

Homestead History

Unit Two



The following is background information for creating lesson plans. Activities start on page 23.

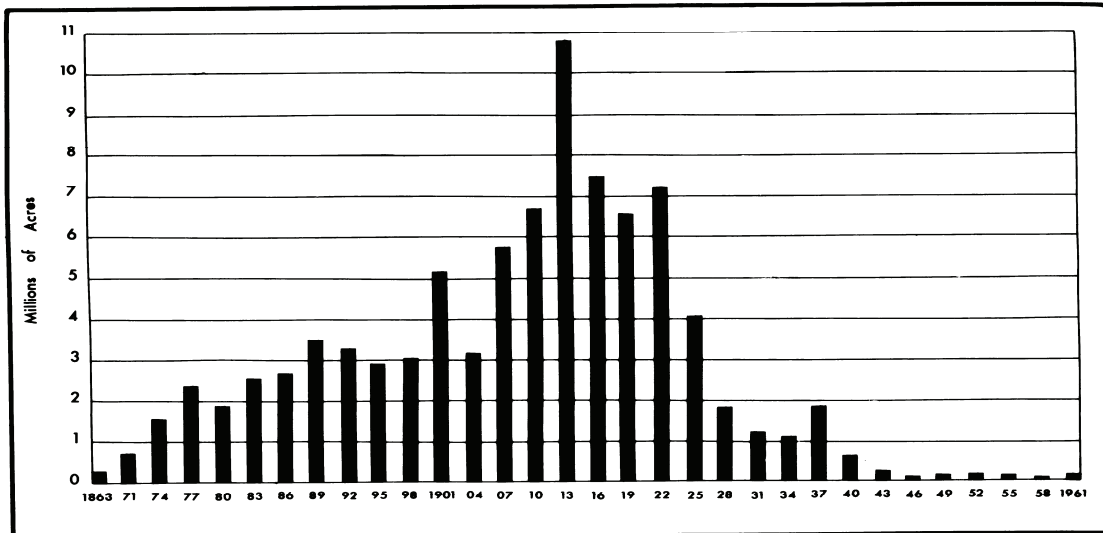
Homestead History

The cry went out in 1862, "Free Land for all who want it!" From the late 1800's through 1934, people came from the eastern United States and Europe to the Great Plains to start new lives staking their hopes and dreams on a claim for land. What they found was an ancient landscape of deep prairie grasses and unpredictable rain fall. The free land they claimed came at a high cost not just to themselves, but to the native people already living in the vast sea of grass. The native prairie itself was dramatically obliterated. Whole ways of life changed, some for better and some for worse, but always at a high "cost."

Why "Free Land"

In 1803, with the acquisition of the Louisiana Purchase and additional lands, the United States doubled in size leaving the government with ownership of millions of *acres* of land. When people moved west to settle these areas, they bypassed the interior, the *AGreat American Desert@* as they called it, and continued to the coastal areas where they expected to acquire rich land for farming. Much of the prairie land east of the Missouri River had been claimed under the Pre-Emption Act of 1841. This act allowed settlers to purchase 160-acres of land from the government for \$1.25 an acre.

FINAL HOMESTEAD ENTRIES



Starting as early as 1824, the idea of giving land away had a voice in Congress. Soon citizens began to express, "Uncle Sam is rich enough to give us all a farm." The idea of free land for the common person began. The vast interior was largely unsettled at least in the eyes of the government. American Indians, who were considered nomadic, were seen as not utilizing the land. The United States government wanted to see citizens settled in the interior territories to increase the wealth of the

Nation. As Andrew Johnson, a Tennessee Senator, stated ". . . take one of these men, transplant him in the west upon 160 acres of fat, virgin soil, and in a few years . . . you increase his ability to buy a great deal."

