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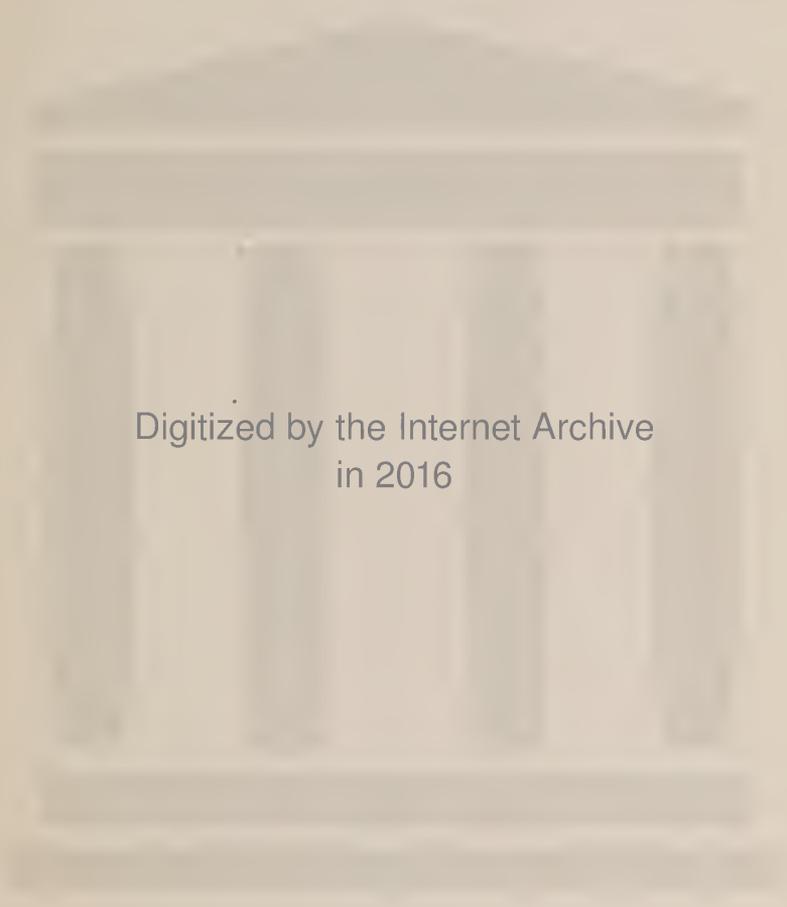
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BIENNIAL REPORT
OF THE
STATE BOARD
OF
LAND COMMISSIONERS
COLORADO





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Biennial Report

OF THE

State Board
of
Land Commissioners

OF

Colorado

1903-1904



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Office of the State Board of Land Commissioners,
Denver, Colorado, December 10, 1904.

To His Excellency,
JAMES H. PEABODY,
Governor of Colorado.

Sir—I beg to transmit herewith my report as Register of the State Board of Land Commissioners of Colorado for the years 1903 and 1904, being the thirteenth report from this department since the organization of the Board, and containing complete statements of the lands belonging to the several funds; the amount leased; to whom sold, if any; receipts of money from all sources, and various recommendations for the consideration of yourself and the General Assembly.

I have the honor to remain

Most respectfully yours,

Mark G. Woodruff

Register.

BIENNIAL REPORT
OF THE
State Board of Land Commissioners
OF COLORADO

In the management of the affairs of the State Board of Land Commissioners during the past two years the Board has occupied a thoroughly non-partisan attitude, and has endeavored to realize the best results to the great interests entrusted to its keeping. The Board has known neither friend nor foe in its official transactions, and in submitting the suggestions contained herein, I am actuated by the same high motives.

This office has arisen to the dignity of a department of the State, and as the people of Colorado realize more and more the magnitude of the charge given over to the State Board of Land Commissioners they are demanding more care in its management. Many things are necessary to be done by the General Assembly in order that this department may be able to handle the affairs of the people in the most expeditious and profitable manner, some of which I have assumed to suggest in this report.

The laws governing this office should be entirely revised, conflicting portions harmonized, and some new legislation enacted.

The present leasing system should not be abandoned entirely, but it should be judiciously combined with some plan for the sale of state and school lands, so that when a citizen becomes a tenant of the State there may be held out to him some hope of eventually becoming the owner of the property. It surely was not contemplated by the Congress of the United States, when it bestowed upon the institutions of Colorado this magnificent gift of lands, that the State Board of Land Commissioners should set itself up as a landlord. Neither was it contemplated that this endowment of lands should be carelessly disposed of, to the end that our public schools and State institutions would be deprived of the benefits to accrue from a wise policy of management and investment of these permanent funds. I believe that it was contemplated that these hundreds of thousands of acres should be dotted with homes, thereby aid-

ing and assisting the development of this State. It is conceded that only in exceptional cases are the leased lands of the State so well farmed, or the improvements as substantial, as in the case of lands owned outright by the individual, and consequently, the State is not progressing to the extent that it would were the lessees allowed to purchase the land on which they desired to establish homes.

The time is also at hand when the State Board of Land Commissioners must face the irrigation problem in so far as it affects state and school lands. These lands are largely without permanent water rights, and the cost of such water rights in many sections of the State is becoming so great that lessees hesitate and refuse to purchase them for lands they do not own. Where such water rights are purchased and are transferred to the State as a permanent improvement on the land, which subsequent lessees must pay for in cash before a lease issues, it operates to prevent competitive bids. Under such conditions the original lessee might be said to have absolute control of the situation. His improvements are so valuable that other persons can not compete with him, and if the State board arbitrarily raises his rental, and he refuses to pay it or to give up possession of the land until he is reimbursed for his improvements, we are almost helpless. There is no fund or provision of law whereby this board can purchase such improvements. On the other hand, if we refuse to allow water rights to be attached to the leased land no inducement remains for the lessee to continue his agricultural lease, and the land goes back to a grazing proposition.

The records of the State Engineer show that the natural supply of water for irrigation purposes in Colorado is all appropriated on the east side of the Continental Divide. On the west side of this Divide a small amount of the natural supply remains unappropriated. This startling fact is positive proof that the system of leasing state and school lands should not be allowed to become the ruling policy, but that the department should begin a policy of selling same to actual settlers. If this policy should be adopted it will, in my judgment, largely increase the benefits realized to each school district. Under the leasing system a school district receives a pro rata of the whole revenue divided upon a basis of school population. Should the lands be sold the school district would receive not only its pro rata share of the interest and income fund, but would be enabled to levy a taxation for school purposes. Counties and water districts would be equally benefited.

Heretofore the principal reason for refusing to sell lands and thereby accumulate large permanent funds, was found in the failure of the law to provide a method for the safe investment of such funds. Herewith is submitted a law for the revision and harmonizing of existing laws governing this department and the enactment of a method of investing permanent

funds. The plan is copied from the statutes of Iowa, and is almost identical with that followed in that state.

It seems to me that the urgency for the adoption of this or some equally efficient law will be apparent to the General Assembly.

FOREST LAND.

At this time the management and preservation of forest lands in Colorado is attracting much thought and investigation, and this subject seems to be of such vital importance to the future of Colorado that it should receive careful consideration at the hands of the General Assembly. In my opinion, the present laws are inadequate in almost every respect, and the subject being of such general interest, I may be pardoned for entering upon a somewhat lengthy discussion of the matter.

The present State Board of Land Commissioners has endeavored at all times to prevent the sale or destruction of timber which would in any manner conserve irrigation interests by protecting snow and ice, and in this policy we have received the cordial co-operation of Mr. Gifford Pinchott, of the United States Bureau of Forestry. Heretofore no knowledge of the extent, value or usefulness of the State's timber has ever been possessed by this department. In the fall of 1903, at my request, the bureau detailed a man for the purpose of examining the State forest lands and filing a report in this office. He made a very thorough examination of the school lands in the southern part of the State, and we now have on file a comprehensive set of plats advising us fully on our timber lying east and west of the New Mexico Principal Meridian and south of the Third correction line, and the school sections on which standing timber exists between and inclusive of Ranges 68 West and 89 West. This work was done without expense to the State of Colorado.

In continuation of this policy the bureau now has a man in the State who will personally inspect the remainder of our timber lands at the expense of the Bureau of Forestry until the General Assembly shall have had an opportunity to provide an appropriation for carrying on the work, which appropriation I most earnestly recommend. Should no appropriation be made, the efforts of this department to ascertain the value of this timber must cease. There are no funds in the control of the department from which such costs can be paid. If the work is continued, the result will be that the Board will have complete information as to the amount and kind of timber on each section, its value, its quality and age, its usefulness for all purposes, inclusive of the conservation of irrigation, and the value of the timber land for grazing and agricultural purposes. Further argument as to the advisability of such action would appear

to be unnecessary to show the benefits to be gained by this State.

As an illustration, you are referred to a sale of timber had in this office on November 14, 1904, which was based upon information gained under the practical application of the methods herein advocated. This timber, consisting of 12,880 acres, was previously appraised at a valuation of \$20,000. Under this system we ascertained that it was actually worth \$66,000, and on the day of sale it brought \$79,850.

The State has exchanged much of its school land, situated inside of established forest reserves, for indemnity land, which exchange was made under the decision of the Secretary of the Interior, dated January 3, 1899. These reserves being located in the mountainous regions, consist in the most part of rough and barren country, of no value except for timber purposes. The State Land Board has never been properly equipped with funds or men for the proper care of these forests, and, as a consequence, large quantities of timber are annually taken from the land, forest fires destroy it, and the State suffers the loss. These facts demonstrate the wisdom of placing the care of timber in charge of the United States Bureau of Forestry.

The following school lands still remain in the various reserves:

Pike's Peak Forest Reserve, school land.....	1,600	acres
White River Forest Reserve, school land.....	720	acres
South Platte Forest Reserve, school land.....	963.64	acres

These school lands are under lease, and, consequently, can not be exchanged.

In the South Platte Forest Reserve there are 10,155.21 acres of Internal Improvement Land, and 4,680 acres of State University Land. Only a small portion of this land is earning any revenue, and an attempt was made, in 1904, to exchange such land for indemnity land, situated in such portions of the State as in our judgment the land would become valuable, as well as available. Our offer was refused by the Secretary of the Interior, because, in his judgment, the laws of Colorado failed to clothe the Board with authority to make the exchange. I therefore recommend that such an act be passed by the General Assembly.

I am pleased to report that there have been but few forest fires during this biennial period, and that the civil officers of the various counties have acted promptly in controlling same when called upon by this department.

In my opinion the State Board of Land Commissioners should continue in control of the forest lands of the State, if unexchanged. A bill should be prepared, however, providing for the appointment by the Board and under the supervision of the Register, of a State Forester, who should be a man techni-

cally trained in his profession, and who should receive a fair salary. There should be appropriated for his department an annual expense fund of not less than \$5,000, which should be available for the purpose of making examinations and securing information for the Board in passing upon timber sales, in the establishment of a tree nursery, and the setting out of new trees in the burned and destroyed areas, in requiring the enforcement of the forestry laws, and for such other purposes as the State Board of Land Commissioners might direct in connection with forestry work.

The present law should be amended so that the State Land Board should pass upon all applications to purchase timber. We have arbitrarily adopted this course, but the legality of such proceeding is doubtful, as the present laws seem to make it mandatory upon the Register to proceed with the sale if application is made.

THE MINERAL DEPARTMENT.

