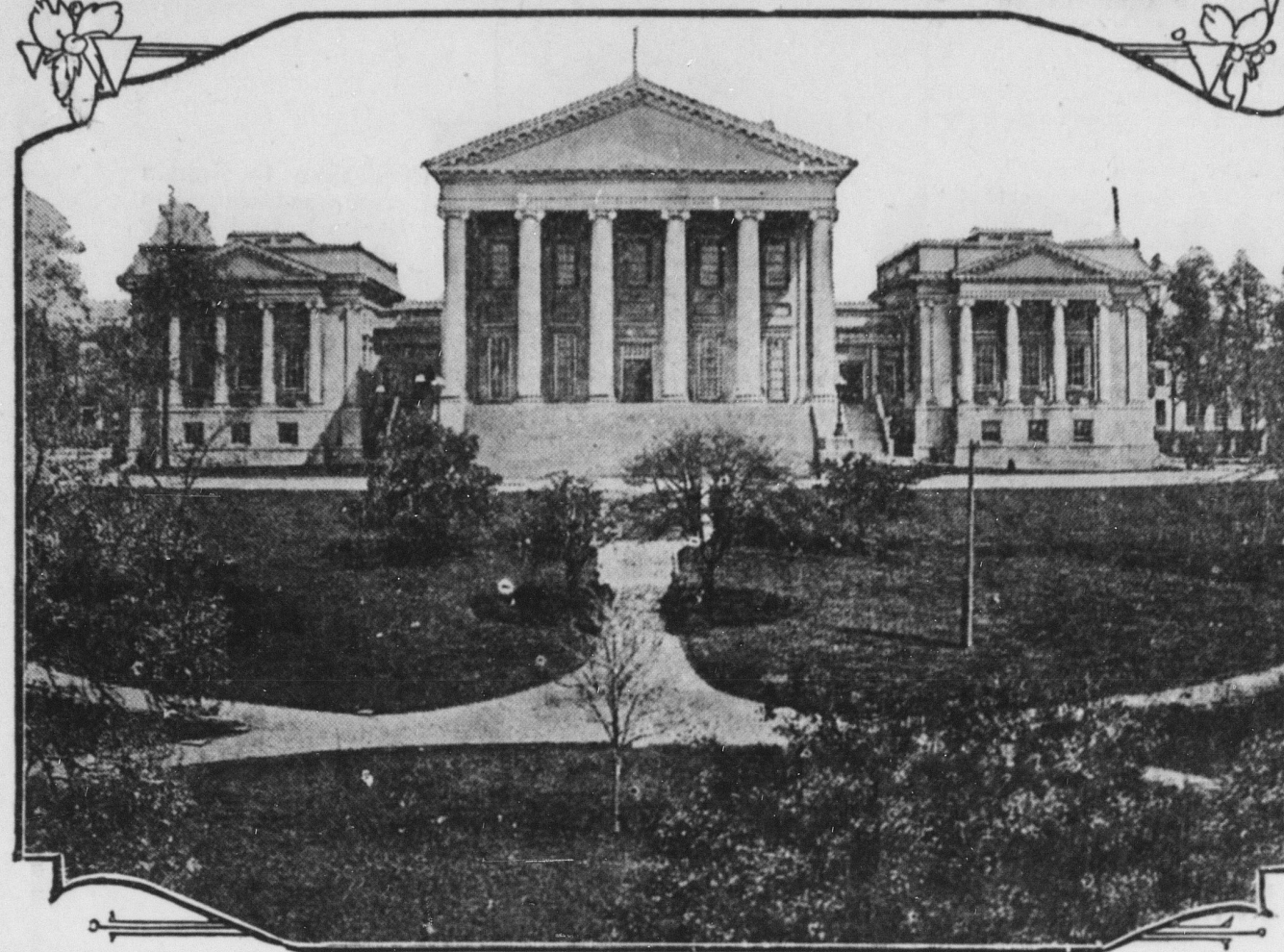


"No Man's Land"



STATE CAPITOL, RICHMOND, VA.

