for each of these fifteen battlefields, making a total Federal cost of $300,000 for this portion of the program. This would take care of the first category of battlefields. Following Lossing, the committee estimated further that there were thirty-one places where minor collisions took place between American and British forces. Under the bill, qualified local historical societies would be eligible to secure matching funds, not to exceed $500 each, to place inexpensive stones at these locations. Forty other lesser places on the larger battlefields but still unmarked could also be commemorated by similar inexpensive stones. These steps would take care of the second category. With these costs all added together, the entire Federal financial burden of the bill, in round numbers, would be $350,000. Spread over twenty-five years, this would represent an insignificant annual sum for such important historical and patriotic work. "The scenes enacted at these spots," the Committee reported,

"changed the world's history from Yorktown to this day. The nation, brought into being by the enactment of these scenes, cannot afford to neglect the memory of those who enacted them, nor fail to mark the places of their enactment."[10]

The bill, as reported by the committee, contained all the matching provisions of earlier bills, as well as their requirements for approval of monument designs. But the bill went further. It set up a board to guide the whole program: "...the Secretary of State, the Secretary of War, and the Librarian of Congress are hereby constituted a board to determine what remaining battlefields of Revolutionary War are of so dignified a character as to be, in their judgment, worthy of national commemoration in accordance with the provisions of this act and to what extent...the cooperation of the Government...shall be accorded."[11] This is the first time that establishment of a national board to guide or advise on general matters of historic preservation or commemoration was considered by the Congress of the United States.

In answer to the adverse report on a similar bill made by the same Committee on the Library two years before, Representative Woodward offered this comment: "If it be said that the notable civic events of the Revolutionary period...be...as worthy of commemoration as the military events...it is sufficient answer to say that these are an indefinite number and cannot be grouped together and classified as the battles of the Revolution can be. These are...a definite number, and the money needed for their commemoration can be approximately estimated."[12] As we shall see, somewhat similar reasoning appears to have guided Congress some forty years later in 1926 in adopting a general program for surveying, preserving, and marking the battlefields of all wars fought on American soil.

In addition to its general provisions, H.R.2435 contained two special sections that for the first time went beyond monuments and battlefields to include historic houses. One of these sections stated that as soon as $20,000 had been raised by its members, the provisions of the act would apply to the Washington Association of New Jersey, which had voluntarily purchased Washington's headquarters at Morristown and needed matching funds for related work. The other section extended the matching provisions to projects of local historical societies seeking to preserve Washington's headquarters at Valley Forge, erect a monument there, and acquire land on which the entrenchments and forts used by Washington's army were "still plainly visible."

Representative Woodward concluded his report with some general comments. He pointed out that the bill avoided the imputation that special legislation was sure to create. "of having been procured in the interest of Representative's district." On the other hand the measure was "broad enough to include everything of the class to which it applies and restricted enough to exclude everything else." The main principle of the bill, he said, had been commended by committees of Congress, the public press, historical societies, and distinguished citizens. The committee urged its passage.[13]

This was not to be. No further action was taken by Congress in 1884. Although similar bills were again introduced in 1885 and 1886, they were never reported out of committee, much less voted upon. One might expect that as the years of the great centennial faded into the past, congressional and public interest turned to other issues and problems.

But not entirely so. In 1861, as the country trembled on the verge of civil war, Abraham Lincoln had appealed to the national memory of these very historic places of the Revolution in the words of his First Inaugural that have themselves become part of our familiar national heritage: "The mystic chords of memory, stretching from every battlefield and every patriot grave, to every living heart and hearth stone, all over this broad land, will yet swell the chorus of the Union, when again touched, as surely they will be, by the better angels of our nature." Although Lincoln's appeal fell on deaf ears in 1861, when the centennial of the Revolution came around Northerners and Southerners alike looked back, past the years of tragic strife, to common memories of 1776 and 1783 and 1787. "The first public demonstration of fraternizing between the former enemies" of North and South, wrote Paul Buck in *Road to Reunion*, occured in 1875 when companies of Confederate veterans of Virginia and South Carolina journeyed to Boston to participate in celebrating the centennial of Bunker Hill. By 1881 veterans of both armies met "for the sole reason of rejoicing that they were no longer foes. Then quickly the practice [of reunions] spread, culminating in two great spectacles, one commemorating the twenty-fifth anniversary of the battle of Gettysburg, the other the dedication of the national military park at Chickamauga and Chattanooga in 1895."[14] As veterans of both armies turned to meet in reunions on the very fields where they had fought a generation before, they, with others, took up the task of preserving and marking the major battlefields of the Civil War. To that subject we now turn.

III. THE FIRST BATTLEFIELD PARKS, 1890-1899

Between 1890 and 1899 the Congress of the United States went well beyond the concept of monuments and authorized the establishment of four major battlefields of the Civil War as national military parks. In so doing, it laid one of several foundation stones for the national historic preservation policy and program we have today. These four battlefields were Chickamauga and Chattanooga authorized in 1890, Shiloh in 1894, Gettysburg in 1895, and Vicksburg in 1899. Antietam, which was marked beginning in 1890, was not yet a full-fledged national military park. Although in later years all these reservations came to be called national military parks, Chickamauga and Chattanooga and Gettysburg started out as national parks and remained so officially for many years.[15]

In a period when conservation was becoming popular, it was perhaps more than coincidence that during this same decade Congress also authorized establishment of the first four scenic national parks to follow creation of Yellowstone in 1872. These were Yosemite, Sequoia, and General Grant authorized in 1890, and Mount Rainier in 1899. The fact that one of these four western national parks was named after the leading general of the Union Army is an interesting reflection of the spirit of the times. In 1890, also, Congress authorized establishment of Rock Creek Park in the District of Columbia, one of the three earliest large metropolitan parks in the United States, comparable to Central Park in New York City and Fairmount Park in Philadelphia.

It was not possible to foresee in 1899 that in due course these natural and historic Federal reservations, together with others subsequently created, would be joined together in one National Park System. Nevertheless, the seeds of the future were present from the beginning.

Battlefields as National Possessions

The idea of the Nation acquiring an entire battlefield and preserving it for historical purposes was new in 1890. It is therefore not surprising that it soon engendered a serious controversy, which arose, fittingly enough, at Gettysburg. The controversy involved two questions of fundamental importance to the future of historic preservation by the Federal Government. Is preserving and marking the site of an historic battlefield a public purpose and use? If so, is it a purpose for which Congress may authorize acquisition of the necessary land by power of eminent domain? The circumstances of this dispute, which had to be settled by the Supreme Court of the United States, are of unusual interest and provide an appropriate introduction to our story.

The first electric street railway in the United States began operating in Richmond, Virginia in 1888.[16] It was a prompt success, and a desire to enter this new era of advanced technology in transportation spread rapidly to cities and towns all over the United States. One of these towns was Gettysburg, Pennsylvania. By 1893, the Gettysburg Electric Railway Company had been formed and was busily engaged in constructing a trolley to penetrate deep into Gettysburg Battlefield to one of its important features, the rocky outcrop heavily defended by Union soldiers called Devil's Den. The intrusion of this railway on a key portion of the battlefield and the real estate developments that were expected to accompany its completion aroused deep concern among members of the Gettysburg Battlefield Memorial Association and the newly appointed Gettysburg National Park Commission. "Upon organization" on May 31, 1893, as Chairman John B. Nicholson reported later, "the commission found important lines of battle occupied by an electric railway, the construction of which had begun early in April 1893."[17] President Grover Cleveland's Secretary of War, Daniel S. Lamont, demonstrated a keen interest in battlefield preservation during his four years in office and visited Gettysburg in person on November 3, 1893, accompanied by Mrs. Lamont, to inspect the situation He gave his full support to the Commission's efforts "to remove the electric road from the occupation of the prominent parts of the battlefield."[18] To erase any possible doubt about the national intent in the matter, Congress adopted a Joint Resolution on June 6, 1894, which stated there was "imminent danger that portions of said battlefield may be irreparably defaced by the construction of a railway over same" and asserted the authority of the Secretary of War to acquire such land either by purchase or by condemnation.[19]

The Gettysburg Electric Railway Company remained undaunted. Although finally agreeing to halt construction of the tracks, the company refused to negotiate the sale of the land involved. On June 8, 1894,

upon recommendation of the Commission and with the approval of the Secretary of War, the Attorney General of the United States instituted condemnation proceedings.[20] When the court eventually handed down an award of $30,000, attorneys for the company rejected the finding and filed exceptions, claiming that establishment of Gettysburg National Park was not a public purpose within the meaning of earlier legislation and that "preserving lines of battle" and "properly marking with tablets the positions occupied" were not public uses which permitted the condemnation of private property by the United States.[21] The case finally went before the highest court in the Nation.

On January 27, 1896, Justice Rufus Wheeler Peckham of the United States Supreme Court handed down the court's unanimous decision. His language was eloquent and reflects the spirit of the time:

> The end to be attained, by this proposed use, as provided for by the act of Congress, is legitimate, and lies within the scope of the constitution. The battle of Gettysburg was one of the great battles of the world. The numbers contained in the opposing armies were great; the sacrifices of life was dreadful; while the bravery, and, indeed, heroism displayed by both contending forces, rank with the highest exhibition of these qualities ever made by man. The importance of the issue involved in the contest of which this great battle was a part cannot be overestimated. The existence of the government itself, and the perpetuity of our institutions depended upon the result....Can it be that the government is without power to preserve the land, and properly mark out the various sites upon which this struggle took place? Can it not erect the monuments provided for by these acts of Congress, or even take possession of the field of battle, in the name and for the benefit of all the citizens of the country, for the present and for the future? Such a use seems necessarily not only a public use, but one so closely connected with the welfare of the republic itself as to be within the powers granted Congress by the constitution for the purpose of protecting and preserving the whole country.[22]

By this resounding decision, the Supreme Court affirmed the constitutionality of acquiring private property by right of eminent domain for Gettysburg National Park and established the principle that the preservation of nationally important historic sites and buildings is a legitimate purpose of the Government of the United States.

A Battlefield Park System

Reading the elevated language of Justice Peckham's decision in the case of the *United States v. Gettysburg Electric Railway Company* may enable us to perceive better than we otherwise might the very great importance which his generation attached to the preservation and marking of the major battlefields of the Civil War. As we have noted, it was significant that by this time both Union and Confederate soldiers had begun to meet in joint encampments on their old battlefields. Dr. Paul Buck notes that a contemporary observer enumerating the reunions that occurred between 1881 and 1887 was able to list twenty-four more prominent, formal ones. The twenty-fifth anniversary of the battle of Gettysburg in 1888 was marked by a particularly moving reunion. The dedication of the Chickamauga and Chattanooga National Park in 1896 was an even more impressive national observance presided over by Vice President Adlai Stevenson. It lasted several days, during which eminent Northerners and Southerners alike joined in eloquent pleas for understanding and brotherhood.[23] Such national gatherings reflected the very great need deeply felt in the 1890s, to further reestablishment of national unity, in part by a national program of historic preservation of the tragic battlefields of the war.

The first four battlefields to be preserved by the Nation were not selected at random but constituted, almost from the beginning, a national battlefield park system. As the Army War College pointed out later, these national parks were designed by Congress, both to preserve the major battlefields for historical and professional study and also to serve as lasting memorials to the great armies of the war on both sides. The field of Gettysburg memoralized the Union Army of the Potomac and the Confederate Army of Northern Virginia; the field of Chickamauga honored the Union Army of the Cumberland and the Confederate Army of Tennessee; and the field of Shiloh served as a memorial to the Union Armies of the Tennessee and Ohio and to the Confederate Army of the Mississippi. Further consideration revealed, however, that a fitting memorial to the Union Army of the Tennessee needed the preservation of Vicksburg as well as Shiloh, for the campaign of Vicksburg was that army's most brilliant operation. Accordingly, Congress added Vicksburg in 1889 to complete the initial system of four major Civil War battlefields.[24]

Gettysburg

The establishment of Gettysburg National Cemetery preceded the creation of Gettysburg National Park and offers a unique chapter in the annals of State and Federal efforts to preserve sites important in American history. The battle of Gettysburg was scarcely over when Governor Andrew G. Curtin hastened to the field to assist local residents in caring for the dead and dying. Some 6,000 soldiers had been killed in action and among the 21,000 casualties of both armies left behind, hundreds more died each day from mortal wounds. Many of the dead had been hastily interred in improvised graves on the battlefield. Prompt establishment of a permanent cemetery was an urgent necessity. Governor Curtin at once approved plans for a soldiers' cemetery, enlisted the cooperation of other Northern governors whose troops were represented on the field, and directed that a plot for a cemetery be purchased in the name of his State. Attorney David Wills of Gettysburg, acting as agent for the Governor, promptly selected and purchased seventeen acres of ground on the northwest slope of Cemetery Hill for the cemetery and wisely engaged William Saunders, eminent horticulturist and landscape gardener, to lay out the grounds. Meanwhile, fourteen Northern States made appropriations in amounts proportionate to their congressional representation to meet the costs of preparing the cemetery and making the many re-interments that were necessary.

