

Patent No. 4067
Cyrus Bayley

Dear Patron:

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TRANSMITTED (PATENT)

APR 29 1904

TO REGISTER & RE-NEW

Patent to contain reservation, according
to proviso to the Act of Aug. 30, 1890.

Patent Certificate No.

4067

Homestead Application No.

8979

LAND OFFICE

AT

BLACKFOOT, IDAHO.

FEB 6 1903

Sec. 21, T. 12 N., R. 20 E., Range 46 E.

DIV. C, LIST NO. 1

2

Approved.

March 7 1904

John S. Allen

Division

Patented

April 5

1904

Recorded, Vol.

671

page

64

63 - 224.

Application No. 8979

Hand Office at, *James S. Davis*

Wm. J. Bailey of Great Falls

do hereby apply to enter, under Section 2289,

Revised Statutes of the United States, the

of _____ of Section 22, in Township 9 N.

Range #66, containing 160 acres

Library of Congress

Land Office at
BLACKFOOT, IDAHO.

DEC 1 1902

I, LORENZO R. THOMAS, _____, 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.

Heister.

James A. Thomas

HOMESTEAD.

Application No. 8978

Final Receiver's Receipt No. 4067

4-140.

Feb. 6, 1903.

Receiver's Office, Blackfoot, Idaho.

Received of Cyrenus J. Bagley the sum of Six dollars and cents,

being the balance of payment required by law for the entry of the south half of the northeast quarter, the northeast quarter of the southeast quarter, Sec. 21, and the southwest quarter of the northwest quarter

of Section 22 in Township 9 S. of Range 46 E., containing 160 acres, under Section 2291 of the

Revised Statutes of the United States.

Received by *J. A. Bagley*

\$ 1.50 Testimony fee received. Number of written words, 660
Rate per 100 words 22 1/2 cents.

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.

0-6-012

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 fourteen months, pay for it with cash or land warrants, upon making proof of settlement and of residence and cultivation from date of filing affidavit to the time of payment.

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 legitimate 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 cut it will be liable to civil and criminal prosecution under Section 2461 of the Revised Statutes.

4-137.

RECEIVER'S RECEIPT, No. 8979

APPLICATION, No. 8979

HOMESTEAD.

Receiver's Office, Blackfoot, Idaho.

Dec. 1, 1902

Received of Cyrus J. Bagley the sum of Sixteen dollars and no cents;

being the amount of fee and compensation of Register and Receiver for the entry of 82 AC; NE 4 SE 4 21; 84th NW 4

of Section 22 in Township 9 S of Range 46 E, under

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

Receiver.

James A. Robinson

\$16.00

NON-MINERAL AFFIDAVIT

This affidavit can be sworn to only on personal knowledge, and can not 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.

DEPARTMENT OF THE INTERIOR,

UNITED STATES LAND OFFICE.

BLACKFOOT, IDAHO.

March 25th 1902.

James J. Deakley, being duly sworn according to law, deposes and says that he is the identical *James J. Deakley* who is an applicant for Government title to the *N. 21 1/2, 22 1/2, 23 1/2, 24 1/2, 25 1/2, 26 1/2, 27 1/2, 28 1/2, 29 1/2, 30 1/2, 31 1/2, 32 1/2, 33 1/2, 34 1/2, 35 1/2, 36 1/2, 37 1/2, 38 1/2, 39 1/2, 40 1/2, 41 1/2, 42 1/2, 43 1/2, 44 1/2, 45 1/2, 46 1/2, 47 1/2, 48 1/2, 49 1/2, 50 1/2, 51 1/2, 52 1/2, 53 1/2, 54 1/2, 55 1/2, 56 1/2, 57 1/2, 58 1/2, 59 1/2, 60 1/2, 61 1/2, 62 1/2, 63 1/2, 64 1/2, 65 1/2, 66 1/2, 67 1/2, 68 1/2, 69 1/2, 70 1/2, 71 1/2, 72 1/2, 73 1/2, 74 1/2, 75 1/2, 76 1/2, 77 1/2, 78 1/2, 79 1/2, 80 1/2, 81 1/2, 82 1/2, 83 1/2, 84 1/2, 85 1/2, 86 1/2, 87 1/2, 88 1/2, 89 1/2, 90 1/2, 91 1/2, 92 1/2, 93 1/2, 94 1/2, 95 1/2, 96 1/2, 97 1/2, 98 1/2, 99 1/2, 100 1/2* of Section *46* in Township *9 N.* of Range *46 E. 34m.*; 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 under-standingly 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, copper, lead, tin, or cobalt, 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 the land contains no salt spring, or deposit of salt in any form sufficient to render it chiefly valuable therefor; 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 the mineral land, but with the object of securing said land for agricultural purposes, and that his post-office address is *Deer Creek, or Mountain View, Idaho*.

