

Western Ideas

Of Practical

Conservation

Reproduced from the Editorial
and News Columns of Promi-
nent Western Papers.

Press of
Independent Publishing Company.
Helena, Montana

Taft Says State Should Control Resources.

PRACTICAL CONSERVATION
SHOULD BE AIM.

Twin City Business Men Working in the Interest of Western States, Have Made Great Progress in Securing a Strong Western Representation at the Coming Conservation Congress.

The Twin Cities sent a delegation to Beverly, Mass., headed by Governor Eberhart of Minnesota, for the express purpose of inviting President Taft to be the guest of honor at the coming congress.

In replying to the invitation extended by the governor, President Taft gave expression of his views on conservation, which are of general interest at this time as he voices the

sentiment of the West, which is an encouraging phase of the conservation question. In replying, President Taft said:

"I feel sure that everything would be satisfactory," said the president. "I had a conference with Mr. White and Mr. Baker yesterday. I am interested in conservation in a practical way. It is a question of the utmost importance and one that is very difficult to solve. I believe that we ought to encourage capital to develop our national resources, but the state should always maintain its control. I fully appreciate the importance of the congress and the ends it is striving for. The discussions should be instructive and practical, for we need all the useful information obtainable in dealing with this subject. It is only by tentative legislation and amendment that we may hope to get the desired results. I fully appreciate the honor you do me by coming all the way from Minnesota to extend this invitation and I sincerely hope that I may be able to attend."—Pioneer Press, Aug. 2, 1910.

Borah Objects to Tied-Up Resources

Western Senator Registers Vigorous
Protest Against Locking Up
Assets of the West.

STANDS FOR STATE'S RIGHTS.

Every Year of Too Rigid Conservation,
He Insists, Retards Progress
and Development.

Washington, June 20.—“What we want is a sane, practical conservation policy, under reasonable regulation, permitting the development of our natural resources in accordance with the natural laws of progress and industrial growth,” declared Senator Borah, in addressing the senate today during the consideration of conservation legislation.

Mr. Borah spoke as the champion of the West.

“It would be a magnificent scheme, indeed,” he exclaimed, “to compel the whole great West to hold its vast resources in idleness, deprive its people of their enjoyment and use and compel them to pay tribute to those resources of which you have taken possession here in the East and developed at your own free will.”

Pleads for Equality.

Contending that it was a violation of every principle of the constitution to withhold power sites from the use of the western states, Mr. Borah inquired:

“If Illinois or Massachusetts receives thousands or even millions of dollars as a revenue for their water power and Idaho receives nothing, but, on the other hand, pays millions into the federal treasury, is there equality among the states?” He said that the contention that natural resources in a state belonged to all the people of the United States was all right in theory, but that in practice it was utterly untrue.

“Our power sites do not in any sense of the term belong to the people of New England or New York,” continued the senator. “They are to be utilized by those who make them-

selves citizens of the state and join with others in trying to build up a commonwealth.”

He argued that it had never been the theory of the government that these resources should be utilized as a revenue-producing proposition, but they were for the benefit of all the people. “But,” he said, “the people must come within the state in order to avail themselves of the use and benefit.”

Non-Use Not Conservation.

“Every water power site unused, locked up in idleness and inactivity when there are communities to serve, is a subtraction from the sum of human happiness and prosperity,” he continued.

“Every piece of land which will produce the necessities of life dedicated by law to non-use, incorporated in a reserve and denied to settlement, is an extra burden upon every man who buys the necessities of life.

“Every year in which thousands of feet of ripened lumber are permitted to rot and fall in the reserves you are stealing something from the human race that belongs to it, and every year that the great coal beds of the Pacific slope go undeveloped it costs this government its extra millions to send coal around to the Pacific, burdens every citizen in that part of the country with exorbitant freight charges, and puts extra millions into the hands of eastern coal companies who are delighted to see this go on.”

Prophecies Its Rejection.

“I prophesy that such a policy will be rejected in the end. What we want is more farmers and better farms, more homes and better homes,” he added.

“The West has her fight to make in the industrial world,” said Mr. Borah in conclusion. “She has to take care of her people and furnish prosperity for those who come among us. Taxes must be raised to sustain county and state governments. With one-third of our state in a forest reserve, with our settlers being driven from our state into Canada, with our power sites tied up, with the resources which belong to those who are willing to take hold of them and develop them taken from us, the outlook is not encouraging.”—Idaho Press.

