

THE EVENING NEWS.

PUBLISHED DAILY, SUNDAY EXCEPTED, AT
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BRIEFMAN YOUNG,
EDITORS AND PUBLISHERS.

SPRING VALLEY, CALIF., June 25, 1879.

FIREWOOD AND THE TIMBER LAWS.

We have received a communication from an old resident of this city, stating that an official of the State has been making attempts to prevent the cutting of scrub oak and maple for firewood, and has even gone so far as to threaten with the penalties of the law men who offer such firewood for sale. Our correspondent wishes us to state whether the timber laws are applicable to such cases or not.

As this is a matter of interest to a great many people we make this public reply: The timber laws of the United States were enacted with the intent and purpose of protecting the forests on the public domain, and originally to preserve for the use of the Navy such timber as would be suitable for shipbuilding. Of late years the law has been so construed as to have very general application. But a special law has been passed in reference to the timber in Colorado, Nevada and the Territories. Applying to California, Oregon, Nevada and Washington Territory, but this we need not refer to, as it does not immediately concern the inhabitants of Utah.

Under the provisions of the Act approved June 23, 1878, bona fide residents of Colorado, Nevada and the Territories may sell and remove timber "for building, agricultural, mining or other domestic purposes" (railroad corporations being excluded from the benefits of the law) upon any lands not liable to entry except as mineral lands, subject to such rules and regulations as the Secretary of the Interior may provide for the protection of the timber and the growth of the same. The Land Commissioner, under the direction of the Secretary of the Interior, has issued the following rule in pursuance of the statute:

"It shall be unlawful for any person to cut or remove, or cause to be cut or removed, from any of the mineral lands of the United States, any timber or undergrowth of any kind whatsoever less than six inches in diameter, and any person so offending shall be liable to be fined, in compliance with the provisions of the third section of said Act, in any sum not exceeding five hundred dollars, and to which may be added imprisonment for any term not exceeding six months."

The question is, do the scrub oak, stunted maple and miniature quaking asp trees, usually cut for firewood, come under the designation of "timber" or "undergrowth." We think not. We do not suppose anyone will attempt to class them as timber. The term undergrowth as used in this connection means the young trees that in time would develop into timber if left uncultivated. By a strict rendering of the letter of the law it may be made to signify all the trees that grow under or among the timber. In either case it does not apply to the patches of small stuff that are to be found here and there on the mountain sides, and are useful only for fuel.

But supposing that by any process of reasoning or pig-headed folly, the law should be interpreted so as to reach this scrubby wood, let us see what is the duty of the officers of the Government in relation to it. They can inflict no punishment on the cutters thereof. They have no right to make any charges nor exact any compromise. They cannot do anything in the matter except ascertain the facts and report the violation of the law to the Department at Washington, giving the location of the land on which the trees were felled, the names and residences of those who cut them and the names of the witnesses who can testify in the case. Selling wood is not a violation of the statute. It is cutting, removing, or causing to be cut or removed that is punishable. Buying firewood is not a punishable offense. It is necessary, perhaps, to make this statement, lest over-zealous would-be enforcers of the timber laws should follow the fuel up to the stove, and attempt to levy blackmail on the cook or the house-keeper who uses it.

We are desirous of upholding the law and consider that the Government is fully justified in endeavoring to preserve the timber on the public domain, and thus prevent the calamity that would be likely to follow the denudation of the country of its forests. But we do not wish to see a law framed in the public interest, handed to the public detriment, nor to allow foolish or malicious persons to scare honest men out of their just rights, and from a laudable mode of earning their living. We therefore inform those whom it may concern that there is no such thing as a stumpage law in force; that no land office, or other official has any right to interfere with a wood dealer; that the mode authorized by law and Land Office regulations for the enforcement of the timber statutes, is for information to be made by the Register and Receiver to the Land Commissioner who, if necessary, will institute proceedings. Let no man break the law, and let no man or woman be frightened by bluster or brow-beaten into paying a cent to any pretended dignitary claiming authority to collect or compromise.

THE DESPOTIC TERRITORIAL SYSTEM.

The following article from the St. Louis Globe Democrat is written in the spirit of truth and fairness at the root of that rattle of colonialism which remains in our system of government, to the disgrace

of the nation, and unutterable annoyance at the liberty-loving people of the Territories:

To careful observers of American politics it is becoming every day more evident that there is urgent need for reform in our system of Territorial government. The people who inhabit the vast Territories that lie between the States bordering on the Pacific Ocean and what are commonly known as the Western States, are generally dissatisfied with their political condition. It cannot be denied that there is reason for their discontent. They are placed in a condition of vassalage not at all in harmony with our idea of free government. They have no power to make their own laws; they are not permitted to choose their own officers; they have no voice in the choice of the President, and they are without a vote in Congress. It is true that they have local legislatures; but these bodies are of small importance, and are completely under the control of Congress; that they can be hardly regarded as representative bodies in the ordinary sense of the word.

