

east at exorbitant figures. The opening of the through all rail route to the Minnesota pinery regions promises eventually, if not immediately, to supply Omaha and Nebraska with cheap lumber. Our readers are doubtless aware that the recent railway excursion to that region was mainly improvised for the purpose of acquainting the people of the Missouri valley with the advantages offered by the direct trade with the lumber makers of the Upper Mississippi. The *Bee* takes pleasure in placing the observations and conclusions of its envoy before the people of the state. They contain much valuable and interesting statistical information touching the manufacture of and traffic in lumber.

That Omaha is deeply interested in a direct importation of lumber from the Minnesota pine regions is evident from the fact that Omaha buys and distributes almost double the quantity of lumber annually purchased and distributed by St. Joseph and Kansas City. It now only remains to be seen whether the railroad lines between Omaha and St. Paul will pursue a liberal policy to encourage the building up of this traffic. It is gratifying as it is significant, that an Omaha lumber firm has already taken the initiative step by investing in a heavier bill of lumber than any purchased by the representatives of the other cities in the Missouri valley. It is to be hoped that the experiment will prove remunerative.

In this connection, we may as well also call attention to the superior inducements offered by the extensive manufacturing establishments of Minneapolis & St. Paul, in the quality and price of certain articles of merchandise, heretofore imported by Nebraska merchants, and small manufactures from the far east.

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THE DECISION IN THE LOG SUIT OF GEO. COOK VERSUS THE U. S.

The readers of the WISCONSIN LUMBERMAN will remember that in the May number of this publication there appeared an eloquent argument, by Messrs. Smith & Stark, of Milwaukee, in a suit of replevin brought by the United States to dispossess Mr. Geo. Cook, of Green Bay, Wis., of certain logs purchased by him from Indians of the Oneida reservation. The case has been decided in the Supreme Court of the United States, and we are now enabled to give our readers further information on the subject.

The substance of the decision is to the effect that the fee of the Oneida reservation is in the United States, while the Indians have the right of occupancy, that this right of occupancy is unlimited, and to be exercised in the discretion of the Indians. If they desire the lands for the purpose of agriculture, they may clear off the timber to such an extent as may be reasonable under the circumstances. The timber taken off by the Indians in such clearing may be sold by them. But to justify any cutting of the timber, except for use upon the premises, as timber or its product, it must be done in good faith for the improvement of the land. The improvement must be the principal thing, and the cutting of the timber the incident only.

Any cutting beyond this would be waste and also unauthorized. The timber can rightfully severed for the purpose of improving the land, or the better adapting it to convenient occupation, but for no other purpose.

When rightfully severed, it is no longer part of the land, and there is no restriction upon its sale. Its severance under such circumstances is in effect only a legitimate use of the land.

If the timber should be severed for the purpose of sale alone; in other words, if the cutting of the timber was the principal thing, and not the incident, then the cutting would be wrongful, and the timber, when out, become the absolute property of the United States.

The presumption is against the authority of the Indians to cut and sell the timber. The purchaser, to maintain his title under a purchase from the Indians, must show that the timber was rightfully severed from the land. If he does not show that, the United States may seize or replevy it, or bring an action for its value.

A NEW CIRCULAR SAW MILL.

Practical mill men cannot fail to be interested in the description presented elsewhere of a new iron frame, double circular saw mill.

The first mill of this kind has just been completed by the Reliance Works, Milwaukee, under the incessant supervision of Mr. G. M. Hinkley its inventor. Mr. Hinkley is an inventor of genius and reputation, and the quality of work invariably turned out by the Reliance Works of Messrs E. P. Allis & Co. has gained that establishment the confidence of mill men in all quarters. Our sketch of this latest contribution of science to the requirements of manufacturers of lumber will be found on page 369 of this issue of the *WISCONSIN LUMBERMAN*.

PATENTS AND IMPROVEMENTS IN THE LUMBER TRADE.

For the week ending May 26th:

For Band Sawing Machine to Edward F. Gordon, Concord, N. H. The shafts which carry the saw-pulleys are sustained by and made adjustable upon curved saddles.

For Miter-Box to Horace C. Hough, Oshkosh, Wis. Adjustable and reversible stops are used, with guides adjustable to any angle for the saw, and for inside and outside measurement.

For Water-Wheel to Edward B. Lyon and William P. Lyon, Franklinton, N. C. The wheel is made star-pointed, so as to run equally well in either direction, and is supplied with water through either of two trunks which lead to opposite sides of the wheel. It is designed especially for operating presses.

For Mechanism for Loading and Unloading Lumber to Hans P. Tottingham and Gustav Osborne, San Francisco, Cal. A series of rollers, several of which are toothed and rotated, mounted upon a supporting-frame which may be adjusted at any desired height. The timber, being laid upon the end roller, is caught by its teeth and pushed to the next, and so throughout the series.

For Mortising-Machine to August Borneman, Lancaster, Ohio. Length of mortise is regulated by the stops and lugs on the carriage.

For Governor for Water-Wheels to Hery D. Snow, Cohoes, N. Y. The float in the flume causes the pawl mechanism to close the gate when the water runs low. A cam, operated by the gate-shaft, throws the pawls out of gear, when the gate is fully closed or opened, to prevent breaking.

For Frame and Guide for Muley-Saws to Alfred D. Clark, Hillsborough, Ohio. The frames and guides are provided with means of adjustment in various directions, accessible at all times to the operator. ↓