

No. 1.--HOMESTEAD.

Land Office at Bismarck, N. Dak.

Jan. 20, 1893.

F. Cyrus M. Robinson, of Glencoe, N. Dak.,
 who made Homestead Application No. 6092 for the

E. 2 S. 17. 4 and Lot 647 Sec. 6. Twp. 136 N. R. 78

do hereby give notice of my intention to make final proof to establish my
 claim to the land above described, and that I expect to prove my residence
 and cultivation before Register and ~~Recorder~~
 at Bismarck, N. Dak. on March 4, 1893.
 by two of the following witnesses:

John P. Beal, of Glencoe, N. D.

John Jackson, of " "

Dwight Skinner, of " "

Dugald Campbell, of Armstrong, N. D.

Cyrus M. Robinson

(Signature of Claimant.)

Land Office at Bismarck, N. Dak.

Jan 20, 1893.

Notice of the above application will be published in the Tribune
 printed at Bismarck, N. Dak., which I hereby designate as the
 newspaper published nearest the land described in said application.

J. P. Beal

Register.

Notice to Claimant.—Give time and place of proving up and name the title of the officer before whom proof is to be made; also give names and post-office address of four neighbors, two of whom must appear as your witnesses.

Receiver's Duplicate Receipt No. 6092Application No. 6092

HOMESTEAD.

Receiver's Office, BISMARCK, N. DAK.September 15, 1891.RECEIVED of Cyrus M. Robinson the sum
of EIGHTEEN dollars _____ cents;being the amount of fee and compensation of Register and Receiver for the
entry of E² SW Lot 677 of Section 6 in
Township 136 N of Range 78 W 5th E, under
Section 2290, Revised Statutes of the United States.Receiver

Receiver.

\$18.00

NOTE.—It is required of the homestead settler that he shall reside upon and cultivate the land embraced in his homestead entry for a period of five years from the time of filing the affidavit, being also the date of entry. An abandonment of the land for more than six months works a forfeiture of the claim. Further, within two years from the expiration of the said five years he must file proof of his actual settlement and cultivation, failing to do which, his entry will be canceled. If the settler does not wish to remain five years on his tract he can, at any time after six months, pay for it with cash or land-warrants, upon making proof of settlement and cultivation from date of filing affidavit to the time of payment.

145,04

AFFIDAVIT OF PUBLICATION.

STATE OF NORTH DAKOTA, }
COUNTY OF BURLEIGH. } ss.

A. Messier being duly sworn,

deposes and says that the annexed printed copy of notice of.....

Jan 27 Final proof

was taken from the Bismarck *Weekly* Tribune, a newspaper which, during the whole time of publication of said notice hereinafter stated, has been and is printed and published in the City of Bismarck, County of Burleigh and State of North Dakota. That the said notice was published in said newspaper on the following dates.....

Jan. 27, Feb. 3, 10, 17, 24 & March 3

in each and every issue of the full number thereof, commencing on the *27th* day of *Jan* 189*3*, and ending on the *30* day of *March* 189*3*, upon which days or times of publication aforesaid, the said newspaper was regularly published, and that during the whole time of the said publication he was one of the printers and publishers of the said newspaper.

A. Messier

Printer's Fee, \$ *5.00*

Subscribed and sworn to before me this *4* day of *March* A. D. 189*3*.

E. S. Neal

Notary Public, Burleigh County, N. D.

U. S. Land Office at Bismarck, N. D. *March 11th* 189*3*.

E. S. Neal

I, *E. S. Neal*, Register, do hereby certify that a notice, a printed copy of which is hereto attached, was by me posted in a conspicuous place in my office for a period of thirty days, I having first posted said notice on the *4th* day of *March* 189*3*.

E. S. Neal

Register.

