

United States Department of the Interior  
National Park Service

National Register of Historic Places  
Continuation Sheet

Section number \_\_\_\_\_ Page \_\_\_\_\_

SUPPLEMENTARY LISTING RECORD

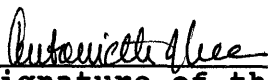
NRIS Reference Number: 92000463 Date Listed: 8/18/92

Simmons Ranch  
Property Name

Duchesne                      UT  
County                              State

N/A  
Multiple Name

-----  
This property is listed in the National Register of Historic Places in accordance with the attached nomination documentation subject to the following exceptions, exclusions, or amendments, notwithstanding the National Park Service certification included in the nomination documentation.

*for*   
Signature of the Keeper

9/22/92  
Date of Action

=====

Amended Items in Nomination:

**Classification:** The number of contributing resources is amended to read 4 buildings and 4 structures with a total of 8.

**Function or Use:** The historic function is amended to read: Domestic/single dwelling/secondary structure and Agriculture/Subsistence/storage/animal facility/agricultural outbuildings, and irrigation facility.

**Area of Significance:** The Period of Significance is amended to read: 1913-1940. The Significant Dates is amended to read 1913.

**DISTRIBUTION:**  
National Register property file  
Nominating Authority (without nomination attachment)

United States Department of the Interior  
National Park Service

**NATIONAL REGISTER OF HISTORIC PLACES  
REGISTRATION FORM**

This form is for use in nominating or requesting determinations of eligibility for individual properties or districts. See instructions in Guidelines for Completing National Register Forms (National Register Bulletin 16). Complete each item by marking "x" in the appropriate box or by entering the requested information. If an item does not apply to the property being documented, enter "N/A" for "not applicable". For functions, styles, materials, and areas of significance, enter only the categories and subcategories listed in the instructions. For additional space use continuation sheets (Form 10-900a). Type all entries. Use letter quality printers in 12 pitch. Use only 25% or greater cotton content bond paper.

**1. Name of Property**

historic name: Simmons Ranch  
other names/site number: Remund Ranch (from USGS topographic map)  
State file 42 Dc 599

**2. Location**

street & number: 8 mi. south of U.S. 40 ( ) not for publication  
city, town: N/A ( ) vicinity  
state: Utah code: UT county: Duchesne code: 013 zip code: 84027

**3. Classification**

Ownership of Property	Category of Property	No. of Resources within Property	
		contributing	noncontributing
( ) private	( ) building(s)		
( ) public-local	(X) district	<u>3</u>	<u>4</u> buildings
( ) public-State	( ) site		<u>      </u> sites
(X) public-Federal	( ) structure	<u>3</u>	<u>2</u> structures
	( ) object		<u>      </u> objects
		<u>6</u>	<u>6</u> Total

Name of related multiple property listing: N/A  
No. of contributing resources previously listed in the National Register       

**4. State/Federal Agency Certification**

As the designated authority under the National Historic Preservation Act of 1966, as amended, I hereby certify that this (X) nomination ( ) request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property (X) meets ( ) does not meet the National Register criteria.  
( ) See continuation sheet.

*A.K. Johnson*

Signature of certifying official

3/20/92  
Date

*Bureau of Reclamation*

State or Federal agency and bureau

In my opinion, the property (X) meets ( ) does not meet the National Register criteria. ( ) See continuation sheet.

*Walter M. A.*

June 23, 1992  
Date

Signature of Commenting or Other Official

*DSHPO*

State or Federal Agency and Bureau

**5. National Park Service Certification**

I, hereby, certify that this property is:

- entered in the National Register.  
( ) See continuation sheet
- determined eligible for the National Register. ( ) See continuation sheet
- determined not eligible for the National Register.
- removed from the National Register.
- other, (explain:)

Autonett Rice 8/18/92

for Signature of the Keeper Date of Action

**6. Functions or Use**

**Historic Functions**  
(enter categories from instructions)  
Exploration-Settlement

**Current Functions**  
(enter categories from instructions)  
Vacant/not in use.

**7. Description**

**Architectural Classification**  
(enter categories from instructions)

**Materials**  
(enter categories from instructions)

Other: log cabin  
Other: plank overlay siding  
Other: log corral

foundations Stone  
walls Wood: log  
Wood: plywood  
roof Earth  
other Wood: shingle  
Wood: log corral

**Describe present and historic physical appearance.**

The immediate locale of the Simmons (Remund) Ranch complex (district) is a confined area within the canyon formed by the Strawberry River. The river itself provided the water source necessary to any ranch complex. The steep canyon walls of spectacular shales with occasional sandstones of the Tertiary Uinta Formation create a confined area which naturally restricts the movement of livestock. The relatively flat lands along the river have a more luxuriant vegetation than much of the surrounding area, including grassy areas and deciduous trees. In this area, the Strawberry River flows generally to the west. The U.S. Geological Survey topographic map of the Avantiquin Canyon Quadrangle shows a

(X) See continuation sheet

**8. Statement of Significance**

Certifying official has considered the significance of this property in relation to other properties: ( ) nationally ( ) statewide (X) locally

Applicable National Register Criteria (X) A ( ) B ( ) C ( ) D

Criteria Considerations (Exceptions) ( ) A ( ) B ( ) C ( ) D ( ) E ( ) F ( ) G

**Areas of Significance**

(enter categories from instructions)

**Period of Significance Significant Dates**

Exploration-Settlement

1906- c. 1940

1906, 1913

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Cultural Affiliation**

\_\_\_\_\_

European/American

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Significant Person**

**Architect/Builder**

N/A

Charles Simmons

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

State significance of property, and justify criteria, criteria considerations, and areas and periods of significance noted above.

The Simmons (Remund) Ranch has significance as an intact, excellent, and representative example of an early Homestead; quite possibly the first Homestead, in Duchesne County. As such it is the oldest surviving site of European/American settlement, in this area, formerly part of an Indian Reservation, which was opened to such settlement in the early twentieth century. This site has additional significance since the homesteader succeeded while most others in the locale failed in similar endeavors.

(X) See continuation sheet

---

**9. Major Bibliographical References**

---

See complete footnotes on separate continuation sheets.

(X) See continuation sheet

**Previous documentation on file (NPS):**

- ( ) preliminary determination of individual listing ( 36 CFR 67) has been requested
- ( ) previously listed in the National Register
- ( ) previously determined eligible by the National Register
- ( ) designated a National Historic Landmark
- ( ) recorded by Historic American Buildings Survey # \_\_\_\_\_
- ( ) recorded by Historic American Engineering Record # \_\_\_\_\_

- Primary location of additional data:
- ( ) State Historic Preservation Office
  - ( ) Other State agency
  - (X) Federal agency
  - ( ) Local government
  - ( ) University
  - ( ) Other

Specify Repository:  
County Recorder and Assessors Files, Duchesne Co.

10. Geographical Data

---

Acreeage of property: 10

UTM References

A 1|2 5|1|8|8|7|5| 4|4|4|1|4|6|0|      B 1|2 5|1|9|1|7|5| 4|4|4|1|4|6|0|  
Zone Easting      Northing                      Zone Easting      Northing

C 1|2 5|1|9|1|7|5| 4|4|4|1|2|6|0|      D 1|2 5|1|8|8|7|5| 4|4|4|1|2|6|0|  
Zone Easting      Northing                      Zone Easting      Northing

( ) See continuation sheet

---

Verbal Boundary Description

NW 1/4 of NE 1/4 of NW 1/4 of Sect. 22, T 4 S, R 8 W.

( ) See continuation

sheet

---

Boundary Justification

The boundary includes all the buildings and structures of the ranch complex: the "log cabins" as well as log storage sheds, the "poverty sided" cabins, the pavilion, the barbeque pit, the cellar, part of an irrigation ditch, and the log corral.

( ) See continuation sheet

---

III. Form Prepared By

---

Name/Title: C.W. Miller, Ph.D., historian

Organization: U.S. Bureau of Reclamation      Date: December 15, 1991

Street & Number: 125 S. State St. # 7418      Tel.: (801)524-6868 FTS 588-6868

City or Town: Salt Lake City,      State: UT Zip Code: 84147

United States Department of the Interior  
National Park Service

**NATIONAL REGISTER OF HISTORIC PLACES  
CONTINUATION SHEET**

Section number 7 Page 1

tributary river which flows almost due north to join the Strawberry. The canyon formed by this stream is specifically named the Simmons Canyon.<sup>1</sup>

An archaeological team from Brigham Young University examined the Simmons (Remund) Ranch complex (district) in late 1990 and prepared a report on buildings and structures extant at that date. They found an older part that consists of five buildings of "log cabin" construction, as well as a system of corrals, a pavilion, an underground storage facility, an irrigation ditch, and a barbeque pit. The last five items fit into the category of structures. In the western part of the area stand three other cabins and one house of "poverty siding construction," a external wallboard or plywood material. These cabins and house were transported to the present location, hence they are "noncontributing" though they were a later part of the functional ranch.

The largest of the buildings of the "log cabin" construction stands at the southeast corner of the group of buildings of the ranch and measures 30 ft. by 15 ft. and consists of two rooms. This building includes a front porch, gabled roof, and stone foundation. The roof is of planks with a tin exterior added to the east side only. A loft or attic with exterior opening for entry is present which is accessable from a ladder on the outside of the cabin. The hand hewn and notched logs suggest an early date of construction. The cabin has two doors into the two rooms from the exterior on the west side and two windows on that side. One of the doors is partially missing but was a solid exterior door. The other is missing completely but a screen door is still in place on the outside. A single door on the east side is gone completely. One window on the first floor is on the north side below the opening to the loft. The county tax assessor's office has a record which indicates that the cabin may date from as early as 1910 but the



United States Department of the Interior  
National Park Service

**NATIONAL REGISTER OF HISTORIC PLACES  
CONTINUATION SHEET**

Section number 7 Page 2

---

best estimate, as described below, is that it dates from approximately 1920.<sup>2</sup>

A second "log cabin" appears on the map sketch as having additions on both the north and south. An original portion of this second "log cabin" of 15 ft. by 13 ft. provided the basis for the building with the portion on the north side marked "addition" on the map representing an extension of the interior. The addition made the entire "log cabin" some 28 ft. by 13 ft., not counting a plywood porch 10 ft. by 10 ft. shown on the map as a second "addition." The original cabin had only an entry door but the plywood porch also has a door and three windows across the south end and one window on the west end. The addition on the north end simply lengthened the original building with no more doors and windows. A plywood facade of later date covered the logs but has fallen away enough to reveal underlying logs. The roof consists of dirt and sod materials, which are now bearing grasses. The additions are more than 50 years old so they are considered "contributing" to the nomination. Neither of the two larger "log cabins" designed for residence (nor any of the later poverty sided cabins) include any heating facilities.<sup>3</sup>