By ELMO SCOTT WATSON

RECENTLY R. W. Gunn, a merchant of Richmond, Va., exploded a veritable bombshell in the Old Dominion and sent state officials, historians and attorneys scurrying to dig in the archives by declaring that he is the real owner of the greater part of the land upon which stands the state capitol and that he wants to be paid for it on the basis of its original valuation, made in 1784, of some \$6,500, plus compound interest at the rate of 3 per cent a year for 146 years. And that has set some of the mathematicians to figuring just how colossal a sum would be a principal of \$6,500 plus compound interest for nearly a century and a half.

The Richmond merchant says that the state of Virginia can not produce any records to prove that the land condemned in 1784 for a public square was ever paid for and says he will ask relief from the general assembly at its next session if the state refuses to consent to a suit alleging breach of contract.

Falling in that step, Mr. Gunn has been advised by counsel that he can go into the federal courts on the grounds of the violation of constitutional property rights and he affirms he can prove his contention by existing records.

Mr. Gunn points to a letter sent to Thomas Jefferson, then ambassador to France, by members of a legislative commission, asking Mr. Jefferson to engage an architect in Paris to prepare plans for a state capitol and assuring the author of the Declaration of Independence that "the hill on which Gunn's yellow house stands, and which you favored as the best situation (for a state capitol continues to be preferred by us."

The original Jefferson letter is in the custody of the College of William and Mary. The original condemnation order has been placed on record in the Henry County court, after remaining obscure for nearly 100 years. Mr. Gunn has been working on his claim since childhood, but made no effective headway until the original condemnation jury's report was unearthed from dusty archives.

"Thirty years ago, I met a man who was then ninety years old," Mr. Gunn said recently. "Asking me if I were a descendant of the old Gunn family of Richmond, he told me that his father, who worked for the state government, had informed him that the state of Virginia never paid for the land condemned for use as a public square and the permanent seat of the state government. The reason, he said, was that the condemnation proceedings records had been lost and that no claim against the state could be proved in court.

"I was told by my family as a boy that my family never had been compensated by the state. My efforts were blocked until the original condemnation order was found. The papers by mistake were sent in 1784 to the city clerk's office for recording, instead of to the clerk of the Henry County court. Those papers, plus maps uncovered and the letter to Thomas Jefferson, which shows Mr. Jefferson had inspected the old Gunn plot while governor of Virginia and favored it for a state capitol site, speak for themselves.

"I have been informed by Auditor C. Lee Moore he can find no record of the state having paid for the property it condemned in 1784. I took the matter up with Governor Byrd toward the close of his administration.

"The governor, after referring my letter to the secretary of the commonwealth for investigation, informed me that the facts were as I had stated them to be, insofar as the existence of any record of payment by the state was concerned.

"In the judgment of legal advisers, the mere condemnation proceedings in the absence of payment did not take the title to the property from my

ancestors. I feel I have a substantial claim to ownership of the land on which the state capitol now stands. I cannot sue the state for breach of contract without the state's consent, and the statute of limitation has expired. But I believe the people of Virginia would like to see the proper settlement made."

Nor is this Richmond merchant the only one who is interested in this matter for he declares that other old Richmond families, among them the Snyders, Curries, Archibald Carys, Prices and Acrille Coches, had half-acre lots condemned in 1784 and present-day descendants of those families are watching with interest his move for restitution.

Nor is this Virginia case unique, for Oklahoma has a somewhat similar one, only the "No Man's Land" there has infinitely greater potential riches to make it worth fighting for. It is a small triangular tract of about two acres in the heart of the great Oklahoma City oil fields which has been "lost" for 60 years. No "Boomer" homesteaded it after the "run" into Oklahoma in 1889. The surveyors and mappers seemed to have missed it and it is still government soil.

No one seems to have dreamed that this valuable parcel of land was available to a claimer until recently when Forrest Parrott of Oklahoma City, guided by maps which others had seen, no doubt, but failed to realize their significance, began a bit of "prospecting" in the archives of the register of deeds at the Oklahoma county court house.

