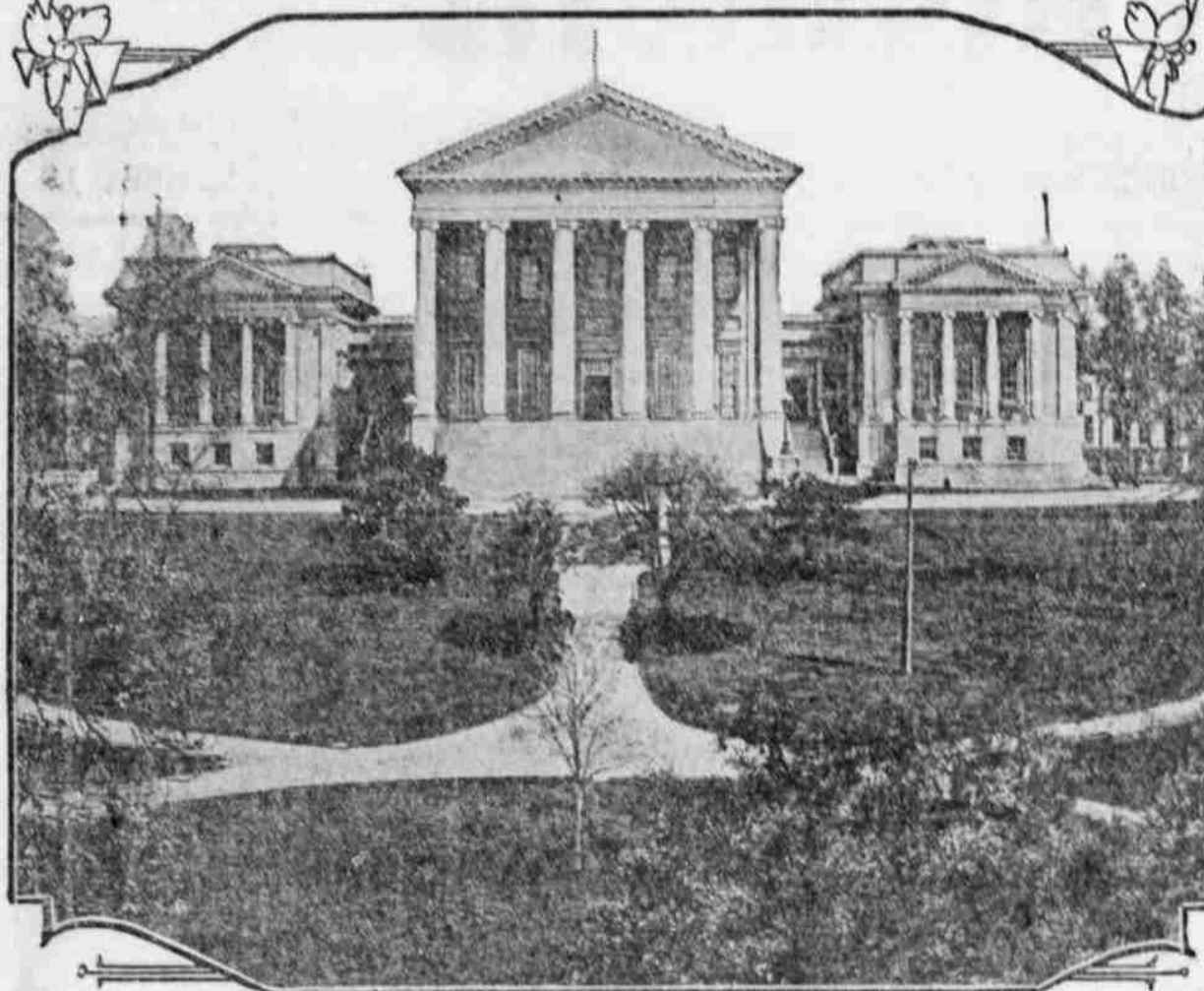


# "No Man's Land"



STATE CAPITOL, RICHMOND, VA.

By ELMO SCOTT WATSON

**R**ECENTLY 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. These 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."