[First Publication, Jan 27, 1893.
Notice for Publication.
LAND OFFICE AT BISMARCK, N. D.
Jan. 28, 1893. }
Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before the register and receiver at Bismarck, N. D., on March 1, 1893, viz:
Cyrus M. Robinson, for the 2^d, 3^d, 4th, and lots 5 and 7 of sec. 8, Twp. 136n., R. 74w., 2^d M.
He names the following witnesses to prove his continuous residence upon and cultivation of said land: James N. D., John Jackson of Glencoe, N. D.; Dwight Skinner of Glencoe, N. D.; Daguid Campbell of Armstrong, N. D.
E. S. NEAL,
Register.

NON-MINERAL AFFIDAVIT.

This affidavit can be sworn to only on personal knowledge, and cannot be made on information and belief.
The non-mineral affidavit accompanying an entry of public land must be made by the party making the entry, and only before the officer taking the other affidavits required of the entryman.

UNITED STATES LAND OFFICE,
BISMARCK, N. DAK.

March 4th, 1893

Cyrus M. Robinson, being duly sworn according to law, deposes and says that he is the identical Cyrus M. Robinson who is an applicant for Government title to the E² S² W⁴ and Lots 6 & 7, Sec 6-136- R. 78 W. 5 P.M.

that he is well acquainted with the character of said described land, and with each and every legal subdivision thereof, having frequently passed over the same; that his personal knowledge of said land is such as to enable him to testify understandingly with regard thereto; that there is not, to his knowledge, within the limits thereof, any vein or lode of quartz or other rock in place, bearing gold, silver, cinnabar, lead, tin, or copper, or any deposit of coal; that there is not within the limits of said land, to his knowledge, any placer, cement, gravel, or other valuable mineral deposit; that no portion of said land is claimed for mining purposes under the local customs or rules of miners or otherwise; that no portion of said land is worked for mineral during any part of the year by any person or persons; that said land is essentially non-mineral land, and that his application therefor is not made for the purpose of fraudulently obtaining title to mineral land, but with the object of securing said land for agricultural purposes, and that his post-office address is Glenora N. Dak.

Cyrus M. Robinson

I HEREBY CERTIFY that the foregoing affidavit was read to affiant in my presence before he signed his name thereto; that said affiant is to me personally known (or has been satisfactorily identified before me by _____), and that I verily believe him to be a credible person and the person he represents himself to be, and that this affidavit was subscribed and sworn to before me at my office in BISMARCK, N. DAK., within the BISMARCK, N. DAK. land district, on this 4 day of March, 1893.

E. J. Neal
Register

NOTE.—The officer before whom the deposition is taken should call the attention of the witness to the following section of the Revised Statutes, and state to him that it is the purpose of the Government, if it be ascertained that he testifies falsely, to prosecute him to the full extent of the law:

REVISED STATUTES OF THE UNITED STATES. TITLE LXX.—CRIMES.—CHAP. 4.

Sec. 5392. Every person who, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed is true, with full and contrary to such oath states or subscribes any material matter which he does not believe to be true, is guilty of perjury, and shall be punished by a fine of not more than two thousand dollars, and by imprisonment, at hard labor, not more than five years, and shall, moreover, thereafter be incapable of giving testimony in any court of the United States until such time as the judgment against him is reversed. (See §1750.)

HOMESTEAD PROOF—TESTIMONY OF WITNESS.

John Jackson, being called as witness in support of the Homestead entry of Cyrus M. Robinson for E. S. M. Tracts 647 6-196-78, testifies as follows:

Ques. 1.—What is your name, age, and post office address?

Ans. John Jackson, 32, Glenwood, N. Dak.

Ques. 2.—Are you well acquainted with the claimant in this case and the land embraced in his claim?

Ans. Yes.

Ques. 3.—Is said tract within the limits of an incorporated town or selected site of a city or town, or used in any way for trade or business?

Ans. No.

Ques. 4.—State specifically the character of this land—whether it is timber, prairie, grazing, farming, coal, or mineral land.

Ans. Prairie farming land

Ques. 5.—When did claimant settle upon the homestead and at what date did he establish actual residence thereon?