If the Territories were subjugated provinces there would be some shadow of excuse for our cavalier treatment of their most important interests. But they are not. They are settled by people who left the older States in the hope of bettering their condition and making homes for themselves and their children. Why should this change of residence involve a surrender of the rights which their forefathers won on many a hard fought field 100 years ago? The main cause of the revolutionary war was England's refusal to grant the right of representation in Parliament to the colonies. The sturdy sons of freedom of that day held that without representation there should be no taxation. They triumphed, and the principles of free government with the consent of the governed was established in this country. It was a strange freak of fate that made the battle-scarred veterans of that war our present form of government to place the new Territories that might be formed in the then wild and uninhabited regions west of the Revolution. Yet that is precisely what they did, and today we wonder if they have since been changed.

It may be argued that a majority of the States now in the Union have passed through the territorial form of government, and that it will be no greater hardship for the present Territories than for their older sisters; but this argument is very faulty. Many of the younger States had less than 50,000 inhabitants when they were admitted, but at present a Territory can have no hope of admission until it contains upwards of 150,000 residents. The rate of settlement has declined materially of late years, and on the basis of representation in the House of Representatives of Congress increases with each additional census, the difficulty of securing admission grows apace, and it is more than likely that a great many years will elapse before some of the new Territories will be admitted into the Union. The eight Territories now contain upwards of 500,000 people, and most of them are mines of natural wealth. In all that goes to make desirable citizens, their inhabitants are the peers of any found in the States.

Why, then, should these fair portions of the national domain be longer deprived of their rights, and why should the people who have committed no greater crime than to leave their old homes in the States to better their condition be continued in a condition of vassalage? Congress is clothed with ample power to remedy the wrong now borne by the Territories. Give these people the right of local self-government, as is enjoyed in the States. Give them the right to choose their own local officers, to make their own local laws, to be represented in Congress and the Electoral College. The hardy outposts of civilization should not be deprived of their inalienable rights as American citizens. The old and imperfect system adopted in 1793 is outgrown. Statesmanship should find no difficulty in devising means to restore their rights to the people who have simply crossed the border line that separates only in fancy, the States from the Territories. We can afford to be both just and generous in dealing with this question. — St. Louis Globe Democrat.

BY TELEGRAPH.

PER WASHINGTON TELEGRAPH LINE.

General Gossip from Gotham.
NEW YORK, 25.—The Times' Washington special says: The democratic programme is to pass the bill in its present form again and adjourn without voting the necessary supply. This will end the controversy. Congress adjourns on December 1st. President will make no further effort at this time to induce the majority in Congress to perform their constitutional duty.

The Times' Washington special says: The republicans, to-morrow, with the exception of Jones, of Nevada, will vote against the Vest resolution, with a sufficient number of democrats to defeat it. The thermometer to-day is nearly a hundred in the shade. It is too warm for this season. Several cases of sunstroke.

Moody conducts revival services at Cleveland this summer, till October.

The Times' editorial says: Patagonia is ceded to the Argentine Republic by the government of Chile. Patagonia is not a territory which any civilized race of men should greatly covet. It has been described as a land of ice and fire. The Chilean government recently ceded to the Argentine Republic the Pacific side of the Central Mountain range, and the Argentine Republic has claimed an extension of her boundary line in Patagonia, a line that Chile has already agreed to give her, and the miserable country with its wild tribes, and its thankless soil passes under the flag of the Argentine.

An Era of Mining Speculation.
The Tribune, to-day, prints three columns of interviews with parties interested in mining stocks here, and says editorially: These talks have been held with a number of prominent men; all more or less directly connected with the bullion interests, and all alike in declaring that large amounts of eastern capital have been invested in mining enterprises during the past year. Various estimates are given of the amount run from \$5,000,000 to \$10,000,000. It is evident, however, that it is but the beginning. Many more millions are sure to flow, and the bonanza is kindled. It is evident, are already discussing the question

whether in time the great mines of Colorado and California will not be controlled by capital sent in from New York. W. G. Croly has been lately visiting the mining regions, and predicts there will soon be a genuine mining excitement in the east, an era of great speculation in which much money will be made and lost. The striking way in which some of the principal owners selling stock in this market, the nine in Colorado, four in California, Dakota, Montana and New Mexico, are offered daily for sale to our buyers. A Wall Street banker, interested largely in mining property, exclaimed recently, "There is no end to schemes, every other man who comes to the office has a mine to sell. Three-quarters of all the mining companies in this market have been started merely to make money on the sale of the stocks. Of course they are all going to make money. The stockholders will not lose anything to speak of."

