

No. 2144

CASH ENTRY.

LAND OFFICE AT
Devils Lake, Dakota.

Sec. 2, Town. 157, Range 66

Approved Aug 14/89

by Wm N Davidson, Clerk.

Division C.

Patented Oct. 4, 1889

Recorded Vol. 4, Page 116

83/1

No. 2144

Land Office at Devils Lake, Dakota.

June 8th, 1887.

It is hereby certified that, in pursuance of law,

Daniel S Kreider

residing at Cando

Lawson

County, State of Dakota

, in

the Register of this Office the

S² S.W.⁴ & N.W.⁴ S. 01.⁴

of Section No. 2

in

Township No. 157

of Range No. 66

of the 5

Principal

Meridian, N

containing 120

acres, at the rate of 1

dollar and 25

cents per acre, amounting to

150

dollars and

cents, for which the said

Daniel S Kreider

has made payment in full as required by law.

Now, therefore, be it known that, on presentation of this certificate to the COMMISSIONER OF THE

GENERAL LAND OFFICE, the said

Daniel S. Kreider

shall be entitled to receive a Patent for the lot above described.

ELECTRO'S.

[Signature], Register.

Cr. Book, Vol. 7

Page 421

Cash No. 2144

L. O. Devils Lake, Dakota

Name Daniel S. Kreider

Tract: S 3/4 & N 1/4

Sec. 2 Tp. 157, R. 66
June 1887

Docket No. _____, Page _____

Referred to Div. _____

ACTION:

Approved: Aug 14/89
Wm H. Davidson

(9363-15 x 1)

~~102144~~

Receiver's Office at DEVILS LAKE, DAK.

June 8, 1887.

RECEIVED from Daniel S. Kreider

of Townier County, Dakota, the sum of One

Hundred & Fifty dollars and no cents; being in full for the

south half of the south west quarter and the north west quarter of the south west

quarter of Section No. 2, in Township

No. 157, of Range No. 66, containing

120 acres and no hundredths, at

\$ 125 per acre.

~~1750.00~~

S. S. Smith, Receiver.

Land Office at Devils Lake, Dakota.

Aug 13th, 1886

Mr. Daniel S. Kreider has this day paid Two dollars; the Register's and Receiver's fees, to file a Declaratory Statement, the receipt whereof is hereby acknowledged.

W. Whipple Receiver.

Mr. Daniel S. Kreider having paid the fees, has this day filed in this Office his Declaratory Statement, No. 3467

for S2 SW+ NW4 SW4 section 2 township 157, of range 66, containing 120 acres, settled upon Aug 7th, 1886, being Un offered.

Under the provisions of the Pre-emption Laws, the time within which final proof is required to be made on unoffered lands expires in thirty-three months from date of settlement, or from date of filing of township plat in District Land Office in case of settlement on unsurveyed lands, and on offered lands in twelve months from date of settlement; and under act of March 3, 1879, notice of intention to prove up must be given by publication in a newspaper, to be designated by the Register, for a period of thirty days, or in five consecutive issues of said paper, which notice must also contain the names of the witnesses by whom the necessary facts will be established.

Notice is, therefore, hereby given that this pre-emption filing expires on May 7th, 1889, after which date the tract will be subject to the claim of any other qualified party.

Very respectfully,

W. Whipple Register.

Timber land entered 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 settler 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 2401 of the Revised Statutes.

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

[TO BE USED IN ALL CASES OF PRE-EMPTION ENTRY.]

United States Land Office

at Devils Lake, Dakota.

June 8th, 1887

In the matter of the Pre-emption

Claim of Daniel S. Kreider

to S² S^W 4 + NW⁴ S^W 4

Sec 2 - 157 - 66

Declaratory statement No. 3457, for S² S^W 4 + NW⁴ S^W 4

Sec 2 - 157 - 66

filed on the 13 day of August, 1887, alleging

settlement on the 7 day of August, 1887,

and reported in the 1st offered series.

Plat of survey filed in this Office on the 9 day of July, 1887

There are no adverse claims of record except

REMARKS:

[Signature], Register.
[Signature], Receiver.

* Under this head, if the land is within the limits of a railroad grant, the date of withdrawal should be given; and if the land has been returned by the Surveyor General or withdrawn by order of the Commissioner as mineral, the fact should be noted.

No. 2.-PRE-EMPTION.

Land Office at Devils Lake Dakota
April 19th, 1887.