I hereby certify that the foregoing affidavit was read to affiant in my presence before he signed his name thereon; 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 _____, Idaho, within the Blackfoot, Idaho, land district, on this _____ day of _____, 1902.

James B. Deakley
Notary Public for Idaho
My Comm. Exp. _____
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.—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, willfully and contrary to such written testimony, declaration, deposition, or certificate, or that he will testify, declare, depose, or certify truly, and shall be punished by 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 Sec. 1750.)

State of Idaho)
SS : -)
County of Bear Lake)

Cyrenus J. Bagley being first duly sworn

deposes and says that he is a citizen of the United States of America over the age of 21 years and the head of a family. Affiant alleges further that he has made application for the Homestead Entry of the following described land situated on Crow Creek viz: S. 1/2 N. E. 1/4 Township 9 South of Range 46 East of the Boise Meridian containing one hundred and sixty acres of land. Affiant further alleges from his information and belief that the land above described is situated in Bannock County State of Idaho. Under an act of Congress entitled "An Act to amend section twenty-two hundred and ninety four of the Revised Statutes of the United States," approved March 11, 1902, affiant makes this affidavit before James F. Hart Clerk of the District Court of the Fifth Judicial District of the State of Idaho in and for the County of Bear Lake who, affiant further alleges is the nearest and most accessible officer qualified to take this affidavit in the land District in which the land above described is situated.

In witness whereof said affiant has hereunto set his hand and seal this 25th day of November A. D. 1902.

Cyrenus J. Bagley

Subscribed and sworn to before me this 25th day of November 1902.

James F. Hart

Clerk Dist. Court.

HOMESTEAD AFFIDAVIT.

DEPARTMENT OF THE INTERIOR.

UNITED STATES LAND OFFICE.

I, *Thomas J. Dwyer*, of *Carbon County*,
BLACKFOOT, IDAHO,
1902.

having filed application No. *8979*,
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 * *native*
born citizen of the United States, that I was over the age of 21 years
when the land was first acquired, and that I have not
made this application as an 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, except

and that I have not heretofore made any entry under the homestead laws, except

(Sign plainly with full Christian name.)
Sworn to and subscribed before me this *25th* day of *April*, 1902, at
Blackfoot, in *Carbon* County, Idaho.

James B. Dwyer
Notary Public for the State of Idaho.
* Here insert statement that affiant is a citizen of the United States, or that he has filed his declaration of in-
tention 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, 1899.)

