

been issued in donation claims. Patents for donation claims from No. 1 to 5199, homestead patents for final receipts No. 1 to 1040, and patents for cash receipts No. 1 to 1592, have, with some exceptions in each class, been issued, a great many of which remain on file in this office, subject to the call of the claimants. There is no fee attached to the delivery of a patent from this office, and persons who are the holders of certificates or receipts for patents included in the numbers stated, can procure the patent by transmitting the certificate or receipts to this office.

GENERAL LAND LAW.

Upon the death of a homestead settler before the completion of his claim, the widow may make final proof upon completing requirements of the law, and the title passes to her, or if she dies also, then the heirs may continue residence upon and cultivate the claim, and the title, upon proper proof of the fulfillment of the law, will vest in them.

Where both parents die, leaving infant children, the homestead may be sold for cash for the benefit of such children, and the purchaser will receive title from the United States; or upon proof of cultivation of the land required, patent to the land will issue to said infant heirs; personal residence on the claim not being required in a case as above stated.

In case a settler under the pre-emption law should die before establishing his claim within the period of time limited by law, the title may be perfected by the executor, administrator or one of the heirs, by making proper proof and payment of the land; the entry to be made in the name of the heirs of the deceased settler.

The right to change a pre-emption filing to a homestead entry belongs only to the party who made the pre-emption filing, and could, therefore, not be changed by the widow, or heirs, or administrator, as the case might be.

Pre-emption or homestead claims may be filed by persons who are the head of a family, widows, or single persons over the age of 21 years, who are native born citizens of the United States, or have declared their intention to become such citizens. A married woman can not file a claim as a widow; but she could make such filing as the head of a family if she really were the head of a family.

It is held in the rulings of the general land office that a deserted wife, or one whose husband is a confirmed drunkard, is the head of a family, or a married woman who has minor children, and has been abandoned by her husband without cause and left to support herself and children, is the head of a family.

Any person who has the requisite qualifications to file a homestead or pre-emption claim, may also file a timber culture entry without regard to how much land they may own.

In case a person under age, who is not the head of a family, makes a filing upon land, under the homestead, pre-emption, or timber-culture laws, such filing is void, but it does not exclude such person from making a legal entry upon attaining the proper age. If the party filing thus was single and under the age of 21 years, a contest, based upon affidavit made by the plaintiff, setting forth the facts, and acknowledged before a county clerk, notary public or the register or receiver of this office, would be initiated. The plaintiff in a contest must deposit \$10, for defraying expenses of costs in the case.

A hearing is then ordered by this office to be had in the case, to be held before a county clerk, or notary public, resident in the county in which the contested tract lies.

W. F. Benjamin, register at the Roseburg land office, writes:

BUSINESS FOR 1881.

	Acres.
111 Cash entries,	embracing 7,743
129 Final Homestead entries,	" 17,424
195 Homestead applications,	" 28,697
195 Pre-emption filings and 3 miners' entries.	

The pre-emption filings and homestead applications are only incipient entries that can only be consummated by proof of residence upon, and cultivation of the land applied for, for at least six months prior to the date of final entry, or pre-emption filings, or commuted homestead applications, if the party does not wish to reside on and cultivate their entries for five consecutive years from date of application. By the act of June 8, 1872, soldiers and sailors who served at least 90 days in the army or navy, can have credit for the time of service, not to exceed 4 years, applied to their homesteads, *i. e.* the applicant under this act must reside on his homestead at least one year in addition to time of service before he can receive certificate for

patent. Their widows and orphans are allowed the same rights. Under the act of May 4, 1880, parties who had settled on unsurveyed lands can, within 90 days after plats of survey are filed in the local land office, come in and make their application for their claim, and be credited with the time they had resided upon the land prior to the date of entry, when, if amounting to the full period of five years, they can make proof immediately after publishing notice for thirty days of their intention to do so.

There is but a small portion of public land open to ordinary cash entry; none, except what was surveyed prior to, and embraced in the offer of 1862, most of which undisposed of lies in Jackson and Josephine counties; that in Douglas, Lane, Benton and Linn having been withdrawn on account of the railroad grant. Homestead entries within the O. & C. railroad grant, that was restricted to 80 acres by any one application, are restored, so that parties now can enter within the grant 160 acres, same as elsewhere except as to cost of entry, which is \$16 on 160 acres without, and \$22 within said grant, being what is termed double minimum lands, *i. e.* \$2.50 per acre—those without the grant are single minimum, or \$1.25 per acre.

The amount of government land in this district, comprising portions of Linn, Benton and Lake, and all of Lane, Douglas, Coos, Curry, Josephine and Jackson counties, is, by estimation, about 9,000,000 acres, the greater part of which is unsurveyed and mountainous—perhaps 2,000,000 are surveyed and mostly covered with timber. In southern Douglas, and in Josephine and Jackson counties, mining is quite extensively carried on in the winter months, yielding a remunerative return for the labor and investments.

J. N. Evans, register of the Lakeview, southern Oregon, land office, says:

It is impossible to even approximate the amount of desirable land in this district yet open to settlement; it can be put down as many thousand acres. The amount of land claimed during the year 1881, is as follows:

	Act.	embracing	Acres.
Pre-emption,	65		10,000
Homestead,	22	"	3,000
Final Homestead,	13	"	2,000
Land sold, pre-emption act,	"	"	4,480
Final desert entries,	"	"	2,000
Desert entries,	"	"	1,600
Timber culture entries,	"	"	1,900

There are many thousand acres of