I Daniel S. Krider, of lands Towners Co, Dk
who made Pre-emption Declaratory Statement No. 3467 for the
S 1/2 S N 1/4 & N N 1/4 S N 1/4 Sec 2 T107 R44

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 John H. Wardie, Judge of Probate
and Ex-officio Clerk of the Probate Court of Towners County Dakota
at lands Towners Co, D.C., on June 6th, 1887,

by two of the following witnesses:

D. B. Gore, of
Thos F. Moore all, of lands Towners Co
John Moglau, of Dakota
Geo H. Mouty, of
Daniel S. Krider
(Signature of claimant.)

Land Office at Devils Lake D.C.
April 21st, 1887

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

ELECTORS

Register.

NOTICE TO CLAIMANT. - Give time and place of proving up and name and 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.

N. W. Dickinson Atty.
DL

AFFIDAVIT OF PUBLICATION.

TERRITORY OF DAKOTA.
TOWNER COUNTY.

ss. *Edward F. Sibley*

of said Territory and County, being first duly sworn on his oath, says: That he is the
publisher of the TOWNER COUNTY TRIBUNE, a weekly newspaper of general
circulation printed and published at Cando, in said County and Territory, and
has been during the time hereinafter mentioned, and, that the advertisement of

Daniel S. Kreider

a printed copy of which is hereto annexed, was printed and published in every copy of
each issue of said newspaper for a period of six consecutive weeks, to-wit: *April 30*

1887 May 7 1887 May 14 1887 May 21 1887
May 28 1887 June 4 1887

Ed. F. Sibley
Sworn and subscribed to before me this *6th* day of *June*, A. D. 188*7*
John W. Heasler
Notary Public
Dakota

Land Office at Devil's Lake, Dak., April 19, 1887. 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 John W. Hardee, Judge of Probate and ex officio Clerk of the Probate Court of Towner County, Dak., at his office in Cando, in said county, on June 6, 1887, viz: Daniel S. Kreider, D. S. No. 2487, for the s 1/2 of the sw 1/4 and the nw 1/4 of the sw 1/4 of Section 2, Township 157, Range 66. He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: John Moylan, Theo. F. Hosen, Jas. H. Hartley, HENRY W. LORD, Register, H. W. Dickinson, Attorney. 123-128

UNITED STATES LAND OFFICE.

Devils Lake, D. T. *June 8* 188*7*

I, HENRY W. LORD, 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 posted said notice on the day of *April* 188*7*

H. W. Lord Register.

PRE-EMPTION PROOF.

AFFIDAVIT REQUIRED OF PRE-EMPTION CLAIMANT.

Section 2262 of the Revised Statutes of the United States.

I, Daniel S. Kreider, claiming
 the right of pre-emption, under section 2259 of the Revised Statutes of the
 United States, to the S 1/2 S W 1/4 & N W 1/4 S W 1/4
 of section number
2, of township number 157 N, of
 range number 66, subject to sale at Devils Lake
Dakota, do solemnly swear that I have never had the benefit
 of any right of pre-emption under said section; that I am not the owner of three
 hundred and twenty acres of land in any State or Territory of the United States,
 nor have I settled upon and improved said land to sell the same on speculation,
 but in good faith to appropriate it to my own exclusive use or benefit; and that
 I have not, directly or indirectly, made any agreement or contract, in any way
 or manner, with any person or persons whomsoever, by which the title which I
 may acquire from the Government of the United States should inure, in whole
 or in part, to the benefit of any person except myself.

Daniel S. Kreider.

Subscribed and sworn to before me this 6th day of June,
 A. D. 18 87
John H. Hesperder
 Judge of Probate and Ex officio Clerk of the
 Probate Court of Towner County
Dakota

NON-MINERAL AFFIDAVIT.

COUNTY OF Towner
Territory OF Dakota } ss:

Daniel S. Kreider being duly sworn according to law, deposes
and says that he is the identical person who is an applicant
for Government title to the S 1/2 SW 1/4 N 1/4 SW 1/4
Sec 2 T15-7N R66W and

that he is well acquainted with the character of said described land, and with each and every legal sub-division thereof, having frequently passed over the same; that his 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.

Daniel S. Kreider

Subscribed and sworn to before me this 6th day of June, A. D. 1887
and I hereby certify that the foregoing affidavit was read to the said Daniel S. Kreider
previous to his name being subscribed thereto; and that deponent is a respectable person to whose affidavit
full faith and credit should be given.

John W. Harder
Judge of Probate and Ex officio Clerk of the
Probate Court of Towner County
Dakota

For sale by HENRY N. COPP, Land Attorney, Washington, D. C.

HOMESTEAD, PRE-EMPTION, AND COMMUTATION PROOF.
TESTIMONY OF CLAIMANT.

Full and Specific Answers must be given to each Question. Evasive Answers will be Fatal to the Proof.

