TABLE OF CONTENTS

LAND SERVICE BULLETIN

VOLUME 11

TABLE OF CONTENTS

LAND SERVICE BULLETIN

VOLUME 11

March 1, 1927.

April 1, 1927.

May 1, 1927.

August 1, 1927.

September 1, 1927.

October 1, 1927.

February 1, 1928.

## CIRCULARS BY NUMBERS.

# LAND SERVICE BULLETIN

DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE


By direction of the Secretary of the Interior the matter contained herein is published as administrative information and is required for the proper transaction of public business.

Vol. 11 March 1, 1927. No. 1.

## BIND THE BULLETIN.

Members of the Land Service receiving the Bulletin are requested to assemble the 12 numbers of volume 10 and transmit them to the General Land Office. The bound volumes will be distributed as soon as the work is completed by the Government Printing Office.

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## OREGON AND CALIFORNIA TAX UNIT.

The office unit handling the payment of claims to certain counties in Oregon and Washington under the act of July 13, 1926 (44 Stat., 915), has submitted the following report for the month of February:

| | | | |
|---|---|---|---|
| Claims received (years 1916 to 1925) | (1) | - | $112,370.00 |
| Claims received (1926) | (1) | - | 45,715.31 |
| Claims pending beginning of month | (3) | - | 2,865,219.42 |
| Total pending | (5) | - | 3,023,304.73 |
| Claims audited | (3) | - | 2,865,219.42 |
| Total claims to date (1916-1925) | (18) | - | 6,289,402.79 |
| Total claims certified to date | (15) | - | 3,107,413.29 |
| Net disallowances to date | - | - | 204,400.09 |

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## WILD LIFE REFUGE--ALASKA RAILROAD.

Creation of a wild life refuge around the Government hotel at the station of Curry, Alaska, located on the Alaska Railroad, and beaver and muskrat preserves at other points along the railroad was authorized in an executive order issued February 23, 1927.

The reservations were established on the recommendation of the Secretary of the Interior, the wild life refuge being for the protection of all wild life except bears, wolves, and wolverines and the other preserves being for the protection of beaver and muskrat colonies. The beavers have been active in building beaver dams in the vicinity of the Curry Government hotel, which have proved attractive to visitors and tourists. Because of their accessibility trappers have started killing these beavers as well as the muskrats for their furs with the result that these animals are in danger of extermination.

Under the terms of the executive order it is made unlawful to hunt, trap, capture, or kill any beaver or muskrat in these reservations which are placed under the jurisdiction of the Department of Agriculture.

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COAL LEASES--MONTANA, NORTH DAKOTA, UTAH, AND WYOMING.

A lease to develop coal on 880 acres of public land in Wyoming will be awarded to the Altamont Coal Company of Evanston, Wyoming, in the absence of adverse claim.

The company has a preference right claim to a lease on the area, which is located in Uinta County. Provisions of the lease stipulate that the company must make an initial investment of $45,000 during the first three years in developing the property and must produce a minimum of 35,000 tons of coal per year commencing with the fourth year of the lease. A royalty of 12½ cents per ton, mine run, on all coal produced must be paid the Government.

Sale by public auction of coal leases on two other tracts of public land located in Utah and North Dakota has also been authorized. The first tract comprising 111 acres is situated in Emery County, Utah, and the lease will be offered by the local land office at Salt Lake City, the date to be announced by that office later. Under its terms the successful bidder must pay the Government a royalty of 15 cents per ton on coal produced; must make an initial investment of $500 during the first three years, and must produce at least 300 tons of coal per year commencing with the fourth year of the lease.

The second tract contains 40 acres and is located in Mountrail County, North Dakota. The auction sale will be conducted by the local land office at Bismarck, North Dakota, the exact date to be made public later. The successful bidder obtaining the lease must make an initial investment of $500 during the first three years, and must produce a minimum of 400 tons of coal per year beginning with the fourth year of the lease. A royalty of 10 cents per ton, mine run, must be paid the Government on all coal produced.

Issuance of a lease to 40 additional acres of public coal land in the State of Utah to Joseph F. Livingston of Salt Lake City, Utah, and George W. Ivory of Fountain Green, Utah, has been authorized providing there are no adverse claims to the land.

Livingston and Ivory already hold a coal lease to an adjoining tract of public land and under the law are entitled to a lease on this additional area.

Both tracts are located in Sevier County, Utah. Under the terms of the leases they must pay the Government a royalty of 10 cents per ton on all coal produced, make an initial investment of $10,000 during the first three years of the lease and are required to produce 8,000 tons of coal annually beginning with the fourth year.

Sale by public auction of coal leases on two other tracts of public land located in Montana and Utah has also been authorized. The first tract contains 40 acres and is situated in Hill County, Montana. It will be offered for sale through the local land office at Great Falls, the date to be announced later by that office. The successful bidder must pay the Government a royalty of 10 cents per ton, mine run, on all coal produced; must make an initial investment of $500 during the first three years of the lease, and must produce a minimum of 400 tons of coal beginning with the fourth year.

The other tract comprises 40 acres located in Kane County, Utah, and is to be sold at public auction through the local land office at Salt Lake City, the date of the sale to be announced by that office. Under the terms of the lease the successful bidder must pay the Government a royalty of 15 cents per ton, mine run, on all coal produced; must make an initial investment of $500 during the first three years of the lease and produce a minimum of 400 tons per year, commencing with the fourth year of the lease.

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## SURVEY NOTES.

Surveys within National Forests.--Under date of February 17, 1927, the Forest Service requested the survey of a number of townships as an addition to the current Forest program, and accordingly on February 23, 1927, the Supervisor of Surveys was authorized to provide for the survey of the following townships at such time and in such order as would be most advantageous in the interests of the Forest Service and the General Land Office:

Boise Meridian.

T. 9 N., R. 5 E.
T. 12 N., R. 6 E.
T. 13 N., R. 6 E.
T. 15 N., R. 5 W.
T. 21 N., R. 2 W.
T. 21 N., R. 3 W.
T. 22 N., R. 2 W.
T. 22 N., R. 3 W.

Salt Lake Meridian.

T. 12 S., R. 5 E.

Gila and Salt River Meridian.

T. 35 N., R. 1 E.
T. 35 N., R. 2 E.
T. 36 N., R. 1 E.
T. 36 N., R. 2 E.

Principal Meridian, Montana.

T. 11 S., R. 3 E.
T. 11 S., R. 4 E.
T. 11 S., R. 5 E.
T. 12 S., R. 3 E.
T. 13 S., R. 3 E.
T. 13 S., R. 4 E.
T. 14 S., R. 4 E.

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Surveys, Great Salt Lake Desert, Utah.--During the field season of 1925 this office undertook to cooperate with the U. S. Geological Survey in the investigation of the public lands in the basin of the Great Salt Lake Desert comprising generally the area embracing Ts. 1 to 4 N., and 1 to 7 S., Rs. 11 to 19 W., S. L. M., Utah. This territory comprised one of the largest blocks of unsurveyed public lands still remaining in the United States. An engineer of this office was assigned to cooperate with the geologists to the end that a proper identification and description in terms of the public land surveys could be provided for those areas upon which borings or other investigations were to be made.

Favorable action was taken at that time upon the application for the survey of Ts. 1 and 2 N., and T. 1 S., R. 15 W., and T. 2 N., R. 16 W., by parties interested in potash permits in these townships. These surveys were completed in the field during the past year and were accepted by this office February 28, 1927.

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Group 127, New Mexico.--This office has recently accepted the dependent resurvey of T. 17 N., R. 12 E., N. M. P. M., Group 127, New Mexico. The conditions developed in the resurvey of this township are unusual in that while the majority of the original corners on the township exteriors, all of the interior section corners, and 50 per cent of the interior quarter-section corners were identified and adopted in the resurvey, the irrelation between some of the original corners is so great that in several instances the true bearing of the line between original corners was found to depart between 25° and 30° from the approximate cardinal course reported in the returns of the original survey, and in one instance the length of a line originally reported as 40 chains was found to be 6.16 chains.

The fact that approximately 50 per cent of the lands in the township are alienated, precluded the adoption of any resurvey procedure other than a strict dependent resurvey based upon the identified corners of the original survey. The great distortion in the township necessitated the preparation of a supplemental plat in addition to the usual resurvey township plat to show the actual areas of the legal subdivisions and fractional lots which are still public land. The original survey of this township was executed over 50 years ago under the old contract system which gave way in 1910 to our present method of having all surveys and resurveys of the public land executed by civil service employees of this office.

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Accepted Surveys.--Among the surveys of special interest recently accepted by this office are the following:

Aragon townsite, in Sec. 8, T. 5 S., R. 16 W., N. M. P. M., Group 173, New Mexico, within the Apache National Forest, which was resurveyed for townsite purposes under Sec. 2380 R. S. and to be disposed of under Secs. 2382 to 2386 R. S. This survey was accepted February 3, 1927.

The resurveys of T. 21 N., Rs. 4 and 5 W., N. M. P. M., Group 157, New Mexico, were accepted February 8, 1927. These two townships were dependently resurveyed with nearly total absence of interior corner control with apparently satisfactory protection to the settlers. Dry farming is extensively practiced in these two townships, and due to the success of the pioneers in this venture many new settlers have been attracted to this district.

The survey of a portion of T. 45 N., R. 114 W., 6th P. M., Group 87, was accepted February 26, 1927. This survey was made to accommodate entry Evanston 08797 in order to segregate the lands along Buffalo Creek; the lands north of said creek having been withdrawn for park purposes as a proposed addition to Yellowstone National Park.

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Specimen Plat.--As announced in the February issue of the Bulletin, a specimen plat embodying proposed modifications in the current practice has been received from the contractor and has been distributed to the several district offices. This plat is an advance, or proof, edition only and will ultimately be superseded by the finished plate which will accompany the Manual text. The editorial work upon the chapter of the Manual relating to plat construction is now under way and considerable progress in the preparation of the text has already been made.

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SUPREME COURT OF THE UNITED STATES.

No. 93. - October Term, 1926.

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|---|---|
| Charleston, South Carolina, Mining and Manufacturing Company, Appellant, vs. The United States of America. | Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. |

(Decided February 21, 1927.)

The above-entitled case arose on a bill in equity brought by the United States in the District Court for the Southern District of Florida to have declared void the approval and certification by the Secretary of the Interior and the Commissioner of the General Land Office of 320 acres of public land to the State of Florida, under the State's indemnity selection thereof in lieu of lands in school sections 16 excepted from the operation of the grant of such sections made to the State by the act of March 3, 1845 (5 Stat., 788).

It was alleged in behalf of the Government that the land was of known mineral character, valuable for phosphate, at the time of selection, and that the selection was innocently made by the State land agent, for the said company, on the faith of a false affidavit made by an agent of the company with respect to the nonmineral character of the land, which induced approval and certification of the selection by the Commissioner and Secretary.

The grant of March 3, 1845, to Florida reads as follows:

> "That in consideration of the concessions made by the State of Florida in respect to the public lands, there be granted to the said State eight entire sections of land for the purpose of fixing their seat of government; also section numbered 16 in every township or other land equivalent thereto for the use of the inhabitants of such township for the support of public schools."

It was argued that this constitutes a binding compact between the State and the United States which can not be abrogated, and that the State was entitled to every section 16 whether mineral or agricultural, and that in case of loss the State had the specific right to select from vacant lands of the United States in that State other lands without reference to the character of the lands so selected, whether mineral or otherwise.

The District Judge expressed himself as bound by the decision of the United States Supreme Court in United States v. Sweet, 245 U. S., 563, in which the court held that under Section 6 of the Utah enabling act of July 16, 1894, 28 Stat., 107, a grant of section 16 in place for school purposes, in view of the settled policy of Congress to dispose of mineral lands only under laws specially including them, was not intended to embrace lands known to be valuable for coal. It was urged that the District Judge erred in applying the Sweet case as, in the light of the Supreme Court's decision in Work v. Louisiana, 269 U. S., 250, the Sweet decision would not apply in the case of a grant made prior to the establishment of a policy of withholding mineral lands from disposition except under laws specially including them.

In the case under consideration, however, the Supreme Court observed that in the grant of 1845 to Florida the phrase "or other lands equivalent thereto" was not self-executing and that it could not and did not confer on the beneficiary of the grant the right to make indemnity selections except as Congress should provide for the exercise of that right. The court found that the only authority conferred by Congress for selection and certification of indemnity lands for a failure of the grant of a school section 16 applicable to the act of 1845 is found in sections 2275 and 2276 of the Revised Statutes as amended by the act of February 28, 1891, 26 Stat., 796, whereby such selections are specifically limited to lands "not mineral in character."

The court concluded:

"These sections require that the indemnity lands to be conveyed thereunder shall not be mineral in character. Only Congress can convey title to the land of the United States, and it makes no difference what was its equitable obligation to convey title under the original grant of 1845 in respect of indemnity lands. Congress certainly intended to convey as indemnity lands only those described in the act of 1891. There was no power in anyone representing the United States, therefore, to convey indemnity land which was mineral in character, and any scheme by which conveyance of such land was obtained was a fraud upon the United States."

The decree of the Circuit Court of Appeals, sustaining the decision of the District Court which granted the relief prayed for by the Government as to 280 of the 320 acres found to be mineral in character was affirmed.

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## RECENT DEPARTMENTAL DECISIONS.

### FILTROL COMPANY v. BRITTAN AND ECHART.

(Decided by First Assistant Secretary Finnay, December 23, 1926.)

OIL AND GAS LANDS--PROSPECTING PERMIT--APPLICATION--SEGREGATION--PREFERENCE RIGHT.

The filing of an allowable oil and gas prospecting permit application has a segregative effect and confers upon the applicant a priority of right over any adverse interest thereafter sought to be initiated.

OIL AND GAS LANDS--PROSPECTING PERMIT--APPLICATION--RELINQUISHMENT--RESTORATIONS--PREFERENCE RIGHT.

An oil and gas prospecting permittee can not, by filing a relinquishment, acquire a preference right to apply for a new permit, but will, upon the restoration of the land, be accorded merely the privilege of filing application in accordance with existing regulations.

MINING CLAIM--OIL AND GAS LANDS--PROSPECTING PERMIT--ADVERSE CLAIM--RELINQUISHMENT.

A mining claim can not be located upon land embraced in an oil and gas prospecting permit, and a mining location which was without legal effect ab initio because at the time of the initiation of the claim the land was covered by an oil and gas prospecting permit does not attach upon cancellation of the permit.

MINING CLAIM--STOCK-RAISING HOMESTEAD--RELINQUISHMENT--SURFACE RIGHTS.

The title of a mining claimant who had acquired only the minerals in lands which, at the time of the initiation of his claim were covered by a stockraising homestead entry, does not become automatically enlarged, upon cancellation of the entry, to include the land and the minerals, but the surface continues to remain a separate estate.

Visalia 010617.

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WHEELER, ASSIGNEE OF McGRATH.

(Decided by First Assistant Secretary Finney, January 20, 1927.)

OIL AND GAS LANDS--PROSPECTING PERMIT--TEST WELL--EXTENSION OF TIME.

The rule announced in Circular No. 1041 (51 L. D., 278), that where sufficient geological data as to structures is wanting the holder of an oil and gas prospecting permit will be denied the benefit of contribution to a test well on another permit area if the greater portion of the permit area is more than 3 miles from such test well is modified and, in proper cases, an extension will be granted if any portion of the permit area, on which the permittee could lawfully drill, lies within 3 miles of the test well.

Cheyenne 037233.

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J. F. ROSE.

(Decided by First Assistant Secretary Finney, February 2, 1927.)

PATENT--RECORDS--COMMISSIONER OF GENERAL LAND OFFICE--JURISDICTION.

Where a patent, after its execution, has been canceled and mutilated by the General Land Office, without the consent of the grantee, and a request for its delivery for recordation on the county records is made, the patent should be delivered with a notation over the signature and seal of the Commissioner of the General Land Office to the effect that the cancellation and mutilation were erroneous and without authority.

PRIOR DEPARTMENTAL INSTRUCTIONS MODIFIED.

Instructions of February 28, 1881 (8 G. L. O., 10), modified.

G. L. O. 01019.

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GEORGE J. FRYMUTH AND RALPH BLAIR.

(Decided by First Assistant Secretary Finney, February 5, 1927.)

OIL AND GAS LANDS--PROSPECTING PERMIT--SCHOOL LANDS--WITHDRAWAL--NEW MEXICO.

Permits will not be granted to prospect for oil and gas on unsurveyed school sections, withdrawn on behalf of a State under the act of August 18, 1894, in the absence of a classification of the lands by the Geological Survey as prospectively valuable for oil and gas.

Las Cruces 032544-032554.

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RIGHT OF A DESERTED WIFE TO CLAIM CREDIT FOR THE MILITARY SERVICE OF HER HUSBAND UPON SUBMISSION OF HOMESTEAD FINAL PROOF.

(Instructions by First Assistant Secretary Finney to the Commissioner of the General Land Office, February 25, 1927.)

HOMESTEAD ENTRY--SETTLEMENT--DESERTED WIFE--MILITARY SERVICE--FINAL PROOF.

Under the act of October 22, 1914, a deserted wife is entitled to credit for the military service of her husband when submitting final proof upon an entry made by him or initiated by him as a settler, but the act has no application to a case where she makes entry in her own right.

HOMESTEAD ENTRY--DESERTED WIFE--FINAL PROOF--MILITARY SERVICE--FORFEITURE.

The perfection of a husband's homestead entry by a deserted wife pursuant to the act of October 22, 1914, does not operate, of itself, to restore his rights under the homestead laws, including the right to claim credit for military service.

Cheyenne 025580.
Gainesville 019187.
Los Angeles 032463.

Circular No. 1109.

ADJUSTMENT OF NENANA TOWN LOT PURCHASES.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

February 4, 1927.

Register and Receiver,

Fairbanks, Alaska.

Gentlemen:

August 24 and 25, 1916, 354 lots within Nenana, Alaska, were sold to the highest bidder under the conditions prescribed by the Alaska Railroad townsite regulations approved June 19, 1915, issued in pursuance of the act of March 12, 1914 (38 Stat., 305).

Under the terms of said regulations no lot was sold for less than $25, and no bid exceeding that amount was accepted unless made in multiples of $5. The minimum of $25 on each lot sold for less than $75 was paid in cash on the day of the sale and if the bid was $75 or more, one-third of the bid price was required to be paid in cash on the day of the sale and the remainder of the purchase price divided into five equal annual installments, payable one, two, three, four, and five years, respectively, from the date of the certificate of sale.

The said regulations provided that if a purchaser who had made partial payment on the lot purchased by him failed to make any succeeding payment required under the regulations, at the date such payment became due, the money deposited by such person for such lot would be forfeited and the lot after forfeiture was declared would become subject to disposition as provided in the regulations.

The plat of survey of said town located in Secs. 13, 14, and 23, T. 4 S., R. 8 W., F. M., Alaska, shows 811 town lots and 4 blocks reserved for public purposes.

The records show that 93 of the purchasers of such lots received patents therefor; that 178 lots have been forfeited, and that there are 173 lots on which payments are still due and unpaid.

Of the 173 lots the initial payment only was made on 20 lots; the initial and one annual payment on 21; the initial and two annual payments on 65; the initial and 3 annual payments on 47; the initial and 4 annual payments on 20.

The assessments due the Alaska Railroad against the 173 lots above mentioned, for the improvement of streets, sidewalks, and alleys, promotion of sanitation and fire protection in the townsite as required by said regulations have been paid.

Conditions have developed at this townsite that make it necessary for an adjustment of the said purchases in order that the lots may pass into private ownership so far as possible.

Accordingly, it is directed that the purchasers be allowed until September 1, 1927, within which to complete their purchases as follows:

1. By making payment in full if but one lot was purchased, or

2. If more than one lot was purchased by making payment in full for all the lots, or by electing to apply as the purchase price of one or more of the lots the total amount which has been paid on all of them.

If a purchaser who could make an election and obtain patent without further payment as above provided fails to do so and fails to make payment as required, the right of election will be thereby forfeited and each lot will be considered as involving an independent transaction.

All the purchases which are not completed as hereinabove provided will be canceled and the cases closed.

In order to advise each purchaser of these instructions at the earliest possible date a sufficient number of copies hereof will be mimeographed and sent to you and you will send a copy to each purchaser by ordinary mail. You will also send a copy to each person who has filed in your office notice as transferee or mortgagee in connection with a purchase.

Formal notices, a copy of which is inclosed, showing the amounts which have been paid and the amounts which are due and unpaid will be prepared in this office and will hereafter be sent to you to send to the purchasers by registered mail.

As the notices which will hereafter be sent the purchasers will show the exact amounts which are due and payable under the purchases, it will be unnecessary for them to make inquiries at your office, or at this office as to the amounts, if they do not know the amounts; but if any purchaser who receives a copy of these instructions fails to receive the subsequent notice on or before June 1, 1927, he should make prompt inquiry at your office as to the amounts due, if he does not know the amounts, so that he may complete the payments as required, on or before September 1, 1927.

Very respectfully,

THOS. C. HAVELL,

Acting Commissioner.

Approved: February 4, 1927.

E. C. FINNEY,

First Assistant Secretary.

Circular No. 1110.

ACCOUNTS: REAPPRAISALS.

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UNITED STATES

DEPARTMENT OF THE INTERIOR

General Land Office

Washington

February 15, 1927.

Division Inspectors, Registers,

and Special Disbursing Agents.

Sirs:

Hereafter in connection with all appraisals or reappraisals chargeable to claimants or entrymen the salary, per diem, and travel expenses of the inspector making such appraisal or reappraisal will be included on the regular pay roll or travel expense vouchers and paid by the special disbursing agent in the usual way from the regular appropriation. The matter of reimbursing that appropriation from the claimant's or entryman's deposit will be taken care of by transfer vouchers, which vouchers will be stated, certified, and approved by the division inspector at the earliest practicable date, immediately after the completion of the reappraisal if the area is comparatively small, or month by month if the work of appraisal is to continue over a considerable period of time.

If the special deposit for appraisal or reappraisal is made with a register or a fiscal officer other than the disbursing agent paying the inspector's vouchers payment will be made on the transfer voucher by check in favor of the special disbursing agent, who will deposit the amount to his official credit under the appropriation from which payment was made, if current, and if not, he will deposit it to personal credit under the proper appropriation. If the special deposit is with the disbursing officer who pays the inspector he may accomplish the transfer by proper entries in his account current upon receipt of the account stated by the division inspector.

Very respectfully,

THOS. C. HAVELL,

Assistant Commissioner.

Circular No. 1111.

BONDS UNDER OIL AND GAS PROSPECTING PERMITS.--
SEC. 4 (h), CIRCULAR NO. 672, MODIFIED.--DRILLING BONDS,
AND CIRCULAR NO. 754 REVOKED.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

February 21, 1927.

Registers,

United States Land Offices.

Sirs:

Hereafter applicants for oil and gas prospecting permits under the act of February 25, 1920 (37 Stat., 437), will not be required to furnish the bond at the time of filing of the application for the permit, conditioned against failure of the permittee to repair damage to the oil strata or deposits resulting from improper methods of operation, as provided by Sec. 4 (h) of Circular No. 672 (47 L. D., 437) and Circular No. 754. Such applicants, however, will be required, prior to the issuance of permit, to furnish bond in the sum of $1,000, or such other amount as may be fixed, in special cases where a permit application embraces reserved deposits in lands theretofore entered or patented with reservation of the oil and gas to the United States, together with the right to prospect for, mine and remove the same pursuant to the act of July 17, 1914 (38 Stat., 509), or where the lands constitute a portion of a reclamation project, or are included in a reclamation homestead entry.

Before a permittee, or any one claiming through or under him, shall begin drilling a test well or wells upon the land embraced in an oil and gas permit, he shall give notice to the supervisor of oil and gas operations, Geological Survey, of the district in which the land is situated of his intention to drill, submitting his drilling plan for approval, together with a bond, with qualified corporate surety, in the sum of $5,000 conditioned against failure, (a) to carry on all operations in accordance with approved methods and practice and in conformity with the operating regulations to the satisfaction of said supervisor; (b) to carry out, at the expense of the permittee, all reasonable orders of the Secretary of the Interior, or his authorized representatives; (c) to take all reasonable precautions to prevent waste of oil or gas, damage to formation or deposits, injury to life or property, or economic waste; and (d) to repair promptly, so far as possible, any damage to mineral deposits or mineral bearing formations resulting from his operations.

The notice of intention to drill and drilling plan must be furnished in triplicate. Blank forms of such notice and bond can be obtained from the supervisor on request. If the plan is approved and the bond is acceptable, the supervisor will return to the permittee one copy of the notice with his approval endorsed thereon, upon receipt of which drilling may be commenced and carried on in accordance with the approved plan.

The bond will be transmitted by the supervisor to the Commissioner of the General Land Office for consideration and filing.

All instructions and regulations in conflict herewith are modified to conform hereto, and Circular No. 754 is hereby revoked.

You will give such publicity hereto as may be possible without expense to the Government.

Very respectfully,

WILLIAM SPRY,

Commissioner.

I concur:

GEO. OTIS SMITH,

Director, Geological Survey.

Approved: February 21, 1927.

E. C. FINNEY,

First Assistant Secretary.

Circular No. 1112.

AMENDING CIRCULAR NO. 1093, REGULATIONS GOVERNING THE SALE OF DEAD OR DOWN TIMBER OR TIMBER KILLED OR SERIOUSLY DAMAGED BY FOREST FIRES.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

February 25, 1927.

Division Inspectors.
Sirs:

Circular No. 1093 of September 11, 1926, is hereby amended by substituting for paragraph 2 thereof, the following:

2. After consideration of the report, the Commissioner of the General Land Office will, if deemed advisable, direct the division inspector to offer the timber for sale under sealed bids by advertising for a period of thirty (30) days, as follows:

(a) In cases of small quantities of timber amounting in value to $1,000 or less, the sale should be advertised by the posting of notices only.

(b) Where larger quantities of timber are involved, the sale should be advertised in one or two representative newspapers of general circulation in the field division wherein the timber to be sold is situated, once a week for four weeks, if in a daily paper, or if in a weekly paper, for four consecutive weeks, next preceding the time set for the opening of the bids. And if the proposed sale be for twenty million feet, board measure, or more, of timber available by location to a single logging operation, the division inspector will also cause an advertisement of the proposed sale to be inserted once in two lumber trade journals of general circulation. During the period of advertising the division inspector will also post copies of the advertisement where they will attract the notice of the general public.

Very respectfully,

WILLIAM SPRY,
Commissioner.

Approved: February 25, 1927.

E. C. FINNEY,
First Assistant Secretary.

[S. 564]

An Act Confirming in States and Territories title to lands granted by the United States in the aid of common or public schools.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the provisions of subsections (a), (b), and (c) of this section, the several grants to the States of numbered sections in place for the support or in aid of common or public schools be, and they are hereby, extended to embrace numbered school sections mineral in character, unless land has been granted to and/or selected by and certified or approved, to any such State or States as indemnity or in lieu of any land so granted by numbered sections.

(a) That the grant of numbered mineral sections under this act shall be of the same effect as prior grants for the numbered nonmineral sections, and titles to such numbered mineral sections shall vest in the States at the time and in the manner and be subject to all the rights of adverse parties recognized by existing law in the grants of numbered nonmineral sections.

(b) That the additional grant made by this act is upon the express condition that all sales, grants, deeds, or patents for any of the lands so granted shall be subject to and contain a reservation to the State of all the coal and other minerals in the lands so sold, granted, deeded, or patented, together with the right to prospect for, mine, and remove the same. The coal and other mineral deposits in such lands shall be subject to lease by the State as the State legislature may direct, the proceeds of rentals and royalties therefrom to be utilized for the support or in aid of the common or public schools: Provided, That any lands or minerals disposed of contrary to the provisions of this act shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General for that purpose in the United States district court for the district in which the property or some part thereof is located.

(c) That any lands included within the limits of existing reservations of or by the United States, or specifically reserved for water-power purposes, or included in any pending suit or proceedings in the courts of the United States, or subject to or included in any valid application, claim, or right initiated or held under any of the existing laws of the United States, unless or until such application, claim, or right is relinquished or canceled, and all lands in the Territory of Alaska, are excluded from the provisions of this act.

Sec. 2. That nothing herein contained is intended or shall be held or construed to increase, diminish, or affect the rights of States under grants other than for the support of common or public schools by numbered school sections in place, and this act shall not apply to indemnity or lieu selections or exchanges or the right hereafter to select indemnity for numbered school sections in place lost to the State under the provisions of this or other acts, and all existing laws governing such grants and indemnity or lieu selections and exchanges are hereby continued in full force and effect. Approved: January 25, 1927.

Instructions interpreting the provisions of the foregoing act are being prepared by this office, subject to the approval of the Secretary of the Interior.

DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1078291

PUBLIC LANDS RESTORED TO HOMESTEAD ENTRY AND OTHER DISPOSITION BY PROCLAMATION, EXECUTIVE OR DEPARTMENTAL ORDER.

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Preference Rights to Ex-Service Men of the War with Germany.

General Method of Opening:

By virtue of Public Resolution No. 29, of February 14, 1920 (41 Stat., 434), as amended by Public Resolution Nos. 36 and 79, approved January 21 and December 28, 1922, respectively, hereafter and until February 15, 1930, when any surveyed lands within the provisions of the public resolutions are opened or restored to disposition under the authority of the department, such lands, unless otherwise provided in the order of restoration, shall become subject to appropriation under the laws applicable thereto in the following manner, and not otherwise:

Lands not affected by the preference rights conferred by the acts of August 18, 1894 (28 Stat., 394), or June 11, 1906 (34 Stat., 233), or February 14, 1920 (41 Stat., 407), will be subject to entry by soldiers under the homestead and desert-land laws, where both of said laws are applicable, or under the homestead law only, as the case may be, for a period of 91 days, beginning with the date of the filing of the township plat in the case of surveys or resurveys, and with the date specified in the order of restoration in all other cases, and thereafter to disposition under all of the public land laws, applicable thereto, except where homestead entrymen are granted a prior preference period under the order. For a period of 20 days and for a like period prior to the date or dates such lands become subject to entry by the general public, soldiers in the first instances, and qualified applicants in the second, may execute and file their applications, and all such applications presented within such 20-day periods, together with those offered at 9 o'clock a. m., standard time, on the dates such lands become subject to appropriation under such applications, shall be treated as filed simultaneously.

Unsurveyed lands are not subject to homestead or desert-land entry. A homestead entry may embrace 160 acres, or an approximation thereof, and where the lands are of the character contemplated by the 320 or 640 acres homestead acts, applications for the unappropriated lands may be filed by qualified persons, under either of said acts, accompanied by proper petitions, if undesignated, for the designation of lands thereunder, and such applications will be suspended pending determination as to the character of such lands.

The following are restorations or openings which will occur in the near future and concerning which further information may be obtained from the local offices:

NEW MEXICO:

OPEN TO ENTRY THROUGH SURVEY.

The plats of resurveys in T. 1 S., R. 17 E., and T. 2 S., R. 17 E., N. M. P. M., Lincoln County, New Mexico, will be officially filed in the district land office at Santa Fe, New Mexico, on March 12, 1927, at 9 o'clock a. m.

For 91 days, beginning March 12, 1927, the unreserved and unappropriated lands represented on said plats will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on March 12, 1927. At 9 o'clock a. m. on June 11, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the public generally.

The plat of T. 1 S., R. 17 E., represents the resurvey of 22,932.63 acres. Land; gently rolling. Elevation; about 5,000 feet above sea level. Soil; sandy loam, gravelly in places. There is no timber or undergrowth except a small area of scattering cedar and juniper along the west boundaries of Secs. 6 and 7. There are no springs or streams in the township. The township is principally adapted to grazing. In favorable years good crops of beans, corn, grain, and forage are raised by dry-farming methods. There is no indication of mineral.

The plat of T. 2 S., R. 17 E., represents the resurvey of 23,150.46 acres. The land, soil, etc., are the same as T. 1 S., R. 17 E., except that there is no timber in the township. There is no indication of mineral.

(661)

ARIZONA: RELEASE FROM FOREST RESERVATION.

Three thousand two hundred and ten acres in Yavapai County, Phoenix land district, open to entry only under the homestead and desert-land laws by qualified ex-service men of the war with Germany for a period of 91 days, beginning March 18, 1927. Applications of ex-service men may be presented at any time within 20 days prior to that date. On and after June 17, 1927, any of the land remaining unentered will be subject to appropriation under any public land law applicable thereto by the general public.

The land was excluded from a national forest, and further information may be obtained from the United States land office at Phoenix, Arizona.

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(662)

WYOMING: FROM STOCK DRIVEWAY WITHDRAWAL.

Two thousand eight hundred and forty acres in Fremont County, Lander land district, open to entry only by qualified ex-service men of the war with Germany under the homestead and desert-land laws for a period of 91 days, beginning February 25, 1927. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On or after May 27, 1927, any of the land remaining unentered will be subject to appropriation under any applicable public land law by the general public.

The lands are released from stock driveway withdrawal and further information, if desired, may be obtained from the local office at Lander, Wyoming.

(663)
NEVADA:

OPEN TO ENTRY THROUGH SURVEY.

The plats of surveys in Ts. 25 and 26 N., R. 45 E., and Ts. 26 and 27 N., R. 46 E., M. D. M., Lander County, Nevada, will be officially filed in the district land office at Elko, Nevada, on March 21, 1927, at 9 o'clock a. m.

For 91 days, beginning March 21, 1927, the unreserved and unappropriated lands represented by said plats will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on March 21, 1927. At 9 o'clock a. m. on June 21, 1927, the lands remaining unentered and unreserved will be available for entry under applicable public land laws by the public generally.

T. 25 N., R. 45 E., M. D. M.--Area surveyed, 23,173.54 acres. Land; mountainous in the eastern portion, rolling to nearly level in the central and western portions. Soil; light, sandy, rocky clay. Juniper timber is found in the extreme eastern portion of the township. Undergrowth; shadscale with a fair growth of native grass. There is a small seasonal flow of water in the N½ of Sec. 2 and a small spring in the SW¼ SW¼ of Sec. 1 which flows a greater portion of the year. The township is principally valuable for grazing purposes. No indication of mineral is noted.

T. 26 N., R. 45 E., M. D. M.--Area surveyed, 23,050.71 acres. Land; mountainous in southeast and northwest portions with rolling valley through the central portion. Soil; light, sandy, rocky clay upon higher lands with heavy gravelly clay in valley. Timber; none. Vegetation; sagebrush and native grasses. The area is principally valuable for grazing purposes. There is a warm spring in Sec. 16, the water of which is suitable for stock-watering purposes. There are also small springs in the NE¼ of Sec. 15, NW¼ of Sec. 11, and SE¼ of Sec. 34. No indication of mineral was noted.

T. 26 N., R. 46 E., M. D. M.--Area surveyed, 22,999.66 acres. Land; mountainous, except in the north central portion which is nearly level. Soil; light, sandy, rocky clay. Timber; pinon pine and juniper in southeast portion; juniper in southwest portion. Undergrowth; sage, shadscale and native grasses. The area is principally valuable for grazing purposes. There is a spring in the NW¼ of Sec. 21, and an intermittent flow of water in the SW¼ of Sec. 36, and SE¼ of Sec. 13. No indications of mineral were noted.

T. 27 N., R. 46 E., M. D. M.--Area surveyed, 25,116.42 acres. Land; mountainous in central and extreme southeastern portion. Remainder of township nearly level. Soil; in mountainous portions very rocky clay with light, sandy gravelly clay in low lands. Timber; none. Vegetation; sage, shadscale, rabbit brush, and a scant growth of grass. There is a large spring in the NW¼ NW¼ of Sec. 28, and a warm spring in the NE¼ NE¼ of Sec. 28. The area is principally valuable for grazing purposes. There are indications of mineral in Secs. 1, 2, 3, 4, and 6.

(664)

WYOMING:

FROM SEGREGATION UNDER THE CARRY ACT.

Two hundred eighty four and twenty-two hundredths acres of land in Park County, Lander Land District, opened to entry under the homestead and desert-land laws, by ex-service men of the World War, beginning February 24, 1927, and opened to entry by the general public under any applicable public land law May 26, 1927.

At least one tract is subject to a preference right of entry by a Carey Act entryman beginning February 24, 1927, and ending May 24, 1927. A part of this land is designated under the enlarged homestead and stock raising homestead acts, and is subject to a preference right of entry by adjoining homestead entrymen from February 24, 1927, to May 24, 1927, inclusive.

The simultaneous filing period for Carey Act entrymen, adjoining homestead entrymen and soldiers, is from February 4, 1927, to February 23, 1927, inclusive; and the simultaneous filing period for the general public is from May 6, 1927, to May 25, 1927, inclusive.

A part of this land is embraced in a power site reserve and will not be subject to entry until released from the reserve. It has been found impracticable to irrigate this land, but the status of any particular tract or tracts of the land may be determined by making inquiry of the Register of the U. S. land office at Lander, Wyoming, and he may be able to furnish more definite information as to the character of the land.

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(665)

COLORADO:

RESTORATION OF PUBLIC LANDS GRANTED FOR PUBLIC PARK PURPOSES.

The N½ NE¼ and N½ NW¼ Sec. 9, T. 37 N., R. 15 W., E. M. P. M., in Montezuma County, Colorado, containing 160 acres, Pueblo land district, opened to entry under all the public land laws applicable thereto by ex-service men of the World War, beginning March 4, 1927, and opened to the general public under such public land laws June 3, 1927; the soldiers' simultaneous filing period is from February 12, 1927, to March 3, 1927, inclusive, and the simultaneous filing period for the general public is from May 14, 1927, to June 2, 1927.

These lands were granted to the town of Delores for public park purposes by the act of June 7, 1910 (36 Stat., 459).

February 4, 1927, the department held that said town had waived all rights to the lands granted by the said act and restored such lands to the public domain to become subject to entry on the dates above mentioned.

In the meantime the status of any particular tract or tracts may be determined by making inquiry of the Register of the United States land office at Pueblo, Colorado.

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(666)

UTAH:

OPEN TO ENTRY THROUGH SURVEY.

The plat of surveys in T. 28 S., R. 22 E., S. L. B. and M., San Juan County, Utah, will be officially filed in the district land office at Salt Lake City, Utah, on March 25, 1927, at 9 o'clock a. m.

For 91 days, beginning March 25, 1927, the unreserved land represented on said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on March 25, 1927. At 9 o'clock a. m. on June 24, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

This plat represents the survey of 11,152.32 acres of public land. Land: broken, mountainous. Soil: shallow, rocky loam on sandstone bedrock. Timber: scrub cedar and pinon. The township is adapted to stock grazing. No indications of mineral were found. A little seepage water was noted in Hatch Wash. No other water noted.

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(667)

NEVADA:

OPEN TO ENTRY THROUGH SURVEY.

The plat of surveys in T. 31 N., R. 41 E., M. D. M., Humboldt County, Nevada, will be officially filed in the district land office at Elko, Nevada, on April 5, 1927, at 9 o'clock a. m.

For 91 days, beginning April 5, 1927, the unreserved lands represented on said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons having a preference right to the land superior to that of the soldier's. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on April 5, 1927. At 9 o'clock a. m. on July 6, 1927, the lands remaining unentered and unreserved will become subject to entry under any applicable public land law by the public generally.

This plat represents the survey of 3,906.59 acres of public land. The land embraced in this survey is principally broken and mountainous. Cherry Creek is in Secs. 6, 7, and 8. This stream is the only water in this area and carries the spring run-off of snow water but becomes entirely dry in the early summer. A settler cultivates a small plot of ground near Cherry Creek in the NE¼ of Sec. 7 and the NW¼ of Sec. 8. The soil along this creek is of good quality but is very poor over the remaining areas. Considerable indications of mineral were observed.

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(668)

CALIFORNIA: OPEN TO ENTRY THROUGH SURVEY.

The plat of surveys in T. 28 N., R. 8 E., M. D. M., Lumas and Lassen counties, California, will be officially filed in the district land office at Sacramento, California, on April 6, 1927, at 9 o'clock a. m.

For 91 days, beginning April 6, 1927, the unreserved land represented on said plat will be opened to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on April 6, 1927. At 9 o'clock a. m. on July 6, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

This plat represents the survey of 3,787.59 acres of public land. The land is reported as being rough and broken. The soil stony. The area is covered with a good growth of pine, fir, and cedar timber. There are several small farms along the shores of Lake Almanor. No indications of mineral were observed.

(669)

COLORADO:

OPEN TO ENTRY THROUGH SURVEY.

The plat of resurveys in T. 3 N., R. 80 W., 6th P. M., Grand County, Colorado, will be officially filed in the district land office at Denver, Colorado, on April 6, 1927, at 9 o'clock a. m.

For 91 days, beginning April 6, 1927, the unreserved lands represented on said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on April 6, 1927. At 9 o'clock a. m. on July 6, 1927, the lands remaining unentered and unreserved will be available for entry under any applicable public land law by the general public. This plat represents the resurvey of 22,769.32 acres, of which 4,627.05 acres is in private ownership. Land; rough mountainous in northern portion, low rolling hills in southern portion. Soil; fertile, sandy loam which under irrigation produces good crops of hay, grain, and hardier varieties of vegetables. Timber; heavy pine, spruce, balsam, and aspen on higher slopes. The lower slopes are covered with sagebrush. The area is well watered by Troublesome and Antelope Creeks and their tributaries. Coal for local consumption is mined in Section 5.

Approved: February 10, 1927.

THOS. C. HAVELL,

Acting Commissioner.

(670)
IDAHO:

OPEN TO ENTRY THROUGH SURVEY.

The plats of survey of T. 9 S., Rs. 2 and 3 E., B. M., Owyhee County, Idaho, will be officially filed in the district land office at Boise, Idaho, on March 10, 1927, at 9 o'clock a. m.

For 91 days, beginning March 10, 1927, the unreserved lands represented on said plats will be opened to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on March 10, 1927. At 9 o'clock a. m. on June 9, 1927, the land remaining unentered and unreserved will become available for entry under any applicable public land law by the public generally.

T. 9 S., R. 2 E., B. M., Idaho.--Area surveyed: 22,403.10 acres. The land is rolling and mountainous. The soil is a volcanic ash and stony and is covered with a fair growth of native grasses and a scattering undergrowth of sage, with willow and aspen along Jacks Creek. No indications of mineral were noted. Jacks Creek rises in this township and flows in a northeasterly direction and furnishes sufficient water for range stock. It is reported that there is one settler residing in Sec. 17.

T. 9 S., R. 3 E., B. M., Idaho.--Area surveyed: 22,224.69 acres. The land in this township is rolling and mountainous. The soil is a volcanic ash and stony, and is covered with a sparse growth of native grasses and a scattering undergrowth of sage, with willow and cottonwood along Jacks Creek in the northwest portion of the township. Jacks Creek in Secs. 5, 6, and 7, and Wickahoney Creek in Sec. 12 supply the only water in the township. No indications of mineral were observed.

(671)
NEVADA:

OPEN TO ENTRY THROUGH SURVEY.

The plats of surveys in T. 47 N., R. 34 E., M. D. M., Humboldt County, and T. 10 N., R. 52 E., M. D. M., Nye County, Nevada, will be officially filed in the district land office at Carson City, Nevada, on March 25, 1927, at 9 o'clock a. m.

For 91 days, beginning March 25, 1927, the unreserved land represented on said plats will be opened to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on March 25, 1927. At 9 o'clock a. m. on June 24, 1927, the land remaining unentered and unreserved will become available for entry under any applicable public land law by the public generally.

T. 47 N., R. 34 E., M. D. M.--Area surveyed; 20,955.78 acres. Land; rolling to mountainous, elevation about 5,000 to 7,000 feet above sea level. Soil; light sandy, rocky and gravelly clay. Some loam along the creeks. Timber; some aspen along the creeks. Evidence of minerals; some placer mining has been done along China Creek. No other evidence of minerals noted. The township is well watered and is suitable for stock grazing.

T. 10 N., R. 52 E., M. D. M., Nevada.--Area surveyed; 15,761.21 acres. The land is generally hilly and broken mountainous. The soil varies from a fine, loose sand along the bottoms of the shallow draws to a heavy clay and rocky loam on the high rocky slopes. The timber is quite scrubby and is of little value except for fuel and fence posts, and consists of juniper and pinon. The only water in the township is found at Squaw Wells in the NE$\frac{1}{4}$ NE$\frac{1}{4}$ of Sec. 23, and a small seep in the bottom of a wash in the SE$\frac{1}{4}$ SW$\frac{1}{4}$ of Sec. 27. No indications of mineral were noted.

(672)

WYOMING: OPEN TO ENTRY THROUGH SURVEY.

The plat of surveys in Sec. 6, T. 32 N., R. 79 W., 6th P. M., Natrona County, Wyoming, will be officially filed in the district land office at Cheyenne, Wyoming, on March 30, 1927, at 9 o'clock a. m.

For 91 days, beginning March 30, 1927, the unreserved lands represented on said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on March 30, 1927. At 9 o'clock a. m. on June 29, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

This plat represents the survey of 90.72 acres of public lands. Land: mountainous. Soil: stony and sandy clay loam. Timber: pine and aspen. The adjoining territory is known to be mineralized.

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(673)

WYOMING:

RECOVERED THROUGH CANCELLATION OF PATENT.

Three hundred twenty and twenty-eight hundredths acres in Campbell County, Buffalo land district, opened to surface entry only by ex-service men of the war with Germany under the homestead or desert-land laws for a period of 91 days, beginning March 16, 1927. The applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after June 15, 1927, the land, if unentered, will be subject to appropriation under any applicable public land laws by the general public.

The land has been recovered by the United States through cancellation of patent and has been designated under the enlarged homestead act. Further information, if desired, may be obtained from the United States land office at Buffalo, Wyoming.

(674)

NEW MEXICO:

OPEN TO ENTRY THROUGH SURVEY.

The plat of resurvey in Sec. 31, T. 25 N., R. 10 E., N. M. P. M., Taos County, New Mexico, will be officially filed in the district land office at Santa Fe, New Mexico on March 30, 1927, at 9 o'clock a. m.

For 91 days, beginning March 30, 1927, the unreserved and unappropriated lands represented on said plat will be opened to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on March 30, 1927. At 9 o'clock a. m. on June 29, 1927, the land remaining unentered and unreserved will become available for entry under any applicable land law by the public generally.

The plat represents the resurvey of 642.36 acres of public land, a portion of which was formerly in the Ojo Caliente grant. The land is reported as being broken and rocky, bearing dense cedar and pinon timber, and a heavy under growth of brush and grass.

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(675)

CALIFORNIA:
OREGON:

MEMORANDUM.

Public order of January 22, 1927, opens to entry 145 farm units within the Tule Lake division of the Klamath Irrigation Project in T. 48 N., Rs. 4 and 5 E., M. D. M., Siskiyou and Modoc counties, California, and T. 41 S., Rs. 11 and 12 E., W. M., Klamath County, Oregon, subject to the reclamation act of June 17, 1902 (32 Stat., 388).

Of the units, 54 were heretofore opened to entry but the public notice was thereafter suspended and the preference right period given to veterans of the World War still had about twelve days to run; for these units, a preference right period is accorded veterans of the World War until March 15, 1927, and for the balance of the farm units, a preference right period is given until June 1, 1927, after which times the farm units will be subject to entry by the first qualified applicant, provided that he has also satisfied the examining board appointed for the Klamath Irrigation Project, that he is possessed of certain qualifications as to industry, experience, character, and capital as will give reasonable assurance of success by the prospective settler. The farms contain from 14 to 87 irrigable acres each. Farm application blanks filed with the project superintendent at Klamath Falls, Oregon, during the 10-day period from March 1 to March 10, 1927, inclusive, will be considered as simultaneously filed.

(676)
UTAH:

OPEN TO ENTRY THROUGH SURVEY.

The plats of surveys in T. 15½ S., Rs. 25 and 26 E., and T. 16 S., R. 26 E., S. L. M., Grand County, Utah, will be officially filed in the district land office at Salt Lake City, Utah, on March 29, 1927, at 9 o'clock a. m.

For 91 days, beginning March 29, 1927, the unreserved lands represented on said plats will be open for entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on March 29, 1927. At 9 o'clock a. m. on June 28, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

T. 15½ S., R. 25 E.--Area surveyed, 2,649.58 acres. Land; rough mountainous, not suitable for farming. Soil; red sand, sandy and black loam on clay subsoil or bedrock; first to fourth rate. Timber; aspen and balsam. No indications of oil, coal, or other mineral. No settlers, improvements, nor roads.

T. 15½ S., R. 26 E.--Area surveyed, 1,072.24 acres. Land; abrupt and mountainous, not suitable for farming, 8,000 feet above sea level. Soil; red sand and dark sandy loam from 3 inches to 3 feet in depth on clay subsoil or bedrock, second to fourth rate. Small seams of coal exposed on canyon sides. No indications of other mineral or oil. No settlers, improvements, nor roads.

T. 16 S., R. 26 E.--Area surveyed, 9,476.08 acres. Land; rough and mountainous from 5,000 to 8,000 feet above sea level. Soil; light red sandy loam on dark clay subsoil or bedrock, first to fourth rate. Land unfit for farming. It is probable that the greater part of the township is underlaid with coal. No indications of other mineral or oil.

(677)
ARIZONA:

OPEN TO ENTRY THROUGH SURVEY.

The plats of survey of the following townships will be officially filed in the district land office at Phoenix, Arizona, on April 1, 1927, at 9 o'clock a. m.:

| | | | |
|---|---|---|---|
| T. 35 N., | R. 6 W., | G. and S. R. M., | Mohave County. |
| T. 38 N., | R. 6 W., | " | " |
| T. 35 N., | R. 7 W., | " | " |
| T. 36 N., | R. 8 W., | " | " |
| T. 36 N., | R. 10 W., | " | " |
| T. 35 N., | R. 11 W., | " | " |
| T. 36 N., | R. 11 W., | " | " |
| T. 37 N., | R. 11 W., | " | " |
| T. 37 N., | R. 12 W., | " | " |
| T. 39 N., | R. 13 W., | " | " |

For 91 days, beginning April 1, 1927, the unreserved land represented on said plats will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on April 1, 1927. At 9 o'clock a. m. on July 1, 1927, the land remaining unentered and unreserved will become available for entry under any applicable public land law by the public generally.

T. 35 N., R. 6 W.--Area surveyed, 22,985.08 acres. Land; rolling and broken. Soil; rocky. Timber; cedar and pinon. Water; none. No mention was made in the field notes of mineral indication or suitability of this township for grazing purposes.

T. 38 N., R. 6 W.--Area surveyed, 22,976.15 acres. Land; nearly level to rough mountainous. Soil; gumbo, third rate. Timber; scattering cedar and pinon along north boundary of township. The township is suitable for grazing and is so used at present. Yellow Stone Spring is located in Sec. 4.

T. 35 N., R. 7 W.--Area surveyed, 22,972.61 acres. Land; level to rolling to mountainous. Soil; stony, third and fourth rate. Timber; scattering juniper and pinon. The township is suitable for grazing purposes. There is no available water except the John Schmutz Reservoir in Sec. 33.

T. 36 N., R. 8 W.--Area surveyed, 22,907.44 acres. Land; rolling and mountainous. Soil; rocky, third and fourth rate. Timber; scattering cedar and pinon. The township is used for grazing purposes. There are no known springs or running water in this township. There is a reservoir in Sec. 9.

T. 36 N., R. 10 W.--Area surveyed, 23,011.04 acres. Land; rolling to rough mountainous. Soil; clay loam, second and third rate. Timber; pinon and cedar. There are several farms below the Hurricane Ledge district. There are no known running streams or springs in this township. The settlers have built watering holes or reservoirs to impound water for their stock. The township is being largely used for dry farming and stock raising.

T. 35 N., R. 11 W.--Area surveyed, 22,990.72 acres. Land; gently rolling to mountainous. Soil; rocky, third and fourth rate. Timber; cedar and pinon. Ivanpah Spring is located in the NE¼ Sec. 33, and New Spring is near the center of Sec. 20. The township is suitable for grazing purposes. No evidence of mineral was found.

T. 36 N., R. 11 W.--Area surveyed, 23,095.80 acres. Land; rolling. Soil; rocky third and fourth rate. Timber; scattering cedar and juniper. There are no springs or running streams within the township. Water for stock is obtained from reservoirs located in Secs. 2 and 16. The township is used for grazing.

T. 37 N., R. 11 W.--Area surveyed, 23,073.52 acres. Land; rolling. Soil; rocky, third and fourth rate. Timber; scattering cedar and pinon. The eastern portion of this township is nearly level and suitable for dry farming. The township is now used for grazing purposes. There are no springs or running water within the township. There is a reservoir in Sec. 13.

T. 37 N., R. 12 W.--Area surveyed, 23,065.44 acres. Land; rolling. Soil; rocky, fourth rate. Timber; cedar and pinon.

T. 39 N., R. 13 W.--Area surveyed, 22,968.15 acres. Land; rolling and mountainous. Soil; rocky, fourth rate. Timber; thin growth of cedar and pinon. There are two large springs of good water. Black Rock Spring in Sec. 5 and Maple Spring in Sec. 17. Also two small springs of seepage water unfit to drink, one in Sec. 31, and the other in Sec. 24. The township is used for grazing purposes.

(678)

WYOMING:

FROM STOCK DRIVEWAY WITHDRAWAL.

Forty acres in Sweet Water County, Cheyenne land district, open to surface entry only by qualified ex-service men of the war with Germany under the homestead or desert-land laws for a period of 91 days, beginning March 15, 1927. The area is restored subject to such right of way and station grounds that may have been located thereon by the Union Pacific Railroad Company under the act of July 1, 1862 (12 Stat., 489). Applications of ex-service men may be presented at any time within the 20 days prior to March 15, 1927. On and after June 16, 1927, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

The land is released from a stock driveway withdrawal and further information, if desired, may be obtained from the local land office at Cheyenne, Wyoming.

(679)
UTAH:

OPEN TO ENTRY THROUGH SURVEY.

The plats of surveys in the following townships will be officially filed in the district land office at Salt Lake City, Utah, on March 29, 1927, at 9 o'clock a. m.:

T. 23 S., R. 15 W., S. L. M., Millard County.
T. 24 S., R. 15 W., " "
T. 23 S., R. 16 W., " "
T. 24 S., R. 16 W., " "

All the lands represented on said plats were withdrawn for the benefit of the State and for 60 days, beginning March 29, 1927, the State will have a preference right to make selections therefrom under the provisions of the act of August 18, 1894 (28 Stat., 394). Beginning at 9 o'clock a. m. on May 28, 1927, the unreserved lands represented on the plats remaining unselected or unentered will be held for a period of 91 days for entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. Upon the expiration of the 91-day period, or at 9 o'clock a. m. on August 27, 1927, the lands then remaining vacant and unreserved will become subject to entry under any applicable public land laws by the public generally. Soldiers applications may be executed and filed at any time during the 60-day period and will be held subject to the dominant right of the State. All applications so filed, when not in conflict with the selections made by the State, will be treated as though filed simultaneously at 9 o'clock a. m. on May 28, 1927. For 20 days prior to August 27, 1927, the general public may execute and file applications, and all so filed will be treated as though filed simultaneously at 9 o'clock a. m. on August 27, 1927.

T. 23 S., R. 15 W.--Area surveyed, 23,995.75 acres. Land; level and rolling, desert in southern portion; rough broken mountainous in northern portion. Soil; sandy clay loam, very rocky on steep slopes. Timber; scattering scrub juniper and pinon in extreme western, northwestern, and northern portions, which has little commercial value. Undergrowth; shadscale, sage, yellow top, and bunch grass, the latter of which affords good grazing for stock. There is no water in the township except rain water which collects in small natural reservoirs during certain portions of the year. The area is principally valuable for grazing purposes. There is no evidence of coal, oil, oil shale, or other minerals.

T. 24 S., R. 15 W.--Area surveyed, 20,995.04 acres. Land; mountainous in southern and extreme western portions; rolling and nearly level desert in remainder of township. Soil; sandy clay, very rocky in places, second to fourth rate. Timber; scrubby juniper and pinon in mountainous portion of township. Undergrowth; shadscale, sage, yellow top, and bunch grass. There are no watering places within the township which is principally valuable for grazing purposes. There is no evidence of mineral, oil, oil shale, or coal.

T. 23 S., R. 16 W.--Area surveyed, 24,070.33 acres. Land; mountainous except NW¼ which is rolling desert. Soil; coarse, sandy rocky loam in mountainous portion; sandy clay loam in rolling portions. Timber; scattering scrub juniper and pinon in mountainous portions. Undergrowth; shadscale, sagebrush, and grasses, the latter of which afford grazing for stock. The only water in the township is a small stream in the SW¼ SE¼ of Sec. 23. No portion of the area is suitable for cultivation but affords excellent grazing for stock. There is no indication of mineral, oil, oil shale, or coal.

T. 24 S., R. 16 W., S. L. B. and M.--Area surveyed, 23,013.54 acres. Land; rough mountainous in eastern portion, remainder of township rolling valley broken by small ridges. Soil; very rocky limestone formation in mountainous portion, sandy clay loam in valley. Timber; scattering cedar and pinon. Undergrowth; sagebrush, shadscale, yellow top, mountain rush, and native grasses. There is no water in the township which is principally valuable for grazing purposes. No indication of mineral was noted.

NEW MEXICO:

OPEN TO ENTRY THROUGH SURVEY.

The plats of surveys in the following townships will be officially filed in the district land office at Santa Fe, New Mexico, on April 1, 1927, at 9 o'clock a. m.

| | | | |
|---|---|---|---|
| T. 18 N., | R. 7 E., | N. M. P. M., | Santa Fe County. |
| T. 19 N., | R. 7 E., | " | " |
| T. 18 N., | R. 8 E., | " | " |
| T. 19 N., | R. 8 E., | " | " |
| T. 18 N., | R. 9 E., | " | " |
| T. 21 N., | R. 8 E., | " | Rio Arriba County. |

For 91 days, beginning April 1, 1927, the unreserved lands represented on said plats will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on April 1, 1927. At 9 o'clock a. m. on July 1, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

T. 18 N., R. 7 E.--Area surveyed, 364.03 acres. Land: level mesa and steep, rocky slopes. Soil: gravelly and rocky, third and fourth rate. Timber: scattering pinon. Mineral: no evidence. There is a small spring in Canyon Diablo. The land is not suited to agriculture, and is of but limited value for grazing.

T. 19 N., R. 7 E.--Area surveyed, 758.37 acres. Land: mesa and steep, rocky slopes. Soil: gravelly and rocky, third and fourth rate. Timber: scattering pinon. Mineral: no evidence. There is no available water, but the township is used for stock grazing.

T. 18 N., R. 8 E.--Area surveyed, 17,787.67 acres. Land: broken and hilly. Soil: sandy loam, second and third rate. Timber: heavy growth of pinon and cedar. Mineral: no evidence. The township is suitable for stock grazing.

T. 19 N., R. 8 E.--Area surveyed, 5,529.99 acres. Land: hilly. Soil; sandy and gravelly, third and fourth rate. Timber: pinon and cedar. Mineral; no indications. The township has but slight value as grazing land.

T. 21 N., R. 8 E.--Area surveyed, 284.42 acres. Land: hilly and broken. Soil: gravelly, rocky clay, third and fourth rate. Timber: cedar and pinon. Mineral: no indications. Part of fractional Section 6 is occupied by small holding claims and the lands are irrigated by water from Chama River.

T. 18 N., R. 9 E.--Area surveyed, 6,651.11 acres. Land: hilly. Soil: sandy and gravelly, third and fourth rate. Timber: scrub pinon and cedar. Mineral: no indications. The township is suitable for stock grazing.

(681)

ARIZONA:

OPEN TO ENTRY THROUGH SURVEY.

The plats of surveys in the following townships will be officially filed in the district land office at Phoenix, Arizona, on April 1, 1927, at 9 o'clock a. m.:

| | | | |
|---|---|---|---|
| T. 18 S., | R. 2 W., | G. and S. R. M., | Pima County. |
| T. 18 S., | R. 3 W., | " | " " |
| T. 19 S., | R. 2 W., | " | " " |
| T. 19 S., | R. 3 W., | " | " " |
| T. 11 S., | R. 4 E., | " | " " |
| T. 11 S., | R. 18 E., | " | " " |
| T. 7 S., | R. 17 E., | " | Pinal County. |
| T. 7 S., | R. 18 E., | " | " " |
| T. 8 S., | R. 18 E., | " | " " |
| T. 10 S., | R. 18 E., | " | " " |
| T. 10 S., | R. 17 E., | " | " " |
| T. 8 S., | R. 1 E., | " | Maricopa County. |
| T. 9 S., | R. 1 E., | " | " " |
| T. 6 S., | R. 19 E., | " | Graham County. |
| T. 6 S., | R. 22 E., | " | " " |
| T. 11 S., | R. 19 E., | " | " " |
| T. 12 S., | R. 20 E., | " | Cochise County. |

A large portion of the land represented on said plats were withdrawn for the benefit of the State, and for 60 days, beginning with the date of the filing of the plats, the State of Arizona will have a preference right to make selections therefrom under the provisions of the act of August 18, 1894 (28 Stat., 394). Upon the expiration of the 60-day period, or beginning at 9 o'clock a. m. on May 31, 1927, the land remaining unreserved or selected by the State will be held for a period of 91 days for entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons having a preference right to the land superior to that of the soldier. Upon the expiration of the 91-day period, or at 9 o'clock a. m. on August 30, 1927, the land then remaining vacant will become subject to entry under all applicable public land laws by the general public. Soldiers applications may be executed and filed any time during the 60-day period and will be held subject to the dominant right of the State. All applications so filed, when not in conflict with the selections made by the State, will be treated as though filed simultaneously at 9 o'clock a. m. on May 31, 1927.

For 91 days, beginning April 1, 1927, the lands represented on said plats which are not withdrawn for the benefit of the State, or not in a state of reservation, will be subject to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plats. At 9 o'clock a. m. on July 1, 1927, the lands remaining unentered will become subject to entry under any applicable public land law by the general public.

Group 101, Arizona.

T. 18 S., R. 2 W.--Area surveyed: 23,067.72 acres. Nearly level desert except the NE¼ which is mountainous. Soil: sand and adobe in desert, very rocky in mountains. There is no timber. Vegetation consists of mesquite, ironwood, palo verde, greasewood, sage, and cacti. There is no surface water in the township, and no indication of mineral was noted.

T. 19 S., R. 2 W.--Area surveyed: 9,173.16 acres. Land: nearly level desert except for a ridge of volcanic formation in the western portion. Soil: adobe and sand in desert, rocky on slopes of ridge. There is no timber. Vegetation consists of a heavy growth of the varieties of brush common to the arid lands of Arizona. There are no streams or springs, and no indication of valuable mineral was noted.

T. 18 S., R. 3 W.--Area surveyed: 23,372.25 acres. Land: mountainous in western portion, nearly level in east. Soil: very rocky in mountains, adobe and sandy loam in level portion. There is no timber. Vegetation consists of the usual varieties of brush common to the arid regions of Arizona, some of which is useful for fuel and for fencing purposes. The climate precludes agriculture except with irrigation. There is no surface water except that impounded in a reservoir in Sec. 35. No indication of mineral was noted.

T. 19 S., R. 3 W.--Area surveyed: 1,498.31 acres. Land: mountainous and nearly level in about equal proportions. Soil: adobe and sand in level portions, rocky in mountains. There is no timber. Vegetation consists of a heavy growth of greasewood, sagebrush, scrub palo verde, mesquite, ironwood, and cactus. There is no surface water in the area, and no agricultural possibilities other than a small amount of grazing for stock. No indication of mineral was noted.

T. 8 S., R. 1 E.--Area surveyed: 22,998.08 acres. Land: level except the extreme northwest portion which is mountainous. Soil: in Secs. 5, 6, 7, and 8 very rocky, in remainder of township sandy and gravelly. Vegetation consists of a dense growth of the brush of the varieties common to the deserts of Arizona. The only surface water in the township is that impounded in a small reservoir in the SE¼ of Sec. 26. No indication of mineral was noted.

T. 9 S., R. 1 E.--Area surveyed: 11,497.13 acres. The remainder of the township, which is unsurveyed, is within the Papago Indian Reservation. Land: nearly level. Soil: adobe, sandy and gravelly. Timber: a small amount of mesquite, palo verde, and ironwood. Undergrowth: small timber, greasewood, catclaw, ocatilla, creosote, giant cactus, and a fair growth of native grasses. There are no springs or permanent streams. A reservoir for periodical storage of water is located in the NW¼ of Sec. 14. There are no indications of valuable mineral deposits.

T. 11 S., R. 4 E.--Area surveyed: 23,379.51 acres, of which 11,902.43 acres are within the Papago Indian Reservation. The land in T. 11 S., R. 4 E., except for two limestone buttes in the northeast portion, is nearly level. Large portions of the township are subject to overflow. The soil varies from a hard, red clay to sand and fine gravel. Vegetation consists of mesquite, catclaw, and greasewood. Farms are located in Secs. 29, 32, and 34 on which good crops of

wheat have been raised in wet seasons. The township, however, is principally valuable for grazing purposes. No indication of mineral is noted.

Group 125, Arizona.

T. 11 S., R. 18 E.--Area: 10,979.26 acres. Land: rolling and mountainous, mean elevation about 3,000 feet above sea level. Soil: sand and gravelly, second and third rate. Timber: scattering mesquite and palo verde. Evidence of mineral: none. Watering places: Peck Spring in NW¼ of Sec. 18. Industry: stock grazing.

T. 12 S., R. 20 E.--Area: 14,640.12 acres. Land: mountainous, average elevation about 2,500 feet above sea level. Soil: gumbo, clay, sand, and rock. Timber: mesquite, juniper, oak, and manzanita. Evidence of mineral: none. Watering places: Cottonwood Spring in NW¼ of Sec. 12, and Cherry Creek Canyon has water in places, and some water in "Double R" Canyon. Industry: stock raising.

T. 10 S., R. 17 E.--Area: 22,995.77 acres. Land: rolling, approximate elevation 3,500 feet above sea level. Soil: sand and gravel, second and third rate. Timber: palo verde and mesquite. Evidence of mineral: none. No water in this township. Industry: stock raising.

T. 10 S., R. 18 E.--Area: 7,304.19 acres. Land: rolling and broken. Soil: sand and gravel. Timber: scattering mesquite and palo verde. No evidence of mineral. There is a small stream in Sec. 24 and a well in S½ of Sec. 31. Industry: stock grazing.

T. 8 S., R. 18 E.--Area: 22,583.79 acres. Land: mountainous. Soil: sandy and granite formation, second to fourth rate. Timber: juniper, mesquite, oak, and palo verde. Evidence of mineral: there are many zinc and lead mines in the hills which were not operating at the time of survey. Industry: mining and grazing. Copper Creek is a source of water the year round. The township is well settled.

T. 7 S., R. 18 E.--Area: 23,582.87 acres. Land: mountainous. Soil: rocky and sandy, third and fourth rate. Timber: pinon, juniper, oak, mesquite, buck thorn, and cottonwood. Evidence of mineral: the Table Mountain mine and stamp mill are located in Sec. 23. Several prospects are located along the east side of the mountain range. Watering places: Oak Spring in Sec. 8, Mud Springs in Sec. 18, Willow Springs in Sec. 29, in addition to numerous other small springs and running streams throughout the township. Industry: stock grazing and mining.

T. 7 S., R. 17 E.--Area: 9,614.54 acres. Land: rolling and broken. Soil: gravelly and quite fertile. Timber: none. Water: Aravaipa Creek. Industry: stock grazing. No mention was made in the field notes of mineral indications.

T. 6 S., R. 22 E.--Area: 23,280.96 acres. Land: mountainous. Approximate elevation of the east boundary is 3,500 feet above sea level. Soil: sandy loam, second rate; rocky, third and fourth rate. Timber: mesquite, juniper, and cat-claw. Evidence of mineral: none. Industry: stock grazing. There is a spring in Sec. 17, and seepages in Secs. 19, 29, and 36.

T. 6 S., R. 19 E.--Area: 12,676.44 acres. Land: mountainous. Soil: black loam, first rate, in Aravaipa Valley. Sandy, gravelly and rocky, second to fourth rate in the hills. Timber: juniper, mesquite, sycamore, ash, and cedar. Evidence of mineral: none. Industry: stock grazing in the hills, and some farming in Aravaipa Valley. Water is available in Aravaipa Creek, Turkey Creek, and at the Dowdle ranch in Sec. 12.

T. 11 S., R. 19 E.--Area: 22,834.54 acres. Land: rolling and broken to mountainous. Soil: gravelly loam, third and fourth rate. Timber: none. Mineral indications: none. The township is well watered. There is a sheep ranch in Sec. 10. The township is largely used for stock grazing.

(682)
UTAH:

OPEN TO ENTRY THROUGH SURVEY.

The plats of surveys in Ts. 17 and 18 S., R. 17 E., S. L. M., Grand and Emery Counties, Utah, will be officially filed in the district land office at Salt Lake City, Utah, on April 4, 1927, at 9 o'clock a. m.

All the lands represented on said plats were withdrawn for the benefit of the State and for 60 days, beginning April 4, 1927, the State will have a preference right to make selections therefrom under the provisions of the act of August 18, 1894 (28 Stat., 394). Beginning at 9 o'clock a. m. on June 4, 1927, the unreserved lands represented on the plats remaining unselected or unentered will be held for a period of 91 days for entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. Upon the expiration of the 91-day period, or at 9 o'clock a. m. on September 3, 1927, the lands then remaining vacant and unreserved will become subject to entry under any applicable public land laws by the public generally. Soldiers' applications may be executed and filed at any time during the 60-day period and will be held subject to the dominant right of the State. All applications so filed when not in conflict with the selections made by the State will be treated as though filed simultaneously at 9 o'clock a. m. on June 4, 1927. For 20 days prior to September 3, 1927, the general public may execute and file applications and all so filed will be treated as though filed simultaneously at 9 o'clock a. m. on September 3, 1927.

The plat of T. 17 S., R. 17 E., represents the survey if 11,775.45 acres of public land, a portion of which lying within ¼ mile of Green River is withdrawn for powersite purpose. The soil is a shallow, rocky, red sand on bedrock. There is a scattering growth of cottonwood and box elder timber in the township. No mention was made in the field notes of mineral indications in this township, but exposed coal veins were noted. The township is well watered; is valuable for its spring and fall range for cattle and sheep, and has valuable possibilities in its powersites.

The plat of T. 18 S., R. 17 E., represents the survey of 22,546.64 acres of public land, a portion of which lying within ¼ mile of Green River is withdrawn for powersite purpose. The soil is a shallow, rocky, red sand on bedrock. There is a scattering growth of cottonwood and box elder timber in the township. No mention was made in the field notes of mineral indications in this township, but exposed coal veins were noted. The township is well watered; is valuable for its spring and fall range for cattle and sheep, and has valuable possibilities in its power sites.

MEMORANDUM.

The plat of surveys in T. 23 S., R. 30 E., M. D. M., California, will be officially filed in the district land office at Visalia, California, on March 28, 1927, and the land will be opened to entry subject to the soldiers' 91-day preference right period, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. No public notice, however, has been prepared by the General Land Office for distribution in Washington, for the reason that all the land represented on said plat, except a small portion in Sections 4, 5, and 6, is within the Sequoia National Forest; that most of the land if not all, not in the forest is covered by valid settlement and other equitable claims.

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RECENT EXECUTIVE ORDERS AND PROCLAMATIONS.

About 360 acres in Colorado have been withdrawn by order of January 22, in aid of pending legislation proposing to grant lands to the city of Golden for water supply purposes.

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Approximately 160 acres in Alaska have been withdrawn by order of January 24, for use by Bureau of Fisheries, Department of Commerce, in connection with its duties for the enforcement of salmon fishery laws and investigatorial work.

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The trust period on allotments of the Sac and Fox of the Missouri Indians in Kansas and Nebraska, which would otherwise have expired in 1927, has been extended for a period of 10 years by order of January 24.

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Whaler Island, unsurveyed and situated in Pacific Ocean, in approximately Sec. 33, T. 16 N., R. 1 W., H. M., California, has been withdrawn by orders of January 28 and February 12, in aid of legislation and in connection with the improvement of the harbor at Crescent City.

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By order of January 28, the SW$\frac{1}{4}$ NE$\frac{1}{4}$ of Sec. 31, T. 7 S., R. 13 W., St. Stp. M., has been released from order of July 3, 1925, of all lands on the mainland within 3 miles of the coast in the State of Mississippi.

By order of January 28, part of Fort Jackson Military Reservation in Louisiana was transferred from the War Department to the Department of Commerce for use for lighthouse purposes.

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By proclamation of January 28, certain lands in Virginia and West Virginia, found to be unsuitable for acquisition, have been excluded from the Shenandoah National Forest, and certain lands included therein which have been or may hereafter be acquired under the act of March 1, 1911 (36 Stat., 961).

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The proclamation of August 24, 1926, whereby the United States conveyed certain lands in Porto Rico theretofore reserved for military and governmental purposes to the municipality of San Juan for street use has been amended by proclamation of January 29.

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By order of January 29, the NW¼ SW¼ of Sec. 5, T. 38 S., R. 22 E., W. M., Oregon, containing 40 acres, has been withdrawn for use by the Forest Service, Department of Agriculture, as a lookout station in connection with the administration of the Fremont National Forest.

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By order of February 12, a tract of 165.63 acres in Sec. 6, T. 5 S., R. 10 E., G. & S. R. M., Arizona, has been withdrawn for classification and in aid of pending legislation embodied in H. R. 17037, 69th Congress.

