CONSERVATION A DUTY, DECLARES PRESIDENT TAFT

Members of National Congress at St. Paul Find Him Thoroughly in Accord with Their Ideas---His Speech.

St. Paul, Sept. 5.—The National Conservation congress listened with deep interest to President Taft's address today. The chief executive spoke substantially as follows:

Gentlemen of the National Conservation Congress:

Conservation as an economic and political term has come to mean the preservation of our natural resources for economical use, so as to secure the greatest good to the greatest number.

The danger to the state and to the people at large from the waste and dissipation of our national wealth is not one which quickly impresses itself on the people of the older communities, because its most obvious instances do not occur in their neighborhood, while in the newer part of the country the sympathy with expansion and development is so strong that the danger is scoffed at or ignored. Among scientific men and thoughtful observers, however, the danger has always been present; but it needed some one to bring home the crying need for a remedy of this evil so as to impress itself on the public mind and lead to the formation of public opinion and action by the representatives of the people. Theodore Roosevelt took up this task in the last two years of his second administration, and well did he perform it.

As president of the United States I have, as it were, inherited this policy, and I rejoice in my heritage. I prize my high opportunity to do all that an executive can do to help a great people realize a great national ambition. For conservation is national. It affects every man of us, every woman, every child. What I can do in the cause I shall do, not as president of a party, but as president of the whole people. Conservation is not a question of politics, or of factions, or of persons. It is a question that affects the vital welfare of all of us—of our children and our children's children. I urge that no good can come from meetings of this sort unless we ascribe to those who take part in them, and who are apparently striving worthily in the cause, all proper motives, and unless we judicially consider every measure or method proposed with a view to its effectiveness in achieving our common purpose, and wholly without regard to who proposes it or who will claim the credit for its adoption. The problems are of very great difficulty and call for the calmest consideration and clearest foresight. Many of the questions presented have phases that are new in this country, and it is possible that in their solution we may have to attempt first one way and then another. What I wish to emphasize, however, is that a satisfactory conclusion can only be reached promptly if we avoid acrimony, imputations of bad faith, and political controversy.

The public domain of the government of the United States, including all the cessions from those of the thirteen states that made cessions to the United States and including Alaska, amounted in all to about 1,800,000,000 acres. Of this there is left as purely government property outside of Alaska something like 700,000,000 of acres. Of this the national forest reserves in the United States proper embrace 144,000,000 acres.

I shall divide my discussion under the heads of (1) agricultural lands; (2) mineral lands—that is, lands containing metalliferous minerals; (3) forest lands; (4) coal lands; (5) oil and gas lands; and (6) phosphate lands.

Agricultural Lands.

Our land laws for the entry of agricultural lands are now as follows:

The original homestead law, with the requirements of residence and cultivation for five years, much more strictly enforced than ever before.

The enlarged homestead act, applying to nonirrigable lands only, requiring five years' residence and continuous cultivation of one-fourth of the area.

The desert-land act, which requires on the part of the purchaser the ownership of a water right and thorough reclamation of the land by irrigation, and the payment of $1.25 per acre.

The donation or Carey act, under which the state selects the land and provides for its reclamation, and the title vests in the settler who resides upon the land and cultivates it and pays the cost of the reclamation.

The national reclamation homestead law, requiring five years' residence and cultivation by the settler on the land irrigated by the government, and payment by him to the government of the cost of the reclamation.

The present congress passed a bill of great importance, severing the ownership of coal by the government in the ground from the surface and permitting homestead entries upon the surface of the land, which, when perfected, give the settler the right to farm the surface, while the coal beneath the surface is retained in ownership by the government and may be disposed of by it under other laws.

There is no crying need for radical reform in the methods of disposing of what are really agricultural lands. The present laws have worked well. The enlarged homestead law has encouraged the successful farming of lands in the semi-arid regions.

Reclamation.

