

TIMBER TRESPASS.

The government and state practically encouraged timber trespass upon public lands for so many years by allowing trespassers to settle by simply paying the value of the timber taken, that it has been very difficult to stop the practice at once and to make such people understand that illegal cutting of timber is nothing more nor less than common stealing.

In 1905 the law was strengthened so that the civil liability for forest trespass is now double the amount of damages suffered and under criminal action the fine is not less than \$25, nor more than \$1,000, or imprisonment not less than fifteen days nor more than three years, or both fine and imprisonment. The result of this law has been to largely put a stop to all forms of trespass upon state lands, as it does not pay to cut timber illegally when one is obliged to pay double the value of the timber taken, plus all the costs of examination and survey.

Public opinion in northern Wisconsin, however, has not yet been educated to support a jail sentence for a trespasser, unless in the case of an old offender and when the trespass has been glaringly flagrant and willful. This is especially true in the case of a poor man with a family, as the jury seems to reason that if the man is sent to jail, his family will become a charge upon the county or town. After years of "rubber forties" and practical encouragement, the law cannot suddenly be made too drastic and still meet with public support.

However, the double stumpage law has been in operation for over five years, and it is now recommended that it is time to still further strengthen this law. The law of New York state provides a penalty of \$10 for every tree cut on state lands but so drastic a law in Wisconsin at the present time would probably defeat its own ends. It is recommended that the civil liability for timber trespass be increased from double to triple the value of the timber taken, plus all the costs of examination and survey. **Both the state and private timberland owners have been put to considerable trouble and loss in past years by Christmas tree trespass. Large firms in Chicago, Milwaukee, St. Paul and other**

nearby cities make contracts with small jobbers or settlers to furnish a large number of Christmas trees. These contractors have been in the habit of going upon any land where there was a fine growth of young pine and cutting it all off in a few days' time. Many such trespassers are not residents of Wisconsin and they can cut, load and ship these small trees so rapidly that it is very difficult to detect them until the trees have been shipped and then the offenders are outside the jurisdiction of the state. However, timberland owners have dealt with such cases as severely as possible by imposing heavy fines, confiscating the trees cut and also bringing criminal action, so that this business is being largely discouraged and the dealers are compelled to buy the young trees from those who are willing to have them cut. The state has only suffered to a slight extent from such operators, as our lands are watched closely as Christmas approaches and we have been able to detect nearly all such cutting in time. The children and grown-ups need not fear that there will be any shortage of Christmas trees in the future or that foresters will discourage this old custom.

Upon lands that are protected from fire thousands of young pines will come up to the acre, and if left to themselves to follow out nature's law there will be a fierce struggle for existence, so that only a small percentage will survive. These will be the strongest and best developed but by far the greater number will gradually die and fall to the ground. Even the strongest young trees that survive are checked in their growth during the years of their fiercest struggle for existence and the forester can aid nature by cutting out the less promising trees and thereby allowing the stronger to shoot ahead free from the struggle.

Such cuttings are called "improvement thinnings" and are an important part of forestry work in all foreign countries where there is a ready market for the young trees that are thinned out.

In this country the forester as a rule has not been able to make improvement thinnings as there has been no market for such young trees, but the demand for Christmas trees promises to furnish the market to a considerable extent and therefore the forester hopes that more Christmas trees will be used and not less. However, he wants such young trees cut out under a system that will hasten the rate of growth and improve the future forest and does not want to have every tree cut by a person who is politely called a trespasser while in fact he is nothing less than a common thief.