*and the expenses incident upon a
trip to that kind.*

entry of *James H. Bagby* for *1/2, 1/4, 3/4, 1/8, 1/16, 1/32, 1/64, 1/128, 1/256, 1/512, 1/1024, 1/2048, 1/4096, 1/8192, 1/16384, 1/32768, 1/65536, 1/131072, 1/262144, 1/524288, 1/1048576, 1/2097152, 1/4194304, 1/8388608, 1/16777216, 1/33554432, 1/67108864, 1/134217728, 1/268435456, 1/536870912, 1/1073741824, 1/2147483648, 1/4294967296, 1/8589934592, 1/17179869184, 1/34359738368, 1/68719476736, 1/137438953472, 1/274877906944, 1/549755813888, 1/1099511627776, 1/2199023255552, 1/4398046511104, 1/8796093022208, 1/17592186044416, 1/35184372088832, 1/70368744177664, 1/140737488355328, 1/281474976710656, 1/562949953421312, 1/1125899906842624, 1/2251799813685248, 1/4503599627370496, 1/9007199254740992, 1/18014398509481984, 1/36028797018963968, 1/72057594037927936, 1/144115188075855872, 1/288230376151711744, 1/576460752303423488, 1/1152921504606846976, 1/2305843009213693952, 1/4611686018427387904, 1/9223372036854775808, 1/18446744073709551616, 1/36893488147419103232, 1/73786976294838206464, 1/147573952589676412928, 1/295147905179352825856, 1/590295810358705651712, 1/1180591620717411303424, 1/2361183241434822606848, 1/4722366482869645213696, 1/9444732965739290427392, 1/18889465931478580854784, 1/37778931862957161709568, 1/75557863725914323419136, 1/151115727451828646838272, 1/302231454903657293676544, 1/604462909807314587353088, 1/1208925819614629174706176, 1/2417851639229258349412352, 1/4835703278458516698824704, 1/9671406556917033397649408, 1/19342813113834066795298816, 1/38685626227668133590597632, 1/77371252455336267181195264, 1/154742504910672534362390528, 1/309485009821345068724781056, 1/618970019642690137449562112, 1/1237940039285380274899124224, 1/2475880078570760549798248448, 1/4951760157141521099596496896, 1/9903520314283042199192993792, 1/19807040628566084398385987584, 1/39614081257132168796771975168, 1/79228162514264337593543950336, 1/158456325028528675187087900672, 1/316912650057057350374175801344, 1/633825300114114700748351602688, 1/1267650600228229401496703205376, 1/2535301200456458802993406410752, 1/5070602400912917605986812821504, 1/10141204801825835211973625643008, 1/20282409603651670423947251286016, 1/40564819207303340847894502572032, 1/81129638414606681695789005144064, 1/162259276829213363391578010288128, 1/324518553658426726783156020576256, 1/649037107316853453566312041152512, 1/1298074214633706907132624082305024, 1/2596148429267413814265248164610048, 1/5192296858534827628530496329220096, 1/10384593717069655257060992658440192, 1/20769187434139310514121985316880384, 1/41538374868278621028243970633760768, 1/83076749736557242056487941267521536, 1/166153499473114484112975882535043072, 1/332306998946228968225951765070086144, 1/664613997892457936451903530140172288, 1/1329227995784915872903807060280344576, 1/2658455991569831745807614120560689152, 1/5316911983139663491615228241121378304, 1/10633823966279326983230456482242756608, 1/21267647932558653966460912964485513216, 1/42535295865117307932921825928971026432, 1/85070591730234615865843651857942052864, 1/170141183460469231731687303715884105728, 1/340282366920938463463374607431768211456, 1/680564733841876926926749214863536422912, 1/1361129467683753853853498429727072845824, 1/2722258935367507707706996859454145691648, 1/5444517870735015415413993718908291383296, 1/10889035741470030830827987437816582766592, 1/21778071482940061661655974875633165533184, 1/43556142965880123323311949751266331066368, 1/87112285931760246646623899502532662132736, 1/174224571863520493293247799005065324265472, 1/348449143727040986586495598010130648530944, 1/696898287454081973172991196020261297061888, 1/1393796574908163946345982392040522594123776, 1/2787593149816327892691964784081045188247552, 1/5575186299632655785383929568162090376495104, 1/11150372599265311570767859136324180752990208, 1/22300745198530623141535718272648361505980416, 1/44601490397061246283071436545296723011960832, 1/89202980794122492566142873090593446023921664, 1/178405961588244985132285746181186892047843328, 1/356811923176489970264571492362373784095686656, 1/713623846352979940529142984724747568191373312, 1/14272476927059598810582859694494951*

P.
Reading room every morning

HOMESTEAD PROOF—TESTIMONY OF WITNESS.