The wisdom of the General Assembly in enacting a law governing mineral and coal leases has been well demonstrated. In accordance with the provisions of that act we have revised all our forms of lease and ultimately the State will realize an increased revenue from such leases. Coal leases are not now issued at less than ten cents a ton royalty, measured on mine run of coal. A number of leases are still outstanding on which royalty is paid on the amount of coal passing over a large screen, and this causes a very material portion of the coal mined to escape payment of royalties—possibly fifty per cent. Nothing can be done with these leases except to guard against a renewal of same upon such terms. The Mineral Department has been equipped with surveying and engineering instruments. Each month an underground survey of all producing coal mines is made, and the results entered on our office maps. The Superintendent directs lessees in the manner of operating the mines, and reports to this office on the 20th day of each month. This work is especially valuable in connection with newly opened properties, as it insures to the State that methods of mining will be used that will clean up the entire contents of the lands leased and its full royalty value returned to the State. This work is of a permanent nature. A great deal of its value and cost is on the properties now being opened or developed, and will be appreciated twenty years hence. The State holdings of coal lands in Routt county are of immense magnitude, and with good railroad transportation will bring in a large revenue. A number of coal leases have been made to parties who will develop the lands, and as soon as the coal can be marketed a good revenue is assured.

I would recommend to the General Assembly the continuation of the appropriation of \$1,200 for the expenses of this department.

The necessity of legislation, whereby prospectors may acquire mineral locations on state and school lands, is quite apparent. "The present laws relative to the leasing of mineral lands are very defective, and tend to discourage, rather than encourage, prospecting or the development thereof," said Register Joyce in his report. This is as absolutely true now as then. Prospectors for valuable minerals should be given the opportunity to make locations on unoccupied State and school land as freely as upon government land. The State can not develop mineral lands itself, and why not, therefore, throw open an avenue whereby practical miners will do so? I especially urge that action be taken by the General Assembly along this line.

APPRAISEMENT OF LANDS.

The work performed during this biennial period in the appraisal of state and school lands has been of a permanent nature, the reports bound into books and placed in the office as permanent records. This is the first attempt at preserving such reports. They show the character of each piece of land viewed, whether for lease or purchase, the water supply, improvements, and give general information of value in determining the disposition of the land in question. This work should be continued in future, and, in order that every application be appraised and report filed before it is acted upon, there should be at least three appraisers provided for by the Legislature. The salary for such work should be at least \$1,500 per annum for each person, and there should be an appropriation of at least \$3,600 per annum to cover their field expenses.

There have been made, during this biennial period, 768 appraisement, covering 460,559 acres of land. To accomplish this three men have been almost constantly on the road, and a timber warden has found his time fully occupied.

NEW RECORDS.

A complete set of plat and tract books, record and index books, have been established. The present system requires that a complete copy of every document issued by this department be recorded before it goes out of our hands. Every bond received is also recorded, and I have no fear of valuable bonds being lost from the files in future. Our plat and tract books system is the result of much labor and thought on the part of both my immediate predecessor and myself, and are as complete as can be made. These books are now up to date, and show every grant or easement made by the Land Board since its establishment.

INCREASING BUSINESS.

The business transacted by this department is constantly increasing, and before many years it will assume a position as being in many respects the most important in the State government. It is necessary that great care should be exercised by every employe of the department, and as equally necessary that sufficient clerical force be provided by the General Assembly. In addition to those clerks named in the appropriation bill of the extra session of the Fourteenth General Assembly of 1903, I would urge that a Collection Clerk be provided for at a salary of \$100 per month. There is sufficient work in keeping up our collection register and in sending out notices of delinquent payments, etc., to occupy all of the time of one employe. There should also be two stenographers in this office, the work being entirely too heavy for one operator.

ATTORNEY FOR LAND BOARD.

The immense volume of business now being handled by the various departments in the State Capitol is an irrefutable argument of the necessity for more care in its transaction. The office of the Attorney General has been most courteous to this department, and has frequently been forced to postpone important matters in order to advise the Land Board and the Register on legal problems, but it now appears that there is sufficient work in the State Land Office to occupy about all the time of a good lawyer. I have made strong efforts to collect the money due the State upon leases, certificates of purchase, contracts, etc., and with considerable success, but the amount collected would have been much larger had we an attorney assigned to this office, whose time would be solely at our disposal, under the direction of the Attorney General, for the purpose of bringing suits at law to protect the interests of the school and State funds. I therefore recommend to the General Assembly that an appropriation be made for salary and expenses of an attorney for the State Board of Land Commissioners, who shall be a part of the Attorney General's office.

A BILL

Suggested for the Government of the State
Board of Land Commissioners and Pro-
viding for the Investment of Per-
manent School, University
and Agricultural Col-
lege Funds.

In the preparation of this bill an effort has been made to harmonize existing statutes, and to suggest a method of investing permanent funds. Sections 1 to 34, inclusive, are reenactments of present statutes, with the exception of necessary changes in the wording. Sections 35 to 49, inclusive, contain the provisions for a new method of investment. Sections 50 and 51 are from the law of 1903. Sections 52, 53 and 54 are new provisions.

Section 1. The Governor, Superintendent of Public Instruction, Secretary of State and Attorney General being constituted a State Board of Land Commissioners by the Constitution of this State, said Board shall have direction and control of all lands belonging to the State, to manage the same as the best interests of the State shall require, not inconsistent with the provisions of this act and the Constitution of the State. A majority of the Board shall constitute a quorum for the transaction of business.

Sec. 2. The Governor shall be President of the Board, but in his absence from any meeting, the Board may elect one of its members president pro tempore, who shall preside at such meeting. The Board shall hold regular meetings in the State land office, on the first Wednesday in each month, and may hold such other meetings as the Board may direct, and may meet at any time on call of the president or a majority of the Board. The meetings of the Board shall be regulated by such rules as the Board may adopt.

Sec. 3. The Governor shall, upon the first day of April and October of each year, appoint a committee of three competent persons to examine the books and accounts of the State Board of Land Commissioners. Said committee shall make a report in writing, which shall be delivered to the Governor.

Sec. 4. The State Board of Land Commissioners shall cause a complete record of their proceedings to be kept in a suitable book, and shall preserve all important papers and documents pertaining to the State lands.

Sec. 5. The State Board of Land Commissioners are hereby authorized to appoint a Register of the State Board of Land Commissioners, who is not a member of said Board, whose salary shall be two thousand dollars per annum. The State Board of Land Commissioners is authorized and empowered to employ all office force. It shall be the duty of the Register to keep the records of the State Board of Land Commissioners; to make out and countersign all patents and leases issued by the President of the said Board to purchasers and lessees of State lands, and keep a suitable record of the same; to file and preserve bonds of lessees and those given by purchasers to secure deferred payments; to make and deliver to purchasers suitable certificates of purchase; to have the custody of the seal of the State Board of Land Commissioners; to keep the minutes of the said Board, and to perform such other duties concerning the land affairs of the State as the said Board may direct. It shall also be the duty of the Register in any and all contested cases, at the direction of the Board, when hearings are necessary and witnesses may be required to be examined, to set a date for hearing such cases. The Register shall duly advise the contestants and their accredited attorneys of the date set for such hearings, and on the date appointed the Register is hereby

empowered to administer oaths and to hear and receive evidence, after the manner and procedure established by the United States in the district land offices, or in accordance with the rules that are or may be adopted by the Board governing such cases. All evidence given and provided in such cases before the Register shall be fully transcribed and arranged at the cost of the parties to the contest, and shall form a part of the records of the office of the State Board of Land Commissioners. The Register shall, as soon as convenient after such hearings, present a full transcript of the proceedings to the State Board of Land Commissioners, who shall render a decision in accordance therewith. The Register shall be provided with a suitable office, office furniture, stationery and postage by the Secretary of State. On or before the tenth day of December immediately preceding the meeting of the General Assembly, he shall make a report of the business of his office, the transactions of the State Board of Land Commissioners, and the land affairs of the State, showing, by tables, the land belonging to the several funds of the State, to whom sold, the amount leased, the receipts from all sources, and said reports shall contain any such other items of information concerning State lands as the State Board of Land Commissioners may deem worthy of publication; Provided, said report does not exceed the number of pages permitted by law. Of this report there shall be published the same number as is now, or may be hereafter, required by law for the executive departments of the State. Before assuming the duties of his office, the said Register shall give a bond in the sum of fifty thousand dollars (\$50,000), conditional upon the faithful discharge of his duties, and said bond shall be approved by the State Board of Land Commissioners and filed with the Secretary of State.

Sec. 6. The Governor of the State shall be, and is hereby authorized, and, in case of his absence or inability, the Lieutenant Governor shall be, and is hereby authorized, to execute a good and sufficient deed or patent of conveyance, transferring in fee, without covenants, any and all lands which shall or may be ordered sold, or which shall be sold and disposed of by the State Land Board under the statutes of this State. Such deed or patent shall be attested by the Secretary of State, countersigned by the Register, and have the great seal of the State and the seal of the State Board of Land Commissioners thereto attached, but need not be acknowledged. The certified copy of the record of any such deed or patent shall be receivable in evidence in all courts of record in this State, the same as the original.

Sec. 7. The State Board of Land Commissioners shall provide by rule for the amount to be paid for the appraisalment of land included in each application to purchase, which amount shall be paid by the person or persons applying for the land when such application is filed with the Register.

Sec. 8. It shall be the duty of the State Board of Land Commissioners to select and locate all lands which are now, or may be hereafter, granted to this State by the general government, for any purpose whatever, and the Board shall take the necessary steps to secure the approval of such selections by the proper officers of the general government. In making such selections, the Board may employ such agents and means as may be necessary to acquaint the Board with the character of the lands selected; and the Board may provide to have the lands belonging to the State classified and appraised.

Sec. 9. There shall be appointed by the State Board of Land Commissioners not less than three appraisers of State lands, who shall be under the control and direction of the Register of the State Board of Land Commissioners, and who shall be paid not more than fifteen hundred dollars (\$1,500) per annum each for such services. There shall also be appropriated the sum of three thousand dollars (\$3,000) per annum for the purpose of defraying the expenses of said appraisers when visiting the different portions of the State in the discharge of their duties.

Sec. 10. The State Board of Land Commissioners are hereby authorized and directed to employ an attorney for the State Board of Land Commissioners, at a salary of eighteen hundred dollars (\$1,800) per annum, who shall be under the direction of the Register and the Attorney General of the State of Colorado, and there is hereby appropriated a sum of five hundred dollars (\$500) per annum, which shall be used to pay the expenses of such suits at law and other legitimate expenses incurred by said attorney, which shall be drawn from the treasury of the State as provided by law.

Sec. 11. The State Board of Land Commissioners is authorized and empowered to collect such reasonable fees as it may fix by resolution for the issuance of leases, patents, certificates of purchase, right of way deeds, recording assignments, making township plats and issuing and filing bonds and for the filing of all documents necessary to be filed in said office as the said Board may prescribe.

Sec. 12. That when any person hath heretofore, or shall hereafter, settle upon and improve any of the public lands which have been, or shall hereafter be, donated by act of Congress to public uses, for educational or other purposes, and upon any sale of such lands by public authority, subsequent to such settlement and improvement, if the person settling upon such lands shall not become the purchaser, the person becoming the purchaser of such lands shall pay to such settler the reasonable value of his improvements thereon. Whenever the parties can not agree as to the reasonable value of such improvements, the same shall be recoverable by an action of assumpsit in the District Court of the proper county.

Sec. 13. Nothing herein contained shall be construed to interfere with the right of the purchaser of any such lands to the immediate possession thereof, upon the completion of his purchase.

Sec. 14. The State Board of Land Commissioners may lease any portion of the land of the State, at a rental to be determined upon after an examination of the land which is proposed to be leased by an appraiser of the State Land Board, except as hereinafter provided. The lessee shall pay the annual rental to the State Land Board, who shall receipt for the same in the lease. Upon receiving such annual rental, the State Board shall immediately transmit the same to the State Treasurer and take his receipt therefor. If stone, coal, coal oil, gas or other mineral not herein mentioned, be found upon the State land, such land may be leased for the purpose of obtaining therefrom the stone, coal, coal oil, gas or other mineral, for such length of time, and conditioned upon the payment to the State Board of such royalty upon the product as the State Board of Land Commissioners may determine.