Three additional "log cabins" are described as connecting storage sheds, each 13 ft. by 10 to 12 ft. The two sheds at the ends of the group probably originated as separate buildings. Logs placed between the original sheds formed the third shed. The eastern most of the three sections is of construction suggesting use as a granary with a door opening about 1 and 1/2 feet (the width of three logs) above the ground. The door itself is simply planks nailed to braces. The cabin at the west end has a single door opening which is at ground level with another door consisting of planks. The roofs of all three sections consist of dirt and sod materials. However, the logs of the middle shed show clear evidence of machine sawing, implying a somewhat later date, though, as

United States Department of the Interior  
National Park Service

**NATIONAL REGISTER OF HISTORIC PLACES  
CONTINUATION SHEET**

Section number 7 Page 3

described below, all three can be reasonably documented as having been on the site by 1913. The middle shed has no exterior doors but is entered through a door opening from the western most shed. A small door covering a hole in the ground stands just east of the three connected cabins.<sup>4</sup>

A system of corrals at the north end of the complex is also of axe hewn log construction as is a fence which encompasses the entire ranch complex. The western portion of the corrals, in a circular shape, suggests that it was designed for horses. The eastern portion of the corrals which consist of parallel logs suggests use for cattle or other livestock. A portion of an irrigation ditch runs along the southern edge of the corral just north of the log sheds. All of the log construction is of hardwoods which were of the same species currently present along the stream. The most important is the box elder, a member of the maple family and quite common in the area. However, cottonwood trees, less useful for construction, are also present in numbers.

A small structure noted as a pavilion of 20 ft. by 15 ft. has a gabled roof of wooden frame construction, supported by upright logs, but no walls. Next to the pavilion is a circular plaza approximately 15 ft. in diameter which consists of flat stones. The stones surround a porcelain bathtub sunken to the ground level which served as a barbeque pit. A proper description of this feature is also that of a structure rather than a building. Neither the pavilion and the barbeque pit appear on any records of the Assessor's office but the cattle operators added them, probably in the 1940s. Hence both are non-contributing to the nomination though present in the area.<sup>5</sup>

Charles Simmons completed an application to take legal ownership of the lands under Homestead Laws, on February 10, 1913. This process is also called going to patent with

United States Department of the Interior  
National Park Service

**NATIONAL REGISTER OF HISTORIC PLACES  
CONTINUATION SHEET**

Section number 7 Page 4

the document showing the government's grant of ownership called the final patent. He presented an inventory of the improvements that he had made on the land. Two other witnesses also appeared, as required by the Homestead Laws, who substantiated the inventory and other items in Simmons's statement. In fact, they valued the improvements at \$700; Simmons himself only gave \$650. Also they noted the existence a lateral irrigation ditch, that Simmons omitted. Otherwise, they gave identical inventories.<sup>6</sup>

Log House, 15' x 15'  
" Barn, 12' x 20'  
Cellar, 8' x 10'  
Log shop, 10' x 12'  
Pole corral, 30' x 50'  
Chicken house, 8' x 8'  
Hog-pen, 8' x 10'  
Log stable, 14' x 16'  
Pole fence, 1/2 mile.  
900-1000' lateral irrigation ditch.

A correlation of the above listing with the buildings and structures evident on the property is useful. The later owner of the ranch who had memory of it from a very early date stated in oral interviews that nothing had been removed except the chicken house and log stable, though other buildings were added later. Hence the inventory on the patent application needs to be reconciled with the observable earlier buildings on the site. With this fact in mind it is safe to say that the cabin on the 1913 inventory of 15' x 15' is probably the smaller log cabin as noted with additions from later times, though the actual measurement is 15' x 13', the number is close enough considering the nature of the records. Records at Duchesne Co. Assessor's Office imply that the changes were made prior to 1940, a date substantiated by a later owner of the ranch. The Barn is probably the shed designated as a granary with the shed next to it. The dimensions of 24 ft. by 13 ft. are close enough to the measured dimensions of 20 ft. by 12 ft. in the original patent.

United States Department of the Interior  
National Park Service

**NATIONAL REGISTER OF HISTORIC PLACES  
CONTINUATION SHEET**

Section number  7  Page  5

---

The third shed is probably the improvement noted in the 1913 inventory as a log shop since it fits the dimensions almost exactly. The covered hole just east of the sheds may well be the cellar. The pole fence of 1/2 mile is represented by several segments of wooden fence in the area, though some may have been replaced over the years. The Pole corral is still represented by the existing corral, though, again, some portions may have been replaced and the entire structure expanded. Conceivably the Hog pen of 8' x 10' was also in this area at the north end of the ranch. Even a portion of a 900' to 1000' lateral irrigation ditch probably survives along the south end of the existing corral, though only 50' today. Presumably the original ditch extended farther to the east into fields of various crops. The only items from the 1913 inventory which can not be readily correlated with anything still present are the Log Stable and Chicken house, though a chicken yard is present on the eastern edge of the area next to the smaller log cabin.

The inventory does not list the larger log cabin, but the later owner of the ranch stated that the cabin dates from the time of occupancy by Charles Simmons, certainly to the 1920s and possibly earlier. The Assessor's Office listed it from 1910 but that was obviously too early. The later owner also noted that his family had brought in and occupied the "poverty sided" ranch house and smaller "poverty sided" cabins in the 1940s. Hence this group of buildings are listed as "noncontributing" to the nomination though they were a functional part of the ranch at a later date and may be added to the site as "contributing" when time requirements are met within just a few years. (Indeed, a case can be made that these additional buildings could be designated as contributing at this time since they were part of the functional ranch for many years and date before 1940; quite possibly some years before 1940.<sup>7</sup>

United States Department of the Interior  
National Park Service

**NATIONAL REGISTER OF HISTORIC PLACES  
CONTINUATION SHEET**

Section number   7   Page   6  

---

As a final listing, the following existing items are contributing as part of the original homestead as representing the first permanent European/American settlement in the area:

two room log cabin, c. 1920  
one room log cabin, c. 1913, with porch addition, c. 1940  
log granary, c. 1913  
log shop, c. 1913  
log storage shed, c. 1913  
log corral, c. 1913  
irrigation ditch, c. 1913  
cellar, c. 1913

} Counted As One Building

The following items are non-contributing since they were brought onto the site less than fifty years ago (though some of these items may be over fifty years of age from time of construction and served as functioning parts of the ranch within the past fifty years):

poverty sided ranch house, on site c. 1949  
three poverty sided cabins, on site c. 1949  
pavilion, c. 1955  
barbeque pit, c. 1955

United States Department of the Interior  
National Park Service

**NATIONAL REGISTER OF HISTORIC PLACES  
CONTINUATION SHEET**

Section number 8 Page 1

---

The significance of the Remund Ranch as the oldest surviving European/American residence in the area of northwest Duchesne County, Utah, is documented by the records filed by Charles Simmons in the Homestead process which ultimately led to a full patent (grant of private ownership) by the U.S. General Land Office on June 26, 1913. (Rather typically, the owners did not file a copy of the patent document, no. 344144, with the Duchesne County Recorder until June 25, 1928, but it had legally been their property for fifteen years.) This is the earliest patent granted by the General Land Office under Homestead, Sale, or any other method in the entire region of the county, as revealed by the Recorder's Office and a master file book of land patents in the National Archives. The area had been a part of the Uintah Reservation of the Ute Tribe until the early twentieth century when the General Land Office opened it to entry under the various land distribution laws. However, the Land Office did attach some additional restrictions directly into the patent that were not part of patents on typical federal lands.<sup>9</sup>

The opening of previously withdrawn lands to Homestead is a major theme in the history of the Western U.S. A series of major "Land Rushes" in Oklahoma, formerly known as "Indian Territory," have defined much of that State's character. (Even the nickname "Sooner State" reflects the trick of a few slipping into an area "too soon" before legal opening to claim choice lands.) The U.S. Congress opened a portion of the Ute Tribes Uintah Reservation to non-Indian Homesteads by an Act of May 27, 1902. Members of the tribe selected lands: 80 acres per head of family, 40 for all other members. The purpose of opening the lands was to raise additional cash for the tribe which was "land poor." The same act allotted some \$70,064 to the tribe for various medical expenses then current. Further the Act specified that those entering the lands for the purpose of Homestead would

United States Department of the Interior  
National Park Service

**NATIONAL REGISTER OF HISTORIC PLACES  
CONTINUATION SHEET**

Section number 8 Page 2

have to fulfill the normal requirements under the famous Act of 1862 by constructing a cabin, residing on the site for five years as the only residence, and productively farming or ranching the land. However, in the case of former Ute Lands (and other former Reservation Lands opened under a variety of Acts of Congress), a Homesteader had to pay a fee of \$1.25 per acre after the five years residency. In cases of "ordinary" Homesteads, the filing party could secure the land by paying the \$1.25 fee per acre at anytime prior to completion of the five years but after that time the party had a two year period to file final paperwork and pay processing fees as the only monetary expense.<sup>9</sup>

Though the Act opening the Uintah Reservation took effect on October 1, 1903, actual administrative enforcement of the provisions was delayed until July 1, 1905, when the General Land Office finally opened a facility to service the area. This office, at Vernal, Utah, administered a variety of government lands in the area. In the Utah case there was no dramatic "Land Rush" as had marked at least five openings in Oklahoma which have been recreated by Hollywood with claimants madly dashing over a starting line at an appointed time. In Oklahoma, large tracts of prairie with excellent wheat potential attracted large numbers of claimants from the start. On the former Ute lands, rugged topography made the great majority of the acreage useless for farming or ranching. However, there were some exceptions, including the site selected by Simmons, which was along a stream bottom. Claimants drifted into such sites over the ensuing years. Simmons was clearly one of the first to file a claim, on January 27, 1906, and take residency on June 25, 1906. It is impossible to state if he was the first to do so in the area, however, he was the first in what is now Duchesne County to *actually complete the patent process*, as noted above. In 1907 a large group of families arrived from Nebraska and

United States Department of the Interior  
National Park Service

**NATIONAL REGISTER OF HISTORIC PLACES  
CONTINUATION SHEET**

Section number  8  Page  3

began to improve homesteads. The Nebraskans were not alone. From July 1, 1906, to June 30, 1907, various claimants filed 331 documents for entry into former Ute lands. It should be noted that this area was considerably larger than that part of the Reservation which was ultimately placed in Duchesne County. The fact that few of these actually went to patent adds to the significance of the Simmons Homestead in this context.<sup>10</sup>