Ans. He was there in 1883 when I came.

Ques. 6.—Have claimant and family resided continuously on the homestead since first establishing residence thereon? (If settler is unmarried, state the fact.)

Ans. Yes.

Ques. 7.—For what period or periods has the settler been absent from the land since making settlement, and for what purpose; and if temporarily absent, did claimant's family reside upon and cultivate the land during such absence?

Ans. Not absent at all.

Ques. 8.—How much of the homestead has the settler cultivated and for how many seasons did he raise crops thereon?

Ans. 45 acres broken. Eight seasons.

Ques. 9.—What improvements are on the land and what is their value?

Ans. House 4 rooms 1/2 stone: \$400. Stable \$500. ^{\$125}breaking
Total \$575.00

Ques. 10.—Are there any indications of coal, salines, or minerals of any kind on the homestead? (If so, describe what they are, and state whether the land is more valuable for agricultural than for mineral purposes.)

Ans. No.

Ques. 11.—Has the claimant mortgaged, sold, or contracted to sell, any portion of said homestead?

Ans. No.

Ques. 12.—Are you interested in this claim; and do you think the settler has acted in entire good faith in perfecting this entry?

Ans. No. Yes.

John Jackson

I HEREBY CERTIFY that the foregoing testimony was read to the witness before being subscribed and was sworn to before me this 4th day of March 1898.

[SEE NOTE ON FOURTH PAGE.]

E. A. Deal
Register

(The testimony of witnesses must be taken at the same time and place and before the same officer as claimant's final affidavit. The answers must be full and complete to each and every question asked, and officers taking testimony will be expected to make no mistakes in dates, description of land, or otherwise.)

HOMESTEAD PROOF—TESTIMONY OF WITNESS.

John P. Beal, being called as witness in support of the Homestead entry of Cyrus M. Robinson for E. M. Tracts 647 648-78, testifies as follows:

Ques. 1.—What is your name, age, and post office address?

Ans. John P. Beal, 5-1, Glencoe N. Dak.

Ques. 2.—Are you well acquainted with the claimant in this case and the land embraced in his claim?

Ans. Yes.

Ques. 3.—Is said tract within the limits of an incorporated town or selected site of a city or town, or used in any way for trade or business?

Ans. No.

Ques. 4.—State specifically the character of this land—whether it is timber, prairie, grazing, farming, coal, or mineral land.

Ans. Prairie land.

Ques. 5.—When did claimant settle upon the homestead and at what date did he establish actual residence thereon?

Ans. Was there in 1882 when I went there.

Ques. 6.—Have claimant and family resided continuously on the homestead since first establishing residence thereon? (If settler is unmarried, state the fact.)

Ans. Yes.

Ques. 7.—For what period or periods has the settler been absent from the land since making settlement, and for what purpose; and if temporarily absent, did claimant's family reside upon and cultivate the land during such absence?

Ans. Has been there all the time.

Ques. 8.—How much of the homestead has the settler cultivated and for how many seasons did he raise crops thereon?

Ans. About 45 acres. Ten seasons.

Ques. 9.—What improvements are on the land and what is their value?

Ans. House \$400; stable \$200; breaking \$150. Total \$750.

Ques. 10.—Are there any indications of coal, salines, or minerals of any kind on the homestead? (If so, describe what they are, and state whether the land is more valuable for agricultural than for mineral purposes.)

Ans. No.

Ques. 11.—Has the claimant mortgaged, sold, or contracted to sell, any portion of said homestead?

Ans. No.

Ques. 12.—Are you interested in this claim; and do you think the settler has acted in entire good faith in perfecting this entry?

Ans. No. Yes.

John P. Beal
Ed Beal
Registrar

I HEREBY CERTIFY that the foregoing testimony was read to the witness before being subscribed and was sworn to before me this 14th day of March, 1897.

[SEE NOTE ON FOURTH PAGE.]

