

## Homestead Act (1862)

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 *Policy of Colonization*, 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.

(Information excerpted from *Teaching with Documents: Using Primary Sources From the National Archives*. [Washington, D.C.: National Archives and Records Administration, 1998], p. 31. And from *Milestone Documents* [Washington, DC: The National Archives and Records Administration, 1995] pp 56-55.)

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Under the Homestead Act of 1862, George W. Lilli traveled to Sioux City, Iowa, and applied for a land patent to homestead 80 acres of land in Lyon County, Iowa, described as:  
The N 1/2 NE 1/4 of Section 8, Township 98 North, Range 43 West.

This homestead was located approximately 4 miles from Joseph & Anna's homestead located in the NW 1/4 of 30-98-43