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[4—063.]

HOMESTEAD.

[AFFIDAVIT.]

Land Office at Sidney Neb

April 5, 1888

I, Julius Fisher, of Kearney Neb

having filed my application, No. 754, for an entry under Section No. 2289, Revised Statutes of the United States, do solemnly swear that I am a single man or we twenty one years of age, and now declared my intention to become a citizen of the United States

that said application, No. 754, 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.

Julius Fisher

Sworn to and subscribed this 5 day of April 1888, before

John M. Adams
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.

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☞ 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 commutable, may be cleared to enable to cultivate the land and improve the premises, but for no other purpose. If, after clearing the land for cultivation, there remains some timber, the settler may be allowed to cut and remove it for sale, but the question whether the land is being cleared of its timber for legitimate purposes is a question of fact to be determined by the local officers. If there is any objection to the entry disposing of the same. But the question whether the cancellation, and the person who cut it will be liable to civil and criminal prosecution for the value of said timber, and also to control possession under Section 2261 of the Revised Statutes.