Daniel S. Kreider, claimant, being first duly sworn, testifies as follows:

Question 1.—What is your correct name, your age, and occupation? If employed by any person, state by whom.

Ans. *Daniel S. Kreider Age 30 years occupation farming for my self only*

Ques. 2.—What is your post-office address?

Ans. *Wando Township County Dakota*

Ques. 3.—Are you the identical person who made pre-emption filing No. *13467* (homestead entry No. _____) at the

Devilshake land office on the *13th* day of *August*, 188*6*, and

what is the true description of the land now claimed by you? *I am the identical person and*

Ans. *the true description of the land claimed by me is the S¹/₂ S¹/₄ & N¹/₄ S¹/₄ Sec 2 T¹⁵7 N R⁶⁶W*

Ques. 4.—Where did you live before settling upon this land, and what was your occupation?

Ans. *I lived in Ledaway Co. Missouri and was farming*

Ques. 5.—Are you a citizen of the United States, or have you declared your intention to become such?

Ans. *I am a native born citizen of the United States*

(In case the party is of foreign birth, a copy of his declaration of intention to become a citizen or full naturalization certificate, officially certified, must be filed with the case. The latter is only required in final homestead entries.)

Ques. 6.—Are you interested in any other entry or filing than the one upon which you now seek to make proof?

Ans. *I am not except a T. C. filing*

Ques. 7.—Have you ever made a pre-emption filing for any other tract of land, or made any other homestead entry or filing or entry of any kind? (Answer each question separately, describe the land, and state what disposition you made of your claim.)

Ans. *I have never made any other Pre-emption filing or filing or entry of any kind except a T. C. Entry*

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. *It is not*

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. *All clear Prairie and valuable for agricultural purposes only*

Ques. 10.—Is the land valuable for coal, iron, stone, or minerals of any kind? Has any coal or other minerals been discovered thereon, or is any coal or mineral known to be contained therein? Are there any indications of coal, salines, or minerals of any kind on the land? If so, describe what they are.

Ans. *It is not valuable for coal or minerals of any kind and none has ever been discovered on this land*

Ques. 11.—If the land is timber land, state the kind, quality, and amount of timber thereon at date of initiating your claim, the amount still standing, how much has been cut and removed, and by whom, and whether the same has been disposed of, and to whom; also whether any other person than yourself has any interest in the timber, and if so, what kind of interest.

Ans. *It is not timber land*

Question. Did you leave other land of your own to settle on your present claim?

Answer. I did not

Ques. 12.—If the land is used for grazing purposes, state how and by whom it is so used, and whether it is within any stock range or fence or other inclosure, and who owns or controls the range or inclosure.

Ans.

It is not used for grazing purposes and is not in any stock range or inclosure

Ques. 13.—When did you first make an actual personal settlement on this land? State what you did to make such settlement, and the character and value of the improvements you then placed upon the land.

Ans.

August 7th 1886 I built a house on this land at that time valued at \$2000

Ques. 14.—Was the land occupied by any other person when you made such settlement? If so, state who lived there, and how you obtained possession.

Ans.

The land was occupied by a Miss O'Homan and I bought her improvements and she relinquished her right to same

Ques. 15.—When did you actually move on this land and commence living permanently thereon?

Ans.

October 15th 1886

Ques. 16.—Where has been your actual personal residence and home during the whole time since the date of this filing or entry?

Ans.

On this land ever since October 15th 1886

Ques. 17.—Has your residence on the land now claimed been actual or constructive, continuous or at intervals? Explain what you mean by actual continuous residence.

Ans.

It has been actual & continuous I mean by continuous that myself and family live on this land and have not other home or living place

Ques. 18.—Have you resided or boarded elsewhere than on this land since commencing your residence thereon? If so, state when and where, how often, and for how long?

Ans.

I have not

Ques. 19.—Where have you voted since establishing residence on this land, and where did you last vote, and how long have you voted there?

Ans.

in T157 R65 W in the precinct in which this land is situated & voted there last november

Ques. 20.—How many times have you been absent from said tract since you commenced actual residence thereon? Give the dates when each absence commenced and terminated, and the cause therefor.

Ans.

I was absent from February 10th 1887 until March 31st 1888 in Missouri settling some business affairs. My family remained on this land during my absence

Ques. 21.—Have you a family, and of whom does your family consist?

Ans.

I have a family consisting of a Wife and 5 children

Ques. 22.—Has your family resided with you on this claim? If so, state when they moved on the land, how long they have lived there, and whether they actually reside there still.

Ans.

They have and moved on this land when I did October 15th 1886

Ques. 23.—If your family has been absent any part of the time since moving on the land, state the causes for and the dates when each absence commenced and terminated.