William Saunders' contribution to the character and plan of the Soldiers' National Cemetery was significant. Born in St. Andrews, Scotland, in 1822 and trained in horticulture there and at the University of Edinburgh, he had moved to America in 1848, settling first at New Haven, Connecticut. Here he began a series of contributions to the leading horticultural journals of his time that continued for forty years. After designing private estates and cemeteries for some years, he was appointed in 1862 as superintendent of the experimental gardens of the newly created Department of Agriculture in Washington, D.C. It was from this position that he came to Gettysburg to design the national cemetery. Two years later at the suggestion of General Grant, he was chosen to select the site and design the grounds for the Lincoln Monument at Springfield, Illinois. He achieved many other distinctions in his special field during a long public career that carried on until the end of the century.[26]

Saunders' design for the Gettysburg cemetery, laid out on a gently sloping hillside, called for a sculptured central feature, a Soldiers' National Monument, around which the grave sites were laid out, State by State, in great semi-circles. Massive stone walls and an iron fence enclosed the burial ground. "The prevailing expression of the cemetery," said Saunders, "should be that of *simple grandeur*. Simplicity is that element of beauty in a scene that leads gradually from one object to another, in easy harmony, avoiding abrupt contrasts and unexpected features. Grandeur... is closely allied to solemnity." Saunders provided ample spaces for lawns, and cautioned against any further planting of trees and shrubs than his design called for. "As the trees spread and extend, the quiet beauty

produced by these open spaces of lawn will yearly become more striking; designs of this character require time for their development, and their ultimate harmony should not be impaired or sacrificed to immediate or temporary interest."[27] These principles have in general been faithfully followed, and now, over a century later, Gettysburg National Cemetery conveys an impression of timeless dignity and beauty.

The Soldiers' National Cemetery was dedicated on November 19, 1863. Edward Everett, whose distinguished career included many addresses throughout the country to raise funds to help save Mount Vernon, was asked to deliver the principal address. There is no need here to repeat the story of President Lincoln's acceptance of an invitation to come and speak also, his journey to Gettysburg, his stay at Attorney David Wills' home, and his delivery of the Gettysburg Address at the ceremonies on the afternoon of November 19. The speaker's platform occupied the site within the cemetery enclosure which William Saunders had specified as the location for the sculptured Soldiers' National Monument, then awaiting future design. The presence of President Lincoln and his immortal words of dedication endowed this spot with profound historical and patriotic associations for the American people and made it one of the most intimate links in our national heritage.

The site of Lincoln's Gettysburg Address, inseparably linked to the Gettysburg National Cemetery, was one of the first historic sites of national significance now part of the National Park System to come into the possession of the Nation from other hands. In 1868, their work accomplished, the Board of Commissioners recommended transfer of the cemetery to the Federal Government. Two years later President Grant signed congressional legislation authorizing its acceptance (with the Antietam cemetery), and the Secretary of War formally received title on behalf of the United States on May 1, 1872.[28] In 1872 Congress also authorized establishment of Yellowstone National Park. It is a remarkable coincidence that these first actions to preserve areas of superlative natural scenery and sites of national history--places that in due course were brought together into one National Park System--took place in the same year.

Other National Cemeteries

We must digress briefly from the story of Gettysburg to take note of the early establishment of other national cemeteries and to suggest their relationship to historic preservation. This subject, however, deserves more investigation than the present study has permitted.

The difficult conditions regarding the burial of the dead that prevailed on Gettysburg Battlefield during and after the battle were repeated in every theater of operations and on every major battlefield throughout the Civil War.

This fact aroused the conscience of the Nation. Throughout the North, the soldier dead were considered to have sacrificed their lives to preserve and redeem the Union. This often-expressed sentiment was put into eloquent words by Horace Bushnell in an address to the Yale Alumni in 1865 on "Our Obligations to the Dead":

> From the shedding of our blood have come great remissions and redemptions. In this blood of our slain our unity is cemented and sanctified. The sacrifices in the field of the Revolution united us but imperfectly. We had not bled enough to merge our colonial distinctions, and let out the state rights doctrine, and make us a proper nation.... We have now a new and stupendous chapter of national history.[29]

It is understandable that Congress, equally concerned, soon authorized a system of national cemeteries. A general measure entitled "An Act to establish and to protect national cemeteries" passed Congress and was signed by President Andrew Johnson on February 22, 1867. Under this authority, in the years following the Civil War, the War Department developed the system of national cemeteries in the continental United States, which now includes some eighty-five units. Of these, eleven were on or near the major battlefields of the Civil War that eventually became national military parks. In several instances these national cemeteries became the nuclei for the later establishment of national military parks or battlefield sites, as was the case at Gettysburg.

For example, by the Act of July 14, 1870, the Secretary of War was directed to accept and take charge of the Antietam National Cemetery at Sharpsburg, Maryland. Seven years later, Congress appropriated $15,000 to pay the balance of the indebtedness of the board of trustees of the cemetery.[30] In 1888 and 1890 Congress appropriated $20,000 for construction of a road from the Antietam Station to the

national cemetery. In the second of these acts, Congress also appropriated $15,000 for surveying, locating, preserving, and marking the lines of battle of the Army of the Potomac and the Army of Northern Virginia, and the position of each of the 43 different commands of the Regular Army engaged in the battle of Antietam. This marked the beginning of Antietam National Battlefield Site, regarding which further comments will be made later in this study.[31]

Fort Donelson provided another example. Following passage of the general legislation for national cemeteries in February 1867, the War Department set about immediately to acquire land for the Fort Donelson National Cemetery. By April, over fifteen acres had been acquired near the Cumberland River between the fort and the town of Dover, including the site in the town occupied by the Federal garrison from February 1862 until the end of the war. Officers of the Quartermaster Corps sent to oversee the work of improving the cemetery site and reinterring the remains of dead soldiers found that it went slowly and that funds were insufficient. In July 1872 Colonel James Ekin, the officer in charge, suggested to the Quartermaster General that the remains of Federal soldiers buried there be removed to Nashville as the cost of upkeep was too great and there were no visitors. "In reply," observes the author of the *Administrative History: Fort Donelson National Military Park*,

> the Quartermaster General set forth what was to be the guiding policy for the Fort Donelson area throughout its administration by the War Department. "Let the men rest in peace. The cemetery is a public historical monument of an important battle, a leading event in the history of the United States. It has been established by proper authority, and it should be completed and maintained."[32]

Many years later the movement for the Fort Donelson National Military Park drew strength from this nucleus.[33]

National cemeteries were not limited to Civil War battlefields, however. We conclude our examples with an account drawn from the *History of Custer Battlefield* by Don Rickey, Jr. Newspapers throughout the country were filled with accounts of the Battle of the Little Bighorn as soon as it occurred, and the whole Nation was aroused. Within three weeks a movement was started to organize a Custer Monumental Association but apparently no firm plans developed. High Army officers spoke out in favor of commemorating the battle and those who fell there; and the Montana Territorial Legislature adopted a joint resolution changing the name of the Little Bighorn to Custer's River. Meanwhile, sensational newspaper stories appeared depicting the battlefield as "strewn with the half buried and exposed remains of the fallen soldiers."[34]

These stories were in part true, and relatives of the men who died in battle, as well as other private citizens, expressed great concern. Citizens pressured Congress to have the Army establish a national cemetery there so that the graves of the soldiers could be cared for. The War Department was itself equally concerned. General Philip H. Sheridan visited the site in July 1877 and later said that "it has been my intention to ask...to have this spot set off as a national cemetery...." On October 16, 1878, Quartermaster General Montgomery C. Meigs recommended to the Secretary of War that a monument be erected at the site and that all the remains of the soldiers be interred in a common grave underneath the shaft. Acting on these recommendations the Secretary of War ordered the establishment of a national cemetery of the 4th class on January 29, 1879.[35]

Formal establishment of the Custer Battlefield National Cemetery took place on August 1, 1879, with issuance of General Orders No. 78, Headquarters of the Army, which also stated that its boundaries would be announced upon completion of a survey. Evidently the survey took several years. One plan contemplated a reservation embracing eighteen square miles but this was subsequently reduced to one square mile. On December 7, 1886, President Grover Cleveland signed an executive order designating the boundaries of the "National Cemetery of Custer's Battlefield Reservation." Unlike other national cemeteries, this one embraced most of the key points of the battlefield, partly because it was clear that not all the remains of fallen soldiers had yet been found. But this designation also added a new note to historic preservation by preserving a battlefield under the general authority granted by Congress to establish national cemeteries.[36]

We now return from this necessary digression to resume the story of Gettysburg Battlefield and the four national military parks authorized between 1890 and 1899.

Gettysburg National Park

With completion of the Gettysburg National Cemetery, there commenced the the work of preserving and marking key locations on the battlefield. For this purpose, the State of Pennsylvania had chartered the Gettysburg Battlefield Memorial Association on April 30, 1864, headed by the Governor and composed of public spirited citizens of Pennsylvania, to commemorate "the great deeds of valor...and the signal events which render these battlegrounds illustrious." Founded while the Civil War was still in progress, this Association was one of the earliest historic preservation organizations in the country.[37]

For several years after 1864, the energies of the Association's members were absorbed by duties connected with the national cemetery. By 1887, however, Pennsylvania had begun to appropriate State funds to make possible the first purchases of lands on Gettysburg Battlefield. Important locations on Little Round Top, Culps Hill, and East Cemetery Hill were chosen as the first land holdings. By 1883, the Association found it desirable to enlist support beyond Pennsylvania and directors were elected representing almost every Northern State. The Grand Army of the Republic also took an active interest and helped focus wide attention on the preservation and marking of Gettysburg Battlefield.

By 1890, with the help of many Northern States, the Association had acquired several hundred acres of land on the battlefield including areas in the vicinity of Spangler's Spring, the Wheatfield, Little Round Top, Wolf Hill, and the Peach Orchard, as well as the small white frame house General Meade had used as his headquarters.[38] The Association had also opened nearly twenty miles of roads along the Union lines of battle, and supervised the erection, by States and regiments, of more than three hundred monuments. Nearly one million dollars was expended in this varied work--New York alone having appropriated $300,000 and Pennsylvania $200,000. The States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware, Maryland, Ohio, Indiana, Michigan and Minnesota had each, as Congressman Cutcheon reported to Congress in 1890, "contributed liberally to illustrate and adorn this great battlefield of the Republic."[39]

To be done properly, however, the work of land acquisition, preservation, marking, and commemoration had to be based on serious historical research. In retrospect it seems truly remarkable that an able and extraordinarily dedicated student of the battle of Gettysburg was

available from the very beginning to help insure the historical accuracy of all these varied efforts.

This man was John B. Bachelder of Massachusetts. His unusual historical talents were described in detail by Senator Wade Hampton of South Carolina on March 17, 1880, in a report to the Senate from its Military Affairs Committee. The fact that only fifteen years after Appomattox a Southern senator and former Confederate general submitted this highly favorable official report is an exceptional tribute to Bachelder's impartiality. Senator Hampton grew up at "Millwood," his father's plantation near Columbia and took his place naturally among the planter aristocracy. A tall and powerful man who loved to ride and hunt, and a State senator, he entered the Confederate forces promptly at the outbreak of the war, soon becoming a brigadier general in the cavalry. Wounded at 1st Manassas and at Seven Pines, he suffered a third wound at Gettysburg. Following the withdrawal of Federal forces from South Carolina in 1876, he was elected Governor, and he entered the United States Senate in 1878.[40] His report to the Senate on Bachelder's studies of the battlefield of Gettysburg makes interesting reading.

