

No. 126. Ute Series

CASH ENTRY.

LAND OFFICE AT

Gunnison Colorado

Sec. _____, Town. _____, Range _____

DS No 2474 Leadville Series

Marcus B. Ross (amended by
How Commissioner's letter G.

Mich 5. 1853) To $E\frac{1}{2}$ SW $\frac{1}{4}$ Sec 22

and $E\frac{1}{2}$ SW $\frac{1}{4}$ Sec 27 Twp 14 R of Rnd

2 W. Ute Mer Mich 9 + Dec 14, 1852

unoffered

Recommended for patent. referred
to div. C. Sept. 3/87 W.C.G.

Approved _____,

by _____, Clerk.

Division _____

Patented Jan. 27. 1888-

Recorded Vol. 1, Page 106 ^{SW}

Mr
Page 32

Ute Series

W. 126

Land Office at Gunnison Colorado

January 26th 1885.

It is hereby certified that, in pursuance of law,

Marcus B. Ross

, residing at Near Grand Junction, in

Mesa

County, State of Colorado

, on this day purchased of

the Register of this Office the

E 1/2 SW 1/2 Sec 22, and E 1/2 NW 1/4

of Section No. 27 in

Township No. One North of Range No. Two West of the Ute Principal

Meridian, Colorado containing 160 acres, at the rate of One

dollar and Twenty five cents per acre, amounting to Two Hundred dollars and

cents, for which the said Marcus B. Ross

has made payment in full as required by law.

Now, therefore, be it known that, on presentation of this certificate to the COMMISSIONER OF THE GENERAL LAND OFFICE, the said Marcus B. Ross

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

John J. Thomas, Register.

ELECTRO'S.

Ute Series
~~No. 126~~

Receiver's Office at Gunnison Colorado

January 26th 1885.

RECEIVED from Marcus B. Ross

of Mesa County, Colorado, the sum of Two

Hundred dollars and _____ cents; being in full for the
East half of South west quarter Sec 22 and
East half of North west

_____ quarter of Section No. 27, in Township

No. One North of Range No. Two West Ute Mer, containing

One Hundred and Sixty acres and _____ hundredths, at
\$ 1.25 per acre.

~~\$ 200.~~

Fred Leonard, Receiver.

AUG 28 93033 1887

UNITED STATES LAND OFFICE,
GUNNISON, COLO.

Aug 16th 1887

Register

Transmits Preemption
affidavit of Registers
Certificate of Posting
in C. E. No. 126.

No. 126

1887

H.H. 101

g

3/2/87

United States Land Office,

Gunnison, Colo.

Aug 16th, 1887.

Hon. Commissioner
General Land Office
Washington, D.C.

Sir,

I have the honor to transmit
Register Certificate of Posting and
Presumption affidavit of Marcus D.
Rass. in the case of C.E. No 126. as
required by your letter "G" of July
28th 1887.

Very Respectfully
Frank P. Farmer
Register

F. C. C. H., Pre. No. 126
District, Gunison
No. of acres, 100
Errors in description, _____

Date of Settlement, May - '82
" " Residence, do
" " Entry, _____
" " Proof, Apr 20 '84
" Advertise Apr 20 '84 ~~Jan 16 '85~~
" of Certificate, Jan 16 '83
Officer taking proof, Geo Gandy
No. of weeks advertised, _____
Proof by Clmt., ~~Widow, Heir, Admr., Or.~~ _____

Improvements, Some fence trees

Value of _____ 400
Acres broken, _____ 00 00
" in crop, _____; No. of seasons, _____
Kind of crops, corn and
Residence claimed, 2 yrs 4 mos
Military or Naval service claimed, _____
" " " " verified, _____

No. of absences, 0
Total duration, _____
Cause, _____
Native-born—~~Naturalized~~, _____
Supplemental proof, _____

Claimant's family, Wife 10

Papers missing, _____
REMARKS, Off Aug 8 '87 shows
that claim still stands & re
sides on claim

Recommendation, tabulate, ~~suspend~~, _____
Examined 24 day of Apr, 1884.

Sampton
Examiner.

U-V

(4-558.)

