

Spring 6-18-2016

1890 August 1 - 1892 August 1, Reichert Report, Surveyor General's Report to Governor of California

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"1890 August 1 - 1892 August 1, Reichert Report, Surveyor General's Report to Governor of California" (2016). *Surveyor General Reports*. 41.

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REPORT
OF THE
SURVEYOR-GENERAL
OF THE
STATE OF CALIFORNIA

From August 1, 1890, to August 1, 1892.

SACRAMENTO
STATE OFFICE,
A. J. JOHNSTON, SUPT. STATE PRINTING
1892.

REPORT

STATE OF CALIFORNIA, OFFICE OF SURVEYOR-GENERAL,
SACRAMENTO, CAL., August 1, 1892.

To his Excellency, H. H. MARKHAM, Governor of California:

DEAR SIR: In accordance with the requirements of the law relating to the duties of the Surveyor-General, I have the honor to submit the following report of the transactions of this office from August 1, 1890, to August 1, 1892.

THEO. REICHERT,
Surveyor-General, and ex officio Register of State Land Office.

AREA OF THE STATE OF CALIFORNIA.

The following statement, the latest procurable, furnished by the United States Surveyor-General for California in 1882, shows that the estimated area of the State of California is 100,500,000 acres, apportioned as follows:

Subdivision.	Area – Acres.
Agricultural and mineral lands surveyed to June 30, 1882.....	61,887,392
Agricultural and mineral lands unsurveyed.....	26,211,501
Private grants patented.....	8,383,375
Private grants not settled.....	341,650
Indian military reservations.....	318,631
Lakes, islands, bays, and navigable rivers.....	1,531,700
Swamp and overflowed lands surveyed.....	1,635,227
Swamp and overflowed lands unsurveyed.....	85,524
Salt marsh and tide lands around San Francisco Bay.....	100,000
Salt marsh and tide lands around Humboldt Bay.....	5,000
Total.....	100,500,000

GENERAL OFFICE BUSINESS.

Applications to purchase State lands in the following districts have been received and filed, as follows:

Districts.	From Aug. 1, 1880, to Aug. 1, 1882.	From Aug. 1, 1882, to Aug. 1, 1884.	From Aug. 1, 1884, to Aug. 1, 1886.	From Aug. 1, 1886, to Aug. 1, 1888.	From Aug. 1, 1888, to Aug. 1, 1890.	From Aug. 1, 1890, to Aug. 1, 1892.
	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
Los Angeles...	18,346.27	64,059.36	118,575.92	983,510.31	466,951.95	98,476.17
Visalia.....	9,900.00	16,200.00	122,992.58	285,325.28	136,562.78	126,402.35
Stockton.....	14,023.17	13,500.37	29,024.04	127,466.11	166,351.11	84,245.85
San Francisco	40,137.15	84,906.64	118,575.92	403,400.52	312,943.01	172,696.04
Sacramento...	4,563.88	17,968.98	29,228.56	7,936.92	94,183.93	39,487.72
Independence	6,398.18	9,119.92	11,569.90	370,299.31	291,162.68	138,809.32
Marysville.....	11,843.54	13,614.29	12,885.42	58,301.22	67,751.86	74,695.23
Susanville.....	15,676.83	9,027.84	36,794.43	457,540.52	440,083.97	74,949.10
Shasta.....	3,763.30	33,303.36	38,354.05	331,102.83	480,218.22	110,226.84
Humboldt.....	4,736.29	30,398.50	36,203.36	68,480.02	97,660.24	60,562.23
For swamp and overflowed lands.....	28,138.80	196,677.58	153,361.79	148,543.54	62,348.29	42,463.48
Totals.....	157,527.38	488,766.84	707,565.97	3,312,406.58	2,616,218.56	1,023,014.33

Approvals of applications have been made as follows:

	From Aug. 1, 1880, to Aug. 1, 1882.	From Aug. 1, 1882, to Aug. 1, 1884.	From Aug. 1, 1884, to Aug. 1, 1886.
	Acres.	Acres.	Acres.
For school lands, covering.....	75,503.36	210,865.53	350,881.11
For swamp and overflowed and tide lands, covering.....	21,406.39	71,423.73	154,375.37
Totals.....	96,549.75	282,289.26	505,256.48
	From Aug. 1, 1886, to Aug. 1, 1888.	From Aug. 1, 1888, to Aug. 1, 1890.	From Aug. 1, 1890, to Aug. 1, 1892.
	Acres.	Acres.	Acres.
For school lands, covering.....	781,395.17	919,770.47	576,803.67
For swamp and overflowed and tide lands, covering.....	34,186.43	48,355.87	21,521.38
Totals.....	815,581.60	968,126.34	598,325.05

CERTIFICATES OF PURCHASE ISSUED.