(The testimony of witnesses must be taken at the same time and place and before the same officer as claimant's final affidavit. The answers must be full and complete to each and every question asked, and officers taking testimony will be expected to make no mistakes in dates, description of land, or otherwise.)

HOMESTEAD PROOF—TESTIMONY OF CLAIMANT.

Cyrus M. Robinson being called as a witness in his own behalf in support of homestead entry, No. 6092, for E. 1/2 N. 7. Lots 6 & 7 Sec 6, Twp. 136 N. R. 78 W. 56 M testifies as follows:

Ques. 1.—What is your name, age, and post office address?

Ans. Cyrus M. Robinson, 70 Glencoe, N. Dak.

Ques. 2.—Are you a native born citizen of the United States, and if so, in what State or Territory were you born?*

Ans. Yes born in Pennsylvania

Ques. 3.—Are you the identical person who made homestead entry, No. 6092, at the Reimersville land office on the 15th day of

September, 1891, and what is the true description of the land now claimed by you?

Ans. Yes. East half southwest quarter end lots 6 and 7, Section 6, Twp. 136 - Range 78.

Ques. 4.—When was your house built on the land and when did you establish actual residence therein? (Describe said house and other improvements which you have placed on the land, giving total value thereof.)

Ans. House built in fall of 1882, Dec 25, 1882, \$75.00. Home 42x32 story half \$400, 45 acres breaking \$125, stables Total \$675.00

Ques. 5.—Of whom does your family consist; and have you and your family resided continuously on the land since first establishing residence thereon? (If unmarried, state the fact.)

Ans. Wife and self. Yes.

Ques. 6.—For what period or periods have you been absent from the homestead since making settlement, and for what purpose; and if temporarily absent, did your family reside upon and cultivate the land during such absence?

Ans. Not been absent since 1882

Ques. 7.—How much of the land have you cultivated each season and for how many seasons have you raised crops thereon?

Ans. 45 acres each year from 1886 to 1891. Ten seasons.

Ques. 8.—Is your present claim within the limits of an incorporated town or selected site of a city or town, or used in any way for trade and business.

Ans. No.

Ques. 9.—What is the character of the land? Is it timber, mountainous, prairie, grazing, or ordinary agricultural land? State its kind and quality, and for what purpose it is most valuable.

Ans. Prairie land.

Ques. 10.—Are there any indications of coal, salines, or minerals of any kind on the land? (If so, describe what they are, and state whether the land is more valuable for agricultural than for mineral purposes.)

Ans. No.

Ques. 11.—Have you ever made any other homestead entry? (If so, describe the same.)

Ans. No.

Ques. 12.—Have you sold, conveyed, or mortgaged any portion of the land; and if so, to whom and for what purpose?

Ans. No.

Ques. 13.—Have you any personal property of any kind elsewhere than on this claim? (If so, describe the same, and state where the same is kept.)

Ans. No.

Cyrus M. Robinson

I HEREBY CERTIFY that the foregoing testimony was read to the claimant before being subscribed, and was sworn to before me this 4th day of March, 1893.

[SEE NOTE ON FOURTH PAGE.]

Ed Seal
Register

* (In case the party is of foreign birth a certified transcript from the court records of his declaration of intention to become a citizen, or of his naturalization, or a copy thereof, certified by the officer taking this proof, must be filed with the case. Evidence of naturalization is only required in final (five year) homestead cases.)

NOTE.—The officer before whom the testimony is taken should call the attention of the witness to the following section of the Revised Statutes, and state to him that it is the purpose of the Government, if it be ascertained that he testifies falsely, to prosecute him to the full extent of the law.

Title LXX.—CRIMES.—Ch. 4.

SEC. 5392. Every person who, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed is true, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true, is guilty of perjury, and shall be punished by a fine of not more than two thousand dollars, and by imprisonment, at hard labor, not more than five years, and shall, moreover, thereafter be incapable of giving testimony in any court of the United States until such time as the judgment against him is reversed. (See §1750.)