By the reclamation act a fund has been created of the proceeds of the public lands of the United States with which to construct works for storing great bodies of water at proper altitudes from which, by a suitable system of canals and ditches, the water is to be distributed over the arid and subarid lands of the government to be sold to settlers at a price sufficient to pay for the improvements. Primarily, the projects are and must be for the improvement of public lands. Incidentally, where private land is also within reach of the water supply, the furnishing at cost or profit of this water to private owners by the government is held by the federal court of appeals not to be a usurpation of power. But certainly this ought not to be done except from surplus water, not needed for government land. The total sum already accumulated in the reclamation fund is $60,273,288.22, and of that all but $6,491,965.34 has been expended. It became very clear to congress at its last session, from the statements made by experts, that these 30 projects could not be promptly completed with the balance remaining on hand or with the funds likely to accrue in the near future. It was found, moreover, that there are many settlers who have been led into taking up lands with the hope and understanding of having water furnished in a short time, who are left in a most distressing situation. I recommended to congress that authority be given to the secretary of the interior to issue bonds in anticipation of the assured earnings by the projects, so that the projects, worthy and feasible, might be promptly completed, and the settlers might be relieved from their present inconvenience and hardship. In authorizing the issue of these projects, congress limited the application of their proceeds to those projects which a board of army engineers, to be appointed by the president, should examine and determine to be feasible and worthy of completion. The board has been appointed and soon will make its report.

Suggestions have been made that the United States ought to aid in the drainage of swamp lands belonging to the states or private owners, because, if drained, they would be exceedingly valuable for agriculture and contribute to the general welfare by extending the area of cultivation. I deprecate the agitation in favor of such legislation. It is inviting the general government into contribution from its treasury toward enterprises that should be conducted either by private capital or at the instance of the state. In these days there is a disposition to look too much to the federal government for everything. I am liberal in the construction of the Constitution with reference to federal power; but I am firmly convinced that the only safe course for us to pursue is to hold fast to the limitations of the Constitution and to regard as sacred the powers of the states. We have made wonderful progress and at the same time have preserved with judicial exactness the restrictions of the Constitution. There is an easy way in which the Constitution can be violated by congress without judicial inhibition, to-wit, by appropriations from the national treasury for unconstitutional purposes. It will be a sorry day for this country if the time ever comes when our fundamental compact shall be habitually disregarded in this manner.

Mineral Lands.

By mineral lands I mean those lands bearing metals, or what are called metalliferous minerals. The rules of ownership and disposition of these lands were first fixed by custom in the west, and then were embodied in the law, and they have worked, on the whole, so fairly and well that I do not think it is wise to attempt to change or better them.

Forest Lands.

Nothing can be more important in the matter of conservation than the treatment of our forest lands. It was probably the ruthless destruction of forests in the older states that first called attention to a halt in the waste of our resources. This was recognized by congress by an act authorizing the executive to reserve from entry and set aside public timber lands as national forests. Speaking generally, there has been reserved of the existing forests about seventy per cent. of all the timber lands of the government. Within these forests (including 26,000,000 acres in two forests in Alaska) are 192,000,000 of acres, of which 166,000,000 of acres are in the United States proper and include within their boundaries something like 22,000,000 of acres that belong to the state or to private individuals. We have then, excluding Alaska forests, a total of about 144,000,000 acres of forests belonging to the government which is being treated in accord with the principles of scientific forestry.

The government timber in this country amounts to only one-fourth of all the timber, the rest being in private ownership. Only three per cent. of that which is in private ownership is looked after properly and treated according to modern rules of forestry. The usual destructive waste and neglect continues in the remainder of the forests owned by private persons and corporations. It is estimated that fire alone destroys $50,000,000 worth of timber a year. The management of forests not on public land is beyond the jurisdiction of the federal government. If anything can be done by law it must be done by the state legislatures. I believe that it is within their constitutional power to require the enforcement of regulations in the general public interest, as to fire and other causes of waste in the management of forests owned by private individuals and corporations.

I have shown sufficiently the conditions as to federal forestry to indicate that no further legislation is needed at the moment except an increase in the fire protection to national forests and an act vesting the executive with full power to make forest reservations in every state where government land is timber-covered, or where the land is needed for forestry purposes.

Coal Lands.

The next subject, and one most important for our consideration, is the disposition of the coal lands in the United States and in Alaska. First, as to those in the United States. At the beginning of this administration they were classified coal lands amounting to 5,476,000 acres,, and there were withdrawn from entry for purposes of classification 17,887,000 acres. Since that time there have been withdrawn by my order from entry for classification 77,648,000 acres, making a total withdrawal of 95,515,000 acres. Meantime, of the acres thus withdrawn, 11,871,000 have been classified and found not to contain coal, and have been restored to agricultural entry, and 4,356,000 acres have been classified as coal lands; while 79,788,000 acres remain withdrawn from entry and await classification. In addition 536,000 acres have been classified as coal lands without prior withdrawal, thus increasing the classified coal lands to 10,168,000 acres.

