

BEFORE THE UNITED STATES LAND OFFICE, ALLIANCE, NEBRASKA.

In the Matter of the Final Proof of)
James Currie, one of the heirs of) MOTION.
John H. Currie, deceased.)

Comes now the said James Currie, one of the heirs of John H. Currie, deceased, and by his Attorneys, M. J. Huffman and O. W. Gardner, and moves the Hon. Register and Receiver for leave for the said James Currie to make his final affidavit, or any affidavit ~~xxx~~ he may be required to make to complete said proof, before the Clerk of the Court of Common Pleas of Trumbull County, Ohio. And that, when so made and completed, said proof be submitted to the Board of Equitable Adjudication for final action; for the following reasons, to-wit;

(1) That he applied within the said land district in person to make ~~xx~~ such final proof and signed the said application therein in person, and that pursuant thereto due notice of the time and place of submitting testimony therein was given, as required by law, and upon the date set ~~for~~ for taking such testimony two of the witnesses named in said notice appeared at the place and before the officer named in said notice and submitted their evidence on such proof, which was thereupon duly transmitted to your office.

(2) That the said heir, James Currie, resides in Johnsonville, Trumbull County, Ohio, about 120 ~~mi~~ miles from the land district in which this land in question is situated; that he is aged and infirm, being at this time about 70 years of age, and has already made one trip to said land district in the interest of said estate of John H. Currie, deceased, and it will be a great hardship on him to make a second trip to said land district.

(3) That the said John H. Currie completed his five years of residence upon, and improvement of said land as required by law long prior to his death and his heirs were not required to perfect the same by keeping up improvements or otherwise attending personally to said claim.