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By order of February 16, public lands in certain sections in Ts. 30, 31, and 32 N., Rs. 14, 15, and 16 E., M. D. M., California, have been withdrawn for exclusive use and benefit of the United States Navy for development of and use as an ammunition depot.

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The trust periods on allotments of the Cheyenne, Arapaho, Ottawa, Seneca, and Wyandotte Indians in Oklahoma, which would have otherwise expired in 1927, have been extended for ten years by orders of February 17.

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By order of February 18, the SW¼ NE¼ of Sec. 18, T. 43 N., R. 9 W., M. D. M., California, has been withdrawn for town-site purposes.

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By order of February 21, the S½ NE¼ and N½ SE¼ of Sec. 22, T. 27 N., R. 1 E., S. B. M., have been released from order of December 1, 1913, creating Public Water Reserve No. 13, California No. 1.

## OIL AND GAS ACTIVITIES.

During the month of February the division handling oil and gas prospecting permits under sections 13 and 20 of the leasing act received 257 new applications and 2,114 cases for reconsideration. Permits were granted in 350 cases, 1,063 applications finally rejected on drawings, 148 applications finally rejected for conflicts in entirety, and 81 finally rejected in part; 327 applications were rejected subject to appeal in entirety, and 26 in part; 11 appeals were transmitted to the Secretary and departmental decisions promulgated in 18 cases, 12 affirming, 3 modifying, and 3 reversing (2 on Survey reports) decisions of this office; 61 assignments were disposed of and 280 applications for extensions of time were acted upon; 127 permits were held for cancellation, 61 canceled in entirety, and 3 canceled in part; 523 applications were examined and reports called for from the Geological Survey, and 421 reports were received; 310 cases are awaiting reports from the Geological Survey and Reclamation Bureau in addition to 355 new applications awaiting reports. 2,611 letters were written, of which 210 were replies to inquiries.

Under the relief sections of the act and other sections providing for the issuance of leases, 5 leases were delivered involving 3 cases, and 2 permits were granted in Red River, Oklahoma, under the relief act of March 4, 1923. Two lease applications were returned for completion and 1 lease application was finally rejected; 7 leases, involving 4 cases, were recommended to the Secretary, 1 lease was mailed for execution; 13 leases, involving 7 cases, were submitted to the Secretary for execution, and 5 leases, involving 3 cases, were completed and delivered to the lessees. Two lease applications were held for rejection subject to appeal, and 1 lease was held for cancellation; departmental decisions were promulgated in 4 cases affirming this office; 23 assignments were disposed of involving 20 cases; 5 applications for extensions of time were acted upon; drilling relief was granted on 1 lease; 5 sales contracts were acted upon, and 1 drilling contract was rejected. Miscellaneous actions involving bonds, protests, and applications for reductions of royalty also received consideration. One hundred and twenty-one letters were written, of which 39 were replies to inquiries.

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## RECEIPTS UNDER MINERAL LEASING ACT.

The receipts under the mineral leasing act of February 25, 1920, during the month of January, 1927, were $576,062.80, of which $960 was from lands within naval petroleum reserves.

CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES
FOR THE MONTH OF JANUARY, 1927.

| OFFICES. | Business of current month. | | | | | Pending at end of month. | | |
|---|---|---|---|---|---|---|---|---|
| | A | B | C | D | Total. | 6 | 7 | 8 |
| Alabama | | | | | | | | |
| Montgomery | 31 | 289 | 12 | | 332 | | 24 | |
| Arizona | | | | | | | | |
| Phoenix | 262 | 950 | 228 | 11 | 1,451 | 116 | 159 | |
| Arkansas | | | | | | | | |
| Little Rock | 75 | 765 | 38 | 3 | 881 | | 139 | |
| California | | | | | | | | |
| Los Angeles | 279 | 1,032 | 278 | 10 | 1,599 | 68 | 193 | |
| Sacramento | 68 | 657 | 110 | 9 | 844 | 81 | 83 | |
| San Francisco | 55 | 528 | 77 | 6 | 666 | 81 | 37 | |
| Visalia | 57 | 407 | 152 | 7 | 623 | 16 | 96 | |
| Colorado | | | | | | | | |
| Denver | 86 | 802 | 83 | 3 | 974 | 60 | 103 | |
| Glenwood Springs | 119 | 1,358 | 243 | 1 | 1,721 | 131 | 433 | |
| Pueblo | 159 | 1,130 | 142 | 11 | 1,442 | 113 | 141 | |
| Florida | | | | | | | | |
| Gainesville | 82 | 1,413 | 88 | 11 | 1,594 | | 55 | |
| Idaho | | | | | | | | |
| Blackfoot | 81 | 841 | 103 | 3 | 1,028 | 130 | 92 | |
| Boise | 45 | 502 | 20 | 1 | 568 | 26 | 36 | |
| Coeur d' Alene | 22 | 231 | 20 | | 273 | 3 | 28 | |
| Louisiana | | | | | | | | |
| Baton Rouge | 17 | 443 | 42 | 2 | 504 | | 38 | |
| Minnesota | | | | | | | | |
| Cass Lake | 51 | 595 | 21 | 2 | 669 | | 26 | |
| Montana | | | | | | | | |
| Billings | 195 | 2,041 | 228 | 1 | 2,465 | 180 | 235 | |
| Great Falls | 529 | 2,089 | 716 | 17 | 3,351 | 171 | 494 | |
| Nebraska | | | | | | | | |
| Alliance | 24 | 325 | 9 | 1 | 359 | 18 | 5 | |
| Nevada | | | | | | | | |
| Carson City | 38 | 313 | 72 | 7 | 430 | 24 | 31 | |
| Elko | 24 | 111 | 22 | 1 | 158 | 65 | 17 | |
| New Mexico | | | | | | | | |
| Las Cruces | 383 | 1,253 | 485 | 16 | 2,137 | 99 | 208 | |
| Santa Fe | 272 | 1,339 | 301 | 14 | 1,926 | 112 | 284 | |
| North Dakota | | | | | | | | |
| Bismarck | 19 | 572 | 42 | | 633 | 21 | 24 | |
| Oklahoma | | | | | | | | |
| Guthrie | 40 | 321 | 34 | 5 | 400 | 19 | 20 | |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Oregon | | | | | | | |
| Lakeview | 50 | 328 | 50 | 1 | 429 | 38 | 52 |
| Portland | 28 | 331 | 37 | | 396 | | 7 |
| Roseburg | 40 | 1,007 | 38 | 3 | 1,088 | 5 | 35 |
| The Dalles | 49 | 642 | 23 | 5 | 719 | 103 | 27 |
| Vale | 29 | 265 | 47 | 2 | 343 | 21 | 52 |
| South Dakota | | | | | | | |
| Pierre | 64 | 875 | 102 | | 1,041 | 57 | 37 |
| Utah | | | | | | | |
| Salt Lake City | 446 | 1,357 | 299 | 6 | 2,108 | 402 | 419 |
| Vernal | 14 | 171 | 49 | | 234 | 29 | 14 |
| Washington | | | | | | | |
| Seattle | 3 | 166 | 24 | | 193 | 2 | 4 |
| Spokane | 20 | 381 | 36 | 2 | 439 | 26 | 29 |
| Wyoming | | | | | | | |
| Buffalo | 142 | 927 | 179 | 7 | 1,255 | 81 | 102 |
| Cheyenne | 176 | 1,327 | 273 | 21 | 1,797 | 117 | 127 |
| Evanston | 161 | 666 | 108 | 1 | 936 | 60 | 130 |
| Lander | 29 | 341 | 128 | 4 | 502 | 36 | 27 |
| Total, | 4,264 | 29,091 | 4,959 | 194 | 38,508 | 2,511 | 4,063 |

Key to Column Headings.

A - Applications, proofs, etc., received.
B - Miscellaneous matters - receipts and final certificates issued, letters answered, etc.
C - Commissioner's letters received.
D - Contest cases initiated.
6 - Pending designation.
7 - Suspended, rejected, or otherwise.
8 - Pending unacted on by Register.

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TELL THE BULLETIN

To All Local Offices and Field Service Employees:

If anything occurs, in the public land service, which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin," All information should be received not later than the 24th of each month for use in the current number.

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Oregon | | | | | | | |
| Lakeview | 27 | 224 | 30 | 1 | 420 | 36 | 32 |
| Portland | 23 | 321 | 37 | | 326 | | 7 |
| Roseburg | 40 | 1,007 | 24 | 3 | 1,088 | 6 | 36 |
| The Dalles | 43 | 242 | 23 | 3 | 716 | 103 | 27 |
| Vale | 32 | 343 | 47 | 2 | 344 | 21 | 32 |
| South Dakota | | | | | | | |
| Pierre | 44 | 275 | 132 | | 1,041 | 27 | 37 |
| Utah | | | | | | | |
| Salt Lake City | 440 | 1,327 | 339 | 6 | 3,103 | 420 | 410 |
| Vernal | 14 | 171 | 49 | | 324 | 29 | 14 |
| Washington | | | | | | | |
| Seattle | 3 | 166 | 34 | | 123 | 2 | 4 |
| Spokane | 20 | 321 | 32 | 2 | 439 | 36 | 29 |
| Wyoming | | | | | | | |
| Buffalo | 142 | 327 | 1,170 | 7 | 1,324 | 21 | 320 |
| Cheyenne | 170 | 1,227 | 273 | 21 | 1,797 | 117 | 127 |
| Yellowstone | 151 | 441 | 102 | 1 | 328 | 41 | 120 |
| Yonker | 30 | 341 | 180 | 4 | 312 | 32 | 27 |
| Total. | 4,241 | 29,038 | 4,959 | 194 | 38,205 | 2,311 | 4,328 |

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## Key to Form Headings

A - Applications, proofs, etc., received.
B - Miscellaneous entries - homestead and final certificates issued, letters answered, etc.
C - Commissioner's letters received.
D - Contest cases initiated.
E - Pending adjudication.
F - Suspended, rejected, or withdrawn.
G - Pending received on 30 September.

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## Write Your Congressman

### To All Local Officers and Field Service Employees:

If anything occurs in the public land service, which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin." All information should be received not later than the 20th of each month for use in the current number.

LAND SERVICE
BULLETIN
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

By direction of the Secretary of the Interior the matter contained herein is published as administrative information and is required for the proper transaction of public business.

Vol. 11. April 1, 1927. No. 2.

## OREGON AND CALIFORNIA TAX UNIT.

Report for the month of March and status of claims of Oregon and Washington counties under the act of July 13, 1926 (44 Stat., 915), involving Oregon and California railroad revested lands.

| | | |
|---|---|---|
| Claims received (years 1916 to 1925) | (1) | $452,064.15 |
| Claims received (year 1926) | (1) | 2,969.90 |
| Claims approved (years 1916 to 1925) | (3) | 1,448,342.72 |
| Disallowances in above claims | --- | 24,573.88 |
| All claims (years 1916 to 1925) | (19) | 6,741,466.94 |
| Total certified (years 1916 to 1925) | (17) | 4,555,756.01 |
| Total disallowances (years 1916 to 1925) | --- | 228,973.97 |
| Total pending (years 1916 to 1925) | (2) | 1,956,736.97 |
| Total pending (year 1926) | (2) | 48,685.21 |

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## DISCONTINUANCE AND CONSOLIDATION OF LAND OFFICES AND DISTRICTS.

Pursuant to Executive Order No. 4612, dated March 12, 1927, as modified by Executive Order No. 4619, dated March 21, 1927, certain district land offices, as listed below, were discontinued and the districts consolidated with others, the changes to become effective at the close of business June 30, 1927.

| Land Districts and Land Offices Discontinued. | Consolidated with following Land Districts and Land Offices. |
|---|---|
| ALABAMA: | |
| Montgomery..... | General Land Office, Washington, D. C. |
| LOUISIANA: | |
| Baton Rouge..... | " " " " " |
| OKLAHOMA: | |
| Guthrie..... | " " " " " |
| CALIFORNIA: | |
| San Francisco..... | Sacramento. |
| Visalia..... | Los Angeles. |
| COLORADO: | |
| Glenwood Springs..... | Denver. |
| IDAHO: | |
| Boise..... | Blackfoot. |
| NEVADA: | |
| Elko..... | Carson City. |
| OREGON: | |
| Portland and Lakeview..... | Roseburg. |
| Vale..... | The Dalles. |
| UTAH: | |
| Vernal..... | Salt Lake City. |
| WASHINGTON: | |
| Seattle..... | Spokane. |
| WYOMING: | |
| Lander..... | Cheyenne. |

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## SURVEY NOTES.

Plats of Public Land Surveys for Congressional Library.--In compliance with a request received from the Librarian this office has arranged to supply the Library of Congress with photolithographic copies of all plats of official public land surveys as received from the contractor, and has in addition agreed to place on file at the Library copies of all photolithographic plats in stock. There are in the files of this office approximately 100,000 different plats of official public land surveys, and of these approximately 60,000 have been reproduced by photolithography. A preliminary shipment of some 800 plats was forwarded to the Library on March 19, and additional shipments will be made as

rapidly as the stock can be listed and selected. These plats are largely in demand by Members of Congress and by the public for consultation, and it is thought that their availability through the Library will add largely to their usefulness to the public at large.

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Resurveys, Colorado.--One of the largest resurvey projects in the State of Colorado planned for the coming field season is the resurvey of T. 48 N., Rs. 4 and 5 E., Ts. 49, 50, and 51 N., Rs. 3 and 4 E., and Ts. 50 and 51 N., R. 2 E., N. M. P. M., Colorado, in Gunnison and Saguache counties and lying mostly in the Gunnison and Cochetopa National Forests. These townships are high mountainous areas lying immediately west of the Continental Divide. The original surveys were made about 1880 and are in a very defective and obliterated condition, raising many questions as to appropriate procedure to be followed in protecting existing valid rights in these areas. The greater number of these townships are being resurveyed at the request of the Forest Service in the interest of proper administration of the Forest lands, the remainder being authorized upon application of settlers.

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Prospective Surveys in Utah.--A recent application by the State of Utah has been filed for the withdrawal and survey, under the provisions of the act of August 18, 1894 (28 Stat., 394), of thirty-four full townships and seven fractional townships, mostly in the southeastern part of the State.

A considerable portion of this area lies in the general locality of the Colorado and Green Rivers, and the completion of these surveys will no doubt furnish much valuable information not now at hand as to the possible availability of the area in question for the development of oil and gas.

Upon completion of the publication of notice required by the statute, the surveys will be initiated and completed from the regular appropriation for surveying the public lands.

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Prospective Resurveys in Arizona.--In connection with the area which may be found available for inclusion in the San Carlos Irrigation Project in the valley of the Gila River, Arizona, preliminary investigations under the direction of the Commissioner of Indian Affairs have been made over an area extending in a general southwesterly direction from Florence to Casa Grande. It was found that through the area examined, embracing portions of fourteen townships, the evidences of the public land surveys had been largely obliterated and it was determined that a resurvey of the area would be necessary before a definite conclusion could be reached as to the identification of the lands which might properly be included in the project.

These lands being mostly in private ownership, an agreement has been reached whereby the Bureau of Indian Affairs will assume the burden of providing the funds for the resurvey of the privately owned lands in the fourteen

townships, the General Land Office to provide those pertaining to the public lands, under the principles of the administration of the act of September 21, 1918 (40 Stat., 965). Steps have been taken to provide for the detailed field examination of survey conditions as the basis for the resurvey of the fourteen townships under consideration.

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New Surveying Instruments: Inspection.--The contractors have completed twelve new engineer's transits, equipped with improved Smith solar attachment, which are now being inspected at the factories by a Cadastral Engineer from the field Surveying Service. As rapidly as these instruments are inspected and approved for acceptance by the General Land Office, they are being shipped to the field districts in the quantities allocated to each district. It is expected that all of the instruments will be inspected and shipped to the field in time for use during the coming field season.

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Plat Sales.--For the third time within the past two years the monthly total of receipts from the sale of photolithographic copies of plats of surveys has crossed the thousand-dollar mark, the dates and amounts of the three periods being as follows:

| | |
|---|---|
| April 1925, | $1,009.50 |
| March 1926, | 1,139.50 |
| March 1927, | 1,013.75 |

Thus it appears that the demand by the public for these copies of official plats does not show any signs of abatement.

Also the issue of 3,117 copies gratuitously to other Federal Bureaus during March 1927, appears to be a record mark for a single month.

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## RECENT DEPARTMENTAL DECISIONS.

### CITY OF TUCSON v. DODSON.

(Decided by First Assistant Secretary Finney, February 10, 1927.)

TIMBER AND STONE ENTRY--TOWN SITE--EVIDENCE.

Land which is shown to be more valuable at date of application for town-site purposes than for the stone it contains is not subject to acquisition under the timber and stone law.

Phoenix 056016.

ZIGELHOFER v. REYNOLDS.

(Decided by First Assistant Secretary Finney, February 14, 1927.)

CONTEST--CONTESTANT--NOTICE--PRACTICE.

Rule 10 of Practice merely fixes the time limit for mailing of notices at not to exceed ten days after the date of first publication; it does not compel a contestant to wait until the notice is published, but he may, at any time after its issuance and within ten days after its first publication, mail the notices required.

CONTEST--CONTESTANT--NOTICE--PRACTICE.

Where a contestant is misled by an officer of the Land Department as to the Rules of Practice pertaining to the service of notice, and cancellation of the entry can not be sustained because of improper service of notice, the contest will not be dismissed but the contestant will be permitted to proceed de novo.

Denver 027621.

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MISSOURI PACIFIC RAILROAD COMPANY.

(Instructions by First Assistant Secretary Finney, March 14, 1927.)

RAILROAD GRANT--SUCCESSOR IN INTEREST.

Directions given for recognition of the Missouri Pacific Railroad Company as the successor in interest to the land grant rights of the St. Louis, Iron Mountain & Southern Railway Company.

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THADDEUS M. GRAY.

(Decided by First Assistant Secretary Finney, March 15, 1927.)

ENLARGED HOMESTEAD--ADDITIONAL--FOREST HOMESTEAD--NATIONAL FOREST--ACT OF SEPTEMBER 8, 1916.

The act of September 8, 1916, which provided for the addition of certain public lands to the Colorado National Forest and authorized the Secretary of the Interior, in his discretion, to continue the allowance of additional entries under section 3 of the enlarged-homestead act, did not confer upon that officer authority to allow an additional entry for lands within that national forest based upon an entry made under the act of June 11, 1906.

ENLARGED HOMESTEAD--ADDITIONAL--FOREST HOMESTEAD--
NATIONAL FOREST--ACT OF MARCH 4, 1923.

The act of March 4, 1923, authorizes the Secretary of the Interior to designate as subject to the enlarged-homestead acts lands embraced, at the time of such designation, within valid subsisting entries in national forests, and to permit additional entries of designated lands outside of national forests similarly as provided by section 7 of the enlarged-homestead act, but it contains no authority for the allowance of additional entries embracing lands within national forests.

Denver 031337.

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NORTHERN PACIFIC RAILWAY COMPANY.

(Order by First Assistant Secretary Finney,
March 16, 1927.)

SELECTION--INDEMNITY--RAILROAD LAND--OIL AND GAS LANDS--SURFACE RIGHTS.

A railroad company may make a selection, subject to the provisions and reservations of the act of July 17, 1914, of lands valuable for oil and gas.

PRIOR DEPARTMENTAL INSTRUCTIONS REAFFIRMED.

Instructions of September 17, 1925 (51 L. D., 196), which overruled Northern Pacific Railway Company (48 L. D., 573), in so far as in conflict, reaffirmed.

Lander 07561.

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ROYALTY INTERESTS IN OIL AND GAS PROSPECTING PERMITS NOT TO RECEIVE RECOGNITION.

(Instructions by First Assistant Secretary Finney,
March 22, 1927.)

OIL AND GAS LANDS--PROSPECTING PERMITS--ROYALTY INTERESTS.

Directions given to refuse to recognize or consider in any way mere contingent or royalty interests in oil and gas prospecting permits.

KATIE CASSIDY (ON REHEARING).

(Decided by First Assistant Secretary Finney, March 25, 1927.)

DESERT LAND--SETTLEMENT--SURVEY--PREFERRED RIGHT--APPLICATION--RELATION.

Settlement upon a tract of surveyed desert land prior to the filing of an application to make entry thereof will not confer a preferred status upon an entryman and the doctrine of relation can not be invoked to bring such a claim within the remedial provisions of section 5 of the act of March 4, 1915.

DEPARTMENTAL DECISION CITED AND DISTINGUISHED.

Case of Lucy M. Day (45 L. D., 200), distinguished.

Great Falls 054131.

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SPRINGS AND WATER HOLES--WITHDRAWAL--"RUNNING STREAMS."
OPINION OF SOLICITOR.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
Office of the Solicitor
Washington

March 8, 1927.

The Honorable
The Secretary of the Interior.

Dear Mr. Secretary:

I have been requested to express my opinion whether the Executive order of April 17, 1926, creating Public Water Reserve No. 107, affects a perennial stream.

The question has arisen in connection with the recommendation of the Director of the Geological Survey that two legal subdivisions in Wyoming crossed by Henrys Fork River be withdrawn for the benefit of stock using the adjoining ranges.

The Executive order of April 17, 1926, withdrew from settlement, location, sale or entry--

every smallest legal subdivision of the public land surveys which is vacant unappropriated unreserved public land and contains a spring or water hole, and all land within one-quarter of a mile of every spring or water hole located on unsurveyed public land.

It must be assumed that "water hole" was used in the order quoted in the sense it is used generally and as defined in Webster's International Dictionary: "A natural hole or hollow containing water."

A hole in the dry bed of an intermittent river could be described as a water hole but in my opinion the lands bordering on running streams are not affected by the order of April 17, 1926.

Respectfully,

E. O. PATTERSON,

Solicitor.

Approved: March 8, 1927.

JOHN H. EDWARDS,

Assistant Secretary.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
Office of the Secretary
Washington March 22, 1927.

The Director of the Geological Survey.

The Commissioner of the General Land Office.

Gentlemen:

I have carefully considered your letters of February 10 and March 1, 1927, relative to approval of assignments of royalty interests in prospecting permits.

It is clear that royalty interests in the minerals which may be discovered in and taken from lands included in prospecting permits under the leasing act of February 25, 1920 (41 Stat., 437), are of such conditional, uncertain, and speculative nature that there is in reality no actual interest in the land involved. The recognition of such interests imposes upon the department and its bureaus a large amount of work, which is not considered warranted or necessary.

Hereafter the policy of the department will be to refuse to approve or recognize or consider in any way mere contingent or royalty interests in prospecting permits.

Very truly yours,

E. C. FINNEY,
First Assistant Secretary.

UNITED STATES
DEPARTMENT OF THE INTERIOR
Office of the Secretary
Washington

March 18, 1927.

The Commissioner

of the General Land Office.

Dear Mr. Commissioner:

Circular No. 1111, relating to bonds in connection with oil and gas permits, paragraph 1, seems to be not entirely clear, in that at least some parties in interest have the impression that thousand-dollar bonds are still required to be furnished not at the time of filing of application, but prior to the issuance of the permit, and that in special cases where the application embraces reserved deposits, bonds are to be in such other amount as may be fixed.

As you are aware, that is not the purpose or intention. The purpose is to do absolutely away with the requirement for a thousand-dollar bond heretofore required in connection with oil permit applications. No such bond will be required, either at the time of filing the application or afterwards. Bonds will be required only in two classes of cases:

(1) Where the permit is upon lands the surface of which has been disposed of by the United States under applicable laws with the oil and gas deposit reserved to the United States. In such cases, a bond will be exacted for the protection of the surface owner.

(2) All permittees before beginning to drill upon the land, or, in other words, at the time when they are ready to begin drilling, will be required to furnish a $5,000 bond for the purposes stated in Section 2, Circular No. 1111.

I suggest that registers of local land offices and others interested in the administration of this act be furnished a copy of this letter.

Very truly yours,

E. C. FINNEY,
First Assistant Secretary.

Circular No. 1113.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

IN REPLY PLEASE REFER TO
1252217 "A" LRK

March 8, 1927.

To All Field Officers

of the General Land Office.

Sirs:

In connection with a request of the Chief Coordinator for information concerning commissions on receipts from public pay telephone stations installed in Government offices, you will report at once whether there are any telephone pay stations installed in your respective offices and, if so, whether such telephones were installed purely for the convenience of your office, or whether, from your observations, the telephone company receives an adequate return therefrom, which would justify the payment to the Government of a commission on the receipts.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Circular No. 1114.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

March 15, 1927.

Registers, United States Land Offices,
Division Inspectors and
District Cadastral Engineers.

The first paragraph of Section 1 of the act of Congress approved January 25, 1927 (Public No. 570, 69th Congress), reads as follows:

> "That, subject to the provisions of subsections (a), (b), and (c) of this section, the several grants to the States of numbered sections in place for the support or in aid of common or public schools be, and they are hereby, extended to embrace numbered school sections mineral in character, unless land has been granted to and/or selected by and certified or approved, to any such State or States as indemnity or in lieu of any land so granted by numbered sections."

The beneficiaries of this grant are the States of Arizona, California, Colorado, Idaho, Montana, Nebraska, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming. The grant also extends to the unsurveyed school sections reserved, granted, and confirmed to the State of Florida by the act of Congress approved September 22, 1922 (42 Stat., 1017).

The additional grant thus made, subject to all the conditions in the statute making same, applies to school section lands known to be of mineral character at the effective date thereof as hereinafter defined. It does not include school section lands nonmineral in character, those not known to be mineral in character at time of grant, but afterward found to contain mineral deposits, such lands not being excepted from the grants theretofore made (Wyoming et al., v. United States; 255 U. S., 489-500, 501), nor does it include lands in numbered school sections in lieu of or as indemnity for which lands were conveyed to the States first above named, or to the State of Florida with respect to school section lands coming within the purview of the act of September 22, 1922, supra, prior to January 25, 1927.

Determinations heretofore made by the Secretary of the Interior or the Commissioner of the General Land Office to the effect that lands in school sections were excepted from school land grants because of their known mineral character do not, of themselves, prevent or affect in any way the vesting of title in the States pursuant to the provisions of the statute making the additional grant.

Subsection (a) of Section 1 of the act provides:

"That the grant of numbered mineral sections under this act shall be of the same effect as prior grants for the numbered nonmineral sections, and titles to such numbered mineral sections shall vest in the States at the time and in the manner and be subject to all the rights of adverse parties recognized by existing law in the grants of numbered nonmineral sections."

Grants to the States of school lands in place (the numbered sections), of the character and status subject thereto, as a rule, are effective and operate to vest title upon the date of the approval of the statute making the grant or the date of the admission of the State into the Union, as to lands then surveyed, and as to lands thereafter surveyed upon the date of the acceptance of the survey thereof by the Commissioner of the General Land Office (United States v. Morrison, 240 U. S., 192; United States v. Sweet, 245 U. S., 563; Wyoming et al. v. United States, supra). It is held, therefore, that the grant made by the first paragraph of Section 1 of the present statute, subject to the provision therein with respect to indemnity or lieu lands, to the provisions of subsections (b) and (c) of said Section 1 and following the plain provisions of subsection (a) thereof is effective upon the date of the approval of the act (January 25, 1927), as to lands then surveyed and the survey thereof accepted by the Commissioner of the General Land Office and as to the unsurveyed school sections in the State of Florida granted to that State by the act of September 22, 1922. The grant, as to other lands thereafter surveyed, subject to the same provisions, is effective upon the acceptance of the survey thereof as above indicated.

Subsection (b) of Section 1 of the act provides:

"That the additional grant made by this act is upon the express condition that all sales, grants, deeds, or patents for any of the lands so granted shall be subject to and contain a reservation to the State of all the coal and other minerals in the lands so sold, granted, deeded, or patented, together with the right to prospect for, mine, and remove the same. The coal and other mineral deposits in such lands shall be subject to lease by the State as the State legislature may direct, the proceeds of rentals and royalties therefrom to be utilized for the support or in aid of the common or public schools: Provided, That any lands or minerals disposed of contrary to the provisions of this act shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General for that purpose in the United States district court for the district in which the property or some part thereof is located."

The lands granted to the States by the act of January 25, 1927, and the mineral deposits therein are to be disposed of by the States in the manner prescribed in subsection (b) thereof, provision being made for judicial forfeiture in case of disposal of any of the lands or minerals contrary to the provisions of the act.

Subsection (c) of Section 1 of the act provides:

"That any lands included within the limits of existing reservations of or by the United States, or specifically reserved for waterpower purposes, or included in any pending suit or proceedings in the courts of the United States, or subject to or included in any valid application, claim, or right initiated or held under any of the existing laws of the United States, unless or until such application, claim, or right is relinquished or canceled, and all lands in the Territory of Alaska are excluded from the provisions of this act."

School section lands included within the limits of existing reservations of or by the United States, specifically reserved for water-power purposes, or included in any suit or proceedings in the courts of the United States, prior to January 25, 1927, and all lands in the Territory of Alaska are excluded from the provisions of the act.

The words "existing reservations" as used in subsection (c) are construed generally and subject to specific determination in particular cases if the need therefor shall arise, as including Indian and Military reservations, Naval and Petroleum reserves, National Parks, National Forests, Stock Driveways, reservations established under the act of June 25, 1910 (36 Stat., 847), as amended by the act of August 24, 1912 (37 Stat., 497), and all forms of executive withdrawal recognized and construed by this Department as reservations, existent prior to January 25, 1927.

Valid applications, claims, or rights protected by the provisions of subsection (c) include applications, entries, selections, locations, permits, leases and other forms of filing, initiated or held pursuant to existing laws of the United States prior to January 25, 1927, embracing known mineral school section lands then surveyed and otherwise within the terms of the additional grant, and as to lands thereafter surveyed, valid applications, claims, or rights so initiated or held prior to the date of the acceptance of the survey. The additional grant to the State will attach upon the effective date of the relinquishment or cancellation of any claim, so asserted, in the absence of any other valid existing claim for the land and if same be then surveyed. Should the validity of any such claim be questioned by the State, proceedings with respect thereto by protest, contest, hearing, etc., will be had in the form and manner prescribed by existing rules governing such cases. This procedure will be followed in the matter of all protests, contests, or claims filed by individuals, associations, or corporations against the States affecting school section lands.

The present grant, like other grants in aid of public or common schools, is subject to the rights and claims of those who settle upon, with a view to homestead entry, or occupy, with a view to desert-land entry, prior to survey in the field, lands which on survey are found to be in numbered school sections.

Section 2 of the act reads as follows:

"Sec. 2. That nothing herein contained is intended or shall be held or construed to increase, diminish, or effect the rights of States under grants other than for the support of common or public schools by numbered school sections in place, and this act shall not apply to indemnity or lieu selections or exchanges or the right hereafter to select indemnity for numbered school sections in place lost to the State under the provisions of this or other acts, and all existing laws governing such grants and indemnity or lieu selections and exchanges are hereby continued in full force and effect."

The only grants affected in any way by the provisions of the act of January 25, 1927, are those of numbered sections of land in place made to the States for the support of common or public schools. The adjudication of claims to land asserted under other grants, for indemnity or lieu lands and exchanges of lands, will proceed as heretofore, being governed by the provisions of existing laws applicable thereto. The States will be afforded full opportunity, however, if the facts and conditions are such as to authorize such action, either to assign new base in support of or to withdraw pending unapproved indemnity school land selections in support of which mineral school section lands have been tendered as base.

Administrative order of May 26, 1926 (Circular No. 1067, not reported), suspending action on hearings and other proceedings initiated by or for the United States, not specifically directed or authorized by Congress, involving the mineral or nonmineral character of school section lands, is hereby revoked. Pending contests, protests, or other proceedings so instituted in the Department of the Interior, its offices or bureaus, on the ground that because of the existence of known mineral deposits therein, title in and to school section lands did not vest in the States under prior laws and grants will be considered and disposition thereof made in the light of the additional grant of known mineral lands herein discussed, subject to all the conditions and provisions of the act of January 25, 1927, making same, and in accord with these instructions.

Cadastral Engineers, in reporting the completion of surveys in the field, will omit any special reference to the survey of school section lands.

The practice, generally, of making mineral examinations of school section lands is hereby discontinued and hereafter Division Inspectors will cause such examinations to be made and reports submitted only when directed to take such action, unless there are convincing reasons for believing that, as to particular tracts, examination and report should be made.

WILLIAM SPRY,

Commissioner.

Approved: March 15, 1927.

HUBERT WORK,

Secretary.

Circular No. 1115.

FEES--ACT OF FEBRUARY 25, 1920 (41 STAT., 437).

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

March 17, 1927.

Registers,

United States Land Offices.

Gentlemen:

The regulations approved March 11, 1920, Circular No. 672, and May 2, 1925, Circular No. 1004, relating to fees paid with applications for permits, leases, or other rights under the mineral leasing act of February 25, 1920 (41 Stat., 437), are amended as follows:

There shall be paid in connection with each application for prospecting permit filed pursuant to the provisions of the regulations approved April 23, 1924, Circular No. 939, and amendments thereof, a drawing service fee of $10 in addition to the fees required under existing regulations. The drawing service fee shall be immediately earned, applied, and credited on the compensation of the Register within the limitations provided by law. Such fee shall constitute a flat service charge, and shall neither be returned by the Register nor repaid.

Upon receiving the required payment the Register will stamp on each application for permit filed as aforesaid the following:
"Drawing service fee $10.00, neither returnable nor repayable."

The fees required by Circular No. 672 will be collected and applied in the manner required by the regulations approved May 2, 1925, Circular No. 1004.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved: March 17, 1927.

E. C. FINNEY,

First Assistant Secretary.

Circular No. 1116.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

March 28, 1927.

REGULATIONS FOR THE SALE OF LOTS IN THE ADDITION TO ALGOMA, OREGON.

Register,

Lakeview, Oregon.

Sir:

July 1, 1926, the plat of survey of the addition to Algoma Townsite was accepted by this office and by letter of September 4, 1926, copies were sent you for filing in your office.

In accordance with the Executive order of May 12, 1925, by which the land was reserved for townsite purposes, the lots are to be sold under Section 2381, Revised Statutes, subject to the reservation to the United States of perpetual seepage and flowage rights to lots embraced in original Lot 3, Section 37.

Date and Place of Sale.--You are directed to proceed to Klamath Falls, Oregon, and offer at public sale the unreserved lots in the Addition to Algoma, Oregon, on Thursday May 26, 1927, at 10 o'clock a. m. in the manner and on the terms herein prescribed.

Terms.--No lot will be sold for less than the appraised value. Lots sold for $50 or less shall be paid for in cash on the day of sale. Lots sold for over $50 may be paid for in three equal installments, one-third on the date of sale and the balance in two equal installments in one and two years from date of sale. Purchasers will not be required to show any qualifications as to age, citizenship, or otherwise, and any number of lots may be sold to any person who is the highest bidder for such lots.

Forfeiture.--If any person who has made partial payment on the lot purchased fails to make any succeeding payment required under these regulations, at the date such payment becomes due, the money deposited by such person for such lot will be forfeited and the lot after forfeiture is declared will be subject to disposition. Lots remaining unsold at the close of the sale, or thereafter declared forfeited for non-payment of any sum of the purchase price, under the terms of the sale will be subject to private entry for cash at their appraised value.

All persons are warned against forming any combination or agreement which will prevent any lot from selling advantageously or which will in any way hinder or embarrass the sale, and all persons so offending will be prosecuted under Sec. 59 of the criminal code of the United States.

You are authorized to reject any and all bids for any lot and at any time suspend, enjoin, or postpone the sale of any lot or lots to such time and place as may be deemed proper, and to reappraise any lot or lots remaining unsold at the close of sale.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved: March 28, 1927.

E. C. FINNEY,

First Assistant Secretary.

APPRAISEMENT OF LOTS.--ADDITION TO ALGOMA, OREGON.

Block 1

| | |
|---|---|
| Lot 1 | $100 |

Block 2

| | |
|---|---|
| Lot 1 | $40 |
| Lot 2 | 10 |
| Lot 3 | 25 |

Block 3

| | |
|---|---|
| Lot 1 | $10 |
| Lot 2 | 10 |
| Lot 3 | 5 |
| Lot 4 | 35 |
| Lot 5 | 20 |

Block 4

| | |
|---|---|
| Lot 1 | $10 |
| Lot 2 | 10 |
| Lot 3 | 20 |
| Lot 4 | 25 |
| Lot 5 | 10 |
| Lot 6 | 10 |
| Lot 7 | 15 |

Block 5

| | |
|---|---|
| Lot 1 | $175 |

Block 6

$400

Block 7

| | |
|---|---|
| Lot 1 | $10 |
| Lot 2 | 15 |
| Lot 3 | 15 |
| Lot 4 | 25 |
| Lot 5 | 30 |
| Lot 6 | 45 |
| Lot 7 | 45 |
| Lot 8 | 90 |
| Lot 9 | 200 |

Circular No. 1117.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

March 28, 1927.

ACCOUNTS: Per diems of witnesses.

Division Inspectors

and Special Disbursing Agents.

Sirs:

The Comptroller General construing Section 3 of the act of April 26, 1926 (44 Stat., 323), having held in a decision dated June 25, 1926 (5 Comp. Gen., 1028) that:

> In determining the number of days for which the per diems of $2 and $3 are to be allowed under said act the day is to be regarded as beginning on the hour at which it is necessary for the witness to leave his home in order to arrive at the place of trial at the appointed time, and the per diem will accrue for each period of 24 hours thereafter until the hour on which the witness could arrive at his home by the first available transportation after his dismissal as a witness--any fractional part of a day under such computation to be regarded as a day for per diem purposes,

it will be necessary for vouchers for witnesses' services to show date and hour of beginning and of termination of the period for which either per diem is allowed.

Very respectfully,

WILLIAM SPRY,
Commissioner.

Approved: March 28, 1927.

E. C. FINNEY,
First Assistant Secretary.

EXECUTIVE ORDER INDIAN RESERVATIONS.
OIL AND GAS PERMITS AND LEASES.

On March 15 the Secretary of the Interior approved regulations putting into effect the act of March 3, 1927, which authorizes the leasing for oil and gas mining purposes of unallotted lands within Executive Order Indian Reservations. Existing regulations applying to treaty reservations are made applicable to all leases except those executed under section 5 of the act, which, under conditions outlined therein, gives the Secretary authority to issue exploratory permits and leases to persons who prior to May 27, 1924, had applied for a permit under the general leasing act. Applicants desiring to take advantage of the provisions in section 5 must, on or before June 1, 1927, surrender any permit granted them under the general leasing act, apply for a new permit, and furnish evidence showing that they have met the conditions prescribed in the section.

The administration of the act is under the Commissioner of Indian Affairs.

DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1078291

PUBLIC LANDS RESTORED TO HOMESTEAD ENTRY AND OTHER DISPOSITION BY PROCLAMATION, EXECUTIVE OR DEPARTMENTAL ORDER.

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Preference Rights to Ex-Service Men of the War with Germany.

General Method of Opening:

By virtue of Public Resolution No. 29, of February 14, 1920 (41 Stat., 434), as amended by Public Resolution Nos. 36 and 79, approved January 21 and December 28, 1922, respectively, hereafter and until February 15, 1930, when any surveyed lands within the provisions of the public resolutions are opened or restored to disposition under the authority of the department, such lands, unless otherwise provided in the order of restoration, shall become subject to appropriation under the laws applicable thereto in the following manner, and not otherwise:

Lands not affected by the preference rights conferred by the acts of August 12, 1894 (28 Stat., 394), or June 11, 1906 (34 Stat., 233), or February 14, 1920 (41 Stat., 407), will be subject to entry by soldiers under the homestead and desert-land laws, where both of said laws are applicable, or under the homestead law only, as the case may be, for a period of 91 days, beginning with the date of the filing of the township plat in the case of surveys or resurveys, and with the date specified in the order of restoration in all other cases, and thereafter to disposition under all of the public land laws, applicable thereto, except where homestead entrymen are granted a prior preference period under the order. For a period of 20 days and for a like period prior to the date or dates such lands become subject to entry by the general public, soldiers in the first instances, and qualified applicants in the second, may execute and file their applications, and all such applications presented within such 20-day periods, together with those offered at 9 o'clock a. m., standard time, on the dates such lands become subject to appropriation under such applications, shall be treated as filed simultaneously.

Unsurveyed lands are not subject to homestead or desert-land entry. A homestead entry may embrace 160 acres, or an approximation thereof, and where the lands are of the character contemplated by the 320 or 640 acres homestead acts, applications for the unappropriated lands may be filed by qualified persons, under either of said acts, accompanied by proper petitions, if undesignated, for the designation of lands thereunder, and such applications will be suspended pending determination as to the character of such lands.

The following are restorations or openings which will occur in the near future and concerning which further information may be obtained from the local offices:

(683)

WYOMING: OPEN TO ENTRY THROUGH SURVEY.

The plat of surveys in T. 30 N., R. 75 W., 6th P. M., Converse County, Wyoming, will be officially filed in the district land office at Cheyenne, Wyoming, on April 19, 1927, at 9 o'clock a. m.

For 91 days, beginning April 19, 1927, the unreserved lands represented on said plat will be opened to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons having a preferential right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on April 19, 1927. At 9 o'clock a. m. on July 19, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the public generally.

This plat represents the resurvey of 22,928.01 acres, of which a large portion is in private ownership. Secs. 5, 7, 8, 17, 18, 19, 20, 21, 29, 30, and 31 are suspended from entry pending amendment of patented claims and other entries therein. The land is reported as rolling in east two ranges of sections and in northwest corner of township; remainder rough mountainous. Nearly all of the land is too rough for cultivation. Soil; shallow, sandy loam which produces considerable forage. Timber; pine of some commercial value in mountains aspen with dense undergrowth along most of the canyons and creeks. There is an abundance of pure water in all parts of the township. The township is principally valuable for stock raising purposes. No indication of coal or other mineral is noted.

(684)
ALASKA:

OPEN TO ENTRY THROUGH SURVEY.

The plat of surveys in T. 7 S., R. 7 E., F. M., Alaska, will be officially filed in the district land office at Fairbanks, Alaska, on April 1, 1927, at 9 o'clock a. m.

For 91 days, beginning April 1, 1927, the unreserved lands represented by said plat will be opened to entry under the homestead land laws by qualified former service men of the World War, and also to entry by those persons having a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on April 1, 1927. At 9 o'clock a. m. on July 1, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

This plat represents the survey of 4,290.04 acres of public land. Land; level to mountainous. Soil; fertile, sandy loam. Timber; spruce and birch along the Tanana River, the remainder of the township has been burnt over, and is covered with grass, scattering willow, cottonwood, and birch. Tenderfoot and Banner Creeks have been extensively mined for gold. The township is well watered by the Tanana River which flows through the southwestern portion and by many small creeks.

(685)

ARIZONA: OPENED TO ENTRY THROUGH SURVEY.

The plat of surveys in T. 3 S., R. 17 E., G. and S. R. M., Pinal and Gila counties, Arizona, will be officially filed in the district land office at Phoenix, Arizona, on May 17, 1927, at 9 o'clock a. m.

For 91 days, beginning May 17, 1927, the unreserved lands represented on said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons having a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on May 17, 1927. At 9 o'clock a. m. on August 16, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

This plat represents the survey of 12,864.24 acres of public land, of which a large portion along the Gila River is withdrawn for power-site purposes. The land is mountainous. The soil is gravelly and rocky, fourth rate. The Gila River flows through several boxed gorges, entering the township in Sec. 24 and leaving near the southwest corner of the township. A dwelling and corral are located in the NE¼ of Sec. 25 along Hawk Creek. Pollard's cabin and corrals are situated on Mescal Creek in the SW¼ of Sec. 18. There is no report on mineral indications.

(686)
WYOMING:

OPENED TO ENTRY THROUGH SURVEY.

The plats of surveys in the following townships will be officially filed in the district land office at Buffalo, Wyoming, on April 1, 1927, at 9 o'clock a. m.:

Township 49 N., Range 87 W., 6th P. M., Big Horn County.
Township 49 N., Range 88 W., " " " " "
Township 43 N., Range 90 W., " " Washakie County.
Township 41 N., Range 91 W., " " Hot Springs County.

For 91 days, beginning April 1, 1927, the unreserved lands represented on said plats will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons having a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on April 1, 1927. At 9 o'clock a. m. on July 1, 1927, the lands remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

The plat of T. 49 N., R. 87 W., represents the resurvey of 17,683.07 acres, a large portion of which is within the limits of the Big Horn National Forest. Land: rolling mesa, densely covered with sagebrush. Soil; rocky, third and fourth rate. Timber; dense pine in SW¼ of township, the NE¼ is partially covered with pine and aspen; the central and SE portion have little or no timber, but support a dense growth of sagebrush. The township is well watered. No reference in the notes to mineral indications.

The plat of T. 49 N., R. 88 W., represents the resurvey of 14,243.88 acres. Land; mountainous to rolling. Soil; sandy and rocky. Timber; spruce and pine in southeast portion of township, scrub cedar and juniper over the rest of the township. The township is well watered and affords fair grazing for stock. No reference in the field notes to mineral indications.

The plat of T. 41 N., R. 91 W., represents the resurvey of 23,037.29 acres, of which the major portion is in private ownership. Land; rough mountainous. Soil; sandy and rocky. Vegetation; grass, suitable for grazing. Timber; a little in Secs. 1, 2, 12, and 13; none elsewhere in the township. No mention was made in the field notes of mineral indications in this township. The township is well watered by Bridger, East Kirby, and Piney Creeks.

The plat of survey of T. 43 N., R. 90 W., represents the resurvey of 20,776.78 acres, a considerable area of which is in private ownership. Land; rolling and hilly "Bad Lands." Soil; alkali, third rate, with scant vegetation. Water; scarce and of poor quality. There is no timber, metallic mineral or coal, but there is a producing oil well in Sec. 36.

(687)

SOUTH DAKOTA:

ITEM IN RE OPENING TO ENTRY OF WITHDRAWN STANDING ROCK LANDS.

On March 2, 1927, the department directed that the lands described below in the former Standing Rock Indian Reservation in South Dakota be restored to entry under the homestead law and the act of May 29, 1908, at the appraised values per acre thereof.

T. 20 N., R. 18 E.

Sec. 8, Lot 14, NW¼ SE¼, NW¼ SW¼ SE¼, S½ SW¼ SE¼ all appraised at $4 per acre.

Sec. 9, Lots 9, 13, E½ SE¼, $3.50; SW¼, $4.50.

Sec. 10, N½ N½ SE¼ SW¼, N½ N½ SW¼ SW¼, N½ SW¼, $5.50.

Sec. 15, E½ NE¼ NW¼, S½ NW¼, $1.75.

T. 20 N., R. 19 E.

Sec. 20, SE¼, W½ NE¼, $4; E½ SW¼, SW¼ SW¼, $3.75.

Sec. 21, E½ NW¼, SW¼ NW¼, $4.

T. 20 N., R. 22 E.

Sec. 9, Lots 7 and 11, $2.

The preference right of entry of soldiers in the late war is from March 30 to June 28, 1927, with a simultaneous filing period for the 20 days preceding the first date.

If not entered before June 29, 1927, the lands become subject to general disposition on that day with a simultaneous filing period during the preceding 20 days.

(688)
ALASKA:

OPEN TO ENTRY THROUGH SURVEY.

The plat of surveys in T. 10 N., R. 8 W., S. M., Alaska, will be filed in the district land office at Anchorage, Alaska, on April 15, 1927.

For 91 days, beginning April 15, 1927, the unreserved lands represented by said plat will be opened to entry under the homestead laws by qualified former service men of the World War, and also to entry by those persons having a preference right to the land, superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on April 15, 1927. At 9 o'clock a. m. on July 15, 1927, the land remaining unentered and unreserved will become subject to entry under any applicable public land laws by the public generally.

This plat represents the survey of 7,017.94 acres of public land. Land: nearly level, ranging in elevation from 20 to 100 feet above mean high tide. Soil: very fine sandy loam, and decayed vegetable matter on subsoil of glacial formation. Timber: spruce, birch, and cottonwood. Undergrowth: alder, willow, and small timber. The area consists principally of muskeg swamp and has little agricultural value. There is no indication of mineral.

(689)

WYOMING:

OPEN TO ENTRY THROUGH SURVEY.

The official plat of resurvey of T. 52 N., R. 80 W., 6th P. M., Johnson County, Wyoming, will be officially filed in the district land office at Buffalo, Wyoming, on May 4, 1927, at 9 o'clock a. m.

For 91 days, beginning May 4, 1927, the unreserved lands represented by said plat will be opened to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on May 4, 1927. At 9 o'clock a. m. on August 3, 1927, the lands remaining unentered and unreserved will be available for entry under any applicable public land laws by the public generally.

This plat represents the resurvey of 22,785.98 acres, a large portion of which is in private ownership. Land: rolling mountainous or "bad lands," for the most part, with sharp ridges and deeply cut water courses. Soil: mostly heavy clay with some light sandy loam which produces an abundant growth of native grasses. There are no creeks, and only a few seep springs of alkali water in the township. There is no timber except a few scattering scrub box elders along some of the main gulches. Shallow coal veins outcrop in nearly all of the deep gulches and on some of the highest ridges. The township is principally used for grazing purposes, little attempt at cultivation being made.

(690)

MINNESOTA:

ITEM IN RE OPENING TO ENTRY LANDS IN CERTAIN CHIPPEWA INDIAN RESERVATIONS IN MINNESOTA.

February 25, 1927, the department directed that the withdrawal order of July 13, 1926, be revoked as to the Deer Creek, Red Lake, Bois Forte, Fond du Lac, and Grand Portage Indian reservations. This order does not affect the pine lands, or lands not yet opened to entry.

The restored lands will become subject to the preference right of soldiers in the late war, from April 1, 1927, to June 30, 1927, with a simultaneous filing period during the 20 days preceding April 1, 1927.

The lands not entered before July 1, 1927, become subject to general disposition under the homestead law, with a 20 day simultaneous filing period prior to that date.

These Indian reservations lie in the counties of Saint Louis, Itasca, Cook, Koochiching, Beltrami, Roseau, Marshall, Pennington, Clearwater, and Red Lake, but the tracts restored to entry are scattered and of comparatively small acreage in the aggregate.

(691)
NEVADA:

OPEN TO ENTRY THROUGH SURVEY.

The plat of survey of T. 47 N., R. 33 E., M. D. M., Humboldt County, Nevada, will be officially filed in the district land office at Carson City, Nevada, on April 26, 1927, at 9 o'clock a. m.

For 91 days, beginning April 26, 1927, the unreserved lands represented by said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on April 26, 1927. At 9 o'clock a. m. on July 26, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the public generally.

This plat represents the survey of 24,486.85 acres of public land. The land is mountainous and ranges in elevation from 5,000 to 7,500 feet above sea level. The soil is sandy, gravelly and rocky, and is best adapted for grazing purposes. Most of the area is drained by Kings River. The township is covered with a medium to dense growth of black sage and a scattering growth of grass. The timber consists of aspen, willows, and choke cherry along Kings River, creeks and washes, with scattering clumps of aspen along the higher slopes. Mineral indications were noted in the southeastern portion of the township. One settler resided in Section 30.

(692)

CALIFORNIA:

OPEN TO ENTRY THROUGH SURVEY.

The plat of surveys in T. 9 S., R. 34 E., M. D. M., Inyo County, California, will be officially filed in the district land office at Visalia, California, on April 21, 1927, at 9 o'clock a. m.

For 91 days, beginning April 21, 1927, the unreserved lands represented by said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on April 21, 1927. At 9 o'clock a. m. on July 21, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the public generally.

This plat represents the survey of 2,221.05 acres of public land. Most of the land embraced in this area consists of rocky lava slopes with practically no vegetation and containing very little soil. The northeast portion of Sec. 29 is valley land with a sandy loam soil of first quality. No indications of mineral were observed.

(693)
UTAH:

OPEN TO ENTRY THROUGH SURVEY.

The plat of surveys in T. 34 S., R. 5 E., S. L. M., Garfield County, Utah, will be officially filed in the district land office at Salt Lake City, Utah, on April 26, 1927, at 9 o'clock a. m.

For 91 days, beginning April 26, 1927, the unreserved lands represented by said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on April 26, 1927. At 9 o'clock a. m. on July 26, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the public generally. This plat represents the survey of 16,562.91 acres of public land.

Land: broken mountainous. Soil: sandy, third rate. The soil is very shallow, most of the township consisting of sandstone surface rock and broken ledges. Timber: scattering cedar, pinon, and yellow pine, with a growth of cottonwood along the watered canyons. The township has a good supply of water from Boulder and Deer Creeks and numerous small streams, and is suitable for stock grazing. No mineral indications were noted.

MICHIGAN: RELEASED FROM TEMPORARY WITHDRAWAL.

Forty acres in Cheboygan County, Michigan, Washington, D. C. land district, open to entry only under the homestead laws by qualified ex-service men of the war with Germany, for a period of 91 days, beginning April 13, 1927. Applications of ex-service men may be presented at any time within 20 days prior to that date. On and after July 13, 1927, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

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PUBLIC SALE OF CAMP RESERVE, NEBRASKA.

On April 9, 1927, at 2 p. m., at the office of the Bureau of Reclamation, Mitchell, Nebraska, there will be offered for sale to the highest bidder under the acts of June 17, 1902 (32 Stat., 388), and May 20, 1920 (41 Stat., 605), at not less than the appraised value, the Wild Horse Camp Reserve, with improvements thereon, within the North Platte Irrigation Project, described as follows:

"N½ SE¼ of Sec. 17, T. 22 N., R. 52 W., 6th P. M., Nebraska, appraisal: land, $3,000; improvements, $400; total, $3,400."

The terms are either cash at the date of sale or one-fifth the purchase price at the date of sale and the remainder in four equal annual installments, with interest. The purchaser must be a citizen of the United States and any patent thereafter issued will contain reservation as set forth in a certain contract, information regarding which may be obtained from the project superintendent. Parties are warned under penalty mentioned in Section 59 of the Criminal Code of the United States against any combination or action tending to hinder or embarrass the sale of the camp reserve or to prevent free competition between bidders.

## RECENT EXECUTIVE ORDERS AND PROCLAMATIONS.

By order of February 15, part of Ship Island military reservation in Mississippi has been transferred from the War Department to the Treasury Department for use as a quarantine station.

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A wild life refuge has been established around Curry station on the Alaska Railroad and certain other areas located along such railroad have been set aside as beaver and muskrat preserves by order of February 21.

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By proclamation of February 23, the boundaries of the Unaka National Forest in North Carolina, Tennessee, and Virginia have been changed by exclusion and addition.

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Portions of Fort Andrew military reservation at Plymouth, Massachusetts, have been transferred from the War Department to the Treasury and Commerce Departments for use as a coast guard station and lighthouse reservation, respectively, by order of February 23.

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By order of February 26, a right of way reservation for the Forest Service in the Shoshone National Forest, Wyoming, has been revoked.

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The trust period on certain allotments to Indians of the Oneida Reservation in Wisconsin, which would otherwise have expired during 1927, has been extended for 10 years by order of March 1.

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By order of the same date, a tract near the Santa Fe National Forest, New Mexico, has been withdrawn for use by the Forest Service as a ranger station.

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The week of April 24 to 30 has been set aside under proclamation of March 5 as "American Forest Week" for consideration of the need of forest fire prevention and of measures necessary for the preservation and wise use of our forests.

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By order of March 7, accretions to Sec. 14, T. 5 N., R. 4 W., Wash. M., Mississippi, and Secs. 65, 66, 67, and 68, T. 5 N., R. 9 E., La. Mer., Louisiana, have been withdrawn in aid of proposed legislation.

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The abandoned military reservations at Cape Fanshaw and Tolovana, Alaska, have been turned over to this department for disposition under the act of July 5, 1884 (23 Stat., 103), by order of March 8.

By order of March 10, the public lands in Ts. 45 and 46 N., Rs. 88, 89, 90, and 91 W., and T. 47 N., Rs. 90 and 91 W., 6th P. M., Wyoming, have been withdrawn pending resurvey of said townships.

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The withdrawal of certain tracts in Washington as naval radio compass stations has been revoked by order of March 10 and such tracts restored to their previous status as abandoned military reserve lands.

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By order of March 14, a tract near the Lemhi National Forest, Idaho, has been withdrawn for use by the Forest Service as a ranger station.

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The order of May 31, 1921, committing to the Secretary of the Interior the administration and conservation of all oil and gas bearing lands in Naval Petroleum Reserves Nos. 1 and 2, California, and Naval Petroleum Reserve No. 3, Wyoming, and Naval Shale Reserves in Colorado and Utah, has been revoked by order of March 17.

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A tract of 80 acres in California has been withdrawn by order of March 18 in aid of proposed legislation.

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By order of March 24, a tract of 80 acres in Idaho has been released from withdrawals of March 22, 1916, and January 28, 1921, and restored to entry under the preference granted ex-service men.

## OIL AND GAS ACTIVITIES.

During the month of March, the division handling oil and gas prospecting permits under sections 13 and 20 of the leasing act received 609 new applications, an increase of 352 over last month, 3,705 applications filed as the result of drawings, and 1,632 cases for reconsideration. Permits were granted in 477 cases, 3,561 applications finally rejected on drawings, 169 applications finally rejected for conflicts as to all the land, and 68 in part; 324 cases were rejected, subject to appeal, in entirety, and 15 in part; 28 appeals were transmitted to the department, and departmental decisions were promulgated in 22 cases, 16 affirming, 1 reversing, and 5 modifying decisions of this office; 80 assignments were acted upon, and 320 applications for extension of time disposed of; 111 permits were held for cancellation and 101 permits canceled; 681 applications were examined and reports from the Geological Survey called for, and 373 reports were received; 244 cases are awaiting reports from the Survey and 12 from the Reclamation Bureau in addition to 547 new cases awaiting reports. 3,183 letters were written, of which 295 were replies to inquiries.

Under the relief sections of the act and other sections providing for the issuance of leases, 13 leases, involving 9 cases, were delivered to the lessees, and 1 permit was granted in Red River, Oklahoma, under the relief act of March 4, 1923. Three leases, involving 2 cases, were authorized by the Secretary, 2 leases forwarded to the Secretary for execution, 2 leases mailed to the lessees for execution; 16 assignments, involving 15 cases, were disposed of, and 13 extensions of time were granted, 7 permits were held for cancellation and 1 permit canceled; 3 cases involving drilling relief were considered, and 1 application for reduction of royalty denied, and report from the Survey called for on 1 application for reduction of royalty. Assignments of 3 sales contracts, involving 2 cases, were rejected, 3 sales contracts approved and 1 recommended to the department for approval, and 3 miscellaneous actions were taken.

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## RECEIPTS UNDER THE MINERAL LEASING ACT.

The receipts under the mineral leasing act of February 25, 1920, during the month of February were $459,606.22, of which $320 was from lands within petroleum reserves.

CONSOLIDATED WORK REPORT FOR LOCAL LAND OFFICES
FOR THE MONTH OF FEBRUARY, 1927.

| OFFICES. | Business of current month. | | | | | Pending at end of month. | | |
|---|---|---|---|---|---|---|---|---|
| | A | B | C | D | Total | 6 | 7 | 8 |
| Alabama | | | | | | | | |
| Montgomery | 31 | 287 | 20 | 2 | 340 | | 21 | |
| Arizona | | | | | | | | |
| Phoenix | 217 | 885 | 220 | 16 | 1,338 | 127 | 167 | |
| Arkansas | | | | | | | | |
| Little Rock | 87 | 815 | 36 | 6 | 944 | | 126 | |
| California | | | | | | | | |
| Los Angeles | 235 | 919 | 140 | 16 | 1,310 | 82 | 196 | |
| Sacramento | 27 | 576 | 98 | 5 | 706 | 78 | 77 | |
| San Francisco | 200 | 624 | 68 | 5 | 897 | 86 | 189 | |
| Visalia | 7,116 | 712 | 129 | | 7,957 | 19 | 7,182 | |
| Colorado | | | | | | | | |
| Denver | 91 | 729 | 74 | 6 | 900 | 64 | 101 | |
| Glenwood Springs | 84 | 1,052 | 245 | 12 | 1,393 | 145 | 367 | |
| Pueblo | 412 | 1,523 | 209 | 3 | 2,147 | 120 | 422 | |
| Florida | | | | | | | | |
| Gainesville | 84 | 1,452 | 59 | 11 | 1,606 | | 43 | |
| Idaho | | | | | | | | |
| Blackfoot | 99 | 697 | 58 | 3 | 857 | 136 | 86 | |
| Boise | 50 | 444 | 30 | 2 | 526 | 24 | 38 | |
| Coeur d' Alene | 42 | 216 | 24 | 2 | 284 | 7 | 54 | |
| Louisiana | | | | | | | | |
| Baton Rouge | 15 | 320 | 49 | 1 | 385 | | 35 | |
| Minnesota | | | | | | | | |
| Cass Lake | 24 | 548 | 29 | | 601 | | 15 | |
| Montana | | | | | | | | |
| Billings | 155 | 1,905 | 209 | 3 | 2,272 | 171 | 210 | |
| Great Falls | 171 | 1,579 | 404 | 7 | 2,161 | 173 | 556 | |
| Nebraska | | | | | | | | |
| Alliance | 14 | 251 | 16 | 2 | 283 | 17 | 5 | |
| Nevada | | | | | | | | |
| Carson City | 56 | 417 | 47 | | 520 | 25 | 57 | |
| Elko | 9 | 57 | 21 | | 87 | 66 | 15 | |
| New Mexico | | | | | | | | |
| Las Cruces | 505 | 1,514 | 418 | 22 | 2,459 | 84 | 270 | |
| Santa Fe | 384 | 1,692 | 341 | 28 | 2,445 | 120 | 452 | |
| North Dakota | | | | | | | | |
| Bismarck | 29 | 518 | 22 | 1 | 570 | 21 | 29 | |
| Oklahoma | | | | | | | | |
| Guthrie | 47 | 342 | 49 | 2 | 440 | 6 | 34 | |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Oregon | | | | | | | |
| Lakeview | 39 | 272 | 38 | | 349 | 39 | 47 |
| Portland | 24 | 701 | 31 | 1 | 757 | | 17 |
| Roseburg | 73 | 1,419 | 53 | | 1,545 | 5 | 56 |
| The Dalles | 53 | 511 | 63 | 2 | 629 | 81 | 29 |
| Vale | 41 | 234 | 34 | 2 | 311 | 23 | 59 |
| South Dakota | | | | | | | |
| Pierre | 59 | 1,935 | 217 | 3 | 2,214 | 59 | 36 |
| Utah | | | | | | | |
| Salt Lake City | 317 | 1,323 | 523 | 7 | 2,170 | 348 | 328 |
| Vernal | 20 | 205 | 43 | | 268 | 18 | 18 |
| Washington | | | | | | | |
| Seattle | 6 | 148 | 27 | 1 | 182 | 1 | 2 |
| Spokane | 25 | 391 | 73 | | 489 | 28 | 34 |
| Wyoming | | | | | | | |
| Buffalo | 215 | 1,090 | 225 | 12 | 1,542 | 53 | 129 |
| Cheyenne | 200 | 1,145 | 306 | 10 | 1,661 | 77 | 208 |
| Evanston | 253 | 848 | 123 | 1 | 1,225 | 28 | 152 |
| Lander | 175 | 641 | 124 | 4 | 944 | 31 | 32 |
| Total, | 11,684 | 30,937 | 4,895 | 198 | 47,714 | 2,362 | 11,896 |

Key to Column Headings.

A - Applications, proofs, etc., received.
B - Miscellaneous matters - receipts and final certificates issued, letters answered, etc.
C - Commissioner's letters received.
D - Contest cases initiated.
6 - Pending designation.
7 - Suspended, rejected, or otherwise.
8 - Pending unacted on by Register.

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TELL THE BULLETIN.

To All Local Offices and Field Service Employees.

If anything occurs in the public land service which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin." All information should be received not later than the 24th of each month for use in the current number.

LAND SERVICE
BULLETIN
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

By direction of the Secretary of the Interior the matter contained herein is published as administrative information and is required for the proper transaction of public business.

Vol. 11. May 1, 1927. No. 3.

## OREGON AND CALIFORNIA TAX UNIT.

Report for the month of April and status of claims of Oregon and Washington counties under the act of July 13, 1926 (44 Stat., 915), involving Oregon and California railroad revested lands.

| | | |
|---|---|---|
| Claims received (year 1926) | (1) | $51,692.28 |
| Claims approved (year 1926) | (2) | 48,572.23 |
| Disallowances in above | --- | 113.01 |
| Claim approved (years 1916 to 1925, inclusive) | (1) | 1,471,640.66 |
| Disallowances in above | --- | 33,032.16 |
| All claims (1916-1925) received | (19) | 6,741,466.94 |
| Total claims certified (1916-1925) | (18) | 6,027,396.67 |
| Total disallowances in 18 claims (1916-1925) | --- | 262,006.12 |
| Claims pending (1916-1925) | (1) | 452,064.15 |
| Claims pending (1926) | (1) | 51,692.28 |
| Supplemental claim received (1916-1925) | (1) | 18.06 |

RESURVEYS IN NATIONAL FORESTS.

T. 63 N., R. 1 E., 4th P. M., Minnesota.--The resurvey of this township was accepted under date of March 26, 1927. The township, within the Superior National Forest and resurveyed at the request of the Forest Service, is located in a remote section of northern Minnesota, north of Lake Superior. The resurvey presented many complicated problems owing to obliteration of evidences of the official surveys and large errors in the representations of the numerous lakes in the township. Approximately 1,000 acres of land bordering on these lakes, which had been omitted from the original survey, were brought under survey during the progress of the field work.

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Ts. 14 and 15 S., R. 26 E., T. M., Florida.--The resurvey of these townships has recently been completed in the field by George F. Rigby, U. S. Cadastral Engineer, and Willis W. Bandy, U. S. Surveyor, under Group No. 48, Florida. The townships are within the Florida National Forest and great difficulty was experienced in securing control for the resurvey. The original surveys in this locality date back nearly 100 years and the obliteration of evidences thereof has been general and extensive owing to forest fires, poorly executed work of monumentation by the original deputy surveyors and general indifference in the perpetuation of corners on the part of the few settlers in that region.

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T. 2 N., R. 75 W., Group No. 190, Colorado.--The resurvey of this township was undertaken at the request of settlers and the Forest Service, authorized under the Forest Service program, and given priority over all other townships in Colorado under this program. The field work was executed in the summer of 1926 and the survey was accepted March 31, 1927. Adequate control was developed to dependently restore the north and west boundaries, while the south and east boundaries and the subdivisions were dependently resurveyed based upon the original record. Although confronted by physical difficulties due to the roughness of the country, the timber and the very high altitude, some parts of the township reaching an elevation of about 12,000 feet above sea level, the survey was completed within the short working season available at such altitudes. This country is growing in popularity as a fishing resort during the summer months.

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Allotment Surveys on Blackfeet Indian Reservation, Montana.--The office examination has recently been completed of the returns of nine townships of the survey of allotments on the Blackfeet Indian Reservation in Montana. This practically completes the examination of the returns of the allotment surveys on this reservation. The Indian Office has been furnished the triplicate field notes of the surveys executed and copies of all plats showing the boundaries of the allotments. When the final returns are officially filed, plats and field notes representing work in 71 townships will have been furnished the Indian Office.

Resurveys, Utah.--A most complex situation has arisen in T. 35 S., R. 9 W., S. L. M., Utah, which has resulted in an application for the resurvey of this township. It was found upon investigation of survey conditions that the Seventh Standard Parallel South, which is the south boundary of this township, was represented on the ground by two sets of corners approximately a quarter of a mile apart in latitude. The north line was found to be an unofficial boundary established by the deputy surveyor who subdivided the township to the south. It was also found that many land owners in T. 35 S., R. 9 W., had located themselves from the erroneous south boundary. Upon consideration of the report of investigation, the resurvey of this township has been authorized and will be undertaken during the present field season.

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Survey of Islands in Wind River, Wyoming.--Upon application of the Commissioner of Indian Affairs, the General Land Office has undertaken an investigation of two islands in Wind River with a view to the survey of these areas if found to be public land. The investigation was made in 1926 and developed the fact that the islands were properly subject to survey as public land. Authorization for such procedure has recently been issued. Considerable interest has been manifested in these islands because of the possibility for oil. Some drilling has been done already in this locality.

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Cooperative Surveys, Group No. 83, Wyoming.--This office has recently accepted surveys in T. 21 N., R. 116 W., Wyoming, executed at the request of the Director of the Bureau of Mines, for the purpose of establishing underground the boundaries of coal leasing Unit Wyoming No. 123 which conform to the lines of legal subdivision of the rectangular survey of the township. Since the inception of this survey the mineral leasing division of the Bureau of Mines has been transferred to the Geological Survey. In his letter of acknowledgment of receipt of copies of the field notes and plats of this township, dated April 15, 1927, the Acting Director of the Geological Survey expressed his appreciation of the thorough character of the work and the cooperative service thus rendered.

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## COUNT OF ELK HERDS, JACKSON HOLE, WYOMING. PLANS FOR PRESERVATION.

A count of the elk in the Jackson Hole, Wyoming, herd has just been completed by members of the Biological Survey and the Forest Service, of the United States Department of Agriculture, and the State Game Commission of Wyoming, accompanied by representatives of the Izaak Walton League of America. Reports of the count show that the herd now numbers 19,238, a total that is only slightly different from the figures resulting from a similar count made two years ago. At the time of the count nearly half the elk were on the feeding grounds of the winter refuge maintained by the Biological Survey. That the herds are still within the optimum number of 20,000, set by the recent Elk Commission created by the President's Conference on Outdoor Recreation, came as some surprise to Government officials. They state that in a disastrous

winter six years ago thousands of elk died from starvation, leaving a remnant of only 9,346, as noted in a count then made under the same auspices as the one just completed. A doubling of the numbers between 1921 and 1925, when the count showed 19,483, suggested that a continued increase might be expected, especially as recent winters had been favorable to the elk and comparatively few had been killed by hunters.

Unexpected results like these, according to officials of the Biological Survey, emphasize the necessity of a thorough-going study and general investigation of all conditions affecting the welfare of the great herds of elk of the whole Yellowstone region. Following out the recommendations on this matter made by the recent Elk Commission, the Biological Survey is formulating plans for beginning the work. Information will be assembled regarding all factors affecting fluctuations in the numbers of the elk.

Biologists of the Government point out that the southern Yellowstone elk in winter migrate for the most part southward to the vicinity of Jackson, Wyoming. Several hundred, however, have recently been reported west of the Tetons in Idaho, and there is some intermingling eastward in Wyoming with herds along the Wind and Green rivers, which may account for the apparent lack of increase in the numbers about Jackson. However, an insufficient crop of hay produced on the elk refuge, even if supplemented by the purchase of hay by the State game commissions in an unusually severe winter, could easily bring about a repetition of former disasters, when an over-concentration of elk on limited areas exhausted for all of them the forage that would have supported normal numbers.

It is to prevent the starvation of elk by thousands, disasters that all but wipe out the herds, that the official and individual conservationists interested are working. Present plans call for maintaining the Wyoming herd in numbers not to exceed 20,000 and preventing an accumulation of what could easily become an unwieldly surplus, threatening through starvation on a large scale the existence of the herd in even optimum numbers. The present count, though not yielding the large figures that had been anticipated, shows that the Wyoming elk have for two years been close to the danger line in abundance, a point beyond which they can not advance without threat to the permanence of the herd as a whole.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

April 28, 1927.

: In re: Shore Space Along
: Navigable Streams in Alaska.

Mr. R. E. Robertson,
200 Seward Building,
Juneau, Alaska.

My dear Sir:

I am in receipt of your letter of March 1, 1927, requesting an interpretation of the act of June 5, 1920 (41 Stat., 1059), with reference to the

restriction in the act of May 14, 1898 (30 Stat., 409), that a trade and manufacturing site shall not extend more than 80 rods along the shore of any navigable waters.

Sec. 10 of said act of May 14, 1898, expressly limited trade and manufacturing site entries to 80 acres and also to 80 rods of lands abutting on navigable waters and a space of 80 rods in width was reserved between tracts sold for such sites.

Sec. 1 of said act made a similar restriction as to homestead entries and also limited them to 80 acres.

The act of March 3, 1903 (32 Stat., 1028), extending the provisions of the homestead laws to Alaska allowed homestead entries to embrace 320 acres and provided:

> "That no entry shall be allowed extending more than 160 rods along the shore of any navigable water, and along such shore a space of at least 80 rods shall be reserved from entry between all such claims."

The acts of July 8, 1916 (39 Stat., 352), and June 28, 1918 (40 Stat., 632), reduces the homestead right to 160 acres.

The act of June 5, 1920 (41 Stat., 1059), entitled "An act to provide for the abolition of the 80 rod reserved shore space between claims on shore waters in Alaska," provides:

> "That the provisions of the act of May 14, 1898 (30 Stat., 409), extending the homestead laws to Alaska, and of the act of March 3, 1903 (32 Stat., 1028), amendatory thereof in so far as they reserve from sale and entry a space of at least 80 rods in width between tracts sold or entered under the provisions thereof along the shore of any navigable water, and provide that no entry shall be allowed extending <u>more than 160 rods</u> along the shore of any navigable water, shall not apply to lands classified and listed by the Secretary of Agriculture for entry under the act of June 11, 1906 (34 Stat., 233), and that the Secretary of the Interior may upon application to enter or otherwise in his discretion restore to entry and disposition such reserved spaces and waive the restriction that <u>no entry shall be allowed extending more than 160 rods</u> along the shore of any navigable water as to such lands as he shall determine are not necessary for harborage uses and purposes."