From August 1, 1890, to August 1, 1892:

Grant.	Number of certificates.	Acres.
Sixteenth and thirty-sixth sections	960	240,361.85
Five hundred thousand acres.....	3	682.75
Swamp and overflowed lands.....	69	17,673.27
Tide lands.....	7	680.38
Totals.....	1,039	259,398.25

PATENTS ISSUED.

From August 1, 1890, to August 1, 1892:

Grant.	Number of Patents.	Acres.
Sixteenth and thirty-sixth sections	599	178,798.38
Five hundred thousand acres.....	11	2,522.42
Seventy-two sections (Seminary).....	1	320.00
Swamp and overflowed lands.....	151	56,346.82
Tide lands.....	26	7,476.23
Totals.....	788	245,463.23

FEES.

Amount of fees collected by Surveyor-General from August 1, 1890, to August 1, 1892, and paid into the State Treasury:

1890 -	August.....	\$519 50
	September.....	484 50
	October.....	484 50
	November.....	305 00
	December.....	434 00
1891 -	January.....	367 00
	February.....	285 00
	March.....	663 00
	April.....	596 50
	May.....	534 00
	June.....	818 00
	July.....	635 00
	August.....	1,307 50
	September.....	793 00
	October.....	711 50
	November.....	482 50
	December.....	587 50
1892 -	January.....	555 50
	February.....	514 00
	March.....	598 00
	April.....	506 50
	May.....	493 00
	June.....	509 00
	July.....	689 50
	Total.....	\$12,873 50

Amount of deposits received by Surveyor-General under Act of March 20, 1889, from August 1, 1890, to August 1, 1892, and paid into the State Treasury:

1890 -	August.....	\$1,500 00
	September.....	1,120 00
	October.....	1,140 00
	November.....	920 00
	December.....	1,120 00
1891 -	January.....	1,140 00
	February.....	920 00
	March.....	1,360 00
	April.....	760 00
	May.....	740 00
	June.....	720 00
	July.....	1,040 00
	August.....	600 00
	September.....	620 00
	October.....	660 00
	November.....	560 00
	December.....	900 00
1892 -	January.....	660 00
	February.....	720 00
	March.....	840 00
	April.....	700 00
	May.....	600 00
	June.....	740 00
	July.....	520 00
	Total.....	<u>\$20,600 00</u>

Amount of fees collected by Register State Land Office and paid into the State Treasury, from August 1, 1890, to August 1, 1892:

1890 -	August.....	\$114 00
	September.....	96 00
	October.....	101 50
	November.....	141 00
	December.....	114 00
1891 -	January.....	804 50
	February.....	150 00
	March.....	138 00
	April.....	282 50
	May.....	105 00
	June.....	399 00
	July.....	110 50
	August.....	282 50
	September.....	83 50
	October.....	110 00
	November.....	86 50
	December.....	867 00
1892 -	January.....	350 00
	February.....	173 50
	March.....	225 00
	April.....	93 00
	May.....	558 00

June.....	180 00
July.....	49 50
	<hr/>
Total.....	\$5,614 00

Amount of fees collected by Register of State Land Office and paid to Secretary of State from August 1, 1890, to August 1, 1892:

1890 - August.....	\$85 00
September.....	48 00
October.....	32 00
November.....	117 00
December.....	82 00
1891 - January.....	97 00
February.....	44 00
March.....	205 00
April.....	96 00
May.....	64 00
June.....	79 00
July.....	21 00
August.....	97 00
September.....	41 00
October.....	67 00
November.....	49 00
December.....	34 00
1892 - January.....	146 00
February.....	85 00
March.....	113 00
April.....	55 00
May.....	64 00
June.....	38 00
July.....	15 00
	<hr/>
Total.....	\$1,774 00

Recapitulation –

Amount fees, Surveyor-General's office.....	\$12,873 50
Amount deposits, Surveyor-General's office.....	20,600 00
Amount fees, Register of State Land Office.....	5,614 00
Amount fees collected by Register of State Land Office for Secretary of State.....	1,774 00
	<hr/>
Total.....	\$40,861 50

LANDS LISTED TO THE STATE.

From August 1, 1890, to August 1, 1892, the following amounts of land have been listed to the State of California by the United States:

Grant.	Acres.
Indemnity (lieu) lands.....	18,043.13
Swamp lands.....	15,255.09
Internal improvements (500,000 acres) grant.....	40.00
Total.....	33,338.22

CONTESTED LAND CASES.

From August 1, 1890, to August 1, 1892, seventy-eight proferts were issued from the office of the Surveyor-General.

More than eight thousand letters have been received and answered, and \$10,387 have been returned to applicants or their attorneys.

In May, 1892, complete Delinquent Lists were sent to the District Attorneys of each county in the State where there were delinquent purchasers of State School Lands.

SWAMP LAND DISTRICTS.

