



*Andreas Bauder \*1838*

*Landsman, Kit Carson County, Colorado*

*First Homestead Entry*

**E ½ SW, SENW, SWNE,  
Section 28, T6S, R44W.**

*160 Acres, Pre-emption Entry*

The following is a summary of the 37 original applications, letters, notices and documents concerning this land claim. These records are stored in the National Archives in Wash. D. C. with a copy in the file of Milo Bauder. The land was free, but the settlers really had to work for it. Knowing only the German language, they had to find a translator to help them do all of the paperwork which had to be filled out in the English language.

Nov. 5, 1889

Andreas and family arrived at Castle Garden, New York on the good ship S.S. Werta. The ships log had his name as “Bander”.

Nov. 20, 1889

According to the testimony given to the Kit Carson County District Court for his proof of homestead, this was the first date that Andreas stood on the land and claimed it for homesteading. Although we don't know the exact date the family arrived in Burlington, we do know that they came by train from the port at New York. The train trip should have taken them about 5 days.

The oldest son, Andreas II, had arrived with his family 6 months earlier and had settled on his land next to the Landsman Creek, 1½ miles south of his father's cousin, Johannes Lutz. By November Andreas II had time to study the unsettled land and could then provide guidance to his father on selecting a homestead site.

The land was very similar to the Russian steppe around Hoffnungstal and Seebach; flat to gently rolling with good soil over limestone formations with occasional creeks.

The Landsman Creek (Like the Kleiner Kujalnik of Hoffnungstal) was very important to the Bauders as evidenced by many of the 20 Bauder homestead claims being on or near creeks, especially the Landsman Creek.

Getting a foothold on living on this frontier land was easier if one could dig a shallow creek well, have a supply of small fish from the creek, abundant water for stock and horses and irrigate at least a garden plot. The droughts that drove many from the settlement in 1893 and 1894, proved the importance of the creek land.

So 10 days after arriving at the settlement, Andreas and family selected the land the he would claim through the Homestead Act and would be his home and farm for the rest of his life.

#### Nov. 25, 1889

This was first date that he actually stayed, or resided, on the land. This date established the start of the time to prove up on his land.

There had to be a lot of work going on to build a sod house in 5 days. He had 5 sons and 3 daughters and a wife to help and possibly his cousin, Johannes Lutz. The best sod for building was from the flat bottom land next to the creek. Somehow they got enough done on the house so that Andreas or one of the boys could stay that first night, with the rest of them going back to young Andreas's house.

#### Nov. 27, 1889

Declaration renouncing all allegiance and fidelity to all foreign authorities and particularly to Alexander, Czar of Russia.

#### Sept. 1, 1890

This was the completion date for the government land survey for this area. If a person settled on unsurveyed lands, only 12 months were allotted to prove up. The government did not require Andreas to comply with this requirement.

#### July 23, 1892

Christian\*1833 and John Schaffert\*1832, also from Hoffnungstal, were named as neighbors on Andreas's notice of intention to make final proof on his land."

#### Aug. 26, 1892

Deadline for final proof (33 months from time of settlement.)

#### Sept. 10, 1892

Andreas had to appear in front of the clerk, T.G. Price, of the District Court of Kit Carson County, Colo. at Burlington. The documents submitted to the court and the testimony of the claimant (Andreas) and affidavits of the witnesses provided the facts for this account of Andreas's first years in America. The purpose of the hearing was to make pre-emption (1) proof of his homestead of 160 acres in section 28, T6S, R44W. Several years later he filed on a second homestead on adjoining land in section 33, T6S, R44W. The deadline date of Aug. 26, 1892 for making proof, had already past, but for some reason Andreas's claim had not been cancelled. On a pre-emption land entry, the claimant must prove up within 33 months of entry, which for Andreas was Nov.25, 1889 the date that he took up residence on his land claim. Also, the pre-emption law required cash purchase of the land after proving up on it. Andreas was to pay \$1.25 per acre which totaled \$200 for the 160 acres he had settled on and he could not make the payment, so he asked the Court for a one year extension.

The following history of his farming for the past 33 months was contained in the affidavit Andreas presented to District Court on Sept. 10, 1892 in support of the Pre-Emption Proof of his land claim.

There was 20 acres broken and planted to corn. Then came extreme drought. Corn yield was a total of 20 bushels of inferior quality that sold for \$4. Next there was 40 acres of corn planted, yielding 300 bushels, which was sold for \$58. Wheat was planted to 10 acres yielding 50 bushels, for which \$21 was received. Then 10 acres of flax was planted, harvesting 20 bushels, for which he realized the sum of \$12.50. The past 33 months the homestead produced a total of \$95.50.