Ans.

My family has not been absent a day from this claim since Oct 15th 1886

Ques. 24.—When and by whom was your house built? Is it habitable at all seasons of the year?

Ans.

My house was purchased and promptly built when I moved on this land and I furnish it on or about Oct 15th 1886 & it is habitable at all seasons

Ques. 25.—Did you and your family live in said house during all of each or any winter since the date of your filing or entry? If not, state the duration and causes of each absence.

Ans. Myself and family lived in said house during all of the winter of 1886 & 1887 up to this time

Ques. 26.—If your family has not lived with you on this claim since the date of your filing or entry, state the causes therefor, where they did reside, and where they are now living.

Ans. They have lived with me and are now living with me on this land

Ques. 27.—Do you own any other residence house than the one now on your claim? If so, state where, and who occupies the same.

Ans. I do not own any other residence house

Ques. 28.—Describe fully the house on this claim, giving value thereof; also describe fully all other improvements thereon of whatever kind, giving the value of each and total value of all improvements.

Ans. Frame house shingle roof 14x20 ft 3 rooms and addition thereto 8x12 ft 1 room Value of same \$200⁰⁰ from Barn 28x40 ft 16 ft high Value of same \$300⁰⁰ One Well 33 ft deep Value of same \$35⁰⁰ and 75 acres broke Value of same \$225⁰⁰ Total value of improvements \$760⁰⁰

Ques. 29.—What farm implements do you own and use on this claim? State kind and number, and how long you have owned the same.

Ans. I have 2 gang plows 2 walking plows 1 harrow 2 waggons 2 harrows &c and have owned some ever since I filed on this land

Ques. 30.—What domestic animals and live stock do you own and keep on this claim? State kind and number of each kind.

Ans. 2 horses 2 mules 4 oxen 6 cows 3 calves 2 hogs chickens & turkeys

Ques. 31.—State what articles of furniture of every kind you keep and use in your residence on this claim, and how long you have had them there.

Ans. Sufficient for the use of myself and family

Ques. 32.—Have you any personal property or live stock of any kind elsewhere than on this claim? If so, describe the same, and state where the same is kept.

Ans. I have not

Ques. 33.—How many seasons have you raised crops on this land, and what kind of crops have you raised each season?

Ans. One season in 1886 5 acres of barley & 20 acres now in crop of Barley

Ques. 34.—How many acres have you put in crops each year, and how much did you raise? State the amount in bushels of each kind.

Ans. 5 acres in 1886 & 20 acres in 1887 and had 55 bushels of barley raised on this land in 1886

Ques. 35.—Have you the land in crop this year, or is it prepared for cropping the coming season? How much of the land is so cropped or prepared?

Ans. 20 acres in crop and 55 acres prepared for crop next season

Ques. 36.—Do you carry on any trade, profession, or business elsewhere than on this land? If so, state what business you have been engaged in while claiming this land, where it was carried on, and the distance from your claim.

Ans. I do not carry on any trade or business elsewhere

Ques. 37.—If you have been employed in working for others away from this claim since you established residence thereon, state when, where, and for whom, in what occupation or capacity, how long you have so worked, and where you staid and lived during that time.

Ans. I have not been employed by others since taking this claim

Ques. 38.—Where are you assessed for taxes, personal, real estate, or license, and when and where have you paid taxes since claiming this land?

Ans. I am assessed in Towner Co Dakota this year

Ques. 39.—Are the improvements on this land assessed for taxes; if so, at what valuation? Have such taxes been paid; if so, when and by whom?

Ans. They are assess at \$300.00 on house & barn

Ques. 40.—What use is made of this land, and who, besides yourself and family, uses it or causes it to be used?

Ans. Used for farming purposes only and by myself and family only

Ques. 41.—Have you sold, transferred, or mortgaged this land, or offered or agreed to sell or dispose of it, and at what price?

Ans. I have not

Ques. 42.—Do you make this entry in the interest or for the benefit of any one else, or has any person other than yourself and family any interest, immediate or prospective, in this entry? If so, state for whom the entry is made.

Ans. I do not make this entry for any one else

Ques. 43.—Has any person paid your expenses for making this entry, or paid you wages or a salary on condition that you make said entry, or agreed to do either, or agreed to pay the entry money for you, or to pay the fees or commissions, with the agreement or understanding that you will deed the land after entry is made?

Ans. There has not

Ques. 44.—Do you make this entry in good faith, for the exclusive purpose of a home and farm for yourself and family?

Ans. I do make this entry in good faith for my own use

[Signature of claimant.]