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 Sydners, Curries, Archibald Carys, Prices and Acille Cochets, 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 mapmakers 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 1890." 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 courthouse 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. Silek's No. 1 Bailey 17-600-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 mapmakers' 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 hob 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 '50s 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 hay 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 1860 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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# PARADE

By Evelyn Campbell

(Copyright by Evelyn Campbell.)  
WNU Service

## THE STORY

Linda Haverhill's near-do-well father dies when she is seventeen, leaving her little beyond some worthless stock certificates. These she takes to her father's friend, Senator Converse, to dispose of. After a whirlwind courtship Linda marries Courtney Roth. Too late she discovers he is a penniless adventurer living by his wits.

## CHAPTER II—Continued

There was one small sheet of certificates that Linda had been advised not to sell for two years at least. But these went into a broker's hands before Mr. and Mrs. Courtney Roth left Boston. However clever one may be, there are times when currency is absolutely necessary, and Roth explained that with a lovely young bride on his hands this was one of the times. He passed lightly over the fact that it was Linda's money that furnished the means of their migration. He forgot the unpleasantness as quickly as possible, and advised her to do the same.

The Roths went around the world, but not as rapidly as they had planned. It took two years to go as far as they had counted on going in six weeks. But they did not travel as the crow flies; they went as the fox runs—from cover to cover, wherever the grass was greenest and the hares most plentiful. Not a bad two years, if you didn't care too much, a gay two years if lovely frocks and brilliant restaurants were enough; if you didn't mind ugly scenes with landlords, and delayed luggage. If you were careful about making friends and chose them among people who had delightful houses and played bad cards, Linda was made amazingly beautiful and interesting by all this travel and change, and Courtney Roth held his head higher than ever. Wherever they went people remarked about them.

"What a lucky pair. They have everything. Good looks, popularity, and wonderful times! Life is perpetual play—for them."

It was—a desperate sort of play that carried on rather grimly behind the scenes.

Linda learned all her husband could teach her in those two years, and if she did not respect him she liked him in a tolerant way, pitying his boyishness and sometimes even admiring his coolness in the face of overwhelming situations.

But Roth had lived for ten years when Linda lived one. He was burned out with peculiar fires and he wanted to rest, though never suspecting his own tiredness. It was a game, however, that had no breathing space. The mad whirligig of change held both of them relentlessly. He grew to depend more and more upon Linda's ingenuity in managing, and when she failed or seemed to fail, he became victimized by a silly, futile rage that blamed her for their particular predicament.

It took them two years to get to Switzerland, but they reached there at the proper moment. The ice was at its best and all the winter sports were as keen as if the weather had been ordered by aerial wire.

Roth meant to enjoy every moment of it. He liked snow and there were some new stunts that year. But three days after their arrival he had an uncomfortable interview with the manager of the hotel. He promised to move on that night; then he went upstairs and struck Linda across the face with a blow that left an ugly mark for time to come. He left her lying across the bed shielding her shame, and swaggered out, determined to have his play to the last. He had it for two hours. Later they brought him in on a stretcher with a broken neck, and that was the end of a honeymoon that should never have begun.

## CHAPTER III

### The Wall of Pretense

The train stopped with such a sudden jolt that the book dropped from Linda's hand. She had not been reading, anyway, and so she let it lie unnoticed. She had been staring through the thick, double glass window of the pullman at the grassiness that pressed against the pane like a blanket. No sign of life was to be seen in that void, and this suited her mood admirably, for her mentality was at a standstill without a glimmer to relieve its intense atrophy. That morning she had opened her eyes to snow and a leaden skies, and all through the day this had persisted until she had unconsciously thrown herself upon the breast of its dreariness.

But the jolt and accompanying grinding of brakes, shrill and nerve-racking, disturbed her mood. She glanced rather helplessly around the lighted car, and her eyes encountered those of the good looking young man across the aisle, who at that moment chanced to be looking toward her. Across the tall backs of sections all through the coach other inquiring faces peered, most of them stupid and anxious. The possibility of an accident had aroused every one from the languor of dullness that belonged to such a day.

"What is it?" Linda asked, speaking quite naturally to the young man, who seemed to have absorbed all the

intelligence of all the passengers. "Have we run into a wall or a ditch?"

He smiled, appreciating her coolness when the other women were already beginning to flutter. "One or both," he answered easily. "I'm afraid we've met the Waterloo of trains passing through Nebraska in January. A snowdrift can be a wall and a ditch as well." He had the pleasant smile. It crinkled his eyes at the corners and they smiled, too. Nice brown eyes that had a remarkably straight look about them. "I'll go and see," he said, and swung off down the aisle after the other men who were pushing one another in the pass.

