

The Founding of O'Neill, By General John O'Neill

Discharged Soldiers.

I have received a number of very intelligent letters from soldiers in the army who inform me that they intend joining our colony as soon as they are discharged. I am always pleased to hear from soldiers and will be very happy to see any of them when they are at liberty to join us. Sergeant James Rorgan late of company "B" 10th United States Infantry, a true Irish nationalist who had to leave his native land on account of his devotion to her cause, has just gone to our settlement with his amiable wife, whom he married since he left the army. I hope that many others will follow his example. Five years is long enough for an Irish patriot to serve Uncle Sam in times of peace, and there may be work elsewhere before another five years rolls by.

What To Take Along.

Settlers going west, and having a long distance to travel, should dispose of their farming implements and heavy or bulky furniture. Bedsteads, tables, chairs, mattresses, crockery, stoves, etc., etc., stocks, teams, wagons, tools of all kinds, and farming implements better adapted to that country than those left behind, can be purchased there at reasonable rates, frequently at less than would be the cost of transportation. Clothing, bedding, table, linen, books, pictures, and other small articles, may be brought with advantage. It is also well to bring choice graded stock, such as horses, cattle, sheep, swine, poultry, etc.

Land In Holt County.

There is no railroad or speculators land for sale in Holt county, and none can be bought there except some of the settlers may want to prove up on their claims and sell out. The government owns all the land and will not sell any, except to actual settlers as explained further on.

Government Land Laws—Homesteads, Pre-Emptions, Soldiers' Homesteads, Timber Claims, Etc.

In the early history of the government, settlers upon the public lands were treated as trespassers; but as settlements advanced into the new States and Territories containing public lands, this harsh system was first modified and finally abandoned. Our pre-emption system really commenced in acts for the relief of settlers who had violated the law in entering upon public lands, and these acts were followed by others, running for limited periods, permitting settlers to enter upon and purchase them. This system was continued, and special acts were framed almost every year, for more than a third of a century, until, on the 4th of September, 1841, the act known as the pre-emption law was passed.

General Law of 1841.

This act provides that any citizen of the United States or an alien having declared his intention to become a citizen, may enter upon any surveyed quarter section of public land, and

after having made a bona fide settlement thereon, for six months, may purchase the same at the minimum price of \$1.25 per acre.

Homestead Law.

The homestead act of May 20, 1862, provides that any citizen, or alien, having declared his intention to become a citizen, and who is the head of a family, or who is 21 years of age may enter upon 160 acres of public land, and by residing on the same for five years may entitle himself to a patent therefor.

What Is A Homestead?

It is a farm given away by the United States government to any man or woman who lives on it and cultivates it for five years. I say "given away," for the charges for one-fourth of a square mile are only \$18 at most, and four dollars of this sum are not payable for five years.

How Large A Farm Is A Homestead.

It is a farm of 160 acres, except on tracts one-half of which have been granted in aid of railroads or other public improvements. On such tracts the homestead is no more than half the usual size (eighty acres), unless the homesteader has served at least ninety days as a soldier. In that case his homestead is a quarter section (that is 160 acres) anywhere.

Who May Become A Homesteader.

Any man or woman who is a native, of legal age, or any foreigner who has declared his intention to become a citizen, which any immigrant may do on the day that he lands in America.

How Soon Must He Occupy His Land.

At any time within six months after his application is put on record, and he may journey away from his land at will, if not absent more than half a year at once, and provided he fixes his residence nowhere else.

Can He Acquire Title Before Five Years?

Yes. After six months' residence he can at any time purchase his land by paying the government price—the maximum of which, is \$2.50, and the minimum half that sum per acre.

How Is A Full Title Obtained?

After a homesteader has resided upon his land and tilled it for five years, if, at any time, within two years, he proves that fact to the Register of the Land Office, where his application was recorded, that officer will obtain for him, from Washington, a full title to his land, charging only a fee of four dollars. A person can get a farm of 80 or 40 acres the same as 160 acres, the agents fees being less, but I would advise every one to get 160 acres at once; it will be none too much ten years hence.