Daniel S. Kreider

I HEREBY CERTIFY that each question in the foregoing deposition was orally propounded to the said Daniel S. Kreider

Kreider

, and the foregoing answers severally given by him thereto before he signed the same and after being sworn according to law; that the said Daniel S. Kreider is to me personally known

to be the person he represents himself to be in making this

proof; that I have called his attention to the laws and penalties against false swearing, and that the foregoing deposition was sworn to

and subscribed before me this 6th day of June, A. D. 1887

John W. Hardee
Judge of Probate and Ex-officio Clerk
of the Probate Court of Towner Co.
Dakota

TESTIMONY OF CLAIMANT.

[4-369a.]

Pre. D. S. No. 3467 Cash No. 214

Orig. Hd. No. F. C. No.

NAME OF CLAIMANT.

Daniel S. Kreider

LAND OFFICE AT

Davids Lake Dakota

Approved:

H. M. Rank Register

J. B. Smith Receiver

[7690-100 X.]

HOMESTEAD, PRE-EMPTION, AND COMMUTATION PROOF.
TESTIMONY OF WITNESS.

(The testimony of two witnesses, taken separately, in addition to the testimony of claimant, is required in each case.)
(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.

Question 1.—What is your true name (christian and surname), given in full, your age, residence, and present post-office address?
(Give description of land on which you reside, quarter-section, township, and range.)

Answer. James H. Heartley Age 25. Residence N W 1/4 Sec 34 T 158 N R 66 W Post office address lands Thruver les. Dakota

Ques. 2.—What is your present occupation, and where and by whom have you been employed since Aug 13th 1886 the date of claimant's alleged settlement on said tract?

Ans. Farming for myself on N W 1/4 Sec 34 T 158 R 66

Ques. 3.—Are you related to claimant or in any way interested in this claim, or are you connected with him in business of any kind?

Ans. I am in no way related or interested with claimant

Ques. 4.—How far from the residence of claimant, on said tract, do you reside, and how long have you lived there?

Ans. 2 miles and have lived there 37 1/2 years

Ques. 5.—Give the names and residences of two or more persons living nearer to the claimant of this tract than yourself. If none are nearer than you, give the names of two or more next nearest, and state the land on which they reside.

Ans. Edward McFadden on N E 1/4 Sec 34 T 158 R 66
Timothy Gray N E 1/4 Sec 2 157 R 66
Daniel S Kreider

Ques. 6.—How long have you known Daniel S Kreider, the claimant, for whom you appear as a witness, where has he been living since you first knew him up to the present time, and is he the identical person he represents himself to be?

Ans. I have known him ever since April 1886 and he is the identical person he represents himself to be

Ques. 7.—Are you well acquainted with the land embraced in this claim? Give correct description thereof; also state the extent of your knowledge, and how you know what you affirm.

Ans. I am well acquainted with this land from personal knowledge having been on same frequently. It is all clear prairie land and is S 1/2 N W 1/4 & N W 1/4 S W 1/4 Sec 2 T 157 N R 66 W

Ques. 8.—How often have you been on this tract of land since claimant's alleged settlement thereon, at what time or times, and when did you last see him on the land?

Ans. I have been on this land at least 20 times and last saw claimant there on June 4th 1887

Ques. 9.—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. 10.—State specifically the character of this land—whether it is timber, prairie, grazing, farming, coal, or mineral land.

Ans. All clear smooth Prairie

Ques. 11.—Are there any indications of coal, minerals, or salines on this land?

Ans. None whatever

Ques. 12.—Is it within any stock range or fence or other inclosure? If so, give the names of the parties owning or in any manner controlling such inclosure or range.

Ans. It is not on any stock range or inclosure

Ques. 13.—If the land is timber land, state whether the timber, or any portion thereof, and what portion, if any, has been cut or removed, and by whom?

Ans. It is not timber land.

Question, I'd claimant owner of 320 acres in this or any other state or territory? Answer Not to my knowledge or belief.

Ques. 14.—What is this land used for, and who (if any one) besides the claimant is in any manner interested in or uses or controls the land or claims the timber thereon?

Ans. Used for farming purposes only and by claimant only.

Ques. 15.—What has been claimant's occupation since you first knew him, and where has he been employed, and by whom?

Ans. Farming for himself on this land.

Ques. 16.—Has he had any other living or boarding place than on this land during the existence of his present claim? If so, state where he has been living or stopping.

Ans. Hee has not had any other living or boarding place.

Ques. 17.—Does claimant's family reside on said land? When did they move thereon? How long have they lived there, and do they still reside thereon? If not, where do they reside?

Ans. Claimant's family reside on this land and have lived there ever since October 15th 1886.