Sec. 15. All leases of State or school land shall be conditional upon the payment of rent in advance and the violation of this condition shall work a forfeiture of the lease, at the option of the State Board of Land Commissioners, after thirty days' notice to the lessee, such notice being sent to the post-office of lessee, as given by himself to the Register of the State Land Board when the lease is issued.

Sec. 16. No lease of state or school land for grazing purposes shall be for a longer term than ten years, and no lease of state or school land for agricultural purposes shall be for a longer period than ten years, except as hereinafter provided. When any lease expires by limitation, the holder thereof may renew the same in manner as follows: At any time within the thirty days next preceding the expiration of the lease, the lessee, or his assigns, shall notify the Register of his desire to renew said lease; if the lessee and State Board agree as to the valuation of the land, a new lease may be issued, bearing even date with the expiration of the old one, and upon like conditions; Provided, always, That the former valuation shall not be decreased without the consent of the State Board; Provided, That nothing in this section shall prohibit the State Board from leasing any of the state lands to such party or parties as shall secure to the State the greatest annual revenue; Provided, further, That the State Board may, in its discretion, offer said land for sale at the end of any period of five (5) years, during the term of said lease, upon the same terms and in the same manner as though said lease had not been executed.

Sec. 17. Should anyone apply to lease any of the lands belonging to the State upon which there are improvements belonging to another party, before a lease shall issue, he shall file

in the office of the State Board of Land Commissioners a receipt, showing that the price of said improvements, as agreed upon by the parties, or fixed by the State Board, has been paid to the owner thereof in full, or shall make satisfactory proof that he has tendered to such owner the price of said improvements so agreed upon or fixed by the Board. If, by any mistake or error, any money has been, or shall hereafter be, paid on account of any sale or lease of State lands, it shall be the duty of the Board to draw a voucher in favor of the party paying said money; and on presentation of such voucher the Auditor shall draw his warrant upon the State Treasurer for the amount, and the State Treasurer shall pay the same out of the fund into which such money was deposited or placed. If, through any fraud, deceit or misrepresentation, any party or parties shall procure the issuing of any lease for State lands, the Board shall have the authority to cancel any such lease.

Sec. 18. Lands within city boundaries may be leased for a term not exceeding fifty years. All such leased lands shall be reappraised and classified at least every five years, and the lessee of all such lands shall pay any increased rental or forfeit the lands so held. When any lease expires by limitation, the holder thereof may renew the same in manner as follows: At any time within the thirty days next preceding the expiration of the lease, the lessee, or his assigns, shall notify the Register of his desire to renew said lease. If the lessee and the State Board of Land Commissioners agree as to the valuation of the land, a new lease may be issued, bearing even date with the expiration of the old one, and upon like conditions; Provided, always, That the former valuation shall not be decreased without the consent of the State Board of Land Commissioners; Provided, That nothing in this section shall prohibit the State Board of Land Commissioners from leasing any of the State lands to such party or parties as shall secure to the State the greatest annual revenue; Provided, further, That the State Board of Land Commissioners may, in its discretion, offer said land for sale at the end of any period of five years, upon the application of the lessee, during the term of said lease, upon the same terms and in the same manner as though said lease had not been executed; Provided, further, That nothing in this section shall be construed to prevent, or shall prevent, the State Board of Land Commissioners from entering into a contract for lease for a period of fifty years upon land situate within the boundaries of any city of the first or second class without reappraisalment and reclassification at the end of every five year period; it being a consideration of such lease that buildings and improvements, of a valuation to be agreed upon by the lessee and the State Board of Land Commissioners shall be erected on such leased land, such buildings and improvements to become the property of the State at the expiration of said fifty years'

lease, such forfeiture to the State being a consideration of said lease contract.

Sec. 19. All corporations, companies or persons using or occupying any state or school land without lease, and all corporations, companies or persons who shall use or occupy state or school lands for more than thirty days after the cancellation or expiration of a lease, and any corporation, company or person who shall construct a reservoir, ditch, railroad, public highway, telegraph or telephone line, or in any other manner occupy or enter upon lands belonging to the State of Colorado, without first having secured the authority and permission of the State Board of Land Commissioners to so occupy said land for such purpose, shall be regarded as trespassers, and, upon conviction thereof, shall be fined in the sum of not less than twenty-five dollars, and in each case where a bond has been furnished to the State Board of Land Commissioners, the bondsmen of the lessee shall be equally liable with himself. All suits under the provisions of this act shall be instituted under the direction of the Attorney General in the name of the people of the State of Colorado.

Sec. 20. All lands granted by Congress to the State for the support of common schools, being sections sixteen and thirty-six, and all that may be selected in lieu of said sections, are hereby withdrawn from market, and the sale thereof prohibited; Provided, Parcels of not less than forty (40) acres of such land may be sold when the State Board is of the opinion that the best interests of the school fund will be served by offering such parcel for sale; Provided, further, That such land shall only be sold at public auction, and at not less than three and one-half dollars per acre; Provided, That school lands shall not be offered for sale, except upon the conditions hereinafter provided for the sale of other State lands.

Sec. 21. The State Board of Land Commissioners may cause any portion of the state or school lands to be laid out in lots and blocks, to be sold from time to time, at public auction, to actual settlers only, or to persons who shall improve the same, in such quantities, and at such times as shall enable the State to realize the best prices for such land, and such land shall not be sold except in lots or blocks, as herein provided.

Sec. 22. The State Board of Land Commissioners may at any time direct the sale of any State lands, except as provided in this act, in such parcels to actual settlers only, or to persons who shall improve the same, as they shall deem for the best interests of the State and the promotion of the settlement thereof. All sales under this act shall be advertised in four consecutive issues of some weekly newspaper of the county in which such land is situated, if there be such paper; if not, then in some paper published in an adjoining county, and in such other papers as the Board may direct. The advertisement shall state the time, place and terms of sale, and the minimum price

per acre fixed by the Board of each parcel, below which no bid shall be received; Provided, That in all sales the land shall be offered in legal subdivisions of not less than forty (40) acres, or more than one hundred and sixty (160) acres; Provided, That sales of State lands shall be made to citizens of the United States, and to those who have declared their intention to become such only. If any land be sold on which surface improvements have been made by a lessee, said improvements shall be appraised under the direction of the State Board. When lands on which improvements have been made as above are sold, the purchaser, if other than the owner of said improvements, shall pay the appraised value of said improvements to the owner thereof, and he shall deposit such receipt with the State Board before he shall be entitled to a patent or certificate of purchase. All such receipts shall be filed and preserved in the office of the State Board of Land Commissioners.

Sec. 23. All sales of State lands shall be held at the State Capitol, unless otherwise directed by the State Board of Land Commissioners. Terms of payment shall be as follows, viz.: Timber sales, cash on the day of sale; on lands selling for three dollars and fifty cents to twenty-five dollars per acre, 10 per cent. of the purchase money on the day of the sale, the balance in eighteen equal annual payments, at 6 per cent. per annum. Lands selling at more than twenty-five dollars, and less than seventy-five dollars per acre, 20 per cent. cash on day of sale, the balance in fourteen equal annual payments at 7 per cent. per annum, or the purchaser may make full payment with accrued interest at any time. Lands selling at seventy-five dollars and upwards, 30 per cent. cash, and balance in seven equal annual payments, at 7 per cent. interest, or the purchaser may make full payments with accrued interest at any time. When the conditions hereinbefore prescribed have been complied with, the State Board shall make and deliver to the purchaser a certificate of purchase, containing the name of the purchaser, a description of the land purchased, the sum paid, the amount remaining due, and the date at which each of the deferred payments falls due, and the amount thereof; such certificate shall be signed by the Governor and countersigned by the Register, and a record of the same kept by him in a suitable book. Whenever a purchaser of any State land has complied with all the conditions of the sale, and paid all purchase money with the lawful interest thereon, he shall receive a patent for the land purchased; such patent shall be signed by the Governor, attested by the Secretary of State, and countersigned by the Register, and have the great seal of the State and the seal of the State Board of Land Commissioners thereto attached; and when so signed, such patent shall convey a good and sufficient title in fee simple; Provided, That no patent shall be issued for less than forty acres, except for town lots; Provided, That the Governor and Register shall be authorized to issue certificates of purchase in

lieu of receipts temporarily issued subsequent to April 17, 1889, for money paid on account of lands heretofore sold by the State Board of Land Commissioners under existing law, and patents in lieu of final receipts so issued during the same period on account of payment in full for lands sold, on presentation of such receipt by the legal owners thereof.

Sec. 24. Whenever any purchaser of land shall default for a period of thirty days in any of the payments of either principal or interest due upon the certificate of purchase issued to him, said certificate may be forfeited and the lands reverted to the State of Colorado upon a notice to that effect mailed to the last known postoffice address of said purchaser, and which notice shall allow him thirty days additional in which to pay the indebtedness to the State.

Sec. 25. If any purchaser of State land, after receiving a certificate of purchase, as provided in section 23 of this act, fails to make any one of the payments stipulated therein, and the same remains unpaid for thirty days after the time when it should have been paid, as specified in such certificate, the State Board of Land Commissioners may sell the land again; Provided, That in case of a sale, all previous payments made on account of such land shall be forfeited to the State; the land shall revert to the State, and the title thereof shall be in the State, as if no sale had ever been made.

Sec. 26. When, in the judgment of the State Board, a bond by the purchaser of State lands is necessary, the State Board shall require such purchaser to give a bond, upon such conditions as the Board may determine. In leasing State lands, the State Board shall require of the lessee such a bond as shall secure the State against loss or waste, or occupation of the land for more than thirty days after the cancellation or expiration of the lease of said lessee, unless the said lessee become the purchaser of the land, and in no case shall the lessee be allowed to cut or use more timber than shall be necessary for the improvement of the land or for fuel for the use of the family of the lessee, and the cutting and hauling of timber to saw mills, to be sawed on the shares, is expressly prohibited.

Sec. 27. Whenever a certificate of purchase shall be lost or wrongfully withheld by any person from the owner thereof, the State Board may receive evidence of such loss or wrongful detention, and upon satisfactory proof of the fact, may cause a certificate of purchase or patent, as the case may be, to issue to such person as shall appear to them to be the proprietor of the land described in the original certificates of purchase.

Sec. 28. The State Board of Land Commissioners may hear and determine the claims of all persons who may claim to be entitled in whole or in part, to any lands owned by this State, and the decisions of said Board shall be held to be final, until set aside by a court of competent jurisdiction; and the Board

shall also have power to establish such rules and regulations, as in their opinion may be proper, to prevent fraudulent applications.

Sec. 29. All lands sold under the provision of this act, or any interest therein, shall be exempt from taxation for and during the period of time in which the title to said land is vested in the State of Colorado, and, in case any land sold under the provisions of this act shall not, within one year after date of sale, be actually settled upon, or in good faith improved, according to the spirit of this act, such land shall revert to the State, and the purchaser shall be entitled to repayment of any purchase money, deducting the amount required to pay the lease on such land for the time held by purchase, at the same rate as provided for leasing school lands, he may have paid on the same.

Sec. 30. All expenses incurred by the State Board of Land Commissioners, or by any person employed by said Board, in accordance with the provisions of this act, shall be paid by the State Treasurer, on warrants drawn by the State Auditor, on vouchers approved by the State Board.

