

Spring 6-18-2016

## 1894 August 1 - 1896 August 1, Wright Report, Surveyor General's Report to Governor of California

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**REPORT**  
**OF THE**  
**SURVEYOR-GENERAL**  
**OF THE**  
**STATE OF CALIFORNIA**

**From August 1, 1894, to August 1, 1896.**

SACRAMENTO  
A. J. JOHNSON, SUPERINTENDENT STATE PRINTING  
1896.

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STATE OF CALIFORNIA, OFFICE OF THE SURVEYOR-GENERAL,  
SACRAMENTO, CAL., September 15, 1896.

*To his Excellency, JAMES H. BUDD, 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, 1894, to August 1, 1896.

M. J. WRIGHT,  
Surveyor-General, and ex officio Register of State Land Office.

## GENERAL OFFICE BUSINESS

### AMOUNT OF FEES COLLECTED BY SURVEYOR-GENERAL.

From August 1, 1894, to August 1, 1896, the Surveyor-General collected, and paid into the State Treasury, the following fees:

1894 -	August.....	\$443 00
	September.....	358 50
	October.....	368 00
	November.....	407 00
	December.....	469 00
1895 -	January.....	312 50
	February.....	291 00
	March.....	257 50
	April.....	248 50
	May.....	228 50
	June.....	318 00
	July.....	288 50
	August.....	256 00
	September.....	174 00
	October.....	238 50
	November.....	298 00
	December.....	219 00
1896 -	January.....	308 00
	February.....	342 00
	March.....	292 50
	April.....	353 50
	May.....	250 00
	June.....	295 50
	July.....	284 50
Total.....		\$7,301 50

### AMOUNT OF DEPOSITS RECEIVED BY THE SURVEYOR-GENERAL.

Under the Act of March 20, 1889, the Surveyor-General received from August 1, 1894 to August 1, 1896, and paid into the State Treasury, deposits as follows:

1894 -	August.....	\$340 00
	September.....	360 00
	October.....	320 00
	November.....	280 00
	December.....	360 00
1895 -	January.....	320 00
	February.....	300 00
	March.....	200 00
	April.....	260 00
	May.....	260 00
	June.....	220 00
	July.....	220 00

	August.....	220 00
	September.....	100 00
	October.....	200 00
	November.....	260 00
	December.....	80 00
1896 -	January.....	120 00
	February.....	200 00
	March.....	140 00
	April.....	100 00
	May.....	280 00
	June.....	180 00
	July.....	260 00
	<b>Total.....</b>	<b>\$5,580 00</b>

### AMOUNT OF FEES COLLECTED BY REGISTER OF STATE LAND OFFICE.

(From August 1, 1894, to August 1, 1896.)

Month	Paid into the State Treasury.	Paid to Secretary of State.
1894 - August.....	\$52 00	\$43 00
September.....	9 00	7 00
October.....	42 00	26 00
November.....	20 00	8 00
December.....	579 00	30 00
1895 - January.....	110 00	11 00
February.....	45 00	25 00
March.....	6 00	2 00
April.....	48 00	35 00
May.....	489 00	18 00
June.....	159 00	29 00
July.....	126 00	71 00
August.....	54 00	33 00
September.....	69 00	38 00
October.....	60 00	41 00
November.....	45 00	33 00
December.....	660 00	18 00
1896 - January.....	210 00	44 00
February.....	111 00	51 00
March.....	93 00	50 00
April.....	57 00	19 00
May.....	465 00	36 00
June.....	99 00	32 00
July.....	114 00	63 00
<b>Totals.....</b>	<b>\$3,722 00</b>	<b>\$763 00</b>

## FINANCIAL RECAPITULATION.

Amount of fees, Surveyor-General's office.....	\$7,301 50
Amount of deposits, Surveyor-General's office.....	5,580 00
Amount of fees, Register of State Land office.....	3,722 00
Amount of fees collected by Register of State Land Office for Secretary of State.....	763 00
Total.....	\$17,366 50

## APPLICATIONS TO PURCHASE STATE LANDS.

From August 1, 1894 to August 1, 1896, applications to purchase State lands in the following districts have been received and filed:

District.	Acres.
Los Angeles.....	99,900.19
Visalia.....	37,694.04
Stockton.....	11,426.29
San Francisco.....	57,572.77
Sacramento.....	19,397.94
Independence.....	30,441.84
Marysville.....	11,462.03
Susanville.....	56,994.08
Shasta.....	44,864.18
Humboldt.....	7,379.89
For swamp and overflowed lands.....	24,350.29
Tide lands.....	624.78
Lake lands.....	16,456.73
Total.....	418,565.05

Approvals of applications have been made as follows, from August 1, 1894, to August 1, 1896:

Class of Land.	Acres.
For school lands, covering.....	291,009.25
For swamp and overflowed, tide and lake lands, covering.....	28,076.85
Total.....	319,086.10

## CERTIFICATES OF PURCHASE ISSUED.

(From August 1, 1894 to August 1, 1896.)

Grant	Number of certificates	Acres
Sixteenth and thirty-sixth sections .....	680	116,620.41
Five hundred thousand acres.....	4	1,400.00
Swamp and overflowed lands.....	29	7,150.85
Tide lands.....	10	753.25
Lake lands.....	28	7,266.08
Totals.....	751	133,190.59

## PATENTS ISSUED.

(From August 1, 1894, to August 1, 1896.)

Grant	Number of Patents	Acres
Sixteenth and thirty-sixth sections .....	316	77,370.67
Five hundred thousand acres.....	7	2,774.20
Seventy-two sections seminary land.....	2	240.00
Swamp and overflowed lands.....	53	12,052.11
Tide lands.....	11	2,043.12
Totals.....	389	94,480.10

## SCHOOL LAND PAYMENTS.

Amounts received by County Treasurers for the State, principal, and interest, on account of sales of school lands, from August 1, 1894, to August 1, 1896.

