

TURN THE RASCALS OUT.

A Scathing Review of the School Land Frauds, by Senator Van Wyck.

The State Board Directly Charged With Complicity in the Swindles.

An Attempted Defense of the Crime Proves a Confession of Guilt.

A Sacred Trust for a Sacred Purpose Bartered Away for a Pittance.

The Conspirators Fortified by an Official "Opinion" which was Never Filed.

"Viewed in Any Aspect there Seems No Excuse for this Betrayal of Public Trust."

Special to THE BEE.

OAKLAND, Sept. 3.—Senator Van Wyck delivered an interesting and instructive address at the Burt county fair, held at Oakland, this afternoon. After reviewing various topics especially interesting to the agricultural class, the senator dwelt at some length on the tariff and transportation questions and measures proposed for the relief of producers. Turning from these topics Senator Van Wyck made a scathing review of the school land frauds, which created a profound sensation.

SCHOOL LAND SWINDLES.

Passing from what pertains to the farm, to farm life, to production, to transportation, to sale and profits of production, there are other matters which imperatively demand your attention, particularly the attention of farmers who pay a large proportion of the taxes.

You see the public domain absorbed by railroad corporations and actively stolen through fraud by lumber syndicates in the north, and cattle and foreign syndicates in the west, and you feel powerless to stop the wrong and punish the offenders.

If you find similar practices at your own doors you are omnipotent through the ballot box to reach the offenders and the offenders.

There are other dangerous combinations besides those of railroads. There are syndicates of foreigners seeking ownership of immense tracts, cattle syndicates illegally fencing millions of the people's acres. The nation is aroused at such outrages, and demand that the wrongs be redressed and the rights vindicated; yet the conspiracy of wealth defies the nation's will.

Scheming operators have been trying their hand in this state. The government generously donated to the state about 3,000,000 acres for school purposes, which, if honestly administered, would realize over \$200,000,000.

A SACRED TRUST for a sacred purpose—the education of the youth of the state. Better allow men to steal bread from the mouths of your children than filch any of this bounty. Yet this sacred domain has been practically invaded, worse than all by the active assistance of the state board, or what is equally criminal, by their indifference.

The case as stated and not denied shows guilty complicity. Those who are the paid and sworn guardians and defenders of the people's interests have bartered away hundreds of thousands of acres for twenty-five years, at a nominal price.

The same law for leasing school lands has been in force many years. Yet only during the last year or two has the conduct of the board produced this scandal and fraud.

Thus far the only excuse offered is that when citizens commenced suit to restrain the wrong-doers, the state board

CONFESS JUDGMENT AGAINST THEMSELVES. Finding the syndicate could not get away with the plunder they ask them to return it.

But the important question is: why has the state board issued the leases? Why did citizens know the fraud and the guardians of the state not?

The state officers who allowed, or tolerated, or made possible such frauds ought to be impeached.

Keith county is not the only one; in others the fraud was consummated where one individual obtained 64 sections at a nominal valuation for twenty-five years.

Pause for a moment—40,000 acres for the pittance of \$1,200 to \$1,500 dollars a year, and then exempt from taxation. Thousands of acres to one individual at a rent much less than the taxes you pay on your land.

The state would realize more to make an absolute gift of the lands, then taxes could be collected, realizing more than the interest to be paid.

THE MOST DAMAGING DEFENSE which clearly shows the guilty complicity of the board appeared in the Lincoln State Journal of August 31. First alleging the great desire of the board to protect the school lands, the Journal says what in the light of facts would seem bitter sarcasm:

"Having consulted the attorney general, the board was of opinion that it had power to lease lands that had not been off-red for sale, and decided in order."

TO GET SOME INCOME from the school lands in Keith county, to have them appraised and leased to the highest bidder. That paper then gives a sketch of HOW THE BOARD GOT THE HIGHEST BIDDER. It seems one of the first named ap-

praisers had some conscientious scruples in appraising the land in the manner demanded, and he hesitated. A letter was written to A. G. Kendall, land commissioner, stating the situation and concluding that some outside parties seem determined to prevent the putting of the lands in the market.

Kendall replied, June 23, to the county clerk giving him fresh instructions, saying he must not countenance any "IMPROPER INFLUENCE."

ordered him to appoint new appraisers and asked for advice as to what would be for the interest of the state in the matter. The Journal then adds:

"At the July meeting of the board, the applications made for leases were opened and awarded. They were made by sixty-eight parties, many of them residents of Keith county and personally known to the board."

NOW MARK THE DATE. June 23, Kendall sends new papers and orders new appraisers by the county clerk.

These papers were sent by mail and had to travel to Keith county, requiring some time. The clerk of that county had to appoint new appraisers after receiving instructions from Kendall, requiring some time. The appraisers had to examine and appraise 80,000 acres, the 16th and 26th sections, which

IF DONE HONESTLY OR DONE AT ALL, requires much time. Then the appraisal was returned by the county clerk to the board, requiring more time. Then the Journal says: "At the July meeting the leases were opened and awarded, and they were made by sixty-eight persons."