The "log cabins" contribute to the theme of the site as intact, excellent, and representative examples typical of the dwellings of most early European/American residents. Though several other "log cabins" on other properties are known in Duchesne County, they have been removed from their original locations or are not as old. The prevalence of hand hewn logs in the two cabins that served as residences and two of what are now the log storage sheds is unusual for log cabins constructed by the twentieth century and is important physical evidence of the early date of settlement in the local area. Subsequent use of sawed logs at the Ranch emphasizes the significance.<sup>11</sup>

The Simmons (Remund) Ranch proved successful from farming and, subsequently, from open range ranching. The popular media have frequently portrayed open range ranches, loosely described as operations which graze livestock on open, unfenced lands. However, there are relatively few such facilities in the Western States which have been so well preserved. The fact that the Ranch operated in such a capacity from its first settlement until relatively recently also adds to this aspect of its significance. The success of the Simmons (Remund) Ranch is most striking when contrasted to the operations of other immigrants who came to the area at about the same time. The Nebraska group noted earlier is particularly striking in this regard. Several families with origins in Nebraska are listed on the 1910 U.S. Census at the same time Simmons lived there. Even though the



United States Department of the Interior  
National Park Service

**NATIONAL REGISTER OF HISTORIC PLACES  
CONTINUATION SHEET**

Section number 8 Page 4

group included some well-to-do families for the times, with doctors and lawyers among the contingent, their efforts were mostly unsuccessful. Virtually the entire group returned to Nebraska before living on the parcels of land for the five years required for Homestead. Thus the date 1913 by which Charles Simmons had lived on the land long enough to fulfill the requirements for the full patent provision of Homestead, represented the approximate time that the Nebraska group was abandoning such ultimate prospect.<sup>12</sup>

When Charles Simmons filed for his final Homestead in February, 1913, he listed himself as single, 31 years of age. By the time the officials in Washington approved the application in June, 1913, they issued the final patent to Charles and Hanna Simmons. This is a further testament to the success of Charles Simmons development of the ranch. The Simmonses went so far as to acquire additional adjacent lands under the Act of Congress of 1820 which allowed outright purchases (instead of the five year occupancy for Homestead). They filed for these purchases in 1917 but the Land Office did not issue their final patents until 1921, possibly because of the restrictions of release of former tribal reservation lands. The fact that the Simmonses had enough capital to make a land purchase, and chose to do so on adjacent lands, is further evidence of success.<sup>13</sup>

Yet another suggestion of the success of the original Homesteader appears in his original patent application of 1913. In addition to the inventory of improvements noted in Sect. 7, Charles Simmons also presented a list of crops and acreages that he had cultivated over the years immediately prior to his final application.<sup>14</sup> It should be noted that his application was for a total of 160 acres of land, considerably more than the area immediately around his cabins. He grew the following crops on the acreages noted, which totalled 25 ac. cleared and ready by 1912:

United States Department of the Interior  
National Park Service

**NATIONAL REGISTER OF HISTORIC PLACES  
CONTINUATION SHEET**

Section number 8 Page 5

Year	Oats	Hay	Potatoes	Other	Part of Area Cultivated
1908		2 tons	20 bu., sm. patch	3 ac. lucerne	NW 1/4 of NW 1/4
1909	4 ac.	2 tons	40 bu., 1/2 ac.		"
1910	6 ac.	3 tons	30 bu., 1/2 ac.		"
1911	10 ac., 4 t.	4 tons	60 bu., 1 ac.	1 ac. lucerne, 1 ac. corn	" and NE 1/4 NW 1/4
1912	10 ac.,	8 1/2 t.	60 bu., 1 ac.	1 ac. corn	" "

The steady increase in production is inescapable evidence of success.

The Simmonses may have leased the Ranch, or a portion of it, to a man named Hays in the 1920s or early 1930s. The recorder's office shows a 1938 sale to H. Ray Knox and a 1946 resale to the Remund brothers, hence the Ranch name on the USGS topographic map.

However, Lloyd Remund stated that he and his brother had occupied the ranch as early as the 1930s though he could not provide an exact date. (A time lag of some years in recording of a property transfer is quite consistent with the earlier history of this particular parcel and of general practice in Duchesne County. Such a lag may also show final payment of a mortgage after some years.) The Remunds ran from 60 to 180 head of cattle. Earlier Hays had run as many as 300 goats for mohair production. Lloyd Remund stated that Hays was the builder of the circular portion of the corral since he also had horses, though some corral facilities existed in the area from the first Homestead. However, some corral facilities were clearly present earlier as shown by Simmons application. Both Hays and the Remunds had operated the ranch only in the summer. However, Lloyd Remund stated that the Simmonses had lived on the ranch year round at some times but had lived in town at others. He was uncertain as to whether they ultimately had any livestock production, though they grew crops from the initial entry. This seems consistent with the crop records through the years listed in the patent application. If Charles Simmons had produced livestock he would have listed it as well.<sup>15</sup>

United States Department of the Interior  
National Park Service

**NATIONAL REGISTER OF HISTORIC PLACES  
CONTINUATION SHEET**

Section number   8   Page   6  

---

A final point from contemporary records on the original homesteader, Simmons, is of some interest. Charles Simmons listed himself as arriving on his homestead from Theodore, Utah. Two other homesteaders on nearby sites in 1906-1907 also listed themselves as arriving from the same community. They could well have been a loosely organized group but no conclusive support documents are available.<sup>16</sup>

United States Department of the Interior  
National Park Service

**NATIONAL REGISTER OF HISTORIC PLACES  
CONTINUATION SHEET**

Section number   9   Page   1  

---

NOTES

1. Geographical and Geological data are from the USGS Topographic Map of Avantiquin Canyon, Quadrangle, and Lehi Hintze, *Geologic Map of Utah*, Provo: Brigham Young University Press, 1975.

2. Southworth, Don, and Christensen, Terri H., "A Cultural Resource Evaluation of the Remund Ranch, Duchesne County, Utah," Brigham Young University Museum of Peoples and Cultures, Technical Series No. 90-24, October 17, 1990, pp. 7, 12, and 20.

3. Southworth, p. 12.

4. Southworth, p. 7.

5. *Ibid.* U.S. Bureau of Reclamation [C.W. Miller, interviewer], "Interviews with Mr. Lloyd Remund, October 30, 1991, January 9, 1992."

6. Original documents filed in application for the patent by Simmons and his witnesses with the U.S. General Land Office are in the National Archives, Record Group 49, serial patent no. 344144.

7. Duchesne County, Utah, tax records at Assessor's Office, file on Remund Ranch. "Interviews...Remund."

8. Duchesne County, Recorder's Office, land records. Master list of land patents, National Archives in *U.S.M. S. & W., Book 7, T 1-7 S, R 8-9 W, Utah Tract Book, Uintah Meridian*, Record Group 49, National Archives, Denver, CO. The late date of opening of the area is described by Mildred Miles Dillman, *Early History of Duchesne County* (Springville, UT: Art City Publishing Co., 1948) and Richard Poll (ed.) in *Utah's History* (Provo, UT: Brigham Young University Press, 1978).

9. United States Congress, *Statutes at Large of the United States of America*, vol. XXXII, pt. 1 (57th Congress, First Session), Washington: Government Printing Office, 1903, pp. 263-264.

10. Dillman, *Duchesne*.

11. Southworth, pp. 7, 12, and 20.

13. National Archives, General Land Office Patents, nos. 810015 and 810016.

14. National Archives, File of patent no. 344144.

15. "Interviews, Remund."

16. Master list, Record Group 49, National Archives.

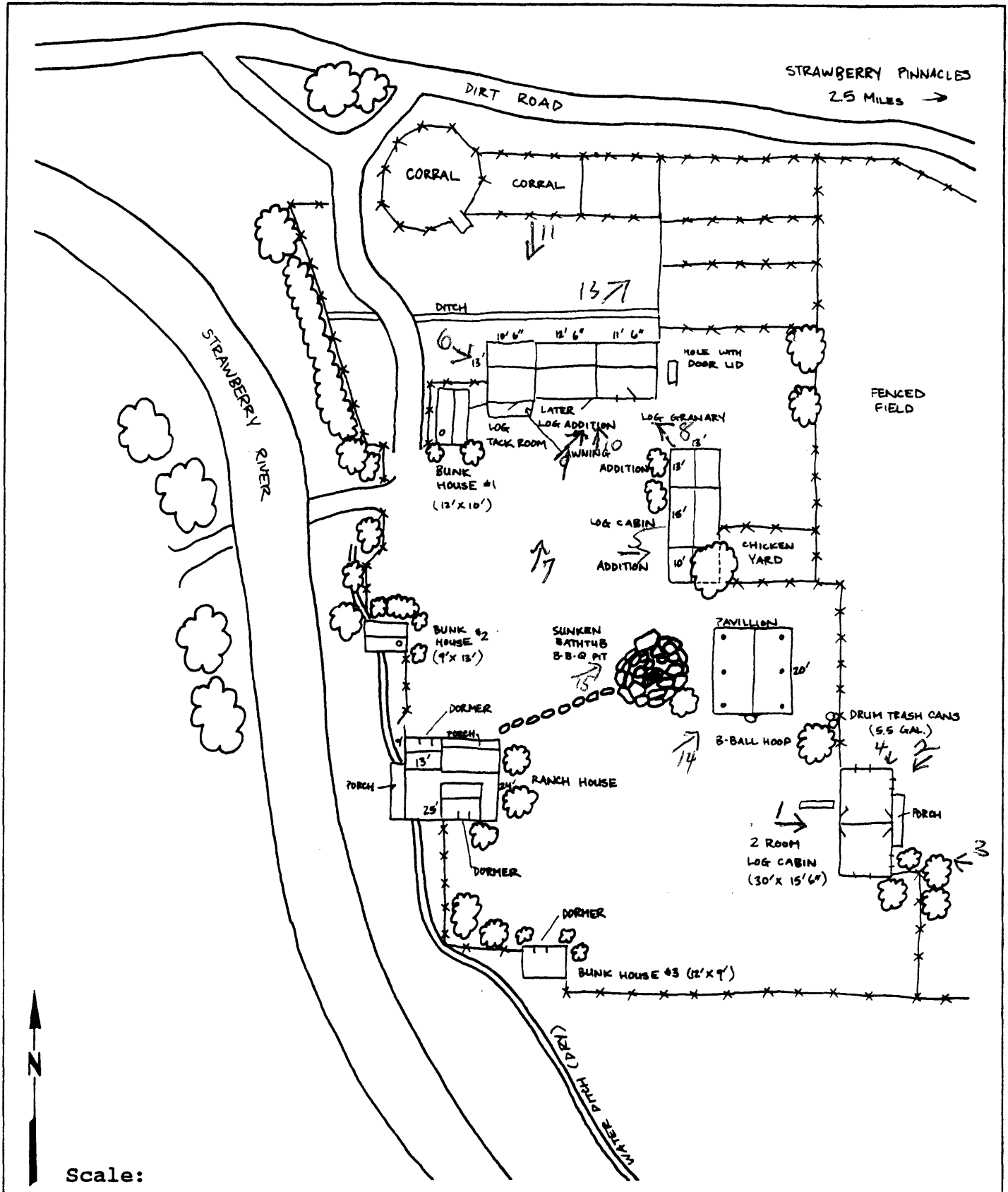
# SITE/ARTIFACT SKETCH

Office of Public Archaeology  
Brigham Young University

Site No. 42 DC 599

Date 4 OCT 1990

Feature No. \_\_\_\_\_



Photographs, numbered, arrows by camera direction.

