

State of Oregon

ss.

County of Crook

I, Alex Thomson, being first duly sworn say that I am the Secretary of the Black Butte Land & Live Stock Co. That said company is making an application for the South West quarter of the South West quarter of Section Nine in Township Eleven South, of Range Eleven East and the North West quarter of the North East quarter of Section Thirty Three in Township Thirteen South of Range Twelve East, W. M., under act of June 4th 1897. That said above tracts of land were at the date of the application and now are unoccupied and vacant and not in the possession or occupancy of any person, firm or corporation, and that they are wholly unoccupied, unimproved and vacant.

*Alex Thomson*

Subscribed and sworn to before me this 18th day of June, 1902.

*M. R. Elliott*  
Notary Public for Oregon.





R.  
W L K

Department of the Interior,

GENERAL LAND OFFICE,

Washington, D. C., March 30, 1904.

CHIEF OF DIVISION C.

SIR:

LIEU SELECTION No. 5460 by Black Butte Land & Live Stock Co.  
act June 4, 1897 (30 Stat., 36), for the

SW $\frac{1}{4}$  of SW $\frac{1}{4}$  Sec. 29, T. 12 S., R. 11 E., and  
NW $\frac{1}{4}$  of NE $\frac{1}{4}$  Sec. 33, T. 13 S., R. 12 E., W.M., Oregon,

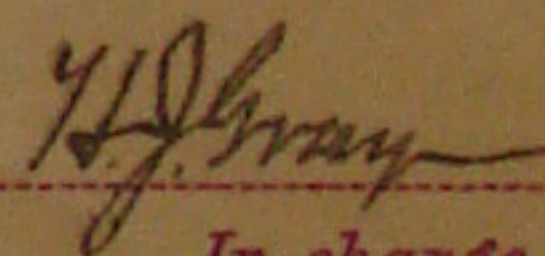
in lieu of

(80 acres in Cascade Range Forest Reserve)

N $\frac{1}{2}$  of SW $\frac{1}{4}$  of

Section 27 Township 12 S. Range 9 E. Wil. Meridian, State  
of Oregon, was approved by Letter R, dated March 30, 1904,  
to the Register and Receiver at The Dalles, Oregon, which fact you  
will please cause to be noted on the proper tract book and return this paper.

Very respectfully,



In charge of Lieu Selections.

11714b3m2-04

FSH.

Noted in Oreg. 4/24/04 - E. E. C.  
H-165  
Q, 179



# 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,

The Dalles, Oregon

Prineville, Or, May 31, 1902

Alex. Thomson

Secretary of the Black Butte Land & Live Stock Company, being duly sworn according to law, deposes and says that he is the identical owner who is an applicant for Government title to the SW<sup>1/4</sup> of SW<sup>1/4</sup> of Sec. 9 T<sup>1</sup> P. 11 S. 4 R 11 E, NW<sup>1/4</sup> of NE<sup>1/4</sup> Sec. 33 T<sup>1</sup> P 13 S, R 12 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 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 Prineville, Oregon,

Alex Thomson

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 Prineville, Or., within the Dalles land district, on this 31st day of May, 1902

W. A. Bee  
U.S. Commissioner

~~W. A. Bee~~  
~~Notary Public for Oregon~~

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.)



LIEU SELECTION NO.

5460

No. 38

APPLICATION

OF

Black Butte Land & Live Stock Co.

P. O. address Prineville, Oregon.

To select the N<sup>w</sup>W<sup>w</sup> Sec. 9 T. 11 S. R. 11 E. and  
N<sup>w</sup>N<sup>e</sup> Sec. 33 T. 13 S. R. 12 E.

situated in The Dalles Land

District Oregon

in lieu of the N<sup>2</sup>W<sup>1</sup> Sec. 27 T. 12

S. R. 9 E.

situated in The Dalles Land

District Oregon

under Act June 4, 1897 (30 Stat., 36).

Selection approved by Commissioner General  
Land Office March 30, 1904, ~~189~~

Approved for patenting Mch. 30, 1904

M. L. K.  
Division "R."

Patented

Vol.

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SELECTION IN LIEU OF LAND IN Cascade Mt. FOREST RESERVE.

(Act June 4, 1897.)

