

SPEECH

Of Honorable James Laird in the House of Representatives, December 18, 1888.

A Manly Defense of the Settler--Mr. Sparks Roughly Handled.

The house having under consideration the report of the committee on the revision of the rules--

Mr. Laird said:

Mr. Speaker--There is a question of great moment to the country which I have the honor to represent and to the country west of the Missouri river, and for that matter to the entire country. On the 3d of April, 1885, the commissioner of the general land office issued the following order:

SUSPENSION OF ENTRIES.

Final action in this office upon all entries of the public lands, except private cash entries and such scrip locations as are not dependent upon acts of settlement and civilization, is suspended in the following localities, namely:

All west of the first guide meridian west in Kansas. All west of range 17 west in Nebraska. The whole of Colorado except land in the late Ute reservation. All of Dakota, Idaho, Utah, Washington, New Mexico, Montana, Wyoming and Nevada, and that portion of Minnesota north of the indemnity limits of the Northern Pacific railroad and east of the indemnity limits of St. Paul, Minneapolis and Manitoba railroad.

In addition, final action in this office will be suspended upon all timber entries under the act of June 3d, 1878, also upon all cases of desert land entries.

W. A. J. SPARKS, Commissioner.

April 3, 1885.

As appears by the report of the commissioner of the general land office, the number of pre-emption entries made during the year was 47,946, which he says would cover 7,671,360 acres of land. The number of homestead entries made during the year is placed at 50,877, embracing an area of 7,415,885 acres. The number of pre-emption entries unacted upon under the operation of the foregoing order at the close of the fiscal year was 32,374, and the number of homestead entries unacted upon was 28,811--making a total of settlers' claims unacted on of 61,185, which would represent 6,789,600 acres of land. The commissioner states that final proof was made in 22,066 of the 50,877 homestead entries, but does not state that patents issued in any of such cases. It is fair, therefore, to presume that no patents have issued to any of the 22,066 homesteaders who have made final proof. This would give 3,530,560 acres to add to the 9,750,600 making a total of 13,320,161 acres of homestead and pre-emption land suspended.

To any one conversant with the land laws of the United States, it is known that any homesteader or pre-emptor of the public lands, having complied with the laws as to settlement and improvement of the tract taken by him, can make final proof on the same at the expiration of six months, and on the payment of the minimum or double minimum price, as the case may be, receive a final receipt on the land, which final receipt, under the decisions of the United States and the decisions of the state supreme courts, has always been treated as absolute title, and would be treated so now but for this order, which operates as an impeachment of the good faith of 84,251 settlers making the settlements and proof thereof.

As the report of the commissioner relates to the 30th of June, 1885, all of the persons who had made entries by that time would now be entitled to make final proof and receive their final receipts for these lands, if they could show, as most can, compliance with the law as to settlement and improvement. This would make the number of homestead and pre-emption settlers on the public domain of the United States now entitled to patent, or to claim patent, as shown by the report, 84,251--that is 84,251 persons, heads of families, representing at a fair estimate a population of 252,753 persons, under the ordinary operations of the law entitled prima facie to an absolute title to 13,320,160 acres of land, and now deprived of their rights by the order cited.

But for this order the government would have received from the sale of these lands to these settlers the sum of \$15,650,200; this being at the minimum rate of \$1.25 per acre for the 13,320,120 acres of land "hung up" under the order, and the settlers would under fair circumstances have been able to procure credit on these same lands of from \$16,650,200 to \$23,310,280 over and above the sum paid to the government. This sum if so raised by mortgage of the lands is necessary and would be used by the settler in making life on the claim possible during the winter and providing seed for the spring planting.

In the face of this order the settlers can not, so far as my knowledge goes, raise a cent on their lands. In this connection I beg to submit as a part of my remarks a letter addressed to myself,

written on the 15th of this month from a constituent 1,600 miles away, the writer is an intelligent man, located in the heart of the agricultural district in Nebraska, which is affected.