Ques. 18.—Has claimant's family been absent from said land since moving thereon? If so, state how often, how long each time, and the cause of said absence or absences.

Ans. They have not been absent.

Ques. 19.—State in full and in detail all the facts within your knowledge as to claimant's actual residence upon this claim; when and how often you have seen him upon the land; what were the evidences that he actually lived on the tract; how long he has lived there, and whether he lives there now.

Ans. Claimant's house is in sight of my house and I know from personal knowledge and observation that claimant and family have resided continuously on this land ever since October 15th 1886. Question: Did he leave or abandon a residence on his own land in this territory to reside on the land now claimed by him? Answer, Hee did not to my knowledge or belief.

Ques. 20.—If claimant has been absent from said land since his alleged settlement, state fully how often, when, how long each time, and for what purpose.

Ans. Claimant was absent from an or about February 15th 1887 to an or about March 31st 1887 for the purpose of settling his business in Missouri. His family remained on this land in his absence. Claimant has been absent at no other time.

Ques. 21.—State in detail the character of the improvements; what they consist of, and when they were made; the value of each distinct improvement, fully describing the same; also whether they were made by the claimant or by some other person.

Ans. Our frame house 14x20 ft 3 rooms and addition 8x12 ft one room Value of same \$2000
1 Well 33 ft in depth Value \$3500. Our Barn 28x40 ft Value of same \$3000 and 75 acres breaking Value of same \$2250
All improvements were made or purchased by claimant in the years 1886 & 1887

Ques. 22.—Give the size, construction, and material of claimant's house on said tract, and also state whether the same is habitable during all seasons of the year.

Ans. One frame house 14x20 ft 3 rooms and addition thereto 8x12 ft 1 room Single roof on house and same is habitable at all seasons of the year

Ques. 23.—What is this land worth, and was it ever offered for sale?

Ans. Worth \$500 per acre and has never been offered for sale to my knowledge

Ques. 24.—When did claimant commence living upon this land?

Ans. October 15th 1886

Ques. 25.—How much of said land has been broken, how much plowed since being broken, and how much put into crop each season? State kind of crops raised, their value, and number of seasons crops were raised.

Ans. 5 acres was broke and in crop of barley in 1886 and 20 acres has been plowed since breaking and is now in crop of barley and 75 acres has been broken on this claim

Ques. 26.—Is said land in crops this season, or has it been prepared for cropping the coming season?

Ans. 20 acres is in crop this season and balance is being prepared for crop the coming season

Ques. 27.—Do you believe that claimant intends to continue his residence on this land after making final proof, or does he intend to remove therefrom?

Ans. I do believe he intends to remain on and improve the same

Ques. 28.—Does claimant, with his family, reside on said land at the present time? You will explain how you know he has resided there, as you have heretofore stated.

Ans. Claimant and his family reside on this land at the present time and I know from personal knowledge whereof I have heretofore stated

[Signature of witness.]

John H. Hartley
Deputy Tax Collector

U. S. LAND OFFICE,

18

I HEREBY CERTIFY that ... personally appeared before me; that he is a credible witness, and is personally known to me (or has been satisfactorily identified before me by ...), and that each question in the foregoing deposition was orally propounded to the said ... and the foregoing answers severally given by him thereto before he signed the same and after being sworn according to law; that I have called his attention to the laws and penalties against false swearing; and that the foregoing deposition was sworn to and subscribed before me this ... day of ... A. D. 18

Register (or Receiver).

SPECIAL CERTIFICATE.

(To be used in all cases when proof is made before a clerk of court or judge of probate.)

Territory of Dakota
County of Towner

I, John H. Hearder Judge of Probate in and for said County do hereby certify that the claimant Daniel S. Krider and his witnesses Jas W. Hartley in this proof were identified by myself to be the identical persons named in the published notice herein.

That before proceeding to take the proof and testimony I read to the claimant and to each of the witnesses Section 5392 of the Revised Statutes of the United States and explained to each of them the import and meaning thereof.

That each of the printed questions in the testimony was read to said claimant and to each of said witnesses, and their respective answers thereto were by me reduced to writing and read to each respectively, and was there and then by them subscribed and sworn to before me.

That said proof and affidavits were taken and made between the hours of eight A. M. and six o'clock P. M. on the 6th day of June, 1887, at my office at Leanda, in said Towner Co. Dakota

That no protest or objection of any kind against said proof has been made or filed in my office by any person.

Given under my hand and official seal this 6th day of June, 1887

John H. Hearder
Judge of Probate and Ex-officio Clerk of the Probate Court of Towner Co. Dakota

We hereby certify that the within and foregoing testimony of claimant and witnesses has been carefully examined by us before transmittal to the General Land Office.

