

Answers to Public Land Questions

All questions directed to this column by subscribers are answered by Ben B. Jones, land attorney, 402-403 Denham building. Because of the large number of questions received, it is not always possible to give prompt answer, but if your question is reasonable and of general interest it will be given attention in due time. Much valuable information, relative to public lands and land laws, may be found in The Denver Weekly Post Atlas. Address all questions to "Public Land Column," Denver Weekly Post.

Question—Having filed on 160-acre homestead entry in February, 1910, can I now relinquish and make another homestead entry under the enlarged homestead act? J. A. MADDEX.

New Mexico.

Answer—Yes, if you relinquish without receiving consideration in excess to your filing fees.

Question—(1) What are the laws in Montana regarding desert claims. (2) Can a person hold 160-acre homestead and desert entry at the same time? MRS. SAM LYNCH.

Montana.

Answer—Desert land law is a congressional act and is the same in Montana as in other states where applicable. (2) Yes.

Question—Can I take up placer mining claim on another man's ranch and hold it legally? SUBSCRIBER.

Montrose, Colo.

Answer—Not unless rancher's patent contained reservation of mineral to the United States with privilege of prospecting for and mining same under prescribed regulations.

Question—I have been holding a desert claim on unsurveyed land for over a year and have done some work and bought ditch stock. Recently squatter settled on land and erected valuable improvements. Do not the improvements belong to me? IRA BECKWITH.

New Mexico.

Answer—No.

Question—Can civil war veteran who never made homestead filing now take up a homestead filing in Colorado? If so, would he be obliged to move on land as soon as entry is made? Is there homestead land in Colorado or Wyoming? SUBSCRIBER.

Elgin, Ill.

Answer—Yes. He would have six months after filing to establish residence on the land and would be required to reside at least one year on homestead, but could not deduct period of military service from three years required for final proof. There is about 17,787,548 acres of land in Colorado subject to entry, and about 30,405,454 acres in Wyoming.

Question—Can I take up homestead for grazing purposes, and how long, if at all, would residence be required. Must I do more than fence the land? SUBSCRIBER.

Fort Morgan, Colo.

Answer—Yes, but residence would be required for three years—at least seven months during each year. Fencing the land alone would not be sufficient. You would be required to cultivate not less than 1-16 of the entry beginning with the second year, and not less than $\frac{1}{8}$ of the entry beginning with the third year, and until final proof.

Question—Has a person who homesteaded 160 acres in Oklahoma, and received patent, right to enter another homestead in New Mexico? WILLIS.

Hudson, N. M.

Answer—No. He could, however, make a desert land entry in New Mexico notwithstanding his homestead entry.

Question—Is there a herd law in Jefferson county? Can man dog cattle that break into his field? A READER.

Answer—Yes. Section 6374 of revised statutes of Colorado, 1908, provides for herding, and is applicable to entire state. The subject is too length to quote here. (2) Yes, if he maintains a legal fence.

Question—Does entryman have to break the entire homestead, and if not, what amount should be broken? SUBSCRIBER.

Wray, Colo.

Answer—You would be required to cultivate not less than 1-16 of the entry beginning with the second year, and not less than $\frac{1}{8}$ of the entry beginning with the third year, and until final proof.

Question—If a wife lives alone on land filed by the husband, can he have the land deeded to himself alone? If so, can he dispose of the land without his wife's consent? Can the land be deeded to them both. SUBSCRIBER.

Answer—If the land was filed in his name, final proof would have to be made in his name if he is living. State statutes would govern as to whether he could dispose of his property without his wife's signature.

Question—Having filed on 160 acres of land under the desert land law, and relinquish without consideration, can I now make another desert filing? MRS. CHAS. A. LAWRENCE.

Oklahoma.

Answer—One desert land filing exhausts your desert land right, unless first desert land entry was filed before February 3, 1911.

Question—When will Frontier days be held in Cheyenne, Wyo.? GEORGE D. YOUNG.

Colorado.

August 18 to 21, 1914.

Question—If a person owns as much as 350 acres of land, can he use his rights and take up 160 acres as a homestead? SUBSCRIBER.

Pocatello, Idaho.

Answer—No.