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# REPORT

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OF THE

## COMMISSIONER OF THE GENERAL LAND OFFICE

TO THE

### SECRETARY OF THE INTERIOR

FOR

THE YEAR ENDED JUNE 30, 1906.



WASHINGTON:  
GOVERNMENT PRINTING OFFICE.  
1906

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# CONTENTS.

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	Page
Abandoned military reservations .....	10
Agricultural lands in Indian reservations .....	9
Claims in forest reserves .....	46
Congressional legislation .....	46
Contest cases .....	42
Crow Indian lands .....	10
Desert-land entries .....	41
Disposal of public land .....	5
Disposal of public and ceded Indian lands .....	9
Entry of agricultural lands in forest reserves .....	46
Forest lieu selections .....	48
Forest reserves .....	45
Indian allotments .....	42
Lands released from temporary withdrawal .....	45
Legislation needed .....	51
Logging operations on Chippewa Indian lands .....	10
Maps and township plats .....	43
Military bounty land warrants and scrip .....	50
Mineral entries and contests .....	44
National parks, suggested creation of .....	47
Patents issued .....	8
Prospective closing of surveyors-general's offices in Florida, Minnesota, and North Dakota .....	34
Protecting public lands .....	44
Public surveys .....	11
Transactions in the several surveying districts .....	13
Field examination of settlers' applications for surveys .....	21
Examinations of surveys in the field .....	22
Suspended and rejected surveys .....	23
Resurveys authorized by Congress .....	24
Surveys of ceded Indian lands preparatory to opening the reservations .....	27
Progress of surveys of Indian reservations for future opening .....	28
Alaska surveys .....	28
Railroad grants and adjustments .....	34
Receipts from sales of public and Indian lands .....	7
Receivers of public moneys; recommendation that office be abolished renewed .....	51
Rights of way .....	37
Shoshone Indian lands .....	10
State selections .....	39.
Swamp lands and swamp-land indemnity .....	42
Timber-culture entries .....	40
Town-site and town-lot entries .....	41

Reclaw. 7-19-28 M.V.F.



# REPORT OF THE COMMISSIONER OF THE GENERAL LAND OFFICE.

DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE,  
*Washington, D. C., September 17, 1906.*

SIR: In submitting the annual report of this Bureau for the fiscal year ended June 30, 1906, I have to report that the total receipts for the year are \$7,585,523.90, an increase over the preceding year of \$567,712.52.

The total area of the land disposed of was 19,431,187.47, showing an increase of 2,374,565.20 over the preceding fiscal year.

There were 61,361 patents of all classes issued during the fiscal year.

On July 1, 1906, there were 37,173 cases pending in this Bureau, a decrease of 16,413 cases from the number pending on July 1, 1905.

During the fiscal year ended June 30, 1906, there were 185,113 final and original entries and selections made at the various local land offices, an increase of 31,107 over the preceding year.

## DISPOSAL OF PUBLIC LAND.

The following is a statement of the acreage disposed of during the fiscal year ended June 30, 1906:

	Acres.
Private entries.....	28,036.80
Public auction.....	56,915.51
Preemption entries.....	2,005.95
Timber and stone entries.....	647,997.11
Mineral-land entries.....	79,349.84
Coal-land entries.....	42,143.39
Abandoned military reservations.....	2,921.99
Excesses on homesteads and other entries.....	22,257.24
Desert-land entries (original).....	890,700.09
Town sites.....	535.07
Supplemental payments.....	9.34
Under sundry special acts.....	1,418.31
Lieu selections.....	50.99
	1,774,341.63

6 REPORT OF COMMISSIONER OF GENERAL LAND OFFICE.

MISCELLANEOUS.

	Acres.	Acres.
Homestead entries (original).....	13,974,931.62	
State selections.....	953,551.29	
Railroad selections.....	2,416,688.99	
Wagon-road selections.....	320.00	
Entries with—		
Military bounty-land warrants.....	28,053.43	
Agricultural College scrip.....	793.15	
Private-land scrip.....	5,521.59	
Absentee Wyandotte Indian selections.....	8,398.45	
Chippewa, Red Lake and Pembina scrip.....	160.00	
Sioux half-breed scrip.....	560.00	
Valentine scrip.....	503.75	
Lieu selections.....	858.70	
Indian allotments.....	84,257.35	
Small holdings.....	3,602.27	
Swamp land patented.....	92,901.94	
	<hr/>	17,571,102.53
Total area of public-land entries and selections.....		19,345,444.16

INDIAN LANDS.

Cherokee school.....	80.20	
Southern Ute.....	11,851.18	
Ute.....	51,959.39	
Osage trust and diminished reserve.....	6,432.89	
Kansas trust and diminished reserve.....	160.00	
Flathead.....	80.00	
Omaha.....	173.23	
Umatilla.....	1,431.69	
Grand Rond Indian Reservation.....	200.00	
Sioux.....	244.10	
Uintah Valley Indian Reservation.....	5,019.88	
Colville Indian Reserve.....	7,470.75	
Shoshone or Wind River Indian Reservation.....	640.00	
	<hr/>	85,743.31
Grand total.....		19,431,187.47

RECAPITULATION.

Area sold for cash.....	1,774,341.63	
Area miscellaneous entries.....	17,571,102.53	
Area Indian land.....	85,743.31	
	<hr/>	19,431,187.47

Showing an increase of 2,374,565.20 as compared with the aggregate of disposals during the fiscal year 1905.

The foregoing statement does not include the following entries, the area of which have been previously reported in the original entries of the respective classes:

Final desert land entries.....	205,489.22
Homesteads commuted to cash.....	1,367,793.89
Abandoned military reservations.....	716.73
Supplemental payments.....	370.91
Cash substitutes.....	839.37
Recovered on suits (United States v. Southern Pacific Railroad Company)...	30,000.00

Balance on double minimum land.....	1, 238 .36
Under sundry acts.....	1, 122 .28
Final homestead entries.....	3, 526, 748 .58
Final timber-culture entries.....	4, 696 .45
	5, 139, 015 .79
Commuted homesteads, final desert entries, and payments on Indian lands....	625, 604 .72
	5, 764, 620 .51

The number and filings and fees thereon may be found in the following table:

	Number	Fees.
Applications to purchase timber and stone lands.....	5, 097	\$50, 970. 00
Applications to purchase mineral lands.....	1, 642	16, 420. 00
Preemption declaratory statements.....	267	777. 00
Soldiers' and sailors' homestead declaratory statements.....	1, 266	2, 810. 00
Coal land declaratory statements.....	2, 340	6, 893. 00
Reservoir declaratory statements.....	1, 304	2, 666. 00
Town site declaratory statements.....	1	3. 00
Valentine scrip filings.....	1	1. 00
Total.....	11, 918	80, 540. 00
Mineral adverse claims.....	267	2, 670. 00
Total.....	12, 185	83, 210. 00
For cancellation fees.....		6, 960. 00
For reducing testimony to writing, etc.....		102, 988. 17
For fees and commissions collected at San Francisco land office from April 1 to April 19, 1906.....		327. 20
Aggregate of miscellaneous fees.....		193, 485. 37

**CASH RECEIPTS.**

The following is a statement of the cash receipts of the office from various sources during the fiscal year ended June 30, 1906:

Sales of land at private entry.....	\$35, 807. 52
Sales of land at public auction.....	111, 279. 36
Sales of land by preemption entry.....	2, 507. 44
Sales of timber and stone lands.....	1, 621, 247. 86
Sales of mineral lands.....	314, 632. 42
Sales of coal lands.....	538, 683. 70
Sales of abandoned military reservations.....	34, 856. 66
For excess payments on homestead and other entries.....	33, 184. 66
Sales of desert land (original).....	222, 692. 56
For final desert land.....	205, 495. 38
For commuted homesteads.....	1, 713, 800. 22
For supplemental payments.....	244. 70
For sales of town sites.....	814. 89
For sales of town lots.....	2, 103. 00
For cash substitutions.....	1, 149. 21
For amount recovered on suits (United States v. Southern Pacific Railroad Company).....	35, 181. 14
For balance of purchase money on double minimum lands.....	1, 547. 40
For competitive bids.....	167. 00
Interest payments.....	4, 639. 75
For lieu selections.....	63. 73
For sales under sundry special acts.....	5, 890. 22
Total.....	4, 885, 988. 87



## FEES AND COMMISSIONS.

For homestead entries (original and final).....	\$1,394,700.97	
For timber culture entries (final).....	136.00	
For State selections.....	12,492.00	
For railroad selections.....	30,985.00	
For wagon-road selections.....	4.00	
For entries with:		
Military bounty-land warrants.....	703.00	
Agricultural college scrip.....	16.00	
For commissions on commuted Indian lands.....	9,952.22	
For sundry scrip locations.....	14.00	
For timber and stone land applications.....	50,970.00	
For mineral land applications.....	16,420.00	
For mineral adverse claims.....	2,670.00	
For preemption, homestead, coal, reservoir, and other filings.....	13,150.00	
For cancellation fees.....	6,960.00	
For reducing testimony to writing, etc.....	102,988.17	
For fees and commissions collected at San Francisco land office from April 1 to April 19, 1906.....	327.20	
		<u>\$1,642,488.56</u>
Total receipts from the disposal of public lands.....	6,528,477.38	
Total receipts from disposal of Indian lands.....	967,532.50	
Total receipts from depredations on public lands.....	47,740.23	
Total receipts from depredations on Indian lands.....	880.94	
Total receipts from sales of timber.....	125.00	
Total receipts from sales of Government property, office furniture, and buildings.....	10,542.85	
Total receipts for furnishing copies of records and plats.....	30,225.00	
Grand total.....	7,585,523.90	

The total cash receipts for the fiscal year 1905 were \$7,017,811.38, showing an increase in receipts for the year ended June 30, 1906, of \$567,712.52.

The total expenses of district land offices, for salaries and commissions of registers and receivers, incidental expenses, and expenses of depositing public moneys during the fiscal year ended June 30, 1906, were \$780,417.80, a decrease of \$37,921.52.

The aggregate expenditures and estimated liabilities of the public land service, including expenses of district land offices, as stated, were \$1,690,641.20, leaving a net surplus in the United States Treasury of \$5,894,882.70.

## PATENTS ISSUED.

During the fiscal year ended June 30, 1906, the following patents were issued, viz:

Cash patents.....	23,599
Homestead patents.....	29,899
Forest reserve lieu selection patents.....	2,222
Military bounty land patents.....	233

Timber-culture patents.....	63
Agricultural College scrip patents.....	9
Surveyor-General's scrip patents.....	55
Supreme Court scrip patents.....	4
Sioux Half-breed scrip patents.....	36
Valentine scrip patents.....	5
Arredonda scrip patents.....	2
Red Lake and Pembina scrip patents.....	3
Choctaw scrip patents.....	2
State desert land segregation patents.....	2
Special-act patents.....	4
Mineral patents.....	1,239
Coal patents.....	58
Private land claim patents.....	221
Indian patents.....	3,591
Swamp patents.....	37
Railroad patents.....	77
Total.....	61,361

#### DISPOSALS OF PUBLIC AND CEDED INDIAN LANDS.

The records of the Public Lands Division show that the activity in the disposal of public and ceded Indian lands, which has prevailed for several years, still continues.

On June 30, 1905, 265,220 original entries, mostly homesteads, were pending in this division; during the past year 92,277 more were received, which is 20,442 in excess of the number received the previous year. There were disposed of the past year by cancellation, final entry, and reference to other divisions, 86,319 original entries, leaving a balance pending June 30, 1906, of 271,178 entries.

There were pending on June 30, 1905, 20,578 final entries, and 49,291 were received during the year, making a total of 69,869. There were disposed of during the year a total of 55,998 final entries, 51,516 of which were approved for patenting, leaving a total pending June 30, 1906, of 13,871.

#### LANDS IN INDIAN RESERVATIONS.

During the past year instructions have been issued for the disposal of lands in ceded Indian reservations, as follows:

	Acres.
Round Valley, California.....	62,419.14
Crow, Montana.....	969,656.58
Shoshone, or Wind River, Wyoming.....	1,438,633.66
Total.....	2,470,709.38

## CROW INDIAN LANDS.

The unallotted and unreserved lands of the ceded portion of the Crow Indian Reservation in Montana, aggregating in area 969,656.58 acres, subject to disposal under the provisions of the act of April 27, 1904 (33 Stat., 352), were on July 16, 1906, opened to homestead entry by registered applicants only, during the first sixty days, in the order established by the drawing held at Billings, Mont., July 2, 3, and 5, 1906.

