

UNITED STATES OF AMERICA, } ss.
Territory of Dakota, County of Grand Forks,

Michael M. McCabe

personally appeared before me the subscriber, the Clerk of the District Court of Grand Forks County, Dakota Territory, being a Court of Record, and made oath that he was born in Ireland on or about the year eighteen hundred and Forty Two, that he emigrated to the United States and landed at the port of Detroit on or about the month of April in the year eighteen hundred and Eighty Two that it is bona-fide his intention to become a

CITIZEN OF THE UNITED STATES,

and to renounce forever all allegiance and fidelity to any foreign Prince, Potentate, State or Sovereignty whatever, and particularly to the Queen of Great Britain & Ireland whereof he is a subject, and that he will support the Constitution and Government of the United States.

Subscribed and Sworn to this 15th day of April 1882 Michael M. McCabe Clerk.

By _____ Deputy.

UNITED STATES OF AMERICA, } ss.
Territory of Dakota, County of Grand Forks.

I, D. D. WEBSTER, Clerk of the District Court in and

file in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the

Seal of said District Court this 15th day of April 1882 D. D. Webster Clerk.

By _____ Deputy.

Timber-Culture Act of June 14, 1878.

[AFFIDAVIT.]

Land Office at Grand Forks N.D.

July 16th 188~~7~~

I, Michael M. Cabe

having filed my application, No. 4230
 for an entry under the provisions of an act entitled "An Act to amend an act entitled 'An Act to encourage the growth of timber on the western prairies,'" approved June 14, 1878, do solemnly
~~swear~~ swear that I am the head of a family, [~~am~~ over 21 years of age,] and a ~~citizen of the United States~~ a citizen of the U.S. [~~I have declared my intention to become such;~~]; that the section of land specified in my said application is composed exclusively of prairie lands, or other lands devoid of timber; that this filing and entry is made for the cultivation of timber, and for my own exclusive use and benefit; that I have made the said application in good faith, and not for the purpose of speculation, or directly or indirectly for the use or benefit of any other person or persons whomsoever; that I intend to hold and cultivate the land, and to fully comply with the provisions of this said act; and that I have not heretofore made an entry under this act, or the acts of which this is amendatory.

Michael M. Cabe

Sworn to and subscribed before me this 16th day

this affidavit was made within the Grand Forks Land Office of July 188~~7~~ further that

Richard Bennett

Notary Public of the Land Office

TIMBER-CULTURE ACT OF JUNE 14, 1878.

APPLICATION

No. 4230

I, Michael W. Cabe

hereby apply to enter, under the provisions of the act of June 14, 1878, entitled "An Act to amend an act entitled 'An Act to encourage the growth of timber on the western prairies,'" the

SW 1/4

of Section 14, in Township 152 N, of Range 54 W

containing 160 acres.

Michael McCabe

Land Office at Grand Forks W.T.

July 24, 1884

I, Bl. Tiffany

REGISTER OF THE LAND OFFICE, do hereby certify

that the above application is for the class of lands which the applicant is legally entitled to enter under the provisions of the timber-culture act of June 14, 1878; that there is no prior valid adverse right to the same, and that the land therein described, together with the lands heretofore entered, under this act and the acts of which this is amendatory, in the said section, does not exceed one quarter thereof.

Bl. Tiffany

Register.

TIMBER CULTURE.

(Acts of March 3, 1873, March 13, 1874, and June 14, 1878.)

Land Office at *Grand Forks, ND*

July 2, 1896

FINAL CERTIFICATE

No. *793*

APPLICATION

No. *4730*

It is hereby certified that, in pursuance of the provisions contained in the acts of Congress of March 3, 1873, and March 13, 1874, and the act amendatory thereof of June 14, 1878, entitled "An act to amend the act entitled 'An act to encourage the growth of timber on the western prairies,'"

Michael McBabs, of *Arvilla*

has made payment in full for

5714

of section No. *44*, in township No. *153N* of range No. *64W*

meridian, containing *160* acres.

Now, therefore, be it known that, on presentation of this certificate to the Commissioner of the General Land Office, the said *Michael McBabs*

shall be entitled

to a patent for the tract of land above described.

Geo V. Brooke

TIMBER-CULTURE PROOF.—TESTIMONY OF CLAIMANT.

(Act of June 14, 1878.)

Michael McCabe, being called as a witness in his own behalf,
in support of his timber-culture entry No. 4230, for S. N. 14
section 14, township 152, of range 54, 5 meridian,
in the district of lands subject to entry at Grand Forks, testifies as follows:

QUESTION 1.—What is your name (written in full and correctly spelled), your age, and post-office address?

ANSWER. Michael McCabe, age 54, P. O. address
Arvilla, Grand Forks Co. N. D.

QUES. 2.—Describe your timber-culture entry by legal subdivisions, giving the date thereof and the number of acres embraced therein.

ANS. S. N. 14 Sec. 14 T. 152 R. 54.

QUES. 3.—Are you a native-born citizen of the United States? If so, in what State or Territory were you born? *

ANS. No I am a Naturalized Citizen.

QUES. 4.—What number of acres of said land was broken by you during the first year, what number broken during the second year, and what number broken during the third year, respectively, after the date of your entry?

ANS. 50 acres,
About 50 acres.