Under the laws providing for the disposition of coal lands, the minimum price at which lands are permitted to be sold is $10 an acre; but the secretary of the interior has the power to fix a maximum price and sell at that price. By the first regulations governing appraisal, approved April 8, 1907, the minimum was $10, as provided by law, and the maximum was $100, and the highest price actually placed upon any land sold was $75. Under the new regulations, adopted April 10, 1909, the maximum price was increased to $300, except in regions where there are large mines, where no maximum limit is fixed and the price is determined by the estimated tons of coal to the acre. The highest price fixed for any land under this regulation has been $608. The appraisal value of the lands classified as coal lands and valued under the new and old regulations is shown to be as follows: 4,965,921 acres, valued under the old regulations at $77,644,329, an average of $15 an acre; and 5,864,702 acres classified and valued under the new regulation at $394,208,242, or a total of 10,168,623 acres, valued at $471,847,571.

For the year ending March 31, 1909, 227 coal entries were made, embracing an area of 35,331 acres, which sold for $663,030.40. For the year ending March 31, 1910, there were 176 entries, embracing an area of 23,413 acres, which sold for $605,813; and down to August, 1910, there were but 17 entries, with an area of 1,739 acres, which sold for $33,910.60, making a disposition of the coal lands in the last two years of about 60,000 acres for $1,306,000.

The present congress, as already said, has separated the surface of coal lands, either classified or withdrawn for classification, from the coal beneath, so as to permit at all times homestead entries upon the surface of lands useful for agriculture and to reserve the ownership in the coal to the government. The question which remains to be considered is whether the existing law for the sale of the coal in the ground should continue in force or be repealed and a new method of disposition adopted. Under the present law the absolute title in the coal beneath the surface passes to the grantee of the government. The price fixed is upon an estimated amount of the tons of coal per acre beneath the surface, and the prices are fixed so that the earnings will only be a reasonable profit upon the amount paid and the investment necessary. But, of course, this is more or less guesswork, and the government parts with the ownership of the coal in the ground absolutely. Authorities of the geological survey estimate that in the United States today there is a supply of about three thousand billions of tons of coal, and that of this one thousand billions are in the public domain. Of course, the other two thousand billions are within private ownership and under no more control as to the use or the prices at which the coal may be sold than any other private property. If the government leases the coal lands and acts as any landlord would, and imposes conditions in its leases like those which are now imposed by the owners in fee of coal mines in the various coal regions of the east, then it would retain over the disposition of the coal deposits a choice as to the assignee of the lease, or of resuming possession at the end of the term of the lease, which might easily be framed to enable it to exercise a limited but effective control in the disposition and sale of the coal to the public. It has been urged that the leasing system has never been adopted in this country, and that its adoption would largely interfere with the investment of capital and the proper development and opening up of the coal resources. I venture to differ entirely from this view.

The question as to how great an area ought to be included in a lease to one individual or corporation, is not free from difficulty; but in view of the fact that the government retains control as owner, I think there might be some liberality in the amount leased, and that 2,500 acres would not be too great a maximum.

By the opportunity to readjust the terms upon which the coal shall be held by the tenant, either at the end of each lease or at periods during the term, the government may secure the benefit of sharing in the increased price of coal and the additional profit made by the tenant. By imposing conditions in respect to the character of work to be done in the mines, the government may control the character of the development of the mines and the treatment of employes with reference to safety. By denying the right to transfer the lease except by the written permission of the governmental authorities, it may withhold the needed consent when it is proposed to transfer the leasehold to persons interested in establishing a monopoly of coal production in any state or neighborhood. The change from the absolute grant to the leasing system will involve a good deal of trouble in the outset, and the training of experts in the matter of making proper leases; but the change will be a good one and can be made. The change is in the interest of conservation, and I am glad to approve it.

Alaska Coal Lands.