Soldiers' Homesteads.

The law allows soldiers who have been in service ninety days, a homestead of 160 acres within railroad limits, where other persons can get only 80 acres. The law of June, 1872, gives homesteads to soldiers and their unmarried widows or minor orphans,

sooner than others can get them. It deducts from the five years' residence required for perfect title of other homesteaders, all the time up to four years that a soldier or sailor has been in the United States service. If a soldier was discharged by reason of wounds or disability, or died in the service, his whole term of enlistment is deducted. A soldier must live upon and cultivate his homestead for a period of a least one year before he can acquire full title to the same. No one can secure a soldier's homestead upon the discharge papers of another person. A soldier's homestead right cannot be sold or transferred to another party. No rights are acquired by purchasing the discharge papers of other persons. A soldier having two or more discharge papers is not thereby entitled to more than one homestead of 160 acres. These homesteads may be entered by an agent, but the soldier must, in person, within six months, commence settlement and improvements upon the land, and thereafter fulfill all the requirements of this act. This act applies to the widows and minor orphan children of soldiers. The fees to be paid at the United States Land Office, are as follows:

Making entry of Soldier's home stead, cash down \$18.00
Making final proof of Soldier's Homestead, at the end of five years 8.00

The railroad limits extend twenty miles on each side of the track. Outside of these limits all homestead settlers are entitled to 160 acres. There are millions of acres of government land in Nebraska just now, which can be taken up as homesteads, but I am satisfied that they will not remain long unoccupied.

Lost Discharges.

A soldier who has lost his discharge papers, and who applies for land under the homestead act, must make affidavit that he served for ninety days in the United States service during the war of the rebellion, giving the number and state of his regiment, the date on which he was mustered into the service, and that on which he was honorably discharged therefrom. Also that he has since borne true allegiance to the government. To this affidavit he will require the corroborative testimony of two respectable witnesses. Officers are entitled to 160 acres of land the same as a soldier.

Pre-Emption Claims.

Where a party desires to pre-empt a tract of government land, he must file at the District land office his declaratory statement as to the fact of his settlement on the land within thirty days from date of said settlement, and within one year from that date he must appear before the Register and Receiver at the District land office, and make proof of his actual residence on, and cultivation of the land. He then secures the land by paying cash or by filing warrant or agricultural college scrip duly assigned to him. Should the settler die before establishing his claim within the period limited by law, the title may be perfected by the executor, administrator, or one of the heirs by making the requisite proof of settlement and paying for the land. In this case the entry will be made in the name of "the heirs" of the deceased settler, and the patent issued accordingly. Any person is entitled to the privileges of the pre-emption law, who is the head of a family, or widow, or single man over the age of twenty-one years, and being a citizen of the United States, or having filed his declaration of intention to become a citizen as required by the naturalization laws. As to the kind of settlement and improvement the pre-emptor is required to make, the words of the law are—"that he shall inhabit and improve the land and shall erect a house thereon."

The Right Of Pre-Emption.

For one quarter section, or 160 acres, at \$2.50 per acre, extends to every "alternate" United States or reserved section along the line of railroads. For lands outside of railroad limits, the price is \$1.25 per acre. In pre-emption cases, the Register and Receiver are each entitled to a fee of one dollar. Payment for the land at the end of one year from settlement, entitles the pre-emptor to a complete title. He then becomes owner of it in fee simple.

Lands Not Offered For Sale.

Where the tract has been surveyed and not offered for public sale, the claimant must file his declaratory statement within three months from date of settlement, and make proof and payment within thirty months after the expiration of three months allowed for making his declaratory notice, or, in other words, within thirty-three months from date of settlement. Excepting that the pre-emptor can purchase 160 acres of government land within railroad limits, instead of eighty, to which the homesteader is restricted (unless he has served ninety days in the army), there is really no advantage to be gained by the settler pre-empting in preference to taking up a homestead.