Gov. Norris of Montana For Conservation.

SAYS NATURAL RESOURCES NOT
NATIONAL RESOURCES.

Now Time for Action.

"It has occurred to me that so far the conservation movement has been largely sentimental. The development of sentiment for conservation has, in my opinion, been most wise and has served a splendid purpose.

"But the time has now arrived, I think, when something practical should take the place of sentiment. In Montana, for instance, we have been doing something towards conserving those resources with which a kind providence has endowed us. We recognize that the conservation of forests is very necessary, both from the standpoint of furnishing lumber and to preserve those natural reservoirs built by nature. We cannot see any reason, however, to use for reforestation purposes those lands especially adapted to the growing of agricultural and horticultural crops.

"Therefore, the withholding from settlement and cultivation of those lands most suitable for agricultural purposes cannot, in my judgment, serve the most valuable economic ends. Such lands as are more valuable for agriculture than for reforestation should be open to settlement.

"If the large volume of lands in forest reserves in Montana were opened and cultivated, they would produce each year agricultural crops of a value equal to that which can be produced not less than fifty years when devoted to forests.

Devote to Best Use.

"The practical thought I wish to convey is, that lands should be used for the purposes which would bring out their highest productive qualities. This, I think, would be a practical conservation of forests.

"We realize that the growth of timber is important. The better idea would be to sell off the timber from these productive agricultural lands, which are now in forest reserves, and to use the money in purchasing for

forestry purposes lands in those sections where agricultural production would not be so great.

"This would serve the double purpose of using the lands less valuable as agricultural ground for a more valuable purpose and of using the valuable agricultural lands of Montana for a purpose that would yield greater returns.

"We also have in Montana an immense amount of water power that can be developed at a reasonable expense. Water flowing in streams in western states belongs to the state in which it is situated. Power sites, when situated on government lands, belong to the federal government. Water and power sites should be united in a common ownership.

"My judgment is that the government should convey its sites to the states, but under such conditions as to furnish a guarantee that the states could not fritter away their rights to private interests without adequate consideration. Even then the states should reserve the right to regulate the prices charged to consumers for water.

"The Montana idea is that the states should own, dispose of and regulate the disposal of natural resources situated in the state and that the state can dispose of these resources more wisely than the federal government can or will. The experience of the last few years has demonstrated that the states have frittered away fewer of their resources than has the federal government.

"Personally, I am a strict conservationist and believe that the states and not the federal government should own, control and dispose of all natural resources. I have every sympathy with those who have urged conservation and differ from them rather in methods.

"I have no patience with certain conservationists who would withdraw our resources from reasonable present development and use. We owe much to future generations, but we owe more to the present ones.

"Take, but do not destroy; use, but do not waste—this should govern in the disposition of our natural resources.

"I cannot agree that natural resources are national resources, as

some of those living in the East seem to hold. They have eaten their cake and now want some of ours."—Havre Plaindealer.

WEST SHOULD BE REPRESENTED.

The West should send strong men to the National Conservation Congress to meet in St. Paul in September. The East should be made to understand there is another side to the question than the one presented by Pinchot and Garfield. The proceedings will be fully reported in the press and it is important that the attitude of the West be clearly and forcefully explained. Echoes of the Ballinger-Pinchot fight are pretty sure to be heard at the congress. There will be speakers to assert that the "interests" are trying to gobble up all the natural resources of the country and that the people's property should be conserved for the people. Pinchot and his followers have been trying to make the citizen think he will be richer if the federal government maintains control of coal mines and water powers and timber lands. There is no doubt that the appeal has been effective in many parts of the country.

The people most directly affected are the people whose homes are in the states from the Rocky Mountains west to the Pacific ocean or in Alaska. Generally they do not approve of Pinchotism, but they have had an inconspicuous part on the programs of the conservation congresses and the East does not understand how the West feels on the matter.

Pinchot has undertaken to fill the program for the St. Paul meeting with speakers who are of his way of thinking. Governor Eberhart of Minnesota realizes the unfairness of having but one side represented and has asked Pinchot to modify the program. At last reports Pinchot held that it was too late to make changes. But he will be forced to give the other side a hearing whether he will or no, if the other side demands the right to be heard. Western states should demand the right and exercise it. The ablest men should be sent to the St. Paul congress and they should let the country know that the West is in-

tensely opposed to being dealt with as a possession.