From August 1, 1890, to August 1, 1892, Swamp Land Districts were formed and reported to this office as follows:

No. of District.	County.	Date of Filing.
529.....	Modoc.....	.....October 16, 1890
530.....	Yolo.....	.....November 13, 1890
531.....	Fresno and Tulare.....	.....November 20, 1890
532.....	Sacramento.....	.....February 11, 1891
533.....	Tulare.....	.....June 8, 1891
534.....	Marin.....	.....June 26, 1891
535.....	Sacramento.....	.....August 8, 1891
436.....	Solano.....	.....September 11, 1891
537.....	Yolo.....	.....September 28, 1891
538.....	Marin.....	.....October 1, 1891
539.....	Yolo.....	.....October 15, 1891
540.....	Fresno.....	.....January 25, 1892
541.....	Lassen.....	.....March 3, 1892
542.....	Butte.....	.....April 1, 1892
543.....	San Mateo.....	.....July 26, 1892

Since August 1, 1890, and up to August 1, 1892, evidence of complete reclamation, or the expenditure of \$2 per acre in gold coin on works of reclamation, were received from County Boards of Supervisors for the following described Swamp Land Districts, and the proper statements in relation thereto have been sent to the County Treasurers:

No. of Dist.	County.	Area – Acres.	Amount of Payments Reported to County Treasurers.	Remarks.
529	Modoc.....	1,560.00	\$680 03	Complete.
468	Merced.....	4,284.04	2,936 88	Complete.
457	Kern.....	8,960.00	1,931 38	\$2 per acre expended.
458	Kern.....	7,520.00	1,585 62	\$2 per acre expended.
540	Fresno.....	189.20	436 39	Complete.
541	Lassen.....	1,115.09	238 51	Complete.
534	Marin.....	762.13	1,683 20	\$2 per acre expended.
Totals.....		24,390.46	\$9,492 01	

DELINQUENT INTEREST ON STATE LANDS.

Suits in foreclosure, instituted because of the non-payment of the annual interest due on State lands, are extremely expensive legal proceedings, and long experience has demonstrated that such suits invariably result in loss rather than benefit to the interest of the State. If the lands are of value, the delinquent interest is always paid, even though it often amounts to as much as the principal. On the other hand, when the lands revert to the State they are found to be of no value whatever, and the State suffers the loss of the expense of the suit in foreclosure.

I would recommend that some action be taken by the next Legislature, amending the present law relative to this matter, and make different provision for the payment of the costs in foreclosure suits, as the present law is unsatisfactory to the State departments having to do with the matter, and to parties in interest who do the work, without knowing whether or not their bills will ever be paid.

This is an important matter, and should receive careful attention from the Legislature.

On the 27th of October last, we addressed a letter to the honorable Board of Examiners, of which the following is a copy:

SACRAMENTO, October 27, 1891

To the honorable Board of Examiners, State of California:

GENTLEMEN: Owing to an unexpected large number of indemnity or "lieu" selections of State lands, caused by the recent Acts of Congress, I find the records of this office are becoming quite complicated and may, if the present system is continued, become unreliable; and in view of the importance of our records, the title of all State lands depending thereon, I am compelled to ask your

honorable Board to authorize me to employ a competent man to transcribe the records and place them in a condition that they may be depended upon with more certainty than at present. In my opinion a competent man can be secured to do this work at a salary of one hundred and twenty-five dollars (\$125) per month, and would probably require twelve months' time.

The amount thus required would be fifteen hundred dollars (\$1,500).

If the present clerical force of this office was sufficient to do this work, I would not ask this at your hands, but it would simply be impossible for the clerks to perform this work, and at the same time keep up the regular work of the office.

Should you grant my request, I shall see that the party employed shall be rendered every assistance by the present force when the time can be spared from their regular duties.

It is needless for me to even suggest the importance of records which involve, or upon which land titles depend.

Very respectfully,

THEO. REICHERT,
Surveyor-General.

In answer to the above letter, the honorable Board of Examiners replied as follows:

OFFICE OF THE STATE BOARD OF EXAMINERS,
SACRAMENTO, November 19, 1891.

The annexed request from Theo. Reichert, Surveyor-General, for permission to incur an indebtedness not exceeding \$1,500 for the purpose of transcribing the Records and Plat Books in his office, has been examined by this Board, and the facts and circumstances connected therewith, and this Board does hereby unanimously consent and agree that the Surveyor-General may create such indebtedness, and this consent is hereby made the authority for the Surveyor-General to create such indebtedness on account of the unavoidable necessity for such expenditure.

(Signed:)

H. H. MARKHAM, Governor,
E. G. WAITE, Secretary of State,
WM. H. H. HART, Attorney-General,
State Board of Examiners.

The above is a correct copy:

GEORGE E. PRATT,
Secretary State Board of Examiners.