James D. Deegan, being called as witness in support of the Homestead entry of *James D. Deegan* for *1/4 Sec. 22, T. 22 N., R. 11 W., S. 46.*

Question 1. What is your name, age, and post-office address?
Answer. *James D. Deegan, 1112 E. 1st St., St. Paul, Minn.*

Ques. 2. Are you well acquainted with the claimant in this case and the land embraced in his claim?
Ans. *I am.*

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. *It is not.*

Ques. 4. State specifically the character of this land—whether it is timber, prairie, grazing, farming, coal, or mineral land.
Ans. *It is a farm, grazing, and farming.*

Ques. 5. When did claimant settle upon the homestead and at what date did he establish actual residence thereon?
Ans. *In 1895. The same year he established residence.*

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

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. *Was absent during the winter of 1896, building a barn, and during the summer of 1896, building a barn, and during the summer of 1896, building a barn.*

Ques. 8. How much of the homestead has the settler cultivated and for how many seasons did he raise crops thereon?
Ans. *From 80 to 100 acres. Every season since 1895.*

Ques. 9. What improvements are on the land and what is their value?
Ans. *3/4 mile ditch, 1/4 mile fence, 1/4 mile fence, 1/4 mile fence.*

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. *Now, valuable most for agricultural purposes.*

Ques. 11. Has the claimant mortgaged, sold, or contracted to sell, any portion of said homestead?
Ans. *Not to my knowledge.*

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. *I know he has.*

I HEREBY CERTIFY that the foregoing testimony was read to the witness before being subscribed, and was sworn to before me this *20th* day of *January*, 1903, at my office at *St. Paul*, in *Hennepin* County, *Minnesota*.

James D. Deegan
Clerk of the District Court 5th Judicial District of the State of Minnesota, and Just.

[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.

(4-369.)

Testimony of *James J. Bagley*, No. *8979*, for *1/2 Sec. 14, T. 21 N., R. 11 E., S. 11 N.*
being called as a witness in his own behalf in support of homestead entry.

Ques. 1.—What is your name, age, and post-office address?
Ans. *James J. Bagley, age 36, Farmington, Minnesota.*
Ques. 2.—Are you a native born citizen of the United States, and if so, in what State or Territory were you born?
Ans. *I am born in Vermont, U. S. A.*

Ques. 3.—Are you the identical person who made homestead entry, No. *8979*, at the land office on the _____ day of _____, 1902?
Ans. *Yes, I am.*
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. *Built in 1895. On the 1st of April, 1895, I purchased 3 acres of land, 1/2 Sec. 14, T. 21 N., R. 11 E., S. 11 N., for \$450.00. I have since built a house and other improvements on the land, giving total value thereof \$450.00.*

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. *Myself, wife and 5 children. Yes, I am.*
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. *I was absent during winter of 1895 and 1896, and during summer of 1896, for the purpose of attending school. During that time I was away on board of a sailing ship.*

Ques. 7.—How much of the land have you cultivated each season and for how many seasons have you raised crops thereon?
Ans. *About 90 acres. Wheat, oats, corn, clover, alfalfa.*
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, I am.*

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. *Black prairie, more valuable for grazing and agriculture.*
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, I am. Valuable for grazing and farming.*

Ques. 11.—Have you ever made any other homestead entry? (If so, describe the same.)
Ans. *No, I am.*
Ques. 12.—Have you sold, conveyed, or mortgaged any portion of the land; and if so, to whom and for what purpose?
Ans. *No, I am.*
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. *Yes, I have a car and some furniture and other personal property.*

Ques. 14.—Describe by legal subdivisions, or by number, kind of entry, and office where made, any other entry or filing (not mineral) made by you since August 30, 1890.
Ans. *None made in other entry.*

Ques. 15.—Describe by legal subdivisions, or by number, kind of entry, and office where made, any other entry or filing (not mineral) made by you since August 30, 1890.
Ans. *None made in other entry.*

Ques. 16.—Describe by legal subdivisions, or by number, kind of entry, and office where made, any other entry or filing (not mineral) made by you since August 30, 1890.
Ans. *None made in other entry.*

Ques. 17.—Describe by legal subdivisions, or by number, kind of entry, and office where made, any other entry or filing (not mineral) made by you since August 30, 1890.
Ans. *None made in other entry.*

Ques. 18.—Describe by legal subdivisions, or by number, kind of entry, and office where made, any other entry or filing (not mineral) made by you since August 30, 1890.
Ans. *None made in other entry.*

Ques. 19.—Describe by legal subdivisions, or by number, kind of entry, and office where made, any other entry or filing (not mineral) made by you since August 30, 1890.
Ans. *None made in other entry.*

