

Dear Patron:

We regret that the enclosed photocopies are the best we were able to obtain using our normal reproduction process. This is caused primarily by the age and faded conditions of some of the documents from which these copies were made.

BEST AVAILABLE COPY.



1029636

[262]

10/29/25

4-196

Tel. 36

Department of the Interior

United States Land Office Fairbanks, Alaska.

Serial No. 0327

Receipt No. 1102345 - 1102281.

Fees \$ 10.00

Comm (Orig) \$ 9.79

Excess \$

Comm (Min) \$ 9.79

Purchase \$ excess 27.59

Test Fees \$ 2.50

Interest \$

orig comm. due \$ 2.27

final comm. due \$ 2.27

Certificate.

Homestead.

30/2048

Authorized by letter

"K" MMM of September 5, 1925.

H.B. - M
applying 5-11-29

September 23, 1925.
(Date.)

It is hereby certified that, pursuant to the pro-

visions of Section 2291, Revised Statutes of the United States,

Alphons Zehnder

has made payment in full for private survey No. 805, embracing
lot 13 Sec. 3; lot 10 Sec. 4; lot 1 Sec. 9; lot 7 Sec. 10.

Section
Township 1 S., Range 1 W., Fairbanks Meridian,
containing 260.04 342.07 acres.

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

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

Register.

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

The original is forwarded to the General Land Office, with the entry papers, for
approval by the Commissioner of the General Land Office and issuance of patent.
The duplicate copy forwarded to the claimant should be held until notice of issuance
of patent is received.

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

APPROVED

July 8, 1929

By

Posted in

Alaska NOV 5 1925

MKH Division

A. A. H.

* July 8, 1929 final certificate amended in accordance with
letter "K" of Nov. 12, 1928 to read for lots, 6, 16, 17, 18, 19 and 20 Sec. 3
and lots 9, 11, 13, 18 and 20 Sec. 4 T 1 S. R 1, W. J. M., Alaska containing
342.07 acres. Payment of 27.59 earned - MKH-K

PATENT NO. 1029636
JUL 26 1929

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

LX R.

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

WASHINGTON

JUL 28 1930

IN REPLY PLEASE REFER TO

Fairbanks 0327 *K* MKH

District Director of Naturalization,
204 Post Office Building,
San Francisco, California.

My dear Sir:

Your letter of July 9, 1930, concerning order of the Superior Court of California, city and county of San Francisco, restoring the record of naturalization of Alphonse Zehnder as of December 13, 1901, has been received in this office and placed of record in connection with his homestead entry Fairbanks 0327.

Very respectfully,

Commissioner.

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

ERR

WASHINGTON APR 17 1930

IN REPLY PLEASE REFER TO

Fairbanks 0387 "K" MKH

: In re homestead entry.

District Director of Naturalization,
204 Post Office Building,
San Francisco, California.

My dear Sir:

Reference is had to your letter of April 8, 1930, (205/9200), requesting to be furnished with the proof of citizenship offered by Alphonse Zehnder, in support of his homestead entry Fairbanks 0387.

In submitting his application to make homestead entry Zehnder made an affidavit as follows, relative to his citizenship:

"I am a naturalized citizen of the United States, born in the Republic of Switzerland in Europe, in the year 1867; that I obtained my final citizenship papers in the United States in the Superior Court in the City and County of San Francisco, on the 13th day of December, 1901, or January, 1902." ****

Zehnder submitted the following affidavit with his final proof May 15, 1914:

Fairbanks 0327 "X" MKH

"That he is a citizen of the United States, over the age of twenty-one (21) years, and now residing in Fairbanks Precinct, Alaska; That he was born at Einsiedeln, Ct. Schwyz, Switzerland, in the year 1863; that he emigrated from said Switzerland to the United States of America, and arrived at the port of New York on or about the 10th day of December, 1886; from Antwerp on the Steamer Pennland; that since that time he has resided within the United States and has never been away therefrom, except one trip to Switzerland in 1900, which said trip extended from the 1st day of May, to the 20th day of October of that year; and one trip in to Dawson, Y. T., which lasted from June 1902 to March, 1903; that he took out his first citizenship papers at Tacoma, in the State of Washington, sometime in the fall of 1888, and on either the 13th day of December, 1901, or the 13th day of January 1902, he took his Final Citizenship papers in the Superior Court of the State of California, in and for the County and City of San Francisco, in Department No. 7; that one of his witnesses was Ben Steinaur, but the name of the other he does not recall; that when he came north to Fairbanks, Alaska, he left his trunk in the care of a friend, one Charles Mueller, on Pierce Street, near the corner of Lombard Street, San Francisco, California, and in the trunk left his Final Certificate of Citizenship; that about one year ago he wrote a letter to said Charles Mueller, asking him to forward the trunk and that he has never received a reply to said letter; that since he commenced his Final Proof herein, he has written to one John Haur, also in San Francisco, asking him to hunt up Charles Mueller and get affiant's Final papers and forward them up here, and as yet has received no reply; that on this 15th day of May, 1914, affiant has instructed his attorney to write to Tacoma, Washington, and obtain a copy of his declaration of intention; that the records of his Final papers were destroyed at the time of the earthquake and fire at San Francisco, California."

Fairbanks 0327 "X" MKH

July 29, 1914, he submitted a certified copy of his declaration of intention to become a citizen of the United States (No. 977), filed in the District Court, Second Judicial District of Washington Territory, holding terms at Tacoma, September 10, 1888.

In view of such showing, it appearing that his original citizenship papers had been destroyed by the San Francisco fire, and that he had complied with the homestead law as to residence, cultivation and improvements, the final proof submitted was found satisfactory, and final certificate was authorized on this entry by letter "K" of September 5, 1925. Patent issued on the entry July 26, 1929.

This office will be glad to be advised of the results of your investigations of the citizenship of Alphons Zehnder.

Very respectfully,


Commissioner.

ADDRESS ALL COMMUNICATIONS TO
THE DISTRICT DIRECTOR OF
NATURALIZATION

U. S. DEPARTMENT OF LABOR

NATURALIZATION SERVICE

DISTRICT DIRECTOR OF NATURALIZATION

204 POST OFFICE BUILDING
SAN FRANCISCO, CALIF.

IN REPLY REFER TO

FILE NO.

205/9200

July 9, 1930.

The Commissioner of the General Land Office,
U. S. Department of the Interior,
General Land Office,
Washington, D. C.

Dear Sir:

In Re: your file Fairbanks 0327"K" MKH
Homestead entry.

This will advise you that the petition of Alphonse Zehnder for the restoration of the record of his naturalization was heard by the Superior Court of California, City and County of San Francisco, on July 2, 1930. The Court entered an order restoring the record of his naturalization as of December 1st, 1901.

Very truly yours,

Paul Armstrong
District Director of Naturalization.



ADDRESS TO THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

IN REPLY PLEASE REFER TO

Fairbanks 0327 "K" WKH

APR 17 1930

: In re homestead entry.

District Director of Naturalization,
204 Post Office Building,
San Francisco, California.

My dear Sir:

Reference is had to your letter of April 8, 1930, (305/9200), requesting to be furnished with the proof of citizenship offered by Alphons Zehnder, in support of his homestead entry Fairbanks 0327.

In submitting his application to make homestead entry Zehnder made an affidavit as follows, relative to his citizenship:

"I am a naturalized citizen of the United States, born in the Republic of Switzerland in Europe, in the year 1863; that I obtained my final citizenship papers in the United States in the Superior Court in the City and County of San Francisco, on the 13th day of December, 1901, or January, 1902." ****

Zehnder submitted the following affidavit with his final proof May 15, 1930:

Fairbanks 0387 "F" MEX

"That he is a citizen of the United States, over the age of twenty-one (21) years, and now residing in Fairbanks Precinct, Alaska; that he was born at Einsiedeln, Ct. Schwyz, Switzerland, in the year 1863; that he emigrated from said Switzerland to the United States of America, and arrived at the port of New York on or about the 10th day of December, 1886, from Antwerp on the Steamer Pennland; that since that time he has resided within the United States and has never been away therefrom, except one trip to Switzerland in 1900, which said trip extended from the 1st day of May, to the 20th day of October of that year; and one trip in to Dawson, Y. T., which lasted from June 1902 to March, 1903; that he took out his first citizenship papers at Tacoma, in the State of Washington, sometime in the fall of 1888, and on either the 13th day of December, 1901, or the 13th day of January 1902, he took his Final Citizenship papers in the Superior Court of the State of California, in and for the County and City of San Francisco, in Department No. 7; that one of his witnesses was Ben Steinaur, but the name of the other he does not recall; that when he came north to Fairbanks, Alaska, he left his trunk in the care of a friend, one Charles Mueller, on Pierce Street, near the corner of Lombard Street, San Francisco, California, and in the trunk left his Final Certificate of Citizenship; that about one year ago he wrote a letter to said Charles Mueller, asking him to forward the trunk and that he has never received a reply to said letter; that since he commenced his Final Proof herein, he has written to one John Maur, also in San Francisco, asking him to hunt up Charles Mueller and get affiant's Final papers and forward them up here, and as yet has received no reply; that on this 15th day of May, 1914, affiant has instructed his attorney to write to Tacoma, Washington, and obtain a copy of his declaration of intention; that the records of his Final papers were destroyed at the time of the earthquake and fire at San Francisco, California."

Fairbanks 0387 "K" MKH

July 29, 1914, he submitted a certified copy of his declaration of intention to become a citizen of the United States (No. 977), filed in the District Court, Second Judicial District of Washington Territory, holding terms at Tacoma, September 10, 1913.

In view of such showing, it appearing that his original citizenship papers had been destroyed by the San Francisco fire, and that he had complied with the homestead law as to residence, cultivation and improvements, the final proof submitted was found satisfactory, and final certificate was authorized on this entry by letter "K" of September 5, 1925. Patent issued on the entry July 26, 1929.

This office will be glad to be advised of the results of your investigations of the citizenship of Alphons Zehnder.

Very respectfully,

E. G. MOORE
Commissioner.

4-16-NEL

-3-

ADDRESS ALL COMMUNICATIONS TO
THE DISTRICT DIRECTOR OF
NATURALIZATION

U. S. DEPARTMENT OF LABOR

NATURALIZATION SERVICE

DISTRICT DIRECTOR OF NATURALIZATION

204 POST OFFICE BUILDING
SAN FRANCISCO, CALIF.

IN REPLY REFER TO

FILE NO.

205/9200

April 8, 1930.

General Land Office,
Washington, D.C.

Gentlemen: Re; Alphonse Zehnder

Mr. Alphonse Zehnder has been granted a patent on land described as follows: Homestead entry No. 0327, Fairbanks Land District, Alaska; Lots 6, 16, 17, 18, 19, 20 Sec. 3; Lots 9, 11, 13, 18, 20 Sec. 4 T. 1 S., R. 1 W., F.M. containing 342.07 acres. Patent issued July 26, 1929, No 1029636.

Mr. Zehnder has filed a petition for the restoration of the record of his naturalization in the Superior Court of San Francisco, California. He alleges that he was naturalized in this court about 1901 or 1902 and that his certificate of naturalization was destroyed by fire in 1906. He has offered no proof in support of his claim of naturalization. Our representative at Fairbanks, the land office records there do not show what proof, if any, was offered by Mr. Zehnder as to his citizenship in order to obtain the patent to his homestead.