The act of June 5, 1920, expressly refers to the laws extending the homestead laws to Alaska and wherein it refers to removing the restriction as to reserve spaces waives the restriction when authorized by the Secretary on application that no entry should be allowed extending more than 160 rods along the shore of any navigable water. Said limitation is provided in the act of 1903 above mentioned and applies only to homestead entries. There is no

provision of law expressly extending the right to make a trade and manufacturing site along navigable waters in Alaska for a greater length than 80 rods.

Very respectfully,

THOS. C. HAVELL,

Assistant Commissioner.

Approved: April 28, 1927.
E. C. FINNEY,
First Assistant Secretary.

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CIRCULAR NO. 666 (REVISION).

A revision of Circular No. 666, containing the regulations under the act of October 22, 1919 (41 Stat., 293), and amendatory act of September 22, 1922 (42 Stat., 1012), providing for the irrigation of arid lands in Nevada, was approved April 8, 1927, and is now available for distribution. Copies may be obtained at this office or the district land offices at Elko and Carson City, Nevada.

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Circular No. 1118.

INSTRUCTIONS.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

April 7, 1927.

Register,

District Land Offices.

Gentlemen:

Herewith inclosed are a few copies of form No. 4-205 notice to the Division Inspector of an application for coal prospecting permit or lease.

Upon the filing of an application in your office for a coal prospecting permit or lease you will send a notice thereof to the Division Inspector,

using one of the inclosed forms. Another supply of these forms may be had upon the receipt of the proper requisition.

When you have sent the said notice to the Division Inspector you will note that fact on the margin of the application and handle said application in the usual manner.

If an applicant should send money to your office in payment for coal mined in trespass you should immediately send it to the proper Division Inspector for transmittal to this office.

Very respectfully,

THOS. C. HAVELL,

Acting Commissioner.

4-205

DEPARTMENT OF THE INTERIOR

UNITED STATES LAND OFFICE

.....
(Place.)

.....
(Date.)

Serial No. .....

Applicant .....

Address .....

Division Inspector,

Sir:

You are advised that the above-named person has filed application, under the number given, for a coal prospecting permit, lease or license, for the following-described lands:
(strike out words not applicable)

.....

.....

Very respectfully,

Register.

Circular No. 1119.

ANNUAL REPORT AS TO UNAPPROPRIATED LANDS.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

April 15, 1927.

Register,

United States Land Offices.

Sirs:

Inclosed herewith are blank forms (4-349) upon which you will report, IN DUPLICATE, the area of the unappropriated lands in your district on July 1, 1927, and the character thereof.

You will incorporate in this report a statement showing the aggregate number and area of entries of record in your district upon which final proof of compliance with the law has not been presented.

The data as to the surveyed lands should be obtained from the township plats, but the area of unsurveyed lands must necessarily be estimated. In making such estimates you will subtract from the total unsurveyed area any portion which is within a national forest, national monument, Indian, military, or other reservation. Report should not show fractional parts of an acre.

Lands withdrawn for resurveys should be reported as unsurveyed, but the area of entries within the withdrawn townships should be treated as appropriated.

It is essential that your report be forwarded not later than July 1, 1927, and nothing must be allowed to delay it beyond that date.

It is suggested that delay in making the report can be obviated by commencing to check the township plats at an early date, and after the area of unappropriated land in a township has been ascertained and entered on a sheet to be attached to the plat, the noting thereon of the proper debits and credits, as entries are made or relinquished, will make the correct area easily available at the close of business on June 30.

Your attention is invited to the fact that frequently only small areas are found vacant in certain counties. This, if published in the Vacant Land Circular, gives rise to many inquiries as to where these particular small areas are located, and it often happens that neither this office nor your office knows the description thereof. You will, therefore, in all cases where a county is reported as containing less than 500 acres, keep a memorandum of the description of these vacant subdivisions so that inquiries relative thereto may be answered promptly.

Lands in pending, unallowed applications should be considered as appropriated.

Acknowledge receipt hereof on the inclosed card.

Very respectfully,

WILLIAM SPRY,
Commissioner.

3 Inclosures.

CIRCULAR NO. 1120.

This circular, approved April 20, 1927, contains the regulations concerning potash mining leases and prospecting permits under the act of February 7, 1927 (Public No. 579). It is too voluminous for publication in the Bulletin, but copies are now available for distribution at this office and the district land offices.

Circular No. 1121.

AUTHORIZING PURCHASE BY CERTAIN PERSONS OF 5-ACRE TRACTS FOR HOMESTEAD OR HEADQUARTERS IN ALASKA.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

April 23, 1927.

: Promulgating act of March
: 3, 1927, amending section 10
: of the act of May 14, 1898
: (30 Stat., 409).

Register and Division Inspector,

Anchorage, Alaska.

Register and Receiver,

Fairbanks and Nome, Alaska.

Gentlemen:

Your attention is called to the act of March 3, 1927 (Public No. 726), entitled:

"An Act To amend section 10 of the Act entitled 'An Act extending the homestead laws and providing for right of way for railroads in the District of Alaska, and for other purposes', approved May 14, 1898 (Thirtieth Statutes at Large, page 409),"

which provides:

"That section 10 of the Act entitled 'An Act extending the homestead laws and providing for right of way for railroads in the District of Alaska, and for other purposes,' approved May 14, 1898 (Thirtieth Statutes at Large, page 409), be, and the same is hereby, amended by adding thereto the following after the word 'otherwise' in line 14 of the section:

"Provided, That any citizen of the United States twenty-one years of age employed by citizens of the United States, associations of such citizens, or by corporations organized under the laws of the United States, or of any State or Territory, whose employer is engaged in trade, manufacture,

or other productive industry, and any citizen of the United States twenty-one years of age who is himself engaged in trade, manufacture, or other productive industry may purchase one claim, not exceeding five acres, of unreserved public lands, such tract of land not to include mineral, coal, oil or gas lands, in Alaska as a homestead or headquarters, under rules and regulations to be prescribed by the Secretary of the Interior, upon payment of $2.50 per acre."

The purpose of this statute is to enable fishermen, trappers, traders, manufacturers, or others engaged in productive industry to purchase small tracts of unreserved land in Alaska, not exceeding 5 acres, as homesteads or headquarters.

The use of lands authorized to be so purchased, for unlawful purposes, is therefore inconsistent with the intent and purpose of the act; and care will be taken in all cases before patent issues, to see that such intent and purpose are made effective.

Applications under said act must be filed in duplicate in the district land office within which the land is situated. Applications may be for surveyed or unsurveyed land but not to exceed 5 acres. The register will give each application a current serial number, and if in proper form, will forward the original to this office as in trade and manufacturing cases and the duplicate to the division inspector for the usual report and recommendations including the mineral, coal, oil or gas character of the land. The division inspector will submit his report direct to this office.

The procedure as to the survey, execution of affidavits, and posting and publication of notice will be in accordance with the current regulations governing trade and manufacturing sites, except that applicant will be required to furnish proof, corroborated by two witnesses, showing the following facts instead of the proof required under said trade and manufacturing site regulations:

First: The age and citizenship of applicant.

Second: The actual use and occupancy of the land for which application is made for a homestead or headquarters.

Third: The date when the land was first occupied as a homestead or headquarters.

Fourth: The nature of the trade, business, or productive industry in which applicant or his employer, whether a citizen, an association of citizens, or a corporation is engaged.

Fifth: The location of the tract applied for with respect to the place of business and other facts demonstrating its adaptability to the purpose of a homestead or headquarters.

Sixth: That the tract applied for does not include mineral, coal, oil or gas lands, and is essentially nonmineral in character.

Seventh: That no portion of the tract applied for is occupied or reserved for any purpose by the United States, or occupied or claimed by any natives of Alaska, or occupied as a townsite or missionary station or reserved from sale, and that the tract does not include improvements made by or in possession of another person, association, or corporation.

Eighth: Whether or not the land abuts on any navigable stream, inlet, gulf, bay, or seashore, and if so that it is not within 80 rods of any other tract sold, entered, or claimed under said act of May 14, 1898, as modified by the act of March 3, 1903, as to reserved spaces.

The register will forward to this office evidence of publication and posting and the proof required without issuing final certificate.

Mimeographed copies hereof will be forwarded you when available.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved: April 23, 1927.

E. C. FINNEY,

First Assistant Secretary.

CIRCULAR NO. 1122.

This circular contains the laws and regulations relating to townsites, parks, cemeteries, recreational sites, etc., and was approved April 27, 1927. It is too lengthy for publication in the Bulletin but will be made available for distribution through this office and the district offices when received from the printer.

DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1078291

PUBLIC LANDS RESTORED TO HOMESTEAD ENTRY AND OTHER DISPOSITION BY PROCLAMATION, EXECUTIVE OR DEPARTMENTAL ORDER.

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Preference Rights to Ex-Service Men of the War with Germany.

General Method of Opening:

By virtue of Public Resolution No. 29, of February 14, 1920 (41 Stat., 434), as amended by Public Resolution Nos. 36 and 79, approved January 21 and December 28, 1922, respectively, hereafter and until February 15, 1930, when any surveyed lands within the provisions of the public resolutions are opened or restored to disposition under the authority of the department, such lands, unless otherwise provided in the order of restoration, shall become subject to appropriation under the laws applicable thereto in the following manner, and not otherwise:

Lands not affected by the preference rights conferred by the acts of August 18, 1894 (28 Stat., 394), or June 11, 1906 (34 Stat., 233), or February 14, 1920 (41 Stat., 407), will be subject to entry by soldiers under the homestead and desert-land laws, where both of said laws are applicable, or under the homestead law only, as the case may be, for a period of 91 days, beginning with the date of the filing of the township plat in the case of surveys or resurveys, and with the date specified in the order of restoration in all other cases, and thereafter to disposition under all of the public land laws, applicable thereto, except where homestead entrymen are granted a prior preference period under the order. For a period of 20 days and for a like period prior to the date or dates such lands become subject to entry by the general public, soldiers in the first instances, and qualified applicants in the second, may execute and file their applications, and all such applications presented within such 20-day periods, together with those offered at 9 o'clock a. m., standard time, on the dates such lands become subject to appropriation under such applications, shall be treated as filed simultaneously.

Unsurveyed lands are not subject to homestead or desert-land entry. A homestead entry may embrace 160 acres, or an approximation thereof, and where the lands are of the character contemplated by the 320 or 640 acres homestead acts, applications for the unappropriated lands may be filed by qualified persons, under either of said acts, accompanied by proper petitions, if undesignated, for the designation of lands thereunder, and such applications will be suspended pending determination as to the character of such lands.

The following are restorations or openings which will occur in the near future and concerning which further information may be obtained from the local offices:

WASHINGTON:
MICHIGAN:

OPEN TO ENTRY THROUGH SURVEY.

The plat of survey of 3 small islands in Lake Sawyer, aggregating 1.77 acres, and of a small island in Island Lake, Washington, containing 0.05 of an acre, will be filed in the district land office at Seattle on May 21 and June 8, respectively.

The plat of survey of a tract in Iosco County, Michigan, containing 35.02 acres, will be filed in the General Land Office in Washington, D. C., June 3, 1927. The land involved in these surveys will be subject to the 91 days preference right of ex-service men.

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(695)

IDAHO:

RELEASED FROM TEMPORARY WITHDRAWAL.

Eighty acres in Custer County, Blackfoot land district, open to entry only under the homestead or desert-land laws by qualified ex-service men of the war with Germany for a period of 91 days, beginning May 26, 1927. Applications of ex-service men may be presented at any time within 20 days prior to that date. On andafter August 25, 1927, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

The land is released from temporary withdrawal and further information, if desired, may be obtained from the local land office at Blackfoot, Idaho.

OPEN TO ENTRY THROUGH SURVEY.

The plats of surveys in the following-described townships will be officially filed in the district land office at Roseburg, Oregon, on May 25, 1927., at 9 o'clock, a.m.:

T. 27 S., R. 7 W.
T. 28 S., R. 7 W.
T. 29 S., R. 7 W.
T. 28 S., R. 7½ W.
T. 29 S., R. 8 W., W. M.

For 91 days, beginning May 25, 1927, the unreserved land represented on said plats will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a.m. on May 25, 1927. At 9 o'clock a.m. on August 24, 1927, the land remaining vacant and unreserved will be available for entry under any applicable public land laws by the public generally.

T. 27 S., R. 7 W., W. M.--Area surveyed approximately 71.97 acres. Looking Glass Valley is located in the east half of the south boundary of this township, and has long been settled and cultivated. The remainder of the land is hilly, covered with brush and timber, and generally unimproved.

Ts. 28 and 29 S., R. 7 W.--Area surveyed approximately 3,327.90 acres. These townships are mostly rough and mountainous land, especially in the eastern portions. There are several donation land claims in the western portions along the boundaries where the surveys under this group were made.

T. 28 S., R. 7½ W.--Area surveyed approximately 102.97 acres. This fractional township is a hiatus between Hathorn's east boundary of T. 28 S., R. 8 W., and Ford's west boundary of T. 28 S., R. 7 W. It is about 6 chains wide at the north end, a little over 4½ miles long, running to a point at the south end. The only improved portion is the fragmentary S½ of Sec. 30 situated in Ten Mile Valley. The remainder is hilly and covered with brush and timber.

T. 29 S., R. 8 W.--Area surveyed approximately 1,318.86 acres. The east boundary of this township, except in Sec. 1, extends across unimproved hilly land. The greater portion of the Waters donation claim is situated in Sec. 1, and south of this claim there are no improvements adjacent to this line.

(697)

CALIFORNIA:

OPEN TO ENTRY THROUGH SURVEY.

The plat of surveys in T. 22 S., R. 30 E., M. D. M., Tulare County, California, will be officially filed in the district land office at Visalia, California, on May 28, 1927, at 9 o'clock a. m.

For 91 days, beginning May 28, 1927, the unreserved land represented on said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on May 28, 1927. At 9 o'clock a. m. on August 27, 1927, the land remaining unentered and unreserved will become subject to entry under any applicable public land law by the public generally.

This plat represents the survey of 2,449.53 acres of public land about half of which is within the Sequoia National Forest. Land: rough mountainous and rolling hills. Soil: decomposed granite mixed with humus in hills, very rocky in rougher portions. Timber: white and black oak of some commercial value, with dense undergrowth of chinquapin, white thorn, blue brush, mahogany, manzanita, scrub and poison oak. There are numerous springs and streams in the area most of which, however, are dry during the summer months. The township is principally valuable for grazing purposes. There are no indications of mineral.

(698)

MONTANA:

OPEN TO ENTRY THROUGH SURVEY.

The plat of surveys in T. 11 N., R. 7 W., P. M., Lewis, Clark, and Powell counties, Montana, will be filed in the district land office at Great Falls, Montana, on May 25, 1927, at 9 o'clock a. m.

For 91 days, beginning May 25, 1927, the unreserved lands represented on said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on May 25, 1927. At 9 o'clock a. m. on August 24, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the public generally.

This plat represents the survey of 21,706.20 acres of public land, of which only that in Secs. 29 to 33, inclusive, will be available for entry, the balance being withdrawn for the Helena National Forest. Land: rough and mountainous. Soil: rocky. Timber: dense pine and fir. The entire township has been prospected and mined extensively, but all work has been abandoned with the exception of one mine in Sec. 23 and one in Sec. 29. The township is well watered by Ophir, Snowshoe, Carpenter, and Little Pricly Pear Creeks. There is very little agricultural land in the township; a little in Secs. 13, 31, and 32, the balance being good grazing land. There is one settler in Sec. 31 and one in Sec. 33. The township lies over the top of the Continental Divide with about five-sixths south and the remainder north of the watershed.

NEW MEXICO: OPEN TO ENTRY THROUGH SURVEY.

The plats of resurvey of Ts. 1 and 2 S., R. 18 E., N. M. P. M., Lincoln County, and T. 3 S., R. 24 E., N. M. P. M., Chaves County, New Mexico, will be officially filed in the district land office at Santa Fe, New Mexico, on May 24, 1927, at 9 o'clock a. m.

For 91 days, beginning May 24, 1927, the unreserved lands will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on May 24, 1927. At 9 o'clock a. m. on August 23, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the general public.

The plats of Ts. 1 and 2 S., R. 18 E. represent the resurvey of 23,024.84 acres and 23,210.64 acres, respectively. Land: rolling prairie. Soil: sandy loam, third rate. The entire area is covered with an abundant growth of native grass which provides excellent grazing. The main water supply is from large surface storage tanks. A very small portion of the townships have been cultivated, and farming is carried on by dry-land farming methods.

The plat of T. 3 S., R. 24 E., represents the resurvey of 23,001.34 acres. Land: rolling prairie with an average elevation of about 4,500 feet above sea level. Soil: sandy loam, second rate. There is no timber or undergrowth in the township and no indications of mineral deposits were observed. There are several small springs in the arroyo, running in a southeasterly direction, through Secs. 3, 11, and 12. The larger portion of the township is adapted to grazing. There are eight settlers in the township who have been rather successful in cultivating small portions of the township by dry-land farming methods.

(700)

NOTICE OF RESTORATION FROM ISLAND WITHDRAWAL.

Notice is hereby given that the order of the Secretary of the Interior dated March 31, 1882, withdrawing all islands belonging to the United States in the Mississippi River, south of Cairo, Illinois, from all form of disposal has been revoked by order of the Secretary of the Interior dated March 31, 1927, and the islands restored to disposal under applicable public land laws, subject to any other withdrawal or reservation thereof or to any valid existing rights thereto.

From June 10, 1927, to September 8, 1927, both dates inclusive, the surveyed vacant and unreserved lands on said islands will be subject to preferred right of entry under the homestead laws of the United States by qualified former service men of the World War, and those persons having valid existing rights or equitable claims subject to allowance and confirmation.

These applicants may file their applications beginning at 9 a. m. on May 21, 1927, and all applications received between the dates of May 21, 1927, and June 9, 1927, both dates inclusive, will be considered as filed simultaneously at 9 a. m. June 10, 1927, and conflicting applications by soldiers not otherwise in conflict will be disposed of by lot.

Persons having valid existing rights or equitable claims may avoid confusion by asserting such rights between the dates of May 21 and June 9, 1927, but they are not required to do so.

At 9 a. m., September 9, 1927, any land remaining vacant on said surveyed islands will become subject to entry under any applicable public land law by the public generally. Beginning at 1 a. m., August 20, the general public may file their applications, and all applications received between the dates of August 20 and September 8, both dates inclusive, will be considered as filed simultaneously at 9 a. m. September 9, and conflicting applications will be disposed of by lot.

Ex-service men should file certified copies of their certificates of discharge with their applications and persons claiming other preference rights should file their affidavits supporting such claims with their applications.

Application forms may be obtained by addressing the Commissioner, General Land Office, Washington, D. C., where all applications for entry must be filed, except in the case of islands in Arkansas and Louisiana. Applications for those islands must be filed in the district land office at Little Rock, Arkansas, and Baton Rouge, Louisiana.

The unsurveyed, vacant, and unreserved lands on said islands are now open to settlement under the homestead laws by a qualified person and to disposition under any other public land laws applicable to unsurveyed lands. Applications for the survey of any of said unsurveyed islands may now be considered also. Such applications should be filed in the General Land Office, Washington, D. C.

All the islands referred to above were withdrawn from disposal for the use of the War Department in connection with the improvements of the navigation of the Mississippi River, and the War Department has no further need for them. A descriptive list thereof, however, can not be furnished as the General Land Office has no compiled data on the subject. Information relative to the status of any particular island may be obtained by addressing the Commissioner, General Land Office, Washington, D. C., if the description thereof is furnished by legal subdivision, section, township and range number, or if unsurveyed by its relative position to adjacent surveyed lands.

Applicants for entry must be thoroughly acquainted with the land desired, since they are required to swear in their applications as to its character and non-occupancy, and must describe the desired land by its legal subdivision, section, township and range number, according to the public land survey.

Approved: April 14, 1927.

WILLIAM SPRY,

Commissioner.

(701)

ARIZONA:

OPEN TO ENTRY THROUGH SURVEY.

The plats of surveys in the following townships will be officially filed in the district land office at Phoenix, Arizona, at 9 o'clock a. m., June 1, 1927:

| | | | | |
|---|---|---|---|---|
| T. 8 N., | R. 1 E., | G. and S. R. M., | Yavapai | County. |
| T. 10 N., | R. 3 W., | " " | " | " |
| T. 34 N., | R. 7 W., | " " | Mohave | County. |
| T. 41 N., | R. 5 W., | " " | " | " |
| T. 41 N., | R. 8 W., | " " | " | " |
| T. 38 N., | R. 5 W., | " " | " | " |

For 91 days, beginning June 1, 1927, the unreserved lands represented by said plats will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m., June 1, 1927. At 9 o'clock a. m. on August 31 the lands then remaining unentered and unreserved will be available for entry under any applicable public land laws by the public generally.

T. 8 N., R. 1 E.--Area surveyed, 22,243.83 acres. The land is generally mountainous, ranging in elevation from 2,500 to 3,800 feet above sea level. The soil is sandy and rocky with a granite formation in the higher elevations. Humbug, Boulder, and Tule Creeks flow in a southerly direction in the area and contain a supply of good water. R. L. Brown, a sheep grower, lives in the NW¼ of Sec. 32. A few watchmen reside at the old mines at Columbia. Considerable mineral activity has been carried on in the township. A cattleman resides in Sec. 8.

T. 10 N., R. 3 W.--Area surveyed, 14,120.15 acres. The area surveyed is rough and mountainous, ranging in elevation from 3,500 to 5,300 feet above sea level. The soil is sandy and stony. Water is found in several creeks and in water holes along large washes. Three settlers are located in Secs. 21 and 22 along Cottonwood Creek. A goat ranch is located in Sec. 30, and a watchman for the Walnut Grove Dam resides near Hassayampa River. The area is best adapted for grazing purposes. No evidence of mineral was observed.

T. 41 N., R. 5 W.--Area surveyed, 9,426.75 acres. The land is broken and mountainous, consisting of numerous irregular shaped mesas having precipitous sides from 100 to 500 feet in height. The land on top of the mesas is rolling and rocky, and is covered with a heavy growth of cedar and pinon timber. The soil is sandy in the valleys. Several small springs were found in the township. No indications of mineral were observed.

T. 41 N., R. 8 W.--Area surveyed, 23,043.24 acres. The surface of this township ranges from level to mountainous. In the central and northeastern part is a high plateau of irregular shape and having precipitous sides. On top of the plateau is a heavy growth of cedar and pinon timber, while the remaining portion of the township is covered with sagebrush and other desert varieties of undergrowth. Short Creek, in the extreme northwest corner of the township, has a small stream of running water. There is also some seep water in Lydel Wash in the southern portion of the township. The land is best adapted for grazing purposes. A. W. Wells in Sec. 2 and James E. Arthur in Sec. 1 are the only settlers. No evidence of mineral was found.

T. 34 N., R. 7 W.--Area surveyed, 22,976.55 acres. The land ranges from level to mountainous. There is a heavy growth of cedar and pinon timber over most of the eastern portion. The undergrowth is mostly sagebrush and greasewood. There are no continous streams or springs of water but a few reservoirs have been built for stock purposes. There is one settler near the quarter-section corner of Secs. 16 and 21. No evidence of mineral was found.

T. 38 N., R. 5 W.--Area surveyed, 22,827.56 acres. The land is level and rolling. There is a scattered growth of cedar timber in the eastern portion, the remaining portion being covered with undergrowth of various desert varieties. There are no streams or springs in the area. Several storage reservoirs have been built for stock purposes. There are no settlers in the township.

(702)

NEW MEXICO:

OPEN TO ENTRY THROUGH SURVEY.

The plat of surveys in T. 32 N., R. 5 W., N. M. P. M., Rio Arriba County, New Mexico, will be officially filed in the district land office at Santa Fe, New Mexico, on June 13, 1927, at 9 o'clock a. m.

For 91 days, beginning June 13, 1927, the unreserved land represented on said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on June 13, 1927. At 9 o'clock a. m. on September 13, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the public generally.

This plat represents the survey of 16,437.29 acres of public land, most of which is within the Carson National Forest. Land: rough mountainous. Soil: sandy and rocky, third and fourth rate. Timber: heavy pine, cedar, and pinon, the former being found only along the north and east boundaries of the township. Undergrowth: small timber and oak. There are no permanent streams in the township. Some stock grazing is afforded in the northern portion. No evidences of valuable minerals were found.

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(703)

IDAHO:

OPEN TO ENTRY THROUGH SURVEY.

The plat of surveys in T. 9 N., R. 4 E., B. M., Boise County, Idaho, will be officially filed in the district land office at Boise, Idaho, on June 15, 1927, at 9 o'clock a. m.

For 91 days, beginning June 15, 1927, the unreserved lands represented on said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on June 15, 1927. At 9 o'clock a. m. on September 14, 1927, the land remaining unentered and unreserved will become available for entry under any applicable public land laws by the public generally.

This plat represents the survey of 3,238.70 acres of public land, a considerable portion of which is withdrawn for powersite purposes. Land: mountainous, except for the level agricultural land lying northeast of the South Fork of the Payette River in the lower end of Garden Valley. Soil: sandy, stony loam, first and second rate. Timber: scattering pine and fir with cottonwood along the river. There are settlers in Secs. 20, 21, and 30. The township is well watered by the South Fork of the Payette River and numerous springs and small streams. No indications of mineral deposits. The post office of Garden Valley, Idaho, is situated about 3 miles to the east.

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(704)

NEVADA:

RECOVERED THROUGH CANCELLATION OF PATENTS.

Six hundred and forty acres in Elko County, Elko land district, to and including June 30, 1927, afterward Carson City district, open to entry only under the homestead or desert-land laws by qualified ex-service men of the war with Germany for a period of 91 days, beginning May 25, 1927. Applications of ex-service men may be presented within the 20 days prior to that date. On and after August 24, 1927, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

The land has been recovered by the United States through cancellation of two homestead patents; is reported to be arid and practically level with a scattered growth of greasewood and sage, and has been designated as enterable under the 320-acre homestead law.

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(705)

COLORADO:

RECOVERED THROUGH RECONVEYANCE.

Four hundred eighty three and twenty-one hundredths acres in Mesa County, Glenwood Springs land district, to and including June 30, 1927, afterwards Denver land district, open to entry only by ex-service men of the war with Germany under the homestead or desert-land laws for the period of 91 days, beginning May 28, 1927. Applications of ex-service men may be presented within the 20 days prior to that date. On and after August 27, 1927, the unentered land will be subject to appropriation under any applicable public land law by the general public. A portion of the tract is classified as coal land and is therefore subject to agricultural entry only with a reservation of the coal deposits to the United States.

The land has been reconveyed to the United States as result of suit to set aside a homestead patent, is generally rough and rolling and has been designated as enterable under both the enlarged and stock-raising homestead laws.

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(706)

IDAHO:

RECOVERED THROUGH CANCELLATION OF PATENTS.

Six hundred and forty acres in Camas County, Blackfoot land district, open to entry only by ex-service men of the war with Germany under the homestead or desert-land laws for the period of 91 days, beginning May 28, 1927. Applications of ex-service men may be presented within the 20 days prior to that date. On and after August 27, 1927, the unentered land will be subject to appropriation under any applicable public land law by the general public.

The tract has been recovered through cancellation of two homestead patents, is grazing land and has been designated as enterable under both the enlarged and stock-raising homestead laws.

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(707)

IDAHO:

RECOVERED THROUGH CANCELLATION OF PATENT.

Three hundred and twenty acres in Cassia County, Blackfoot land district, open to entry only by ex-service men of the war with Germany under the homestead or desert-land laws for the period of 91 days, beginning May 28, 1927. Applications of ex-service men may be presented within the 20 days prior to that date. On and after August 27, 1927, the unentered land will be subject to appropriation under any applicable public land law by the general public.

The area has been recovered through the cancellation of a homestead patent, is rough, mountainous, grazing land and has been designated as enterable under both the enlarged and stock-raising homestead laws.

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(708)

NEVADA:

OPEN TO ENTRY THROUGH SURVEY.

The plat of survey of T. 23 N., R. 46 E., M. D. M., Lander County, Nevada, will be officially filed in the district land office at Elko, Nevada, on June 10, 1927, at 9 o'clock a. m.

For 91 days, beginning June 10, 1927, the unreserved lands represented on said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on June 10, 1927. At 9 o'clock a. m. on September 9, 1927, the land remaining unentered and unreserved will become available for entry under any applicable public land laws by the public generally.

This plat represents the survey of 23,681.20 acres of public land. Land: mountainous in western portion, gently rolling in east. Soil: rocky, gravelly clay, third and fourth rate on slopes; gravelly clay, second rate, in rolling portion. Timber: medium juniper in western and central portions. Undergrowth: sage and good growth of grass on higher land; shadscale with some sage and scant growth of grass in rolling portion. There is a natural meadow containing approximately 50 acres in Secs. 21, 29, and 30 and a natural meadow containing approximately 20 acres in Sec. 19. There are two permanent streams in the western portion of the township which, however, disappear in the soil near the center of the township. There are small springs in Secs. 3, 16, 18, 20, and 31. The township is principally valuable for grazing purposes. No indications of mineral were noted.

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## RECENT EXECUTIVE ORDERS AND PROCLAMATIONS.

By order of April 1, certain lots in the Federal addition to the townsite of Seward, Alaska, have been set aside for the use of the Forest Service.

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Under an order of the same date, the public lands in T. 48 N., Rs. 4 and 5 E., Ts. 49, 50, and 51 N., Rs. 3 and 4 E., and Ts. 50 and 51 N., R. 2 E., N. M. P. M., Colorado, have been withdrawn pending resurvey.

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By proclamation of April 4, several amendments have been made in the Migratory Bird Treaty Act regulations.

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About 2,300 acres on the Savannah River in South Carolina belonging to the United States have been set aside under order of April 6 as a bird refuge.

By order of April 13, 719 acres in Alaska have been reserved for use by the Biological Survey in connection with an existing reindeer experimental station.

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By order of the same date, the west boundary of the Navajo Indian Reservation in southeastern Utah has been changed.

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Certain tracts of public land in Ts. 41 and 42 N., R. 115 W., and T. 41 N., R. 116 W., Wyoming, have been withdrawn by order of April 15 as a possible addition to the Federal Elk Refuge.

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Castle, Tourist, and Elephant Rocks in the Pacific Ocean off the coast of Oregon have been withdrawn in aid of proposed legislation by order of April 18.

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## OIL AND GAS ACTIVITIES.

During the month of March the division handling oil and gas prospecting permits under sections 13 and 20 of the leasing act received 673 new applications, an increase of 64 over last month; 1,554 applications filed as result of drawings, and 2,662 cases for reconsideration. Permits were granted in 542 cases, 984 applications finally rejected on drawings, 321 finally rejected for conflicts as to all the land and 110 in part; 336 cases were rejected subject to appeal, in entirety, and 21 in part; 20 appeals were transmitted to the department, and departmental decisions were promulgated in 20 cases, 15 affirming, 1 reversing, and 4 modifying decisions of this office; 283 applications for extensions of time were disposed of, and 42 assignments acted upon; 1,014 permits were held for cancellation and 111 permits canceled; 998 applications were examined and reports from the Geological Survey called for, and 114 reports were received; 215 cases are awaiting reports from the Survey and 5 from the Reclamation Bureau in addition to 808 new cases awaiting reports. Four thousand two hundred and forty-eight letters were written, of which 214 were replies to inquiries.

Under the relief sections of the act and other sections providing for the issuance of leases, 4 leases were delivered to the lessees, 6 cases, involving 7 leases, transmitted to the Secretary for authorization, 6 leases authorized and mailed to lessees for execution, and 2 leases transmitted to the Secretary for execution. Departmental decisions were promulgated in 2 cases, 1 affirming and the other modifying decisions of this office; 1 permit application held for rejection and 4 lease applications rejected subject to appeal, and 1 appeal transmitted to the department; 1 case was finally rejected and 1 finally rejected in part; reduction of royalty in lease was recommended in 1 case, and 1 lease was held for cancellation; 3 assignments, involving 2 cases, were approved and 4 assignments rejected, and 12 applications for extensions of time were disposed of; 6 drilling contracts were recommended and approved by the department, and 2 canceled; assignments of 3 sales contracts, involving 2 cases, were recommended and approved; liability under bonds in 2 cases was released, and 4 actions on miscellaneous applications were taken. Seventy-eight letters were written of which 18 were replies to inquiries.

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RECEIPTS UNDER MINERAL LEASING ACT.

The receipts under the mineral leasing act of February 25, 1920, during the month of March were $483,923.78, all from lands outside the naval petroleum reserves.

CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES
FOR THE MONTH OF MARCH, 1927.

| OFFICES. | Business of current month. | | | | | Pending at end of month. | | |
|---|---|---|---|---|---|---|---|---|
| | A | B | C | D | Total. | 6 | 7 | 8 |
| Alabama | | | | | | | | |
| Montgomery | 19 | 283 | 19 | 2 | 323 | | 17 | |
| Arizona | | | | | | | | |
| Phoenix (x) | | | | | | | | |
| Arkansas | | | | | | | | |
| Little Rock | 94 | 865 | 53 | 4 | 1,016 | | 124 | |
| California | | | | | | | | |
| Los Angeles | 223 | 986 | 187 | 18 | 1,414 | 92 | 190 | |
| Sacramento | 57 | 742 | 93 | 3 | 895 | 75 | 85 | |
| San Francisco | 65 | 684 | 97 | 3 | 849 | 93 | 29 | |
| Visalia | 1,222 | 1,768 | 137 | 2 | 3,129 | 17 | 8,364 | |
| Colorado | | | | | | | | |
| Denver | 56 | 790 | 92 | 7 | 945 | 42 | 111 | |
| Glenwood Springs | 130 | 1,345 | 210 | 19 | 1,704 | 75 | 363 | |
| Pueblo | 263 | 1,499 | 543 | 16 | 2,321 | 110 | 441 | |
| Florida | | | | | | | | |
| Gainesville | 65 | 1,352 | 103 | 5 | 1,525 | | 36 | |
| Idaho | | | | | | | | |
| Blackfoot | 115 | 762 | 69 | 12 | 958 | 144 | 79 | |
| Boise | 52 | 537 | 60 | 5 | 654 | 28 | 26 | |
| Coeur d'Alene | 27 | 197 | 32 | 1 | 257 | 7 | 24 | |
| Louisiana | | | | | | | | |
| Baton Rouge | 27 | 429 | 47 | 3 | 506 | | 41 | |
| Minnesota | | | | | | | | |
| Cass Lake | 33 | 559 | 39 | 2 | 633 | | 15 | |
| Montana | | | | | | | | |
| Billings | 243 | 2,091 | 213 | 2 | 2,549 | 103 | 280 | |
| Great Falls | 1,718 | 2,699 | 399 | 9 | 4,825 | 85 | 1,774 | |
| Nebraska | | | | | | | | |
| Alliance | 41 | 295 | 18 | | 354 | 17 | 6 | |
| Nevada | | | | | | | | |
| Carson City | 34 | 422 | 131 | 2 | 589 | 26 | 45 | |
| Elko | 56 | 170 | 35 | 2 | 263 | 72 | 29 | |
| New Mexico | | | | | | | | |
| Las Cruces | 486 | 1,209 | 444 | 25 | 2,164 | 95 | 290 | |
| Santa Fe | 396 | 1,915 | 467 | 15 | 2,793 | 77 | 432 | |
| North Dakota | | | | | | | | |
| Bismarck | 34 | 554 | 41 | 2 | 631 | 21 | 33 | |
| Oklahoma | | | | | | | | |
| Guthrie | 37 | 404 | 46 | | 487 | 7 | 23 | |
| Oregon | | | | | | | | |
| Lakeview | 72 | 291 | 62 | 2 | 427 | 40 | 72 | |
| Portland | 212 | 924 | 40 | | 1,176 | | 15 | |
| Roseburg | 150 | 1,023 | 42 | 5 | 1,220 | 5 | 94 | |
| The Dalles | 48 | 476 | 50 | 2 | 576 | 86 | 27 | |
| Vale | 28 | 264 | 81 | | 373 | 27 | 59 | |
| South Dakota | | | | | | | | |
| Pierre | 83 | 1,958 | 111 | 8 | 2,160 | 44 | 49 | |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Utah | | | | | | | |
| Salt Lake City | 210 | 1,329 | 356 | 16 | 1,911 | 350 | 291 |
| Vernal | 29 | 167 | 51 | 3 | 250 | 21 | 15 |
| Washington | | | | | | | |
| Seattle | 6 | 203 | 35 | 2 | 246 | 1 | 4 |
| Spokane | 27 | 382 | 86 | 1 | 496 | 30 | 30 |
| Wyoming | | | | | | | |
| Buffalo | 205 | 1,135 | 229 | 11 | 1,580 | 64 | 111 |
| Cheyenne | 257 | 1,475 | 255 | 7 | 1,994 | 92 | 197 |
| Evanston | 1,144 | 2,007 | 150 | 2 | 3,303 | 35 | 321 |
| Lander | 114 | 400 | 122 | | 636 | 40 | 61 |
| Total | 8,078 | 34,591 | 5,245 | 218 | 48,132 | 2,021 | 14,203 |

(x) No report received from this office April 26, 1927.

Key to Column Headings.

A - Applications, proofs, etc., received.
B - Miscellaneous matters - receipts and final certificates issued, letters answered, etc.
C - Commissioner's letters received.
D - Contest cases initiated.
6 - Pending designation.
7 - Suspended, rejected, or otherwise.
8 - Pending unacted on by Register.

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TELL THE BULLETIN.

To All Local Offices and Field Service Employees.

If anything occurs in the public land service which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin." All information should be received not later than the 24th of each month for use in the current number.

15596

# LAND SERVICE BULLETIN

DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

By direction of the Secretary of the Interior the matter contained herein is published as administrative information and is required for the proper transaction of public business.

Vol. 11. June 1, 1927. No. 4.

## OREGON AND CALIFORNIA TAX UNIT.

Report for the month of May and status of claims of Oregon and Washington counties under the act of July 13, 1926 (44 Stat., 915), involving Oregon and California railroad revested lands.

| | | |
|---|---|---|
| All claims (1916-1925) | (19) | $6,741,466.94 |
| Total certified (1916-1925) | (18) | 6,022,433.44 |
| Total disallowances (1916-1925) | ---- | 266,969.35 |
| Claims pending (1916-1925) | ( 1) | 452,064.15 |
| Claims received during month (1926) | (10) | 517,204.97 |
| Total claims received (1926) | (13) | 617,582.49 |
| Total claims certified (1926) | ( 2) | 48,572.23 |
| Disallowances in above | ---- | 113.01 |
| Claims pending (1926) | (11) | 568,897.25 |
| Supplemental claim pending (1916-1925) | ( 1) | 18.06 |

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## THE FIRST PATENT.

The first patent for public lands of the United States was issued by the Board of Treasury March 4, 1788. The land was sold at public auction in the city of New York to John Martin and lies in T. 7, R. 4, Belmont County, Ohio. In all, 111 patents were issued by the Board of Treasury under the Articles of Confederation and before the inauguration of the first President, the last patent bearing date of March 3, 1789.

Beginning with the administration of President Washington and continuing for more than a century, or until July 1, 1908, approximately four and one-half million patents were issued by the United States for public lands which furnished millions of homes for the American pioneer and settler. The patents were identified as a rule by the certificate or entry number which was assigned numerically in each of the various kinds or forms of entries made in each of nearly 400 local land offices throughout the various public land States.

The present system of numbering consecutively all patents issued was begun July 1, 1908. On that date patent No. 1 was issued on a mineral entry made in the Juneau, Alaska, land office, covering 19.96 acres, known as the "Hackley Placer Mining Claim".

April 12, 1927, patent No. 1,000,000 was issued in the name of Ish-tem-po-tubbe, a son of Bo-le-ho-nah, for the NW¼ Sec. 5, T. 8 N., R. 13 E., Choctaw Meridian, in Newton County, Mississippi. He became entitled, nearly 100 years ago under the treaty of Dancing Rabbit Creek, made by the Choctaw Indians, September 27, 1830, to 160 acres of land.

Under this treaty the Indians agreed to sell the lands east of the Mississippi River and migrate to a tract in the present State of Oklahoma. Those Indians who desired to remain in Mississippi and become citizens of the United States were allowed to do so, and among those who remained was Bo-le-ho-nah, who stayed behind with his family.

Ish-tem-po-tubbe's claim, however, conflicted with that of another Indian and it was not until July 30, 1845, that a commission decided in his favor.

The Indian apparently was not interested in any visible evidence that he owned the land, and it was not until recently that the present owner found the naked legal title was still in the Government, and on March 5, 1927, he applied for patent. As the present owner must trace his claim back through the years to Ish-tem-po-tubbe the patent issued in the name of the Indian.

The area conveyed by these one million patents is 203,782,207.48 acres. This is an area greater than the land surface area of the States of Ohio, Indiana, Illinois, Iowa, Michigan, Wisconsin, Connecticut, Vermont, Delaware, and Rhode Island.

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## SURVEY NOTES.

Group 143, California.--The resurveys of Ts. 42, 43, and 45 N., R. 10 W., M. D. M., Group 143, California, were accepted May 16, 1927, and were executed under the provisions of the act of September 21, 1918 (40 Stat., 965). In this group 87 per cent of the lands were alienated and 13 per cent were public lands. This ratio was used in apportioning the cost of resurvey. Although the recovered evidence of the original survey represented only a small portion of the number of corners reported to have been originally established, and in some cases it was necessary to develop remote control to restore the outboundaries,

nevertheless the results appear to be entirely satisfactory and the purpose of the resurvey has been accomplished in restoring the original surveys and thus affording means of identifying the subdivisions of the public surveys. This area was generally rough, mountainous and chiefly valuable for its timber and minerals, although the valley lands were under cultivation and produced satisfactory yields.

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Pecan Island, Louisiana.--During the past month the Surveying Division has been engaged in the preparation of supplemental plats showing new lottings of the marsh areas surrounding Pecan Island in Ts. 15 and 16 S., R. 1 W., T. 15 S., R. 2 W., and Ts. 15 and 16 S., R. 1 E., La. M., Louisiana. These plats are necessary in order to furnish a proper legal description for the disposal of the areas which according to the decision of the First Assistant Secretary, dated December 17, 1925, are held to be subject to selection by the State of Louisiana under the swamp land act.

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Resurveys, Washington.--The act of Congress approved March 3, 1927, Public No. 736--69th Congress, makes provision for the resurvey of four townships in the State of Washington, payable from the current appropriation for surveying the public lands; viz., Ts. 29 and 30 N., R. 38 E., and Ts. 30 and 32 N., R. 39 E., W. M. A preliminary investigation of survey conditions in these townships has been authorized for the present field season with a view to the determination of competent limiting boundaries and to develop an appropriate plan of field procedure. It is contemplated that upon the completion of investigation, and after consideration of the report of the field engineer, the resurvey will be undertaken promptly with a view to completion during the present year.

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Cooperative Resurveys, California.--The Federal Power Commission has recently called attention to difficulties which have been encountered by the Southern California Edison Company in properly connecting the boundaries of its projects in the upper San Joaquin watershed to the lines of the public land surveys in this locality. It appears that the company has been unable to identify sufficient evidences of the official surveys in Ts. 7 S., Rs. 27 and 28 E., M. D. M., to make the necessary connections, and furthermore that the corners which have been found indicate defective conditions in this area. At the request of the Commission, the General Land Office has authorized an investigation by a cadastral engineer for the purpose of ascertaining the facts regarding conditions in this locality. It is possible that limited corrective surveys or a general resurvey will be undertaken if such procedure appears to be justified.

Field Program--Eastern District.--The large program of field work in Florida was completed during the month of May and all survey parties have been withdrawn from the field in that State. The detail of several engineers from western districts for the winter months was of material aid in carrying through a larger surveying activity than had been outlined at the opening of the southern field season.

One double party, now in the field in Michigan, has opened a field season in the north which gives every indication of carrying as large a program as has been undertaken in the northern States.

The more important cases to be undertaken during the present season include resurveys within the Michigan National Forest where active reforestation is now being carried out; many urgent cases involving large bodies of land erroneously omitted from the original survey in Wisconsin, largely arising under the relief legislation contained in the act of February 27, 1925; numerous island and other fragmentary surveys within Minnesota, Wisconsin, and Michigan, as well as the resurvey of a fractional township within the Minnesota National Forest to define the limits of certain privately owned land in that township.

Owing to the great pressure of other more urgent work, outstanding authorizations for large projects involving resurveys within the Superior National Forest, Minnesota, and resurveys and remarking of allotment corners within the Leech Lake (Minnesota) and Cheyenne River (South Dakota) Indian Reservations, will be given second preference and will be taken up as funds and personnel are available.

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## DISCONTINUANCE AND CONSOLIDATION OF LAND OFFICES AND DISTRICTS. FORMER EXECUTIVE ORDERS MODIFIED. LIST OF OFFICES.

In the April Bulletin notice was given of the discontinuance and consolidation of certain land offices and districts. The executive orders therein mentioned have been modified by Executive Order No. 4647, dated May 11, 1927, by eliminating the consolidation of the Lakeview district with the Roseburg district in Oregon, leaving the Lakeview district and office intact, and by eliminating the consolidation of the Visalia district with the Los Angeles district in California and substituting a consolidation of the Visalia district with the Sacramento district, with transfer of records and business to Sacramento.

A list of the existing district land offices as of July 1, 1927, follows:

ALASKA:
- Anchorage
- Fairbanks
- Nome

ARIZONA:
- Phoenix

ARKANSAS:
- Little Rock

CALIFORNIA:
- Los Angeles
- Sacramento

COLORADO:
- Denver
- Pueblo

FLORIDA:
- Gainesville

IDAHO:
- Blackfoot
- Coeur d'Alene

MINNESOTA:
- Cass Lake

MONTANA:
- Billings
- Great Falls

NEBRASKA:
- Alliance

NEVADA:
- Carson City

NEW MEXICO:
- Las Cruces
- Santa Fe

NORTH DAKOTA:
- Bismarck

OREGON:
- Lakeview
- Roseburg
- The Dalles

SOUTH DAKOTA:
- Pierre

UTAH:
- Salt Lake City

WASHINGTON:
- Spokane

WYOMING:
- Buffalo
- Cheyenne
- Evanston

All business connected with the disposition of the public lands in those States having no district land office must be transacted directly with the General Land Office, Washington, D. C.

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## CHANGES IN FIELD INSPECTION SERVICE.

Departmental order of May 7, 1927, directs that effective June 1, 1927:

(1) "The Southern Inspection Division, comprising the States of Missouri, Arkansas, Louisiana, Mississippi, Alabama, and Florida, with headquarters at Jackson, Mississippi, be abolished and the work therein be directed from Washington, D. C."

(2) "The Cheyenne Inspection Division, comprising the States of Wyoming, South Dakota, and Nebraska, with headquarters at Cheyenne, Wyoming, be abolished and the work in Wyoming and Nebraska be directed from the headquarters of the Denver Inspection Division and the work in South Dakota from the headquarters of the Helena Division."

(3) "The inspection work in Minnesota, Wisconsin, and Michigan now directed from the Helena Inspection Division headquarters be directed from Washington, D.C."

(4) "The position of Special Disbursing Agent for the field inspection service at Salt Lake City headquarters be abolished and all field inspection disbursing be handled in the office of the Disbursing Agent, Field Surveying Service, General Land Office, Denver, Colorado, without increase in force."

FIELD INSPECTION DIVISIONS.
June 1, 1927.

| Name and Address of Division Inspector. | Territory Involved. |
|---|---|
| Walter S. Boyer, Post Office Building, Portland, Oregon. | Oregon, Washington, and Coeur d'Alene land district, Idaho. |
| Joseph H. Favorite, Custom House Building, San Francisco, California. | California and Nevada. |
| William S. Wade, Federal Building, Helena, Montana. | Montana, North Dakota, and South Dakota. |
| Ralph S. Kelley, Post Office Building, Denver, Colorado. | Colorado, Kansas, Nebraska, Oklahoma, and Wyoming. |
| Josiah A. Moore, Federal Building, Salt Lake City, Utah. | Utah, and Blackfoot land district, Idaho. |
| John T. Murphy, Federal Building, Santa Fe, New Mexico. | Arizona and New Mexico. |
| James A. Ramsey, Anchorage, Alaska. | Alaska. |
| Capt. George E. Hair, Assistant Chief Inspector, Washington, D. C. | Alabama, Arkansas, Florida, Louisiana, Michigan, Minnesota, Missouri, Mississippi, Wisconsin. |

Mr. Frank A. Lewis,
Special Disbursing Agent,
Federal Building,
Denver, Colorado.

## RECENT DEPARTMENTAL DECISIONS.

### ASSIGNMENT OF UNDIVIDED INTERESTS IN SOLDIERS' ADDITIONAL RIGHTS.

(Instructions by First Assistant Secretary Finney, May 13, 1927.)

SOLDIERS' ADDITIONAL--WIDOW; HEIRS; DEVISEE--DESCENT AND DISTRIBUTION--ASSIGNMENT.

A soldiers' additional right, not exercised or assigned by the soldier, nor by his widow during widowhood, nor by his minor children during their minority, descends to those who are his heirs under the laws of the State of his domicile at the time of his death.

SOLDIERS' ADDITIONAL--WIDOW; HEIRS; DEVISEE--UNDIVIDED INTERESTS--ASSIGNMENT.

Each of the heirs entitled to the exercise of a soldiers' additional right may separately locate or assign his share of the right.

PRIOR DEPARTMENTAL DECISION OVERRULED SO FAR AS IN CONFLICT.

Case of Edgar A. Coffin (33 L. D., 245), overruled so far as in conflict.

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### I. A. SMOOT.

(Decided by First Assistant Secretary Finney, March 5, 1927.)

MINERAL LANDS--POTASH LANDS--PATENT--OIL AND GAS LANDS--PROSPECTING PERMIT.

A patent issued under the act of October 2, 1917, confers title to the surface and to everything contained within the land, and precludes the granting of a permit to prospect for oil and gas thereupon under the act of February 25, 1920.

POTASH LANDS--PROSPECTING PERMIT--SECRETARY OF THE INTERIOR--WORDS AND PHRASES--STATUTES.

The words "authorized and directed" in section 1 of the act of October 2, 1917, are not to be construed as mandatory, but the same discretionary authority is conferred upon the Secretary of the Interior thereby to issue permits as that conferred upon him by section 13 of the act of February 25, 1920.

MINERAL LANDS--POTASH LANDS--OIL AND GAS LANDS--PROSPECTING PERMIT.

Permits may be issued to prospect for different minerals upon the same lands concurrently.

OIL AND GAS LANDS--GEOLOGICAL SURVEY--LAND DEPARTMENT--POTASH LANDS--PROSPECTING PERMIT--PATENT--WAIVER.

Where the Geological survey has reported that lands have a prospective value for oil and gas, the department may, in the exercise of its discretionary authority, reject an application for a potassium permit under the act of October 2, 1917, if the right to select a one-fourth part for patent is not waived.

POTASH LANDS--PROSPECTING PERMIT--LEASE--PREFERENCE RIGHT--PATENT--WAIVER.

The department may issue a potassium permit under the act of October 2, 1917, carrying a preference right to a lease upon discovery for not to exceed one-fourth the area covered by the permit, with a provision that the permittee waive his right to a patent.

Salt Lake City 036031, 036025.

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T. A. WANN.

(Decided by First Assistant Secretary Finney, March 25, 1927.)

OIL AND GAS LANDS--PROSPECTING PERMIT--WITHDRAWAL--CONTEST--PREFERENCE RIGHT.

Section 20 of the leasing act does not confer a preference right to an oil and gas prospecting permit upon one who is allowed to make a surface entry subject to the provisions of the act of July 17, 1914, as a reward for a successful contest initiated after the inclusion of the land within the reserve, notwithstanding that the contested entry was made prior to the withdrawal.

Visalia 02263, 06311, 09211.

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NORMAN E. THACKERAY.

(Decided by First Assistant Secretary Finney, March 23, 1927.)

PUBLIC LAND--PATENT--EXCHANGE--STATUTE.

The exchange by the United States of a tract of unpatented public land for a tract of patented land is an unusual procedure, and authority therefor is not to be inferred when another construction of the statute is more probable.

RECLAMATION HOMESTEAD--PATENT--EXCHANGE--STATUTE.

The right granted by subsection M of section 4 of the act of December 5, 1924, to an entryman or assignee on a project farm unit "not yet patented" to make an exchange for another farm unit of unentered public land, has reference to a farm unit, unpatented at the time that the application to make the exchange is made.

HEIRS OF JEPTHA H. BRASHER.

(Decided by First Assistant Secretary Finney, April 13, 1927.)

STOCK-RAISING HOMESTEAD--CONTEST--PREFERENCE RIGHT--WIDOW; HEIRS; DEVISEE--RESIDENCE.

Where the heirs of a deceased contestant have made homestead entry in the exercise of the preference right, the requirements of the law may be fulfilled by one of the heirs for the benefit of all the heirs, notwithstanding that he be a minor.

Santa Fe 052473, 052575.

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UNITED STATES v. CENTRAL PACIFIC RAILWAY COMPANY.

(Decided by First Assistant Secretary Finney, April 20, 1927.)

RAILROAD GRANT--MINERAL LANDS--MINING CLAIM--SURVEY--PAYMENT--PATENT.

Where the definition of boundaries is needed to give precision to a railroad grant, requiring a survey to exclude mineral lands, the cost of such survey must be paid by the grantee and the Government can withhold patent until the costs are paid; the provisions of paragraph 108 of the mining regulations imposing the costs of survey upon the Government are inapplicable.

COURT DECISION CITED AND DISTINGUISHED.

Case of Work et al v. Central Pacific Railway Company (12 Fed., 2d series, 834), cited and distinguished.

Carson City 014233.

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STATE LEGISLATION RELATING TO DISPOSITION OF ANTIQUITIES ON PUBLIC LANDS.

(Opinion by Solicitor Patterson, May 6, 1927.)

NATIONAL MONUMENTS--PUBLIC LAND--RESERVATIONS--JURISDICTION.

By virtue of the power conferred upon Congress by section 3, article 4 of the Constitution respecting the territory or the property of the United States, Congress may make reservations of the public domain for the preservation of antiquities and authorize executive officers to make rules and regulations for their preservation and protection.

NATIONAL MONUMENTS--PUBLIC LAND--ARIZONA--JURISDICTION.

Under the act of June 8, 1906, Congress has authorized the Executive to prescribe regulations relating to excavation and exploration for antiquities upon lands owned and controlled by the United States, and for the disposition of articles, implements and material discovered thereon, and a State legislature has no power to restrict in any wise the methods thus prescribed.

Approved:
JOHN H. EDWARDS,
Assistant Secretary.

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CONTEST--NOTICE BY PUBLICATION--INFORMATION FROM POSTMASTERS.

Rule 9, of the Rules of Practice, requires as a basis for service of notice by publication an affidavit showing, among other things, that inquiry concerning the whereabouts of the contestee has been made of the postmasters at the record address and the post office nearest the land. Attention having been invited to an apparent inconsistency between this rule and a regulation of the Post Office Department governing the furnishing of information by postmasters, the matter was taken up with that Department, and under date of May 16, 1927, the following instructions were issued for publication in The Postal Bulletin and The Supplement to The Postal Guide:

Postmasters:

FURNISHING ADDRESSES IN CONTESTED LAND CASES.

Under the practice of the Department of the Interior governing the procedure in public land cases, it is required that in contested cases as the basis for service of notice by publication the contestant must show that he made diligent effort to ascertain the whereabouts of the defendant, including inquiry of the postmaster at defendant's record address and at the post office nearest the land.

Postmasters are therefore instructed that in all such cases they may, if their office be the defendant's record address, or be nearest the land under contest, furnish contestants, upon application and presentation of a copy of the notice of contest signed by the register of the district land office in which the proceeding is pending the last known post-office address of the defendant, or may furnish such address to anyone making inquiry in behalf of the contestant after satisfying themselves that such inquiry is bona fide.

Sincerely yours,
HARRY S. NEW,
Postmaster General.

## OIL AND GAS PERMITS--DRILLING BOND.

By approval of the Department of May 2, 1927, a form of drilling bond under oil and gas permits was issued whereby the operating company, which has contracted with the permittee to drill the land, may furnish the $5,000 bond in connection with the drilling operations in lieu of the one usually required of the permittee. This change in practice was based upon representations that in many instances it is difficult for permittees to obtain a bond in the sum of $5,000, and in other cases several permittees interested in the same permit are widely scattered, thus requiring considerable time and trouble to secure their signatures to the same bond. The companies who have contracted to drill the lands are interested generally in proceeding promptly and are willing to furnish the bond and become liable for the amount thereof in the event of failure to carry on operations in accordance with the terms of the permit.

A copy of the new form of bond follows:

4-700a
(May, 1927)

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office

DRILLING BOND UNDER OIL AND GAS PERMIT.

Act of February 25, 1920 (41 Stat., 437).

U. S. Land Office.....
Serial Number.....

KNOWN ALL MEN BY THESE PRESENTS, That we, .....
.....
of ....., in the State of ..... as principal, and .....
a corporation of ....., in the State of ..... as surety for and in consideration of the granting of permission to drill pursuant to the oil and gas regulations, are held and firmly bound unto the United States of America in the sum of $5,000, lawful money of the United States to be paid to the United States, for which payment, well and truly to be made, we bind ourselves, and each of us, and each of our heirs, executors, administrators or successors, and assigns, jointly and severally by these presents.

Signed with our hands and sealed with our seals this ..... day of ....., in the year of our Lord one thousand nine hundred and ..... .

THE CONDITION OF THE FOREGOING OBLIGATION is such that, whereas the said principal has contracted with the record holder of a permit issued under the act of February 25, 1920 (41 Stat., 437), bearing ..... serial No. ..... to drill the lands therein described in accordance with the conditions set forth in said permit.

NOW, THEREFORE, if said principal shall fully comply with the conditions of the above-described permit, to-wit: (a) to carry on all operations in accordance with approved methods and practice and in conformity with the operating regulations of the Department of the Interior under said act of Congress, to the satisfaction of the Supervisor of oil and gas operations of the Geological Survey; and (b) to carry out, without expense to the United States, all reasonable orders of the Secretary of the Interior or his authorized representatives; and (c) to take all reasonable precautions to prevent waste of oil or gas, damage to formations or deposits bearing oil or gas, or water, or to coal measures or other mineral deposits, injury to life or property, or economic waste; and, (d) to repair promptly, so far as possible, any damage to mineral deposits or mineral-bearing formations resulting from operations conducted by said principal, within the period of two years after date of issuance of said permit, or within such extensions or suspensions of time as may be granted, then the above obligation is to be void and of no effect; otherwise and in default of full and complete compliance with said terms and conditions, the said obligations shall remain in full force and effect.

SIGNED, SEALED, AND DELIVERED in the presence of--

| Names of Witnesses. | Addresses. | |
|---|---|---|
| | | (SEAL.) |
| ..... | ..... | ..... |
| | | (Principal.) |
| ..... | .....By | ..... |
| | | ..... |
| | | (SEAL.) |
| ..... | ..... | ..... |
| | | (Surety.) |
| ..... | .....By | ..... |
| | | ..... |

Circular No. 1123.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

May 16, 1927.

ACCOUNTS: Per Diem of Witnesses.

Division Inspectors

and Special Disbursing Agents.

Gentlemen:

The Comptroller General having held in a decision of January 21, 1927 (6 Comp. Gen., 480), quoting the syllabus, that:

> "The per diem allowance for subsistence, authorized by section 3 of the act of April 26, 1926 (44 Stat., 323), to be paid to jurors and witnesses while in attendance before United States courts and United States commissioners upon the certification by the court or commissioner that the place of holding court is so far removed from residence as to prohibit return thereto 'from day to day' is to be computed upon the calendar day,"

Circular No. 1117 is modified accordingly, it being understood that the Comptroller General modifies his decision of June 25, 1926, quoted in such circular by inserting "for each calendar day" in place of "for each period of 24 hours."

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved:

JOHN H. EDWARDS,

Assistant Secretary.

Circular No. 1124.

REGULATIONS FOR THE SALE OF TOWN LOTS IN THE TOWNSITE OF ARAGON, NEW MEXICO.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

May 28, 1927.

Register,

Las Cruces, New Mexico.

Sir:

The subdivisional survey of the SE¼ NW¼ SE¼ of Sec. 8, T. 5 S., R. 16 W., N. M. P. M., New Mexico, for the townsite of Aragon, New Mexico, was accepted February 5, 1927.

This survey was made under section 2384, Revised Statutes, and the unreserved lots in said townsite will be disposed of under sections 2382 to 2386, Revised Statutes, in accordance with the regulations herein prescribed.

Price.--The minimum price of all lots of 4,200 square feet or less is fixed by said section 2384, Revised Statutes, at $15 per lot. For all lots of greater area an additional sum of $4 shall be added for each additional 1,000 square feet or fractional part thereof.

Lots disposed of at the public sale shall be paid for in cash on the day the bid is accepted.

Preemotion Proof.--Prior to the date of public sale, set for Tuesday, August 16, 1927, a preemption right of purchase at the minimum price, of not exceeding two lots, is accorded an actual resident, to secure which he must file in your office his application therefor, and therein state the date of settlement and the value and character of his improvements. The notice of intention to make proof must be published four times consecutively in a weekly newspaper (or 30 times if a daily), of general circulation in the townsite prior to the date set for proof, at the applicant's expense. In order that all bona fide preemption rights may be determined prior to the date of public sale, claimants will give notice in time to submit proof in advance of the public sale.

Proof may be made before you or before any officer duly authorized by law and must show by record or documentary evidence, where such evidence is usually required and where not so required, by the testimony of witnesses: (1) Due publication of the Register's notice; (2) the claimant's age;(3) his citizenship; (4) his actual residence upon one lot and substantial improvements on a second lot where two lots are included in the application. The

proof must embrace the testimony of the applicant and of at least two of his advertised witnesses. The purchase price for the lot or lots must be paid to the Receiver when the proof is made.

Qualifications.--To qualify as a preemption claimant for lots at the minimum price, settlement must be shown at the time of the commencement of the townsite survey in the field and maintained to date of proof. A claim is not necessarily forfeited by the settler transferring his interest to another subsequently to accrual of the right, but patent if issued, will be in the name of the settler and not the transferee.

Contests.--Hearings will be ordered and conducted in accordance with the rules of practice where two or more adverse applications are filed for the same lot, or where a sufficient contest affidavit is filed against an application on or before the date fixed for making proof, but no purchase money will be collected from the applicants until the final determination of the case, whereupon the successful applicant will be required to pay the purchase price within 30 days from notice thereof. All rights to preempt and purchase occupied and improved lots for which no entry has been allowed prior to August 16, 1927, will be forfeited, unless a contest be pending thereon as hereinbefore provided, and such lots will be offered for sale together with the unoccupied lots. You will refuse to receive or consider any such application for entry where due publication could not be had and proof made thereon prior to the date so fixed for the public sale.

Date of Sale.--On August 16, 1927, a sale at public auction to the highest bidder will be held at the townsite, of all remaining unreserved, undisposed of lots, the sale to be conducted from day to day until all such lots shall be offered under your supervision. No lots will be sold for less than the minimum price and on the terms hereinbefore stated.

All persons are warned against forming any combination or agreement which will prevent any lot from selling advantageously, or which will in any way hinder or embarrass the sale, and all persons so offending will be prosecuted under section 59 of the Criminal Code of the United States, which reads as follows:

> "Whoever, before or at the time of the public sale of any of the lands of the United States shall bargain, contract, or agree, or attempt to bargain, contract, or agree with any other person that the last-named person shall not bid upon or purchase the land so offered for sale, or any parcel thereof; or whoever by intimidation, combination, or unfair management shall hinder or prevent, or attempt to hinder or prevent, any person from bidding upon or purchasing any tract of land so offered for sale shall be fined not more than one thousand dollars, or imprisoned not more than two years, or both."

On the filing of the plat of survey, photolithographic copies of which have been forwarded to you, and the receipt of these regulations, you will conspicuously post in your office a notice to the effect that the official plat of such townsite has been filed in your office and that you are ready to

receive applications by the occupants of lots to make proof for and purchase the lots occupied by them, respectively. The newspapers in the vicinity should be given copies of such notice as an item of news and such other publicity should be given it as can be done without expense.

Mimeographed copies hereof will be forwarded you for distribution when available.

You are authorized to reject any and all bids for any lots, and at any time suspend, adjourn, or postpone the sale of any lot or lots to such time and place as you may deem proper.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved: May 28, 1927.

E. C. FINNEY,

First Assistant Secretary.

DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1078291

PUBLIC LANDS RESTORED TO HOMESTEAD ENTRY AND OTHER DISPOSITION BY PROCLAMATION, EXECUTIVE OR DEPARTMENTAL ORDER.

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Preference Rights to Ex-Service Men of the War with Germany.

General Method of Opening:

By virtue of Public Resolution No. 29, of February 14, 1920 (41 Stat., 434), as amended by Public Resolution Nos. 36 and 79, approved January 21 and December 28, 1922, respectively, hereafter and until February 15, 1930, when any surveyed lands within the provisions of the public resolutions are opened or restored to disposition under the authority of the department, such lands, unless otherwise provided in the order of restoration, shall become subject to appropriation under the laws applicable thereto in the following manner, and not otherwise:

Lands not affected by the preference rights conferred by the acts of August 18, 1894 (28 Stat., 394), or June 11, 1906 (34 Stat., 233), or February 14, 1920 (41 Stat., 407), will be subject to entry by soldiers under the homestead and desert-land laws, where both of said laws are applicable, or under the homestead law only, as the case may be, for a period of 91 days, beginning with the date of the filing of the township plat in the case of surveys or resurveys, and with the date specified in the order of restoration in all other cases, and thereafter to disposition under all of the public land laws, applicable thereto, except where homestead entrymen are granted a prior preference period under the order. For a period of 20 days and for a like period prior to the date or dates such lands become subject to entry by the general public, soldiers in the first instances, and qualified applicants in the second, may execute and file their applications, and all such applications presented within such 20-day periods, together with those offered at 9 o'clock a. m., standard time, on the dates such lands become subject to appropriation under such applications, shall be treated as filed simultaneously.

Unsurveyed lands are not subject to homestead or desert-land entry. A homestead entry may embrace 160 acres, or an approximation thereof, and where the lands are of the character contemplated by the 320 or 640 acres homestead acts, applications for the unappropriated lands may be filed by qualified persons, under either of said acts, accompanied by proper petitions, if undesignated, for the designation of lands thereunder, and such applications will be suspended pending determination as to the character of such lands.

The following are restorations or openings which will occur in the near future and concerning which further information may be obtained from the local offices:

(709)
IDAHO:

FROM SEGREGATION UNDER THE CAREY ACT.

One thousand seven hundred fifty-seven and seventy one hundredths acres of land in Gooding and Lincoln counties, Blackfoot land district, opened to entry under the homestead and desert-land laws, by ex-service men of the World War, beginning May 14, 1927, and opened to entry by the general public under any applicable public land law August 13, 1927. Some tracts may be found to be subject to a preference right of entry by Carey Act entrymen beginning May 14, 1927.

The soldiers and Carey Act entrymen's simultaneous filing period is from April 24, 1927, to May 13, 1927, inclusive, and the simultaneous filing period for the general public is from July 23, 1927, to August 11, 1927, inclusive.

All of the land has been released from segregation for Carey Act purposes, the principal reason being that no water is now available and none can be made available under the Carey Act water appropriations, some of the land is poor and part of it has been withdrawn for reclamation purposes.

The status of any particular tract or tracts of the land may be determined by making inquiry of the Register of the United States Land Office at Blackfoot, Idaho.

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(710)
WYOMING:

OPENED TO ENTRY THROUGH REVOCATION OF SUSPENSION.

The unappropriated and unreserved land in Secs. 6, 7, 18, 19, 30, and 31, T. 52 N., R. 76 W., 6th P. M., Johnson County, Wyoming, will be restored to entry at 9 o'clock a. m. on June 10, 1927.

For 91 days, beginning June 10, qualified former service men of the World War will have a preference right of entry under the homestead and desert-land laws. They will be permitted to file applications during the 20-day period immediately preceding said date. At 9 o'clock a. m. on September 9, the land remaining vacant and unreserved will become subject to entry under any applicable public land law by the general public.

Information concerning the land available for entry under said restoration may be obtained by addressing the Register of the district land office at Buffalo, Wyoming, where all applications must be filed.

OPEN TO ENTRY THROUGH CAREY ACT RESTORATION.

Eleven thousand six hundred ninety-five and seventy-three hundredths acres in Albany County, Cheyenne land district, restored to entry through the cancellation of Carey Act segregation list No. 71.

For 91 days, beginning June 2, 1927, the unwithdrawn and unreserved lands involved will be open to entry under the homestead (including enlarged and stock raising, where the lands have been designated under said acts) and desert-land laws, by qualified former service men of the World War, subject, however, during the first 90 days of said period to the superior preference right of Carey Act entrymen under the act of February 14, 1920 (41 Stat. 407).

Qualified ex-service men may file their applications during the 20-day period immediately preceding the date of restoration, but applications so filed will be subject to the preference right of qualified Carey Act applicants who file within the required period.

The lands remaining, if not withdrawn or reserved, will become subject to entry under any applicable public land law on September 1, 1927, by the general public. These lands, according to available information, lie about 7,000 feet above sea level, and the growing season is short and the variety of crops that can be raised is limited.

The lands not designated under the enlarged and stock raising homestead acts lie under a constructed canal system, but whether title to sufficient water can be obtained for their irrigation is doubtful.

(712)
WISCONSIN:

NOTICE OF FILING OF PLAT OF SURVEY.

Notice is hereby given that the supplemental plat of Secs. 11, 12, 13, 14, and 15, T. 44 N., R. 7 W., 4th P. M., Bayfield County, Wisconsin, covering the survey of certain land adjacent to Lake Owen and Bass Lake, will be officially filed in the General Land Office, Washington, D. C., at 9 o'clock a. m., July 1, 1927.

For 91 days, beginning July 1 to September 29, inclusive, the unappropriated and unreserved lands represented on said plat will be open to entry under the homestead law, only by qualified former service men of the World War, subject, however, to valid existing settlement rights or preference rights under existing laws or equitable claims that are subject to allowance and confirmation. Both the soldier applicants and those persons asserting preference rights superior to that of the soldier, may file their applications beginning at 9 o'clock a. m. on June 11, 1927, and all applications received between the dates of June 11 and June 30, both dates inclusive, will be treated as though filed simultaneously at 9 o'clock a. m. on July 1, and conflicting applications by soldiers not otherwise in conflict will be disposed of by lot.

Any person claiming settlement right or other preference rights may avoid confusion by asserting such rights between the dates of June 11 and June 30, but they are not required to do so. Any person claiming preference right to purchase under the act of February 27, 1925 (43 Stat., 1013), must file their applications within 90 days from July 1, the date of the filing of the plat.

Ex-service men should file certified copies of their certificate of discharge with their applications and persons claiming preference rights by settlement or otherwise, should file affidavits supporting such claims, attaching same to their applications. All applications must describe the land applied for by legal subdivision, section, township and range numbers, executed before some officer having a seal and qualified to administer oaths under the laws of the State of Wisconsin, and must be accompanied with a certain fee and commissions based upon the area of the land applied for.

At 9 o'clock a. m., September 30, any of said land remaining unentered and unreserved will become subject to entry under any applicable public land law by the general public. Beginning at 9 o'clock a. m., September 10, the general public may file their applications and all applications received between the dates of September 10 and September 29 will be treated as filed simultaneously at 9 o'clock a. m. September 30, and conflicting applications will be disposed of by lot.

Application forms and additional information with respect to this land may be obtained by addressing the Commissioner of the General Land Office, Washington, D. C., where all applications must be filed.

This plat represents the survey of numerous tracts of public land which were erroneously omitted from the original survey of the township, containing in the aggregate 558.99 acres, designated as lots 8, 9, 10, Sec. 11, lots 7 and 8, Sec. 12, lots 8, 9, 10, Sec. 13, lots 10 to 17, inclusive, Sec. 14, lots 10 to 16, inclusive, Sec. 15. The land is high, dry and rolling; the soil is rather sandy, classed as third rate, and is suitable for agriculture. The area has a stand of second growth hardwood timber of the species common to that locality. The improvements on the area consist of one residence and a small cabin.

Of the land represented by said plat, lot 9, Sec. 11, lot 8, Sec. 12, lots 8, 9, 10, Sec. 13, lots 12 to 17, inclusive, Sec. 14, and lots 10, 11, 15, Sec. 15, are withdrawn from settlement, location, sale, entry and all form of appropriation under Executive Order No. 4430 of April 23, 1926, subject, however, to possible preference rights under act of February 27, 1925, supra, and other valid existing rights in and to the same. Such rights, if there be any, should be asserted within the 20-day period, preceding the filing of the plat, or the 90-day period following.

The records of the General Land Office show that a number of lieu selections have been filed under the acts of July 1, 1898, and February 27, 1917, for a large portion of the land shown on said plat and when read in the terms as shown by the new survey plat, covers the following-described lands:

Lieu selection 5002 Warsaw of William Simmons, filed April 8, 1924, covers lots 8, 9, 10, Sec. 13; 05003 of William V. Hyde, filed April 8, 1924, covers lots 10, 11, 12, 15, 16, and 17, Sec. 14, and lot 10, Sec. 15; 05004 of Winthrop A. Rowe, filed April 8, 1924, covers lot 9, Sec. 11, and lot 8, Sec. 12, lots 13 and 14, Sec. 14; 05017 of Henry S. Royer, filed April 28, 1924, covers lot 11, Sec. 15, therefore, the lots covered by said lieu selections are not subject to further appropriation.