Sixteen thousand nine hundred and twenty-three persons registered as applicants for said lands, to 6,500 of which were allotted the right to make entry during the sixty-day period.

During the first week after said opening 185 entries and filings were made out of 750 who were entitled; during the second week 28 entries and filings were made, and up to and including August 31, 1906, a total of 263 persons made filings and entries, out of a possible 5,125.

## SHOSHONE INDIAN LANDS.

The unallotted and unreserved lands of the ceded portion of the Shoshone Indian Reservation in Wyoming, aggregating in area 1,438,633.66 acres, subject to disposal under the provisions of the act of March 3, 1905 (33 Stat., 1016), were on August 15, 1906, opened to homestead entry by registered applicants only, during the first sixty days, in the order established by the drawing held at Lander, Wyo., August 4, 6, and 7, 1906.

Ten thousand five hundred and fifty-nine persons registered as applicants for said lands, to 7,240 of which were allotted the right to make entry during the sixty-day period.

During the first week after said opening, 245 entries and filings were made and up to and including August 31, 1906, a total of 388 persons made filings and entries out of a possible 1,600.

## ABANDONED MILITARY RESERVATIONS.

Instructions have been issued for the public sale on the ground, on November 1, 1906, of 2,560 acres in the Fort Elliott abandoned military reservation, in Wheeler County, Tex., and also for the public sale at the land office in Dodge City, Kans., on November 14, 1906, of 1,882.93 acres in the Fort Dodge abandoned military reservation.

## CHIPPEWA LOGGING OPERATIONS.

During the past year logging operations on ceded Chippewa lands, Minnesota, under the act of June 27, 1902 (32 Stat., 400), were in progress on 242 different sections, 109 more than the previous year. The logging under said act has now been carried on for three years.

The following statement shows the number of feet of timber logged during each of the three years, the value of the timber, and the expense of logging to the Indians, including salaries and necessary expenses of scaling, viz:

Season.	Feet logged.	Value.	Expense of logging.
1903-4.....	45,590,448	\$269,198.12	\$14,413.58
1904-5.....	121,643,764	815,261.18	26,805.88
1905-6.....	173,560,998	1,122,918.93	35,592.84
Total.....	340,795,210	2,207,378.23	76,812.30

The percentage of expense of logging has decreased each year. Last year it was less than 3½ per cent of the value of the timber logged, and for the three years it has been less than 3½ per cent.

**PUBLIC SURVEYS.**

The areas covered by the surveys accepted by this Office during the fiscal year ended June 30, 1906, are as follows:

State or Territory.	Acres.	State or Territory.	Acres.
Alaska.....	2,598	New Mexico.....	303,813
Arizona.....	382,870	North Dakota.....	346,261
California.....	199,146	Oregon.....	213,557
Colorado.....	614,904	Utah.....	915,374
Florida.....	21,315	Washington.....	768,115
Idaho.....	479,700	Wyoming.....	1,584,940
Minnesota.....	279,274	Total.....	8,599,553
Montana.....	1,899,834		
Nevada.....	587,852		

By the act of Congress approved March 3, 1905, making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1906, and for other purposes, there was appropriated "for surveys and resurveys of public lands" the sum of \$400,000, of which amount the Commissioner of the General Land Office was authorized to expend so much as he might deem necessary for examinations in the field, etc.

Out of said appropriation the sum of \$80,000 was set apart to cover the cost of examinations in the field. The sum of \$18,000 was reserved for emergencies, and the remainder, \$302,000, was apportioned among the several surveying districts as follows:

Alaska.....	\$30,000	Oregon.....	\$15,000
Arizona.....	23,000	Utah.....	15,000
California.....	15,000	Washington.....	22,000
Colorado.....	20,000	Wyoming.....	30,000
Idaho.....	37,000	Examinations.....	80,000
Montana.....	43,000	Reserve.....	18,000
Nevada.....	25,000		
New Mexico.....	20,000	Total.....	400,000
North Dakota.....	7,000		

Further apportionments were made from time to time to several districts from the reserve fund, and toward the end of the fiscal year, it having been reported by the surveyors-general that the entire apportionment to certain districts would not be contracted for, transfers were made from the uncontracted fund to other surveying districts where the demand for surveys exceeded the area which could be surveyed under their original apportionments.

The cause of the failure to contract was not due to a falling off of the applications for surveys, for nearly all the surveyors-general estimated, for the surveys needed in the last fiscal year, a much larger amount than could be apportioned to them, but to the rigid system of examinations into the bona fides of the settlement upon which the application for surveys is based this has resulted in the denying of numerous requests by reason of settlement found by the examiners to be inadequate. It is also due to technical violations of the regulations concerning the preparation of contracts for surveys and to difficulties met with in connection with securing properly qualified deputy surveyors.

The arable plains and desirable valley lands of the public domain have been, for the most part, already settled upon and surveyed, so that the public land surveys are now being extended over lands more difficult to survey than in former years, and in some of the older districts the lands left unsurveyed in townships (because considered unsurveyable) are now being contracted for and townships completed as the increase of settlement and immigration makes it necessary. For this reason the average cost per acre for surveys has somewhat increased. Taking the annual appropriation for surveys and dividing it by the amount of acreage of accepted surveys, we find that the average cost per acre for the last seven years has been 4.3 cents.

This average would be somewhat increased if the surveys of ceded Indian lands and railroad surveys were deducted, but not materially.

In the year 1902 the cost was as low as 3.5 cents, in 1903 it was 4.3 cents, in 1904 the cost reached 5.4 cents, but dropt to 4.5 cents in 1906.

The completion of the surveys of public lands is, of course, under the present system, entirely dependent upon the development and settlement of the country and the appropriations by Congress. It is believed to be the wisest plan to await demands from settlers and apportion the appropriation in accordance therewith rather than attempt a systematic survey of the entire public domain far in advance of settlement.

As an indication of the conservative system now in vogue it may be stated that in 1884 over 52,000,000 acres and in 1885 over 30,000,000 acres were surveyed and accepted without field examination, as against 8,500,000 accepted last year after a careful field examination.

## TRANSACTIONS IN THE SEVERAL SURVEYING DISTRICTS.

## ALASKA.

The surveyor-general has received 1,121 communications and has written and issued 1,732 letters and notices.

Mineral surveys covering 239 locations were received and examined and 149 were approved, involving the production of over 500 plats, diagrams, and copies.

Coal-land surveys of 61 claims were also received, of which 43 were approved.

Twenty-six nonmineral surveys of public land were filed by deputies and examined and 22 of these were forwarded to the Commissioner for approval.

The returns of the mission surveys, elsewhere referred to, caused the Office much additional work.

## ARIZONA.

Five contracts, large and small, were awarded for public-land surveys, amounting to a liability of \$10,800.

Fourteen contract surveys undertaken in previous years were approved by the surveyor-general and forwarded to the General Land Office for examination, where all were accepted.

Eighteen other contracts in various states of pendency are reported. No returns of contract No. 40, of ten years' standing, have been forwarded to Washington for consideration, and it is reported among the pending contracts. Another of 1899 and 1 of 1901 have been rejected, and 7 others are under suspension awaiting correction of field work found erroneous by examiners.

Returns of new surveys of 29 townships were filed. The routine work of the office produced 210 plats and diagrams and 2,200 pages of transcript field notes; also 708 mineral plats showing 2,027 locations, in connection with 3,500 pages of typewriting.

The mineral business of the office continues to increase. The expenses of this branch, for clerical work and supplies, were about \$16,500.

## CALIFORNIA.

No report of business transacted at the San Francisco office can be expected by reason of the total destruction by fire of the building and all the records of surveys in that State and of public-land matters in that land office district. The plats and field notes of all former surveys will in time be fully reproduced from the duplicate records in Washington and in some of the local offices, and some of the records of Spanish titles may be similarly supplied, but the correspondence of over fifty years and the early history of many important cases are

irremediably lost. A large force of clerks have been employed under a special appropriation to reproduce as much as possible from the Department files.

Some fifteen or more contracts were awarded during the year and 9 other surveys provided for under special instructions. The prosecution of field work is greatly retarded by the difficulty of obtaining records of early surveys of lines that must be found and retraced in connection with new work.

In California a custom has long prevailed, unlike the practise in other districts, of filing full copies of field notes in the local land offices where the plats are filed. Tho these records are somewhat fragmentary, they were ordered transferred to the custody of the United States Surveyor-General, and will go far toward replacing that portion of the great loss; but, unfortunately, those lands in the San Francisco district, being in the same building with the surveyor-general's office, all perished in the same complete destruction and must be rewritten from the duplicates at Washington, the only ones extant.

The essential portions of the annual report of this State may be embodied in a later report for two years.

COLORADO.

Seven contracts were awarded in the year, of which 3 were for extension of public-land surveys and 3 for resurveys of townships on account of fraudulent and fictitious original surveys, with "the surveying out by metes and bounds all entries, filings, school sections, and State land selections in said townships in accordance with the act of Congress approved April 28, 1904."

The condition of 20 prior contracts pending at last report, also of 13 surveys under special instructions, is given in detail. The latter involve a liability of \$9,893, and the contracts show an aggregate of \$56,547. The disposal of these 33 surveys within the reported year appears as follows:

Accepted and paid for.....	3
Reported ready for inspection, but not examined.....	9
No work done by deputy; compassman appointed.....	6
Field work still in progress.....	4
Field work erroneous; suspended for correction.....	6
Suspended for change of office work.....	2
Rejected and new contract awarded.....	1
Canceled for deputy's illness; new contract.....	1
Work declined and transferred to an examiner.....	1
<b>Total.....</b>	<b>33</b>

Extension of time beyond contract limit was granted in nineteen cases.

This does not exhibit the rapid transaction of business which unfortunately prevailed while the inferior work of many years ago was

being carried thru; but the amount of faithful and accurate service now secured, under the scrutiny of competent examiners, fully compensates the Department for the care bestowed upon the reforms accomplished.

The survey of lands largely covered by settlers who could never find original corner monuments, the protection of their rights, and the regulation of their boundaries by genuine surveys, is a task involving many times the amount of labor, skill, and office duty that are required in a good original survey.

The mineral surveys were about as numerous as in the previous year, requiring the preparation of 1,566 mineral plats. The summary of correspondence shows 3,188 letters received, 2,974 issued by the surveyor-general.

#### FLORIDA.

Several small surveys of islands omitted from early plats are in progress. Returns of 1 contract survey were transmitted to the Commissioner and accepted. Certified copies of records and copies of field notes were furnished for the use of the Department and its special agents.

Lists of swamp-land selections by the State, covering some 12,000 acres, were filed and transmitted. The correspondence showed 668 letters received and 759 written.

#### IDAHO.

Seven surveying contracts calling for a gross liability of \$36,940 were awarded, besides seven surveys under special instructions, estimated at \$1,115. Two of the former were under a deposit of \$11,055 by the State.

Within the year 12 surveys were accepted, 4 suspended for error, and 1 rejected. Four others were transmitted for consideration, and 17 remain incomplete, either as to field or office work.

The payment of deposits for office work on mineral surveys was nearly twice the amount expended upon clerical service, so that the balance, or fund applicable to office work, increased from \$12,426 to \$18,363.

The office correspondence was extensive, showing 714 letters to the Commissioner, 249 to local land offices, 1,149 to deputy surveyors, and 2,173 to individuals; total, 4,285. There is no report as to letters received by the surveyor-general.

#### LOUISIANA.

In a matter in contest regarding certain lines of private land claims, it was found impracticable to engage a deputy surveyor to undertake the work needed at legal rates. An examiner of surveys was intrusted



with the work; but upon his reporting the overflowed state of the lands he was allowed to leave it until a more proper season of the year.

Applications for certificates of location by private land claimants occupy much attention of the office, and the claims of the State to alleged swamp lands still unsurveyed form another branch of duty calling for investigation.

Under special instructions a deputy reported about 9,000 acres of overflowed lands in T. 14 S., R. 13 E.

A small amount of office work is reported, besides the restoring and reproducing of old and partly-defaced plats and other old records.

## MINNESOTA.

No contracts for surveys were awarded in this district, and only 4 special instructions for survey of islands, at an estimated cost of \$105. Two of these island surveys are reported made, but returns not yet transmitted. No returns were made of the other two.

here are several outstanding surveys, authorized in former years, of which no mention is made in the report of the surveyor-general, tho he states that 9 townships have been surveyed, besides 4 townships in an Indian reservation, and that 1,032 miles of line were surveyed the returns of which he has examined and approved; also that 85 plats and diagrams have been prepared.