Acting under the above authority, I employed a competent man at the salary of \$125 per month.

Seven months' work was done on the books, when the party was obliged to discontinue the work in order that he might accept a position where he would receive his salary monthly.

I found it impossible to secure a competent man to fill the place made vacant, on the only terms I could offer, viz.: \$125 per month, and wait until the Legislature makes an appropriation to pay that.

The work is about one half completed, and as it is very important that same should be completed, I would ask that the Legislature not only provide for the payment of the services already rendered, but that provision be made for the employment of a competent person to complete the work.

AN ACT TO DEFINE THE DUTIES OF AND TO LICENSE LAND SURVEYORS.

[Approved March 31, 1891.]

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Every person desiring to become a licensed land surveyor in this State must present to the State Surveyor-General of this State a certificate that he is a person of good moral character; also a certificate signed by three licensed surveyors, or a certificate signed by the Board of Examining Surveyors (provided for in section five of this Act), which certificate shall set forth that the person named therein is, in the opinion of the person signing the same, a fit and competent person to receive a license as a land surveyor, together with his oath that he will support the Constitution of this State and of the United States, and that he will faithfully discharge the duties of a licensed land surveyor, as defined in this Act.

SEC. 2. Upon receipt of such certificate and oath by the State Surveyor-General, it shall be his duty to forthwith issue to such applicant a license, without charge, which license shall set forth the fact that the applicant is a competent surveyor, or that he has had at least two years' experience in the field as a surveyor or assistant surveyor.

SEC. 3. Such licenses shall contain the full name of the applicant; the technical institution from which he is a graduate (if he be a graduate), or if he be not a graduate, the fact must be stated in the license; his birthplace, age, and to whom issued; the name of the person upon whose certificate the license is issued, and the date of its issuance.

SEC. 4. All papers received by the State Surveyor-General on application for licenses shall be kept on file in his office, and a proper index and record thereof shall be kept by him, and a list of all licensed land surveyors shall be kept by him, and he shall monthly transmit to the County Recorder of each county in this State a full and correct list of all persons so licensed; and it is hereby made the duty of such Recorders to keep such lists in their offices in such a way as they may be easily accessible to all persons.

SEC. 5. Within twenty days after the passage of this Act, the Governor shall appoint three surveyors in good standing, members of the Technical Society of the Pacific Coast, and two other surveyors in good standing, not members of such society, as a Board of Examining Surveyors, who shall conduct such examinations and make such inquiries as to whom they may seem necessary to ascertain the qualifications of applicants for surveyors' licenses.

SEC. 6. A majority of the Board of Examining Surveyors shall meet on the first Friday of each month during their term of office, in the rooms of the Technical Society of the Pacific Coast, in San Francisco, and at such other times and places as they may select. The members of the Board shall hold office for the term of one year from the date of appointment, and shall serve without compensation.

SEC. 7. Every licensed surveyor shall have a seal of office, the impression of which must contain the name of the surveyor, his principal place of business, and the words "Licensed Surveyor"; and all maps and papers signed by him, and to which said seal has been attached, shall be prima facie evidence in all the courts of this State.

SEC. 8. Surveyors' licenses issued in accordance with this Act, shall remain in force until revoked for cause, as hereinafter provided.

SEC. 9. Every licensed surveyor is authorized to administer and certify oaths, when it becomes necessary to take testimony to identify or establish old or lost corners; or if a corner or monument be found in a perishable condition, and it appears desirable that evidence concerning such corner or monument be perpetuated; or whenever the importance of the survey makes it desirable, to administer an oath, for the faithful performance of duty, to his assistants. A record of such oaths shall be preserved as a part of the field-notes of the survey.

SEC. 10. Every licensed surveyor is hereby authorized to make surveys relating to the sale or subdivision of lands, the retracing or establishing of property or boundary lines, public roads, streets, alleys, or trails; and it shall be the duty of each surveyor, whenever making any such surveys, except those relating to the retracing or subdivision of cemetery or town lots, whether the survey be made for private persons, corporations, cities, or counties, to set permanent and reliable monuments, and such monuments must be permanently marked with the initials of the surveyor setting them.