United States Timber Law.

Under a recent act of Congress, any person who is at the head of a family, or over the age of twenty-one years, and a citizen of the United States, or who has declared his intention to become such, is entitled to receive 160 acres of public land, on the condition that he or she plant, protect, and keep in a healthy growing condition, forty acres of timber for a period of eight years. Residence upon the land is not required; so that a settler may live upon a homestead or pre-emption claim, and, at the same time, receive the benefit of the timber act. Timber claims are free from taxation, and from liability for debt.

None but citizens of the United States or those who have declared their intention of becoming citizens can avail themselves of any of foregoing acts.

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SUPERVISORS' PROCEEDINGS.

(Continued from last week.)

The entire bridge is out of alignment and has settled considerably to the west on which side the floor has sagged, about a foot making it that much lower there than on the east side of the bridge.

The bottom cords are pulling through the rotted wood. It is our opinion that the defects above set out make this bridge unsafe. We think it extremely dangerous in its present condition.

We don't think this bridge can be repaired. The wood is all very old, and badly rotted in places. The floor boards are badly worn. The steel and part of the wood used in this bridge were formerly a part of the old bridge over the Niobrara at Redbird where used for 10 or 15 years, and has been used in the present bridge for 12 years; complete new piling, caps, floor boards, batter posts, beams and top cords would be required making the cost equivalent to the cost of a new structure.

It is our opinion therefore, that a new bridge should be built here to replace the present dangerous one.

The bridge carries a lot of heavy traffic. It is used by all the travel to Redbird and Lynch in this county. We recommend prompt action before a serious accident occurs. Also is on a Star mail route.

Bridge No. 178 located about 1 1/2 miles north of Inman about 1000 feet north of the northeast corner of Section 13, Township 28 North Range 11 West, known as the Gannon Bridge. We the undersigned members of the County Board of Supervisors have examined and found the west top cord was badly warped and also the east top cord was badly warped, and split and the floor was badly rotted and the entire bridge was out of alignment and has since fallen in the river and it will require an entirely new bridge. For the reason that this bridge is on the main traveled road between O'Neill and Inman.

Bridge No. 150 located 1 1/4 miles south of O'Neill inspected June 13, 1924.

We find that most of the piling in two of the bents in this bridge are badly rotted, and other short piling as props have been put in to help support the bridge, but in case of high water we feel that these supports may be carried away. We also find that the stringers are in bad condition, the upper edge of most of them being rotted to a depth of four inches, the under tear of planks are old and badly worn also the hand rail is in poor condition. This bridge is on a road that has very heavy traffic being on the O'Neill and Chambers road and on a mail route. We feel this bridge is in a dangerous condition, and would recommend a new bridge be built to replace the old one.

L. C. McKIM,
E. GIBSON,
JOHN SULLIVAN.

At 12 o'clock noon on motion board adjourned until 1 o'clock p. m.

L. C. McKIM, Chairman.
E. F. PORTER, Clerk.

O'Neill, Neb., June 16, 1924, 7 p. m.
Board met pursuant to adjournment, all members present but Havens.

Board called to order by Chairman. Mr. Baldwin with his attorney appeared before the board in the matter of alleged damages sustained by him, his two sons horses and wagon, by the collapse of the Gannon bridge.

Upon motion Nellis, seconded by Skidmore, Mr. Baldwin was allowed \$200.00 for said damages.
Report of County Road Commissioner on Bridges:

To the Hon. Board of Supervisors of Holt County, Nebraska.

Messrs: I, on the 13th and 14th inst. viewed certain County Bridges; and the former location of one foot gone, to-wit: Bridge No. 5 is 70 feet long, 14 foot roadway located one foot north of the southeast corner of Section 11, Township 32 North Range 10 West, known as the "Red Bird Bridge." I find it in an extremely dangerous condition. Woodwork decaying, main body going down and sags to the west and is liable to fall any moment with an excessive heavy load thereon.

