TAFT TELLS STAND ON CONSERVATION

President Makes His Policies Clear in Speech at St. Paul Congress.

POWER OF STATES SACRED

President's Appeal to Practical Common Sense in Solving of Problems Wins Quick Response From Audience.

MINNEAPOLIS, Sept. 5.—After speaking at the Conservation Congress in St. Paul this morning and at the Minnesota State Fair grounds, outside this city, this afternoon, President Taft left for Beverly to night by way of Chicago.

In his conservation address the President won a quick response from his thousands of hearers by an appeal to practical common sense in dealing with conservation problems.

In the opinion of many who heard him he also made answer to the recent agitation of a "New Nationalism," or a Feredal centralization of power, by declaring that the only safe course to pursue was to hold fast to the limitations of the Constitution and to regard as sacred the power of the states.

Mr. Taft made frequent references to the services of Theodore Roosevelt in the cause of conservation, but he declared the time for rhapsodies and glittering generalities had passed. He suggested to the Congress that it should invite its speakers to come down to details, to specific evils and to specific remedies.

Audience Rises to Feet.

These sentiments by the President seemed to receive the approval of nearly all his hearers. They came near the end of a long detailed and exhaustive discussion of conservation, and he ended his speech with the audience on its feet.

Mr. Taft did not attempt to solve the problem of waterpower sites control, as between the states and the general government, but after stating the arguments advanced on both sides of the subject he said he would submit the whole matter to the Federal Congress for determination.

At the fair grounds the President delivered a Labor day address the most notable utterances of which was a statement that he knew of no intention on the part of the Government to prosecute labor leaders under the anti-trust law. At the same time the President said he did not believe labor organizations should be exempted from such prosecution by specific statute. He declared that such a provision of law would smack of class legislation.

Taft's Welcome Warm.

He did not believe labor organizations needed or desired class legislation and he counted on their help in preventing such legislation.

The President received a demonstrative but not an uproarious welcome at St. Paul. The streets were lined from the depot to the reviewing stand, where Mr. Taft witnessed the passing of the Labor day parade. At the Conservation Congress the President was welcomed with prolonged cheering. After luncheon in St. Paul he rode by automobile to the State Fair grounds, and received a tumultuous greeting from a throng which filled the grandstand and overflowed into the racetrack and infield.

On the way to the Minneapolis Fair grounds the President was greeted noisily along the road. He dined at a hotel here this evening, informally, and then was driven direct to his train.

The President said:

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. In the development of this country, in the hardships of the pioneer, in the energy of the settler, in the anxiety of the investor for quick returns, there was very little time, opportunity, or desire to prevent waste of those resources supplied by nature which could not be quickly transmuted into money; while the investment of capital was so great a desideratum that the people as a community exercised little or no care to prevent the transfer of absolute ownership of many of the valuable natural resources to private individuals, without retaining some kind of control of their use. The impulse of the whole new community was to encourage the coming of population, the increase of settlement, and the opening up of business; and he who demurred in the slightest degree to any step which promised additional development of the idle resources at hand was regarded as a traitor to his neighbors and an obstructor to public progress. But now that the communities have become old, now that the flush of enthusiastic expansion has died away, now that the would-be pioneers have come to realize that all the richest lands in the country have been taken up, we have perceived the necessity for a change of policy in the disposition of our National resources so as to prevent the continuance of the waste which has characterized our phenomenal growth in the past. Today we desire to restrict and retain under public control the acquisition and use by the capitalist of our natural resources.

Conservation Affects All.

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. What I wish to emphasize is that a satisfactory conclusion can only be reached promptly if we avoid acrimony, imputations of bad faith, and political controversy.

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.

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 semiarid regions. Of course the teachings of the Agricultural Department as to how these subarid lands may be treated and the soil preserved for useful culture are of the very essence of conservation. Then conservation of agricultural lands is shown in the reclammation of arid lands by irrigation and I should devote a few words to what the Government has done and is doing in this regard.

Reclamation Work Outlined.

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 the 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. About 30 projects have been set on foot distributed through the public land states in accord with the statute, by which the allotments from the reclamation fund are required to be as near as practicable in proportion to the proceeds from the sale of the public lands in the respective states. The total sum already accumulated in the reclamation fund is $40,273,258.22, and of that all but $6,491,955.34 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.

States' Rights Sacred.

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.

The proposal for the Government to lease such mineral lands and deposits and to impose royalties might have been in the beginning a good thing, but now that most of the mineral land has been otherwise disposed of it would be hardly worth while to assume the embarrassment of a radical change.

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 70 per cent of all the timber lands of the Government.

Lands Wrongly Reserved.

In the present forest reserves there are lands which are not properly forest land and which ought to be subject to homestead entry. This has caused some local irritation. We are carefully eliminating such lands from forest reserves or where their elimination is not practicable, listing them for entry under the forest homestead act. Congress ought to trust the Executive to use the power of reservation only with respect to land covered by timber or which will be useful in the plan of reforestation. During the present administration 6,250,000 acres of land, largely nontimbered, have been excluded from forest reserves, and 3,500,000 acres of land, principally valuable for forest purposes, have been included in forest reserves, making a reduction in forest reserves of nontimbered land amounting to 2,750,000 acres.