SEC. 11. Within sixty days after a survey relation got the sale or subdivision of lands, the retracing or establishing of property and boundary lines, public roads or trails, original cemetery or town sites, and their subdivisions has been made by a licensed surveyor, he shall file with the Recorder of the county in which such survey or any portion thereof lies, a record of survey. Such record shall be made in a good draughtsmanlike manner, on one or more sheets of firm paper of the uniform size of twenty-one by thirty inches. This record of survey shall be either an original plat or a copy thereof, and must contain all the data necessary to enable any competent practical surveyor to retrace the survey. The record of survey must show: All permanent monuments set, describing their size, kind and location, with reference to the corners which they are intended to perpetuate; all bearing or witness trees marked in the field; complete outlines of the several tracts or parcels of land surveyed within courses, and lengths of boundary lines; the angles, as measured by Vernier readings, which the lines of blocks or lots, if the record relate to an original town-site survey, make with each other and with the center lines of adjacent streets, alleys, roads, or lanes; the variations of the magnetic needle with which old lines have been retraced; the scale of the map, the date of survey; a proper connection with one or more points of an original or larger tract of land, and the name of the same; the name of the grant or grants, or of the townships and ranges, within which the survey is located; the signature and seal of the surveyor; *provided*, that nothing in this section shall require record to be made of surveys of a preliminary nature, where no monuments or corners are established.

SEC. 12. The record of surveys thus filed with the County Recorder of any county must be by him pasted into a stub book provided for that purpose, and he must keep a proper index of such records, by name of owner, by name of surveyor, by name of grant, city, or town, and by United States subdivisions; and he shall make no charge for filing and indexing such records of surveys.

SEC. 13. Upon the failure of any licensed surveyor to comply with the requirements of this Act, and the furnishing of satisfactory proofs of such fact, the State Surveyor-General must revoke his license, and no other license shall be issued to him within one year from such revocation. A violation of section eleven of this Act shall be a

misdemeanor, and any person convicted of such violation shall be punished by a fine not to exceed more than one hundred dollars, or imprisonment in the county jail not exceeding thirty days.

SEC. 14. In case said board shall refuse to meet and examine the applicants for licenses as in this Act provided, and issue to such applicants the certificate or certificates mentioned in this Act, if such person be a fit and competent person to receive the same, they may be compelled to do so by mandamus; and if upon the hearing of such mandamus it appears that they have willfully and wrongfully refused to examine any applicants, or to issued him a certificate when he is entitled to the same, such Board so refusing or failing shall be, jointly and severally, liable for all cost of said mandamus proceeding, including attorney's fee of five hundred dollars, and shall be so jointly and severally liable to any person aggrieved by such refusal, in the sum of five hundred dollars, as fixed, settled, and liquidated damages, which may be recovered in any court in this State, and the judgment (if it be for plaintiff) in mandamus shall be prima facie evidence of such injury and damage in any action which may be brought to recover damages under the provisions of this Act.

SEC. 15. All that part of the Code of Civil Procedure of this State relating to mandamus is hereby made applicable to the provisions of this Act; and all proceedings in mandamus under this Act shall be in accordance therewith.

SEC. 16. This Act shall take effect on the first day of July, eighteen hundred and ninety-one.

Under the above-quoted Act, licenses have been issued to the following persons:

No.	Name.	Address.	Date of License.
1	Charles Terraine Healey.....	101 S. Broadway, Los Angeles.....	July 20, 1891
2	James Malcomb Gleaves.....	Redding, Shasta County.....	July 20, 1891
3	Hubert Vischer.....	318 Pine St., San Francisco.....	July 20, 1891
4	Otto Von Gelden.....	819 Market St., San Francisco.....	July 20, 1891
5	Chas. Henry Holcomb.....	21 st & Clement Sts., San Francisco.....	July 20, 1891
6	Thomas Lennington Knock.....	Orland, Glenn County.....	July 20, 1891
7	Benjamin L. McCoy.....	Oroville, Butte County.....	July 20, 1891
8	William F. Peck.....	Yuba City, Sutter County.....	July 20, 1891
9	Pallas N. Ashley.....	Woodland, Yolo County.....	July 20, 1891
11	S. Harrison Smith.....	819 Market St., San Francisco.....	July 20, 1891
12	Adolph Theodore Herrmann.....	San José.....	July 22, 1891
13	Edmund L. Van der Naillen.....	723 Market St., San Francisco.....	July 27, 1891
14	Arthur Walter Keddie.....	Quincy, Plumas County.....	Aug. 10, 1891
15	Burr Bassell.....	San Bernardino.....	Aug. 10, 1891
16	Edward T. Wright.....	Los Angeles.....	Aug. 10, 1891
17	C. E. Grunsky.....	San Francisco.....	Aug. 10, 1891
18	George Hansen.....	Los Angeles.....	Aug. 10, 1891
19	Alfred Solano.....	Los Angeles.....	Aug. 10, 1891
20	Jason Russell Meek.....	Marysville, Yuba County.....	Aug. 10, 1891
21	H. Dittrich.....	San José.....	Aug. 18, 1891
22	Sam Houston Rice.....	Ukiah, Mendocino County.....	Aug. 12, 1891
23	David Edward Hughes.....	Irvington, Alameda County.....	Aug. 13, 1891
24	Albert Halen.....	San José.....	Aug. 13, 1891
25	Charles Henry Congden.....	Tulare, Tulare County.....	Aug. 13, 1891
26	Joseph Armitage Shaw.....	Ferndale, Humboldt County.....	Aug. 13, 1891
27	Walter James.....	Bakersfield, Kern County.....	Aug. 15, 1891
28	Arthur D. Gassaway.....	Forest City, Siskiyou County.....	Aug. 18, 1891
29	Allen Crosby Hardison.....	Santa Paula, Ventura County.....	Aug. 18, 1891