Will you be so kind as to inform this office as to what your records show as to the proof of citizenship offered by Mr. Zehnder in support of his homestead entry.

Yours very truly,

Paul Armstrong
District Director of Naturalization.

RECEIVED
APR 18 1930
G. L. O.

APR 17 1930
W. K. H.

DEPARTMENT OF THE INTERIOR
UNITED STATES LAND OFFICE

Fairbanks, Alaska,
(Place)

May 11, 1929.
(Date)

Fairbanks 0327.

Commissioner General Land Office,
Washington, D.C.

Sir:

Reference is had to "K" MKH of February 9.

K
In accordance with your instructions the additional
commissions of \$4.42 have been paid by entryman and duly
applied.

Respectfully,

Robt. W. Taylor,
Ex-officio Register.

By *[Signature]* Clerk.



ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

1 X
UNITED STATES

DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

WASHINGTON FEB 9 - 1929

IN REPLY PLEASE REFER TO

Fairbanks 0327 "K" MKH

: Additional commissions
: required.

Register and Receiver,
Fairbanks, Alaska.

Gentlemen:

Reference is had to the homestead entry of Alphon Zahnder, Fairbanks 0327, which was amended by office letter "K" of November 12, 1928, to contain 342.07 acres.

By said letter you were directed to advise entryman that the entry as amended contains 22.07 acres in excess of the 320 acres permitted by the law, under which the entry was made, and that on payment for the excess area at a rate of \$1.25 per acre, the final certificate issued September 23, 1925, thereon would be amended, accordingly and patent issued therefor. You were further directed to advise him that if he did not desire to pay the excess he might relinquish one of the lots included in the

Fairbanks 0327 "K" MKH

amended entry and thus reduce the excess area and the money required to be paid or he might relinquish one of the tracts sufficiently large to eliminate the excess area, if he did not desire to pay for such excess.

It appears that the entryman paid for the entire excess area but you failed to collect additional commissions amounting to \$2.21 original commissions and \$2.21 final commissions.

You will therefore call upon him for such payment advising him that on receipt thereof you will notify this office and the said final certificate will then be amended and approved for patenting.

Advise him further that if he fails to pay such commissions within 30 days from receipt of notice, the said final certificate, hereby had for cancellation will be canceled without further notice from this office.

Notify the entryman by registered mail and in due time report with evidence of service of notice.

Very respectfully,

William Spry
Commissioner

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LANDS

1 X

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

FEB 9 1929

IN REPLY PLEASE REFER TO

Fairbanks 0327 "K" WKH

: Additional commissions
: required.

Register, and Receiver,
Fairbanks, Alaska.

Gentlemen:

Reference is had to the homestead entry of
Alphons Zehnder, Fairbanks 0327, which was amended by
office letter "K" of November 12, 1928, to contain
342.07 acres.

By said letter you were directed to advise entry-
man that the entry as amended contains 22.07 acres in ex-
cess of the 320 acres permitted by the law, under which the
entry was made, and that on payment for the excess area
at the rate of \$1.25 per acre, the final certificate issued
September 23, 1925, thereon would be amended, accordingly
and patent issued therefor. You were further directed to
advise him that if he did not desire to pay the excess
money he might relinquish one of the lots included in the

2-9

Fairbanks 0327 *K* MKH

amended entry and thus reduce the excess area and the money required to be paid or he might relinquish one of the tracts sufficiently large to eliminate the excess area, if he did not desire to pay for such excess.

It appears that the entryman paid for the entire excess area but you failed to collect additional commissions amounting to \$2.00 original commissions and \$2.00 final commissions.

You will therefore call upon him for such payment advising him that on receipt thereof you will notify this office and the said final certificate will then be amended and approved for patenting.

Advise him further that if he fails to pay such commissions within 30 days from receipt of notice, the said final certificate, hereby held for cancellation will be canceled without further notice from this office.

Notify the entryman by registered mail and in due time report with evidence of service of notice.

Very respectfully,

William Spry

Commissioner.

2-7-NBL

-2-

ADDRESS ONLY THE COM: IONER OF THE GENERAL LAND OFFICE

INC. 1
U. S. DEPT. OF THE INTERIOR
UNITED STATES

ix

DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

WASHINGTON

NOV 19 1928

IN REPLY PLEASE REFER TO

12-838-14 MK
Fairbanks 0327

ix

In re filing of plat.
Entry amended to plat of survey.
Restoration of certain lots.

Register and Receiver,
Fairbanks, Alaska.

Gentlemen:

September 20, 1928, the Cadastral Engineer in Charge, Public Survey office, Juneau, Alaska, was directed to forward you a copy of the supplemental plat of Secs. 3 and 4, T. 1 S., R. 1 W., E. M., Alaska, accepted July 25, 1928, and to advise you that instructions governing the filing thereof and the opening of the lands to entry and disposal would be forwarded from this office.

You are hereby directed to officially file said plat of survey on January 10, 1929 at 9 a. m.

This plat was prepared as a basis for the description of the lands in these sections to be retained in the withdrawal for townsite purposes and in connection with railroad or other construction work contemplated by the act of March 12, 1914 (38 Stat. 305), made by Executive Order No. 1967-A.

1248382 "K" MK

approved June 23, 1914, and those to be eliminated from said withdrawal, a portion of which are included in the homestead entry of Alphons Zehnder, Fairbanks 0327, made February 12, 1914, under section 2289 R. S., and section 1 of the act of May 14, 1898 (30 Stat. 409), based on settlement initiated August 11, 1908.

August 23, 1926, the application of Zehnder to amend his entry Fairbanks 0327 as agreed between him and the Manager of the Alaska Railroad was allowed, subject to the survey of the lands in accordance with the public land surveys, the elimination thereof from said withdrawal and to the payment of any additional moneys found to be due.

By Executive Order No. 4974 of October 4, 1928, copy inclosed, the following tracts, a portion of which are shown on said supplemental plat of survey, were eliminated from the withdrawal of June 23, 1914:

T. 1 S., R. 1 W., E. M., Alaska.

Sec. 3, lots 6, 10, 16, 17, 18, 19, 20,
Sec. 4, lots 11, 13, 14, 15, 18, 20
and that portion of lot 9 not
eliminated from said withdrawal of
June 23, 1914, by Executive Order
No. 2236 of August 7, 1915.

For 91 days beginning January 10, 1929, the date set for filing said plat, the lands thus eliminated not included

1248382 "K" MK
Fairbanks 0327

in the entry of Zehnder, namely: lot 10 Sec. 3, containing 14.86 acres, and lots 14 and 15 Sec. 4, containing 46.12 and 50.86 acres, respectively, said township and range, will be opened to entry under the public land laws applicable to Alaska by qualified former service men of the World War, and also to entry by those persons claiming a preference right to the lands superior to that of the soldier in accordance with the terms and conditions of Public Resolution No. 29 of February 14, 1920 (41 Stat. 434), as amended January 21 and December 28, 1922 (42 Stat. 358, 1067).

Such parties may file the applications in your office during the 20-day period immediately preceding the filing of this plat and all applications so filed will be treated as though simultaneously filed at 9 a. m. on January 10, 1929. On April 11, 1929, if said lots remain unentered they will be available for entry under any applicable public land laws by the public generally. The general public may file applications in your office during the 20-day period immediately preceding April 11, 1929.

You will make the proper notations of this restoration on your records, post a copy thereof in your office and give as much publicity as possible to the opening as a matter of news without expense to the Government, by forwarding a copy to the post office nearest the land for posting therein for the information of the public and by

1248382 "K" MK
Fairbanks 0327

transmitting a copy thereof, as an item of news, to the newspaper published nearest the land being careful not to send such copy or item without calling particular attention to the fact that the same is sent as news and that the Government will not be responsible for the cost of any publication thereof.

The remainder of the lands eliminated from said townsite withdrawal by Executive order of October 4, 1928, will not be opened with a preference right to soldiers because of Zehnder's legal claim thereto.

Zehnder's entry has this day been adjusted to said plat of survey and amended to read for lots 6, 16, 17, 18, 19 and 20 Sec. 3, and lots 9, 12, 13, 18 and 20 Sec. 4, T. 1 S., R. 1 W., containing 342.07 acres.

The entry as amended contains 22.07 acres in excess of 320 acres permitted by the law under which this entry was made. You will advise Zehnder hereof by registered mail and advise him that a payment of \$27.59 the price of the excess acreage at the rate of \$1.25 per acre, the final certificate issued on said entry September 25, 1925, will be amended in accordance with the description given above and approved for patenting. Patent will issue in

124830- "K" MK

due course of business, if no other objections appear.

Advise him further that if he does not desire to pay the excess money he may relinquish lot 18 Sec. 4, containing 15.16 acres, or lot 16 Sec. 3, containing 15.61 acres, and pay for the excess area over 320 acres, or he may relinquish one of the tracts as to eliminate the excess area, if he does not wish to pay for the excess.

In due time report with evidence of service of notice.

Very respectfully,

William Gray
Commissioner.

Approved: NOV 12 1928

(Sgd.) E. C. FINNEY
First Assistant Secretary

11-2 vvd

ADT ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

2 Incl.

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

OCT 1 1928

IN REPLY PLEASE REFER TO

Fairbanks 0327 "H" MK

Alaska Townsite and railroad
withdrawal.

The Secretary
of the Interior,

Sir:

February 12, 1914, Alphons Zehnder made home-
stead entry Fairbanks 0327 for a tract of land described
by notes and bounds containing approximately 260 acres.

This entry was adjusted to U. S. survey No. 895,
on August 26, 1925.

October 24, 1925, the entryman filed an applica-
tion to amend said entry to read for:

"Lot 6 Sec. 3, lots 9, 11 Sec. 4, and all
that portion of lot 12 Sec. 4, lying north
of a line beginning at a point on the east
line of survey No. 895, from which the south-
east corner of said survey is S. 25° 19' West
a distance of 450 feet, and extending thence
N. 83° 15' West to the section line between
Sections 4 and 5, and all that portion of the
land included in survey No. 895 lying north
of the above described land containing approxi-
mately 320 acres and situated in T. 1 S., R.
1 E., Fairbanks Meridian."

Fairbanks 7-27 MK

Entryman stated that he had stipulated and agreed to relinquish a portion of the land embraced in his original entry for the benefit of the Alaska Railroad at the request of the management of the railroad and that his application to amend was based on his right to additional lands in lieu of those surrendered to the railroad, the exchange having been suggested and urged by the management of the railroad.

The records show all Secs. 3, 4, 9 and 10, T. 1 S., R. 1 W., F.M., Alaska, with other tracts were withdrawn and reserved for townsite purposes and in connection with railroad or other construction work contemplated by the act of March 12, 1914 (38 Stat. 305), by Executive Order No. 1967-A, approved June 23, 1914.

The N $\frac{1}{2}$ of said section 4 was eliminated from withdrawal of June 23, 1914, by Executive Order No. 2236 of August 17, 1915.