TO THE REGISTER AND RECEIVER,  
United States Land Office,

The Dalles

GENTLEMEN:

I am the owner of the N<sup>2</sup> of SW<sup>4</sup> of Section 27 in Tp. 12<sup>3</sup> S.  
of R. 9<sup>E</sup> (North 1/2 of South West 1/4 of Section Twenty Seven  
in Township 12 S. R 9<sup>E</sup> Willamette Meridian, containing Eighty acres; that said  
land is situate and lying within the boundaries of the Cascade Mt. Forest Reserve;  
that I desire to relinquish and reconvey said land unto the United States, and in lieu thereof to select  
the South West quarter of South West of Section Twenty Nine  
in Township Eleven South, of Range Eleven E. Willamette  
Meridian and North West 1/4 of North East of Sec. Thirty Three  
in Tp Thirteen S., of R. Twelve E. Willamette M. land district, State  
of Oregon, and containing Eighty acres, under the provisions of  
the Act of June 4, 1897 (30 Stat., 36).

In compliance with the regulations under said act, I have made, executed, and caused to be recorded  
in the proper county and State, a deed of reconveyance to the United States of the tract first above  
described and situate within said Cascade Forest Reserve, and in relation thereto have  
caused a proper abstract of title to be made and authenticated, both of which are herewith submitted.

There are also submitted certificates from the proper officers showing that the land relinquished, or  
surrendered, is free from encumbrance of any kind; also that all taxes thereon, to the present time, have  
been paid, and an affidavit showing the lands selected to be non-mineral in character and unoccupied. I  
therefore ask that United States patent issue to me for the tract or tracts thus selected.

Dated, May 31, 1902 Black Butte Land & Live Stock Company  
By Alex Thomson Secretary,

Land Office at THE DALLES, - - OREGON

JUN 21 1902, 189...

I, Jay Lucas, Register of the land office, do hereby certify that the  
land above selected, in lieu of the land herein relinquished to the United States, is free from conflict, and  
that there is no adverse filing, entry, or claim thereto.

Jay Lucas  
Register.

Selection approved by the Commissioner of the General Land Office, per letter "R" to Register and

Receiver March 30, 1904, 189...

W. L. Kea, Div. "R."

*2 will be paid*



# Warranty Deed.

Black Butte Land  
and Live Stock Co.

TO

United States

STATE OF OREGON,

County of

Cook

} ss.

I certify that the within instrument  
was received for record on the 3  
day of June A. D. 1902  
at 10 o'clock A.M., and recorded  
in Vol. 9 on page 202 Record of  
Deeds of said County.

Witness my hand and seal of County  
affixed.

J. J. Smith  
Recorder of Conveyances.

By

Deputy.

FROM THE OFFICE OF



Know all Men by These Presents, That The Black Butte  
Land and Live Stock Company, Incorporated  
under the laws of Oregon, of Crook County, State of Oregon,  
in consideration of Other lands in the Dalles Land Dist.  
to be granted paid by the United States of America Dollars,  
of

State of Oregon, have bargained and sold and by these presents do grant, bargain, sell and convey  
unto said United States

heirs and assigns, all the following bounded and  
described real property, situated in the County of Crook and State of Oregon:

The North half of the South West quar-  
ter of Section Twenty Seven in Township  
Twelve South, T. Range Nine East of  
Willamette Meridian, containing eighty  
Acres.



together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and also all their estate, right, title and interest in and to the same, including dower and claim of dower.

To Have and to Hold the above described and granted premises unto the said

United States of America heirs and assigns forever. And the Black Butte Land and Live Stock Company

grantor above named do covenant to and with the United States of America

the above named grantee heirs and assigns that it is lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all incumbrances,