30	Albert J. Butler.....	Maxwell, Colusa County.....	Aug. 18, 1891
31	Frederick William Skinner.....	Los Angeles.....	Aug. 18, 1891
32	Russell Lambert Dunn.....	Auburn, Placer County.....	Aug. 24, 1891
33	Hiram Clay Kellogg.....	Anaheim, Orange County.....	Sept. 7, 1891
34	Paul M. Norboe.....	Visalia, Tulare County.....	Sept. 7, 1891
35	Joseph Russell Mauran.....	San Francisco.....	Sept. 10, 1891
36	William Schuld.....	La Porte, Plumas County.....	Sept. 10, 1891
37	John Frederick Herman Stable.....	San Francisco.....	Sept. 10, 1891
38	Jonathan C. Shephard.....	Fresno.....	Sept. 10, 1891
39	George Henry Mitchell.....	Callahan, Siskiyou County.....	Sept. 10, 1891
40	Lemuel Franklin Bassett.....	Redding, Shasta County.....	Sept. 10, 1891
41	Valentine James Rowan.....	Los Angeles.....	Oct. 16, 1891
42	Alfred R. Street.....	Los Angeles.....	Oct. 16, 1891
43	James William Johnson.....	Riverside, Riverside County.....	Oct. 16, 1891
44	Samuel R. Langworthy.....	Riverside, Riverside County.....	Oct. 16, 1891
45	Samuel O. Wood.....	Los Angeles.....	Oct. 16, 1891
46	Frank H. Olmstead.....	Riverside, Riverside County.....	Oct. 16, 1891
47	Frank P. McCray.....	Oceanside, San Diego County.....	Oct. 16, 1891
48	David Floyd McIntire.....	Lakeport, Lake County.....	Nov. 10, 1891
49	Gustavus Olivio Newman.....	Riverside, Riverside County.....	Nov. 10, 1891
50	Thomas Martin Tapp.....	Colton, San Bernardino County.....	Nov. 10, 1891
51	William W. Allen.....	San Diego.....	Nov. 10, 1891
52	Charles John Lathrop.....	College City, Colusa County.....	Nov. 10, 1891
53	Ernest August Zoellin.....	Redding, Shasta County.....	Nov. 10, 1891
54	Caleb A. Ensign.....	Los Angeles.....	Nov. 10, 1891
55	William H. Tinker.....	Coronado, San Diego County.....	Nov. 16, 1891
56	William Anthony Burr.....	Los Angeles.....	Nov. 16, 1891
57	John Allibone Morton.....	Los Angeles.....	Nov. 17, 1891
58	Charles Dewey Martin.....	Merced, Merced County.....	Nov. 24, 1891
59	Ingvar Teilman.....	Fresno.....	Nov. 24, 1891
60	Curtis Mason Barker.....	Mayfield, Santa Clara County.....	Nov. 24, 1891
61	Davenport Bromfield.....	Redwood City, San Mateo County.....	Nov. 24, 1891
62	J. Clark Stanton.....	Rio Vista, Solano County.....	Nov. 24, 1891
63	Stonewall Jackson Harris.....	Jerseydale, Mariposa County.....	Nov. 24, 1891
65	Edwin P. Erwin.....	Hanford, Kings County.....	Nov. 23, 1891
66	Adolphus Henry Coulter.....	San Andreas, Calaveras County.....	Nov. 23, 1891
67	Wiley Edwards Brasfield.....	College City, Colusa County.....	Nov. 23, 1891
68	Charles Edwin Uren.....	Grass Valley, Nevada County.....	Nov. 23, 1891
69	Smith P. McKnight.....	Bishop, Inyo County.....	Nov. 23, 1891
70	Wirt Robinson Macmurdo.....	Bakersfield, Kern County.....	Nov. 23, 1891
71	Frederick Thomas Newbery.....	San Francisco.....	Nov. 23, 1891
72	Edward Clement Uren.....	Auburn, Placer County.....	Nov. 23, 1891
73	Lucien Bonaparte Healy.....	Red Bluff, Tehama County.....	Nov. 23, 1891
74	Carroll McTarnahan.....	Sonora, Tuolumne County.....	Nov. 21, 1891
75	Robert Allen Brown.....	Porterville, Tulare County.....	Nov. 24, 1891
76	William Penn Stoneroad.....	Merced, Merced County.....	Nov. 24, 1891
77	Zebulon Brownlow Stuart.....	San Bernardino.....	Nov. 24, 1891
78	Randolph M. Vail.....	San Jacinto, San Diego County.....	Nov. 24, 1891
79	Joacob William Kaerth.....	Maxwell, Colusa County.....	Nov. 24, 1891
80	Edward Dexter.....	San Diego.....	Dec. 8, 1891
81	Samuel Elbert Brackins.....	Redding, Shasta County.....	Dec. 29, 1891
82	Edward Lowens.....	Los Angeles.....	Dec. 29, 1891
83	Charles W. Hendel.....	La Porte, Plumas County.....	Jan. 4, 1892
84	James H. Finley.....	Selma, Fresno County.....	Jan. 4, 1892
85	Charles Carroll Taylor.....	Gaberville, Humboldt County.....	Jan. 4, 1892
86	Homer Hamlin.....	San Diego.....	Jan. 4, 1892
87	Ernst Nicholas Willberg.....	San Francisco.....	Jan. 4, 1892
88	Frank Ephraim Herrick.....	Eureka, Humboldt County.....	Jan. 4, 1892
89	Jesse T. Meddock.....	Comptche, Mendocino County.....	Jan. 4, 1892
90	Thomas Montague Shaw.....	San Diego.....	Jan. 4, 1892
91	Sampson L. Ward.....	Nuevo, San Diego County.....	Jan. 5, 1892
92	Everett G. Jones.....	Los Angeles.....	Jan. 5, 1892

