

Appendix A
 Circulares from the General Land Office

Cir. of 3/16/1880	8 L.D., 197	Tract Description
Cir. of 5/31/1884	3 L.D., 371	Re-issued 10/20/1887
Cir. of 7/31/1885		Amended 5/24/1886
Cir. of 12/15/1885	4 L.D., 297	Final Proof - Attorneys
Cir. of 12/15/1885	5 L.D., 178, 220	
Cir. of 5/24/1886		Cir. of 7/31/1885 Amended
Cir. of 10/28/1886	5 L.D., 204	Notice/Hearing/Decision
Cir. of 10/28/1886	5 L.D., 204	Rules of Practice
Cir. of 10/28/1886	5 L.D., 205	Rules of Practice
Cir. of 11/2/1886		New Final Proof Forms
Cir. of 7/17/1889	9 L.D., 123	
Cir. of 12/1/1894	19 L.D., 392	
Cir. of 6/17/1895	20 L.D., 569	
Cir. of 3/25/1896		Residence
Cir. of 7/11/1899		P/44, Rule 19
Cir. of 8/18/1899	29 L.D. 141	
Cir. of 3/1/1900	29 L.D. 649	Accounts-Registered Letter
Cir. of 11/2/1902	31 L.D., 441	

P/10 Act of 5/14/1880 (21 Stat., 140)

Homestead settlers on Unsurveyed Lands.

A homestead settler on unsurveyed public land not yet open to entry must make entry within three months, after filing of the township plat of survey in district land office.

P/11 **Inceptive Rights of Homestead Settlers**

Vested in settler, he must within 6 months after making his entry, establish his actual residence in a house upon the land, and must reside upon and cultivate the land continuously for 5 years at expiration of five years, or within 2 years thereafter, he may make proof of his compliance with law with residence, improvements and cultivation for the full period required, and must show that the land has not been alienated,

P/22 **Additional Homestead Entry**

Additional entries are allowed by several Act of Congress. Act of 3/2/1889 (25 Stat., 854) is of a general nature as to parties to be benefitted, and there are a number of special statutes allowing additional entries. Sec. 2306 R.S.U.S.

By Section 1 of Act the law providing for the entry of public lands for timber culture are repealed so far as regards entries, but continued with certain prescribed modifications as regards the adjustment of existing claims initiated prior to such repealing Act. Hence no further entries of this class will be allowed.

P/61 Circular of 10/28/1886 (5 L.D., 204)

General Rules applicable to different classes of entries.

1. Applicant to make entries, claimant and witnesses making final proof must state place of actual residence.
2. Where residence is on surveyed land, the subdivision, section, township, and range must be stated.
3. Notice by Registered Mail is prescribed means of giving legal notice.

P/63 **Duties of Attesting Officers**

When proof is made affidavits and testimony must be authenticated and transmitted to the R&R with fee and charges, commissions legally payable on the entry, at the time of making final proof and in addition thereto in Homestead and Timber Culture entries under Acts of 3/3/1877 (19 Stat., 403) Appendix #3 P/137, and Act of 3/3/1891 (26 Stat., 1095) Appendix 42 P/193.

Legal fee for examining and approving the testimony is .15 cents, or in the Pacific States and Territories .22 1/2 cents for each word. Printed words are not counted.

Appendix #3 Homestead Proof

An Act to amend Section 2291 R.S.U.S. in relation to proof required in Homestead entries.

Section 1 Proof of residence, occupation, or cultivation, the affidavit of non-alienation, and oath of allegiance required to be made before the Clerk of any court of record of county and State or district and Territory in which lands are located.

Section 2 That if any witness making such proof, or applicant making such affidavit or swears falsely shall be deemed guilty of perjury.

P/85 Repayment

Section 2362 of R.S.U.S. provides for repayment to purchaser for any tract of land that has been erroneously, sold by the U.S., so that sale can not be confirmed.

Section 2 provides that in all cases entries of public lands have been or shall hereafter be cancelled for conflict from any cause the entry has been erroneously allowed and cannot be confirmed, the amount of purchase money, fees and commission may be repaid.

P/103 The Board of Equitable Adjudication

R.S.U.S. 2450 - 2457. The Board consist of the Secretary of the Interior, Attorney General, and the Commissioner of the GLO, decides on principles of equity and justice all cases of suspended entries of public lands and to adjudge in what cases patents shall issue upon same.