## MONTANA.

This district exhibits the largest amount of work done. Contracts for surveys have been awarded during the year to the following amounts:

Six contracts and nine minor surveys, from the general appropriation, total estimate.....	\$32, 967
Eight contracts under act of February 27, 1899, to aid construction of railroads..	60, 000
Two contracts, surveying Fort Peck Indian Reservation.....	12, 400
One contract for Indian allotment surveys.....	1, 050
One contract under special deposit of railroad.....	2, 760
Total liability.....	<u>109, 177</u>
Miles of public surveys made in the year.....	1, 549
Miles of public surveys made but not included in preceding annual report.....	5, 922
Miles of survey involved in returns worked up by the office force within last fiscal year.....	14, 249
Township plats constructed.....	495
Diagrams of exteriors constructed.....	44
Pages of transcript typewritten.....	13, 875
Mineral plats prepared.....	612
Pages of mineral transcript.....	2, 953

## NEVADA.

Seven contracts, amounting to \$20,000, and special instructions, with a further liability of \$3,473, have been awarded under the regular appropriation, besides one small contract under railroad deposit.

Five older contracts have been completed and accepted within the year and four others corrected, revised, and accepted. Returns of three of the remaining outstanding contracts were rejected for improper condition found by an examiner, and in one case the bondsmen were obliged to provide a compass man to reexecute the work.

Total amount of surveys returned in the year 1,796 miles. A remarkable increase of mineral work in the office at Reno has been the consequence of extensive discoveries of valuable mining property in mountain regions that have lately come into prominence.

Under applications from locators 373 orders for mineral survey were granted, covering 951 locations or claims. The office force examined, platted, and approved within the year 265 mineral surveys, including 686 lode claims and 9 mill sites.

Correspondence: 3,259 letters received, 3,567 written and sent.

## NEW MEXICO.

Under the appropriation for the fiscal year, 10 contracts of moderate size were awarded, with 4 minor surveys, under instructions, the estimated liability being below \$20,000. Eight previous contracts have been the subject of clerical work. The survey of "small-holding claims" continues to require attention and forms an important and troublesome feature of the work in this Territory.

The native inhabitants are grouped in irregular settlements of ancestral and traditional title. Their tracts are usually small, and often 20 or more may fall within 1 square mile. The lands remaining outside the boundaries of such claims are public land open to disposal after survey.

The surveyor-general reports difficulty in finding competent deputies willing to accept contracts involving the unusual complications and the meager legal compensation attending this class of work.

All private-land claims confirmed by the United States court have been surveyed, and two others confirmed by Congress are nearing completion.

Mineral surveys of 64 locations have been ordered and 153 plats of mining surveys have been made, besides 189 township and miscellaneous plats. The transcribing of field notes and other papers made 4,677 pages, typewritten.

## NORTH DAKOTA.

One contract was awarded for 2 townships in Turtle Mountain Indian Reservation during the year, and the returns have been filed and are being prepared for transmission. Office work on returns of previous contracts embraced 791 miles of lines.

Thirty new township plats were filed at the local office at Dickinson, adding a surveyed area of 685,470 acres.

## OREGON.

A very complete report of transactions is made by the surveyor-general for Oregon, with ten separate tabular statements. One large contract and two small ones were given under the appropriation, with instructions for two other small surveys.

Ten contract surveys were past as approved by the surveyor-general, but of these only one has been accepted, with two more of earlier date of approval. One of the ten was rejected, and bondsmen required to employ a compassman to fulfil the contract; three were suspended for bad field work found by examiners, and in five cases no examiner's report has yet been filed.

Of the old contracts, awarded by a former incumbent, five are still undisposed of, and may in time be made acceptable by further corrective field work.

Original plats prepared, and copies.....	51
Pages of transcript field notes written.....	2,353
Miles of surveys approved by surveyor-general.....	568
Acres of surveys approved by surveyor-general.....	174,183
Mineral surveys approved, 36, embracing claims.....	125
New mineral surveys ordered, embracing claims.....	72

Several large contracts have been found within the past three years to have been based upon fictitious reports of settlements in every township. Numerous affidavits of settlers had been filed for townships which were found on investigation to be uninhabitable desert, and on further examination the documents were found to be forgeries of fictitious evidence. The surveys based thereon were shown to be fairly well executed, and the accounts of the deputies were paid, but by order of the Department the plats of many such townships have been withheld from filing in the local land offices.

In the United States circuit court for Oregon in 1904 Henry Meldrum, former surveyor-general, was indicted and tried for the forgery of a large number of said affidavits. A verdict of guilty was returned. After a delay of more than a year he has been sentenced to two years' imprisonment, with a fine of \$7,500.

## SOUTH DAKOTA.

One contract with liability limited to \$4,500 was awarded for the survey of certain fractional townships in the Black Hills Forest Reserve. The same deputy has received contracts of two previous fiscal years for work in the Pine Ridge Indian Reservation for \$4,500 and \$5,000. These have been reported ready for inspection, and an examiner has been ordered to perform the duty; but no returns of either contract had been transmitted to the General Land Office up to the date of report.

A large amount of the office work has been caused by the act of Congress of March 3, 1899 (30 Stat., 1095), allowing special surveys in irregular form, at the expense of the applicant, of homesteads taken within the Forest Reserve.

Numerous applications, with preliminary diagram and evidence, have engaged the labors of the office, and after due examination and report by a special agent they have mostly been authorized.

Special instructions to make 16 such surveys have been pending for about two years. Five of these have been approved by the surveyor-general and accepted, but in 11 other cases no returns have yet reached the General Land Office.

Office work was completed upon surveys embracing 1,303 miles of line. The work on hand has been extremely complicated, from its being within forest and Indian reserves and often containing many patented mineral surveys, which must be segregated.

The mineral division of the office has also transacted much regular business, deposits for new office work being \$5,529.

## UTAH.

Within the year of report, five new surveys have been awarded from regular appropriation, for extension of public-land lines, and in one case of Indian allotments. Total estimate, \$14,185.

Outstanding or pending contracts, dating back from one to seven years, have made progress toward completion. They are sixteen in number, and in nine of them the returns have been completed and approved by the surveyor-general. Only one has been accepted and paid for. In the two oldest cases each deputy died, and the work of completion was assigned to a compassman.

The principal work of the year has been upon surveys within the Uintah Indian Reservation. Six contracts, awarded in July and August, 1903, embracing 33 townships and 540,000 acres, were completed as to office work, accepted, and paid for during the last fiscal year.

The only remaining part of said reservation surveyed but not accepted is contract No. 274 and a part of contract No. 266.

The activity of mineral deputies in Utah is shown by the deposit of \$12,165 for office work or mine surveys.

Township plats completed.....	53
Mineral plats.....	348
Other plats, diagrams, and tracings.....	80
Pages typewritten, transcript field notes.....	5, 371
Letters received.....	960
Letters written.....	1, 269

## WASHINGTON.

One contract under annual appropriation was awarded, besides a small one under special deposit by individuals, and one for \$11,638 in the Yakima Indian Reservation, provided for under a separate appropriation.

At the beginning of the last fiscal year there were 51 different surveys outstanding and pending, many of which were contracted from three to five years before; and in one case ten years. Unusual success has been shown in their disposal. Twenty-six of them have been accepted and paid for.

Of the remaining 25, the deputies have filed their returns of field work, and the office work is in a forward state.

The surveys accepted within the year had an aggregate of 2,818 miles of lines and 766,592 acres.

The Spokane Indian Reservation has been all surveyed and the work is nearly all accepted.

Orders were issued for survey of 158 mineral locations.

Completed mineral work embraced 266 plats. The total of plats, tracings, and other drafting work is given as 830.

## WYOMING.

The surveys required under contracts awarded in the year of report were seven in number, with a total estimate of \$31,277 under the regular appropriation. Two of these have been already executed and paid for.

Surveys pending at the beginning of the year have been disposed of as follows:

Six contracts accepted, estimated liability.....	\$55,080
Three contracts being platted, estimated liability.....	27,000

Three contracts and three surveys under special instructions, which had all been awarded to one deputy from May, 1904, to January, 1905, were found erroneous by two examiners, who made thoro retracement of portions of his field work. This deputy was required to return to the field and make his surveys correct; but on second inspection of one contract its amended condition was found so defective and irregular that all his surveys were rejected. He took

an appeal to the Department from this action. These six surveys had a total estimated liability of \$5,932.

A large part of the labor in both field and office was upon the survey of the Shoshone Indian Reservation, which was urgently required, to facilitate the allotting of all Indians therein, and the opening of the residual lands to entry and settlement.

The office within the fiscal year produced:

Plats of public-land surveys.....	271
Field notes of public-land surveys, pages written.....	9,340
Plats of mineral surveys.....	124
Field notes of mineral surveys, pages written.....	640
Letters received, 751; written.....	997

**FIELD EXAMINATION OF SETTLERS' APPLICATIONS FOR SURVEYS.**

A large part of the duties of examiners of surveys consists in the verification of statements contained in declarations by settlers upon the unsurveyed public domain, who apply to have the lands embracing their settlements surveyed, so that they can make proper entry and secure title.

The policy of examining into the bona fides of such applications was inaugurated by me three years ago, and the results have conclusively demonstrated its wisdom. Prior to these inspections, there were many fraudulent affidavits as to settlement which were prepared and filed in the surveyor-general's office, and forwarded by him to this office as a basis for the authorization of surveys.

The motive for the manufacture of false declarations of settlement which governed those applying is readily traceable to the regulations requiring such proofs of bona fide residence—at least three to each township—before a survey would be undertaken, and the provisions of the timber and stone act, by which no entry could be made until the lands are surveyed. The rapid absorption by timber companies and corporations of vast bodies of valuable timber, in spite of the frequent reservations of lands for forest reserves, at the ridiculously low price of \$2.50 per acre, induced the desperate means taken to secure surveys, and this fact being brought to my attention determined me to safeguard the public interests in this respect by an actual field inspection of whatever settlement was alleged.

Examiners of surveys, detailed to this work, whenever the examination of contract surveys would permit, have found, as was to be expected, in a majority of instances the settlement to be genuine and the applicants occupying and improving the land as a permanent home, but in a large percentage of cases, and in nearly every case of densely timbered land, the settlement was found to be fictitious—

only a mere pretense of improvement being discovered and no evidences of intention to reside upon the land—the applicants being residents of near-by towns and confessedly desirous only of securing the timber on the land.

A further motive for false declarations of settlement was found to be the desire on the part of deputy surveyors to secure contracts for surveys. This was found to be true in arid and treeless regions. The seriousness of the results, however, was in this case not as great as in the surveys of heavily wooded tracts, as, if the surveys were accurately made, no loss to the Government would ensue, except when there was no possibility of reclamation or future settlement.

The following table will show the work done by examiners of surveys in inspecting evidences of settlement thruout the past fiscal year:

District.	Number of townships with applications for survey—		District.	Number of townships with applications for survey—	
	Granted.	Denied.		Granted.	Denied.
Arizona .....	8	1	Oregon .....	8	5
California.....	6	0	South Dakota.....	1	0
Idaho.....	19	2	Utah.....	4	0
Montana.....	33	14	Washington.....	9	0
Nevada.....	1	0			
New Mexico.....	10	4	Total.....	99	26

#### EXAMINATIONS OF SURVEYS IN THE FIELD.

By the act of Congress making appropriations for sundry civil expenses of the Government for the fiscal year ended June 30, 1906, approved March 3, 1905 (33 Stats., 1184), there was appropriated for surveys and resurveys of public lands the sum of \$400,000. Of this sum the Commissioner of the General Land Office was authorized by said act to expend so much as he might deem necessary for examinations of surveys in the field, in order to test the accuracy of the work of deputy surveyors, and the examinations of surveys heretofore made and reported to be defective. Acting under this authority, the Commissioner, with the sanction of the Department, set apart the sum of \$80,000 for field examinations.

There were employed during the year 18 examiners of surveys, to whom instructions were issued for the inspection of surveys reported by the several surveyors-general as being ready for examination in the field. A portion of these examiners were actively engaged during the entire year, and the remainder were employed in the field during a part of the year, according to the exigencies of the service and the condition of the weather during the winter season. The compensation and expenses of the examiners of surveys were paid out of the fund assigned for field examinations, except in the case of the examination

of surveys of Indian reservations, when the cost was paid from the proper appropriations for Indian surveys.

In connection with the duty of examining surveys in the field, the examiners of surveys have also been engaged in the examination of the bona fides of applicants for the survey of lands, in order that it might be determined whether such applicants were actual settlers upon the land for the survey of which they had made application. A gratifying decrease in the number of bogus applications for survey is noted.