Cr. Book, Vol. J

Page 667

Cash No. 126

L. O. Garrison

Name: M. P. Ross

Tract: E² Sw 22 T² S² No

Sec. 27, Tp. 1^N, R. 2^W
July 87

Docket No. _____, Page _____

Recommended for patent
Referred to Div. C Sept. 3/87 M.C.G.
ACTION:
July 28/87 - non-alienation affidavit,
certificate of posting of notice. M.C.G.

Approved:

State of Colorado,

County of Mesa. } 55

Marcus B. Ross, of lawful age, being first duly sworn; on oath says; that he is the identical Marcus B. Ross who made final pre-emption proof on September 20th 1884 for the E. 1/2 S. 28 1/4 Sec. 22 E. 1/2 T. 28 1/4 Sec. 27 T. 1 N. R. 2 W. 11 1/2 Meridian; affirms says that he made Cash Entry No. 126 for the above described land, at the United States Land Office, at Gunnison, Colorado, on the 26th day of January A.D. 1885; affirms says that on the said 26th day of January 1885, he was the owner of the said described land and the whole thereof, that he had not sold or alienated any part of said land prior to said 26th day of January 1885, nor has he, affirms, sold any of said land since the date of his said final pre-emption proof, nor prior thereto; affirms says that he has resided in person, and that his family has also resided ^{with him,} continuously on said described land from the date of his settlement on the said land up to the present time and that he and his said family still reside on the said land; affirms says that he and his said family, resided on said land continuously from the said 20th day of September 1884 up to and including the said 26th day of January 1885 and that he still resides there, and further affirms with not.

Marcus B. Ross
Subscribed & sworn to before me this 8th day of August
A.D. 1887

Arthur P. Cook
Clerk of the District Court in & for
Mesa County, Colorado

FILED IN
U. S. LAND OFFICE
GUNNISON, COLORADO.

Aug 9th 1887
Frank K. Plumer Register.

Receiver.

1 - 3033 1887

PRE-EMPTION PROOF.—TESTIMONY OF CLAIMANT.

Marcus B Ross being called as a witness in his own behalf in support of his pre-emption claim to the E 1/2 of S 1/4 Sec 22 T12N R2W NW 1/4 Sec 27 T12N R2W testifies as follows:

Ques. 1.—What is your name (written in full and correctly spelled) and age?

Ans. Marcus B Ross age 34 years

Ques. 2.—Are you the head of a family, (if so, of whom does it consist,) or a single person?

Ans. Yes. Self wife and child

Ques. 3.—Are you a native-born or naturalized citizen of the United States?*

Ans. a native born citizen

Ques. 4.—Is your pre-emption claim, above described, within the limits of an incorporated town, or selected site of a city or town, or used in any way for trade and business? 2d. Did you leave other land of your own to settle on your present claim? 3d. Have you ever made a pre-emption filing or entry for land other than that you now seek to enter? If so, describe the same. (Answer to the point and in detail.)

Ans. 1st, No; 2d, No

3d, No

Ques. 5.—When did you first make settlement on the above-described land? 2d. What was your first act of settlement? 3d. Were there any improvements on the land when you settled? If so, state who then owned them and whether you purchased the same. 4th. What improvements have you made on the land since settlement, and what is the value of same?

Ans. 1st, May 1882; 2d, Building a house

3d, No

4th, Built house fence 8 a acres, dug a well (set out 50 feet trees & other shrubbery and broke 50 acres

Ques. 6.—When did you first establish an actual residence on the land you now seek to enter? 2d. Has your residence thereon since been continuous? 3d. What use have you made of the land? 4th. How much of the land, if any, have you broken and cultivated since settlement, and what kind and quantity of crops have you raised?

Ans. 1st, May 1882; 2d, Yes

3d, for a home and for farming purposes

4th, Broke 50 acres, raised oats, corn, potatoes & vegetables & wheat

Ques. 7.—Are either of the parties who have testified as your witnesses in this case related to you by blood or marriage? If so, state how related.

Ans. No Sir

Marcus B. Ross

I HEREBY CERTIFY that each question and answer in the foregoing testimony was read to claimant before being subscribed, and was sworn to before me this 20th day of September, 1884

RD Mubley county clerk and county judge of Mesa Co

* In case the party is of foreign birth, a copy of his declaration of intention to become a citizen, or full naturalization certificate, officially certified, must be filed with the case.

