1. 1887 Map of the United States by R.T. Higgens as it appears in Sub Division of the Public Lands, J.S. Higgens, Higgens & Co., St. Louis.

   The General Land Office correspondence were reproduced from the holdings of the National Archives, Pacific Region, Laguna Niguel Office.

   Jesus Montijo Military Bounty Land Warrant #113481 appears in "B" 5/1/1895 as #113641.

2. Guide to the National Archives of the United States General Archives and Record Services, GPO, Washington 1974 P/374

3. Records of Arizona Land Offices

   "The records of the Phoenix General Land Office include those of predecessor offices at Florence (1873-1881) and Tucson (1881-1905). The Tucson land office acquired jurisdiction and records of the Florence office upon its closing. Later the Phoenix land office was given responsibility for the Tucson and Prescott land offices when they were closed in 1905.

   By 1905, the Phoenix land office was the only office serving the needs of Arizona homesteaders. The Prescott office records were not incorporated into the files of the Phoenix office, but maintained their separate entity, whereas the records for the Florence and Tucson land office records were incorporated into the Phoenix land office files.

   The Arizona Lands at the National Archives are identified as RG 49 and numbered as:

   Box 1  "Register of Letters Received From The Commissioner of the General Land Office, March 11, 1907 to April 15, 1908.

   Boxes 2 to 226  "Correspondence With The Commissioner of The General Land Office January 3, 1880 to March 12, 1943. There is no correspondence, in the files, between September 29, 1905, and July 27, 1908.

   Prior to July 1, 1908, correspondence relating to individual land entries was filed here. After July 1, 1908, individual land entry correspondence was filed in serialized land entry cassette."

   Editor's note: Box 25 is labelled January to May 1897, but found that December 1896 correspondence is combined with Box 25.

4. Rules of Practice 1894 and 1926. Appendix B


   Act of 8/3/1846 Board of Equitable Adjudication
   Act of 7/22/1854 10 Stat., 308 Settler's Relief
   Act of 2/10/1855 (Sec. 994 R.S.) Citizenship
   Act of 3/3/1855 Military Scrip
   Act of 8/14/1855 10 Stat., 849-850 Special Certificate
| Act of 5/20/1862 | 12 Stat., 392 | Homestead Act Ch. 38 |
| Act of 2/5/1875 | 18 Stat., 305 | U.S. Land Donation |
| Act of 2/15/1875 | 18 Stat., 305 | Indian Homesteads |
| Act of 6/14/1878 | 20 Stat., 113 | Pre-emption Change |
| Act of 5/14/1880 | 21 Stat., 140 | Unsurveyed Lands |
| Act of 6/16/1880 | 21 Stat., 287 | Repayment of Fees |
| Act of 7/4/1884 | 23 Stat., 96 | Indian Homesteads |
| Act of 7/5/1884 | 23 Stat., 103 | Abandoned Mil. Post |
| Act of 2/28/1885 | | Texas Pacific RR |
| Act of 3/2/1889 | 25 Stat., 854 | Additional Entry |
| Act of 5/26/1890 | 26 Stat., 121 | Modifies Law, Proof |
| Act of 9/30/1890 | 26 Stat., 684 | Payment Extension |
| Act of 2/24/1891 | 23 Stat., 103 | |
| Act of 3/3/1891 | 26 Stat., 1093 | Desert Lands Sec. 8, |
| Act of 3/3/1891 | 26 Stat., 1095 | Court/Private Claims |
| Act of 2/15/1893 | 28 Stat., 664 | Settler's Relief |
| Act of 6/27/1893 | 30 Stat., 495 | |
| Act of 8/23/1894 | 28 Stat., 491 | Opens Abandoned MR |
| Act of 7/26/1894 | 28 Stat., 123 | |
| Act of 2/7/1895 | 19 Stat., 472 | Extends Abandoned MR |
| Act of 2/15/1895 | 28 Stat., 664 | |
| Act of 8/23/1895 | 28 Stat., 491 | |
| Act of 3/23/1897 | | Canal Right of Way |
| Act of 6/13/1898 | 30 Stat., 448 | |
| Act of 6/27/1898 | 30 Stat., 495 | |
| Act of 1/14/1901 | 31 Stat., 729 | |
| Act of 1/29/1901 | 31 Stat., 729 | |
| Act of 6/17/1902 | 32 Stat., 388 | Reclamation Act |

7. A. English Language as a Problem.

"C" 2/13/1889 Dolores Baca
HD #498 of 2/17/1888 Application to amend W2 NW4, NW4 SW4

