



# LEASING OF STATE LANDS FOR MINERALS

## HISTORY TAKEN FROM RECORDS

### CHAPTER VII.

Next to not making mistakes, the best thing to do is to correct them. Either the stenographer in writing the copy for last week's chapter of this story or the printer in putting it into type, changed the word bid to paid, in speaking of the bonus offered by different persons who applied for a mineral lease on section 36-26-45. In mentioning the sealed bids that were submitted, the statement should have been that when they were open September 28, 1917, it was found that the bonus bid (not paid) by some was an offer of a certain amount of cash, while the bonus bid (not paid) by others consisted of a cash offer coupled with an additional royalty above the 1-8 that was required to begin with.

Another mistake was in the name of M. F. Harrington being used instead of J. J. Harrington, who was the successful bidder and only bidder, in the auction held October 25, 1917.

The main thing to be considered and to which I wished to call attention in this connection was that a mineral lease was not granted by the Board of Educational Lands and Funds on the so-called "Briggs" section until it had been put up at auction, after having been advertised, and others including Thomas L. Briggs, the agricultural lessee, urged to bid against the successful bidder for the mineral lease. Mr. Briggs not only refused to bid but threatened others with a lawsuit if they did, and thus secured a mineral lease.

The supreme court of Nebraska has held that the holder of an agricultural or grazing lease is not given by it a right to remove minerals; but as the agricultural lessee, Thomas L. Briggs, claims that he has a right, either legal or morally, or both, to preference in the granting of a mineral lease, I will give some information regarding the agricultural leases on this section that may be interesting in this connection.

First, however, I wish to refer again to the decision of the supreme court above-mentioned. While that decision invalidated the mineral leases that were granted by the state board before the recent special session of the legislature, it stated that the legislature could, no doubt, grant to the holders of those leases, if in its wisdom it saw fit to do so, some measure of relief. That decision stated further, that the agricultural lessee "is entitled to the use and occupation of the land until the legislature sees fit to confer upon the board power to vest others with the right to enter upon the lands and remove the minerals therefrom."

Persons who want the truth—and most people do—will do well to note carefully the foregoing facts.

Agricultural leases Nos. 50205 to 8, covering all 36-26-45 in Sheridan county were granted April 1, 1898, to Roy Wilkinson. On November 28, 1908, these leases were assigned to Marthy Patmore, the name afterwards being corrected by affidavit to Martha Patmore. On March 31, 1917, they were assigned to Thomas L. Briggs, who is the present lessee according to the records of this office.

Rental on school land leases is payable semi-annually in advance. The semi-annual rental on this section from the date of issue of the leases to January 1, 1909, was \$13.80. Commencing with January 1, 1909, the semi-annual rental has been \$27.60, or \$55.20 per year. According to the supreme court, this annual rental of less than nine cents per acre does not legally entitle the lessee to any mineral rights; this plain statement of facts will enable the public to decide for themselves to what extent, if any, it conveys such a right morally.

Another point of interest in this connection, although it may be irrelevant to a consideration of the status of mineral leases, is the amount of rental paid under the agricultural leases considered in connection with Mr. Briggs' statement, made under oath to the Lancaster county district court, as to the damage he would sustain as agricultural lessee if someone holding a mineral lease should be permitted to draw the potash water off the land.

As to the decision of the Lancaster county district court enjoining the state board from granting a mineral lease on the above mentioned section, as agricultural lessee if someone under the law recently passed at the special session of the legislature, to any one except the agricultural lessee, I may not refer to that again unless it has been passed upon by the supreme court. I will then, probably, say a thing or two in regard to it.

LOU D. SWEET



Lou D. Sweet, a Colorado farmer, president of the Potato Association of America, is in charge of that section of the food administration's work which deals with potatoes.

### BIG CIRCUS WILL AGAIN SHOW AT STATE FAIR

The big Hagenbeck-Wallace circus, with its large menageries and coterie of trained animals will be the feature attraction at the state fair again this year, but with an entirely different program. This is the gist of a statement issued by the Nebraska state board of agriculture. The circus suffered a bad wreck during the early part of the summer in which a large number of lives were lost, but the people killed proved to be chiefly laborers and the skilled acts of the circus stand practically intact. Part of the equipment lost in the wreck has been replaced and the circus that appears before the grand stand at the fair will be practically new.

In addition to the circus there will be an exceptionally strong amusement program including the Rice-Wortham carnival, the largest carnival in the business, the Hagenbeck-Wallace shows, midway shows, auto races and horse races.