(4-369.)

HOMESTEAD PROOF.

LAND OFFICE AT

BISMARCK, N. DAK.

Original Application No. 6092

Final Certificate No. 2656-

Approved ³⁻¹⁴⁻⁹³ E. Steal Register.

W. J. Fisher Receiver.

4-87

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FINAL AFFIDAVIT REQUIRED OF HOMESTEAD CLAIMANTS.

SECTION..... OF THE REVISED STATUTES OF THE UNITED STATES.

I, Cyrus M. Robinson, having made a Homestead entry of the E² & W⁴ end
lots 16 & 17 Section No. 6 in Township No. 136
of Range No. 78 W5 PM, subject to entry at the BISMARCK, N. DAK. Land Office
under section No. 2289 of the Revised Statutes of the United States, do now apply to perfect my claim thereto
by virtue of section No. of the Revised Statutes of the United States; and for that
purpose do solemnly Swear that I am a native born
..... citizen of the United States; that I have made actual settlement
upon and have cultivated and resided upon said land since the 25th day of December, 1882,
to the present time; that no part of said land has been alienated, except as provided in section 2283 of the
Revised Statutes, but that I am the sole *bona fide* owner as an actual settler; that I will bear true allegiance
to the Government of the United States; and, further, that I have not heretofore perfected or abandoned
an entry made under the homestead laws of the United States, except

I, E. Steal, Register, of the BISMARCK, N. DAK. Land Office
do hereby certify that the above affidavit was subscribed and sworn to before me this 4th day of
March, 1893.
E. Steal
Register

HOMESTEAD AFFIDAVIT.

Land Office at BISMARCK, N. DAK.

Sept 15th, 1891

I, Cyrus W Robinson, of Glencoe N Dak

having filed my application No. 6092, for an entry under section 2289, Revised Statutes of the

United States, do solemnly swear that I am not the proprietor of more than one hundred and sixty acres

~~of land in any State or Territory, that I am~~ a native born citizen

of the United States over 21 years
of age & the head of a family

that my said application is honestly and in good faith made for the purpose of actual settlement and cultivation, and not for the benefit of any other person, persons, or corporation, and that I will faithfully and honestly endeavor to comply with all the requirements of law as to settlement, residence, and cultivation necessary to acquire title to the land applied for; that I am not acting as agent of any person, corporation, or syndicate in making such entry, nor in collusion with any person, corporation, or syndicate to give them the benefit of the land entered, or any part thereof, or the timber thereon; that I do not apply to enter the same for the purpose of speculation, but in good faith to obtain a home for myself, and that I have not directly or indirectly made, and will not make, any agreement or contract in any way or manner, with any person or persons, corporation or syndicate whatsoever, by which the title which I might acquire from the Government of the United States should inure in whole or in part to the benefit of any person except myself, and further, that since August 30, 1890, I have not entered under the land laws of the United States, or filed upon, a quantity of land, agricultural in character, and not mineral, which, with the tracts now applied for, would make more than three hundred and twenty acres.

I have never taken a homestead before.

Sworn to and subscribed before me this 15th September, 1891

C W Robinson
of Deak
Register

*Here insert statement that affiant is a citizen of the United States, or that he has filed a declaration of intention to become such, and that he is the head of a family, or is over twenty-one years of age, as the case may be. It should be stated whether applicant is native-born or not, and if not, a certified copy of his certificate of naturalization, or declaration of intention, as the case may be, must be furnished. (See page 45, circular of January 1, 1889.)

†Here add an exception, if any, of land settled upon prior to August 30, 1890, giving date of settlement commenced, and describing improvements, and that the party has not heretofore made any entry under the homestead laws.

RECEIVER'S RECEIPT, No. 6092

APPLICATION, No. 6092

HOMESTEAD.

Receiver's Office, BISMARCK, N. DAK.

September 15, 1891.