November 12, 1925, the Division Inspector submitted a plat prepared by the office of the chief engineer of the Alaska Railroad showing the tracts included in said withdrawal, which the railroad desired to retain as terminal grounds, and recommended that all of the tracts shown on

Fairbank 32 K MK

said plat not desired for a terminal reserve be restored to the public domain.

By letter of August 23, 1926, the entry of Zehnder was amended subject to the elimination of certain tracts from said townsite withdrawal No. 1907-A, and to the survey of the land in accordance with the public land surveys and payment of any additional moneys found to be due.

A survey of a line defining the limits of the proposed terminal reserve through said Secs. 3 and 4 was found necessary. This survey has been executed as shown on the supplemental plat of said sections approved July 25, 1928.

I am now transmitting a proposed Executive order eliminating the tracts no longer desired by the Alaska Railroad from said withdrawal described in the terms of this recent survey.

The lands thus to be eliminated not included in the entry of Zehnder, namely lot 10 Sec. 3, and lots 14 and 15 Sec. 4, said township and range, will be restored to the public domain and become subject to entry under the homestead laws applicable to Alaska with a soldier's preference right when the proposed order is approved. The lands included in Zehnder's entry as amended will not be opened with a preference right to soldiers because of Zehnder's

Fairbanks 0327 "K" MK

legal claim thereto.

I also inclose a copy of a letter to the
President for your signature recommending the approval
of the proposed order.

Very respectfully,

William Spry
Commissioner.

27 1aa

ONLY THE COMMISSIONER OF THE GENERAL

2 Incl.

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

Sept 1, 1928

IN REPLY PLEASE REFER TO
Fairbanks 0527 "X" MK

Alaska Townsite and railroad
withdrawal.

The Secretary
of the Interior.

Sir:

February 12, 1914, Alphens Schoder made home-
stead entry Fairbanks 0527 for a tract of land described
by notes and bounds containing approximately 250 acres.

This entry was adjusted to U. S. survey No. 805,
on August 26, 1925.

October 24, 1925, the entryman filed an applica-
tion to amend said entry to read for:

"Lot 6 Sec. 3, lots 9, 11 Sec. 4, and all
that portion of lot 12 Sec. 4, lying north
of a line beginning at a point on the east
line of survey No. 805, from which the south-
east corner of said survey is S. 25° 19' East
a distance of 450 feet, and extending thence
N. 65° 15' West to the section line between
Sections 4 and 5, and all that portion of the
land included in survey No. 805 lying north
of the above described line containing approxi-
mately 320 acres and situated in T. 1 S., R.
1 W., Fairbanks Meridian."

M. J. Owen

Fairbanks 0327 "K" MK

Entryman stated that he had stipulated and agreed to relinquish a portion of the land embraced in his original entry for the benefit of the Alaska Railroad at the request of the management of the railroad and that his application to amend was based on his right to additional lands in lieu of those surrendered to the railroad, the exchange having been suggested and urged by the management of the railroad.

The records show all secs. 3, 4, 9 and 10, T. 1 N., R. 1 W., S.W., Alaska, with other tracts were withdrawn and reserved for townsite purposes and in connection with railroad or other construction work contemplated by the act of March 12, 1914 (38 Stat. 305), by Executive Order No. 1967-A, approved June 23, 1914.

The N $\frac{1}{2}$ of said section 4 was eliminated from withdrawal of June 23, 1914, by Executive Order No. 2236 of August 17, 1915.

November 12, 1925, the Division Inspector submitted a plat prepared by the office of the chief engineer of the Alaska Railroad showing the tracts included in said withdrawal, which the railroad desired to retain as terminal grounds, and recommended that all of the tracts shown on

Fairbanks 0327 "K" SK

said plat not desired for a terminal reserve be restored to the public domain.

By letter of August 23, 1926, the entry of Zehnder was amended subject to the elimination of certain tracts from said townsite withdrawal No. 1967-A, and to the survey of the land in accordance with the public land surveys and payment of any additional moneys found to be due.

A survey of a line defining the limits of the proposed terminal reserve through said secs. 3 and 4 was found necessary. This survey has been executed as shown on the supplemental plat of said sections approved July 25, 1928.

I am now transmitting a proposed Executive order eliminating the tracts no longer desired by the Alaska Railroad from said withdrawal, described in the terms of this recent survey.

The lands thus to be eliminated not included in the entry of Zehnder, namely lot 10 sec. 3, and lots 14 and 15 sec. 4, said township and range, will be restored to the public domain and become subject to entry under the homestead laws applicable to Alaska with a soldier's preference right when the proposed order is approved. The lands included in Zehnder's entry as amended will not be opened with a preference right to soldiers because of Zehnder's

Fairbanks 0327 "K" MK

legal claim thereto.

I also inclose a copy of a letter to the President for your signature recommending the approval of the proposed order.

Very respectfully,

William Spry

Commissioner.

mk
1248382

K
Executive Order

ALASKA

Under and pursuant to the provisions of the act of Congress of March 12, 1914 (38 Stat. 305), entitled "An act to authorize the President of the United States to locate, construct and operate railroads in the Territory of Alaska, and for other purposes," it is hereby ordered that the following described lands, withdrawn by Executive Order No. 1967-A, approved June 23, 1914, and reserved for townsite purposes and in connection with railroad or other construction work contemplated by said act, be eliminated from such withdrawal:

T. 1 S. R. 1 W., E. M., Alaska

Sec. 3 lots 6, 10, 16, 17, 18, 19, 20.

Sec. 4 lots 11, 13, 14, 15, 18, 20, and that portion of lot 9 not eliminated from said withdrawal of June 23, 1914, by Executive Order No. 2236 of August 17, 1915.

CALVIN COOLIDGE

THE WHITE HOUSE,
October 4, 1923.

[No. 4974]

RECEIVED
OCT 27 1923

Executive Order

ALASKA

Under and pursuant to the provisions of the act of Congress of March 12, 1914 (38 Stat. 305) entitled "An Act to authorize the President of the United States to locate, construct and operate railroads in the Territory of Alaska and for other purposes," it is hereby ordered that lot 14 Sec. 3, and lot 2 Sec. 10, T. 1 S., R. 1 W., F. M., Alaska, withdrawn by Executive Order No. 1967-A approved June 23, 1914, and reserved for townsite purposes under said act, be eliminated from such order.

These tracts of land are hereby restored to the public domain and will be made subject to entry under the homestead laws applicable to Alaska, under the terms and conditions of Public Resolution No. 29, approved February 14, 1920 (41 Stat. 434) and Public Resolution No. 36, approved June 21, 1922 (42 Stat. 358), on a date to be hereafter fixed by the Commissioner of the General Land Office.

CALVIN COOLIDGE

THE WHITE HOUSE,
May 8, 1928.

[No. 4878]

OCT -4 1928

The President,

The White House.

My dear Mr. President:

I submit herewith for consideration draft of an order eliminating certain tracts of land in Alaska from the withdrawal made by Executive Order No. 1967-A approved June 23, 1914, which reserved same for townsite purposes and in connection with construction and operation of railroad lines under the terms of the act of March 12, 1914 (38 Stat. 305).

The general manager of the Alaska Railroad has agreed to the elimination of such tracts from the said withdrawal.

I therefore recommend that you sign the inclosed draft and cause it and the accompanying copy thereof to be forwarded to the Secretary of State.

Very truly yours,

JOHN H. EDWARDS
Acting Secretary

Inclosure 212100.

EXECUTIVE ORDER

ALASKA

Under and pursuant to the provisions of the act of Congress of March 12, 1914 (38 Stat. 305), entitled "an act to authorize the President of the United States to locate, construct and operate railroads in the Territory of Alaska, and for other purposes," it is hereby ordered that the following described lands, withdrawn by Executive Order No. 1967-A, approved June 23, 1914, and reserved for townsite purposes and in connection with railroad or other construction work contemplated by said act, be eliminated from such withdrawal:

T. 1 S., R. 1 W., T. 2 E., Alaska.

Sec. 3 lots 6, 10, 16, 17, 18, 19, 20.

Sec. 4 lots 11, 13, 14, 15, 18, 20, and that portion of lot 9 not eliminated from said withdrawal of June 23, 1914, by Executive Order No. 2236 of August 17, 1913.

THE WHITE HOUSE.

ADDRESSES ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

2 Incl.

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

WASHINGTON

OCT 1 1928

*Kessler
Binley
Hathaway*

IN REPLY PLEASE REFER TO
Fairbanks 0327 "K" MK

Alaska Townsite and railroad
withdrawal.

The Secretary

of the Interior.

Sir:

February 12, 1914, Alphons Zehnder made home-
stead entry Fairbanks 0327 for a tract of land described
by metes and bounds containing approximately 260 acres. ✓

This entry was adjusted to U. S. survey No. 805,
on August 26, 1925.

October 24, 1925, the entryman filed an applica-
tion to amend said entry to read for:

"Lot 6 Sec. 3, lots 9, 11 Sec. 4, and all
that portion of lot 12 Sec. 4, lying north
of a line beginning at a point on the east
line of survey No. 805, from which the south-
east corner of said survey is S. 25° 19' West
a distance of 450 feet, and extending thence
N. 83° 15' West to the section line between
Sections 4 and 5, and all that portion of the
land included in survey No. 805 lying north
of the above described land containing approxi-
mately 320 acres and situated in T. 1 S., R.
1 W., Fairbanks Meridian."

Fairbanks 0327 "K" MK

Entryman stated that he had stipulated and agreed to relinquish a portion of the land embraced in his original entry for the benefit of the Alaska Railroad at the request of the management of the railroad and that his application to amend was based on his right to additional lands in lieu of those surrendered to the railroad, the exchange having been suggested and urged by the management of the railroad.

The records show all secs. 3, 4, 9 and 10, T. 1 N., R. 1 W., F.M., Alaska, with other tracts were withdrawn and reserved for townsite purposes and in connection with railroad or other construction work contemplated by the act of March 12, 1914 (38 Stat. 305), by Executive Order No. 1967-A, approved June 23, 1914.

The $\frac{1}{2}$ of said section 4 was eliminated from withdrawal of June 23, 1914, by Executive Order No. 2236 of August 17, 1915.

November 12, 1925, the Division Inspector submitted a plat prepared by the office of the chief engineer of the Alaska Railroad showing the tracts included in said withdrawal, which the railroad desired to retain as terminal grounds, and recommended that all of the tracts shown on

Fairbanks 0327 "K" SE

said plat not desired for a terminal reserve be restored to the public domain.

By letter of August 25, 1926, the entry of Zehnder was amended subject to the elimination of certain tracts from said townsite withdrawal No. 1967-1, and to the survey of the land in accordance with the public land surveys and payment of any additional moneys found to be due.

A survey of a line defining the limits of the proposed terminal reserve through said secs. 3 and 4 was found necessary. This survey has been executed as shown on the supplemental plat of said sections approved July 25, 1928.

I am now transmitting a proposed Executive order eliminating the tracts no longer desired by the Alaska Railroad from said withdrawal, described in the terms of this recent survey.

The lands thus to be eliminated not included in the entry of Zehnder, namely lot 10 sec. 3, and lots 14 and 15 sec. 4, said township and range, will be restored to the public domain and become subject to entry under the homestead laws applicable to Alaska with a soldier's preference right when the proposed order is approved. The lands included in Zehnder's entry as amended will not be opened with a preference right to soldiers because of Zehnder's

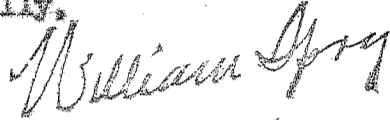
logs.