As the Civil War loomed closer many other factors pushed the government into offering free land. The conflict over land increased between the South and North with such laws as the Missouri Compromise and the Kansas-Nebraska Act of 1854. The South wanted to give the new territories and states the option of becoming slave areas; while the North wanted free states. The South, afraid of losing its voting power in Congress, did not want the new areas to be anti-slavery and opposed every new act that would give land away. As Galusha Grow, the father of the Homestead Act, stated ". . . why should not the legislation of the country be so changed as to prevent for the future the evils of land monopoly, by setting apart the vast and unoccupied territories of the Union and consecrating them forever in free homes for free men."

The coming of the Civil War assured passage of the Homestead Act. With the secession of the Southern states there were few left in Congress to oppose the idea. On May 20, 1862, President Abraham Lincoln signed into law the Homestead Act, and became the champion of the free land idea.

GLOSSARY

Acre - a measure of land, 160 square rods or 4,840 square yards

Claimant - a person claiming right or title to a piece of land

Homestead claim - a piece of land granted to an individual under the Homestead Act of 1862

Homesteader - an individual who claimed a piece of land under the Homestead Act of 1862

Locator - a person who assisted others in finding a piece of land to homestead

Patent and title - an official document transferring a piece of land from one individual to another, or from the government to an individual

Proving Up - a way to establish that an individual had met the conditions of the Homestead Act of 1862

The Homestead Act of 1862

The Homestead Act of 1862, gave 160-acres of land away to individuals who met certain requirements. In order to file a claim, an individual had to be at least 21 years of age and be the head of household. This vagueness in the wording allowed women to file claims and own land. The act also required a person to be a citizen of the United States or declare intention to gain citizenship. This allowed many European immigrants to stake claims as well. Many railroads and western towns sent representatives to European countries to entice people to move to the United States. These representatives showed pictures of beautiful towns with tree-lined streets and rich soil for farming. The applicant of a claim had to file an affidavit with the local land office stating they met the conditions required by the law. At this time, the *claimant* would pay a fee of \$12 for filing the paperwork.

Once the filing was complete, there were additional requirements to meet in order to receive the *patent* and *title* to the land. A person had to build a home, live on the land, make the land his/her permanent residence, and work the land for a period of 5 years.

Many people who came to claim land paid for the services of a *locator*. This person would assist them in finding an unclaimed tract of land. Many locators showed individuals land near their own claim in order to "settle" the country and have neighbors nearby.

After living on the land, building a home, and farming the land for 5 years, it was time to "*prove up*." This simply required the *homesteader* to find two individuals who would serve as witnesses. These witnesses had to state they had known the homesteader for 5 years, knew the claimant had built a home on the land, and knew the claimant had tilled and worked so many acres of land for crops. With witnesses in tow, a claimant would proceed to the land office to "prove up," paying another small filing fee of \$6 and having both witnesses sign the final documents. Afterwards, the claimant would receive a final certificate or patent to the land, having met all the conditions.

Homestead History at the Park

In the wee hours of the morning, on January 1, 1863, Daniel Freeman filed his *homestead claim* at the Brownsville Land Office on the Missouri River. His claim is considered to be one of the first homestead claims filed under the Homestead Act of 1862. On the same day, thirty people in eleven states/territories filed claims, many of them in the early hours of the morning. On September 1, 1869, Daniel Freeman received the patent to his land, making him one of the first patent recipients.

Application } Homestead
No 1. } Land Office
Brownville, N.D. January 1st 1863

I Daniel Freeman of Gage County Nebraska Territory do hereby apply to enter under the provisions of the act of Congress approved May 20th 1862 entitled an act to secure Homesteads to actual settlers on the Public Domain the south half of N.W. 1/4 Sec. 10 T. 14 N. R. 10 E. containing 160 acres in Township 14th N. Range 10th E. containing 160 acres Having filed my Declaration before me on the 1st day of September 1862
Daniel Freeman

Land office at

Brownville, N.D. January 1st 1863
I Richard T. Barrett, Register of the Land Office do hereby certify that the above application is for a Homestead of the Class which the applicant is legally entitled to enter under the Homestead act of May 20th 1862 and that there is no prior valid adverse right to the same

Richard T. Barrett,
Register