All that would require much time, and all this was done during the few days between June 23rd and the July meeting. Here then is one record showing

THE INFAMY DAMNING AND COMPLETE. How did the 68 know the value of the assessment as to make applications? See the pretended anxiety of the county clerk to prevent "outside interference," then the pretended anxiety of the board to have the lands leased to "the highest bidder," and putting the lands "in the market," and then the commissioner talks of "the interest of the state." Yet this is all done

SECRETLY, WITHOUT PUBLIC NOTICE, from July 23 to the July meeting. The only "outside interference" was the proposition to lease the lands to the western cattle insurance company and the 68 persons were those in the employ of his company, and these persons in Keith county, "personally known to the board," were the appraisers and other persons who were taken into the secret and who were to share in the plunder. You cannot believe a public officer

IS EITHER COMPETENT OR HONEST who will do such transactions. The law expressly requires lands should be first advertised for sale before being offered for lease. The law is very plain that the public must be notified.

Yet in these cases secrecy is observed, no public notice at any stage of the proceedings, the lands are quietly and speedily assessed. Take Keith county as an example. An appraisement of 80,000 acres at prices ranging from 40 to 75 cents per acre, when every member of the state board knew that the railroad company had been selling all its lands in that county for from \$3 to \$5 per acre, which became subject to taxation as soon as sold. Yet school land equally good, and subject to taxation, rented for 25 years, at 6 per cent. on a valuation of 40 to 75 cents per acre.

How many men of any party believe the state board were competent or honest in issuing leases on such valuation? Their crime or neglect was complete when the leases were issued. They are entitled to no credit.

THEY WERE CALLED THEM BACK; they were compelled by fear of exposure in the courts. It was the good fortune of the state that some of its private citizens were more honest and capable and faithful than the state board.

Another excuse which more clearly shows the weakness of their defense, is that the Attorney-General gave an opinion against the plan provision of the law, holding that no public notice was necessary. That land need not first be offered for sale. That was supposed to make the accomplishment of the conspiracy easy. This is the same old story. When any great crime is to be committed by public officers they fortify themselves in advance with an opinion from some one who is willing to be a co-conspirator, and to be guilty with themselves.

When land grant roads desired to drive honest settlers from their homesteads or to secure more than a generous congress gave them, they generally obtained from supple attorneys general such an opinion as their scheme required.

In this case—most remarkable—an official opinion affecting hundreds of thousands of acres

WAS NEVER FILED, NEVER WRITTEN, so the reasons thereof could be presented to the people. The defense would indicate a design, a deliberate intent to allow this plunder. In the first place, why seek an opinion where the statute is so plain that he who runs may read? The provision of the law and the natural interpretation and execution of the same would protect the people in their school lands and the state board in their reputation. A forced and ingenious construction of this act was desired from the attorney general.

WHY IN WHOME INTEREST? The plain provision secured this school land, the other opened the door for secrecy, fraud and plunder. The latter was adopted by the school board. Why? Do figs grow from thorns or grapes from thistles? Again, why?

The state board must have known what the result would be. The people must agree they desired the natural result of their acts. If there was any doubt as to the meaning of this law why was it not continued in the interest of the people, of honesty, of fair dealing?

Any public officer who will not administer the public trust with the same ability and zeal as he would his own property, is a worse criminal than the one whom the poet said should be scourged naked through the world. Had the board owned 80,000 acres which they desired to lease on the best terms, what man on earth believes they would have pursued this policy.

VERY WONDERFULLY, TOO, some of this land was leased to clerks in the offices of members of the board. But suppose the law was entirely silent as to the manner of advertising for sale or leasing, as the state officers are not charged with being fools, how could they

undertake a disposition of this property without ordinary advertising. Viewed in any aspect there seems no excuse for this betrayal of public trust. On the basis of Keith county valuation and the sale by railroads of lands in the same county. There must, in lands leased during the last two years, be a loss to the state of at least \$20,000 per year making in the twenty-five years \$1,250,000, taken from every school district in the state.

KEITH IS ONLY ONE of many counties. This is equally apparent in Lincoln county where the leases were not recalled. In 1880 before the value of lands had increased, the school lands in that county were appraised from \$1 to \$3 an acre. In 1884 in the same county, when real estate had doubled and trebled in price, the lands were appraised under this board at 40c to 70c per acre.

Politics, particularly partisanship, has nothing to do with questions of this kind. If a man in your employ drive your team or market your hogs and grain in a manner so reckless and apparently dishonest, you would dismiss him once for all for your service. Would it not be well for those who are not seeking the spoils of office to apply business principles to politics?

There is another matter demanding explanation. This same board is also entrusted with

INVESTING THE PERMANENT SCHOOL FUND, yet it is charged that the state treasurer has been allowed to rein in his hands from \$150,000 to \$400,000. This large amount has been deposited in a few banks. The statute makes it a crime for the state treasurer to mix any such deposits. Why has not this money been promptly invested? What excuse can be offered for this neglect? They will probably hide behind some quibble or technicality, possibly the attorney general, or some other attorney.

It will be a proper subject of inquiry for the next legislature whether the state has received any portion of the interest from these deposits? Whether any members of the board are bankers or interested in banks.

Strange that officers should run the hazard of public censure, possibly impeachment, merely for amusement or indifference. If this board, in their own right, owned \$200,000 or \$400,000, who believes they would study so carefully the interest of a few banks as to place it on deposit.

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NORTHWESTERN PROSPECTS. Vice President Sykes, of the Northwestern railway company, says that the company's earnings in August, '83, were about \$105,000 per day, but during the past month there has been a falling off in earnings. As compared with last year it was probably equal to two days' business; in other words, \$210,000, and possibly more. There was, however, less business per day this year than last.

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