Fairbanks 0327 "K" NK

legal claim thereto.

I also inclose a copy of a letter to the
President for your signature recommending the approval
of the proposed order.

Very respectfully,

A handwritten signature in cursive script, appearing to read "William Gray".

Commissioner.

9-27 las

4

ASS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

Sept. 20, 1928.

IN REPLY PLEASE REFER TO

1248382 "E" WEA

: Transmitting supplemental
: plat for filing.

Mr. E. C. Gaerin,
Cadastral Engineer in Charge,
Public Survey Office,
Juneau, Alaska.

Sir:

Supplemental plat of Secs. 3 and 4, T. 1 S., R. 1 E., P. M., Alaska, was accepted by this office on July 25, 1928, and you were notified accordingly by office letter dated July 26, 1928.

You are advised that the original, triplicate and other copies of the plat are being forwarded to you under separate cover, and are instructed to forward the triplicate plat to the proper local land office and to transmit one copy to the Division Inspector.

Advise the local land office that instructions governing the filing of the plat and the opening of the lands to entry and disposal thereunder will be made the subject of a separate communication from this office, and

1248388 "X" WHR

that no action regarding the official filing of the plat,
will be taken until such communication has been received.

Very respectfully,

D.K. Parrott

Acting Assistant Commissioner.

[Faint, mostly illegible text, likely bleed-through from the reverse side of the page]

9-19-mer

1 Div. "K".

1218382 "K" MK
Fairbanks 0327

Sept 20 1928

: Filing of Supplemental Plat.

Chief,

Division "K".

Reference is made to your letter, Fairbanks 0327-0416 "K" MK, dated August 3, 1926, requesting the preparation of a supplemental plat of Secs. 3 and 4, T. 1 S., R. 1 W., E. H., Alaska, as a basis for the description of the lands in these sections to be retained in the railroad withdrawal and for the disposal of the lands to be eliminated from the reserve.

A survey of a line defining the limits of the proposed permanent terminal reserve through these sections was found necessary and has been executed as shown upon the supplemental plat of Secs. 3 and 4, which was accepted by this office on July 25, 1928. The original, triplicate and other copies thereof are being transmitted to Mr. E. C. Guerin, Cadastral Engineer in Charge, Public Survey Office, Juneau, Alaska, for official filing.

Fairbanks serial 0327 is being referred to you for action upon the proposed adjustment and you are requested to issue appropriate instructions to the local

9-26-28
Write Reg. to file / what
EO is approved MK

1218382 "C" MHR
Fairbanks 0327.

officer as to the official filing of this plat and adjustment of the railroad withdrawal.


Chief, Division "E".

9-19-mar

2

435319

May 7, 1928

The President,

The White House.

My dear Mr. President:

I submit herewith for consideration draft of an order eliminating certain tracts of land in Alaska from the withdrawal made by Executive Order No. 1767-A of June 23, 1914, which reserved same for tunnel purposes and in connection with the construction and operation of railroad lines under the act of March 12, 1914 (38 Stat. 391).

The General Manager of the Alaska Railroad has reported that there is no objection to the elimination thereof from said withdrawal.

I, therefore, recommend that you sign the inclosed draft and cause it and the accompanying copy thereof to be forwarded to the Secretary of State.

Very truly yours,

Herbert Clark

Inclosure No. 191267

EXECUTIVE ORDER

ALASKA

Under and pursuant to the provisions of the act of Congress of March 12, 1914 (38 Stat. 305) entitled "An Act to authorize the President of the United States to locate, construct and operate railroads in the Territory of Alaska and for other purposes," it is hereby ordered that lot 14 Sec. 3, and lot 2 Sec. 10, T. 1 S., E. 1 W., 7. N., Alaska, withdrawn by Executive Order No. 1467-A approved June 23, 1914, and reserved for domestic purposes under said act, be eliminated from such order.

These tracts of land are hereby restored to the public domain and will be made subject to entry under the homestead laws applicable to Alaska, under the terms and conditions of Public Resolution No. 29, approved February 14, 1920 (41 Stat. 434) and Public Resolution No. 36, approved June 21, 1922 (42 Stat. 358), as a date to be hereafter fixed by the Commissioner of the General Land Office.

THE WHITE HOUSE

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

MK

227

JAN 18 1927

IN REPLY PLEASE REFER TO

Fairbanks 01314 MK MK

0416
0327

Fairbanks Townsite.

Calling for report.

Mr. James A. Ramsay,
Division Inspector,
Interior Department,
Anchorage, Alaska.

Sir:

January 20, 1926, Charles Slater made homestead entry Fairbanks 01314, under Sec. 2889 R. S. U. S., for the following lands in T. 1 S., R. 1 W., P. M., Alaska, including 17.53 acres:

Lot 7, Sec. 8,
Lot 15, Sec. 9,
Lot 1, Sec. 10,
Lot 2, Sec. 11.

The land included in this entry together with other lands was withdrawn by Executive Order No. 1967A for townsite purposes and in connection with railroad or other construction work contemplated by the act of March 12, 1914 (38 Stat., 305).

Fairbanks 01314 et al "K" NY

Slater 2, 1926, the Central Engineer in charge at Juneau, Alaska, was authorized to prepare special instructions for the necessary surveys for the construction of a supplemental plat of Secs. 3 and 4 said township and range, giving proper designations and areas to the legal subdivisions immediately adjacent thereto in order that certain lands which the Alaska Railroad have agreed may be eliminated from said Executive order, may be restored to the public domain as recommended by your letter of November 12, 1925, Fairbanks 0127, Alphonse Schuler.

You are directed to submit a report on the home-stead entry of Slater, Fairbanks 01314, in order that immediate action may be taken thereon if the lands desired are restored to entry by way of an Executive order.

Very respectfully,

Acting Commissioner.

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

Jan 18, 1927

IN REPLY PLEASE REFER TO

Fairbanks 01314 "K" BK
0416
0327

Fairbanks Townsite.

Calling for report.

Mr. James A. Ramsey,
Division Inspector,
Interior Department,
Anchorage, Alaska.

Sir:

January 20, 1926, Charles Slater made homestead entry Fairbanks 01314, under Sec. 2289 R. S. U. S., for the following lands in T. 1 S., R. 1 W., F. M., Alaska, including 17.53 acres:

Lot 7, Sec. 2,
Lot 15, Sec. 3,
Lot 1, Sec. 10,
Lot 2, Sec. 11.

The land included in this entry together with other lands was withdrawn by Executive Order No. 19674 for townsite purposes and in connection with railroad or other construction work contemplated by the act of March 12, 1914 (38 Stat., 305).



Fairbanks 01314 et al "X" IX

October 2, 1926, the District Engineer in charge at Juneau, Alaska, was authorized to prepare special instructions for the necessary surveys for the construction of a supplemental plat of Secs. 3 and 4 said township and range, giving proper designations and areas to the legal subdivisions immediately adjacent thereto in order that certain lands which the Alaska Railroad have agreed may be eliminated from said Executive order, may be restored to the public domain as recommended by your letter of November 12, 1925, Fairbanks 0327, Alphons Lehner.

You are directed to submit a report on the non-actual entry of State, Fairbanks 01314, in order that immediate action may be taken thereon if the lands desired are restored to entry by way of an Executive order.

Very respectfully,

Acting Commissioner.

IN REPLY PLEASE REFER TO

Fairbanks 0327 HKT MK
1201308

2 pgs.

CRP

M/K

DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

WASHINGTON

September 23, 1926.

ADDRESS ONLY THE
COMMISSIONER OF THE GENERAL LAND OFFICE

Returning map.

Mr. James A. Ramsey,
Division Inspector,
Interior Department,
Anchorage, Alaska.

Sir:

In accordance with your report of June 9, 1926,
there is returned herewith the map showing the lands within
the Terminal Reserve of the Alaska Railroad at Fairbanks,
Alaska, which map was prepared for the purpose of excluding
certain lands therein from the withdrawal made by Executive
Order No. 1967-A, of June 23, 1914.

A copy of office letter of August 23, 1926, addressed
to the district land office at Fairbanks relative to the
amendment of the homestead application of Alphons Zehnder,
Fairbanks 0327, is also inclosed for your files.

Very respectfully,

W. H. Casswell
Acting Commissioner.

9-22 hev

CONFIDENTIAL
NOT FOR PUBLIC INSPECTION

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

WASHINGTON OCT 2 - 1928

640 1000

IN REPLY PLEASE REFER TO

Fairbanks 0327 ² "H" WBR

: Authorizing survey and
: supplemental plat.

Mr. E. C. Guerin,
Cadastral Engineer in Charge,
Public Survey Office,
Juneau, Alaska.

Sir:

Under date of November 6, 1925, Alphons Zehnder entered into an agreement with the Alaska Railroad to relinquish to the United States that portion of the lands included in his homestead entry lying south of a line beginning at a point on the east line of Survey No. 805 from which the southeast corner of said survey is S. 25° 19' W., 450 feet distant, and extending thence N. 83° 15' W. to the line along the west side of said Survey No. 805. The Alaska Railroad agreed to the elimination from executive withdrawal and to the restoration of the following described lands:

Lot 6 Sec. 5; Lots 9, 9, 11, Sec. 4; and that portion of Lot 12 Sec. 4 lying north of a line beginning at a point on the east line of Survey No. 805 from which the southeast

Fairbank 0527 "T" WFR

corner of said section, to wit, 100' 10" N. 150'
to the center of said section, and a distance of 100'
N. 85° 15' W. to the section line between Sec. 4 and 5.

Lehman's entry, originally described as Survey

No. 805, was adjusted to read:

"Lot 12, Sec. 3; Lot 10, Sec. 4; Lot 1,
Sec. 5; and Lot 7, Sec. 10, Fairbanks Municipality, Alaska, according to the
list approved June 7, 1913."

Under date of August 23, 1931, this office allowed
the application for the amendment of Fairbank 0527 to
include the following lands:

"Lot 9, Sec. 3; Lots 9 and 11, Sec. 4; and
all of that section of Lot 12, Sec. 4, lying
north of a line beginning at a point on the
west line of Fairbank 0527 and extending
southward to the center of said section, 100'
N. 85° 15' W. to the section line between Sec.
4 and 5, and all of that portion of the lands
included in Survey No. 805 lying north of the
above described line, containing approximately
150 acres and situated in T. 1 N., R. 1 W.,
Fairbanks Municipality."

subject to the elimination of these lands from the town
site withdrawn, to the proper survey of these lands.

Fairbank's 0327 "E" WTR

and to the payment of any additional moneys found to be due.

A survey of the line bearing N. 83° 15' W., previously described, will be necessary in order that a supplemental plat of Secs. 3 and 4 may be prepared giving proper designation and area to the legal subdivisions immediately adjacent thereto. The lands north of this line will be returned to the public domain for appropriate disposal, and those south of the line are to be included in the permanent terminal reserve.

