the Homestead Act and the Real Heroes of the American West

by Eugene Finerman

HOLLYWOOD MOVIES have created our image of the American West: a lawless land tamed by the six-shooter. Yes, the prospector and the cowboy were part of the saga, but the West really was won by the farmer. The plow did more than the gun to settle and build the West, literally breaking the ground that turned wilderness into farmland. Venturing into the Great Plains, where the prairie grass grew as high as 6 feet, those first farmers—*sodbusters*—had been drawn not just by the hope of a better life on the frontier. They had a guarantee from the federal government: free land to anyone who would farm it for five years. That guarantee was the Homestead Act of 1862.

S. 1.

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Congress of the United States,

At the second Session

BEGUN AND HELD AT THE CITY OF WASHINGTON

in the District of Columbia

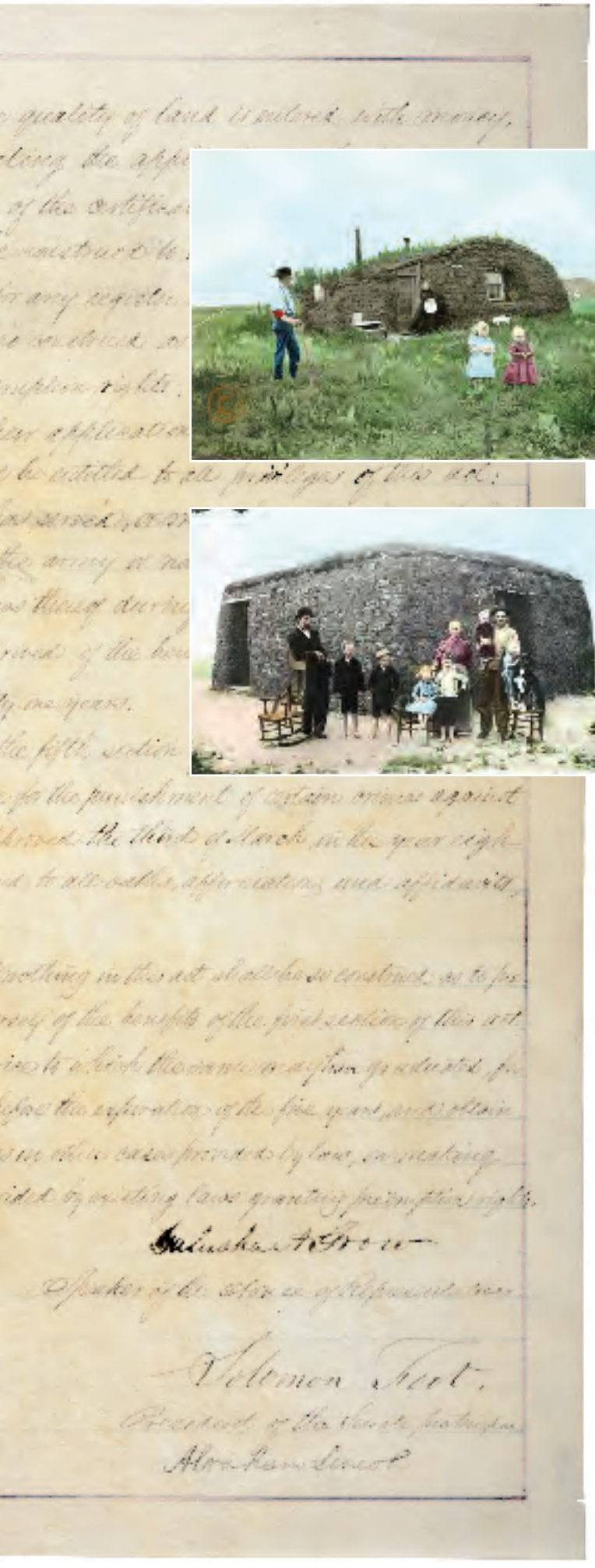
on Monday the second day of December one thousand eight hundred and sixty-one

AN ACT to secure homesteads to actual settlers on the public domain.

Be it Enacted by the Senate and House of Representatives of the United States of America in Congress assembled

That any person who is the head of a family, or who has arrived at the age of twenty-one years, and is a citizen of the United States or who shall have filed his declaration of intention to become such, as required by the naturalization laws of the United States, and who has never borne arms against the United States Government or given aid and comfort to its enemies, shall from and after the first January, eighteen hundred and sixty-three be entitled to enter one quarter section or a less quantity of unappropriated public lands, upon which said person may have filed a pre-emption claim, or which may, at the time the application is made, be subject to pre-emption at one dollar and twenty-five cents per acre, or eighty acres or less of such unappropriated lands, at two dollars and fifty cents per acre, to be located in a body, in conformity to the legal subdivisions of the public lands, and after the same shall have been surveyed: Provided, That any person owning or residing on land may, under the provisions of this act, enter other land lying contiguous to his or her said land, which shall not, with the land so already owned and occupied, exceed in the aggregate one hundred and sixty acres.