200
Claimant being Mexican and understands little English, she relied on Vinal & Porter, surveyors to give her correct description of her land, and that improvements lie upon SW4 NE4, W2 SE4, SE4 SW4 23-T11N-R28E. **Allowed to amend.**

+++  
"C"  2/13/1889  *  Dolores Baca  
HD #498 of 2/17/1888 for 23-T11N-R28E. GLO acquiesces that a mistake was made in attempting to describe the land claimed, "the claimant being a Mexican and understanding but little English, she relied on Surveyors to give her the correct description of her land.  
+++  
"C"  5/24/1899  Lorenzo Aguayo  
HD #3056 of 2/20/1898 for W2 SE4, S54 NE4 5-T22S-R13E. Application to amend so as to include SE4 NW4 and NE4 SW4 same section, in lieu of W2 SE4, and recommend favorable action.

It is shown by Aguayo, in his statement, corroborated by one witness, that W2 SE4 has been occupied by one Romero since 1887, and that he did not intend to enter it, that he is ignorant of the English language; that the mistake was made by the person who acted as interpreter, and that he fenced, cultivated, and resided upon the land now desired, for 12 years. The Instruction on page 83, Cir. of 10/30/1895 have been substantially complied with, and it appears satisfactory, that a mistake was made in attempting to describe the land claimed.  

Advise Aguayo he is allowed 60 days to amend enclosed HD application so as to cover the land originally selected and intended to be entered, subject to any prior, valid, adverse claim.  
+++  
"G"  7/27/1904  *  Paz Tellez de Ruiz  
DLE #2973 of 7/18/1899  Your letter of 1/23/1904 transmits final proof dated 1/19/1904 which was after the expiration of the statutory period. Claimant states that she did not make her final proof in four years, she did not know it was required to do so; she neither being able to read the English language nor understand it.  

It is shown in her final proof that she is a native born citizen of the United States, that she has secured the right to sufficient water with which to irrigate the land, according to the laws of Arizona; that she has expended over $3.00 per acre in compliance with legal requirements, in the matter of irrigation, reclamation and cultivation, that she raised 25 acres of corn and beans; that she has never made any other DLE; that she has not acquired title to land from the government, which together with that in this entry, would aggregate more than 320 acres since 8/30/1890; that she has complied with the law as to advertising, posting of notice of intention to make final proof and that said proof was made before the Register.  

Therefore you will, upon payment being made, and in the absence of protest, or objection issue final papers and transmit them when the matter will be considered with the view of submitting them to the Board of Equitable Adjudication.  
+++  

8. Appendix B  
9. Appendix C
11. Res judicata - A matter adjudged; a thing judicially acted upon; a thing or matter settled by judgement. (Black 1979). Also see Appendix C for (13 L.D., 502).

20. Appendix C. Alberto Ramirez was also the subject of a contest filed by John D. Clone, which was dismissed on 3/10/1897. (Soza 94:184)

22. Manuel Ramirez was also the subject of contest filed by Charles D. Clone on 3/16/1897, John D. Clone on 9/7/1897, Clark F. Heavens on 11/24/1897. (Soza 94: 40, 63, 160, 184)

25. Portrait of Miguel T. Carrillo donated by Mrs. Jackson B. (Ruth) Perego 12/7/1972 to AHS. Carries notation from Miguel T. Carrillo to Annie McKenna. AHS #51489
30. Portrait of Antonio Amado and Maria Elías de Amado dated Mexico City 3/2/1898 on file at AHS #57396.

31. Appendix C

32. Appendix A & C

33. Appendix A & C

34. Portrait of Manuel H. Amado and his wife Armida dated May 1, 1901 Tucson, second portrait labelled Manuel F. Amado, Jr. both on file: AHS #57408 and AHS #55147.


36. Appendix B

37. Appendix B

38. A surveyor chain of 100 links or 66 feet, or 20.1 meters.

39. Appendix C

40. Appendix B

41. Appendix B

42. Appendix C

43. Appendix C

44. Appendix B

45. Appendix B

46. Appendix C

47. Appendix B

48. Appendix B

49. Appendix C

50. Appendix C
51. Appendix C
52. Appendix C
53. Appendix B
54. Appendix B

55. Portrait of Sallie Calvert Davis Hayden, the mother of Senator Carl Hayden on file at AHS #50994. Information furnished by AHS Archivist Mario M. Einaudi.