TRANSCRIPT OF TELEPHONE CONVERSATION

Date: October 30, 1991

Employee: C.W. Miller

Subject: Telephone Conversation with Lloyd Remund concerning historic ownership of cabins in the Duchesne area.

Miller: Please state your name for the record

Remund: Lloyd Remund

Miller: How old are you?

Remund: 74

Miller: And what is your current residence?

Remund: I live about 5 miles east of Duchesne, Utah.

Miller: How long have you lived there?

Remund: I was born and raised there.

Miller: This phone call is to better understand ownership of three cabins in the Duchesne area which I understand you owned with your brother, Glen Remund. Is that correct?

Remund: We owned them together.

Miller: Currently, there appear to be three different structures or buildings of "log cabin" construction. These may be described as a large "log cabin" with a steep roof, a medium-sized cabin with a plywood covering over the logs and a log shed which includes 3 sections, one of which may have been a grainery. Do you agree with these simple descriptions?

Remund: Yes.

Miller: Let's discuss these, one at a time. First, the County Assessor has recorded the largest cabin as dating from approximately 1910. Do you agree with that approximate date of origin of the largest "log cabin?"

Remund: I don't know exactly. I think we bought in the early 30's.

Miller: Some records have indicated 1946.

Remund: Don't know where they got that -- seems it was in the 30's when we bought it.

Miller: So you lived there about the same time?

Remund: Yes.

Miller: About how long did you live there until when?

Remund: We never lived up there, just kind of during the summer. We lived on the farm.

Miller: Do you know which was the original homestead cabin?

Remund: There were 3 smaller ones there. The one on the west end. It's still there but the roof fell in.

Miller: Is that one with plywood?

Remund: Yes.

Miller: I see. This is the one with dirt floors, first built. One of the smaller of the three small ones. The County Assessor has recorded the largest cabin dating from approximately 1910. Do you agree with that date of origin of the largest "log cabin?"

Remund: That was before my days.

Miller: Do you know any other background information on the largest cabin, such as the party that actually built it?

Remund: I think Simmons built that. As near as I can find out. The big cabin. Charlie built the big one after the homesteader's cabin.

Miller: I'm trying to find out more information about that. Anything else you can add about the larger cabin?

Remund: We lived there for several years and then built the smaller cabins. My brother lived in one of them.

Miller: Regarding the medium-sized cabin with plywood covering the logs on the exterior, the Assessor's office has an approximate date of 1940 for construction. Do you have any additional information on that possible date?

Remund: It was quite a while before that because it was there when we bought the place.

Miller: The cabin would date then back to the 1920's?

Remund: 1920's - Yes.

Miller: Do you know any other background information on the medium-sized cabin, such as the name of the builder or early occupants?

Remund: No, don't recall.

Miller: Did Simmons build?

Remund: Must have. There are no more old timers left.

Miller: The County Assessor had no record of the 3 storage sheds.

Remund: The one on the west end was used by homesteaders.

Miller: Two of the three show evidence of handhewn logs and a middle one looked machine sawed -- Can you tell us how long they were used?

Remund: They were all there when we bought the place. Only used for storage. We used the Simmons for saddles.

Miller: That would have been the largest log cabin?

Remund: That would have been the west side, the smallest of the original three.

Miller: There appears to be corrals at the north end of the development and there is a circular area.

Remund: The round part was there and we built the straight ones. Hayes might have built the round ones. He had horses; he was a good horseman.

Miller: When the ranch was active, what different types of livestock did the different operators of the ranch have?

Remund: Hayes had 300 goats. That's about the first time I knew him.

Miller: Did Hayes have any cattle?

Remund: No, just goats - mohair.

Miller: How about Simmons, what did he run?

Remund: I don't know. He'd go up in there. He didn't have stock. He just lived in Duchesne and went back and forth.

Miller: How old would he have been?

Remund: He was a pretty old man by the time I knew him.

Miller: We had a record he was married.

Remund: His wife lived in Duchesne. Know of only one boy.

Miller: How old would he have been when you knew him?

Remund: 16 to 18.

Miller: Do you know his whereabouts?

Remund: No.

Miller: Was he active LDS or of that nature?

Remund: Don't know.

Miller: I also had a question here. When you operated, did you run cattle?

Remund: Cattle, about 60 heads and then up to 180.

Miller: Also, at the place there is a barbeque pit. Did you put that in?

Remund: Maybe in the 1940's sometime.

Miller: A pavilion?

Remund: No, my brother did most of that work.

Miller: From about the 40's also?

Remund: Yes, sometime in there.

Miller: There are a number of white-painted cabins of more recent date or origin than the "log cabins." These are sometimes described as being of "poverty siding." One source stated that your family had brought the cabins in from an old motel in Duchesne. Can you give an approximate date that you brought the cabins in from an old motel in Duchesne and an approximate date that they might have



been originally built for the motel?

Remund: It was some kind of motel deal.

Miller: What about the date?

Remund: It was about the end of the 1940's. We bought a truck in 1936 and it was after that. We lived in the larger cabin lived there for a few years then my brother lived there.

Miller: When you moved the motel cabins, they were already a few years old?

Remund: 50 years.

Miller: We noticed they didn't have heating facilities?

Remund: Nothing had much of heating. We just lived there in the summer time.

Miller: So nobody before Simmons or Hayes spent the winters there?

Remund: We bought it from Hayes. Ray Knox and another man raised pigs there and stayed some winters.

Miller: One other source said you had in as many cabins, a dozen people working there?

Remund: We never hired nobody. We just used for sister, daughters, folks, just among the family. Just for deer hunting, fishing, holidays.

Miller: Do you have any final thoughts or observations?

Remund: No I don't know much more right now.

Miller: I want to thank you for answering my questions. I may call you again.

Remund: What are they going to do with the smaller cabins? I've been trying to find out. Wondered if they were going to burn them?

Miller: We're trying to save them as an historical site.

Remund: We are concerned about preserving the big "log cabin." We like camping up there and would also like to use the "smaller cabins" at times.

Miller: I'll follow through and try and keep you informed.

Remund: Is the Bureau taking care of the land now?

Miller: Yes, but you may want to follow up with the Utah State Fish and Wildlife Service. The land is to be transferred to that agency. Thank you again for your cooperation and I may contact you again if I need additional information.

Comm. \$ 6.00 ✓  
Pr. Mon. \$ 200.00 ✓  
Post. Fund 2.75 ✓  
208 *KE* *C. SIMM.*

4-196.

Department of the Interior

United States Land Office Vernal, Utah.

UINTAH & WHITE RIVER UTE LANDS  
ACTS OF MAY 27, 1902 & MARCH 3, 1905.  
Serial No. 01300  
Receipt No. 1039228

UINTAH LANDS  
H. E. 1273, U. I. S.

# Certificate.

Homestead.

February 12, 1913  
(Date.)

It is hereby certified that, pursuant to the provisions of Section 2291, Revised Statutes of the United States,

CHARLES SIMMONS

of Fruitland, Wasatch County, Utah

has made payment in full for the N $\frac{1}{2}$  NE $\frac{1}{4}$  and N $\frac{1}{2}$  NW $\frac{1}{4}$

Section 22

Township 4 S., Range 6 W., U. S. Meridian,  
Utah, containing 160 acres.

Now, therefore, be it known that, on presentation of this Certificate to the COMMISSIONER OF THE GENERAL LAND OFFICE, the

said CHARLES SIMMONS

shall be entitled to receive a Patent for the lot above described.

*Charles DeMoy*, Register.

NOTE.—A duplicate of this Certificate is issued to the claimant as notice of the acceptance of the proof and payment, and of the allowance of the entry by the Register and Receiver.

The original is forwarded to the General Land Office, with the entry papers, for approval by the Commissioner of the General Land Office and issuance of patent.

The duplicate copy forwarded to the claimant should be held until notice of issuance of patent is received.

In all correspondence concerning the entry in connection with which this Certificate issued, refer to the NAME OF THE LAND OFFICE and the SERIAL NUMBER noted hereon.

Patent to contain reservation according to proviso to the Act of Aug. 30, 1891.

Pat No 544144  
JUNE 26 1913

DEPARTMENT OF THE INTERIOR.

SERIAL NO

NONMINERAL AFFIDAVIT.

U. S. LAND OFFICE.....Vernal, Utah....., No.....

This affidavit can be sworn to only on personal knowledge, and can not be made on information and belief.

Charles Simmons, being duly sworn according to law, deposes and says that I am the identical person or agent for who is an applicant for Government title to the N 1/2 NW 1/4 and N 1/2 NW 1/4, Section 22,

Township 4 S., Range 8 W., Uinta Special Meridian; that I am well acquainted with the character of said described land, and with each and every legal subdivision thereof, having frequently passed over the same; that my personal knowledge of said land is such as to enable me to testify understandingly with regard thereto; that there is not, to my knowledge, within the limits thereof, any vein or lode of quartz or other rock in place, bearing gold, silver, cinnabar, lead, tin, or copper, or any deposit of coal; that there is not within the limits of said land, to my knowledge, any placer, cement, gravel, or other valuable mineral deposit; that the land contains no salt spring, or deposits of salt in any form sufficient to render it chiefly valuable therefor; that no portion of said land is claimed for mining purposes under the local customs or rules of miners or otherwise; that no portion of said land is worked for mineral during any part of the year by any person or persons; that said land is essentially nonmineral land, and that the application therefor is not made for the purpose of fraudulently obtaining title to mineral land, but with the object of securing said land for agricultural purposes; that the said land is not occupied and improved by any Indian, and that my post-office address is Fruitland, Wasatch County, Utah.

Charles Simmons (Sign here, with full Christian name.)

