

'Potential classic' Book relates 'write-in' retention of state rights

A hurried "write-in" project by which Texas in 1901 retained mineral rights to state public lands is one of a series of portions of a book written by a

Texas A&M faculty member. Dr. Thomas L. Miller's book, "Public Lands of Texas, 1519-1970," will be published by the University of Oklahoma Press this

fall. A \$2,500 Association of Former Students grant made publication of the study possible. Miller describes in the volume

how Texas surrendered mineral rights to 90 per cent of its lands in a salt mine dispute.

Laws were passed reserving minerals on school lands yet unsold, but the state Supreme Court ruled in 1901 that unless land office records describing tracts had "mineral" written beside them the statute was invalid.

"Land Commissioner Charles Rogan acted quickly," Miller said. "He raised land prices to a prohibitive level and got land office clerks to go through the records and write in 'mineral' or some-

times just "min." The court held this to be sufficient to retain mineral rights, so Judge Rowan saved Texas

mineral rights on 7,400,000 acres of school lands. Excluding Permanent Fund investments, the state acquired from it \$1.7 billion revenue to run schools. Tables in the book show land receipts from 1835 to 1970.

The book tells the story of Texas public lands from the time that Spain claimed Texas until the recent raising off the coast of a Spanish treasure ship sunk in 1558. Controversy over the treasure disposition led to defeat of Land Commissioner Jerry Sadler.

Also included among others is a table showing land grant recipients and amounts, along with other state land uses and devel-

opments.

In a brief history of the General Land Office and a biographical sketch of each commissioner is a section and picture on Earl Rudder, the late Texas A&M president, commissioner for several years.

A Texas historian who read the manuscript said he was amazed at the "tremendous amount of research that has gone into the study. Relative to other studies dealing with the subject, Miller's is a half century later, broader in scope, takes advantage of previous scholarship and develops the subject differently."

University of Oklahoma Press director Edward Shaw said the

manuscript "holds the promise of being a classic in the field."

Member of the history faculty since 1946, Miller has numerous articles on Texas land grants, positions and land usage. A previous book, "Bounty and the Texas Land Grants of Texas, 1888," was published in 1967.

A native of Commerce, he holds degrees from and taught at Texas State and UT-Austin. In addition to 24 years teaching Texas A&M.

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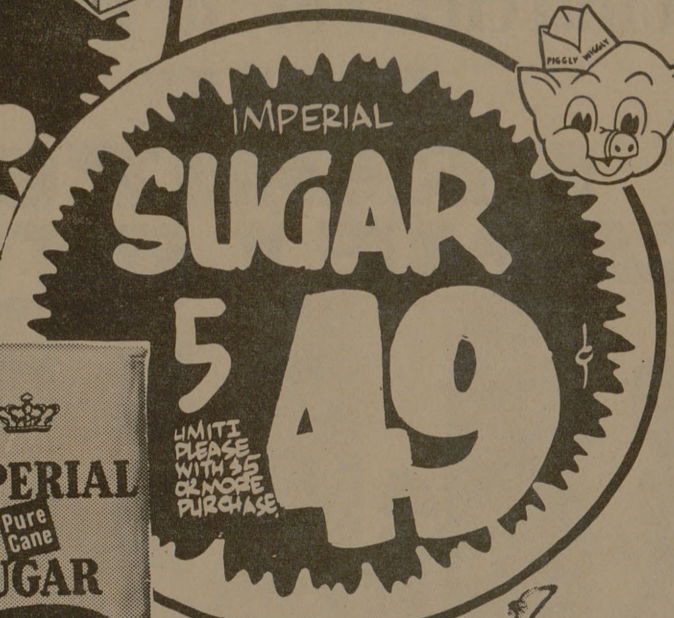
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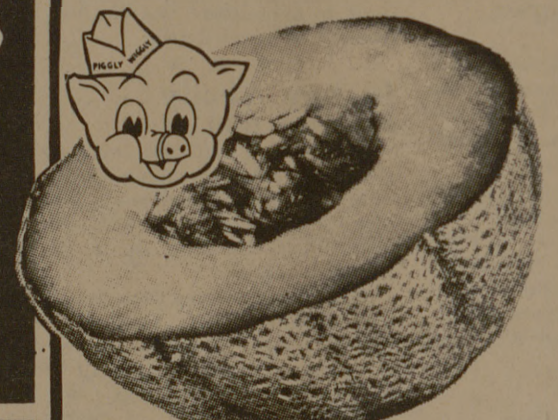
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