County	Principal	Interest	Total
Alameda.....	\$350 09	\$153 94	\$504 03
Alpine.....	755 94	1,830 67	2,586 61
Amador.....	640 00	601 55	1,241 55
Butte.....	850 00	808 65	1,658 65
Calaveras.....	1,451 83	898 59	2,350 42
Colusa.....	360 00	225 08	585 08
Contra Costa.....	34 60	2 00	36 60
Del Norte.....	48 00	291 20	339 20
El Dorado.....	1,703 55	2,710 78	4,414 33
Fresno.....	2,801 29	3,892 65	6,693 94
Glenn.....	151 78	340 87	492 65
Humboldt.....	2,346 25	2,585 12	4,931 37
Inyo.....	930 08	1,959 22	2,889 30
Kern.....	18,784 45	8,958 83	27,743 28
Kings.....	738 84	985 04	1,723 88

Lake.....	4,085 26	1,664 91	5,750 17
Lassen.....	2,903 20	2,581 81	5,485 01
Los Angeles.....	1,895 40	3,782 28	5,677 68
Madera.....	130 25	473 80	604 50
Marin.....	-	-	-
Mariposa.....	1,620 00	621 44	2,241 14
Mendocino.....	4,436 51	4,042 18	8,478 69
Merced.....	1,944 85	1,575 64	3,520 49
Modoc.....	1,413 12	2,913 51	4,326 63
Mono.....	1,674 84	1,320 72	2,995 56
Monterey.....	3,508 36	3,331 46	6,839 82
Napa.....	1,037 96	330 35	1,368 31
Nevada.....	568 40	786 08	1,354 48
Orange.....	290 00	121 70	411 70
Placer.....	80 00	431 44	511 44
Plumas.....	3,310 00	1,408 84	4,718 84
Riverside.....	1,790 00	799 07	2,589 07
Sacramento.....	-	24 00	24 00
San Benito.....	2,261 95	2,241 64	4,503 59
San Bernardino.....	6,887 75	4,245 53	11,133 28
San Diego.....	5,295 67	4,768 00	10,063 67
San Joaquin.....	1,533 95	1,664 09	3,198 04
San Luis Obispo.....	5,001 19	2,671 63	7,672 82
San Mateo.....	390 72	700 12	1,090 84
Santa Barbara.....	2,120 27	2,147 79	4,268 06
Santa Clara.....	675 18	373 18	1,048 36
Santa Cruz.....	640 00	256 95	896 95
Shasta.....	6,929 04	2,023 39	9,132 43
Sierra.....	100 00	33 60	133 60
Siskiyou.....	1,895 47	5,380 86	7,276 33
Solano.....	50 00	106 40	156 40
Sonoma.....	704 04	272 88	976 92
Stanislaus.....	860 00	442 11	1,302 11
Sutter.....	-	-	-
Tehama.....	3,491 97	1,383 62	4,875 59
Trinity.....	709 76	757 17	1,466 93
Tulare.....	841 90	2,228 33	3,070 23
Tuolumne.....	1,383 85	1,231 56	2,615 41
Ventura.....	1,403 31	1,306 94	2,710 25
Yolo.....	172 55	129 76	302 31
Yuba.....	160 00	104 12	264 12
Totals.....	\$106,143 42	\$87,102 79	\$193,246 21

#### DELINQUENT INTEREST ON STATE SCHOOL LANDS.

In May, 1895, and May, 1896, complete delinquent lists were sent out to the District Attorneys of each county in the State where there were delinquent purchasers of State school lands.



## COUNTY BOUNDARIES.

On January 11, 1896, the Board of Supervisors of Lassen County passed an order requesting the Surveyor-General to survey and establish the boundary line between the counties of Lassen and Shasta, and recommending that Will H. Earl, County Surveyor of Lassen County, be appointed to make said survey. In compliance with said request, Mr. Earl was appointed, and the necessary instructions issued to him for the making of said survey; the State of California not to be responsible for any part of the expense of such survey.

The map and field-notes, up to August 1, 1896, had not been returned to this office. I am informed, however, that the field work has been finished, and that the map and field-notes are nearly ready for filing in this office.

No other boundary survey has been run, under instructions from this office, during the two years covered by this report.

## LANDS LISTED TO THE STATE.

From August 1, 1894, to August 1, 1896, the following amounts of land have been listed to the State of California by the United States.

Grant	Acres
Indemnity (lieu) lands.....	135,118.03
Swamp lands.....	73,515.96
Internal improvements (500,000 acres) grant.....	None.
Total.....	208,633.99

## CONTESTED LAND CASES.

From August 1, 1894, to August 1, 1896, forty-eight proferts were issued from the office of the Surveyor-General.

## SWAMP LAND DISTRICTS.

From August 1, 1894, to August 1, 1896, Swamp Land Districts were formed and reported to this office as follows:

No. of Dist.	County.	Date of Filing.	No. of Dist.	County.	Date of Filing.
565	Merced.....	Aug. 13, 1894	623	Madera.....	Mar. 28, 1895
566	Merced.....	Aug. 13, 1894	624	Madera.....	Mar. 28, 1895
567	Merced.....	Aug. 13, 1894	625	Madera.....	Mar. 28, 1895
568	Merced.....	Aug. 13, 1894	626	Madera.....	Mar. 28, 1895
569	Merced.....	Aug. 13, 1894	627	Madera.....	Mar. 28, 1895
570	Merced.....	Aug. 13, 1894	628	Madera.....	Mar. 28, 1895
571	Merced.....	Aug. 13, 1894	629	Madera.....	Mar. 28, 1895

