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RESERVING THE STREAMS.

A letter by Mr. T. B. Pardee, the Ontario Commissioner of Crown Lands, has been published, in which appears the following paragraph:—

"As to the reservation contained in the patents giving the right to float timber, &c., down streams, I send you one of the patents in order that you may see for yourself what this reservation it. It gives all parties the right to use streams for the purpose of floating down all kinds of timber, and it will be seen that this provision is as much in the interest of the settler as that of the lumberman, because many settlers now (and the time will come when this will be much more the case) require to use these streams for the purpose of getting to market ties, poles, and other timber of a like kind, growing upon their lands. The reason that this clause has been inserted in the patents was on account of the disallowance by the Dominion Government of the Bill which provided for such passage of streams. Had it not been for this disallowance it would have been the statute law, and there would have been no necessity for inserting such a reservation in the patents. In fact, the Court of Appeal has held that this is the law of the land now, by virtue of an Act passed over 30 years ago. I have heard it stated since the election that our opponents have alleged that this reservation gives parties the right to enter upon the land and take timber for the purpose of making improvements upon streams. This you will see is not the case, and there is not the slightest foundation for the statement. Instead of this provision being against the interests of the settler it is entirely in his favour, because there are very few streams in the whole of Muskoka which some one individual could not absolutely control by making some trifling improvements upon them and prevent anybody using them but himself. If there is one thing more than another that is on the side of the people and against what might be called monopoly, it is this reservation. Of course if the law, which we re-enacted last session, is not again disallowed, then this provision will disappear from the patents."

The following is a clause in the patents referred to above:—

"To have and to hold the said parcel or tract of land, hereby granted, conveyed and assured unto the said Heirs and Assigns forever, saving, excepting, and reserving, nevertheless, unto Us, Our Heirs and Successors the free uses, passage and enjoyment of, in, over and upon all navigable waters that shall or may be hereafter found on or under, or be flowing through or upon any part of the said parcel, or tract of Land hereby granted as aforesaid, and also excepting and reserving unto Us, our Heirs and Successors, for the benefit and use of all persons requiring

to use the same the free use and navigation of all creeks and streams running through or upon any part of the said parcel or tract of land hereby granted and not embraced in the reservation hereinbefore contained, for the purpose of running and floating down saw logs and other timber, lumber, rafts, and crafts, at all times and seasons, and excepting and reserving also for the use and benefit of all persons requiring to use the same, for the purpose of running and floating down or upon any creek, stream or navigable water upon the said parcel or tract of land, the right to enter in and upon the same parcel or tract of land, and to occupy and use so much of the banks of the said creeks or streams and of the said navigable waters as may be necessary for the purpose of such running and floating, and for the further purpose of erecting, constructing and repairing such dams, slides, and works as may be required for the purposes aforesaid, doing no unnecessary damage thereby.

"And it is hereby declared that the grant aforesaid is made on the express condition that the said Grantee, for himself, his Heirs and Assigns, consents and agrees that all persons desiring to use the same shall have the right to enjoy the easements hereinbefore reserved."

FOSSIL TREES.

The Smithsonian Institution has received from Fort Wingate, New Mexico, a car load of curiosities, including portions of two stone trees, one from the neighborhood of the Fort, the other from the banks of the Lithodendron, 20 miles from Navajoe Springs, Arizona.

For these massive specimens the museum is indebted to the thoughtfulness of General Sherman, who, while crossing the continent in 1878, suggested to Colonel Swan, then in command at Fort Wingate, the expediency of securing them.

Acting upon his suggestion, an expedition was organized early in the spring of 1879 to proceed to the Lithodendron (stone trees) in Arizona. Thomas V. Kearns, a gentleman of long residence in that part of the country, and familiar with the locality to be explored, kindly volunteered his services, and success was, in a great measure, due to his efforts in carrying out the wishes of the General. The military detail consisted of Second Lieut. J. T. C. Hegewald, one sergeant, and twelve soldiers, all of the Fifteenth United States Infantry, and the party was well supplied with army waggon running gears specially arranged for hauling stone, and with tools and appliances complete.