Ques. 20.—Describe by legal subdivisions, or by number, kind of entry, and office where made, any other entry or filing (not mineral) made by you since August 30, 1890.
Ans. *None made in other entry.*

4314 Ave 11, Section No. 22, Township No. 9 North, Range No. 46 E. N. M., subject to entry at
under section No. 229 of the Revised Statutes of the United States, do now apply to perfect my claim thereto
by virtue of section No. 2291 of the Revised Statutes of the United States; and for that
purpose do solemnly
that I, James C. Boggs, a citizen of the United States, that I have made actual settlement
upon and have cultivated and resided upon said land since the 15th day of June, 1895
to the present time; that no part of said land has been alienated, except as provided in section 2289 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,
(Sign plainly with full christian name.)
I, James C. Boggs, of Clark County, do hereby certify that the above affidavit was subscribed and sworn to before me this 15th day of June, 1903, at my office at Clark County, in Clark County,
James C. Boggs
Clerk of the District Court, 6th Judicial District of the State of Idaho, in and for
Clark County.

FINAL AFFIDAVIT REQUIRED OF HOMESTEAD CLAIMANTS.

(4-369.)

HOMESTEAD PROOF.

LAND OFFICE AT

Shoshone Falls

Original Application No. 8979

Final Certificate No. 4067

Approved:

James C. Thomas, Register

James C. Boggs, Receiver

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. (Sec. 1750.)

TITLE LXX—CRIMES—Chapter 4.

NOTE.—The officer before whom the testimony is taken should call the affiant, and the witnesses 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.

I HEREBY CERTIFY that the foregoing testimony was read to the claimant before being subscribed and was sworn to before me this 15th day of June, 1903, at my office at Clark County, in and for Clark County, Idaho.

James C. Boggs
Clerk of the District Court, 6th Judicial District of the State of Idaho, in and for
Clark County.

[SEE NOTE BELOW.]

NON-MINERAL AFFIDAVIT

This affidavit can be sworn to only on personal knowledge, and can not 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.

DEPARTMENT OF THE INTERIOR,

UNITED STATES LAND OFFICE.

BLACKFOOT, IDAHO,

1902

James B. Deary
being duly sworn according to law, deposes and says that he is the identical

ment title to the *1/4 Sec. 14, T. 26 N., R. 10 E., S. 14* of Section *9* of Township *26 N., R. 10 E., S. 14*; that he is well

acquainted with the character of said described land, and with each and every legal subdivision thereof, having fre-

quently passed over the same; that his personal knowledge of said land is such as to enable him to testify under-

standingly 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, platinum, 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 the land contains no salt spring, or deposits of salt in any form sufficient to render it chiefly valuable therefor;

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 the mineral land, but with the object of securing said land for agricultural purposes, and that his post-

office address is *James B. Deary*

I hereby certify that the foregoing affidavit was read to without in my presence before he signed his name

thereof; 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 _____, Idaho, within the Blackfoot, Idaho, land district, on this _____ day of _____, 1902

James B. Deary
Notary Public for Idaho, in and for the County of _____, State of Idaho.

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:

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 swears or affirms any matter which he does not believe to be true, is guilty of perjury, and shall be punished by 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 Sec. 1750.)

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

State of Idaho)
SS : -)
County of Bear Lake)

Cyrenus J. Bagley being first duly sworn

deposes and says that he is a citizen of the United States of America over the age of 21 years and the head of a family. Affiant alleges further that he has made ~~application for the Homestead~~ of the following described land situated on Crow Creek viz: S. 1/2 N. E. 1/4 Township 9 South of Range 46 East of the Boise Meridian containing one hundred and sixty acres of land. Affiant further alleges from his information and belief that the land above described is situated in Benneek County State of Idaho. Under an act of Congress entitled "An Act to amend section twenty-two hundred and ninety four of the Revised Statutes of the United States," approved March 11, 1902, affiant makes this affidavit before James H. Hart Clerk of the Dist

RICT Court of the Fifth Judicial District of the State of Idaho in and for the County of Bear Lake who, affiant further alleges is the nearest and most accessible officer qualified to take this affidavit it in the land District in which the land above described is situated. In witness whereof said affiant has hereunto set his hand and seal this ~~11th~~ day of November A. D. 1902. 1903

Cyrenus J. Bagley

Subscribed and sworn to before me
this ~~11th~~ day of November 1902.