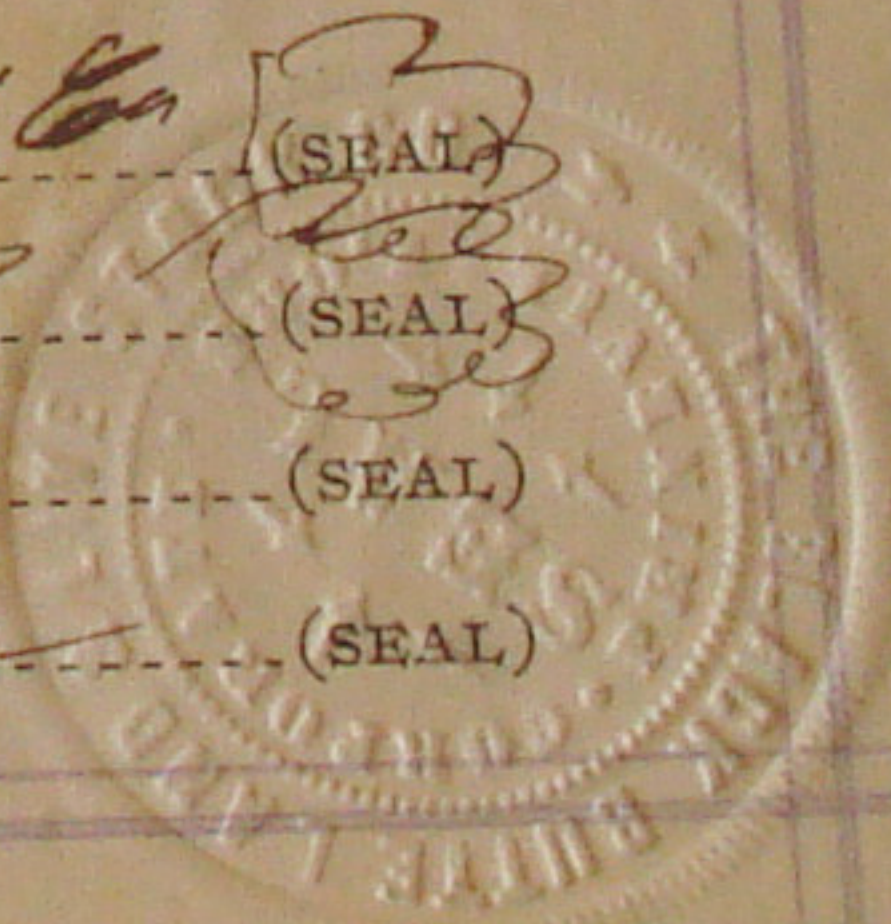
and that they will and their heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

In Witness Whereof, we the grantor above named, hereunto set our hand and seals this 3d day of May 1902

Signed, sealed and delivered in the presence of us as witnesses:

M. R. Elliott  
Arthur Hedges

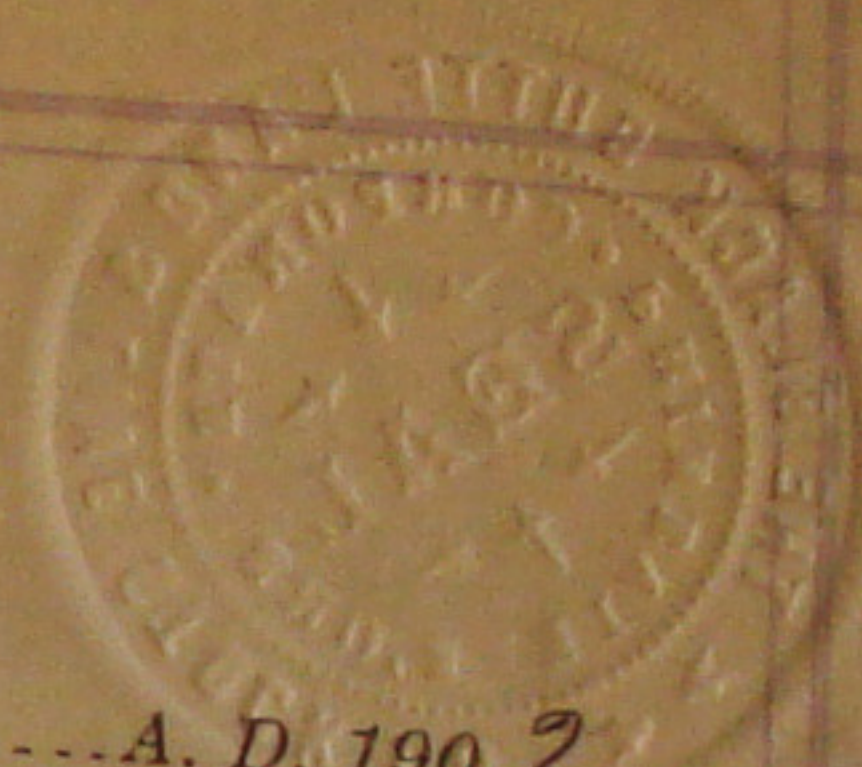
Black Butte Land and Live Stock Co  
by M. Thompson Pres  
Alex. Thompson Sec





STATE OF OREGON,

County of Cook } ss.



Be it Remembered, That on this 3d day of June A. D. 1902,  
before me, the undersigned, a Notary Public

in and for said County and State, personally appeared the within named Will. W. W. W.  
weiler known to me to be the President of the Black  
Butte Land and Live Stock Company, the corporation which  
~~executed the within deed~~ who ~~to me to be the identical individual described in and who executed the within instrument, and~~ known

acknowledged to me that he executed the same freely and voluntarily for the uses  
and purposes therein named.

In Testimony Whereof, I have hereunto set my hand and  
official seal the day and year last above written.

M. R. Elliott  
Notary Public for Oregon