> It appears that Mr. Bachelder, having the advantage of a military education, and love of history, went to the front early in 1862, more than a year before the battle of Gettysburg, to be in a position to collect data when the most important battle of the War was fought. After working up the details of several engagements, he reached the battlefield of Gettysburg before the dead were buried, remaining for eighty-four days, making plans of the field, visiting the wounded in hospital, and by permission taking the convalescent officers over the field, by whom their positions and movements were pointed out and established. During this period books full of notes from these actors were secured within a few weeks of the battle. With this information and sketches thus secured, he visited the Army of the Potomac, spending the winter of 1863-64 in consultation with the officers of every regiment and battery, whose conversations and explanations were carefully noted and preserved. At the close of the war, Mr. Bachelder issued an invitation to the many officers whose acquaintance he had made to visit Gettysburg with him for historical purposes, which was accepted by over one thousand; forty-nine of them generals commanding. From the acquaintance thus secured has resulted, during the past sixteen years, a most valuable correspondence regarding the battle of Gettysburg.[41]

Senator Hampton went on to point out that when the War Department found the official reports of the battle so incomplete and conflicting that the positions of troops could not be located from them with the accuracy required for official maps, Mr. Bachelder was employed to do the work. In due course maps were completed representing six phases of the battle and were approved by the Secretary of War. Immediately upon their distribution requests came to the Chief of Engineers from all sections of the country and from leading generals on both sides, urging the importance of compiling in text from the knowledge embodied in the troop position maps. Senator Hampton stated that there were over one hundred and fifty letters from "military men, college professors, directors of historical societies, public libraries, and other literary institutions urging the importance to the history of the country that the maps be accompanied by a text description, and the knowledge which they embody be placed within reach of the public."[42]

With his report, Senator Hampton introduced S. 1490, authorizing the appropriation of $50,000 to complete the survey of Gettysburg Battlefield and related historical studies, "the whole to be done by or under the direction of Mr. John B. Bachelder."[43] The Senate and House soon passed the measure, and it was approved by President Garfield on June 6, 1880. John B. Bachelder's virtues as an historian, though perhaps exaggerated in these generous encomiums, were considerable. He may be thought of as the first park historian. He set a high standard, of a specialized type, for the collection of combat history and for the accurate marking and mapping of troop positions on a heavily contested battlefield. The historical standards and style he helped to set at Gettysburg influenced the marking of other military parks and affected the kind of interpretation presented to visitors, which for many years strongly emphasized professional military study until that kind of history went out of fashion. Work of somewhat comparable character was performed for Chickamauga-Chattanooga by General H.V.N. Boynton, and for Shiloh by Colonel Cornelius Cable and Major D.W. Reed,[44] and for Vicksburg by Capt. W.T. Rigby.

Despite the close attention accorded Gettysburg from 1863 onward, two conspicuous ommissions in the work of preservation and marking still remained as veterans from both sides prepared for reunion on the battlefield on the twenty-fifth anniversary in 1888. The work of the Memorial Association had been largely directed toward acquiring key tracts of land occupied by the various State units along the Union lines and arranging for access to them and for monuments and markers. This work was largely financed by appropriations from the various States. Funds were simply not available to acquire

and mark locations occupied by the commands of the regular Army engaged at Gettysburg. Further, none of the Southern States had participated in the work of the Memorial Association, and therefore all that part of the battlefield on which the Army of Northern Virginia had formed its lines was still in private hands and unmarked. For eight years, from 1887 to 1895, Congress undertook to correct these deficiencies.

The first step was to arrange for proper marking of the position of each of the commands of the regular Army that fought at Gettysburg. A beginning was made by including in the Sundry Civil Act of March 3, 1887, an appropriation of fifteen thousand dollars for this purpose, barely in time for the great reunion of the following year. To acquire and mark the positions occupied by the Army of Northern Virginia was a much larger problem, however. Out of the effort to solve it grew a comprehensive plan for a Gettysburg National Park embracing all the principal areas of the battlefield.

Representative Byron M. Cutcheon of Michigan, a lawyer who had served in the Army of the Potomac with distinction throughout the Civil War, made the first major effort in 1890 to get a bill through Congress to create Gettysburg National Park.[45] Reporting to the House on August 27 for the Military Affairs Committee, he described all that had been accomplished by the Memorial Association and by others to mark the battlefield. "It has been," he said, "a work of love and grateful pride to the loyal States. But there is something due to history as well as to patriotism. There were two armies at Gettysburgh."[46] He then described the general plan for a park that would include the positions of both armies and that would be guided by a commission of three members, "each of whom shall have been participants in the battle of Gettysburgh, and one of whom shall have been an Officer of the Army of Northern Virginia." He recommended the enactment of H.R. 1868 and concluded with this significant statement:

> If this work is to be done, it must be done by the Government. It is equally impracticable for either the Northern or the Southern States to undertake it, and it is too great a work for the memorial association to undertake, and foreign to the object of its organization. It must be done by the National Government or remain undone.[47]

Although legislation to authorize the Chickamauga and Chattanooga National Park had passed Congress and been signed by the President only a few days before, Congressman Cutcheon's pleas did not meet with a ready and favorable response. It is likely that a major unresolved problem was the relationship of the park project to the several hundred acres of land already in the possession of the Memorial Association. A crisis soon developed which hastened the resolution of these difficulties--the proposed construction of an electric street railway across a major portion of the unprotected land, already planned in 1892 and actually begun the following spring. At this point Representative Oscar Lapham of Rhode Island, who had served in the Civil War as Captain of the Twelfth Rhode Island Volunteers, made another urgent attempt on behalf of the Military Affairs Committee to get a bill through the House. He advised his colleagues that "much of the ground occupied by the Army of Northern Virginia is in the hands of an association to be devoted to building lots, and...an electric railroad is to encircle the whole."[48] Nevertheless, this attempt, too, failed on the floor of the House.

It remained for one of the most picturesque and controversial figures of his day, Representative Daniel E. Sickles of New York, to sponsor the bill that was finally enacted to create the Gettysburg National Park. Born in 1825, Sickles had studied law and entered New York City and State politics. In 1825 he was an important figure in the successful effort to obtain Central Park for New York City. He served in Congress from 1857 to 1861 and during this period became notorious for having shot and killed Philip Barton Key, son of Francis Scott Key, on Lafayette Square in Washington, D. C., because of Key's attention to Mrs. Sickles, the handsome daughter of an Italian music teacher Sickles had married in 1853 when she was 17. When the Civil War broke out, Sickles immediately volunteered and quickly became a colonel, a brigadier-general, and in 1863 a major-general commanding the Third Corps. He fought in the Peninsular and Chancellorsville campaigns and arrived at Gettysburg during the second day's fighting. Struck by a shell, he lost his right leg in a hasty amputation on the battlefield. Recovering by the end of the war, he served briefly as military governor of the Carolinas, and then as Minister to Spain from 1869 to 1873. For over a quarter of a century, from 1886 to 1912, he served as chairman of the New York State Monuments Commission which placed monuments on Civil War battlefields. It was during this period that he was elected to a final term in Congress, 1893-1895, at just the proper moment to sponsor legislation to create the Gettysburg National Park. Representative Sickles introduced

his bill, H.R. 8096, on December 6, 1894.[49] The groundwork for the legislation had already been laid in previous years. With some amendments, the bill soon passed the House and Senate and was signed by President Cleveland on February 11, 1895.

The act establishing Gettysburg National Park began by authorizing the Secretary of War to accept from the Gettysburg Battlefield Memorial Association a deed of conveyance to approximately eight hundred acres of land, with all improvements and rights of access. This conveyance had been recommended by a committee of the Association some months before. Since Secretary of War Lamont had already appointed a Gettysburg Park Commission of three members in 1893, the act recognized that the park should be placed in their charge. The Secretary was also authorized to acquire additional lands on the battlefield, not exceeding in area the parcels shown on a map prepared by General Sickles, which were occupied by the infantry, cavalry and artillery on the first, second, and third days of July 1863. Other sections covered such matters as opening additional roads, marking lines of battle, condemnation proceedings, regulations, and penalties for defacing or mutilating the property in the park.[50]

The Gettysburg National Park Commission, led by its able chairman, Colonel John P. Nicholson, immediately undertook to carry out the provisions of the new law and during the ensuing years made steady progress toward the completion of the park. It is worth noting that the Commission was guided by a policy of preserving and restoring features of the battlefield as they existed at the time of the battle.[51] To accomplish this, stone walls and fences were repaired and restored, forests were renewed where they had been cut away since the battle, leases were made to farmers to live in the old farm houses and cultivate the old fields, and great care was taken to avoid changing the natural grades of the ground when constructing avenues. Land acquisition was carried forward in accordance with the law, and markers and monuments placed on lines of battle. By 1904 Chairman Nicholson was able to report to the Secretary of War that "we think one more liberal appropriation by Congress, for the fiscal year ending June 30, 1906, will enable the Commission to complete the Gettysburg National Park in a manner worthy of the Government and satisfactory to every section of the country...."[52]

The high and enduring place that Gettysburg occupies in the minds and hearts of the American people has been frequently reaffirmed ever since and never more eloquently than in recent years. The roster of distinguished visitors extends now to every country of the world. For the centennial in 1963, the eminent modern architect Richard Neutra designed for Gettysburg, under the MISSION 66 program, one of the handsomest and most functional visitor centers to be found in the entire National Park System. Carl Sandburg revisited the field

during the centennial and in a memorable television program reinterpreted the persisting meaning of Gettysburg for millions of Americans. In 1950 General Dwight D. Eisenhower, soon to be elected President of the United States, chose for his home a farm on the edge of Gettysburg battlefield in the rolling hills of Pennsylvania, filled with a century of the deepest kind of historical and patriotic associations which his presence and that of his family has further enriched. It is now the Eisenhower National Historic Site.

Chickamauga and Chattanooga

On the fields of West Chickamauga Creek and the hills around the rail center of Chattanooga, Union and Confederate armies clashed during the late summer and fall of 1863 in some of the hardest fighting of the Civil War. Following the battle at Chickamauga on September 18-20, 1863, the climax came in mid-afternoon on November 25, when the Union forces stormed Missionary Ridge in Chattanooga. In his *Oxford History of the American People* Samuel Eliot Morison calls this "the most gallant action of the war" and quotes General H.V. Boynton's eye-witness account:

> Eighty-nine regiments rush for the earthworks at the base of the ridge--every soldier like an arrow shot from a string which had been drawn to its full tension.... Riflemen in the Confederate earthworks and belching batteries above pelted them with the varied hail of battle. The sun swung low over the ridge. It never looked in all its shining over battlefields upon a more imposing rush. Two miles and a half of gleaming rifle-barrels, line after line of them, and more than a hundred and fifty banners, state and national, blossoming along the advance. Not a straggler, only the killed and wounded, dropped from the ranks. They swept over the lower earthworks, capturing many prisoners, and...swarmed up the slopes. The colors rushed in advance, and the men crowded towards the banners. Each regiment became a wedge-shaped mass, the flags at the cutting edge cleaving the way to the summit. Without faltering, without a stay, the flags went on,--not long, it is sadly true, in the same hands, but always in willing hands, and in an hour from the sounding of the signal guns for starting, the crest for three miles was crowned with the stars and stripes, Bragg's whole centre was in flight, and forty of his guns and two thousand prisoners were in the hands of Thomas's victorious army.[53]

The idea of a national park to commemorate the battlefields of Chickamauga and Chattanooga originated with this same eye-witness, General Boynton, when he revisited the area with his old commander, General Ferdinand Van Derveer, in the summer of 1888. Riding over the fields near West Chickamauga Creek, the idea came to them that this battlefield should be "a Western Gettysburg--a Chickamauga memorial."[54] But, they added, it should be *more* than a Gettysburg, which in 1888 still had State monuments along the Union lines only; here the lines of *both* armies should be equally marked by the Nation. General Boynton's proposal was quickly taken up by the Army of the Cumberland in cooperation with a local preservation committee headed by Adolph S. Ochs, later an important benefactor of the park. In September 1889, prominent Confederate veterans joined with Union veterans and the local committee to form the Chickamauga Memorial Association. Early in 1890, Representative Charles H. Grosvenor of Ohio, himself a former Union general and for two decades a prominent member and leading debater in Congress, introduced H.R. 6454 to establish the Chickamauga and Chattanooga National Park.[55] On March 5, 1890, Representative Frederick Lansing of New York, on behalf of the Military Affairs Committee of the House to which the bill had been referred, submitted a favorable report.

The report of the House Military Affairs Committee, the first to recommend establishing a complete national military park, is well worth some attention. To begin with, the committee took this policy position: "The preservation for national study of the lines of decisive battles, especially when the tactical movements were unusual both in numbers and military ability, and when the fields embraced great natural difficulties, may properly be regarded as a matter of national importance."[56] This criterion appears to have been utilized by later committees in considering proposed national military parks, with some exceptions, and in amended form ends up as one of the criteria for classifying battlefields developed by the Army War College in 1925 and used as the basis for the national battlefield survey conducted by the War Department between 1926 and 1933.[57]

In applying this criterion, the committee showed a keen awareness of modern European history and concluded that for the numbers engaged and the duration of fighting, Chickamauga ranked among the most noted battles of the modern world from the days of Napoleon Bonaparte to the close of the war for the Union.