During the fiscal year surveys executed under contracts, or special instructions issued in lieu of contracts, in the several surveying districts were accepted after thoro inspection in the field by the examiners and subsequent critical examination of the surveying returns in this Office and comparison with the reports of the examiners, as follows:

Surveying district.	Contracts.	Special instructions.	Surveying district.	Contracts.	Special instructions.
Arizona.....	12	1	Nevada.....	6	1
California.....	14	4	New Mexico.....	12	1
Colorado.....	3	.....	North Dakota.....	2	.....
Florida.....	1	2	Oregon.....	3	2
Idaho.....	9	2	Utah.....	11	.....
Minnesota.....	4	.....	Washington.....	23	1
Montana.....	31	2	Wyoming.....	9	.....

The surveys accepted during the fiscal year, as reported in the above table, consisted in most cases of complete surveys under given contracts. In other cases the acceptance covered partial surveys, the entire work under some contracts not being returned during the fiscal year. In several cases surveys were accepted which had been suspended during the prior years on account of errors in the field work reported by the examiners of surveys, or on account of defects in the returns, and in other cases portions of the surveys under certain contracts returned during the year, which were found to have been executed in accordance with contract and instructions, were accepted; but other portions of the work under such contracts were suspended awaiting necessary corrections.

**SUSPENDED AND REJECTED SURVEYS.**

During the year surveys were suspended under 1 contract in Arizona, 5 in California, 6 in Colorado, 6 in Idaho, 2 in Minnesota, 1 in Montana, 1 in Nevada, 3 in New Mexico, 5 in Oregon, 3 in Utah, and 3 in Washington.

The causes of these suspensions were defects discovered in the returns either by the surveyors-general or this Office; errors developed by the field examinations, such as defective alignment, insufficient memorials, faulty monuments, excessive errors in measurements, failure to properly mark the monuments and bearing



trees, general carelessness in the work, and fraudulent surveys, with slight evidence of an attempt to comply with contract and instructions.

In the cases of three contracts in California in which the contracting deputy either failed to execute the survey provided for or the surveys were so poorly executed as to necessitate their being held for rejection, the surveys were rejected and new contracts authorized; the sureties on the prior contracts being required to qualify as such in the new contracts.

In the cases of three contracts and two sets of special instructions by the same deputy, the surveys were held for rejection by the Office, from which action the deputy filed an appeal and all papers therein have been forwarded to the Department for consideration.

In addition to the surveys accepted during the fiscal year ended June 30, 1906, after examination in the field there were accepted, without field examination, surveys executed under two sets of special instructions in Florida, one in Idaho, four in Minnesota, and under one contract in Washington. These surveys all involved small liabilities, and the expense of examination in the field would have been disproportionate to the cost of the surveys. The evidence afforded by the Office examination of the returns appeared to show that the surveys had been properly executed, and they were accordingly accepted.

The surveys accepted during the year included surveys within the Crow and Flathead Indian reservations, Mont.; Walker River Indian Reservation, Nev.; Uintah Indian Reservation, Utah; Spokane and Lummi Indian reservations, Wash.; and Shoshone Indian Reservation, Wyo.

There were a number of surveys accepted during the year which were executed under special instructions issued by this Office, consisting of islands in several States, which were omitted at the time of the original survey, and several fragmentary surveys in which considerable preliminary investigation was necessary were executed by examiners of surveys.

During the fiscal year the surveys of three town sites within the former Uintah Indian Reservation, Utah, and of two within the Minidoka Reclamation Project, Idaho, have been executed by examiners of surveys and detailed clerks, and the plats have been approved.

#### RESURVEYS AUTHORIZED BY CONGRESS.

##### RESURVEY OF LANDS IN SAN DIEGO COUNTY, CAL.

The recent disaster in San Francisco which destroyed the entire records in the office of the surveyor-general of California has retarded the arrangements for the completion of the resurveys in the "Imperial" district.

This work was begun in 1902 by a resurvey of the exterior lines of the main part of the block of townships authorized.

Considerable difficulty was experienced in locating these basic lines owing to the almost total obliteration of the original surveys and the fact of the inaccurate establishment of the few corners, traces of which were discovered. After two years had elapsed the subdivisional work of about two-thirds of the block was contracted for under two contracts, and these surveys were in process of execution in 1905, leaving the more thickly settled portion to be undertaken later. In the early part of the present year it was deemed expedient to hasten the completion of the entire work, and as the apportionment to the district of California from the regular appropriation for surveys and resurveys for 1906 was insufficient to meet the expense of a contract for the remaining resurveys, there was appropriated by the urgent deficiency bill the sum of \$20,000 to complete the resurveys in the entire tract. The surveyor-general was directed to contract at once with a deputy surveyor or firm of deputies to finish the remaining townships and survey out all valid claims entered prior to March 31, 1906. In response to a petition from numerous settlers upon these lands who began their settlement since July 1, 1902, the date prior to which valid entries were to be segregated by the deputy surveyors, I extended the instructions for the surveying out of claims so as to include all the claims made in the last four years, fixing the limit of allowance of entries at March 31, 1906.

The San Francisco fire has delayed the preliminary steps toward the field work of the remaining resurveys, but the necessary orders and instructions to the surveyor-general are now in his hands, and the matter of closing up this important work will need no attention from this Office until the surveyors report that their field work is completed and the field examination is requested.

#### ROUTT AND RIO BLANCO COUNTIES, COLO.

Under the act of Congress approved April 28, 1904, the resurvey of the largest block of townships yet authorized was entered upon and is progressing rapidly under the annual apportionment to Colorado.

The execution of these and other resurveys where there have been numerous entries and disposals has created various questions as to the best means of properly segregating or surveying out the lands taken up under the old survey.

Where there are no traces of original surveys found in existence, and where attempts on the part of local surveyors to locate corners when the settlers entered upon the land, which locations have resulted in distortion of the section lines, and the settlers have adjusted their boundaries themselves, it is manifestly unjust to their interests for

the Government to make such a metes-and-bounds survey of their claims in an attempt to relocate them more accurately as would disturb the integrity of their holdings. And in townships where a majority of the subdivisions have been taken up by numerous settlers abutting on each other this Office has reported against making any resurvey when measures before Congress providing for it have been submitted to me for my views.

In the case of resurveys in Colorado the conditions indicated that the most satisfactory method to make the resurveys of claims was to first establish the lines of the resurvey from correct and authentic standard and meridian lines, and afterwards to have the resurvey run out the boundaries of claims connecting them with the corners of the resurvey and setting closing corners wherever the resurvey lines entered and left the valid holdings of settlers. The rules for marking the corners of claims are being gradually worked out and adopted as experience in this kind of survey work suggests.

#### WYOMING.

The large number of resurveys in Wyoming are being contracted for to such an extent as the apportionment will admit. The "continuous" appropriation for surveys within railroad limits has been found available for resurveys of such lands, and Congress, having by law authorized the resurvey of 159 townships, contracts for their resurvey have been entered into by the surveyor-general.

#### NEBRASKA.

By Congressional enactment (33 Stats., pt. 1, p. 1037) there were 32 full and fractional townships in Rock and Brown counties authorized to be resurveyed, provided that investigation by a duly authorized agent of the Department should prove that the evidences of the original surveys were obliterated or that the surveys were so inaccurate as to make a resurvey necessary.

An examiner of surveys was detailed to make an examination and upon his report a contract was entered into, after competitive bids were opened, with a firm of deputies to resurvey the lands. These deputies are now in the field, and will, it is expected, complete the work this year.

#### IDAHO-MONTANA BOUNDARY.

The determination and monumenting of this line has been in progress since February 17, 1904, the date of the contract for the survey entered into with Howard B. Carpenter.

The estimated length of the uncompleted boundary line between the two States, which follows the sinuosities of the crest of the Continental Divide and Bitter Root Range of mountains, having proved to be only about 75 per cent of the actual distance the surveyor in

charge of the establishment of this line notified this office of the inadequacy of the appropriation of \$50,000 made by Congress for the work and ceased his field operations when he reached the limit of the liability of his contract.

The portion completed by the surveyor having been critically examined in the field by an examiner of surveys and pronounced accurately located and exceptionally well executed as to measurement and monumentation, the partial survey was accepted and plats and field notes thereof filed with the surveyor-generals of Montana and Idaho.

The act of Congress approved June 30, 1906, having appropriated the further sum of \$15,000, and the same surveyor having submitted a proposal to continue and finish the survey of the line for such a compensation per mile as would insure its completion within the sum appropriated, his proposal was accepted and it is confidently expected that the entire field work will be executed during the present surveying season.

#### SURVEYS OF CEDED INDIAN LANDS PREPARATORY TO OPENING THE RESERVATIONS.

Noteworthy among the reservations subdivided by this office during the last fiscal year for the purpose of throwing open the lands to public entry are the Crow Indian Reservation and the Flathead Indian Reservation in Montana and the Wind River or Shoshone Indian Reservation in Wyoming. To survey these large tracts in time to admit of allotment and other preliminaries to the opening required special expedition. It was at first intended to complete the work of subdividing the Flathead Reservation before any other for opening this season, but it was found that prior to allotment and registration the law required an appraisalment of the value of the lands by a commission which had one year to render their report, and the opening of the Flathead Reservation was necessarily postponed until 1907. In the meantime, however, the surveys were rapidly pushed and an examiner of surveys stationed on the field to inspect the work as fast as completed by the surveyors, so that the extension tract to be disposed of has been completely surveyed and the field notes and plats prepared in readiness for the opening.

It was then decided to so arrange the completion of surveys in the Crow and Shoshone reservations that by July 15, 1906, the ceded lands in the former should be thrown open and by August 15, 1906, the date set by Congress for the Shoshone opening, the lands of both reservations would be offered to the public. In order to accomplish the work of surveying the ceded portion of these two large reservations in time to admit of the necessary preliminaries of mapping, allotment, and listing of tracts for disposal in accordance with regu-

lations and the special provisions of the act of Congress authorizing the opening, this office was obliged to proceed with great dispatch and to so limit the time for finishing the surveys as to insure the return of the field notes in time to be worked up by the office force of the surveyors-general before the date set for registration. The latter, by careful management and laying aside other work, succeeded in forwarding to this office the requisite data on which to act in accepting the surveys, and the plats were placed in the hands of the Indian Office in ample time for the preparation of the lists of lands to be disposed of.

The surveyors encountered some difficulties, owing to the roughness of the ground and the faulty nature of previously surveyed lines.

#### PROGRESS OF SURVEYS OF INDIAN RESERVATIONS FOR FUTURE OPENING.

The conditions of the surveys of reservations for which Congress has provided by special legislation for the survey and subdivision preparatory to disposal is outlined below:

*Walker River, Nevada.*—Subdivisional surveys executed and plats delivered to Indian Office.

*Coeur d'Alene, Idaho.*—Subdivisional surveys completed in the field, acceptance of surveys awaiting the resurvey of townships surveyed many years ago.

*Yakima, Wash.*—Surveys authorized and contractors now at work in the field.

*Spokane, Wash.*—Surveys executed with the exception of one township, which requires correction.

*Turtle Mountain, North Dakota.*—Surveys executed; not yet accepted.

*Hoopa Valley, California.*—Surveys authorized, but not yet finished.

*Fort Peck, Mont.*—Surveys authorized and now being executed.

#### ALASKA SURVEYS.

There has been satisfactory progress in the surveys of the fiscal year in respect of quality as well as amount. No regular subdivision of the lands under the rectangular system has yet been projected. The Copper River base and meridian have been surveyed, but no returns have been transmitted. There have been no recent surveys of claims taken for trade and manufacture.

The surveyor-general's office force, heretofore quite inadequate, is now substantially reenforced by a better appropriation, and a much greater amount of work will be possible.

Mineral locations to the number of 241 have been received and variously acted on, besides 61 coal-claim surveys, of which 43 have been approved.

Under the general law for coal lands it had seemed necessary, in order to dispose of the reported coal and oil lands at Kayak or Katalla, to make a survey of certain township lines in that valley as a basis for disposal of claims. The surveyor-general was authorized to solicit proposals on a per diem basis of compensation; but the dep-

uty surveyors of that region declined to submit bids lower than \$5,000 for 30 miles of line, making their estimate of proper compensation \$167 per mile.

The proposition to have such lines surveyed was declined by letter of January 6, 1906, and the surveys of coal and oil lands are proceeding under a special act, which makes the rectangular township surveys unnecessary. In this manner the coal-bearing areas of Alaska are being claimed and surveyed, and titles will be secured under practise similar to that prevailing in regular mineral claims.