Note.—Every person swearing falsely to the above affidavit will be punished as provided by law for such offense. (See Sec. 125, U. S. Criminal Code, below.)

I HEREBY CERTIFY that the foregoing affidavit was read to or by affiant in my presence before affiant affixed signature thereto; that affiant has been satisfactorily identified before me by Fred C. Ferron, Duchesne, Utah;

that I verily believe affiant to be a credible witness and the identical person hereinbefore described, and that said affidavit was duly

subscribed and sworn to before me, at my office, in Vernal, Wasatch Co, Utah within the Vernal, Utah land district, this 10th day of February, 1913.

Edward J. ... U.S. Commissioner.

(Official designation of officer.)

SEC. 125. Whoever, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, shall willfully and contrary to such oath state or subscribe any material matter which he does not believe to be true, is guilty of perjury.

**NOTICE FOR PUBLICATION.**  
(PUBLISHER.)

DEPARTMENT OF THE INTERIOR,

U. S. LAND OFFICE at Yarnall, Utah,

December 20, 1912

NOTICE is hereby given that Charles Simmons, of Fruitland, Utah, who, on January 27, 1906, made Homestead Entry No. 1273, U. I. S., Serial No. 01300, for the N $\frac{1}{2}$  NE $\frac{1}{4}$  and N $\frac{1}{2}$  NW $\frac{1}{4}$ , Section 22, Township 4 N., Range 6 W., Uinta Special Meridian, has filed notice of intention to make Five Year Proof, to establish claim to the land above described, before Edward Mackie, U. S. Commissioner, at Milton, Utah, on the 10th day of February, 1913.

Claimant names as witnesses:

Wilder Fairbanks, of Fruitland, Utah  
Charles Fisher, of " "  
Earl B. Allen, of " "  
Fred C. Ferron, of Duchesne, Utah

Charles DeGruy  
Register.

**Publisher:** Return this form to the Register at the end of the period of publication, with the "Affidavit of Publication" properly executed.

**NOTICE FOR PUBLICATION.**  
Department of the Interior, U. S. Land Office at Yarnall, Utah, December 20, 1912.  
Notice is hereby given that Charles Simmons, of Fruitland, Utah, who, on January 27, 1906, made homestead entry No. 1273, U. I. S., Serial No. 01300, for the N $\frac{1}{2}$  NE $\frac{1}{4}$  and N $\frac{1}{2}$  NW $\frac{1}{4}$ , section 22, township 4 N., range 6 W., Uinta Special meridian, has filed notice of intention to make five year proof, to establish claim to the land above described, before Edward Mackie, U. S. Commissioner at Milton, Utah, on the 10th day of February, 1913.  
Claimant names as witnesses:  
Wilder Fairbanks, Charles Fisher, Earl B. Allen, all of Fruitland, Utah; Fred C. Ferron, of Duchesne, Utah.  
CHARLES DEGRUY, Register

**AFFIDAVIT OF PUBLICATION.**

I, Fred L. Watrous, publisher, of the Duchesne Record, published weekly at Milton, Utah do solemnly swear that a copy of the above notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for six consecutive weeks, commencing with the issue dated Dec 27, 1912, and ending with the issue dated Feb 7, 1913  
Fred L. Watrous  
(Signature.)

Subscribed and sworn to before me this 10 day of February, 1913.

Edward Mackie

APR 6 1912

For use in  
HOMESTEAD,  
DESERT LAND, and  
TIMBER or STONE  
Entries.

4-348 a.

**NOTICE FOR PUBLICATION.**  
(REGISTER.)

V. 171 11 1912

DEPARTMENT OF THE INTERIOR,

U. S. LAND OFFICE at Vernal, Utah,

December 20, 1912.

NOTICE is hereby given that Charles Simmons, of  
Fruitland, Utah, who, on January 27, 1906, made  
Homestead Entry, No. 1273, U.I.S., Serial, No. 01300, for  
(Kind of application or entry.)  
the N $\frac{1}{2}$  NE $\frac{1}{2}$  and N $\frac{1}{2}$  NW $\frac{1}{2}$ , Section 22,  
Township 4 S., Range 6 W., Uinta Special Meridian,  
has filed notice of intention to make Five Year  
(If homestead, insert "five year" or "commutation," as case may be.)  
Proof, to establish claim to the land above described, before  
Edward Mackie, U. S. Commissioner, at  
(Name of officer.)  
Myton, Utah, on the 10th day of  
February, 1913.

Claimant names as witnesses:

Wilder Fairbanks, of Fruitland, Utah  
Charles Fisher, of " "  
Earl B. Allen, of " "  
Fred C. Ferron, of Duchesne, Utah

*Charles De Moisy*  
Register.

CERTIFICATE AS TO POSTING OF NOTICE.

APR 11 1913 *Feb. 12, 1913*

I HEREBY CERTIFY that the above notice, ~~or copy thereof~~, was by me  
posted in a conspicuous place in my office for a period of 30  
days, I having first posted said notice on the 20th day of  
December, 1912.

*Charles De Moisy*  
Register.

NOTICE OF INTENTION TO MAKE PROOF.

FEB 19 1913

DEPARTMENT OF THE INTERIOR,

U. S. LAND OFFICE at Vernal, Utah.  
December 20, 1912.

I, Charles Simmons, of  
Fruitland, Utah, who, on January 27, 1906, made  
Homestead Entry, No. 1273, U.I.S. Serial, No. 01300, for  
(Kind of application or entry.)  
the N $\frac{1}{2}$  NE $\frac{1}{2}$  and N $\frac{1}{2}$  NW $\frac{1}{2}$ , Section 22,  
Township 4 S., Range 6 W., Uinta Special Meridian,  
hereby give notice of my intention to make Five Year  
(If homestead, insert "five year" or "commutation," as case may be.)  
Proof, to establish my claim to the land above described, before  
Edward Mackie, U. S. Commissioner, at  
(Name of officer.)  
Myton, Utah, on the 10th day of  
February, 1913., by two of the following witnesses:

Wilder Fairbanks, of Fruitland, Utah  
Charles Fisher, of " "  
Earl B. Allen, of " "  
Fred C. Ferron, of Duchesne, Utah

(Signed) Charles Simmons  
(Signature of claimant.)

Vernal, Utah, Dec 20, 1912

Notice of the above intention to make proof will be published in the  
Duchesne Record Myton, Utah  
(Name of newspaper.) (Place of publication.)  
for a period of 5 consecutive weeks, which I hereby designate  
as the newspaper published nearest the land above described.

Charles DeMoy  
Register.

11-2857

No information now  
in this office war-  
ranted field invest-  
igation.

For use in  
HOMESTEAD and  
DESERT LAND  
Entries

4-348.

NOTICE OF INTENTION TO MAKE PROOF.

DEC 12 1912

01600

DEPARTMENT OF THE INTERIOR,

U. S. LAND OFFICE at VERNAL Utah

, 19

I, Charles Simmons, of Fruitland, Utah., who, on January 27,, 1906, made

Homestead Entry, No. 1273, for

N. 1/2 of the N. 1/2, Section 22,

Township 4 S., Range 8 W., U.S. Meridian,

hereby give notice of my intention to make Final five-year

Proof, to establish my claim to the land above described, before

Edward Mackie, U.S. Commissioner, at

Myton, Utah., on the 10th day of

February, 1912, by two of the following witnesses:

Wilder Fairbanks, of Fruitland, Utah.

Charles Fisher, of Fruitland, Utah.

Earl B. Allen, of Fruitland, Utah.

Fred C. Ferren, of Duchesne, Utah.

Charles Simmons.  
(Signature of claimant.)

VERNAL Utah Dec. 20, 1912

Notice of the above intention to make proof will be published in the

Duchesne Record Myton Utah  
(Name of newspaper.) (Place of publication.)

for a period of 5 consecutive weeks, which I hereby designate as the newspaper published nearest the land above described.

Charles W. Mackie  
Register.

Receiver's Duplicate Receipt No. 1273

Application No. 1273

HOMESTEAD.

Department of the Interior,

Receiver's Office, .....

January 27<sup>th</sup>, 1906

Received of Charles Simmons the sum of Sixteen dollars .....

being the amount of fee and compensation of register and receiver for the entry of N 1/2 of the N 1/2 of Section 22 in Township 4 S of Range 8 W U S M, under Section 2290, Revised Statutes of the United States.

Don B. Colton Receiver.

\$16.00

NOTE.—It is required of the homestead settler that he shall reside upon and cultivate the land embraced in his homestead entry for a period of five years from the time of filing the affidavit, being also the date of entry. An abandonment of the land for more than six months works a forfeiture of the claim. Further, within two years from the expiration of the said five years he must file proof of his actual settlement and cultivation, failing to do which, his entry will be canceled. If the settler does not wish to remain five years on his tract he can, at any time after fourteen months, pay for it with cash or land warrants, upon making proof of settlement and cultivation from date of filing affidavit to the time of payment.

Occasional visits to the land at intervals of six months, or oftener, will not suffice. An entryman must maintain an actual residence on the land to the exclusion of a home elsewhere.

7-3-05 Note a new rule, which Registers and Receivers will read and EXPLAIN PROMPTLY to persons making application for and where the affidavit is made before either of them.



## SUGGESTIONS TO HOMESTEAD ENTRYMEN.

### First—WHEN LANDS MAY BE CLEARED.

Timber land embraced in a homestead, or other entry not consummated, may be cleared in order to cultivate the land and improve the premises, *but for no other purpose*. If, after clearing the land for cultivation, there remains more timber than is required for improvement, there is no objection to the settler disposing of the same. But the question whether the land is being cleared of its timber for *legitimate purposes* is a question of fact which is liable to be raised at any time. If the timber is cut and removed for *any other purpose* it will subject the entry to cancellation, and the person who cut it will be liable to civil suit for the recovery of the value of said timber, and also to criminal prosecution under section 2461 of the Revised Statutes.

### Second—WHAT IS REQUIRED OF SETTLER.

It is required of the homestead settler that he shall reside upon and cultivate the land embraced in his homestead entry for a period of five years from the time of filing the affidavit, being also the date of entry. Further, within two years from the expiration of the said five years he must file proof of his actual settlement and cultivation, failing to do which, his entry will be canceled. If the settler does not wish to remain five years on his tract he can, at any time after fourteen months, pay for it with cash upon making proof of settlement and cultivation from date of filing affidavit to the time of payment.

### Third—LANDS MUST BE SUBJECT TO ENTRY.

Any entry must be canceled if it is made for lands which are either mineral or saline in character, or for lands which are embraced in or covered by any valid subsisting adverse settlement, application, entry, location, or other form of appropriation, or for lands which have already been granted, reserved, or withdrawn for any purpose.