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(713)
UTAH:

OPEN TO ENTRY THROUGH SURVEY.

The plats of surveys of the following townships will be officially filed in the district land office at Salt Lake City, Utah, on June 21, 1927, at 9 o'clock a. m.:

| | | | | |
|---|---|---|---|---|
| T. 33 S., | R. 5 E., | S. L. B. | and M., | Garfield County. |
| T. 1 N., | R. 15 W., | " | " | Tooele County. |
| T. 2 N., | R. 15 W., | " | " | " " |
| T. 1 S., | R. 15 W., | " | " | " " |
| T. 2 N., | R. 16 W., | " | " | " " |

For 91 days, beginning June 21, 1927, the unreserved lands represented on said plats will be available for entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately

preceding the filing of the plats, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. June 21, 1927. At 9 o'clock a. m. on September 20, 1927, the land remaining unentered and unreserved will become available for entry under any applicable public land law by the public generally.

T. 33 S., R. 5 E.--Area surveyed, 21,708.21 acres, the major portion of which is within the Powell National Forest. Land: mountainous, broken by deep canyons, high ridges and mesas. Soil: shallow, loose sand and rock, third and fourth rate. Timber: medium growth of Juniper, pinon, and yellow pine of small commercial value. Undergrowth: sage, black and bitter brush and native grass. The only permanent stream of water in the township is Deer Creek in the southwest portion of the area. The township is suitable and principally valuable for stock raising during the entire year. There is no indication of mineral in the township.

T. 1 N., R. 15 W.--Area surveyed, 23,030.44 acres. This township is situated on the Great American Desert and is one vast level alkali flat. There is no drainage. The soil is a damp to wet, sticky clay, saturated with mineral of saline character. A heavy brine is found 1 to 4 feet beneath the surface. A very scattering growth of salt brush about 1 foot high grows in the southern part of the township. There are no settlers nor improvements in the township. No indications of coal, oil, nor mineral other than of saline character were found.

T. 2 N., R. 15 W.--Area surveyed, 22,986.84 acres. The township is situated on the Great American Desert and is a vast alkali flat. The soil is a wet, sandy, sticky clay, with white clay subsoil, saturated with mineral of saline character. A brine is found 1 to 3 feet beneath the surface. There is practically no vegetation. There are no settlers in the township. No indication of coal, oil, nor mineral other than of saline character was found. Remains of an ox-team caravan, consisting of four wagons and bones of the oxen, were found in Secs. 21 and 22. This caravan is said to have attempted to cross the desert in 1850, but most of the party perished on the way. The wagon tracks are still plainly discernible.

T. 1 S., R. 15 W.--Area surveyed, 23,171.20 acres. The township is situated on the Great American Desert and is one vast level alkali flat, with the exception of a few Sandy knolls from 5 to 40 feet high, located in the southeast and northeast corners of the township. The soil is principally a heavy, damp to wet sticky clay saturated with mineral of saline character. The main line of the Western Pacific Railroad traverses the township. The Victory Highway, a first-class automobile road, parallels the railroad about 120 feet north of the track.

T. 2 N., R. 16 W.--Area surveyed, 23,002.96 acres. The major portion of this township lies in the Great American Desert, and is a vast alkali flat. The soil in the flat is principally a wet, sticky clay of saline character. The southwest portion of Sec. 31 lies on a salt bed of from 2 to 3 inches in thickness. Floating Island is located in the east-central portion of the township, rising to an elevation of 900 feet above the level land. There are no settlers in the township.

(714)

UTAH: OPEN TO ENTRY THROUGH SURVEY.

The plats of surveys of Ts. 17 S., Rs. 24 and 25 E., S. L. B. and M., Grand County, Utah, will be officially filed in the district land office at Salt Lake City, Utah, on June 22, 1927, at 9 o'clock a. m.

For 91 days, beginning June 22, 1927, the unreserved land represented on said plats will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on June 22, 1927. At 9 o'clock a. m. on September 21, 1927, the land remaining unentered and unreserved, will become available for entry under any applicable public land law by the public generally.

T. 17 S., R. 24 E.--Area surveyed, 23,367.39 acres. This township is located in the Book Mountain Range. The area is drained by many deep, rugged canyons. Numerous seams of coal, some of which being 10 feet in thickness are exposed on the sides of a great many of the canyons. Shale is the only evidence of oil and there are no indications of other mineral. The approximate elevation above sea level ranges from 5,000 to 6,500 feet. The soil in the mountains is a shallow light or red sand, sandy loam or clay, lying on a clay subsoil, shale or on bedrocks. Cedar and pinon pine, varying from a scattering to a heavy growth, is the principal timber of the township. Frank Shafer, the only settler, resides in the NW¼ SE¼ of Sec. 25. The main water supply consists of several small streams located in several of the larger canyons and a creek in Westwater Canyon.

T. 17 S., R. 25 E.--Area surveyed, 23,169.97 acres. The land in this township ranges from level to rugged mountains. The general drainage is to the southeast. A few seams and veins of coal are exposed in the mountains along several of the canyons. Scattering to a heavy growth of cedar and pinon pine grows on the rough mountainous portions, tops of reefs, and on the broken and rolling land in the northeast part of the township. Claude Taylor, the only settler in the township, owns a ranch which is located in portions of Secs. 9, 10, 15, and 16. The main water supply is derived from storage reservoirs.

(715)
IDAHO:

FROM STOCK DRIVEWAY WITHDRAWAL.

Two hundred twenty-nine and eighty one hundredths acres in Bingham County, Blackfoot land district, open to entry only by ex-service men of the war with Germany under the homestead or desert-land laws with the reservations required by Sec. 24 of the Federal water power law, for a period of 91 days, beginning June 8, 1927. On and after September 7, 1927, the unentered land will be subject to appropriation under any applicable public land law by the general public. The greater portion of the tract is in a phosphate reserve and is therefore subject to surface agricultural entry only.

(716)

IDAHO:

FROM SEGREGATION UNDER THE CAREY ACT.

Forty-six thousand twenty-nine and one hundredths acres of land in Twin Falls County, Blackfoot land district, opened to entry under the homestead and desert-land laws, by ex-service men of the World War, beginning June 14, 1927, and opened to entry by the general public under any applicable public land law September 13, 1927. Some tracts will be found to be subject to a preference right of entry by Carey Act entrymen beginning June 14, 1927, and ending September 11, 1927.

The soldiers' and Carey Act entrymen's simultaneous filing period is from May 25 to June 13, 1927, inclusive, and the simultaneous filing period for the general public is from August 24 to September 12, 1927, inclusive.

All the land has been released from segregation for Carey Act purposes, the principal reason being that no water could be made available under the water appropriations for use on the land. All the land so released has been designated under the stock raising and enlarged homestead acts. According to available information the land is in large part cultivable but the rainfall is scanty, being between 9 and 10 inches per year, and numerous attempts to produce crops on similar lands in the same locality have proved unprofitable.

The lands have grazing value, especially in the spring of the year, but their stock-carrying capacity is small.

(717)
WYOMING:

MEMORANDUM.

In accordance with departmental order dated May 11, 1927, 57 farm units within the Willwood division of the Shoshone Irrigation Project, Wyoming, in Ts. 54 and 55 N., Rs. 99 and 100 W., 6th P. M., will be open to homestead entry, subject to the reclamation act of June 17, 1902 (32 Stat., 388). Honorably discharged veterans of the World War will have a preference right to make entry up to September 1, 1927, on and after that date, any of the farm units remaining unentered will be subject to entry under the notice by any person having the necessary qualifications. Farm application blanks which are filed with the project superintendent at Powell, Wyoming, within the 10-day period from June 1 to 10, 1927, inclusive, will be considered as simultaneously filed.

The farms are of various sizes, containing from 9 to 92 irrigable acres, and are in Park County, and within the Lander land district until June 30, 1927, after which time the lands will be in the Cheyenne land district.

Powell, on the Chicago, Burlington and Quincy Railroad, is one of the nearest towns to the lands.

In addition to the qualifications required under the homestead laws, an applicant for the lands must satisfy the examining board appointed by the Shoshone project that he is possessed of certain qualifications as to industry, experience, character, and capital, as will give reasonable assurance of success by the prospective settler.

ARKANSAS: MEMORANDUM.

The supplemental plat of Secs. 24 and 25, T. 13 N., R. 9 E., 5th P. M., Arkansas, representing the survey of 45.01 acres of land erroneously omitted from the original survey will be officially filed in the district land office at Little Rock, Arkansas, on July 8, 1927, and the land open to entry subject to the soldiers' 91-day preference right period, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. No public notice, however, has been prepared by the General Land Office for distribution in Washington, because of the small area involved.

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MINNESOTA: MEMORANDUM

The following plats of island surveys in Minnesota will be officially filed in the district land office at Cass Lake, Minnesota, on June 25, 1927, and the land opened to entry subject to the soldiers' preference right period and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. No public notice, however, has been prepared by this office for distribution in Washington, for the reason that practically all the islands represented by said plats are covered by lieu selections and settlement claims.

Plat of two islands in North Jacobs and South Jacobs Lakes, in Secs. 9 and 15, T. 52 N., R. 14 W., 4th P. M., containing 0.29 acres.

Plat of an island in Sand Point Lake, in Sec. 14, T. 68 N., R. 17 W., 4th P. M., containing 2.75 acres.

Plat of three islands in Susan Lake, in Secs. 5 and 32, Ts. 63 and 64 N., R. 18 W., 4th P. M., containing 3.55 acres.

Plat of an island in Sturgeon Lake, in Sec. 19, T. 60 N., R. 21 W., 4th P. M., containing 1.12 acres.

Plat of an island in Island Lake, in Sec. 18, T. 49 N., R. 23 W., 4th P. M., containing 20.44 acres.

Plat of an island in Upper Dean Lake, in Secs. 31 and 32, T. 137 N., R. 25 W., 5th P. M., containing 1.69 acres.

Plat of an island in Sugar Lake, in Secs. 33 and 34, T. 143 N., R. 25 W., 5th P. M., containing 4.11 acres.

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RECENT EXECUTIVE ORDERS AND PROCLAMATIONS.

By proclamation of April 9 certain lands were added to the Superior National Forest in Minnesota.

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By proclamation of April 21 several amendments have been made in the Migratory Bird Treaty Act Regulations.

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The withdrawal made of certain lands in Wyoming in aid of legislation to extend the boundaries of the Yellowstone National Park has been revoked by order of April 23 as to 85.43 acres, and said land restored to entry.

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By order of April 26 the public lands in T. 20 N., Rs. 6 and 7 E., N. M. P. M., New Mexico, have been withdrawn pending resurvey.

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By proclamation of April 28 portions of certain school sections were excluded from the Siuslaw National Forest in Oregon, and an exchange between the United States and said State affecting lands in such national forest was authorized thereby.

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By order of May 2 an 80-acre tract in California has been withdrawn for townsite purposes.

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The trust period on certain allotments to Indians of the White Earth Reservation in Minnesota, which would otherwise have expired during 1927, has been extended for 10 years by order of May 5.

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The withdrawal of public lands in Ts. 4 and 5 S., R. 24 E., N. M. P. M., New Mexico, pending resurvey of said township, has been revoked by order of May 5 and such lands restored to entry under the preference granted ex-service men.

The withdrawal of certain public lands in New Mexico in aid of legislation which was effected by act of Congress of March 2 granting certain of the withdrawn lands to the State, has been revoked as to the lands not described in said act by order of May 13, and such tracts restored to entry under the preference granted ex-service men.

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By order of May 18 certain lands in the States of California and Nevada have been withdrawn for use by the Department of Commerce as air mail beacon sites and landing fields.

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The withdrawal of the public lands in certain townships in Colorado pending resurvey of said townships has been revoked by order of May 20 as to the lands in Ts. 6 and 7 S., R. 99 W., 6th P. M., and such tracts restored to entry under the preference granted ex-service men.

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By order of May 23 two small unsurveyed islands in Secs. 22 and 25, T. 34 N., R. 1 E., W. M., Washington, have been withdrawn for classification and in aid of legislation.

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OIL AND GAS ACTIVITIES.

During the month of May the division handling oil and gas prospecting permits under sections 13 and 20 of the leasing act received 676 new applications, 1,129 applications on drawings, and 8,234 cases for reconsideration. Permits were granted in 392 cases, 1,435 applications finally rejected on drawings, 252 finally rejected on conflicts and 107 finally rejected in part; 325 cases were rejected in entirety subject to appeal, and 11 in part; 29 appeals were transmitted to the Secretary; departmental decisions were promulgated in 32 cases, 22 affirming, 6 reversing, and 4 modifying decisions of this office; 78 assignments were acted upon, and 277 extensions of time disposed of; 6,286 permits were held for cancellation, and 73 permits canceled; 1,670 applications were examined and reports from the Geological Survey called for, and 149 reports were received during the month; 238 cases are awaiting reports from the Survey and 11 from the Reclamation Bureau, and 957 new cases awaiting reports. 7,286 letters were written, of which 229 were replies to inquiries.

Under the relief sections of the act and other sections providing for issuance of leases, 3 leases involving 2 cases, and 1 permit were granted; 7 leases, involving 5 applications were forwarded to the Secretary for approval, 2 leases mailed for execution by the lessee, and 3 leases involving 2 cases forwarded to the Secretary for execution; 1 lease application was forwarded to

the Geological Survey for report; 4 departmental decisions were promulgated, 3 affirming and 1 reversing this office; 27 assignments disposed of, involving 19 cases; 5 extensions of time granted; 2 assignments of drilling agreements were approved; 5 permits were held for cancellation and 3 permits canceled; approval of 2 sales contracts recommended and 1 approved; 6 applications for reduction of royalty recommended for approval, 6 approved, and 5 rejected; drilling relief recommended in 1 case, 4 bonds released, and miscellaneous actions on 4 cases taken; 100 cases were received for reconsideration during the month. One hundred and fifteen letters were written, of which 32 were replies to inquiries.

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RECEIPTS UNDER MINERAL LEASING ACT.

The receipts under the mineral leasing act of February 25, 1920, during the month of April were $480,826.16, all from lands outside of naval petroleum reserves.

CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES
FOR THE MONTH OF APRIL, 1927.

| Offices. | Business of Current Month. | | | | | Pending at end of month. | | |
|---|---|---|---|---|---|---|---|---|
| | A | B | C | D | Total | 6 | 7 | 8 |
| Alabama | | | | | | | | |
| Montgomery | 18 | 250 | 11 | | 279 | | 14 | |
| Arizona | | | | | | | | |
| Phoenix | 292 | 905 | 300 | 15 | 1,512 | 141 | 182 | |
| Arkansas | | | | | | | | |
| Little Rock | 77 | 736 | 39 | | 852 | | 138 | |
| California | | | | | | | | |
| Los Angeles | 258 | 983 | 188 | 17 | 1,446 | 101 | 162 | |
| Sacramento | 113 | 830 | 68 | 3 | 1,014 | 79 | 84 | |
| San Francisco | 37 | 581 | 69 | 5 | 692 | 75 | 38 | |
| Visalia | 118 | 509 | 110 | 1 | 738 | 24 | 8,433 | |
| Colorado | | | | | | | | |
| Denver | 62 | 747 | 92 | 4 | 905 | 49 | 101 | |
| Glenwood Springs | 184 | 1,126 | 271 | 11 | 1,592 | 85 | 403 | |
| Pueblo | 219 | 1,232 | 236 | 14 | 1,701 | 108 | 302 | |
| Florida | | | | | | | | |
| Gainesville | 87 | 1,285 | 94 | 6 | 1,472 | | 76 | |
| Idaho | | | | | | | | |
| Blackfoot | 105 | 894 | 89 | 8 | 1,096 | 74 | 154 | |
| Boise | 52 | 537 | 53 | 4 | 646 | 31 | 25 | |
| Coeur d' Alene | 40 | 252 | 26 | | 318 | | 44 | |
| Louisiana | | | | | | | | |
| Baton Rouge | 18 | 393 | 59 | | 470 | | 38 | |
| Minnesota | | | | | | | | |
| Cass Lake | 58 | 535 | 37 | 3 | 633 | | 21 | |
| Montana | | | | | | | | |
| Billings | 166 | 1,995 | 264 | 3 | 2,428 | 168 | 198 | |
| Great Falls | 344 | 1,859 | 350 | 4 | 2,557 | 97 | 543 | |
| Nebraska | | | | | | | | |
| Alliance | 22 | 224 | 11 | 1 | 258 | 20 | 4 | |
| Nevada | | | | | | | | |
| Carson City | 49 | 456 | 61 | | 566 | 23 | 59 | |
| Elko | 15 | 89 | 23 | | 127 | 81 | 25 | |
| New Mexico | | | | | | | | |
| Las Cruces | 344 | 1,059 | 573 | 26 | 2,002 | 89 | 191 | |
| Santa Fe | 493 | 1,906 | 439 | 15 | 2,853 | 81 | 410 | |
| North Dakota | | | | | | | | |
| Bismarck | 35 | 554 | 29 | 1 | 619 | 22 | 42 | |
| Oklahoma | | | | | | | | |
| Guthrie | 48 | 331 | 37 | 6 | 422 | 8 | 26 | |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Oregon | | | | | | | |
| Lakeview | 48 | 416 | 49 | | 513 | 41 | 81 |
| Portland | 14 | 353 | 35 | | 402 | | 17 |
| Roseburg | 68 | 783 | 47 | 5 | 903 | 5 | 41 |
| The Dalles | 80 | 609 | 51 | 1 | 741 | 90 | 40 |
| Vale | 35 | 245 | 50 | | 330 | 20 | 54 |
| South Dakota | | | | | | | |
| Pierre | 41 | 1,192 | 75 | 1 | 1,309 | 46 | 42 |
| Utah | | | | | | | |
| Salt Lake City | 292 | 1,536 | 452 | 10 | 2,290 | 253 | 299 |
| Vernal | 26 | 142 | 43 | | 211 | 21 | 22 |
| Washington | | | | | | | |
| Seattle | 6 | 179 | 29 | | 214 | 1 | 3 |
| Spokane | 28 | 421 | 63 | | 512 | 32 | 27 |
| Wyoming | | | | | | | |
| Buffalo | 156 | 862 | 196 | 9 | 1,223 | 74 | 84 |
| Cheyenne | 184 | 1,155 | 264 | 8 | 1,611 | 98 | 137 |
| Evanston | 108 | 883 | 153 | | 1,144 | 39 | 129 |
| Lander | 99 | 578 | 165 | 2 | 844 | 45 | 62 |
| Total | 4,439 | 29,622 | 5,201 | 183 | 39,445 | 2,121 | 12,751 |

Key to Column Headings.

A - Applications, proofs, etc., received.
B - Miscellaneous matters, receipts, and final certificates issued, letters answered, etc.
C - Commissioner's letters received.
D - Contest cases initiated.
6 - Pending designation.
7 - Suspended, rejected, or otherwise.
8 - Pending unacted on by Register.

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TELL THE BULLETIN.

To All Local Offices and Field Service Employees.

If anything occurs in the public land service which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin." All information should be received not later than the 24th of each month for use in the current number.

LAND SERVICE
BULLETIN
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

By direction of the Secretary of the Interior the matter contained herein is published as administrative information and is required for the proper transaction of public business.

Vol. 11 July 1, 1927. No. 5.

## OREGON AND CALIFORNIA TAX UNIT.

Report for the month of June and status of claims of Oregon and Washington counties under the act of July 13, 1926 (44 Stat., 915), involving Oregon and California railroad revested lands.

| | | |
|---|---|---|
| Claims received during month (year 1926) | (2) | $30,418.73 |
| Total of claims received (year 1926) | (15) | 648,001.22 |
| Claims certified during month (year 1926) | (2) | 26,884.58 |
| Disallowances in above | | 90.91 |
| Total claims certified (year 1926) | (4) | 75,456.80 |
| Disallowances in above | | 203.93 |
| Claims pending (years 1916-1925) | (1) | 452,064.15 |
| Supplemental " | (1) | 18.06 |
| Claims pending (year 1926) | (11) | 572,340.49 |

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## LAND LAW IN 1787.

In going over the records of the Montgomery, Alabama, land office, in preparation for its closing, effective after June 30, 1927, an interesting old book was resurrected, being an English translation made in 1841, under authority and direction of the Alabama legislature, of the French, British, and Spanish records relating to land claims in the State of Alabama. The first transaction is dated in 1715.

In transmitting a copy of the record in one case, which follows, Inspector George A. Cunningham makes the comment that while several members of Congress have been credited with the present three-year homestead law, it is

apparent that the three-year provision was in effect in 1787, as well as that against alienation and requirements of occupancy and improvement.

To his Excellency Stephen Miro, Colonel of the Royal Armies, Civil and Military Governor of the City of New Orleans and Province thereof:

Simon Landry, an inhabitant of the Jurisdiction of Mobile, with the greatest respect says to your Excellency; that there is on this River, forty arpens of land which were abandoned eight years ago by Mr. McGillivray, lying between lands belonging to Chastang Senior on the Southwest, and on the Northeast by lands called Groghall belonging to the said McGillivray, which said tract of land lies on both sides of the said River; and your petitioner being possesser of a sufficient number of Slaves to cultivate the said tract of land, and that the same has not until the present time been reclaimed, he therefore humbly hopes that your Excellency may be pleased to grant him the said forty Arpens of land with the usual depth appertaining thereto, and to order that the necessary titles to that effect may be issued to him in due form, from the Secretary's office of this Government. Wherefore, your petitioner ontreats your Excellency to grant the prayer of this petition, and in sodoing will receive great favor. Mobile thirteenth day of April in the year one thousand seven hundred and eighty seven.

(Signed,)
Genier for Simon Landry.

I, Peter Favrot, Captain of the Regiment of Louisiana Infantry, Civil and Military Commandant of the Town of Mobile, Etc.-

Do hereby certify, that according to the information acquired by four of the most respectable Inhabitants of this place, it appears that the tract of land prayed for by the petitioner, was abandoned by the individual who he names in the preceding memorial. And in order that the petitioner may make it evident, I grant these presents at the Town of Mobile on the thirteenth day of April in the year of our Lord one thousand seven hundred and eighty seven.

(Signed,)
Peter Favrot. (Seal.)

New Orleans fourteenth day of May in the year of our Lord, one thousand seven hundred and eighty seven.

The Commandant of the Post of Mobile will put the petitioner in possession upon twelve arpens of land in front with the usual depth of forty arpens, at the spot he may choose to designate, and for which he prays a title; provided the same is vacant and that no injury is thereby done to a third person; under the express conditions, that the petitioner shall make the Roads, and clear a portion of the land within the period of one year, and further, that this grant shall be void, if at the expiration of the precise term of three years, the said land should not be occupied and cultivated, during which time he shall not alienate the said land. In virtue of all which, let the proceedings of the Survey of the land aforesaid be put in continuation herewith, and transmitted to me in order to provide the petitioner with the corresponding title in one form of law.

(Signed,)
Stephen Miro. (Seal.)

SURVEY NOTES.

Cooperative Surveys, Idaho.--At the request of the Director of the Geological Survey this office is undertaking a field investigation and limited resurvey of certain sections in Ts. 8 S., Rs. 42 and 43 E., B. M., Idaho, in connection with the proper identification of certain potash lands in this locality. It is expected that field work will start in the near future and will be completed during the present field season.

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Resurveys, New Mexico.--New Mexico continues to be the most active State for resurveys. This office has recently provided for the preliminary investigation of T. 20 N., Rs. 1 and 2 E., N. M. P. M., under the regular Forest program. As a result of applications by settlers an investigation of T. 14 S., R. 21 E., has been authorized, and the resurvey of Ts. 21 and 22 S., R. 2 E., will be undertaken during the present season.

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Hot Springs Townsite.--A supplemental plat of Hot Springs townsite, New Mexico, was among the acceptances of the past month. This townsite was partially surveyed in 1918 and 1919, and a sale of lots was held in June, 1920. A number of lots were sold at this time, but many lots were left unsold and several blocks were not surveyed into lots. The recent survey has completed the subdivision of the entire townsite and was made in response to an apparent demand for a further sale of lots.

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Island Surveys.--The survey of several islands in Puget Sound, Washington, was recently accepted. This survey includes Fawn Island, containing about 2-1/4 acres, Wasp (or Brown) Island, containing about 28½ acres, and Coon Island, about 2½ acres. These islands are described as being 15 to 35 feet above sea level, surrounded by navigable channels, and covered with a somewhat scrubby growth of fir and pine timber. The soil is described as shallow and rocky. Wasp and Fawn Islands, however, are declared to be suitable for agricultural purposes.

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Cooperative Surveys, Group 82, Wyoming.--The dependent resurvey of the S½ of T. 50 N., R. 71 W., 6th P. M., Group 82, Wyoming, has recently been accepted. This resurvey was executed at the request of the Bureau of Mines to properly define the boundaries of lands leased for coal mining purposes under the act of February 25, 1920. A considerable portion of the area is reported as having a high potential coal royalty value.

All of the land in the area has been disposed of under the homestead laws. In the majority of instances, however, the patents issued subject to reservation of the coal to the United States under the acts of March 3, 1909, and June 22, 1910.

Surveying Difficulties, Utah.--An example of the character of the country and the difficulties encountered in making some of the public land surveys can be seen from the following quotation taken from the field notes of the survey of T. 42 S., R. 13 E., S. L. B. & M., Utah, made during the winter of 1924 and 1925:

> "Stone corner monuments were substituted for the iron posts on the mesa locally known as 'No Man's Land,' for the reason that there is only one place to ascend the rim of the mesa and this was accomplished with the aid of ropes."

This mesa extends in a northerly and southerly direction through the western portion of the township. This office has been informally advised that prior to this survey white men had never been on top of the mesa.

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Maps of New Mexico and Michigan.--The manuscript copy for the new State maps of New Mexico and Michigan has recently been delivered to the contractor for photolithographing and printing, and it is expected that within 90 days these maps will be available for distribution.

The map of New Mexico represents an entirely new compilation and exhibits the public land survey system throughout the State as of the date of publication. The topographic and political data have also been revised and brought up to date, so that the finished product constitutes a modern and reliable map of the State. The previous edition of this map was issued in the year 1912.

The new map of Michigan represents a revision of the previous map published in 1904. While there are no extensive changes in the public land survey system, the county boundaries, railroad lines, cities and towns have been revised and brought up to date in accordance with the data obtained from the most reliable sources, and it is anticipated that this map will be quite largely in demand by the public, particularly in view of the increasing importance of the State as a summer resort and the demand which has arisen for the survey and identification of minor areas of lands omitted from the original surveys.

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Distribution of Appropriations.--The following distribution and allotment of the sum of $800,000, made available for the survey and resurvey of the public lands for the fiscal year ending June 30, 1928, by the act of Congress approved January 12, 1927 (44 Stat., 934), has been approved by the Department:

| | |
|---|---|
| Alaska | $45,000 |
| Arizona | 52,000 |
| California | 52,000 |
| Colorado | 60,000 |
| Idaho | 52,000 |

| | |
|---|---|
| Montana | $60,000 |
| Nebraska and South Dakota | 22,000 |
| Nevada | 38,000 |
| New Mexico | 58,000 |
| Oregon and California and Coos Bay | 10,000 |
| Oregon | 52,000 |
| Utah | 60,000 |
| Washington | 38,000 |
| Wyoming | 45,000 |
| Eastern District | 60,000 |
| Supervisor's Office | 27,000 |
| Instruments, accessories, and repairs | 6,500 |
| Transportation, freight, and express | 15,000 |
| Stationery | 3,500 |
| Detailed field employees | 10,000 |
| Iron corner posts | ..... |
| Reserve (including salary savings) | 34,000 |
| Total | 800,000 |

The sum of $20,000 allotted to this office by the Bureau of Indian Affairs from the appropriation for surveying and allotting Indian reservations (reimbursable), 1928, has been distributed as follows, this distribution likewise having received departmental approval:

| | |
|---|---|
| Montana | $4,500 |
| Wyoming | 700 |
| Nebraska | 3,000 |
| New Mexico | 1,500 |
| Arizona | 1,500 |
| California | 1,500 |
| Eastern District | 5,000 |
| Reserve | 2,300 |
| Total | 20,000 |

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SALE OF TOWN LOTS.

May 26, 1927, 27 lots within the townsite of Algoma, Oregon, were offered for sale to the highest bidder at not less than the appraised price thereof, which ranged from $5 to $400, total appraisal $1,405.

All lots offered were disposed of, 20 at the appraised price, while the remainder brought from $175 to $1,525. The total receipts from the sale were $4,220.

HARDING TOWNSITE, FLORIDA.

DECISION BY UNITED STATES CIRCUIT COURT OF APPEALS.

In February, 1924, the General Land Office held a public sale of lots in Harding townsite, Florida. The sale was conducted on the ground and most of the lots were sold, receipts being approximately $385,000.

The land comprising the townsite, being a part of lot 6, Sec. 2, T. 53 S., R. 42 E., T. M., had for years been reserved for life saving purposes until the President, by proclamation dated March 11, 1921, released it from withdrawal, at the same time permanently reserving for the Coast Guard the balance of the lot. The proclamation stated: "I do hereby release from withdrawal and restore to the public domain, subject to the public land laws of the United States, and to the jurisdiction of the Interior Department the balance of land embraced within said lot 6 * * * * outside of the permanent withdrawal herein created." By executive order of June 10, 1921, the President reserved the land for townsite purposes under section 2380, Revised Statutes, and for disposal under section 2381, Revised Statutes.

One Lewis G. Norton asserted a claim to the land under the homestead law in 1920, but his application to enter the same was rejected and he failed to appeal. At that time he appears to have been residing upon that portion of the lot which was subsequently permanently reserved for the Coast Guard. After the proclamation of March 11, 1921, Norton moved his house on to the land so released from withdrawal, filed a relinquishment for that part of the lot permanently reserved and a homestead application for the balance of the lot, describing it by metes and bounds. Later, in May, 1921, survey was made and lot 6 divided into two lots numbered 7 and 8, the latter being the tract reserved for the Coast Guard. Lot 7 was subdivided for townsite purposes and thereafter disposed of as above stated. Pending the disposition of Norton's claim before the Department and the courts, patents have not issued for any of the lots sold.

In the meantime Norton's second homestead application was rejected on the ground that the land sought had not been opened to disposal and was not subject to settlement or entry. Norton continuing to assert a claim to the land, the United States brought an action in ejectment to recover possession of the land. The lower court decided in favor of Norton. On appeal the United States Circuit Court of Appeals, Fifth Circuit, on June 9, 1927, reversed the decision of the lower court and held that the United States was entitled to possession of the land. Omitting the court's statement of facts, the decision follows:

> It was not contended that while the land sued for was unsurveyed public land, as it was when appellee filed his homestead application in March, 1921, and when the above-mentioned executive order of June 10, 1921, was made, appellee was entitled to make a homestead entry thereof or to have his application to file such entry favorably acted on. The contention in his behalf was that under the act of May 14, 1880 (21 Stat., 140),

his settlement on the land in March, 1921, with the intention of claiming it under the homestead laws had the effect of conferring on him an inchoate right to the land and of enabling him to perfect his title under the homestead laws as soon as the land was surveyed. That act reads as follows:

"Any settler who has settled, or who shall hereafter settle, on any of the public lands of the United States, whether surveyed or unsurveyed, with the intention of claiming the same under the homestead laws, shall be allowed the same time to file his homestead application and perfect his original entry in the United States land office as is now allowed to settlers under the preemption laws to put their claims on record, and his right shall relate back to the date of settlement, the same as if he settled under the preemption laws."

The just quoted statute indicates no purpose to do more than, as to the time of filing his application and perfecting his entry, to put a settler having the intention to claim land under the homestead laws upon the same footing as that of a settler under the preemption laws. That statute does not purport to change or modify the already existing law as to the nature of the right acquired by settling on public land with the intention of acquiring title under the public land laws. The nature and extent of that right were well settled long prior to the enactment of that statute. The settlement does not confer on the settler any vested right to the land. It confers on him only a preference over others in the event the land is thrown open to entry, but does not deprive the Government of the right to dispose of the land otherwise than under the preemption or homestead laws, or to appropriate it to any public use. Frisby v. Whitney, 9 Wal., 187; The Yosemite Valley Case, 15 Wal., 77. "The United States makes no promise to sell him the land, nor do they enter into any contract with him upon the subject. They simply say to him--if you wish to settle upon a portion of the public land, and purchase the title, you can occupy any unsurveyed lands which are vacant and have not been reserved from sale; and when the public surveys are made and returned, the land not having been in the meantime withdrawn from sale, you can acquire, by pursuing certain steps, the right to purchase them." Buxton v. Trayer, 130 U. S., 232, 235. The decision in the case of Nelson v. Northern Pacific Railway, 188 U. S., 108, furnishes no support for the contention that a settler's occupation of public land with the intention of claiming it under the homestead laws has any effect upon the right or power of the Government to dispossess the settler for the purpose of subjecting the land to an authorized use or of disposing of it otherwise than under the homestead laws. That case involved a contest between the Northern Pacific Railway Company, claiming under a grant of land within prescribed limits, which excepted lands within those limits which were occupied by homestead settlers when the grant was to take effect upon the definite location of the railroad, and a homestead settler who was occupying the land in question at the time of the

definite location of the railroad. The decision in favor of the settler was based upon the ground that by its terms the grant under which the Railway Company claimed did not include land which at the time of the definite location of the railroad was occupied by homestead settlers. That decision has no bearing upon the question of the rights as against the Government of one who occupied public land with the intention of claiming it under the homestead laws. His occupation of the land confers on him no right except as against others asserting claims to the land under the public land laws, or under a grant or conveyance by the Government, and his possession is in subordination to the right or power of the Government, through its officials acting in pursuance of law, to make a use or disposition of the land inconsistent with the acquisition of title to it under the homestead laws. Shipley v. Cowan, 91 U. S., 330.

The language of the President's proclamation of March 11, 1921, negatives the conclusion that it was intended that the land sued for, upon its restoration to the public domain, was to be subject to be appropriated by one who occupied it with the intention of claiming it under the homestead laws. That land, upon its restoration to the public domain, was expressly made "subject to the public land laws of the United States and to the jurisdiction of the Interior Department." The public land laws to which the land sued for, upon its restoration to the public domain, became subject included the Joint Resolution of February 14, 1920 (41 Stat., 434), giving to honorably discharged soldiers, sailors, and marines a preferred right of entry, and Sections 2380 and 2381 of the Revised Statutes; and the jurisdiction of the Interior Department to which the land was subject included the right or power of that Department to supervise and control that land to the end of keeping it from being used, possessed, acquired, or disposed of otherwise than in accordance with law. United States v. Beebe, 127 U. S., 338. The above-mentioned Joint Resolution reads as follows:

"Hereafter, for the period of two years following the passage of this act, on the opening of public or Indian lands to entry, or the restoration to entry of public lands theretofore withdrawn from entry, such opening or restoration shall, in the order therefor, provide for a period of not less than sixty days before the general opening of such lands to disposal in which officers, soldiers, sailors, or marines who have served in the Army or Navy of the United States in the war with Germany and been honorably separated or discharged therefrom or placed in the regular Army or Naval Reserve shall have a preferred right of entry under the homestead or desert-land laws, if qualified thereunder, except as against prior existing valid settlement rights and as against preference rights conferred by existing laws or equitable claims subject to allowance and confirmation: Provided, That the rights and benefits conferred by this act shall not extend to any person who, having been drafted for service under the provisions of the Selective Service Act, shall have refused to render such service or to wear the uniform of such service of the United States." Comp. St. 1923, Sup. par. 4530a.

The just quoted provision was amended by Joint Resolution of January 21, 1922 (42 Stat., 358), by changing the word "two" to "ten", and the word "sixty" to "ninety". That provision evidences the recognition by the law makers of the general practice of the Land Department of withholding, until after a formal opening to disposal, permission to appropriate land restored to the public domain after having been withdrawn. That provision had the effect of forbidding the restoration to homestead entry of the land sued for otherwise than by an order containing a provision for honorably discharged soldiers, sailors, or marines having a preferred right of entry for a period of not less than sixty days before the general opening of such land to disposal. The preferred right of entry so required to be provided was subordinated to nothing except "prior existing valid settlement rights and as against preference rights conferred by existing laws or equitable claims subject to allowance and confirmation." When the land sued for was restored to the public domain appellee had no right based upon a prior settlement thereon, and, so far as appears, no one then had any valid claim to that land. In the circumstances attending the restoration to the public domain of the land sued for it could not legally, within sixty days of the date of such restoration, be open to disposal to any one who had not been a soldier, sailor, or marine who had served in the Army or Navy of the United States in the war with Germany. The provision under consideration well may be regarded as being inconsistent with the existence of a right in anyone to acquire a prior claim to public land by settling on it after it was restored to the public domain and before it was opened to disposal under the homestead or desert-land laws by an order containing the prescribed provision for the benefit of former soldiers, sailors, or marines.

But, even if appellee by settling on the land sued for after it was restored to the public domain acquired a preferred right which would be enforceable upon the land becoming subject to entry under the homestead laws, that right was not such a one as precluded an authorized use or disposition of the land by the Government. Section 2380 of the Revised Statutes authorizes the President "to reserve from the public lands, whether surveyed or unsurveyed, townsites on the shores of harbors, at the junction of rivers, important portages, or any natural or prospective center of population." Section 2381, Revised Statutes, contains provisions as to the survey and sale of lands so reserved. The executive order reserving for townsite purposes under Revised Statutes, Section 2380, the land sued for imported a finding by the President that that land was such public land as, under Revised Statutes, Section 2380, the President is authorized to reserve. It appearing that the land in question is not on the shore of any harbor, is not at the junction of any rivers, and is not located at any important portage, it is to be inferred that the President found that it was a natural or prospective center of population. There is no inconsistency between such a finding and the fact that the land in question is adapted to agriculture, as land adapted to agriculture well may be a natural or prospective center of population. Such a finding by the President is conclusive on the courts, certainly in the absence of impeachment on the ground of

fraud or imposition. Cameron v. United States, 252 U. S., 450; Edenborn v. United States, 5 Fed. (2d) 814. The record contains no evidence warranting an impeachment of that finding on any ground. The result of the townsite lot sale indicates that that finding was fully justified. The executive order under consideration was an authorized exercise of power over public land for a public purpose. The provisions contained in Revised Statutes, Sections 2380 and 2381 were originally enacted by the act of March 3, 1863 (12 Stat., 754), entitled "An act for increasing the revenue by reservation and sale of townsites on public lands." It is quite apparent that a statute providing for so changing existing methods of disposing of public land as to effect an increase of the Government's revenue is one for a public purpose, and that public land reserved pursuant to such a statute is reserved for a public purpose. Possession and exclusive control by the Government of the land so reserved were necessary for the due exercise of the powers and duties incident to the survey and sale of the land. The Government was entitled to be ready to deliver possession of a lot to the purchaser of it before exacting payment of the price or any part of it. As the owner of the land it was entitled to possession of it, for itself, not for those who might or might not get title to the whole or a part of the lands by complying with the terms of a sale or sales of it. An occupant of the land who had acquired no right to remain in possession of it was subject to be ejected therefrom at the suit of the Government. Camfield v. United States, 167 U. S., 518; Light v. United States, 220 U. S., 523. The executive order under consideration had the effect of preventing the acquisition by appellee of title to the land sued for under the homestead laws and of depriving him of any right to retain possession of it.

As the evidence showed that appellee had no right to remain in possession of the land sued for, and that appellant as owner was entitled to possession when the suit was brought, the above-mentioned ruling was erroneous.

The judgment is reversed, and the cause is remanded, with direction that a new trial be granted.

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## FOREST FIRES - CRIMINAL LIABILITY.

The Supreme Court of the United States under date of May 16, 1927, in the case of United States of America v. D. J. Alford, No. 983, October Term, 1926, on writ of error from the District Court for the Southern District of Florida, rendered a decision that will be of great aid to the Government in its efforts to protect the public timber from destruction by forest fires caused by carelessness of campers and others in failing to extinguish fires built by them before leaving same. The decision follows:

Alford was indicted for building a fire near inflammable grass and other inflammable material and timber situated upon the public domain of the United States, and for not extinguishing

the same before leaving it, by reason of which the said grass and other material was burned. The court was demurred to on the ground that the statute concerned does not cover the building or leaving of fires at any place except upon a forest reservation, and that if it attempts to cover fires elsewhere it is unconstitutional and void. The District Court construed the statute in the same way and sustained the demurrer. A writ of error was taken by the United States.

By the act of June 25, 1910, c. 431, Sec. 6; 36 Stat., 855, 857, amending Sec. 53 of the Penal Code of March 4, 1909, "Whoever shall build a fire in or near any forest, timber, or other inflammable material upon the public domain, or upon any Indian reservation, or lands belonging to or occupied by any tribe of Indians under the authority of the United States, or upon any Indian allotment while the title to the same shall be held in trust by the Government, or while the same shall remain inalienable by the allottee without the consent of the United States, shall, before leaving said fire, totally extinguish the same; and whoever shall fail to do so shall be fined not more than one thousand dollars, or imprisoned not more than one year, or both." The court read the words "upon the public domain" as qualifying the phrase "whoever shall build a fire." We are of opinion that this was error, and that "upon the public domain" should be referred to the words immediately preceding it: "forest, timber, or other inflammable material." So interpreted they make better English and better sense. The purpose of the act is to prevent forest fires which have been one of the great economic misfortunes of the country. The danger depends upon the nearness of the fire not upon the ownership of the land where it is built. It is said that the construction that we adopt has been followed by the Department of Justice and by a number of cases in the District Courts ever since the passage of the original act of February 24, 1897, c. 313; 29 Stat., 594. We regard the meaning as too plain to be shaken by the suggestion that criminal statutes are to be construed strictly. They also are to be construed with common sense.

The statute is constitutional. Congress may prohibit the doing of acts upon privately owned lands that imperil the publicly owned forests. Camfield v. United States, 167 U. S., 518. (See McKelvey v. United States, 260 U. S., 353.) The word "near" is not too indefinite. Taken in connection with the danger to be prevented it lays down a plain enough rule of conduct for anyone who seeks to obey the law.

UNITED STATES
DEPARTMENT OF THE INTERIOR
Washington

June 10, 1927.

ORDER NO. 221.

Letters prepared for the Secretary's signature should be single spaced if the body of the letter exceeds one page in length, and paragraph 17 of the instructions for the "Preparation of Correspondence for the Signature of the Secretary" is hereby amended accordingly.

The instructions relative to margins should be followed carefully and the letter should not be crowded at the bottom of the page in order to avoid a second sheet.

Long letters and paragraphs are objectionable and the body of the letter should be broken by frequent paragraphing. All paragraphs should be indented five spaces.

Attention is again called to Paragraph 3 of the Instructions with reference to the opening paragraph of letters. In acknowledging the receipt of correspondence only sufficient information should be given to identify in a general way the subject of the letter.

HUBERT WORK,

Secretary.

Circular No. 983 Amended.

By Circular No. 983, dated March 12, 1925 (51 L. D., 65), circular No. 913, of February 2, 1924 (50 L. D., 261), was amended so as to provide, among other things, that--

> Care should be exercised in future not to allow any stock-raising homestead entries within the limits of lands withdrawn or designated as valuable for oil or gas, and applications for such lands should be rejected when presented.

In the case of Clifton W. McCoy, Vernal 09771, the Department, by decision of June 16, 1927, referring to the statement above quoted, said:

> The clause "designated as valuable for oil or gas" as used in the instructions quoted refers only to areas which have been designated as within the limits of producing oil or gas fields, and has no application to lands which have been merely classified as mineral, valuable as a source of petroleum and nitrogen.

16278

Circular No. 1125.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

June 27, 1927.

Relative to Furnishing Lists of Plat makers, Abstractors, and Attorneys.

Registers,
United States Land Offices.

Gentlemen:

By direction of the Secretary, the attention of all Registers is invited to Circular No. 453 of December 30, 1915, which is still in force and which reads as follows:

"Attention has been called to the fact that some local officers who are unable, because of the pressure of current business relating to the entry of land, to make plats or diagrams when requested, refer the order to an outside person or company, or recommend to the applicant some certain person or company as able to do the work.

When it is necessary for you to refuse to fill an order for a plat or diagram, the fee received should be returned to applicant and he advised of the reason therefor. There is no objection to your furnishing to the party a list of the names of persons or companies located in your city who follow the business of preparing such diagrams, but the list should be complete and be arranged in alphabetical order. Under no circumstances should you recommend any person or company.

If asked for a list of abstractors doing business in your city, or for a list of attorneys resident in your city who practice before your office, and you attempt to comply with the request, care should be exercised to make the list complete, arranged in alphabetical order.

All prior instructions in conflict herewith are hereby revoked."

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved. June 27, 1927.

E. C. FINNEY,

First Assistant Secretary.

Circular No. 1126.

REGULATIONS FOR THE SALE OF LOTS IN THE TOWNSITE OF SANISH IN THE FORMER FORT BERTHOLD INDIAN RESERVATION, NORTH DAKOTA.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1202202 "K" MK June 27, 1927.

Register,

Bismarck, North Dakota.

Sir:

Requests have been made for the public sale of the forfeited, unreserved, and unsold lots in the townsite of Sanish, in the former Fort Berthold Indian Reservation, North Dakota, and it appears that a sale should be held.

It is therefore recommemded that the forfeited, unreserved, and unsold lots in said townsite be offered for sale at public outcry, at not less than their appraised value at the time and place, in the manner, and under the terms hereinafter prescribed, as provided in section 6 of the act of June 1, 1910 (36 Stat., 455), which section requires 20 per cent of the net proceeds of the sale to be set apart and expended under the direction of the Secretary of the Interior in the construction of schoolhouses or other public buildings or improvements in the townsite.

A portion of the lots which you were directed to withhold from future sales by instructions of June 23, 1926 (1222477 "K" CGF), are included in the list of those to be offered for sale as they do not appear to be desired by the North Dakota State Highway Commission for a right of way for the approach to the new bridge across the Missouri River. However, Lots 1, 2, 3, 4, and 5, Block 38, and Lots 7, 8, 9, and 10, Block 39, are being withheld from sale until the county authorities have had an opportunity to indicate that they are in a position to purchase same.

Time and Place of Sale.--Beginning on August 6, 1927, and continuing thereafter from day to day, Sundays and hoildays excepted, as long as may be necessary, at Sanish, North Dakota, under your supervision.

Manner.--Bids may be made either in person or by agent, but not by mail nor at any time or place other than the time and place when the lots are offered for sale hereunder, and any person may purchase any number of lots for which he is the highest bidder. Bidders will not be required to show qualifications as to age, citizenship, or otherwise. If any successful bidder fails to make the payment required on the date of the sale, the lot awarded to him shall be reoffered for sale on the following day.

Terms.--Payments will be required as follows: No lot will be disposed of for less than $10, and any lot sold for $10 must be paid for on the day it is sold; the minimum of $10 and at least 25 per cent of the bid price of each lot sold for more than $10 must be paid on the date of the sale, and the remainder, if the price bid is $50 or less, within one year from the date of the sale; if the price bid be over $50 and less than $100, 75 per cent of the cost may be divided into two equal payments due, respectively, one and two years from the date of the sale; if the price bid be $100 or more, the 75 per cent remaining unpaid may be divided into three equal payments, due, respectively, one, two, and three years from the date of sale. No entry will be allowed until payment has been made in full for the lot, but in case of partial payment the Register will issue a nontransferable memorandum duplicate certificate showing the amount of the bid and the terms of the sale; and reciting the right of the purchaser to make entry upon completing the payments; and will issue a memorandum receipt for the money paid. Nothing herein will prevent the transfer of the interests secured by the purchase and the partial payment of the lot by deed, but the assignee will acquire no greater right than that of the original purchaser, and the final entry and patent will issue to the original purchaser when all payments are made.

Forfeiture.--If any person who has made partial payment on the lot purchased by him fails to make any succeeding payment required under these regulations at the date such payment becomes due, the money deposited by such person for such lot will be forfeited and the lot, after forfeiture is declared, will be subject to disposition.

All persons are warned against forming any combination or agreement which will prevent any lot from selling advantageously or which will in any way hinder or embarrass the sale, and all persons so offending will be prosecuted under section 59 of the Criminal Code of the United States, which reads as follows:

> "Whoever, before or at the time of the public sale of any of the lands of the United States, shall bargain, contract, or agree, or attempt to bargain, contract, or agree with any other person, that the last-named person shall not bid upon or purchase the land so offered for sale, or any parcel thereof; or whoever by intimidation, combination, or unfair management shall hinder or prevent, or attempt to hinder or prevent, any person from bidding upon or purchasing any tract of land so offered for sale, shall be fined not more than one thousand dollars, or imprisoned not more than two years, or both."

You are hereby authorized to appraise any unappraised lot, or to cause any lot to be reappraised which in your judgment is not appraised at the proper amount, and you may reject any and all bids for any lot. At the conclusion of the offering the undisposed of and the reserved lots will be reappraised and the sale will be closed.

If some of the lots are not sold, the reserved lots, the unsold lots, and lots subsequently forfeited, will become subject to private sale.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved: June 27, 1927.

E. C. FINNEY,

First Assistant Secretary.

DEPARTMENT OF THE INTERIOR
General Land Office
Washington

APPRAISEMENT OF LOTS TO BE OFFERED AT PUBLIC SALE IN THE TOWNSITE OF SANISH, NORTH DAKOTA, BEGINNING ON JULY 29, 1927.

| Lot Nos. | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | $ | $ | $ | $ | $ | $ | $ | $ | $ | $ | $ | $ | $ | $ | $ | $ | $ | $ | $ | $ |
| Block 1 | 25 | 25 | 25 | | | | | | | | | | | | | | | | | |
| 2 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | | | | | | | |
| 3 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | | | | | | | |
| 4 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | | | | | | | |
| 5 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | | | | | | | |
| 6 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | | | | | | | |
| 7 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | | | | | | | |
| 8 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | | | | | | | |
| 9 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | | | | | | | |
| 10 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | | | |
| 11 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | | | | | | | |
| 12 | 25 | 25 | 25 | 25 | 25 | | | | | | | | | | | | | | | |
| 13 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | | |
| 14 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | |
| 15 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 50 | 40 | 40 | 40 | 40 | 40 | 40 | | 40 | 50 |
| 16 | 25 | 25 | 25 | 25 | 25 | 25 | 50 | 50 | 50 | 25 | 25 | 25 | | | | | | | | |
| 17 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | |
| 18 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | | | | | | | |
| 19 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | |
| 20 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | |
| 21 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | | | | |
| 22 | 25 | 25 | 25 | 25 | 25 | 25 | | | | 35 | | | | | | | | | | |
| 23 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 40 | 25 | 25 | 25 | | | | | | | | |
| 24 | 25 | | 25 | 25 | 25 | 25 | | | | | | | | | | | | | | |
| 25 | | | | | | | | | | | | | | | | | | | | |
| 26 | | | 25 | 25 | 25 | 25 | | 50 | | | | | | | | | | | | |
| 27 | 30 | 30 | | | | | | | 50 | | 50 | | | | | | | | | |
| 28 | | 30 | | | | | | | | | | | | | | | | | | |
| 29 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 50 | 50 | 50 | 60 | | | | | | | | |
| 30 | 25 | 25 | 25 | 25 | 25 | 25 | 100 | 65 | 65 | 65 | 65 | 80 | | | | | | | | |
| 32 | 50 | 40 | 40 | 40 | 40 | 40 | | | | | 125 | | | | | | | | | |
| 33 | 40 | | 40 | 40 | 40 | 40 | | | | | | | | | | | | | | |
| 34 | | 50 | 25 | 25 | 25 | 25 | 25 | 25 | | | | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 |
| 35 | 25 | 25 | | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | |
| 36 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | |
| 37 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | | | 25 | 25 | 25 | | | | | | | | |
| 38 | | | | | | | | | | | | | | | | | | | | |
| 39 | 40 | 40 | 40 | 40 | 40 | 40 | | | | | | 50 | | | | | | | | |
| 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | | | | | | | | |
| 41 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | | | | | 40 | 40 |

| Lot Nos. | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | $ | $ | $ | $ | $ | $ | $ | $ | $ | $ | $ | $ | $ | $ | $ | $ | $ | $ | $ | $ |
| Block 42 | | 65 | | 65 | | | | 60 | | | | | | | | | | | | |
| 44 | | | 75 | 100 | 250 | 225 | 250 | | | | | | | | | | | | | |
| 45 | | | | | | | | | | | | | | | | | | | | |
| 46 | 40 | 40 | 40 | | | | | | | | | | | | | | | | | |
| 47 | | 25 | 25 | 25 | 25 | 100 | | | | | | | | | | | | | | |
| 48 | 25 | 25 | 25 | 25 | | | | 25 | 25 | 25 | 25 | 25 | | | | | | | | |
| 49 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | |
| 50 | | | | | | | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | |
| 51 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | | | | | | | |
| 52 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | | | | | | | |
| 53 | 25 | 25 | 25 | 25 | 25 | 25 | | | 25 | 25 | 25 | 25 | | | | | | | | |
| 54 | | | | | | | | 50 | 50 | 50 | | | | | | | | | | |
| 55 | | | | | | | 25 | 25 | | | | | | | | | | | | |
| 56 | | | | | | | | | | 25 | 25 | 25 | | | | | | | | |
| 57 | | | | | | | | | | | | | | | | | | | | |
| 58 | | | | | | | | | 50 | 50 | 50 | | | | | | | | | |
| 59 | | | | | 115 | 65 | | | | | | | | | | | | | | |
| 60 | 75 | 65 | 65 | 65 | 200 | 60 | | | | | | | | | | | | | | |
| 61 | 100 | 75 | 75 | | | | | | 50 | 50 | 50 | 50 | 50 | 40 | 40 | 40 | 40 | 40 | 40 | 40 |
| 62 | | | 40 | 40 | 40 | | | | | | | | | | | | | | | |
| 64 | | | | | | | | | | | | | | | | | | | | |
| 65 | | 50 | 50 | 50 | 100 | 90 | | | | | | | | | | | | | | |
| 66 | 75 | 85 | 75 | 90 | 100 | 225 | | | | | | | | | | | | | | |
| 67 | 30 | 30 | 40 | 40 | 75 | 75 | 75 | 75 | 75 | 75 | 100 | 40 | 40 | 40 | 40 | | | | | |
| 68 | 200 | 75 | 75 | 50 | 50 | 50 | | 50 | 40 | 40 | 40 | 40 | | | | | | | | |
| 69 | | | | | 125 | 150 | 150 | | | | | | | | | | | | | |
| 70 | 50 | 50 | | 75 | | | | | | | | | | | | | | | | |
| 71 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | |
| 72 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | | | |
| 73 | | | 40 | | | | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | |
| 74 | 50 | 40 | 40 | 40 | 40 | 40 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | |
| 75 | 50 | 51 | | | | | 25 | 25 | 25 | 25 | | | | | | | | | | |
| 76 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | | | | | | | |
| 77 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | | | | | |
| 78 | 25 | 25 | 25 | 25 | 25 | | | | | | | | | | | | | | | |
| 79 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | |
| 80 | 25 | 25 | 25 | 25 | 25 | 25 | 40 | 25 | 25 | | | | | | | | | | | |
| 81 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | | | | | | | | | | | | |
| 82 | 25 | 25 | 25 | | | | | | | | | | | | | | | | | |
| 83 | | | | | | | | | | | | | | | | | | | | |
| 84 | | | 125 | | | | | | | | | | | | | | | | | |

The sale will take place at Sanish townsite.

DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1078291

PUBLIC LANDS RESTORED TO HOMESTEAD ENTRY AND OTHER DISPOSITION BY PROCLAMATION, EXECUTIVE, OR DEPARTMENTAL ORDER.

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Preference Rights to Ex-Service Men of the War with Germany.

General Method of Opening:

By virture of Public Resolution No. 29, of February 14, 1920 (41 Stat., 434), as amended by Public Resolution Nos. 36 and 79, approved January 21 and December 28, 1922, respectively, hereafter and until February 15, 1930, when any surveyed lands within the provisions of the public resolutions are opened or restored to disposition under the authority of the department, such lands, unless otherwise provided in the order of restoration, shall become subject to appropriation under the laws applicable thereto in the following manner, and not otherwise:

Lands not affected by the preference rights conferred by the acts of August 18, 1894 (28 Stat., 394), or June 11, 1906 (34 Stat., 233), or February 14, 1920 (41 Stat., 407), will be subject to entry by soldiers under the homestead and desert-land laws, where both of said laws are applicable, or under the homestead law only, as the case may be, for a period of 91 days, beginning with the date of the filing of the township plat in the case of surveys or resurveys, and with the date specified in the order of restoration in all other cases, and thereafter to disposition under all of the public land laws, applicable thereto, except where homestead entrymen are granted a prior preference period under the order. For a period of 20 days and for a like period prior to the date or dates such lands become subject to entry by the general public, soldiers in the first instances, and qualified applicants in the second, may execute and file their applications, and all such applications presented within such 20-day periods, together with those offered at 9 o'clock a. m., standard time, on the dates such lands become subject to appropriation under such applications, shall be treated as filed simultaneously.

Unsurveyed lands are not subject to homestead or desert-land entry. A homestead entry may embrace 160 acres, or an approximation thereof, and where the lands are of the character contemplated by the 320 or 640 acres homestead acts, applications for the unappropriated lands may be filed by qualified persons, under either of said acts, accompanied by proper petitions, if undesignated, for the designation of lands thereunder, and such applications will be suspended pending determination as to the character of such lands.

The following are restorations or openings which will occur in the near future and concerning which further information may be obtained from the local offices:

OPEN TO ENTRY THROUGH SURVEY.

The plats of surveys of T. 29 S., Rs. 52 and 52½ W., 6th P. M., Las Animas County, Colorado, will be officially filed in the district land office at Pueblo, Colorado, on August 2, 1927.

For 91 days, beginning August 2, 1927, the unreserved lands represented on said plats will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m., on August 2, 1927. At 9 o'clock a. m., on November 1, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

The plat of T. 29 S., R. 52 W., represents the resurvey of 23,013.70 acres of land, the greater portion of which is in private ownership. Land: upland, about 5,280 feet above sea level. The northern portion of the township is broken by many gulches and drains. Soil: sandy loam and rock, third and fourth rates. Timber: cedar, pinyon, and cottonwood. Water is available in spring-fed pools in Shell Creek, Irwin Canyon, Cahill Gulch, Rule Creek, and Butte Creek. While good crops are gathered from the favorably situated lands, grazing has been the chief industry. No mention was made of mineral indications in the field notes.

The plat of T. 29 S., R. 52½ W., represents the original survey of 232.12 acres of public land. Land: upland, suitable for dry farming in Secs. 25 and 36. Heavily timbered grazing land in Sec. 24, while Secs. 1, 12, and 13 are broken and timbered and suitable for grazing. Soil: sandy loam to stony, second to fourth rates. Timber: cedar and pinyon. No mention of mineral indication was made in the field notes.

OPEN TO ENTRY THROUGH SURVEY.

The plat of surveys in T. 25 S., R. 21 E., S. L. M., Grand County, Utah, will be officially filed in the district land office at Salt Lake City, Utah, July 20, 1927, at 9 o'clock a. m.

For 91 days, beginning July 20, 1927, the unreserved lands represented on said plat will be opened to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m., on July 20, 1927. On October 19, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the public generally.

This plat represents the survey of 19,864.04 acres of public lands, of which a large portion is withdrawn for stock driveway and power site purposes. Land: mesa tops; deep canyons and river breaks of the Colorado River. Soil: sandy loam and rocky, third and fourth rates. Timber: scrub cedar, pinyon, and cottonwood. No evidence of mineral was noted. The Colorado River flows through the southeastern portion of the township and is the only water noted therein. The township is suitable for grazing purposes. No settlers were in the township at the time of survey.

(720)

ARIZONA:

OPENED TO ENTRY THROUGH SURVEY.

The plats of surveys in the following townships will be officially filed in the district land office at Phoenix, Arizona, on August 1, 1927, at 9 a. m.:

| | | | |
|---|---|---|---|
| T. 4 N., R. 7 W., | G. & S. R. M., | Maricopa County. | |
| T. 4 N., R. 8 W., | " | " | " |
| T. 11 N., R. 7 W., | " | Yavapai County. | |
| T. 15 N., R. 10 W., | " | " | " |
| T. 17 N., R. 10 W., | " | " | " |

For 91 days, beginning August 1, 1927, the unreserved lands represented on said plats will be opened to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though filed simultaneous at 9 a. m. on August 1, 1927. At 9 a. m. on November 1, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the general public.

T. 4 N., R. 7 W.--Area, 22,560.64 acres. Land, mountainous; soil, sandy loam, gravel and rock; third and fourth rates; no timber; undergrowth, cactus, ocotilla, palo verde, catclaw, sagebrush, and greasewood; fair grass. The south part of the township has been prospected for metallic minerals. The only water in the township is at the Shontz ranch near the quarter-section corner of Secs. 8 and 17. The township is suitable for grazing purposes.

T. 4 N., R. 8 W.--Area, 22,580.12 acres. Land, mountainous; soil, sandy loam, gravel and rock; third and fourth rates; no timber; undergrowth, cactus, ocotilla, palo verde, catclaw, sagebrush, and greasewood; poor grass; no evidence of minerals. Water is available at the Cartwright ranch in Sec. 28 and the Shontz ranch in Sec. 13. The township is suitable for grazing purposes.

T. 11 N., R. 7 W.--Area, 14,166.63 acres, a large portion of which is withdrawn for stock driveway. Land mountainous and rolling, 3,400 to 4,500 feet above sea level; soil, decomposed granite and sand; fourth rate; timber, none; undergrowth, cactus, ocotilla, mountain mahogany, bear grass, catclaw, greasewood, oak brush, and mesquite. There is evidence of prospecting for mineral in Secs. 11 and 14. There is a spring in Sec. 10, one in Sec. 11 and one in Sec. 21. The township is suitable for grazing purposes.

T. 15 N., R. 10 W.--Area 23,001.40 acres. Land, rough, mountainous; soil, black loam, sand and gravel; third and fourth rates; timber, a few cottonwoods are found under Burrow and Boulder creeks; undergrowth, cactus, greasewood, mesquite, catclaw, mountain mahogany, buck brush, oak brush, grass, palo verde, and yucca. The township is well watered by Burrow and Boulder creeks and a few small streams and gulches on the east side of the township. John Neal lives in Sec. 29 and grazes cattle in this township. The township is suitable for stock grazing.

T. 17 N., R. 10 W.--Area, 23,197.48 acres. Land, rolling hills and mountains; soil, black loam and decomposed granite; third and fourth rates. A few cottonwood trees were found along Francis and Adobe creeks. Undergrowth, cactus, greasewood, catclaw, mountain mahogany, oak brush, buck brush, and yucca. No indication of mineral. The township has a good supply of water in Francis and Adobe creeks. The Arizona Livestock Company has a sheep ranch in Sec. 20, and Clyde Cofer has a cattle ranch in Sec. 32. The township is suitable for grazing purposes.

Approved: June 9, 1927.

WILLIAM SPRY,

Commissioner.

ITEM IN REOPENING TO ENTRY OF WITHDRAWN STANDING ROCK INDIAN LANDS.

On May 17, 1927, the Department directed that the SE$\frac{1}{4}$ of Sec. 18, NE$\frac{1}{4}$ of Sec. 19, SE$\frac{1}{4}$ of Sec. 27, T. 131 N., R. 83 W., N$\frac{1}{2}$ NE$\frac{1}{4}$, N$\frac{1}{2}$ S$\frac{1}{2}$ NW$\frac{1}{4}$ of Sec. 14, N$\frac{1}{2}$ NE$\frac{1}{4}$, W$\frac{1}{2}$ SW$\frac{1}{4}$ NE$\frac{1}{4}$ of Sec. 23, T. 131 N., R. 84 W., 5th P. M., North Dakota, be restored to entry under the homestead law under the act of February 14, 1913, at the prices fixed by the said act, namely $5 per acre for the first three months after the lands become subject to entry; $3.50 per acre for the next three months, and $2.50 per acre thereafter.

The preference right of entry of soldiers in the late war is from July 2 to September 30, 1927, with a simultaneous filing period for the 20 days preceding the first date. The lands will be open for general disposition on October 1, 1927, with the simultaneous filing period for the 20 days prior to that time.

OPEN TO ENTRY THROUGH SURVEY.

The plat of surveys in T. 23 N., R. 11 E., N. M. P. M., Taos County, New Mexico, will be officially filed in the district land office at Santa Fe, New Mexico, on August 1, 1927, at 9 o'clock a. m.

For 91 days, beginning August 1, 1927, the unreserved land represented on said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on August 1, 1927. At 9 o'clock a. m. on November 1, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

This plat represents the survey of 15,906.51 acres of public land, partially within the Carson National Forest. Land: generally mountainous, ranging in elevation from 6,000 to 7,500 feet above sea level. Soil: rocky with some sandy loam, generally third rate. Timber: pinyon, cedar, and pine, with undergrowth of small timber and oak. The Embudo River flows southwesterly through Secs. 27, 34, 33, 32, and 31. The Rio Grande River flows southwesterly through Secs. 5 and 6. There is a small stream flowing northwesterly through Secs. 11, 2, and 3. These streams constitute the only surface water in the township. There is a lithia mine in the SE¼ of Sec. 29, and several patented mineral claims near the corner of Secs. 17, 18, 19, and 20. There are also indications of copper in the NE¼ SW¼ of Sec. 16. No other indications of mineral were noted. The township is generally adapted to grazing, the soil for the most part being too rocky for cultivation.

Approved: June 16, 1927.

WILLIAM SPRY,

Commissioner.

OPEN TO ENTRY THROUGH SURVEY.

The plats of surveys of Ts. 10 and 11 S., R. 44 E., B. M., Bear Lake County, Idaho, will be officially filed in the district land office at Blackfoot, Idaho, on July 25, 1927, at 9 o'clock a. m.

For 91 days, beginning July 25, 1927, the unreserved lands represented on said plats will be opened to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on July 25, 1927. At 9 o'clock a. m. on October 25, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the public generally.

T. 10 S., R. 44 E., B. M.---Area surveyed: 23,658.62 acres, of which 1,112.93 acres are patented mineral lands. Except for Sec. 31 and the south half of Sec. 32 the township is entirely within the Caribou National Forest. Land: mountainous, except a small area of nearly level land in Sec. 31. Soil: clay loam, rather stony, first and second rates. Timber: scattering pine and fir with undergrowth of sage, aspen, laurel, cherry, willow, mahogany, and bunch grass. The township is fairly well watered by creeks and springs. There are large deposits of phosphate in the eastern portion of the township, which from an agricultural view point is principally valuable for grazing purposes.

T. 11 S., R. 44 E., B. M.---Area surveyed: 11,676.28 acres, of which 391.04 acres are patented mineral lands. All of the area surveyed except Secs. 27 and 34 is within the Caribou National Forest. Land: mountainous, except in Sec. 34 where there is a small area of rolling land which is under cultivation. Soil: sandy and clay loam, first and second rates. Timber: scattering pine and fir with undergrowth of sage, aspen, laurel, mahogany, maple, service berry, and bunch grass. The area surveyed is well watered by creeks and springs. There are large deposits of phosphate on Secs. 1, 2, 12, and 13. Except for Sec. 34 the township is from an agricultural view point principally valuable for grazing purposes.

(724)
SOUTH DAKOTA:

RESTORATION FROM RECLAMATION WITHDRAWAL.

About 6,000 acres in Ts. 8 and 9 S., Rs. 4 and 5 E., B. H. M., Fall River County, Pierre land district, will be opened to homestead and desert-land entry, beginning July 15, 1927, for a period of 91 days to honorably discharged ex-service men of the World War subject, however, to valid prior settlement and preference rights. Filings may be presented by such ex-service men during the twenty days preceding that date or from June 25 to July 14, 1927, inclusive. All filings up to 9 a. m. July 15, 1927, will be disposed of by drawing. Any lands remaining unentered after the expiration of the 91-day period or beginning October 14, 1927, will be open to entry under any applicable public land law by the general public. Prospective applicants may present their applications within the twenty days preceding that date or beginning September 14, 1927, and all applications so filed will be treated as though simultaneously filed.

Available information indicates that the lands are south of the Cheyenne River and are suitable for farming. Although Heppner is the nearest town, the lands appear to be about midway between the towns of Rumford and Hot Springs, both of which are on the Chicago, Burlington and Quincy Railroad.

RELEASED FROM FOREST RESERVATION.

Five hundred and forty-seven acres in Bonner and Boundary counties, Coeur d' Alene land district, opened to entry only under the homestead and desert-land laws by qualified ex-service men of the war with Germany for a period of 91 days, beginning August 10, 1927. Applications of ex-service men may be presented at any time within 20 days prior to that date. On and after November 9, 1927, any of the land remaining unentered will be subject to appropriation under any public land law applicable thereto by the general public.

The land was excluded from a national forest and further information may be obtained from United States land office at Coeur d' Alene, Idaho.

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OPEN TO ENTRY THROUGH SURVEY.

MEMORANDUM.

The plat of survey of White Rock Island containing 1.30 acres, in Sec. 30, T. 8 S., R. 15 W., S. B. M., California, will be officially filed in the district land office at Los Angeles, California, on August 10, 1927, at 9 o'clock a. m., and the land opened to entry subject to the soldiers' preference right of entry and also to entry by those persons having a preference right to the land superior to that of the soldier. No public notice, however, has been prepared by the General Land Office for distribution in Washington, because of the small area involved.

## RECENT EXECUTIVE ORDERS AND PROCLAMATIONS.

By order of May 26, the public lands in T. 1 N., R. 19 E., and T. 4 N., R. 16 E., New Mexico, have been released from withdrawal for resurvey and restored to entry under the preference granted ex-service men by existing law.

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The public lands in T. 11 N., R. 5 W., M. D. M., California, have been withdrawn pending resurvey by order of June 6.

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By orders of June 8 and 10, respectively, the public lands in T. 2 N., R. 75 W., Colorado, and T. 23 S., R. 31 E., M. D. M., California, have been released from withdrawal for resurvey, no restoration being involved as the lands are included in reservations for forest or Indian purposes.

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The boundaries of the Kaniksu and Pend Oreille National Forests in Idaho have been changed by proclamations of June 8 through exclusions and interforest transfers.

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By order of June 13, part of a reserved military road right of way near Honolulu has been transferred to the Territory of Hawaii and an additional tract reserved for military road purposes.

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## OIL AND GAS ACTIVITIES.

During the month of June the division handling oil and gas prospecting permits under sections 13 and 20 of the leasing act received 465 new applications, 8,226 applications on drawings, and 5,322 cases for reconsideration. Permits were granted in 319 cases, 8,361 applications finally rejected on drawings, 384 finally rejected on conflicts and 128 finally rejected in part; 222 cases were rejected in entirety subject to appeal and 14 in part; 16 appeals were transmitted to the Secretary; departmental decisions were promulgated in 24 cases, 18 affirming, 3 reversing, and 3 modifying decisions of this office; 62 assignments were acted upon, and 551 extensions of time disposed of; 2,294 permits were held for cancellation, and 65 permits canceled; 770 applications were examined and reports from the Geological Survey called for, and 135 reports were received during the month; 721 cases are awaiting reports from the Survey and 15 from the Reclamation Bureau, and 938 new cases awaiting reports. 6,031 letters were written, of which 233 were replies to inquiries.

Under the relief sections of the act and other sections providing for issuance of leases, 6 leases involving 4 cases, were granted; 8 leases involving 7 applications were forwarded to the Secretary for execution, 1 lease mailed for execution by the lessee, and 2 leases forwarded to the Secretary for approval; 5 extensions of time were granted; 22 assignments disposed of; 1 lease and 1 permit were held for cancellation; drilling relief allowed in 1 case and rejected in 1; reduction of royalty allowed in 1 case and rejected in 1; 93 cases were received for reconsideration during the month. Eighty-four letters were written, of which 21 were replies to inquiries.

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RECEIPTS UNDER THE MINERAL LEASING ACT.

The receipts under the mineral leasing act of February 25, 1920, during the month of May were $403,365.01, of which $160 was from lands within naval petroleum reserves and the balance from lands outside such reserves.

