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CHARLES W. FERRIS, EDITOR.

Saturday - September 26, 1885

SEMI-ANNUAL CONFERENCE.

At the Latter-day Saints.

The Semi-Annual Conference of the
Church of Jesus Christ of Latter-day
Saints will commence at 10 o'clock on
the morning of Tuesday, October 6th
at Logan, Cache County, Utah Territory.

JOHN TAYLOR,
GEORGE Q. CANNON,
Of the First Presidency of the Church
of Jesus Christ of Latter-day
Saints.

Salt Lake City, Sept. 17th, 1885.

THE TIMBER QUESTION.

Timber interests of the Territory
are very important, and as the subject
has been agitated lately through the
official actions of what are known as
Special Timber Agents, we deem it
desirable to acquaint the public with
the law in the premises; in order that
those who have not already posted
themselves, may be able to protect
their interests, and that all may be
intelligently guided in their
operations. The law is interpreted by
the Secretary of the Interior, and
as the Secretary of the Interior seems
to have been grossly misunderstood by
some of these special agents, and
entangled with the duties of protecting
government timber, and much trouble
and annoyance to settlers have been
the result.

In a circular now before us, the ob-
jects of the law prohibiting the cutting
of timber under certain conditions are
truly and distinctly set forth, and no
one interested who becomes acquainted
with the views of the Government on
this subject, can fail to see that he
should use his influence in favor of the
law, and its just and proper enforce-
ment. But at the same time, we wish
to inform themselves as they should
regard to the matter will not deem
it their duty to harass or annoy per-
sons who are engaged in the woods,
upon slight pretexts, and without just
and reasonable cause.

The Act of June 3, 1878, which pre-
vails in the States of Colorado and
New Mexico, Arizona, Wyoming, Da-
kota, Idaho and Montana, and all
other mineral districts of the United
States, provides that all citizens of
the United States, and all other persons,
bona fide residents of either of the said
States and Territories, are authorized
and permitted to fell and remove, for
building, agricultural, mining or other
domestic purposes, any timber or
other trees growing or being on the
public lands, said lands being mineral,
and not subject to entry under existing
laws of the United States, except for
mineral purposes, in either of
said States, Territories or Dis-
tricts. The said act also pro-
vides that the privileges therein grant-
ed shall be subject to such rules and
regulations as the Secretary of the In-
terior may prescribe for the "protec-
tion of the timber and of the under-
growth growing upon such lands, and
for other purposes."

According to this law and the regula-
tions which have been from time to
time issued thereunder, only bona fide
residents of the Territory are permitted
to fell or remove timber from our can-
yons, and such residents are confined
in their cutting to those which are sit-
uated in districts of country that are
mountainous, interspersed with gulches
and narrow valleys, and in which min-
erals are known to exist at different
points; which lands, in the absence of
proof to the contrary, will be held to be
mineral in character, by the Depart-
ment. The timber so felled must not
be shipped from the Territory, but
must be cut and removed, and there-
after to be some wantonly wasted or
destroyed.

In reference to the shipping of tim-
ber, the removal of it from one Terri-
tory across the line into an adjoining
Territory, but not out of the same,
is not forbidden. The prohibition of
exportation has a wider and
more reasonable object than a mere
technical one. In the language of the
Secretary, it is "to protect settlers in
the timbered districts from being
deprived of the timber necessary for
their domestic uses. It is not, how-
ever, the intent of the Department to
strictly enforce a technical prohibition,
in cases where the interests of the
settlers in the districts from which
timber is cut and removed are not
materially affected thereby."

As regards the size of the trees
felled, the Secretary says that "the ob-
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the cutting or removing of trees less
than eight inches in diameter, is the
preservation of the young timber and
undergrowth so as to provide a supply
for the future, and such trees shall
not be cut, but must be left to grow
to maturity. But it is not the intention
to prohibit the cutting or removal of
any land-grown tree belonging to a
species which, when mature, does not
exceed eight inches in diameter, or
any mature tree, nor of trees of any
description, even if less than eight
inches in diameter, if it can be shown
that they were not other trees in that
vicinity." This entirely frees persons
who have timber been censured by
the officers for cutting as firewood, or
for brush, and cutting and quaking
which never in this region at least,
grow to any material size.

As regards mining claims have the
exclusive right, as long as they comply
with the law governing their posses-
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of their individual claims. But the
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their protection. Those cutting
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doing so they may incur suits with the
individual locators.

As regards wanton waste, the circular
says that any person "who falls to
utilize all of the trees cut that can be
possibly be used, or to remove the brush
and take every reasonable precaution
to prevent the spread of forest fires, or
who in any other particular wastes and
destroys the public timber, is guilty of
trespass upon government land."

It is well known that a forest is
once started, through some careless act
of a thoughtless person, is much more
difficult to stop by means of local under-
standing and refuse timber, than it would be
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clear of everything but standing trees. It
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lumber business.

In this connection it may be well to
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this, and convinces the people in the
district to which he is assigned that
such is the case, he will find no diffi-
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and cooperation."

It will be readily seen by the above,
that no "snap judgment" practice is
intended by the Government; and it is
manifestly the duty of agents to in-
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trespassing, wherein the trespass con-
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Again the secretary says "It is not
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directly benefited in the case, they
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We understand that in certain parts
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presence of a complete knowledge of all
the facts, that on the broad principles
laid down by the Department, this
course is unwarranted and in-
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of the settlers in those regions. It is
very plain to the thinking mind that
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Few lines have such local importance;
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by the Secretary, for agents to confine
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We are informed that a meeting of
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certain actions of the special agents in
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petitioned for such modifications of
the law as shall render the building
interests of these Western Territories
more secure and advantageous.