Sec. 31. The funds arising from the sale of public school, university and agricultural college lands, shall be held intact for the benefit of the funds for which such lands were granted, and shall be known as permanent funds, and the interest and rentals only shall be expended for the purposes of the grant. The funds arising from the sale, leasing and income of all other State lands shall be disposed of as shall be provided by law, but, in the absence of any other provision, may be invested in the same manner as the school fund.

Sec. 32. All moneys arising from the leasing of agricultural college, university or public school lands which are now, or may hereafter be, received by the State Treasurer, shall be treated in all respects in the same manner as is provided by law for the disposition of the interest on the proceeds arising from the sale of the same class of lands.

Sec. 33. The State Board of Land Commissioners may grant the right of way across or upon any portion of State land, upon such terms as the Board shall determine, for any ditch, reservoir, railroad, public highway, telegraph or telephone line, and may grant land for the purpose of building district school houses, and may direct the Governor, Secretary of State and Register to execute and sign, as provided by this act, on behalf of the State, a proper deed or other instrument of writing, for such right of way or grant: Provided, That this section shall not be construed to grant authority to convey any such land, except for the purposes above set forth; and, Provided, further, That whenever lands granted for any of the purposes mentioned in this section shall cease to be used for such purposes, said lands shall revert to the State of Colorado, upon notice to

that effect being served at their last known postoffice address upon the person to whom such grant was made.

Sec. 34. For the purpose of furnishing irrigation for State lands, the State Board of Land Commissioners are hereby authorized, when, in their judgment, the interest of the State may be subserved thereby, to sell at public sale, at such place as the Board may fix, at not less than the appraised value thereof, which in no case shall be less than the minimum price of three dollars and fifty cents (\$3.50) per acre, any tract of arid land belonging to the State (except sections sixteen and thirty-six); Provided, That not more than one-half section of land shall be sold, and in alternate half-sections, to any responsible person or persons, on condition that said person or persons construct an irrigating ditch in such locality, and of sufficient capacity to furnish water for the entire tract, and so located that said tract may be irrigated therefrom; Provided, That before any of the State lands shall be offered for sale, the party desiring to purchase said lands and construct a ditch shall enter into a contract with the Board guaranteeing to bid at least the minimum price per acre, and to complete such ditch within given time, which time shall be fixed by the Board in the contract. The contract shall further provide that the party constructing such ditch shall furnish water for the remaining one-half of the State lands at such reasonable rates as the Board and the parties building such ditch or canal may agree upon. Such contract shall be drawn by the Attorney General, and signed by the Governor and Register of the Board, and by the party desiring to construct such ditch; and, Provided, further, That if any person, other than the person making application for the purchase of said lands shall be the highest bidder at the public sale thereof, such bidder shall, within such reasonable time as the Board may fix, enter into a contract and bond, as required by the provisions of this act, for the construction of said ditch, and for the furnishing of water therefrom; and in the event of his failure to furnish a satisfactory bond and enter into the said contract within the time fixed, then such bid shall be disregarded and such public sale shall be void and of no effect. The Board shall make the sale upon like conditions as other State lands are sold, and shall require a good and sufficient bond from the party desiring to construct such ditch, conditioned for the faithful performance of the contract and the conditions of the sale. And in no case shall the title to any of said lands pass from the State until the ditch shall have been completed and accepted by the Board.

Sec. 35. All purchase moneys arising from the sale of lands shall be paid by the State Board of Land Commissioners to the State Treasurer, who shall receipt for same, and the sum shall be by him credited to the permanent fund to which the land belonged. All interest on purchase money and all rents received from lands leased shall be paid by the State Board to

the State Treasurer, and by him credited to the income fund to which the land belonged. All such funds, whether permanent or income, unless otherwise disposed of by law, shall be invested; first, in the bonds of the State of Colorado; second, in interest bearing warrants of the State of Colorado; Provided, That such bonds or warrants shall be purchased only at a price not to exceed the par value of same, and the interest only shall be used for the purpose for which the grant was made; third, permanent funds remaining uninvested as above provided, shall be loaned out by the Treasurer at the direction of the State Board of Land Commissioners in sums of one thousand dollars or less to one person or company, in case it is found impracticable to keep the whole amount of funds loaned in sums of five hundred dollars or less to one person or company. In the event that such permanent funds can be kept loaned out in sums of five hundred dollars or less to one person or company, then no loan shall exceed five hundred dollars, nor shall a loan of such fund or funds be made to or in the interest of any member of the State Board of Land Commissioners; each loan shall be made for at least one, and not more than five, years, evidenced by promissory notes bearing 6 per cent. interest, payable semi-annually, and delinquent interest shall draw the rate of 7 per cent. per annum, said promissory notes to be secured by a deed of trust on unincumbered real estate for at least double the sum borrowed, situated in the county in which the loan is made and appraised as hereinafter provided.

Sec. 36. All applications to borrow from the permanent school fund or other permanent funds shall be made through the board of county commissioners to the Register of the State Board of Land Commissioners upon a blank form provided for that purpose, who shall cause the proper appraisement to be made by the board of county commissioners as hereinafter provided, and, if satisfactory, he shall examine any abstract of title which the proposed borrower may submit, or he may cause an abstract to be prepared at such borrower's expense. If the title is found to be perfect and the lands unincumbered, he shall certify this fact to the State Board of Land Commissioners and submit the application and all the papers connected therewith to the Board at its regular meeting, at which meeting the loan shall be approved or disapproved. If the application is accepted, the Register of the State Board of Land Commissioners shall complete the contract by taking a promissory note, payable to the State Board of Land Commissioners, secured by a deed of trust, upon such unincumbered real estate, and shall certify same to the State Treasurer, who shall pay over to the borrower the amount named in the note. The Board may reject the application for any good cause. If it shall happen that the loan is made upon real estate which is in fact incumbered other than for taxes, the Board of Land Commissioners may, when necessary for the safety of the loan, appropriate out of the

fund from which the loan is made, if such incumbrance does not exceed one-half of the real value of the lands, so much as may be needed to take up and purchase the same, and may also, at any meeting, by resolution, assign without recourse upon payment of the amount due upon any note and deed of trust to any person holding a subsequent lien upon the real estate held as security by said Board.

Sec. 37. Each loan made in the several counties, when fully completed, shall be reported by the Register of the State Board of Land Commissioners to the board of county commissioners of the county in which the real estate and land offered as security are situated, and in which the loan is made, and a minute of such report shall be entered upon the records of such Board and from time to time, at least once a year, all loans, with the security given, shall be carefully examined, and a report made to the State Board of Land Commissioners, which examination shall be conducted by a member of the board of county commissioners, or some competent person selected by it. When a report shows that the security in a given case has, for any cause, depreciated so that it is no longer sufficient, or it appears that there was a prior incumbrance thereon which materially affects the value of the security, the State Board of Land Commissioners shall order the debtor to furnish additional security, and shall fix a reasonable time within which the same shall be given, and if the party so ordered fails to comply therewith for thirty days after the date of such order, and the mailing of a copy of same to his last known postoffice address, the entire debt shall become due, and an action may be brought to enforce the collection thereof, and these provisions shall enter into and form a part of the contracts of loans, whether incorporated therein in words or not.

Sec. 38. When application is made for a loan as herein provided, the Register of the State Board of Land Commissioners shall refer said application to the board of county commissioners of the county in which the land is situated which is offered as security for said loan, which board shall cause an appraisement to be made of the valuation of said land and the buildings thereon, and shall certify to the Register of the State Board of Land Commissioners the valuation of same, together with a recommendation as to the sufficiency of the security, the character of the applicant, and the advisability of making said loan.

Sec. 39. When a loan has been made and the borrower desires to renew the same for one or more years, it may be done in the same manner as the loan was made in the first instance, but no new abstract, except a continuation of the same down to the time, nor examination of title prior to the original loan, nor new deed of trust, need be given, unless the deed of trust is to be given upon other lands. The time of payment, without further security, may be extended in writing to be recorded as

the original security was recorded, and before maturity of the claim when the State Board of Land Commissioners shall so order, but such extension of time shall not operate to release any security held, and lapse of time shall in no case be a bar to any action to recover any part of the school or other permanent fund so loaned, nor shall it prevent the introduction of evidence in such an action, any provision of the law to the contrary notwithstanding.

Sec. 40. All payments of either principal or interest upon loans, or of any other character, shall be made to the State Board of Land Commissioners, and when the debt is fully paid, the Register of said Board shall release any deed of trust, or issue certificate of purchase or patent, as the case may be, and report the same to the State Board of Land Commissioners at its next meeting, which report shall be carried into the records of the Board. The Register of the State Board of Land Commissioners shall also keep in his office, in books to be provided for that purpose, accounts to be known as "permanent fund accounts," in which a memorandum of all notes, mortgages, deeds of trust, bonds, money and assets of every kind and description which may come into his hands as such Register, shall be entered, and separate accounts of principal and interest must be kept.

Sec. 41. The State Treasurer and the State Superintendent of Public Instruction shall, on the first day of January of each year, apportion upon the basis of the school population of each county, as ascertained by the last preceding census, the amount of money from each of the various permanent funds to be loaned in compliance with this act in each county in the State, and shall certify the same to the Register of the State Board of Land Commissioners, who shall certify the same to the county commissioners of each county, and it shall be the duty of said county commissioners, upon application from any citizen or citizens of said county, to inform him or them of the amount to be so loaned, and the terms thereof.

Sec. 42. The county commissioners of each and every county in the State of Colorado shall keep a set of account books, showing the amount of money set aside to be loaned in their respective counties from the permanent funds under the control of the State Treasurer, the amount loaned and interest due thereon, and shall keep a record of all reports made upon such loans or applications for loans, passing through the hands of the board of county commissioners.

Sec. 43. When there are funds in the hands of the State Treasurer belonging to any of the permanent funds which have been set apart for any county, amounting to one thousand dollars, that can not be loaned, the county treasurer shall certify this fact to the Register of the State Board of Land Commissioners, who shall order a transfer thereof to some other county or counties where, in his opinion, it can be loaned, and the State

Treasurer shall make such transfer. Upon such transfer being made, the State Treasurer, and also the Register, shall deduct such amount from the amount apportioned to such county, and shall add the same to the amount apportioned to the county or counties to which the transfer is made with the amount so transferred.

Sec. 44. The county in which any loan is made from any permanent fund, either for school, agricultural college, or any other permanent fund under the control of the State Treasurer which shall be derived from the sale of lands appropriated by the Congress of the United States as a permanent grant, shall be responsible for any loss which may be incurred by any such loan from such fund, and in case a loss does occur because of such loan, the county commissioners of the county in which such loan was made, and in which the land was situated which was given as security for said loan, shall make a tax levy at the next succeeding general tax levy to reimburse the State Treasurer for such loss, which tax levy shall be added to the general tax levy for State and county purposes, and shall be collected proportionately from all of the taxable property situated within said county.

Sec. 45. When outstanding notes for money of any permanent fund loaned, or interest thereon becomes due, the Register of the State Board of Land Commissioners shall, by mail, at once notify the debtor to make payment thereof within thirty days. If such debtors shall neglect to comply with such notice, the Register of the State Board of Land Commissioners shall report the same to the Attorney General and to the attorney for the State Board of Land Commissioners, who shall immediately bring action to recover the same, and an injunction may issue for cause, without bond when so prayed. Upon the sale of lands under an execution found upon a permanent fund claim or right, the Register of the State Board of Land Commissioners shall bid at such sale as the interest of such fund requires, and if struck off to the State, it shall be thereafter treated in all respects the same as other lands belonging to said fund, and shall be regarded as property of the State as if the same had never been sold.

