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[4—063.]

HOMESTEAD.

[AFFIDAVIT.]

Land Office at North Platte Neb,
Feb 12th, 1887

I, Henry Bunker, of Zearing, Story Co Iowa
having filed my application, No. 12355, for an entry under
Section No 2289, Revised Statutes of the United States, do solemnly swear
that I am a native born citizen
of the United States and head
of a family

that said application, No. 12355, 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.

Henry Bunker

Sworn to and subscribed this 12th day
of Feb 87, before
Wm Neville
Reg 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. [2366—30 M.]

☞ 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 commutated, 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 timber for other purposes than cultivation is a question of fact which the Land Office can not decide 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 a civil suit for recovery of the value of such timber, and also to criminal prosecution under Section 5461 of the Revised Statutes.