The custom of tipping the baggage
inspectors in the custom house at New
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trary to what is laid down in the
instructions of the Department, and
cited briefly in this article, we
consider the move of the lumber men
decidedly a good one; that the entire
subject may be intelligently discussed,
and, if needs be, that Congress be
petitioned for such modifications of
the law as shall render the building
interests of these Western Territories
more secure and advantageous.

The custom of tipping the baggage
inspectors in the custom house at New
York is to be suppressed. The Sec-
retary of the Treasury, who evidently
believes, and probably with good rea-
son, that where travelers slip money
into the hands of the men who inspect
their baggage it is on the principle of
quid pro quo—either because the inspec-
tors have shut their eyes to the pres-
ence of something contraband among
the goods, or because, having them to
do with, they have determined to put a
stop to the practice. He has instructed
the District Attorney of New York to
take action in the matter, and the
latter has given assurances that "the
first person who shall be found pay-
ing an officer money, and the first
officer who shall be found taking
money in contravention of the
laws, will be prosecuted to the grand
jury, and indictments against them
will be promptly brought to trial."

It is reasonable to believe that if
this rule can be enforced it will materi-
ally tend to lessen the smuggling
traffic, but not out of the same,
is not forbidden. The prohibition of
exportation has a wider and
more reasonable object than a mere
technical one. In the language of the
Secretary, it is "to protect settlers in
the timbered districts from being
deprived of the timber necessary for
their domestic uses. It is not, how-
ever, the intent of the Department to
strictly enforce a technical prohibition,
in cases where the interests of the
settlers in the districts from which
timber is cut and removed are not
materially affected thereby."

As regards the size of the trees
felled, the Secretary says that "the ob-
ject of the Department in prohibiting
the cutting or removing of trees less
than eight inches in diameter, is the
preservation of the young timber and
undergrowth so as to provide a supply
for the future, and such trees shall
not be cut, but must be left to grow
to maturity. But it is not the intention
to prohibit the cutting or removal of
any land-grown tree belonging to a
species which, when mature, does not
exceed eight inches in diameter, or
any mature tree, nor of trees of any
description, even if less than eight
inches in diameter, if it can be shown
that they were not other trees in that
vicinity." This entirely frees persons
who have timber been censured by
the officers for cutting as firewood, or
for brush, and cutting and quaking
which never in this region at least,
grow to any material size.

As regards mining claims have the
exclusive right, as long as they comply
with the law governing their posses-
sions, to cut timber from the surface
of their individual claims. But the
Government does not assume to pun-
ish persons who infringe on these
rights. The owners alone are con-
cerned, and may of course maintain
their protection. Those cutting
timber should be careful to ab-
stain from trespassing upon any min-
ing claim in the felling of timber, as in
doing so they may incur suits with the
individual locators.

As regards wanton waste, the circular
says that any person "who falls to
utilize all of the trees cut that can be
possibly be used, or to remove the brush
and take every reasonable precaution
to prevent the spread of forest fires, or
who in any other particular wastes and
destroys the public timber, is guilty of
trespass upon government land."

It is well known that a forest is
once started, through some careless act
of a thoughtless person, is much more
difficult to stop by means of local under-
standing and refuse timber, than it would be
if the ground were kept comparatively
clear of everything but standing trees. It
is the duty of all to assist the Gov-
ernment in protecting our timber by
using their energies in the direction
of the law, as much is left to their dis-
cretion and judgment, and to the prac-
tical workings and necessities of the
lumber business.

In this connection it may be well to
quote the Secretary's own words. He
says "Special timber agents should re-
member that it is not the purpose
of the law, nor of the regula-
tions of this Department, to prohibit
the use of so much of the public tim-
ber as may be actually needed by bona
fide settlers for agricultural and do-
mestic purposes, but to prevent its
being made an article of speculation for
the pecuniary gain of a few individ-
uals, to the detriment of the many,
or from being wantonly wasted or
destroyed. When an agent understands
this, and convinces the people in the
district to which he is assigned that
such is the case, he will find no diffi-
culty in securing their active support
and cooperation."

It will be readily seen by the above,
that no "snap judgment" practice is
intended by the Government; and it is
manifestly the duty of agents to in-
form persons, who in their opinion are
trespassing, wherein the trespass con-
sists, and they may bring their opera-
tions within the prescribed limits of
the law.

Again the secretary says "It is not
the object of the Government to
persecute poor woodchoppers, or
cutters who are employed
or lured to fell or remove timber
for others who are to reap the profit
therefrom; but to remove the prin-
ciples therein, or the parties to be
directly benefited in the case, they
being the more guilty parties."

We understand that in certain parts
of the Territory all operations by resi-
dent mill men have been summarily
stopped. It seems to us that the
presence of a complete knowledge of all
the facts, that on the broad principles
laid down by the Department, this
course is unwarranted and in-
consistent with the requirements
of the settlers in those regions. It is
very plain to the thinking mind that
the manufacture of lumber in our
country is a very essential industry.
Few lines have such local importance;
and to cripple the interests of resi-
dents engaged in this business, is tan-
tamount to encouraging and even
necessitating the importation of such
materials from the forests of Califor-
nia, where, we understand, Chinese
are employed by the thousands, to the
exclusion of the permanent settler in
the United States. We consider it to
be in accordance with the policy
of the Government, as enunciated
by the Secretary, for agents to confine
their labors to such cases as work an
actual injury to the settlers, and tend
to the existence of those evils against
which the law was evidently intended
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