You are authorized to prepare special instructions for the necessary surveys and submit them to this office for approval. For your information in this connection you are instructed to secure from the Division Inspector at Anchorage a copy of the map prepared by the Chief Engineer of the Alaska Railroad showing the proposed limits of the permanent terminal reserve.

Very respectfully,

J. C. Howell

Assistant Commissioner.

3-28-1908

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

Oct. 2, 1926.

IN REPLY PLEASE REFER TO

Fairbanks 0327 "E" WHR

: Authorizing survey and
: supplemental plat.

Mr. E. C. Guerin,
Cadastral Engineer in Charge,
Public Survey Office,
Juneau, Alaska.

Sir:

Under date of November 6, 1925, Alphons Zehnder entered into an agreement with the Alaska Railroad to relinquish to the United States that portion of the lands included in his homestead entry lying south of a line beginning at a point on the east line of Survey No. 805 from which the southeast corner of said survey is S. 25° 19' W., 450 feet distant, and extending thence N. 83° 15' W. to the line along the west side of said Survey No. 805. The Alaska Railroad agreed to the elimination from executive withdrawal and to the restoration of the following described lands:

Lot 6 Sec. 3; Lots 8, 9, 11, Sec. 4; and that portion of Lot 12 Sec. 4 lying north of a line beginning at a point on the east line of Survey No. 805 from which the southeast

2-10-26

Special instructions for survey approved Nov 26, 1927 W.K.

Fairbanks 0337 "E" WHR

corner of said survey is S. 25° 19' W. 450 feet distant, and extending thence N. 83° 15' W. a distance of approximately 3,230 feet to the section line between Secs. 4 and 5.

Zehnder's entry, originally described as Survey No. 805, was adjusted to read:

"Lot 13, Sec. 3; Lot 10, Sec. 4; Lot 1, Sec. 9; and Lot 7, Sec. 10; T. 1 S., R. 1 W., Fairbanks Meridian, Alaska, according to the plat approved June 7, 1913."

Under date of August 23, 1926, this office allowed the application for the amendment of Fairbanks 0327 to include the following lands:

"Lot 6, Sec. 3; Lots 9 and 11, Sec. 4; and all of that portion of Lot 13, Sec. 4, lying north of a line beginning at a point on the east line of Survey No. 805 from which the southeast corner of said survey is S. 25° 19' W. a distance of 450 feet, and extending thence N. 83° 15' W. to the section line between Secs. 4 and 5, and all of that portion of the lands included in Survey No. 805 lying north of the above described line, containing approximately 320 acres and situated in T. 1 S., R. 1 W., Fairbanks Meridian,"

subject to the elimination of these lands from the town-site withdrawal, to the proper survey of these lands,,

Fairbanks 0327 "E" WHR

and to the payment of any additional moneys found to be due.

A survey of the line bearing N. 83° 15' W., previously described, will be necessary in order that a supplemental plat of Secs. 3 and 4 may be prepared giving proper designation and area to the legal subdivisions immediately adjacent thereto. The lands north of this line will be restored to the public domain for appropriate disposal, and those south of the line are to be included in the permanent terminal reserve.

You are authorized to prepare special instructions for the necessary surveys and submit them to this office for approval. For your information in this connection you are instructed to secure from the Division Inspector at Anchorage a copy of the map prepared by the Chief Engineer of the Alaska Railroad showing the proposed limits of the permanent terminal reserve.

Very respectfully,

Thos. C. Favell

Assistant Commissioner.

9-28-HSC

Fairbanks 0327 "X" ~~VI~~.

X

W.U.

X

Land Office.

Protecting Public Lands, Timber etc.

Washington, D.C.,
June 5, 1926.

Ramsay,
Inspector,
Anchorage, Alaska.

Your letter November twelve last concerning Gehnder
entry Fairbanks naught three two seven with stipulation
not found send copy of letter and stipulation

J. J. [Signature]
Commissioner

6-5 gih.

1 x

August 23, 1926.

Fairbanks 0327 "K" MK

: Amendment allowed subject
: to restoration.

Register and Receiver,
Fairbanks, Alaska.

Gentlemen:

February 12, 1914, Alphons Zehnder filed homestead application Fairbanks 0327 under Secs. 2289 and 2291, U. S. Revised Statutes, and under Sec. 1 of the act of May 14, 1898 (30 Stat., 409), as amended by the act of March 3, 1903 (32 Stat., 1028), for a tract of land described by metes and bounds, containing approximately 260 acres.

Said application was adjusted to Survey No. 805 on August 26, 1925, and reads for Lot 13, Sec. 3, Lot 10, Sec. 4, Lot 1, Sec. 9, and Lot 7, Sec. 10, T. 1 N., R. 1 W., 1. N., Alaska, on which final certificate issued September 23, 1925.

October 24, 1925, the entryman filed an application

Fairbanks 0327 "X" MK

to amend said entry to read for

Lot 6, Sec. 3, Lots 9, 11, Sec. 4, and all that portion of Lot 12, Sec. 4, lying north of a line beginning at a point on the east line of Survey No. 805 from which the southeast corner of said survey is S. 25° 19' West a distance of 450 feet, and extending thence N 83° 15' West to the section line between Sections 4 and 5, and all that portion of the lands included in Survey No. 805 lying north of the above described line containing approximately 320 acres, and situated in T. 1 S., R. 1 W., Fairbanks Meridian.

Entryman stated he had that day stipulated and agreed to relinquish a portion of the land embraced in his original entry for the benefit of the Alaska Railroad at the request of the management of said railroad and that his application to amend is based on his right to additional lands in lieu of those surrendered to the Alaska Railroad, the exchange having been suggested and urged by the management of the railroad.

The records show all Secs. 3, 4, 9 and 10, T. 1 S., R. 1 W., F. M., Alaska, with other tracts, were withdrawn from settlement, location, sale, entry, or other disposition, and reserved for townsite purposes, and in connection with railroad or other construction work contemplated by the act of March 12, 1914 (38 Stat., 305), by Executive Order No. 1967A, of June 23, 1914.

Fairbanks 0327 "K" MK

The N $\frac{1}{2}$ of said Sec. 4 was eliminated from said withdrawal of June 23, 1914, by Executive Order No. 2236 of August 17, 1915.

November 12, 1925, the Division Inspector submitted a plat prepared by the office of the Chief Engineer of the Alaska Railroad showing the tract in said section which the railroad desires to retain as terminal grounds and recommended that all other tracts not desired for a terminal reserve be restored to the public domain.

Examination of the plat submitted by the Division Inspector shows the lands Zehnder desires by way of amendment to amount to approximately 326.30 acres.

The application for amendment is hereby allowed, subject to the elimination of Lot 6, Sec. 3; that part of Lot 9 in the S $\frac{1}{2}$ of Sec. 4, Lot 11, Sec. 4; that portion of Lot 12 Sec. 4, lying north of a line beginning at a point on the east line of survey No. 805 from which the southeast corner of said survey is S. 25° 19' W, a distance of 450 feet and extending thence north 83° 15' W. to the section line between Secs. 4 and 5, and all that portion of the land included in survey No. 805 lying north of the above described line being a portion of Lot 10 Sec. 4, and a

Fairbanks 0327 "K" MK

portion of Lot 13, Sec. 3, all in T. 1 S., R. 1 W., F. M. Alaska, from the townsite withdrawal made by Executive Order No. 1907A of August 23, 1914; to the survey of lands in accordance with the public land surveys, and to the payment of any additional moneys found to be due.

The matter of preparing an Executive order eliminating the above described tracts from said withdrawal will be given immediate consideration.

Very respectfully,

Commissioner.

Approved: August 23, 1926.

(Signed) E. C. Finney,

Assistant Secretary.

8-19-NBL

Patent No. 8327 "A" 1914

23, 1914 (38 Stat., 305). By the terms of this order the lands involved herein, together with other lands, were withdrawn "from settlement, location, sale, entry, or other disposition, and reserved for future purposes". The land is also in conflict with a terminal site of about 20 acres reserved for the Panama Valley Railroad, and is covered by the right of way of said road.

Because of the withdrawal and conflicts above noted, the entry has been suspended since the submission of final proof. The Inspector in making his report, which shows a very thorough investigation of all the questions involved, concludes as follows:

It is recommended that H. E. 8327, Panama, Alaska, private survey 805, of Alpheus Nehmer be granted to patent subject to an easement in the Panama Valley Railroad of the right of way as recognized and used during the survey.

Inasmuch as the homestead entry was allowed February 12, 1914, which was before the date of the Executive Order No. 1267-A of June 23, 1914, for Forest and Wildlife purposes, it is held that said order is not effective as to the land embraced in said homestead entry. Inasmuch as said land was not public land at the date of said withdrawal (11 U. S. 30; 178 U. S. 215).

Do Not Punch

K

Get appx 8/23/26 letter
to Rb + Rce. Fairbanks -
Amendment allowed subject
to restoration

Fairbanks 0327

Do-Not-Punch

RECEIVED
AUG 24 1926
G. L. O.

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

*Kessler
Walker*

12
UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

IN REPLY PLEASE REFER TO

AUG 23 1926

~~Fairbanks 0327 #1st MX~~

: Amendment allowed subject
: to restoration.

Register and Receiver,
Fairbanks, Alaska.

Gentlemen:

February 12, 1914, Alphons Zehnder filed home-
stead application Fairbanks 0327 under Secs. 2289 and
2291, U. S. Revised Statutes, and under Sec. 1 of the
act of May 14, 1898 (30 Stat., 409), as amended by the
act of March 3, 1903 (32 Stat., 1028), for a tract of
land described by metes and bounds, containing approxi-
mately 260 acres.

Said application was adjusted to Survey No. 805
on August 26, 1925, and reads for Lot 13, Sec. 3, Lot 10,
Sec. 4, Lot 1, Sec. 9, and Lot 7 Sec. 10, T. 1 S., R. 1
W., T. N., Alaska, on which final certificate issued Sep-
tember 23, 1925.

October 24, 1925, the entryman filed an application

RETURN THIS COPY
TO G. L. O. WHEN
ORIGINAL SIGNED.

Fairbanks 0327 WK^o NK

to amend said entry to read for

Lot 6, Sec. 3, Lots 9, 11, Sec. 4, and all that portion of Lot 12, Sec. 4, lying north of a line beginning at a point on the east line of Survey No. 505 from which the southeast corner of said survey is S. 25° 19' West a distance of 450 feet, and extending thence N. 63° 15' West to the section line between Sections 4 and 5, and all that portion of the lands included in Survey No. 505 lying north of the above described line containing approximately 320 acres, and situated in T. 1 S., R. 1 W., Fairbanks Meridian.

Entryman stated he had that day stipulated and agreed to relinquish a portion of the land embraced in his original entry for the benefit of the Alaska Railroad at the request of the management of said railroad and that his application to amend is based on his right to additional lands in lieu of those surrendered to the Alaska Railroad, the exchange having been suggested and urged by the management of the railroad.

The records show all Secs. 3, 4, 9 and 10, T. 1 S., R. 1 W., F. M., Alaska, with other tracts, were withdrawn from settlement, location, sale, entry, or other disposition, and reserved for townsite purposes, and in connection with railroad or other construction work contemplated by the act of March 12, 1914 (38 Stat., 305), by Executive Order No. 1967A, of June 23, 1914.

