

File name: William B. Kirkland

File description: Assorted homestead deed documents, Proof and testimony of witness affidavits, Certificate as to posting of notice, Land office receipts, Dept of interior non mineral affidavits, Notice of publications in the Ft. Myers Press 1903.

Land entry as follows NE 1/4 of NW 1/4 N ½ of NE ¼ Section 10, and NW 1/4 of NW 1/4 Section 11 in Township 51 south in Range 26 East, Land containing 160 acres for 14 dollars.

First settled September 1897, improvements to property include 1 wooden dwelling house (box) 12 ft by 24 ft 2 rooms, 1 log kitchen 12 ft by 14 ft , 3 acres cleared land, 2 acres fenced in, 75 orange trees and grapefruit trees set in a small nursery, estimated value at 300 dollars. Information is taken from Mr. Kirkland's homestead proof testimony of claimant statement in April 18, 1903. He is 45 years old at the time and was a wife and one child.

Other witnesses in 1903 are James Larrell 38 years old of Marco Florida Eugene Johnson 23 years old of Marco Island.

(4-007.)

No. 27538

HOMESTEAD APPLICATION.

William B. Highland

Gainesville, Fla.

July 22, 1897

Section 11, Town 51A, Range 26E

St. A. 23 - 216

Final Receiver's Receipt No. 16918Application No. 27538

HOMESTEAD.

Receiver's Office, GAINESVILLE, FLA.JUN 15 1903, 1

Received of William B. Kirkland the sum
of Four dollars — cents,

being the balance of payment required by law for the entry of

NE¹/₄ of NW¹/₄, N¹/₂ of NE¹/₄ Sec. 10 and NW¹/₄ of NW¹/₄

of Section 11 in Township 51 S. of Range 26 E
containing 160 acres, under Section 2291 of the
Revised Statutes of the United States.



Henry C. Chubb
Receiver.

\$ 1.00 Testimony fee received. Number of written words, 670

Rate per 100 words 15 cents.

HOMESTEAD.

Land Office at GAINESVILLE, FLA.

JUN 15 1903

189

FINAL CERTIFICATE
No. **16918**

APPLICATION
{ No. 27538

It is hereby certified That, pursuant to the provisions of Section No. 2291,
Revised Statutes of the United States, William B. Kirkland
has made payment in full for north east quarter of
north west quarter, north half of north east quarter
of Section No. 10 and north west quarter of
north west quarter
of Section No. 11, in Township No. 51 South, of
Range No. 26 East, of the Talla- Principal
Meridian **FLORIDA.**, containing 160 ^{or} 100 acres.

Now, therefore, be it known, That on presentation of this certificate to the
COMMISSIONER OF THE GENERAL LAND OFFICE, the said William B.
Kirkland shall be entitled to a patent for the tract of land
above described.

W G Robinson
Register.

RECEIVER'S RECEIPT, No. 27538APPLICATION, No. 27538

HOMESTEAD.

Receiver's Office, Gainesville, Fla.July 22, 1897.Received of William B. Kirkland the sum
of Fourteen dollars — cents;

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

entry of NE⁴ of NW⁴, N² of NE⁴
Sec. 10 NW⁴ of NW⁴of Section 11
Township 51 S. of Range 26 E., under

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

A. D. Mairright
Receiver.\$14.00

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 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.

HOMESTEAD AFFIDAVIT.

U. S. Land Office at _____

_____, 189____

I, Wm B Kirkland, of Lee Co. Fla. / Marco Pk.

having filed my application No. 27538, 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 United States and the head of a family & that I can not appear at the land office, by reason of distance and expense

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, except

Nothing

and that I have not heretofore made any entry under the homestead laws, except Nothing

(Sign plainly with full christian name.) William B. Kirkland

Sworn to and subscribed before me this 19th day of July, 1897, at my office at Fort Myers in Lee County, Florida

Wm H. H. H. H.
Clk

* Here insert statement that affiant is a citizen of the United States, or that he has filed his 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.)

CERTIFICATE AS TO POSTING OF NOTICE.

Department of the Interior,

UNITED STATES LAND OFFICE,

At GAINESVILLE. FLA.

JUN 16 1903

, 190...

I, W. G. ROBINSON, 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 9 day of March, 1903

W G Robinson

Register.