> Wellington lost 12 per cent at Waterloo; Napoleon 14-1/2 per cent at Austerlitz and 14 per cent at Marengo. The average losses of both armies at Magenta and Solferino, in 1859, was less than 9 per cent. At Koniggratz, in 1866, it was 6 per cent. At Worth, Mars-la-Tour, Gravelotte, and Sedan in 1870,

> the average loss was 12 per cent. The marvel of German fighting in the Franco-Prussian War was the Third Westphalian Infantry at Mars-la-Tour. It took 3,000 men into action and lost 40.4 per cent.... There were several brigades on each side at Chickamauga and very many regiments whose losses exceeded these figures.... The average losses on each side for the troops which fought through the two days were fully 33 per cent, while for many portions of each line the losses reached 50 per cent, and for some even 75 per cent.[58]

The committee then made this significant statement of its underlying attitude toward the national military park concept.

> A field as renowned as this for the stubborness and brilliancy of its fighting, not only in our own war, but when compared with all modern wars, has an importance to the nation as an object lesson of what is possible in American fighting, and the national value of the preservation of such lines for historical and professional study must be apparent to all reflecting minds....[59]

The committee report pointed out that there was probably no other field in the world which presented more formidable natural obstacles to large-scale military operations than the slopes of Lookout Mountain and Missionary Ridge. Since the purpose would be to maintain the park in its historic condition, it also noted that there had been scarcely any changes in the roads, fields, forests and houses at Chickamauga since the battle, except in the growth of underbrush and timber, which could easily be removed. Taken together these fields offered unparalleled opportunities for historical and professional military study of the operations of two great armies over all types of terrain met with in actual campaigns, such as mountains, gentle and steep ridges, open fields, forests, and streams that presented military obstacles. From carefully placed observation towers on Missionary Ridge, Lookout Mountain, and Chickamauga, it would be possible for observers and students to comprehend the grand strategy of the campaign over a front that extended 150 miles and to follow many tactical details of the actual battles. A battlefield park of this quality and magnitude could be found in no other nation in the world.[60]

The committee reported that all the armies and nearly every State of the North and South had troops on one or both fields, thus confirming the national character of the project. Union troops from 18 States were engaged there; troops were present from every State of the Confederacy; and three States, Kentucky, Missouri, and Tennessee, contributed large numbers to both armies. The regular Army had nine regiments and seven batteries on these fields. Among the noted officers present on one or both fields were Grant, Sherman, Thomas, Rosecrans, Hooker, Sheridan, and Granger of the Union Army, and Bragg, Longstreet, Hood, Hardee, Buckner, Polk, D.H. Hill, Wheeler and Forrest of the Confederate forces. The proposed park was readily accessible by railway and road and would preserve for the Nation, for historical and military study, "the best efforts which these noted officers, commanding American veterans, were able to put forth."[61]

The report of the House Military Affairs Committee was well received in Congress, not only in the House, where the bill quickly passed, but also in the Senate where the report was adopted almost word for word by the Senate Military Affairs Committee. The bill soon passed the Senate and was signed by President Benjamin Harrison on August 18, 1890.

The act establishing the Chickamauga and Chattanooga National Park preceded even the enabling act for Gettysburg and as the first legislation enacted by Congress to authorize a large battlefield park deserves some special comment. It begins by stating that the purpose of the park is "preserving and suitably marking for historical and professional military study the fields of some of the most remarkable maneuvers and most brilliant fighting in the war of the rebellion...." To accomplish this purpose, the act authorized the Secretary of War to acquire approximately 7,600 acres of land within prescribed boundaries embracing the battlefield of Chickamauga, and eight highways, scenes of battlefield maneuvers, as approaches to and parts of the park. Subject to the supervision of the Secretary of War, the affairs of the park were placed in charge of three commissioners, each of whom should have actively participated in the battle of Chickamauga or one of the battles about Chattanooga. The Secretary of War was authorized to enter into agreements with such owners of the land as desired to remain on it, to occupy and cultivate their holdings upon condition they "will preserve the present buildings and roads, and the present outlines of field and forest...." It was the duty of the commissioners to open such roads as might be necessary for park purposes and mark the lines of battle of *all* the troops engaged in the battles of Chickamauga and Chattanooga insofar as they fell within the park. To carry out this work, the commission was authorized to employ an "assistant in historical work." States were authorized to enter on park lands to place markers, on sites where their troops were actually engaged, subject to approval of the Secretary of War who was also authorized to make all needed park regulations.[62]

As soon as these concepts for the Chickamauga and Chattanooga National Park were written into law, the Secretary of War proceeded to appoint the three members of the Park Commission. The Commission went to work promptly and effectively; and on September 18-20, 1895, the park was dedicated in an impressive national observance. Vice President Adlai Stevenson led a delegation from Washington, D.C., which included official representation from both the House and the Senate. Twenty-four States were represented, in fourteen cases by the governor and his staff. A large tent was erected with a seating capacity of ten thousand and was filled on several separate occasions by reunions of different veterans' organizations. On the main day of dedication, it was conservatively estimated that forty thousand veterans were in attendance. As Dr. Paul Buck observes, "The sentiment everywhere expressed was pride in the fact that after thirty-two years the survivors of the two armies could meet again on the field of conflict 'under one flag, all lovers of one country.' ...In the long night of sordid contention through which the North and South passed before true peace was realized the people clung to the ennobling memory of four years' heroic effort, until in time, at Gettysburg and at Chickamauga, they welcomed the mellowed recollection of their quarrel as a bond of union, where one they feared it might divide.... Something remarkable in history had occurred."[63]

Shiloh and Vicksburg

The story of the preservation of the battlefields of Shiloh and Vicksburg may now be told rather quickly. Unlike Gettysburg and Chickamauga which for many years were officially named National Parks, Shiloh and Vicksburg were called National Military Parks from the beginning.

Representative David Bremner Henderson of Iowa was the father of the legislation for Shiloh. Born in Old Deer, Scotland, in 1840, he emigrated with his parents to America in 1846. In 1861 he enlisted in the Union Army and soon became a first lieutenant with the 12th Iowa Infantry. He was wounded in the neck at Fort Donelson and in the left leg at Corinth near Shiloh--so severely that part of his leg had to be amputated. Nevertheless he was able to re-enter the Army in 1864 in command of the 46th Iowa Volunteers. After the war, he entered the practice of law in Dubuque, Iowa, was elected to Congress in 1882, and served for ten consecutive terms. In 1889 and again in 1901 he was the unanimous choice of his party for Speaker of the House. In addition to this high office, his most distinguished services in Congress were in behalf of the veterans of the Civil War and their widows and orphans, for whom he sought and secured pensions.[64]

On March 30, 1894, Representative Henderson introduced H.R. 6499 to establish a national military park at the battlefield of Shiloh. The import of this bill can be best gained from the statement of purpose in the opening section: "that in order that the armies of the southwest which served in the Civil War, like their comrades of the eastern armies at Gettysburg and those of the central west at Chickamauga, may have the history of one of their memorable battles preserved on the ground where they fought, the battlefield of Shiloh... is hereby declared to be a national military park...."[65] The favorable report of the House Committee on Military Affairs, submitted June 22, 1894, clearly documented the character of those western armies. Troops from eleven Union States, principally midwestern, fought at Shiloh. Representative Henderson's State of Iowa alone furnished eleven regiments of infantry, while Kentucky furnished twelve, Indiana seventeen, Ohio twenty-four and Illinois twenty-seven. Ten Confederate States were also represented at Shiloh, including nine infantry regiments from Mississippi, eleven each from Arkansas and Louisiana, twelve from Alabama, and twenty-eight from Tennessee. The total number of troops engaged was between 90,000 and 100,000, and the losses were severe. In brief, the committee reported, "the bill appropriates $150,000 to make a national park out of what is now almost an unsightly tract of land upon which was fought one of the most important and deadly battles during the war of the rebellion."[66] The bill contained provisions nearly identical with Chickamauga for land acquisition, preservation and marking of battle lines, leases to property owners, and State participation. For the first time, however, the Shiloh law clearly spelled out that two of the Commissioners should have served in the Union Army and one in the Confederate forces. Amended to reduce the authorization of funds to $75,000, the bill passed the House and Senate promptly and was signed by President Grover Cleveland on December 27, 1894.

Because Congress had already authorized Shiloh battlefield to commemorate the armies of the Southwest, a special case had to be made for Vicksburg. Representative Thomas Clendenen Catchings of Mississippi took the lead, first introducing a park bill in January 1896. When it failed to pass, although favorably reported by committee, he re-introduced the bill in the next Congress in December 1897. Representative Catchings was a native of Mississippi, had served in the Confederate Army throughout the war, and entered the practice of law in Vicksburg in 1866. After holding State offices, he was elected to Congress in 1885 and served eight consecutive terms to 1901.[67]

In reporting favorably on Representative Catchings' bill in March 1898, the House Committee on Military Affairs set forth the case for Vicksburg as seen in Congress. The purpose of the bill was "to convert into a national military park the historic ground in and near...Vicksburg upon which occurred the most prominent operations of the Union and Confederate armies during the investment, siege, and defense of that city."[68] On this historic ground were extensive military works including forts, redoubts and entrenchments. By acquiring a strip of land, approximately 3-1/2 miles long but only 1/2 mile wide and embracing about 1,200 acres, the most important features of the engagement could be preserved. It was estimated that only $40,000 would be needed for land acquisition and $25,000 for development. The proposed boundaries and the estimated cost had the approval of the Secretary of War and also of the association of Union and Confederate veterans who participated in the siege and defense. The bill was similar to that for Chickamauga National Park but the cost was very much less.

"The campaign of General Grant, which terminated in the capitulation of the 'Gibraltar of the South,'" reported the Committee, "was not only one of the most remarkable of that war but has been justly assigned a place among those affording the greatest interest to the student of the military history of the past."[69] Vicksburg had been recognized by generals on both sides as the key to the opening of the Mississippi River, with immense consequences for the outcome of the war. Quoting Volume 24 of the *Official Records*, which had been only recently published, the Committee referred to statements by General Halleck of the Union Army and General Pemberton of the Confederate forces. Halleck had written Grant, "in my opinion the opening of the Mississippi River will be to us of more advantage than the capture of forty Richmonds.... It is the most important operation of the war." Pemberton had said: "The evacuation of Vicksburg! It meant the loss of the valuable stores and munitions of war collected for its defense, the fall of Port Hudson, the surrender of the Mississippi River, and the severance of the Confederacy." These views, said the committee, had since been amply confirmed by the judgment of the best generals and historians of the Civil War.[70]

The case for Vicksburg did not rely alone upon its historical importance, however; widespread public support had been mobilized for the measure. The legislatures of twelve States had memoralized Congress for the establishment of the park. The Grand Army of the Republic had endorsed the proposal at three successive national encampments in 1895, 1896, and 1897; department encampments in sixteen States had added their approval. The measure also had the support of General John B. Gordon on behalf of the United Confederate Veterans' Association. The Committee on Military Affairs confidently recommended the bill to the favorable consideration of the House.[71]

This confidence was not misplaced. The House passed the bill on February 6, 1899; four days later the Senate followed suit; and on February 21, 1899, it was signed by President William McKinley and became law.

Military Maneuvers

One final action by the Congress rounded out the national military park idea and made it complete. This was a measure passed in 1896 which declared all the national military parks and their approaches to be "national fields for military maneuvers for the Regular Army of the United States and the National Guard of the States." This use of the battlefields turned out to be important not only at Chickamauga, with Fort Oglethorpe established on immediately adjoining land, and at Petersburg, with Camp Lee adjoining, but also at most of the other parks, where for many years the Regular Army and the National Guard held encampments, maneuvers, and various kinds of training exercises and where, even today, special groups of officers, including engineers, are not infrequently schooled in battlefield history by National Park Service historians.