No definite conservation policy has yet been approved by congress. The president has been authorized to withdraw lands from entry, but that is practically all that has been done by congress. The big question is still to be fought out and what is done by congress will depend in large measure upon what the people think should be done. It is of vital importance to the West that the conservation congress be attended by representatives who have first-hand knowledge of our resources and are in sympathy with our efforts to develop the country.—Tacoma Ledger, July 13.

Congress Should be Broad—Carter

Conservation Meets Best Interests Demand Hearing for All, Says Senator from Montana.

HE ADVOCATES RATIONAL USE.

Insists Settlement of Farming Lands Should Not Be Retarded.

When Mr. Carter was asked for an interview in regard to the coming conservation congress, he hesitated a bit and then in a good-natured way proceeded.

"I trust the approaching conservation congress may be conducted on broad and liberal lines with a view of serving the public interests of all the people who are interested in the movement. The people will look to the congress for the announcement of definite and practical conclusions.

Should Hear Governors.

"The report current that the governors of the public land states will be given little or no opportunity to be heard cannot be credited. The governors of our commonwealths, built within the public land country, are familiar with conditions, and I assume they will be cordially received in counsel. Their exclusion from full and free discussion of problems of great interest to the people they represent cannot be contemplated by any-

body. The rights of states under the constitution must be respected and the states have a right to be heard in any representative assembly organized to deal with questions affecting them. The last session of congress made definite progress in authorizing the reservation of coal deposits in lands patented to agricultural claimants and in authorizing the president to withdraw public lands from entry and settlement as in his judgment the public welfare may from time to time require.

Timber Lands Protected.

"All of the public timber lands, or practically all, are now embraced in forest reservations, and therefore removed from private ownership or control. The control of non-navigable streams is in the states where such streams exist, and no such stream in any state can be controlled by the federal government except for purposes of navigation. With the forest lands and the coal deposits protected and the non-navigable waters remaining under the guardianship of the states, there remains little to be accomplished in the way of legislation except to amend the laws providing for the disposition of agricultural lands and the reserved coal deposits.

"Congress will take these questions up at the next session, and I think a solution will be reached in harmony with the conservation sentiment of the country. Those who would abridge or retard the settlement of our agricultural public land must yield their views, for this is a home builders' country.

Reclaim Old Land.

"I would like to see the conservation congress direct some attention to the reclamation of the worn out and abandoned lands of the older states between Maine and Florida. There are millions of acres of lands along our eastern coast, within easy reach of markets, which should be reclaimed and made available for homes. The encouragement of scientific farming, even in the rich valley of the Mississippi, can do much toward increasing the yield per acre, and therefore the wealth and comfort of the people. Rational use is the highest form of conservation." — St. Paul Pioneer Press, July 15.

Gov. Hay of Washington Writes to Gov. Eber- hart of Minnesota.

PROTEST IS VOICED.

Northwest, He Says, Feels Competent
to Settle Conservation Problems.

Replying to an invitation from the executive secretary of the National Conservation congress to appoint fifteen delegates to the coming session of the congress in St. Paul, Governor Hay voices a protest against the paternal attitude of the East toward the West in the matter of conservation of natural resources. His letter is as follows:

"I am in receipt of your circular requesting that I appoint fifteen delegates to attend the National Conservation congress to be held in St. Paul, September 6 to 9 inclusive. I will be pleased to accept your invitation to appoint delegates to this congress, providing that at least one delegate from this state be given a prominent place upon the program and the courtesy of the convention for one hour, or so much thereof as he may desire.

"We of the far West believe in conservation and conservation principles, but we do object most strenuously to the proposed plan some of our eastern friends have for the administration of these natural resources.

"It may seem very strange to our eastern brothers, but, nevertheless, the fact remains that we of the Northwest feel that we are more competent to determine how our natural resources shall be developed or handled than men who live three thousand miles away and who cannot in the nature of things be conversant with all the conditions existing here."

Gov. Hay Calls Conference at Salt Lake.

Asks Governors to Present United Front on Issue of Conservation.

RESOURCES ARE MENACED.