CONSOLIDATED WORK REPORT OF LOCAL OFFICES FOR MONTH OF MAY, 1927.

| Office | Business of current month-- | | | | | Pending at end of month- | | |
|---|---|---|---|---|---|---|---|---|
| | Applns. proofs, etc. rec'd. | Receipts, final ctfs. issued and misc. | Commr's letters rec'd. | Contests filed | Total | Pending designation | Suspended, rejected, or otherwise | Pending unacted on by Register |
| Alabama | | | | | | | | |
| Montgomery (X) | | | | | | | | |
| Arizona | | | | | | | | |
| Phoenix | 246 | 823 | 350 | 27 | 1,446 | 138 | 189 | |
| Arkansas | | | | | | | | |
| Little Rock | 69 | 683 | 52 | 1 | 805 | | 113 | |
| California | | | | | | | | |
| Los Angeles | 232 | 917 | 606 | 10 | 1,765 | 105 | 141 | |
| Sacramento | 70 | 573 | 87 | 8 | 738 | 83 | 88 | |
| San Francisco | 69 | 575 | 69 | 3 | 716 | 77 | 46 | |
| Visalia | 38 | 455 | 112 | 9 | 614 | 25 | 158 | |
| Colorado | | | | | | | | |
| Denver | 66 | 643 | 256 | 5 | 970 | 49 | 123 | |
| Glenwood Springs | 191 | 1,430 | 575 | 6 | 2,202 | 110 | 417 | |
| Pueblo | 172 | 1,236 | 498 | 5 | 1,911 | 92 | 191 | |
| Florida | | | | | | | | |
| Gainesville | 68 | 1,206 | 93 | 8 | 1,375 | | 87 | |
| Idaho | | | | | | | | |
| Blackfoot | 74 | 778 | 96 | 14 | 962 | 80 | 140 | 1 |
| Boise | 60 | 453 | 41 | 3 | 557 | 33 | 31 | |
| Coeur d' Alene | 27 | 196 | 33 | 2 | 258 | | 27 | |
| Louisiana | | | | | | | | |
| Baton Rouge | 16 | 339 | 34 | 1 | 390 | | 44 | |
| Minnesota | | | | | | | | |
| Cass Lake | 35 | 495 | 26 | 1 | 557 | | 10 | |
| Montana | | | | | | | | |
| Billings | 193 | 1,757 | 349 | 7 | 2,306 | 175 | 166 | |
| Great Falls | 274 | 1,553 | 622 | 8 | 2,457 | 108 | 501 | |
| Nebraska | | | | | | | | |
| Alliance | 19 | 315 | 37 | 1 | 372 | 9 | 4 | |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Nevada | | | | | | | | |
| Carson City | 17 | 402 | 527 | 1 | 947 | 14 | 40 | |
| Elko | 13 | 59 | 27 | 1 | 100 | 79 | 25 | |
| New Mexico | | | | | | | | |
| Las Cruces | 229 | 983 | 783 | 24 | 2,019 | 70 | 168 | |
| Santa Fe | 361 | 1,595 | 708 | 20 | 2,684 | 84 | 408 | |
| North Dakota | | | | | | | | |
| Bismarck | 60 | 606 | 39 | 1 | 706 | 23 | 27 | |
| Oklahoma | | | | | | | | |
| Guthrie | 17 | 289 | 46 | 0 | 352 | 9 | 8 | |
| Oregon | | | | | | | | |
| Lakeview | 107 | 259 | 77 | 1 | 444 | 43 | 130 | |
| Portland | 20 | 255 | 33 | 0 | 308 | 0 | 14 | |
| Roseburg | 62 | 623 | 63 | 6 | 754 | 2 | 32 | |
| The Dalles | 77 | 563 | 48 | 2 | 690 | 97 | 41 | |
| Vale | 46 | 235 | 43 | 1 | 325 | 23 | 50 | |
| South Dakota | | | | | | | | |
| Pierre | 62 | 1,859 | 144 | 7 | 2,072 | 47 | 37 | |
| Utah | | | | | | | | |
| Salt Lake City | 191 | 1,192 | 1,827 | 7 | 3,217 | 255 | 250 | |
| Vernal | 14 | 239 | 39 | 1 | 293 | 15 | 23 | |
| Washington | | | | | | | | |
| Seattle | 12 | 167 | 18 | 0 | 197 | 1 | 6 | |
| Spokane | 37 | 399 | 58 | 2 | 496 | 33 | 28 | |
| Wyoming | | | | | | | | |
| Buffalo | 125 | 817 | 447 | 3 | 1,392 | 83 | 73 | |
| Cheyenne | 207 | 1,093 | 763 | 21 | 2,084 | 113 | 134 | |
| Evanston | 94 | 627 | 217 | 1 | 939 | 47 | 96 | |
| Lander | 89 | 574 | 195 | 3 | 861 | 35 | 51 | |
| TOTAL | 3,759 | 27,263 | 10,038 | 221 | 41,281 | 2,157 | 4,117 | 1 |

(X) No report received from this office June 27, 1927.

To All Local Offices and Field Service Employees: TELL THE BULLETIN

If anything occurs, in the public land service, which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin." All information should be received not later than the 24th of each month for use in the current number.

LAND SERVICE
BULLETIN
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

By direction of the Secretary of the Interior the matter contained herein is published as administrative information and is required for the proper transaction of public business.

Vol. 11 August 1, 1927. No. 6.

## OREGON AND CALIFORNIA TAX UNIT.

Report for the month of July and status of claims of Oregon and Washington counties under the act of July 13, 1926 (44 Stat., 915), involving Oregon and California railroad revested lands.

| | | |
|---|---|---|
| Claims received during month (year 1926) | (1) | $ 21,859.76 |
| " " " " (supplemental) | (1) | 471.45 |
| Total claims received (year 1926) | (16) | 670,332.43 |
| Claims certified during month (year 1926) | (3) | 179,111.32 |
| Disallowances in two claims | | 97.93 |
| Added in one claim | | 286.00 |
| Total claims certified (year 1926) | (7) | 254,568.13 |
| Total disallowances | | 318.13 |
| Total additions | | 302.28 |
| All claims received (1916 to 1925) | (19) | 6,741,485.00 |
| Total certified (1916 to 1925) | (18) | 6,022,451.50 |
| Total disallowances (1916 to 1925) | | 266,969.35 |
| Claims pending (years 1916 to 1925) | (1) | 452,064.15 |
| Claims pending (year 1926) | (9) | 415,277.00 |
| Supplemental claim pending (year 1926) | (1) | 471.45 |

SURVEY NOTES.

South Boundary of the Public Land Strip, Oklahoma.--Inquiries having been received as to their status from parties owning lands adjacent to the south boundary of the area once known as the Public Land Strip and now a part of the State of Oklahoma, it has been determined to have an investigation made for the purpose of developing the relation between the confirmed north boundary of the State of Texas and the established south boundary of the public land surveys covering the area in question in the State of Oklahoma.

The act of March 3, 1891 (26 Stat., 971), confirmed the boundary line between the Public Land Strip and the State of Texas, established under the act of June 5, 1858 (11 Stat., 310), as the true boundary line between the States of Oklahoma and Texas. This line was established in 1860 by John H. Clark, U. S. Commissioner, as coincident with the parallel of 36° 30' north latitude, between his established positions for the one hundredth and the one hundred and third meridians of longitude and was marked by fourteen monuments on the parallel exclusive of those at the corners of the Texas panhandle. Twelve of the monuments consisted of mounds of earth and two were built with stone. Clark's description of his establishment of the parallel, as found in his notes is lacking in essential details. The sketch plats of his survey exhibit the topographic conditions along the line and the relative positions of his monuments, but the distances between them are not noted.

The Cimarron Base Line for the survey of lands in the Public Land Strip was established in 1881, by Messrs. R. O. Chaney and W. W. Smith, U. S. Surveyors, from the 103d meridian, along the parallel of 36°30' north latitude, both as determined by themselves.

This base line was carried eastward for a distance of 166 miles to the vicinity of the 100th meridian and was used as the governing south boundary of the lands in the Public Land Strip, without, however, finding or referring to any of the corners established on Clark's line, which, by the act of March 3, 1891, was subsequently confirmed as the true boundary line.

It is intended to have a systematic search made for the purpose of developing any evidences that may remain of Clark's line, and the relation which such line may bear to the Cimarron Base Line.

Cooperative Surveys, Bureau of Mines.--This office has recently accepted surveys in T. 20 N., R. 116 W., 6th P. M., Group 83, Wyoming, executed at the request of the Director of the Bureau of Mines for the purpose of defining the boundaries between privately owned and leased coal lands. The lines of the original survey of the sections involved were identified or reestablished, and the positions of the section lines forming the boundaries between the privately owned land and the leased public land were then marked in the mines. In the Blazon coal mine in Sec. 32 of the township approximately one mile of underground traverse line was surveyed.

Resurveys within National Forests.--Pursuant to the recent request of the Acting Forester, the Supervisor of Surveys has been authorized to proceed--in such manner as, after conference of the district supervisors of the Forest Service and the Cadastral Engineering Service, may be deemed most advantageous to the interests of the two Services--with the resurvey of the following townships:

| | | |
|---|---|---|
| California: | T. 19 S., R. 4 E., M. D. M. | |
| Colorado: | T. 7 S., R. 80 W. | ) |
| | Ts. 11 N., Rs. 82, 83 and 84 W. | ) 6th P.M. |
| | Ts. 12 N., Rs. 82, 83 and 84 W. | ) |
| Michigan: | T. 25 N., R. 7 E., Mich. M. | |
| Minnesota: | Ts. 62 and 63 N., R. 2 E., 4th P.M. | |
| Wyoming: | Ts. 50 N., Rs. 60 and 61 W. | ) 6th P.M. |
| | Ts. 53 N., Rs. 62 and 63 W. | ) |

Resurvey, Minnesota.--Special Instructions have recently been approved which provide for a limited resurvey of a portion of T. 147 N., R. 27 W., 5th P. M., within the Minnesota National Forest, under Group 25, Minnesota.

This work is being undertaken as a cooperative measure in behalf of the Forest Service owing to extensive obliteration of the monuments of the original survey and excessive distortion between the identified corners. The primary purpose of the resurvey is to definitely segregate the area included within one patented Indian allotment, in order that the Forest Service may be certain of it's jurisdiction.

Colorado Coal Fields.--This office recently accepted the dependent resurvey of three full and three fragmentary townships in the Walsenberg and Trinidad coal fields of southern Colorado. These resurveys were brought about by the request of the Director of the Bureau of Mines for cooperation in the matter of determination of the corners and lines of the public survey for certain areas in these townships, there being considerable activity in connection with coal and mineral leasing units other than oil and gas, thus requiring an accurate determination of the boundaries in question. Action was initiated for the immediate definition of 12 leasing units rather widely scattered over the areas affected. In this case the work was limited to the recovery and remonumentation of the original survey, no subsurface determination of boundaries being made. It is expected, however, that later on an extension of the lines to the underground mine workings will be required for the purpose of defining their limits to accord with the surface boundaries.

Palm Springs Allotments.--A rather extensive program of resurveys and allotment surveys in the various Mission Indian reservations of southern California has recently been completed, and the returns of these surveys are now under examination in this office. An interesting feature of this work is the survey of 68 lots in the Agua Caliente Reservation adjacent to the townsite of Palm Springs, for the purpose of giving each Indian of this particular reservation a two-acre lot near the famous hot springs which constitute the outstanding attraction of

this locality. A reserve of 10 acres is to be created controlling the springs, and further reserves are made for school and church purposes. These lots are practically an addition to Palm Springs, and the survey is made to conform to this townsite.

Manual.--During the month of July, 1927, there has been completed the text of Chapter 9 of the Manual, dealing with plat construction, together with six illustrative diagrams which will accompany the text. The subject matter as now prepared has been referred to the Supervisor of Surveys for such comment as he may wish to offer, and will then receive final consideration by the Manual Board. It is proposed to issue this chapter to the Service in pamphlet form pending its incorporation in the completed volume, and it is believed that this publication will be available for use in the comparatively near future.

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## RECENT DEPARTMENTAL DECISIONS.

### BUMSTEAD v. HEIRS AND MORTGAGEES. OF FRANKLIN

(Decided by First Assistant Secretary Finney, May 3, 1927.)

PREFERENCE RIGHT--ASSIGNMENT--CONTEST--CONTESTANT--HOMESTEAD ENTRY--MORTGAGE--MORTGAGEE--WAIVER.

The preference right accorded a successful contestant is personal and non-assignable, and a waiver thereof will not constitute such a valuable consideration for a mortgage as to confer upon the mortgagee any rights in the land which will receive recognition by the department.

CONTEST--CONTESTANT--HOMESTEAD ENTRY--FINAL PROOF--EVIDENCE--PREFERENCE RIGHT--LAND DEPARTMENT.

The Land Department is chargeable with knowledge as to what homestead final proof discloses, and one who is permitted to prosecute a contest, after proof has been submitted, with the understanding that should his allegations be proven cancellation of the entry would be warranted, will not be denied the rights of a successful contestant because the charges did not allege any material fact not previously shown by the final proof.

BUMSTEAD v. HEIRS AND MORTGAGEES OF FRANKLIN

Motion for rehearing of departmental decision of May 3, 1927 (52 L.D.--), denied by First Assistant Secretary Finney, June 14, 1927.

VICKSBURG, SHREVEPORT, AND PACIFIC RAILROAD COMPANY, QUAPAW LAND COMPANY, TRANSFEREE

(Decided by First Assistant Secretary Finney, July 18, 1927.)

RAILROAD GRANT--INDEMNITY--SELECTION--EQUITABLE CLAIM--PREFERENCE RIGHT.

A grant to a railroad company to take indemnity lands in lieu of lands lost in place, constitutes such an equitable claim, where it is ascertained that the lands available for selection are insufficient to satisfy the losses, as to entitle the selector to be included within the preferred classes mentioned in the act of January 21, 1922.

EQUITABLE CLAIM--RESTORATIONS--SURVEY--PLAT--ACT OF JANUARY 21, 1922.

An equitable claim, subject to allowance and confirmation, covered by the act of January 21, 1922, should be presented within the twenty-day period preceding the filing of the plat of the township within which the lands to be restored are situated, as specified by the regulations of May 1, 1922.

COURT DECISION CITED AND APPLIED.

Case of United States v. Northern Pacific Railway Company (256 U.S.51), cited and applied.

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WHITE v. MARTIN

(Decided by First Assistant Secretary Finney, July 6, 1927.)

CONTEST--HOMESTEAD ENTRY--RESIDENCE.

Under section 2297, Revised Statutes, as amended by the act June 6, 1912, an entry is subject to contest on the first day following the expiration of the six months' period, where the entryman fails to establish residence within six months after the date of the entry.

CONTEST--HOMESTEAD ENTRY--RESIDENCE--ABANDONMENT.

Where an entryman, after having timely established residence, abandons his entry for more than six months, his default commences from the date of abandonment, and a contest may be initiated under section 2297, Revised Statutes, as amended by the act of June 6, 1912, immediately after the expiration of six months and one day from the date of the abandonment.

DEPARTMENTAL DECISIONS DISTINGUISHED.

Cases of Bolton v. Inman (46 L.D. 234), and Slette v. Hill (47 L.D. 108), distinguished.

ELBE OIL LAND DEVELOPMENT COMPANY

(Decided by First Assistant Secretary Finney, July 8, 1927.)

OIL AND GAS LANDS--PROSPECTING PERMIT--LEASE--LIMITATIONS--ROYALTY--STATUTES.

The act of April 30, 1926, which amended section 27 of the act of February 25, 1920, removed the limitation of one permit or lease on a geologic structure, as well as three in a State, but it did not enlarge the reward for discovery or the area of the minimum royalty lease.

OIL AND GAS LANDS--PROSPECTING PERMIT--ASSIGNMENT--ASSIGNEE--LEASE--LIMITATIONS--DISCOVERY--ROYALTY.

Where assignments of more than one oil and gas prospecting permit on the same geologic structure are made to a single assignee, the permits will be treated as a consolidated permit and the limitation pertaining to the area of the minimum royalty lease as a reward for discovery will govern.

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EFFECT OF AN EXECUTIVE WITHDRAWAL UPON TIMBER AND STONE ENTRIES PRIOR TO SUBMISSION OF FINAL PROOF AND PAYMENT OF PURCHASE MONEYS.

(Instructions by First Assistant Secretary Finney to the Commissioner of the General Land Office, April 21, 1927.)

WITHDRAWAL--TIMBER AND STONE ENTRY--APPLICATION--FINAL PROOF--PAYMENT.

Prior to the submission of final proof and payment of the purchase money, an application to make entry under the timber and stone law does not operate to defeat a withdrawal made pursuant to the act of June 25, 1910, as amended by the act of August 24, 1912.

WITHDRAWAL--TIMBER AND STONE ENTRY--NATIONAL FORESTS--SEGREGATION--LAND DEPARTMENT--JURISDICTION--PATENT.

An Executive withdrawal under the act of June 25, 1910, as amended by the act of August 24, 1912, for classification and pending determination as to the advisability of including lands in a national forest, effectually segregates the lands, except as to claims coming within the exceptions in those acts, placing them beyond the jurisdiction of the Land Department, and final certificates and patents thereafter issued are void.

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DAVIDSON v. TAYLOR

(Decided by First Assistant Secretary Finney, May 31, 1927.)

CONTEST--HOMESTEAD ENTRY--NOTICE--MISNOMER--PRACTICE.

Omission of a contestee's middle name in the application to contest his homestead entry and in the notice subsequently issued thereupon does not constitute a misnomer or variance within the purview of the Rules of Practice, and is not such a defect as to warrant dismissal of the contest.

ANNA M. DERDEN

(Decided by First Assistant Secretary Finney, June 6, 1927.)

OIL AND GAS LANDS--PROSPECTING PERMIT--ASSIGNMENT--ASSIGNEE--DILIGENCE--EXTENSION OF TIME.

An assignment of an oil and gas prospecting permit, otherwise regular, will be approved, if the permit be in good standing when the application for the approval of the assignment is filed, and the assignee may make such showings of diligence as will warrant an extension of time.

OIL AND GAS LANDS--PROSPECTING PERMIT--ASSIGNMENT--ASSIGNEE--DILIGENCE--EXTENSION OF TIME.

In the matter of extensions of time, the approval of an assignment of an oil and gas prospecting permit relates back to the date of application for approval, and the diligence shown must ordinarily be that of the permittee, if a default occurs prior to approval of the assignment, but diligence by the assignee may be given consideration where bona fide efforts to secure development have been made by him in an effort to protect his investment.

OIL AND GAS LANDS--PROSPECTING PERMIT--ASSIGNMENT--DEFAULT--RECORDS--EXTENSION OF TIME.

The approval of the assignment of an oil and gas prospecting permit will be denied where defaults stand uncured of record at the time approval of such assignment is sought, unless and until the permittee secures an extension of time for compliance with the terms of the permit.

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Circular No. 592.

Printed revision under date of June 3, 1927, Regulations concerning State irrigation districts in their relation to the public lands of the United States.

# REGULATIONS REGARDING APPLICATIONS FOR REDUCTION OF GOVERNMENT ROYALTY IN OIL AND GAS LEASES.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

June 28, 1927.

Registers of United States Land Offices:

Supervisors of Oil and Gas Operations, Geological Survey:

In accordance with authority conferred upon the Secretary of the Interior by Section 17 of the act of February 25, 1920 (41 Stat., 437), which provides that:

> "Whenever the average daily production of any oil well shall not exceed 10 barrels per day, the Secretary of the Interior is authorized to reduce the royalty on future productions when in his judgment the wells can not be successfully operated upon the royalty fixed in the lease. The provisions of this paragraph shall apply to all oil and gas leases made under this act,"

applications for reduction of royalty in oil and gas leases where the daily production per well per day is 10 barrels or less averaged over the leasehold as a whole for a continuous period of at least 3 months next preceding the date of application for reduction will be handled in the following manner:

1. Applications for reduction of royalty shall be filed in duplicate in the United States land office of the district in which the land is situated. The Register will immediately transmit the original thereof to the Commissioner of the General Land Office by special letter and the duplicate to the Supervisor of Oil and Gas Operations of the Geological Survey having jurisdiction in the district.

2. Applications for reduction of royalty will be received for an entire leasehold or on any part of the area thereof segregated for computation of royalties by the terms of the lease, by advertisement, bidding, and award though included in the same lease with other lands, or by approved assignment. All holders of record of the tract must join in the application for reduction of royalty, and the supporting showing must be complete for the entire tract involved.

3. Upon receipt of the duplicate copy of the Supervisor of Oil and Gas Operations, Geological Survey, will make investigation of the matters set forth by the applicant and will make prompt report

of his findings to the Director of the Geological Survey. The report of the Supervisor shall cover particularly the productivity of the wells on the area involved and the extent of the efforts being made by the lessee toward economical and efficient operation; the ability of the lessee to operate the wells at a profit after paying reasonable lifting costs, a reasonable interest on capital honestly and wisely invested, and the Government royalty; and shall include recommendations as to action to be taken in the public interest.

4. The application for reduction of royalty must contain the following information:

(a) Serial number of lease and land district.

(b) Name and address of each holder of the record or legal title.

(c) Name and address of operators or sublessees, if any.

(d) Description by legal subdivision of land for which application is filed.

(e) Plat showing location, field number, and status of each well that has been drilled.

(f) A tabulated statement showing for each month of a period of not less than 6 months next prior to the date of filing of application:

(1) The aggregate amount of oil subject to royalty in conformity with the provisions of Sec. 3 of the operating regulations;
(2) The number of wells counted as producing in accordance with said section of the operating regulations; and
(3) The average production per well per day as determined from oil subject to royalty and count of producing wells.

(g) A detailed statement of expenses and costs of operating the wells, and all facts tending to show whether the wells can be successfully operated upon the royalty fixed in the lease and whether the operator is in good faith doing everything that may be reasonably expected in economic operation. This statement should include full information as to whether, and if so what, royalties are paid to others than the United States efforts made to reduce them, and agreement of the holders of the lease and of royalty holders to a permanent reduction of all other royalties from the lease hold to an aggregate not in excess of one-half the Government royalty.

June 25, 1927.

WILLIAM SPRY,
Commissioner.

I concur:

GEO. OTIS SMITH,
Director, Geological Survey.

Approved: June 28, 1927.
E. C. FINNEY,
First Assistant Secretary.

Circular No. 1128.

DATA FOR USE IN FIELD EXAMINATION IN MINERAL CASES.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1260372 "N" UEG July 14, 1927.

Registers,
U. S. Land Offices,
District Cadastral Engineers,
and Division Inspectors.

Sirs:

In order to facilitate examination in the field by inspectors of this Department of mining claims for which applications for patents are filed, registers, where lode claims are sought to be patented, will require the applicants to furnish in duplicate the statement required by paragraph 41 of the mining regulations, relative to the kind and character of the vein or lode; whether ore has been extracted therefrom, and if so, in what amount and value, and the precise place within the limits of each claim sought to be patented, where the vein or lode has been exposed or discovered and the width thereof. The duplicate copy is to be sent to the Division Inspector.

The procedure in this regard, in the case of placer claims sought to be patented, is contained in the instructions of November 4, 1925 (51 L. D., 265), to the Register of the Glenwood Springs land office, which instructions are hereby extended to all district land offices.

District Cadastral Engineers will cause to be made a copy of the description of the improvements on mining claims as contained in the field notes of survey and transmit this copy to the Division Inspector.

Very respectfully,

THOS. C. HAVELL,

Acting Commissioner.

Approved: July 14, 1927.

E. C. FINNEY,

First Assistant Secretary.

FIRST WITHDRAWAL UNDER SECS. 2380 AND 2381 U.S.R.S. IN ALASKA.

By Executive Order of July 4, 1927, the public lands around Salchaket, or Harding Lake, Alaska, were withdrawn for townsite purposes under Secs. 2380 and 2381 U.S.R.S. Such sections had not theretofore been held applicable to Alaska.

The withdrawal was made upon petition of 111 residents of Fairbanks and was recommended by this office.

DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1078291

PUBLIC LANDS RESTORED TO HOMESTEAD ENTRY AND OTHER DISPOSITION BY PROCLAMATION, EXECUTIVE, OR DEPARTMENTAL ORDER.

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Preference Rights to Ex-Service Men of the War with Germany.

General Method of Opening:

By virture of Public Resolution No. 29, of February 14, 1920 (41 Stat., 434), as amended by Public Resolution Nos. 36 and 79, approved January 21 and December 28, 1922, respectively, hereafter and until February 15, 1930, when any surveyed lands within the provisions of the public resolutions are opened or restored to disposition under the authority of the department, such lands, unless otherwise provided in the order of restoration, shall become subject to appropriation under the laws applicable thereto in the following manner, and not otherwise:

Lands not affected by the preference rights conferred by the acts of August 18, 1894 (28 Stat., 394), or June 11, 1906 (34 Stat., 233), or February 14, 1920 (41 Stat., 407), will be subject to entry by soldiers under the homestead and desert-land laws, where both of said laws are applicable, or under the homestead law only, as the case may be, for a period of 91 days, beginning with the date of the filing of the township plat in the case of surveys or resurveys, and with the date specified in the order of restoration in all other cases, and thereafter to disposition under all of the public land laws, applicable thereto, except where homestead entrymen are granted a prior preference period under the order. For a period of 20 days and for a like period prior to the date or dates such lands become subject to entry by the general public, soldiers in the first instances, and qualified applicants in the second, may execute and file their applications, and all such applications presented within such 20-day periods, together with those offered at 9 o'clock a. m., standard time, on the dates such lands become subject to appropriation under such applications, shall be treated as filed simultaneously.

Unsurveyed lands are not subject to homestead or desert-land entry. A homestead entry may embrace 160 acres, or an approximation thereof, and where the lands are of the character contemplated by the 320 or 640 acres homestead acts, applications for the unappropriated lands may be filed by qualified persons, under either of said acts, accompanied by proper petitions, if undesignated, for the designation of lands thereunder, and such applications will be suspended pending determination as to the character of such lands.

The following are restorations or openings which will occur in the near future and concerning which further information may be obtained from the local offices:

## MONTANA.

The plat of T. 15 N., R. 7 E., P. M., Cascade County, Montana, will be officially filed in the district land office at Great Falls, Montana, on August 29, 1927, at 9 a. m.

All of this township is within the limits of the Jefferson National Forest and for this reason no part of the land will be available for entry under the general public land laws except where embraced in valid adverse claims antedating the withdrawal for the forest.

- - - 0 - - -

## OPEN TO ENTRY THROUGH SURVEY.

FLORIDA:

The plats of survey in the following townships will be officially filed in the district land office at Gainesville, Florida, on August 16, 1927, at 9 a. m.

Sec. 4, T. 38 S., R. 18 E., Tal. M., Sarasota County, Florida: An island known as Ward's Island in Little Sarasota Bay, Area 0.65 acres.

Sec. 31, T. 32 S., R. 40 E., Tal. M., Indian River County, Florida: An island in Indian River. Area 8.47 acres.

Sec. 24, T. 66 S., R. 28 E., Tal. M., Monroe County, Florida: One of the Florida Keys known as Drummond Key. Area 8.46 acres.

The islands represented on said plats are withdrawn from settlement, location, sale, entry and all forms of appropriation pending classification and in aid of legislation under Executive Order No. 4109 of December 8, 1924, subject to any valid existing rights in and to the same. Therefore, these lands will not be available for entry under the public land laws generally except in the case of a valid adverse claim antedating said withdrawal of December 8, 1924.

(726)

NEBRASKA:
WYOMING:

MEMORANDUM

Public notice dated June 18, 1927, announces the opening to homestead entry subject to the reclamation act of June 17, 1902 (32 Stat., 388), of 132 farm units within the North Platte Irrigation Project, Nebraska and Wyoming. Honorably discharged veterans of the World War will have a preference right to make entry until October 17, 1927; on and after that date any of the farm units remaining unentered will be subject to entry under the notice by any person having the necessary qualifications. Farm application blanks which are filed with the project superintendent at Mitchell, Nebraska, within the 10-day period from July 14 to July 23, 1927, inclusive, will be considered as filed simultaneously.

The farms are of various sizes containing from 27 to 116 irrigable acres and are in Morrill and Scotts Bluff Counties, Alliance Land District, Nebraska, and in Goshen County, Cheyenne Land District, Wyoming.

The towns of Torrington and Fort Laramie, Wyoming, and Bridgeport and Mitchell, Nebraska, all on the Chicago, Burlington & Quincy Railroad are in the vicinity of the lands.

In addition to the qualifications required under the homestead laws, an applicant for the lands must satisfy the examining board appointed for the North Platte Project that he is possessed of certain qualifications as to industry, experience, character, and capital as will give reasonable assurance of success by the prospective settler.

Effective Dates.

Simultaneous filing period for soldiers from July 14, 1927, to July 23, 1927, inclusive. Preference right filing period for soldiers from July 14, 1927, to October 16, 1927, inclusive. Units open to general disposition October 17, 1927.

(727)

NEW MEXICO:

OPEN TO ENTRY THROUGH SURVEY.

The plats of dependent resurveys in T. 4 N., R. 16 E., N. M. P. M., Guadalupe County and T. 1 N., R. 19 E., N. M. P. M., Lincoln County, New Mexico, will be officially filed in the district land office at Santa Fe, New Mexico, on August 19, 1927, at 9 o'clock a. m.

For 91 days, beginning with August 19, 1927, the unreserved and unappropriated public lands in said townships will be opened to entry under the homestead and desert land laws by qualified former service men of the World War, and also to entry by those persons having a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plats and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m., on August 19, 1927. On November 18, 1927, the land remaining vacant and unreserved will become available for entry under any applicable public land laws by the public generally.

The plat of T. 4 N., R. 16 E., represents a dependent resurvey of 22,420.49 acres, of which the greater portion is in private ownership. Land: Gently rolling grassy prairie. Soil: sandy and clay loam ranging from first to third rate. Timber: none. There are no streams or springs in the township, water for domestic purposes being obtained from wells and earthen tanks. Some success has been obtained in raising crops by dry farming methods. Vaughn townsite is situated in Sec. 1. No indication of mineral was noted.

The plat of T. 1 N., R. 19 E., represents a dependent resurvey of 23,036.68 acres, of which the greater portion is in private ownership. Land: gently rolling grassy prairie. Soil: generally a sandy clay loam, first to third rate. Timber: none. There are no streams or springs in the township, water for domestic purposes being obtained from wells and earthen tanks. Some success has been obtained in raising crops of forage grains and vegetables by dry farming methods. Ramon Post office at Kelso's Store and ranch is located in Sec. 22. No indication of mineral was noted.

(728)

NEW MEXICO:

OPEN TO ENTRY THROUGH SURVEY.

The plats of dependent resurveys in Ts. 4 and 5 S., R. 24 E., N. M. P. M., Chaves County, New Mexico, will be officially filed in the district land office at Santa Fe, New Mexico, on August 19, 1927, at 9 o'clock a. m.

For 91 days, beginning with August 19, 1927, the unreserved and unappropriated public lands in said townships will be opened to entry under the homestead and desert land laws by qualified former service men of the World War, and also to entry by those persons having a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plats and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m., on August 19, 1927. On November 18, 1927, the land remaining vacant and unreserved will become available for entry under any applicable public land laws by the public generally.

The plat of T. 4 S., R. 24 E., represents the dependent resurvey of 23,018.52 acres, the greater portion of which is in private ownership. Land gently rolling with an average elevation of about 4,500 feet above sea level. The soil is a sandy loam, second rate. There is no timber or undergrowth and no surface indication of mineral. There are no natural watering places except a small spring near the line between Secs. 2 and 3. Water for domestic purposes is obtained from wells and surface tanks to catch flood waters. The township is adapted to stock grazing and parts of it produce good crops of beans, corn, and various forage crops. Dry farming is practiced successfully.

The plat of T. 5 S., R. 24 E., represents the dependent resurvey of 23,029.88 acres, the greater portion of which is in private ownership. The land is gently rolling and about 4,500 feet above sea level. The soil is a second rate sandy loam. There is no timber, no undergrowth, and no indication of mineral within the township. There are a few springs in the arroyo which runs nearly through the center of the township. Elsewhere in the township water is obtained from wells and surface reservoirs. The township is adapted to grazing and dry farming.

(729)

NEW MEXICO:

OPEN TO ENTRY THROUGH SURVEY.

The plat of resurvey of fractional T. 6 S., R. 18 E., N. M. P. M., Lincoln County, New Mexico, will be officially filed in the district land office at Las Cruces, New Mexico, on August 30, 1927, at 9:00 a. m.

For 91 days, beginning August 30, 1927, the unreserved lands represented on said plat will be open to entry under the homestead and desert land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9:00 a. m. on August 30, 1927. At 9:00 a. m. on November 29, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land laws, by the general public. Applications by the general public may be filed during the 20-day period immediately preceding November 29, 1927, between the dates November 9, and November 28, 1927, inclusive. All applications so filed will be treated as though filed simultaneously at 9:00 a. m. on November 29, 1927.

This plat represents the survey of 5,858.79 acres of public lands.

Land: rolling prairie, average elevation, about 5,500 feet. The drainage is generally to the east, Macho Creek, which crosses the north part of the township in an easterly direction, being the main drainage system. The creek is dry during the greater part of the year but flows at times during the summer months from rainfall in the mountains to the west and southwest.

Soil: sandy loam, generally mixed with gravel, generally second and third rate except in the valley where the brown clay loam is first rate soil and rather productive when irrigated from the overflow of the creek. There are no natural watering places or springs, domestic water being obtained from wells and from flood water surface reservoirs. A well is located in the NE$\frac{1}{4}$ Sec. 6, and one in the SW$\frac{1}{4}$ Sec. 2. The township has a good growth of grass and is well adapted to stock raising. No evidence of mineral was noted. There were two settlers living in the resurveyed portion of the township, one in the SE$\frac{1}{4}$ Sec. 19, and one in the SE$\frac{1}{4}$ Sec. 7.

RECENT EXECUTIVE ORDERS AND PROCLAMATIONS.

By order of May 24, a portion of Ft. Morgan military reservation in Alabama has been transferred to the Department of Commerce for a lighthouse site.

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McKay Creek Reservoir in the Umatilla reclamation project and adjoining lands have been set aside as the McKay Creek Bird Refuge by order of June 7.

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Under orders of June 18, the public lands in T. 28 N., R. 113 W., Wyoming, and in Ts. 21 N., Rs. 4 and 5 W., New Mexico, have been released from resurvey withdrawal and restored.

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A naval reservation at San Juan, Porto Rico, has been transferred to the War Department for military use under order of June 20.

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By order of June 20, a portion of the Army base at Hampton Roads, Virginia, has been transferred to the Navy Department for coal storage and other naval purposes.

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The public lands in Ts. 42, 43, 44 and 45 N., R. 10 W., M. D. M., California, have been released from resurvey withdrawal and restored.

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By order of June 24, a 320-acre tract in Colorado has been released from withdrawal for recreational classification and restored.

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A tract of 160 acres in California has been reserved by order of June 29, for use by the Department of Commerce as an air mail beacon site or landing field.

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By order of the same date, certain lands acquired by the United States in Hawaii have been included in Ft. Ruger military reservation, and by orders of July 11 portions of such reservation have been transferred to the Territory for road purposes and to the Department of Commerce for a lighthouse site.

The Upton National Forest within the Camp Upton military reserve, New York, has been abolished by order of June 29.

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By order of the same date, the public lands in T. 7 N., R. 30 E., Arizona, have been released from resurvey withdrawal without restoration, the township being in the Apache Forest.

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Eighty acres in Wyoming have been released from withdrawal for protection of water supply of Ft. D. A. Russell by order of June 29, and thereafter withdrawn by the Department for recreational purposes.

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The Umatilla Forest in Oregon has been enlarged under act of March 4, 1925 (43 Stat., 1279), by proclamation of July 1, and certain of the lands withdrawn in aid of the classification contemplated by said act released and restored.

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By order of July 4, certain lands on Salchaket Lake in Alaska have been withdrawn for townsite purposes under Secs. 2380 and 2381 U.S.R.S.

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A quarter section in Idaho has been withdrawn by order of the same date for use as a rifle range by the State National Guard.

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By order of July 7, public lands aggregating 23,617 acres in Wyoming have been withdrawn in aid of proposed legislation.

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The trust period on lands held for the use of the Potrero and Rincon bands of Indians in California and on certain allotments of the Prairie band of Potawatomi Indians in Kansas, which would have expired in 1927, has been extended for 10 years by orders of July 11.

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By order of July 15, certain public lands in Wyoming have been released from forest classification withdrawal and restored.

EXECUTIVE ORDER

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In accordance with the provisions of Section 2253 of the Revised Statutes of the United States, and by virtue of the authority therein given, it is hereby ordered that the boundaries of the Juneau, Fairbanks, and Nome land districts in the Territory of Alaska be changed, effective at the close of business on August 31, 1927, as follows:

Juneau Land District, with office at Anchorage--All that part of the Territory of Alaska lying east of the one hundred and forty-first meridian of west longitude; and all that territory lying south and west of the line starting on the coast of the Gulf of Alaska at the one hundred and forty-first meridian of west longitude; thence northerly along said meridian to a point due east from Mount Kimball; thence west to the summit of Mount Kimball; thence southwesterly along the southerly watershed of the headwaters of Tanana River; thence westerly along the divide between the waters of the Gulf of Alaska on the south and the waters of the Yukon on the north to the summit of Mount McKinley; thence continuing southwesterly along the divide between the waters of the Kuskokwim River and Bay on the north and west and the Gulf of Alaska and Bristol Bay on the south to the westerly point of Cape Newenham; the said district to include the Alaska Peninsula, the Aleutian and Pribilof Islands; and all islands along and off the coast of this district, east of Cape Newenham.

Fairbanks Land District--That part of the Territory of Alaska lying east of the Nome land district and north of the Juneau land district, and all islands along the north coast of said district, east of the one hundred and forty-eighth meridian of west longitude, also Nelson Island and all islands in Kuskokwim Bay.

Nome Land District--All that territory lying west of a line commencing on the Arctic coast at the one hundred and forty-eighth meridian; thence extending south along the easterly watershed of the Colville River to a point on the Rocky Mountain divide between the head waters of Colville River on the north and west and the waters of the Chandlar River on the south; thence southwesterly along the divide between the waters of Colville River, Kotzebue Sound, and Norton Sound on the north and west and the waters of the Yukon on the south to the one hundred and sixty-first meridian of west longitude; thence along said meridian to a point midway between the Yukon River and the Kuskokwim River; thence southwesterly to the point of intersection of the sixty-first parallel of north latitude with the shore of Bering Sea; the said district to include all the islands lying north of the fifty-eighth parallel of north latitude and west of the one hundred and forty-eighth meridian of west longitude, excepting Nelson Island, all islands in Kuskokwim Bay, all islands in Bristol Bay, and all islands in the Gulf of Alaska north of the fifty-eighth parallel of north latitude; and that the business and archives pertaining to the lands affected by the change in boundaries be transferred to the offices of the land districts within which the lands affected are included hereunder.

As changed, the boundary of the Juneau land district conforms to the boundaries of judicial divisions Nos. 1 and 3, the boundary of the Fairbanks land district conforms to the boundary of judicial division No. 4, and the boundary of the Nome land district conforms to the boundary of judicial division No. 2.

CALVIN COOLIDGE

The White House,
June 30, 1927.

(No. 4680)

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OIL AND GAS ACTIVITIES.

During the month of July the Division handling oil and gas prospecting permits under sections 13 and 20 of the leasing act received 250 new applications, none on drawings, and 3,279 cases for reconsideration. Permits were granted in 357 cases, 88 applications finally rejected on conflicts and 144 finally rejected in part; 262 cases were rejected in entirety subject to appeal; 18 appeals were transmitted to the Secretary; departmental decisions were promulgated in 21 cases, 15 affirming, and 6 modifying decisions of this office; 52 assignments were acted upon, and 608 extensions of time disposed of; 97 permits held for cancellation and 144 canceled; 382 applications were examined and reports from the Geological Survey called for; 2157 cases are awaiting reports from the Survey and 17 from the Reclamation Bureau, and 793 new cases awaiting Survey reports. 4,362 letters were written, of which 351 were replies to inquiries.

Under the relief sections of the act and other sections providing for issuance of leases, 3 leases were granted; 5 leases involving 2 cases were forwarded to the Secretary for authority to issue the leases, and two applications for leases examined and preliminary action taken; 8 extensions of time were granted; one lease application rejected; one sales contract approved and approval recommended in another case; reduction of royalty recommended in one case and rejected in another; drilling relief recommended in one case. 50 cases were received for consideration during the month. 45 letters were written, of which 9 were replies to inquiries.

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RECEIPTS UNDER THE MINERAL LEASING ACT.

The receipts under the mineral leasing act of February 25, 1920, during the month of June were $785,876.81, all from lands outside of naval petroleum reserves.

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OPERATIONS UNDER THE MINERAL LEASING ACTS.

As illustrative of accomplishments under the several mineral leasing acts administered by the General Land Office, the figures given in the following tabulation, compiled by the Geological Survey, will be found interesting:

# MINERAL LEASES, LICENSES, AND PERMITS ISSUED BY THE SECRETARY OF THE INTERIOR, AND NOTIFICATION RECEIVED BY THE GEOLOGICAL SURVEY AS OF JUNE 30, 1927.

| STATE | COAL | | | POTASH | | SODIUM | | OIL-SHALE | PHOS-PHATE | OIL and GAS | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Leases | Permits | Licenses | Lea. | Per. | Lea. | Per. | Lease | Lease | Leases | Per. |
| Alaska | 11 | 35 | 73 | - | - | - | - | - | - | - | 1,133 |
| Ala. | 1 | - | - | - | - | - | - | - | - | - | - |
| Ariz. | - | 6 | - | - | 26 | - | 3 | - | - | - | 923 |
| Ark. | - | 1 | - | - | - | - | - | - | - | - | 4 |
| Calif. | - | 16 | - | 17 | 70 | - | 6 | - | - | 158 | 3,246 |
| Colo. | 67 | 196 | 18 | - | 4 | - | - | - | - | 10 | 3,331 |
| Idaho | - | 21 | - | - | 1 | - | 1 | - | 2 | - | 219 |
| Kans. | - | - | - | - | - | - | - | - | - | - | 5 |
| La. | - | - | - | - | - | - | - | - | - | 7 | 56 |
| Mich. | - | - | - | - | - | - | - | - | - | - | 1 |
| Miss. | - | - | - | - | - | - | - | - | - | - | 11 |
| Mont. | 56 | 97 | 10 | - | 2 | - | - | - | - | 40 | 3,441 |
| Nebr. | - | - | - | - | 4 | - | - | - | - | - | 13 |
| Nev. | - | 42 | - | - | 75 | 1 | 42 | - | - | - | 963 |
| N. Mex. | 11 | 131 | - | - | 34 | - | 4 | - | - | 6 | 4,042 |
| N. Dak. | 35 | 11 | 3 | - | - | - | 5 | - | - | - | 30 |
| Okla. | - | - | - | - | - | - | - | - | - | - | 65 |
| " R.R. | - | - | - | - | - | - | - | - | - | 18 | 11 |
| Oreg. | 2 | 35 | - | - | 2 | - | 1 | 1 | - | - | 60 |
| S. Dak. | 1 | 5 | 1 | - | - | - | - | - | - | - | 167 |
| Utah | 55 | 113 | 4 | - | 345 | - | 1 | - | - | 2 | 4,711 |
| Wash. | 2 | 52 | - | - | - | - | 2 | - | - | - | 81 |
| Wyo. | 40 | 175 | 19 | 1 | - | - | 1 | 1 | - | 274 | 5,356 |
| | 281 | 936 | 128 | 18 | 563 | 1 | 66 | 2 | 2 | 515 | 27,869 |

Acts of Oct. 20, 1914 and Mar. 4, 1921.

| | REQUIRED INVESTMENT | ACREAGE | TOTAL ACREAGE |
|---|---|---|---|
| 11 Alaska coal leases | $1,315,000.00 | 15,973.14 | |
| 35 " " permits | | 56,035.01 | |
| 73 " " licenses | | 730.00 | 72,738.15 |
| Act of October 2, 1917. | | | |
| 18 Potash leases | 2,715,470.00 | 27,550.19 | |
| 563 " permits | | 1,266,005.64 | 1,293,555.83 |
| Act of Feb. 25, 1920. | | | |
| 270 Coal leases | 5,961,900.00 | 92,095.71 | |
| 901 " permits | | 870,656.71 | |
| 55 " licenses | | 2,361.78 | |
| 1 Sodium lease | 15,000.00 | 1,440.00 | |
| 66 " permits | | 115,144.55 | |
| 2 Oil shale leases | 200,000.00 | 4,600.00 | |
| 2 Phosphate leases | 90,000.00 | 1,700.00 | 1,087,998.75 |
| 1,997 | $10,297,370.00 | | 2,454,292.73 |
| 27,869 Oil and gas permits | | | |
| 515 Oil and gas leases | | | |

Acts of Apr. 17, 1926, June 8, 1926, and Feb. 7, 1927 - none

| | Leases | Permits | Licenses |
|---|---|---|---|
| TOTAL | 819 | 29,434 | 128 |

Min. an. production of coal required - - - - - - 4,168,740 tons

Estimated tons of coal in leased lands - - - - - 834,000,000 tons

# MINERAL LEASES, LICENSES, AND PERMITS ON THE PUBLIC DOMAIN UNDER SUPERVISION OF THE GEOLOGICAL SURVEY AS OF JUNE 30, 1927.

| State | COAL | | | | | | OIL & GAS | |
|---|---|---|---|---|---|---|---|---|
| | Leases | | Permits | | Licenses | | Leases | Permits |
| | No. | Acreage | No. | Acreage | No. | Acreage | No. | No. |
| Alaska | 9 | 11,307.28 | 20 | 29,912.21 | 3 | 30 | - | 1,039 |
| Ala. | 1 | 1,840.00 | - | - | - | - | - | - |
| Ariz. | - | - | 3 | 7,600.00 | - | - | - | 810 |
| Ark. | - | - | - | - | - | - | - | 4 |
| Calif. | - | - | 5 | 2,916.16 | - | - | 140 | 2,755 |
| Colo. | 60 | 9,416.43 | 34 | 18,846.28 | 8 | 320.08 | 8 | 3,078 |
| Idaho | - | - | 7 | 8,557.96 | - | - | - | 168 |
| Kansas | - | - | - | - | - | - | - | 5 |
| La. | - | - | - | - | - | - | 6 | 45 |
| Mich. | - | - | - | - | - | - | - | 1 |
| Miss. | - | - | - | - | - | - | - | 2 |
| Mont. | 45 | 6,590.96 | 12 | 3,956.06 | 7 | 279.95 | 40 | 3,077 |
| Nebr. | - | - | - | - | - | - | - | 9 |
| Nev. | - | - | 3 | 6,001.21 | - | - | - | 836 |
| N. M. | 9 | 3,761.10 | 60 | 95,942.08 | - | - | 6 | 3,616 |
| N. D. | 32 | 4,264.75 | 3 | 800.00 | 2 | 80.00 | - | 25 |
| Okla. | - | - | - | - | - | - | - | 47 |
| "R.R. | - | - | - | - | - | - | 17 | 11 |
| Oreg. | 2 | 2,095.24 | 4 | 1,840.00 | - | - | - | 59 |
| S. D. | 1 | 79.04 | - | - | - | - | - | 137 |
| Utah | 43 | 35,523.07 | 24 | 26,324.10 | 3 | 160.00 | 2 | 4,379 |
| Wash. | 1 | 600.00 | 8 | 4,594.30 | - | - | - | 72 |
| Wyo. | 33 | 14,997.55 | 12 | 11,329.48 | 5 | 199.95 | 272 | 4,929 |
| Total | 236 | 90,475.42 | 195 | 218,619.84 | 28 | 1,069.98 | 491 | 25,104 |

| State | SODIUM | | | | POTASH | | | |
|---|---|---|---|---|---|---|---|---|
| | Leases | | Permits | | Leases | | Permits | |
| | No. | Acreage | No. | Acreage | No. | Acreage | No. | Acreage |
| Ariz. | - | - | 3 | 7,360.00 | - | - | 22 | 55,040.00 |
| Calif. | - | - | 1 | 2,560.00 | 5 | 9,783.80 | - | - |
| Colo. | - | - | - | - | - | - | 3 | 7,040.00 |
| Idaho | - | - | 1 | 2,454.11 | - | - | - | - |
| Nev. | 1 | 1,440.00 | 15 | 35,360.00 | - | - | 2 | 3,520.00 |
| N. M. | - | - | 1 | 2,560.00 | - | - | 24 | 54,080.00 |
| Oreg. | - | - | 1 | 920.00 | - | - | 1 | 2,560.00 |
| Utah | - | - | 1 | 2,560.00 | - | - | 40 | 85,764.29 |
| Wash. | - | - | 2 | 766.30 | - | - | - | - |
| Total | 1 | 1,440.00 | 25 | 54,540.41 | 5 | 9,783.80 | 92 | 208,004.29 |

Idaho - 2 phosphate leases 1700
Oregon- 1 oil shale lease 2680

| | Leases | Licenses | Permits |
|---|---|---|---|
| Total | 736 | 28 | 25,416 |

CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES FOR THE MONTH OF JUNE, 1927.

| Office | Business of current month | | | | | Pending at end of month | | |
|---|---|---|---|---|---|---|---|---|
| | Applications, proofs, etc. received. | Receipts and final certificates issued and miscellan's. | Commissioner's letters received. | Contest cases initiated | Total | Pending designation. | Suspended rejected, otherwise. | Pending unacted on by Register. |
| Alabama | | | | | | | | |
| Montgomery (X) | | | | | | | | |
| Arizona | | | | | | | | |
| Phoenix | 242 | 835 | 300 | 21 | 1,398 | 152 | 177 | |
| Arkansas | | | | | | | | |
| Little Rock | 25 | 573 | 39 | 4 | 641 | | 86 | |
| California | | | | | | | | |
| Los Angeles | 250 | 886 | 532 | 20 | 1,688 | 112 | 159 | |
| Sacramento | 82 | 528 | 64 | | 674 | 93 | 75 | |
| San Francisco | 154 | 455 | 52 | 3 | 664 | 80 | 46 | |
| Visalia | 376 | 681 | 81 | 6 | 1,144 | 27 | 78 | |
| Colorado | | | | | | | | |
| Denver | 136 | 804 | 94 | 3 | 1,037 | 40 | 111 | |
| Glenwood Springs | 169 | 1,177 | 301 | 13 | 1,660 | 121 | 399 | 4 |
| Pueblo | 179 | 905 | 228 | 1 | 1,313 | 94 | 197 | |
| Florida | | | | | | | | |
| Gainesville | 48 | 1,139 | 104 | 9 | 1,300 | | 88 | |
| Idaho | | | | | | | | |
| Blackfoot | 121 | 905 | 98 | 3 | 1,127 | 103 | 145 | |
| Boise (X) | | | | | | | | |
| Coeur d'Alene | 26 | 218 | 28 | 1 | 273 | 2 | 19 | |
| Louisiana | | | | | | | | |
| Baton Rouge | 17 | 436 | 31 | 1 | 485 | | 38 | |
| Minnesota | | | | | | | | |
| Cass Lake | 66 | 478 | 37 | 1 | 582 | | 37 | |
| Montana | | | | | | | | |
| Billings | 195 | 1,594 | 838 | 2 | 2,629 | 186 | 193 | |
| Great Falls | 229 | 1,505 | 1,092 | 8 | 2,834 | 103 | 439 | |
| Nebraska | | | | | | | | |
| Alliance | 26 | 241 | 19 | | 286 | 13 | 10 | |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Nevada | | | | | | | | |
| Carson City | 51 | 281 | 75 | 1 | 408 | 16 | 67 | |
| Elko | 18 | 94 | 6 | | 118 | 67 | 21 | |
| New Mexico | | | | | | | | |
| Las Cruces | 255 | 780 | 730 | 6 | 1,771 | 67 | 219 | |
| Santa Fe | 301 | 1,419 | 313 | 31 | 2,064 | 78 | 401 | |
| North Dakota | | | | | | | | |
| Bismarck | 37 | 494 | 22 | | 553 | 26 | 26 | |
| Oklahoma | | | | | | | | |
| Guthrie | 23 | 238 | 34 | | 295 | 10 | 5 | |
| Oregon | | | | | | | | |
| Lakeview | 37 | 237 | 32 | 3 | 309 | 48 | 115 | |
| Portland (X) | | | | | | | | |
| Roseburg | 191 | 841 | 39 | 4 | 1,075 | 2 | 42 | |
| The Dalles | 39 | 547 | 23 | 2 | 611 | 105 | 30 | |
| Vale | 28 | 164 | 41 | 1 | 234 | 26 | 53 | |
| South Dakota | | | | | | | | |
| Pierre | 77 | 1,487 | 112 | 4 | 1,680 | 36 | 77 | |
| Utah | | | | | | | | |
| Salt Lake City | 254 | 987 | 386 | 6 | 1,633 | 280 | 284 | |
| Vernal | 22 | 132 | 16 | 3 | 173 | 18 | 24 | |
| Washington | | | | | | | | |
| Seattle | 13 | 149 | 20 | | 182 | 1 | 7 | |
| Spokane | 22 | 361 | 34 | | 417 | 32 | 20 | |
| Wyoming | | | | | | | | |
| Buffalo | 213 | 1,127 | 650 | 13 | 2,003 | 99 | 108 | |
| Cheyenne | 226 | 946 | 660 | 9 | 1,841 | 127 | 158 | |
| Evanston | 114 | 640 | 136 | 1 | 891 | 56 | 85 | |
| Lander | 52 | 329 | 130 | 0 | 511 | 40 | 32 | |
| TOTAL | 4,314 | 24,613 | 7,397 | 180 | 36,504 | 2,260 | 4,071 | 4 |

(X) No report received from these offices July 26, 1927.

To All Local Offices and Field Service Employees: TELL THE BULLETIN

If anything occurs in the public land service which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin." All information should be received not later than the 24th of each month for use in the current number.

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Nevada | | | | | | | |
| Carson City | 31 | 221 | 75 | 1 | 1,024 | 16 | 17 |
| Elko | 18 | 94 | 6 | | 118 | 67 | 21 |
| New Mexico | | | | | | | |
| Las Cruces | 255 | 750 | 750 | 6 | 1,771 | 67 | 219 |
| Santa Fe | 301 | 1,419 | 313 | 31 | 2,064 | 78 | 401 |
| North Dakota | | | | | | | |
| Bismarck | 37 | 494 | 22 | | 573 | 26 | 26 |
| Oklahoma | | | | | | | |
| Guthrie | 23 | 234 | 34 | | 258 | 10 | 5 |
| Oregon | | | | | | | |
| Lakeview | 37 | 237 | 32 | 3 | 309 | 48 | 113 |
| Portland (X) | | | | | | | |
| Roseburg | 191 | 841 | 39 | 4 | 1,075 | 0 | 42 |
| The Dalles | 39 | 347 | 23 | 2 | 411 | 109 | 39 |
| Vale | 28 | 158 | 41 | 1 | 234 | 25 | 13 |
| South Dakota | | | | | | | |
| Pierre | 77 | 1,447 | 112 | 4 | 1,640 | 34 | 77 |
| Utah | | | | | | | |
| Salt Lake City | 254 | 947 | 35 | 6 | 1,633 | 280 | 284 |
| Vernal | 22 | 132 | 16 | 3 | 173 | 14 | 24 |
| Washington | | | | | | | |
| Seattle | 13 | 149 | 20 | | 182 | 3 | 1 |
| Spokane | 22 | 341 | 34 | | 417 | 35 | 20 |
| Wyoming | | | | | | | |
| Buffalo | 213 | 1,127 | 630 | 13 | 2,003 | 99 | 108 |
| Cheyenne | 236 | 946 | 660 | 9 | 1,841 | 127 | 172 |
| Evanston | 114 | 540 | 136 | 1 | 831 | 70 | 63 |
| Lander | 42 | 329 | 134 | 0 | 511 | 40 | 42 |
| TOTAL | 4,314 | 24,613 | 7,357 | 120 | 36,304 | 2,240 | 4,014 |

(X) No report received from these offices July 26, 1927.

To All Local Offices and Field Service Employees: TELL THE PUBLICITY

If anything occurs in the public land service which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin." All information should be received not later than the 24th of each month for use in the current number.

LAND SERVICE
BULLETIN
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

By direction of the Secretary of the Interior the matter contained herein is published as administrative information and is required for the proper transaction of public business.

Vol. 11. September 1, 1927. No. 7.

## OREGON AND CALIFORNIA TAX UNIT.

Report for the month of August and status of claims of Oregon and Washington counties under the act of July 13, 1926 (44 Stat., 915), involving Oregon and California railroad revested lands.

| | | |
|---|---|---|
| No claims received during month | | |
| Total claims received (1926) | (16) | $670,332.43 |
| Claims certified during month (1926) | (2) | 8,464.68 |
| Claims certified during month (1926)(Supplemental) | --- | 471.45 |
| Disallowance | --- | 22.48 |
| Total claims certified (1926) | (9) | 263,504.26 |
| Disallowances in above | --- | 340.41 |
| Additions in above | --- | 302.28 |
| Claims pending (1926) | (7) | 406,789.04 |
| Suspended pending departmental instructions | (2) | 52,905.72 |
| Suspended for additional evidence | (1) | 21,859.76 |
| Claim pending (1916-1925) | (1) | 452,064.15 |

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## SURVEY NOTES.

Resurveys in National Forests.--The Forester, Forest Service, recently requested this office to undertake the resurvey of certain townships in the States of California, Colorado, Michigan, Minnesota, and Wyoming as a part of the current program of surveys and resurveys being undertaken as a cooperative measure in the interests of that bureau.

The following townships are included in the above request which has been approved subject to compliance with the usual requirements in such cases:

Resurveys.

| | |
|---|---|
| California: | T. 19 S., R. 4 E., M. D. M. |
| Colorado: | T. 7 S., R. 80 W., 6th P. M.<br>Ts. 11 N., Rs. 82, 83, and 84 W., 6th P. M.<br>Ts. 12 N., Rs. 82, 83, and 84 W., 6th P. M. |
| Michigan: | T. 25 N., R. 7 E., Mich. M. |
| Minnesota: | Ts. 62 and 63 N., R. 2 E., 4th P. M. |
| Wyoming: | Ts. 50 N., Rs. 60 and 61 W., 6th P. M.<br>Ts. 53 N., Rs. 62 and 63 W., 6th P. M. |

The four townships in Wyoming have already been grouped for a preliminary investigation during the present field season and field work is now in progress. It is probable that similar action in the case of other townships in the above list will follow in the near future.

Flag Island Military Reservation, Florida.--In a letter to the Secretary of the Interior the Assistant Secretary of War has requested that an investigation be made to ascertain whether or not Flag Island, reserved by Executive Order dated November 17, 1882, for a military reservation, is still in existence, and if so that he be advised of its location and present condition. Following the above request, the General Land Office has provided for an investigation of the island to be undertaken during the coming winter season. If the island is found to exist, a survey will probably be made under the provisions of the act of March 12, 1926 (44 Stat., 203), which provides for the survey of certain military reservations upon request of the Secretary of War preliminary to their appraisal and sale by the War Department.

Resurveys, Group 126, Utah.--Special instructions have recently been submitted for the resurvey of T. 35 S., R. 9 W., S. L. M., Utah, involving exceptionally complicated conditions and necessitating the resurvey of adjoining sections to the south and east. An exhaustive investigation by an engineer of this office has developed the existence of two standard parallels purporting to represent the Seventh Standard Parallel South, which forms the south boundary of the above township. These lines are approximately a quarter of a mile apart and are both completely monumented as official boundaries. A corresponding duplication of surveys is found to extend a considerable distance into T. 35 S., R. 9 W.

Some idea of the complexity of the situation in this area is indicated by the fact that three different deputy surveyors are involved in the original surveys which are shown upon five individual plats of the area. Considerable interest in the pending resurvey has been exhibited by owners of lands in this area, and it is anticipated that field work will be carried to completion as soon as practicable.

Resurvey, Wyoming.--The dependent resurvey of T. 27 N., R. 113 W., 6th P. M., Group 58, Wyoming, has recently been accepted by this office. In this township, which is in the La Barge oil field of Wyoming, there were at the date of the inception of the resurvey many subsisting oil and gas prospecting permits granted under the act of February 25, 1920 (41 Stat., 437). Following the discovery of oil in the township several of the permits ripened into leases.

## RECENT DEPARTMENTAL DECISIONS.

### UNION OIL COMPANY OF CALIFORNIA.

(Decided by First Assistant Secretary Finney, August 24, 1927.)

OIL AND GAS LANDS--PROSPECTING PERMIT--EXECUTIVE ORDER INDIAN RESERVATION--EXPENDITURES.

One who is granted a permit under the remedial act of March 3, 1927, to prospect for oil and gas in lands embraced within an Executive Order Indian reservation is entitled to credit for work in connection with drilling performed by him on the same land under a former permit prior to the passage of that act.

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### JAMES W. BELL.

(Decided by First Assistant Secretary Finney, August 8, 1927.)

MINING CLAIM--MINERAL LANDS--OIL SHALE--HOMESTEAD ENTRY--VESTED RIGHTS--POSSESSION--PATENT--STATUTES.

Further than to protect certain classes of claimants from its harsh application, the act of July 17, 1914, did not change the long established rule that a location, otherwise lawful, of mineral land embraced in a subsisting, but uncompleted entry, constitutes a property right, good as against everyone, including the entryman and the Government, notwithstanding that the locator is not entitled to a patent or to maintain possession in the courts until such entry is canceled.

MINING CLAIM--MINERAL LANDS--OIL SHALE--HOMESTEAD ENTRY--VESTED RIGHTS--SURFACE RIGHTS--FORFEITURE--PATENT.

Issuance by the Government of a surface patent pursuant to the act of July 17, 1914, can not effect a forfeiture of the property right of a locator to the minerals in the land, where his location, otherwise lawful, was made subsequent to the date of that act and while the land was at the time of location within a subsisting unrestricted, but unperfected homestead entry.

MINING CLAIM--MINERAL LANDS--OIL SHALE--HOMESTEAD ENTRY--PATENT.

A locator of mineral land embraced in a subsisting unrestricted, but uncompleted homestead entry, subsequently patented pursuant to the act of July 17, 1914, who has acquired the title of the surface entryman, may, everything being otherwise regular, execute a deed of reconveyance and, upon cancellation of the surface patent, receive a mineral patent.

Glenwood Springs 026431.

CLIFTON W. McCOY (ON RECONSIDERATION).

(Decided by First Assistant Secretary Finney, June 16, 1927.)

STOCK-RAISING HOMESTEAD--OIL AND GAS LANDS--WITHDRAWAL--WORDS AND PHRASES.

The clause "designated as valuable for oil or gas," as used in the instructions of March 12, 1925, Circular No. 983 (51 L. D., 65), refers only to areas which have been designated as within the limits of producing oil or gas fields, and has no application to lands which have been merely classified as mineral, valuable as a source of petroleum and nitrogen.

Vernal 09771.

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AUFDENGARTEN v. BAY.

(Decided by First Assistant Secretary Finney, June 29, 1927.)

PRACTICE--CONTEST--DEMURRER--EVIDENCE--OFFICERS.

Rule 40 of Practice which prescribes the procedure for the conduct of trials in contest cases in which demurrers to the sufficiency of evidence are entered, relates to proceedings before the local officers and is without applicability to the consideration of appeals in the General Land Office and the department.

PRACTICE--CONTEST--DEMURRER--EVIDENCE--ELECTION.

A contestee who submits testimoney before an officer other than the register, after having demurred to the contestant's evidence, is deemed to have elected in advance not to stand upon his demurrer should it be overruled by the register.

PRACTICE--CONTEST--DEMURRER--EVIDENCE--PRESUMPTION.

Where no direct reference is made in the decision of the register to a demurrer of the contestee as to the contestant's evidence, the presumption will prevail that due consideration was given to the demurrer before a decision on the merits was rendered.

STOCK-RAISING HOMESTEAD--CONTEST--CONTESTANT--EVIDENCE--LAND DEPARTMENT--PREFERENCE RIGHT.

The Land Department does not have the power to cancel an entry upon evidence presented in contest proceedings against the entry and at the same time to deny to the contestant the preference right accorded him by the act of May 14, 1880.

Cheyenne 028619.

ROBERT E. L. MORRIS.

(Decided by First Assistant Secretary Finney, June 30, 1927.)

HOMESTEAD ENTRY--CONFIRMATION--CHANGE OF ENTRY--ASSIGNMENT--STATUTORY CONSTRUCTION.

The primary and fundamental purpose of the remedial act of January 27, 1922, was to quiet title in the subsequent entryman who was permitted to enter land in a confirmed entry, erroneously canceled, by extending the exchange of entry provision of that act to the original entryman or his assignee, but it was not intended that its benefits should inure to such original entryman or his assignee who had acquired the legal title to the same land under some other public land law.

DEPARTMENTAL DECISIONS CITED AND APPLIED.

Cases of Emanuel Wallin (49 L. D., 544), and Lars B. Haralside (51 L. D., 245), cited and applied.

Lakeview 012948.

UNITED STATES
DEPARTMENT OF THE INTERIOR
Washington

17575

August 29, 1927.

ORDER NO. 242.

In order to secure closer cooperation and coordination between the office of the Secretary and the several bureaus and offices of the Department, and uniformity in rulings in matters relating to policy, administration, and new questions of law, it is hereby directed that hereafter all letters, opinions, or rulings (except where the procedure is specifically prescribed by the Rules of Practice) involving such questions, and originating in the several bureaus and offices, shall be submitted for departmental approval.

All matters involving questions of law, as well as all contracts submitted for departmental approval, should be routed through the docket room of the office of the Solicitor.

HUBERT WORK,

Secretary.

THE SECRETARY OF THE INTERIOR

Washington

August 29, 1927.

Memorandum for Commissioner, General Land Office.

In the preparation of Order No. 242, directing that certain classes of letters, opinions, and rulings should be submitted by the bureaus for departmental approval, it was not possible to be specific, the field being too large, but it is expected that your bureau will give the order very wide application, and whenever any doubt arises as to whether the matter should be submitted to the Department you will resolve the doubt in favor of submission.

Without attempting to list all the matters which are within the scope of the order, the following may be mentioned as among the matters which should be submitted to the Department, aside from the appeals provided for by the Rules of Practice:

Correspondence relative to legislation.

Correspondence relative to the personnel.

Contracts executed in the field, covering purchases, and leases of quarters occupied by field offices.

Bonds of field officers.

All regulations and general instructions to field officers under public-land acts.

Correspondence involving questions unusual in character, which depart from precedent, where doubt exists as to the proper construction of the law or regulations, or wherein expedition is desirable.

Correspondence relative to the interpretation of the leasing act and of permits and leases thereunder.

Proposed permits to prospect for oil and gas, and leases; surety bonds; assignments; consolidations; extensions of time in connection with group development; reduction of royalty; sales contracts; operating contracts; suspension of production and of drilling; sale of leases; cancellations.

Proposed permits to prospect for coal, and leases; licenses to mine coal; assignment of permits; segregation of leasing units; extensions of time; temporary relief from production requirements; modification of terms as to royalty; diminishing or enlarging the area; surety bonds; proposed court proceedings to cancel leases.

Proposed permits to prospect for potash, sodium, and sulphur; use permits; execution of leases; assignments; cancellations; extensions of time; changes in areas; readjustment of terms; surrender of leases; surety bonds.

Correspondence relative to the recognition of irrigation districts.

Correspondence relative to the sale of reclamation lands, appointing appraisers, confirming sales, etc.

Proposed grants of rights of way for railroads, tram roads, telegraph and telephone lines, canals, pipe lines, reservoirs, irrigation projects, power projects, etc.; transfer of grants; proposed revocation of grants.

Correspondence relative to sale of timber on revested Oregon lands; classification of such lands; proposed exchanges of such lands.

Clear lists of railroad selections, both primary and indemnity.

Clear lists of State school land indemnity selections, and of selections under quantity grants.

Clear lists of State swamp-land selections and of swamp-land indemnity selections.

Correspondence relative to revocation of former swamp-land approvals and of railroad clear lists.

Revocation for abandonment of permits under the various right of way acts.

Correspondence relative to segregation of lands under the Carey Act; extensions of time; cancellation of segregations; contracts with States; approval of lands for patenting.

Proposed power-site, water reserve, and miscellaneous withdrawals, restorations therefrom, and interpretations thereof.

Proposed approval of reservoir declaratory statements.

Proposed wharf and dock-site permits.

Instructions relative to formal and informal applications for exchange of lands for timber or other lands in national forests.

Instructions relative to Indian allotments and sales thereof.

Instructions relative to sales of town lots, extensions of time, and forfeitures.

Instructions relative to the sale of lands or buildings in abandoned military reservations; transfer of buildings or equipment.

Instructions relative to sales of timber on public lands.

Instructions relative to the opening and sale of ceded Indian lands.

Proposed resurveys and proposed survey of islands or omitted lands.

Apportionment of general and Indian appropriations for survey and resurvey of public lands.

Regulations relative to survey procedure.

Cases for submission to the Board of Equitable Adjudication.

Correspondence relative to the confirmation of entries.

Correspondence relative to the restoration of lands under the forest homestead act; revocation of restorations.

Approved claims for repayment.

Statements showing amounts due States from receipts under the mineral leasing act.

Proposed changes in approved printed forms.

Travel orders when reimbursement is to be made exceeding $4 per diem in lieu of subsistence or $5 per diem actual expenses.

HUBERT WORK,

Secretary.

Circular No. 1129.

AMENDING CIRCULAR NO. 1073, INSTRUCTIONS UNDER SECTION 27 OF THE LEASING ACT OF FEBRUARY 25, 1920 (41 STAT., 437), AS AMENDED BY THE ACT OF APRIL 30, 1926 (44 STAT., 373).

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

August 1, 1927.

Registers,

United States Land Offices.

Gentlemen:

Circular No. 1073 (51 L. D., 475), approved June 18, 1926, concerning limitations of holdings under Sec. 27 of the act of February 25, 1920, as amended by the act of April 30, 1926, is hereby amended by adding thereto the following paragraph:

While under Sec. 27 as so amended, the limitations as to holdings under the act are governed by the number of acres and not by the number of permits which may be held by the same person, association or corporation, provided the combined area does not exceed the limitations fixed, there appears to have been no purpose to change the area which may be acquired under lease at a royalty of five per cent in case of discovery. Accordingly, oil and gas permits will not be issued nor assignments of such permits approved to the same applicant where the result would be to enable such applicant to acquire under Sec. 14 of the act a right to lease at five per cent royalty a larger area than he would be entitled to lease at such royalty had the areas of all the permits been embraced in a single permit and discovery made thereon.

Very respectfully,

THOS. C. HAVELL,

Acting Commissioner.

Approved: August 1, 1927.

E. C. FINNEY,

First Assistant Secretary.

Circular No. 1130.

INSTRUCTIONS RELATIVE TO THE USE OF STANDARD SUPPLY CONTRACT FORMS.

--- O ---

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

July 29, 1927.

To All Field Officers

of the General Land Office.

Sirs:

On July 1, 1927, there was forwarded to all field officers of this bureau a copy of Bureau of the Budget Circular No. 207 regarding standard supply contract forms to be used without deviation on and after September 1, 1927, to which were attached copies of the standard form.

Standard Forms Nos. 30, Invitation for Bids, 31, Form of Bid, and 32, Form of Contract, will be used in all cases where a formal contract is required; that is, where the transaction involves an expenditure of over $100, or where the transaction involves a series of payments over a period of time, such as telephone service, garage rent, etc., notwithstanding the fact that the aggregate expenditures thereunder will amount to less than $100. All formal contracts will be numbered and submitted to this office in triplicate for approval, accompanied by all evidence required by Comptroller General's decisions, in accordance with existing regulations. Since all formal contracts are approved by the Department, the following article must be inserted after Article 14: "Article 15. APPROVAL. This contract shall be subject to the written approval of the Secretary of the Interior and shall not be binding until so approved."

The new form of contract does not contain the form of oath of disinterestedness required by Section 3745 Revised Statutes. It will therefore be necessary for each field office to order a sufficient supply of this form, No. 1-006, to meet the requirements from September 1 to the close of the fiscal year. The oath of disinterestedness is required on one copy of the contract only.

Standard Form No. 33, SHORT FORM OF CONTRACT, will be used in lieu of the present proposal and acceptance forms in connection with transactions involving an expenditure of LESS than $100, where payment in full is made on a single voucher. This form of agreement will not be given a contract number but will be attached to the voucher to which it pertains.

Very respectfully,

THOS. C. HAVELL,
Acting Commissioner.

Approved: August 1, 1927.

E. C. FINNEY,

First Assistant Secretary.

Circular No. 1131.

This circular, showing the vacant public lands by States, counties, and land districts as of July 1, 1927, is now in the hands of the printer and should soon be available for distribution. A recapitulation by States follows:

| | Surveyed | Unsurveyed | Total |
|---|---|---|---|
| Arizona | 9,326,000 | 7,635,100 | 16,961,100 |
| Arkansas | 227,529 | ------- | 227,529 |
| California | 14,847,607 | 5,763,270 | 20,610,877 |
| Colorado | 6,488,599 | 724,701 | 7,213,300 |
| Florida | 5,730 | 8,132 | 13,862 |
| Idaho | 8,815,937 | 2,031,945 | 10,847,882 |
| Minnesota | 248,740 | ------- | 248,740 |
| Montana | 6,730,447 | 212,080 | 6,942,527 |
| Nebraska | 30,001 | ------- | 30,001 |
| Nevada | 30,855,598 | 22,256,875 | 53,112,473 |
| New Mexico | 15,535,999 | 1,529,844 | 17,065,843 |
| North Dakota | 135,814 | ------- | 133,814 |
| Oregon | 13,065,803 | 110,231 | 13,176,034 |
| South Dakota | 383,800 | ------- | 383,800 |
| Utah | 13,633,032 | 12,626,140 | 26,259,172 |
| Washington | 922,120 | 9,424 | 931,544 |
| Wyoming | 18,636,242 | 942,848 | 19,579,090 |
| | 139,886,998 | 53,850,590 | 193,737,588 |

## RECENT EXECUTIVE ORDERS AND PROCLAMATIONS.

By order of July 4, the parcel of land set aside for military purposes by Executive order of April 21, 1927, has been restored to its previous status for use of the Territory of Hawaii.

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By order of July 18, a 40-acre tract in Michigan has been withdrawn in aid of legislation.