In reporting this bill to the House on February 14, 1896, Representative John P. Tracy of Missouri made some observations that deserve recording. Regarding Chickamauga-Chattanooga he said:

> as a theatre for military instruction, with its 10 square miles of battlefield and 40 miles of approaches, it can not be excelled. No other government owns such a theatre of notable engagements. A month's campaigning for practical study on such a field of maneuvers by the corps of West Point cadets, where the lines of battles and the movements in the engagement of nearly every organization of each side have been ascertained and...marked with historical tablets... would be worth an entire course in textbooks on the strategy of a campaign and battle tactics.[72]

He went on to point out that by by maneuvering on different battlefields the Nation's military forces could become familiar with "the varied character of approaches to great and decisive battles." Furthermore the benefits would come not only to the Regular Army but would "embrace the National Guard of the several States in the practical instruction to be given and thus raise the military standing of the guard and make of it an efficient national body which in time of war may act in full accord with the War Department and the forces of the Regular Army."[73]

On behalf of the Committee on Military Affairs, Senator Joseph R. Hawley of Connecticut reported this same measure favorably to the Senate on March 19, 1896. Senator Hawley had a long-standing interest in historical and military matters. Before the war he had been active in the anti-slavery crusade and was a friend of Gideon Welles and of Charles Dudley Warner. In 1857 he became editor of the *Hartford Evening Press* and after the war served for a time as editor of the *Hartford Courant*. On April 18, 1861, immediately after the bombardment of Fort Sumter, he entered the Union Army as a captain, saw service in thirteen battles and actions and ended his army career as a brevet major general of volunteers. He was elected governor of Connecticut in 1865 and served three terms as a representative in Congress between 1868 and 1881. He was president of the United States Centennial Commission of 1876. In 1881 he entered the U.S. Senate and served for twenty-four years until his death in 1905. As chairman of the Senate Committee on Military Affairs, he took a keen interest in the national military parks.[74] It was consistent with this interest that his favorable report on the bill to utilize the parks as national fields for military maneuvers by the Regular Army and the National Guard met with prompt approval by the Senate and was signed by President Grover Cleveland on May 14, 1896.

Conclusion

We may now attempt to summarize the significance of the first four national military parks for the development of national historic preservation policies.

For the first time, Congress approved the acquisition of nationally significant historic property from private owners, using Federal funds and if necessary, the power of eminent domain. The doubts about national historic preservation policy sometimes inferred from the refusal of Congress forty years earlier to appropriate $200,000 (an amount it considered exorbitant) to purchase Mount Vernon, were now superseded by four unequivocal measures to acquire battlefields important to the Nation for permanent preservation. Furthermore, the power of Congress to enact such historic preservation laws was unequivocally upheld by the U.S. Supreme Court.

A policy was established of preserving the battlefields as nearly as possible in their condition at the time of the battle. This policy was implemented in part by continuing the historic farmhouses and fields in use for agricultural purposes, thus adding life to the scene, and the same time reducing the costs of maintenance. The far-sighted practice of purchase and lease-back with preservation conditions was adopted as a tool of land management.

Congress recognized that specialized knowledge was required to ascertain, mark, and preserve the main lines of battle and the cultural features of the terrain. The solution adopted was to establish a three-man park commission for each area under the supervision of the Secretary of War, consisting of actual participants in the battle; of course, they were not professional historians. To help insure impartiality and to promote reunion of the sections, two members were appointed from among Union Army participants and one from the Confederate Army. The War Department provided historical assistance from the professional ranks of the military. No attempt was made, however, to establish a central historic preservation agency for the Federal Government, even for national military parks.

Lastly, States were expected to share the costs of preservation, marking and monumentation. The Federal Government undertook to acquire the land, ascertain the lines of battle, provide access roads, place markers on positions occupied by the Regular Army, and preserve the battlefield. The States were to mark and monument the positions of their troops, usually at a cost which represented a major part of the investment in park development. Both the Regular Army and the National Guard from the various States were allowed to use the complete national military park as a training and maneuvering ground.

The groundwork had now been fully laid for a phase of the historic preservation movement that was to go on for over seventy years, and still continues.

IV. LATER EVOLUTION OF THE NATIONAL MILITARY PARK IDEA, 1900-1933

Once started, the idea of preserving historic battlefields and other sites as national military parks or memorials spread rapidly. Between 1901 and 1904 thirty-four bills were introduced in Congress to authorize twenty-three additional historical reservations in nine different States and the District of Columbia. The House Committee on Military Affairs, to which all these bills were referred, soon found itself facing difficult questions of national historic preservation policy. Representative Richard Wayne Parker of New Jersey, a Princeton graduate and lawyer who had entered Congress in 1895 and with the exception of one term served continuously until 1911, was chairman of the committee.[75] At a hearing on April 14, 1902, he summarized the legislative situation as follows:

> We have before us bills for establishment of parks at Bull Run battlefields and at Plattsburg; for the purchase and preservation of Jamestown Island, Virginia, and making appropriations therefor; providing for the purchase of Temple Farm at Yorktown, Va., and for other purposes; to establish a national military park at the battlefield of Fort Stevens, D.C.; to establish a national military park and erect a peace monument at Appomattox, Virginia; for the purchase and preservation of the battlefields and fortifications of Forts Frederick, Crownpoint, and Ticonderoga, in Essex County, New York; to establish a national military park at Fort Frederick, Maryland; establishing the Franklin Military National Park; establishing the Wilson Creek National Military Park; establishing a national military park at Brandywine, Pennsylvania; to establish a national military park at Stone River; to establish a national military park at Perryville, Kentucky; and to establish a national military park at Valleyforge, Pennsylvania; and for the erection of a memorial building or monument at Fort Recovery, Ohio; for the acquisition of Valleyforge, Pennsylvania; and there may be others.[76]

This large number of projects gave the committee much concern, first of all because of their potential cost. On February 20, 1902, Chairman Parker asked Secretary of War Elihu Root for a statement concerning the costs of the four national military parks thus far established. On March 3, 1902, Secretary Root provided a detailed answer revealing that the aggregate amounts expended to that date for land acquisition, development, and maintenance were as follows:

Chickamauga and Chattanooga	$1,177,975
Shiloh	296,497
Gettysburg	423,322
Vicksburg	140,790
	$2,038,584

This was considered a very large sum and the committee estimated the cost of the new proposals before it would add another $2,000,000.[77] It appeared the national military park program could easily get out of hand unless treated very carefully.

A second problem also concerned the committee. The pending proposals were by no means confined to battlefields of the Civil War. They ranged the course of American history, from the colonial settlement of Jamestown, through the French and Indian War, the Revolution, the War of 1812, and the Civil War. They included projects to preserve forts as well as battlefields and to erect monuments and memorials. Judging from its subsequent recommendations to the House, the Committee on Military Affairs clearly reached the conclusion in 1902 that the time had come for Congress to consider a general policy and program for this type of historic preservation rather than attempt to handle these diverse proposals piecemeal.

Lastly the committee was concerned about the proliferation of separate park commissions should the numerous pending bills be enacted into law. Most of them were patterned after the national military park legislation of the previous decade and therefore provided for the appointment of an additional park commission for each new project. As Representative Parker later reported to the House:

> We have already four military commissions, for Chattanooga, Shiloh, Gettysburg, and Vicksburg.... Separate commissions were necessary to establish these great parks. The system is too cumbrous to be continued beyond the time necessary therefor. Nor was it intended by the statutes which established these parks in 1890, 1894, 1897, and 1899.... Patriotism demands the preservation of these spots [for which bills are pending]. But it is plain they will not be preserved if a salaried commission has to be created for every spot and the surrounding country brought in and changed into a park for the benefit of some neighboring town, or for the glorification of its creators.[78]

As part of their study of these problems, Chairman Parker and his committee held two very interesting hearings on April 2 and April 14, 1902. The chief witness was Brigadier General George Breckenridge Davis, a distinguished career officer of the U.S. Army. Born in 1847 in Ware, Massachusetts, he had enlisted in the 1st Massachusetts Volunteer Cavalry at the age of sixteen. Entering West Point after the Civil War, he graduated in 1871, subsequently seeing military service in Arizona, Wyoming, Indian Territory, and elsewhere in the West. He was twice called back to West Point for duty as a teacher where he gave instruction in history, geography, ethics and law. In 1888 he was called to Washington, D.C., and for the next seven years served as chairman of the Commission for Publication of *Official Records of the War of the Rebellion*, a monumental historical source

collection embracing 130 volumes. Author of several important legal treatises, he ended his career with ten years' service as Judge Advocate General, during which time he also served as United States delegate to the Red Cross Conference in Geneva in 1906 and to the second Peace Conference at the Hague in 1907.[79] General Davis was keenly aware of the problems involved in marking and preserving historic battlefields and his testimony before the committee deeply influenced their subsequent recommendations to the House.

"The Antietam Plan"

The hearing on April 2, 1902, dealt primarily with the question of how to accomplish the needed work of historic preservation and marking, represented by pending bills, without incurring exorbitant costs. General Davis testified that the acquisition of additional large tracts of land was not necessary; that small tracts and markers should be sufficient in almost every pending case. During his service as chairman of the *Official Records* Commission, and especially between 1890 and 1895, General Davis had gone into the field several times, he testified, to study a number of battlefield proposals and in some cases to place markers. He was in charge of marking the lines of battle at Antietam early in the 1890s and very shortly reached this conclusion: "If it is the purpose of Congress to perpetuate this field in the condition in which it was when the battle was fought, it should undertake to perpetuate an agricultural community.... That was its condition in 1862, and that is the condition in which it should be preserved."[80] General Davis had therefore arranged that no large tracts of land be bought at Antietam but rather that narrow lanes be obtained along the lines of battle and fences erected on either side so as to preserve the farming lands intact. The land cost was very little, the expense of constructing roads was small, and the historical markers were well located and accessible in a setting still basically agricultural.[81] This method of battlefield park treatment came to be known as the "Antietam plan," in contrast to the plan of acquiring large tracts of park lands as was done at Gettysburg and Chickamauga. The "Antietam plan" remained an important feature of War Department and congressional thinking on battlefield preservation until the transfer of the national military parks to the Interior Department in 1933. For example, the 1927 legislation which authorized preservation of the battlefields of Fredericksburg, Spotsylvania Courthouse, Chancellorsville and the Wilderness specifically named the Antietam system as the guide to be used in preserving these four areas.

General Davis also testified to some of his other early activities in historic battlefield preservation. In 1892, as the volume of War Records relating to the Appomattox campaign was in preparation, he sent an aide to check over the maps on the ground before they were published. The aide reported back that the old Appomattox Courthouse had burned, the McLean House had been taken down, brick by brick, with a view to its removal to Chicago, Illinois, for exhibition purposes, and the house occupied by General Grant as his headquarters had disappeared. General Davis immediately reported the matter to Secretary of War Daniel S. Lamont and recommended that these and other important sites at Appomattox be permanently marked by tablets. Secretary Lamont approved and General Davis then had these and several other spots carefully marked including the "place where the apple tree stood under which General Lee awaited...a message from General Grant; the place where General Lee issued his farewell order to the Army of Northern Virginia, and the place where Grant met Lee on April 10." At the request of the House Military Affairs Committee, General Davis visited Appomattox again in 1902 and checked the condition of these markers placed ten years before. They were still in excellent condition except for the need of painting. If the Congress concluded that land should be acquired around these markers, then 150 acres would be amply sufficient to embrace all the main points of interest, General Davis testified, rather than the 2500 acres proposed in pending legislation.[82]

General Davis also reported to the committee on several conferences he had had with Secretary Lamont about the Manassas battlefields, which resulted in the Secretary directing him to visit the area and make recommendations. After carefully studying the terrain of both the first and second battles of Manassas, General Davis concluded that the only land acquisition required was the Henry House and field, the central point of the first battle, and a small tract on the Dogan Place. Still later, General Davis went over the ground of the Atlanta Campaign in Georgia for the War Department. Again he concluded that substantial land acquisition was unnecessary and that "tablets could be erected largely in the public roads, marking points... where the lines of battle crossed...and giving directions to travelers as to the points of interest as they passed along the road."[83]

These ideas of careful but inexpensive historic marking and preservation met with the warm approval of the House Military Affairs Committee. As Chairman Parker reported to the House on May 14, 1902, "It is not desirable that all those battlefields should be turned into great military parks, adorned with monuments, and so changed

as to be utterly unlike the country at the time of the battle.... The farm land, the woods, the pastures, and, in some cases, the buildings should be left as they were...." And again, "the work ought to be done as it was done at Antietam, by acquiring narrow roadways, maintaining the general condition of the country, setting up proper monuments and markers, and thus enabling the student and patriot to see how the battle was fought."[84]

Proposal for a Central National Military Park Commission

The hearing on April 14 dealt with the growing number of national military park commissions. This problem had been brought to a sharp focus on March 4, 1902, when Representative Frederick Clement Stevens of Minnesota, a member of the Committee, introduced H.R. 12092 to repeal existing laws and provide for a new central "national park commission" of five members to be placed in charge of the "restoration, preservation, and suitable marking, for historical and professional military study, of such battlefields of the war of the rebellion as are now or may hereafter be acquired by the United States."[85] This significant general bill, along with the numerous special bills for special projects, was also before the committee for consideration at both the hearings. In the testimony that followed, major questions regarding the proper Federal organization to carry out historic preservation work were explored.