DEAR SIR: The actions and rulings of Commissioner Sparks in regard to the issuing of patents as affecting deeding and mortgaging land on final receipts will almost depopulate southwest Nebraska unless it is reversed. The idea of prohibiting people from obtaining money enough to live on while they are trying to improve this "Great American Desert" appears to me most ridiculous. The effect of the whole matter will be to force the homesteaders to sell their claims for whatever they can get and leave the country and go back to the densely populated east; and of course the lands will fall into the hands of the cattle syndicates. It would look very much like this was the intention of the commissioner "to a man up a tree," but the more charitable view to take of the case is that Commissioner Sparks has never lived, with a wife and half dozen ragged children, in a sod house for four or five years trying to prove up on a homestead. Yours sincerely,

The order in question, it will be noticed, applies to all lands west of the first guide meridian west, in Kansas, and all west of range 17 west in Nebraska. An examination of any map of those states will show that the suspension affects fully one half of the area of each of those states named. More than this, the order, it will be observed, operates to withdraw from settlement in the states and territories west, south-west, and northwest. All the lands owned by the government now being sought for settlement by the people, except those in the south, are practically unavailable to the people wanting homes.

It must be born in mind that millionaires do not migrate to Nebraska, Kansas, or Colorado. The people that go there go much as the first settlers came to the colonies in the old time. They bring neither gold nor silver. They are without resources; their only property is their willingness to work. Their wealth is in the future. They are surrounded by no splendor except that of hope. They are sustained alone by the faith of things not seen.

In the light of the extraordinary consequences of evil to the present and future of the states and territories affected by this order, it becomes pertinent to inquire upon what authority of law and what warrant of fact this wholesale slaughter of the rights of 252,753 citizens of this country is based? The authority of law is raised by construction, by implication, and that is raised by what is called evidence furnished by the published report of eighteen special agents who are relied upon to impeach the sworn evidence of 83,241 claimants and 165,502 disinterested witnesses, and who must have sworn for them, and in addition to this the official finding of the trusted local land officers of the government.

Some of the evidence (reports) of the special agents would seem to commend itself to the ridicule of all reasonable men by statements of this kind:

"I give it as my opinion that in Kansas, Nebraska and Dakota the proportion is 90 per cent. to 10 per cent. of bona fide and possibly successful cultivators."

Here the gentleman is speaking of timber culture claims, and on the strength of this opinion of a man hired to hunt down these settlers of the frontier, an order issues pending not only to timber culture patents, but all patents. When before, with the approval of civilized men, was the opinion of an informer taken as ground for the suspension of the due course of law? No one from the west, that region which has suffered most from the aggressions of the landed corporations, but will sympathize with the commissioner in his effort to protect the public domain from the encroachments of the corporations of all kinds, whether cattle kings, so called, or railroads.

We do not object to the suspension of timber culture entries or to the suspension of any entry of whatever kind whenever a specific charge of fraud is made against that entry. We do protest against a cloud being cast upon the honest claims of settlers on the agricultural lands of Nebraska and other states and territories by the dust raised by 18 spies whose official heads hang upon the slender thread of the caprice of an administration mad with reform, and a department which seems to breathe an atmosphere of suspicion, and which appears more than willing to see in the sweat-stained face of the western settler a masked and contemptible scoundrel, intent on robbing the people of their great patrimony, the public land.

Does not this congress understand that in Nebraska, where every hundred and sixty acres of agricultural land is worth from \$500 to \$1,000 as soon as patented, and where there are from five to twenty-five claimants for every claim; where every man has the right to contest any entry, fraud upon the public domain is an impossibility? Does it not occur to the honorable commissioner that he is going in these states and territories, where the land is valuable for agriculture, the very thing that the land grabbers and thieves want done?