PRE-EMPTION PROOF.—TESTIMONY OF WITNESS.

John T. Gavin being called as a witness in support of the Pre-emption claim of Marcus B. Ross to the E 1/2 NW 1/4 Sec 27 T 24 N R 2 W with NW The E 1/2 SW 1/4 Sec 22 T 18 N R 2 W, testifies as follows:

Ques. 1.—What is your post-office address?

Ans. Grand Junction Colo

Ques. 2.—How long have you known claimant, and what is his age?

Ans. Known him for 10 years his age is about 33 years

Ques. 3.—Is claimant married or single? 2d. Of whom does his family (if any) consist? 3d. Is he a native or naturalized citizen?

Ans. 1st, a married man; 2d, himself wife and one child; 3d, a native born citizen

Ques. 4.—Are you familiar with the character of the land? 2d. Are there any indications of coal, minerals, or salines thereon? (if so state plainly the nature.) 3d. Is it more valuable for agricultural than mining purposes? 4th. Do you reside in its vicinity? 5th. Is it within the limits of an incorporated town, or selected town site, or used, in any way, for purposes of trade or business? (Answer to the point and in detail.)

Ans. 1st, yes; 2d, none; 3d, yes; 4th, yes; 5th, it is not

Ques. 5.—Is claimant the owner of 320 acres in this or any other State or Territory? 2d. Did he leave or abandon a residence on his own land in this State or elsewhere to reside on the land herein described? 3d. Has he ever filed for or entered other land under the pre-emption law? 4th. Has he mortgaged or agreed to sell the land herein described?

Ans. 1st, no; 2d, no; 3d, not to my knowledge; 4th, not to my knowledge

Ques. 6.—When did claimant first settle on his claim? 2d. What was his first act of settlement? 3d. What improvements has he on the land? 4th. What is the value of such improvements? 5th. When did he commence his residence thereon? 6th. Has his residence been continuous? 7th. What use has he made of the land? 8th. How much land has he broken and cultivated? (Answer to the point and in detail.)

Ans. 1st, in the Spring of 1882; 2d, Building a house; 3d, a house, some out building about 80 acres fenced and about 25 acres cultivated; 4th, \$ about \$400; 5th, In April 1882 I think; 6th, yes; 7th, as a home & for farming purposes; 8th, about 25 acres.

Ques. 7.—Are you in any way interested in this claim, or, by blood or marriage, related to claimant?

Ans. no sir

John T. Gavin

I HEREBY CERTIFY that witness is a person of respectability; that the foregoing testimony was read to before being subscribed, and was sworn to before me this 20th day of September, 1884

(SEE NOTE ON FOURTH PAGE.)

R. D. Noble, acting clerk
County Judge
County Colo

PRE-EMPTION PROOF.—TESTIMONY OF WITNESS.

Charles N Dickford being called as a witness in support of the Pre-emption claim of Marcus B Ross to the E 1/2 of N W 1/4 Sec 27 & E 1/2 S W 1/4 Sec 22 T 1 N R 2 W number, testifies as follows:

Ques. 1.—What is your post-office address?

Ans. General Junction Colo

Ques. 2.—How long have you known claimant, and what is his age?

Ans. Known him 2 years and more I judge is age to about 38

Ques. 3.—Is claimant married or single? 2d. Of whom does his family (if any) consist? 3d. Is he a native or naturalized citizen?

Ans. 1st, Married; 2d, himself wife & one child; 3d, a native born citizen

Ques. 4.—Are you familiar with the character of the land? 2d. Are there any indications of coal, minerals, or salines thereon? (if so state plainly the nature.) 3d. Is it more valuable for agricultural than mining purposes? 4th. Do you reside in its vicinity? 5th. Is it within the limits of an incorporated town, or selected town site, or used, in any way, for purposes of trade or business? (Answer to the point and in detail.)

Ans. 1st, I am; 2d, not that I know of; 3d, It is; 4th, yes; 5th, It is not

Ques. 5.—Is claimant the owner of 320 acres in this or any other State or Territory? 2d. Did he leave or abandon a residence on his own land in this State or elsewhere to reside on the land herein described? 3d. Has he ever filed for or entered other land under the pre-emption law? 4th. Has he mortgaged or agreed to sell the land herein described?