What he found was almost unbelievable—a plot of unclaimed land, sandwiched right in the middle of one of the richest oil areas of the world. So Mr. Parrott staged the "run of 1930." With an armful of stakes he dashed out to the little sliver of river bottom land and drove his pegs.

Then, as in the prairie schooner and sunbonnet days of 42 years ago, Mr. Parrott set about making his claim legal. He went back to the court-house and filed an affidavit of his claim, setting forth he was filing on it as a homestead and claiming priority rights as an ex-service man.

The triangular shape of the neglected piece of land was caused by the antics of the North Canadian river. When the government surveyors made their first survey of 1870 they did an excellent job for working out the river bottom into chopped-up lots, but they forgot this one tract.

The tract is in the center of the most intense drilling activity in the Oklahoma City oil field. Half a mile east is T. B. Slick's No. 1 Bailey 17-000-barrel-a-day well, and the same distance south the 22,000-barrel-a-day well owned by Wirt Franklin.

And yet these are only two examples of queer claims which result from surveyors' or mappers' errors or some slip-up in registering deeds or some other title to land. A curious case was reported from New York recently, and added another item to the record of high-priced real estate in that city where some plots of ground are literally worth more than the number of silver dollars it would take to cover them. In this case a purchaser of real estate paid a total of \$1,200 for 218 square inches of land—\$5.50 a square inch. It came about in this way:

One of the Mrs. Vanderbilts wanted to buy a plot of ground in East Fifty-seventh street between First avenue and the river, on which once stood five brownstones, built in the seventies by one Harvey Dennis, a considerable realtor of his day. Naturally the prospective purchaser wanted to be sure she had a clear claim to the title, so she had experts of the Title Guarantee & Trust company look it up.

For what if after the house were erected somebody should bob up and claim a strip of property, eighteen feet by one inch, running right through the building? Such a demand would form a grave crisis. In this instance a hunt was made for the Dennis heirs. It was hard to find them. It took two

months, during which time more than 300 letters were written. Finally they were located. There were six heirs in all. The situation was explained.

The title company people finally got them to sign a quitclaim for \$200 each, or \$1,200 in all. That isn't much, but then neither was the land to which they were unintentionally the heirs. It amounted, in fact, to just one and a half square feet.

But if New York can claim the smallest and the highest priced pieces of real estate, Chicago can point with pride to the world's costliest cow path which runs right through a modern 22-story skyscraper known as the 100 West Monroe building.

The cow path dates from the early 50's when Dr. Jared Bassett bought the entire Clark street frontage, 150 feet deep, between Monroe and Madison streets. In the center of the block he built his home with a cow barn for his cow, "Bessie." As time went on, Doctor Bassett sold most of his property but always with a provision for a 10-foot easement so that "Bessie" could make her way to the barn.

So in 1925 when the 100 West Monroe Building corporation took over the lease for the property they found the flaw which preserved the path but too late to do anything about it. The deed was subjected to litigation and it stood the test. While their solution of the problem was a little costly, it was rather unusual, for they usurped the air rights and left "Bessie" her 10-foot path with an 18-foot clearance, just in case she should desire to bring in a wagon load of hazel some time.

Above the 18-foot level the building juts out at right angles, covering the cow path and extending upward for 20 stories. While set-back buildings are common sights in Chicago this is the only "set-out" building on record. And the space lost would bring about \$12,000 in yearly rentals.

Another curious situation, caused by a flaw in a title, was reported from New York recently. The story of it, as told in the New York World, follows:

"A legal catch in the title of what used to be known as City Hall place—a street only about 300 feet long that ran from in back of the Municipal building at Duane street to Pearl street—is holding up plans for the proposed civic center around the new county court house and Foley square.

"The riddle which Assistant Corporation Counsel Joel J. Squire of the bureau of street openings is charged to solve is what can the city do with the forty-foot roadway which bisects one of the most valuable plots of real estate in New York.