Received of Cyrus M Robinson the sum
of EIGHTEEN dollars _____ cents;

being the amount of fee and compensation of Register and Receiver for the

entry of East half of the South West
quarter and Lots 6 & 7

_____ of Section 6 in
Township 136 N of Range 48 W 5. Pm, under

Section No. 2290, Revised Statutes of the United States.

[Signature]

Receiver.

\$ 18.00

17.25

Timber land embraced in a homestead, or other entry not consummated, 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 agriculture or other purposes 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 did so will be liable to cost and for recovery of the value of said timber, and also to criminal prosecution under Section 240 of the Revised Statutes.

See note in red ink, which Registers and Receivers will read and EXPLAIN THOROUGHLY to person making application for lands where the affidavit is made before either of them.

NOTE.—It is required of the homestead settler that he shall reside upon and cultivate the land embraced in his homestead entry for a period of five years from the time of filing the affidavit, being also the date of entry. An abandonment of the land for more than six months works a forfeiture of the claim. Further, within two years from the expiration of the said five years he must file proof of his actual settlement and cultivation, failing to do which, his entry will be canceled. If the settler does not wish to remain five years on his tract, he can, at any time after six months, pay for it with cash or land warrants, upon making proof of settlement and cultivation from date of filing affidavit to the time of payment.

HOMESTEAD.

APPLICATION

No. 6092

Land Office at BISMARCK, N. DAK.

Sept 15th, 1891.

I, Cyrus W Robinson, of Glencoe Neb.

do hereby apply to enter, under Section 2289.

Revised Statutes of the United States, the E S W 1/4 & Lots

6 & 7 of Section 6, in Township 136

Range 78; containing 145.04 acres.

C W Robinson

Land Office at BISMARCK, N. DAK.

Sept 15th, 1891.

I, E S Neal, REGISTER OF THE LAND OFFICE,

do hereby certify that the above application is for Surveyed Lands of the class which the applicant is legally entitled to enter under Section 2289, Revised Statutes of the United States, and that there is no prior valid adverse right to the same.

E S Neal

Register.

[4-007.]

No. 6092.

HOMESTEAD APPLICATION.

Cyrus W Robinson

Glendon W Darr

Sept 19th, 1891.

E 2 S W 4 + S 6 6 + 7.

Sect. 6, Town, 136, Range 78.

6-261. Correll 75^e

APRIL 2, 1892.

W. H. CRIGSBY,

C.

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Final Receiver's Receipt No. 2655

Application No. 6092

HOMESTEAD.

Receiver's Office, Bismarck, N.D.

March 14, 1895

Received of Cyrus M. Robinson the sum
of Seven dollars 20 cents,

being the balance of payment required by law for the entry of
East half South West quarter
Lots 6-7

of Section 6 in Township 136n of Range 78w
containing 145.04 acres, under Section 2291 of the
Revised Statutes of the United States.

725
 Casoff
Receiver.

\$ 50 Testimony fee received. Number of written words, 335

Rate per 100 words 15 cents.

HOMESTEAD.

Land Office at BISMARCK, N. DAK.

March 4, 1893

FINAL CERTIFICATE,
No. 2655

APPLICATION,
No. 6092

It is hereby certified That, pursuant to the provisions of Section No. 2291, Revised Statutes of the United States, Cyrus M. Robinson has made payment in full for East half Southwest Quarter and Lots 6 & 7

of Section No. 6, in Township No. 136 N., of Range No. 78 W., of the 5th Principal Meridian, containing 145 ⁰⁴/₁₀₀ acres.

Now, therefore, be it known, That on presentation of this Certificate to the COMMISSIONER OF THE GENERAL LAND OFFICE, the said Cyrus M. Robinson shall be entitled to a Patent for the Tract of Land above described.

E. Steal

Register.

Final Certificate No. 2655-

Homestead Application No. 6092

Dec. 25/92

LAND OFFICE

BISMARCK, N. DAK.