James E. Hart

Clerk Dist. Court.

Handwritten text: *Handwritten text, possibly a signature or name, written in a cursive script.*

061

J. Toynum & Son, of New York, who made documented application for the
 J. 1/2 M. 2/4 M. 3/4 M. 4/4 M. 5/4 M. 6/4 M. 7/4 M. 8/4 M. 9/4 M. 10/4 M. 11/4 M. 12/4 M. 13/4 M. 14/4 M. 15/4 M. 16/4 M. 17/4 M. 18/4 M. 19/4 M. 20/4 M. 21/4 M. 22/4 M. 23/4 M. 24/4 M. 25/4 M. 26/4 M. 27/4 M. 28/4 M. 29/4 M. 30/4 M. 31/4 M. 32/4 M. 33/4 M. 34/4 M. 35/4 M. 36/4 M. 37/4 M. 38/4 M. 39/4 M. 40/4 M. 41/4 M. 42/4 M. 43/4 M. 44/4 M. 45/4 M. 46/4 M. 47/4 M. 48/4 M. 49/4 M. 50/4 M. 51/4 M. 52/4 M. 53/4 M. 54/4 M. 55/4 M. 56/4 M. 57/4 M. 58/4 M. 59/4 M. 60/4 M. 61/4 M. 62/4 M. 63/4 M. 64/4 M. 65/4 M. 66/4 M. 67/4 M. 68/4 M. 69/4 M. 70/4 M. 71/4 M. 72/4 M. 73/4 M. 74/4 M. 75/4 M. 76/4 M. 77/4 M. 78/4 M. 79/4 M. 80/4 M. 81/4 M. 82/4 M. 83/4 M. 84/4 M. 85/4 M. 86/4 M. 87/4 M. 88/4 M. 89/4 M. 90/4 M. 91/4 M. 92/4 M. 93/4 M. 94/4 M. 95/4 M. 96/4 M. 97/4 M. 98/4 M. 99/4 M. 100/4 M. 101/4 M. 102/4 M. 103/4 M. 104/4 M. 105/4 M. 106/4 M. 107/4 M. 108/4 M. 109/4 M. 110/4 M. 111/4 M. 112/4 M. 113/4 M. 114/4 M. 115/4 M. 116/4 M. 117/4 M. 118/4 M. 119/4 M. 120/4 M. 121/4 M. 122/4 M. 123/4 M. 124/4 M. 125/4 M. 126/4 M. 127/4 M. 128/4 M. 129/4 M. 130/4 M. 131/4 M. 132/4 M. 133/4 M. 134/4 M. 135/4 M. 136/4 M. 137/4 M. 138/4 M. 139/4 M. 140/4 M. 141/4 M. 142/4 M. 143/4 M. 144/4 M. 145/4 M. 146/4 M. 147/4 M. 148/4 M. 149/4 M. 150/4 M. 151/4 M. 152/4 M. 153/4 M. 154/4 M. 155/4 M. 156/4 M. 157/4 M. 158/4 M. 159/4 M. 160/4 M. 161/4 M. 162/4 M. 163/4 M. 164/4 M. 165/4 M. 166/4 M. 167/4 M. 168/4 M. 169/4 M. 170/4 M. 171/4 M. 172/4 M. 173/4 M. 174/4 M. 175/4 M. 176/4 M. 177/4 M. 178/4 M. 179/4 M. 180/4 M. 181/4 M. 182/4 M. 183/4 M. 184/4 M. 185/4 M. 186/4 M. 187/4 M. 188/4 M. 189/4 M. 190/4 M. 191/4 M. 192/4 M. 193/4 M. 194/4 M. 195/4 M. 196/4 M. 197/4 M. 198/4 M. 199/4 M. 200/4 M. 201/4 M. 202/4 M. 203/4 M. 204/4 M. 205/4 M. 206/4 M. 207/4 M. 208/4 M. 209/4 M. 210/4 M. 211/4 M. 212/4 M. 213/4 M. 214/4 M. 215/4 M. 216/4 M. 217/4 M. 218/4 M. 219/4 M. 220/4 M. 221/4 M. 222/4 M. 223/4 M. 224/4 M. 225/4 M. 226/4 M. 227/4 M. 228/4 M. 229/4 M. 230/4 M. 231/4 M. 232/4 M. 233/4 M. 234/4 M. 235/4 M. 236/4 M. 237/4 M. 238/4 M. 239/4 M. 240/4 M. 241/4 M. 242/4 M. 243/4 M. 244/4 M. 245/4 M. 246/4 M. 247/4 M. 248/4 M. 249/4 M. 250/4 M. 251/4 M. 252/4 M. 253/4 M. 254/4 M. 255/4 M. 