The investigation of the geological survey show that the coal properties in Alaska cover about 1,200 square miles, and that there are known to be available about 15,000,000,000 tons. This is, however, an underestimate of the coal in Alaska, because further developments will probably increase this amount many times; but we can say with considerable certainty that there are two fields on the Pacific slope which can be reached by railways at a reasonable cost from deep water—in one case about fifty miles and in the other case of about 150 miles—which will afford certainly 6,000,000,000 tons of coal, more than half of which is of a very high grade of bituminous and of anthracite. It is estimated to be worth, in the ground, one-half a cent a ton, which makes its value per acre from $50 to $500. The coking-coal lands of Pennsylvania are worth from $800 to $2,000 an acre, while other Appalachian fields are worth from $10 to $386 an acre, and the fields in the central states from $10 to $2,000 an acre, and in the Rocky mountains $10 to $500 an acre. The demand for coal on the Pacific coast is for about 4,500,000 tons a year. It would encounter the competition of cheap fuel oil, of which the equivalent of 12,000,000 tons of coal a year is used there. It is estimated that the coal could be laid down at Seattle or San Francisco, a high-grade bituminous, at $4 a ton and anthracite at $5 or $6 a ton. The price of coal on the Pacific slope varies greatly from time to time in the year and from year to year—from $4 to $12 a ton. With a regular coal supply established, the expert of the geological survey, Mr. Brooks, who has made a report on the subject, does not think there would be an excessive profit in the Alaska coal mining because the price at which the coal could be sold would be considerably lowered by competition from these fields and by the presence of crude fuel oil. The history of the laws affecting the disposition of Alaska coal lands shows them to need amendment badly.

On November 12, 1906, President Roosevelt issued an executive order withdrawing all coal lands from location and entry in Alaska. On May 16, 1907, he modified the order so as to permit valid locations made prior to the withdrawal on November 12, 1906, to proceed to entry and patent. Prior to that date some 900 claims had been filed, most of them said to be illegal because either made fraudulently by dummy entrymen in the interest of one individual or corporation, or because of agreements made prior to location between the applicants to co-operate in developing the lands. There are 33 claims for 160 acres each, known as the "Cunningham claims," which are claimed to be valid on the ground that they were made by an attorney for 33 different and bona fide claimants who, as alleged, paid their money and took the proper steps to locate their entries and protect them. The representatives of the government in the hearings before the land office have attacked the validity of these Cunningham claims on the ground that prior to their location there was an understanding between the claimants to pool their claims after they had been perfected and unite them in one company. The trend of decision seems to show that such an agreement would invalidate the claims, although under the subsequent law of May 28, 1908, the consolidation of such claims was permitted, after location and entry, in tracts of 2,560 acres. It would be, of course, improper for me to intimate what the result of the issue as to the Cunningham and other Alaska claims is likely to be, but it ought to be distinctly understood that no private claims for Alaska coal lands have as yet been allowed or perfected, and also that whatever the result as to pending claims, the existing coal-land laws of Alaska are most unsatisfactory and should be radically amended. To begin with, the purchase price of the land is a flat rate of $10 per acre, although, as we have seen, the estimate of the agent of the geological survey would carry up the maximum of value to $500 an acre. In my judgment it is essential in the proper development of Alaska that these coal lands should be opened, and that the Pacific slope should be given the benefit of the comparatively cheap coal of fine quality which can be furnished at a reasonable price from these fields; but the public, through the government, ought certainly to retain a wise control and interest in these coal deposits, and I think it may do so safely if congress will authorize the granting of leases, as already suggested for government coal lands in the United States, with provisions forbidding the transfer of the leases except with the consent of the government, thus preventing their acquisition by a combination or monopoly and upon limitations as to the area to be included in any one lease to one individual, and at a certain moderate rental, with royalties upon the coal mined proportioned to the market value of the coal either at Seattle or at San Francisco. Of course such leases should contain conditions requiring the erection of proper plants, the proper development by modern mining methods of the properties leased, and the use of every known and practical means and device for saving the life of the miners.

Oil and Gas Lands.

In the last administration there were withdrawn from agricultural entry 2,520,000 acres of supposed oil land in California; about a million and a half acres in Louisiana, of which only 6,500 acres were known to be vacant unappropriated land; 75,000 acres in Oregon and 174,000 acres in Wyoming, making a total of nearly 4,000,000 acres. In September, 1909, I directed that all public oil lands, whether then withdrawn or not, should be withheld from disposition pending congressional action, for the reason that the existing placer mining law, although made applicable to deposits of this character, is not suitable to such lands, and for the further reason that it seemed desirable to reserve certain fuel-oil deposits for the use of the American navy. Accordingly the form of all existing withdrawals was changed, and new withdrawals aggregating 2,750,000 acres were made in Arizona, California, Colorado, New Mexico, Utah and Wyoming. Field examinations during the year showed that of the original withdrawals, 2,170,000 acres were not valuable for oil, and they were restored for agricultural entry. Meantime, other withdrawals of public oil lands in these states were made, so that July 1, 1910, the outstanding withdrawals then amounted to 4,550,000 acres.