QUES. 5.—How many acres of said tract were cultivated during the second year of your entry, and how many the third year?

ANS. 50 acres
About 40 or 50 acres.

QUES. 6.—How many acres of said tract were planted to trees, seeds, or cuttings during the third year of your entry? State the kind or kinds of trees, seeds, or cuttings planted; and how you know the area or number of acres so planted during said third year.

ANS. 5 acres planted second year, ~~Cottonwood~~
Cuttings, in rows 4 ft. apart each way,
I measured the land.

QUES. 7.—How many acres of said tract were planted to trees, seeds, or cuttings during the fourth year of your entry? State the kind or kinds of trees, seeds, or cuttings planted; and how you know the area or number of acres so planted during said fourth year.

ANS. 10 acres. (Replanted first five acres.)
Cottonwood & Box elder trees.
Planted in rows 4 ft. apart each way.
I measured the land.

QUES. 8.—If you have received an extension of time for planting on account of the destruction of your trees, seeds, or cuttings, by grasshoppers, or by extreme and unusual drouth, state the year or years in which extension was had, and give all the particulars. How did you proceed to obtain such extension?

ANS.

No.

QUES. 9.—How many acres of timber have you planted, cultivated, protected, and kept in a healthy growing condition for the period of eight (8) years, last preceding, on the tract embraced in your entry?

ANS.

10 acres.

QUES. 10.—Describe the condition of the trees now growing on said tract, giving their average diameter and height, as near as you can, the kind or kinds of trees, the number of trees per acre now growing thereon, and state how you know the facts to which you testify.

ANS.

*Good healthy condition. Average height 15 ft.
Average diameter 3 to 4 in. Red Alder & Chestnut.
At least 1000 trees per acre.
Personal knowledge. Have done all work myself.*

* 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 naturalization, or a copy thereof, certified by the officer taking this proof, must be filed with the case.

QUES. 11.—Have you ever heretofore made any other timber-culture entry? If so, describe such entry or entries and state all the particulars.

ANS. *No*

QUES. 12.—State anything further within your personal knowledge which you have to offer regarding your aforesaid entry.

ANS.

QUES. 13.—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.*

(Sign plainly with full christian name.)

Michael McCabe

I hereby certify that each question and answer in the foregoing testimony was read to the claimant before signed *his* name thereto, and that the same was subscribed and sworn to before me this day of *July*, 1896, at my office in *Grand Forks* County, *N. Dak.*

Chas. M. English
Recd

NOTE.—The officer before whom the testimony is taken should call the attention of the witness to the following act of Congress, which is made by statute specifically applicable to all oaths, affirmations, and affidavits required or authorized under the timber-culture acts:

Act of March 3, 1857 (11 Statutes, p. 250).

“SEC. 5. And be it further enacted, That in all cases where any oath, affirmation, or affidavit shall be made or taken before any register or receiver, or either or both of them, of any local land office in the United States or any Territory thereof, or where any oath, affirmation, or affidavit shall be made or taken before any person authorized by the laws of any State or Territory of the United States to administer oaths or affirmations, or take affidavits, and such oaths, affirmations, or affidavits are made, used, or filed in any of said local land offices, or in the General Land Office, as well in cases arising under any or either of the orders, regulations, or instructions concerning any of the public lands of the United States, issued by the Commissioner of the General Land Office or other proper officer of the Government of the United States, as under the laws of the United States, in anywise relating to or affecting any right, claim, or title, or any contest therefor, to any of the public lands of the United States, and if any person or persons shall, taking such oath, affirmation, or affidavit, knowingly, willfully, or corruptly swear or affirm falsely, the same shall be deemed and taken to be perjury, and the person or persons guilty thereof shall, upon conviction, be liable to the punishment prescribed for that offense by the laws of the United States.” (See also Section 5392, U. S. Revised Statutes.)

~~FINAL~~ AFFIDAVIT.

I, *Michael McCabe*, having on the *24* day of *July*, 1896, made a timber-culture entry, No. *4230*, of the *15th* of section *14*, in township *15th* of range *34*, subject to entry at *Grand Forks*, *N. Dak.*, under the timber-culture laws of the United States, do hereby apply to perfect my claim thereto by virtue of the seventh section of the Act of June 14, 1878, entitled “An act to amend an act entitled ‘An act to encourage the growth of timber on the western prairies,’” and for that purpose do solemnly

swear that my aforesaid entry was made in good faith, and not for the purpose of speculation, or directly or indirectly for the use or benefit of any other person or persons whomsoever; that I have not heretofore made any other entry under the timber-culture laws of the United States; and I do further *swear* that the section of land specified in my aforesaid entry is composed exclusively of prairie lands or other lands devoid of timber, and that said entry was made for the cultivation of timber, and that I have planted on said land, cultivated, protected, and kept in a healthy growing condition for and during the period of eight (8) years last past *10 acres* acres of *Cottonwood & Box Elder, trees*

(here describe the kinds) timber; that not less than *2700* trees were planted on each acre, and that there are now at least *1000* (here state the number) living and thrifty trees to and upon each acre, aggregating in total the number of *10000* trees.

Michael McCabe
(Signature of claimant.)

Sworn to and subscribed before me this *1* day of *July*, 1896, at my office in *Grand Forks* County, *N. Dak.*

Chas. M. English
Recd