This order makes it impossible for an honest settler to raise a dollar on his final receipt; failing in this he must abandon the land, or stay on it to starve. The result is plain, he is compelled to sell, to sacrifice for almost nothing what has cost him the torture of long toil to get; his claim is "gobbled" by the land

shark, the cattle syndicates, and he is sacrificed to a special agent who rides through the region of "suspected lands" in a palace car and writes lurid reports of crimes and shames that smack of the sensational, that ought no more to be received as evidence of the character of the homesteaders than the illustrations in the Police Gazette ought to be received as evidence of the fireside morality of New York.

Mr. Speaker, these men are poor--good proof they are not rascals. They are not prepared for a siege, much less can they withstand for years the fire of all the official batteries. They have some rights as human beings; they are not wholesale liars. Men do not commit perjury by the hundred thousand.

This order covers half a continent. Men do not sin by the continent--they do not attempt to take an empire by perjury. Men are not punished geographically, or condemned by the million without their day in court. The reasonable doubt which saves the wretch trembling for his life, "the presumption of innocence" which guards us all, speaks for these men and demands that the heel of the department of the interior be taken from the neck of these settlers.

Let the power which has been too long trusted to the committee on appropriations be taken from them and given to a committee which will take the time to see and know for itself before it will permit a great department of this government to be prostituted through imposition on the one hand or credulity on the other into an engine of oppression. Give the power of this department into the hands of a committee who will remember that the presumptions of law do not change with a change of administration.

The Northwestern has finally invaded "Q" territory, and we imagine that the coming spring will witness unusual activity in railroad building. These powerful corporations will sooner or later lock horns.

SENATOR BECK seems to be raising regular "old Ned" in the anti-metalists' camp these cool days. While Senator Everts, it appears, has set the Wall street bankers frantic by an announcement that he will deliver a speech during the present session on the same line.

NOTE TO CREDITORS.

Having disposed of our meat market to Brower Bros., we desire all parties who are indebted to us to call and make immediate payment, either to W. B. Whittaker at the old stand or to S. H. Colvin at his office.

28 21. CHURCH & WHITTAKER.

TO STOCKMEN.

Sorghum seed, \$1.25 per bag, in new two-bushel bags, delivered on cars at Blue Hill, Neb. Address, 27-41. M. WILSON, Blue Hill, Neb.

DISTRICT CONVENTION.

The Woman's Christian Temperance Union, of the 8th Judicial District of Nebraska, comprising the counties of Franklin, Furnas, Dundy, Hitchcock, Harlan, Kearney, Phelps, Gosper, Red Willow, Frontier, Hayes, Chase, and Webster, are invited to meet in mass convention at Oxford, January 12th and 13th, for the purpose of perfecting district organization and discussing methods of work. Young Woman's Unions are especially requested to send representatives as their work will be made prominent. Reform Clubs and all other temperance organizations are invited to send visiting delegates. Mrs. S. M. I. Henry, national W. C. T. U. evangelist, will be present. We also expect to secure the aid of Mrs. Mary T. Folsom, state superintendent of Young Woman's work, and Mr. C. J. Holt, who is well known in the district. Members of the W. C. T. U. will receive free entertainment, and they are requested to wear the white ribbon. The B. & M. will give the usual convention rates, viz, one and one-third fare for round trip, on compliance with the following conditions: Buy your tickets to Oxford, paying full fare, and take a receipt from the local agent. This receipt, when signed by the proper officer of the convention will entitle the holder to one-third rate on return trip.

CLARA C. CHAPIN, District Present.

A fifty cent bottle of Chamberlain's Cough Remedy is fully equal in intrinsic value to a dollar bottle of any other preparation in use. Sold by M. A. Spalding and Willey & Walker.

H. T. ANDERSON, Loan Broker and Accountant, McCOOK, NEBRASKA.

Books ordered, written up and adjusted. Office over Green's drug store. 4. 23-6 Mos.

McCOOK GRAIN MARKET.

Table with grain prices: No. 2 Wheat, per bushel, 60¢; No. 2 Bye, per bushel, 57¢; Barley, per bushel, 32¢; Oats, per bushel, 24¢; Corn--New, per bushel, 28¢; Corn--Old, per bushel, 25¢; Hay--wild, per ton, \$4.00; Hay--Baled, \$7.00.