Sec. 46. Any county officer failing or neglecting to perform any of the duties which are required of him by the provisions of this act, shall be liable to a penalty of not less than five dollars, and not more than five hundred dollars, to be recovered by an action in the District Court by the State Board of Land Commissioners, the judgment to be entered against the party and his bondsmen, and the proceeds to go to the permanent public school fund.

Sec. 47. When lands have been sold and have been again recovered by the State Board of Land Commissioners in behalf of the fund to which they properly belong upon a judgment in

favor of such fund, the land may be sold in like manner as other State lands.

Sec. 48. When, in the judgment of the State Board of Land Commissioners, any of the State lands are of such character that a sale upon partial credit would be unsafe and incompatible with the interests of such permanent fund, and especially in the case of timber lands, the State Board of Land Commissioners may exact the whole of the purchase money in advance, or, if it sells such land or timber upon partial credit, it shall require good collateral security for the payment of the part upon which credit is given.

Sec. 49. In all cases where money is due to any of the permanent funds, either for lands or purchase price of land sold, or for interest upon either of same, the interest shall be made payable on the first day of January and the first day of July of each year, and if the debtor fails to pay the same within thirty days thereafter, the entire amount of both principal and interest shall become due, and the Register of the State Board of Land Commissioners shall at once make a report of same to the Attorney General and to the attorney for the State Board of Land Commissioners, who shall immediately commence action for the collection of the amount reported to them as due, and this section and each provision thereof is hereby declared to be a part of every contract made by virtue of this chapter, whether expressed therein or not.

Sec. 50. The State Board of Land Commissioners are hereby authorized and directed to establish, under the jurisdiction of the Register of the State Board of Land Commissioners, a mineral department, and appoint a superintendent of the same at a salary of two thousand dollars (\$2,000) annually, who shall have been a resident of the State of Colorado for more than five years last past, and shall have had experience as a mining engineer for at least five years, and shall be familiar with mining and the underground workings of mines. It shall be the duty of the superintendent to inspect in person all mines and other works operated under leases from the State of Colorado, for the production of precious metals, coal, iron, oil or other mineral product upon which rentals are due to the State upon the basis of a royalty upon the production therefrom, as often from time to time as he shall deem necessary for the purpose of estimating and checking royalties therefrom; he shall also make such surveys and keep such maps of the workings of all mines as will give the land department full information concerning the same; and shall supervise all mining and require the same to be done in accordance with the best methods of mining; he shall also check the royalties reported as due under such lease for the preceding month and compare the same with the surveys and other inspections made by him; and shall report on or before the 20th day of each month the result of such examinations and checking to the State Board of Land Commissioners;

every mine and other works upon the public domain of the State of Colorado, held under lease therefrom by any person, association, co-partnership or corporation, shall be at all times subject to the inspection of the superintendent. He shall inspect and examine all lands held under lease from the State of Colorado, providing for the payment of royalties from the production therefrom, and report to the State Board of Land Commissioners the condition of said lands, the amount of work and development done thereon by such lessees, and make such recommendations relative thereto as he may deem advisable. A further sum, not in excess of six hundred dollars (\$600) annually, shall be allowed the superintendent for expenses. Before entering upon his duties as superintendent, the appointee of the State Board of Land Commissioners shall give bond to the State of Colorado, in the penal sum of ten thousand dollars (\$10,000), conditioned upon the faithful discharge of his duties.

Sec. 51. Any person, association, co-partnership or corporation leasing and operating coal lands under the provisions of this act shall pay to the Deputy Register of the State Board of Land Commissioners a minimum price of not less than ten cents (10c) for each and every ton of coal mined from said land, to be paid monthly, on or before the 25th day of each month for the coal mined during the preceding calendar month. Should the person, association, co-partnership or corporation so leasing coal land fail to mine during any one year the minimum amount that may be provided for in the terms of the lease, then the amount so paid shall be applied and deemed as an advanced payment of royalty upon coal actually mined in any subsequent year in excess of the minimum provided for in said lease. The term ton, as herein used, means twenty-seven (27) cubic feet of coal, measured in the solid, and shall be ascertained by the measurements of the space from which the coal is mined, deducting therefrom all space occupied by slate or other impurities. Such measurements shall be made monthly by the superintendent of the mineral department, according to the provisions of this act.

Sec. 52. Locations of mineral claims not exceeding three hundred feet wide and fifteen hundred feet long each, may be made upon unleased lands belonging to the State of Colorado, as hereinafter provided. The discoverer of a body of mineral, in either a lead, lode, ledge, deposit, vein or contact, shall immediately post conspicuously a notice declaring that he has made such discovery on the date attached to said notice. The locator shall be allowed ninety days from such date in which to perform assessment work by shaft or tunnel, which assessment work shall not be at a less cost than one hundred dollars in each year, and to survey and set the corner posts of said claim, and to file a certificate of location with the Register of the State Board of Land Commissioners, which certificate shall be

recorded in said office, and an entry made upon the plat and tract books of such location; such procedure shall empower the locator to retain possession of and operate said claim for a period of one year, at the end of which time he shall be required to purchase said claims or take a lease upon the same upon such terms as may be agreed upon by the State Board of Land Commissioners. Should the locator elect to purchase said claim, it shall not be sold at less than ten dollars (\$10.00) per acre.

Sec. 53. Before any such locator will be allowed to purchase the claim located by him, satisfactory proof must be submitted to the State Board of Land Commissioners that said section is more valuable for mineral purposes than for any other purpose, and that the mining claim for which patent is applied contains a body of mineral in place of sufficient value to justify the operation of same as a merchantable product; Provided, That filing shall not be accepted upon coal, oil or stone land.

Sec. 54. When an application to purchase state or school land, which has been under lease for not less than five years, shall be filed in the office of the State Board of Land Commissioners, the Register shall refer the same to an appraiser, who shall visit the land proposed to be purchased, and who shall report in writing to the State Board of Land Commissioners, giving the value of said land at the time it was first leased, and an estimate of the present value of said land, by reason of lessee's cultivation and improvement of same, and the difference between the valuation at the time of issuing lease and the valuation at the time of filing the application for purchase, shall be allowed as an improvement to be paid for if land is purchased by any person other than the lessee, and the said lessee to receive the sum so paid by reason of the cultivation or improvement of said land as payment for his labor.

COMPARATIVE STATEMENTS OF LANDS LEASED FOR AGRICULTURAL AND GRAZING PURPOSES.

SCHOOL AND INDEMNITY LANDS.

County	Biennial Term Ending November 30, 1902		Biennial Term Ending November 30, 1904	
	Total Area Leased, Acres	Annual Rental	Total Area Leased, Acres	Annual Rental
Adams	18,640	\$ 1,158.40	26,400	\$ 1,548.40
Arapahoe	22,343	1,194.40	22,343	1,194.40
Archuleta	3,556.02	228.50	5,826.02	359.70
Baca	64,610.94	2,381.73	72,590.43	2,784.73
Bent	56,927.72	3,302.86	71,877.67	4,041.96
Boulder	4,334.83	590.25	4,614.83	602.25
Chaffee	1,520	92.80	1,520	92.80
Cheyenne	2,400	134.40	7,200	428.80
Clear Creek	760	59.20	960	69.20
Conejos	39,562.62	2,632.45	40,122.62	2,684.45
Costilla	7,600	368.40	9,840	638.40
Custer	11,960	771.80	12,970	826.80
Delta .....	.....	.....	.....	.....
Denver	932	2,084.00	932	2,084.00
Dolores	440	34.00	1,360	104.80
Douglas	17,420	1,237.15	18,060	1,280.35
Eagle	7,484.97	519.50	8,644.97	612.10
Elbert	78,012.85	4,554.45	89,012.85	5,148.85
El Paso.....	125,504.70	6,060.11	147,799.55	7,287.06
Fremont	26,470.95	1,651.15	29,195.01	1,818.75
Garfield .....	.....	.....	.....	.....
Gilpin	280	20.00	600	88.00
Grand	10,197.72	834.75	49,277.82	2,893.95
Gunnison	520	116.00	1,080	170.00
Hinsdale	2,280	163.20	2,440	173.20
Huerfano	18,840	1,140.00	26,880.65	1,620.80
Jefferson	9,496	1,008.25	10,527	1,116.45
Kiowa	20,095.81	981.55	24,575.81	1,237.55
Kit Carson	26,992.04	1,394.00	36,312.04	1,863.00
Lake .....	.....	.....	.....	.....
La Plata.....	5,800	247.80	11,300.14	585.81

COMPARATIVE STATEMENTS OF LANDS LEASED FOR AGRICULTURAL AND GRAZING PURPOSES.

SCHOOL AND INDEMNITY LANDS—Concluded.

County	Biennial Term Ending November 30, 1902		Biennial Term Ending November 30, 1904	
	Area Leased. Acres	Annual Rental	Area Leased. Acres	Annual Rental
Larimer	55,780.40	\$ 4,531.80	92,527.81	\$ 6,852.10
Las Animas.....	63,412.19	3,407.80	84,124.19	4,519.40
Lincoln	83,902.05	3,840.47	104,302.05	4,975.07
Logan	33,320	2,756.40	48,600	3,577.20
Mesa				
Mineral	1,120	77.60	1,360	89.60
Montezuma	5,320	598.00	6,800	714.00
Montrose				
Morgan	34,251.51	2,710.15	38,091.51	2,910.55
Otero	83,691.22	5,140.33	113,182.37	6,694.36
Ouray	1,120.92	116.75	1,240.92	126.75
Park	10,120	732.05	13,160	1,109.65
Phillips	13,845.24	803.48	20,125.24	1,163.68
Pitkin	240	62.00	1,120	152.00
Prowers	27,163.61	1,583.27	28,999.14	1,650.07
Pueblo	90,131.01	5,273.93	156,269.18	7,564.18
Rio Blanco	1,280	137.60	1,280	137.60
Rio Grande	7,910	1,370.60	8,670	1,424.60
Routt	29,303.57	2,725.45	64,958.35	4,868.13
Saguache	16,920	1,733.00	19,400	1,928.60
San Juan				
San Miguel	4,160	319.60	7,320	554.40
Sedgwick	12,320	705.30	12,320	705.30
Summit	320	24.00	320	24.00
Teller	3,560	223.60	6,120	392.30
Washington	53,680	2,815.20	68,400	3,551.20
Weld	83,829.56	6,359.45	96,349.56	7,213.19
Yuma	50,210.67	2,928.05	63,739.25	3,643.77
Totals	1,351,904.12	\$ 85,936.98	1,793,041.98	\$109,898.26
Increase in acres leased during 1903-1904.....		441,137.86 acres		
Increase in annual rentals during 1903-1904.....		\$23,961.28		

AGRICULTURAL COLLEGE LANDS.

FOR AGRICULTURAL AND GRAZING PURPOSES.

County	Biennial Term Ending Nov. 30, 1902		Biennial Term Ending Nov. 30, 1904	
	Total Area Leased, Acres	Annual Rental	Total Area Leased, Acres	Annual Rental
Baca	635.42	\$ 50.88	635.42	\$ 50.88
Bent	1,904.16	96.00	1,904.16	96.00
Fremont	2,674.41	140.00	2,674.41	140.00
Larimer	2,378.70	34.00	4,298.70	132.40
Las Animas.....	560	42.00	560	42.00
Montezuma	1,665	319.20	6,474.49	656.10
Otero	3,640	286.00	3,800	296.00
Pueblo	200	10.00	360	20.00
Rio Grande.....	160	48.00	160	48.00
Routt	556.28	40.00	876.28	60.00
Totals	14,373.97	\$1,066.08	21,743.46	\$1,541.38
Increase in acres leased during 1903-1904.....			7,369.49 acres	
Increase in annual rentals during 1903-1904.....			\$475.30	

INTERNAL IMPROVEMENT LANDS.