Ans. 1st, not that I know of; 2d, not that I know of; 3d, not that I know of; 4th, not that I know of

Ques. 6.—When did claimant first settle on his claim? 2d. What was his first act of settlement? 3d. What improvements has he on the land? 4th. What is the value of such improvements? 5th. When did he commence his residence thereon? 6th. Has his residence been continuous? 7th. What use has he made of the land? 8th. How much land has he broken and cultivated? (Answer to the point and in detail.)

Ans. 1st, 2 years ago last spring; 2d, Building a cabin & staking the ground; 3d, a house, well, some fence, ground cultivated & trees set out; 4th, \$ about 400; 5th, 2 years last spring; 6th, It has; 7th, for a home & for agricultural purposes; 8th, about 25 acres.

Ques. 7.—Are you in any way interested in this claim, or, by blood or marriage, related to claimant?

Ans. I am not either

Charles N Dickford

I HEREBY CERTIFY that witness is a person of respectability; that the foregoing testimony was read to before being subscribed, and was sworn to before me this 20th day of September, 1884.

(SEE NOTE ON FOURTH PAGE.)

R D Mobley acting clerk
and County Judge of
Montezuma Colo

AFFIDAVIT OF PUBLICATION.

STATE OF COLORADO, }
County of Meusa } SS.

D. P. King

~~Edwin Price~~, being first duly sworn, says that he is the publisher of the **GRAND JUNCTION NEWS**; that a copy of the notice hereto attached was published in said paper once each week for ~~five~~ ^{seven} successive weeks, the first publication being on the 9 day of Aug. 1884 and the last publication being on the 20 day of Sept. 1884.

D. P. King
PUBLISHER.

Subscribed and sworn to before me this 20th day of Sept - tember 1884.

Walter S. Sullivan
NOTARY PUBLIC.

Notice For Publication.

UNITED STATES LAND OFFICE, }
Gunnison, Colo. Aug. 6 1884 }

Notice is hereby given that the following-named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before R. D. Mobley, County Judge, at Grand Junction, Colo. on Sept. 20th, 1884 viz: Marcus B. Ross, D. S. 2474, Leadville Series for the e. 1/4 s. w. 1/4 Sec. 22, e. 1/2 n. w. 1/4 Sec. 27, tp. 1, N. R. 2, W. Ute Mer.

He names the following witnesses to prove his continuous residence upon, and cultivation of said land, viz: John Gavin, C. L. Lowry, Chas. Bickford, E. M. Slocum, all of Grand Junction, Colo. JOHN J. THOMAS, Register.

Notice For Publication.

UNITED STATES LAND OFFICE,
Gunnison, Colo. Aug. 6 1881.

Notice is hereby given that the following-named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before R. D. Mobley, County Judge, at Grand Junction, Colo. on Sept. 25th, 1881 viz: Marcus B. Ross, D. S. 2471, Leadville Series for the e. $\frac{1}{2}$ s. w. $\frac{1}{4}$ Sec. 23, e. $\frac{1}{2}$ n. w. $\frac{1}{4}$ Sec. 27, tp. 1, N. R. 2, W. Ute Mer.

He names the following witnesses to prove his continuous residence upon, and cultivation of said land, viz: John Gavn, C. L. Lowry, Chas. Bickford, E. M. Slocum, all of Grand Junction, Colo. JOHN J. THOMAS,
42-48 Register.

(4-227.)

CERTIFICATE AS TO POSTING OF NOTICE.

Land Office at Gunnison, Colo.

Aug 16th, 1881.

I, Frank P. Tanner, Register, do hereby certify that a notice, a printed copy of which is hereto attached, was by me posted in a conspicuous place in my office for a period of thirty days, I having first posted said notice on the 6th day of August, 1884.

Frank P. Tanner
Register.

[TO BE USED IN ALL CASES OF PRE-EMPTION ENTRY.]

United States Land Office

at Gunnison Colorado, January 26th, 1885.