Conference at Salt Lake Suggested to Formulate Plans to Resist Aggression—States Have Rights to Consider.

Olympia, Wash., Aug. 2.—(Special).—Urging joint action by western states, that their resources may not be despoiled and their right to development be not disregarded, Governor Hay has sent letters to the governors of the Rocky Mountain and Pacific Coast states, asking them to meet to formulate a plan by which the states may work together for the mutual interests of their commonwealths. Governor Hay suggests Salt Lake City as the place of meeting and between August 5 and 15 as the time.

Governor Hay's letter is addressed to the governors of Oregon, California, Utah, Nevada, Wyoming and Montana. It calls attention to the efforts being made by certain radical conservationists to raise a sectional question, which he deprecates, but he urges the necessity for showing to the East that there is a western view that is both legal and right. That a deliberate attempt is being made to bottle up the water powers, water, coal and timber areas and to retard their development seems patent, he says. The letter follows:

"The governors of the states having been invited to appoint delegates to the coming session of the National Conservation Congress, which is to be held in St. Paul in September, and the citizens of our states being most directly affected, I am impelled by the importance of the subject to us to take the liberty of addressing this letter to you.

Attempt at Robbery Made.

"The attitude of certain eastern leaders of the conservation movement

is alarming to many of the people of the state of Washington, of whose area, as you know, between one-fourth and one-third is included in federal forest reserves. It looks to me like a deliberate attempt to rob the western states of the control of their natural resources and have them administered from Washington city by bureau officials for the benefit, nominally, of the county at large instead of that of the states wherein these resources are located. That there is a deliberate attempt upon the part of some of the leaders of this movement and of less disinterested persons behind them to bottle up our water powers, water, coal and timber areas, and to retard their development, seems patent to us.

"The eastern men behind this conservation movement have so extolled the benefits to accrue from having the resources of the western states administered at the national capital for the benefit, as they say, of all of the people of the union, and have so enlarged upon the wealth and resources of the Mountain and Coast states, that they have caused very many of our eastern friends actually to believe that they all have an interest in the wealth of the western states, and almost to believe that they will shortly receive a bank check of no small proportions as their personal share.

Leaders Go Too Far.

"The conservation movement as it was initiated was timely and a good thing for the country. But a few of the leaders of this movement apparently have become so intoxicated with the power they once possessed that they will brook no interference with their schemes, but go so far as deliberately to attempt to ruin any man who stands in their way, as evidenced by recent events.

"I am a thorough believer in conservation and in the principles of conservation, but I am just as firmly convinced that we who are on the ground are at least as competent, if not more so, to handle our own resources and say how they shall be developed as even the head of a bureau located 3,000 miles distant from us, and we believe these resources should be administered by and for the states

wherein they are located.

"A continuous campaign of education by interested persons has been carried on so persistently for a series of years, including not only the so-called 'muck-rakers,' but many more respectable organs of opinion, as to have led to a very general belief in states other than ours that there is only one just and righteous view of conservation. Little or nothing has been done or said—except by a number of western senators and congressmen on the floor of congress where, of course, they are in a hopeless minority—to show to the East that there is a western view that is both legal and right.

Question Not Sectional.

"In contrasting the eastern and western views, I do not intend to raise a sectional question. That is something, it seems to me, certain radical conservationists would be glad to force upon us. We, of the West, want no less action for the common good than the men of the East desire, but that the western states have legal and sovereign rights is something that certain eastern men have tried to obscure. Just what these rights are and the views concerning them which should be presented at St. Paul are subjects, it seems to me, that the governors of the states might discuss to the mutual benefit of themselves and their states. Even this very month an effort is being made through eastern mediums of publicity to force candidates for congress to put themselves in a position to become part despoilers of the resources that are an integral part of and, as we believe, belong to the western land states.

"So thoroughly satisfied am I that our people wish the western view to find expression, that I am addressing this letter to the governors of the Rocky Mountain and Coast states, to-wit: Oregon, California, Utah, Idaho, Nevada, Wyoming, Montana, to suggest that a conference of governors of these states be held before the delegates are appointed to the National Conservation Congress, in order that some plan may be outlined whereby all the states interested may work together to preserve their rights and to protect their interests so far as legitimate concert of action may be

had.

Conference Is Suggested.