The needed oil and gas law is essentially a leasing law. In their natural occurrence, oil and gas cannot be measured in terms of acres, like coal, and it follows that exclusive title to these products can normally be secured only after they reach the surface. Oil should be disposed of as a commodity in terms of barrels of transportable product rather than in acres of real estate. This is, of course, the reason for the practically universal adoption of the leasing system wherever oil land is in private ownership. The government thus would not be entering on an experiment, but simply putting into effect a plan successfully operated in private contracts. Why should not the government as a landowner deal directly with the oil producer rather than through the intervention of a middleman to whom the government gives title to the land?

The principal underlying feature of such legislation should be the exercise of beneficial control rather than the collection of revenue. As not only the largest owner of oil lands, but as a prospective large consumer of oil by reason of the increasing use of fuel oil by the navy, the federal government is directly concerned both in encouraging rational development and at the same time insuring the longest possible life to the oil supply.

One of the difficulties presented, especially in the California fields, is that the Southern Pacific railroad owns every other section of land in the oil field, and in those fields the oil seems to be in a common reservoir, or series of reservoirs, communicating through the oil sands, so that the excessive draining of oil at one well, or on the railroad territory generally, would exhaust the oil in the government land. Hence it is important that if the government is to have its share of the oil it should begin the opening of wells on its own property.

It has been suggested, and I believe the suggestion to be a sound one, that permits be issued to a prospector for oil giving him the right to prospect for two years over a certain tract of government land for the discovery of oil, the right to be evidenced by a license for which he pays a small sum. When the oil is discovered, then he acquires title to a certain tract, much in the same way as he would acquire title under a mining law. Of course if the system of leasing is adopted, then he would be given the benefit of a lease upon terms like that above suggested. What has been said in respect to oil applies also to government gas lands.

Phosphate Lands.

Phosphorus is one of the three essentials to plant growth, the other elements being nitrogen and potash. Of these three, phosphorus is by all odds the scarcest element in nature. It is easily extracted in useful form from the phosphate rock, and the United States contains the greatest known deposits of this rock in the world. They are found in Wyoming, Utah and Florida, as well as in South Carolina, Georgia and Tennessee. The government phosphate lands are confined to Wyoming, Utah and Florida. Prior to March 4, 1909, there were 4,000,000 acres withdrawn from agricultural entry in the ground that the land covered phosphate rock. Since that time, 2,322,000 acres of the land thus withdrawn was found not to contain phosphate in profitable quantities, while 1,678,000 acres was classified properly as phosphate lands. During this administration there has been withdrawn and classified 427,000 acres, so that today there is classified as phosphate rock land 2,115,000 acres. This rock is most important in the composition of fertilizers to improve the soil, and as the future is certain to create an enormous demand throughout this country for fertilization, the value to the public of such deposits as these can hardly be exaggerated. Certainly with respect to these deposits a careful policy of conservation should be followed. A law that would provide a leasing system for the phosphate deposits, together with a provision for the separation of the surface and mineral rights as is already provided for in the case of coal, would seem to meet the need of promoting the development of these deposits and their utilization in the agricultural lands of the west. If it is thought desirable to discourage the exportation of phosphate rock and the saving of it for our own lands, this purpose could be accomplished by conditions in the lease granted by the government to its lessees. Of course, under the constitution the government could not tax and could not prohibit the exportation of phosphate, but as proprietor and owner of the lands in which the phosphate is deposited it could impose conditions upon the kind of sales, whether foreign or domestic, which the lessees might make of the phosphate mined.

Water-Power Sites.

Prior to March 4, 1909, there had been, on the recommendation of the reclamation service, withdrawn from agricultural entry, because they were regarded as useful for water-power sites which ought not to be disposed of as agricultural lands, tracts amounting to about four million acres. The withdrawals were hastily made and included a great deal of land that was not useful for power sites. They were intended to include the power sites on 29 rivers in nine states. Since that time 3,475,442 acres have been restored for settlement of the original four million, because they do not contain power sites; and meantime there have been newly withdrawn 1,245,892 acres on vacant public land and 211,007 acres on entered public land, or a total of 1,456,899 acres. These withdrawals made from time to time cover all the power sites included in the first withdrawals, and many more, on 135 rivers and in 11 states. The disposition of these power sites involves one of the most difficult questions presented in carrying out practical conservation.