FOR AGRICULTURAL AND GRAZING PURPOSES.

County	Biennial Term Ending Nov. 30, 1902		Biennial Term Ending Nov. 30, 1904	
	Total Area Leased, Acres	Annual Rental	Total Area Leased, Acres	Annual Rental
Bent	2,424.20	\$ 180.00	3,254.50	\$ 223.90
Chaffee	240	22.00	240	22.00
Conejos	5,206.57	761.60	6,206.57	876.40
Costilla	36,912.36	1,101.60	36,952.36	1,103.60
Lake	34.72	10.00	34.72	10.00
Logan	2,000	182.00	2,000	182.00
Otero	1,720	251.05	1,720	251.05
Park	10,789.31	744.80	13,935.26	921.15
Prowers	3,757.31	605.75	5,837.31	623.35
Pueblo	800	182.00	1,280	206.00
Rio Grande.....	17,437.62	4,228.30	17,877.62	4,443.90
Saguache	45,120.41	4,158.41	50,884.38	4,410.11
Washington	640	36.00	640	36.00
Yuma	8,784	904.00	8,824	914.00
Totals	137,866.50	\$13,367.51	149,686.72	\$14,223.46
Increase in acres leased during 1903-1904.....			11,820.22 acres	
Increase in annual rentals during 1903-1904.....			\$855.95	

PUBLIC BUILDING LANDS.

FOR AGRICULTURAL AND GRAZING PURPOSES.

County	Biennial Term Ending Nov. 30, 1902		Biennial Term Ending Nov. 30, 1904	
	Total Area Leased, Acres	Annual Rental	Total Area Leased, Acres	Annual Rental
Bent	160	\$ 10.00	160	\$ 10.00
Clear Creek.....	981.41	71.20	981.41	71.20
Conejos	478.62	90.00	478.62	90.00
Jefferson	829.76	58.80	989.76	68.80
Weld	2,400	122.00	2,400	122.00
Totals	4,849.79	\$352.00	5,009.79	\$362.00

Increase in acres leased during 1903-1904.....160 acres
 Increase in annual rentals during 1903-1904.....\$10

PENITENTIARY LANDS.

FOR AGRICULTURAL AND GRAZING PURPOSES.

County	Biennial Term Ending Nov. 30, 1902		Biennial Term Ending Nov. 30, 1904	
	Total Area Leased, Acres	Annual Rental	Total Area Leased, Acres	Annual Rental
Bent	1,640	\$186.00	1,720	\$196.00
Chaffee	190	32.00	190	32.00
Conejos	317.31	32.40	317.31	32.40
Totals	2,147.31	\$250.40	2,227.31	\$260.40

Increase in acres leased during 1903-1904..... 80 acres
 Increase in annual rentals during 1903-1904.....\$10

UNIVERSITY LANDS.

FOR AGRICULTURAL AND GRAZING PURPOSES.

County	Biennial Term Ending Nov. 30, 1902		Biennial Term Ending Nov. 30, 1904	
	Total Area Leased, Acres	Annual Rental	Total Area Leased, Acres	Annual Rental
Conejos	80	\$ 10.00	80	\$ 10.00
Jefferson	600	45.60	920	61.60
Logan	2,372.01	496.40	2,532.01	509.20
Washington	240	34.00	240	34.00
Totals	3,292.01	\$586.00	3,772.01	\$614.80

Increase in acres leased during 1903-1904..... 480 acres
 Increase in annual rentals during 1903-1904.....\$28.80

SALINE LANDS.

FOR AGRICULTURAL AND GRAZING PURPOSES.

County	Biennial Term Ending Nov. 30, 1902		Biennial Term Ending Nov. 30, 1904	
	Total Area Leased, Acres	Annual Rental	Total Area Leased, Acres	Annual Rental
Park	720	\$60.00	720	\$60.00

Gilpin	280	20.00	600	88.00	320	68.00
Grand	10,197.72	834.75	49,277.82	2,893.95	39,080.10	2,059.20
Gunnison	520	116.00	1,080	170.00	560	54.00
Hinsdale	2,280	163.20	2,440	173.20	160	10.00
Huerfano	18,840	1,140.00	26,880.65	1,620.80	8,040.65	480.80
Jefferson	10,925.76	1,112.65	12,436.76	1,246.85	1,511	134.20
Kiowa	20,095.81	981.55	24,575.81	1,227.55	4,480	256.00
Kit Carson	26,992.04	1,394.00	36,312.04	1,863.00	9,320	469.00
Lake	34.72	10.00	34.72	10.00	.....	.....
La Plata	5,800	247.80	11,300.14	585.81	5,500.14	338.01
Larimer	58,159.10	4,565.80	96,826.51	6,984.50	38,667.41	2,418.70
Las Animas	63,972.10	3,449.80	84,648.19	4,561.46	20,712	1,111.60
Lincoln	83,902.05	3,840.47	104,302.05	4,975.67	20,400	1,134.60
Logan	37,692.01	3,434.80	53,132.01	4,268.40	15,440	833.60
Mesa .....	.....	.....	.....	.....	.....	.....
Mineral	1,120	77.60	1,360	89.60	240	12.00
Montezuma	6,985	917.20	13,274.49	1,370.10	6,289.49	452.90
Montrose .....	.....	.....	.....	.....	.....	.....
Morgan	34,251.51	2,710.15	38,091.51	2,910.55	3,840	200.40
Otero	89,051.22	5,677.38	118,702.37	7,241.41	29,651.15	1,564.63
Ouray	1,120.92	116.75	1,240.92	125.75	120	10.00
Park	21,629.31	1,536.85	27,815.26	2,090.80	6,185.95	563.95
Phillips	13,845.24	803.48	20,125.24	1,163.68	6,280	360.20
Pitkin	240	62.00	1,120	152.00	880	90.00
Prowers	32,920.92	2,189.02	34,836.45	2,273.42	1,915.53	84.40

COMPARATIVE STATEMENT, SHOWING TOTAL ACREAGE OF ALL LANDS LEASED FOR AGRICULTURAL AND GRAZING PURPOSES, WITH ANNUAL RENTAL FOR BIENNIAL TERMS, 1901-1902 AND 1903-1904—Concluded.

County	Biennial Term, 1901-1902 Total Acres	Biennial Term, 1901-1902 Annual Rental	Biennial Term, 1903-1904 Total Acres	Biennial Term, 1903-1904 Annual Rental	Increase, Acres	Increase, Rental
Pueblo	91,131.01	5,465.93	157,909.18	7,790.18	66,778.17	2,324.25
Rio Blanco	1,280	137.60	1,280	137.60	.....	.....
Rio Grande	25,507.62	5,646.90	26,707.62	5,916.50	1,200	269.60
Routt	29,859.85	2,765.45	65,834.63	4,928.13	35,974.78	2,162.68
Saguache	62,040.41	5,891.41	70,284.38	6,338.71	8,243.97	447.30
San Juan	.....	.....	.....	.....	.....	.....
San Miguel	4,160	319.60	7,320	554.40	3,160	234.80
Sedgwick	12,320	705.30	12,320	705.30	.....	.....
Summit	320	24.00	320	24.00	.....	.....
Teller	3,560	223.60	6,120	392.30	2,560	168.70
Washington	54,560	2,885.20	69,280	3,621.20	14,720	736.00
Weld	86,229.56	6,481.45	98,749.56	7,335.19	12,520	853.74
Yuma	58,994.67	3,832.05	72,563.25	4,557.77	13,568.58	725.72
Totals	1,515,153.70	\$ 101,618.97	1,976,201.27	\$ 126,990.30	461,047.57	\$ 25,341.33
Total increase, acres leased.....	161,047.57 acres					
Total increase, annual rental.....	\$25,341.33					

COAL LEASES.

County	Biennial Term Ending Nov. 30, 1902		Biennial Term Ending Nov. 30, 1904	
	Total Area Leased, Acres	Rental and Royalty Paid	Total Area Leased, Acres	Rental and Royalty Paid
Adams	640	\$ 400.00	1,280	\$ 500.00
Archuleta .....	.....	.....	160	153.30
Douglas .....	.....	.....	640	100.00
El Paso.....	.....	.....	640	100.00
Fremont	640	500.00	800	550.00
Huerfano	1,920	3,243.00	2,120	12,773.00
La Plata.....	160	100.00	160	100.00
Las Animas.....	1,440	12,869.95	3,114.45	12,081.53
Montezuma	40	10.00	40	10.00
Routt	5,200	65.00	21,000	645.00
Totals	10,040	\$17,187.95	29,954.45	\$27,012.83

OIL LEASES.

County	Biennial Term Ending Nov. 30, 1902		Biennial Term Ending Nov. 30, 1904	
	Total Area Leased, Acres	Rental and Royalty Paid	Total Area Leased, Acres	Rental and Royalty Paid
Boulder	1,440	\$166.66	.....	.....
El Paso.....	1,240	100.00	.....	.....
Fremont	45	100.00	683.42	\$1,465.45
Grand	640	.....	1,280	200.00
Larimer .....	.....	.....	640	100.00
Totals	3,365	\$366.66	2,603.42	\$1,765.45

MINERAL LEASES.

County	Biennial Term Ending Nov. 30, 1902		Biennial Term Ending Nov. 30, 1904	
	Total Area Leased, Acres	Rental and Royalty Paid	Total Area Leased, Acres	Rental and Royalty Paid
Boulder	20	\$ 40.00	20	\$ 30.00
Chaffee	50	30.00	110	133.35
Douglas	120	240.00	120	120.00
Fremont	300	400.00	300	585.00
Gilpin	40	170.00	40	170.00
Jefferson	10	20.00	10	10.00
Park	50	110.00	50	135.00
Teller	1,870	5,155.13	1,910	6,369.69
Totals	2,460	\$6,163.13	2,560	\$7,553.04

REPORT OF THE STATE BOARD

MISCELLANEOUS LEASES.

County	For What Purpose Leased	Area Leased, Acres	Rental and Royalty Paid, 1901-1902	Rental and Royalty Paid, 1903-1904
Boulder.....	Brick	120	.....	\$ 210.00
Chaffee.....	Stone	20	\$ 12.50	.....
Costilla.....	Soda	638.59	25.00	100.00
Cheyenne.....	Fire clay.....	640	.....	100.00
Denver.....	Fire clay.....	2.50	715.85	653.33
Denver.....	Brick	20	643.00	1,278.00
Fremont.....	Marble	160	.....	100.00
Mineral.....	Sulphur	160	75.00	.....
Totals.....		<u>1,761.09</u>	<u>\$1,471.35</u>	<u>\$2,441.33</u>

GENERAL STATEMENT OF ALL LEASES.

SHOWING THE NUMBER OF ACRES OF SCHOOL AND STATE LANDS NOW OWNED BY THE STATE IN EACH COUNTY, ACREAGE UNDER LEASE AND VACANT, CHARACTER OF LEASES AND ANNUAL RENTALS DERIVED THEREFROM.