Final Certificate No. 16918

Homestead Application No. 27558

LAND OFFICE

AT

GAINESVILLE, FLA.

JUN 15 1903

, 189

Sec. 11, Town 57d, Range 26E

Approved Nov. 9, 1903, 189

M. S. L., Clerk,

Division

Patented Dec. 17, 1903

Recorded, Vol. 105, page 439

St. A. 23/216

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,

, 190.

William B. Kirkland, being duly sworn according to law, deposes and says that he is the identical person who is an applicant for Government title to the and NW 1/4 of NW 1/4 Sec 11 T. 51 R. 26 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 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 Marco Lee Co. Fla

William B. Kirkland.

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 Fort Myers, within the Gainesville land district, on this 18th day of April, 1903

Wm. B. Kirkland
and

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, 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 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.)

How to describe former entry

122

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,

, 190

William B. Kirkland, being duly sworn according to law, deposes and says that he is the identical person who is an applicant for Government title to the NE 1/4 of NW 1/4 Sec 11 T. 25 N. R. 26 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, Phosphate 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 Marco Lee Co., Fla

William B. Kirkland.

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 Fort Myers, within the Hammock land district, on this 18th day of April, 1903.

W. B. Kirkland
clerk let let

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, 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 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.)

Fails to desc former entry
122

State of Florida,
County of Lee. }

Before me personally appeared Philip Seace

editor and publisher of the FT. MYERS PRESS, an
official newspaper of the Sixth Judicial Circuit of Flor-

ida, who certifies that the annexed Notice for
Publication

in said paper for a period of six consecutive

weeks, to wit: From the 12th day of March
1903 to the 16th day of April 1891903
inclusive.

Philip Seace

Sworn to and subscribed before me this 21st
day of April 1891903

H. W. Steady
Deputy Clerk

Notice for Publication.

LAND OFFICE GAINESVILLE, FLA.,
March 9, 1903.

Notice is hereby given that the follow-
ing-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 Clerk Circuit Court, at Fort Myers,
Florida, on April 18, 1903, viz:

WILLIAM B. KIRKLAND,
of Marco, Fla., homestead 27,538, for the
NE $\frac{1}{4}$ of NW $\frac{1}{4}$, N $\frac{1}{2}$ of NE $\frac{1}{4}$ Section 10, and
NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 11, Township 51
South, Range 26 east.
He names the following witnesses to
prove his continuous residence upon and
cultivation of said land, viz:
James Chittell, H. J. Weaver, Eugene
Johnson, Walter Collier, of Marco, Fla.
W. G. ROBINSON, Register.
1206

State of Florida,
County of Lee: }

Before me personally appeared Philip S. Sasser

editor and publisher of the Sixth Judicial Circuit of Flor.

official newspaper of the Sixth Judicial Circuit of Flor.

id., who certifies that the annexed Notice for

Publication was published

in said paper for a period of six consecutive

weeks, to wit: From the 12th day of March

1903, to the 16th day of April 1891

inclusive.

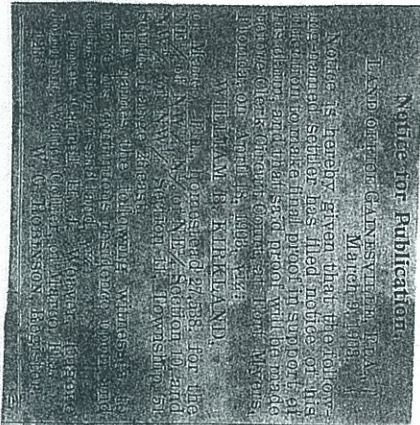
Philip S. Sasser

Sworn to and subscribed before me this 21st

day of April 1891

W. M. Steady

Deputy Clerk



William B. Kirkland

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No. 1.--HOMESTEAD.

Land Office at GAINESVILLE, FLA.

MAR 9 - 1903, 1

I, William B. Kirkland, of Marco, Fla.
 who made Homestead Application No. 27538 for the
 NE¹/₄ NW¹/₄ NE¹/₄ Sec. 10 & NW¹/₄ NW¹/₄ Sec. 11 Tp. 51 S. R. 26 E.

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 Clerk Circuit Court
 at Ft. Myers, Fla. on APR 18 1903
 by two of the following witnesses:

James Carr ell, of *Marco, Fla.*
H. J. Herver, of "
Eugene Johnson, of "
Halter Collier, of "

William B. Kirkland
 (Signature of Claimant.)