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 loked 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 individual and corporations. Exactly how far these regulations can go and remain consistent with the rights of private ownership, it is not necessary to discuss; but I call attention to the fact that a very important part of conservation must always fall upon the State Legislatures, and that they would be better up and doing if they would save the waste and denudation and destruction through private greed or accidental fires that have made barren many square miles of the older States.

Fire Protection Is Needed.

I have shown sufficiently the conditions as to Federal forestry to indicate that no further legislation is needed for 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.

When President Roosevelt became fully advised of the necessity for the change in our disposition of public lands, especially those containing coal, oil, gas, phosphates, or water-power sites, he began the exercise of power of withdrawal by executive order, of lands subject by law to homestead and the other methods of entering for agricultural lands. The precedent he set in this matter was followed by the present Administration. Doubt had been expressed in some quarters as to the power in the Executive to make such withdrawals. The confusion and injustice likely to arise if the Courts were to deny the power led me to appeal to Congress to give the President the express power. Congress has complied. The law as passed does not expressly validate or confirm previous withdrawals, and therefore as soon as the new law was passed, I myself confirmed all the withdrawals which had heretofore been made by both Administrations by making them over again. This power of withdrawal is a most useful one, and I do not think it is likely to be abused.

The next subject, and one most important for our consideration, is the disposition of the coal lands in the United States and in Alaska.

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 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 be adopted.

Public Owns Third of Coal.

Authorities of the Geological Survey estimate that in the United States today there is a supply of about 3,000,000,000 of tons of coal, and that of this, 1,000,000,000 are in the public domain. Of course, the other 2,000,000,000 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, a power of resuming possession at the end of the term of lease, or of readjusting the terms at fixed periods 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 largerly 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.

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. As one-third of all the coal supply is held by the Government, it seems wise that it should retain such control over the mining and the sale as the relation of lessor to lessee furnishes.

Coast Needs Coal.

The investigations of the Geological Survey show that the coal properties in Alaska cover about 1200 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 of about 50 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 $2000 an acre, while other Appalachian fields are worth from $10 to $386 an acre, and the fields in the Central States from $10 to $2000 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.

Roosevelt's Policies Followed.

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 2560 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.

Coast's Needs Realized.

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.

In the last Administration there were withdrawn from agricultural entry 2,820,000 acres of supposed oil land in California; about a million and a half acres in Louisiana, of which only 6500 acres were known to be vacant unappropriated land; 75,000 acres in Oregon and 174,000 acres in Wyoming, making a total of nearly four millions of 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 desirabe to reserve certain fuel-oil deposits for the use of the American Navy. The needed oil and gas law is essentially a leasing law.

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 on the ground that the land covered phosphate rock. 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.

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 power sites which ought not to be disposed of as agricultural lands, tracts amounting to about 4,000,000 acres.

The disposition of these power sites involves one of the most difficult questions presented in carrying out practical conservation. The Forest Service, under a power found in the statute, has leased a number of these power sites in forest reserves by revocable leases, but no such power exists with respect to power sites that are not located within the forest reserves, and the revocable system of leasing is, of course, not a satisfactory one for the purpose of inviting the capital needed to put in proper plants for the transmutation of power.

The subject is one that calls for new legislation. It has been thought that there was danger of combination to obtain possession of all the power sites and to unite them under one control. Whatever the evidence of this, or lack of it, at present we have had enough experience to know that combination would be profitable, and the control of a great number of power sites would enable the holders or owners to raise the price of power at will within certain sections, and the temptation would promptly attract investors and the danger of monopoly would not be a remote one.

However this may be, 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.

Leases Are Suggested.

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 50, 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 10 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. Then it is said that the state authorities are better able to understand the local need and what is a fair adjustment in the particular locality than would be the authorities at Washington. It has been argued that after the Federal Government parts with title to a power site it cannot control the action of the state in fulfilling the conditions of the deed; to which it is answered that in the grant from the Government there may be easily inserted a condition specifying the terms upon which the state may part with the temporary control of the water-power sites, and, indeed, the water power, and providing for a forfeiture of the title to the water-power sites in case the condition is not performed, and giving to the President, in case of such violation of conditions, the power to declare forfeiture and to direct proceedings to restore the central Government to the ownership of the power sites with all the improvements thereon, and that these conditions may be promptly enforced and the land and plants forfeited to the general Government by suit of the United States against the state, which is permissible under the Constitution.

I do not express an opinion upon the controversy thus made or a preference as to the two methods of treating waterpower 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.

I beg of you 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 discusesions may flow into channels 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.

Telephone Experts Meet.

PARIS, Sept. 5.—Alexander Millerand, Minister of Public Works, Posts and Telegraphs, today opened the second International Congress of Telegraph, Telephone and Technical Experts. Several American companies are represented at the gathering. The chief question before the congress is the desirability of the manual over the automatic or combination telephone systems.

PERSONS PROMINENT AT OPENING OF CONSERVATION CONGRESS.

ABOVE, THREE SNAPSHOTS OF PRESIDENT TAFT SPEAKING (COPYRIGHT BY GEORGE GRANTHAM BAIN). BELOW, SENATOR CLAPP, OF MINNESOTA; JAMES R. GARFIELD, WHO WILL APPEAR TOMORROW, AND FRANK B. KELLOGG.