256/4 M. 257/4 M. 258/4 M. 259/4 M. 260/4 M. 261/4 M. 262/4 M. 263/4 M. 264/4 M. 265/4 M. 266/4 M. 267/4 M. 268/4 M. 269/4 M. 270/4 M. 271/4 M. 272/4 M. 273/4 M. 274/4 M. 275/4 M. 276/4 M. 277/4 M. 278/4 M. 279/4 M. 280/4 M. 281/4 M. 282/4 M. 283/4 M. 284/4 M. 285/4 M. 286/4 M. 287/4 M. 288/4 M. 289/4 M. 290/4 M. 291/4 M. 292/4 M. 293/4 M. 294/4 M. 295/4 M. 296/4 M. 297/4 M. 298/4 M. 299/4 M. 300/4 M. 301/4 M. 302/4 M. 303/4 M. 304/4 M. 305/4 M. 306/4 M. 307/4 M. 308/4 M. 309/4 M. 310/4 M. 311/4 M. 312/4 M. 313/4 M. 314/4 M. 315/4 M. 316/4 M. 317/4 M. 318/4 M. 319/4 M. 320/4 M. 321/4 M. 322/4 M. 323/4 M. 324/4 M. 325/4 M. 326/4 M. 327/4 M. 328/4 M. 329/4 M. 330/4 M. 331/4 M. 332/4 M. 333/4 M. 334/4 M. 335/4 M. 336/4 M. 337/4 M. 338/4 M. 339/4 M. 340/4 M. 341/4 M. 342/4 M. 343/4 M. 344/4 M. 345/4 M. 346/4 M. 347/4 M. 348/4 M. 349/4 M. 350/4 M. 351/4 M. 352/4 M. 353/4 M. 354/4 M. 355/4 M. 356/4 M. 357/4 M. 358/4 M. 359/4 M. 360/4 M. 361/4 M. 362/4 M. 363/4 M. 364/4 M. 365/4 M. 366/4 M. 367/4 M. 368/4 M. 369/4 M. 370/4 M. 371/4 M. 372/4 M. 373/4 M. 374/4 M. 375/4 M. 376/4 M. 377/4 M. 378/4 M. 379/4 M. 380/4 M. 381/4 M. 382/4 M. 383/4 M. 384/4 M. 385/4 M. 386/4 M. 387/4 M. 388/4 M. 389/4 M. 390/4 M. 391/4 M. 392/4 M. 393/4 M. 394/4 M. 395/4 M. 396/4 M. 397/4 M. 398/4 M. 399/4 M. 400/4 M. 401/4 M. 402/4 M. 403/4 M. 404/4 M. 405/4 M. 406/4 M. 407/4 M. 408/4 M. 409/4 M. 410/4 M. 411/4 M. 412/4 M. 413/4 M. 414/4 M. 415/4 M. 416/4 M. 417/4 M. 418/4 M. 419/4 M. 420/4 M. 421/4 M. 422/4 M. 423/4 M. 424/4 M. 425/4 M. 426/4 M. 427/4 M. 428/4 M. 429/4 M. 430/4 M. 431/4 M. 432/4 M. 433/4 M. 434/4 M. 435/4 M. 436/4 M. 437/4 M. 438/4 M. 439/4 M. 440/4 M. 441/4 M. 442/4 M. 443/4 M. 444/4 M. 445/4 M. 446/4 M. 447/4 M. 448/4 M. 449/4 M. 450/4 M. 451/4 M. 452/4 M. 453/4 M. 454/4 M. 455/4 M. 456/4 M. 457/4 M. 458/4 M. 459/4 M. 460/4 M. 461/4 M. 462/4 M. 463/4 M. 464/4 M. 465/4 M. 466/4 M. 467/4 M. 468/4 M. 469/4 M. 470/4 M. 471/4 M. 472/4 M. 473/4 M. 474/4 M. 475/4 M. 476/4 M. 477/4 M. 478/4 M. 479/4 M. 480/4 M. 481/4 M. 482/4 M. 483/4 M. 484/4 M. 485/4 M. 486/4 M. 487/4 M. 488/4 M. 489/4 M. 490/4 M. 491/4 M. 492/4 M. 493/4 M. 494/4 M. 495/4 M. 496/4 M. 497/4 M. 498/4 M. 499/4 M. 500/4 M. 501/4 M. 502/4 M. 503/4 M. 504/4 M. 505/4 M. 506/4 M. 507/4 M. 508/4 M. 509/4 M. 510/4 M. 511/4 M. 512/4 M. 513/4 M. 514/4 M. 515/4 M. 516/4 M. 517/4 M. 518/4 M. 519/4 M. 520/4 M. 521/4 M. 522/4