572	Merced.....	Aug. 13, 1894	630	Madera.....	Mar. 28, 1895
573	Merced.....	Aug. 13, 1894	631	Fresno.....	April 12, 1895
574	Merced.....	Aug. 13, 1894	632	Fresno.....	April 12, 1895
575	Merced.....	Aug. 13, 1894	633	Fresno.....	April 12, 1895
577	Merced.....	Nov. 25, 1894	634	Fresno.....	April 12, 1895
578	Merced.....	Nov. 24, 1894	635	Fresno.....	April 12, 1895
579	Merced.....	Nov. 24, 1894	636	Fresno.....	April 12, 1895
580	Merced.....	Nov. 24, 1894	637	Fresno.....	April 12, 1895
581	Merced.....	Nov. 24, 1894	638	Fresno.....	April 12, 1895
582	Merced.....	Nov. 24, 1894	639	Fresno.....	April 12, 1895
583	Merced.....	Nov. 24, 1894	640	Fresno.....	April 12, 1895
584	Merced.....	Nov. 24, 1894	641	Fresno.....	April 12, 1895
585	Merced.....	Nov. 24, 1894	642	Fresno.....	April 12, 1895
586	Merced.....	Nov. 24, 1894	643	Fresno.....	April 12, 1895
587	Merced.....	Nov. 24, 1894	644	Fresno.....	April 12, 1895
588	Merced.....	Nov. 24, 1894	645	Fresno.....	April 12, 1895
589	Merced.....	Nov. 24, 1894	646	Humboldt.....	April 24, 1895
590	Merced.....	Nov. 24, 1894	647	Madera.....	April 26, 1895
591	Merced.....	Nov. 24, 1894	648	Madera.....	April 26, 1895
592	Merced.....	Nov. 24, 1894	649	Madera.....	April 26, 1895
593	Merced.....	Nov. 24, 1894	650	Merced.....	May 9, 1895
594	Merced.....	Nov. 24, 1894	651	Merced.....	May 9, 1895
595	Merced.....	Nov. 24, 1894	652	Merced.....	May 9, 1895
596	Merced.....	Nov. 24, 1894	653	Merced.....	May 9, 1895
597	Merced.....	Nov. 24, 1894	654	Merced.....	May 9, 1895
598	Merced.....	Nov. 24, 1894	655	Merced.....	May 9, 1895
599	Merced.....	Nov. 24, 1894	656	Merced.....	May 16, 1895
600	Merced.....	Nov. 24, 1894	657	Merced.....	May 16, 1895
601	Merced.....	Nov. 24, 1894	658	Merced.....	July 5, 1895
602	Merced.....	Nov. 24, 1894	659	San Joaquin.....	Aug. 13, 1895
603	Merced.....	Nov. 24, 1894	660	Stanislaus.....	Oct. 4, 1895
604	Merced.....	Nov. 24, 1894	661	Stanislaus.....	Oct. 4, 1895
605	Merced.....	Nov. 24, 1894	662	Stanislaus.....	Oct. 4, 1895
606	Merced.....	Nov. 24, 1894	663	Stanislaus.....	Oct. 4, 1895
607	Humboldt.....	Dec. 6, 1894	664	Stanislaus.....	Oct. 4, 1895
608	Merced.....	Dec. 13, 1894	665	Stanislaus.....	Oct. 4, 1895
609	Merced.....	Dec. 13, 1894	666	Stanislaus.....	Oct. 4, 1895
610	Merced.....	Dec. 13, 1894	667	Stanislaus.....	Oct. 4, 1895
611	Merced.....	Jan. 11, 1895	668	Stanislaus.....	Oct. 4, 1895
612	Merced.....	Jan. 11, 1895	669	Stanislaus.....	Oct. 4, 1895
613	Humboldt.....	Jan. 19, 1895	670	Stanislaus.....	Oct. 4, 1895
614	Merced.....	Mar. 7, 1895	671	Stanislaus.....	Oct. 4, 1895
615	Madera.....	Mar. 28, 1895	672	Stanislaus.....	Oct. 4, 1895
616	Madera.....	Mar. 28, 1895	673	Sacramento.....	Nov. 20, 1895
617	Madera.....	Mar. 28, 1895	674	Tulare.....	Dec. 17, 1895
618	Madera.....	Mar. 28, 1895	675	Tulare.....	April 10, 1896
619	Madera.....	Mar. 28, 1895	676	Humboldt.....	May, 13, 1896
620	Madera.....	Mar. 28, 1895	677	Kings.....	June 23, 1896
621	Madera.....	Mar. 28, 1895	678	Kings.....	June 23, 1896
622	Madera.....	Mar. 28, 1895	679	Modoc.....	July 20, 1896

From August 1, 1894, to August 1, 1896, 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 were sent to the County Treasurers:

No. of Dist.	County.	Area – Acres.	Amount of Payments Reported to County Treasurers.	Remarks.
563	Sacramento.....	4,073.66	\$3,236 72	\$2 per acre expended.
565	Merced.....	915.23	1,152 90	\$2 per acre expended.
566	Merced.....	160.00	160 00	\$2 per acre expended.
567	Merced.....	101.62	144 25	\$2 per acre expended.
568	Merced.....	243.92	328 68	\$2 per acre expended.
569	Merced.....	6,823.85	14,550 36	\$2 per acre expended.
570	Merced.....	2,104.51	2,186 06	\$2 per acre expended.
571	Merced.....	40.00	67 05	\$2 per acre expended.
572	Merced.....	2,557.44	4,015 36	\$2 per acre expended.
573	Merced.....	800.00	800 00	\$2 per acre expended.
574	Merced.....	143.77	353 47	\$2 per acre expended.
575	Merced.....	160.00	160 00	\$2 per acre expended.
601	Merced.....	960.00	1,703 31	\$2 per acre expended.
577	Merced.....	627.87	792 26	\$2 per acre expended.
584	Merced.....	153.38	153 38	\$2 per acre expended.
589	Merced.....	640.00	1,319 04	\$2 per acre expended.
590	Merced.....	480.00	935 83	\$2 per acre expended.
595	Merced.....	264.81	302 12	\$2 per acre expended.
602	Merced.....	53.75	82 42	\$2 per acre expended.
603	Merced.....	106.97	302 97	\$2 per acre expended.
604	Merced.....	103.86	240 97	\$2 per acre expended.
605	Merced.....	74.95	115 68	\$2 per acre expended.
606	Merced.....	288.78	679 07	\$2 per acre expended.
608	Merced.....	360.00	751 55	\$2 per acre expended.
579	Merced.....	133.08	191 23	Complete.
578	Merced.....	124.90	125 08	Complete.
580	Merced.....	34.54	34 54	Complete.
581	Merced.....	121.95	121 95	Complete.
582	Merced.....	33.21	33 21	Complete.
583	Merced.....	85.39	85 39	Complete.
585	Merced.....	46.37	46 37	Complete.
586	Merced.....	109.19	109 19	Complete.
587	Merced.....	52.30	52 30	Complete.
588	Merced.....	84.13	84 13	Complete.
591	Merced.....	29.57	31 93	Complete.
592	Merced.....	71.25	76 95	Complete.
593	Merced.....	16.98	16 98	Complete.
594	Merced.....	19.92	21 52	Complete.
596	Merced.....	31.86	34 41	Complete.
597	Merced.....	20.03	20 03	Complete.
598	Merced.....	38.90	50 37	Complete.
599	Merced.....	16.26	16 26	Complete.
600	Merced.....	69.76	104 66	Complete.
609	Merced.....	47.26	47 26	Complete.
610	Merced.....	20.69	20 69	Complete.
613	Humboldt.....	467.98	677 18	Complete.
611	Merced.....	72.25	131 31	\$2 per acre expended.
612	Merced.....	3,963.20	5,169 27	\$2 per acre expended.

614	Merced.....	71.95	104 60	\$2 per acre expended.
650	Merced.....	40.23	40 23	\$2 per acre expended.
651	Merced.....	63.08	178 67	\$2 per acre expended.
652	Merced.....	184.53	221 91	\$2 per acre expended.
653	Merced.....	22.25	85 39	\$2 per acre expended.
654	Merced.....	77.31	77 31	\$2 per acre expended.
655	Merced.....	72.63	72 63	\$2 per acre expended.
656	Merced.....	29.71	29 71	\$2 per acre expended.
615	Madera.....	205.56	222 26	\$2 per acre expended.
616	Madera.....	14.58	14 58	\$2 per acre expended.
617	Madera.....	28.53	28 53	\$2 per acre expended.
618	Madera.....	2,338.24	3,484 78	\$2 per acre expended.
619	Madera.....	415.54	785 69	\$2 per acre expended.
620	Madera.....	140.02	257 63	\$2 per acre expended.
621	Madera.....	36.00	63 02	\$2 per acre expended.
622	Madera.....	234.81	273 57	\$2 per acre expended.
623	Madera.....	22.24	22 24	\$2 per acre expended.
624	Madera.....	381.38	412 00	\$2 per acre expended.
625	Madera.....	46.22	74 90	\$2 per acre expended.
626	Madera.....	263.50	479 79	\$2 per acre expended.
627	Madera.....	44.47	44 47	\$2 per acre expended.
628	Madera.....	165.17	195 85	\$2 per acre expended.
629	Madera.....	63.27	74 16	\$2 per acre expended.
630	Madera.....	476.42	731 01	\$2 per acre expended.
658	Merced.....	67.62	161 12	\$2 per acre expended.
647	Madera.....	4,973.02	5,266 64	\$2 per acre expended.
648	Madera.....	40.00	40 00	\$2 per acre expended.
649	Madera.....	40.00	22 33	\$2 per acre expended.
661	Stanislaus.....	986.61	1,254 27	\$2 per acre expended.
631	Fresno.....	2,593.90	3,217 06	\$2 per acre expended.
632	Fresno.....	40.00	43 20	\$2 per acre expended.
633	Fresno.....	277.50	277 50	\$2 per acre expended.
634	Fresno.....	100.33	125 53	\$2 per acre expended.
635	Fresno.....	158.08	158 08	\$2 per acre expended.
636	Fresno.....	214.45	241 45	\$2 per acre expended.
637	Fresno.....	375.44	380 53	\$2 per acre expended.
638	Fresno.....	79.52	79 52	\$2 per acre expended.
639	Fresno.....	69.93	69 93	\$2 per acre expended.
640	Fresno.....	68.67	68 67	\$2 per acre expended.
641	Fresno.....	717.79	895 73	\$2 per acre expended.
642	Fresno.....	136.28	148 20	\$2 per acre expended.
643	Fresno.....	120.00	129 60	\$2 per acre expended.
644	Fresno.....	639.34	747 29	\$2 per acre expended.
645	Fresno.....	40.00	56 00	\$2 per acre expended.
670	Stanislaus.....	71.33	155 53	\$2 per acre expended.
671	Stanislaus.....	214.96	376 48	\$2 per acre expended.
657	Merced.....	59.78	228 10	\$2 per acre expended.
660	Stanislaus.....	68.31	136 34	\$2 per acre expended.
662	Stanislaus.....	157.33	157 33	\$2 per acre expended.
672	Stanislaus.....	274.74	274 74	\$2 per acre expended.
674	Tulare.....	625.90	725 78	Complete.
607	Humboldt.....	464.46	526 40	\$2 per acre expended.
311	Humboldt.....	991.00	2,134 24	Complete.
646	Humboldt.....	706.04	812 36	\$2 per acre expended.
Totals.....		48,759.31	\$68,720 54	

## LICENSED LAND SURVEYORS.

Under an Act to define the duties of, and to license land surveyors, approved  
March 31, 1891, the following licenses have been issued:

No.	Name.	Address.	Date of License.
1	Roscoe Wheeler, Jr.....	Fruitvale, Alameda County.....	Aug. 11, 1894
2	Henry A. Heeren.....	Willows, Glenn County.....	Sept. 13, 1894
3	Charles L. Pioda.....	Santa Cruz.....	Sept. 13, 1894
4	Green Spurrier.....	Modesto, Stanislaus County.....	Sept. 18, 1894
5	Charles Albert Spurrier.....	Modesto, Stanislaus County.....	Sept. 18, 1894
6	George N. Randle.....	Colusa, Colusa County.....	Sept. 24, 1894
7	George Allen Doyle.....	Perris, Riverside County.....	Sept. 24, 1894
8	Marion Lee Cook.....	San Bernardino.....	Sept. 29, 1894
9	Adolphus G. Winn.....	Sacramento.....	Oct. 11, 1894
10	William Howard Earl.....	Lake Greeno, Lassen County.....	Oct. 17, 1894
11	Elliott Davis Perry.....	Santa Cruz.....	Oct. 17, 1894
12	George Alfred Brown.....	Palermo, Butte County.....	Oct. 17, 1894
13	George Sandow.....	San Francisco.....	Oct. 17, 1894
14	Elwood Lilly.....	South Riverside, Riverside County.....	Oct. 20, 1894
15	Charles E. Moore.....	Santa Clara.....	Oct. 24, 1894
16	Benjamin McLeran.....	San Diego.....	Nov. 1, 1894
17	Charles W. Henderson.....	San Luis Obispo.....	Nov. 1, 1894
18	Charles Wilbur Gupstill.....	Yuba City, Sutter County.....	Nov. 1, 1894
19	David Lindsay Wishon.....	Tulare, Tulare County.....	Nov. 14, 1894
20	Henry Ide Willey.....	San Francisco.....	Nov. 15, 1894
21	Richard P. Hammond.....	San Francisco.....	Nov. 15, 1894
22	Victor H. Woods.....	San Luis Obispo.....	Nov. 27, 1894
23	George Lewis Nusbaumer.....	Oakland.....	Nov. 27, 1894
24	Fred. Manning Miller.....	Grass Valley, Nevada County.....	Nov. 28, 1894
25	Lou G. Hare.....	Monterey.....	Dec. 18, 1894
26	Arthur Stanley Hobby.....	Ontario, San Bernardino County.....	Dec. 26, 1894
27	Albert Clark Freeland.....	Anderson, Shasta County.....	Jan. 5, 1895
28	Joseph Charles Boyd.....	Sacramento.....	Jan. 7, 1895
29	James Walter Phillips.....	Lewiston, Trinity County.....	Jan. 7, 1895
30	Henry Beach Fisher.....	San José.....	Jan. 9, 1895
31	Frank Ferdinand Flournay.....	Santa Barbara.....	Jan. 14, 1895
32	Hayden Lewis Demeritt.....	Benicia, Solano County.....	Jan. 17, 1895
33	Wright Mathews.....	Lakeport, Lake County.....	Jan. 18, 1895
34	Albert Van der Naillen, Jr.....	San Francisco.....	Jan. 24, 1895
35	Elam Cameron Brown.....	Martinez, Contra Costa County.....	Jan. 29, 1895
36	Irving Allen Hubon.....	San Diego.....	Feb. 11, 1895
37	Francis Bridges.....	San Francisco.....	Feb. 12, 1895
38	Samuel Worsley Smith.....	Sonora, Tuolumne County.....	Feb. 12, 1895
39	Julius M. Button.....	Hollister, San Benito County.....	Feb. 12, 1895
40	Edmund Davis Grove.....	Modesto, Stanislaus County.....	Feb. 13, 1895
41	John Jackson Lewis.....	Watsonville, Santa Cruz County.....	Feb. 14, 1895
42	Charles Stephen Tilton.....	San Francisco.....	Feb. 1895
43	Jim J. Huncilman.....	San Diego.....	Mar. 2, 1895
44	William Penn Humphreys.....	San Francisco.....	Mar. 20, 1895
45	Lemuel D. Davis.....	Downieville, Sierra County.....	Mar. 29, 1895
46	William Truman Kirkwood.....	Ukiah, Mendocino County.....	Mar. 29, 1895
47	William K. Brown.....	Hollister, San Benito County.....	Mar. 29, 1895
48	George Coffin Power.....	Ventura, Ventura County.....	Mar. 29, 1895
49	George Bell Douglas.....	Modesto, Stanislaus County.....	April 1, 1895
50	Norman Benjamin Kellogg.....	San Francisco.....	April 12, 1895
51	George Lynde Richardson.....	San Rafael, Marin County.....	April 12, 1895
52	Lucius Edgar Ricksecker.....	Occidental, Sonoma County.....	April 16, 1895

53	Lewis Webb.....	Gazelle, Siskiyou County.....	April 18, 1895
54	George Herbert Herrold.....	San José.....	April 25, 1895
55	Frank Ellsworth Trask.....	Ontario, San Bernardino County.....	April 25, 1895
56	Charles C. Brown.....	Norwalk, Los Angeles County.....	April 30, 1895
57	Albert Park Campbell.....	Lakeview, Riverside County.....	May 7, 1895
58	Luther Wagoner.....	Georgetown, El Dorado County.....	May 29, 1895
59	George Allen Atherton.....	Stockton.....	June 24, 1895
60	Stephen E. Kieffer.....	Anaheim, Orange County.....	July 16, 1895
61	Charles Augustus Robinson.....	Merced, Merced County.....	Aug. 26, 1895
62	James E. Woods.....	Harrison, San Mateo County.....	Oct. 1, 1895
63	William Simkins.....	Los Angeles.....	Oct. 9, 1895
64	Albert Augustus Smith.....	Alturas, Modoc County.....	Oct. 22, 1895
65	Ernest G. Hamilton.....	Riverside, Riverside County.....	Nov. 7, 1895
66	William D. Minckler.....	Susanville, Lassen County.....	Jan. 2, 1896
67	John Holm.....	Weaverville, Trinity County.....	Jan. 8, 1896
68	Victor Talmage McCraw.....	Hollister, San Benito County.....	Jan. 30, 1896
69	Joseph Henry Smith.....	Los Angeles.....	Feb. 10, 1896
70	Henry Christian Langrehr.....	San Francisco.....	Feb. 17, 1896
71	A. V. Capps.....	San Diego.....	Feb. 24, 1896
72	Francis B. Flood.....	Redding, Shasta County.....	April 17, 1896
73	Thomas W. Bulpin.....	South Pasadena, Los Angeles Co.....	May 21, 1896
74	John P. Lesley.....	Santa Ana, Orange County.....	May 21, 1896
75	William Baruch Gilbert.....	Redwood City, San Mateo County.....	June 5, 1896
76	George H. Spencer.....	San Diego.....	June 13, 1896
77	Michael M. O'Shaughnessy.....	San Francisco.....	June 27, 1896
78	Robert H. Edmiston.....	Los Angeles.....	July 8, 1896