#### TOWN-SITE SURVEYS.

Under the law by which the boundary of a new town site on public land may be surveyed at the cost of the Government, several town-site projects have been carried out and others are under way. A contract for the survey of Ketchikan is in process of being awarded to a surveyor of that town.

Fairbanks being remote from the coast, only two deputies were available for survey of its boundary. Their bids were informal and unauthentic, so it was decided that regular proposals must be submitted. The right of rejecting any or all bids is a necessary condition, considering the rapid increase in such estimates in Alaska. Where the compensation asked by the lowest bidder and recommended by the surveyor-general is deemed unreasonable the alternative is to have the survey made by an examiner or special agent.

Chena is another town on the Tanana River, 10 miles from Fairbanks, where a survey was demanded for town-site purposes. The Department authorized the issue of a contract to a local deputy without competitive bids, at \$200; but such contract has not yet been presented for approval.

The survey of Skagway town site under contract with E. Ruud, D. S., was provided for in a previous fiscal year, but no returns have been transmitted by the surveyor-general.

The land occupied by town-site settlers adjoining the tract known as Haines Mission has long been in contest, having been surveyed and taken as a homestead by Sol Ripinski. After due investigation his survey was approved July 14, 1905. This brought the case within the jurisdiction of the local land office at Juneau, where the claims of the contestants will be heard and the question of a survey of Haines town site will be settled.

The former town sites of Homer and Dyea are reported to be deserted.

#### MISSION SURVEYS.

The native inhabitants of Alaska may be supposed, from the experience of many aborigines elsewhere, to be in danger of gradual or rapid diminution of population. Instead of the general Indian

policy of setting apart reservations upon which they may be gathered and kept apart under the agency plan, the Government has wisely given them full rights of possession wherever they had homes. Their huts, burial places, boat landings, and fishing privileges are secured to their use, at least in theory, and it is hoped in general practise. For example, no surveys are approved which appear to infringe on the habitations of living or deceased Alaskans; and in the pending survey of Ketchikan town site there is a special condition regarding their landing places.

The only reservations granted to these people are the tracts used as mission stations, and their original nucleus is the widespread array of native churches of the Orthodox Russian or Greek denomination.

The work of surveying and marking out the lands held and used on June 6, 1900, in the various mission establishments of Alaska for the benefit and education of the aboriginal population, has been going on under several contracts.

The priests, clergy, and teachers interested in benevolent and religious work among the natives filed their applications according to the special act approved June 6, 1900, by which they petitioned for the survey of 207 tracts of ground, located in 105 different places, dispersed everywhere thruout the district.

These mission tracts were separated into twelve groups as a basis for soliciting proposals for twelve separate contracts of survey under an estimate and appropriation of \$50,000 for the compensation. A very liberal rate of pay per diem was necessarily allowed to provide for the immense distances to be traveled upon hazardous sea journeys, the frequent delays, the high cost of living, labor, and transportation.

In three cases the successful bidder failed to proceed with his contract, and the work was relet to another. Group No. 12, covering the most western islands of the Aleutian Archipelago, has been declined by approved bidders twice, and is not yet under contract, and group No. 8 of the Unalaska region is still seeking a surveyor.

The surveyor-general has received returns of survey of six of these mission contracts, five of which have been suspended by him for explanation of defects or correction in the field. Contract No. 12 was transmitted with his approval, but the examiner found defects in the field work, which led to the suspension of that one also.

Another of these contracts was awarded to a deputy who had made strenuous efforts to secure the surveying of all the mission tracts under one contract. The time to which he was limited for filing his returns has long expired, without his even reporting progress in his work, and his bondsmen are required to remedy his default or respond to a suit upon the bond.

The Russian Greek clergy are content to receive title to very small

tracts, which secure to them the actual ground used for a parsonage, church, and cemetery. The returns of contract No. 12 have been received and examined, showing that the 19 pieces of ground surveyed have only an average area of about 2 acres each. The Russian clergy claim 161 tracts out of the total of 207 for all churches.

The remaining 46 tracts are distributed thus: Presbyterian, 10; Roman Catholic, 9; Protestant Episcopal, 9; Moravian, 5; Reindeer Station, 4; Swedish Evangelical, 3; Methodist Episcopal, 2; Friends, 2; Congregational, 1; Baptist, 1.

In the work of contract No. 12, the first one reported, the Russian missionary attended the surveyor thruout his work, pointing out the 19 tracts, acting as interpreter, and impressing upon the natives the importance of preserving their boundary monuments intact. For these no wooden stakes are permitted, but only stone or iron corner monuments.

On account of the hazards attending the execution of some of these groups of mission surveys, the contract plan may have to be abandoned and the work completed at some future time by surveyors under salary as examiners.

#### SOLDIERS' ADDITIONAL HOMESTEAD SURVEYS.

The number of surveys made for individuals or corporations holding certificates of soldiers' additional homestead rights, which have been transmitted from Alaska, is over 280. Most of these have been approved, but some have been rejected for erroneous field work and others have been corrected before acceptance.

There are other cases where the apparent aim of the applicant has been to secure control of all the available beaches and fishing facilities in some locality by surveying narrow strips along the shores. Surveys bearing this appearance and found defective in other respects have been suspended, and a number of them have been abandoned by the projectors.

A large number of early surveys were accepted solely upon the statements in the sworn returns with no examination on the field. The careful work of Examiner J. Frank Warner in Alaska in the season of 1903 made it certain that some of this work was very irregular and erroneous. The work of other competent and careful men retracing old lines confirms this opinion. The courses of the survey of Juneau town-site boundary, for example, are far from correct. The practise apparently was to assume a certain amount of magnetic declination without any effort to obtain the true meridian. Such surveys report untrue courses.

The same examiner has been again assigned to service in Alaska, and is actively engaged in the inspection of surveys of claims and missions. He uses correct and scientific methods to surmount all



the difficulties of obtaining the true meridian, but merely practises what every skilful and faithful deputy should do in executing accurate and reliable work.

As a result, it is certain that deputies are learning to be more thoro and to equip themselves with instruments and skill that will reduce the chances of having to return and correct their work. In all its efforts to secure the highest degree of accuracy in this service, the Department has enjoyed the hearty and efficient cooperation of the surveyor-general at Sitka. He appreciates the responsibility and duty of laying deep and solid the foundations of the future great State, over whose early days his influence has rested.

During the past fiscal year two of his deputies have been suspended from office by him on account of practises found flagrantly unacceptable. In other cases where deputies have made erroneous work and declined to remedy the faults, he has called upon the security of their \$5,000 official bonds to employ a competent surveyor to make good the default.

#### REGULAR HOMESTEADS.

The act of March 3, 1903, provided that in Alaska homesteads of the ordinary kind might include as much as 320 acres each. It was expected that the lands reported to be of agricultural value would be rapidly taken up under this generous law. There are no data at hand to show how far the new privilege is being utilized.

A very few regular homestead claims have already been surveyed and transmitted for approval, while there are probably a great many settlers selecting claims and beginning occupation and improvement with surveys thereof still in the future. Such claimants need not wait for sectional surveys, but may secure surveys of their holdings at their own expense and file the same with applications to enter after approval of the private surveys. None but official and bonded deputies of the surveyor-general are authorized to perform service of surveying claims of any description.

The agricultural occupation of Alaska lands must naturally be limited to comparatively small portions of its area; but the successful farming conducted since prehistoric times in such far northern countries as Scandinavia, Finland, and Iceland gives assurance that a large population will yet be supported directly from the products of Alaska's soil and climate.

The surveyor-general's annual report, speaking of the recently filed returns of Deputy A. B. Lewis's survey of the Copper River meridian, base, and standard lines, and his reference thereto in his annual estimate for appropriations, comments thus:

It was shown that in many places there are extensive areas susceptible of cultivation and of producing crops of some sort or other or adapted to grazing purposes, reference being made more particularly to the great valleys of Copper, Tanana, and Sushitna rivers.

The fact that the deputy who surveyed the Copper River base, standard, and meridian lines reported settlements in seven of the townships bordering on the meridian line in Copper River Valley, and his statement that said townships should be surveyed was mentioned and the reasons for believing that there would be a considerable influx of settlers in that valley and also in the Tanana and Sushitna valleys in the near future were quite fully set forth.

In support of his estimates the surveyor-general also wrote:

It appears now to be an almost assured fact that Copper River Valley will be traversed by a railroad within a short time, and in such event there can be no doubt but there will be quite an influx of settlers. As the primary lines have been extended thru that valley, provision should be made for supplementing them with township boundaries, in order that settlers may have some means of ascertaining where they are located, relative to the lines of the public surveys.

There are extensive areas of rich copper deposits bordering this valley, and when transportation facilities are provided for carrying the products of the mines to the coast—and that is one of the objects of the proposed railroad—they will be worked on an extensive scale. This will necessitate the employment of large numbers of men, and will create a good market for products of gardens, farms, dairies, and stock ranches.

He also refers to the standard parallel and third guide meridian extending over into the Tanana country, the seat of the great gold-mining industry around Fairbanks and Chena, and says:

The Tanana River is navigable for steamboats for about 275 miles from its confluence with the Yukon. Along all this distance it flows thru a very broad valley. It is said by those who traversed it on steamers that no high mountains are visible from it on either side. The country is described as rolling. It is estimated by Prof. C. C. Georgeson, special agent of the Department of Agriculture, who visited that part of the district last summer, that at least 75 per cent of the land in that valley is available for agriculture and stock raising. He strongly recommends that the Tanana Valley be included in the system of surveys already inaugurated in the Copper River Valley.

The report makes a similar appeal for the lands about Shushitna River, some 3° south of the Tanana, describing them as largely covered with merchantable timber with large spaces of natural grasses, while the nearest mountains abound with mineral wealth, especially good coal beds, which are being extensively located under the favorable law of 1900. The Alaska Central Railway, now being constructed from Seward on Resurrection Bay northward thru this valley to the Tanana country, is also an argument for the early extension of public surveys in that region, and the surveyor-general urges that standard lines be run, to facilitate the beginning of township surveys when found necessary.

#### COMMUNICATIONS.

Some delay is unavoidable in the transaction of official business with Washington and with the far remote parts of the district. From Sitka to Washington is over 4,000 miles. But letters are often transmitted in twelve or thirteen days, and with additional extension of railroads the time will be much reduced. Since the

establishment of the Alaska telegraph system urgent business can be transacted in a few hours with many parts of that country. (The time now required by mail is less than was needed two generations ago to communicate with St. Louis or Mobile.)

**PROSPECTIVE CLOSING OF SURVEYORS-GENERAL'S OFFICES IN FLORIDA, MINNESOTA, AND NORTH DAKOTA.**

Sections 2218-2221 of the Revised Statutes provide the manner in which surveyors-general's offices shall be closed upon the completion of the surveys in their districts and the surveying archives transferred to the custody of the State authorities.

Section 2221 provides that these archives shall not be turned over to the authorities of any State until such State shall have made provision by statute for their reception and care.

In the State of Florida the surveys have all been completed except those unsurveyed portions which consist of swamp lands enuring to the State, and there appears to be no reason why this office should be kept up longer.

In the State of Minnesota the surveyor-general estimates that all surveys will be completed and returns thereof submitted by December 31, 1907.

In the State of North Dakota the only lands remaining unsurveyed are those within the Standing Rock and Fort Berthold Indian reservations; provision for the survey of the former reservation was made by the act of June 21, 1906 (Pamphlet Stats., 361), and it is expected that all work in connection therewith will be completed by June 30, 1908.

In view of the provisions of section 2221, supra, it is suggested that the attention of the proper officers of the States of Florida, Minnesota, and North Dakota be invited to the fact that the records of their respective surveyors-general will soon be ready to be turned over to the State authorities, and that provision is necessary for the preservation and safe-keeping of such records. Upon the receipt of notice from the State authorities that such provision has been made, steps can then be taken to turn over to the proper State officer the surveying archives without delay.

These records are being constantly consulted by local surveyors and other parties in interest, and it is deemed essential that the surveyors-general's offices be kept open for such purpose until the State authorities shall be ready to receive and care for the archives as public records and provision made for free access thereto.

**RAILROAD GRANTS.**

During the fiscal year there were certified and patented under the several grants by Congress to aid in the construction of railroads and

wagon roads 1,980,812.02 acres, and 83 railroad and wagon-road patents were issued.

Of the area embraced in railroad and wagon-road selections 70,533.73 acres were canceled.