The first question that interested Chairman Parker was whether responsibility for future work of preservation and marking, which all agreed ought to be done on an economical pattern, should be assigned directly to the Secretary of War, or whether it should be assigned to a single central commission acting under his supervision. On this delicate matter of organization, several interesting points developed during the interchanges between the committee and General Davis. There were already four park commissions actively at work. Because their members had been respected participants in the battles, as well as students of military history, their contributions would continue to be important for some years. However, the time was not far off when the physical effort of their work would become more and more difficult for them. Therefore a transition plan was needed. This plan should be (1) to establish a new central commission of five members, including one member from each of the four local commissions; (2) let the local commissions complete their work, but fill no vacancies; (3) allow the central commission gradually to absorb the duties of the local commission and meanwhile take full responsibility for all new projects authorized by Congress; and (4) last of all, look forward to the time, about ten years hence, when the central commission would in its turn be gradually replaced by the Secretary of War and his staff.[86]

The responsibilities of the proposed commission were also discussed at length. It was soon clear that the proposal in H.R. 12092 was not broad enough, for it was confined solely to Civil War battlefields and left out all the other projects that members of Congress had pending before the committee. At one point occurred this exchange:

> The Chairman. "General, ought not this commission to have charge likewise of dealing with matters not connected with the civil war,--of the Revolutionary war, or Indian Wars?"
>
> General Davis. "The whole class of subjects with which the government has to deal might well be vested in them."[87]

Chairman Parker then listed the numerous special bills pending before the committee and asked for the views of General Davis. He replied, "All those could only be intelligently handled by a commission that treated the whole subject."[88]

And again:

> The Chairman. "Do I understand that meanwhile you would advise that full discretion in all these matters be given to this central commission and that no further special acts be passed as to special battlefields?"
>
> General Davis. "Yes sir: I do, decidedly."[89]

This was the crux of the problem before the Committee on Military Affairs. It felt obliged to choose between recommending to the House a general solution to the continuing problem of battlefield preservation and marking, or presenting reports on an assortment of uncoordinated and largely unstudied special projects. The Committee chose the former course, and on May 14, 1902, Chairman Parker submitted its report to the House. Accompanying the report was a new bill, H.R. 14351, which had been drafted by the committee with the assistance of General Davis on behalf of the War Department.

The broad purpose of the committee's bill was succintly described to the House by Chairman Parker:

> This is a bill to provide for a national military park commission with general power to restore, preserve, mark and maintain, in commemoration, of the valor of American arms and for historical, professional, and military study, such battlefields, forts, cemeteries, or parts thereof, of the colonial, Revolutionary, Indian or civil wars, or of any other wars of the United States, as may hereafter be acquired by the United States, and to establish military parks thereon.[90]

This statement of purpose went far beyond any legislation of this kind previously introduced into Congress, in respect to both its comprehensive coverage of all periods of American military history and its inclusion of forts and cemeteries as well as battlefields among the objects of preservation.

The bill provided that the National Military Park Commission should consist of five members, appointed by the President for five year terms and confirmed by the Senate, with the first membership to include one member from each of the existing commissions. An appropriation of $200,000 was authorized for the work of the commission. This work would include discretionary power to acquire tracts of land containing points of historic interest or importance and to ascertain and mark lines of battle, provided no more than $5000 was expended in the purchase of any single tract. Other sections provided for protection of historic property; cooperation with States, municipalities and military societies; and lease-back of lands to former owners on historic preservation conditions. Lastly, and perhaps most interesting, the commission was empowered, in effect, to make surveys and investigations and "report to Congress as to places and sites or additions...suitable and proper to be acquired and restored, preserved or marked," with an estimate of the cost. If the cost exceeded the commission's available funds, no further action was to be taken until authorized by Congress.[91] As Chairman Parker stated in his report to the House, "The provisions of this bill will finally take care of all the battlefields of the Union." [92]

Formulation and introduction of this general bill marked a significant step forward in congressional awareness of the need for a national historic preservation policy. But the determined opposition of the battlefield commissions, which had tremendous influence, caused the House to reject the recommendations of its Committee on Military Affairs in 1902. Representative Parker reintroduced the measure, slightly amended in detail but not in purpose, in 1903, 1904, 1905, 1906, and 1910. The Committee on Military Affairs continued to support the bill with strongly favorable reports in 1904 and again in 1906. It is interesting to note that during the latter year the House Public Lands Committee finally succeeded, after several years of rather parallel effort, in securing passage of the Antiquities Act of 1906 to preserve historic landmarks and historic structures on lands owned or controlled by the Government of the United States. Growing numbers of members of Congress on both committees were becoming aware that historic preservation by the Nation required consideration of broad legislative action. The proposal for a single, central National Military Park Commission was, however, never to reach this successful result. After 1906, the Committee on Military Affairs stopped making reports on the proposal, and Congressman Parker left Congress on March 3, 1911.

Nevertheless, the proposal for a central commission to guide preservation of battlefields, forts and cemeteries of all periods of American military history had several significant consequences. First, it resulted, together with the interruptions caused by World War I, in suspending action on special acts to establish special battlefields for many years, with only minor exceptions. For a quarter of a century, from 1900 to 1925, only five bills among many introduced appear to have been enacted into law, and those were on a very limited basis. Thus in 1906 Congress authorized a monument at King's Mountain battlefield in South Carolina; and in 1907, funds were appropriated to complete a monument on the battelfield of New Orleans; but both were to be locally maintained. In 1917, Congress authorized the War Department to accept a small tract of land on the Kennesaw Mountain battlefield, with a monument on it, from an association. And lastly, in two steps, one in 1911 and the other in 1917, Congress authorized a small national military park of 125 acres at Guilford Court House, North Carolina.[93] This was small fruit, and as a further consequence of this quarter century of congressional inaction, an accumulation of preservation projects was stored up which descended on Congress in a small flood during the 1920s.

Secondly, the idea of gradually terminating the four separate park commissions for Chickamauga, Shiloh, Gettysburg, and Vicksburg was finally adopted by Congress in 1912. However, instead of establishing a central commission to take over their duties, provision was made for the gradual transfer of their functions directly to the Secretary of War. The Sundry Civil bill of 1912 provided that as vacancies occurred by death or resignation in the membership of the several commissions in charge of national military parks, they should not be filled. Instead, the Secretary of War designated an ex-officio member with full authority to act with the remaining commissioners. And when all offices of commissioner became vacated, the duties of the commission were thereafter to be performed under the direction of the Secretary of War. It was these comparatively modest duties of the four existing national military park commissions, inherited by the Secretary of War in 1912, which were among those subsequently transferred from him to the Secretary of Interior in 1933 and thereafter delegated to the Director of the National Park Service, where they reside today.

Last of all, it was during this very period, when so little was being approved by Congress to provide overall direction in the War Department for a growing national historic preservation program, that legislation was first introduced to create a Bureau of National Parks in the Department of the Interior and referred to the Public Lands Committees of the House and Senate for consideration. This legislation, of course, was primarily concerned with providing overall direction for the national parks and for most of the national monuments. Nevertheless, it is intriguing to note that one of the earliest bills placed before Congress to authorize a Bureau of National Parks, S. 3463

introduced by Senator Reed Smoot of Utah on December 7, 1911, specifically referred to federally owned historical property. Here is the language:

> Sec. 2. That the director shall, under the direction of the Secretary of the Interior, have the supervision, management, and control of the several national parks, the national monuments, the Hot Springs Reservation in the State of Arkansas, *lands reserved or acquired by the United States because of their historical associations ;* and such other national parks, national monuments, or reservations of like character as may hereafter be created or authorized by Congress [emphasis supplied].[94]

It is not clear whether this language intentionally or inadvertently covered the national military parks. Since this language reappears in several other similar bills introduced into both the Senate and the House during the next five years, through 1915, it appears to have been intentional. In the end, however, as we will note in a later part of this study, this language was modified, and the enabling act of 1916 as signed by the President provides that the Director of the National Park Service shall have responsibility for "the several national parks and monuments now under the jurisdiction of the Department of the Interior, and of such other national parks and reservations of like character as may be hereafter created by the Congress....'[95] The national military parks were not mentioned. Although it was apparent to few persons at the time, the seeds of the future were nevertheless present in this legislation. And in due course, in 1933, they were to bear substantial fruit when the national military parks were finally added to the National Park System. But before this happened there was much other study and consideration of the battlefields, forts and cemeteries in the Congress of the United States and in the Executive Branch of the Federal Government between 1923 and 1933. To this story we now turn.

The 1926 Act for the Study and Investigation of Battlefields

Interest in the establishment of new national military parks revived in the 1920s after the victorious conclusion of World War I. The Nation was prosperous, the coming of the automobile in large numbers and better roads was making travel more and more popular, and there was a backlog of preservation projects to be considered, some of which had been first introduced in Congress over a generation before.

As in the case of all wars, before the Nation could take up the pursuit of peaceful domestic projects, it first had to pay its respects to its fallen soldiers. This time the battlefields and cemeteries were far away in Europe and there were many of them. On March 4, 1923, President Warren G. Harding approved general legislation previously passed in the Congress "for the creation of an American Battle Monuments Commission to erect suitable memorials commemorating the services of the American soldier in Europe, and for other purposes." It was to be the duty of the seven-member commission to erect suitable memorials to the American forces in Europe at such places as the Commission determined, including works of architecture and art in the American cemeteries there. But the Commission was also required to make a photographic record of the terrain of the various battlefields of Europe upon which units of the armed forces of the United States were engaged with the enemy, so as to complete the historic photographic record for the permanent files of the War Department. Upon the completion of each memorial the Commission was to notify the Secretary of War who would then assume responsibility for its maintenance.

This study is not the proper place to trace the history of the American Battle Monuments Commission during the years that followed. Suffice it to note here that the aspect of national historic preservation work represented by the monumenting, preserving and marking of American battlefields at home was by this means extended overseas in 1923, although in modified form. Today, almost half a century later, this work has been carried around the globe and still continues, with the end nowhere in sight.

We now turn our attention back to the domestic situation. By 1926, numerous bills proposing establishment of further historical reservations were again introduced into Congress, again they were referred to the House Committee on Military Affairs, and again the committee found itself faced with broad problems of historic preservation policy. As Representative Noble J. Johnson of Indiana reported to the House on behalf of the committee on May 4, 1926, "in the present session 28 bills have been introduced of which 14 provide for establishment of national military parks with appropriations authorized approximating nearly $6,000,000. The other bills provide for markers on battle fields, the inspection of sites with a view to eventual establishment of parks, etc."[96] Regarding the latter point, Congress had recently begun to enact special bills to make special studies of individual projects and had passed such bills for Chalmette in 1921, Yorktown in 1923, Fredericksburg in 1924, and Petersburg in 1925. None of these parks had been authorized and more of this sort of study legislation was in prospect. Chairman Johnson reported that the Military Affairs Committee believed strongly that provision should be made for a *general* study and investigation of all battlefields in the United

States in order to assist Congress in determining what action to take on the many specific proposals for commemoration and preservation that were before it. To accomplish the general study, Representative Johnson at first favored the old idea of creating a central national military park commission. On February 25, 1926, he introduced a bill, H.R. 9765, for this purpose. Secretary of War Dwight F. Davis strongly opposed this measure in a letter to the committee, however, and advocated instead that a general survey of battlefields be entrusted to the War Department. A new bill was drafted, H.R. 11613, embodying Secretary Davis's concept, and Representative Johnson reported it favorably to the House from the Military Affairs Committee on May 4. This bill passed Congress quickly and was signed by President Calvin Coolidge on June 11, 1926. It was the first legislation enacted by the Congress of the United States to provide for a broad historic sites survey.[97]

In recommending legislation to provide for a general study of battlefields in the United States, the House Military Affairs Committee had before it a long memorandum on the subject, prepared by Lieutenant Colonel C.A. Bach, Chief Historical Section, Army War College and approved on June 16, 1925, by Secretary of War Dwight F. Davis. This memorandum reviewed past actions of Congress that has shaped battlefield preservation policy, set forth a comprehensive system for classifying battles according to their importance, and proposed preservation action corresponding to the relative importance of each category. After reviewing nearly all congressional legislation enacted on this subject during the previous half century, Colonel Bach concluded that past actions of Congress provided an appropriate battlefield classification scheme for the future, which he set forth as follows:

> Class I. Battles worthy of commemoration by the establishment of national military parks. These should be battles of exceptional political and military importance and interest whose effects were far-reaching, whose fields are worthy of preservation for detailed military and historical study, and which are suitable to serve as memorials to the armies engaged.
>
> Class II. Battles of sufficient importance to warrant the designation of their sites as national monuments. The action of Congress and the great difference in the importance of these battles give reason for the subdivision under this class into:
>
> Class IIa. Battles of such great military and historic interest as to warrant locating and indicating the battle lines of the forces engaged by a series of markers or tablets, but not necessarily by memorial monuments.