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The trust period on allotments to the Nez Perce Indians in Idaho which would have expired in 1927 has been extended for ten years by order of July 22.

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By order of July 25, the public lands in T. 35 S., R. 9 W., S. L. M., Utah, and by order of August 1, the public lands in T. 17 S., R. 29 E., M. D. M., California, have been withdrawn pending resurvey of said townships.

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By order of August 5, an 80-acre tract in Oregon has been withdrawn for use by the Forest Service as a lookout station in the protection from fire of national forest and other timbered lands.

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A tract of 160 acres in Nevada has been reserved by order of August 10, for use by the Department of Commerce as an air mail beacon site.

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By order of August 10, the administrative control over Government Island, located on the coast of California, has been transferred to the War Department.

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By order of August 10, a portion of Fort Matanzas Military Reservation in the State of Florida has been transferred to the Department of Agriculture as a refuge for birds.

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By orders of August 13, the public lands in T. 32 S., R. 64 W., and Ts. 31 and 32 S., R. 65 W., 6th P. M., Colorado, and in T. 41 N., Rs. 89 and 90 W., 6th P. M., Wyoming, have been released from resurvey withdrawal and restored.

By order of August 15, an 80-acre tract has been excluded from the San Bernardino National Forest, California, and restored subject to disposition under acts of January 12, 1891 (26 Stat., 712), and March 1, 1907 (34 Stat., 1022).

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By proclamation of August 19, the Sequoia National Forest in California has been reduced, and certain lands within the excluded areas released from withdrawals in aid of legislation, and the public lands within said excluded area restored.

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By order of August 29, two small parcels of unsurveyed land in Alaska have been withdrawn for classification.

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By order of August 30, certain lands in Alaska containing Indian settlements have been excluded from the Tongass National Forest and reserved for townsite purposes.

DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1078291.

PUBLIC LANDS RESTORED TO HOMESTEAD ENTRY AND OTHER DISPOSITION BY PROCLAMATION, EXECUTIVE, OR DEPARTMENTAL ORDER.

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Preference Rights to Ex-Service Men of the War with Germany.

General Method of Opening:

By virture of Public Resolution No. 29, of February 14, 1920 (41 Stat., 434), as amended by Public Resolution Nos. 36 and 79, approved January 21 and December 28, 1922, respectively, hereafter and until February 15, 1930, when any surveyed lands within the provisions of the public resolutions are opened or restored to disposition under the authority of the department, such lands, unless otherwise provided in the order of restoration, shall become subject to appropriation under the laws applicable thereto in the following manner, and not otherwise:

Lands not affected by the preference rights conferred by the acts of August 18, 1894 (28 Stat., 394), or June 11, 1906 (34 Stat., 233), or February 14, 1920 (41 Stat., 407), will be subject to entry by soldiers under the homestead and desert-land laws, where both of said laws are applicable, or under the homestead law only, as the case may be, for a period of 91 days, beginning with the date of the filing of the township plat in the case of surveys or resurveys, and with the date specified in the order of restoration in all other cases, and thereafter to disposition under all of the public land laws, applicable thereto, except where homestead entrymen are granted a prior preference period under the order. For a period of 20 days and for a like period prior to the date or dates such lands become subject to entry by the general public, soldiers in the first instances, and qualified applicants in the second, may execute and file their applications, and all such applications presented within such 20-day periods, together with those offered at 9 o'clock a. m., standard time, on the dates such lands become subject to appropriation under such applications, shall be treated as filed simultaneously.

Unsurveyed lands are not subject to homestead or desert-land entry. A homestead entry may embrace 160 acres, or an approximation thereof, and where the lands are of the character contemplated by the 320 or 640 acres homestead acts, applications for the unappropriated lands may be filed by qualified persons, under either of said acts, accompanied by proper petitions, if undesignated, for the designation of lands thereunder, and such applications will be suspended pending determination as to the character of such lands.

The following are restorations or openings which will occur in the near future and concerning which further information may be obtained from the local offices:

OPENED TO ENTRY THROUGH SURVEY.

MEMORANDUM.

The plat of survey of lot 8, Sec. 27, and lot 5, Sec. 28, T. 22 N., R. 55 W., 6th P. M., Scotts Bluff County, Nebraska, containing 28.10 acres, will be officially filed in the district land office at Alliance, Nebraska, on September 12, 1927, at 9 a. m. The land will be opened to entry subject to the soldiers preference right of entry and also to entry by those persons having a preference right to the land superior to that of the soldiers. No public notice has been prepared by the General Land Office for distribution in Washington because of the small area involved.

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(730)

IDAHO: OPENED TO ENTRY THROUGH SURVEY.

The plat of survey of T. 3 S., R. 12 E., B. M., Gooding County, Idaho, will be filed in the district land office at Blackfoot, Idaho, on September 12, 1927, at 9 a. m.

Secs. 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 35, and 36 of this township were withdrawn on December 9, 1918, for stock driveway No. 48, Idaho No. 3, and therefore no part of the land in said sections will be available for entry under the general public land laws except where embraced in valid adverse claims antedating the withdrawal for stock driveway.

For 91 days, beginning September 12, 1927, the unreserved lands covered by said plat will be subject to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, between August 23 and September 11, 1927, and all applications so filed will be treated as though filed simultaneously at 9 a. m. on September 12, 1927. At 9 a. m. on December 12, 1927, the lands remaining unentered and unreserved will be available for entry under any applicable public land laws by the public generally. Applications by the general public may be filed during the 20-day period immediately preceding the date set for the opening of the lands to general disposition, between the dates of November 22, 1927, and December 11, 1927, inclusive, and applications so filed will be treated as though filed simultaneously at 9 a. m. on December 12, 1927.

This plat represents the survey of 22,788.81 acres. Land: rolling and mountainous. Soil: stony, clayey loam, first and third rates. Timber: cottonwood along the creeks. No mineral indications. The township is suitable for grazing purposes.

(731)

WYOMING:

RELEASED FROM TEMPORARY WITHDRAWAL.

Nine thousand five hundred and sixteen acres in Park County, Cheyenne land district, opened to entry only under the homestead and desert-land laws by qualified ex-service men of the war with Germany for a period of 91 days, beginning September 16, 1927. Applications of ex-service men may be presented at any time within 20 days prior to that date. On and after December 16, 1927, any of the land remaining unentered will be subject to appropriation under any public land law applicable thereto by the general public.

The lands were released from a temporary withdrawal and further information may be obtained from the United States local land office at Cheyenne, Wyoming.

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(732)

UTAH:

RESTORATION FROM RECLAMATION WITHDRAWAL.

About 400 acres in T. 18 S., R. 2 E., S. L. M., San Pete County, Salt Lake City land district, will be opened to homestead and desert-land entry beginning August 31, 1927, for a period of 91 days to honorably discharged ex-service men of the World War subject, however, to valid prior settlement and preference rights. Filings may be presented by such ex-service men during the 20 days preceding that date or from August 11, 1927, to August 30, 1927, inclusive. All filings up to 9 a. m. August 31, 1927, will be disposed of by drawing. Any lands remaining unentered after the expiration of the 91-day period, or beginning November 30, 1927, will be open to entry under any applicable public land law by the general public and the prospective applicants may present their applications within the 20 days preceding that date or beginning November 10, 1927, and all applications so filed will be treated as though filed simultaneously.

The lands are in various sections of the above-mentioned township and are in the vicinity of the town of Manti on the Denver & Rio Grande Western Railroad.

WYOMING:

OPEN TO ENTRY THROUGH SURVEY.

The plat of resurvey of T. 28 N., R. 113 W., 6th P.M., Sublette County, Wyoming, will be officially filed in the district land office at Evanston, Wyoming, on September 8, 1927, at 9 a. m.

For 91 days, beginning September 8, 1927, the unreserved lands represented on said plat will be open to entry under the homestead and desert land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 a. m. on September 8, 1927. At 9 a. m. on December 8, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the general public.

Area involved: 19,961.25 acres. Character of land: rolling valley to high rock mesas. Soil: sandy loam to rocky, first to third rates. The valley lands are watered by Dry Piney Creek and Fogarty Creek. The principal industry is stock raising. At the time of survey two oil wells were being drilled, one by the Tip Top Oil Company in SE¼ Sec. 30, and the other by Charles Lackey in SW¼ Sec. 7. There is no timber in the township. In the NW¼ Sec. 7, there is a small coal vein from which a small amount of fuel has been mined.

ARIZOMA:

OPEN TO ENTRY THROUGH SURVEY.

The official plats of surveys in the following townships will be filed in the district land office at Phoenix, Arizona on October 1, 1927 at 9 o'clock a. m.

T. 5 S., R. 12 E., Pinal County.
T. 5 S., R. 18 E., Pinal County.

For ninety-one days beginning October 1, 1927, the unreserved lands represented on said plats will be opened to entry under the homestead and desert land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the twenty-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on October 1, 1927. On December 31, 1927, the land remaining unentered and unreserved, will be available for entry under any applicable public land laws by the public generally.

T. 5 S., R. 12 E., G.S.R.&M. Area surveyed; 23,306.09 acres. Land; generally rolling desert except in the northwest corner where there are found some low rolling hills. Soil; shallow adobe, first and second rate. There is no timber in the township. Vegetation consists of the varieties common to deserts of 2,000 to 3,000 feet in elevation above sea-level in southern Arizona. The kinds of brush useful for stock browse or fuel are scarce. There is no surface water in the township. No indication of mineral is noted.

T. 5 S., R. 18 E., G.S.R.B.&M. Area, surveyed: 22,990.80 acres. Land; rolling, cut by small but abrupt canyons. Soil; sandy and rocky with some loam, second and third rate. Timber; pinyon, cedar, oak and juniper. Undergrowth; small timber, manzanite, yucca, catclaw, sagebrush, and various varieties of cacti. The township is principally valuable for grazing purposes, there being little or no land fit for cultivation. Deer Creek, which flows westerly through the northern portion of the township, is the only surface water in the vicinity. No indication of mineral was noted.

(735)

NEW MEXICO:

OPEN TO ENTRY THROUGH SURVEY.

The plats of the resurvey of Ts. 21 N., R. 4 W., and 21 N., R. 5 W., N. M. P. M., Sandoval County, New Mexico, will be officially filed in the district land office at Santa Fe, New Mexico, at 9 o'clock a. m., on September 6, 1927.

For 91 days beginning September 6, 1927, the unreserved lands represented on said plat will be opened to entry under the homestead and desert land laws by qualified former service men of the World War and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20 day period immediately preceding the filing of the plat and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on September 6, 1927. On December 6, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the public generally.

A portion of the land in both townships is withdrawn for stock driveway. Nearly all the vacant land in both townships is covered by oil and gas permits and applications for permits.

The land lies in the northwestern part of Sandoval County and the nearest railroad station is La Ventana, New Mexico.

T. 21 N., R. 4 W., area 23,058.56 acres. Land: Rolling. Soil: Sandy clay loam which is very productive under the dry farming methods. Timber: Pinyon and cedar. No evidence of metalliferous mineral.

T. 21 N., R. 5 W., area, 23,041.00 acres. Land: High mesa. Soil: Sandy and gravelly, suitable for dry farming. Timber: Pinyon and cedar. No evidence of metalliferous mineral was found. The township is partially under cultivation by Indians and white settlers.

NEVADA:

OPEN TO ENTRY THROUGH SURVEY.

The plat of survey of T. 13 N., R. 61 E., M. D. M., Clark County, Nevada, will be officially filed in the district land office at Carson City, Nevada on October 1, 1927 at 9 o'clock a. m.

For ninety-one days beginning October 1, 1927, the unreserved lands represented on said plat will be opened to entry under the homestead and desert land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the twenty-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on October 1, 1927. On December 31, 1927, the land remaining unentered and unreserved, will be available for entry under any applicable public land laws by the public generally.

This plat represents the survey of 21,659.58 acres of public lands, of which a portion is withdrawn for stock driveway.

Land: rolling and suitable for grazing purposes. Soil: light sandy clay loam. Timber, scattering juniper in north, west and central portions. Undergrowth, shadscale and sage. There is a fresh water spring in Sec. 17. White River flows in an easterly direction through Secs. 29 and 30. This stream contains running water throughout the year. The Midland Trail traverses the township in a northeasterly and southwesterly direction. No mineral indications were noted in the field notes.

(737)

NEW MEXICO:

OPEN TO ENTRY THROUGH SURVEY.

The plat of survey of T. 31 N., R. 5 W., N. M. P. M., Rio Arriba County, New Mexico, will be officially filed in the district land office at Santa Fe, New Mexico, on September 13, 1927, at 9 o'clock a. m.

For 91 days, beginning September 13, 1927, the unreserved lands represented on said plat will be opened to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 o'clock a. m. on September 13, 1927. On December 13, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the public generally.

The greater part of the township is withdrawn for forestry purposes. A small part of the township is included in a stock driveway withdrawal.

This plat represents the survey of 20,429.28 acres; Land: Rolling and rough mountainous, Soil: gravely and stony, third and fourth rates on the slopes with clay loam, second rate in the narrow valleys. Timber: Pinyon and cedar with undergrowth of pinyon, cedar, and sage brush. There appear to be no permanent streams or springs in the township which is principally valuable for grazing purposes. No indication of metalliferous mineral is noted.

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(738)

NEBRASKA:

OPEN TO ENTRY THROUGH SURVEY.

The plat of survey of two islands in the North Platte River in Secs. 3, 4, and 10, T. 23 N., R. 58 W., 6th P. M., Scotts Bluff County, Nebraska, will be officially filed in the district land office at Alliance at 9 a. m. September 12, 1927.

For 91 days, beginning September 12, 1927, the unreserved lands represented on said plat will be opened to entry under the homestead laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated

as though filed simultaneously at 9 o'clock a. m. on September 12, 1927. On December 13, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the public generally.

Lots 10, 11, 12, and 13 of Sec. 3 are included in a withdrawal for reclamation purposes and for that reason the said lots will not be available for entry under the general public land laws except where embraced in valid adverse claims antedating the withdrawal. The land was first withdrawan February 11, 1903.

Area surveyed 179.96 acres. Land: River bottom. Soil: sandy loam, second and third rates. Timber: cottonwood trees up to 30 inches in diameter with willow and buck brush undergrowth. There is a house in Lot 4, Sec. 4, and some small sheds in Lot 11, Sec. 3, on the north island which are claimed by Joseph C. Williams the applicant for survey of the islands. There are no mineral indications.

(739)

NEW MEXICO:

OPEN TO ENTRY THROUGH SURVEY.

The plats of survey of the following townships will be officially filed in the district land office at Las Cruces, New Mexico, on September 27, 1927, at 9 a. m.:

T. 23 S., R. 16 E., N. M. P. M., Otero County.
T. 23 S., R. 17 E., N. M. P. M., Otero County.
T. 23 S., R. 18 E., N. M. P. M., Otero County.
T. 23 S., R. 19 E., N. M. P. M., Otero County.

For 91 days, beginning with September 27, 1927, at 9 a. m. the unreserved lands represented on said plats will be opened to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though filed simultaneously at 9 a. m. on September 27, 1927. At 9 a. m. on December 28, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the general public.

A portion of the land in T. 23 S., R. 19 E., is in the Lincoln National Forest.

T. 23 S., R. 17 E., N. M. P. M., New Mexico.--Area surveyed: 23,084.80 acres. Land: nearly level. Soil: gravelly and rocky. No timber. Undergrowth: greasewood and ocatilla. Area suitable for grazing. Water for stock obtained from storage surface tanks. No indications of mineral mentioned in the field notes.

T. 23 S., R. 18 E., N. M. P. M., New Mexico.--Area surveyed: 23,190.96 acres. Land: level and locally known as "Crow Flats." Soil: sandy and gravelly. No timber. Undergrowth: greasewood. Area suitable for grazing purposes. No indications of mineral mentioned in the field notes.

T. 23 S., R. 19 E., N. M. P. M., New Mexico.--Area surveyed: 23,455.06 acres. Land: rough mountainous. Soil: sandy and gravelly loam and rocky limestone. No timber. Undergrowth: black brush, greasewood, and cacti. The general drainage is to the southwest. No indications of mineral mentioned in the field notes.

T. 23 S., R. 16 E., N. M. P. M., New Mexico.--Area surveyed: 23,231.16 acres. Land: nearly level and rolling. Soil: gravelly and suitable for grazing. No timber. Undergrowth: greasewood, sotol, and ocatilla. Water is obtained from surface storage tanks. No indications of mineral mentioned in the field notes.

(740)
NEW MEXICO: 17575

OPEN TO ENTRY THROUGH SURVEY.

The plat of survey of T. 22 S., R. 21 E., N. M. P. M., Eddy County New Mexico, will be officially filed in the district land office at Las Cruces, New Mexico, on September 27, 1927.

For 91 days, beginning September 27, 1927, the unreserved lands represented on said plat will be opened to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 a. m. on September 27, 1927. On December 28, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the public generally.

This plat represents the survey of 23,025.24 acres. A portion thereof is included in the Lincoln National Forest.

Land: rolling mountainous, ranging in elevation from 6,000 to 7,000 feet above sea level. Soil: rocky and stony with bed rock of limestone exposed and near the surface, generally third and fourth rates. There is practically no land in the township suitable for intensive cultivation. Good grazing, however, is afforded by the native grasses and undergrowth. Timber: none. Undergrowth: scrub cedar, sotol, greasewood, and native grasses. There are no permanent streams or springs in the township. An intermittent stream, however, flows southeasterly through the township. No indication of mineral was noted.

(741)

WASHINGTON:

OPEN TO ENTRY THROUGH SURVEY.

The plat of survey of a fractional portion of T. 32 N., R. 9 E., W. M., Snohomish County, Washington, will be officially filed in the district land office at Spokane, Washington, on October 11, 1927.

All the lands represented upon said plat are located within the limits of the Snoqualmie National Forest except that in Secs. 13 and 24. No part of the land within the forest will be available for entry under the general public land laws except in case of valid adverse claims antedating the withdrawal for the forest.

For 91 days, beginning October 11, 1927, the unreserved lands represented upon said plat will be opened to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 a. m. on October 11, 1927. At 9 a. m. on January 10, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the general public.

A portion of the lands shown upon this plat is withdrawn for power-site purposes.

This plat represents the survey of 6,254,84 acres. Land: rough mountainous. Soil: dark loam mixed with rock and gravel. Timber: fir, hemlock, and cedar. Undergrowth: alder, snowbrush, huckleberry, salal, and salmonberry. Gold, silver, and copper are found in the township. Lumber and mining operations are the principal industries. The land is well drained by Sauk River in the eastern portion, Squire and Buckeye creeks in the central portion, Ashton Creek in the western portion, and by tributaries of Boulder River in the southwest portion.

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(742)

NEW MEXICO:

OPEN TO ENTRY THROUGH SURVEY.

The plats of survey of the following townships will be officially filed in the district land office at Las Cruces, New Mexico, on September 27, 1927, at 9 a. m.:

T. 24 S., R. 7 E., Otero County.
T. 21 S., R. 18 E., Otero County.
T. 22 S., R. 18 E., Otero County.

A large portion of the land represented upon said plats has been withdrawn for the benefit of the State and for a period of 60 days, beginning with the date of the filing of the plats the State will have a preference right to make selection therefrom under the provisions of the act of August 18, 1894 (28 Stat., 394). Upon the expiration of the 60-day period, beginning at 9 a. m. on November 26, 1927, the land remaining unreserved or unselected by the State will be held for a period of 91 days for entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons having a preference right to the land superior to that of the soldier. At 9 a. m. on February 25, 1928, the land then remaining vacant will be subject to entry. Soldiers' applications may be filed at any time during the 60-day period and will be held subject to the dominant right of the State. Applications so filed when not in conflict with selections made by the State will be treated as though filed simultaneously at 9 a. m. on November 26, 1927.

For 91 days, beginning September 27, 1927, at 9 a. m. the lands represented on said plats not withdrawn for the benefit of the State or not in a State of reservation will be subject to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plats. At 9 a. m. on December 28, 1927, the lands remaining unentered and unreserved will become subject to entry under any applicable public land laws by the public generally.

A portion of the land in Ts. 21 and 22 S., R. 18 E., is included in the Lincoln National Forest.

T. 22 S., R. 18 E., N. M. P. M., New Mexico.--Area surveyed: 23,165.33 acres. Land: mountainous and level. The main ridge of the Guadelupe Mountains extends through Secs. 2, 11, and 12 and is about 1,800 feet above the level portion of the township. Soil: gravelly. Timber: scattering scrub, cedar, and pinyon. Undergrowth: ocatilla, sotol, greasewood, black brush, and cacti. No water in the township. No indications of mineral mentioned in the field notes.

T. 21 S., R. 18 E., N. M. P. M., New Mexico.--Area surveyed: 24,758.62 acres. Land: rolling and rough mountainous. Soil: gravelly and rocky. Area suitable for grazing purposes. Timber: pinyon, cedar, and juniper. Undergrowth: sotol and cacti. Water obtained from surface storage tanks. No indications of mineral mentioned in the field notes.

T. 24 S., R. 7 E., N. M. P. M., New Mexico.--Area surveyed: 22,936.37 acres. Land: rolling sand dunes. Soil: sandy and suitable for grazing. No timber. Undergrowth: mesquite and soapweed. No water in the township. The southeastern portion of the township is crossed by the El Paso and Southwestern Railroad and by the highway between El Paso, Texas, and Alamogorda, New Mexico. No indications of mineral mentioned in the field notes.

(743)

IDAHO:

OPEN TO ENTRY THROUGH SURVEY.

The plat of survey of T. 5 N., R. 24 E., B. M., Custer County, Idaho, will be officially filed in the district land office at Blackfoot, Idaho, on September 19, 1927, at 9 a. m.

For 91 days, beginning September 19, 1927, the unreserved lands represented on said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 a. m. on September 19, 1927. On December 20, 1927, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the public generally.

A portion of the lands included in the plat is within the Lemhi National Forest.

Area surveyed: 22,401.19 acres. Land: rolling. Soil: stony, third rate. Timber: scattering fir. Mineral indications: none. The township is suitable for grazing and is plentifully supplied with water.

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(744)

WYOMING:

RECOVERED THROUGH CANCELLATION OF PATENT.

Six hundred and forty acres in Sheridan County, Buffalo land district, opened to entry only by ex-service men of the war with Germany under the homestead or desert-land laws for a period of 91 days, beginning September 21, 1927. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after December 21, 1927, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public. The land is classified as coal and is, therefore, subject to agricultural entry only with a reservation of the coal deposits to the United States.

The land has been recovered by the United States through cancellation of patent and has been designated under the enlarged and stock-raising homestead acts. Further information, if desired, may be obtained from the United States land office at Buffalo, Wyoming.

(745)

MONTANA:

RECOVERED THROUGH CANCELLATION OF PATENT.

Three hundred and twenty acres in Phillips County, Great Falls land district, opened to entry only by ex-service men of the war with Germany under the homestead or desert-land laws for a period of 91 days, beginning September 23, 1927. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after December 23, 1927, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

The land has been recovered by the United States through cancellation of patent and has been designated under the enlarged homestead act. Further information, if desired, may be obtained from the United States land office at Great Falls, Montana.

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(746)

COLORADO:

RECOVERED THROUGH CANCELLATION OF PATENT.

Three hundred and twenty acres in Bent County, Pueblo land district, opened to entry only by ex-service men of the war with Germany under the homestead or desert-land laws for a period of 91 days, beginning September 23, 1927. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after December 23, 1927, the land, if unentered, will be subject to appropriation under any applicable public land law by the general public.

The land has been recovered by the United States through cancellation of patent and has been designated under the enlarged homestead act. Further information, if desired, may be obtained from the United States land office at Pueblo, Colorado.

## OIL AND GAS ACTIVITIES.

During the month of August the division handling oil and gas prospecting permits under sections 13 and 20 of the leasing act received 447 new applications and 2,936 cases for reconsideration. Permits were granted on 288 applications, 98 cases were finally rejected in entirety and 146 in part, and 111 were finally rejected on drawings; 239 cases were rejected in entirety and 21 in part, subject to appeal; 24 appeals were transmitted to the Secretary; departmental decisions were promulgated in 8 cases, 5 affirming, 1 reversing, and 2 modifying decisions of this office; 99 assignments were disposed of, and 538 extensions of time acted upon; 299 permits were held for cancellation and 116 permits canceled; 885 applications were examined and reports from the Geological Survey called for; 1,526 cases are awaiting reports from the Geological Survey and 7 from the Reclamation Bureau, and 690 new cases are awaiting Survey reports. 3,391 letters were written, of which 242 were replies to inquiries.

Under the relief sections of the act and other sections providing for the issuance of leases, 1 lease was granted; 3 lease applications forwarded to the Secretary for authorization of leases, and 3 leases involving 2 cases were mailed for execution; 1 lease application was referred to the Geological Survey for report and 1 lease application was finally rejected; 15 assignments involving 14 cases were disposed of, and 16 applications for extensions of time acted upon; 1 departmental decision affirming this office was promulgated and 1 appeal was transmitted to the Secretary; 2 permits were canceled; approval of 1 drilling contract was recommended, and assignment of 1 drilling contract was approved; approval of 4 sales contracts, involving 5 cases, was recommended, and 5 sales contracts were approved; drilling relief under the leases was recommended in 2 cases and approved in 1 case; and reduction of royalty was recommended in 2 cases and approved in 1 case. Miscellaneous actions were taken involving 5 cases. 95 letters were written, of which 23 were replies to inquiries.

## RECEIPTS UNDER THE MINERAL LEASING ACT.

The receipts during the past year from mineral leasing on the public domain under the mineral leasing law were $6,669,518.76. This is $1,715,200 less than the receipts from the same source during the preceding fiscal year.

Seven of the thirteen States from which royalties were received show slight increases. The decrease is principally in Montana and Wyoming.

These receipts represent the total amount paid the Government during the year in bonuses, rentals, and royalties from oil, gas, coal, oil shale, sodium, phosphate, and other minerals. A comparative statement by States follows:

| State | 1926 | 1927 |
|---|---|---|
| Alabama | $920.00 | $1,564.70 |
| California | 1,092,492.65 | 1,194,085.61 |
| Colorado | 94,418.49 | 109,046.73 |
| Idaho | 923.62 | 1,963.16 |
| Louisiana | 882.73 | 14,215.85 |
| Montana | 249,690.59 | 188,897.36 |
| Nevada | 1,497.15 | 1,440.00 |
| New Mexico | 17,437.35 | 15,391.77 |
| North Dakota | 8,630.37 | 7,744.47 |
| South Dakota | 251.66 | 18.83 |
| Utah | 32,749.62 | 34,870.58 |
| Washington | 1,698.98 | 2,504.28 |
| Wyoming | 6,883,125.55 | 5,097,775.42 |
| Total | 8,384,718.76 | 6,669,518.76 |

CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES FOR THE MONTH OF JULY, 1927.

| Office. | Business of current month. | | | | | Pending at end of month. | | |
|---|---|---|---|---|---|---|---|---|
| | Applications, proofs, etc., received. | Receipts and final certificates issued and miscellaneous. | Commissioner's letters received. | Contest cases initiated. | Total. | Pending designation. | Suspended, rejected, or otherwise. | Pending unacted on by Register. |
| Arizona | | | | | | | | |
| Phoenix | 191 | 650 | 300 | 11 | 1,152 | 152 | 156 | |
| Arkansas | | | | | | | | |
| Little Rock | 58 | 659 | 46 | | 763 | | 73 | |
| California | | | | | | | | |
| Los Angeles | 198 | 828 | 119 | 5 | 1,150 | 92 | 148 | |
| Sacramento | 160 | 947 | 152 | 8 | 1,267 | 204 | 219 | |
| Colorado | | | | | | | | |
| Denver | 195 | 2,018 | 291 | 11 | 2,515 | 195 | 526 | |
| Pueblo | 159 | 891 | 199 | 8 | 1,257 | 72 | 146 | |
| Florida | | | | | | | | |
| Gainesville | 43 | 1,080 | 104 | 7 | 1,234 | | 61 | |
| Idaho | | | | | | | | |
| Blackfoot | 201 | 988 | 93 | 10 | 1,292 | 159 | 158 | |
| Coeur d' Alene | 14 | 219 | 19 | | 252 | 3 | 14 | |
| Minnesota | | | | | | | | |
| Cass Lake | 50 | 451 | 31 | 5 | 537 | | 23 | |
| Montana | | | | | | | | |
| Billings | 159 | 1,426 | 158 | 4 | 1,747 | 182 | 206 | |
| Great Falls | 236 | 1,724 | 258 | 2 | 2,220 | 136 | 328 | |
| Nebraska | | | | | | | | |
| Alliance | 14 | 256 | 20 | 2 | 292 | 15 | 8 | |
| Nevada | | | | | | | | |
| Carson City | 119 | 493 | 109 | 1 | 722 | 48 | 92 | |
| New Mexico | | | | | | | | |
| Las Cruces | 168 | 919 | 380 | 10 | 1,477 | 76 | 152 | |
| Santa Fe | 331 | 1,273 | 374 | 14 | 1,992 | 90 | 247 | |
| North Dakota | | | | | | | | |
| Bismarck | 32 | 497 | 29 | 1 | 559 | 27 | 35 | |
| Oregon | | | | | | | | |
| Lakeview | 39 | 238 | 44 | | 321 | 49 | 105 | |
| Roseburg | 438 | 680 | 35 | 3 | 1,156 | 2 | 50 | |
| The Dalles | 78 | 618 | 85 | 7 | 788 | 140 | 34 | |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| South Dakota | | | | | | | |
| Pierre | 106 | 1,214 | 49 | 8 | 1,377 | 44 | 66 |
| Utah | | | | | | | |
| Salt Lake City | 217 | 1,150 | 367 | 20 | 1,754 | 314 | 259 |
| Washington | | | | | | | |
| Spokane | 41 | 410 | 76 | 17 | 544 | 16 | 49 |
| Wyoming | | | | | | | |
| Buffalo | 183 | 1,318 | 235 | 18 | 1,754 | 113 | 124 |
| Cheyenne | 322 | 1,320 | 327 | 18 | 1,987 | 179 | 203 |
| Evanston | 153 | 786 | 121 | | 1,060 | 69 | 108 |
| TOTAL | 3,905 | 23,053 | 4,021 | 190 | 31,169 | 2,377 | 3,590 |

## TELL THE BULLETIN.

To All Local Offices and Field Service Employees:

If anything occurs in the public land service which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin." All information should be received not later than the 24th of each month for use in the current number.

LAND SERVICE
BULLETIN
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

By direction of the Secretary of the Interior the matter contained herein is published as administrative information and is required for the proper transaction of public business.

Vol. 11. October 1, 1927. No. 8.

## OREGON AND CALIFORNIA TAX UNIT.

Report for the month of September and status of claims of Oregon and Washington counties under the act of July 13, 1926 (44 Stat., 915), involving Oregon and California railroad revested lands.

### Claims for September, 1926.

| | | | |
|---|---|---|---|
| Received | | ---------- | ---------- |
| Certified | (1) | $106,400.88) | |
| Disallowed | | 943.90) | $107,344.78 |

### Claims for year 1926.

| | | | |
|---|---|---|---|
| Received | (16) | ---------- | $670,332.43 |
| Certified | (10) | $369,906.14) | |
| Disallowed | | 982.03) | 370,888.17 |
| Pending | (6) | ---------- | 299,444.26 |

### Claims for years 1916 to 1925.

| | | | |
|---|---|---|---|
| Received | (19) | ---------- | $6,741,485.00 |
| Certified | (18) | $6,022,328.77) | |
| Disallowed | | 267,092.08) | 6,289,420.85 |
| Pending | (1) | ---------- | 452,064.15 |

## SURVEY NOTES.

Surveys in Southeastern Utah.--Continued activity is being displayed in providing for the extension of the public surveys over the areas along the reaches of the Colorado River in southeastern Utah, to meet the application by the State for the withdrawal and survey, under the provisions of the act of August 18, 1894 (28 Stat., 394), of some 600,000 acres of land in that locality, comprising 26 townships. These surveys, when completed, will furnish the basis for the selection of lands by the State in satisfaction of its grants made by the enabling and other acts and will also provide definite information as to the location of lands having prospective values for the development of oil and gas.

Oregon Swamp Lands.--As a result of an application by the State of Oregon for the certification as swamp lands of certain lands bordering on the chain of lakes generally included in Warner Valley in the southeastern part of Lake County, it has been determined that the present meander lines of these lakes do not in all instances accurately define the permanent lake boundaries and further that large areas of unsurveyed lands which were in existence when Oregon was admitted into the Union are situated within the area represented as lake bed on the subsisting plats of the survey of the townships in which these lakes are shown.

It has therefore been decided that an investigation of these conditions be made by the cadastral engineering service, and provision has been made for the extension of the public land surveys over all such areas in the ten townships involved in the present case as are now found not to have been within the bed of a permanent lake on February 14, 1859, when Oregon was admitted into the Union and when the rights of the State attached to all swamp lands within her borders under the swamp-land grant.

### Resurveys.

Group 120, Washington.--The act of Congress approved March 3, 1927 (44 Stat. 1370), makes provision for the resurvey of Ts. 29 and 30 N., R. 38 E., and Ts. 30 and 32 N., R. 39 E., W. M., Washington. Following a preliminary examination in these townships, special instructions have recently been approved for the resurvey, and field work on this group is now in progress.

The resurvey of T. 2 S., R. 16 E., T. 3 S., R. 15 E., and T. 14 S., R. 21 E. N. M. P. M., New Mexico, was recently authorized by the Secretary, and special instructions providing for the field work have been approved with a view to completion during the fall and winter.

Upon application by the Forest Service, an investigation of alleged omitted lands in Ts. 16 and 17 S., R. 12 W., W. M., Oregon, has been authorized with a view to the survey of any unsurveyed public lands which may be found to exist along the shore of the Pacific Ocean in these townships.

State Maps.--With the completion of the State maps of Michigan and New Mexico, which it is hoped will be ready for distribution within 30 days, the General Land Office is proceeding with the recompilation of the map of the State of California. This undertaking is one of considerable magnitude, as an entirely new base has been prepared and the public land system of surveys is being carefully

revised and brought up to date in order to show all extensions of the public surveys which have been executed since 1913, the date of the previous edition. In addition, the political data are being verified and necessary changes and additions are being effected. It is expected that this map will be completed within the current fiscal year. In addition to the foregoing, a revision of the map of the State of Minnesota is being undertaken. Although there have been no notable recent extensions of the public surveys within this State (the current work in this area being confined chiefly to the survey of minor omitted areas and that of various islands), the present map of Minnesota (1905) is in need of revision as to the political data exhibited thereon, and, moreover, the remaining stock is so low that preparation of a new edition has been deemed appropriate. As in the case of the map of Michigan, the political subdivisions will be verified and amended where necessary, the lines of the several railroad systems will be corrected and brought up to date, and all other details necessary for the preparation of a comprehensive and modern map of the State will be given attention.

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## COLOR OF TITLE CLAIMS, NEW MEXICO.

The act of June 8, 1926 (44 Stat., 709), authorizes the Secretary of the Interior, in his discretion, to issue patents for not more than 160 acres of land in New Mexico to citizens of the United States who have or whose ancestors or grantors have held the land peaceably and adversely for more than 20 years under claim or color of title, upon payment for the land at the rate of $1.25 per acre. Instructions under the act are contained in Circulars Nos. 1079 and 1097 (51 L. D., 488 and 598).

Supplemental plats of survey have recently been prepared for the accommodation under said act of 10 applications comprising 13 tracts, all situated in T. 20 N., R. 9 E., N. M. P. M., New Mexico.

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## DISPOSITION OF SCHOOL LANDS BY STATE OF LOUISIANA.

Extract from letter to Hon. T. T. Webb of the House of Representatives of the State of Louisiana, approved by First Assistant Secretary Finney, September 30, 1927, in response to inquiry made by Mr. Webb relative to the sale of timber on school section lands, the allowance of oil and gas leases thereon by the local school board, and the use of funds derived therefrom:

> "In view of the departmental and judicial opinions above mentioned, it is manifest that this Department is without authority to question, in any way, transactions involving 16th section lands which have been granted to the State of Louisiana, such as are mentioned in your letter, or to recommend the issuance of instructions to the United States District Attorney. If the laws of the State of Louisiana have been violated recourse may be had to the courts of that State."

## RECENT DEPARTMENTAL DECISIONS.

### WALTER R. FREITAG.

(Decided by First Assistant Secretary Finney, August 12, 1927.)

HOMESTEAD ENTRY--SECOND ENTRY--OIL AND GAS LANDS--PROSPECTING PERMIT--APPLICATION--RELINQUISHMENT.

One who relinquishes a homestead entry, then covered by an application for an oil and gas prospecting permit, and applies to make a second entry for the same land under the act of September 5, 1914, has merely the status of a homestead applicant for land covered by a prior permit application, notwithstanding that the relinquishment and the second entry application were filed simultaneously.

Salt Lake City 043306.

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### ROY E. SCRIVNER.

(Decided by First Assistant Secretary Finney, September 30, 1927.)

HOMESTEAD ENTRY--FINAL PROOF--RESIDENCE--MILITARY SERVICE--STATUTES.

Section 2305, Revised Statutes, as extended by the act of February 25, 1919, grants credit, in lieu of residence, to a homestead entryman upon his submission of final proof, where he had been discharged from military service on account of wounds received or disability incurred in line of duty, to the extent of the term of his enlistment, without reference to the length of time he may have served.

DEPARTMENTAL INSTRUCTIONS MODIFIED.

Paragraph 6 of instructions of May 26, 1922, Circular No. 302 (49 L. D., 118), modified.

Gainesville 020875.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
Office of the Secretary
Washington

September 29, 1927.

The Commissioner of the
General Land Office.

Dear Mr. Commissioner:

You have informally requested to be advised whether the final proof on the homestead entry serialized as Las Cruces 022062 can be accepted and submitted to the Board of Equitable Adjudication.

The entry was made on January 13, 1921, by Robert Lee Loftin for the SE ¼ of Sec. 10, T. 3 S., R. 20 W., N. M. M. On August 27, 1925, the widow of entryman filed notice of intention to submit final proof before a United States Commissioner at Reserve, New Mexico, on October 14, 1925. Proof of publication was filed, and the notice was duly posted in the local office. The final proof was not submitted until October 28, 1925, and final certificate was withheld at the request of the division inspector, who on August 30, 1927, approved a field report to the effect that the law had been fully complied with and recommending that the final proof be accepted.

The only objection to the acceptance of the final proof is the fact that it was not submitted on October 14, 1925, nor within ten days thereafter.

In an affidavit, corroborated by a physician's certificate, the widow of entryman states that the delay in the submission of the final proof was due to the fact that she was confined to her bed by illness, and that it was impossible for her to make the trip to Reserve at that time.

Rule 2 of "Rules to be observed in passing on final proof papers in preemption and commuted homestead cases," approved February 21, 1887 (5 L. D., 426), provided:

> "Where final proof or any part thereof is taken after the day advertised, require new advertisement and new proof, in whole or in part, unless on day advertised due notice had been given of postponement to a day certain by the officer taking the proof, and the proof be taken in accordance with said postponement."

After section 7 of the act of March 2, 1889 (25 Stat., 855), authorized the submission of final proofs within ten days following the day advertised, new rules were adopted on July 17, 1889 (9 L. D., 123), Rule 2 providing that--

> "When final proof or any part thereof has not been taken on the day advertised, or within ten days thereafter under the exception and as required by Rule 1, you will direct new advertisement to be made; and if no protest or objection is then filed, the proof theretofore submitted, if in compliance with the law in other respects, may be accepted."

The Rule 2 adopted on July 17, 1889, was continued in force in the rules adopted May 9, 1906 (34 L. D., 601).

The jurisdiction of the Board of Equitable Adjudication was defined on October 17, 1922 (49 L. D., 323), as covering the following:

"All classes of entries in connection with which the law has been substantially complied with and legal notice given, but the necessary citizenship status not acquired, sufficient proof not submitted, or full compliance with law not effected within the period authorized by law, or where the final proof testimony, or affidavits of the entryman or claimant were executed before an officer duly authorized to administer oaths but outside the county or land district in which the land is situated, and special cases deemed proper by the Commissioner of the General Land Office for submission to the board, where the error or informality is satisfactorily explained as being the result of ignorance, mistake, or some obstacle over which the party had no control, or any other sufficient reason not indicating bad faith, there being no lawful adverse claim."

It is the opinion of the Department that the act of March 2, 1889, supra, does not forbid the submission to the Board of Equitable Adjudication of meritorious cases such as the one under consideration. That the law has been fully complied with has been clearly established, and to require the widow of the entryman to go to the expense of publishing a new notice would serve no good purpose.

You will, therefore, direct the issuance of final certificate, and upon its receipt the entry should be submitted to the Board as a "special case."

Very truly yours,

E. C. FINNEY,

First Assistant Secretary.

Circular No. 1132.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

September 1, 1927.

"A" LRK

Circular No. 1130 Amended.

To All Field Officers

of the General Land Office.

Gentlemen:

In a decision of August 25, 1927, the Comptroller General held that Standard Government Short Form Contract (Supply), Standard Form No. 33, when executed as indicated thereon, may be accepted as in compliance with Section 3744, Revised Statutes, stating that "Standard Form No. 33 not only provides for the notification of prospective bidders as to the needs of the Government and as to the conditions under which bids will be received, but provides for the statement of the conditions of both the offer and acceptance and for the signatures of the contracting parties at the end thereof." Since the short form contract will be more convenient for use in connection with a large number of the purchases made in the field, it may be used whenever practicable in lieu of Standard Forms Nos. 30, 31, and 32, and Circular No. 1130 of July 29, 1927, containing instructions relative to the use of standard supply contract forms is hereby amended accordingly.

Very respectfully,

THOS. C. HAVELL,

Acting Commissioner.

Approved: September 3, 1927.

JOHN H. EDWARDS,

Assistant Secretary.

Circular No. 1133.

REGULATIONS FOR THE SALE OF CERTAIN TOWN LOTS
IN HOT SPRINGS, NEW MEXICO.

---- O ----

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

"K" MK 921628
1240107

September 28, 1927.

Register,

Las Cruces, New Mexico.

Sir:

The subdivisional survey of Hot Springs townsite, New Mexico, embracing lots 1 and 2, N½ SE¼, S½ NE½, SE¼ NW¼ and NE¼ SW¼ Sec. 33, T. 13 S., R. 4 W., N. M. P. M., New Mexico, made under Sec. 2384 U. S. R. S., approved October 31, 1919, was accepted February 2, 1920.

The undisposed of and unreserved lots in said townsite as shown on said plat were offered at public sale on June 19, 1920, under Secs. 2382 to 2386, inclusive, United States Revised Statutes, Circular 686.

The blocks in the north and west portion of the townsite were not subdivided into lots by said plat as there appeared to be no demand for the same.

Said unsubdivided blocks have now been surveyed into lots and the plat thereof accepted June 14, 1927.

This survey was also made under Sec. 2384, Revised Statutes, and the unreserved lots therein will be disposed of under Secs. 2382 to 2386, Revised Statutes, in accordance with the regulations herein prescribed.

Price.--The minimum price of all lots of 4,200 square feet or less is fixed by said Sec. 2384, Revised Statutes, at $15 per lot. For all lots of greater area an additional sum of $4 shall be added for each additional 1,000 square foot or fractional part thereof.

Lots disposed of at the public sale shall be paid for in cash on the day the bid is accepted.

Preemption proof.--Prior to the date of public sale, set for Tuesday December 20, 1927, a preemption right of purchase at the minimum price, of not exceeding two lots, is accorded an actual resident, to secure which he must file in your office his application therefor, and therein state the date of settlement and the value and character of his improvements. The notice of intention to make proof must be published twice consecutively in a weekly

newspaper (or 14 times if a daily), of general circulation in the townsite prior to the date set for proof, at the applicant's expense. In order that all bona fide preemption rights may be determined prior to the date of public sale, claimants will give notice in time to submit proof in advance of the public sale.

Proof may be made before you or before any officer duly authorized by law and must show by record or documentary evidence, where such evidence is usually required and where not so required, by the testimony of witnesses: (1) Due publication of the Register's notice; (2) the claimant's age; (3) his citizenship; (4) his actual residence upon one lot and substantial improvements on a second lot where two lots are included in the application. The proof must embrace the testimony of the applicant and of at least two of his advertised witnesses. The purchase price for the lot or lots must be paid when the proof is made.

Qualifications.--To qualify as a preemption claimant for lots at the minimum price, settlement must be shown at the time of the commencement of the townsite survey in the field and maintained to date of proof. A claim is not necessarily forfeited by the settler transferring his interest to another subsequently to accrual of the right, but patent if issued, will be in the name of the settler and not the transferee.

Contests.--Hearings will be ordered and conducted in accordance with the rules of practice where two or more adverse applications are filed for the same lot, or where a sufficient contest affidavit is filed against an application on or before the date fixed for making proof, but no purchase money will be collected from the applicants until the final determination of the case, whereupon the successful applicant will be required to pay the purchase price within 30 days from notice thereof. All rights to preempt and purchase occupied and improved lots for which no entry has been allowed prior to December 20, 1927, will be forfeited, unless a contest be pending thereon as hereinbefore provided, and such lots will be offered for sale together with the unoccupied lots. You will refuse to receive or consider any such application for entry where due publication could not be had and proof made thereon prior to the date so fixed for the public sale.

Date of Sale.--On December 20, 1927, a sale at public auction to the highest bidder will be held at the townsite, of all remaining unreserved, undisposed of lots, the sale to be conducted from day to day until all such lots shall be offered under your supervision. No lots will be sold for less than the minimum price and on the terms hereinbefore stated. After all unreserved and undisposed of lots have been offered, the sale will not be closed but it will be indefinitely postponed pending an appraisement of the remaining lots, and the lots which remain undisposed of at said sale of lots within Hot Springs townsite held on June 19, 1920.

All persons are warned against forming any combination or agreement which will prevent any lot from selling advantageously, or which will in any way hinder or embarrass the sale, and all persons so offending will be prosecuted under Sec. 59 of the Criminal Code of the United States, which reads as follows:

"Whoever, before or at the time of the public sale of any of the lands of the United States shall bargain, contract, or agree, or attempt to bargain, contract, or agree with any other person that the last-named person shall not bid upon or purchase the land so offered for sale, or any parcel thereof; or whoever by intimidation, combination, or unfair management shall hinder or prevent, or attempt to hinder or prevent, any person from bidding upon or purchasing any tract of land so offered for sale shall be fined not more than one thousand dollars, or imprisoned not more than two years, or both."

On the filing of the plat of survey, photolithographic copies of which have been forwarded to you, and the receipt of these regulations, you will conspicuously post in your office a notice to the effect that the official plat of such townsite has been filed in your office and that you are ready to receive applications by the occupants of lots to make proof for and purchase the lots occupied by them, respectively. The newspapers in the vicinity should be given copies of such notice as an item of news and such other publicity should be given it as can be done without expense.

Mimeographed copies hereof will be forwarded you for distribution when available.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved: September 28, 1927.

E. C. FINNEY,

First Assistant Secretary.

Circular No. 1134.

REGULATIONS GOVERNING THE SALE OF LANDS WITHIN LONEPINE TOWNSITE, MONTANA.

---- O ----

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

September 30, 1927.

1263576 "K" MK

Register,

Great Falls, Montana.

Sir:

By proclamation No. 1182 of February 15, 1912, Lot 3, Sec. 2, T. 22 N., R. 24 W., P. M., Montana, within the former Flathead Indian Reservation was reserved for townsite purposes under the act of April 23, 1904 (33 Stat., 302), to be thereafter disposed of under the provisions of Secs. 2380 and 2381, United States Revised Statutes.

The plat of survey of such reserved tract (now Lonepine townsite) was accepted July 28, 1921. This plat, copy of which is inclosed, shows 12 blocks subdivided into lots with the exception of block 6, which is delineated on the plat as a public park. Said lots have been appraised as follows:

| Block | Lots | Appraised price |
|---|---|---|
| 1 | 1 to 7 inclusive | $5.00 |
| 2 | 1 to 14 inclusive | 8.00 |
| 3 | 1 to 7 inclusive | 15.00 |
| 3 | 8 to 14 inclusive | 10.00 |
| 4 | 1 | 5.00 |
| 4 | 2 | 20.00 |
| 4 | 3 to 5 inclusive | 15.00 |
| 4 | 6 to 12 inclusive | 10.00 |
| 5 | 1 to 14 inclusive | 8.00 |
| 7 | 1 to 14 inclusive | 8.00 |
| 8 | 1 to 7 inclusive | 5.00 |
| 9 | 1 to 7 inclusive | 5.00 |
| 10 | 1 to 9 inclusive | 5.00 |
| 10 | 10 to 14 inclusive | 8.00 |
| 11 | 1 | 5.00 |
| 11 | 2 | 15.00 |
| 11 | 3 to 5 inclusive | 8.00 |
| 11 | 6 to 12 inclusive | 5.00 |
| 12 | 1 to 14 inclusive | 5.00 |

A copy of the appraisal of these lots is inclosed for your use.

These lots will be offered for sale at Lonepine, Montana, under your supervision on November 16, 1927, and the sale continued thereafter from day to day, as long as may be necessary, at public outcry to the highest bidder for cash at not less than the appraised value in the manner and under the terms hereafter prescribed.

Bids may be made in person or by agent, but not by mail, nor at any time or place other than at the time and place when the lots are offered for sale hereunder and any person may purchase any number of lots of which he is the highest bidder.

Bidders will not be required to show any qualifications as to age, citizenship, or otherwise.

If any successful bidder fails to make the payment required on the date of the sale, the lot awarded to him shall be reoffered for sale on the following day, or if the sale has been closed, then such lot will be considered as offered and unsold.

All persons are warned against forming any combination or agreement, which will prevent any lot from selling advantageously, or which will, in any way, hinder or embarrass the sale, and all persons so offending will be prosecuted under Sec. 59 of the Criminal Code of the United States, which reads as follows:

> "Whoever, before or at the time of the public sale of any of the lands of the United States, shall bargain, contract, or agree, or attempt to bargain, contract, or agree with any other person that the last-named person shall not bid upon or purchase the land so offered for sale, or any parcel thereof; or whoever by intimidation, combination, or unfair management shall hinder or prevent, or attempt to hinder or prevent, any person from bidding upon or purchasing any tract of land so offered for sale shall be fined not more than one thousand dollars or imprisoned not more than two years, or both."

Each lot offered and remaining unsold at the close of the sale will thereafter be and remain subject to private sale and entry for cash at the appraised value of such lot.

All lots purchased at the same time by the same person should be included in one certificate, in order to prevent unnecessary multiplicity of patents.

Lots sold at private sale should be accompanied by an application therefor signed by the applicant. Certificates will be issued upon payment of the purchase price.

You will post a copy of this notice in a conspicuous place in your office, and forward a copy to the postmaster at Lonepine, Montana, requesting him to post same in the post office as a means of advertising such sale.

The newspapers in the vicinity should be given copies of this notice as an item of news, and such other publicity should be given it as can be done without expense to the Government.

Mimeographed copies hereof will be furnished you for distribution when available.

Very respectfully,

THOS. C. HAVELL,

Acting Commissioner.

Approved: September 30, 1927.

E. C. FINNEY,

First Assistant Secretary.

Inclosures.

## RECENT EXECUTIVE ORDERS AND PROCLAMATIONS.

By proclamation of September 6, certain further amendments have been made in the Migratory Bird Treaty Act regulations.

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The public lands in Ts. 21 and 22 S., R. 2 E., New Mexico, have been withdrawn by order of September 8 pending resurvey.

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By order of September 12, a tract of 480 acres near Fairbanks, Alaska, has been reserved for use by the Biological Survey as an agricultural experiment station.

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A small tract of land in the Territory of Hawaii has been reserved for military purposes by order of the same date.

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Under a proclamation of September 12, the boundaries of the Natural Bridge National Forest, in Virginia, have been changed by the addition of certain lands and the exclusion of certain lands.

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A tract of 140 acres has been excluded from the Sitgreaves National Forest, in Arizona, by order of September 16 and reserved for townsite purposes.

DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1078291

PUBLIC LANDS RESTORED TO HOMESTEAD ENTRY AND OTHER DISPOSITION
BY PROCLAMATION, EXECUTIVE, OR DEPARTMENTAL ORDER.

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Preference Rights to Ex-Service Men of the War with Germany.

General Method of Opening:

By virture of Public Resolution No. 29, of February 14, 1920 (41 Stat., 434), as amended by Public Resolution Nos. 36 and 79, approved January 21 and December 28, 1922, respectively, hereafter and until February 15, 1930, when any surveyed lands within the provisions of the public resolutions are opened or restored to disposition under the authority of the department, such lands, unless otherwise provided in the order of restoration, shall become subject to appropriation under the laws applicable thereto in the following manner, and not otherwise:

Lands not affected by the preference rights conferred by the acts of August 18, 1894 (28 Stat., 394), or June 11, 1906 (34 Stat., 233), or February 14, 1920 (41 Stat., 407), will be subject to entry by soldiers under the homestead and desert-land laws, where both of said laws are applicable, or under the homestead law only, as the case may be, for a period of 91 days, beginning with the date of the filing of the township plat in the case of surveys or resurveys, and with the date specified in the order of restoration in all other cases, and thereafter to disposition under all of the public land laws, applicable thereto, except where homestead entrymen are granted a prior preference period under the order. For a period of 20 days and for a like period prior to the date or dates such lands become subject to entry by the general public, soldiers in the first instances, and qualified applicants in the second, may execute and file their applications, and all such applications presented within such 20-day periods, together with those offered at 9 o'clock a. m., standard time, on the dates such lands become subject to appropriation under such applications, shall be treated as filed simultaneously.

Unsurveyed lands are not subject to homestead or desert-land entry. A homestead entry may embrace 160 acres, or an approximation thereof, and where the lands are of the character contemplated by the 320 or 640 acres homestead acts, applications for the unappropriated lands may be filed by qualified persons, under either of said acts, accompanied by proper petitions, if undesignated, for the designation of lands thereunder, and such applications will be suspended pending determination as to the character of such lands.

The following are restorations or openings which will occur in the near future and concerning which further information may be obtained from the local offices:

(747)

COLORADO:

RELEASED FROM STOCK DRIVEWAY WITHDRAWAL.

Two thousand and eighty acres in San Juan and Hinsdale counties in the Pueblo land district, opened to entry only under the homestead or desert-land laws by qualified ex-service men of the war with Germany for a period of 91 days, beginning October 4, 1927. Applications of ex-service men may be presented at any time within 20 days prior to that date. On and after January 4, 1928, if the land is unentered, it will be subject to appropriation under any public land law applicable thereto by the general public.

The lands were released from stock driveway withdrawal, and further information may be obtained from the United States land office at Pueblo, Colorado.

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(748)

UTAH:

RELEASED FROM STOCK DRIVEWAY WITHDRAWAL.

Forty acres in Garfield County, Salt Lake City land district, opened to entry only under the homestead or desert-land laws by qualified ex-service men of the war with Germany for a period of 91 days, beginning October 4, 1927. Applications of ex-service men may be presented at any time within 20 days prior to that date. On and after January 4, 1928, if the land is unentered, it will be subject to appropriation under any public land law applicable thereto by the general public.

The lands were released from stock driveway withdrawal, and further information may be obtained from the United States local land office at Salt Lake City, Utah.

(749)

COLORADO:

OPEN TO ENTRY THROUGH SURVEY.

The plat of resurvey in T. 9 N., R. 85 W., 6th P. M., Routt County, Colorado, will be officially filed in the district land office at Denver, Colorado, on October 7, 1927, at 9 a. m.

For 91 days, beginning October 7, 1927, the unreserved lands represented upon said plats will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 a. m. on October 7, 1927. On January 6, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the public generally.

A portion of the lands represented upon this plat is within the Routt National Forest.

Area of public land independently resurveyed: 13,686.06 acres; private land, 9,318.73 acres; total area, 23,004.79 acres. The land is rough and mountainous with fertile cultivated valleys along Elk River below the mouth of Willow Creek. The higher lands are well timbered and the lower lands are covered with brush. Water is plentiful. There is a heavy snowfall, and ample water is available to supply the small irrigation projects. The raising of head lettuce is the principal occupation of the settlers in the valleys. The country is visited by tourists during the summer for its advantages of climate and scenery and the excellent fishing to be found there. No surface indication of mineral was noted within this township, but coal is found within 15 miles of this locality.

(750)

CALIFORNIA:

EXCLUDED FROM FOREST RESERVATION.

Fourteen thousand two hundred and eighty acres of public land located in three noncontiguous areas in Tulare County, Sacramento land district, open to entry only under the homestead and desert-land laws by qualified ex-service men of the war with Germany for a period of 91 days, beginning October 21, 1927. Applications of ex-service men may be presented at any time within the 20 days prior to that date. On and after January 20, 1928, any of the land remaining unentered will be subject to appropriation under any applicable public land law by the general public.

The areas have been excluded from the Sequoia National Forest by recent proclamation and are reported to be generally mountainous brush-covered grazing lands. Further information may be obtained from the United States land office at Sacramento.

(751)

WYOMING:

RESTORATION FROM CAREY ACT WITHDRAWAL.

Six hundred and one and fifteen hundredths acres in Sublette County, Evanston, Wyoming, land district, open to homestead and desert-land entries by qualified ex-service men of the World War, beginning October 11, 1927. Filings may be presented during the 20 days prior to that date, such filings to be considered as simultaneously filed and to be disposed of by a drawing. From January 10, 1928, any of said land remaining unentered will be subject to appropriation under any of the applicable public land laws by the general public.

Available information indicates that the lands in question are hilly, with a very small acreage that can be tilled. The soil is somewhat rocky on the ridges but is otherwise very fertile, supporting a very good stand of native vegetation. Owing to the short length of the growing season, the lands have little value for farming, but they do have a rather high grazing capacity, being capable of supporting about 30 head of cattle per section for a five-months grazing season.

COLORADO: OPEN TO ENTRY THROUGH SURVEY.

The plats of resurvey of Ts. 6 and 7 S., R. 99 W., 6th P. M., Garfield County, Colorado, will be officially filed in the district land office at Denver, Colorado, on October 7, 1927, at 9 a. m.

For 91 days beginning October 7, 1927, the unreserved lands represented upon said plats will be open to entry under the homestead and desert-land laws by qualified former service men of the World War and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plat and all applications so filed will be treated as though simultaneously filed at 9 a. m. on October 7, 1927, On January 6, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the public generally.

All of the lands in T. 6 S., R. 99 W., and a portion of that in T. 7 S., R. 99 W., are classified as mineral lands valuable as a source of petroleum and nitrogen.

T. 7 S., R. 99 W., lies in the center of the DeBeque oil shale region some 10 miles northwesterly of the town of DeBeque. This township is mountainous in character, varying from 6,000 to 8,000 feet in elevation. The higher areas contain the Green River oil-bearing shale which is of great potential value. The soil in these areas is third-rate. Kimball and Dry Fork creeks, both tributaries of Roan Creek, flow easterly through the township. There is some fair agricultural land along the creek bottoms devoted largely to the production of alfalfa. The soil in these areas is first rate. Sufficient water for irrigation and domestic purposes is available in the vicinity of the two main creeks, but there is very little water available elsewhere. There is no commercial timber, but an ample supple of pinyon and cedar for fuel and fence posts. The settlement is confined to the creek bottoms. Area 23,039.06 acres.

T. 6 S., R. 99 W., 6th P. M., lies in the center of the DeBeque oil shale region about 10 miles northwesterly of the town of DeBeque. This township is very rough and mountainous in character, ranging in elevation from 6,000 to 8,000 feet. The higher areas contain the Green River oil bearing shale which is of great potential value. Roan Creek flows westerly through the township, traversing Secs. 30, 29, 20, 28, 27, 26, and 25. Carr Creek, a tributary of Roan Creek, flows southeasterly through Secs. 6, 7, 8, 17, and 20. Brush Creek, another tributary of Roan Creek, flows through Secs. 3, 10, 11, 14, 13, 24, and 25. There is a considerable area of farm land in the valleys of these creeks, and it is fairly well watered. The soil in these areas is first rate. There is no commercial timber in the township, although a considerable quantity of cedar and pinyon timber is available for fuel and fence posts. There is a good highway through the township leading to DeBeque, which is the railroad outlet for this section of the country. Highmore post office is located in the SW¼ Sec. 24. Settlement is largely confined to the farm land in the creek bottoms. Area 21,750.89 acres.

(753)

UTAH:

OPEN TO ENTRY THROUGH SURVEY.

The plat of survey of T. 20 S., R. 22 E., S. L. M., Grant County, Utah, will be officially filed in the district land office at Salt Lake City, Utah, on October 25, 1927, at 9 a. m.

For 91 days beginning October 25, 1927, the unsurveyed lands represented upon said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War and also to entry by those persons claiming preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plat and all applications so filed will be treated as though simultaneously filed at 9 a. m., on October 25, 1927. On January 24, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the public generally.

A portion of the lands represented upon the plat is within Cisco Dome Gas Field and, therefore, not subject to entry, filing, or selection, under the nonmineral public land laws.

Area surveyed: 23,133.27 acres. Land: level rolling and mountainous. Soil: sandy loam and clay. Timber: scattering cedar and pine. There are no settlers in the township and no improvements except gas and oil wells. Water is scarce and the township is of but small value for grazing purposes. The township contains coal and is being prospected for oil. Indications of metallic minerals were not mentioned in the field notes.

(754)

UTAH:

OPEN TO ENTRY THROUGH SURVEY.

The plat of survey of T. 43 S., R. 14 E., S. L. M., San Juan County, Utah, will be officially filed in the district land office at Salt Lake City, on October 25, 1927, at 9 a. m.

For 91 days beginning October 25, 1927, the unsurveyed lands represented upon said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though simultaneously filed at 9 a. m., on October 25, 1927. On January 24, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the public generally.

Area surveyed: 23,033.53 acres. Land: rolling and broken mountainous with buttes and high mesas rising 1,000 to 1,500 feet above the valleys. The average elevation of the township ranges between 5,000 to 6,500 feet above sea-level. Soil: shallow sand and sandy clay loam. Timber: scrub cedar and pine. Water is very scarce in this township and is found only in small pockets in Moonlight Wash. Mineral indications were not noted. The township is best adapted to winter or early spring grazing for sheep and cattle.

COLORADO: OPEN TO ENTRY THROUGH SURVEY.

The plats of survey of the following townships will be officially filed in the district land office at Denver, Colorado, on October 7, 1927, at 9 a. m.:

T. 4 S., R. 104 W., 6th P. M., Garfield County.
T. 5 S., R. 104 W., " " "
T. 6 S., R. 104 W., (Sec. 6 only)," "

A portion of the land represented upon these plats is withdrawn for stock driveway.

For 91 days beginning October 7, 1927, the unreserved lands represented upon said plats will be open to entry under the homestead and desert-land laws by qualified former service men of the World War and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plats and all applications so filed will be treated as though simultaneously filed at 9 a. m. on October 7, 1927. On January 6, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the public generally.

T. 4 S., R. 104 W.--Area surveyed: 7,213.14 acres. Land: mountainous. Timber: scrub pinyon and cedar. Indications of oil shale in nearly every section. The drainage is to the north through Evacuation Creek and its tributaries. A wagon road from Dragon, Utah, follows Whiskey Creek in a southerly direction through the township. There is one ranch situated in Secs. 23 and 24. The water in the creeks is alkaline.

T. 5 S., R. 104 W.--Area surveyed: 8,255.57 acres. Land: rough mountainous and suitable for grazing purposes. Undergrowth: oak and service brush. Timber: scrub pinyon and cedar with spruce and fir along the tops of the main ridges. Whiskey Creek flows in a northerly direction through the township. Clay and oil shale outcroppings were observed in the north portion of the township. The Urado Oil Company has a small producing oil well and a refinery in Sec. 1.

Sec. 6, T. 6 S., R. 104.--Area surveyed: 553.14 acres. Land: rough mountainous, and is suitable for grazing purposes. Timber: aspen and spruce. Roads have been built along Bitter and Little Water Creek, both small streams with a limited supply of fresh water. There are no settlers.

(756)

WASHINGTON:

RESTORATION FROM RECLAMATION WITHDRAWAL.

About 10,000 acres in T. 12 N., R. 26 E., W. M., Benton County, Spokane land district, will be opened to homestead and desert-land entry beginning October 11, 1927, for a period of 91 days to honorably discharged ex-service men of the World War, subject, however, to valid prior settlement and preference rights. Filings may be presented by such ex-service men during the twenty days preceding that date, or from September 21, 1927 to October 10, 1927. All conflicting filings up to 9 a. m., October 11, 1927, will be disposed of by drawing. Any lands remaining unentered after the expiration of the 91-day period, or beginning January 10, 1928, will be open to entry under any applicable public land law by the general public. Prospective applicants may present their applications within the 20 days preceding that date, or beginning December 21, 1927, and all applications so filed will be treated as simultaneously filed.

Available information indicates that the quality of the land in the township ranges from first to third rate, needs irrigation, and is suitable for fruit crops. A large portion of the land is low, nearly level, or gently rolling, and is within reach of irrigation either by the use of wells and windmills or canals from the Yakima or Columbia rivers.

Where the land applied for is covered by oil and gas applications or permits, an agricultural applicant must file consent to take the land subject to reservation of the oil and gas under the act of July 17, 1914 (38 Stat., 509), and must also file a waiver of claim to compensation from any permittee or lessee, whose rights were initiated prior to the filing of his application, to use so much of the surface of the land as may be necessary in prospecting for and removing the oil and gas deposits, in accordance with Sec. 29 of the act of February 25, 1920 (41 Stat., 437).

The nearest towns are Vernita and Hanford, about 10 miles distant, on the Chicago, Milwaukee and St. Paul Railroad.

Approved: September 17, 1927.

WILLIAM SPRY,

Commissioner.

(757)

OREGON:

OPEN TO ENTRY THROUGH SURVEY.

The plat of survey of T. 34 S., R. 11 W., W. M., Curry County, Oregon, will be officially filed in the district land office at Roseburg, Oregon, on October 25, 1927, at 9 a. m.

For 91 days, beginning October 25, 1927, the unreserved lands represented upon said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 a. m. on October 25, 1927. On January 24, 1928, any of the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the public generally.

All of the land in the township represented upon said plat is within the Siskiyou National Forest except that in Sec. 8. A small portion is in a power-site withdrawal.

The area represented upon said plat is 13,623.40 acres, the greater portion of which is embraced in a national forest. Land: mountainous, 100 to 3,000 feet above sea level. Soil: gravel and sandy loam. Timber: fir and dense brush. No mineral indications. The township is well watered and is suitable for grazing purposes.

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(758)

NEW MEXICO: OPEN TO ENTRY THROUGH SURVEY.

The supplemental plat of survey of Sec. 27, T. 24 N., R. 11 E., N. M. P. M., Taos County, New Mexico, will be officially filed in the district land office at Santa Fe on November 7, 1927, at 9 a. m.

For 91 days, beginning November 7, 1927, the unreserved lands represented upon said plat will be opened to entry under the homestead and desert-land laws by qualified former service men of the World War, and to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 a. m. on November 7, 1927. At 9 a. m. on February 8, 1928, the land remaining unentered and unreserved will be available

for entry under any applicable public land laws by the general public. The area opened to entry through the filing of said plat is 409.70 acres. Land: rough broken mountainous, partly covered with a dense growth of scrub pinyon and cedar timber and brush; also some bottom land among the creeks or rushes which is very fertile. Agriculture appears to be the principal industry.

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## OIL AND GAS ACTIVITIES.

During the month of September, the division handling oil and gas prospecting permit applications under sections 13 and 20 of the leasing act received 328 new applications and 3,134 cases for reconsideration. Permits were granted on 342 applications, 82 cases finally rejected in entirety and 115 in part, and 121 were finally rejected on drawings; 274 cases were rejected in entirety and 9 in part, subject to appeal; 25 appeals were transmitted to the Secretary; departmental decisions were promulgated in 10 cases, 4 affirming, 2 reversing, and 4 modifying decisions of this office; 54 assignments were disposed of, and 444 extensions of time were acted upon; 72 permits were held for cancellation and 161 were canceled; 483 applications were examined and reports called for from the Geological Survey; 1,987 cases are awaiting reports from the Geological Survey and 21 from the Reclamation Bureau, and 535 new cases are awaiting Survey reports. 3,506 letters were written, of which 214 were replies to inquiries.

Under the relief sections of the act and other sections providing for the issuance of leases, 1 lease was granted; 1 lease application was forwarded to the Secretary for authorization, 5 leases involving 4 cases were mailed for execution, and 5 leases involving 3 cases were forwarded to the Secretary for execution; the Geological Survey was requested to report on 2 proposed sale of leases under section 17 of the leasing act, and one application for reduction of royalty was referred to the Survey for report; 1 relinquishment of lease was referred to the Department and 1 drilling contract was canceled; 1 sales contract was recommended to and approved by the Department; action on 5 applications for drilling relief was taken, and 7 miscellaneous applications received consideration. 87 letters were written, of which 29 were replies to inquiries.

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## RECEIPTS UNDER MINERAL LEASING ACT.

The receipts under the mineral leasing act of February 25, 1920, during the month of August were $637,757.66, all from lands outside of Navy Petroleum Reserves.

CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES FOR THE MONTH OF AUGUST, 1927.

| Office. | Business of current month. | | | | | Pending at end of month. | | |
|---|---|---|---|---|---|---|---|---|
| | Applications, proofs, etc., received. | Receipts and final certificates issued and miscellaneous. | Commissioner's letters received. | Contest cases initiated. | Total. | Pending designation. | Suspended, rejected, or otherwise. | Pending unacted on by Register. |
| Arizona | | | | | | | | |
| Phoenix | 180 | 764 | 250 | 17 | 1,211 | 152 | 126 | |
| Arkansas | | | | | | | | |
| Little Rock | 65 | 720 | 34 | 1 | 820 | | 64 | |
| California | | | | | | | | |
| Los Angeles | 167 | 834 | 177 | 5 | 1,183 | 72 | 137 | |
| Sacramento | 216 | 1,390 | 223 | 11 | 1,840 | 196 | 208 | |
| Colorado | | | | | | | | |
| Denver | 254 | 1,242 | 318 | 8 | 1,822 | 236 | 537 | |
| Pueblo | 146 | 976 | 178 | 15 | 1,315 | 74 | 133 | |
| Florida | | | | | | | | |
| Gainesville | 52 | 990 | 72 | 9 | 1,123 | | 19 | |
| Idaho | | | | | | | | |
| Blackfoot | 142 | 792 | 71 | 7 | 1,012 | 172 | 168 | 11 |
| Coeur d' Alene | 24 | 214 | 29 | | 267 | 3 | 14 | |
| Minnesota | | | | | | | | |
| Cass Lake | 31 | 425 | 32 | 2 | 490 | | 24 | |
| Montana | | | | | | | | |
| Billings | 131 | 1,341 | 166 | 2 | 1,640 | 193 | 163 | |
| Great Falls | 202 | 1,473 | 383 | 5 | 2,063 | 143 | 311 | |
| Nebraska | | | | | | | | |
| Alliance | 22 | 253 | 18 | | 293 | 17 | 7 | |
| Nevada | | | | | | | | |
| Carson City | 46 | 537 | 112 | | 695 | 48 | 107 | |
| New Mexico | | | | | | | | |
| Las Cruces | 255 | 1,106 | 356 | 27 | 1,744 | 55 | 171 | |
| Santa Fe | 369 | 1,546 | 345 | 14 | 2,274 | 84 | 256 | |
| North Dakota | | | | | | | | |
| Bismarck | 59 | 525 | 33 | | 617 | 27 | 25 | |
| Oregon | | | | | | | | |
| Lakeview | 28 | 200 | 30 | 1 | 259 | 39 | 86 | |
| Roseburg | 74 | 829 | 46 | 3 | 952 | 2 | 46 | |
| The Dalles | 41 | 594 | 58 | 2 | 695 | 103 | 35 | |

CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES FOR THE MONTH OF AUGUST, 1927--Continued.

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| South Dakota | | | | | | | | |
| Pierre | 74 | 988 | 63 | | 1,125 | 47 | 59 | |
| Utah | | | | | | | | |
| Salt Lake City | 177 | 1,031 | 468 | 10 | 1,686 | 262 | 238 | |
| Washington | | | | | | | | |
| Spokane | 31 | 341 | 53 | 1 | 426 | 18 | 45 | |
| Wyoming | | | | | | | | |
| Buffalo | 176 | 988 | 207 | 3 | 1,374 | 136 | 115 | |
| Cheyenne | 276 | 1,451 | 365 | 9 | 2,101 | 194 | 224 | |
| Evanston | 76 | 594 | 124 | 1 | 795 | 74 | 107 | |
| TOTAL | 3,314 | 22,144 | 4,211 | 153 | 29,822 | 2,347 | 3,425 | 11 |

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TELL THE BULLETIN.

To All Local Offices and Field Service Employees:

If anything occurs in the public land service which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin." All information should be received not later than the 24th of each month for use in the current number.

LAND SERVICE
BULLETIN
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

By direction of the Secretary of the Interior the matter contained herein is published as administrative information and is required for the proper transaction of public business.

Vol. 11. November 1, 1927. No. 9.