LIVE STOCK, PRODUCE, ETC.

Table with livestock prices: Hogs--Live, \$3.50; Potatoes, (Irish) per bushel, 30¢; Butter, per pound, 18¢; Eggs, per dozen, 15¢; Young Chickens, per dozen, \$1.50; Old Chickens, per dozen, \$2.50.

LEGAL NOTICE.

The accounts of the late W. H. Dolan are in the hands of Messrs. Colfer & Cordial for collection, all persons indebted will please settle with the above named firm, or the undersigned. Persons having accounts against W. H. Dolan, deceased, will file them with H. M. Ashmore, county judge, for approval, and they will be settled in due time. Indiana, Neb., Dec. 23, 1888.

LEGAL NOTICE.

In the matter of the estate of William H. Dolan, deceased. Notice is hereby given to all persons having claims and demands against William H. Dolan, deceased, that the time fixed for filing claims against said estate is six months from the first Monday in February, 1889. All persons are required to present their claims with the vouchers to the county judge of the said Red Willow county, Nebraska, at his office therein, on or before the first Monday in July, 1889, and that all claims so filed will be heard before said judge on the first Monday of each month at 9 o'clock, A. M., in the order said claims are filed, and that the administrator (James W. Dolan) is allowed twelve months from the day of February, 1888, in which to settle the business of said estate, and I direct that said administrator give notice hereof by publication for four consecutive weeks of the time and place of hearing such claims in accordance herewith in THE McCOOK TRIBUNE, a newspaper of general circulation in said county. H. M. ASHMORE, County Judge. December 27th, 1888.

Notice of Dissolution of Partnership.

The partnership heretofore existing between J. W. Dolan and V. Franklin, under the firm name of "The Red Willow County Bank," of Indianola, Neb., and "The Citizens Bank of McCook," of McCook, Neb., is hereby dissolved by limitation and mutual consent. All notes and accounts due to the said Red Willow County Bank will be collected by J. W. Dolan, who assumes all liabilities of the said Red Willow County Bank. And all notes and accounts due the Citizens Bank of McCook will be collected by V. Franklin, who assumes all liabilities of the said Citizens Bank of McCook. Witness our hands and seals on this first day of January, A. D., 1889. J. W. DOLAN, [L. S.] V. FRANKLIN, [L. S.]

FINAL PROOF NOTICES.

LAND OFFICE AT McCOOK, NEB., January 5th, 1889. Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before Register or Receiver at McCook, Neb., on Monday, February 10th, 1889, viz: Horace H. Easterday, homestead entry 167, for the N.W. 1/4 of section 22, township 4 north, range 30 west. He names the following witnesses to prove his continuous residence upon, and cultivation of, said land, viz: James H. Patterson, Charles Angel, William Coleman and Milton H. Cole, all of McCook, Neb. G. L. LAWS, Register.

LAND OFFICE AT McCOOK, NEB., November 28th, 1888. Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before Register or Receiver at McCook, Neb., on Saturday, January 9th, 1889, viz: C. Howard Moulton, H. E. 911, for the east 1/2 northwest 1/4 east 1/2 southwest 1/4 of section 30, township 2 north, of range 25 west, 6 P. M. He names the following witnesses to prove his continuous residence upon, and cultivation of, said land, viz: G. Lloyd Clark, Alfred B. Fuller and Ernest Fuller of Indianola, Neb., and Hari Meyers of McCook, Neb. G. L. LAWS, Register.

LAND OFFICE AT McCOOK, NEB., November 28th, 1888. Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before Register or Receiver at McCook, Neb., on Saturday, January 9th, 1889, viz: Lorenzo D. Hovey, H. E. 298, for the southeast 1/4 of section 4, township 1, north of range 28 west. He names the following witnesses to prove his continuous residence upon, and cultivation of, said land, viz: C. R. Newberry, J. C. Lafferty, Oregon Washburn and S. S. Graham, all of Danbury, Neb. G. L. LAWS, Register.