Bridge No. 178 located about one and one-half miles north of the town of Inman and described as follows: Located 1000 feet north of the northeast corner of Section 13, Township 28 North Range 11 West; length of bridge is 102 feet, Roadway 14 feet. This bridge is gone, fell into the Elkhorn river presumably of its own weight. These old bridges were constructed of wood and iron but should be replaced by all steel and cement bridges at once as their prominent location; and constant use will not admit of delay.

Bridge No. 150 located one and one-fourth miles south of O'Neill is in bad condition but its replacement is not so urgent as the above mentioned ones. Signed this 14th day of June A. D. 1924, by

M. F. NORTON,
Co. Highway Commissioner.

Resolution.

Whereas, Bridge No. 5 located at or near the south-east corner of Section Eleven (11), in Township Thirty-two (32) North, of Range Ten (10), West of the 6th P. M., Holt County, Nebraska, known as the "Redbird Bridge" is in an extremely dangerous condition and is in need of immediate repairs on account of the same being sagged down and the substructure rotting away and account of high water and heavy traffic the said bridge is apt to topple over, and is therefore unsafe and is liable to cause damage and injury.

THEREFORE, Mr. Chairman, I move you that an emergency be, and the same hereby is, declared to exist, and that the public good requires immediate action to prevent inconvenience and damage, and that the Board of Supervisors proceed to enter into a contract as by law provided for the necessary labor and material to repair and re-construct said bridge and place the same in a safe and passable condition.

AND WHEREAS, Mr. Chairman,

Bridge No. 178, located about one and one-half miles north of the town of Inman across the Elkhorn river along the east side of the Southeast Quarter of Section Twelve (12), in Township Twenty-eight (28) North, of Range Eleven (11), West of the 6th P. M., has broken down on account of high water, age, wear and heavy traffic passing over the same, and that said bridge is now impassable, and public good requires immediate action to prevent inconvenience and damage.

I, therefore, move you that an emergency be, and the same hereby is, declared to exist, and that the public good requires immediate action to prevent inconvenience and damage in regard to said bridge, and that this Board of Supervisors proceed to enter into a contract under the provisions of law for the necessary labor and material for the re-construction and repair of said bridge, together with approaches thereto.

Both of said bridges to be repaired and reconstructed so as to comply with the requirements of the laws of the State of Nebraska.

AND WHEREAS, Mr. Chairman, Bridge No. 150, one and one-half mile south of O'Neill over the Elkhorn river is in an unsafe and dangerous condition due to age, heavy traffic and high water and that the public good requires immediate action to prevent inconvenience and damage.

THEREFORE, I move you that an emergency be, and the same hereby is, declared to exist, and that the public good requires immediate action to prevent inconvenience and damage in regard to said bridge, and that this Board of Supervisors proceed to enter into a contract under the provision plan for the necessary labor and material for the reconstruction and repair of said bridge, together with approaches hereto and that said work be done in compliance with the requirements of the law of the State of Nebraska.

JOHN SULLIVAN,
E. GIBSON.

etaino hrdlus mcfwyp vbgkqj zxfkffiff Upon same being put to vote by the Chairman it was declared carried.

At 3 o'clock board went as a Committee of the whole to meet the Boyd County Board at Whiting Bridge on a matter of protecting the bridge and adjourned until June 24, 1924, at 10 o'clock a. m. unless sooner called by the Clerk.

L. C. McKIM, Chairman.
E. F. PORTER, Clerk.

At a joint meeting of the county boards of Boyd county and Holt county, at Whiting bridge, at which meeting Mr. McQuistan and Mr. Brown, of Boyd county, Mr. A. C. Tilley, division engineer and Mr. Anderson, of the Western Bridge & Construction company, and all of the county board of Holt county, but Mr. Havens, were present.

Mr. McQuistan, of Boyd county, was elected chairman.

The matter of jetties or protection of the Whiting bridge was taken up. Mr. Tilley explained that the department of public works had decided to use no protection other than at the bridge itself.