There were docketed and reinstated during the year 1,327 cases, and 420 were closed. Of the 2,039 cases pending at the close of the year, 1,080 only were ready for action, the remainder having been already decided or suspended. Of the 2,010 entries on hand for action during the year, 519 were disposed of, leaving 1,491 pending June 30, 1906, of which 1,342 are included in docket cases and 56 are suspended, leaving 93 ready for action. Of the 12,369 letters that were on hand for action during the year, 11,135 were disposed of, leaving 1,234 for disposal, 1,200 of which are for consideration of cases under the act of July 1, 1898, and the cancellation of entries, and will be filed and disposed of with the cases to which they belong.

#### ADJUSTMENTS.

The reexaminations of the entire grants to the Northern Pacific Railroad (now railway) Company, covering a length of over 2,000 miles of road and involving an area of over 53,000,000 acres of land, to determine their status, referred to in my last annual report, were completed and the results submitted to the Department during the past year.

The business connected with the adjustment of this grant has very greatly increased during the past two years, resulting from decisions of the Supreme Court in the case of the *United States v. The Company* wherein the contention of the Government that the odd-numbered sections of land lying north of Portland, Oreg., and within the overlapping limits of the grants to the company by the act of July 2, 1864, and the joint resolution of May 31, 1870, were forfeited and restored to the public domain by the act of September 29, 1890, because of the failure of the company to construct the line provided for by the prior act of 1864, was overruled (193 U. S., 11), in the case of *Humbird v. Avery* (195 U. S., 480) that the provisions of the act of July 1, 1898 (30 Stat., 597-620) were applicable to patented as well as unpatented lands, whether the patents were issued before or after its passage provided they were otherwise within its terms, and that the exception of lands sold or contracted to be sold by the company is not applicable to sales made subsequent to the acceptance by the company of the provisions of said act, and the action of the Department of Justice in dismissing the suit brought against the company to quiet title in the United States to a moiety of the odd-numbered sections within the overlap, near Wallula, Wash., of the grants to the company for its main and branch lines, for the reason that it could not be successful.

Following these rulings a large number of claims which had been asserted under the rulings of the Department respecting these overlaps were filed for relief under the provisions of the act of July 1, 1898, supra, which provided for the adjustment of conflicting claims of the company and settlers and others to lands within the limits of the company's grant, and during the year 715 of these claims have received action; 269 cases were closed, and after their examination and listing by this Office and approval by the Department the company relinquished and relieved from conflict lands covered by the claims of 251 settlers and entrymen embraced in 34 lists.

A large number, probably two-thirds, of the pending claims asserted under the act of 1898, having originated subsequent to January 1, 1898, and therefore not being under its provisions, were suspended to await legislation proposed by the Department for the relief of the claimants. The legislation contemplated was enacted by Congress, and was approved by the President May 17, 1906 (Public No. 172). This act extended the provisions of the act of 1898 and the act of March 2, 1901 (31 Stat., 950), to all bona fide settlements and entries made prior to May 31, 1905, within the overlaps above referred to and the cases thereby relieved from suspension are being expeditiously disposed of.

During the past year the grant for the Corvallis and Yaquina Bay Wagon Road Company in Oregon has been reexamined and 600 acres found to be vacant and subject to the grant, and as to these tracts the company was called upon to select the same with a view to the final closing of the grant.

The grant for the Ontonagon and Brule River Railroad Company in Michigan was also reexamined and all lands found available for the purposes of the grant certified for its benefit, which practically closed the grant, and the company will now be called upon to show cause why the grant should not be formally declared adjusted and closed.

Reexamination of the grant for the Oregon Central Military Wagon Road Company (now the California and Oregon Land Company), has been entered upon and is now well under way, and the company has been notified as directed in Departmental instructions of May 4, 1906, that no further indemnity selections will be submitted for approval until the company shall have complied with the requirements of this Office in the matter of furnishing good and sufficient basis for all indemnity lands heretofore approved on account of the grant.

The cases of the 75 entrymen referred to in my last report as shown by an examination of the records to come within the provisions of the act of February 24, 1905 (33 Stat., 813), for the relief of certain homestead settlers in the State of Alabama, have all been

disposed of excepting one, which is awaiting the filing of supplementary proofs.

Upon the question as to the advisability of the institution of suits by the United States for the recovery of title to certain lands, situated in Dickinson and O'Brien counties, Iowa, from purchasers from the Sioux City and St. Paul Railroad Company who had received patents under the provisions of section 4 of the act of March 3, 1887 (24 Stat., 556), referred to in my report for the year ending June 30, 1905, there was submitted to the Department during the past year (October 27, 1905), with appropriate recommendations the answers of the patentees and their transferees to the rules laid upon them to show cause why such suits should not be instituted in view of the decision of the Supreme Court in the case of *Kuepper v. Sands* (194 U. S., 476). The Department, on May 15, 1906, advised this Office that its reports with the accompanying papers had been submitted to the Attorney-General for consideration by his Department.

The question as to the right of the Government to recover from a railroad company the amount received by it from the sale of lands erroneously patented under a railroad grant and sold by it to bona fide purchasers, not to exceed the Government minimum of such lands, has been finally established affirmatively after several years litigation, by decisions of the Supreme Court in the cases of the *Southern Pacific Railroad Company v. United States* (200 U. S., 341), in which the Government collected \$40,890.53 and same company *v. United States* (*Ibid.*, 354), wherein the Government collected \$2,002.47.

#### RIGHTS OF WAY.

By the act of March 3, 1875 (18 Stat. L., 482), Congress granted to railroads upon certain conditions right of way thru the public lands.

Rights of way for railroads, wagon roads, and tramroads in Alaska were granted upon certain conditions by the act of May 14, 1898 (30 Stat. L., 409).

Under the provisions of these acts and special acts, 760 companies have filed articles of incorporation which have been accepted, 62 of which were accepted during the fiscal year ended June 30, 1906. Right of way has been approved to 543 companies, 30 of which received their first approval during the same period.

There were received during the year 610 maps of locations of railroads, which, with those already pending, make a total of 677 maps on hand for action during the year; of these, 180 have been approved, 20 have been filed (not requiring approval), and 395 have been otherwise disposed of, 11 of which were rejected, the rest having been returned for correction, leaving 82 awaiting action June 30, 1906, many of

which are suspended awaiting further action by the companies and for reports from Department of Agriculture and Geological Survey.

Under sections 18 to 21 of the act of March 3, 1891, as amended by section 2, act of May 11, 1898, rights of way have been approved to 764 companies, individuals, and associations of individuals, of which 114 received their first approval during the past year.

There were received during the year 470 maps, which, with those already pending, made a total of 606 maps on hand for action during the year; of these, 116 have been approved, 28 have been filed (not requiring approval), and 308 have been otherwise disposed of, 29 of which were rejected, the rest being returned for correction, leaving 154 pending June 30, 1906, many of which have received action.

Under the act of February 15, 1901, authorizing the Secretary of the Interior to permit the use of rights of way thru public lands, reservations, or national parks for telegraph and telephone lines, electrical and water plants, canals, reservoirs, etc., for the storage and conveyance of water, and all beneficial uses, applications have been approved for 60 companies, individuals, and associations of individuals. Fifty-two maps filed under the provisions of this act were pending July 1, 1905, 124 maps were received during the year, of which 17 were approved and 108 otherwise disposed of, most of the latter by returning for correction.

By the act of February 1, 1905, as interpreted by the Department, the authority for granting permission to use rights of way within forest reserves, under the act of February 15, 1901, was transferred from this Department to the Department of Agriculture, and all such applications receive consideration in the latter.

Under section 4 of said act of February 1, 1905, which grants rights of way thru forest reserves for municipal or mining purposes and for purposes of the milling and reduction of ores, eleven applications have been filed during the year, one of which has been approved, two filed (not requiring approval), and two otherwise disposed of, leaving six pending June 30, 1906, three of which are awaiting reports from Department of Agriculture and Geological Survey.

By the act of January 13, 1897, the construction of reservoirs for watering live stock upon unoccupied public lands, not mineral or otherwise reserved, is permitted upon certain conditions. There were pending under this act at the beginning of the year 2,970 declaratory statements; there were received during the year 1,040 new applications, making a total of 4,010 applications susceptible of being acted upon during the year. Of these, 1,430 were acted upon as follows: Canceled or relinquished, 1,297; held for rejection or amendment, 80; approved, 53. The foregoing number having been acted upon, there remained pending unacted upon on June 30,

1906, 2,580 applications of this character, to which may be added the 80 acted on but not finally disposed of.

Under the provisions of the tramroad act of 1895, as amended by the act of 1898, applications for permission to use right of way have been approved to 13 companies, individuals, and associations of individuals. There were received during the year under these acts three maps, one of which has been approved and two otherwise disposed of, thus clearing the docket of maps of this character.

By section 4, act of August 18, 1894 (28 Stat. L., 372-422), provision is made for the donation to each of the States in which there may be situated desert lands of not more than 1,000,000 acres of such lands as the State may cause to be irrigated, reclaimed, occupied, and cultivated by actual settlers. This act has been amended by a provision of the act of May 11, 1896, to the effect that a lien is authorized to be created by the State upon the lands segregated and that, when an ample supply of water is actually furnished to any tract or tracts thereof, patent shall issue to the State for the same without regard to settlement or irrigation; and a further amendment by section 2, act of March 3, 1901 (31 Stat. L., 1133-1188), by which it is provided that the time for the reclamation of the lands in each list shall be ten years from the date of its approval. If the land shall not be irrigated and reclaimed in that time, the Secretary of the Interior may continue the segregation of the land for a period not exceeding five years, or he may restore such lands to the public domain.

*Lists filed and approved during year.*

State.	Filed.		Approved.	
	Number.	Acres.	Number.	Acres.
Colorado.....	1	16,277.52	1	37,825.47
Oregon.....	1	284.95	3	161,287.12
Wyoming.....	3	81,114.04	2	16,007.11

*Patents issued under said act during year.*

	Number.	Acres.
Idaho.....	1	41,650.53
Montana.....	1	3,999.44
Wyoming.....	1	883.83

There have been relinquished, rejected, and otherwise disposed of lands in Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming aggregating 633,842.61 acres.

**STATE SELECTIONS.**

Of all classes of selections under the various grants to States and Territories (except under the "Carey Act") there were on file July 1, 1905, an aggregate of 1,558,785.69 acres, and there were received



during the fiscal year selections covering 807,629.82 acres. Total, 2,366,415.51 acres. There were finally disposed of during the year, by approval and certification 160,463.06 acres, and by cancellations 187,252.04 acres, leaving pending July 1, 1906, an aggregate of 2,018,700.41 acres of selections.

Of the selections received during the year, 728,232.10 acres were under the grants of indemnity school lands, mainly as indemnity for school sections included within the limits of forest reserves. Of the selections finally disposed of during the year, there were of indemnity school selections, 74,768.94 acres approved and certified and 176,979.87 acres canceled. Owing to the creation of permanent forest reserves, there will undoubtedly be in the future large amounts of selections of this class to be adjusted.

On July 1, 1906, there were pending selections under the various grants as follows, the area of each class being given in acres:

School indemnity.....	1, 443, 912. 01
University selections.....	140, 078. 16
Agricultural college.....	51, 914. 04
Internal improvements.....	17, 942. 27
Penitentiaries.....	2, 950. 04
Public buildings.....	38, 575. 79
Insane asylums.....	20, 227. 55
Reformatories.....	36, 584. 31
Deaf and dumb asylums.....	13, 122. 74
Reform schools.....	15, 267. 36
School of mines.....	23, 733. 41
Normal schools.....	41, 964. 23
Scientific schools.....	9, 585. 45
Mining and mechanics arts college.....	1, 913. 25
Blind asylums.....	17, 185. 61
Reservoirs.....	133, 252. 39
Miners' hospital.....	9, 874. 96
Fish hatchery.....	616. 84
Total State selections pending.....	2, 018, 700. 41

#### TIMBER-CULTURE ENTRIES.

Under acts of March 3, 1873 (17 Stats. L., 605), March 18, 1874 (18 Stats. L., 21), and June 14, 1878 (20 Stats. L., 113), repealed by act of March 3, 1891 (26 Stats. L., 1095), there were made 65,543 final and commuted entries, aggregating, approximately, 9,785,594 acres. Of such entries there were still pending, on July 1, 1906, unadjusted, about 569 entries, practically all of which were made long after the expiration of the statutory period, and nearly all in the Dodge City and Wakeeney, Kans., and Akron, Colo., land districts, and investigations as to them are in progress.