"As the time is short, may I suggest that you wire me upon receipt of this letter whether you look at this matter as we do in the state of Washington, and, if so, if you would be willing to attend a conference, say some time between the 5th and 15th of August?"

THE GOVERNORS' CONFERENCE.

Governor Hay, of Washington, has issued a call for a conference of western governors to formulate plans for joint action before the National Conservation Congress, to be held in St. Paul in September. The Pinchotian movement that has caused this proposed organization for defense, in the language of Governor Hay, has the appearance of "a deliberate attempt to rob the western states of the control of their natural resources and have them administered from Washington city by bureau officials for the benefit nominally of the country at large, instead of that of the states wherein these resources are located." No fair-minded individual who has taken the trouble to give this important matter study can fail to agree with Governor Hay in his statement that "we who are on the ground are at least as competent, if not more so, to handle our own resources and say how they shall be developed as even the head of a bureau located 3,000 miles distant from us, and we believe these resources should be administered by and for the states wherein they are located."

The proposed conference of the governors of the states most affected by the blight of Pinchotism is of the utmost importance, for the reason that unless some concerted action is taken to thwart the plans of the eastern faddists and the great landowners who are standing behind them, we shall find the Conservation Congress "packed" against the western men. The diligent campaign of misrepresentation which has been conducted by the Pinchots, Garfields and their army of satellites and muckrakers in the East has led many people to believe that there is an economic advantage in bottling up the water

power and coal, timber and agricultural lands of the West.

These people have appropriated all of the government land and water powers in the East without the West sharing in any manner in the benefits accruing. It is now proposed to take away from the western people lands which are needed for settlers and homebuilders, and lock them up for the alleged benefit of future generations. The East never displayed any high regard for future generations, when it was developing the country by the simple and natural process of clearing the land and cultivating it and making use of the water powers. Then why should the West be denied the same privilege? It is, of course, to the advantage of the eastern coal barons that the coal resources of Alaska should remain undeveloped while the government spends millions in buying coal on the Atlantic seaboard and shipping it to the Pacific Coast. The owners of the big land grants are also favorable to the Pinchot policy of conservation, for it deprives the intending settler of a cheap home on government land and forces him to purchase from the large holders at a high figure.

These are some of the reasons why the West opposes the Pinchot policy, and why, if there is to be a fair discussion at the National Conservation Congress, the western states should be properly represented. Neither Washington, Oregon, nor any of the western states most vitally interested can expect a proper presentation of their side by delegates selected by the friends of the Pinchot bureaucracy. Unless the West is guaranteed fair treatment at the September meeting, it would be better that it remain unrepresented at the meeting. There is every reason for believing that a conference on the lines such as is suggested in Governor Hay's call would show the West standing unanimously against the eastern conservation propaganda and prepared to resist the aggression of the East in a field which is exclusively western.—The Oregonian, Portland, Ore., August 4, 1910.

PINCHOT'S PLATITUDES.

Mr. Pinchot, oracle of the "conservation" that takes western lands away from western people, has a choice repertoire of phrases, with which he leads eastern folk astray from the oldest of American precepts—that the people own the natural resources who dwell near them and whose use of them makes their value.

Local control within the commonwealth has always been the rule and habit of the American people in their use of forests, streams, lands and minerals. This policy has not ruined the country; on the contrary, it has made each state strong and wealthy in turn. Now comes Mr. Pinchot with his "new idea," declaring that people of the East and not people of the West "own" the resources of the West, and that eastern folk should "regulate" these resources without regard for the purposes of western progress. Along with this idea, Pinchot and his imitators conjure a lot of palavaring platitudes. The following are samples, delivered by this apostle of western non-use at Kansas City last Friday before the Knife and Fork club:

"This new school (of politics) will decide whether the country shall be governed by money for profit or by men for human welfare."

"I am for the man who puts man above the dollar, progress above reaction."

"I don't believe that what was good enough for our fathers is good enough for us."

"I believe the salvation of a nation lies in not being satisfied."

"The American people are tired of being ruled by a small selected body of men whose motto is accumulation."

These phrases can be addressed to any side of any question in politics. They suggest no practical solution of false conservation for western people. They are tongue-rolling and ear-filling, that is all. The sentiments in them are shared unanimously by all western people. But that they should be turned against the desires and pur-

poses of western citizens, to bolster up a scheme of governmental spoliation of western people is preposterous and absurd.

