

Priority Date Review Memo

Date: October 26, 2020

From: Craig L. Saxton

Re: Priority Date Review – Claim 87-11469

The claimed place of use falls on property that was originally acquired under 3 patents through the April 24, 1820 Sale Act. A person could acquire a patent for certain properties under the 1820 Sale Act without developing the property. One of the three patents covering the claimed Place of Use was issued to Howard E Knight in 1889 for the S½NW¼ and the S½NE¼ of section 26.

On February 26, 1897, Howard E. Knight was also issued a Patent for the property in the N½NW¼ of section 26 under the Homestead Act of 1862. In order to obtain a patent under the Homestead Act of 1862, the homesteader had to live on the land and improve it by building a 12-by-14 dwelling and growing crops. After 5 years, the homesteader could file for his patent (or deed of title) by submitting proof of residency and the required improvements to a local land office.

Because the properties acquired by Howard E. Knight in 1889 (under the 1820 Sale Act), are adjacent to the property acquired in 1897 (under the Homestead Act of 1862), it is reasonable to conclude that Mr. Knight would have had stock on the properties patented under both acts as of 1897.

The claimed priority date is 2/26/1897. Priority date is recommended as claimed.

THE UNITED STATES OF AMERICA,

To all to whom these Presents shall come, Greeting:

CERTIFICATE

No. 1934

Whereas Howard E. Knight of Latah County
Idaho Territory

has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office
at Geniston, Idaho Territory whereby it appears that full payment has been made by the said
Howard E. Knight

according to the provisions of the
Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the sale of the Public
Lands," and the acts supplemental thereto, for the south half of the north west
quarter and the south half of the north east quarter
of section twenty six in township forty one north of range
five west of Boise Meridian in Idaho Territory, con-
taining one hundred and sixty acres.

according to the Official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor
General, which said Tract has been purchased by the said Howard E. Knight

Now know ye, That the United States of America, in consideration of the premises, and in conformity with the
several Acts of Congress in such case made and provided, have given and granted, and by these presents do give and grant
unto the said Howard E. Knight

and to his heirs, the said Tract above described: To have and to hold the same, together
with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, therunto belonging, unto the said
Howard E. Knight

and to his heirs and assigns forever; subject to any
vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs
used in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions
of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the
same be found to penetrate or intersect the premises hereby granted, as provided by law.

In testimony whereof Benjamin Harrison

President of the United States of America, have caused these letters to be made Patent, and
the seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the ninth

day of November, in the year of our Lord one thousand
eight hundred and eighty-nine, and of the Independence of the
United States the one hundred and fourteenth.

L. S.

By the President: Benjamin Harrison

By Ellen Macfarland, Secretary.

J. M. Townsend, Recorder of the General Land Office.

THE UNITED STATES OF AMERICA,

To all to whom these Presents shall come, Greeting:

CERTIFICATE

No. 1755

Whereas Sarah B. Moore of Nez Perces County
Idaho Territory

has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office
at Boise, Idaho Territory whereby it appears that full payment has been made by the said
Sarah B. Moore

according to the provisions of the
Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the sale of the Public
Lands," and the acts supplemental thereto, for the west half of the south east quarter
and the south east quarter of the south west quarter of section
twenty three and the north west quarter of the north east quar-
ter of section twenty six in township forty one north of range
five west of Boise Meridian in Idaho Territory containing one
hundred and sixty acres.

according to the Official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor
General, which said Tract has been purchased by the said Sarah B. Moore

Now know ye, That the United States of America, in consideration of the premises, and in conformity with the
several Acts of Congress in such case made and provided, have given and granted, and by these presents do give and grant
unto the said Sarah B. Moore

and to her heirs, the said Tract above described: To have and to hold the same, together
with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said
Sarah B. Moore

and to her heirs and assigns forever; subject to any
vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs
used in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions
of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the
same be found to penetrate or intersect the premises hereby granted, as provided by law.

In testimony whereof I, Benjamin Harrison

President of the United States of America, have caused these letters to be made Patent, and
the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the ninth

day of November, in the year of our Lord one thousand
eight hundred and eighty nine, and of the Independence of the
United States the one hundred and fourteenth



By the President: Benjamin Harrison

By Ellen Macfarland Ast, Secretary

J. M. Townsend

, Recorder of the General Land Office.

THE UNITED STATES OF AMERICA,

To all to whom these Presents shall come, Greeting:

CERTIFICATE

No. 2097

Territory

Whereas George A. Snoll of Latah County, Idaho

has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Lewiston Idaho, Territory whereby it appears that full payment has been made by the said George A. Snoll

according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the sale of the Public Lands," and the acts supplemental thereto, for the North half of the South West quarter and the North half of the South East quarter of Section twenty six in Township forty one North of Range five West, of Boise Meridian in Idaho Territory, containing one hundred and sixty acres

according to the Official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor General, which said Tract has been purchased by the said George A. Snoll

Now know ye, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, have given and granted, and by these presents do give and grant unto the said George A. Snoll

and to his heirs, the said Tract above described: To have and to hold the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said George A. Snoll

and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

In testimony whereof I, Benjamin Harrison,

President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the first

day of September, in the year of our Lord one thousand eight hundred and ninety one, and of the Independence of the United States the one hundred and sixteenth

L. S.

By the President: Benjamin Harrison

By Ellen Macfarland Aft, Secretary.

J. R. Conwell, Recorder of the General Land Office.
ad interim



The United States of America,

To all to whom these Presents shall come, Greeting:

Homestead Certificate No. 1555

Application 2350

Whereas, There has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Lewiston Idaho

, whereby it appears that, pursuant to the Act of Congress approved 20th May, 1862, "To secure Homesteads to actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Howard E. Knight

has been established and duly consummated, in

conformity to law, for the North half of the North West quarter of Section twenty-six in Township forty-one North of Range five West of Boise Meridian in Idaho, containing eighty acres.

according to the Official Plat of the Survey of said Land, returned to the General Land Office by the Surveyor General.

Now know ye that there is, therefore, granted by the United States unto the said Howard E. Knight

the tract of Land above described: To have and to hold the said tract of Land with the appurtenances thereof, unto the said Howard E. Knight and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law, and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

In testimony whereof, J. Grover Cleveland, PRESIDENT OF THE UNITED STATES OF AMERICA, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the twenty-sixth day of February, in the year of our Lord one thousand eight hundred and ninety-seven, and of the Independence of the United States the one hundred and twenty-first



By the President, Grover Cleveland

By J. A. Pugh Acting Secretary.

L. C. Lamar, Recorder of the General Land Office.