Of original entries made under said acts, on which final or commutation proof has not been made, there have been canceled during the

year 3,775 entries, leaving still intact on July 1, 1906, about 745 entries, as to which reports of the service of notices on the respective entrymen have not been received from the district land officers, altho the officers in the districts in which such entries are situated have repeatedly been instructed to make the necessary service of notices and to report evidence of service.

#### DESERT-LAND ENTRIES.

On July 1, 1905, there were on hand 2,955 entries on which final proofs had been made, and there were received during the year final proofs on 1,368 entries, making a total of 4,323 entries. There were disposed of during the same period, by approval, 1,238 entries, and by cancellation 79, leaving on hand July 1, 1906, 3,006 such entries. Owing to more strict ruling as to the final proof required in such cases, especially in the matter of evidence of water right, the final adjustment of such entries has come to require much correspondence in nearly every case.

Of original desert-land entries, there were on hand at the beginning of the fiscal year 20,324, and there were received during the year 4,982, making a total of 25,306. During the same period there were disposed of 3,278 such entries by cancellations and relinquishments, and final proofs were received on 1,368, total 4,646, leaving on hand July 1, 1906, 20,660 such entries. There were also received and examined during the year annual proofs on 8,338 such entries, and assignments of 760 entries. New rulings, as to requirements in annual proofs in such entries, have also entailed necessity for much correspondence in regard to them.

#### TOWN-SITE AND TOWN-LOT ENTRIES.

At the beginning of the fiscal year ended June 30, 1906, there were pending 32 town-site entries and 21 town-lot entries. During the year 9 town-site and 282 town-lot entries were received, and 18 town-site and 19 town-lot entries were approved, leaving pending 23 of the former and 284 of the latter. Two Oklahoma municipal reservation entries were received and approved.

Three town sites have been reserved during the year by President's proclamation under section 2380, to be disposed of under section 2381, United States Revised Statutes. There are three town sites, about 40 acres in another, and the reappraisalment of the unsold suburban lots in Port Angeles town site, Washington, awaiting appraisalment and sale under said sections. No appropriation has been made or is available for the survey, appraisalment, and sale of town sites under said sections.

## INDIAN ALLOTMENTS.

The last report showed 693 Indian allotments on hand June 30, 1905. Four thousand three hundred and thirty-seven were received and 3,692 disposed of by approval during the year, leaving a total of 1,338 allotments on hand at the close of the fiscal year. The total acreage of the allotments disposed of is 716,503 acres.

The allotments on hand are chiefly Turtle Mountain selections, for the patenting of which no provision was made by Congress, and allotments on the public domain, which were approved by the Department, but later suspended for purposes of investigation, and have been carried from year to year as allotments on hand. The balance are allotments made for unsurveyed lands which are awaiting survey and adjustment of the allotments thereto.

## CONTESTED CASES.

There have been 1,195 cases appealed from the decisions of the local land offices during the fiscal year, an increase of 229 over the preceding year. Decisions have been rendered by this Office in 1,260 cases, a decrease of 164 from the year 1905. There were 327 appealed cases pending, awaiting decision, on July 1, 1906.

There were 4,735 unappealed cases examined and closed during the year, a decrease of 131 from the preceding year, leaving 809 unappealed cases pending on July 1, 1906.

Of the appeals to the Secretary of the Interior from the decisions of this Office, 794 were received, a decrease of 28 from the preceding fiscal year. There were 842 cases forwarded to the Secretary of the Interior on appeal during the year, an increase of 85 over the preceding year. There were 196 motions for review, rehearing, and certiorari filed; 240 applications to contest final entries received; 116 hearings authorized and 79 denied; 4,703 original and 62 final entries canceled. This branch of the work is practically up to date.

## SWAMP LANDS AND SWAMP-LAND INDEMNITY.

New claims to swamp land in place were reported during the year ended June 30, 1906, in favor of the several States to which the swamp-land grants have been extended, but principally in Florida, Louisiana, and Minnesota, amounting to 322,519.85 acres, but this includes a considerable amount of claims filed several years ago but not heretofore reported in the annual reports. The amount patented during the year was 92,901.94 acres, a decrease from last year's patents—which was inordinately large—of 492,605.17 acres. The practical suspension of the swamp-land work in Minnesota, growing out of the controversy as to whether or not certain selections in the Chippewa Indian reservations are in reality swamp lands, is the

principal cause of the falling off in the final disposition of swamp-land claims by patent. Claims of the several States to the amount of 368,140 acres were rejected as against 458,228.09 acres rejected in the previous fiscal year.

Swamp-land indemnity lands were patented to the amount of 1,070.48 acres, and the rejections of cash and land indemnity claims amounted to 145,280 acres, as against 337,600 acres rejected during the previous fiscal year.

The number of contests against swamp-land claims decided was 96, an increase of 51; and the number of entries and locations in conflict with swamp-land claims relieved or canceled was 171, an increase of 33.

On June 30, 1906, there were 62,046.26 acres (estimated) of swamp lands in place remaining unadjudicated, according to the monthly report for June, 1906, but it is thought that the amount is more by about 1,000,000 acres. The amount of swamp-land indemnity claims remaining unadjudicated was 1,713,431.11 acres. About 95 per cent of this amount is classified as land indemnity, and is claimed by States in which there remain no vacant public lands to satisfy the claims if any of them were allowed.

#### MAPS AND TOWNSHIP PLATS.

During the year completed editions of the United States maps of 1904 and 1905 were received from the contracting lithographers in Philadelphia, the edition of the 1904 map being 68,500 copies and of the 1905 map 25,000 copies. The engraving of the copperplate base for the United States map of 1906 is now being done by a skilled engraver employed in the drafting division, a portion of whose time is occupied with this work.

Complete editions of 3,000 copies each of the maps of Alaska, Colorado, Idaho, Oregon, and Washington were received during the year, and compilations of the maps of California, Montana, and Nebraska are now in hand, and a completed tracing for a map of the proposed new State of Oklahoma is in the hands of the contracting photolithographer for reproduction.

Maps to accompany the reports of the governors of the Territories were edited and revised.

During the year there were made in the division 1,023 drawing-paper and other diagrams for surveyors-general, local officers, and bureaus connected with the Department; 140 diagrams, for which were collected fees to the amount of \$393.47. Five hundred and forty-two tracings of maps, plats, and diagrams for official use, and 582 tracings for which fees were collected to the amount of \$1,707.16, were also prepared. During the year, also, 1,237 photolithographic

copies of plats of survey were furnished for official use, 84 copies to surveyors-general, and 9,413 copies were sold to unofficial persons, the fees collected therefor being \$2,588.37.

Thru mutual agreement, as to the base maps to be used in the calculations of areas of States, Territories, and insular possessions, between the geographer of the Geological Survey, the geographer of the Census Bureau, and the chief of the drafting division of this office, the recalculation of many areas heretofore in disagreement has been accomplished, and these areas and the small differences shown have been easily harmonized. The result is a new table in which the total area of the United States is not materially changed from that heretofore published.

#### MINERAL ENTRIES AND CONTESTS.

On July 1, 1905, there were 1,275 mineral entries pending, 985 of which have been examined and further proof called for. During the year ended June 30, 1906, there were 1,512 new entries received, making a total of 2,787 entries. Of this number 1,298 have been approved for patent and 122 canceled, leaving pending on June 30, 1906, 1,367 mineral entries, of which 817 have been examined and further proof called for, and 550 have not been examined. A considerable number of the examined mineral entries are situated in forest reserves, and the work in this class of entries is increased to an appreciable extent by the necessary examination and report of the Forest Service of the Department of Agriculture. There are 109 unexamined contests, 45 more than remained on June 30, 1905. Owing to the special examinations found necessary to be made in the field, there is an increase in the unexamined coal entries, but rapid progress on these is now being made. The division is about three months in arrears.

There were pending June 30, 1905, about 2,500 applications for patent for mining claims, the estimated area as stated in my last report being 62,500 acres. These cases were taken up during the year with a view to their rejection for laches in failing to make proof and payment within a reasonable time. The work has been fruitful and 921 applications were rejected during the year, thereby restoring approximately 23,000 acres to public domain. This work will be continued.

#### PROTECTING PUBLIC LANDS.

On July 1, 1905, there were pending in this division 16,552 entries and filings awaiting reports from special agents or action upon reports already received or hearings had under such reports. During the past year there have been received in the division 8,517 entries and filings. Of the total number 2,360 entries were held for cancellation or suspended on special agents' reports; 469 hearings were

ordered on such reports; 2,070 entries were canceled for various reasons, and 3,289 entries were approved for patent; 6,928 entries were relieved from suspension and referred to other divisions for appropriate action, leaving 18,141 entries and filings in this division July 1, 1906.

With respect to unlawful inclosures 193 reports were received, showing an area of 2,091,275 acres of public lands unlawfully inclosed. Thru the efforts of the special agents 66 unlawful inclosures, embracing 338,530 acres of public land, have been removed, and proceedings are pending to compel the removal of the remaining cases reported.

During the year 324 cases of timber trespass were reported, involving the value of \$397,178.77; 63 civil suits were recommended for the recovery of damages for such trespasses; 172 propositions of settlement, involving \$49,273.94, were accepted; the sales of timber unlawfully cut and seized by special agents as Government property amounted to \$7,781.45, and 63 criminal prosecutions recommended for cutting and removing timber in violation of law.

#### FOREST RESERVES.

Since the issuance of my last annual report 22 additional forest reserves have been established under section 24 of the act of March 3, 1891 (26 Stat. L., 1095); the areas of 3 have been reduced, 17 have been enlarged, and 2 have been consolidated, as follows: The Baker City Forest Reserve has been consolidated with the Blue Mountains Forest Reserve, and the Logan Forest Reserve with the Bear River Forest Reserve. In effecting these consolidations several small areas were excluded and a large quantity of land added to the reserves.

There are now 106 forest reserves, created by Presidential proclamation under said act of March 3, 1891, embracing 106,999,423 acres.

The total increase in the area of forest reserves since the issuance of my last annual report is 21,306,001 acres.

#### LANDS RELEASED FROM TEMPORARY WITHDRAWAL.

As rapidly as it can be determined by examination what portions of the areas temporarily withdrawn for proposed forest reserves are not needed for forestry purposes, such lands are released from withdrawal. Since the issuance of my last annual report 3,067,890 acres were restored to the public domain and thrown open to settlement and entry. By virtue of the authority vested in the Land Department and in accordance with the opinion of the Assistant Attorney-General for the Interior Department, all lands of this character are thrown open to settlement as soon as restored to the public domain, but are not open to entry or selection until after notice to that effect has been published for ninety days.

## CLAIMS IN FOREST RESERVES.

Since the establishment, in 1891, of the first forest reserve, under section 24 of the act of March 3, 1891 (26 Stat. L., 1095), all claims under the public land laws to lands within forest reserves have been made the subject of special investigation and consideration by this Office and, since the transfer of the administration of the reserves to the Forest Service, Department of Agriculture, by the act of February 1, 1905 (33 Stat. L., 1296), by the officers of that Bureau upon the request of this Office.

Up to June 30, 1906, there were received here 4,401 special reports by agents of this Office or of the Forest Service, and these reports have aided largely in the consideration of such claims. These reports cover entries made under the various land laws and also such claims as may be held under settlement rights. Of these reports, 1,607 have been utilized in passing upon claims, while 2,794, most of which relate to settlement claims upon unsurveyed lands in the reserves, remain to be considered in connection with additional entries as they shall be presented here for adjudication.

## CONGRESSIONAL LEGISLATION.

During the fiscal year this Office has considered 18 bills, with their various amendments and substitutes, relating to forest reserves, national parks, and like matters, reports on the same having been called for by Congress. Of the subject-matter of this legislation, the following is the most important:

## ENTRY OF AGRICULTURAL LANDS IN FOREST RESERVES.

In the preliminary report by the Commission on the Public Lands, and again in the published report of that Commission, it was recommended, with a view to having all the lands within the borders of forest reserves to be put to the best use, that such lands be opened to agricultural entry, under suitable restrictions and limitations prescribed by law.

A bill (H. R. 13631, 58th Cong., 2d sess.) prepared in accordance with this recommendation, was introduced in Congress on March 8, 1904, but failed of action. During the first session of the Fifty-ninth Congress a like bill was presented for consideration. Said bill received favorable action by Congress, and was approved by the President on June 11, 1906 (34 Stat., 233). This action on the part of Congress will greatly mitigate one of the great objections to the permanent reservation of large areas for forestry purposes.