### Fourth—ENTRYMAN MUST BE FULLY QUALIFIED TO MAKE ENTRY.

All entries must be canceled when they are held by persons of either of the following classes: (1) Minors, who are not the heads of families; (2) aliens, who have not declared their intentions to become citizens; (3) married women, with certain exceptions; (4) persons who have exhausted their rights by making other homestead entries; (5) persons who were at the date of such entry the owners of more than 160 acres of land, and (6) persons who have, since August 30, 1890, acquired title to, or are claiming through settlement or entry, other agricultural public lands which with the lands last applied for exceed in the aggregate 320 acres.

### Fifth—FRAUDULENT ENTRIES.

All entries must be declared fraudulent and canceled where (1) they are made by disqualified persons who falsely represent themselves to be qualified; (2) where they are not made for the sole purpose of actual residence and cultivation to obtain a home for the entryman, but are made wholly or in part in the interest of, or for the benefit of, some other person, and (3) where they were originally made in good faith but are afterwards held in the interest of or for the benefit of others. An entry made in good faith, without fraud, becomes a fraudulent entry and must be canceled if the entryman, before final proof, sells or agrees to sell the land, or any part thereof or interest therein, to some other person and thereafter continues his residence and cultivation, intending, after proof, to make a conveyance to such person.

### Sixth—CONTINUOUS BONA FIDE RESIDENCE AND CULTIVATION NECESSARY.

Homestead entries must be canceled in all cases where the entryman fails, for six months from the date of his entry, to actually abandon all other homes and make his home in good faith on the land entered; and when the entryman has in this manner actually established his bona fide home on the land to the entire exclusion of a home elsewhere, he must thereafter continuously reside upon and cultivate the land entered until he has earned a patent, and his failure to do so may result in the cancellation of his entry, unless the register and receiver, for good cause shown, grant him a leave of absence from the land. It should be always remembered by entrymen that they can not, while seeking title under the homestead laws, maintain a home anywhere except on the land.

### Seventh—FINAL PROOF AND PATENT.

A homestead entryman may, by proving fourteen months' residence and cultivation and the payment of the minimum price of the land, in addition to certain fees, obtain a patent; or he may, by proof of five years' actual residence and cultivation, at any time within seven years from the date of his entry, obtain a patent by the payment of the fees and commissions only except in certain cases. But the entryman may take credit for the length of time he resided upon and

cultivated the land prior to his entry, either in making commutation proof or final five years' proof. Soldiers of the war of the rebellion, the Spanish-American war, and the Philippine insurrection, and their widows and minor orphans are, under certain circumstances, entitled to have the period of their service deducted from the period of five years' residence and cultivation, after they have resided upon and cultivated the land for one year.

An entryman desiring to make proof should, in writing, notify the register and receiver of that fact, mentioning the time and place where proof is to be made, the name of the officer before whom he desires to offer proof, and the names of at least four of his neighbors, who can testify of their own knowledge as to his residence and cultivation. Upon receipt of this notice the register will then issue and publish a notice naming the time, place, and the officer before whom proof is to be taken. On the date named in the notice the entryman must appear before the officer designated to take the proof with at least two of the witnesses named in the notice, and there give their testimony. If for any reason the entryman and his witnesses are not able to appear before the officer on the date named, the officer should continue the case from day to day until the expiration of ten days, and the proof may be taken on any day within that time when the entryman and his witnesses appear, but they should, if it is at all possible to do so, appear on the date named in the notice. Entrymen are advised that they should, whenever it is possible to do so, offer their proofs before the register and receiver, as it may be found necessary to refer all proofs made before other officers to a special agent for investigation and report before they can be finally approved and patent issued thereon, while, if made before registers and receivers, there is less likelihood of this being done, and there is less probability of the proofs being incorrectly taken. By making proof before the register and receiver, entrymen will also save the fees which they would be required to pay other officers, as they are required under the law to pay to the register and receiver the same amount of fees in each case, regardless of the fact that the proof is taken before them or before some other officer.

Entrymen are cautioned against improvidently making commutation proofs, as all such proofs will hereafter, as far as possible, be carefully examined into by special agents before patent is issued, and any attempt to improperly obtain title under the commutation law will not only result in the cancellation of the entry, but may result in the indictment and prosecution of the entryman.

### Eighth—FEES.

The entryman should forward with his notice of intention to make final proof sufficient money to pay the newspaper for publishing his notice, or he should furnish the register with a statement from the publisher of the paper, or his agent, that the necessary money has been paid or deposited with the publisher. The newspaper is entitled to receive the same compensation for publishing this notice which it would be authorized to receive under the laws of the State for publishing legal notices of a similar character.

United States commissioners, United States court commissioners, and judges and clerks of courts of record who take proofs are authorized to receive no greater sum than 25 cents for each affidavit made before them, and 25 cents for administering the oath to each final-proof testimony, when such testimony is not written and prepared by them, but they are entitled to receive \$1 for the testimony of each claimant and witness which is sworn to before them after they have prepared and written the testimony. Such officers can not act as attorneys or agents for entrymen in any matter, and should not receive compensation for such services.

On all proofs taken before either the register and receiver, or before any other officer authorized to take proofs, the register and receiver are entitled to 15 cents for each 100 words reduced to writing by themselves or others, and in California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming they are entitled to receive 22½ cents for each 100 words.

In all cases, except commutation proofs, the entryman must pay the register and receiver, in addition to the testimony fee above mentioned, a commission of \$1 for each 40-acre tract embraced in an entry made for lands outside of railroad grants, and \$2 for each 40-acre tract within such limits in all the States and Territories except those above mentioned, and when the lands are situated in those States they should pay the sum of \$1.50 and \$3, respectively, for each 40-acre tract. All fees and commissions due the register and receiver should be paid at the time the final proofs are made or received at their office.

RECEIVER'S RECEIPT, No. 1273

APPLICATION, No. 1273

HOMESTEAD.

Department of the Interior,

Receiver's Office,.....

Jan 27<sup>th</sup> 1906

RECEIVED of Charles Simmons the sum

of Sixteen dollars..... cents;

being the amount of fee and compensation of Register and Receiver for the

entry of N<sup>2</sup> of the N<sup>2</sup>

.....of Section 22 in

Township 4 S of Range 8 W, under

Section No. 2290, Revised Statutes of the United States.

Don B. Colton  
Receiver.

\$16.00

NOTE.—It is required of the homestead settler that he shall reside upon and cultivate the land embraced in his homestead entry for a period of five years from the time of filing the affidavit, being also the date of entry. An abandonment of the land for more than six months works a forfeiture of the claim. Further, within two years from the expiration of the said five years he must file proof of his actual settlement and cultivation, failing to do which his entry will be canceled. If the settler does not wish to remain five years on his tract, he can, at any time after fourteen months, pay for it with cash or land warrants, upon making proof of settlement and of residence and cultivation from date of filing affidavit to the time of payment.

See note in last day which contains and explains making application where the affidavit is made before either of them.

APR 6 1906

Land Office No. 4-063.

# HOMESTEAD AFFIDAVIT.

U. S. Land Office at Vernal, Utah.

January 27<sup>th</sup>, 1906

I, Charles Simmons, of Theodore, Wasatch County, having filed my application No. 1235, for an entry under Section 2289, Revised Statutes of the United States, do solemnly swear that I am not the proprietor of more than one hundred and sixty acres of land in any State or Territory; that I am a native borne citizen of the United States, over the age of Twenty one Years.

that my said application is honestly and in good faith made for the purpose of actual settlement and cultivation, and not for the benefit of any other person, persons, or corporation, and that I will faithfully and honestly endeavor to comply with all the requirements of law as to settlement, residence, and cultivation necessary to acquire title to the land applied for; that I am not acting as agent of any person, corporation, or syndicate in making such entry, nor in collusion with any person, corporation, or syndicate to give them the benefit of the land entered, or any part thereof, or the timber thereon; that I do not apply to enter the same for the purpose of speculation, but in good faith to obtain a home for myself, and that I have not directly or indirectly made, and will not make, any agreement or contract in any way or manner, with any person or persons, corporation, or syndicate whatsoever, by which the title which I might acquire from the Government of the United States should inure, in whole or in part, to the benefit of any person except myself, and further, that since August 30, 1890, I have not entered under the land laws of the United States, or filed upon, a quantity of land, agricultural in character, and not mineral, which, with the tracts now applied for, would make more than three hundred and twenty acres, ~~except~~

and that I have not heretofore made any entry under the homestead laws, ~~except~~

(Sign plainly with full christian name.) Charles Simmons

Sworn to and subscribed before me this 27<sup>th</sup> day of January 1906 at my office in \_\_\_\_\_ County,

Charles D. Wiley

\*Here insert statement that applicant is a citizen of the United States, or that he has filed his declaration of intention to become such, and that he is the head of a family, or is over twenty-one years of age, as the case may be. It should be stated whether applicant is NATIVE-BORN or not, and if not, a certified copy of his certificate of naturalization, or declaration of intention, as the case may be, must be furnished. (See page 45, circular of January 1, 1899.)

# NON-MINERAL AFFIDAVIT.

This affidavit can be sworn to only on personal knowledge, and can not be made on information and belief.  
The Non-Mineral Affidavit accompanying an entry of public land must be made by the party making the entry, and only before the officer taking the other affidavits required of the entryman.

## Department of the Interior,

UNITED STATES LAND OFFICE,

.....January 27<sup>th</sup>, 1906

.....Charles Simmons....., being duly sworn according to law, deposes and says that he is the identical Charles Simmons..... who is an applicant for Government title to the N I/2 of the N I/2 of sect 22, Township 4 S. of Range 8 T. U. S. M......

.....; that he is well acquainted with the character of said described land, and with each and every legal subdivision thereof, having frequently passed over the same; that his personal knowledge of said land is such as to enable him to testify understandingly with regard thereto; that there is not, to his knowledge, within the limits thereof, any vein or lode of quartz or other rock in place, bearing gold, silver, cinnabar, lead, tin, or copper, or any deposit of coal; that there is not within the limits of said land, to his knowledge, any asphaltum, gilsonite, elaterite, or other like substance, or other valuable mineral deposit; that the land contains no salt spring, or deposits of salt in any form sufficient to render it chiefly valuable therefor; that no portion of said land is claimed for mining purposes under the local customs or rules of miners or otherwise; that no portion of said land is worked for mineral during any part of the year by any person or persons; that said land is essentially non-mineral land, and that his application therefor is not made for the purpose of fraudulently obtaining title to the mineral land, but with the object of securing said land for agricultural purposes, and that his post-office address is Theodore, Wasatch Co., Utah.....