Class IIb. Battles of sufficient historic interest to be worthy of some form of monument, tablet, or marker to indicate the location of the battle field.[98]

Colonel Bach them made a tentative classification of American battlefields into these catagories. Among all the battles fought during the Revolutionary War, the War of 1812, the War with Mexico, the Indian Wars, and the Civil War, he found only five deserving a place in Class I--the battlefields of Saratoga and Yorktown from the American Revolution, and Gettysburg, Vicksburg and Chickamauga-Chattanooga from the Civil War. Congress, he pointed out, had also placed Shiloh in this category. In Class IIa, he placed the battlefield of New Orleans together with fifteen important but not first-ranking battlefields of the Civil War, among them, for example, Manassas, Fort Donelson, Fredericksburg, Chancellorsville, Spotsylvania Courthouse, and the Wilderness. Last of all, he suggested an initial list of sixty-four lesser battlefields of all wars deserving of some kind of monument or marker under Class IIb.

In his review of Class IIb battles, Colonel Bach made some interesting observations. Regarding the Revolutionary War, he pointed out that Heitman's *Historical Register of Officers of the Continental Army* listed about 400 battles and engagements. From this list he selected 29 that in his judgment possessed "more than ordinary military and historic interest." Of these about half already had monuments, and the remainder he suggested deserved commemoration, among them Brandywine, Germantown, Camden, and Savannah. In the period of the War of 1812, he selected six battles for commemoration without comment. For the Mexican War he pointed out that only two battles were fought within the limits of the United States--Palo Alto and Resaca de la Palma, Texas--and both deserved some form of monument. Of the Indian Wars, he observed that lists prepared by the Adjutant General showed that more than 1,000 engagements occurred between 1866 and 1891 alone. While there were comparatively few engagements involving large forces, "all these encounters are more or less intimately related to the development of the Western States and the advance westward of civilization, [and] the most important of them are worthy of commemoration." He then recommended a list of 27 such battles to commemorate including Fallen Timbers, Tippecanoe, Horseshoe Bend, Okeechobee, Fort Phil Kearny, Little Bighorn, Snake Creek and Wounded Knee. Last of all, he pointed out that during the Civil War, fought over extensive territory for four years, there occurred over 2,000 battles, engagements, and sieges. He could not attempt to make a selection but expressed the view that a monument should be sufficient to commemorate any Civil War battle in this category and not already listed in a higher class.[99]

This historical proposal of the Army War College, endorsed by Secretary of War Dwight F. Davis, became the basis for legislation in 1926. The act then passed authorized the Secretary of War to make "studies and investigations and, where necessary, surveys of all battlefields within the continental limits of the United States whereon troops of the United States or of the original thirteen colonies have been engaged against a common enemy, with a view to preparing a general plan and such detailed projects as may be required" for proper commemoration. The act also required the Secretary of War to submit a preliminary plan for carrying out the purpose of the legislation on or before December 1, 1926, and thereafter to submit a detailed report of progress annually. No further real estate was to be purchased by the Government for military park purposes unless a report thereon was made by the Secretary of War through the President to Congress under the provisions of this act.

Beginning in 1926 and continuing through 1932, a national survey of battlefields was diligently conducted by a small staff attached to the War Department following the criteria set forth by the Army War College and each year a report on progress was made to Congress. The historical studies were conducted by the historical section of the Army War College. Lieutenent Colonel Howard L. Landers was detailed to head up these studies, with the assistance of another officer and four clerks. Preliminary field investigations and detailed surveys of battlefields, as required, were made by the Chief of Engineers through his district engineers. When a park project was actually authorized by Congress, the work of commemorating the battlefield was to be performed under the direction of the Quartermaster General. There was no single bureau in the War Department charged solely with these varied responsibilities for historic preservation.

The two most important annual reports of the Secretary of War on these battlefield surveys were those submitted to Congress in December 1928 and 1929. They dealt with the large backlog of old projects and took up many new ones. They developed the scope and nature of what the Nation might expect to come from this comprehensive survey of American battlefields. These two annual reports included preliminary field investigations of the only two Class I battlefields, Saratoga and Yorktown, and of the nine Class IIa battlefields, including Manassas, Chalmette, and Richmond, not yet authorized or pending authorization as national military parks. They also included recommendations for the monumentation of fifty other battlefields of all wars under Class IIb, including such places as Alamance, Appomattox, Balls Bluff, Camden, Cowpens, Monocacy, Pea Ridge and Wilson Creek. The proposed cost of the monuments ranged from a low of $2,500 for Balls Bluff to a high of $100,000 for Appomattox.[100]

New National Military Parks & Battlefield Sites

The question now was, what should Congress do with all this carefully prepared data? Supported by recommendations from the House Committee on Military Affairs, Congress decided to take two concurrent courses of action in the years from 1926 to 1933. First, it passed a series of six bills to authorize one national park, four national military parks, and one battlefields memorial, as follows:[101]

Date Approved	
6/2/26	Moores Creek National Military Park
7/3/26	Petersburg National Military Park
3/14/27	Fredericksburg and Spotsylvania County Battlefields Memorial (including also Chancellorsville and the Wilderness)
12/1/27	Stones River National Military Park
3/26/28	Fort Donelson National Park
3/3/31	King's Mountain National Military Park

It may be noted that through an entirely separate sequence of events Yorktown Battlefield also became a national historical reservation as a part of Colonial National Monument on July 3, 1930, as, indeed, Big Hole Battlefield in Montana and Sitka in Alaska had already become national monuments under the Antiquities Act as long ago as 1910.

Secondly, in 1930, Congress undertook to deal with the fifty Class IIb battlefields that had been recommended by the War Department for commemoration by drafting a huge omnibus bill listing and describing each project individually and authorizing appropriations for land acquisition and monumentation ranging from $2,500 to $100,000 depending on the importance of the site. Added all together the program called for a total appropriation of $624,400. It was a "rivers and harbors" bill for the monumentation of American battlefields, and very likely only the beginning, In preparation for consideration of this measure by the Congress, the House Committee on Military Affairs held a lengthy hearing on March 21, 1930. In addition to the members of the committee, 21 members of the House who were interested in particular battlefield bills were also present and most of them testified. The committee also heard testimony at length from Colonel Landers of the Historical Section of the Army War College, who was in general charge of the comprehensive survey of American battlefields. Colonel Landers made a responsive and thoroughly informed witness. It was necessary for him to testify, however, that the total program under the 1926 act would probably require the ultimate expenditure of $10,000,000 for national military parks and another $10,000,000 for battle sites other than parks, or a total of $20,000,000.[102]

On April 8, 1930, with the added benefit of data from the hearing, Representative Lister Hill of Alabama, who had presided, introduced the omnibus bill, H.R. 11489. And on May 19 he presented a comprehensive report to the House from the committee on the subject of battlefield commemoration. He favorably recommended passage of the entire omnibus bill, with only one minor amendment.[103]

What then happened is not clear. It must be remembered that eight months previously, the stock market crash of October 1929 signalled the onset of the Great Depression. It is likely that by May 1930 historic preservation and commemoration had fallen to a much lower national priority in the minds of members of Congress than it had seemed to occupy four years earlier. In the end, Congress again resorted to "special acts for special battlefields," even when authorizing only modest monuments.

Such treatment was individually authorized for each of the following battlefield sites between 1929 and 1931:[104]

Date approved	
2/21/29	Brices Cross Roads
2/21/29	Tupelo
3/1/29	Monocacy
3/4/29	Cowpens
6/2/30	Chalmette (take over maintenance)
6/18/30	Appomattox (monument only)
3/4/31	Fort Necessity

If one adds these seven battlefield sites to the six national military parks or their equivalents and the one national monument embracing a battlefield authorized during the same period, it makes a total of fourteen additions to Federal battlefield holdings between 1926 and 1933.

This was the general situation when, on June 10, 1933, President Franklin Delano Roosevelt signed the executive order that brought about the transfer of the national military parks, battlefield sites and national monuments, until then administered by the War Department, to the Department of the Interior. Along with the historic sites and buildings themselves, the records and files of the 1926-1933 national survey of battlefields were also transferred to the Interior Department. From that date forward, the policies and programs related to surveying, preserving, marking and interpreting battlefields were merged into the broader general program of historic preservation and interpretation then being developed under the leadership of the National Park Service.

V. CONCLUSION

More than three-quarters of a century have now passed since the first national military park was authorized by Congress in 1890. Over this long period of time some twenty-nine battlefields of the American Revolution, the War of 1812, the Indian Wars, and the Civil War, not counting numerous forts and national cemeteries, have been preserved or monumented as Federal holdings by the Government of the United States. In the case of the earliest of these battlefields, Congress for the first time authorized the acquisition of nationally significant historic property from private owners using Federal funds and, if necessary, the power of eminent domain, in order that such property could be preserved for the whole Nation for all time. The U.S. Supreme Court declared that such use was not only a public use, but one closely connected with the very welfare of the republic itself. During this period many battlefields not considered appropriate for Federal ownership were acquired by the States where they were situated and monuments erected or parks established. A rough check of battlefields preserved in State park systems in 1968 leads one to conclude that they exceed two score, not counting hsitoric forts, which number three times as many. Commemoration of the historic battlefields of American fighting forces was extended overseas in 1923 through the work of the American Battle Monuments Commission, and now includes battle sites around the globe.

The movement to preserve historic American battlefields reached deep into the roots of loyalty and national unity in the United States. The men who sponsored this movement were eminent in government and the life of the country. Although it is sometimes said that the United States is a militaristic nation, this charge is firmly denied by the majority of the American people. Nevertheless, it must be acknowledged that we do have a strong martial tradition rooted deeply in our national history. We have honored that tradition, among other ways, in a substantial series of unusual battlefield parks and sites commemorating the achievements of our soldiers in all our wars. Along with other elements in the historic preservation movement in the United States, including historic house museums, monuments of architecture, historic districts, and prehistoric ruins, battlefields and forts must be recognized as a significant and continuing element in our total historical heritage.

But in 1933 it was already becoming evident that a truly national historic preservation policy and program plainly needed a much broader base than battlefields, important as they were. The vision of such a broader program was already beginning to be seen by far-sighted persons associated with the National Park Service as early as 1928. In that year, the Secretary of the Interior appointed a Committee on Study of Educational Problems in National Parks. The distinguished

president of the Carnegie Institution, Dr. John C. Merriam, agreed to serve as chairman of the committee. Its five members, all of them eminent scholars, included Dr. Clark Wissler, Curator of Anthropology of the American Museum of Natural History. To Dr. Wissler was assigned the task of envisioning the future of the National Park System in the field of human history. Dr. Wissler gave much thought to this subject and in addition spent the summer of 1929 in field investigations in the Southwest, visiting, among other places, Aztec, Chaco Cayon, and Mesa Verde, as well as Santa Fe and the surrounding district. At a meeting of the committee held November 26-27, 1929, in Washington, D.C., Dr. Wissler presented his conclusions in the form of a report, which received extended discussion. The committee then adopted the following statement by Dr. Wissler:

> In view of the importance and the great opportunity for appreciation of the nature and meaning of history as represented in our National Parks and Monuments, it is recommended that the National Parks and Monuments containing, primarily, archeological and historical material should be selected to serve as indices of periods in the historical sequence of human life in America. At each such monument the particular event represented should be viewed in its immediate historical perspective, thus not only developing a specific narrative but presenting the event in its historical background.
>
> Further, a selection should be made of a number of existing monuments which in their totality may, as points of reference, define the general outline of man's career on this continent.
>
> The realization of such a program will entail the serious investigation of the sites involved, a determination of the phases of history to be presented in each case, their presentation as historical data, and finally the coordination of the units in this series to the end that the whole will at least sketch the history of man in relation to his changing political, social, and natural environment.[105]

This statement was incorporated with other proposals in recommendations submitted by Dr. John C. Merriam to Secretary of the Interior Ray Lyman Wilbur on November 27, 1929. Secretary Wilbur received the entire report favorably and began to act upon its recommendations promptly during the following year.