March 4, 1893

Sect. 6, Town. 136, Range 78

Overcharge, 75² (1/2)

Approved APR. 26. 1893., 18

W. H. CRIGSBY,

C., Clerk.

Division _____

Patented May 10, 1893

Recorded, Vol. 8, page 16

11 104 138

FINAL HOMESTEADS.

Register and Receiver's Report.

~~BISMARCK~~, N. DAK.

H. E. 6092F. C. 2608 District

1. Was proof prematurely made? *Ans. No*
(Instructions 1.)
2. Was proof made after 7 years from date of entry? *Ans. No*
If so, did you apply Instructions 2? *Ans. No*
3. State No. of weekly insertions of published notice? *Ans. 6*
Was notice definite as to time, place, and officer to take the proof? *Ans. Yes*
Was proof taken (a) by officer advertised? *Ans. Yes*
Was proof taken (b) on day advertised? *Ans. Yes*
Was proof taken (c) at place advertised? *Ans. Yes*
Was land properly described in published notice? *Ans. Yes*
Were names of witnesses properly published? *Ans. Yes*
(See Instructions 3.)
4. Was officer legally qualified to take the proof? *Ans. Yes*
(See Instructions 4.)
5. Was all the proof taken before the same officer? *Ans. Yes*
6. Has he properly signed and attested the proof papers?
Ans. Yes
7. Have you signed all necessary papers? *Ans. Yes*
8. Are names of claimant and witnesses properly signed to all the papers? *Ans. Yes*
9. Do they agree with published notice? *Ans. Yes*
10. Have you compared description and names in the original proof and final entry papers and found them correct?
Ans. Yes
11. Are proof of publication and posting of notice correct?
Ans. Yes
(No interlineations or erasures of published notice will be permitted.
Fernandez, 6 L. D., 379.)
12. Are any papers lost, not dated, not signed, or sealed, if necessary. *Ans. No*
13. Was any witness substituted? *Ans. No*
14. Are all absences fully explained? *Ans. Yes*
15. If claimant fully naturalized, are original papers furnished?
Ans. Yes
If not, did officer taking proof certify a copy of original papers (not a copy of a copy)? *Ans. Yes*
16. Was residence established within 6 months from date of entry? *Ans. Yes*
If not, require reason for failure, and if sufficient excuse is given, issue certificate, as in other cases.
(Nilson vs. St. P., M. & M. Ry., 6 L. D., 567.)
17. Have you any doubt of claimant's having complied in good faith with the law? *Ans. No*
18. Have you any reliable information outside of the record which casts suspicion on this entry? *Ans. No*

(See Certificate on back.)

CIRCULAR OF INSTRUCTIONS
TO
REGISTERS AND RECEIVERS
For Taking and Passing on Final Proof.

RULE 1.—PREMATURE FINAL PROOF.

Reject all Final Proofs prematurely made, viz:

In Pre-emptions and Commuted Homesteads, before the expiration of 6 months from date of establishing a bona fide residence.

In Final Homesteads, before the expiration of 5 years from date of entry, except: 1. Where residence is allowed before entry (Act June 14, 1878, Act May 14, 1880). 2. Where credit is allowed for military or naval service. Secs. 2304-5-6 and 2291, R. S. U. S.

In Timber Cultures.—1. Before the expiration of 8 years from date of entry. 2. Before the expiration of 8 years from the date when the total number of trees, seeds, and cuttings required by law are planted.

Cir. July 12, 1887, Sec. 23.

In Timber and Stone Entries, before the expiration of 60 days publication, as required by law (10 weekly insertions).

20 Stat., 89, Sec. 3; Cir. '84, p. 97; 2 L. D., 709; 4 L. D., 282.

In all cases, before the expiration of the time of publication and the day fixed.

See Rule 3.

RULE 2.—LAPSED FINAL PROOF.

When final proof is taken (or offered) after lapse of statutory period, viz:

In Final Homesteads, after 7 years from date of entry.