**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
<b>Total.....</b>	<b>100,500,000</b>

## UNITED STATES GOVERNMENT LAND.

Statement by United States Land Districts, showing the area (in acres) of Government land unappropriated and unreserved, surveyed and unsurveyed, in the State of California, as given in the annual report of the Commissioner of the General Land Office for the fiscal year ending June 30, 1895:

Land Districts.	Surveyed.	Unsurveyed.	Total.
Humboldt.....	2,491,644	1,009,163	3,500,807
Independence.....	8,134,400	3,822,000	11,956,400
Los Angeles.....	8,002,063	4,081,763	12,083,826
Marysville.....	799,895	177,629	977,524
Redding.....	2,700,853	417,896	3,118,749
Sacramento.....	1,340,926	443,992	1,784,918
San Francisco.....	4,582,959	558,520	5,141,479
Stockton.....	820,943	208,214	1,029,157
Susanville.....	4,990,179	255,212	5,245,391
Visalia.....	685,526	137,280	822,806
Totals.....	34,549,388	11,111,669	45,661,057

## FOREST RESERVATIONS.

The United States Forest Reservations established in the State of California are as follows, embracing an estimated area of 5,438,720 acres:

Name of Reservation.	Locality.	Date of Proclamation Creating Reservation.	Estimated Area (Acres).
San Gabriel Timber Land Reserve.....	In Los Angeles and San Bernardino Counties.....	Dec. 20, 1892	555,520
Sierra Forest Reserve.....	In Mono, Mariposa, Fresno, Tulare, Inyo and Kern Counties.	Feb. 14, 1893	4,096,000
San Bernardino Forest Reserve.....	In San Bernardino Co.....	Feb. 25, 1893	737,280
Trabuco Cañon Forest Reserve.....	In Orange County.....	Feb. 25, 1893	49,920
Total.....			5,438,720

## STATE BOUNDARY LINE.

The eastern boundary of the State of California, as defined in the Constitution of California of 1849 and in that of 1879, is as follows: "Commencing at the point of intersection of the forty-second degree of north latitude with the one hundred and twentieth degree of longitude west from Greenwich, and running south on the line of said one hundred and twentieth degree of west longitude until it intersects the thirty-ninth degree of north latitude; thence running in a straight line in a southeasterly direction to the River Colorado at a point where it intersects the thirty-fifth degree of north latitude."

The point of intersection of the one hundred and twentieth degree of longitude west from Greenwich with the thirty-ninth degree of north latitude lies in Lake Tahoe, about three miles from its southern shore. It was therefore necessary, in making the original surveys, to establish by triangulation the point where the line southeastward from this point in the lake intersects the lake shore. In doing this, it appears that, through some mistake, this point of intersection with the lake shore was erroneously fixed at a point about three quarters of a mile too far west, which was taken as the initial point of the survey to the intersection of the Colorado River and the thirty-fifth degree of north latitude, a distance of some four hundred miles.

By Act of the Legislature approved February 26, 1889, the Surveyor-General of this State was authorized and directed to correct and establish that portion of the eastern boundary line of the State of California, southeastward from the intersection of the thirty-ninth degree of north latitude with the one hundred and twentieth degree of longitude west from Greenwich, provided the whole cost of the work should not exceed the sum of \$5,000. Under the provisions of this Act the survey was commenced, the first work being to establish the point where the line southeastward from the point of intersection in the lake intersects with the lake shore. This point of intersection with the lake shore was found to be about three quarters of a mile farther east than the one fixed by the original surveys, thus verifying the fact (as stated in the report of the civil engineers who made this survey), "that the State boundary southeastward from Lake Tahoe is incorrectly marked in the field, and that the boundary-line monuments should be moved about three quarters of a mile farther east."

The following extract from the report of C. E. Grunsky and William Minto, the civil engineers in charge of this new survey, shows the work done on this boundary line southeastward toward the Colorado River:

### EXTRACT FROM REPORT OF THE CIVIL ENGINEERS ON THE STATE BOUNDARY LINE.

Having, as above set forth, ascertained the longitude of a point on the State line in the same latitude as the granite monument on the southeastern lake shore, the survey was continued from this granite monument, as follows:

N. 89° 59' 43".79 E.

2,465 feet, cross old stage road Carson to Placerville N. E. and S. W.

4,073.3 feet to a point (J') on State boundary line in the same latitude as the granite monument on the lake shore (J).