Fairbanks 0327 *K* NK

The $\frac{1}{2}$ of said Sec. 4 was eliminated from said withdrawal of June 23, 1914, by Executive Order No. 2236 of August 17, 1915.

November 12, 1925, the Division Inspector submitted a plat prepared by the office of the Chief Engineer of the Alaska Railroad showing the tract in said section which the railroad desires to retain as terminal grounds and recommended that all other tracts not desired for a terminal reserve be restored to the public domain.

Examination of the plat submitted by the Division Inspector shows the lands Schuder desires by way of amendment to amount to approximately 326,130 acres.

The application for amendment is hereby allowed subject to the elimination of Lot 6, Sec. 3; that part of Lot 9 in the $\frac{1}{2}$ of Sec. 4, Lot 11, Sec. 4; that portion of Lot 12 Sec. 4, lying north of a line beginning at a point on the east line of survey No. 805 from which the southeast corner of said survey is S. 25° E 9' W, a distance of 450 feet and extending thence north 63° 15' W. to the section line between Secs. 4 and 5, and all that portion of the land included in survey No. 805 lying north of the above described line being a portion of Lot 10 Sec. 4, and a

Fairbanks 0327 "K" MK

portion of Lot 13, Sec. 3, all in T. 1 S., R. 1 W., F. M. Alaska, from the townsite withdrawal made by Executive Order No. 1967A of August 23, 1914; to the survey of lands in accordance with the public land surveys, and to the payment of any additional moneys found to be due.

The matter of preparing an Executive order eliminating the above described tracts from said withdrawal will be given immediate consideration.

Very respectfully,

William J. ...
Commissioner.

Approved:

AUG 23 1926

(Sgd.) E. C. FINNEY

First Assistant Secretary.

8-19-NEL

4

180

425307

41
282
223

Div. D

38 Stat 305

Executive Order.

ORDER OF WITHDRAWAL.

Alaska Townsite and Railroad Withdrawal No. 2.

Under and pursuant to the provisions of the Act of Congress approved March 12, 1914 (Public No. 69), entitled "An Act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes," it is hereby ordered that the following lands, be, and the same are hereby, withdrawn from settlement, location, sale, entry, or other disposition, and reserved for townsite purposes and in connection with railroad or other construction work contemplated by the act.

Fairbanks Meridian.

- T. 1 S., R. 1 W., Sec. 2, all
- Sec. 3, all
- Sec. 4, all
- Sec. 5, all
- Sec. 8, all
- Sec. 9, all
- Sec. 10, all
- Sec. 11, all
- T. 1 S., R. 2 W., Sec. 28, all
- Sec. 32, all.

Sec 4 eliminated from this order by EO Aug 17 1915 no 2236

WOODROW WILSON

THE WHITE HOUSE,
23 June, 1914.

[No. 1967-A.]

T-S
1 W

pv 9-82 sec

no 2236 EO Aug 17 1915

5-4-178

9-15-15

Fairbanks 0327-0416 "K" MK

Ine.

30N

August 3, 1926

Chief, Division "E".

Executive Order No. 1967A of June 23, 1914, reserved Secs. 3, 4, 9, and 10, T. 1 S., R. 1 W., F. M., Alaska, together with other tracts for townsite purposes and in connection with railroad or other construction work contemplated by the act of March 12, 1914 (38 Stat., 305).

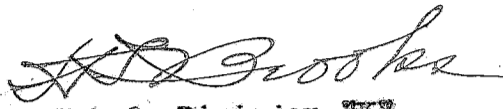
November 12, 1925, the Division Inspector submitted a plat prepared by the office of the Chief Engineer of the Alaska Railroad showing the tracts in said sections which the railroad desires to retain as terminal grounds and recommended that all other tracts not desired for the terminal reserve be restored to the public domain.

Said plat is referred to you together with the correspondence in connection therewith and homestead applications Fairbanks 0327 and 0416 covering lands within said withdrawal of June 23, 1914.

It is requested that you prepare a supplemental plat describing the lands to be retained by the railroad and those to be excluded from the withdrawal in order that an Executive order may be issued restoring to the public

Fairbanks 0327 etc. "K" MK

domain all lands which are no longer needed or wanted
by the Alaska Railroad.


Chief, Division "K".

4-005

(Form approved by the Secretary of the Interior January 18, 1912.)

*1/10/25
Minn*

DEPARTMENT OF THE INTERIOR.

APPLICATION FOR AMENDMENT.

(Section 2372, R. S., amended.)

U. S. LAND OFFICE, Fairbanks, Alaska, No. 0327

I, Alphons Zehnder, of Fairbanks, Alaska, (Give post-office address.)

having made homestead entry, No. 0327, (Kind of entry, selection, or location.)

for the lands embraced in private survey No. 805

Section s 3, 4, 9, 10

Township 1 S., Range 1 W., Fairbanks Meridian,

Fairbanks Land District, hereby apply to

amend the same so that the description when amended will read as follows:

Lot 6 Sec. 3, Lots 9, 11 Sec. 4, and all that portion of Lot 12 Sec. 4, lying north of a line beginning at a point on the east line of survey No. 805 from which the southeast corner of said survey is S. 25 19' W. a distance of 450 feet, and extending thence N. 83 15' W. to the Section line between Sections 4 and 5, and all that portion of the lands included in Survey No. 805 lying north of the above described line, containing approximately 320 acres, and situated in Township 1 S., R. 1 W., Fairbanks Meridian.

Section _____, Township _____, Range _____, Meridian.

I have not sold, assigned, transferred, or relinquished the lands embraced in my said former claim, nor agreed to do so; nor have I taken from said land any timber or other thing of value.

(Set out fully below all of the facts showing how the mistake occurred, the precaution taken to avoid error, the grounds upon which the application is based, etc., as required by the regulations.)

I have this day stipulated and agreed to relinquish a portion of the lands embraced in my original entry for the benefit of the Alaska Railroad at the request of the management of said railroad.

This application to amend is based upon my right to additional lands in lieu of those surrendered to the Alaska Railroad, the exchange having been suggested and urged by the management of said railroad.

I am well acquainted with the character of the land now applied for and with each and every legal subdivision thereof, having passed over each

Posted DEC 1 1925 F. H. G. Fairbanks Loose Leaf Vol 3 A 3178

about 328 acres

and every legal subdivision thereof, and from my personal knowledge I swear that there is not to my knowledge within the limits thereof any vein or lode of quartz or other rock in place bearing gold, silver, cinnabar, lead, tin, copper, or any deposit of coal; nor within the limits of said lands any placer, cement, gravel, or other valuable mineral deposits; nor is there any salt spring or deposits of salt in any form sufficient to render it chiefly valuable therefor; that no portion of said land is claimed for mining purposes under the local customs or rules of miners or otherwise; that no portion of said land is worked for mineral during any part of the year by any person or persons; that said land is essentially nonmineral land; and that my application therefor is not for the purpose of fraudulently obtaining title to mineral land; that the land applied for is not occupied nor claimed by any adverse claimant.

The character of the land applied for is as follows:

Level bottom land suitable for agricultural purposes only. These
(Describe the character of the land by legal subdivisions and state amount and kind of timber on each subdivision, if any.)

lands contain no commercial timber.

Alphonse Zehnder
(Sign here with full Christian name.)

NOTE.—Every person swearing falsely to the above affidavit will be punished as provided by law for such offense. See section 125, United States Criminal Code (over).

I HEREBY CERTIFY that the foregoing affidavit was read to or by affiant in my presence before affiant affixed signature thereto; that affiant is to me personally known (or has been satisfactorily identified before me by _____);

(Give full name and post-office address.)

that I verily believe affiant to be a qualified applicant and the identical person hereinbefore described; and that said affidavit was duly

subscribed and sworn to before me, at my office, in Fairbanks, Alaska,
(Town)

(County and State.)

, within the Fairbanks

Land District, this 24th day

of October, 1925.

Robert W. Taylor

Ex-officio Register.

(Official designation of officer.)

CORROBORATING AFFIDAVITS.

AFFIDAVIT OF WITNESS AS TO FACTS.

I, J. A. Ramsey, whose post-office address is Anchorage, Alaska, being 44 years of age, and by occupation a Division Inspector, do solemnly swear that the facts within my

(Give full Christian name.)

(Insert address.)

personal knowledge relative to the mistake of Alphonse Zehnder

in filing upon the Survey No. 805

_____ , Section _____ , Township 1 S. , Range 1 W. , Fairbanks Meridian,

Fairbanks Land District, the precautions taken to avoid said error, and the grounds on which application for amendment is filed, are as follows:

This application to amend is made in pursuance of a stipulation entered into with the Alaska Railroad and it is requested that my entry be amended by enlargement, the additional lands being applied for in lieu of the lands relinquished to the United States at the request of and for the benefit of the Alaska Railroad.

My knowledge of the foregoing facts was acquired as follows:

Making an official investigation for the purpose of adjusting the lines of the lands desired by the Alaska Railroad with conflicting entries.

J. P. Ramsey
(Sign here with full Christian name.)

I HEREBY CERTIFY that the foregoing affidavit was read to or by affiant in my presence before affiant affixed signature thereto; that affiant is to me personally known (or has been satisfactorily identified before

me by _____), and I verily believe affiant to be a credible witness and the identical person hereinbefore described, and that said affidavit was duly subscribed and sworn to before me, at

my office, in Fairbanks, _____ County, State of Alaska, within the Fairbanks Land

District, this 24th day of October, 1925

Robert W Taylor
Register

(Official designation of officer.)

NOTE.—Every person swearing falsely to the above affidavit will be punished as provided by law for such offense. See section 125, United States Criminal Code (over).

AFFIDAVIT OF WITNESSES AS TO CHARACTER AND REPUTATION OF APPLICANT.

We, H. K. Carlisle, of Fairbanks, Alaska, _____ years of age, and by occupation Inspector, and J. A. Ramsey, of Anchorage, Alaska, _____ years of age, and by occupation Division Inspector, do solemnly swear that we have been well acquainted with the applicant

for 7 years and 3 da ~~YEARS~~ respectively; that we have read the statements made by him in his said application; that he is a person of truth and veracity, and that we believe said statements to be true.

H. K. Carlisle
(Sign here, with full Christian name.)

J. A. Ramsey
(Sign here, with full Christian name.)

I HEREBY CERTIFY that the foregoing affidavit was read to or by affiants in my presence before affiants affixed signatures thereto; that affiants are to me personally known (or have been satisfactorily identified before me by _____), and I verily believe affiants to be credible witnesses and the identical persons hereinbefore described, and that said affidavit was duly subscribed and sworn to before

me, at my office in Fairbanks, _____ County, State of Alaska, within the Alaska Land District, this 24th day of October, 1925

Robert W Taylor
Register

(Official designation of officer.)

NOTE.—Every person swearing falsely to the above affidavit will be punished as provided by law for such offense. See section 125, United States Criminal Code (over).

UNITED STATES LAND OFFICE at _____

_____, 19____

WE HEREBY CERTIFY that the foregoing application is for surveyed land and that there is no prior valid adverse right to the same. We recommend that the application be _____

(If rejection is recommended, set out reasons therefor.)

Register.

Receiver.