### PROPOSED CONSTITUTIONAL AMENDMENT

The following proposed amendment to the constitution of the State of Nebraska, as hereinafter set forth in full, is submitted to the electors of the State of Nebraska to be voted upon at the general election to be held Tuesday, November 5th, A. D. 1918:

**A JOINT RESOLUTION to amend Section one (1) of Article seven (7) of the Constitution of the State of Nebraska.**

Be it Resolved by the Legislature of the State of Nebraska:

Section 1. That Section One of Article Seven of the Constitution of the State of Nebraska be and the same hereby is amended by striking out the following words:

"Second. Persons of foreign birth who shall have declared their intention to become citizens conformably to the laws of the United States, on the subject of naturalization, at least thirty days prior to an election."

And inserting in the place of the words so stricken, the following words:

"Second. Persons of foreign birth who shall have become citizens of the United States by naturalization or otherwise conformably to the laws of the United States at least thirty days prior to an election."

Sec. 2. That at the general election nineteen hundred and eighteen (1918) there shall be submitted to the electors of the state for their approval or rejection the foregoing proposed amendment to the constitution relating to the right of suffrage. At such election, on the ballot of each elector voting for or against said proposed amendment, shall be written or printed the words: "For proposed amendment to the constitution relating to the right of suffrage," and "Against said proposed amendment to the constitution relating to the right of suffrage."

Sec. 3. If such amendment shall be approved by a majority of all electors voting at such election, said amendment shall constitute Section One (1) Article Seven (7) of the Constitution of the State of Nebraska.

Approved, April 9, 1918.

KEITH NEVILLE, GOVERNOR.  
 CHARLES W. POOL, Secretary of State.

34-141-904-9379  
 BUY WAR SAVINGS STAMPS

### CASE OF "DO UNTO OTHERS"

Grandma's Sizing Up of the Situation Showed Pretty Good Judgment of Human Nature.

The wise man Solomon remarked a long time ago that if a man is to have friends, he must show himself friendly; and it might be said now that if a man is himself a good neighbor, he is mighty likely to have good neighbors—as a rule.

On this point we recently ran across an interesting farm story, fresh from the prairies of the West. The moral is one that cannot be too often emphasized; and this is the story as the American Co-operative Journal gives it:

"They tell of an old grandma who was sitting in front of her home, knitting in the sunshine, when an immigrant with covered wagon drew up his team and gave them a rest and drink. 'Howdy!' spoke up grandma.

"Where be you a'goin'?"

"To Nebraska, grandma."

"An' where be you from?"

"From back in Indiana state."

"Wall, I s'pose you jest hated to leave the old home and neighbors?" again asked grandma.

"No! Deed we did not; we had the pestliest, meanest neighbors; we was glad to get shed of 'em."

"Yes, but you'll find plenty more just like 'em where you're a'goin'." And then grandma went on knitting.

"A few days later another immigrant wagon with its family drew up at the water trough. And again grandma asked the usual questions as to where they were going and where they were from.

"But this time the answer to the question of whether they did not hate to break up old home ties was different.

"Indeed, we did hate to leave, grandma. It nearly broke our hearts. We had the best neighbors that anyone ever had."

"Yes," consoled grandma, "I know how 'tis, but you'll find plenty more just like 'em where you're a'goin'."—The Progressive Farmer.

### French as It Is Spoken.

Mrs. J. Guy Haugh, 1142 North Meridian street, a French woman, born and bred, and as she expresses it herself, "French in every one of my thoughts, in every fiber of my being," has evolved a plan for the help of soldiers who are about to go "over there" to speak ordinary, conversational French. The idea came to her because some soldiers, friends of her husband, would undertake to talk to her in French, knowing her to be a native French woman.

Now Mrs. Haugh's home is a meeting place for Uncle Sam's soldiers, who under her guidance, are learning to talk plain, unadorned French. The privates have a class at her home on Thursday evening and officers on Monday evening, between eight and ten o'clock. All men wearing Uncle Sam's uniform are welcomed and there is no charge for the lessons. No books are used, and no English is spoken. Mrs. Haugh advises soldiers who are already taking French lessons to continue them, as the gatherings at her home are merely to assist the men in acquiring rapidly an ability to talk French.—Indianapolis News.

### Hanna's Aztec Servant.

An introduction to some of the leaders will show that there are brains as well as bullets behind the Zapata movement, says the Christian Herald.

Gen. Alfredo Serratos was a former lawyer, who had made a good record as a soldier. It will surprise Americans to learn that he was at one time a servant of Mark Hanna, the noted politician of Ohio.

His history is a romantic one. As a homeless waif he was taken to the United States by an American, who promised to give him an education. In Cleveland, O., the American died and young Serratos was left stranded. For three years he worked at the home of Senator Hanna, mowing lawns and caring for horses.

Later the young Mexican returned to Mexico and studied law. He speaks three languages fluently. In the convention cabinet he was elected secretary of war. These were some of the men who were Zapata's lieutenants and advisers.