J. S. Smith
Register.
Receiver.

TESTIMONY OF WITNESS.



Pre. D. S. No. 3467 Cash No. 2144

Orig. Hd. No. F. C. No.

NAME OF CLAIMANT,

Daniel S. Krider

LAND OFFICE AT

Leanda, Dak

Approved:

J. S. Smith
Receiver.

(7000-100 M.)

HOMESTEAD, PRE-EMPTION, AND COMMUTATION PROOF.

TESTIMONY OF WITNESS.

(The testimony of two witnesses, taken separately, in addition to the testimony of claimant, is required in each case.)

(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.

Question 1.—What is your true name (christian and surname), given in full, your age, residence, and present post-office address? (Give description of land on which you reside, quarter-section, township, and range.)

Answer. *Theodore A. Heese Age 34 years Residence S.E. 1/4 Sec 10 T157 N R66 W (Post Office address lands Town of Co. Dakota*

Question 2.—What is your present occupation, and where and by whom have you been employed since *Aug 13th 1884*, the date of claimant's alleged settlement on said tract?

Ans. *Farming for myself on S.E. 1/4 Sec 10 T157 N R66 W*

Question 3.—Are you related to claimant or in any way interested in this claim, or are you connected with him in business of any kind?

Ans. *I am in no way related or interested in this claim or with claimant*

Question 4.—How far from the residence of claimant, on said tract, do you reside, and how long have you lived there?

Ans. *One mile and have lived there ever since June 12th 1884*

Question 5.—Give the names and residences of two or more persons living nearer to the claimant of this tract than yourself. If none are nearer than you, give the names of two or more next nearest, and state the land on which they reside.

Ans. *D. B. Gore, on SW 1/4 Sec 11 T157 N R66 W
Patrick Mc Minisoy SW 1/4 Sec 2 T157 N R66 W
David S. Krider*

Question 6.—How long have you known *David S. Krider*, the claimant, for whom you appear as a witness, where has he been living since you first knew him up to the present time, and is he the identical person he represents himself to be?

Ans. *I have known him over one year and he has been living on the land claimed by him as a pre-emptor and he is the identical person he represents himself to be*

Question 7.—Are you well acquainted with the land embraced in this claim? Give correct description thereof; also state the extent of your knowledge, and how you know what you affirm.

Ans. *I am well acquainted with this land it is all clear prairie and is the S 1/2 SW 1/4 & NW 1/4 SW 1/4 Sec 2 T157 N R66 W and know from personal knowledge whereof I affirm*

Question 8.—How often have you been on this tract of land since claimant's alleged settlement thereon, at what time or times, and when did you last see him on the land?

Ans. *I have been on this land frequently & saw claimant there last this morning*

Question 9.—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*

Question 10.—State specifically the character of this land—whether it is timber, prairie, grazing, farming, coal, or mineral land.

Ans. *All Prairie*

Question 11.—Are there any indications of coal, minerals, or salines on this land?

Ans. *None whatever*

Question 12.—Is it within any stock range or fence or other inclosure? If so, give the names of the parties owning or in any manner controlling such inclosure or range.

Ans. *It is not in any stock range or inclosure*

Ques. 13.—If the land is timber land, state whether the timber, or any portion thereof, and what portion, if any, has been cut or removed, and by whom? *Ans It is not timber land*

Quest.—Is the claimant owner of 320 acres in this or any other state or Territory?

Ans. There is not to my knowledge or belief

Ques. 14.—What is this land used for, and who (if any one) besides the claimant is in any manner interested in or uses or controls the land or claims the timber thereon?

Ans. Used for farming purposes only and by claimant only

Ques. 15.—What has been claimant's occupation since you first knew him, and where has he been employed, and by whom?

Ans. Farming for himself on this land and his wife applying

Ques. 16.—Has he had any other living or boarding place than on this land during the existence of his present claim? If so, state where he has been living or stopping.

Ans. He has not had any other boarding place

Ques. 17.—Does claimant's family reside on said land? When did they move thereon? How long have they lived there, and do they still reside thereon? If not, where do they reside?

Ans. Claimant and family reside on said land and have resided there ever since October 15th 1886

Ques. 18.—Has claimant's family been absent from said land since moving thereon? If so, state how often, how long each time, and the cause of said absence or absences.

Ans. Claimant's family have not been absent
Claimant was absent from on or about
February 15th 1886 until on or about March 31st
1886 and has not been absent at any other time
Claimant was absent at the time in Missouri settling his business

Ques. 19.—State in full and in detail all the facts within your knowledge as to claimant's actual residence upon this claim, when and how often you have seen him upon the land; what were the evidences that he actually lived on the tract; how long he has lived there, and whether he lives there now.