UNITED STATES CRIMINAL CODE.

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

IN REPLY PLEASE REFER TO

Fairbanks 0327 "K" MM

DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

November 3, 1925.

M. M. M.

ADDRESS ONLY THE
COMMISSIONER OF THE GENERAL LAND OFFICE

Instructions.

Mr. James A. Ramsey,
Division Inspector, Interior Dept.,
Anchorage, Alaska.

Sir:

Your telegram of October 28, 1925, concerning homestead entry of Alphons Zeilnder, Fairbanks 0327, has been received. Final certificate authorized by letter "K" of September 5, 1925, has not yet been received and the issuance of patent will be held in abeyance until you have had opportunity to forward the papers referred to by you and to make further report.

Very respectfully,

William J. Hall
Commissioner.

CONFIDENTIAL
NOT FOR PUBLIC INSPECTION

10-30 mvj

ADDRESS OF THE COMMISSIONER OF THE GENERAL LAND OFFICE

Incl.

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

WASHINGTON

September 5, 1925.

REPLY PLEASE REFER TO
Fairbanks 0327 "K" MM

Status of Case.

Hon. Dan Sutherland,

House of Representatives.

My dear Mr. Sutherland:

In response to your letter of August 12, 1925,
you are advised that by letter of even date herewith,
the Register has been authorized to issue final certi-
ficate upon homestead entry 0327, by Alphons Zehnder.
Copy of said letter is inclosed, together with a carbon
copy of this letter.

Very respectfully,

Acting Commissioner.

8-25 104

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

WASHINGTON

September 5, 1925.

IN REPLY PLEASE REFER TO

Fairbanks 0327 "X" MMM

Authorizing final certificate.

Register and Receiver,
Fairbanks, Alaska.

Gentlemen:

By letter of August 12, 1925, Hon. Dan Sutherland, House of Representatives, requested early action upon H. B. 0327 by Alphons Zehnder, made February 12, 1914. The land is embraced in private survey No. 805, approved December 15, 1913, embracing lot 13, Sec. 3, lot 10, Sec. 4, lot 1 Sec. 9, lot 7 Sec. 10, T. 1 S., R. 1 W., F. M., containing 260.04 acres, upon which final proof has been submitted and is found to be satisfactory. A report from an inspector of this Department, November 13, 1914, indicates full compliance with the homestead laws as to residence, cultivation and improvements.

The land is embraced in Alaska Townsite and Railroad Withdrawal No. 2, Executive Order No. 1967-A of June

Fairbanks 0327 "K" MMH

Furthermore, it seems that the entry is confirmed under the proviso to Sec. 7, of the act of March 3, 1891 (26 Stat., 1095), as the Receiver's receipt issued February 12, 1914. While it appears that protest against the entry was filed in the local office September 7, 1915, by the President of the Tanana Valley Railroad Company because of conflict with its right of way and terminal grounds, this protest was not within the two years period and it does not appear that it was served on entryman. The rights of the railroad are protected because of the priority of its claim.

The map of definite location of the right of way and terminal grounds for the Tanana Valley Railroad was approved March 30, 1907. The terminal grounds embrace about 20 acres known as tract 5, and is shown on the map with the record. Satisfactory compliance with the homestead laws having been shown, you are authorized to issue final certificate in the absence of other objection shown by your records. The rights of the Railroad are protected by the terms of the granting act of May 14, 1898 (30 Stat., 409) so that it will not be necessary to make notation upon the final certificate.

Very respectfully,

8-27-lam

9-1-br -2

-3-

Acting Commissioner.

ADD: ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

Incl.

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

Sept. 5, 1925

IN REPLY PLEASE REFER TO

Fairbanks 0327 "K" ~~MM~~

Status of case.

Hon. Dan Sutherland,

House of Representatives.

My dear Mr. Sutherland:

In response to your letter of August 12, 1925,
you are advised that by letter of even date herewith,
the Register has been authorized to issue final certi-
ficate upon homestead entry 0327, by Alphons Zehnder.
Copy of said letter is inclosed, together with a carbon
copy of this letter.

Very respectfully,

Chas. C. Havell
Acting Commissioner.

8-25 las

IN REPLY PLEASE REFER TO Fairbanks 0323-0327 "PS" WFO

S x E. & R.
1 x C, F. D.

DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

WASHINGTON

October 13, 1916.

ADDRESS ONLY THE
COMMISSIONER OF THE GENERAL LAND OFFICE

: Information.

Register and Receiver,
Fairbanks, Alaska.

Sirs:

Your attention is called to the following cases: Trade and manufacturing site of the Tanana Mill Company, 0323, made January 28, 1914, for lands described by metes and bounds. Homestead entry of Alphons. Lehander, 0327, upon which final proof was submitted May 15, 1914, for lands described by metes and bounds.

Adverse proceedings were ordered against the trade and manufacturing site March 26, 1915. The contest record does not appear to have been received in this office, but from a telegram received from the Chief of Field Division dated August 20, 1916, it appears

Fairbanks 0523-0527 "FS" RHC

that the case has been set for a hearing. A special agent's report has been received on the homestead entry, but no action has been had thereon.

On September 7, 1916, you forwarded to this office a protest by the Tanana Valley Railroad Company alleging that both of said claims were in conflict with the terminal grounds of said company at Fairbanks, as shown by map of location approved March 30, 1907.

In said protest it is also said:

"We ask that the boundaries of the above described homestead and trading site entry be made to conform to the boundaries of the terminal grounds and right of way of this company where they conflict therewith."

I have to advise you that no action will be had on this protest pending the disposition of the adverse proceedings against said trade and manufacturing site, but as soon as these are disposed of the protest will be taken up for appropriate consideration. I herewith inclose three copies of this letter and you will forward one to the protestant, one to Schuder, and one to the Tanana Mill Company.

Very respectfully,

T. H. Wilbrick

John McPhail

10-5 NVP

-2-

Commissioner.

ADDRL ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

Sept 5, 1925

IN REPLY PLEASE REFER TO

Fairbanks 0327 "E" 3000

Authorizing final certificate.

Register and Receiver,

Fairbanks, Alaska.

Gentlemen:

By letter of August 12, 1925, Hon. Dan Nathan-land, House of Representatives, requested early action upon E. S. 0327 by Alphons Schneider, made February 12, 1914. The land is embraced in private survey No. 805, approved December 15, 1913, embracing lot 13, Sec. 3, lot 10, Sec. 4, lot 1 Sec. 9, lot 7 Sec. 10, T. 1 S., R. 1 W., F. M., containing 260.04 acres, upon which final proof has been submitted and is found to be satisfactory. A report from an inspector of this Department, November 18, 1914, indicates full compliance with the homestead laws as to residence, cultivation and improvements.

The land is embraced in Alaska Territorial and Railroad Withdrawal No. 2, Executive Order No. 1967-1 of June

Fairbanks 0527 "E" 1111

23, 1914 (38 Stat., 305). By the terms of this order the lands involved herein, together with other lands, were withdrawn "from settlement, location, sale, entry, or from disposition, and reserved for townsite purposes". The land is also in conflict with a terminal site of about 20 acres reserved for the Tanana Valley Railroad, and is crossed by the right of way of said road.

Because of the withdrawal and conflicts above noted, the entry has been suspended since the submission of final proof. The inspector in making his report, which showed a very thorough investigation of all the questions involved, concludes as follows:

"It is recommended that E. E. 0527, Fairbanks, Alaska, private survey 805, of Alphonse Schneider be passed to patent subject to an easement in the Tanana Valley Railroad of the right of way as occupied and used during user thereof."

Inasmuch as the homestead entry was allowed February 12, 1914, which was before the date of the Executive Order No. 1967-A of June 23, 1914, for Townsite and Railroad purposes, it is held that said order is not effective as to the land embraced in said homestead entry inasmuch as said land was not public land at the date of said withdrawal (2 L. U. 30; 178 U. S. 215).

Patent 0527 "X" IIII

Furthermore, it seems that the entry is confirmed under the proviso to Sec. 7, of the act of March 3, 1891 (26 Stat., 1095), as the Receiver's receipt issued February 12, 1914. While it appears that protest against the entry was filed in the local office September 7, 1916, by the President of the Tusasa Valley Railroad Company because of conflict with its right of way and terminal grounds, this protest was not within the two years period and it does not appear that it was served on entryman. The rights of the railroad are protected because of the priority of its claim.

The map of definite location of the right of way and terminal grounds for the Tusasa Valley Railroad was approved March 30, 1907. The terminal grounds embrace about 20 acres known as tract 5, and is shown on the map with the record. Satisfactory compliance with the homestead laws having been shown, you are authorized to issue final certificates in the absence of other objection shown by your records. The rights of the Railroad are protected by the terms of the granting act of May 14, 1898 (30 Stat., 409) so that it will not be necessary to make notation upon the final certificate.

Very respectfully,

G. W. C. Havell
Acting Commissioner.

8-27-18
9-1-18 -2

-3-

DEPARTMENT OF THE INTERIOR
UNITED STATES LAND OFFICE

Fairbanks, Alaska,

(Place.)

August 5, 1914.

(Date.)

*Fuller
herewith*

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

Sir:

Transmitted herewith is the application for
homestead of Alphonse Zehnder, Serial 0327. This paper
was inadvertently omitted when the other papers in this
case were forwarded to your office.

Very respectfully,

August M. Bride
Register

Encl.
CAK



*Terminal -
app. nos. 30-1907*

DAN SUTHERLAND
DELEGATE, ALASKA

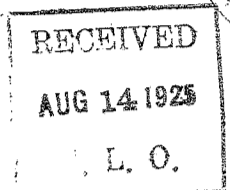
cl.f.

Congress of the United States
House of Representatives
Washington, D. C.

August 12-1925.



Honorable William Spry,
Commissioner of General Land Office,
Washington, D. C.



0327

My dear Governor Spry;-

I respectfully ask that action be taken by the
Land Office in regard to the homestead application of
Mr Alphonse Zehnder U. S. Survey 805, Fairbanks Meridian.

Mr Zehnder located his homestead in 1908 and made
final proof in 1914. From this it is seen that the entry
has been pending patent for eleven years .

Inquiry at the Department this morning revealed the
fact that no action has been taken on this entry since March
24-1923. At that date I understand a question arose re-
garding a conflict with the Fairbanks townsite but it would
appear that the file was laid aside and the conflict never
settled by the Land Office.

I will greatly appreciate your early consideration of
this case as Mr Zehnder has waited a long time for patent to
his land . Will you please advise me of action taken.

Sincerely yours,

Dan Sutherland

W. Spry

DEPARTMENT OF THE INTERIOR
UNITED STATES LAND OFFICE

Fairbanks, Alaska,
(Place)

January 28, 1924.
(Date)

AP 3-27-22-K

Fairbanks 0327.
Requesting status and instructions.

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

Sir:

Please instruct as to status and what action
if any is required in Fairbanks 0327, Survey No. 805,
Alphonse
homestead entry of ~~Alphonse~~ Zehnder, final proof having
been submitted May 15, 1914.

Respectfully,

Rob't W. Taylor,
Ex-officio Register.

By *[Signature]* Clerk.

RECEIVED
FEB 20 1924
G. L. O.