56. Appendix B

57. Certiorari is a writ issued by a superior to an inferior court to produce a certified record of a particular case. (Black:1979)
   For case application, see (19 L.D., 472 and 21 L.D., 122)

58. Appendix C
59. Supra
60. Supra

61. Appendix C
62. Appendix A, B, C
63. Appendix C
64. Appendix C

65. Surveyor's chain of 100 links equals 66 feet, or 20.1 meters, or in this instance, 5,625.84 feet. One mile is 5,280 ft.

66. Appendix C

67. Appendix A & C

68. Portrait of the Pima County Board of Supervisors, including Rollin R. Richardson, Mariano Samaniego, N.W. Bernard, and W.P.B. Fields on file at AHS #13254.

69. Portraits of Pedro Aguirre AHS #17852, Pedro Aguirre AHS #17852, Pedro Aguirre (1835-1907) AHS #1826 are on file at AHS.

70. Appendix B

71. Beatriz Aguirre portrait on file at AHS #92777.
72. Testimony charged at the official rate of 22 1/2 cents per 100 written words. Printed words not included in the count.

73. Appendix B

74. Appendix C

75. Appendix C

76. Appendix C

77. "G" 5/28/1895 Fort Lowell Military Reservation was established on surveyed and unsurveyed lands. It was enlarged by Executive Order on 5/15/1886. The reservation was transferred to Interior Department on 2/14/1891, for disposal under the Act of 7/5/1884.

78. By letter "C" of 1/28/1895, you were instructed, in regard to the reservation, as follows: "The lands in said reservation, therefore, fall within the purview of the Act of 8/23/1894, and settlement thereon may be made subject to all the conditions of said Act. But as the survey of the reservation has not been completed, no entries can be allowed to go to record for any of these lands."

Upon reconsideration of this matter it is found that the first section of the Act of 8/23/1894, opens to settlement under the public land laws of the United States all lands not already disposed of in any abandoned military reservation heretofore placed under control of the Secretary of Interior for disposal under the Act of 7/5/1894, the disposal of which has not been provided for by subsequent Act of Congress, where the area exceeds 5,000 acres, provision being made excepting from the operation of the act the subdivision containing Government improvements, granting a preference right of entry to bona fide settlers and requiring payments for the lands entered at not less than the appraised value thereof, nor less than the price of the land at the date of entry.

In Cir. 12/1/1894 (19 L.D., 392) issued under said Act of 8/23/1894, local officers were instructed, in regard to lands in reservations of this class, as follows: "Where the lands in such reservations have been surveyed and the triplicate plats filed in your office, you will allow homestead entries to go to record thereon, if the entrymen are duly qualified to make entry, as in the case of other surveyed public lands. But where entry is made under this Act, the entryman will be required to pay for the lands at the value heretofore or hereafter determined by appraisement, and the payments may be made at the option of the purchaser, in five equal installments, at time and at rates of interest to be fixed by the Secretary of the Interior."

As the lands in the abandoned military reservations placed under the control of the Interior Department prior to the passage of the Act of 8/23/1894, for disposal under the Act 7/5/1884, where the area exceeds 5,000 acres, are treated as "other surveyed public lands", it follows that the lands in the Fort Lowell abandoned military reservation should be so treated, and that entries may be allowed to go to record for surveyed lands in said reservations, subject to the conditions named in the Act of 8/23/1894. The instructions contained in letter "C" of 1/18/1895 are hereby modified.
You are further advised that a person who settles on land a part of which is surveyed and the other part unsurveyed, will not be required to place his entry of record for the surveyed portion, but he may continue his residence thereon and cultivation thereof, and make his entry when the remaining unsurveyed portions of the reservation shall have been surveyed and the triplicate plats filed in your office, and his rights will relate back to the date of settlement.

79. Appendix B & D
80. Appendix C
81. Appendix A
82. Appendices B & C
83. Portrait of James Benton Glover and Juana Gonzales Glover c. 10/10/1888 at AHS #61901.
84. Appendix B
85. Appendix C
86. Appendix A & C
87. Appendix A & C
88. Appendix C
89. Appendix C
90. Appendix C
91. Appendix C
92. Supra
93. Appendix C
94. Portrait of Board of Supervisors, Pima County, A.T. 1898 l. to r. N.W. Bernard, R.R. Richardson, Mariano G. Samaniego, W.P.B. Fields on file at AHS #13254.