In the matter of the Pre-emption

Claim of Marcus B. Ross

to E 1/2 SW 1/4 Sec 22 and E 1/2 NW 1/4 Sec 27

Twp 1. North of Rgn

2 West Ute Mer

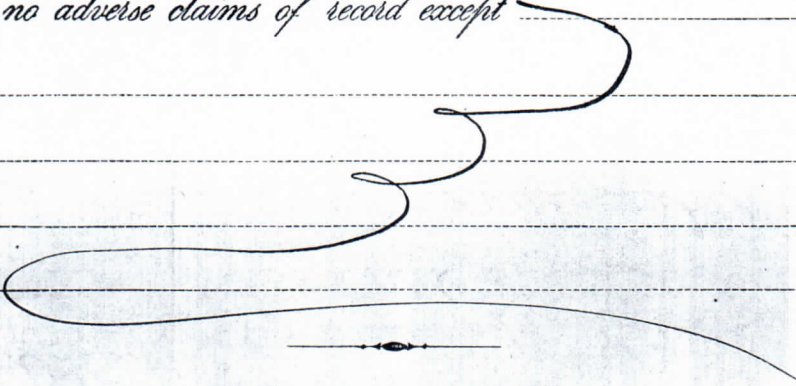
Leadville Series

Declaratory statement No. 2474, for

The Land above described amended by
filed on the 14th day of December, 1882, alleging
settlement on the 9th day of March, 1882,
and reported in the NW offered series.

Plat of survey filed in this Office on the First day
of May, 1883. Map in Leadville Office Sept 7. 1882

There are no adverse claims of record except



REMARKS.

John Thomas, Register.
Fred Leonard, Receiver.

* Under this head, if the land is within the limits of a railroad grant, the date of withdrawal should be given; and if the land has been returned by the Surveyor General or withdrawn by order of the Commissioner as mineral, the fact should be noted.

For Commissioner
Austin G. Webb 5.1883

NON-MINERAL AFFIDAVIT.

COUNTY OF Mesa }
State OF Colo } ss:

Marcus B Ross being duly sworn according to law, deposes
and says that he is the identical person who is an applicant

for Government title to the E 1/2 of NW 1/4 see 27 and
the E 1/2 of SW 1/4 see 22 21 N
R 2 W me Iner

that he is well acquainted with the character of said described land, and with each and every legal sub-
division thereof, having frequently passed over the same; that his 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
placer, cement, gravel, or other valuable mineral deposit; 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 mineral land, but with the object of securing said land for agricultural purposes.

Marcus B. Ross

Subscribed and sworn to before me this 29th day of September, A. D. 1884
and I hereby certify that the foregoing affidavit was read to the said Marcus B Ross
previous to his name being subscribed thereto; and that deponent is a respectable person to whose affidavit
full faith and credit should be given.

B D Moberg Justice &
acting clerk of the
County Court of Mesa
County Colo

NOTE.—The officer before whom the testimony 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.

TITLE LXX.—CRIMES.—CH. 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 a 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 § 1750.]

(4-374 a.)

PRE-EMPTION PROOF.

LAND OFFICE AT

Garrison Colorado

Ute Series, R. and R. No. 126

Approved: John J. Thomas, Register. Edw. J. Leonard, Receiver.

ADDRESS OF CLAIMANT:

Name: Marcus B. Ross

Post office: Grand Junction

County: Mesa

State or Ter.: Colorado

(11017-50 31)

AFFIDAVIT REQUIRED OF PRE-EMPTION CLAIMANT.

Sec. 2262, Revised Statutes.

I, Marcus B. Ross, claiming the right of pre-emption, under section 2259 of the Revised Statutes of the United States, to the E 1/2 of NW sec. 24 and the E 1/2 the SW quarter of section number 22, of township number one N, of range number 2 West one tier, subject to sale at Garrison Cedar do solemnly swear that I have never had the benefit of any right of pre-emption under said section; that I am not the owner of three hundred and twenty acres of land in any State or Territory of the United States, nor have I settled upon and improved said land to sell the same on speculation, but in good faith to appropriate it to my own exclusive use or benefit; and that I have not, directly or indirectly, made any agreement or contract, in any way or manner, with any person or persons whomsoever, by which the title which I may acquire from the Government of the United States should inure, in whole or in part, to the benefit of any person except myself.

Marcus B. Ross

I, R D Mobley Judge of the Mesa County Court, of the land office, do hereby certify that the above affidavit was subscribed and sworn to before me this 20th day of September, A. D. 1884

R D Mobley acting clerk Mesa County Judge