## NATIONAL PARKS.

## PROPOSED PETRIFIED FOREST NATIONAL PARK, ARIZONA.

A bill to establish this national park was past by the House of Representatives in the Fifty-sixth, Fifty-seventh, and Fifty-eighth Congresses. Such a bill was again introduced during the first session of the Fifty-ninth Congress (H. R. 8966), and was past by the House, but failed of action in the Senate.

The preservation of the natural wonders of this region was provided for, however, by the passage of the act of June 8, 1906, for the preservation of American antiquities (S. 4698).

## MESA VERDE NATIONAL PARK, COLORADO.

The proposition to establish the Mesa Verde National Park, in southwestern Colorado, to include a portion of the remarkable cliff dwellings and ancient ruins in that region, was pending before Congress as H. R. 15986, Fifty-eighth Congress. This measure was also introduced in the Fifty-sixth and Fifty-seventh Congresses.

During the first session of the Fifty-ninth Congress this measure was again introduced both in the Senate and in the House, in the Senate the bill being No. 3245 and in the House No. 5998. On January 25, 1906, and May 23, 1906, this Office reported favorably on said legislation, recommending certain minor amendments. Congress having acted favorably upon said measure, the President approved the act on June 29, 1906 (34 Stat., 616), establishing the said national park.

Your Department has now under consideration the rules and regulations for the proper protection and administration of the said park. By said act of June 29, 1906, all prehistoric ruins that are situated within 5 miles of the boundaries of the park on Indian lands and on lands not alienated by patent from the United States are placed under the custodianship of the Secretary of the Interior to be administered by the same service that is established for the custodianship of the park.

## ESTABLISHMENT OF NATIONAL PARKS.

In my last annual report I again called attention to the great need of establishing additional national parks to protect those portions of the public lands which, for their scenic beauty, natural wonders or curiosities, ancient ruins or relics, or other objects of scientific or historic interest, or springs of medicinal or other properties, it is desirable to protect and utilize in the interest of the public, and I referred to the difficulty and delay thus far encountered in securing the establishment of such parks.

In view of these circumstances I recommend that H. R. 13478, Fifty-eighth Congress, second session, authorizing the President to



establish national parks, be past, with certain amendments, as a substitute for all other bills then pending on the subject. Said bill, however, failed to pass during said Congress.

During the first session of the Fifty-ninth Congress there was introduced Senate bill 4698, relating to the same subject-matter. On April 2, 1906, this Office reported favorably on said bill, recommending certain amendments. The bill, with amendments as suggested, passed both Houses and received the approval of the President on June 8, 1906 (34 Stat., 225). This Office now has under consideration the establishment of various parks to protect the prehistoric ruins and natural wonders situated on the public domain, among the most important being the various prehistoric ruins made the subject of a report issued by this Office and compiled in connection with Prof. Edgar L. Hewett, assistant ethnologist of the Bureau of American Ethnology and fellow of the Archeological Institute of America. The issue of the circular prepared by this Office embracing the memorandum of Professor Hewett concerning the historic and prehistoric ruins of Arizona, New Mexico, Colorado, and Utah is about exhausted, but I am given to understand that a more comprehensive treatise on this subject has been prepared by the Bureau of American Ethnology and will be soon ready for distribution.

#### FOREST LIEU SELECTIONS.

[Act of June 4, 1897, 30 Stat. L. 36, and amendatory acts.]

All selections made under the provisions of the act of June 4, 1897 (30 Stat. L., 36), and amendatory acts, received in this Office prior to March 1, 1906, have been considered where not suspended for cause. Under the rules governing the disposition of such cases patents can not issue until four months have elapsed from the date the applications therein were filed in the local land office. Therefore this class of work was brought to date at the close of this fiscal year.

The act of March 3, 1905 (33 Stat. L., 1264), repealed the acts of June 4, 1897, June 6, 1900, and March 3, 1901, in so far as they provided for the relinquishment, etc., of land situated within forest reserves and the selections of other lands in lieu thereof, but provides:

The validity of contracts entered into by the Secretary of the Interior prior to the passage of this act shall not be impaired, \* \* \* and if, for any reason not the fault of the party making the same, any pending selection is held invalid, another selection for like quantity of land may be made in lieu thereof.

In a circular issued May 16, 1905, approved by the Secretary of the Interior, construing the above-cited act of March 3, 1905, it was declared;

In providing that "the validity of contracts entered into by the Secretary of the Interior prior to the passage of this act shall not be impaired" Congress referred to, recognized, and authorized the consummation of certain agreements entered into between the Secre-

tary of the Interior and the owners of certain odd-numbered sections of land in the San Francisco Mountains and Grand Canyon forest reserves in Arizona and the owners of certain lands not theretofore reserved but included by the President's proclamation of December 22, 1903, within the Santa Barbara Forest Reserve in California. Under this provision selections are still authorized to be made in satisfaction of tracts relinquished or to be relinquished as follows: First, of odd-numbered sections within the San Francisco Mountains Forest Reserve, Arizona, relinquished or to be relinquished to the United States either by the Santa Fe Pacific Railroad Company, the Aztec Land and Cattle Company, the Saginaw and Manistee Lumber Company, William F. Baker, or E. B. Ferrin; second, of odd-numbered sections within the Grand Canyon Forest Reserve, Arizona, relinquished or to be relinquished to the United States by the Santa Fe Pacific Railroad Company; and third, lands of both even and odd numbered sections within the Santa Barbara Forest Reserve, California, as defined by the President's proclamation of December 22, 1903, but which were not included within the former Pine Mountain and Zaca Lake Forest Reserve, nor within the former Santa Ynez Forest, and relinquished or to be relinquished to the United States by either the Santa Barbara Water Company or Jed L. Washburn.

The acreage of the class of lands represented by selections now pending, which, upon cancellation thereof, the lands assigned as bases therefor may become available in making other selections, is very small, as the right is restricted to cases wherein the selection is held to be invalid, "for any reason not the fault of the party making the same." The area remaining unrelinquished to the United States of lands owned by the Santa Fe Pacific Railroad Company within the Grand Canyon Forest Reserve, Arizona, is so small that it may be disregarded in this report. It is estimated, however, that on July 1, 1906, there was available as selection bases, 155,439.26 acres situated within the San Francisco Mountains Forest Reserve, Arizona, and 5,430.90 acres located in the Santa Barbara Forest Reserve (Rancho Los Prietos y Najalayegua), California.

Senate resolution of March 19, 1906, resolved:

That the Secretary of the Interior be, and he is hereby, directed to furnish to the Senate on the first Monday in December, nineteen hundred and six, the names of the persons, firms, and corporations who conveyed or relinquished to the Government of the United States lands within the limits of Government forest reserves, and who duly recorded the same in the proper county prior to the act of March third, nineteen hundred and five, and who had prior to said act failed to select other public lands in lieu of the lands so conveyed or relinquished, or who have failed, thru no fault of their own, to obtain patents to lands selected by them in lieu of lands so conveyed or relinquished, as provided by the act of June fourth, eighteen hundred and ninety-seven, and who can not on account of said act of March third, nineteen hundred and five, make such selection, and also report the number of acres so conveyed or relinquished.

That in order to procure such information the Secretary of the Interior is hereby authorized and directed to require all such persons, firms, and corporations to file in the Land Department, within a time to be by him designated, such proofs of their conveyance or relinquishment as he may prescribe; and he is further authorized and directed to make such further orders, rules, and regulations as may be necessary to procure the information hereby required.

Pursuant to the provision of the said resolution and the directions contained in your letter of April 12, 1906, instructions were duly issued to the local land officers, directing what should be done by

interested parties in order that this office could in due time report to the Department to enable you to carry out the instructions contained in the resolution.

Reports are being received from those who had relinquished land to the United States situated within forest reserves, and who had duly recorded the deeds of relinquishment in the county where the relinquished lands are situated, but had failed to make selections in lieu thereof prior to the passage of the act of March 3, 1905. The matter will be fully reported to the Department in due time for you to comply with the resolution of March 19, 1906.

#### SELECTIONS UNDER THE ACT OF APRIL 21, 1904 (33 STAT. L., 189-211).

Instructions have been duly prepared providing for selections under the act of April 21, 1904 (33 Stat. L., 189-211), in lieu of private lands within Indian Reservations extended by Executive order.

In conformity with the instructions prepared under the act of April 21, 1904 (33 Stat. L., 189-211), application has been made to select 214,987.51 acres of land in the Clayton, N. Mex., land district, in lieu of lands situated within the Zuni and Navajo Indian reservations in said Territory of New Mexico, as extended by Executive order, the application above referred to having been made by the Santa Fe Pacific Railroad Company.

#### MILITARY BOUNTY LAND WARRANTS AND SCRIP.

The determination of all questions affecting military bounty land warrants, Revolutionary bounty land scrip, agricultural college scrip, surveyor-general scrip and all Indian and private land scrip, including old Virginia military bounty land warrants, and the books and records concerning the same, have been transferred to one division. Satisfactory progress has been made in the adjudication of these cases and many old controversies closed.

In the consideration of military bounty land warrants the same policy has been pursued as set forth in the report of last year, which has resulted in the removal of the suspension of many cases which have been past to patent or otherwise adjusted. This policy was set forth as follows:

It has been found that many cases have stood suspended for more than fifty years and patents withheld frequently because of some technical objection to the assignment of the warrants. The policy now adopted is to pass such cases to patent in the absence of caveat or protest on the theory that if actual fraud had been perpetrated it would have been discovered before this time; moreover, that the great lapse of time should, in the absence of other objections, cure or waive purely formal defects.

The issuance of patents in the cases above mentioned closes ancient controversies, enables the warrantees and their assignees to secure legal bases for their titles to the lands, and

defeats the scheme which appears to have been developed within the last few years by certain scrip dealers wherein they obtain possession of warrants in old suspended cases by securing from the record holders of the land assignments thereof, substituting cash at the minimum price of \$1.25 per acre for the lands, and withdrawing the warrants from the files of this Office subsequent to such substitutions, and thereafter establish purported titles in themselves thru court decrees or otherwise to such warrants and either sell the warrants at an enormous profit or else relocate them on lands greatly exceeding in value the price received by the Government for those originally located, thus securing in the name of the original warrantee or his assignee, by the payment of the minimum price for one tract, double the amount of land called for in the satisfaction of the warrant.

#### RECEIVERS OF PUBLIC MONEYS OF UNITED STATES LAND OFFICES.

In my annual report for the fiscal year ended June 30, 1905, I recommended, for the reasons then given, that the office of receiver of public moneys be abolished and approximately a quarter of a million dollars per annum saved to the Government. I renew the recommendation then made, and have to suggest that at the proper time the matter be submitted to Congress with favorable recommendation. The compensation paid to receivers during the fiscal year was \$281,500.

#### NEEDED LEGISLATION.

In my last annual report, and subsequent thereto, recommendations were made for legislation on several subjects. Some of these recommendations have been enacted into laws and some are embraced in bills now pending before Congress and need not be repeated here; but it is urged that such matters as have not been finally considered by Congress should receive attention during the approaching session.

In addition to those recommendations, I desire to call attention to the act of June 11, 1906, which authorizes the entry of lands in forest reserves, and respectfully recommend that that act be amended by adding thereto a section authorizing the subdivision of quarter quarter sections or lotted tracts into tracts containing  $2\frac{1}{2}$  acres, or any multiple thereof, in order that entrymen may be relieved of the expense of having subdivisional surveys made in the field.

Experience in the administration of the act referred to shows that many of the lands listed are listed by the Secretary of Agriculture in tracts of  $2\frac{1}{2}$  acres or multiples thereof which form regular rectangular subdivisions of quarter quarter sections, and unless the legislation suggested is enacted it will be necessary for entrymen who have been permitted to make entry of tracts of less than 40 acres to incur the expense of having the lands entered by them regularly surveyed and lotted. Subdivisional tracts of the character referred to may be easily identified on the ground and described in the patent as parts of quarter quarter sections, and the making of a subdivisional survey

would therefore impose a largely unnecessary burden upon the entrymen.

Under the existing laws this Office is not authorized to issue patent for any tract less than a quarter quarter section or smaller legal lotted subdivision.

Respectfully submitted.

W. A. RICHARDS, *Commissioner.*

The SECRETARY OF THE INTERIOR.

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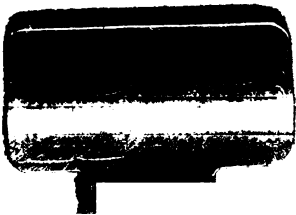




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