### WELL DESERVED COMPLIMENT.

Friends of Land Commissioner G. L. Shumway are congratulating him upon the well deserved compliment which he has received in having no opposition for the democratic renomination for the office which he now holds.

Mr. Shumway is the only Democratic candidate for state or national office that will have no opponent in the primaries. The only Republican candidate without opposition is D. B. Cropsey, county treasurer of Jefferson county, who is candidate for state treasurer.

# Live Stock Transit Insurance

Live stock men over the entire west are forming the habit of INSURING THEIR LIVE STOCK IN TRANSIT. They do it for safety, economy and quick returns.

## The Hartford Live Stock Transit Policy

protects shippers of live stock, and is the only company offering a broad policy easy to understand, clear in its terms, which gives absolute protection against loss from hazards of transportation — including suffocation, freezing, trampling, fire, collision, train wreck and every form of killing or injury while the animals are in the custody of the common carrier.

We are represented at all of the live stock markets in the United States and Canada, and locally by—

FRED E. FEAGINS  
 Alliance, Nebraska

C. W. SPACHT  
 Hemingford, Nebraska

SAMS & McCAFFREE, Scottsbluff, Nebraska

W. B. CHEEK, Local Manager

HARTFORD FIRE INSURANCE COMPANY

Live Stock Department

STOCK YARDS

OMAHA, NEBRASKA



# I Know the Voice

### WHICH TELLS THE SUFFERINGS FROM A SORE TOOTH

I have to see or read for the first time the works of any noted writer of the middle ages, anything that pertains to Dentistry. There could not have been the demand upon them then as in being made today.

### THE SCIENCE OF MEDICINE AND DENTAL SURGERY

Which has shown such wonderful progress in such a comparatively short time, has been compulsory—so to speak. Again

### NECESSITY WAS THE MOTHER OF INVENTION

For twenty years—every hour of every day, I have heard someone say, "Why does not some one invent something to relieve pain in a safe and easy manner?" The cry for this great necessity has dwelt on my mind so long, that I finally solved the problem and have put it into use. Through Sturgis & Sturgis, Attorneys, I filed for a patent on this most wonderful method to relieve pain.

### I KNOW THE VOICE OF THE SUFFERER; I ALSO KNOW HOW TO ANSWER

in a manner that should immensely please. It's here for you to take advantage of. I will gladly show you.

For Out-of-Town Patrons  
 Appointments Made to  
 Best Suit Their Convenience.

PHONE TODAY

# DR. G. W. TODD

403 BRANDEIS BUILDING

OMAHA, NEBRASKA

### JOHNNIE'S FRIEND IN NEED

Mother's Remarks About Fallibility of Circumstantial Evidence Dissipated Paternal Wrath.

"Emily," said Pickwiddle, gravely, "Johnnie told me a deliberate untruth this afternoon."

Mr. Pickwiddle sighed.

"I missed four big, green pears from the tree on the fence, and when Johnnie came in crying and complaining of stomach ache, he denied all knowledge of them. I'm going to thrash him."

"Don't be hard on the boy, Albert. Something else may have caused his ache."

"Always making excuses," snapped the irate Pickwiddle.

"His pains may have been caused by a hundred things."

"I only charge him with four. The pears disappeared this morning; they were unripe; Johnnie was in the garden; now—this ache."

"Circumstantial evidence only," answered Mrs. Pickwiddle. "I've known a man counting home at one-thirty in the morning, fumbling at the keyhole, peering of cloves, his tie round the back of his neck, and his tongue out of gear, and yet when he tells me it's pressure of business I—"

Then Mr. Pickwiddle put down the slipper with which he was armed, and silence reigned.

### Looking Into the Future.

An eminent engineer has predicted that in time to come the rivers of the United States will no longer flow as they do today. Each important stream will be merely a series of sluggish lakes, with electric power stations in between. All the little streams will be wiped out, and their waters combined into the great ones that are to supply the heat, light and power of the future.

## The Lindell Hotel

Palm and Palm, Props.  
 LINCOLN, NEBRASKA

Try Our Popular Price Lunch Room and Coffee Shop

All Modern Conveniences—Rooms \$1.00 Up

Under New Management - Political Headquarters

## Farm • LOANS • Ranch

**WE** want your real estate loan business. will make rates and terms to get it. can put over a loan for any amount. will save you money on your loan. solicit the opportunity to show you.

## THE WOODRUFF BALL CO.

INVESTMENT BANKERS  
 VALENTINE, - NEBRASKA

HERALD WANT ADS bring results. Try one and be convinced. You'll find HERALD WANT ADS the quickest method of advertising. Get quick results by advertising in THE HERALD WANT Ad Department.