The statute of 1891 with its amendments permits the secretary of the interior to grant perpetual easements or rights of way from water sources over public lands for the primary purpose of irrigation and such electrical current as may be incidentally developed, but no grant can be made under this statute to concerns whose primary purpose is generating and handling electricity. The statute of 1901 authorizes the secretary of the interior to issue revocable permits over the public lands to electrical power companies, but this statute is woefully inadequate because it does not authorize the collection of a charge or fix a term of years. Capital is slow to invest in an enterprise founded on a permit revocable at will.

It is the plain duty of the government to see to it that in the utilization and development of all this immense amount of water power, conditions shall be imposed that will prevent monopoly and will prevent extortionate charges, which are the accompaniment of monopoly. The difficulty of adjusting the matter is accentuated by the relation of the power sites to the water, the fall and flow of which create the power. In the states where these sites are, the riparian owner does not control or own the power in the water which flows past his land. That power is under the control and within the grant of the state, and generally the rule is that the first water user is entitled to the enjoyment. Now, the possession of the bank or water-power site over which the water is to be conveyed in order to make the power useful, gives to its owner an advantage and a certain kind of control over the use of the water power, and it is proposed that the government in dealing with its own lands should use this advantage and lease lands for power sites to those who would develop the power, and impose conditions on the leasehold with reference to the reasonableness of the rates at which the power, when transmuted, is to be furnished to the public, and forbidding the union of the particular power with a combination of others made for the purpose of monopoly by forbidding assignment of the lease save by consent of the government. Serious difficulties are anticipated by some in such an attempt on the part of the general government, because of the sovereign control of the state over the water power in its natural condition, and the mere proprietorship of the government in the riparian lands. It is contended that through its mere proprietary right in the site, the central government has no power to attempt to exercise police jurisdiction with reference to how the water power in a river owned and controlled by the state shall be used, and that it is a violation of the state's rights. I question the validity of this objection. The government may impose any conditions that it chooses in its lease of its own property, even though it may have the same purpose, and in effect accomplish just what the state would accomplish by the exercise of its sovereignty. There are those (and the director of the geological survey, Mr. Smith, who has given a great deal of attention to this matter, is one of them) who insist that this matter of transmuting water power into electricity, which can be conveyed all over the country and across state lines, is a matter that ought to be retained by the general government, and that it should avail itself of the ownership of these power sites for the very purpose of co-ordinating in one general plan the power generated from these government owned sites.

Arguments Against Idea.

On the other hand, it is contended that it would relieve a complicated situation if the control of the water-power site and the control of the water were vested in the same sovereignty and ownership, viz., the states, and then were disposed of for development to private lessees under the restrictions needed to preserve the interests of the public from the extortions and abuses of monopoly. Therefore, bills have been introduced in congress providing that whenever the state authorities deem a water power useful they may apply to the government of the United States for a grant to the state of the adjacent land for a water-power site, and that this grant from the federal government to the state shall contain a condition that the state shall never part with the title to the water-power site or the water power, but shall lease it only for a term of years not exceeding fifty, with provisions in the lease by which the rental and the rates for which the power is furnished to the public shall be readjusted at periods less than the term of the lease, say, every ten years. The argument is urged against this disposition of power sites that legislators and state authorities are more subject to corporate influence and control than would be the central government; in reply it is claimed that a readjustment of the terms of leasehold every ten years would secure to the public and the state just and equitable terms.

I do not express an opinion upon the controversy thus made or a preference as to the two methods of treating water-power sites. I shall submit the matter to congress and urge that one or the other of the two plans be adopted.