93	John Simpson McNeish.....	Bakersfield, Kern County.....	Jan. 5, 1892
94	George Ellis Washburn.....	San Francisco.....	Jan. 13, 1892
95	George Frederick Allardt.....	San Francisco.....	Feb. 15, 1892
96	Newton Van Vliet Smyth.....	Santa Rosa, Sonoma County.....	Feb. 27, 1892
97	Frank Enos Smith.....	Madera, Madera County.....	Feb. 27, 1892
98	Thomas White Reece.....	Oroville, Butte County.....	Mar. 5, 1892
99	Thomas Jefferson Montgomery.....	Ukiah, Mendocino County.....	Mar. 12, 1892
100	Alfred Baltzell.....	Ukiah, Mendocino County.....	Mar. 12, 1892
101	Thomas Henry James.....	Los Angeles.....	Mar. 17, 1892
102	Charles Z. Soule.....	San Francisco.....	Mar. 29, 1892
103	Jesse Newton Lentell.....	Eureka, Humboldt County.....	Mar. 29, 1892
104	William F. H. Mueser.....	San Bernardino.....	April 21, 1892
105	Jefferson Davis Etter.....	Fresno.....	May 11, 1892
106	Cassius Morton Phinney.....	Sacramento.....	May 14, 1892
107	Waldo Wade Waggoner.....	Nevada City, Nevada County.....	June 20, 1892
108	Alonzo Tulley Fowler.....	Visalia, Tulare County.....	July 6, 1892
109	Harvey Hewitt.....	Redlands, San Bernardino County.....	July 13, 1892

Respectfully submitted.

THEO. REICHERT,
Surveyor-General, and ex officio Register State Land Office.

**SURVEYOR-GENERAL'S
INSTRUCTIONS**

TO

COUNTY SURVEYORS.

THEO. REICHERT, SURVEYOR-GENERAL.

SACRAMENTO, JULY 1, 1893.

SACRAMENTO
STATE OFFICE,
A. J. JOHNSTON, SUPT. STATE PRINTING
1893.

AN ACT

REGULATING THE SALE OF LANDS UNCOVERED BY THE RECESSION OR DRAINAGE OF THE WATERS OF INLAND LAKES, AND UNSEGREGATED SWAMP AND OVERFLOWED LANDS, AND VALIDATING SALES AND SURVEYS HERETOFORE MADE.

[Approved March 24, 1893.]

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Any person desiring to purchase any of the lands uncovered by the recession or drainage of the waters of inland lakes, and inuring to the State by virtue of her sovereignty, or the swamp and overflowed lands not segregated by the United States, shall make an application therefore to the Surveyor-General of the State, which application shall be accompanied by applicant's affidavit that he is a citizen of the United States or has declared his intention to become such, a resident of this State, of lawful age, that he desires to purchase such lands (describing the same by legal subdivision, or by metes and bounds, if the legal subdivisions are unknown) under the provisions of this Act; that he desires to purchase the same for his own use and benefit, and for the use and benefit of no other person or persons whomsoever, and that he has made no contract or agreement to sell the same, and that he does not own any State lands which, together with that now sought to be purchase, exceeds six hundred and forty acres.