*Charles Simmons*

I hereby certify that the foregoing affidavit was read to affiant in my presence before he signed his name thereto; that said affiant is to me personally known (or has been satisfactorily identified before me by .....), and that I verily believe him to be a credible person and the person he represents himself to be, and that this affidavit was subscribed and sworn to before me at my office in ..... within the ..... land district, on this 27<sup>th</sup> day of January, 1906

*Charles St. Morris*

NOTE.—The officer before whom the deposition is taken should call the attention of the witness to the following section of the Revised Statutes, and state to him that it is the purpose of the Government, if it be ascertained that he testifies falsely, to prosecute him to the full extent of the law:

REVISED STATUTES OF THE UNITED STATES. TITLE LXX.—CRIMES.—CHAP. 4.

Sec. 5392. Every person who, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed is true, willfully...

Land Office No. 4-007.

Application No. 1273

# HOMESTEAD.

Land Office at Vernal, Utah.

January 27<sup>th</sup>, 1906.

I, Charles Simmons, of Theodore, Wasatch County, State of Utah, do hereby apply to enter, under Section 2289, Revised Statutes of the United States, the N. 1/2 of the N. 1/2 of Section 22, in Township 4 S, of Range 8 W, U. S. M. containing One Hundred and Sixty acres.

*Charles Simmons*

16-

Land Office at Vernal Utah.

January 27<sup>th</sup>, 1906.

I, Register of the Land Office, do hereby certify that the above application is for Surveyed Lands of the class which the applicant is legally entitled to enter under Section 2289, Revised Statutes of the United States, and that there is no prior valid adverse right to the same.

*Charles DeWoody*  
Register.

(4--007.)

no. 1273

**Homestead Application.**

*Charles Simmons*

*Jan'y. 27, 1906*

Section 22, Town 4 S., Range 8 W.

Statton Pub. Co.'s Legal Blanks, Provo, Utah.



100 40 10

SERIAL NO. 100 40 10

DEPARTMENT OF THE INTERIOR.

HOMESTEAD ENTRY.

U. S. LAND OFFICE Vernal, Utah, No.

FINAL PROOF. Receipt No.

TESTIMONY OF WITNESS.

QUESTION 1. What is your full name, age, and post-office address?

ANSWER. Fred C. Ferron, age 29, Duchesne, Utah.

QUESTION 2. (a) How long have you known the claimant in this case and the N 1/2 NE 1/4 and N 1/2 NW 1/4

Section 22, Township 1 S., Range 4 W., Uinta Special Meridian, the land embraced in Homestead Entry, No. 1275, U.I.S., made at the Vernal, Utah Land Office?

ANSWER. 6 years.

(b) Is claimant married? ANSWER. No Sir.

QUESTION 3. Is said tract within the limits of an incorporated town, or used in any way for trade or business?

ANSWER. No Sir.

QUESTION 4. (a) When did claimant settle upon the homestead?

ANSWER. I first seen him there in June 1907.

(b) At what date did claimant establish actual residence thereon?

ANSWER. He was living there in June 1907.

(c) Have claimant and family resided continuously on the homestead since thus establishing residence thereon?

ANSWER. Yes Sir.

(d) Have claimant and family ever been absent from the homestead since thus establishing residence thereon?

ANSWER. Yes Sir.

(e) If there have been any such absences, give the dates covered by such absences, stating who was absent and for what reason.

ANSWER. From May 1st, to August 1st, 1907 claimant was absent to earn a living.



QUESTION 5. Describe the land embraced in above entry by legal subdivisions, showing fully the character of same, and kind and amount of timber, if any.

ANSWER.

Subdivision.	Acres cultivable.	Acres timbered.	Feet timber.
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Rock ledges.	6	Scrub cottonw od.	
NW $\frac{1}{4}$ NE $\frac{1}{4}$ " " . Sandy loam.	15	" "	
NE $\frac{1}{4}$ NW $\frac{1}{4}$	25		
NW $\frac{1}{4}$ NW $\frac{1}{4}$	20		

QUESTION 6. State by subdivisions the number of acres cultivated, kind of crop planted, and amount harvested, each year. How many acres of the claim are now cleared, or broken, and under cultivation? If used for grazing only, state number and kind of stock grazed each year and by whom owned.

ANSWER. NE $\frac{1}{4}$  NW $\frac{1}{4}$ - 1911- 4 ac. Oats, harvest 2 ton hay. 1912- 4 ac.

Oats, harvest 2 $\frac{1}{2}$  ton hay. NW $\frac{1}{4}$  NW $\frac{1}{4}$ - 1908- 3 ac. lucerne, small patch

potatoes, harvest 2 ton hay, 20 bu. potatoes. 1909- 4 ac. Oats,  $\frac{1}{2}$  ac.

" , " 40 Bu. potatoes, 2 ton hay. 1910- 6 " " , 5 "

" , " 30 " " , 3 " " . 1911- 6 " " , 1 "

" , 1 ac. Corn, 1 ac Lucerne, harvest 4 ton Oats, 40 bu. potatoes, 2 ton hay. 1912- 6 ac. Oats, 1 ac. Corn, 1 ac. potatoes, harvest 20 bu. potatoes, 6 ton hay. 25 acres cleared, broken and under cultivation.

QUESTION 7. Describe fully and in detail the amount and kind of improvements on each subdivision. State total value of improvements on the claim.

ANSWER.

Subdivision.	Character of improvements.
NE $\frac{1}{4}$ NE $\frac{1}{4}$ .	Log House, 15' x 15'.
	" Barn, 15' x 20'.
	Cellar, 16' x 8'.
	Log Shop, 10' x 12'.
	Log corral, 20' x 20'.
	Chicken House, 8' x 10'.
	Hog-pen, 8' x 10'.
	Log Stable, 14' x 16'.
	Pole fence, $\frac{1}{2}$ mile.
	900' Lateral.
	Total value \$700.00.

QUESTION 8. Are there any indications of coal, salines, or minerals of any kind on the land? If so, describe what they are.

ANSWER. No Sir.

QUESTION 9. Have you any knowledge or information that claimant has sold or contracted to sell, optioned, mortgaged, or agreed to option or mortgage this land? If so, give full details as to whom, for what purpose, and in what amount.

ANSWER. No Sir.

QUESTION 10. (a) Have you personal knowledge, from your own observation, that claimant and his family (if any) actually resided upon and cultivated this land each year in accordance with your above testimony?

ANSWER. Yes Sir.

(b) How many times each year have you seen this land, and the claimant and his family residing thereon; and what other personal knowledge have you upon which your answers are based?

ANSWER. 50 times a year. I visit this claim frequently.

QUESTION 11. Are you interested in this claim, or related to the claimant? If so, how?

ANSWER. No Sir.

*Fred Ferron*

(Sign plainly, with full Christian name.)

NOTE 1.—The officer before whom the proof is made will see that all answers are complete and responsive to the questions.

NOTE 2.—The officer before whom the deposition is taken should call the attention of the witness to section 5392 of the Revised Statutes (below), and state to him that it is the purpose of the Government, if it be ascertained that he testifies falsely, to prosecute him to the full extent of the law.

I HEREBY CERTIFY that the deponent was examined separately and apart from the other witnesses in the case; that the foregoing deposition was read to or by deponent in my presence before deponent affixed signature thereto; that deponent is to me personally known ~~(and has been satisfactorily identified before me by~~

~~taxily identified before me by~~ ) ;  
(Give full name and post-office address.)

that I verily believe deponent to be the identical person hereinbefore described, and that said deposition was duly subscribed and sworn to before me at my office, in Nyton, Wasatch Co., Utah,  
(Town, county, and State.)  
within the Vernal, Utah land district,  
this 10th day of February, 1912.

*Edward Macfie*

U.S. Commissioner.

(Official designation of officer.)

REVISED STATUTES OF THE UNITED STATES. TITLE LXX.—CRIMES.—CHAP. 4.

Sec. 5392. Every person who, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed is true, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true, is guilty of perjury, and shall be punished by fine of not more than two thousand dollars, and by imprisonment, at hard labor, not more than five years; and shall, moreover, thereafter be incapable of giving testimony in any court of the United States until such time as the judgment against him is reversed. (See Sec. 1750.)

NOTE.—In addition to the above penalty, every person who knowingly or willfully in anywise procures the making or presentation of any false or fraudulent affidavit pertaining to any matter within the jurisdiction of the Secretary of the Interior may be

DEPARTMENT OF THE INTERIOR.

SERIAL 130-123456

HOMESTEAD ENTRY.

U. S. LAND OFFICE ..... Vernal, Utah....., No. ....

FINAL PROOF. Receipt No. ....

TESTIMONY OF WITNESS.

QUESTION 1. What is your full name, age, and post-office address?

ANSWER. Charles Fisher, age 40, Fruitland, Utah.

QUESTION 2. (a) How long have you known the claimant in this case and the N 1/2 NE 1/4 and N 1/2 NW 1/4

..... Section 22, Township 4 S., Range 8 W., Uinta Special Meridian, the land embraced in Homestead Entry, No. 1273, U.I.S., made at the Vernal, Utah Land Office?

ANSWER. 7 Years.

(b) Is claimant married? ANSWER. No Sir.

QUESTION 3. Is said tract within the limits of an incorporated town, or used in any way for trade or business?

ANSWER. No Sir.

QUESTION 4. (a) When did claimant settle upon the homestead?

ANSWER. Spring 1906.

(b) At what date did claimant establish actual residence thereon?

ANSWER. Spring 1906.

(c) Have claimant and family resided continuously on the homestead since thus establishing residence thereon?

ANSWER. Yes Sir.

(d) Have claimant and family ever been absent from the homestead since thus establishing residence thereon?

ANSWER. Yes Sir.

(e) If there have been any such absences, give the dates covered by such absences, stating who was absent and for what reason.

ANSWER. From October 1906 to March 1907 claimant was absent at work to earn a living, he was absent for the same reason from May 1st to August 1st, 1912.



QUESTION 10. (a) Have you personal knowledge, from your own observation, that claimant and his family (if any) actually resided upon and cultivated this land each year in accordance with your above testimony?

ANSWER. Yes Sir.

(b) How many times each year have you seen this land, and the claimant and his family residing thereon; and what other personal knowledge have you upon which your answers are based?

ANSWER. 100 times a year. I live 3 miles from this claim and visit there frequently.

QUESTION 11. Are you interested in this claim, or related to the claimant? If so, how?

ANSWER. No Sir.

*Charles Fisher*  
(Sign plainly, with full Christian name.)

~~NOTE 1.~~—The officer before whom the proof is made will see that all answers are complete and responsive to the questions.