Set a pine post, 50 inches by 5 inches by 5 inches, marked "CAL." on S. W. face, "NEV." on N. E. face, and "4 m. 39.64 chs." on N. W. face, from which a pine tree, 30 inches in diameter, marked "B.T.," bears N. 71° E., 101 feet distant; a pine stump, 48



inches diameter, bears N. 74 ½° W., 19 feet distant. Made a stone mound around post.  
 Thence on the boundary line with an azimuth of 131° 21' 58".94 toward Lake Tahoe.  
 19.10 chains, old stage road Carson to Placerville; course N. E.  
 69.66 chains, small creek from the east.  
 70.46 chains, to shore of Lake Tahoe, bearing north and south.  
 Set a tamarack post, 50 inches by 6 inches by 6 inches, marked "CAL." on S. W. face, "NEV." on N. E. face, and "3 m. 49 chs." (distance from point O in lake) on N. W. face, from which:  
 A pitch pine, 28 inches diameter, bears N. 3 ¾° W., 41 feet distant; marked "B.T."  
 A pitch pine, 44 inches diameter, bears S. 28 ½° E., 62 feet distant; marked "B.T."  
 A post set by U. S. G. surveyors, marked "B.M. No. 2, 3169 T. 7," bears N 22 ¼° W., 79.1 feet distant.

From the point J', which point is on the State boundary line, and 4 miles 39.64 chains distant from the point O in the lake, where the 39<sup>th</sup> parallel of north latitude is intersected by the 120<sup>th</sup> degree of longitude west from Greenwich, the survey of the State boundary line was continued in the direction toward the intersection of the 35<sup>th</sup> parallel of latitude with Colorado River, as follows:

With the same azimuth above noted for this point, azimuth 311° 21' 58".94, ascending steep mountain bearing N. E. and S. W., and noting all distances as though measured from the above named point O in Lake Tahoe.  
 6 miles 20.80 chains, crest of mountain, course west; thence along S. W. slope of timbered mountain.  
 6 miles 59.00 chains, cross sag in mountain ridge bearing N. and S., along east slope of mountain.  
 7 miles 43.50 chains, spur sloping N. E., descent abrupt, broken, and precipitous. East slope of Sierra Nevada.

Set a flag on spur and from a point on line at the foot of the mountain, in west side of Carson Valley, measure at right angles to N. E. 93.40 chains to a point at which included angle between base and flag on spur is 74° 44'.  

Log. tang. 74° 44'.....	10.5639267
Log. base 93 40.....	1.9703469
	<hr/>
Log. dist. from flag to W. end of base.....	12.5342736

 Dist. from flag to W. end of base, 342.20 chains.

11 miles 65.70 chains, west end of base or point in Carson Valley. At western edge of same set a pine post, 50 inches by 5 inches by 5 inches, marked "CAL." on S. W. face, "NEV." on N. E. face, and "11 m. 66 chs." on N. W. face.

Made a stone mound around post.  
 This point is in lat. 38° 53' 12".37, long. 119° 50' 06".99; and the azimuth of the State boundary line is here 311° 25' 49".72.

13 miles 11.00 chains, Dilucki's, 95 feet to left.  
 13 miles 17.97 chains, road from Carson to Woodford's; course S. 25° E.  
 13 miles 53.90 chains, same road; course N. E.

13 miles 10.40 chains, set a cedar post, 55 inches by 7 inches by 5 inches, marked "CAL." on the S. W. face, "NEV." on the N. E. face, and "13 m. 70 chains" on N. W. face.  
 Made mound of stone and earth around posts with pits to N. E. and S. W.  
 Sprague's barn bears N. 38° W., 5 chains distant.  
 A small house (Sprague's) bears N. 55° W., 8.50 chains distant.

14 miles 50.40 chains, von Schmidt's granite monument, marked on N. W. face, "O., 221 m. 76 chs.," is at right angles to the S. W., and 2,748.7 feet distant.

15 miles 6.00 chains, set a trap rock, 25 inches by 12 inches by 12 inches, marked "C." on S. W. face and "N." on N. E. face.

Made a stone mound around the same.  
 Baldwin's house bears S. 15 ½° E., 8 chains distant.

15 miles 10.30 chains, Carson and Woodford road, course S. W.  
 15 miles 55.00 chains, Tillman's house, to right about 20 chains.

16 miles 64.00 chains, set a granite stone, 20 inches by 12 inches by 7 inches, marked "C." on S. W. face, "N." on N. E. face.

Made a stone mound around the same.

Joe Dilucki's house bears S. 38° E., about 12 chains distant.

This point is in latitude 38° 50' 05".40, longitude 119° 45' 57".84; and the azimuth of the State boundary line at this point is 311° 28' 26".06.

16 miles 77 chains, West Fork of Carson River, 30 feet wide, runs N. 20° E. Beyond which this survey could not be extended owing to the lack of the necessary funds.

From the foregoing facts it appears that the true boundary line southeastward from Lake Tahoe to the Colorado River, a distance of more than four hundred miles, is not marked by any monuments whatever, beyond a distance of about sixteen miles from said lake.

The following correspondence has been had between W. W. Duffield, Esq., Superintendent of the U. S. Coast and Geodetic Survey, and the Governor and the Surveyor-General of California, regarding the permanent marking by suitable monuments of the boundary line between California and Nevada:

(Copy.)

WASHINGTON, D. C., January 14, 1896.

*To his Excellency, the Governor of California:*

SIR: The United States Coast and Geodetic Survey has now on hand the determination of the boundaries between California and Nevada. This work will be completed with one more season's work, and, as it has been a very expensive undertaking, there will be no money left to permanently make the line. Inasmuch as the States are the most interested parties, I beg to ask you whether something cannot be done on your part to either mark the points or help our funds for this purpose. The tracing of this line for about four hundred miles by scientific methods is properly a function of our service, but the setting of the monuments could be done by any parties and should be done immediately on conclusion of the marking. Can California aid us in this matter from her own funds? At the close of next season the party will pass over the entire line, making the final corrections, and at that time could set the monuments if the necessary aid is at hand.

Yours very respectfully,

(Signed:) W. W. DUFFIELD,  
Superintendent.

(Copy.)