I have referred to the course of the last administration and of the present one in making withdrawals of government lands from entry under homestead and other laws and of congress in removing all doubt as to the validity of these withdrawals as a great step in the direction of practical conservation. But it is only one of two necessary steps to effect what should be our purpose. It has produced a status quo and prevented waste and irrevocable disposition of the lands until the method for their proper disposition can be formulated. But it is of the utmost importance that such withdrawals should not be regarded as the final step in the course of conservation, and that the idea should not be allowed to spread that conservation is the tying up of the natural resources of the government for indefinite withholding from use and the remission to remote generations to decide what ought to be done with these means of promoting present general human comfort and progress. For, if so, it is certain to arouse the greatest opposition to conservation as a cause, and if it were a correct expression of the purpose of conservationists it ought to arouse this opposition. As I have said elsewhere, the problem is how to save and how to utilize, how to conserve and still develop; for no sane person can contend that it is for the common good that nature's blessings should be stored only for unborn generations.

I beg of you, therefore, in your deliberations and in your informal discussions, when men come forward to suggest evils that the promotion of conservation is to remedy, that you invite them to point out the specific evils and the specific remedies; that you invite them to come down to details in order that their discussions may flow into chanels that shall be useful rather than into periods that shall be eloquent and entertaining, without shedding real light on the subject. The people should be shown exactly what is needed in order that they make their representatives in congress and the state legislature do their intelligent bidding.

TROUBLE IN SPAIN

Pretender Who Threatens to Battle for the Throne.

Origin of the Present Difficulty Between the Government and the Vatican—The Carlists Plot Revolt.

Madrid.—The Carlists of Spain, who have been threatening revolution in connection with the present controversy between the government and the Vatican, take their name from Don Carlos, brother of King Ferdinand VII. Ferdinand about 1830 set aside by royal decree the salic law, which excluded females from the throne, in favor of his infant daughter, afterwards Queen Isabella. This decree, whose constitutionality is and probably ever will be a matter of dispute to Spanish legists, set aside Don Carlos, who would otherwise have been indisputably heir apparent. Don Carlos after protesting in words for several years against his deprivation began in 1834 to protest in arms.

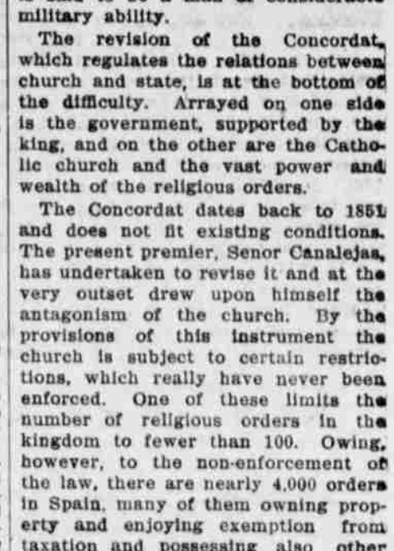
The Spanish Pretender.

A terrible civil war followed, which ended only in 1840 with the defeat of the Carlists. Spain was a long time in recovering from the effects of the struggle. Under Don Carlos II., son and successor of Don Carlos I., war broke out again in 1873 and was not stamped out for three years. Don Jaime is the son of Don Carlos II. and is said to be a man of considerable military ability.

The revision of the Concordat, which regulates the relations between church and state, is at the bottom of the difficulty. Arrayed on one side is the government, supported by the king, and on the other are the Catholic church and the vast power and wealth of the religious orders.

The Concordat dates back to 1851 and does not fit existing conditions. The present premier, Senor Canalejas, has undertaken to revise it and at the very outset drew upon himself the antagonism of the church. By the provisions of this instrument the church is subject to certain restrictions, which really have never been enforced. One of these limits the number of religious orders in the kingdom to fewer than 100. Owing, however, to the non-enforcement of the law, there are nearly 4,000 orders in Spain, many of them owning property and enjoying exemption from taxation and possessing also other special privileges. In opening up the question of the revision of the Concordat, Senor Canalejas announced his intention of enforcing the provisions of the law of 1851 relative to the religious orders. The church, of course, interposed its objection and made its intention plain that the revision it wanted was such as would remove the restrictions of 1851 and increase rather than diminish its authority and power. Neither side has seemed inclined to yield.

The Carlists, who are opposed to the present dynasty, are particularly active, and now that King Alfonso has thrown in his lot with Senor Canalejas, the religious orders are said to regard with favor a Carlist movement. The republicans, or radicals are also planning the establishment of a republic, so that King Alfonso's throne seems to be menaced from two sides. The Carlist leader is Don Jaime, son of the late Don Carlos, and he has the support of the clergy, the peasants and the aristocrats. Don Jaime was born in 1870 and is called the Duke of Madrid in court circles.



King Alfonso.