"Part of this riddle is what will the Church of St. Andrew, which stands on the west of the old street, do about its parish house which stands on the east of it. Under the plan drawn by Joseph Johnson, City Hall place was to be scrapped to make room for the new federal building and the parish house was to be torn down and rebuilt on plot adjacent to the church.

"This new plot was to be exchanged by the city for the old site of the parish house. A section of City Hall place was included in the new site. But when the church officials asked for a title deed to the land the city was surprised to find that it could not be given. The reason was that the city owns only right of way easements which were obtained in 1800 from the original owners of the plot, but that some unknown heir of the original owners holds the free title.

"Had the city or federal government actually erected a costly building on part of the old street and had the true owners turned up and set forth their claims, the money loss to the city would have been tremendous according to real estate authorities.

"Old City Hall place is estimated as worth close to \$1,000,000. Mr. Squire says he is not ready even to venture a guess as to what can be done about it."

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Community Building

Maintenance Big Point in Real Estate Value

The owner who realizes that the maintenance of property is a real asset as to the sale or rental of the property does not have to be told of the necessity of keeping property in good condition. Unfortunately, however, there are many property owners, especially owners of unoccupied property, who do not realize this fact and then wonder why the property cannot be sold or rented. There is an old saying, "A stitch in time saves nine." This applies to many phases of business, but in regard to the maintenance of real estate it has a significance which can be measured in dollars and cents to an exceptional degree.

A small repair neglected can have much the same effect on an individual property as a decaying apple can have in a barrel of sound apples. The small repair develops into a bigger one which affects other parts of the property, causing a decay, so to speak, and a depreciation in value that really in the end makes the property unattractive and undesirable. It also affects in a detrimental way every nearby piece of real estate and deters persons who might be interested in nearby property to the point that they will neither buy nor rent in a particular street or section.—Philadelphia Ledger.

Pennsylvania in Move to Beautify Highways

Community and civic organizations throughout Pennsylvania have been called upon to carry out plans of roadside development and landscaping to supplement construction of highways. The appeal was made by the Pennsylvania Motor federation.

"Pennsylvania has spent and is spending millions of dollars for the construction of fine roads," S. Edward Gable, president of the federation said. "In connection with this there should be in each community a program of tree-planting, landscaping and roadside care which, when completed, not only will make the roads more pleasing to the eye, but will give to the traveler a much better and pleasanter impression of the community.

"There is little reason why the wind-swept, sun-baked stretches of concrete roads winding through the countryside should not be made more gracious to the eye by the planting of trees and flowers and roadside landscaping. The possibilities of roadside beautification are unlimited, and, if handled by community enterprise in co-operation with the proper authorities, can be worked out without burdensome expense."

Good Citizen Defined

The qualities of good citizenship are both positive and negative. A hermit is not a good citizen because while he may do no real harm, break no important laws, he contributes little to the general welfare, does not assist in enforcing law and withholds from the world the good influence which he might exert. The good citizen is interested in and helps to promote religion, education, clean politics, public economy and thrift; he keeps posted on public affairs and candidates in order that he may vote intelligently, attends the primary and regular elections and votes.

His greatest contribution to public welfare is perhaps unflinching faith in the ultimate triumph of good in the affairs of men.—Grit.

Garage as Investment

Most home owners who embark on a modernization campaign are sold on the idea that no improvement on the home place will add more to the appearance of the property and help more on the case of sale, than an attractive garage building.

As a source of revenue, for the small amount expended or invested, there are few better revenue producers than a garage built on the rear part of a home lot as there is, in most residence neighborhoods, a continuous demand for rented garages.

Erecting a garage and renting it will in many cases pay the taxes on the property.

Brick Veneering Pays

Many old houses have sturdy frames despite the shabby and old appearance of the exterior. Given a veneer of face brick, these houses will put on an appearance of newness and will give service that compares well with an entirely new home. The brick exterior provides protection against the elements and takes on added beauty with the years.