95. Res gesta - The res gesta rule is that where a remark is made spontaneously and currently with an affray, collision or the like, it comes with it inherently a degree of credibility and will be admissible because of its spontaneous nature. (Black:1979)
96. Res Judicata - a matter adjudged; a thing judicially acted upon or decided; or settled by judgement. (Black 1979)

97. Appendix B

98. Appendix A & C

99. Other actions of abandoned military reservations.
   "F" 6/26/1885        Old Camp Grant
   Turned over to the Secretary of Interior 7/22/1884 under Act of 7/5/1884 Abandoned Military Reservation. Opened for homestead entry to qualified entrymen.

100. Appendix C

101. "Originally the Homestead Act of May 20, 1862 did not extend homestead benefits to Indians. The Act of March 3, 1875, sections 15 and 16 amended this deficiency, under certain guidelines: i.e.

1. Must be born in the United States.
2. Be head of a family, or has reached age of 21 years.
3. Has or may hereafter abandon tribal relations.
4. Title acquired shall not be subject to alienation or encumbrance, either by voluntary conveyance, or judgement, decree, or order of any court, and shall be and remain inalienable for five (5) years from date of patent issue."

   GLO Circular 1892:27 Indian Homesteads
   Any Indian may avail of the privileges of the Homestead Law to the same extent as citizens of the U.S., but without payment of fees or commissions on account such entries or proofs.

   Indian Homesteads can not be commuted, and are not subject to sale, assignment, lease, or incumbrance. All patents issued for Indian homesteads must be of legal effect and declare that the U.S. does and will the land thus entered for a period of 25 years in trust for the sole use and benefit of the Indian by whom such entry shall have been made, or in case of his decease, of his widow and heirs.

   Upon any Indian applying to enter land he will be allowed without payment of fees or commissions, but will be required to furnish certificate from the agent of the tribe to which he belongs, that he is an Indian of the age of 21 years, or head of a family, and U.S. does and will the land thus entered for a period of 25 years in trust for the sole use and benefit of the Indian by whom such entry shall have been made, or in case of his decease, of his widow or heirs.

   Upon any Indian applying to enter land he will be allowed without payment of fees or commissions, but will be required to furnish certificate from the agent of the tribe to which he belongs, that he is an Indian of the age of 21 years, or head of a family and the not the subject of any foreign country. The entry will be numbered in the same series as other homestead entries, but the papers, abstracts, tract books shall be annotated "Indian
102. Homestead Act was further amended as to Indian homesteads by Act of 7/4/1884 23 Stat., 76, by which the patent title was held in trust for 25 years.

103. Appendix C

104. Appendix C

105. Surveyor's chain, 100 links, 66 feet or 20.1 meters. (Webster's New World Dictionary 1990)

106. Appendix C

107. School Lands - Educational Land Granted to States and Territory are estimated in the aggregate 79,506,794 acres. Grants States land for schools every 16th section of Public Land in the States admitted prior to 1848, and every 16th and 36th section of such land in States and Territory since organized. Annual Report of the Commissioner of the General Land Office to Congress 1883. The Arizona Enabling Act of June 20, 1910, in addition to section 16 and 36, granted sections 2 and 32 in every township for the support of schools. (Ch. 310, 36 Stat., 557), Shepard's Citations 979)

108. Appendix C

109. The Arizona Land Records of Private Land Claims, National Archives, Pacific Southwest Region, Laguna Niguel, CA RG 49 BLM Arizona Land Grants. Records of Private Land Claims consist of the following:

<table>
<thead>
<tr>
<th>Algodones Land Co.</th>
<th>Agua Prieta Grant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aravaca Land &amp; Cattle Co.</td>
<td>Baca Float Number 3</td>
</tr>
<tr>
<td>Baca Float No.5</td>
<td>Calabassa</td>
</tr>
<tr>
<td>Canoa Grant</td>
<td>El Sopori Grant</td>
</tr>
<tr>
<td>Huelabr Grant &quot;B&quot;</td>
<td>Peralta Grant</td>
</tr>
<tr>
<td>San Bernardino Grant</td>
<td>San Ignacio De Bobogamari</td>
</tr>
<tr>
<td>San Jose De Sonora Grant</td>
<td>San Pedro Grant</td>
</tr>
<tr>
<td>San Rafael Del Valle</td>
<td>San Rafael De La Zanja Grant Tres Alamos Grant</td>
</tr>
<tr>
<td>Tumacacori Grant</td>
<td>* San Ignacio de la Canoa</td>
</tr>
</tbody>
</table>

110. Private Land Claims - "Nearly 30 years have elapsed since passage of the Act of 7/22/1854 (10 L.D., 308) providing for the settlement of these claims through their presentation to the Surveyor - General and the submission of his report to Congress."
Annual Report by the Commissioner of the General Land Office to Congress 1883.