

## WARM-UP: HOMESTEAD ACT, 1862



In 1862, the *Homestead Act* was passed and signed into law. The new law established a three-fold homestead acquisition process: filing an application, improving the land, and filing for deed of title. Any U.S. citizen, or intended citizen, who had never borne arms against the U.S. Government could file an application and lay claim to 160 acres of surveyed Government land. For the next 5 years, the homesteader had to live on the land and improve it by building a 12-by-14 dwelling and growing crops. After 5 years, the homesteader could file for his patent (or deed of title) by submitting proof of residency and the required improvements to a local land office.

Physical conditions on the frontier presented even greater challenges. Wind, blizzards, and plagues of insects threatened crops. Open plains meant few trees for building, forcing many

to build homes out of sod. Limited fuel and water supplies could turn simple cooking and heating chores into difficult trials. Ironically, even the smaller size of sections took its own toll.

Homesteaders who persevered were rewarded with opportunities as rapid changes in transportation eased some of the hardships. Six months after the Homestead Act was passed, the Railroad Act was signed, and by May 1869, a transcontinental railroad stretched across the frontier. The new railroads provided easy transportation for homesteaders, and new immigrants were lured westward by railroad companies eager to sell off excess land at inflated prices.

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1. How did the Homestead Act encourage western settlement in the mid to late 1800s? Explain.
  2. What types of challenges did homesteaders face that moved out to the Great Plains and Midwest? Explain.
  3. What role did the Transcontinental Railroad play in the settling of the West?
  4. Who do you think would have been likely to take advantage of the Homestead Act after the Civil War? Why? Explain.

*asc*

**HOMESTEAD.**

Land Office at *Bronnville Neb*  
*January 20<sup>th</sup> 1868.*

CERTIFICATE, } APPLICATION,  
*No. 1* } *No. 1*

It is hereby certified, That pursuant to the provisions of the act of Congress, approved  
 May 20, 1862, entitled "An act to secure homesteads to actual settlers on the public domain,"

*Daniel Freeman* has  
 made payment in full for *1/2 of NW 1/4 & NE 1/4 of NW 1/4 and SW 1/4 of NE 1/4* of  
 Section *Twelfth (26)* in Township *fourth (4) N*  
 of Range *five (5) E* containing *160* acres.

Now, therefore, be it known, That on presentation of this Certificate to the  
 COMMISSIONER OF THE GENERAL LAND OFFICE, the said *Daniel*  
*Freeman* shall be entitled to a Patent for the Tract of Land above described.

*Henry M. Atkinson* Register.

On January 1, 1863, Daniel Freeman, a Union Army scout, was scheduled to leave Gage County, Nebraska Territory, to report for duty in St. Louis. At a New Year's Eve party the night before, Freeman met some local Land Office officials and convinced a clerk to open the office shortly after midnight in order to file a land claim. In doing so, Freeman became one of the first to take advantage of the opportunities provided by the Homestead Act, a law signed by President Abraham Lincoln on May 20, 1862. On January 1, 1863, Daniel Freeman and 417 others filed claims. Many more pioneers followed, populating the land, building towns and schools and creating new states from the territories.