Land Office at GAINESVILLE, FLA.

MAR 9 - 1903, 1

Notice of the above application will be published in the *Press*
 printed at *Ft. Myers, Fla.*, which I hereby designate as the
 newspaper published nearest the land described in said application.

W. G. Robinson
 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.

W
 3-4-03
 Ed. fee paid

4-2303
c. 500

4-137.

16918
160

RECEIVER'S RECEIPT, No. 27538

APPLICATION, No. 27538

HOMESTEAD.

Receiver's Office, Gainesville, Fla.

July 22, 1897

Received of William B. Kirkland the sum
of Fourteen dollars — cents;

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

entry of NE¹/₄ of NW¹/₄, N¹/₂ of NE¹/₄ Sec
10 and NW¹/₄ of NW¹/₄

of Section 11 in

Township 51 S. of Range 26 E., under

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

A. D. Vainwright
Receiver.

\$14.00

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 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.

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.

Timber land embraced in a homestead, or otherwise 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 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 suit for recovery of the value of said timber, and also to criminal prosecution under Section 2601 of the Revised Statutes.

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,

18

Wm B Kirkland, being duly sworn according to law, deposes and says that he is the identical *Wm B Kirkland* who is an applicant for Government title to the *NW 1/4 of NW 1/4 & NE 1/4 of Sec 10 & NW 1/4 of NW 1/4 Sec 11 Twp 57 S Range 26 E*

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 *Marco Lee County Florida*

William B. Kirkland

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 *J R Meant Sr*), 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 *Fort Myers*, within the *Gunnville* land district, on this *19th* day of *July*, 189*9*

Wm B Hendry
Clifford C. Cech

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, 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, be incapable of giving testimony in any court of the United States until such time as the judgment against him is reversed. (See §1750.)

State of Fla }
Lee County }

Before me W M Hendry clerk let it be in and for said State and County aforesaid this day personally appears Wm B Kirkland who being by me duly sworn deposes & says that he is the individual who made N.E. 74027538 & made final proof thereon on April 18th 1903 and that since making said final proof he has not transferred the land embraced therein or any part thereof that he still lives on and cultivates the same. That to the best of his recollection the former N.E. as stated in his final testimony was made between the years 1880 & 1890 and embraces E² of NW⁴ & N² of NE⁴ Sec 34 Tp 26 S R 27. E that the no of said Entry is at present unknown that he resided upon said land for about Eight years, that by reason of a contest by Jeremiah Moody he lost said Entry said Moody's claim being based on prior settlement that he derived none of the benefits of said entry that he did not voluntarily abandon it. And for such reason, he stated in his final affidavit that he had made no other Homestead Entry, and inadvertently omitted to state except as stated in his testimony sworn & subscribed to.

Before me this 11th day
of June 1903 at Fort
Myers Lee Co Fla
W M Hendry
clerk &c &c }

William B. Kirkland

HOMESTEAD PROOF—TESTIMONY OF WITNESS.

Eugene Johnson, being called as witness in support of the Homestead entry of William B. Kirkland for final proof, testifies as follows:

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

Ans. Eugene Johnson 23 years of age Marco, Florida

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. Farming land

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

Ans. during the fall of 1897

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 been absent

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

Ans. 2 1/2 acres — Each season

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

Ans. 1 Dwelling 12x24 ft 2 Rooms (kitchen) 1 Log Kitchen 12x14 ft about 3 acres cleared 2 1/2 fenced about 1 1/2 acres in Grove Value \$300.

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. None More valuable for agricultural purposes

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

Ans. Not that I know about

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 — I do

(Sign plainly with full christian name.)

Eugene Johnson

I HEREBY CERTIFY that the foregoing testimony was read to the witness before being subscribed and was sworn to before me this 18 day of April, 1903, at my office at Fort Myers in Lee County, Florida

[SEE NOTE ON FOURTH PAGE.]

W. M. Henry
County Clerk

(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.

James Carrell, being called as witness in support of the Homestead entry of William B Kirkland for Final Proof, testifies as follows:

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

Ans. James Carrell 38 years of age Marco, Fla.