Fairbank

751

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE.

10-4-16

Fairbanks

Juneau, Alaska. September 28, 1916.

0323

0327

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



Dear Sir:

I am enclosing herewith copy of a protest filed by the Tanana Valley Railroad Company against certain claims that are said to conflict with the Terminal Grounds and the maps of definite location of said Company near Fairbanks, Alaska.

This protest was filed in the local land office at Fairbanks, and has been regularly transmitted to your office, by the Register and Receiver. My only purpose in bringing this to your personal attention is the fact that there is a possibility, and perhaps a probability, of the Alaska Engineering Commission purchasing the Tanana Valley Railroad, in which event any rights that the Company may have, would, of course, pass to the Government. Necessary instructions should therefore be given to see that the claims in question, if patented, are made subject to any rights the Tanana Valley Railroad Company may have in the premises.

Mr. Edes thought that the fact of the possible purchase should be stated to you personally rather than in a regular official

SPECIAL

letter, so have pursued that course.

Very respectfully,

A handwritten signature in cursive script, appearing to read "C. H. Russell".

Chief of Field Division.

A/McK.

Tanana Mill Co 0323
Yender Std. 0327

TANANA VALLEY RAILROAD COMPANY.

FAIRBANKS, ALASKA.
49 WALL ST. NEW YORK
ALASKA BLDG SEATTLE
XXXXXXXXXXXX

*Filed in
Fairbanks
office Sept 7th 1916
11-31 AM*

Copy

Fairbanks Alaska Sept 7th 1916.

Commissioner of the Land office
Washington D.C.

Dear Sir:

We hereby protest the Homestead entry of Alphonse Zehnder
Serial No. 0327 Fairbanks Land District, Private land Survey No 805. Said
Homestead entry being in Section 3 Tp 1 R 1 W Fairbanks Dist.

We also protest the entry of the Tanana Mill Company for a Trade and
Manufacturing site lying in Sections Nos 2- 3 & 10 in said Tp 1 South R 1 west
Fairbanks Land district Survey No 806.

These entries conflict with the Terminal grounds of the Tanana Valley
R.R. Company (Formerly the Tanana Mine R.R.Co) at Fairbanks as shown by
map of definite location approved by the Secretary of the Interior March
30th 1907.

They also conflict with the map of definite location of the Railroad
line of the Tanana Valley R.R. Company (formerly the Tanana Mines R.R.Co)
filed at the land office in Juneau July 25th 1905 and approved by the
Secretary of the Interior April 27th 1906. File No 56191.

We ask that the boundaries of the above described Homestead and Trading
site entry be made to conform to the boundaries of the Terminal grounds
and Sixty Right of way of this company where they conflict therewith.

Very respectfully

TANANA VALLEY R.R. Company

By *John J. Sullivan*
President.

IN REPLY PLEASE REFER TO ~~BY~~ Fairbanks 0323 - 0346 - 0327 - 0416 "F8" REC

1 x RR
1 x CFD

DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

WASHINGTON December 17, 1915.

ADDRESS ONLY THE
COMMISSIONER OF THE GENERAL LAND OFFICE

Advice.

Register and Receiver,
Fairbanks, Alaska

Sirs:

Your attention is respectfully called to the following cases:

Trade and Manufacturing Site of the Tanana Mill Company, 0323.

Homestead entry of Margaret Anna Brandt, 0346.

Homestead entry of Alphons Zehnder, 0327.

Homestead application of Jorgine Anderson, 0416.

From the records it appears that these claims lie immediately on the opposite side of Chena River from the townsite of Fairbanks. The Chena River is reported to be a navigable stream. The area of the lands embraced in the homestead entry of Brandt is only 13.09 acres. It is described as Lot 5, Sec. 10, T. 1 S., R. 1 W., F. M.,

Fairbanks 0323 - 0346 - 0327 - 0416 "FS" EBC

and is shown to be a part of Garden Island. On the north side of this island there is a slough which is not navigable. The Trade and Manufacturing site of the Tanana Mill Company is north of the lands claimed by Brandt and is described by metes and bounds. This site embraces 73.74 acres. West of the Trade and Manufacturing site is the homestead claim of Zaender, which is described by metes and bounds and embraces 260.04 acres. East of the Trade and Manufacturing site is the homestead claim of Anderson, which is described as Lot 13, Sec. 3, and Lot 2 Sec. 10, T. 1 S., R. 1 W., P. M.

Under the act of March 3, 1903 (32 Stat., 1028), it is provided that between claims of the character aforesaid, adjacent to navigable streams, there must be a space of 80 rods. (See 52 L. D. 424.) Under the Circular of July 7, 1913 (42 L. D., 213) it was also provided that in order to carry into effect the will of Congress respecting limitation of claims along the shore-line, and the reservation of 80 rods between all such claims, that where any claim should be so located as to approach within 80 rods of the actual shore-line,

Fairbanks 0323 - 0344 - 0327 - 0416 "FS" ESO

such claim would be considered as located on the shore for that purpose. By reference to the plat it is seen that the provision of the law with regard to 80-rod reservations has not been observed by the homestead and Trade and Manufacturing site applicants. If these claims are allowed to stand they must be so adjusted as to leave the required reservations.

By office letter "K" of November 8, 1915, the homestead application of Anderson was rejected with the right of appeal because the lands were included in the Alaska Railroad townsite withdrawal No. 2, dated June 23, 1914, which was prior to the date the homestead application was filed.

By office letter of March 26, 1915, adverse proceedings were initiated against the Trade and Manufacturing site, it being alleged that only a small portion of the claim at the northerly end was needed or used for trade and manufacturing purposes. These proceedings are still pending. If the charge against the Trade and Manufacturing site finally prevails and the claim is canceled as to that part upon which the proceedings are

Fairbanks 0323 - 0345 - 0327 - 0416 "FS" HEC

pending, and if the office decision rejecting Anderson's application also becomes final, there will then be only the question as to the 80-rod reservation between the claims of Zehnder and Brandt to be considered. The office has received a special agent's report on each of these entries, but no action will be had thereon until the other two cases have been finally adjudicated. I inclose four copies of this letter and you will forward one to each of the claimants named.

Very respectfully,

M. H. ...

[Handwritten Signature]
Commissioner.

4-001a

FILL OUT THIS BLANK WITH INK.

Status Clerk:

Please furnish status appearing on the Tract Books affecting

Homestead Entry No. 0327

Claimant's name Alphons J. Gehrder

Description Lot 13 sec 3, Twp 10 R. 10, Lot 1 sec 9, Lot 7 sec 10,

Sec. 12 Tp. 10 R. 10 Meridian Pacific

State Nebraska District Pacific

T. B. Vol. Not shown, 191 1915 E. E. Clements Div. 70

(Date of request.)

(Full name of clerk.)

Does posting and survey agree with above description not posted

Conflicts none 7th. appln 0416 as to lot 13 sec 3. erroneous posting. Should be lot 12 in 7th 0416.

Rights-of-way none

Withdrawals for RR purposes by order June 23/14.

Information wanted as to date plat was filed, conflicts rights of way & withdrawals.

Plat filed April 15/1914.

Date furnished 10/4/15 18-1915 E. E. Clements F. P. Farley

(Full name of clerk.)

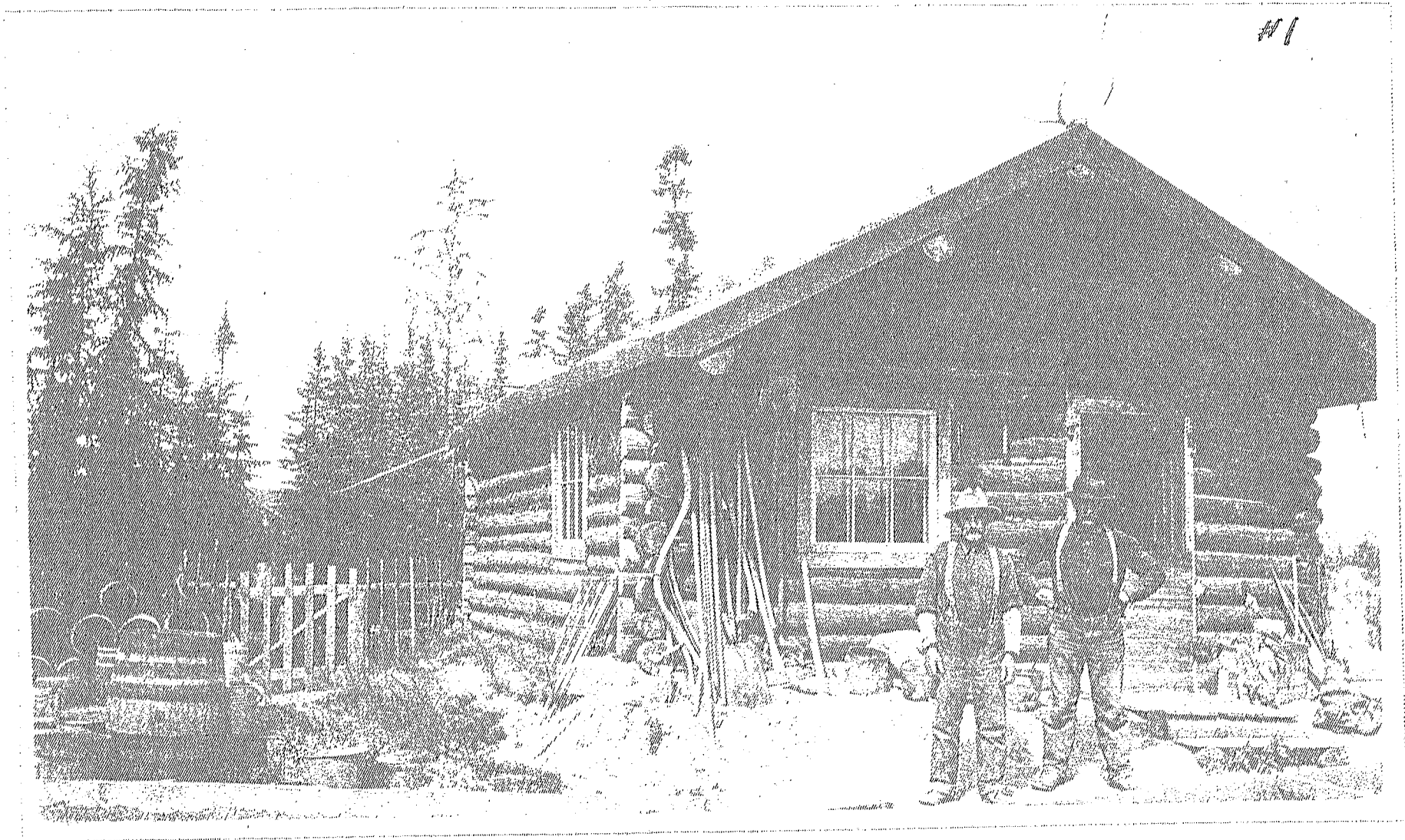
This slip will be filed with case to which it pertains, and the status clerk, who must sign same, will be held responsible for its correctness.

CLAY FALLMAN

Commissioner

Please bring down to date
etc

To have same run class marked from with claimant's name was a later case other with this case no. forgot date etc. under 1915 does not understand



2