Linda leaned back and waited. She was a seasoned traveler and knew that fretting got no one anywhere. So because the delay was hateful and menacing she let a pleasant thought of her neighbor ripple across her mind.

A boy—a charming boy. Men had their place in her life—a large place—as they must have in the life of any beautiful woman, but she had formed curious little fancies about them. She



So Without Knowing How It Came About Anstey Found Himself Sitting Beside the Beautiful Young Woman.

saw all men as seekers of prey—sleek animals, well fed and beautiful; shaggy, and horrible—reptilian! She and her kind were always prey, of course. She thought of these things as natural and unavoidable.

But the boy was different. He had made no gesture of joining her, ever after she had spoken first. He had seemed almost afraid to look at her. She was thrilled and a little sorry for him, knowing what must happen when he did look.

He returned almost at once. "It is a drift," he said, pausing beside her. "A whooper. It's bad news, but I'm afraid we are stuck here for a few hours."

Linda lifted her brows slowly. No young man could be expected to guess what this meant to her. His casual tone treated the whole occurrence as a light adventure. But if she was a day late, if she missed the Gregorians and their nice invitation to Miami—if they went on without her. Her manner gave no hint of this perturbation. She merely sank deeper into the comfort of her fur coat, as if she already sensed coming discomfort from chilly cars and insufficient food.

Linda Roth had learned to look at men. She knew already that this one was the right sort. She could spend a bored half hour talking to him and save herself at least from tiresome thoughts. So without knowing how it came about Brian Anstey found himself sitting beside the beautiful young woman, who smelled faintly of spring flowers, in spite of the snow.

(TO BE CONTINUED)

### Dog Made Small Town Famous

Karnsjok is a small town in northern Norway, above the sixty-ninth meridian in the center of the region known as Lapland. It lies a few miles west of the confluence of the Karnsjok and Tana rivers, the latter forming the boundary between Norway and Finland.

The town's population is made up mostly of Laplanders and is the home of the Balto family, made famous by an Alaskan malamute, named in honor of one of the members of the family. Balto was the lead dog of Gunnar Kasson's famous team that carried diphtheria serum on the last 60-mile lap in the 600-mile sledge race from Nenana to Nome during the epidemic of February, 1925.

### Figuring Warfare's Cost

In the Civil war, the Union troops numbered 2,128,948; there are various estimates of the Confederate forces, ranging from about 600,000 to 1,400,000. The total Union loss was 350,528, including killed, dead from wounds, disease, etc. The Confederate loss (partial statement) is given as 133,821 dead from wounds or disease. The cost of the Civil war has been estimated at \$5,000,000,000. The total number of soldiers mobilized in the World war has been estimated at 65,038,810; the total killed, 8,543,515; wounded, 21,219,452. Professor Bogart's estimate of the direct costs of the World war is \$196,333,637,007 and of the indirect costs, \$151,612,542,500.



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## PHILLIPS Milk of Magnesia

### Challenges Old Ideas About Lightning Rods

In a communication to the Academy of Sciences in Paris, says Pathfinder Magazine, M. V. Schaffers denies the familiar notion that lightning seeks wet ground and that lightning rods should always have their ends earthed in moist soil, or better still, in the wet ground at the bottom of some nearby creek or pond. Using a generator of electric sparks long and powerful enough to be considered veritable artificial lightning, Schaffers found that the distance from which a spark would strike and the path which the spark took was affected but little by the wetness or dryness of the soil underneath an earthed lightning rod or similar conductor.

Dr. E. E. Free, in reporting the investigator's finds, points out that it is well known that the paths and characters of natural lightning flashes frequently are erratic, seeming to obey none of the established laws of electric conduction. The really effective matters in lightning danger or protection, if Schaffers is correct, are the presence of metal objects or other substances which might be highly conducting for the electricity and the numbers of the electrified gas atoms called ions in the air.

### Storks Avoid Great Britain

Storks are rare birds in Great Britain, and have always been so, but an ancient chronicler writes that in 1410 storks came and built their nests on the roof of St. Giles' church in Edinburgh, and, after staying a year, left to return no more. "And whether they flew," he writes quaintly, "no man knoweth."

### He's a Sucker

Horace—What makes you think that girl you've been taking out taxi-cab riding is playing you for a fish? Herbert—I just found out she was married to the driver.—London Answers.

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