This business marks Pinchot as a political charlatan and demagogue, dangerous to this part of the nation. It is a business that has brought him into clash with western men as to the proceedings of the forthcoming Conservation congress in St. Paul. It has caused Governor Hay of the state of Washington to protest against monopolization of the program in St. Paul by this Pinchot menace to western progress. It has raised a general furore in the West against threatened predominance of the Conservation congress by Pinchot. The ex-forester has replied by declaring these protests to be attacks upon "conservation," and his own conservation the only fit kind to be considered.

Citizens of Oregon, Washington, Idaho and other states should control the use of resources within their borders.

That is the constitution and the law of the land. Pinchot and Garfield denounce advocates of such local control as foes of the people and friends of the "interests." This is cheap clap-trap of theirs. Citizens of this part of the nation are as fully awake to schemes of monopoly and greed as are Pinchot, Garfield and their followers. They are not thieves of the public domain as these men have painted them. They want resources utilized for the best purposes of the people within the states, not locked up to suit the fads and whims of governmental bureaus.

Citizens of the new states demand the same right to use natural wealth within their commonwealths as those of the older states have always possessed, and as they will always keep. Nor do they consider it just that Pinchot fight them with palavaring platitudes.

The American people, including those of the west, are "tired of being ruled by a small body of men whose motto is accumulation." But that was the motto of Pinchot's ancestors from whom he inherited great riches. And it is perfectly obvious that Pinchot's "conservation" scheme deprives poor men of their heritage for the benefit

of rich exploiters of western wealth sources.—Evening Post and Globe, San Francisco.

Gream of West's Land Withdrawn

**300,000,000 Acres Out of
Settlers' Reach.**

PACIFIC NORTHWEST SUFFERS

**Great Tracts in Oregon Withheld by
Government.**

HOME-BUILDERS SHUT OUT

**Of Public Domain, Only 700,000,000
Acres Remain, and Very Small
Percentage of This Residue
Is Attractive.**

(By Harry J. Brown.)

Oregonian News Bureau, Washington, July 31.—Nearly 300,000,000 acres of public land, the cream of the West, is today withdrawn from entry, and held beyond the reach of the settler and the home-builder. Some of it is permanently withdrawn, as, for instance, the forest reserves, national parks, etc., and other portions may in time be again placed within the reach of the people of the West. But at the present time this enormous acreage is absolutely tied up, undeveloped, inaccessible, and for the most part uninhabited.

There remains of the public domain only about 700,000,000 acres that is unappropriated and unreserved, and a very small percentage of this residue is attractive or ever will be attractive to settlers. Included in this acreage are the bad lands of the West, the irreclaimable deserts, barren mountain summits and worthless mountain country. Only a small portion is arable, and very little is of a character that will permit of agricultural development. The best lands that have not passed to private ownership are

now held up by the government.

Total Amount Given.

The total amount of land in the United States withdrawn for various purposes on July 1, 1910, was as follows:

	Acres.
Coal	72,210,393
Oil	4,526,697
Phosphate	2,594,113
Water power	1,454,499
National monuments (approximate)	1,481,440
Game reserves	1,566,348
National forests (including Alaska and Porto Rico) ..	192,931,197
Reclamation (approximate) ..	17,472,468

Total294,237,155

The foregoing statement does not include small withdrawals for military reservations, lighthouses and naval stations, or fish and bird reserves, but the acreage of these withdrawals is comparatively small and the lands are being put to a practical use by the government.

In the Pacific Northwest nearly 55,000,000 acres of public land are today withheld from the reach of settlers, the withdrawals in Oregon, Washington and Idaho being as given in the following table:

Oregon.

	Acres.
Coal	192,562
Oil	74,849
Water power	176,721
National monuments	480
National forests	15,920,822
Reclamation (approximate) ..	2,097,560

Total16,462,994

Washington.

	Acres.
Coal	2,207,967
Water power	55,439
National monuments	576,000
National forests	12,007,340
Reclamation (approximate) ..	944,640

Total15,791,386

Idaho.

	Acres.
Phosphate	1,102,317
Water power	230,971
National forests	19,863,171
Reclamation (approximate) ..	1,357,320

Total22,553,779

Unreserved Land Shown.