Captain Kead's Steamship Transportation Plan.
Captain Kead, the well-known engineer, in a carefully considered article, gives his views on the ship canal across the Panama. The Panama, to-day, is the only route by which a ship can pass from the Atlantic to the Pacific. He does not content himself with merely outlining a plan, but works out the details of the canal, and makes a judgment for himself as to its practicability. He would take vessels out of the water by the well-known dry dock method, and use an original system of sunken platform cradles, raised them by hydraulic machinery, transport them across the isthmus, with cargo, unbroken, on a test-track, and lower them in the sea on the other side to continue the voyage. The canal would cost at least 100 million dollars; the railroad could be constructed for 50 millions. The canal would take 25 years to build; five years, and its benefits enjoyed by this generation. One could not make to pay the interest on the enormous investment it would require; the other would be a profitable enterprise. One would require the assistance of foreign governments, which would thus gain a hold upon the isthmus; the other could be built as a commercial undertaking.

The Texas and Pacific R.R.
A correspondent in Marshall, Texas, describes the present condition and prospects of the Texas and Pacific Railroad, excepting 75 miles between Texarkana and Marshall. The Texas Pacific is a purely local road, yet the eastern capital has been sufficient to pay the operating expenses, interest on the first and second mortgage bonds, and leave a surplus. The number of miles operated including its two east and west lines is 442. The prospect of its extension to the Mississippi river is as rapid as ever. In regard to the California extension the writer says, "Their failure to get congressional aid, brings them face to face with the question involving the future of their enterprise. Either they must raise the money speedily to push the main line across Texas and New Mexico, or make up their minds to rest content with their position as an important local road-building organization."

The Colquhoun Boat Race.
NEW LONDON, 25.—The Yale-Harvard boat race was not exciting, Harvard easily tiring out Yale. The last half mile was as fine an exhibition of rowing on the part of Harvard as was ever seen, their boat fairly jumping through the water and carrying them to the finish between a quarter and a half mile ahead of Yale. Harvard, and 23:58 for Yale.

Last Sunday's Affray.
CHICAGO, 25.—Judge McAllister, after hearing the evidence given Monday afternoon as now agreed upon by the House without providing for the failure of caucus bill No. 2, the President will immediately call congress together again. This is a contingency that has hardly been foreseen by the democrats, and the President in determining to recall congress immediately, he does it to make sure that the passage of caucus bill No. 2 is the sober judgment of the majority. If congress adjourns tonight to the day, the President will call them back the same day. The main object of the recall is based upon the opinion that the majority in Congress is really desirous of passing the unrestricted bill, and that by sending this bill back an unrestricted one will be passed by the conservative democrats and republicans. He thinks there is no strength in the present union between the southern and northern members upon the last caucus compromise; that there is nothing in the position of the northern democrats that should impel the southerners to stand by the latter have obtained the repeal of the test-act for jurors and a declaration against the use of troops at the polls.

75-Mile Walk.
The scores in the seventy-five hour walk between O'Leary and Crossland at 11 this a.m., was O'Leary 214, Crossland 201.

Little Rock, Ark., 25.—Henry Taylor (colored) was hung for rape to-day at Forrest City. He protested his innocence to the last.

Striking Spinners.
FALL RIVER, 25.—The spinners, last night, adopted a resolution that those of the strikers who have until now been asked for aid from the city. The resolutions express the manufacturers as contemptible in that they discharged the most distant relatives of the striking spinners. They are very positive in tone and there is considerable excitement.

FOREIGN.
GREAT BRITAIN.
Foreign Notes.
LONDON, 25.—The German Reichstag has adopted the clauses of the customs tariff relating to drugs, colors, dyes, glass, paper, cardboard, lead, tin and zinc.

A Rome dispatch says: A committee of the chamber of deputies on the 21st decided to submit to the Senate a bill providing that the St. Peter's church should be established by the Pope. They also propose a special bill providing that the St. Peter's church should be established by the Pope. They also propose a special bill providing that the St. Peter's church should be established by the Pope.

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