

The Homestead Act

Passed on May 20, 1862, the Homestead Act accelerated the settlement of the western territory by granting adult heads of families 160 acres of surveyed public land for a minimal filing fee and 5 years of continuous residence on that land.

The Homestead Act, enacted during the Civil War in 1862, provided that any adult citizen, or intended citizen, who had never borne arms against the U.S. government could claim 160 acres of surveyed government land. Claimants were required to “improve” the plot by building a dwelling and cultivating the land. After 5 years on the land, the original filer was entitled to the property, free and clear, except for a small registration fee. Title could also be acquired after only a 6-month residency and trivial improvements, provided the claimant paid the government \$1.25 per acre. After the Civil War, Union soldiers could deduct the time they had served from the residency requirements.

Although this act was included in the Republican party platform of 1860, support for the idea began decades earlier. Even under the Articles of Confederation, before 1787, the distribution of government lands generated much interest and discussion.

The act, however, proved to be no panacea for poverty. Comparatively few laborers and farmers could afford to build a farm or acquire the necessary tools, seed, and livestock. In the end, most of those who purchased land under the act came from areas quite close to their new homesteads (Iowans moved to Nebraska, Minnesotans to South Dakota, and so on). Unfortunately, the act was framed so ambiguously that it seemed to invite fraud, and early modifications by Congress only compounded the problem. Most of the land went to speculators, cattlemen, miners, lumbermen, and railroads. Of some 500 million acres dispersed by the General Land Office between 1862 and 1904, only 80 million acres went to homesteaders. Indeed, small farmers acquired more land under the Homestead Act in the 20th century than in the 19th.

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