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[4—063.]

HOMESTEAD.

[AFFIDAVIT.]

Land Office at North Platte Nebr

April 27, 1887

I, Levi Mitchell, of Broman Nebr

having filed my application, No. 12931, for an entry under Section No. 2289, Revised Statutes of the United States, do solemnly swear that I am the head of a family over the age of 21 years & a native born citizen of the United States

that said application, No. 12931, is made for the purpose of actual settlement and cultivation; that said entry is made for my own exclusive benefit, and not directly or indirectly for the benefit or use of any other person or persons whomsoever; and that I have not heretofore had the benefit of the homestead laws. also that I am the same person who signs this application & affidavit

Levi Mitchell

Sworn to and subscribed this 27 day of April 1887, before

Wm Neville

Regis of the Land Office.

NOTE.—If this affidavit be acknowledged before the Clerk of the Court, as provided for by Sec. 2294, U. S. Revised Statutes, the Homestead party must expressly state herein that he or some member of his family is residing upon the land applied for, and that *bona fide* improvement and settlement have been made. He must also state why he is unable to appear at the Land Office.

ELECTRO'S. [477—25,000.]

☞ See note, which Clerks of the Courts and Registers and Receivers will read and EXPLAIN THOROUGHLY to persons making application for lands where the affidavit is made before either of them. (See directions to Land Officers on Duplicate Receipt.)

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