Andreas had to have 2 witnesses at court so he took 2 fellow Hoffnungstalers with him, Jacob Kramer who had settled one mile North on the NW ¼ section 2, T65, R44W, and Johannes Lutz, who settled 3 ½ miles North on the SE ¼ section 9, T65, R44W. Johannes Lutz swore under oath that Andreas had broken out 120 acres and built 2 sod houses, a sod barn, a corn crib, a hen house, a cave, ( root cellar ) and a well, and also that he was not related to the claimant. The last part was not true because they were cousins, with Andreas's mother being Anna Marie Bauder nee Lutz. Also Johannes Lutz's wife Katherina nee Wall was sister to Christine Bauder nee Wall, wife of Andreas Bauder 11. Johannes Lutz had several homesteads located in sections 9, 10 and 16 north of Andreas Bauder 11. ( Leibbrandt p.346 states that Johannes Lutz went to Burlington in 1884. Research has not revealed any German Russian arriving earlier than this at the Settlement.

Andreas in his own testimony also claimed no relationship to Johannes Lutz. Let me give an excuse for this departure from the truth. The testimony was given in German and documented in English, so there could have been a misunderstanding in the translation. On the other hand, Lutz would have been disqualified as a witness if the truth had been told. Then there would have been much inconvenience because a new hearing would have to be scheduled and the long trip to Burlington repeated. You judge for yourself.

Notices for these homestead hearings were published in the Republican newspaper in Burlington, Colo.

#### Sept. 10, 1892

Andreas made pre-emption proof at district court of Kit Carson County, Colo. And he asks for a one-year extension of payment with 120 acres broken out and cropped as follows

#### Sept. 10, 1892

Improvements made by this date

Sod house	16 X 30
Sod house	16 X 18 (May have been the summer kitchen)
Sod barn	16 X 30
Corn crib	16 X 20

Hen house      10 X 20  
Cave            16 X 18(1)  
Well of water

Sept. 10, 1892

Filed declaration of intention to become a citizen.

Sept. 29, 1892

Application was made to the GLO at Hugo, Colo. to purchase for the cash sum of \$200 (\$1.25 per Acre) his pre-emption claim.

Oct. 21, 1892

Application for extension of time to make land payment.

(1) These frontier caves were dug to have a cool place to store food. I am very familiar with these caves because we had a deep cave when we lived on the Erickson place east of Sterling, Colo. The access to it was by a trap door in the floor of the back porch and the by ladder down to 3 levels which were benched out for food storage.

Dec. 17, 1892

Extension granted.

Oct. 5, 1883

Application filed for second extension of time for payment because of poor crop yield and he could not borrow the money because of the crisis in the financial market (financial panic of 1893).

Oct. 17, 1893

Extension rejected.

Nov. 16, 1893

Paid to Government Land Office \$200 for cash entry on receipt number 112, entitling him to obtain a land patent.

Andreas gave a 3-page affidavit to District Court, stating the reasons he needed an extension of time to make payment on his pre-emption claim. The following crop information is from that affidavit.

132 acres broken and cultivated.

Extreme drought and hot winds in June and July.

60 acres of wheat planted and harvested, which made 90 bushels and sold for \$27.

40 Acres of corn, harvesting 150 bushels, sold for \$30 (\$.20 a bushel).

8 acres of oats planted, yielding 15 bushels, market value of \$3.

8 acres of flax, harvesting 10 bushels, market value of \$5.

3 acres of potatoes, yielding 10 bushels, worth \$5.

8 acres of rye, total failure.

5 acres of barley, total failure.

Total crop value: \$70

Aug. 16, 1895

The date the patent and land title passed from the U.S. to Andreas.

# UNITED STATES OF AMERICA



STATE OF COLORADO

COUNTY OF Hill

I, Andreas Bauer, do solemnly declare on oath before Carl Atling Judge and Epiphanius Reilly of the County Court of the County of Hill State of Colorado, the same being a court of Record, having common law jurisdiction, a seal and a Clerk, that it is bona fide my intention to become a CITIZEN OF THE UNITED STATES, and to renounce forever all allegiance and fidelity to any foreign Prince, Sovereign, State and Sovereignty whatever, and particularly to Weymar Gon of Hannia whereof I was heretofore a citizen or subject.



Subscribed and sworn to before me this 27<sup>th</sup> day of November A. D. 1889.  
Carl Atling Judge of the County Court of Hill State of Colorado and official Seal of said Court.

Andreas Bauer

State of Colorado, }  
County of Hill }  
of the Wichita Court in and for the County of Hill in the State of Colorado, do hereby certify that the above is a true copy of the Declaration of Andreas Bauer on above, duly made and filed in my office of County Clerk on November 27<sup>th</sup> A. D. 1889.  
Given under my hand and the seal of said Court at Wichita in said County, the 14<sup>th</sup> day of March A. D. 1892.  
J. J. Price Clerk of District Court.