SACRAMENTO, CAL., January 21, 1896.

W. W. DUFFIELD, Esq., *Supt. U. S. Coast and Geodetic Survey*, Washington, D. C.:

SIR: I have the honor to acknowledge your communication of January 14<sup>th</sup>, and in reply Governor Budd instructs me to ask you more definitely what work you desire done by the State of California, and what amount of money would be necessary, and when the work would have to be done and the money paid?

Hoping to hear from you regarding this matter, I remain,  
Yours respectfully,

(Signed:) J. M. TODMAN,  
Executive Secretary.

(Copy.)

WASHINGTON, D. C., January 31, 1896.

*To his Excellency, the Governor of California:*

DEAR SIR: Referring to your letter of the 21<sup>st</sup> of January, I have the honor to state that, as definitely as can be stated at the present time, the work of locating the boundary between California and Nevada, (S. E. line) will be finished in the early part of 1897.

The part of the undertaking for which we beg to ask your assistance is the permanent marking of this line by suitable monuments when the points have been actually indicated on the ground. The aid given on behalf of the State might be in the shape of an appropriation, or, what would seem preferable, the Surveyor-General might send a party there to cooperate with our own; the State party confining themselves to the task of procuring and setting the monuments on the points located by us. In regard to the expense, that would depend entirely on how elaborate and frequent the monuments are; and California might suit her convenience entirely in that respect. The sole interest the United States has in the matter is to see the work, which we have done at considerable expense, permanently fixed, so that it may not be lost and may be available at any future time. The cost of furnishing and setting the monuments, I should think, might cost anywhere from \$10,000 to \$20,000, depending, as before stated, on their number and size. It would be advisable to take up the work of establishing the permanent marks when our party passes over the line for the last time.

Very respectfully,

(Signed:) W. W. DUFFIELD,  
Superintendent.

(Copy.)

SACRAMENTO, CAL., February 5, 1896.

HON. W. W. DUFFIELD, *Supt. U. S. Coast and Geodetic Survey*, Washington, D. C.:

SIR: I have the honor to acknowledge receipt of your communication of January 31<sup>st</sup>, and will call Governor Budd's attention to the same at the earliest possible moment. He is not in Sacramento at present.

Yours truly,

(Signed:) JOSEPHINE M. TODMAN,  
Executive Secretary.

(Copy.)

SACRAMENTO, CAL., February 17, 1896

HON. M. J. WRIGHT, *Surveyor-General*, Sacramento, Cal.:

DEAR SIR: Governor Budd instructs me to hand you the inclosed correspondence with the Superintendent of the U. S. Coast and Geodetic Survey, W. W. Duffield, at Washington, D. C., with the request that you look into this matter.

Very respectfully,

(Signed:) J. M. TODMAN,  
Executive Secretary.

(Copy.)

SACRAMENTO, CAL., February 18, 1896.

W. W. DUFFIELD, Esq., *Superintendent U. S. Coast and Geodetic Survey*, Wasington, D. C.:

SIR: The correspondence between you and Governor of California, relating to the premanent marking, by suitable monuments, of the boundary line between California and Nevada, has been handed to me by the Governor, with the request that I investigate the matter.

I fully appreciate the importance to California, Nevada, and the United States of having this boundary line permanently marked by suitable monuments, and I agree with you that it would be advisable to establish such monuments when your party passes over the line for the last time.

Regarding your request that California erect these monuments, or assist in doing so, I have to advise you that this cannot be done without an appropriation by the Legislature for such purpose, and as the Legislature does not convene until January next, nothing can be done in the matter before that time.

Upon further consideration, it may be deemed advisable to present the matter to the Legislature at its next session, and ask for an appropriation for this purpose; and that I may be fully informed in the matter, will you kindly advise me at about what time your party will start to pass over the line for the last time; what point you will start from, and the probably length of time it will take to pass over the entire line; also, whether or not Nevada proposes to assist in this matter, provided California should decide to do so?

Very respectfully,

(Signed:) M. J. WRIGHT,  
Surveyor-General.

(Copy.)

WASHINGTON, D. C. February 27, 1896.

M. J. WRIGHT, Esq., *Surveyor-General of California*, Sacramento, Cal.:

SIR: Replying to your letter of the 18<sup>th</sup> of February –

I beg to say that our party will, in all probability, start to pass over the line (California and Nevada boundary) for the last time in the early part of 1897, possibly by the first of February. The point of beginning will be the southernmost point of the line. Three months at least will be needed to pass over the entire distance. We have no knowledge as to whether Nevada intends to take part in the work done or not. We appealed to California, because it was at her instance that the work was undertaken – *i. e.*, at the instance of Representatives in Congress; and this being the case, it appeared to me that the marking of the line, as determined by us, was but the legitimate and natural consequence of her first step in the matter.

Yours respectfully,

(Signed:) W. W. DUFFIELD,  
Superintendent.

From the foregoing correspondence it appears that the work establishing this boundary line by the U. S. Coast and Geodetic Survey was undertaken at the instance of the State of California through her Representatives in Congress; and this being the case, it is claimed that the marking of the line by the State was but the legitimate and natural consequence of California's first step in the matter.

There can be no question as to the importance to the State of having this boundary line permanently marked by suitable monuments, so the work done may not be lost, but will be available to the State at any future time.

I would therefore recommend that some action be taken by the next Legislature providing for the permanent marking, by suitable monuments, of the boundary line between California and Nevada from Lake Tahoe to the River Colorado.

This is a matter of importance to the State, and should receive careful attention from the Legislature.

## AN ACT

REGULATING THE SALE OF THE 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.

## 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.

There are no deficiencies in any of the appropriations for this office. The accounts appear of record in the office of the State Controller, and vouchers for all expenditures are on file in his office.

Respectfully submitted.

M. J. WRIGHT,  
Surveyor-General, and ex officio Register of State Land Office.