

Answers to Public Land Questions

All questions directed to this column by subscribers are answered by Ben B. Jones, land attorney, 402-408 Denham building. Because of the large number of questions received, it is not always possible to give prompt answer, but if your answer is reasonable and of general interest it will be given attention in due time. Address all questions to "Public Land Column," The Great

Question—What are regulations for taking up homestead on forest reserve? (2) Can man and woman each enter 160-acre homestead and then marry, and each hold and prove up on homesteads?

SUBSCRIBER.

Bailey, Colo.

Answer—Regulations published in Great Divide Post Atlas. Also mailed you today. (2) No, either husband or wife must relinquish.

Question—Does three years time on homestead entry start with the date of the homestead entry or date when settler actually establishes residence on the land?

SUBSCRIBER.

Grass Range, Colo.

Answer—Time counts only from date of actual establishment of residence on the land.

Question—Can I get the credit for military service of my deceased uncle, in proving up on my homestead, if his wife is living.

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Roscoe, Mont.

Answer—No.

Question—Having proved up on 160-acre homestead entry in Nebraska, can I now take 320-acre desert land entry in Colorado? (2) Where can I learn of lands most desirable for desert land entry?

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Ickles, Neb.

Answer—Not if homestead entry was before June 30, 1890. (2) Question of desirability of land for desert land entry is one of personal opinion and we can not express our judgment in this column.

Question—Can a man prove up on 320-acre homestead entry if his wife refuses to live on the land with him?

SUBSCRIBER.

Colorado.

Answer—Yes.

Question—Having proved up on homestead in Kansas in 1907, can I now enter land in Colorado?

ALBERT DAVIDSON.

Colorado.

Answer—Yes. Under the desert land law and other public land laws. But if you received patent to 160 acres you exhausted your homestead right.

Question—Can a foreigner prove up on land in the United States under any circumstances? (2) Can a married woman, if American born, prove up on homestead entry filed on by her foreign-born husband?

SUBSCRIBER.

Mancos, Colo.

Answer—He may offer final proof, but under no circumstances can he receive patent until he becomes a naturalized citizen. (2) No.

Question—Can one prove up on homestead entry in Colorado and at same time marry in Kansas during life of the homestead.

S. M. P.

Deertrail, Colo.

Answer—No.

Question—Does the homestead law apply to New York and Arizona, and how many acres may be entered?

J. W. P.

Peacock, Texas.

Answer—Yes, to both states, and to all public land states. 160 acres may be entered except in certain areas designated as subject to enlarged homestead law and in those areas 320 acres may be taken.

Question—If homesteader's wife lived on homestead with him one year and then deserted him, can she hold interest in land after final proof is made?

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Fromberg, Mont.

Answer—Ordinarily no, but in some states yes if she is not divorced.

Question—Can owner of patented land obtain title to radium discovered on his own land? Where may sample of one be sent for analysis?

L. B. D.

Gillette, Wyo.

Answer—Yes. (2) State School of Mines.

Question—Does one who holds desert land entry in Colorado have to live in the state continuously to make annual proof and final proof?

SUBSCRIBER.

Salt Lake City, Utah.

Answer—No. He must be a bona fide resident of the state, but may be absent temporarily.

Question—My husband located with me and our children on homestead in Colorado and has deserted me for past three years, during which time I have lived on homestead with my children. Can I compel him to support me?

SUBSCRIBER.

Colorado.

Answer—Yes. You could bring an action for non-support and you could also prove up on the homestead as a deserted wife.

Question—Is there vacant government land in Eastern Colorado subject to homestead entry and can one take up 320 acres?

S. W. HILDEGRAND.

Virginia.

Answer—Yes. In Lincoln county, 176,749 acres; in Elbert county, 23,120 acres; in Adams county, 16,040 acres; in Washington county, 148,540 acres; in Morgan county, 32,880 acres; in Yuma county, 167,130 acres.