The Board has no power to adjudicate adverse claims, between conflicting parties, but only between the U.S. and claimant, where error or informality has arisen from ignorance, accident, or mistake, which is satisfactorily explained.

P/206 Suspended Entries

Board of Equitable Adjudication - Rules and Regulations

Under Act of Congress 8/3/1846 "An Act proving for the adjustment of all suspended pre-emption land claims equitable rules and regulations were established for the Government of the Commissioner of the GLO:

1. All pre-emption entries.
2. All pre-emption entries Act of 4/12/1814, 5/29/1830, 4/5/1832, 6/19/1834, 6/22/1838, and 6/1/1840 which have been allowed.
3. All entries in virtue of "floats" under Act of 5/29/1830 and Act of 6/19/1834 section 1 to 15."

P/111 Appendix #1 R.S.U.S.

- Sec. 441 Secretary of the Interior
- Sec. 453 Commissioner of the General Land Office
- Sec. 461 Exemplification of Patents, Record Books, or Papers
- Sec. 2234 - 2247 Register & Receiver
- Sec. 2353 - 2360 Public Sales and Private Entries
- Sec. 2361 - 2363 Repayments
- Sec. 2401 - 2403 Deposits for Special Survey
- Sec. 2401 - 2415 Military Bounty Land Warrants
- Sec. 2437 " " " "
- Sec. 2450 - 2457 Board of Equitable Adjudication

**P/128 Board of Equitable Adjudication
R.S.U.S. Section 2450 - 2458**

P/132 Appendix #7 Final Proof Notice

Before Final Proof shall be submitted such person shall file with the Register his or her intention to make such proof, stating description of lands names of witnesses. Upon the filing, Register shall publish a notice ... once a week for 30 days ... and shall also post such notice in a conspicuous place ion his office.

P/137 Appendix #15 Reduction of Price within Railroad Lands

Section 3 That the price of lands were raised to \$2.50 per acre, and put on the market prior to January 1861, by reason of the grant of the alternative sections for Railroad purposes, is hereby reduced to \$1.25 per acre.

P/139 Appendix #17 Timber Culture

An Act to amend entitled: "An Act to encourage the growth of timber on the western prairies"

P/148 Appendix #19 Desert Lands

Act of 3/3/1877 (19 Stat., 377) Any U.S. Citizen, foreign citizen filing their Declaration of Intention to become U.S. citizen, head of household, over age of 21 etc. may file for desert land not exceeding one section (640 acres), pay .25 cents per acre with intention to reclaim the land within 3 years: provided; prior appropriation of water issued for irrigation and reclamation.

Sec. 2 Lands deemed desert land will not, without irrigation produce some agricultural crop.

P/163 Appendix #34

Modifies Law regarding Affidavits and Final Proof in Land Entries. Act of 5/26/1890 (26 Stat. 121) and R.S.U.S. section 2294 amended.

Relief of Settlers of Homesteads, Pre-emption, Timber Culture, or Desert land Entries is prevented by reason of distance, bodily infirmity, or other great cause, from personal attendance at district land office, may make the affidavit required before any Commissioner of the U.S. Circuit Court or Clerk of a Court of record.

Fees .25 cents for affidavit; 25 cents for depositions when not prepared; 1.00 dollar for depositions prepared by the office.

P/193 Appendix #42 Repeal of Pre-emption, Timber Culture

Modification of Homestead and other laws. Repeals Act of 6/14/1878.

P/201 Appendix #43 Sec. 8 of Act of 3/3/1891 Amended.

That suits to vacate and annul any patent issued, shall only be brought within 5 years.

P/214 Appendix #57 Abandoned Military Reservations. Preference Right given to settlers residing thereon.

Act of 8/23/1894 (28 Stat., 491) Preference Right for six months for all bona fide settlers residing thereon.

P/217 Appendix #62 Abandoned Military Reservations

An Act to provide for the opening of certain abandoned military M.R. are extended to all abandoned M.R. which were placed under control of the Secretary of the Interior, under Act of 7/5/1884.

Section 2 Preference Right of entry given to the actual settlers take effect and continue for 6 months from date