The committee's statement on history, drafted by Dr. Wissler, became the germinal concept around which the historical segment of the National Park System was subsequently organized. The battlefields of successive American wars, transferred from the War Department to Interior in 1933, fitted naturally and effectively into this perceptive concept. Taking their place beside the ancient Indian ruins of the Southwest, the historic houses already Federal property, the national memorials, and the vignettes of primitive America conserved in the national parks, these historic battlefields representing successive phases of American history and situated in diverse regions of the Nation, made a major contribution to the growing national heritage preserved in the National Park System for the benefit and inspiration of all the people of the United States.

NOTES

PREFACE

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[2]*Ibid.*, p. 113.

[3]National Trust for Historic Preservation and Colonial Williamsburg, *Historic Preservation Today: Essays Presented to the Seminar on Preservation and Restoration; Williamsburg, Virginia, September 8-11, 1963* (Charlottesville, Va.: The University Press of Virginia, 1966), pp. 244-45.

[4]Charles B. Hosmer, Jr., *Presence of the Past: A History of the Preservation Movement in the United States before Williamsburg* (New York: G.P. Putnam's Sons, 1965), p. 22.

TEXT

[1]U.S., Congress, House, Committee on Military Affairs, *Study and Investigation of Battle Fields in the United States for Commemorative Purposes*, Report No. 1071, 69th Cong., 1st Sess., 1926, pp. 1-8.

[2](New York: Columbia University Press, 1946), p. 174.

[3]Edmund B. Rogers (comp.), History of Legislation Relating to the National Park System through the 82d Congress (a collection of photostats in 108 vols., deposited in the Departmental Library, U.S. Dept. of the Interior, Washington, D.C., 1958), Vol. VII, Appendix A, for copy of S.1805.

[4]Allen Johnson (ed.), *Dictionary of American Biography*, published under the auspices of the American Council of Learned Societies (New York: Charles Scribner's Sons, 1928), XIII, 198-99. Cited hereafter as DAB.

[5]Rogers, VII, Appendix A.

[6]U.S., Congress, House, Joint Committee on the Library, *Revolutionary Battle-Fields*, Report No. 795, 47th Cong., 1st Sess., 1882, pp. 1-2.

[7]Rogers, VII, Appendix A, for copy of H.R. 2435.

[8]DAB, IV, 482.

[9]U.S., Congress, House, Committee on the Library, *Monuments for Battle Fields of the Revolution; Also for Valley Forge and Washington's Headquarters at Morristown, in New Jersey*, Report No. 2123, 48th Cong., 1st Sess., 1884, pp. 1-5. Cited hereafter as *Monuments*, 1884.

[10]*Ibid.*, p.2.

[11]Rogers, VII, Appendix A.

[12]*Monuments*, 1884, p.3.

[13]*Ibid.*, pp.5-6.

[14](Boston: Little Brown, 1937), p. 257.

[15]U.S., Department of the Interior, *Laws Relating to the National Park Service: Supplement II, May 1944 to January 1963*, compiled by Hillory A. Tolson (Washington: U.S. Government Printing Office, 1963). See pp. 254-58 for the enabling act to create a national military park to be called "Gettysburg National Park," and pp. 227-32 for similar legislation for the "Chickamauga and Chattanooga National Park." Such terms were used officially at least as late as 1910.

[16]Samuel Eliot Morison, *The Oxford History of the American People* (New York: Oxford University Press, 1965), p. 747.

[17]U.S., Congress, House, Gettysburg National Military Park Commission, *Annual Reports, 1893-1904*, House Doc. 414, 58th Cong., 3d Sess., 1905. See Annual Report for 1893, p. 1. Cited hereafter as *Annual Reports*.

[18]*Ibid.*, p. 10.

[19]Rogers, XXXII, Appendix A. See H.Res. 185, introduced June 1, 1894.

[20]U.S., Congress, House, Gettysburg National Military Park Commission, *Annual Reports*. See the Commission's report for 1894, p. 15.

[21]*United States v. Gettysburg Electric Ry. Co.*, 160 U.S. 668 (1896).

[22]*Ibid.*

[23]Buck, pp. 258-61.

[24]House Committee on Military Affairs, *Study and Investigation of Battlefields*, pp. 2-3.

[25]New York Monuments Commission for the Battlefields of Gettysburg and Chattanooga, *Final Report on the Battlefield of Gettysburg* (Albany, New York, 1900), III, 1371-73.

[26]DAB, XVI, 383-84.

[27]Frederick Tilberg, Historic Cemetery Survey Report: Gettysburg National Military Park, Typewritten manuscript in the files of the Northeast Regional Office, National Park Service, 143 South Third Street, Philadelphia, Pa. Saunders is quoted, pp. 6-8.

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[29]Quoted in Curti, *Roots*, p. 171.

[30]U.S., Congress, House, *Antietam National Cemetery*, Mis. Doc. No. 52, 44th Cong., 1st Sess., pp. 1-2.

[31]U.S., Congress, House, Committee on Military Affairs, *National Military Park Commission*, Report No. 2325, 58th Cong., 2d Sess., 1904, p. 6. Hereafter cited as House Committee on Military Affairs, *National Military Park Commission*, with date.

[32]Gloria Peterson, *Administrative History: Fort Donelson National Military Park, Dover, Tennessee* (Report prepared for Division of History, Office of Archeology and Historic Preservation, National Park Service, U.S. Department of the Interior, Washington, D.C., June 30, 1968), pp. 13-14.

[33]*Ibid.*, pp. 15-24.

[34]Rickey, *History of Custer Battlefield* (Billings, Mont.: Custer Battlefield Museum and Historical Association in cooperation with the National Park Service, U.S. Department of the Interior, 1967), pp. 27-28.

[35]*Ibid.*, p.29.

[36]Rogers, IX, Custer Battlefield National Monument, Appendix C.

[37]New York Monuments Commission, *Final Report*, p. 1374. See also Frederick Tilberg, *Gettysburg National Military Park, Pennsylvania*, National Park Service Historical Handbook Series No. 9 (Washington, D.C.: Government Printing Office, 1954, rev. 1962), p. 47.

[38]*Ibid.*, pp. 1374-76.

[39]U.S., Congress, House, Committee on Military Affairs, *Battle Lines at Gettysburgh*, Report No. 3024, 51st Cong., 1st Sess., 1890, p. 4. Cited hereafter as House Committee on Military Affairs, *Battle Lines at Gettysburgh*.

[40]DAB, VIII, 213-15.

[41]U.S., Congress, Senate, Committee on Military Affairs, Report No. 382, 46th Cong., 2d Sess., pp. 1-2.

[42]*Ibid.*, p. 3.

[43]Rogers, XXXII, Appendix A.

[44]House Committee on Military Affairs, *National Military Park Commission*, 1904, Appendix C, p. 17.

[45]U.S., Congress, Senate, *A Biographical Congressional Directory: With an Outline History of the National Congress, 1774-1911* (Washington, D.C.: Government Printing Office, 1913). Senate Doc. 654, 61st Cong., 2d Sess., 1912, p. 586. Hereafter cited as *Biographical Congressional Directory*.

[46]House Committee on Military Affairs, *Battle Lines at Gettysburgh*, p. 4.

[47]*Ibid.*, p.6.

[48]U.S., Congress, House, Committee on Military Affairs, *Gettysburg Battlefield*, Report No. 2188, 52d Cong., 2d Sess., 1892, p. 1.

[49]DAB, XVII, pp. 150-51.

[50]See Note 15.

[51]Gettysburg National Military Park Commission, *Annual Reports*, 1900, p. 62.

[52]*Ibid.*, 1904, p. 99.

[53]Morison, *Oxford History*, p. 686.

[54]J. M. Palmer, *Dedication of Chickamauga and Chattanooga National Military Park, September 18-20, 1895*, compiled by H.V. Boynton. Senate Report No. 637, 54th Cong., 1st Sess., p. 318.

[55]*Ibid.*, pp.317-29

[56]U.S., Congress, House, Committee on Military Affairs, *Chickamauga Battlefield*, Report No. 643, 51st Cong., 1st Sess., p. 1. Hereafter cited as House Committee on Military Affairs, *Chickamauga*.

[57]House Committee on Military Affairs, *Study and Investigations of Battlefields*, p. 4.

[58]House Committee on Military Affairs, *Chickamauga*, p. 5.

[59]*Ibid.*, p. 5.

[60]U.S., Congress, House, Committee on Military Affairs, *National Military Parks*, Report No. 374, 54th Cong., 1st Sess., pp. 1-3. Hereafter cited as House Committee on Military Affairs, *National Military Parks*.

[61]House Committee on Military Affairs, *Chickamauga*, p. 5.

[62]For the enabling act see Note 15.

[63]Buck, *Road to Reunion*, pp. 261-62.

[64]DAB.

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[66]U.S., Congress, House, Committee on Military Affairs, *National Military Park at the Battlefield of Shiloh*, Report No. 1139, 53d Cong., 2d Sess., pp. 1-5.

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[68]U.S., Congress, House, Committee of Military Affairs, *National Military Park Near Vicksburg, Miss.*, Report No. 596, 55th Cong., 2d Sess., p. 1.

[69]*Ibid.*, p. 2.

[70]*Ibid.*, pp. 2-3.

[71]*Ibid.*, pp. 3-4.

[72]House Committee on Military Affairs, *National Military Parks*, p. 2.

[73]*Ibid.*, pp. 2-3.

[74]DAB, VIII, 421-22.

[75]*Congressional Biographical Directory*, p. 907.

[76]House Committee on Military Affairs, *National Military Park Commission*, 1904, Appendix C, pp. 23-24.

[77]*Ibid.*, pp. 5-7.

[78]U.S., Congress, House, Committee on Military Affairs, *National Military Park Commission*, Report No. 2043, 57th Cong., 1st Sess., 1902, pp. 2-3.

[79]DAB, V, 115.

[80]House Committee on Military Affairs, *National Military Park Commission*, 1904, Appendix C, p. 9.

[81]*Ibid.*, pp. 9-10.

[82]*Ibid.*, pp. 13-14.

[83]*Ibid.*, pp. 11-12.

[84]House Committee on Military Affairs, *National Military Park Commission*, 1902, pp. 4-5.

[85]Rogers, VII, Appendix A.

[86]House Committee on Military Affairs, *National Military Park Commission*, 1904, Appendix C, pp. 16-24.

[87]*Ibid.*, p. 21.

[88]*Ibid.*, p. 24.

[89]*Ibid.*, p. 20.

[90]*Ibid.*, p. 1-2.

[91]Rogers, VII, Appendix A.

[92]House Committee on Military Affairs, *National Military Park Commission*, 1904, p. 4.

[93]For this legislation see Tolson, *Laws Relating to the National Park Service*, Supplement II.

[94]For this bill see Rogers, LXIV, Appendix C.

[95]Tolson, *Laws Relating to the National Park Service*, pp. 9-10.

[96]House Committee on Military Affairs, *Study and Investigation of Battlefields*, 1926, p. 1.

[97]*Ibid.*, pp. 9-10.

[98]*Ibid.*, p. 4.

[99]*Ibid.*, pp. 5-8.

[100]U.S., Congress, Senate, *Study of Battle Fields in the United States for Commemorative Purposes*, Senate Doc. No. 187, 70th Cong., 2d Sess., 1928; and Senate Doc. No. 46, 71st Cong., 2d Sess., 1929.

[101]For this legislation see Tolson, *Laws Relating to the National Park Service*, Supplement II.

[102]U.S., Congress, House, Committee on Military Affairs, *Establishment of National Military Parks--Battle Fields: Hearings before the Committee and Subcommittee No. 8 of the Committee on Military Affairs, House of Representatives, March 21 and February 8, 1930*, 71st Cong., 2d Sess. (Washington, D.C.: U.S. Government Printing Office, 1930), pp. 1-31.

[103]U.S., Congress, House, Committee on Military Affairs, *Commemoration of Certain Military Historic Events, and for Other Purposes*, Report No. 1525, 71st Cong., 2d Sess.

[104]For this legislation see Tolson, *Laws Relating to the National Park Service*, Supplement II.

[105]Reports with Recommendations from the Committee on Study of Educational Problems in National Parks: January 9, 1929 and November 27, 1929 (a printed report of thirty pages, available in the Director's Office, National Park Service, U.S. Department of the Interior, Washington, D.C.). For Dr. Wissler's statement see page 24.

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