Supervision Important

Many architects believe that supervision is more important to the house than good plans, for good plans alone do not insure good building. It is the least expensive part of the architect's service. He charges less for this than for making the plans and specifications, because it takes less time to do it.

Houses Hard to Sell

Houses may have sound timbers and built into them the best of workmanship, but if the exterior lines are old, the siding weather-beaten and unpainted, the interior lacking in all of those modern conveniences that make for the comfort and convenience of the housewife, they are avoided.

Mementoes of American Generosity Still Stand

The Messina earthquake of 1908, in which 90,000 people lost their lives, is probably a hazy memory to those Americans who donated shipments of food, clothing and medicine, as well as large sums of money.

It may therefore be interesting news to them that their philanthropy lives on after two decades. A new Messina has grown up on the ruins of the old.

There are numerous costly public and private buildings, fine apartment houses and private residences in the new Messina, Sicily's third largest city and a thriving port and railroad center. One whole quarter, however, of Messina is still made up exclusively of wooden houses donated by Americans for temporary shelter.

Train Night-Flying Birds

A race of night-flying pigeons is being developed under supervision of the War department. Soon after the World war the United States army signal corps started to develop these birds, realizing that they would be of invaluable service in case of war or in time of great national disaster, such as floods, cyclones or earthquakes. At the army signal school at Fort Monmouth, N. J., there is now a loft containing only night-flying birds. These are the result of careful training of homing pigeons, selection and breeding of the most intelligent, the sturdiest and those that had habitually flown in twilight or darkness.

Pictures for Public

While the French government is endeavoring to arouse interest in the natural features and beauties of the country by printing views of the more interesting sights, the tramway companies are trying to improve the mental equipment of their passengers by printing the portraits of celebrated characters of French history upon the tickets which are issued to riders. The faces of Turgot, Lamartine, Michelet and Victor Hugo are among those appearing upon the tickets, and it is supposed that the passenger will be spurred on to improving his mental equipment by contemplating the portraits.

Queen's Refuge for Sale

The estate of Gadgirth, near Ayr, where Mary Queen of Scots is said to have sought refuge for a night, when fleeing from the battle of Langside, is being offered for sale. It is one of Scotland's oldest historic properties. For centuries the estate of Gadgirth was the home of the Chalmers, the great chamberlains of Scotland, from whom the famous divine, Doctor Chalmers, is said to have claimed descent. John Knox, who was a close friend of the family, dispensed the sacrament there.

Mirrors on Golf Club

Sir James Henderson, British scientist, faced with the usual troubles of the golfer, invented a club whose head contained two mirrors to aid him in perfecting his form, and the device has proved so successful that it is being placed on the market in England, says Popular Mechanics Magazine. When the head is placed against the ball the mirrors reflect the light from a lamp set beside the ball. Unless the club is in correct position the light is not reflected from both mirrors.

To Disperse Mobs With Water

Berlin's police department has been equipped with a number of anti-riot automobiles to dispel unruly crowds. The car is an armored water tank on wheels capable of shooting water at tremendous pressure. Each car has a capacity of 50 gallons and the turret, resembling that on war tanks, is so arranged that water can be thrown in any direction.

Simple Matter

"Does a dentist have much trouble in collecting his bills?" "No," answered the expert in teeth. "A man usually sees that his last account is paid before he has more work done. He takes no chances on an unfriendly disposition."

Different Matter

Husband—And what did you pay for that hat? Wife—Nothing. Husband—Well, that is cheap! How did you manage it? Wife—I told the milliner to send you the bill.—Dorfbarbier (Berlin).

Frank

"To what do you attribute your success in the financial world?" asked the cub reporter of the great capitalist. "To the fact the world is full of easy marks and suckers," he snapped.

Odd Civil War Currency

During the Civil war unused stamps inclosed in metal disks were used for money.

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 Knacks—It's not mine. I'm just breaking it in for a friend!

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To be happy gives no cause for envy. The secret of happiness is to hide one's life.—De La Boussie.

He that avoideth not small faults by little and little falleth into greater.—Thomas a Kempis.



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