at and cutting on before James C. Ward, Clerk Dist. Court, on January 16, 1903

by two of the following witnesses:

[illegible]

(Signature of Claimant.)

(Signature of Plaintiff)
 Plaintiff

Trade Office at

BLACKFOOT, IDAHO.

DEC 10 1967

Office. If the above application will be published in the
Chatham printed at
 Newburyport, near the town described in said application.

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 addresses of four neighbors, two of whom must appear as your witnesses.

Attidabit of Publication.

STATE OF IDAHO,

ss. COUNTY OF BANNOCK.

I, Thomas R. Thomas do solemnly swear that I am the
 CHIEFTAIN, a newspaper of general circulation, published once each week at
 Soda Springs, Bannock County, State of Idaho; that the notice attached hereto, and which is a
 part of this affidavit, and a part of the proof of publication, was published in said newspaper
 for 18 consecutive weeks, the first publication being made on the 18th day of
December 1903; that said notice was published in the regular and entire issue
 of every number of the paper during the period and times of publication, and that the notice
 was published in the newspaper, and not in a supplement.

Subscribed and Sworn to before me this 21 day of

January A. D. 1903

Robert Hootby
Notary Public

Thomas R. Thomas, Register, do hereby
 certify that a notice, a printed copy of which is hereunto
 annexed, was by me posted in a conspicuous place in my
 office for a period of thirty days; I having posted said notice
 on the 18 day of December A. D. 1903

Thomas R. Thomas

NOTICE FOR PUBLICATION.
 Department of the Interior,
 Land Office at Bannock, Idaho.
 Dec. 10, 1902.
 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 James R.
 Hunt, Clerk District Court at Paris, Idaho, on
 January 20, 1903, viz:
 CYRIL J. BAGLEY,
 for the S 1/2 NW 1/4, S. R. 45 E. R. 21, SW 1/4
 NW 1/4 of Sec. 22, T. 9, S. R. 45 E. R. 21, SW 1/4
 He names the following witnesses to prove his
 continuous residence upon said section of
 said land, viz: William Bagley, of Crow Creek,
 Idaho; John Bagley, and John S. Haggie, of
 Montpelier, Idaho; Edith Bagley, of Crow Creek,
 Idaho.
 LORENZO R. THOMAS, Register.

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.

0-012

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 said five years he must the 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 fourteen months, pay for it with cash or land warrants, upon making proof of settlement and of residence and cultivation from date of filing affidavit to the time of payment.

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. In 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 entry is consummated or not, shall be determined by the date of entry. 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.

4-137.

RECEIVER'S RECEIPT, No. 8979 APPLICATION, No. 8979

HOMESTEAD.

Receiver's Office, Blackfoot, Idaho.

Dec. 1, 1902

Received of Cyrus J. Bagley the sum of Sixteen dollars and no cents;

being the amount of fee and compensation of Register and Receiver for the entry of Section 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 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