COUNTY	Acres Owned by State	Acres Grazing	Rental	Acres Agricultural	Rental	Acres Coal	Rental	Acres Oil and Gas	Rental	Acres Mineral	Rental	Acres Miscellaneous	Rental	Total Acres Under Lease	Total Acres Vacant	Total Yearly Rentals
Adams	40,840	25,810	\$ 1,376.40	200	\$ 141.00	1,280	\$ 500.00							26,040	14,800	\$ 2,020.40
Arapahoe	27,180	22,280	1,150.40	63	41.00									22,343	1,837	1,191.00
Arcimeta	26,618.21	5,776.02	349.70	50	10.00	160	153.30							5,826.02	20,792.19	513.00
Baca	89,098.38	73,225.85	2,835.61											73,225.85	15,872.53	2,835.61
Bent	128,270.75	71,396.33	3,869.85	2,000	462.00									73,396.33	54,271.42	4,331.85
Boulder	14,437	3,720	250.80	804.83	345.45					20	\$ 30.00	120	210.00	1,614.83	9,820.17	842.25
Chaffee	50,128.68	1,760	96.80	100	60.00					110	133.35			1,950	48,178.18	290.15
Cheyenne	64,000	7,200	428.80									610	100.00	7,200	56,800	528.80
Clear Creek	11,427.01	1,911.11	110.40											1,941.41	9,485.60	140.40
Conejos	87,235.20	31,558.93	2,464.05	4,487.57	1,105.20									36,046.50	51,188.70	3,569.25
Costilla	63,629.75	45,992.36	1,516.00	800	226.00							628.50	100.00	16,792.36	16,247.39	1,842.00
Custer	18,960	12,570	738.80	400	85.00									12,970	5,990	823.80
Delta																
Denver	1,172.67	100	189.00	532	1,395.00							22.50	1,931.33	932	210.67	1,913.33
Dolores	23,680	1,320	92.80	40	12.00									1,360	22,320	104.80
Douglas	18,220	17,430	1,161.35	440	116.00	610	100.00			120	120.00			18,070	150	1,500.35
Eagle	48,924.97	8,524.97	578.10	120	34.00									8,644.97	40,280	612.10
Elbert	89,252.85	86,612.85	4,908.85	250	124.00									86,892.85	2,360	5,012.85
El Paso	158,565.45	142,599.55	6,971.06	320	72.00	610	100.00							142,919.55	15,645.90	7,143.06
Fremont	58,591.82	39,669.42	1,772.55	400	115.20	800	550.00	683.42	\$1,165.45	300	585.00	160	100.00	31,069.42	27,522.40	4,618.20
Garfield																
Glyph	2,800	140	40.00	160	48.00					40	170.00			600	2,200	258.00
Grand	88,757.82	31,887.82	1,999.20	600	202.75			1,250	200.00					35,437.82	53,320	2,401.95
Gunison	36,065	680	50.00	490	120.00									1,080	34,985	170.00
Hinsdale	31,840	2,440	173.20											2,440	29,400	173.20
Huerfano	56,691.66	26,640.65	1,552.80	200	68.00	2,120	12,773.00							26,840.65	29,761.01	14,393.80
Jefferson	25,076.76	11,672.76	787.10	761	459.75					10	10.00			12,436.76	12,640	1,256.85
Kiowa	105,362.15	21,455.81	1,291.55	120	36.00									21,575.81	80,786.34	1,237.55
Kit Carson	74,522.77	35,792.01	1,837.00											35,792.01	38,730.76	1,837.00
Lake	5,096.46	34.72	10.00											34.72	5,061.74	10.00
La Plata	31,141.01	8,820.14	366.81	520	121.00	160	100.00							9,310.11	24,830.87	587.81
Larimer	172,506.72	89,836.51	5,367.30	3,830	1,459.20			640	100.00					93,666.51	78,670.21	6,924.50
Las Animas	148,369.14	84,084.19	4,521.40	40	12.00	3,114.45	12,081.53							84,124.19	64,244.95	16,611.93
Lincoln	139,542.05	97,062.05	4,613.07											97,062.05	42,480	4,613.07
Logan	69,514.35	36,960	2,069.20	5,612.04	1,650.20									12,572.01	26,942.34	3,710.40
Mesa																
Mineral	23,073	1,200	89.60											1,200	31,715	89.60
Montrose																
Montezuma	61,584.96	10,729.29	706.90	2,545.20	663.20	10	10.00							13,274.29	48,310.66	1,380.10
Morgan	48,379.31	35,991.51	1,965.75	3,000	954.80									38,991.51	10,278.80	2,910.55
Otero	113,749.42	101,519.21	5,653.70	3,983.13	927.71									105,502.37	38,247.05	6,581.41
Ourray	5,841.92	1,080	86.15	160.92	40.30									1,240.92	4,600	126.45
Park	107,059.79	27,115.26	1,308.80	400	92.00					50	135.00			27,315.26	79,744.53	1,443.80
Phillips	25,142.84	19,355.21	1,055.68	280	84.00									19,635.21	5,507.63	1,139.68
Pueblo	21,184.30	880	82.00	240	70.00									1,120	20,064.30	152.00
Prowers	64,633.19	33,123.51	1,774.17	1,712.91	195.95									31,836.45	29,107.01	2,274.42
Pueblo	241,020.06	148,811.87	6,829.18	1,157.11	579.00									150,269.18	90,750.88	7,108.18
Rio Blanco	5,440	1,120	89.60	160	48.00									1,280	4,160	137.60
Rio Grande	57,218.78	10,769	966.20	15,847.62	4,302.30									26,547.62	30,671.16	5,808.50
Roubidoux	344,519.25	58,754.63	3,716.14	3,200	1,018.00	21,000	645.00							61,951.63	282,567.62	5,279.13
Saguache	179,261.54	58,361.28	3,424.71	11,920	2,911.00									70,281.38	108,980.16	6,335.71
San Juan	13,769														13,769	
San Miguel	31,798.27	7,210	539.49	80	24.00									7,320	24,478.27	563.49
Sedgewick	16,821.98	10,880	623.20	40	12.00									10,920	5,901.98	635.20
Summit	17,280	320	24.00											320	16,960	24.00
Teller	15,360	6,080	380.20	40	12.00					1,910	6,369.60			6,120	9,240	6,761.80
Washington	102,980	61,560	3,183.20	480	136.00									65,040	37,940	3,319.20
Weed	150,716.04	92,819.56	5,259.69	4,960	1,938.00									97,809.56	52,906.48	7,298.69
Yuma	91,116.61	70,925.03	4,109.77	1,638.22	418.00									72,563.25	18,553.36	4,527.77
Totals	3,789,199.48	1,811,593.93	\$98,122.79	65,608.72	\$24,459.91	29,354.45	\$27,012.83	2,603.42	\$1,765.45	2,560	\$7,563.01	1,581.09	\$2,441.33	1,877,012.65	1,912,156.53	\$161,355.65

STATEMENT OF LAND SALES.

SCHOOL AND INDEMNITY SCHOOL LANDS.

COUNTY	Biennial Term, 1901-1902		Biennial Term, 1903-1904	
	Acres Sold	Average Price Per Acre	Acres Sold	Average Price Per Acre
Arapahoe			960	\$ 5.00
Bent	800	\$ 4.20	80	5.00
Boulder			120	16.67
Chaffee	224	5.00		
Conejos			760	3.73
Douglas	61	17.75	80	10.00
El Paso	80	5.00		
Fremont	640	9.00	435	12.18
Gilpin	160	7.50		
Huerfano			120	5.00
Jefferson	40	5.00	160	10.00
La Plata	80	8.00	152	3.50
Larimer	120	14.00	160	10.00
Las Animas	640	5.00		
Logan	240	5.25		
Morgan	320	12.50	80	20.00
Otero	2,147	7.83	480	6.66
Prowers			548	7.92
Río Grande	160	6.95	678	4.26
Routt	2,560	3.50	1,040	10.10
San Miguel	40	5.00	160	10.00
Teller			160	5.00
Weld	1,480	8.25		
Totals	9,792	\$ 7.65	6,173	\$ 7.85

INTERNAL IMPROVEMENT LANDS.

Conejos	Lot	\$20.00	3,953	\$ 5.75
Otero	418	5.00		
Prowers	119	6.00		
Río Grande			474	5.99
Totals	537	\$ 5.35	4,427	\$ 5.65

AGRICULTURAL COLLEGE LANDS.

Montezuma			400	\$ 3.50
Otero			80	10.00
Totals			480	\$ 4.60

STATEMENT OF LAND SALES—Concluded,
PUBLIC BUILDING LANDS.

Conejos .....	.....	40	\$ 4.00
Grand totals.....	10,329	\$ 6.25	11,120 \$ 6.65

TIMBER SOLD DURING BIENNIAL TERM ENDING NOVEMBER 30, 1904.

COUNTY.	Kind of Land.	No. Acres.	Appraised Estimate of Quantity in Feet.	Purchase Price Paid.	Average Price Paid per M Feet.
La Plata.....	School	640	350,000	\$ 506.25	\$1.45
Park.....	Saline	400	240,000	480.00	2.00
Park.....	School	240	100,000	200.00	2.00
Boulder.....	School	320	110,000	275.00	2.50
Montezuma.....	Agricultural College..	2,400	6,050,000	15,075.00	2.50
Montezuma.....	School	10,480	27,340,000	64,775.00	2.36
Totals		14,480	34,190,000	\$81,311.25	\$2.38

RIGHTS OF WAY GRANTED DURING BIENNIAL TERM ENDING NOVEMBER 30, 1904.

COUNTY.	Reservoirs. Acres.	Ditches. Acres.	R. R.'s. Acres.	Public Roads. Acres.	School Houses. Acres.	Miscellaneous.	enue Received.
Adams				2.34			\$ 10.70
Archuleta			8				28.00
Arapahoe					1		1.00
Boulder			50				175.00
Boulder	80						400.00
Fremont						Mineral Well Pipe Line	10.00
Fremont							50.00
Gilpin			1.33				4.65
Grand			25				125.00
Grand			7				105.00
Grand			26.96				94.36
Grand			24.34				516.25
Huerfano			13				100.00
Huerfano		1					10.00
Jefferson	320						1,600.00
Jefferson			3.19				159.50
Jefferson			3.18				23.85
Jefferson				4.04			2.00
Las Animas			3.75				18.75
Las Animas			11.08				59.00
Larimer	8.8						88.00
Larimer	64.82						648.20

RIGHTS OF WAY GRANTED DURING BIENNIAL TERM ENDING
NOVEMBER 30, 1904—Concluded.

COUNTY.	Reservoirs. Acres.	Ditches. Acres.	R. R.'s. Acres.	Public Roads. Acres.	School Houses. Acres.	Mis- cella- neous.	Rev- enue Re- ceived.
Larimer					1		1.00
La Plata				3			1.00
La Plata			7.45				26.08
Logan			5.26				52.16
Logan		1.20					30.00
Mineral				1			1.00
Otero		2					20.00
Prowers				1.8			2.00
Prowers		4.76					47.60
Prowers		5.27					52.70
Pueblo			6.04				1.00
Teller				4.74			1.00
Teller			4.5				15.75
Weld				1.81			1.00
Weld				1.84			1.00
Weld				3.62			1.00
Weld	31.18						311.80
Weld	345.5						1,727.50
Weld				11			1.00
Totals	850.30	14.23	200.80	35.19	2		\$6,523.80

GENERAL STATEMENT, SHOWING AREA OF LANDS GRANTED
TO STATE FOR VARIOUS FUNDS, ACREAGE SOLD AND ACRE-
AGE REMAINING, SCHOOL AND INDEMNITY SCHOOL LANDS.

COUNTY	Total Acreage of School and Indemnity Lands Granted to State	Total Acreage Sold	Total Acreage Remaining Property of State
Adams	40,840	.....	40,840
Arapahoe	27,180	.....	27,180
Archuleta	26,618.21	.....	26,618.21
Baca	88,902.96	440	88,462.96
Bent	121,422.88	3,556.66	117,866.22
Boulder	21,001	6,566	14,435
Chaffee	40,392.25	392.25	40,000
Cheyenne	64,000	.....	64,000
Clear Creek	10,159.45	160	9,999.45
Conejos	73,303.62	7,561	65,742.62
Costilla	18,080	960	17,120

GENERAL STATEMENT, SHOWING AREA OF LANDS GRANTED
TO STATE FOR VARIOUS FUNDS, ACREAGE SOLD AND ACREAGE
REMAINING, SCHOOL AND INDEMNITY SCHOOL LANDS
—Continued.