The area of the unappropriated and unreserved public lands of the United States in the various states and territories on July 1, 1909, was as follows:

	Acres.
Alabama	106,220
Alaska	368,016,038
Arizona	42,354,438
Arkansas	1,098,364
California	28,614,931
Colorado	24,716,047
Florida	497,684
Idaho	23,119,803
Kansas	138,239
Louisiana	88,957
Michigan	123,038
Minnesota	1,450,955
Mississippi	38,608
Missouri	12,600
Montana	42,900,229
Nebraska	2,341,686
Nevada	56,700,871
New Mexico	38,812,890
North Dakota	1,911,057
Oklahoma	35,687
Oregon	18,225,684
South Dakota	5,051,966
Utah	36,396,414
Washington	3,198,645
Wisconsin	12,750
Wyoming	35,390,270
Total	731,354,081

Much Is Unsurveyed.

It is interesting further to note that of the 700,000,000 acres of unappropriated and unreserved land, only 212,727,783 acres has been surveyed and therefore can be entered, and of this vast acreage much is worthless land that will never pass to private ownership. The great bulk of this domain, or 518,626,298 acres, though unreserved and not withdrawn, is still not subject to entry, because it has never been surveyed.

The lands in the foregoing tables set down as withdrawn for coal purposes are, as a matter of fact, subject to agricultural entry; that is to say, homesteaders may acquire title to the surface rights for agricultural uses, but the coal itself is withheld from acquisition in any way.

There is still unsurveyed in Oregon a total of 4,605,564 acres of unreserved and unappropriated public land; in Washington, 1,993,428, and in Idaho 16,689,138 acres.—Morning Oregonian, Portland, Ore., Aug. 1, 1910.

Grave Penalties of False Conservation

Federal Judge Hanford, of Washington, in a Public Address, Exposes the Dangers and Fallacies of Pinchotism—Helping the Plain People by Taking Their Land Away From Them.

The following from the Independence Day address of Hon. C. H. Hanford, federal district judge of the state of Washington, delivered by him at Aberdeen on July 4, shows admirably the menace of "conservation" and Pinchotism to western use of resources and to lawful liberties of the people. The text of the oration is the expression of Chief Justice Marshall: "The government of the United States has been emphatically termed a government of laws, and not of men."

In the enjoyment of the blessings vouchsafed to us we are prone to forget the paramount duty of loyalty to the constitution; to forget that it was for liberty and individual rights that our revolutionary ancestors struggled and that their triumph was not complete until the states were permanently united in a national government founded upon the fundamental principle of liberty, regulated by law. Our government is not a pure democracy, it is a constitutional government having ample power vested in responsible hands to enforce obedience to its mandates.

Loyalty to the constitution is obligatory. In monarchical countries a king or queen or emperor personifies the government, and allegiance is due to the reigning sovereign, but in our country the oath of allegiance is to support and defend the constitution of the United States of America against all enemies, foreign and domestic, and to bear true faith and allegiance to the same. That form is appropriate because the constitution is supreme, limiting the powers and controlling the conduct of legislative, executive and judicial departments and every

member, functionary and judge, as well as private citizens. The vicissitudes of national life have tested in a practical way the powers of the government and proved again and again the wisdom of its founders in devising a plan embracing three co-ordinate branches through which its functions must be exercised.

* * *

The president is the administrative head of the government and it is the duty of the branch of which he is chief executive to see that the laws are faithfully executed. He may recommend legislation and he has a qualified power to veto acts of congress and thereby to secure their reconsideration and to prescribe regulations to guide his subordinate officers in the performance of their functions not inconsistent with law, but except in cases of extreme emergency, where military necessity may justify exertion of extraordinary power, he cannot, without violating the constitution, suspend the laws, nor substitute his personal policies in place of the laws enacted by congress.

* * *

These observations bear directly upon live topics being discussed at the present time. By constitution the disposition of the public domain is a matter confided to congress, and it has been the policy of the government, expressed in the public land laws, to encourage enterprise in the development and use of our natural resources and to foster agriculture and industry by a fair distribution of the land in its unimproved condition.