## OREGON AND CALIFORNIA TAX UNIT.

Report for the month of October and status of claims of Oregon and Washington counties under the act of July 13, 1926 (44 Stat., 915), involving Oregon and California railroad revested lands.

| | | |
|---|---|---|
| Claims received during month (1926) | ( 1) | $9,868.78 |
| Total claims received " | (17) | 680,201.21 |
| Claims certified during month " | ( 2) | 35,873.34 |
| Added allowance in above | -- | 32.41 |
| Total claims certified (1926) | (12) | 405,779.48 |
| Net amount disallowed in above " | -- | 949.62 |
| Claims pending " | ( 5) | 273,472.11 |
| Suspended for additional evidence | ( 2) | 215,143.31 |
| All claims received (1916 to 1925) | (19) | 6,741,485.00 |
| Total claims certified " | (18) | 6,022,328.77 |
| Net amount disallowed in above | -- | 267,092.08 |
| Claim pending (1916 to 1925) | ( 1) | 452,064.15 |

## SURVEY NOTES.

Supervisor of Surveys.--Mr. Frank M. Johnson, Supervisor of Surveys, has recently visited a number of the western offices for purposes of inspection and for conference with the District Engineers.

Eastern Surveying District.--Exceptionally favorable weather conditions have prevailed in the lake regions of Minnesota and Wisconsin during the fall and have permitted the completion of the program which was mapped out at the beginning of the field season. The parties who were engaged in field work in that locality have now moved southward through the Mississippi Valley region where they are at work on the fall program, which will carry through until the heavy rains make work impracticable.

The field work outlined for execution this fall includes numerous fragmentary examinations and surveys in Arkansas, Louisiana, and Mississippi. The release, by the War Department, of islands in the Mississippi River which had heretofore been withdrawn in aid of navigation, is reflected in the authorization for examination or survey of several islands in that river in Illinois and Mississippi. These cases present the most unusual complications, owing to the great lapse of time since the execution of the original surveys, and the vast changes which have occurred in the river since that time.

Colorado Resurveys.--Among the acceptances of the past month are three townships in Colorado in which resurvey has been completed. T. 8 N., R. 103 W., 6th P. M., Group 154, is located in the northwestern portion of the State and is traversed by the extremely rough and formidable canyon of Green River. The portion of the township included in the resurvey contains no private claims.

T. 8 S., R. 87 W., 6th P. M., Group 87, is located in the west central portion of the State. A large percentage of this township is held in private ownership.

T. 40 N., R. 18 W., N. M. P. M., Group 141, located in the southwestern part of the State, is also largely held in private ownership. This township is found to have greatly distorted boundaries with consequent conflicting controls for locations of claims, and presented many difficult and troublesome problems of resurvey, for which, however, satisfactory solutions were reached.

Survey of Omitted Lands Bordering Black and Clear Lakes, Louisiana, Group 12, Louisiana.--Reference has been made in a previous issue to a decision by the Department holding that considerable areas of unsurveyed public lands have been found to exist in T. 11 N., R. 6 W., and T. 12 N., R. 7 W., La. M., bordering these lakes. An investigation has been executed by R. W. Livingston, U. S. Cadastral Engineer, in order to develop the necessary information for the preparation of special instructions providing for the survey of the omitted public lands. The instructions for these surveys were recently approved, and field work is now in progress.

Survey of Omitted Lands Bordering Sabine River, Group 13, Louisiana.--Following an application for the survey of certain alleged unsurveyed public lands in T. 7 S., R. 13 W., La. M., Louisiana, bordering on the Sabine River, an investigation has been authorized and will be undertaken in the near future.

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## RECENT DEPARTMENTAL DECISIONS AND OPINIONS.

FREEMAN v. SUMMERS, UNITED STATES, INTERVENER (ON REHEARING).

STANDARD SHALES PRODUCTS COMPANY v. SUMMERS, UNITED STATES, INTERVENER (ON REHEARING).

(Decided September 30, 1927.)

MINING CLAIM--MINERAL LANDS--OIL SHALE LANDS--DISCOVERY.

The discovery of an isolated bit of mineral, not connected with or leading to substantial prospective values, is not a sufficient discovery to validate a location under the mining laws, but it is sufficient if mineral is found in a mass so located that the vein or mineral-bearing body can be followed with reasonable hope and assurance that a paying mine can be ultimately developed.

MINING CLAIM--MINERAL LANDS--OIL SHALE LANDS--DISCOVERY--EVIDENCE.

Where there has been an actual discovery of mineral either on the surface or in shallow workings within the limits of an asserted mining location, and the deposits of the region have been the subject of exploration and study for a number of years, evidence bearing upon the mineral value and the geological formation of the adjacent lands may be considered in determining whether the located lands are chiefly valuable for their mineral contents.

MINING CLAIM--MINERAL LANDS--OIL SHALE LANDS--DISCOVERY--PATENT.

It is not necessary, in order to constitute a valid discovery under the general mining laws sufficient to support an application for patent, that the mineral in its present situation can be immediately disposed of at a profit.

OIL SHALE LANDS--MINING CLAIM--MINERAL LANDS--DISCOVERY--GEOLOGICAL SURVEY--EVIDENCE

The rule as to the thickness and oil content adopted by the Geological Survey in its regulations of April 3, 1916, for the classification of lands with respect to their oil shale character, was not intended to be applied by the department as a yardstick in determining whether the physical exposure of an oil shale deposit within the limits of an asserted oil shale placer mining location is sufficient to constitute an adequate discovery of mineral under the mining laws, but each case presented must be determined upon the facts there disclosed.

WORK, Secretary:

NATIONAL CEMETERIES WITHIN INDIAN RESERVATIONS.

(Opinion by Solicitor Patterson, September 30, 1927.)

NATIONAL CEMETERIES--INDIAN LANDS--ALLOTMENT--PATENT--WITHDRAWAL--SECRETARY OF WAR--JURISDICTION.

Under authority of section 4870, Revised Statutes, the Secretary of War has the power to appropriate lands, allotted or unallotted, within an Indian reservation for national cemetery purposes, and any patent subsequently issued for lands thus appropriated is void.

Approved:
JOHN H. EDWARDS,
Assistant Secretary.

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KERN RIVER OIL FIELD, CALIFORNIA.
SALE OF LEASES.

On October 3, 1927, the Department authorized the offering of oil and gas leases in the Kern River oil field, Kern County, California, to the highest bidder at public auction to be held in the office of the Register of the local land office at Sacramento, California, at 11 o'clock a. m. on Tuesday, November 15, 192 The tracts to be leased are described as follows:

Unit No. 1:
T. 28 S., R. 27 E., Sec. 14, W½ SE¼, 80 acres.

Unit No. 2:
T. 28 S., R. 27 E., Sec. 22, NE¼, 160 acres.

Unit No. 3:
T. 28 S., R. 27 E., Sec. 22, NE¼ SW¼, 40 acres.

Notice of the sale will be published for 30 days in the Los Angeles Times, in each issue of the California Oil World for 5 weeks, and each week in a newspaper of general circulation in Kern County for 5 weeks.

There has recently been considerable drilling in the vicinity of these tracts, and in view of the interest manifested by the large companies it is expected that the sale will be well attended.

INDIAN LANDS IN MICHIGAN.

The following office letter, which was dated October 24, 1927, is published because of the interesting information it contains concerning Indian lands in Michigan:

Mr. Alf Roop,
Entrican, Michigan.

My dear Sir:

In your letter of September 27, 1927, you ask for information as to the sums received by the Indians of Michigan for the cession of their lands.

The Chippewa Indians of Mississippi and Lake Superior by the treaty of October 4, 1842 (7 Stat. 591), ceded the lands in Michigan on Lake Superior bounded on the south by Wisconsin and north of a line running from the junction of the Paint and Menominee Rivers to a point east of the Escambia River on Green Bay, about 5 miles north of the city of Escambia, and bounded on the east chiefly by the Escambia and Chocolate Rivers. This cession also included an adjacent tract in Wisconsin which was larger than that ceded in Michigan. The price paid to the Indians for said land is set forth in article 4 of the treaty as annually for 25 years, $12,500 in specie, $10,500 in goods, $2,000 in provisions and tobacco, $2,000 for the support of two blacksmiths shops, $1,000 to pay two farmers, $1,200 to pay two carpenters, and $2,000 for the support of schools for the Indians who were party to the treaty.

The United States engaged to pay the sum of $5,000 for agricultural purposes, and the sum of $75,000 for the full satisfaction of their debts. $15,000 was also paid to the half-breeds of the tribe.

The lands in Michigan south of the foregoing cession bordering on Lake Michigan on the east and including land in Wisconsin, about two-thirds of the cession being in the latter State were ceded by the Menominee Indians by the treaty of September 3, 1836 (7 Stat. 506), for the following consideration: $20,000 per annum for a term of 20 years, and also various articles during that term amounting to $3,000 in value each year. The debts of the Indians were also to be paid to the sum of $100,000 and the sum of $80,000 was to be paid to the half-breeds of the tribe.

By the treaty of March 28, 1836 (7 Stat. 491), with the Ottawa and Chippewa Indians there was ceded by the Indians the balance of the upper peninsula, and the lands of the northwestern portion of the lower peninsula north of Grand River and west of a line running about 6 miles west of Ionia, northeasterly through the town of Stanton to a point in T. 29 N., R. 1 E., thence easterly along the Thunder River to Lake Huron.

There were about 160,000 acres in this cession reserved for the use of the Indians for a number of years. The consideration for this treaty was $30,000 per annum for 20 years, $5,000 per annum for instruction, $3,000 for missions, $10,000 for agricultural implements, $300 per annum for medicines, provisions to the amount of $2,000 annually for 20 years, and $150,000 in goods and provisions, and also $200,000 on condition that the temporary reservations should be surrendered in 5 years.

It was further provided that the sum of $300,000 should be paid to the Indians to enable them to pay their just debts and a fund of $150,000 was set apart for the half-breeds of the tribe. $48,148 was to be paid to extinguish certain claims and $30,000 was to be divided among the chiefs of the tribe.

A tract east and south of the Thunder River and the aforesaid line running through Stanton extended southwesterly to the southwest corner of T. 1 S., R. 10 W., and extending east along the southern limits of T. 1 S., to the Michigan River, thence north to the southwest corner of T. 7 N., R. 1 E., thence northeasterly to White Rock on Lake Huron, was ceded by the treaty of September 24, 1819 (7 Stat. 203), with the Chippewa Indians. About 100,000 acres divided into 16 tracts were reserved from the cession and 16 tracts, 640 acres each, were given to individual Indians.

The consideration for this cession was $1,000 to be paid in silver annually forever, and such farming implements and cattle as the President might deem sufficient.

By the treaty of November 17, 1807 (7 Stat. 105), with the Ottawa, Chippewa, Wyandot, and Pottawatomies there was ceded a portion of Michigan east of the Michigan Principal Meridian, and southeast of the south line of the reservations described above.

This cession also embraced about 16 townships in Ohio. The consideration was $10,000 in money and goods divided up among the different tribes, certain agricultural implements and two blacksmiths for a period of 10 years. Eighty square miles were reserved in several tracts.

The remainder of the lands in the State constituting the southwest portion, south of the Grand River and west of the Michigan Meridian and south and west of the southern portion of the cession of September 24, 1819, was, with the exception of small tracts bordering on the States of Indiana and Ohio, ceded by the treaty of August 29, 1821. (7 Stat. 218), with the Ottawa, Chippewa, and Pottawatomies. Twenty-two tracts of 320 and 640 acres were set apart for individual Indians of the tribe, and 100 square miles were reserved in 5 different reservations.

The consideration for this cession was fixed in the treaty as $1,000 annually forever, also $1,500 annually for 10 years to be spent in certain ways to be determined by the President. These amounts were to go to the Ottawa Indians.

The Pottawatomie Indians were to receive $5,000 annually for 20 years, and $1,000 annually for 15 years for a blacksmith and teacher.

The foregoing covers the amounts agreed by the treaties named to be given Indians in Michigan in payment of their right of occupancy of the lands in the State with the exception of a few tracts with comparatively small acreage which were ceded in connection with larger tracts in the adjoining States of Ohio and Indiana.

Very respectfully,

THOS. C. HAVELL,
Assistant Commissioner.

Circular No. 1135.
Supplemental to Circular 953.

INSTRUCTIONS AS TO COAL MINED UNDER PENDING APPLICATIONS FOR LEASE OR PERMIT.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

October 1, 1927.

Division Inspectors and Registers,

United States Land Offices.

Gentlemen:

Sec. 3 of Circular No. 953 "Instructions as to coal mined under pending applications for lease or permit," approved July 19, 1934, provides as follows:

> "3. Where the applicant has no equities gained prior to the passage of the leasing act, but is awarded a lease as the successful bidder at the auction, coal mined by him from the date of filing of his application to the date of awarding of the lease at the auction must be settled for as a trespass, but at the rate of royalty fixed in the lease."

The Division Inspector is expected to procure settlement for any coal mined in trespass prior to the award of the lease. Payments for coal mined subsequent to the award should be collected by the Register and applied as royalty.

The Register will, upon award of the lease at the auction, at once notify the proper Division Inspector and also the District Mining Supervisor of the Geological Survey, of such award, in order that the Division Inspector may take prompt action looking toward collecting settlement for, and closing out, any trespass which may have been committed prior to the award and the District Mining Supervisor may take steps with a view to ascertaining the condition of the mine, if mining operations are being conducted, and submitting production reports of any coal mined subsequent to the award.

If upon receipt of a lease for delivery the Register has information that coal has been mined subsequent to the date of award and payment has not been made therefor he will take immediate steps to collect the amount due.

The Register is further directed to see that all notices to permittees or lessees of the cancellation of a permit or lease contain the following statement:

"Mining of coal from the land involved subsequent to receipt of this notice of cancellation is unauthorized and in violation of law. Such mining operations will render you liable to the penalties provided for willful trespass upon Government lands."

The Division Inspector will upon receipt of notice of cancellation of a lease or permit take such steps as may be necessary to ascertain whether mining operations thereunder ceased upon receipt by permittee or lessee of the notice of cancellation. If not, he will collect payment for all coal so mined on the basis of a willful trespass and take such further action as may be necessary to prevent continuation of the mining operations.

Very respectfully,

WILLIAM SPRY,

Commissioner.

Approved: October 1, 1927.

E. C. FINNEY,

First Assistant Secretary.

DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1078291

PUBLIC LANDS RESTORED TO HOMESTEAD ENTRY AND OTHER DISPOSITION BY PROCLAMATION, EXECUTIVE OR DEPARTMENTAL ORDER.

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Preference Rights to Ex-Service Men of the War with Germany.

General Method of Opening:

By virtue of Public Resolution No. 29, of February 14, 1920 (41 Stat., 434), as amended by Public Resolution Nos. 36 and 79, approved January 21 and December 28, 1922, respectively, hereafter and until February 15, 1930, when any surveyed lands within the provisions of the public resolutions are opened or restored to disposition under the authority of the department, such lands, unless otherwise provided in the order of restoration, shall become subject to appropriation under the laws applicable thereto in the following manner, and not otherwise:

Lands not affected by the preference rights conferred by the acts of August 18, 1894 (28 Stat., 394), or June 11, 1906 (34 Stat., 233), or February 14, 1920 (41 Stat., 407), will be subject to entry by soldiers under the homestead and desert-land laws, where both of said laws are applicable, or under the homestead law only, as the case may be, for a period of 91 days, beginning with the date of the filing of the township plat in the case of surveys or resurveys, and with the date specified in the order of restoration in all other cases, and thereafter to disposition under all of the public land laws, applicable thereto, except where homestead entrymen are granted a prior preference period under the order. For a period of 20 days and for a like period prior to the date or dates such lands become subject to entry by the general public, soldiers in the first instances, and qualified applicants in the second, may execute and file their applications, and all such applications presented within such 20-day periods, together with those offered at 9 o'clock a. m., standard time, on the dates such lands become subject to appropriation under such applications, shall be treated as filed simultaneously.

Unsurveyed lands are not subject to homestead or desert-land entry. A homestead entry may embrace 160 acres, or an approximation thereof, and where the lands are of the character contemplated by the 320 or 640 acres homestead acts, applications for the unappropriated lands may be filed by qualified persons, under either of said acts, accompanied by proper petitions, if undesignated, for the designation of lands thereunder, and such applications will be suspended pending determination as to the character of such lands.

The following are restorations or openings which will occur in the near future and concerning which further information may be obtained from the local offices:

759

NEW MEXICO:

OPEN TO ENTRY THROUGH SURVEY.

The plat of survey of T. 23 S., R. 20 W., Grant County, New Mexico, will be officially filed in the district land office at Las Cruces on November 26, 1927, at 9 a. m.

For 91 days, beginning November 26, 1927, the unreserved lands represented upon said plat will be opened to entry under the homestead and desert-land laws by qualified former service men of the World War, and to entry by those persons claiming a preference right to the land superior to that of the soldiers. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 a. m. on November 26, 1927. At 9 a. m. on February 25, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the general public.

The area surveyed, 23,157.44 acres. Land: level. Soil: adobe and alkali. No timber. No evidence of mineral. At times most of the entire area of this township is under flood water from many washes that drain into this area. There are two settlers in the township.

Approved: October 10, 1927.

WILLIAM SPRY,

Commissioner.

COLORADO:

RESTORATION FROM RECLAMATION WITHDRAWAL.

About 11,400 acres in T. 1 N., R. 3 W., Ute Special M., Mesa County, Denver land district, will be opened to homestead and desert-land entry beginning November 15, 1927, for a period of 91 days to honorably discharged ex-service men of the World War, subject, however, to valid prior settlement and preference rights. Filings may be presented by such ex-service men during the 20 days preceding that date or from October 26, 1927, to November 14, 1927. All conflicting filings up to 9 a. m. November 15, 1927, will be disposed of by drawing. Any lands remaining unentered after the expiration of the 91-day period, or beginning February 14, 1928, will be open to entry under any applicable public land law by the general public. Prospective applicants may present their applications within the 20 days preceding that date, or beginning January 25, 1928, and all applications so filed will be treated as though filed simultaneously.

The Colorado flows along the southern boundary of the lands which are in Secs. 7, 8, and 9 of the township. Available information indicates that the lands are hilly. The nearest town is Loma on the Denver and Rio Grande Railroad. The Loma trail and automobile highway are about 2 miles to the east. As the lands are restored from reclamation withdrawal no water from a Federal irrigation project will be available for irrigation purposes.

Approved: October 21, 1927.

WILLIAM SPRY,

Commissioner.

MINNESOTA:

Restored from Reservoir subject to flowage rights of the United States, pursuant to act of August 6, 1914 (38 Stat. 683).

Two islands in Sandy Lake, comprising 8.40 acres, in Sec. 6, T. 49 N., R. 23 W., 4th P. M., Aitkin County, Case Lake land district, Minnesota, opened to homestead entry only, by qualified settlers and ex-service men of the war with Germany, for periods of 90 and 91 days, respectively, beginning November 18, 1927.

Applications by such settlers and ex-service men may be presented at any time within 20 days prior to that date. On and after February 17, 1928, the land, if any remaining unentered, will be subject to homestead entry and soldiers' additional application, subject to flowage rights of the United States, by the general public.

RECENT EXECUTIVE ORDERS AND PROCLAMATIONS.

A small tract of land occupied as a fish cannery in Alaska is excluded from the Tongass National Forest by order of September 23.

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Under orders of September 27, the public lands in T. 50 N., R. 80 W., Wyoming, and in certain areas in Ts. 29 and 30 N., R. 38 E., and T. 32 N., R. 39 E., Washington, are withdrawn pending resurvey.

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An order of the same date excludes a small area of non-public land from the Colville National Forest, in Washington.

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Previous withdrawals for resurvey in T. 27 N., R. 113 W., Wyoming, and in Ts. 15 and 16 N., R. 4 W., Arizona, are revoked by orders of September 30 and October 1, respectively, and the public lands therein restored under the preference granted former service men.

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An order of September 30 withdraws a tract of 480 acres in Utah in aid of proposed legislation for the protection of the water supply of the town of Bountiful.

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Maple Island, in the Mississippi River, Illinois, is released from withdrawal of June 13, 1895, and restored under the preference granted former service men by order of October 3.

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About 75 acres of Fort Barrancas Military Reservation, in Florida, has been transferred to the Department of Commerce for use as a lighthouse site by order of October 5.

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An order of the same date revokes the withdrawal for resurvey in T. 17 N., R. 25 E., Nevada, without restoration, the land being under first form reclamation withdrawal.

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The order turning former Cape Fanshaw Military Reservation in Alaska over to this Department for disposition is revoked by order of October 5 as the land is in the Tongass National Forest.

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An order of October 10 releases a small tract in Alaska from withdrawal for townsite purposes under the Alaska Railroad Law and restores the land to entry.

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Addition of 10,115 acres to the Stanislaus National Forest, in California, has been made by proclamation of October 14 under the act of February 20, 1925 (43 Stat. 952).

## OIL AND GAS ACTIVITIES.

During the month of October, the division handling oil and gas prospecting permit applications under sections 13 and 20 of the leasing act received 203 new applications and 2,846 cases for consideration, and 93 cases on drawings. Permits were granted on 339 applications, 93 cases were finally rejected in entirety and 193 in part and 16 on drawings; 330 applications were rejected subject to appeal in entirety, and 17 in part; 28 appeals were transmitted to the Secretary; departmental decisions were promulgated in 22 cases, 17 affirming, 2 modifying, and 2 reversing decisions of this office, and 2 reversing decisions based on Geological Survey reports; 110 assignments were disposed of and 319 extensions of time acted upon; 139 permits were held for cancellation and 329 permits were canceled; 453 applications were examined and Survey reports called for; 2,299 cases are awaiting reports from the Survey, and 18 from the Reclamation Bureau, and 616 new cases are awaiting Survey reports. 3,769 letters were written during the month, of which 193 were replies to inquiries.

Under the relief sections of the act and other sections providing for issuance of oil and gas and oil shale leases, also relief under the Red River act of March 4, 1923, 7 leases involving 4 cases were issued, 3 leases, involving 2 cases were forwarded to the Secretary for authorization, and 3 leases involving 2 cases were mailed for execution; action was taken disposing of 4 applications involving release and transfer of Liberty Bonds; 1 lease was canceled in part; 2 oil shale lease applications were referred to Geological Survey for report, and report on sale of leases under section 17 was called for; 1 reduction of royalty application was referred to the Survey for report, and 1 application was denied; 1 sales contract and 3 applications for drilling relief on leases were approved; 3 permits were held for cancellation and 1 canceled; 2 miscellaneous applications were considered; 129 letters were written, of which 31 were replies to inquiries.

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## RECEIPTS UNDER THE MINERAL LEASING ACT.

The receipts under the mineral leasing act of February 25, 1920, during the month of September were $134,484.38, of which $40 was from lands in naval petroleum reserves.

CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES FOR THE MONTH OF SEPTEMBER, 1927.

| Office | Business of current month. | | | | | Pending at end of month. | | |
|---|---|---|---|---|---|---|---|---|
| | Applns. proofs, etc. rec'd. | Receipts and final ctfs. issued and misc. | General Land Office letters received. | Contest cases initi-ated. | Total. | Pending desig-nation. | Suspended, rejected, or other-wise. | Pending unacted on by Register. |
| Arizona | | | | | | | | |
| Phoenix | 188 | 690 | 225 | 14 | 1,117 | 125 | 144 | |
| Arkansas | | | | | | | | |
| Little Rock | 47 | 641 | 35 | 2 | 725 | | 67 | |
| California | | | | | | | | |
| Los Angeles | 149 | 739 | 142 | 5 | 1,035 | 81 | 125 | |
| Sacramento | 209 | 1,335 | 156 | 7 | 1,707 | 139 | 285 | |
| Colorado | | | | | | | | |
| Denver | 334 | 1,641 | 158 | 14 | 2,147 | 250 | 575 | |
| Pueblo | 94 | 990 | 228 | 8 | 1,320 | 60 | 118 | |
| Florida | | | | | | | | |
| Gainesville | 37 | 781 | 85 | 9 | 912 | | 12 | |
| Idaho | | | | | | | | |
| Blackfoot | 144 | 865 | 64 | 4 | 1,077 | 180 | 184 | |
| Coeur d'Alene | 59 | 305 | 26 | 1 | 391 | 6 | 13 | |
| Minnesota | | | | | | | | |
| Cass Lake | 36 | 371 | 34 | 1 | 442 | | 14 | |
| Montana | | | | | | | | |
| Billings | 175 | 1,458 | 177 | 2 | 1,812 | 198 | 167 | |
| Great Falls | 343 | 1,854 | 436 | 4 | 2,637 | 167 | 300 | |
| Nebraska | | | | | | | | |
| Alliance | 19 | 246 | 27 | | 292 | 18 | 4 | |
| Nevada | | | | | | | | |
| Carson City | 44 | 610 | 109 | 12 | 775 | 46 | 70 | |
| New Mexico | | | | | | | | |
| Las Cruces | 244 | 1,352 | 605 | 50 | 2,251 | 42 | 171 | |
| Santa Fe | 275 | 1,461 | 355 | 19 | 2,110 | 59 | 282 | |

CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES FOR THE MONTH OF SEPTEMBER, 1927, Cont'd.

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| North Dakota | | | | | | | |
| Bismarck | 24 | 551 | 36 | 1 | 612 | 29 | 25 |
| Oregon | | | | | | | |
| Lakeview | 17 | 155 | 36 | 1 | 209 | 34 | 61 |
| Roseburg | 80 | 718 | 47 | 3 | 848 | 2 | 63 |
| The Dalles | 45 | 723 | 54 | 2 | 824 | 105 | 21 |
| South Dakota | | | | | | | |
| Pierre | 54 | 804 | 48 | 3 | 909 | 49 | 60 |
| Utah | | | | | | | |
| Salt Lake City | 129 | 1,048 | 372 | 17 | 1,566 | 270 | 226 |
| Washington | | | | | | | |
| Spokane | 40 | 1,317 | 49 | 1 | 1,407 | 25 | 48 |
| Wyoming | | | | | | | |
| Buffalo | 132 | 968 | 146 | 3 | 1,249 | 104 | 99 |
| Cheyenne | 212 | 1,213 | 237 | 8 | 1,670 | 194 | 249 |
| Evanston | 134 | 616 | 120 | 2 | 872 | 82 | 127 |
| Total | 3,264 | 23,452 | 4,007 | 193 | 30,916 | 2,265 | 3,510 |

TELL THE BULLETIN.

To All Local Offices and Field Service Employees.

If anything occurs in the public land service which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin." All information should be received not later than the 24th of each month for use in the current number.

LAND SERVICE
BULLETIN
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

By direction of the Secretary of the Interior the matter contained herein is published as administrative information and is required for the proper transaction of public business.

Vol. 11 December 1, 1927. No. 10

## OREGON AND CALIFORNIA TAX UNIT.

Report for the month of June and status of claims of Oregon and Washington counties under the act of July 13, 1926 (44 Stat., 915), involving Oregon and California Railroad revested lands.

| | | |
|---|---|---|
| Claims received during month (year 1926) | | |
| Total claims received (year 1926) | (17) | $680,201.21 |
| Claims certified during month (year 1926) | (1) | 5,344.27 |
| Disallowance in above | --- | 78.81 |
| Total claims certified (year 1926) | (13) | 411,123.75 |
| Net disallowances in above | --- | 1,068.13 |
| Claims pending (year 1926) | (4) | 268,049.03 |
| All claims received (year 1916-1925) | (19) | 6,741,485.00 |
| Total claims certified (year 1916-1925) | (18) | 6,022,328.77 |
| Net disallowances in above | | 267,092.08 |
| Additional disallowance during month | | 18,129.30 |
| Deducting above from total certified | | 6,004,199.47 |
| Net disallowances | | 285,221.55 |
| Claim pending (year 1916-1925) | | 452,064.15 |

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## SURVEY NOTES.

Molas Park.--The act of Congress of February 25, 1925 (43 Stat., 980), granted a tract of land for park purposes to the town of Silverton, Colorado. The survey of this tract was recently accepted. By the terms of the act the area of the grant was limited to 320 acres. However, the tract as applied for and as surveyed includes only 137 acres situated in suspended Secs. 6 and 7, T. 40 N., R. 7 W., N. M. P. M. It is called Molas Park and embraces Lower Molas Lake, a body of water some 25 acres in extent.

"No Man's Land."--The survey of Ts. 42 and 43 S., R. 12 E., S. L. M., in southern Utah was recently accepted by this office. Occupying a portion of T. 42 S., R. 12 E., there is a mesa called "No Man's Land" entirely surrounded by cliffs and reputed to be inaccessible. However, the surveyors found an old trail leading to the top by means of steps cut into the solid sandstone wall. This trail is presumed to be of Aztec or Moqui origin, and ancient hieroglyphics were found at the foot of the wall near the trail.

Cooperative Surveys, Jefferson National Forest, Montana.--Among the surveys recently accepted were those of T. 12 N., R. 8 E., and Ts. 11 N., Rs. 9 and 10 E., P. M., Group 239, Montana, all within the Jefferson National Forest, which were surveyed in cooperation with the Forest Service. By triangulation from stations of the U. S. Coast and Geodetic Survey the precise positions of the townships in latitude and longitude were determined, and the meridians of longitude and parallels of latitude referred to North American Datum are indicated on the township plats.

In addition to the usual careful determination of topography along the lines of the cadastral surveys by the engineers of this office, the topography in the interior of the sections was mapped by the engineers of the Forest Service. On the township plats relief is indicated by the contour lines printed in brown, indicating elevations above mean sea level rather than by the usual hachures.

Report of Field Investigation, Group 172, Colorado.--There has recently been received by this office the report of a field investigation by a U. S. Cadastral Engineer in T. 4 S., R. 93 W., 6th P. M., Group 172, Colorado, executed pursuant to authority based upon the application of entrymen for the resurvey of the township under the act of March 3, 1909. It was alleged in the application that if any original survey of the township was ever made the evidence thereof had been lost, stolen or misplaced, thereby precluding satisfactory identification of the subdivisions by local surveyors.

The investigating engineer recovered a large proportion of the original corners, all in very fair relation to each other, in the various portions of the township covered by the investigation, and reports that in his opinion fully three-fourths of the corners of the original survey are extant and capable of satisfactory identification. It appears that the difficulty of the petitioners was due to the high thick brush throughout the area which renders the finding of the corner monuments extremely difficult, rather than to a more or less complete obliteration of the corner monuments themselves, and that all of the corners of the original survey are capable of proper identification or re-establishment by competent local surveyors.

The report of the investigating engineer recommending that no resurvey be made has been approved, and the petition for the resurvey denied.

Resurveys, New Mexico.--The resurvey of T. 22 N., R. 3 E., N. M. P. M., New Mexico, recently accepted by this office, involved a number of difficult problems that necessitated somewhat unusual treatment. This township lies in the Santa Fe National Forest and a number of the entries were made under the

act of June 11, 1906. Others were made prior to the withdrawal of the township for forest purposes. Owing to defective survey conditions a number of patented entries were erroneously located. The lands occupied and improved were agricultural in character, while the legal subdivisions described in the entries embraced lands valuable for timber only. The aid of the forest supervisor and the division inspector was enlisted in securing appropriate amendments of the erroneously located entries. The latter officer has succeeded in obtaining reconveyance of the lands embraced in outstanding patents to the United States. When the resurvey plats have been officially filed amended patents describing the lands involved directly in terms of the tract surveys will be issued.

Survey of omitted lands, Blue Lake, Utah.--Interested parties have recently made inquiry concerning the status of certain lands in the northeastern portion of T. 18 S., R. 8 W., S. L. M., Utah, which are shown upon the approved plats of that township as "Blue Lake." Allegations have been made that as a matter of fact, this area is not now and never has been a lake although these lands were formerly flooded for considerable periods of time.

Upon investigation of the records of this office, it was found that the matter has before been given some consideration in connection with an unlawful enclosure proceeding against owners of certain lands bordering the so-called lake.

It is now proposed to undertake a thorough examination of survey conditions and of the physical condition of the "Lake" area in order to determine the status of the lands involved with a view to the survey of any omitted public lands which may be found to exist in this township. The District Cadastral Engineer, Salt Lake City, Utah, is being authorized to prepare appropriate special instructions for such procedure.

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## SALE OF OIL AND GAS LEASES, KERN RIVER OIL FIELD, CALIFORNIA.

On November 15, 1927, in the office of the Register at Sacramento, California, pursuant to advertised notices, the Government offered 280 acres for leasing for oil and gas at public auction to the bidder of the highest bonus.

For the purpose of the sale the land was divided into three tracts as follows: Unit 1, containing 80 acres; Unit 2, containing 160 acres; and Unit 3, containing 40 acres. The highest bidder for Units 1 and 3 was the Midland Oilfields Company, Ltd., at $2,100 per acre, a total of $252,000, and the highest bidder for Unit 2 was the Pan-American Petroleum Company at $2,625 per acre, a total of $420,000. The total amount realized was $672,000.

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## ADJUSTMENT OF RAILROAD LAND GRANTS.

Following the creation of a unit or section in the Reclamation and Land Grants Division for the adjustment of railroad land grants, a progress report of the adjustment of the grant to the Central Pacific Railroad Company under the

acts of Congress approved July 1, 1862 (12 Stat., 489), and July 2, 1864 (13 Stat., 356), as of June 30, 1927, was made to the Department November 3, 1927. The First Assistant Secretary on November 8, 1927, approved the method or theory adopted for the adjustment of this grant.

Adjudications will proceed as heretofore, no change of procedure being indicated or suggested in the report of November 3, which was based upon a careful examination of tract, survey and other office records and tabulations of data involving upwards of 9,000,000 acres of land.

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## RECENT DEPARTMENTAL DECISIONS.

### ROBERT LEE LOFTIN.

(Decided by First Assistant Secretary Finney, September 29, 1927.)

BOARD OF EQUITABLE ADJUDICATION--JURISDICTION--HOMESTEAD ENTRY--FINAL PROOF--NOTICE.

Where the law has been otherwise complied with, failure to submit final proof within ten days following the advertised date for the taking of proof, as authorized by the act of March 2, 1889, will not prevent, in the absence of an adverse claim, submission of a meritorious case to the Board of Equitable Adjudication, and republication will not be required.

Las Cruces 022062.

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### EZRA LYTLE.

(Decided by First Assistant Secretary Finney, September 30, 1927.)

HOMESTEAD ENTRY--NATIONAL FORESTS--SURVEY--SELECTION.

National forest lands listed and opened to entry in units are enterable only according to the established units except as such units may be thereafter modified by administrative authority.

DEPARTMENTAL DECISION CITED AND DISTINGUISHED.

Case of John W. Hickcox (42 L. D., 573), cited and distinguished.

Salt Lake City 042198.

ERIC LYDERS (ON REHEARING).

(Decided by First Assistant Secretary Finney, November 10, 1927.)

PUBLIC LANDS--JURISDICTION--CONGRESS--LAND DEPARTMENT.

The power to dispose of the public domain is vested exclusively in Congress, and when it directs that a tract of public land shall be disposed of in a certain manner, its direction is in effect a repeal of all pre-existing law with respect to its disposition and the Land Department is powerless to convey title except as thus specified.

Sacramento 017260.

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FRANK E. TURNER, ASSIGNEE OF HORACE W. STEELE.

(Decided by First Assistant Secretary Finney, November 5, 1927.)

DESERT LAND--APPLICATION--PAYMENT--ASSIGNMENT--RECLAMATION PROJECT--WITHDRAWAL.

Recognition of an assignment by a qualified entryman who filed a desert-land application for lands then subject thereto and made the initial payment required by law is not precluded by a suspension of the application pending determination as to whether the lands should be included within a reclamation project.

Phoenix 056134.

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CONSTRUCTION OF THE ACT OF FEBRUARY 12, 1903.

(Instructions by First Assistant Secretary Finney, November 12, 1927.)

MINING CLAIM--OIL LANDS--OIL SHALE LANDS--DISCOVERY--WORDS AND PHRASES.

The term oil lands in the act of February 12, 1903, does not comprehend oil shale lands.

PRIOR DEPARTMENTAL INSTRUCTIONS MODIFIED.

Instructions of May 10, 1920 (47 L. D., 548), modified.

DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1078291

PUBLIC LANDS RESTORED TO HOMESTEAD ENTRY AND OTHER DISPOSITION BY PROCLAMATION, EXECUTIVE OR DEPARTMENTAL ORDER.

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Preference Rights to Ex-Service Men of the War with Germany.

General Method of Opening:

By virtue of Public Resolution No. 29, of February 14, 1920 (41 Stat., 434), as amended by Public Resolution Nos. 36 and 79, approved January 21 and December 28, 1922, respectively, hereafter and until February 15, 1930, when any surveyed lands within the provisions of the public resolutions are opened or restored to disposition under the authority of the department, such lands, unless otherwise provided in the order of restoration, shall become subject to appropriation under the laws applicable thereto in the following manner, and not otherwise:

Lands not affected by the preference rights conferred by the acts of August 18, 1894 (28 Stat., 394), or June 11, 1906 (34 Stat., 233), or February 14, 1920 (41 Stat., 407), will be subject to entry by soldiers under the homestead and desert-land laws, where both of said laws are applicable, or under the homestead law only, as the case may be, for a period of 91 days, beginning with the date of the filing of the township plat in the case of surveys or resurveys, and with the date specified in the order of restoration in all other cases, and thereafter to disposition under all of the public land laws, applicable thereto, except where homestead entrymen are granted a prior preference period under the order. For a period of 20 days and for a like period prior to the date or dates such lands become subject to entry by the general public, soldiers in the first instances, and qualified applicants in the second, may execute and file their applications, and all such applications presented within such 20-day periods, together with those offered at 9 o'clock a. m., standard time, on the dates such lands become subject to appropriation under such applications, shall be treated as filed simultaneously.

Unsurveyed lands are not subject to homestead or desert-land entry. A homestead entry may embrace 160 acres, or an approximation thereof, and where the lands are of the character contemplated by the 320 or 640 acres homestead acts, applications for the unappropriated lands may be filed by qualified persons, under either of said acts, accompanied by proper petitions, if undesignated, for the designation of lands thereunder, and such applications will be suspended pending determination as to the character of such lands.

The following are restorations or openings which will occur in the near future and concerning which further information may be obtained from the local offices:

(761)

WYOMING: OPENED TO ENTRY THROUGH SURVEY.

The plat of original survey of Fractional Sec. 3 and NE¼ of Sec. 4 and the dependent resurvey of a portion of T. 5 N., R. 6 E., W. R. M., will be officially filed in the district land office at Cheyenne, Wyoming, at 9 a. m. on December 20, 1927.

For 91 days, beginning December 20, 1927, the unreserved lands represented upon said plats will be opened to entry under the homestead and desert-land laws by qualified former service men of the World War and to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 a. m. on December 20, 1927. At 9 a. m. on March 20, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the general public.

A large portion of the lands represented by this survey is included in Wyoming Power Company Project No. 149. A portion of the land is also included in the proposed transmission line right of way of Wyoming Power Company Project No. 149.

The area embraced in this survey covers approximately the upper 2½ miles of the Big Horn Canyon and adjacent river basin. The land is generally rough and soil is of poor quality except on the river bottom, and the latter, being subject to overflow, does not permit of much cultivation. There is one rancher living in Sec. 21 with a small area under cultivation and on whose land is the only spring of water fit for domestic use in this area. The Chicago, Burlington & Quincy Railroad and the Wyoming State Highway traverse a portion of this area. The Boysen Dam is built in the canyon near the north line of Sec. 4, This power plant supplies power to the towns of Shoshone and Riverton. The river bottomis covered with a dense growth of willow and small cottonwood, but no commercial timber. There is very little grass for grazing.

(762)
UTAH:

OPENED TO ENTRY THROUGH SURVEY.

The plat of survey of T. 17 S., R. 26 E., S. L. M., Grand County, Utah, will be officially filed in the district land office at Salt Lake City on December 16, 1927, at 9 a. m.

For 91 days, beginning December 16, 1927, the unreserved lands represented upon said plat will be opened to entry under the homestead and desert-land laws by qualified former service men of the World War, and to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 a. m. on December 16, 1927. At 9 a. m. on March 16, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the general public.

All of the township is embraced in a coal land withdrawal.

Area surveyed: 7,911.68 acres. Land: rolling, level, and mountainous. Soil: sand, sandy loam and rocky. Timber: scattering cedar and pinyon on the rolling "bad lands." A few seams and veins of good coal are exposed in the mountainous portions of the township. The southern part of the township contains oil shale. No evidence of metallic minerals was found in the township. The only water in the township is a small alkaline stream in Bitter Creek Canyon. The township is used for grazing and is suitable for dry farming.

RECENT EXECUTIVE ORDERS AND PROCLAMATIONS.

By proclamation of October 17 the Ocala division of the Florida National Forest in Florida has been designated as the Ocala National Forest.

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Under order of October 21 the public lands in T. 10 S., R. 20 E., S. L. M., Utah, are withdrawn pending resurvey.

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An order of the same date revokes the withdrawalfor resurvey of T. 8 S., R. 87 W., 6th P. M., Colorado, and restores the public lands therein under the preference granted former service men.

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Addition of 1,447 acres to the Whitman National Forest in Oregon has been made by proclamation of October 24 under the act of March 4, 1925 (43 Stat., 1282).

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An order of October 24 withdraws a small tract in Alaska for townsite purposes.

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By proclamation of October 25 the title to certain lands owned by the United States in the Territory of Hawaii required for public purposes has been transferred to said Territory.

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By order of October 28 a tract of 160 acres in Arizona has been released from previous withdrawals.

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By proclamation of October 31 a small area was excluded from the Columbia National Forest in Washington, and the public lands therein restored under the preference granted former service men.

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An order of the same date revoked a withdrawal made in aid of legislation of a tract of 160 acres in Arizona, without restoration, the land being withdrawn by order of the same date for recreational purposes.

An addition of 160.96 acres to the Wenatchee National Forest in Washington has been made by proclamation of November 2 under the act of September 22, 1922 (42 Stat., 1036).

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About 160 acres has been withdrawn by order of November 4 for the use of the State of Idaho as a rifle range for the Idaho National Guard.

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Two small tracts of land occupied as fish canneries in Alaska are excluded from the Tongass National Forest by order of November 4.

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By order of November 9 the lands within the Montague Island Military Reservation in Alaska have been placed under the control of the Secretary of the Interior for disposition under the act of July 5, 1884 (23 Stat., 103).

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The Florida National Forest in Florida has been designated as the Choctawhatchee National Forest by order of November 10.

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By order of November 14 a small tract in Alaska has been added to the Chugach National Forest.

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Certain lands situated in the counties of Lake of the Woods and Roseau, 5th P. M., Minnesota, have been withdrawn by order of November 14 in order to carry into effect the provisions of the act of Congress of May 22, 1926 (44 Stat., 617).

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Previous withdrawals for resurvey in T. 46 N., Rs. 88 and 89 W., 6th P. M., Wyoming, and in T. 12 S., R. 21½ and 22 E., N. M. P. M., New Mexico, are revoked by orders of November 15 and 16, respectively, and the public lands therein restored under the preference granted former service men.

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A tract of land near Puolo Point, Hanapepe, Island of Kauai, Territory of Hawaii, has been reserved for military purposes by order of November 15.

## OIL AND GAS ACTIVITIES.

During the month of November 172 new applications for oil and gas permits under sections 13 and 20 of the leasing act, and 2,799 cases for further consideration, were received. Permits were granted on 491 applications, 86 cases were finally rejected in entirety, 217 in part, and 80 on drawings; 304 applications were rejected in entirety subject to appeal and 8 in part; 35 appeals were transmitted to the Secretary; departmental decisions were promulgated in 29 cases, 22 affirming, 2 reversing, and 5 modifying decisions of this office; 116 assignments were disposed of, and 363 applications for extensions of time acted upon; 89 permits were held for cancellation and 962 permits canceled; 378 applications were examined and Survey reports called for; 3,680 cases are awaiting reports from the Geological Survey and 34 from the Bureau of Reclamation, and 422 new cases are awaiting Survey reports. 4,300 letters were written of which 265 were replies to inquiries.

Under the relief sections of the act and other sections providing for the issuance of oil and gas leases, also relief under the Red River act of March 4, 1923, 1 application for lease was forwarded to the Secretary for approval, 2 leases were sent to the Secretary for execution, and 1 lease was mailed to the lessees for execution; 2 applications for sales of leases under section 17 of the act were considered and authorization by the Secretary for the sale of leases at public auction in the Monroe Gas Field, Louisiana, has been requested. Renewal of contract for sale of royalty oil has been considered, favorable action recommended on 10 sales contracts involving 2 cases, and 1 sales contract has been approved by the Secretary; 5 applications for reduction of royalty on leases have been referred to the Survey for report, and 3 applications granted; 4 applications for drilling relief have been acted upon, and 1 lease application has been rejected; consideration has been given to miscellaneous applications involving questions of rental on leases, substitution, and release of lease bonds, approval of agreements, and reconsideration of lease application; approval of 3 operating contracts involving 1 case was denied, 3 leases were held for cancellation in entirety and 1 in part. Eighty-eight letters were written, of which 26 were replies to inquiries.

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## RECEIPTS UNDER MINERAL LEASING ACT.

The receipts under the mineral leasing act of February 25, 1920, during the month of October were $340,247.60, all from lands outside of naval petroleum reserves.

CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES FOR THE MONTH OF OCTOBER, 1927.

| Office. | Business of current month. | | | | | Pending at end of month. | | |
|---|---|---|---|---|---|---|---|---|
| | Applications, proofs, etc., received. | Receipts and final certificates issued and miscellaneous. | General Land Office letters received. | Contest cases initiated. | Total. | Pending designation. | Suspended, rejected, or otherwise. | Pending unacted on by Register. |
| Arizona | | | | | | | | |
| Phoenix | 222 | 712 | 200 | 7 | 1,141 | 115 | 137 | 27 |
| Arkansas | | | | | | | | |
| Little Rock | 68 | 683 | 38 | 6 | 795 | | 65 | |
| California | | | | | | | | |
| Los Angeles | 180 | 920 | 112 | 7 | 1,219 | 58 | 123 | |
| Sacramento | 163 | 1,372 | 217 | 15 | 1,767 | 143 | 235 | |
| Colorado | | | | | | | | |
| Denver | 214 | 1,666 | 289 | 4 | 2,173 | 255 | 564 | |
| Pueblo | 103 | 956 | 247 | 8 | 1,314 | 61 | 95 | |
| Florida | | | | | | | | |
| Gainesville | 46 | 773 | 124 | 11 | 954 | | 18 | |
| Idaho | | | | | | | | |
| Blackfoot | 103 | 847 | 63 | 9 | 1,022 | 159 | 179 | |
| Coeur d' Alene | 32 | 219 | 29 | 1 | 281 | 7 | 18 | |
| Minnesota | | | | | | | | |
| Cass Lake | 48 | 476 | 42 | 3 | 569 | | 27 | |
| Montana | | | | | | | | |
| Billings | 175 | 1,691 | 190 | 2 | 2,058 | 187 | 173 | |
| Great Falls | 231 | 1,930 | 240 | 10 | 2,411 | 129 | 371 | |
| Nebraska | | | | | | | | |
| Alliance | 76 | 384 | 15 | | 475 | 16 | 12 | |
| Nevada | | | | | | | | |
| Carson City | 49 | 600 | 185 | 1 | 835 | 45 | 70 | |
| New Mexico | | | | | | | | |
| Las Cruces | 285 | 1,173 | 397 | 24 | 1,879 | 54 | 183 | |
| Santa Fe | 260 | 1,337 | 371 | 13 | 1,981 | 68 | 229 | |
| North Dakota | | | | | | | | |
| Bismarck | 38 | 560 | 49 | | 647 | 28 | 30 | |
| Oregon | | | | | | | | |
| Lakeview | 22 | 199 | 40 | 1 | 262 | 36 | 66 | |
| Roseburg | 56 | 742 | 30 | 2 | 830 | 2 | 52 | |
| The Dalles | 41 | 607 | 78 | 2 | 728 | 103 | 23 | |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| South Dakota | | | | | | | | |
| Pierre | 49 | 1,283 | 169 | 15 | 1,516 | 52 | 52 | |
| Utah | | | | | | | | |
| Salt Lake City | 189 | 1,103 | 304 | 10 | 1,606 | 292 | 235 | |
| Washington | | | | | | | | |
| Spokane | 45 | 1,003 | 42 | 1 | 1,091 | 19 | 51 | |
| Wyoming | | | | | | | | |
| Buffalo | 171 | 1,120 | 205 | 4 | 1,500 | 118 | 110 | |
| Cheyenne | 286 | 1,335 | 275 | 16 | 1,912 | 138 | 337 | |
| Evanston | 68 | 648 | 126 | 1 | 843 | 60 | 64 | |
| Total | 3,220 | 24,339 | 4,077 | 173 | 31,809 | 2,145 | 3,519 | 27 |

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TELL THE BULLETIN.

To All Local Offices and Field Service Employees:

If anything occurs, in the public land service, which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin." All information should be received not later than the 24th of each month for use in the current number.

LAND SERVICE
BULLETIN
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

By direction of the Secretary of the Interior the matter contained herein is published as administrative information and is required for the proper transaction of public business.

Vol. 11 January 1, 1928. No. 11.

## LEAP YEAR.

The Bulletin, on behalf of the Office and its employees, extends a hearty New Year greeting to all the forces in the field.

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## OREGON AND CALIFORNIA TAX UNIT.

Report for the month of December and status of claims of Oregon and Washington counties under the act of July 13, 1926 (44 Stat., 915), involving Oregon and California Railroad revested lands.

| | | |
|---|---|---|
| Claims received during month (year 1926) | (1) | $10,982.41 |
| Total claims received (1926) | (18) | 691,183.62 |
| Claims certified during month (1926) | (2) | 203,820.79 |
| Net disallowances | --- | 445.17 |
| Total claims certified (1926) | (15) | 614,905.84 |
| Net disallowances in above | --- | 1,512.31 |
| Claims pending (1926) | (3) | 74,765.48 |
| All claims (1916-1925) | (19) | 6,741,485.00 |
| Certified (1916-1925) | (18) | 6,004,199.47 |
| Net disallowances in above | --- | 285,221.38 |
| Claims pending (1916-1925) | (1) | 452,064.15 |

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## THE YEAR'S WORK.

The annual report of the Secretary of the Interior was released last month, and that portion relating to the operations of the General Land Office has been separately published in pamphlet form, containing many items of interest, some of which follow:

The remaining public domain approximates 194,000,000 acres, exclusive of Alaska, an area practically equal to that of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Delaware, Virginia, West Virginia, and North Carolina.

Continued interest in the establishment of agricultural homes was shown by the inclusion in original and final entries during the year of 6,600,000 acres, the greater part of this area being included in settlement and agricultural claims. Patents issued to such entrymen for 4,456,000 acres.

Total receipts for the year were $9,201,697.25, which was distributed as follows: To the Reclamation Fund $4,338,341.72; to the public-land States $2,550,200.24; to the general fund of the United States $1,692,460.63; to the various Indian tribes $620,694.66.

Total expenditures for the conduct of the business of the General Land Office and its field activities amounted to $2,284,020.33, less than one-fourth of the receipts.

A net reduction of force of 22 employees was effected in the Washington office; district land offices were reduced by closing and consolidation from 42 to 29, with a corresponding reduction in field personnel of 15 clerks and 13 registers.

The Southern inspection division was abolished and its work is now directed from Washington, D. C. The Cheyenne inspection division was abolished, its work being divided between the Denver and Helena inspection divisions. The Field Inspection Service investigated and made reports on 16,320 cases.

There were accepted and placed on file plats of survey representing 3,983,757 acres of original surveys and 1,176,315 acres of resurveys, an aggregate area of 5,160,072 acres. In the field surveys were made amounting to 17,877.7 miles in 24 public-land States and the Territory of Alaska, under 247 groups.

The map of the United States, 1927 edition, has been revised; State maps of Utah and Florida have been issued; maps of New Mexico and Michigan are now being printed, and the map of California is in preparation.

Original entries were allowed for public and Indian lands to the amount of 3,594,838 acres as compared with 3,243,446 acres for 1926. There were received 50,298 homestead and kindred entries as against 44,524 in 1926, and 13,952 homestead entries were patented as against 12,903 the previous year.

Public lands to the extent of 1,909,688 acres were placed in a state of reservation, either by Executive or departmental orders pursuant to various applicable acts, and 2,493,806 acres theretofore reserved were restored to entry or other proper disposition.

Subject to the provisions of public resolutions approved February 14, 1920, and January 21 and December 28, 1922, granting preference right of entry to veterans of the World War, there were released from withdrawals, or opened to entry through survey or resurvey, 215,888 acres and 3,434,116 acres, respectively.

Sales of timber from the revested Oregon and California railroad lands amounted to $556,654.61, making total sales to date $4,090,893.42; from Coos Bay lands $114,303, a total to date of $1,087,287.54.

Under the act of July 13, 1926, granting cash to certain counties in Oregon and Washington in lieu of taxes which would have been received had the Oregon and California railroad grant lands remained in private ownership instead of revesting in the United States, claims aggregating $6,741,466.94, for the period 1916 to 1925, inclusive, were adjudicated, and $6,022,433.44 approved.

Mineral entries to the number of 1,582 were received during the year; 86 coal prospecting permits and 25 coal leases were issued; 59 potash and 11 sodium permits were issued. Under sections 13 and 20 of the mineral leasing act 4,805 permits were issued, and receipts under that act amounted to $6,669,518.76.

The report contains many other items of interest as well as the usual statistical tables.

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## SURVEY NOTES.

Surveys in Progress.--In spite of the fact that the summer and fall surveying activities have been discontinued on account of weather conditions in the Northwestern States, the field activities of the Cadastral Engineering Service have not been as greatly curtailed as might be supposed. Eighteen field parties operating in the States of Arizona, California, Nevada, New Mexico, Oregon, Utah, Mississippi, and Louisiana were in the field on December 1, 1927. During the present month field operations will be initiated in Florida.

Horn Island, Mississippi.--Former Division Inspector Neal, Jackson, Mississippi, has reported that certain persons who purchased lands on Horn Island in the Gulf of Mexico, near Biloxi, Mississippi, at public sale have been unable to definitely identify the lands sold to them. It has been alleged that the condition of the original surveys was quite defective and to a large extent obliterated. In accordance with a recommendation from Mr. Neal, an investigation of survey conditions on the island has been authorized with a view to the determination of whether or not any necessity exists for further resurvey procedure. Field work on this group is now in progress.

St. Andrews Sound Military Reservation, Florida.--On April 3, 1926, the Secretary of War requested the Interior Department to cause a survey to be made of the St. Andrews Sound Military Reservation and to prepare a plat thereof showing its limits, area, and location with relation to the mainland, under authority of the act of March 12, 1926 (44 Stat. 203). Upon investigation of such information and data as was available in the General Land Office, it was deemed advisable to undertake a field examination of the area within and adjacent to the reservation at the entrance of St. Andrews Bay, Florida, in order to develop the scope of survey and resurvey procedure required to comply with the above request. The report of the examining engineer has recently been submitted, and as a result special instructions providing for the necessary field procedure have been prepared and approved. Field work will be undertaken during the current winter season.

T. 13 S., R. 8 E., S. L. M., Group 123, Utah.--The resurvey of this township was accepted December 7, 1927. This township, in a rough mountainous region, with a known coal deposit and many active coal mines in the northeast portion, presented difficult resurvey problems, both physical and technical, and owing to the large values involved in the existing improvements very careful consideration of all the problems presented was required to reach a satisfactory resurvey solution.

The First Gold Discovery in Western Montana.--An extension survey in T. 9 N., R. 11 W., P. M., Montana, is a recent acceptance by this office. This township is notable as the location of what is alleged to have been the first gold discovery in western Montana. The placer discovery is now marked by a monument erected by Mrs. Mary E. Moroney. It is a granite slab set in a concrete base and enclosed by an iron picket fence. The granite slab bears this inscription:

> "Here the first gold was panned out of the gravels of eastern Idaho (now Montana) May 2, 1858, by Granville Stuart and his party. Erected by Mary E. Moroney May 2, 1916."

Following this discovery placer mining was the principal industry in this district for many years and is still being carried on.

Eastern Surveying District.--Field work in the lower Mississippi Valley has been suspended for the winter owing to adverse weather conditions and the field parties of the Eastern District are now concentrating on the winter program in Mississippi, Alabama, and Florida where five parties will be at work.

The winter program, as outlined at present, includes the resurvey of three townships within the Ocala National Forest, Florida; the survey of the St. Andrews Sound Military Reservation, Florida, and adjacent public land areas; an investigation of survey conditions on Horn Island, in the Gulf of Mexico about 10 miles off Pascagoula, Mississippi; and numerous other fragmentary examinations and surveys in Alabama and Florida.

Mr. George F. Rigby, U. S. Cadastral Engineer, has been detailed from Montana to the Eastern District for the winter to assist with the Florida program.

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Mr. Arthur D. Kidder, Associate Supervisor of Surveys, who has been engaged in the resurvey of the Colorado-New Mexico boundary under the direction of the Supreme Court of the United States, has suspended field operations on that work and returned to duty in the Eastern Surveying District.

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## RECENT DEPARTMENTAL DECISIONS.

### INTER-MOUNTAIN WATER AND POWER COMPANY.

(Decided by First Assistant Secretary Finney, October 24, 1927.)

OIL AND GAS LANDS--LEASE--WATER RIGHT--COURTS--LAND DEPARTMENT--JURISDICTION.

The right of a lessee under an oil and gas lease to engage in the business of transporting and selling water is a question for the courts, not for the department to decide.

OIL AND GAS LANDS--LEASE--WATER RIGHT.

In the absence of proof that anyone is deprived of a water supply the department will not interfere with an oil and gas lessee who uses water from a well on public land within the leasehold elsewhere than on such leased premises.

"N" Cheyenne 036907 (c).

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CENTRAL PACIFIC RAILWAY COMPANY (ON PETITION).

(Decided by First Assistant Secretary Finney, December 13, 1927.)

SURVEY--RAILROAD GRANT--MINING CLAIM--PAYMENT.

Where a segregation survey of a mining claim is necessary to determine the quantity of land that must be excluded from a section granted to a railroad company in conflict therewith an equal division of the cost of the survey between the Government and the railroad company should constitute the rule to be applied.

COURT DECISION CITED AND APPLIED--DEPARTMENTAL INSTRUCTIONS MODIFIED.

Case of Santa Fe Pacific Railroad Company v. Lane (244 U. S., 492), cited and applied; departmental instructions of July 9, 1926, Circular No. 1077 (51 L. D., 487), modified.

"N" Carson City 04233.

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THOMAS S. CADY.

(Decided by First Assistant Secretary Finney, November 4, 1927.)

HOMESTEAD ENTRY--RECLAMATION--IRRIGATION PROJECT--WITHDRAWAL--AMENDMENT.

One is not entitled to make entry for land in a Federal irrigation project until his qualifications have been passed upon and approved by an examining board, and it is too late to cure the defect in that respect after the land has been withdrawn.

HOMESTEAD ENTRY--RECLAMATION--IRRIGATION PROJECT--RELINQUISHMENT--EXCHANGE OF ENTRY.

Lands within a Federal irrigation project will not be allowed to remain subject to entry where they are found insufficient to support a family or, after relinquishment by a former entryman, while the latter's application for an exchange of entry under subsection M of the act of December 5, 1924, is being considered.

HOMESTEAD ENTRY--RECLAMATION--IRRIGATION PROJECT--RELINQUISHMENT--EXCHANGE OF ENTRY--APPLICATION.

Where an applicant for exchange of entry of lands within a Federal irrigation project has filed relinquishment prior to the determination of his application, another will not be permitted to enter the relinquished lands until his qualifications have been established by an examining board, and until he has filed a written statement that he has knowledge that the lands are classed as unproductive and insufficient to support a family after payment of water charges, a waiver of right to relief under the adjustment act of December 5, 1924, and consent to pay construction charges should the lands be subsequently embraced within a productive class.

"F" Alliance 020846.

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SUSPENSION OF FEDERAL EMPLOYEES.

(Opinion by Solicitor Patterson December 10, 1927.)

OFFICERS--SUSPENSION OF EMPLOYEES--APPOINTMENT--JURISDICTION.

The power to suspend is incidental to the power to appoint, and may be legally exercised only by the official in whom that power is lodged.

OFFICERS--SUSPENSION OF EMPLOYEES--JURISDICTION.

A subordinate officer who does not have full appointing power does not have the authority to suspend, and any suspension made by him is merely tentative and without validity unless subsequently approved by the one holding the appointing power.

OFFICERS--SUSPENSION OF EMPLOYEES--JURISDICTION.

An employee is entitled to pay during the period of his suspension where he is suspended by a subordinate officer without authority and that action is not subsequently affirmed by the officer holding the appointing power, but he is not entitled to pay during such period if the suspension be confirmed or the charges sustained by the appointing authority.

OFFICERS--SECRETARY OF THE INTERIOR--ASSISTANT SECRETARY--FIRST ASSISTANT SECRETARY.

The authority of the Secretary under section 439, Revised Statutes, to prescribe the duties of the Assistant Secretary has like application with respect to the First Assistant Secretary.

OFFICERS--SECRETARY OF THE INTERIOR--ASSISTANT SECRETARY--
FIRST ASSISTANT SECRETARY--JURISDICTION.

Where the statute authorizes an Assistant Secretary of an Executive department to perform such duties as may be assigned to him by the Secretary, he acts with full power equal to that of the Secretary within the scope of his assignment, but has no power beyond that prescribed; when acting as Secretary he is authorized to perform the duties of the head of the department.

Approved:

HUBERT WORK,

Secretary.

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AH-KAY-NA-PAH.

(Decided by First Assistant Secretary Finney, November 1, 1927.)

COAL LANDS--WITHDRAWAL--SETTLEMENT--ALLOTMENT.

An allotment may be allowed under section 4 of the act of February 8, 1887, as amended, for public land, withdrawn for its coal contents, provided that the allottee consents to take the land subject to a reservation to the Government of the coal deposits.

"F" Santa Fe 048277.

Circular No. 1136.

MODIFICATION AS TO DESERT LAND APPLICATIONS OF CIRCULAR NO. 1021 (51 L. D. 167) RELATING TO PROCEDURE UPON NONMINERAL APPLICATIONS FILED SUBSEQUENT TO APPLICATIONS FOR PROSPECTING PERMITS AND LEASES.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

December 20, 1927.

Registers,

United States Land Offices:

Paragraph 5 of instructions of July 21, 1925 (Circular No. 1021, 51 L. D. 167), which reads as follows:

> Immediately upon the expiration of the time allowed, you will forward all papers to this office with evidence of service on each of the persons involved with your report. You will not allow any such nonmineral application until instructed by this office

is hereby modified as to the desert-land applications in conflict with applications for prospecting permits or permits granted. In the case of such applications, you will proceed in accordance with the instructions preceding paragraph 5 of said Circular No. 1021, and if all requirements shall have been satisfactorily complied with, you will refer the applications to the Division Inspector as directed by section 13 of the desert-land regulations (Circular No. 474, 50 L. D. 450).

Paragraph 6 of said Circular No. 1021 is hereby amended to read as follows:

> (a) Homestead applications in which priority is claimed by reason of prior settlement and desert-land applications where preference rights are claimed under the act of March 28, 1908 (35 Stat. 52) over mineral claimants having prior applications for the land, and
>
> (b) Homestead applications (except stock-raising applications) and desert-land applications, which conflict in part only with prior applications for oil and gas prospecting permits, or permits granted.

WILLIAM SPRY,
Commissioner.

Approved: December 20, 1927.

(Signed) E. C. FINNEY,
First Assistant Secretary.

## RECENT EXECUTIVE ORDERS AND PROCLAMATIONS.

By order of November 19, 1927, a small tract of land in Alaska with buildings located thereon has been reserved for the use of the Alaska Road Commission in the construction and maintenance of roads, bridges, and trails in Alaska.

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Under orders of November 21, 1927, the public lands in T. 3 S., R. 15 E., and T. 14 S., R. 21 E., N. M. P. M., New Mexico, are withdrawn pending resurvey.

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The trust period onlands held for the use of certain bands of the Mission Indians in California, which would have expired in 1928, has been extended for ten years by order of November 23, 1927, except on allotments where trust patents have been issued to individual allottees.

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Under order of November 25, 1927, the public lands in T. 5 S., R. 14 W., N. M. P. M., New Mexico, are withdrawn pending resurvey.

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By order of November 29, 1927, all unreserved rocks and pinnacles situated in the Pacific Ocean off the coast of Oregon, have been withdrawn for classification and in aid of legislation.

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The trust period on allotments on the Devils Lake Reservation in North Dakota, which would have expired in 1928, has been extended for 10 years by order of November 30, 1927.

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Previous executive orders establishing as national forests certain described areas within the Fort Benning, Georgia; Fort Eustis, Virginia; Camp Meade, Maryland; and Pine Plains, New York, military reservations, have been rescinded by order of December 2, 1927, and the lands restored to their former status as parts of said military reservations.

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By proclamation of December 6, 1927, certain lands in Tennessee have been reserved as an addition to the Meriwether Lewis National Monument.

An order of December 10, 1927, revokes the withdrawal for resurvey of the public lands in T. 43 N., R. 91 W., 6th P. M., Wyoming, and restores the public lands therein under the preference granted former service men.

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By order of December 14, 1927, certain areas in Utah in Ts. 36 and 37 S., R. 5 W., S. L. M., have been withdrawn for classification and in aid of proposed legislation.

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By order of December 17, 1927, the public lands within a certain area in T. 2 S., R. 2 E., S. B. M., California, have been withdrawn in aid of proposed legislation.

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Under order of the same date about 400 acres in Secs. 23 and 26, T. 7 S., R. 25 E., G. & S. R. M., Arizona, have been withdrawn for use of the National Guard of Arizona as a rifle range.

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## OIL AND GAS ACTIVITIES.

During the month of December the division handling oil and gas prospecting permit applications under sections 13 and 20 of the leasing act received 230 new applications and 3,037 cases for reconsideration. Permits were granted on 356 applications, 59 cases were finally rejected in entirety, 183 in part, and 21 on drawings; 297 applications were rejected subject to appeal, and 20 appeals were transmitted to the Secretary; departmental decisions were promulgated in 20 cases, 14 affirming, 1 reversing and 5 modifying decisions of this office; 84 assignments were disposed of; 336 applications for extensions of time were acted upon; 1,117 permits were canceled in entirety, 3 canceled in part, and 116 held for cancellation; 260 cases were examined and Survey reports called for; 3,357 cases are awaiting Geological Survey reports and 70 awaiting Reclamation Bureau reports, and 293 new cases are awaiting Survey reports. 4,115 letters were written of which 309 were replies to inquiries.

Under the relief sections of the act and other sections providing for the issuance of oil and gas leases, also the Red River Relief Act of March 4, 1923, permits were recommended in 2 cases and leases recommended in 2 cases; 4 leases involving 3 cases were transmitted for execution to the Secretary, and 1 lease was mailed to the lessee for execution, and 4 leases involving 3 cases were delivered; 1 lease was held for cancellation; 1 lease application was examined; 1 lease application was finally rejected; reduction in

royalty was recommended in 3 cases, and 2 lease applications were rejected subject to appeal; lease bonds were released in 2 cases and new bond accepted in 1 case; approval of sales contracts were recommended in 3 cases involving 4 contracts, the Department approved 8 contracts and rejected 1; drilling relief was granted in 2 cases, reduction of royalty allowed in 1 case and rejected in 5; approval of sales contract of royalty oil was suspended, and 2 oil shale applications were forwarded to the Department for instructions; 85 cases were received for consideration during the month. 106 letters were written, of which 29 were replies to inquiries.

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RECEIPTS UNDER THE MINERAL LEASING ACT.

The receipts under the mineral leasing act of February 25, 1920, during the month of November were $308,921.91, of which $1,440 was from lands within naval petroleum reserves.

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The following compilation as of June 30, 1927, inclusive, showing the area of grants to States for education, public roads, and other improvements, royalty received by the States under the mineral leasing act, and amounts credited to the Reclamation Fund, by States, is published as likely to be of general interest to readers of the Bulletin:

Grants to States for education, public roads, and other improvements and amounts paid into the Reclamation Fund, by States, for expenditure therein, up to and including June 30, 1927, including amounts not yet definitely distributed between States.

| State | Land and Scrip (acres) | 5% proceeds sales of public lands | 37½% royalty from oil and other mineral leases | Paid into reclamation fund | |
|---|---|---|---|---|---|
| | | | | Net proceeds of land disposals | 52½% proceeds of oil and other mineral royalties |
| Alabama | 2,258,262.10 | $1,081,652.49 | $33,324.26 | ---------- | ---------- |
| Arizona | 10,489,236.00 | 39,431.10 | --------- | $2,237,388.87 | ---------- |
| Arkansas | 9,372,993.37 | 338,446.41 | --------- | ---------- | ---------- |
| California | 8,425,320.32 | 1,167,811.28 | 3,257,589.45 | 7,553,359.03 | $6,023,038.89 |
| Colorado | 4,433,378.00 | 519,986.57 | 121,459.83 | 9,854,722.87 | 179,741.52 |
| Connecticut | 180,000.00 | ---------- | --------- | ---------- | ---------- |
| Delaware | 90,000.00 | ---------- | --------- | ---------- | ---------- |
| Florida | 21,968,923.52 | 144,939.56 | --------- | ---------- | ---------- |
| Georgia | 270,000.00 | ---------- | --------- | ---------- | ---------- |
| Idaho | 3,631,965.30 | 302,979.79 | 1,246.63 | 6,772,772.74 | 1,687.65 |
| Illinois | 3,639,225.51 | 1,187,908.89 | --------- | ---------- | ---------- |
| Indiana | 4,306,253.49 | 1,040,255.26 | --------- | ---------- | ---------- |
| Iowa | 3,019,645.61 | 633,638.10 | --------- | ---------- | ---------- |
| Kansas | 3,606,783.20 | 1,127,987.59 | --------- | 1,032,005.82 | ---------- |
| Kentucky | 352,508.65 | ---------- | --------- | ---------- | ---------- |
| Louisiana | 10,997,395.02 | 470,156.28 | 7,187.25 | ---------- | ---------- |
| Maine | 210,000.00 | ---------- | --------- | ---------- | ---------- |
| Maryland | 210,000.00 | ---------- | --------- | ---------- | ---------- |
| Massachusetts | 360,000.00 | ---------- | --------- | ---------- | ---------- |
| Michigan | 8,787,423.87 | 589,369.46 | --------- | ---------- | ---------- |
| Minnesota | 8,338,332.02 | 595,114.83 | --------- | ---------- | ---------- |
| Mississippi | 4,949,665.43 | 1,072,066.64 | --------- | ---------- | ---------- |
| Missouri | 5,574,485.70 | 1,061,105.54 | --------- | ---------- | ---------- |
| Montana | 5,869,618.00 | 581,727.05 | 525,728.40 | 14,867,241.38 | 689,613.27 |
| Nebraska | 3,458,711.00 | 574,626.40 | --------- | 2,086,725.26 | ---------- |
| Nevada | 2,723,647.00 | 48,548.84 | 1,371.43 | 941,073.46 | 1,920.00 |
| New Hampshire | 150,000.00 | ---------- | --------- | ---------- | ---------- |
| New Jersey | 210,000.00 | ---------- | --------- | ---------- | ---------- |
| New Mexico | 12,406,026.86 | 148,482.90 | 16,563.32 | 5,915,488.99 | 23,188.61 |
| New York | 990,000.00 | ---------- | --------- | ---------- | ---------- |
| North Carolina | 270,000.00 | ---------- | --------- | ---------- | ---------- |
| North Dakota | 3,163,476.00 | 539,034.10 | 15,714.91 | 12,180,027.78 | 22,342.76 |

| | | | | | |
|---|---|---|---|---|---|
| Ohio | 2,492,925.93 | $999,353.01 | --------- | ---------- | ---------- |
| Oklahoma | 3,095,760.25 | 66,564.71 | °$341,880.95 | $5,922,213.64 | ---------- |
| Oregon | 4,352,132.66 | 760,372.83 | --------- | 11,677,546.25 | ---------- |
| Pennsylvania | 780,000.00 | ---------- | --------- | ---------- | ---------- |
| Rhode Island | 120,000.00 | ---------- | --------- | ---------- | ---------- |
| South Carolina | 180,000.00 | ---------- | --------- | ---------- | ---------- |
| South Dakota | 3,432,604.00 | 348,536.40 | 210.36 | 7,711,487.59 | $294.51 |
| Tennessee | 300,000.00 | ---------- | --------- | ---------- | ---------- |
| Texas | 180,000.00 | ---------- | --------- | ---------- | ---------- |
| Utah | 7,414,276.00 | 167,912.17 | 74,966.82 | 3,803,668.59 | 104,706.68 |
| Vermont | 150,000.00 | ---------- | --------- | ---------- | ---------- |
| Virginia | 300,000.00 | ---------- | --------- | ---------- | ---------- |
| Washington | 3,044,471.00 | 434,779.11 | 8,163.07 | 7,320,566.84 | 11,119.14 |
| West Virginia | 150,000.00 | ---------- | --------- | ---------- | ---------- |
| Wisconsin | 6,220,116.91 | 586,645.26 | --------- | ---------- | ---------- |
| Wyoming | 4,138,569.00 | 314,719.61 | 16,616,691.75 | 7,853,615.67 | 23,895,074.83 |
| Total | 181,064,131.72 | $16,944,152.18 | $21,022,098.43 | $107,729,904.78 | $30,952,727.86 |
| Add 1927 moneys not distributed by States * | | 21,658.56 | | 823,726.73 | |
| Grand total | 181,064,131.72 | 16,965,810.74 | 21,022,098.43 | 108,553,631.51 | 30,952,727.86 |

° 37½ per cent of royalties from Red River oil lands.