SEC. 2. Upon the filing of said application, when the land has not been sectionized, the Surveyor-General shall authorize the County Surveyor of the county where the whole or the greater portion of the land lies, to survey the same, who shall make an actual survey thereof, at the expense of the applicant, establishing four corners to each quarter section, and connecting the same with a United States survey; and he must, within thirty days, file with the Surveyor-General a copy, under oath, of his field-notes and plat, and a statement, under oath, showing whether or not the land is occupied by any actual settler.

SEC. 3. If the surveyor thus authorized shall fail to make his return to the Surveyor-General within the time specified in the preceding section, the Surveyor-General may designate another person to make said survey.

SEC. 4. No application to purchase land under this Act shall be approved by the Surveyor-General until the expiration of ninety days from the filing thereof in his office, and meanwhile the land shall be subject to the adverse claim of any actual settler who has raised thereon when the said application was filed.

SEC. 5. The swamp and overflowed lands designated in this Act shall be sold and patented at the same price, and on the same terms and manner of payment as at present provided for swamp and overflowed lands. All moneys received for said swamp and overflowed lands shall be paid into the Swamp Land Fund of the county in which the lands are situated, and shall be treated and disposed of in the manner as moneys arising from the sale of segregated swamp and overflowed lands. If any of the lands are suitable for cultivation without reclamation, such lands shall be sold only to actual

settlers in tracts not exceeding three hundred and twenty acres. Lands uncovered by the recession or drainage of the waters of inland lakes shall be sold at two dollars and fifty cents per acre, upon the same terms of payment as for swamp and overflowed land. All moneys derived from the sale of such uncovered lands shall be paid into the School Fund of the county where the land lies.

SEC. 6. Any of the lands designated in this Act which, by reason of periodical overflow, need and are susceptible of reclamation, may be reclaimed by the formation of districts, in the same manner and subject to all of the provisions of law regulating the reclamation of swamp and overflowed lands; *provided*, that the Board of Supervisors of the county in which the lands, or the greater part thereof, are situated, must first determine, upon proper petition presented therefore, by the holders of the title, or evidence of title, representing one half or more of any body of such land, that such reclamation is necessary and feasible.

SEC. 7. When land has been sold under this Act, no contest shall be maintained against the purchaser on the ground that the land is not of the character stated in the application, unless it is shown that it is not of the character recited in section one of this Act.

SEC. 8. All uncanceled certificates of purchase and patents heretofore issued, and payments heretofore made, for any lands as swamp and overflowed lands, which lands belong to any of the classes described in section one of this Act, whether or not such lands were segregated or sectionized, shall, for all purposes, be valid, and shall have the same force and effect as if such lands had been at all times subject to sale as swamp and overflowed lands; *provided, however*, that any and all contests now existing between settlers and holders of certificates of purchase shall not be affected by the provisions of this Act.

SEC. 9. All plats of any of the lands described in section one of this Act, which have been heretofore made under authority of the United States Surveyor-General, and which plats designate the same as swamp and overflowed lands, shall be deemed valid and effectual as surveys of such lands from and after the date thereof.

SEC. 10. This Act shall take effect from and after its passage.

CIRCULAR TO COUNTY SURVEYORS.

SURVEYOR-GENERAL'S OFFICE,
SACRAMENTO, July 1, 1893.

I ask your careful attention to the provisions of an Act to provide for the sale of certain lands belonging to the State, approved March 24, 1893. And in accordance with the requirements of said Act, I hereby issue the following "Instructions," by which you will be guided in making and reporting to this office all surveys of unsegregated swamp and overflowed and lake lands made by you as County Surveyor:

Read carefully the Act of March 24, 1893, under which you are to make these surveys, particularly that portion which relates to your duties as the surveyor.

You will, so far as possible, make your surveys to conform to the system of the United States surveys, and connect same with, and make them a continuation of, the United States surveys.

You will refuse to make any survey under this Act of unsegregated swamp and overflowed land where the lines of segregation have not been established by the United States.

In making surveys of "lands uncovered by recession or drainage of the waters of inland lakes," you will confine your survey to the land actually uncovered, and under no circumstances extend your survey into the water, or include any land covered by water in your survey.

Mark all corners distinctly, and make them as permanent as circumstances will permit.

All expenses of surveys made under this Act must be paid by the applicant for the land, and to him you must look for your compensation, as under no circumstances will the State pay any part of such expense.

Your plats must be made on the scale of forty (40) chains to one inch, and all courses of the boundary must be given in the field notes to enable this office to test the correctness of your reported area.

All blanks required will be furnished by this office free of charge.

Make prompt returns to this office.

These instructions are not intended to cover in minute detail all matters connected with making these surveys, but we rely upon your ability as a surveyor to make these surveys correctly and to guard the interests of the State, the purchasers being considered abundantly able to guard theirs.

Please acknowledge receipt of this circular of instruction.

Very respectfully,

THEO. REICHERT,
Surveyor-General.