	Total acreage of School and Indemnity Lands Granted	Total Acreage Sold	Total Acreage Remaining Property
Custer	19,613.25	653.25	18,960
Denver	1,172.67	.....	1,172.67
Delta .....	.....	.....	.....
Dolores	23,680	.....	23,680
Douglas	22,181	3,961	18,220
Eagle	48,924.97	.....	48,924.97
Elbert	89,812.85	560	89,252.85
El Paso	162,383.31	3,817.86	158,565.45
Fremont	56,621.10	2,419.09	54,202.01
Garfield .....	.....	.....	.....
Gilpin	3,001	201	2,800
Grand	89,397.82	640	88,757.82
Gunnison	36,525	460	36,065
Hinsdale	31,840	.....	31,840
Huerfano	57,041.66	440	56,601.66
Jefferson	21,588.47	5,261.47	16,327
Kiowa	105,362.15	.....	105,362.15
Kit Carson	75,442.77	1,080	74,362.77
Lake	4,000	.....	4,000
La Plata	36,184.77	2,040.76	34,144.01
Larimer	171,009.32	4,104.10	166,905.22
Las Animas	150,105.04	3,730.35	146,374.69
Lincoln	139,542.05	.....	139,542.05
Logan	66,120	2,080	64,040
Mesa .....	.....	.....	.....
Mineral	33,080	5	33,075
Montezuma	42,862.67	40	42,822.67
Montrose .....	.....	.....	.....
Morgan	49,322.37	1,000	48,322.37
Otero	166,516.68	28,506.26	138,010.42
Ouray	5,851.92	10	5,841.92
Park	45,963.64	4,120	41,843.64
Phillips	25,462.84	320	25,142.84
Pitkin	21,184.91	.....	21,184.91
Prowers	62,949.55	5,468	57,481.55
Pueblo	237,528	4,541.33	232,986.67

GENERAL STATEMENT, SHOWING AREA OF LANDS GRANTED TO STATE FOR VARIOUS FUNDS, ACREAGE SOLD AND ACREAGE REMAINING, SCHOOL AND INDEMNITY SCHOOL LANDS
—Concluded.

	Total acreage of School and indemnity Lands Granted	Total Acreage Sold	Total Acreage Remaining Property
Rio Blanco	5,440	.....	5,440
Rio Grande	31,798	1,688	30,110
Routt	349,438.47	6,124.50	343,313.97
Saguache	103,652.24	240	103,412.24
San Juan	13,760	.....	13,760
San Miguel	31,998.27	200	31,798.27
Sedgwick	16,821.98	.....	16,821.98
Summit	17,280	.....	17,280
Teller	15,520	160	15,360
Washington	101,160	640	100,520
Weld	157,955.04	9,439	148,516.04
Yuma	82,576.25	640	81,936.25
Totals	<u>3,561,572.40</u>	<u>114,226.88</u>	<u>3,447,345.52</u>

AGRICULTURAL COLLEGE LANDS.

STATUTORY GRANT 90,000 ACRES.

COUNTY.	Total acreage granted to State.	Total acreage sold.	Total acreage remaining property of State.
Baca	635.42	.....	635.42
Bent	1,904.16	.....	1,904.16
Fremont	9,585.44	5,192.63	4,392.81
Kit Carson	160	.....	160
Larimer	5,601.50	.....	5,601.50
Las Animas	1,994.45	.....	1,994.45
Montezuma	19,162.29	400	18,762.29
Otero	42,589.61	38,949.61	3,640
Pueblo	6,113.83	.....	6,113.83
Routt	1,996.28	.....	1,996.28
Totals	<u>89,742.98</u>	<u>41,542.24</u>	<u>45,200.74</u>

INTERNAL IMPROVEMENT LANDS.

STATUTORY GRANT 500,000 ACRES.

COUNTY.	Total acreage granted to State.	Total acreage sold.	Total acreage remaining property of State.
Bent	9,263.24	3,002.87	6,260.37
Chaffee	3,692.81	.....	3,692.81
Conejos	136,611.10	116,553.32	20,057.78
Costilla	57,984.60	12,064.85	45,919.75
Lake	3,839.06	2,742.60	1,096.46

INTERNAL IMPROVEMENT LANDS—Concluded.

STATUTORY GRANT 500,000 ACRES.

COUNTY.	Total acreage granted to State.	Total acreage sold.	Total acreage remaining property of State.
Logan	4,399.46	2,399.46	2,000
Morgan	14,216.56	14,216.56	.....
Otero	9,143.94	7,423.94	1,720
Park	57,761.86	8,917.57	48,844.29
Prowers	10,423.02	3,871.08	6,551.94
Pueblo	3,524.18	1,594.62	1,929.56
Rio Grande	53,835.50	56,726.72	27,108.78
Saguache	95,187.53	19,338.23	75,849.30
Washington	3,105.48	2,465.48	640
Yuma	9,210.39	.....	9,210.39
Totals	502,198.73	251,319.30	250,879.43

PENITENTIARY LANDS.

STATUTORY GRANT 32,000 ACRES.

COUNTY.	Total acreage granted to State.	Total acreage sold.	Total acreage remaining property of State.
Bent	9,247.62	7,167.62	2,080
Chaffee	8,380.65	1,944.78	6,435.87
Conejos	13,637.22	12,279.72	1,357.50
Totals	31,265.49	21,392.12	9,873.37

PUBLIC BUILDING LANDS.

STATUTORY GRANT 32,000 ACRES.

COUNTY.	Total acreage granted to State.	Total acreage sold.	Total acreage remaining property of State.
Bent	6,301.05	6,141.05	160
Clear Creek	1,427.56	.....	1,427.56
Conejos	2,758.29	1,519.67	1,238.62
Jefferson	2,233.49	323.73	1,909.76
Morgan	16,784.23	16,736.26	47.97
Weld	2,400	.....	2,400
Totals	31,904.62	24,720.71	7,183.91

SALINE LANDS.

STATUTORY GRANT, TWELVE SPRINGS, SIX SECTIONS FOR EACH SALT SPRING DISCOVERED. FIVE SPRINGS ONLY DISCOVERED.

COUNTY.	Total acreage granted to State.	Total acreage sold.	Total acreage remaining property of State.
Park	18,836.62	2,473.76	16,362.86

REFORMATORY LANDS.

COUNTY.	Total acreage deeded to State	Total acre- age sold.	Total acreage remaining prop- erty of State.
Chaffee	520	.....	520

UNIVERSITY LANDS.

STATUTORY GRANT 46,080 ACRES.

COUNTY.	Total acreage granted to State.	Total acre- age sold.	Total acreage remaining prop- erty of State.
Conejos	1,040	960	80
Jefferson	8,600	1,760	6,840
Logan	24,020.95	20,547.60	3,473.35
Morgan	4,595.92	4,595.92	.....
Washington	7,627.56	6,187.56	1,440
Totals	<u>45,884.43</u>	<u>34,051.08</u>	<u>11,833.35</u>

CASH RECEIVED BY STATE LAND DEPARTMENT FROM DECEMBER 1, 1902, TO NOVEMBER 30, 1904, AND PAID TO STATE TREASURER.

MONTH	Year	School Fund Permanent Income	Internal Improvement Fund Permanent Income	Agricultural College Fund Permanent Income	Public Building Fund Permanent Income	University Fund Permanent Income	Reformatory Fund Income	Saline Fund Income	Penitentiary Fund Income	Appraisement Fund	Land Commissioners' Cash Fund	Total						
December	1902	\$ 4,160.60	\$ 8,860.53	\$ 1,163.41	\$ 1,663.08	\$ 46.75	\$ 72.11		\$ 20.00			\$ 36.00	\$ 10.00	\$ 111.00	\$ 16,173.78			
January	1903	3,489.04	11,911.59	1,536.64	1,536.09	139.50	111.44		25.00			24.00	20.00	197.00	22,029.58			
February	1903	2,685.48	10,005.58	590.65	897.53	194.00	246.08		62.00			20.00		162.00	11,867.33			
March	1903	3,615.67	10,701.62	2,073.03	1,479.64	472.39	569.75		12.00			34.00	205.00	219.00	19,454.70			
April	1903	3,549.23	11,223.60	2,682.28	2,950.11	2,731.58	3,405.93		40.00			42.20	60.00	312.00	30,057.02			
May	1903	787.53	13,951.53	952.69	2,372.01	642.96	552.77		22.80			8.00	90.00	1,330.10	29,723.11			
June	1903	1,659.52	12,743.65	1,447.17	2,448.03	636.00	335.36		20.00			21.00	110.00	639.80	20,191.53			
July	1903	1,613.07	16,320.13	273.37	2,369.44	25.00	47.65		5.00			202.60	20.00	80.00	672.51	22,228.77		
August	1903	882.00	10,741.45	737.29	1,263.55	100.00	297.50					\$ 800.00	148.50	60.00	1,620.83	16,692.53		
September	1903	6,488.02	8,859.08	276.47	1,768.80	56.00	56.32		46.00			110.00		16.00	30.00	769.17	18,466.81	
October	1903	8,679.23	17,390.42	2,216.62	2,705.32	140.10	36.27		44.80			\$ 800.00	10.00	20.00	10.10	60.00	648.50	32,752.66
November	1903	1,650.71	9,965.61	1,327.05	4,031.78	257.32	283.26		36.00					12.00	50.00	589.50	18,861.23	
December	1903	1,600.75	13,554.81	717.15	2,051.33		234.70		15.00					60.00	50.00	573.00	18,867.84	
January	1904	1,756.60	23,424.31	1,716.18	2,726.81	192.00	362.37		10.00					33.00	70.00	521.50	31,295.77	
February	1904	2,388.59	11,294.23	1,364.61	1,422.21	239.75	425.59		12.00					72.00	80.00	577.05	17,877.03	
March	1904	2,143.53	11,084.11	3,173.52	2,519.81	68.27	320.12	\$16.00						8.00	89.00	638.25	20,352.41	
April	1904	6,584.90	10,292.58	2,986.31	3,135.85		31.49		60.00					10.00	50.00	898.50	21,696.51	
May	1904	1,051.35	15,156.95	4,393.59	1,127.00	60.00	236.80		32.80					15.00	42.00	10.00	722.25	23,152.31
June	1904	1,299.96	14,928.75	156.97	1,696.79	280.00	38.00							36.00	40.00	638.75	18,293.22	
July	1904	92.85	10,089.36	129.61	3,258.38	16.00	281.57		64.80					10.00		339.75	606.71	15,411.03
August	1904	3,162.40	11,992.09	270.59	915.10	148.31	428.83		33.00					86.00	30.00	634.00	18,132.62	
September	1904	229.90	9,887.56	274.99	856.86	165.88	139.44		48.80					68.00	30.00	876.50	12,690.13	
October	1904	3,392.40	10,326.36	1,371.38	1,284.70	120.00	45.55		10.00					179.20	50.00	624.00	17,381.68	
November	1904	66,248.94	10,252.18	9,705.47	1,949.33	15,075.00	70.00		30.00					10.00	116.00	479.00	103,929.32	
Totals		\$130,042.93	\$300,003.40	\$42,013.16	\$49,321.09	\$22,021.51	\$8,793.11	\$16.00	\$679.00	\$1,600.00	\$1,253.40		\$620.00	\$614.80	\$1,851.75	\$15,321.89	\$574,176.01	

Total amount paid to State Treasurer, biennial term 1903-1904

Total amount paid to State Treasurer, biennial term 1901-1902

Increase over previous biennial term