~~NOTE 2.~~—The officer before whom the deposition is taken should call the attention of the witness to section 5392 of the Revised Statutes (below), and state to him that it is the purpose of the Government, if it be ascertained that he testifies falsely, to prosecute him to the full extent of the law.

I HEREBY CERTIFY that the deponent was examined separately and apart from the other witnesses in the case; that the foregoing deposition was read to or by deponent in my presence before deponent affixed signature thereto; that deponent ~~is to me personally known~~ has been satisfactorily identified before me by Fred C. Ferron, Duchesne, Utah;

(Give full name and post-office address.)

that I verily believe deponent to be the identical person hereinbefore described, and that said deposition was duly subscribed and sworn to

before me at my office, in Lyton, Wasatch Co., Utah,

(Town, county, and State.)

within the Vernal, Utah land district,

this 10th day of February, 1912.

*Edward Smith*  
U.S. Commissioner.

(Official designation of officer.)

REVISED STATUTES OF THE UNITED STATES. TITLE LXX.—CRIMES.—CHAP. 4.

Sec. 5392. Every person who, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed is true, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true, is guilty of perjury, and shall be punished by fine of not more than two thousand dollars, and by imprisonment, at hard labor, not more than five years; and shall, moreover, thereafter be incapable of giving testimony in any court of the United States until such time as the judgment against him is reversed. (See Sec. 1750.)

Note.—In addition to the above penalty, every person who knowingly or willfully in anywise procures the making or presentation of any false or fraudulent affidavit pertaining to any matter within the jurisdiction of the Secretary of the Interior may be punished by fine or imprisonment.

FEB 12 1913

DEPARTMENT OF THE INTERIOR.

SERIAL No. 9326

**HOMESTEAD ENTRY.**U. S. LAND OFFICE ..... Vernal, Utah. ..... No. ....**FINAL PROOF.** Receipt No. ....**TESTIMONY OF CLAIMANT.**

QUESTION 1. What is your full name, age, and post-office address?

ANSWER. Charles Simons, age 31, Fruitland, Utah.

QUESTION 2. Are you a native-born citizen of the United States, and if so, in what State or Territory were you born? (If foreign born, see Note 1.)

ANSWER. Yes Sir. Utah.QUESTION 3. Are you the same person who made Homestead Entry No. 1273, U.I.S., at the Vernal, Utah Land Office on the 27th day of January, 1906, for the NE<sup>1</sup>/<sub>4</sub> and NW<sup>1</sup>/<sub>4</sub>....., Section 22, Township 4 S., Range 8 W., Uinta Special Meridian?ANSWER. Yes Sir.QUESTION 4. (a) Are you married or single? ANSWER. Single.

(b) If married, of whom does your family consist?

ANSWER. ....

(c) If a married woman, state whether your husband now has an unperfected homestead entry, and during what time he has resided on this land with you?

ANSWER. ....

QUESTION 5. (a) When did you first establish actual residence upon this land?

ANSWER. June 25th, 1906.

(b) When was your house built on this land?

ANSWER. June 25th, 1906.

(c) Have either you or your family ever been absent from the homestead since establishing residence?

ANSWER. Yes Sir.

(d) If there has been such absence give the dates covered by each absence; and as to each absence state whether you, your family, or both, were thus absent and the reason for each such absence?

ANSWER. From October 22d, 1906 to March 2d, 1907, from May 1st, to August 1st, 1912, claimant was absent to earn a living.

QUESTION 6. Describe the land embraced in above entry by legal subdivisions, showing fully the character of same, and kind and amount of timber, if any.

ANSWER.

Subdivision.	Acres cultivable.	Acres timbered.	Feet timber.
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Rock ledges. Sandy loam.	6	Scrub cottonwood.	
NW $\frac{1}{4}$ NE $\frac{1}{4}$ " " "	15	" "	
NE $\frac{1}{4}$ NW $\frac{1}{4}$ " " "	25		
NW $\frac{1}{4}$ NW $\frac{1}{4}$ " " "	20		

QUESTION 7. State by subdivisions the number of acres cultivated, kind of crop planted, and amount harvested, each year. How many acres of the claim are now cleared, or broken, and under cultivation? If used for grazing only, state number and kind of stock grazed each year and by whom owned.

ANSWER. NE $\frac{1}{4}$  NW $\frac{1}{4}$ - 1911- 4 ac. Oats, harvest 2 ton hay. 1912- 4 ac.

Oats, harvest 2 $\frac{1}{2}$  ton hay. NW $\frac{1}{4}$  NW $\frac{1}{4}$ - 1907- 3 ac. Oats with lucerne,

harvest 1 ton hay. 1908- 3 ac. lucerne, 1/8 ac. potatoes, harvest

1 $\frac{1}{2}$  ton hay, 20 bu. potatoes. 1909- 4 ac. Oats,  $\frac{1}{2}$  ac. potatoes, "

40 bu. potatoes, 2 ton hay. 1910- 6 ac. Oats,  $\frac{1}{2}$  ac. " "

3 ton hay, 30 bu. potatoes. 1911- 6 ac. Oats, 1 " lucerne, 1 ac.

Corn, 1 ac. potatoes, harvest 4 ton Oats, 40 bu. potatoes, 2 ton hay. 1912- 6 ac. Oats, 1 ac. potatoes, 1 ac. Corn, harvest 60 bu. potatoes, 8 ton hay, XXXXX. 25 acres cleared, broken and under cultivation.

QUESTION 8. Describe fully and in detail the amount and kind of improvements on each subdivision. State total value of improvements on the claim.

ANSWER.

Subdivision.	Character of improvements.
NE $\frac{1}{4}$ NE $\frac{1}{4}$ .	Log House, 15' x 15'.
	" Barn, 12' x 20'.
	Cellar, 8' x 10'.
	Shop, log, 10' x 12'.
	Pole corral, 30' x 50'.
	Chicken house, 8' x 8'.
	Hog-pen, 8' x 10'.
	Log stable, 14' x 16'.
	Pole fence $\frac{1}{2}$ mile.
	Total value \$650.00.

QUESTION 9. Is your present claim within the limits of an incorporated town or selected site of a city or town, or used in any way for trade or business?

ANSWER. No Sir.

QUESTION 10. Are there any indications of coal, salines, or minerals of any kind on the land? If so, describe what they are.

ANSWER. No Sir.

QUESTION 11. Have you ever made any other homestead entry? If so, describe the same.

ANSWER. No Sir.

QUESTION 12. Have you sold, conveyed, or agreed to sell or convey any portion of the land; if so, to whom and for what purpose?

ANSWER. No Sir.

QUESTION 13. Have you optioned, mortgaged, or agreed to option or mortgage, or convey this land, or any part thereof; if so, when, to whom, and for what purpose and in what amount?

ANSWER. No Sir.

QUESTION 14. Have you any personal property of any kind elsewhere than on this claim? If so, describe the same, and state where the same is kept.

ANSWER. No Sir.

QUESTION 15. Describe by legal subdivisions, or by number, kind of entry, and office where made, any other entry or filing (not mineral) made by you since August 30, 1890.

ANSWER. \_\_\_\_\_

Charles Simmons  
(Sign plainly, with full Christian name.)

NOTE 1.—If applicant is alien born, he should state the fact and file evidence of citizenship in due form, either a certificate of his own naturalization in a court of competent jurisdiction, or, if claiming to be a citizen by virtue of his father's naturalization and his own minority and residence in the United States at the date thereof, or, if a married woman claiming citizenship by virtue of her husband's nativity or naturalization, then record evidence of the naturalization of the father, or husband, or an affidavit as to the nativity of the latter.

NOTE 2.—The officer before whom the proof is made will see that all answers are complete and responsive to the questions.

NOTE 3.—The officer before whom the deposition is taken should call the attention of the witness to section 125 of the U. S. Criminal Code (over), and state to him that it is the purpose of the Government, if it be ascertained that he testifies falsely, to prosecute him to the full extent of the law.

I HEREBY CERTIFY that the deponent was examined separately and apart from the other witnesses in the case; that the foregoing deposition was read to or by deponent in my presence before deponent affixed signature thereto; that deponent ~~has been satisfactorily identified before me by~~ Fred C. Ferron, Duchesne, Utah. );  
(Give full name and post-office address.)

that I verily believe deponent to be the identical person hereinbefore described, and that said deposition was duly subscribed and sworn to before me at my office, in Payton, Wasatch Co, Utah.,  
(Town, county, and State.)  
within the Vernal, Utah land district,  
this 10th day of February, 1913.

Edward Maeshi

U. S. Commissioner.  
(Official designation of office.)



FINAL AFFIDAVIT REQUIRED OF HOMESTEAD CLAIMANTS.

I, Charles Simmons, having made a Homestead Entry of the N 1/2 NE 1/4 and N 1/2 NW 1/4, Section 22, Township 4 S., Range 8 W., Uinta Special Meridian, subject to entry at Vernal, Utah, under section No. 2289 of the Revised Statutes of the United States, do now apply to perfect my claim thereto by virtue of section No. 2291 of the Revised Statutes of the United States; and for that purpose do solemnly swear that I am a native-born citizen of the United States; that I have made actual settlement upon and have cultivated and resided upon said land since the 25th day of June, 1906, to the present time; that no part of said land has been alienated, except as provided in section 2288 of the Revised Statutes, but that I am the sole bona fide owner as an actual settler; that I will bear true allegiance to the Government of the United States; and, further, that I have not heretofore perfected or abandoned an entry made under the homestead laws of the United States, except

Charles Simmons (Sign plainly, with full Christian name.)

NOTE.—Every person swearing falsely to the above affidavit will be punished as provided by law for such offense. (See Sec. 125, U. S. Criminal Code, below.)

I HEREBY CERTIFY that the foregoing affidavit was read to or by affiant in my presence before affiant affixed signature thereto; that affiant ~~has been satisfactorily identified~~ before me by Fred C. Ferron, Duchesne, Utah; (Give full name and post-office address.)

that I verily believe affiant to be a credible person and the identical person hereinbefore described, and that said affidavit was duly subscribed and sworn to before me, at my office, in Lyton, Wasatch Co., Utah this 10th day of February, 1913.

Edward Maeshie

U.S. Commissioner. (Official designation of officer.)

UNITED STATES CRIMINAL CODE.—CHAPTER 6. (35 Stat., 1111.)

Sec. 125. Whoever, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, shall willfully and contrary to such oath state or subscribe any material matter which he does not believe to be true, is guilty of perjury, and shall be fined not more than two thousand dollars and imprisoned not more than five years. Act March 4, 1909 (35 Stat., 1111.)