Next to the construction of the constitution, that policy is the most praiseworthy feature of American statesmanship. Under its benign influence hardy pioneers have advanced upon the wilderness and transformed deserts into food-producing fields, beautiful gardens and comfortable homes, the hungry have been fed, rugged mountains have yielded their hidden treasures to enrich the world, the war cry of savages has been subdued by the noise of industry, cities have been created, our nation has flourished and expanded and been uplifted to the highest plane of civiliza-

tion and accorded a place of honor among the powers of the earth. The people have maintained their independence and enjoyed comforts promoting general happiness.

But of late a few theorists, caring more for fads than for the constitution, have been heard advocating fallacies which they call "policies" to override the laws and augment the powers of would-be petty despots occupying official stations at the capital of the nation. "Conservation" is the catchword used as a fetich to popularize an effort to Russinize this republic.

A speaker at the Irrigation Congress at Spokane last summer (Gifford Pinchot) argued that the laws should not be observed according to their terms as written in the statute books, but should be construed to suit the caprices and augment the powers of bureaucrats. He said:

"Our institutions and our laws are not valuable in themselves. They are valuable only because they secure equality of opportunity for happiness and welfare for our citizens. An institution or a law is a means, not an end, a means to be used for the public good, to be modified for the public good, and to be interpreted for the public good. One of the great reasons why President Roosevelt's administration was of such enormous value to the plain American people was that he understood what St. Paul meant when he said: 'The letter killeth but the spirit giveth life.' To follow blindly the letter of the law or the form of an institution, without intelligent regard for both its spirit and for the public welfare, is very nearly as dangerous as to disregard the law altogether. What we need is the use of the law for the public good and the construction of it for the public welfare.

"It goes without saying that the law is supreme and must be obeyed. Our civilization rests on obedience to law. But the law is not absolute. It requires to be construed. Rigid construction of the law works, and must work, in the vast majority of cases, for the benefit of the men who can hire the best lawyers and who have the sources of influence in lawmaking at their command. Strict construc-

tion necessarily favors the great interests as against the people, and in the long run can not do otherwise. Wise execution of the law must consider what the law ought to accomplish for the general good. The great oppressive trusts exist because of subservient lawmakers and adroit legal constructions. Here is the central stronghold of the money power in the everlasting conflict of the few to grab and the many to keep or win the rights they were born with. Legal technicalities seldom help the people. The people, not the law, should have the benefit of every doubt."

* * *

These declarations have reference to the benevolent plan of helping the plain people by adding other millions of acres to the vast reserves of the public domain from which they are excluded and the policies of conserving water powers by letting the water run idly from the mountains to the sea, and compelling the pioneers of Alaska to import fuel from foreign lands, while 12,500 square miles of coal lands in that country are rigidly held in reserve for the use of posterity.

The law grants to each citizen who is 21 years of age or the head of a family and not the owner of other land in excess of 160 acres, and who will live upon it and improve it, the right to take a homestead and a right to take timber for domestic use, and to support his improvements, but the conservationists construe the law for the welfare of the plain people and to give every man a square deal, so as to permit American homeseekers to cross the boundary and get land in Canada, while our public domain is kept as a game preserve for sporting men who think they enjoy shooting wild animals and birds. With protestations of reverence for the constitution these theorists gravely propose to transform our government into a giant trust to handle the public utilities or rent the coal mines and the flowing waters of the western states, not for the benefit of the inhabitants of those states, but to produce national revenue.

* * *

One of the policies is denominated "The Supervisory Power." This has

been defined in an official document promulgated by Mr. Garfield, ex-secretary of the interior, to mean that: "Full power under the constitution was vested in the executive branch of the government and the extent to which that power may be exercised is governed wholly by the discretion of the executive, unless any specific act has been prohibited either by the constitution or by legislation."

This amounts to an assumption of power great enough to satisfy the most tyrannical monarch that ever lived, and yet for dissenting from that policy Mr. Garfield's successor has been arraigned before the bar of public opinion and actually prosecuted

before an investigating committee of congress as if he were a culprit. These new doctrines are pernicious. They help to strengthen the grasp of monopolies and trusts and if allowed to run riot they will bring us hard times and financial panics.

These theorists have had their day; we have heard enough of them; let us forget them and strive to divert public attention to things of real importance. True conservation means checking of wastefulness and of wanton destruction of things useful and the improvement of methods and means for getting the best products from agricultural and manufacturing enterprises.

James J. Hill Papers
Minnesota Historical Society