In his report of the expedition Lieutenant Hegewald says that the Navajoes, who were pasturing their sheep about the head waters of the Lithodendron, thought it was very strange that the "Great Father" in Washington should want some of the bones of the

"Great Giant" their forefathers had killed years ago when taking possession of the country, the lava beds being the remains of the blood that ran from his wounds. Specimens by thousands were found on each side of the valley of the Lithodendron, there about half a mile wide. Along the slopes, which were perhaps 50 feet high, no vegetation whatever was to be seen; wood being very scarce, the soil was composed of clay and sand mostly, and the petrifications, broken into millions of pieces, lay scattered about the slopes. Some of the large fossil trees were well preserved, though the action of the heat and cold had broken many of them in sections from 2 to 10 feet long. Many of them must have been immense trees, several which Lieutenant Hegewald measured were from 150 to 200 feet in length, and from 2 to 4 feet in diameter, the centers often containing beautiful quartz crystals.

Only one of the two specimens obtained from the Lithodendron by Mr. Kearns and Lieutenant Hegewald was forwarded to Washington. In the place of the second one brought in from the locality of the Lithodendron, a better specimen was found on the Mesa, to the north of and adjacent to Fort Wingate. The specimens had to be hauled to Santa Fe, New Mexico, to be shipped by rail.

FOREST FIRES.

During the next few months we may expect to see the usual accounts of forest fires having spread over large areas, destroyed much valuable property and imperiled many lives, with these will be complaints of criminal carelessness on the part of exploring parties, trappers and fishermen, and we shall be told of the lamentable destruction of valuable timber with the consequent losses to the lumbermen and the government, and the poor innocent lumbermen will call upon the government for protection against the criminal carelessness of the people who visit the backwoods in the summer time, as these are the stereotyped accounts of proceedings of which we read from year to year, and which will continue to occur so long as lumbering continues and valuable timber remains to be destroyed. Already forest fires in the interior of Wisconsin have destroyed several logging camps with all the cut of logs and an immense amount of standing timber. It is reported several lives have been lost and many cattle burned to death. It is stated that at least 30,000,000 feet of standing pine has been destroyed in Pike river pinery.

It does not seem to have occurred to the minds of the average journalist or legislator that the lumbermen themselves, by their own deliberate criminal carelessness are responsible for nearly every one of these fires, and that few, if any, of them proceed from causes other than those deliberately prepared by the lumbermen,

but, if any one will take the trouble to think for a few minutes of the processes of taking out saw logs or squared timber, he will at once perceive how assuredly the occurrence of these fires is provided for year after year by those who most complain of loss by them. During the whole of the winter months choppers are cutting down pine trees, trimming off tops and branches, and if for saw logs, cutting them in lengths, or if for squared timber, cutting off the sides of the trees; by these means the ground is covered with chips, branches, limbs and blocks all full of and covered with resin; but in addition to these, the lumbermen leave behind them the light brushwood which they have cut from lines of roads which they have made as avenues from the trees to the sideways and the water; so that a mass of inflammable matter with trains and avenues of communication is left covering an immense area, to be kindled into an appalling conflagration by the spark from a shantyman's pipe, the rubbing of two trees or a stroke of lightning. The hollow, dead, worm-eaten, or decayed trees are left standing, some times one tree is left lodged in the branch of another, so that every breath of wind causes a rubbing which finally causes ignition, a process which taught the Indians their mode of procuring fire; the old dry pines left standing alone are often struck by lightning which sets them on fire, and so quite natural causes communicate fire to the resinous masses left by the lumbermen, in which it spreads with fearful rapidity, and sweeps with resistless force over immense areas, as the heated atmosphere prepares its way and the wind drives it forward.

What remedy, then, remains for this annual impartment and destruction of property? Only one, and that is the proper clearing of the lands which have been cut over by the lumbermen every season. To this we hear the objection that it must cause such an increase of the cost of procuring timber as to preclude profit from the business, but we think we heard the same objection when it was proposed that these same lumbermen should no longer be allowed to dump their sawdust and slabs into the rivers and streams, to the destruction of fisheries and interference with navigation. As to this it would appear from the general reports that the preservation of our forests is one of our most important duties, and that no outlay we can make is so likely to be remunerative as that which will prevent the destruction of our timber; therefore we hope to see the question properly considered, and put a stop to the lumbermen's cry of "Wolf!"—*Montreal Journal of Commerce.*

A YOUNG MAN writes: "I have used Mack's Magnetic Medicine and am much pleased with the result. It has cured me after doctors and other medicines had failed. See advertisement in another column."