Ans. Claimant's house is in sight of my house and can see claimant and family often and know from personal knowledge that claimant has resided continuously on this land. Question. Did he leave or abandon a residence on his own land in this Territory to reside on the land now claimed by him?

Answer. He did not

Ques. 20.—If claimant has been absent from said land since his alleged settlement, state fully how often, when, how long each time, and for what purpose.

Ans. Claimant was absent from on or about February 15th 1886 to on or about March 31st 1886 settling up his business in Missouri. His family remained on this land in his absence

Ques. 21.—State in detail the character of the improvements; what they consist of, and when they were made; the value of each distinct improvement, fully describing the same; also whether they were made by the claimant or by some other person.

Ans. Frame house shingle roof 14x20 ft 3 rooms and an addition thereto 8x12 ft 1 room 1 well One barn 28x40 ft & 75 acres broke Value of house \$2000 Value of Well \$3500 Value of Barn \$3000 Value of breaking \$22500 Total Value \$76000 all the improvements were placed thereon by claimant in 1886 & 1887

Ques. 22.—Give the size, construction, and material of claimant's house on said tract, and also state whether the same is habitable during all seasons of the year.

Ans. Frame house shingle roof 3 rooms and addition thereto 8x12 and the same is habitable all the year and at all seasons

Ques. 23.—What is this land worth, and was it ever offered for sale?

Ans. \$500 per acre and has never been offered to my knowledge

Ques. 24.—When did claimant commence living upon this land?

Ans. October 15th 1884

Ques. 25.—How much of said land has been broken, how much plowed since being broken, and how much put into crop each season? State kind of crops raised, their value, and number of seasons crops were raised.

Ans. 5 acres was in crop of barley in 1884 20 acres is now in crop of barley and 75 acres has been broken in all

Ques. 26.—Is said land in crops this season, or has it been prepared for cropping the coming season?

Ans. 20 acres is now in crop and balance is being prepared for crop the coming season

Ques. 27.—Do you believe that claimant intends to continue his residence on this land after making final proof or does he intend to remove therefrom?

Ans. I believe claimant will remain on and improve this land

Ques. 28.—Does claimant, with his family, reside on said land at the present time? You will explain how you know he has resided there, as you have heretofore stated.

Ans. They do, and I know from personal knowledge that claimant has acted in entire good faith and that claimant and family have resided continuously on this land as stated above

[Signature of witness.]

Theo R Blesse
Cando Dak

U. S. LAND OFFICE,

, 18

I HEREBY CERTIFY that personally appeared before me; that he is a credible witness, and is personally known to me (or has been satisfactorily identified before me by), and that each question in the foregoing deposition was orally propounded to the said and the foregoing answers severally given by him thereto before he signed the same and after being sworn according to law; that I have called his attention to the laws and penalties against false swearing; and that the foregoing deposition was sworn to and subscribed before me this day of A. D. 18

Register (or Receiver).

SPECIAL CERTIFICATE.

(To be used in all cases when proof is made before a clerk of court or judge of probate.)

Territory of Dakota }
County of Towner } ss:

I, John W. Hearder Judge of Probate, in and for said County, do hereby certify that the claimant Daniel S. Hearder and his witnesses James M. Hearter and Thos A. Hearse in this proof were identified by myself to be the identical persons named in the published notice herein.

That before proceeding to take the proof and testimony I read to the claimant and to each of the witnesses Section 5392 of the Revised Statutes of the United States and explained to each of them the import and meaning thereof.

That each of the printed questions in the testimony was read to said claimant and to each of said witnesses, and their respective answers thereto were by me reduced to writing and read to each respectively, and was there and then by them subscribed and sworn to before me.

That said proof and affidavits were taken and made between the hours of eight A. M. and six o'clock P. M. on the 6th day of June, 1887, at my office at Leanda, in said Towner Co. Dakota

That no protest or objection of any kind against said proof has been made or filed in my office by any person.
Given under my hand and official seal this 6th day of June, 1887.

John W. Hearder
Judge of Probate and Ex-officio Clerk of the Court of Towner County Dakota

We hereby certify that the within and foregoing testimony of claimant and witnesses has been carefully examined by us before transmittal to the General Land Office.

Hyman
B. S. Smith
Register.
Receiver.

TESTIMONY OF WITNESS.



Pre. D. S. No. 3467 Cash No. 2144

Orig. Hd. No. F. C. No.

NAME OF CLAIMANT,

Daniel S. Hearder

LAND OFFICE AT

Leanda Towner Dakota

Approved:

Hyman Register.
B. S. Smith Receiver.

(7600-100 M.)