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. Farming

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

Ans. to best of my recollection in fall of 1897

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

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

Ans. about 2 1/2 acres Each Season

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

Ans. 1 Dwelling 12 x 24 ft (Box), 2 Rooms, 1 Log Kitchen about 12 x 14 ft 3 acres cleared 2 1/2 acres fenced some fruit trees. Value about \$300.

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. None More Valuable for agricultural purposes

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

Ans. not that I know of

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 I do

(Sign plainly with full christian name.)

James Carrell

I HEREBY CERTIFY that the foregoing testimony was read to the witness before being subscribed and was sworn to before me this 18 day of April 1903, at my

office at Fort Myers in Lee County, Florida

[SEE NOTE ON FOURTH PAGE.]

Wm. S. Sundry
Clk. L. L. L.

(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

William B Kirkland, being called as a witness in his own behalf in support of homestead entry, No. 27538, for Final proof, testifies as follows:

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

Ans. William B Kirkland 45 years of age - Marco Fla

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 State of Florida

Ques. 3.—Are you the identical person who made homestead entry, No. 27538, at the Gainesville land office on the 22d day of

July, 1897, and what is the true description of the land now claimed by you?

Ans. Yes. NE 1/4 of NW 1/4, T24 of NW 1/4 Sec 10 and NW 1/4 of NW 1/4 Sec 11. T24 of NW 1/4 Sec 10 and NW 1/4 of NW 1/4 Sec 11. T24 of NW 1/4 Sec 10 and NW 1/4 of NW 1/4 Sec 11.

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. Before I made H.E. Sept 1897. 1 Dwelling House (Box) 12 ft x 24 ft 2 Rooms, 1 Log Kitchen 12 x 14 ft 3 acres cleared 2 acres fenced about 75 Orange & Grapefruit trees etc. a small nursery Total Value about \$300.

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 & one child 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

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

Ans. from 1 to 2 acres - Each season

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. Ordinary agricultural 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. Not to my knowledge

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

Ans. I made one in Polk County but lost it by contest, had no benefits

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

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

(Sign plainly with full christian name.)

William B. Kirkland

* (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.)

I HEREBY CERTIFY that the foregoing testimony was read to the claimant before being subscribed, and was sworn to before me this 18 day of April, 1903, at my office at Fort Myers in Lee County, Fla

[SEE NOTE BELOW.]

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 S 1750.)

4-369.

HOMESTEAD PROOF.

LAND OFFICE AT
Gainesville, Fla.

Original Application No. 227538

Final Certificate No. 16918

Approved: W. G. Robertson Register

Henry S. Chittenden Receiver

6-577

FINAL AFFIDAVIT REQUIRED OF HOMESTEAD CLAIMANTS.

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

I, William B Kirkland, having made a Homestead entry of the NE 1/4 sec 10 T. 4. N. 26 R. 26 E. Sec 10 T. 4. N. 26 R. 26 E. Section No. 11 in Township No. 5-1 S of Range No. 26 E, subject to entry at Gainesville Florida 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 citizen of the United States; that I have made actual settlement upon and have cultivated and resided upon said land since the 23 day of Sept, 1897, to the present time; that no part of said land has been alienated, except as provided in section 2288 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 nothing

(Sign plainly with full christian name.) William B. Kirkland

I, W. M. Hendry Deputy, of the Census Bureau, do hereby certify that the above affidavit was subscribed and sworn to before me this 18 day of April, 1903, at my office at Fort Myers in Lee County, Florida

W. M. Hendry
Deputy

W
Q-14400
7-22-97

Application No. 27538

(4-007.)

HOMESTEAD.

Land Office at Gainesville, Fla.

I, Mr B Kirkland, of Lee Co Fla,
Marco D O, do hereby apply to enter, under Section 2289,
Revised Statutes of the United States, the NE 1/4 NW 1/4 & N 1/2 of NE 1/4 Sec 10
of NW 1/4 of NW 1/4 of Section 11, in Township 51 S of
Range 26 E, containing 160 acres.

William B. Kirkland

Land Office at Gainesville, Fla.

I, J. M. Barco, July 22, 1897,
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.

J. M. Barco
Register.

TESTS: R26 H

[illegible]

The above map of Township 5 North, Range 26 West is strictly conformable to the field notes of the survey heretofore on file in this office, which have been examined and approved.

Surveyor General's Office
Tulsa, Okla.
February 27th 1896

H. B. Day, N. M. D. 11.
Not true!

Wm. Lloyd Garrison