In Timber Cultures, after 13 years from date of entry.

In Desert Entries, after 3 years from date of entry.

Require affidavit of party *making proof* of real cause of delay, withhold certificate, and forward all papers to this office for action.

Note.—In Pre-emption and Commuted Homesteads the above rule does not apply.

RULE 3.—PUBLISHED NOTICE OF FINAL PROOF.

The Register alone is responsible for the correctness of published notice. Act of March 3, 1879.

Thirty days publication of notice (6 weekly insertions), of intention to make proof is required in—

Pre-emptions, Commuted Homesteads, and Final Homesteads. Act March 3, 1879; Cir. March 20, 1883.

Timber Cultures. Cir. July 12, 1887, Sec. 23.

Desert Entries. Cir. June 28, 1887, Sec. 13.

Town-sites. Cir. July 9, 1886, Sec. 12.

Timber and Stone Entries. Sixty days (10 weekly insertions).

TIMBER AND STONE ENTRIES. *See* Cir. July 16, 1887, Sec. 10.

The notice must contain—

(a) Correct description of land sought to be entered, and kind of entry to be made. Act March 3, 1879. (b) Correct names of witnesses and post-office address. Act March 3, 1879. (c) The exact day (not a holiday) when, and (d) the exact place where proof is to be taken. (e) The officer's name and official designation who is to take proof.

c, d, e, Jacob Semer case, 6 L. D., 345; Lent case, 6 L. D., 110; Sherlock case, 6 L. D., 155.

NOTE.—*c, d, e*, must be unambiguous and not alternative, as in the Jacob Semer case (6 L. D., 345), viz: "before a Judge or Clerk of a Court of Record."

NOTE 2.—All proof must be taken before the same officer: *Provided* pending cases, and those wherein notice of intention to submit proof has been published under a different practice, will not be affected by this requirement.

RULE 4.—OFFICERS AUTHORIZED TO TAKE
FINAL PROOF.

In Pre-emption and Commuted Homesteads—

Register and Receiver; Clerk of County Court; Clerk of Court of Record. 21 Stat., 169; Cir., March 30, 1886.

In Timber Culture and Desert Entries—

Register and Receiver; Judge, or Clerk of Court of Record. T. C. Cir., July 12, 1887, Sec. 24; Desert Cir., June 28, 1887, Sec. 7.

In Final Homesteads—

Register and Receiver; Judge of Court of Record; Clerk of Court of Record (only) when Judge is absent. This fact must be certified by Clerk. Act March 3, 1877.

In Timber and Stone Entries and Town-sites

Register and Receiver alone can take the proof. T. & S. Cir., July 16, 1887, Sec. 11; Town-site Cir., July 9, 1886; R. S., 2387.

NOTE.—Judges and Notaries Public can not take Pre-emption and Commuted Homestead Proof, except Probate Judges, who are *ex officio* their own clerks, and so certify. Cir., Oct. 27, 1884; Cir., March 30, 1886; 3 L. D., 154.

Judges, Clerks, and Notaries can not take proof in Timber and Stone Entries.

Clerks can not take Final Homestead Proof unless Judge is absent, and they so certify.

RULE 5.

Registers and Receivers will approve no case, neither accept payments nor issue final certificate and receipt thereon, until the foregoing requirements are complied with. *Provided*, in exceptional cases of hardship, when non-compliance is no fault of claimant and his good faith appears, and no one protests against the entry, you will withhold certificate and receipt, and forward papers and explanatory affidavits to this office by special letter for instructions.

S. M. STOCKSLAGER,
Commissioner.

Approved:

WM. F. VILAS,

Secretary.

Jan. 1, 1889.

CERTIFICATE

We, the undersigned Register and Receiver, do hereby certify that the foregoing report was made after careful examination, and that the same is correct.

E. Healy, Register.

W. Fisher, Receiver.

March 4, 1893.