LAND OFFICE AT McCOOK, NEB., December 26th, 1888. Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before Register or Receiver at McCook, Neb., on Saturday, February 10th, 1889, viz: Holt J. Stewart, D. S. 2240, for the southeast quarter of section 4, township 2, north of range 30 west, 6 P. M. He names the following witnesses to prove his continuous residence upon, and cultivation of, said land, viz: J. L. Gray, Lewis Starbuck, C. H. Pate and Alpheus Starbuck, all of McCook, Neb. G. L. LAWS, Register.

COMPLAINT NOTICES.

U. S. LAND OFFICE AT McCOOK, NEB., Dec. 18th, 1888. Complaint having been entered at this office by William Dolan against Benjamin A. Kenyon for failure to comply with law as to Timber Culture Entry No. 32, dated at McCook, Neb., Nov. 23d, 1883, upon the southeast 1/4 of section 25, township 4, north of range 25 west, in Red Willow county, Neb., with a view to the cancellation of said entry; contestant alleging that said Benjamin A. Kenyon has failed to break or cause to be broken, or to clear in any manner, five acres or more of acres during the last year, of said tract of land; the said parties are hereby summoned to appear at the office of the U. S. Land Office at McCook, Neb., on the 10th day of February, 1889, at 10 o'clock, P. M., to respond and furnish testimony concerning said alleged failure. G. L. LAWS, Register.

SHERIFF'S SALE.

NOTICE is hereby given that by virtue of an order of sale issued by the Clerk of the District Court of Red Willow county, State of Nebraska, on the 1st day of December, 1888, and to me directed, I will at 10 o'clock, A. M., on the 13th day of January, 1889, at the front door of the Court House in Indianola, said Court House being the place where the last term of said District Court was held, within and for said Red Willow county, and state of Nebraska, offer for sale at public auction, the following real estate, lands and tenements, to-wit: Lot No. (14) fourteen, in Block No. 277 twenty-seven, in the Town of McCook, Red Willow county, Nebraska, taken on order of sale to foreclose a real estate mortgage, as the property of William C. LaTourrette and Irene B. LaTourrette and ordered sold by the Court to satisfy a judgment against them and in favor of The Citizens Bank of McCook, Nebraska, for the sum of \$2,575.62 two thousand five hundred and seventy-five dollars and sixty-two cents, and \$9.08 costs and accruing costs, decreed a first lien. And a judgment against said defendants in favor of Isaac L. Billwood & Co., for the sum of \$1,190.00 eleven hundred and seventy dollars and ninety cents and decreed a second lien upon said premises. And a judgment against said defendant, W. C. LaTourrette, in favor of The Iowa Barb Steel Wire Co. for \$2,310.00 two thousand and thirty-one dollars, and decreed a fourth lien upon said premises. And a judgment against said W. C. LaTourrette in favor of The Nebraska Manufacturing Co. for the sum of \$114.00 thirty-eight dollars, and decreed a fifth lien upon the said premises. And a judgment against said W. C. LaTourrette in favor of Simmons Hardware Company for the sum of \$1,196.30 eighteen hundred and sixty-six dollars and thirty-nine cents, and decreed a seventh lien upon said premises. Rendered by William Gaslin, Judge of said District Court at the McCook, Neb., term thereof, to-wit: On the 4th day of November, 1888. At the time and place of said sale due attendance will be had by the undersigned. J. W. WILBORN, Sheriff. Red Willow county, Neb. J. E. COCHRAN, Attorney.

ANY ONE

In need of a good liniment, please call at our store and get a bottle of BEGG'S TROPICAL OIL, one of the most perfect medicines ever produced, and warranted to cure sores, burns, bruises, etc., and relieve pain of all kinds. For sale by M. A. Spalding and S. L. Green.

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