* Proceeds of land sales and other disposition of lands can not definitely be distributed between the States until fiscal officers accounts have been settled by the General Accounting Office.

CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES FOR THE MONTH OF NOVEMBER, 1927.

| Office. | Business of current month. | | | | | Pending at end of month. | | |
|---|---|---|---|---|---|---|---|---|
| | Applications, proofs, etc. received. | Receipts and final certificates issued and miscellaneous. | General Land Office letters received. | Contest cases initiated. | Total. | Pending designation. | Suspended, rejected, otherwise. | Pending unacted on by Register. |
| Arizona | | | | | | | | |
| Phoenix | 175 | 858 | 300 | 19 | 1,352 | 92 | 130 | 27 |
| Arkansas | | | | | | | | |
| Little Rock | 65 | 697 | 31 | 3 | 796 | | 66 | |
| California | | | | | | | | |
| Los Angeles | 208 | 858 | 155 | 19 | 1,240 | 60 | 128 | |
| Sacramento | 171 | 1,645 | 216 | 10 | 2,042 | 133 | 240 | |
| Colorado | | | | | | | | |
| Denver | 230 | 1,451 | 315 | 11 | 2,007 | 208 | 598 | |
| Pueblo | 137 | 996 | 319 | 5 | 1,457 | 70 | 106 | |
| Florida | | | | | | | | |
| Gainesville | 27 | 651 | 88 | 7 | 773 | | 10 | |
| Idaho | | | | | | | | |
| Blackfoot | 91 | 1,080 | 63 | 4 | 1,238 | 157 | 151 | |
| Coeur d' Alene | 24 | 171 | 16 | | 211 | 6 | 29 | |
| Minnesota | | | | | | | | |
| Cass Lake | 39 | 467 | 39 | 1 | 546 | | 25 | |
| Montana | | | | | | | | |
| Billings | 170 | 1,774 | 302 | 3 | 2,249 | 156 | 173 | |
| Great Falls | 444 | 2,256 | 255 | 10 | 2,965 | 131 | 320 | |
| Nebraska | | | | | | | | |
| Alliance | 18 | 236 | 15 | | 269 | 19 | 5 | |
| Nevada | | | | | | | | |
| Carson City | 34 | 629 | 153 | | 816 | 46 | 67 | |
| New Mexico | | | | | | | | |
| Las Cruces | 312 | 1,268 | 417 | 18 | 2,015 | 60 | 263 | |
| Santa Fe | 259 | 1,124 | 397 | 24 | 1,804 | 78 | 211 | |
| North Dakota | | | | | | | | |
| Bismarck | 25 | 398 | 46 | 1 | 470 | 28 | 32 | |
| Oregon | | | | | | | | |
| Lakeview | 23 | 148 | 47 | 1 | 219 | 33 | 49 | |
| Roseburg | 62 | 623 | 25 | 1 | 711 | 2 | 54 | |
| The Dalles | 64 | 779 | 48 | 1 | 892 | 73 | 30 | |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| South Dakota | | | | | | | | |
| Pierre | 43 | 679 | 185 | 8 | 915 | 52 | 53 | |
| Utah | | | | | | | | |
| Salt Lake City | 216 | 1,117 | 401 | 22 | 1,756 | 308 | 226 | |
| Washington | | | | | | | | |
| Spokane | 30 | 912 | 44 | | 986 | 20 | 57 | |
| Wyoming | | | | | | | | |
| Buffalo | 187 | 1,159 | 304 | 3 | 1,653 | 101 | 126 | |
| Cheyenne | 263 | 1,570 | 317 | 8 | 2,158 | 143 | 205 | |
| Evanston | 68 | 578 | 155 | 2 | 803 | 46 | 78 | |
| Total | 3,385 | 24,124 | 4,653 | 181 | 32,343 | 2,022 | 3,432 | 27 |

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## TELL THE BULLETIN

To All Local Offices and Field Service Employees:

If anything occurs in the public land service which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin." All information should be received not later than the 24th of each month for use in the current number.

LAND SERVICE
BULLETIN
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

By direction of the Secretary of the Interior the matter contained herein is published as administrative information and is required for the proper transaction of public business.

Vol. 11 February 1, 1928. No. 12.

## OREGON AND CALIFORNIA TAX UNIT.

Report for the month of January and status of claims of Oregon and Washington counties under the act of July 13, 1926 (44 Stat., 915), involving Oregon and California Railroad revested lands.

| | | |
|---|---|---|
| Claims certified during month (1926) | (1) | $25,193.94 |
| Net disallowances in above | | 23,265.20 |
| Total claims certified (1926) | (16) | 640,099.78 |
| Net disallowances in above | | 26,201.76 |
| Claims pending (1926) | (2) | 26,306.34 |
| Total claims received (1916-1925) | (19) | 6,741,466.94 |
| Claims certified during month (1916-1925) | (1) | 325,495.23 |
| Net disallowances in above | | 126,568.92 |
| Total of claims certified (1916-1925) | (19) | 6,329,694.70 |
| Additional disallowances during month | | 18,716.40 |
| Net allowances in all 1916-1925 claims | (19) | 6,311,147.23 |
| Net disallowances in above | | 430,319.71 |

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## ALASKA FUR FARMING.

The first lease under the act of July 3, 1926 (44 Stat., 821), has just been issued to Rudolph Weiss and George Grennan of Matanuska, Alaska, for 640 acres of land in T. 17 N., R. 1 E., S. M., for the raising and propagating of beaver, muskrats, and other fur-bearing animals.

The lease gives the lessees the right to construct and maintain on the land all buildings, plants, or other structures necessary to the full enjoyment

of the lease for a period of ten years from the date of the lease, with a preferential right in the lessees to renew the lease for successive periods of ten years upon such terms and conditions as may be prescribed by the lessor. The lessees are required to pay a minimum yearly rental of $25, and a maximum yearly rental equal to a royalty of 1 per cent on a gross return derived from the sale of live animals and pelts, where the same exceeds the minimum rental mentioned. The yearly rental is to be credited against the royalties as they accrue for that year.

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LEASE OF HOT SPRINGS.

On January 17, 1928, the first lease was issued under the act of March 3, 1925 (43 Stat., 1133), to Thomas R. Benedict for 39.19 acres of land described as lot 1, Sec. 4, T. 19 N., R. 24 E., B. M., Idaho.

The lease grants to the lessee the exclusive right and privilege of using and developing the hot springs located on said tract, together with a right to construct and maintain thereon all buildings and improvements necessary for the accommodation of the public for a period of 10 years with a preference right in the lessee to renew the lease for successive periods of 10 years upon such terms and conditions as may then be prescribed.

The lessee is required to pay a yearly rental of $20 in advance and to pay an additional amount equal to 1 per cent of the gross returns derived from all business transacted by him on the leased premises. He is to begin the actual construction of the bathhouse and hotel within 6 months from the date of the lease and to place improvements on the land to develop the use of the hot springs to the value of $1,250 within 3 years and $2,500 within 5 years. The maximum charge for a single bath shall not exceed 50 cents and use of the waters of the springs must be kept open to the public upon a payment of such charge. The rates and prices for other accommodations and services rendered will be fixed by the Secretary of the Interior whenever it is deemed necessary.

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SURVEY NOTES.

Supervisor of Surveys.--Mr. Frank M. Johnson is in Washington on his annual visit for conference with the officers of the Department and those of the General Land Office on matters affecting the Cadastral Engineering Service. On these occasions questions of policy are discussed, the program for the coming field season is considered, and arrangements are made for improvements in practice and for closer cooperation between the field and office units. These conferences permit the discussion of many topics in a manner which could not well be accomplished by correspondence, and the results obtained through this channel are productive of benefit to the Service as a whole.

California Resurvey.--The resurvey of T. 17 S., R. 4 E., S. B. M., under Group 146, California, was among the acceptances of the past month. This resurvey is dependent in the western portion where most of the original corners

were recovered and independent in the central and eastern portions where the original survey appears to be largely fictitious. The Morena Reservoir, which is the property of the city of San Diego and is constructed for the purpose of maintaining a reserve water supply for that city, is located in the eastern portion. This reservoir is about 2½ miles in length and of width varying from one-fourth to one mile and occupies portions of nine sections in this township and T. 17 S., R. 5 E.

Resurveys in San Carlos Irrigation Project.--The proposed resurvey of 14 townships within the area which may be included in the San Carlos Irrigation Project has already been referred to in a preceding issue of the Bulletin. Following an agreement with the Bureau of Indian Affairs, the resurvey of these townships is now being undertaken. The preliminary field investigation of Ts. 4 S., Rs. 8, 9, and 10 E., and Ts. 5 S., Rs. 7, 8, and 9 E., G. & S. R. B. & M., Arizona, has been completed, and special instructions providing for the resurvey of these townships have recently been approved. The resurvey will probably be completed in the field during the current winter season.

Resurveys, Group 134, New Mexico.--Among the recent acceptances were the resurveys of Ts. 6 S., Rs. 4 and 5 W., and T. 7 S., R. 4 W., N. M. P. M., Group 134, New Mexico. Although the records show only one original survey of each of these townships, two practically complete properly marked sets of corners, irrelated to each other by approximately a half a mile, were found throughout Ts. 6 and 7 S., R. 4 W. Some of the alienated lands in the townships were originally located by reference to one set of corners, some with reference to the others. Only after careful and extended investigation were the engineers who executed the resurveys able to determine which were the official and which the spurious set of corners. The topography noted in the returns of the original surveys, however, aided in positively identifying the true corners and thus permitted the repudiation of the second set of corners as spurious.

Fragmentary Surveys Recently Accepted.--On January 18, 1928, the survey of an island in the Kansas River, in Secs. 10 and 15, T. 10 S., R. 10 E., 6th P. M., Kansas, was accepted. This survey is of particular interest, for it is designated as Group No. 1, Kansas, and is the first survey that has been executed in that State since surveys have been designated by group numbers. During the past five years surveys, designated as Group No. 1, have been made in Missouri, Illinois, and Indiana.

On December 31, 1927, the survey of lands erroneously omitted from the original survey in Secs. 22, 23, 27, 28, and 33, T. 44 N., R. 7 W., 4th P. M., Wisconsin, was accepted. The area included in this survey has been highly improved, and in order to make a survey and prepare a plat as a basis for adjudication under the provisions of the act of February 27, 1925 (43 Stat., 1013), it was necessary to depart in some cases from legal subdivisional lines and subdivide the area as actually claimed and occupied. In order that the plat will clearly show exactly what was included in this survey, the actual water area is shown with a blue overprint.

Circular No. 1137.

Circular No. 1060 amended.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

January 4, 1928.

James A. Ramsey, Division Inspector, and

Frank M. Johnson, Supervisor of Surveys.

Sirs:

In order to facilitate the numbering of contracts and expedite action on vouchers of the Field Inspection Service in Alaska, a new contract numbering agency is hereby established in the office of the Division Inspector at Anchorage, Alaska, to which is assigned symbol I 5 g -. Commencing with March 1, 1928, all contracts originating in the Field Inspection Service in Alaska will be numbered in the office of the Division Inspector at Anchorage before being transmitted to this office for approval.

Circular No. 1060 relative to numbering contracts is hereby amended accordingly.

Very respectfully,

THOS. C. HAVELL,

Acting Commissioner.

Circular No. 1138.

# REGULATIONS GOVERNING THE LEASING OF LANDS IN ALASKA FOR GRAZING LIVESTOCK.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

January 7, 1928.

Register and Division Inspector,

Anchorage, Alaska.

Registers and Receivers,

Nome and Fairbanks, Alaska.

District Superintendents,

Bureau of Education.

Gentlemen:

The following instructions are issued under the act of Congress approved March 4, 1927 (44 Stat. 1452), entitled "An act to provide for the protection, development, and utilization of the public lands in Alaska by establishing an adequate system for grazing livestock thereon."

1. The Secretary of the Interior is authorized, on application or otherwise, to create grazing districts upon any public lands in Alaska, surveyed or unsurveyed, outside of the Aleutian Islands Reservation, national forests, and other reservations administered by the Secretary of Agriculture and outside of national parks and monuments, and to lease the grazing privileges therein.

(a) Leases will not be granted for areas which embrace the natural grazing grounds or routes of migration of wild animals, such as caribou and moose, it being the policy to retain such areas intact for the benefit of wild life and for the natives to subsist thereon, and to prevent the interbreeding of reindeer with wild animals,

(b) Any grazing district may be enlarged or diminished, for any sufficient reason, subject to existing rights of any lessee.

2. Notice of intention to establish a grazing district will be published once a week for six consecutive weeks in a newspaper of general circulation in the judicial division in which the proposed district is to be established. The notice will describe the boundaries of the proposed district and give the date on which the district will be established. On or prior to the date announced in the published notice, any person may file objections to the proposed action.

3. After the establishment of a grazing district, applications for leasing the same may be filed, in triplicate, in the proper district land office.

(a) Applications for leases for reindeer grazing areas by natives or associations of natives may be filed through a district superintendent of schools, a supervisor of reindeer, or other responsible official of the Bureau of Education.

(b) After a serial number has been assigned by the register to an application for lease, one copy will be forwarded to the Commissioner of the General Land Office and one to the division inspector at Anchorage, Alaska, each copy to be accompanied by a status report. If the application is for reindeer grazing, a copy should be filed in the office of the district superintendent.

(c) Applications for leases must conform substantially to the appended form (4-469).

4. When a copy of an application for lease is received by the division inspector, he will cause an investigation to be made, except where such investigation has already been made by a representative of the Bureau of Education, and report to the Commissioner of the General Land Office as to the livestock to be grazed on the land; as to the improvements, if any, existing thereon; as to their use and occupancy, and as to the feasibility of granting a lease.

(a) Every application for the leasing of a reindeer grazing area, when transmitted by the register of the district land office to the division inspector, will be accompanied by a report or concurrence in a prior report, in duplicate, by an official of the Bureau of Education designated by the Commissioner of Education.

5. The Secretary of the Interior may temporarily close portions of a leased area to grazing whenever, because of incorrect handling of the stock, over grazing, fire, or other cause such action is necessary to restore the range to its normal condition. This temporary closing will not operate to exclude such lands from the boundaries of a lease.

6. The Secretary may prescribe the maximum number of stock which may be grazed on a particular area, this maximum number to be fixed on the condition of the range and its accessibility to summer and winter feeding, with the right to reduce the maximum number of stock grazed whenever permanent damage to the range is liable to result, and to increase the number whenever it is possible to do so without injury to the range.

7. The Secretary may reduce the leased area if it is excessive for the number of stock owned by the lessee.

8. The Secretary may exclude stock from a specified area whenever it is determined that such area is required for the protection of camping places, sources furnishing drinking water to communities, roads and trails, town sites, mining claims, and for feeding grounds near villages for the use of draft animals or near the slaughtering or shipping points for use of stock to be marketed, and for reasonable native berrying grounds.

9. "Natives" as mentioned in section 6 of the act is defined as meaning members of the aboriginal races inhabiting Alaska, of whole or mixed blood.

(a) "Other occupants of the range" is defined as meaning persons occupying the range on March 4, 1927, and the area regarded as occupied by this class will be limited in the case of homesteaders or other claimants under public land laws to the area actually used or occupied on that date.

(b) "Settlers" will be regarded as those persons who have established and maintained a bona fide residence within or adjacent to a grazing district either before or after March 4, 1927.

10. Preference will not be granted according to the classes listed under section 6 of the act where to do so would oust others who have been grazing the land applied for, if it is determined that such other persons should be protected.

11. Any person claiming a preference right to a lease must fully state the facts, by affidavit duly corroborated, on which such claim is made.

12. If an application for a lease is filed in the name of a corporation, the applicant must be prepared to furnish such evidence of the creation of the corporation as the Secretary may require.

13. If the land for which a lease is desired is surveyed, it must be described by legal subdivision. If the land is unsurveyed, it may be shown by a map drawn to appropriate scale, showing the land in relation to rivers, creeks, mountains, mountain peaks, towns, islands, or other prominent topographic features or natural objects, with the approximate latitude and longitude of at least one point on the boundary.

14. Leases will be granted for grazing on a definite area, except where local conditions or the administration of the grazing privileges makes more practicable a lease based on the number of stock to be grazed.

15. Unless otherwise provided, each lessee shall pay to the proper district land office such annual rental, per head or per acre, as may be determined is a fair compensation to be charged for the grazing of livestock on the leased land, the compensation to be fixed with due regard to the general economic value of the grazing privilege. The date for making the annual payment will be specified in the lease.

(a) If the rental is to be paid according to the number of animals grazed, no charge will be made for animals under one year of age at the time of entering on the leased area, provided they are the natural increase of the stock upon which fees are paid.

16. Proposed assignments, in whole or in part, of a lease must be submitted to the Secretary for approval, and must be accompanied by the same showing as is required of applicants for a lease.

17. When it appears necessary for stock to regularly cross any portion of an established grazing district, and undue injury to other interests will not result, suitable driveways may be established. Such driveways will be as short and as easy of passage and access as the character of the country and the protection of other interests will permit. They will be established with care for the interests of lessees using adjoining ranges. Where driveways are reserved along well-defined routes which must be traveled, all grazing on these areas will be prohibited except by stock in transit.

(a) It is absolutely essential that persons driving or transporting stock from one point to another comply with the quarantine regulations prescribed by the territorial or other proper authorities, and unless they do so the privilege may be denied them. The condition of the stock as to contagious or infectious diseases will be determined by the proper Federal or territorial authorities.

18. Crossing permits will ordinarily not be required when the period for crossing is short, when the stock will be driven along a public highway and will not be grazed upon the leased land, or when such crossing will not interfere with the grazing district administration or other related interests.

(a) Free crossing permits will be issued by the division inspector when good grazing administration or the protection of other related interests do not make the issuance of such permits objectionable. Applicants for crossing privileges must make their applications to the division inspector, or such other officer as he may designate, sufficiently in advance of the date when such privilege is to begin to enable the proper officer to handle the details of the business and to give such sufficient notice of the proposed drive to the lessee that he will be able to remove his animals from the line of the drive if he so desires. The application must show the number of stock to be driven, the date of starting, and the approximate period required for crossing.

(b) Applications for crossing permits may be made either in person or by letter, and permits may be issued to either the owner or persons in charge of the stock.

(c) If the land to be crossed is uninclosed and the lessee does not desire to waive the right to its exclusive use, the stock must be so handled that the animals will not intrude upon the adjoining grazing areas.

(d) If a shipping point within a grazing district is the only one reasonably accessible to persons grazing stock outside that grazing district, crossing privileges may be allowed under such restrictions as are necessary to protect the interests of the lessee.

19. Any person, including prospectors and miners, may graze, free of charge, not more than 10 animals upon any land included within any grazing distric upon applying to the division inspector, in person or by letter, stating the number and kind of stock to be thus grazed and the approximate time such grazing will be continued.

20. Any Eskimo or other native or half-breed, or association thereof, may apply for a grazing allotment on unallotted public lands, and the same lease shall be issued to him or them as to other persons, except that no annual rental

will be charged for such lease. Such applicant must show by a corroborated statement that the applicant is an Eskimo or other native or half-breed, or an association thereof, and entitled to such lease without charge.

21. When such Eskimo, native, or half-breed grazes his livestock, through cooperative agreement, on an allotment held by other lessees or permittees, any grazing fee charged for said land on the basis of acreage will be reduced in proportion to the relative number of such native-owned livestock to the total number on said allotment.

22. Whenever any livestock association, whose membership includes a majority of the leasees or permittees owning any class of livestock using a range district unit or allotment, shall select a committee, an agreement on the part of which shall be binding on the association, such committee, upon application to the Secretary, may be recognized as an advisory board for the association. Such advisory board shall then be entitled to receive notice of proposed action and have an opportunity to be heard by the local representative of the Secretary in reference to increase or decrease in the number of stock to be allowed for any year, the division of the range between owners, or the adoption of rules to meet local conditions.

(a) When an association represents only a minority of the lessees or permittees owning any class of livestock, but its members own 75 per cent of that class of livestock using the range, its advisory board may be recognized upon petition of a sufficient number of other owners to constitute a majority of all the grazing lessees or permittees affected.

(b) Upon request from, and with the approval of, an officially recognized advisory board, the Secretary may adopt special rules to regulate the use and occupancy of the range and to prevent damage to the range areas, under rules to be binding upon and observed by all lessees or permittees grazing stock within the range involved. Such conditions as may be necessary may be imposed upon the handling of permitted stock, the employment of herders to confine the stock to the allotted ranges, the distribution of salt, the enforcement of territorial livestock laws, and the construction of permanent improvements to protect the range or facilitate the handling of stock.

23. All conditions contained in the prescribed form (4-470) of lease, but not otherwise mentioned in these regulations, will be considered as a part hereof.

Very respectfully,

THOS. C. HAVELL,

Acting Commissioner.

I concur:

JNO. J. TIGERT,

Commissioner of Education.

Approved: January 7, 1928.

E. C. FINNEY,

First Assistant Secretar

An Act To provide for the protection, development, and utilization of the public lands in Alaska by establishing an adequate system for grazing livestock thereon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF POLICY

SECTION 1. It is hereby declared to be the policy of Congress in promoting the conservation of the natural resources of Alaska to provide for the protection and development of forage plants and for the beneficial utilization thereof for grazing by livestock under such regulations as may be considered necessary and consistent with the purposes and provisions of this Act. In effectuating this policy the use of these lands for grazing shall be subordinated (a) to the development of their mineral resources, (b) to the protection, development, and utilization of their forests, (c) to the protection, development, and utilization of their water resources, (d) to their use for agriculture, and (e) to the protection, development, and utilization of such other resources as may be of greater benefit to the public.

DEFINITIONS

SEC. 2. As used in this Act--

(1) The term "person" means individual, partnership, corporation, or association.

(2) The term "district" means any grazing district established under the provisions of this Act.

(3) The term "Secretary" means the Secretary of the Interior.

(4) The term "lessee" means the holder of any lease.

GRAZING DISTRICTS

SEC. 3. (a) The Secretary may establish grazing districts upon any public lands outside of the Aleutian Islands Reservation, national forests, and other reservations administered by the Secretary of Agriculture and outside of national parks and monuments which, in his opinion, are valuable for the grazing of livestock. Such districts may include such areas of surveyed and unsurveyed lands as he determines may be conveniently administered as a unit, even if such areas are neither contiguous nor adjacent.

(b) The Secretary, after the establishment of a district, is authorized to lease the grazing privileges therein in accordance with the provisions of this title.

ALTERATION OF GRAZING DISTRICTS

SEC. 4. After any district is established the area embraced therein may be altered in any of the following ways:

(1) The Secretary may add to such districts any public lands which, in his opinion, should be made a part of the district.

(2) The Secretary, subject to existing rights of any lessee, may exclude from such district any lands which he determines are no longer valuable for grazing purposes or are more valuable for other purposes.

(3) The Secretary may enter into cooperative agreement with any person, in respect of the administration, as a part of a district, of lands owned by such person which are contiguous or adjacent to such district or any part thereof.

NOTICE OF ESTABLISHMENT OF GRAZING DISTRICT

SEC. 5. Before establishing a district the Secretary shall publish once a week for a period of six consecutive weeks in a newspaper of general circulation in each judicial division in which the proposed district is to be established, a notice describing the boundaries of the proposed district and announcing the date on which he proposes to establish the district.

PREFERENCES

SEC. 6. In considering applications to lease grazing privileges the Secretary shall, as far as is consistent with the efficient administration of the grazing district, prefer (1) natives, (2) other occupants of the range, and (3) settlers over all other applicants.

TERMS AND CONDITIONS OF LEASES

SEC. 7. (a) All leases shall be made by the Secretary for a term of 20 years except where the Secretary determines the land may be required for other than grazing purposes within the period of 10 years; or where the applicant desires a shorter term, and in such cases leases may be made for a shorter term.

(b) Leases shall be made for grazing on a definite area except where local conditions or the administration of grazing privileges makes more practicable a lease based on the number of stock to be grazed.

(c) Each lease shall provide that the lessee may surrender his lease, and, if he has complied with the terms and conditions of the lease to the time of surrender, may avoid further liability for fees thereunder by giving written notice to the Secretary of such surrender. The lease shall specify the length of time of notice, which shall not exceed one year.

GRAZING FEES

SEC. 8. (a) The Secretary shall determine for each lease the grazing fee to be paid. Such fee shall--

(1) Be fixed on the basis of the area leased or on the basis of the number and kind of stock permitted to be grazed;

(2) Be fixed, for the period of the lease, as a seasonal or annual fee, payable annually or semiannually on the dates specified in the lease;

(3) Be fixed with due regard to the general economic value of the grazing privileges, and in no case shall exceed such value; and

(4) Be moderate.

(b) If the Secretary determines such action to be for the public interest by reason of (1) depletion or destruction of the range by any cause beyond the control of the lessee, or (2) calamity or disease causing wholesale destruction of or injury to livestock, he may grant an extension of time for making payment of any grazing fee under any lease, reduce the amount of any such payment, or release or discharge the lessee from making such payment.

## DISPOSITIONS OF RECEIPTS

SEC. 9. All moneys received during any fiscal year on account of such fees in excess of the actual cost of administration of this Act shall be paid at the end thereof by the Secretary of the Treasury to the Territory of Alaska, to be expended in such manner as the Legislature of the Territory may direct for the benefit of public education and roads.

## ASSIGNMENT OF LEASES

SEC. 10. The lessee may, with the approval of the Secretary, assign in whole or in part any lease, and to the extent of such assignment be relieved from any liability in respect of such lease, accruing subsequent to the effective date of such assignment.

## IMPROVEMENTS

SEC. 11. (a) The Secretary may authorize a lessee to construct and/or maintain and utilize upon any area included within the provisions of his lease any fence, building, corral, reservoir, well, or other improvements needed for the exercise of the grazing privileges of the lessee within such area; but any such fence shall be constructed as to permit the ingress and egress of miners, prospectors for minerals, and other persons entitled to enter such area for lawful purposes.

(b) The lessee shall be given ninety days from the date of termination of his lease for any cause to remove from the area included within the provisions of his lease any fence, building, corral, or other removable range improvement owned or controlled by him.

(c) If such lessee notifies the Secretary on or before the termination of his lease of his determination to leave on the land any improvements the construction or maintenance of which has been authorized by the Secretary, no other person shall use or occupy under any grazing lease, or entry under any public land law, the land on which any such improvements are located until there has been paid to the person entitled thereto the value of such improvements as determined by the Secretary.

## PENALTIES

SEC. 12. Within one year from the date of the establishment of any district the Secretary shall give notice by publication in one or more newspapers of general circulation in each judicial division in which such district or any part thereof is located that after the date specified in such notice it shall be unlawful for any person to graze any class of livestock on lands in such district except under authority of a lease made or permission granted by the Secretary; and any person who willfully grazes livestock on such lands after such date and without such authority shall, upon conviction, be punished by a fine of not more than $500.

## STOCK DRIVEWAYS AND FREE GRAZING

SEC. 13. (a) The Secretary may establish and maintain, and regulate the use of, stock driveways in districts and may charge a fee for or permit the free use of such driveways.

(b) The Secretary may permit any person, including prospectors and miners, to graze free of charge a small number of livestock upon any land included within any grazing district.

(c) The Secretary may in his discretion grant a permit or lease for a grazing allotment without charge on unallotted public lands to any Eskimo or other native or half-breed. Whenever such native or half-breed grazes his livestock through cooperative agreement on allotment held by other lessee or permittee, any grazing fees charged for said allotment shall be reduced in proportion to the relative number of such native owned livestock to the total number on said allotment.

HEARING AND APPEALS

SEC. 14. Any lessee of or applicant for grazing privileges, including any person described in subdivision (c) of section 13, may procure a review of any action or decision of any officer or employee of the Interior Department in respect of such privileges, by filing with the register of the local land office an application for a hearing, stating the nature of the action or decision complained of and the grounds of complaint. Upon the filing of any such application the register of such land office shall proceed to review such action or decision as nearly as may be in accordance with the rules of practice then applicable to applications to contest entries under the public land law. Subject to such rules of practice, appeals may be taken by any party in interest from the decision of the register to the Commissioner of the General Land Office, and from the decision of the Commissioner of the General Land Office to the Secretary.

ADMINISTRATION

SEC. 15. (a) The Secretary shall promulgate all rules and regulations necessary to the administration of this title, shall execute its provisions, and may (1) in accordance with the civil service laws appoint such employees and in accordance with the Classification Act of 1923 fix their compensation, and (2) make such expenditures (including expenditures for personal service and rent at the seat of government and elsewhere, for law books, books of reference, periodicals, and for printing and binding) as may be necessary efficiently to execute the provisions of this title.

(b) The Secretary of Agriculture is authorized to continue investigations, experiments, and demonstrations for the welfare, improvement, and increase of the reindeer industry in Alaska, and upon the request of the Secretary of the Interior to cooperate in matters pertaining to the care of plant and animal life, including reindeer.

LAWS APPLICABLE

SEC. 16. Laws now applicable to lands or resources in the Territory of Alaska shall continue in force and effect to the same extent and in the same manner after the enactment of this Act as before, and nothing in this Act shall preclude or prevent ingress or egress upon the lands in districts for any purpose authorized by any such law, including prospecting for and extraction of minerals.

Approved: March 4, 1927. (44 Stat. 1452)

APPLICATION FOR GRAZING PERMIT OR LEASE.

(To be executed in triplicate.)

---- O ----

UNITED STATES
DEPARTMENT OF THE INTERIOR

United States Land Office

_____ Alaska.

Serial _____

The undersigned hereby applies for a _____ to graze _____
(Permit or Lease.)
_____ head of _____
_____
upon the lands herein described from _____ 19___ to
_____ 19___ under the provisions of the act of March 4, 1927 (44 Stat. 1452), with the understanding that such animals must not intrude upon any areas as to which grazing is prohibited.
Name of applicant _____
Native or white _____
Individual, partnership, association, or corporation _____
_____
Description of land for which _____ is desired _____
(Permit or Lease.)
_____
_____
_____
_____
_____

1. Is the above-described land occupied, claimed, or used by natives of Alaska or others? Answer _____

2. Is this application made for your exclusive use and benefit? Answer _____

3. Does any other person, association, or corporation own any interest in the stock to be grazed on the land? Answer _____
If so, describe such interest _____
_____
_____

4. Are you interested, directly or indirectly, in any grazing permit or lease held by any other person, association, or corporation? Answer _____
_____

If so, identify the permit or lease and state the extent of your interest

_____

_____

_____

5. Are you a citizen or citizens of the United States? Answer _____

_____

If so, state whether by birth or naturalization _____

6. Are you a native of Alaska (or an association of such natives)? Answer _____

7. Where do you reside? Answer _____

_____

8. How did you acquire your stock? Answer _____

_____

If by purchase, from whom? Answer _____

_____

9. Where did you graze your stock formerly? Answer _____

_____

(Give areas and years of use.)

_____

_____

10. Where do you now graze your stock? Answer _____

_____

(Briefly describe range area.)

_____

_____

11. How long have you grazed your stock on the range area applied for? Answer _____

(Give dates.)

12. What improvements are on the range desired, and by whom were they constructed? Answer _____

_____

_____

_____

_____

13. How many head of stock do you actually own? Answer _____

_____

(Reindeer, cattle, sheep, or other animals.)

_____

14. Is your answer to Question 13 based on an actual count or on an estimate? Answer _____

My (or our) brands and earmarks are:

As to my reputation or standing in the community, inquiry may be made of the following: _____

_____

and _____

_____

If this application is granted I hereby bind myself and my employees engaged in caring for the animals while on the range to comply with all regulations issued by the Secretary of the Interior under the provisions of the act of March 4, 1927 (44 Stat. 1452), and to extinguish all camp fires started by myself or any of my employees before leaving the vicinity thereof, and to render all reasonable aid in extinguishing fires on the range within the area in which the stock is grazed, such service to be without compensation if required to protect the grazing area granted to me as described herein.

It is hereby expressly agreed and understood that no stock marked or branded otherwise than as shown herein will be grazed by me upon the area hereby applied for except with the approval of the Secretary of the Interior based upon a showing of actual ownership of such stock.

_____
(Signature of Applicant or Agent.)

_____
(Post Office Address.)

Subscribed and sworn to before me this _____ day of _____ 19___, at _____, Alaska.

_____

_____
(Official designation.)

4-470

# LEASE OF LANDS FOR GRAZING LIVESTOCK.

Act of March 4, 1927 (44 Stat. 1452).

(To be executed in triplicate.)

Serial _____

This indenture of lease, entered into as of _____ by and between the United States of America, party of the first part, hereinafter called the lessor, acting in this behalf by the First Assistant Secretary of the Interior, and _____

_____

_____

party of the second part, hereinafter called the lessee, under, pursuant, and subject to the terms and provisions of the act of Congress approved March 4, 1927 (44 Stat. 1452), entitled: "An Act To provide for the protection, development, and utilization of the public lands in Alaska, by establishing an adequate system for grazing livestock thereon," hereinafter referred to as the act, which is made a part thereof,

WITNESSETH:

1. That the lessor, in consideration of rents to be paid and the covenants to be observed as herein set forth, does hereby grant and lease to the lessee the exclusive right and privilege of grazing not more than _____ _____ head of _____

_____

on the following-described tract of land situated in and more particularly described as follows: _____

_____

_____

_____

_____

_____

containing approximately _____ acres, together with the right to construct and maintain thereon all buildings or other improvements necessary to the full enjoyment thereof, for a period of _____ years, with the preferential right in the lessee to renew this lease for successive periods of _____ years, upon such terms and conditions as may be prescribed by the lessor, unless otherwise provided by law at the time of the expiration of such periods.

2. In consideration of the foregoing, the lessee hereby agrees:

(a) To pay the lessor a yearly rental of _____ cents per head, or _____ cents per acre, payment to be made on or before _____ _____ annually.

(b) To observe the laws and regulations for the protection of game animals, fur-bearing animals, game birds, and nongame birds, and not unnecessarily disturb such animals or birds.

(c) That neither he nor his employees will set unnecessary fires that will result in damage to the range or to wild life, and to extinguish all camp fires started by him or any of his employees before leaving the vicinity thereof.

(d) That neither he nor his employees will interfere with the stock of another who has a permit to drive such stock across the area included in his lease.

(e) To post notices containing a description of the land, the name of the lessee, and a statement that it is occupied for grazing purposes, in conspicuous places on the leased land, if the lease is for land on the mainland, and at least one notice at a boat landing if for an island or islands.

(f) Not to assign this lease or any interest therein, nor sublet any portion of the leased premises, except with the approval thereof in writing by the Secretary of the Interior.

(g) To record this lease with the recording officer for the proper district within which the leased land is situated.

3. The lessor expressly reserves:

(a) The right to permit prospecting, locating, development, entering, and leasing of the mineral resources of any of the lands embraced in this lease, and the right to dispose of such resources under any laws applicable thereto.

(b) The right to permit any person, including prospectors and miners, to graze, free of charge, not more than 10 animals on the land included in this lease.

(c) The right to issue a permit for a grazing allotment without charge on unallotted public lands to any Eskimo or native or half-breed.

(d) The right to close portions of the leased area to grazing whenever, because of incorrect handling of the stock, over-grazing, fire, or other cause, such action is deemed necessary to restore the range to its normal condition. However, such temporary closing of any area shall not operate to exclude such area from the boundaries of a lease.

(e) The right to reduce the leased area if it is excessive for the number of stock owned by the lessee or if there is a demand for the range by others.

(f) The right to exclude stock from a specified area whenever it is determined that such area is required for the protection of camping places, sources of water supply to communities, stock driveways, roads and trails, town sites, mining claims, and for feeding grounds near villages for the use of draft animals or near the slaughtering or shipping points for use of stock to be marketed, and for reasonable native berrying grounds.

4. It is further understood and agreed:

(a) That the lessee expressly agrees that authorized representatives of the Department of the Interior at any time shall have the right to enter the leased premises for the purpose of inspection, and that Federal agents, including game wardens, shall at all times have the right to enter the leased area on official business. The lessee also further agrees that he or his employees shall not molest totem poles, native cemeteries, or improvements, nor interfere with natives cultivating lands which they may have been hitherto accustomed to cultivate.

(b) That the lessee shall not kill or molest reindeer not owned by him, or use or damage structures of other permittees on the lands leased.

(c) That the lessee shall not sell or remove for use elsewhere any timber growing on the leased land, but may take such timber thereon as may be necessary for the erection and maintenance of improvements required in the operation of this lease and for fuel purposes.

(d) That this lease is granted subject to valid existing rights and to all rules and regulations which the Secretary of the Interior may prescribe.

(e) That the lessee may construct, or maintain and utilize, any fence, building, corral, reservoir, well, or other improvements needed for the exercise of the grazing privileges of this lease, but any such fence shall be so constructed as to permit ingress and egress for miners, prospectors for minerals, and other persons entitled to enter such area for lawful purposes.

(f) That the lessee shall take all reasonable precaution to prevent and suppress forest, brush, grass, and tundra fires.

(g) That upon the termination of this lease by expiration or forfeiture thereof pursuant to paragraph 5 hereof, in the absence of an agreement to the contrary, if all rental charges due the Government have been paid, the lessee may remove all property belonging to him, together with any fence, building, or other removable range improvementsof any kind owned or controlled by him.

(h) That if the lessee notifies the Secretary of the Interior on or before the termination of his lease of his determination to leave on the land any improvements the construction or maintenance of which has been authorized by the Secretary of the Interior, no other person shall use or occupy, under any grazing lease or entry under any public land law, the land on which any such improvements are located until there has been paid to the person entitled thereto the value of such improvements as determined by the Secretary of the Interior.

(i) That the lessee agrees to comply with all Federal and local laws regarding sanitation and such other sanitary measures as may be necessary.

(j) That the lessee agrees to permit legal hunting and trapping by the public within the leased area.

(k) That the lessee will not so inclose roads or trails commonly used for public travel as to interfere with the traveling of persons who do not molest grazing animals.

5. If the lessee shall fail to pay the rental as herein specified, or shall fail to comply with the provisions of the act, or make default in the performance or observance of any of the terms, covenants, and stipulations hereof or of the general regulations promulgated and in force at the date hereof, and such default shall continue after service of written notice thereof by the lessor, then the lessor may, in his discretion, terminate and cancel this lease.

6. If the lessee shall surrender his lease and if he has complied with the terms and conditions of the lease to the time of surrender, his liability for fees thereunder may be avoided by giving written notice to the Secretary of the Interior not less than 90 days nor more than one year before the surrender of such lease.

IN WITNESS WHEREOF:

THE UNITED STATES OF AMERICA,

By _____
First Assistant Secretary of the Interior,
Lessor.

Witness to signature of Lessee:

_____

_____

_____

_____

_____
Lessee.

Circular No. 1139.

INSTRUCTIONS AS TO LISTING BY LAND GRANT RAILROAD COMPANIES OF LESS THAN A LEGAL SUBDIVISION--EXAMINATIONS IN THE FIELD AND HEARINGS ORDERED IN CONNECTION THEREWITH.
(Supplemental to Circular No. 1077.)

- - - 0 - - -

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

January 9, 1928.

Registers, United States Land Offices.

Division Inspectors, Interior Department.

Gentlemen:

As supplemental to Circular No. 1077 of July 9, 1926 (51 L. D. 487), the following instructions will be followed in making examination in the field and in connection with hearings as to railroad lands, within primary limits.

In examining in the field, the smallest subdivision or unit that should be recognized is that aliquot part of a quarter-quarter (40-acre subdivision) having an area of 10 acres, or multiple thereof. A quarter-quarter, say NE¼ NE¼, should be divided as follows: NE¼ NE¼ NE¼, NW¼ NE¼ NE¼, SE¼ NE¼ NE¼, SW¼ NE¼ NE¼, or any combination of such minor subdivisions, for instance N½ NE¼ NE¼, but not of parts thereof, this because of the amount of survey work that will be required of the inspector to secure the identification of the lands involved as a prerequisite to their classification. This same method should govern the register or other official when ordering a hearing to determine the character of land listed by the railroad. In serving notice of mineral charges the company should be advised in the manner heretofore followed and, in addition, should be informed that it may deny or admit the character of the entire unit (quarter-quarter-quarter) or multiples, or that in the event it should desire to deny or admit the charge as to a part only of such a unit, such fact should be set out in its answer, accompanied by a request for a survey of the area in dispute, one-half of the cost of such survey to be borne by the company (departmental decision December 13, 1927, Central Pacific Railway Company, A-10079 Carson City 014233). In case of a denial in part, this office should be advised and action should then be suspended awaiting such survey and further instructions as to proceeding with the case. If the denial goes to the whole unit, the case may be proceeded with in the manner heretofore followed.

The same rule will apply when a division of a lot or fractional subdivision is involved, i. e., the rectangular system of public land surveys may be extended a step further into such lot or fractional subdivision, so as to break it up into its component parts, under such system of survey; but if the area, the character of which is denied by the company, is of a form other than that consequent upon the usual subdivision by platting into quarter-quarter-quarter sections, or corresponding fractional units, then a survey by metes and bounds will be necessary, the same to be paid for in accordance with departmental decision of December 13, 1927, heretofore referred to.

In making investigations, the inspector should bear in mind the possibility of a segregation survey being requested and in reporting give detailed information as to the location or place where the mineral is, etc., as far as practicable without extra trouble or expense.

As to indemnity lands, there is no occasion to modify Circular No. 1077 of July 9, 1926 (51 L. D. 487).

These instructions are issued with a view to determining the mineral character of the lands with a minimum of trouble and expense to all parties.

Very respectfully,

THOS. C. HAVELL,
Acting Commissioner.

Approved: January 9, 1928.

(Signed) E. C. FINNEY,
First Assistant Secretary.

Circular No. 1140.

MATTERS TO BE CONSIDERED BY THE EX-OFFICO COMMISSIONER FOR THE DEPARTMENT OF THE INTERIOR IN ALASKA: APPROVAL, REPRODUCTION, AND DISTRIBUTION OF ALASKAN MINERAL PLATS.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1284391 "L" CGF January 20, 1928.

To All Officers and Employees of the

Department of the Interior in Alaska:

Pursuant to authority conferred by the act of February 10, 1927 (44 Stat., part 2, 1068), Hon. George A. Parks, Governor of Alaska, has been designated as the Ex-officio Commissioner for this Department in Alaska and in connection with his appointment the following recommendations have been approved:

1. That the Ex-officio Commissioner for the Interior Department in Alaska shall have presented to him for consideration and approval all budgetary matters and the proposed scope and allocation of all work to be done in the Territory by the General Land Office, before being approved by the Commissioner.

2. That the Ex-officio Commissioner for the Interior Department in Alaska shall have authority to coordinate and supervise all work involving adjudication of claims in that Territory for the General Land Office, preserving to claimants the right of appeal first to the Commissioner of the General Land Office and then to the Secretary of the Interior. The district land offices, after preliminary action upon claims and contests, shall transmit all papers directly to a designated and adjudicating officer in Alaska for review and appropriate action.

3. That the official plats of Alaskan mineral surveys and such other Alaskan surveys as may be deemed advisable shall be immediately released upon their approval by the Supervisor of Surveys in Alaska under such regulations as may be prescribed by the Commissioner of the General Land Office and the Ex-officio Commissioner.

In order that the foregoing recommendations may be carried into effect the following instructions are issued:

1. The Ex-officio Commissioner will have authority to coordinate and supervise the work of the several activities of the General Land Office in Alaska.

2. All officers and employees of the General Land Office in Alaska having for consideration any budgetary matter or matter involving the proposed scope and allocation of work to be done in Alaska should take the same up with the said Ex-officio Commissioner, who will transmit the same with appropriate recommendation to this office.

3. All applications, petitions, etc., involving claims in Alaska arising under the public land laws will be presented to and acted upon by the proper Register and Receiver in Alaska in the future in like manner as heretofore. The Register and Receiver, however, instead of transmitting the returns of such applications, petitions, etc., semi-monthly to the General Land Office, will forward the returns semi-monthly to the Ex-officio Commissioner, or some one duly authorized to represent him in Alaska, who will examine the papers in each case as soon as possible for possible defects in form, execution, or otherwise, and for possible errors by the Register and Receiver in their actions or decisions.

If any defect or error is found in any particular case or cases included in the semi-monthly returns and such defects or errors may be cured either by the applicant or the Register and Receiver, such cases shall be taken from the semi-monthly returns and forwarded to the Register and Receiver with whatever suggestions or instructions the Ex-officio Commissioner or his representative deems proper. A note opposite the serial number or numbers of the cases so forwarded should be made on the schedule of returns and it, with the balance of the cases, to which no objection is found, should be forwarded immediately by the Ex-officio Commissioner or his representative to the Commissioner of the General Land Office.

Should there be any case or cases in which the defect or error can not be cured or corrected, the Ex-officio Commissioner or his representative will make such recommendation as he may deem advisable and transmit the same with the semi-monthly returns in which they are listed, to the Commissioner of the General Land Office.

4. Hereafter plats of Alaskan mineral surveys will be released immediately upon their approval by the Cadastral Engineer in charge of the Public Survey Office at Juneau, Alaska, and, in order to enable the claimants to proceed with their applications for patents without delay, two copies of each plat will be reproduced in the Public Survey Office, by photostat, blueprint, or in such other manner as may be made available and furnished to the claimant or to his agent or attorney, for immediate use, one for posting on the land and one for filing with the application.

The original copy of the field notes will be kept by and filed in the Public Survey Office; the duplicate copy will be sent to the claimant or to his agent or attorney for filing with the application.

The original copy of the plat will be transmitted to the General Land Office for photolithographing, and that copy and the photolithographic copies will be disposed of as follows:

(a) The original copy will be returned to the Public Survey Office for filing.

(b) One copy on drawing paper will be kept by and filed in the General Land Office.

(c) One copy on drawing paper will be transmitted to the proper district land office for use in that office.

(d) One copy will be furnished to the Division Inspector for Alaska for use in his office.

(e) Such copies as may be deemed necessary will be made for the purpose of sale at the rate of 50 cents each.

THOS. C. HAVELL,

Acting Commissioner.

Approved:

E. C. FINNEY,

First Assistant Secretary.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

January 30, 1928.

CIRCULAR.

(Amending Circular No. 1108, Regulations Governing Fur Farming in Alaska.)

Register and Division Inspector,

Anchorage, Alaska.

Registers and Receivers,

Fairbanks and Nome, Alaska.

Gentlemen:

Circular No. 1108, approved January 22, 1927, is hereby amended by inserting after "The following rules and regulations will govern the issuance of leases under said act," the following:

Leases under this act may cover an entire island where such island contains an area of not more than 30 square miles, if the inspector reports that such island is subject to lease for fur farming, and that the entire area is needed and can be properly used therefor.

Any islands subject to lease under this act having an area of more than 30 square miles will be treated as mainland, and leases for lands within same shall not be awarded for an area in excess of 640 acres.

Where islands are so close together that animals can cross from one to the other, and the combined area does not exceed 30 square miles, more than one island may be included in a single lease.

Very respectfully,

THOS. C. HAVELL,

Acting Commissioner.

Approved: January 30, 1928.

E. C. FINNEY,

First Assistant Secretary.

## RECENT EXECUTIVE ORDERS.

By order of December 19, 1927, certain tracts of public land, property of the United States, in the Phillippine Islands have been reserved for military purposes.

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An order of December 28, 1927, revokes the withdrawal for resurvey of the public lands in T. 42 N., Rs. 90 and 91 W., 6th P. M., Wyoming, and restores the public lands therein under the preference granted former service men.

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Under order of January 19, certain described tracts of public land in Idaho are withdrawn for use by the Department of Commerce in the maintenance of air navigation facilities.

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Under order of January 23 the public lands in Ts. 4 S., Rs. 8, 9, and 10 E., G. & S. R. M., Arizona, are withdrawn pending resurvey.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1078291

# PUBLIC LANDS RESTORED TO HOMESTEAD ENTRY AND OTHER DISPOSITION BY PROCLAMATION, EXECUTIVE OR DEPARTMENTAL ORDER.

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## Preference Rights to Ex-Service Men of the War with Germany.

General Method of Opening:

By virtue of Public Resolution No. 29, of February 14, 1920 (41 Stat., 434), as amended by Public Resolution Nos. 36 and 79, approved January 21 and December 28, 1922, respectively, hereafter and until February 15, 1930, when any surveyed lands within the provisions of the public resolutions are opened or restored to disposition under the authority of the department, such lands, unless otherwise provided in the order of restoration, shall become subject to appropriation under the laws applicable thereto in the following manner, and not otherwise:

Lands not affected by the preference rights conferred by the acts of August 18, 1894 (28 Stat., 394), or June 11, 1906 (34 Stat., 233), or February 14, 1920 (41 Stat., 407), will be subject to entry by soldiers under the homestead and desert-land laws, where both of said laws are applicable, or under the homestead law only, as the case may be, for a period of 91 days, beginning with the date of the filing of the township plat in the case of surveys or resurveys, and with the date specified in the order of restoration in all other cases, and thereafter to disposition under all of the public land laws, applicable thereto, except where homestead entrymen are granted a prior preference period under the order. For a period of 20 days and for a like period prior to the date or dates such lands become subject to entry by the general public, soldiers in the first instances, and qualified applicants in the second, may execute and file their applications, and all such applications presented within such 20-day periods, together with those offered at 9 o'clock a. m., standard time, on the dates such lands become subject to appropriation under such applications, shall be treated as filed simultaneously.

Unsurveyed lands are not subject to homestead or desert-land entry. A homestead entry may embrace 160 acres, or an approximation thereof, and where the lands are of the character contemplated by the 320 or 640 acres homestead acts, applications for the unappropriated lands may be filed by qualified persons, under either of said acts, accompanied by proper petitions, if undesignated, for the designation of lands thereunder, and such applications will be suspended pending determination as to the character of such lands.

The following are restorations or openings which will occur in the near future and concerning which further information may be obtained from the local offices:

(763)

NEW MEXICO:

OPEN TO ENTRY THROUGH SURVEY.

The plat of original survey of T. 19 N., R. 5 W., N. M. P. M., McKinley County, New Mexico, will be officially filed in the district land office at Santa Fe, New Mexico, on January 18, 1928, at 9 a. m.

For 91 days, beginning January 18, 1928, the unreserved lands represented upon said plat will be opened to entry under the homestead and desert-land laws by qualified former service men of the World War, and to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 a. m. on January 18, 1928. At 9 a. m. on April 18, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the general public.

The entire township is covered by coal land withdrawal.

Area surveyed: 22,861.87 acres. Land: rolling. Soil: sandy and gravelly. No timber. Undergrowth: sagebrush and grass. No evidence of metallic minerals was found in this township. The township is used for grazing purposes by the Navajo Indians who are the only settlers.

Approved: January 6, 1928.

T. C. HAVELL,

Acting Commissioner.

(764)

CALIFORNIA:

OPEN TO ENTRY THROUGH SURVEY.

The supplemental plat of survey of a portion of T. 13 N., R. 10 E., M. D. M., in Placer and El Dorado counties, California, will be officially filed in the district land office at Sacramento, California, on January 27, 1928, at 9 a. m.

For 91 days, beginning January 27, 1928, the unreserved lands represented upon said plat will be opened to entry under the homestead and desert-land laws by qualified former service men of the World War, and to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plat and all applications so filed will be treated as though filed simultaneously at 9 a. m. on January 27, 1928. At 9 a. m. on April 27, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the general public.

A large portion of the lands represented by this survey lies within the El Dorado National Forest. The lands are also affected by withdrawals for power site reserves.

Area surveyed: 5,876.90 acres, part of which is within the El Dorado National Forest. Land: generally mountainous, ranging in elevation from 800 to 2,700 feet above sea level. Soil: gravelly, rocky loam, third and fourth rate. Timber: scattering second growth pine, oak, and fir. Undergrowth: thorn, chamise, oak, buckeye, and grapevine. The township is fairly well watered by springs and streams in the deep gulches and by the Middle Fork of American River which flows in a southwesterly direction through the township. Natural grasses on the more gradual slopes afford good grazing for stock. Numerous old placer mines dating from 1849 are found in all portions of the township. Considerable prospecting for gold and minor mining operations are carried on at the present time.

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(765)

WYOMING:

OPEN TO ENTRY THROUGH FOREST BOUNDARY ADJUSTMENT.

Approximately 3,000 acres in Big Horn County, T. 52 N., R. 88 W., 6th P. M., Wyoming, will be opened to homestead and desert-land entry beginning February 8, 1928, at the district land office at Buffalo, Wyoming. The lands will be opened for a period of 91 days to entry under the homestead and desert-land laws by qualified former service men of the World War, and to entry by those

persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding February 8, 1928, and all applications so received will be treated as though simultaneously filed at 9 a. m. on February 8, 1928.

At 9 a. m. on May 9, 1928, any of the said lands remaining unentered and unreserved will be available for entry under any applicable public land laws by the general public.

The land is open to entry through adjustment of the west boundary of the Big Horn National Forest.

The area involved is approximately 3,000 acres. Land: Mountainous. Soil: rocky. Vegetation: grass and sage brush. Timber: pine in Secs. 8, 9, 16, and 21. The township is well supplied with water. No indication of mineral was noted.

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(766)

ARIZONA:

OPENING OF FARM UNITS.

Public notice dated December 22, 1927, announces the opening to entry subject to the reclamation act of June 17, 1902 (32 Stat., 388), of four farm units within the Salt River Project, Arizona. Honorably discharged veterans of the World War will have a preference right to make entry until April 18, 1928; on and after that date any farm units remaining unentered will be subject to entry under the notice by any person having the necessary qualifications. Farm application blanks which are filed with the General Superintendent at Phoenix, Arizona, within the 10-day period from January 16 to 25, 1928, inclusive, will be considered as simultaneous filings.

The farms are of various sizes containing from 2 to 34 irrigable acres and are in the Phoenix land district and in the vicinity of the city of Phoenix, Arizona.

In addition to the qualifications required under the homestead laws, an applicant for the lands must satisfy the examining board appoined for the Salt River Project that he possesses certain qualifications as to industry, experience, character, and capital as will give reasonable assurance of success by the prospective settler.

EFFECTIVE DATES.

Simultaneous filing period for veterans of the World War from January 16 to January 25, 1928, inclusive.

Preference right filing period for veterans of the World War from January 16 to April 17, 1928, inclusive.

Units open to general disposition April 18, 1928.

(767)
NEVADA:

OPEN TO ENTRY THROUGH SURVEY.

The plat of original survey of T. 20 N., R. 46 E., M. D. M., Lander County, Nevada, will be officially filed in the district land office at Carson City, Nevada, on March 6, 1928, at 9 a. m.

For 91 days, beginning March 6, 1928, the unreserved lands represented upon said plat will be opened to entry under the homestead and desert-land laws by qualified former service men of the World War and to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though filed simultaneously at 9 a. m. on March 6, 1928. At 9 a. m. on June 5, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the general public.

A part of the township has been withdrawn for stock driveway purposes.

Area surveyed: 23,164.39 acres. Land: ranging from rough mountainous to nearly level bench land. Soil: rocky and course loam in higher altitudes and a gravelly clay loam in lower levels. Timber: scattering stand of dwarf pinyon and juniper in northeast portion, of no commercial value. Undergrowth: sagebrush, shadscale, aspen, and manzanita. No indications of commercially valuable mineral deposits. The township is well watered by running streams and springs and affords good grazing for several thousand sheep and cattle during the year. Spencer, Nevada, lies about 4 miles north of the township.

(768)

ARIZONA:

OPEN TO ENTRY THROUG SURVEY.

The plats of survey of the following townships will be officially filed in the district land office at Phoenix, Arizona, on February 15, 1928, at 9 a. m.:

T. 13 S., R. 21 E., G. & S. R. M., Cochise County.
T. 14 S., R. 12 E., G. & S. R. M., Pima County.
T. 15 S., R. 19 E., G. & S. R. M., Cochise County.
T. 19 S., R. 7 E., G. & S. R. M., Cochise County.
T. 19 S., R. 27 E. (Secs. 34, 35, and 36, G. & S. R. M., Cochise County).

A portion of the land represented upon the plat of T. 14 S., R. 12 E., is withdrawn for stock driveway; a portion of the land represented upon the plat of T. 15 S., R. 19 E., is included in the Coronado National Forest.

For 91 days, beginning February 15, 1928, the unreserved lands represented upon said plats will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plats, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on February 15, 1928. On May 16, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land laws by the public generally.

T. 13 S., R. 21 E.--Area surveyed: 5,940.85 acres. Land: generally mountainous, except for high rolling plateaus in the northeast and southeastern portions. Soil: rocky, fourth rate in mountainous portion; gravelly adobe, second and third rate on the plateaus. Timber: scattering cedar, oak, and mesquite, valuable for firewood only. Undergrowth: soap weed, cat's claw, and cactus. The only surface water in the area is a spring in the southeastern portion of Sec. 7 where a concrete trough for stock watering purposes has been constructed. No indication of mineral was noted.

T. 14 S., R. 12 E.--Area surveyed: 23,666.50 acres. Land: nearly level in southwestern portion; mountainous and rolling in northeastern portion. Soil: gravelly and rocky, fourth rate, in mountainous and rolling portions; sandy adobe, second and third rate in remainder of township. Timber: mesquite, palo verde, cat's claw, and ironwood, of no commercial value, with undergrowth of small timber, greasewood, cat's claw, ocotilla, and cactus. There is very little grass in the township. Giant cactus is found throughout the entire township, and along the southwestern slope of the Tucson Mountains in the northeastern portion of the township is found one of the largest groves of giant cactus in Arizona. There are no permanent streams or springs in the township. There are several patented mineral claims in Secs. 5 and 6.

T. 15 S., R. 19 E.--Area surveyed: 22,114.24 acres, part of which is within the Coronado National Forest. Land: rough mountainous, except for portions of Secs. 25, 35, and 36, whichlie in the San Pedro Valley. Soil: sandy adobe, second rate, in valley; gravelly and rocky, third and fourth rate in mountains. Timber: oak, pine, juniper, cedar, and mesquite on the north slopes of the high ridges and spurs. A large portion of the township has no timber. Undergrowth: small timber and several varieties of cactus are found throughout the township. There is a fair growth of native grass in the southeastern portion of the area. There are no permanent streams, but there are several springs and wells in various portions of the township. No indication of mineral was noted.

T. 19 S., R. 7 E.--Area surveyed: 5,119.11 acres. Land: mountainous, attaining a maximum elevation of 7,740 feet above sea level. Soil: rocky clay, third and fourth rate. Timber: oak, pine, walnut, ash, and sycamore. Undergrowth: small timber, mesquite, cat's claw, raspberry, service brush, cherry, cactus, and a good growth of native grass on the higher slopes. The only surface water in the township is in intermittent streams in Secs. 12 and 13. There are two patented mineral claims and several prospect holes in the township.

T. 19 S., R. 27 E.--Area surveyed: 1,989.48 acres. Land: mountainous. Soil: rocky. No timber, no evidence of metallic minerals, no settlers and no water in this portion of the township. There is a fair growth of grass with the usual desert types of undergrowth.

(769)
MONTANA:

Restored from Departmental Withdrawal.

All unsold and unentered lands within the former Flathead Indian Reservation, Montana, withdrawn from disposition by departmental order of September 22, 1919, were restored from such withdrawal by order of the Department under date of December 16, 1927.

All of such lands subject to homestead entry at the date of the withdrawal will be opened to homestead entry under the homestead laws and the act of April 23, 1904 (33 Stat. 302), as amended by the act of May 29, 1908 (35 Stat. 444), beginning January 26, 1928, for a period of 91 days to honorably discharged ex-service men of the World War. Applications may be filed at Great Falls, Montana, by such ex-service men during the 20 days preceding that date or from January 6, 1928, to January 25, 1928, inclusive. Any lands remaining unentered after the expiration of the 91-day period, or beginning April 26, 1928, will be subject to entry by the general public. Prospective applicants may present their applications within the 20 days preceding that date or beginning April 6, 1928, and all applications so filed will be treated as though filed simultaneously.

(770)

CALIFORNIA:

OPEN TO ENTRY THROUGH SURVEY.

The plat of survey of portion of T. 42 N., R. 16 E., M. D. M., Modoc County, California, comprising parts of Secs. 18, 19, 30, and 31 will be officially filed in the district land office at Sacramento, California, on February 23, 1928, at 9 a. m.

For 91 days, beginning February 23, 1928, the unreserved lands represented upon said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on February 23, 1928. On May 24, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

Area surveyed: 1,134.02 acres. Land: mountainous, 4,900 to 6,900 feet above sea level. Soil: sandy loam. Timber: juniper, pine, fir, and oak. There are several small streams flowing across this township which are used for irrigation in the valley. No evidence of mineral was found. There is one settler, George Henry, in the SW¼ of Sec. 30.

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(771)

CALIFORNIA:

OPEN TO ENTRY THROUGH SURVEY.

The plats of resurvey of the following townships will be officially filed in the district land office at Sacramento on February 23, 1928, at 9 a. m.:

T. 42 N., R. 10 W., M. D. M., Siskiyou County,
T. 43 N., R. 10 W., M. D. M., Siskiyou County,
T. 44 N., R. 10 W., M. D. M., Siskiyou County.

A portion of the land represented upon these plats is withdrawn for the Klamath National Forest and most of the land has been patented or filed on.

For 91 days, beginning February 23, 1928, the unreserved lands represented upon the said plats will be open to entry under the homestead and desert-land laws by qualified former service men of the World War and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications at the United States land office at Sacramento, California, during the 20-day period immediately preceding the filing of the plats and all applications so filed will be treated as though

simultaneously filed at 9 a. m., on February 23, 1928. On May 24, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

T. 42 N., R. 10 W., M. D. M., area surveyed, 23,051.43 acres. Land: mountainous. Elevation: 3,000 to 7,500 feet above sea level. Soil: Rocky and gravelly. The township is well drained by numerous creeks, the largest of which are Kidder, Patterson, and Etna creeks. Timber: pine, fir, cedar, and oak. There are no indications of metallic minerals and no evidence of prospecting by miners. The township is principally valuable for its timber.

T. 43 N., R. 10 W., area surveyed, 22,505.98 acres. Land: mountainous and valley. Elevation: 2,600 to 6,000 feet above sea level. Soil: gravelly, rocky loam. Timber: pine, fir, cedar, and oak. Indications of metallic minerals were found in Secs. 1, 2, 11, 12, 13, 14, 24, and 35. Gold has been mined for years in the hills east of Quartz Valley in placer and vein formations. The valleys are well settled. The township is well watered and is valuable for timber, mining, grazing, farming, and dairying.

T. 44 N., R. 10 W. Area surveyed: 22,926.92 acres. Land: mountainous. Elevation: 3,000 to 6,000 feet above sea level. Soil: rocky and gravelly in the mountains, first rate loam in the valley. Timber: pine, fir, cedar, oak, and cottonwood. There are indications of mineral deposits in the southeast portion of the township. The township is well watered and chiefly valuable for agriculture, grazing, timber, and mining.

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(772)

WYOMING:

OPEN TO ENTRY THROUGH SURVEY.

The plat of survey of portion of T. 51 N., R. 88 W., 6th P. M., Big Horn County, Wyoming, will be officially filed in the district land office at Buffalo, Wyoming, on January 10, 1928, at 9 a. m.

A portion of the land represented on this plat is included within the Big Horn National Forest.

For 91 days, beginning January 10, 1928, the unreserved lands represented upon said plat will be open to entry under the homestead and desert-land laws by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the land superior to that of the soldier. These parties may file their applications at the United States land office at Buffalo, Wyoming, during the 20-day period immediately preceding the filing of the plat, and all applications so filed will be treated as though simultaneously filed at 9 a. m. on January 10, 1928. On April 10, 1928, the land remaining unentered and unreserved will be available for entry under any applicable public land law by the public generally.

Area surveyed: 6,287.87 acres. Land: rough mountainous. Soil: very rocky, third and fourth rate, unfit for cultivation. Timber: heavy pine in Secs. 4, 8, and 9, with scattering pine in Secs. 16, 21, 28, and 33. Undergrowth: sage brush and a good growth of grass throughout the area. The area which is principally valuable for grazing purposes is fairly well watered by the North, Middle, and South Forks of Medicine Lodge Creek. No indication of mineral was noted.

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(773)

OREGON:

RESTORATION FROM RECLAMATION WITHDRAWAL.

About 2,700 acres in Lake County, Lakeview land district, Oregon, will be opened to homestead and desert-land entry beginning February 24, 1928, for a period of 91 days to ex-service men of the World War subject to valid prior settlement and preference rights. Filings may be presented by such ex-service men at the United States Land Office, Lakeview, Oregon, during the 20 days preceding that date or from February 4 to February 23, 1928, inclusive. All conflicts up to 9 a. m. February 24, 1928, will be decided by drawing. Any lands remaining unentered after the expiration of the 91-day period, or beginning May 25, 1928, will be open to entry under any applicable public land law by the general public, and prospective applicants may present their applications within the 20 days preceding, or beginning May 5, 1928, and all applications so filed will be treated as though simultaneously filed.

The lands are not near to a railroad but are in T. 36 S., Rs. 17 and 18 E., and are about 20 miles from the city of Lakeview, Oregon. Available information indicates that the area restored contains a limited amount of prairie land fit for cultivation, balance generally hilly; that the lands are well watered with springs and that some are well timbered.

Since the lands are restored from reclamation withdrawal no water for irrigation purposes will be available from a Federal irrigation project.

EFFECTIVE DATES.

Preference period for ex-service men February 24 to May 24, 1928.

Soldiers' simultaneous filing period February 4 to February 23, 1928.

Lands open to the general public May 25, 1928.

Simultaneous filing period for public May 5 to May 24, 1928.

## PUBLIC SALE OF CAMP RESERVE AND OTHER LANDS, NEBRASKA.

On February 18, 1928, at 2 p. m. at the office of the Bureau of Reclamation, Mitchell, Nebraska, there will be offered for sale to the highest bidder under the acts of June 17, 1902 (32 Stat., 388), and May 20, 1920 (41 Stat., 605), at not less than the appraised value the Wild Horse Camp Reserve with improvements thereon within the North Platte Irrigation Project described as follows: N½ SE¼ Sec. 17, T. 22 N., R. 52 W., 6th P. M., Nebraska, appraisal: land, $1,800; improvements, $260; total $2,060.

At the same time and place there will be offered for sale under the act of February 2, 1911 (36 Stat., 895), to the highest bidder but at not less than the appraised value 400 acres described as follows: NE¼, N½ NW¼, SE¼ NW¼, N½ SE¼, and SE¼ SE¼ Sec. 16, T. 23 N., R. 54 W., 6th P. M., appraisal: land, $2,000.

The terms are either cash at thedate of sale or one-fifth the purchase price at the date of sale and the remainder in four equal annual installments with interest. The purchaser must be a citizen of the United States and any patent thereafter issued will contain reservations as set forth in a certain contract, information regarding which may be obtained from the project superintendent. Parties are warned under penalty mentioned in the United States Code, Title 18, Section 113, against any combination or action tending to hinder or embarrass the sale or to prevent free competition between bidders.

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## ISLAND SURVEY.

The plat of survey of an island in Bogue Chitto River, in Sections 34 and 35, Township 4 South, and Sections 2 and 3, Township 5 South, Range 12 East, St. Helena M., St. Tammany Parish, Louisiana, was filed in the General Land Office, Washington, D. C., at 9 a. m. February 1, 1928. The area involved is 23.89 acres.

Said island will be open to entry under the homestead laws by qualified former service men of the World War for a period of 91 days, beginning with the date of filing of the plat. Owing to the small area involved no opening notice has been prepared for distribution in Washington.

## OIL AND GAS ACTIVITIES.

During the month of January the division handling oil and gas prospecting permit applications under sections 13 and 20 of the leasing act received 225 new applications and 5,034 cases for reconsideration. Permits were granted on 345 applications, 107 cases were finally rejected in entirety, 188 in part, and 22 on drawings; 286 applications were rejected subject to appeal in entirety and 10 in part, and 11 appeals were transmitted to the Secretary; departmental decisions were promulgated in 17 cases, 12 affirming, 1 reversing, and 4 modifying decisions of this office; 84 assignments were disposed of and 446 extensions of time acted upon; 1,072 permits were canceled in entirety and 103 permits were held for cancellation; 393 applications were examined and Survey reports called for; 2,857 cases are awaiting Geological Survey reports and 21 awaiting reports from the Reclamation Bureau, and 472 new cases are awaiting Survey reports. 4,545 letters were written during the month, of which 205 were replies to inquiries.

Under the relief sections of the act and other sections providing for oil and gas and shale leases, also relief under the Red River Act of March 4, 1923 (42 Stat., 1448), 1 permit was granted and 3 leases involving 2 cases were delivered; 5 leases involving 3 cases were submitted to the Secretary for authorization, 2 leases submitted for execution, and 4 leases involving 3 cases were mailed for execution by the lessee; 1 oil shale lease application was rejected and 1 lease was held for cancellation; actions involving bonds were taken in 4 cases; 7 applications for approval of sales contracts were disposed of and 8 applications for reduction of lease royalty were acted upon; 1 petition for exercise of supervisory authority was forwarded to the Secretary, and 1 departmental decision affirming this office was promulgated; 1 sale of section 17 leases in Monroe gas field, Louisiana, was authorized; 4 reports on bills introduced in Congress involving oil and gas legislation were made. 114 letters were written of which 55 were replies to inquiries.

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## RECEIPTS UNDER THE MINERAL LEASING ACT.

The receipts under the mineral leasing act of February 25, 1920, during the month of December were $274,795.13, all from lands outside naval petroleum reserves.

CONSOLIDATED WORK REPORT OF LOCAL LAND OFFICES FOR THE MONTH OF DECEMBER, 1927.

| Office. | Business of current month. | | | | | Pending at end of month. | | |
|---|---|---|---|---|---|---|---|---|
| | Applications, proofs, etc., received. | Receipts and final certificates issued and miscellaneous. | General Land Office letters received. | Contest cases initiated. | Total. | Pending designation. | Suspended, rejected, or otherwise. | Pending unacted on by Register. |
| Arizona | | | | | | | | |
| Phoenix | 222 | 658 | 200 | 8 | 1,088 | 101 | 150 | 27 |
| Arkansas | | | | | | | | |
| Little Rock | 86 | 724 | 31 | 5 | 846 | | 66 | |
| California | | | | | | | | |
| Los Angeles | 217 | 793 | 115 | 10 | 1,135 | 62 | 142 | |
| Sacramento | 118 | 1,136 | 136 | 9 | 1,399 | 155 | 204 | |
| Colorado | | | | | | | | |
| Denver | 182 | 1,391 | 309 | 34 | 1,916 | 218 | 625 | |
| Pueblo | 132 | 960 | 226 | | 1,318 | 73 | 106 | |
| Florida | | | | | | | | |
| Gainesville | 59 | 656 | 60 | 4 | 779 | | 33 | |
| Idaho | | | | | | | | |
| Blackfoot | 167 | 930 | 95 | 8 | 1,200 | 162 | 202 | |
| Coeur d' Alene | 23 | 200 | 16 | | 239 | 6 | 22 | |
| Minnesota | | | | | | | | |
| Cass Lake | 51 | 433 | 49 | 1 | 534 | | 39 | |
| Montana | | | | | | | | |
| Billings | 135 | 1,726 | 311 | 3 | 2,175 | 148 | 144 | |
| Great Falls | 274 | 1,716 | 426 | 9 | 2,425 | 142 | 325 | |
| Nebraska | | | | | | | | |
| Alliance | 24 | 232 | 15 | | 271 | 19 | 6 | |
| Nevada | | | | | | | | |
| Carson City | 29 | 224 | 158 | 2 | 413 | 48 | 67 | |
| New Mexico | | | | | | | | |
| Las Cruces | 702 | 1,658 | 347 | 17 | 2,724 | 53 | 747 | |
| Santa Fe | 259 | 1,395 | 288 | 11 | 1,953 | 93 | 257 | |
| North Dakota | | | | | | | | |
| Bismarck | 29 | 353 | 34 | | 416 | 14 | 47 | |
| Oregon | | | | | | | | |
| Lakeview | 15 | 155 | 33 | | 203 | 38 | 49 | |
| Roseburg | 77 | 689 | 41 | 4 | 811 | 4 | 51 | |
| The Dalles | 87 | 841 | 52 | 1 | 981 | 80 | 42 | |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| South Dakota | | | | | | | | |
| Pierre | 48 | 612 | 141 | 12 | 813 | 65 | 36 | |
| Utah | | | | | | | | |
| Salt Lake City | 162 | 1,246 | 501 | 16 | 1,925 | 340 | 249 | |
| Washington | | | | | | | | |
| Spokane | 31 | 745 | 41 | 1 | 818 | 20 | 40 | |
| Wyoming | | | | | | | | |
| Buffalo | 171 | 1,055 | 225 | 3 | 1,454 | 106 | 153 | |
| Cheyenne | 228 | 1,095 | 480 | 9 | 1,812 | 158 | 204 | |
| Evanston | 79 | 609 | 142 | 3 | 833 | 52 | 94 | |
| Total | 3,607 | 22,232 | 4,472 | 170 | 30,481 | 2,157 | 4,100 | 27 |

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TELL THE BULLETIN.

To All Local Offices and Field Service Employees:

If anything occurs in the public land service which you think is of administrative value, tell us about it. Address all communications to the Commissioner of the General Land Office, "Land Service Bulletin." All information should be received not later than the 24th of each month for use in the current number.