Mr. Anderson explained a system of protection which he wished to try out. Mr. Tilley reported that he would take the matter up with the state department and it was decided to have a meeting at some date to consider the matter further.

On motion the meeting adjourned.

E. F. PORTER, Clerk.
W. E. McQUISTAN, Chm.

O'Neill, Neb., June 17, 1924, 9 a. m.
Board of equalization met pursuant to adjournment, all members present but Havens.

Board called to order by Chairman. Minutes of board of equalization for June 10th, 11th and 12th, read and approved.

Board spent the forenoon in comparing the valuations as returned by the different Oil companies in the county.

At 12 o'clock noon on motion board adjourned until 1 o'clock p. m.

L. C. McKIM, Chairman.
E. F. PORTER, Clerk.

O'Neill, Neb., June 17, 1924, 1 p. m.

Board of equalization met pursuant to adjournment, all members present.

Board called to order by Chairman, and continued investigating complaints on valuations.

At 5 o'clock p. m. on motion board adjourned until June 18, 1924, at 9 o'clock a. m.

L. C. McKIM, Chairman.
E. F. PORTER, Clerk.

O'Neill, Neb., June 18, 1924, 9 a. m.

Board of equalization met pursuant to adjournment, all members present.

Board called to order by Chairman. Board heard several protests on land assessments which were held over for further consideration.

At 12 o'clock noon on motion board adjourned until June 18, 1924, at 9 o'clock a. m.

(Continued on page four.)

First publication July 24.) NOTICE OF REFEREE'S SALE.

By virtue of an order of court directed to me by the District Court of Holt County, Nebraska, on the report of the Referee appointed by said court, in the case wherein Anna B. Schmidt is plaintiff, and Anna E. Newman, Nee Schmidt, et-al are defendants, to sell at Public Venue at the Front door of the Court House in the City of O'Neill, Holt County, Nebraska, the following described real estate, to-wit:

The South 45 feet of Lots 9, 10, 11 and 12 in Block 17 of Hazlett's Addition to O'Neill, also beginning at a point 35 feet South and 45 feet East, of the S. W. corner of Block 17 of Hazlett's Addition to O'Neill, Nebraska, Thence South 225 feet, thence West 45 feet, thence South 203 feet more or less to the section line on the South side of Section 30, Township 29 North Range 11 West 6th P. M., thence East along said Section line 602 feet, thence North 428 feet, thence West 557 feet to the place of beginning, being a part of the W 1/2 of the S. E. 1/4 of the S. W. 1/4 Section 30, Township 29, North Range 11 West 6th P. M. being all of Blocks 19 and 20 of Hazlett's Addition to O'Neill, except Lot 8 of said Block 20 as surveyed and recorded, for cash, and in compliance with said order I will offer said real estate as above described for sale and will sell the same to the

highest bidder for cash in hand on the 4th day of September, 1924, at the hour of 10 o'clock A. M., at the front door of the Court House in the City of O'Neill, Holt County, Nebraska.

Dated this 23rd day of July, 1924.
STEPHEN J. WEEKES,
Sole Referee.

8-5

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The Public Library will be open each day except Sunday and Monday, from 2:00 until 6:00 p. m.
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Sunday Services: First Mass 8 a. m., Second Mass 9 a. m., High Mass at 10:30 a. m. Vespers 7:30 p. m. Daily Mass 8 a. m.

Catechetical Instruction for First Communicants 3 p. m. Tuesdays and Thursdays.
Confession, Saturday from 3 p. m. to 6 p. m. and from 7 p. m. to 9:30 p. m. Children's Confession, First Thursday every month at 1:30 p. m. Very Rev. M. F. Cassidy, Pastor.

FIRST PRESBYTERIAN CHURCH SERVICES:
Sunday School at 10 o'clock.
Preaching service at 11 o'clock.
Sunday evening at 8 o'clock.
Wednesday evening at 8 o'clock bible study.
You are welcome to all of these services.
Please note the change of time and change in the order of the services.
GEO. LONGSTAFF, Pastor.

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