Sec. 2. And be it further enacted, That the person applying



One-room houses constructed of sod bricks cut from the prairie floor became home for many settler families. Just 12 feet by 14 feet, the houses kept entire families protected from the prairie's harsh elements in the most practical manner.

Although the American Indian tribes disagreed, the federal government had title to the Great Plains, the territory extending in the Midwest from the Mississippi River to the Rocky Mountains, as part of the Louisiana Purchase. But a vast, undeveloped prairie was of no value to an expanding nation. The territory needed to be populated and cultivated, and the government was willing to give land to any adult willing to farm there.

The need for such a policy would seem obvious, but it took a Civil War to enact the legislation. During the 1850s, similar bills had been proposed in Congress and passed by the House of Representatives. In the Senate, however, the proposals were defeated by Southern opposition.

There was a political calculus to this: the South feared that the Western territories, once sufficiently populated to qualify for statehood, would enter the Union as states opposed to slavery. The South had a smaller population than the North (12 million vs. 18 million), a disparity evident in the demographically proportioned House of Representatives. However, the Senate's composition was based on the number of states, and the slave states had a rough parity with the free states: 15 versus 18. New states might tilt that balance, so the South opposed any legislation that promoted Western settlement.

But in 1862, the Civil War made the South conspicuously absent from the U.S. Congress. The Homestead Act finally passed and was signed by President Abraham Lincoln on May 20. The act permitted any U.S. citizen to acquire 160 acres of land in the public domain. The applicant would need to file a claim at the nearest government land office and pay a registration fee of $10 (about $207 in today's dollars).

Within six months of the application, the settler had to establish residency on the property. After five years of farming the land, the settler would be granted the deed of ownership. On January 1, 1863, the first day of the Homestead Act, 418 people filed their applications.

The land was free but not effortless. Just getting to the frontier was a difficult and expensive journey. Settlers traveled by covered wagon; the most common called the Prairie Schooner, a small and sturdy vehicle that could traverse the tall grass of the prairie. Wagon ruts often were the only roads on the frontier. The Prairie Schooner might cost $75, more than $1,500 in today's dollars. Four-feet-wide by 10-to-12-feet-long and a canvas cover that reached 10 feet, that wagon had to hold the settler's family, its essential possessions including farm tools and seed, and at least six months of food.

There were guidebooks at the time, and each prospective settler was recommended to take the following supplies: 150 pounds of flour, 20 pounds of cornmeal, 50 pounds of bacon, 40 pounds of sugar, 10 pounds of coffee, 5 pounds of

salt (to preserve meat) and 15 pounds of beans. Additional meat presumably could be killed along the way. Guns also were a part of that essential inventory.

Everything that could be required had to be taken because the frontier had no convenience stores. The pioneer had to be self-sufficient. Of course, that packed wagon required draft animals to pull it; a team of six oxen or 10 mules would suffice. Adding up the costs of the wagon, the draft team, the farm tools and all the supplies, a settler was likely to have spent $500 to $1,000 in the 1860s, today's equivalent of about $10,000 to $20,000.

Settlers tried to arrive on their claim in the spring, making full use of the growing season and to harvest a crop in the first year of residence. Plowing the soil also provided the farmer with the construction materials for his first home. The Homestead Act required the settler to build a home on the land. However, the common building materials of the East—wood and stone—were not found on the Great Plains. So the prairie itself would provide the building blocks.

The sodhouse, composed of soil bricks, became the standard home of those early pioneers. Each sod brick was 12 to 18 inches wide by 24 inches long, and weighed about 50 pounds; and the bricks had to be checked to remove any wildlife, especially snakes. It required an acre of sod to build a one-room house just 12 feet wide and 14 feet long. The sod construction was solid and insulating: warm in the winter, cool in the summer, and also bulletproof. It was ugly and practical, exactly what the pioneer needed and no more than that.

If the settler could last five years, if the harvests proved worth the struggle, then the land was his. The local land office would grant the settler full title to the acreage. But, in fact, most applicants failed in their attempt at farming. The land grant records indicated that fewer than half of settlers held on for the required time. Despite that high toll, the Homestead Act was encouraging a Western migration and the settlement of the Great Plains.

In 1860, Nebraska's population was 28,841; by 1870, it was 122,993. Nebraska became a state in 1867. The settlers moved farther west. In 1870, Colorado's population was 39,864; by 1880, it was 194,327. Colorado entered the union in 1876. South Dakota and North Dakota became states in 1889 and Wyoming in 1890. The development of the transcontinental railroad greatly improved travel to the West, but it was the Homestead Act that gave people a reason to go there.

Ten percent of the United States—270 million acres—was settled through the Homestead Act. By 1900, more than 600,000 claims had been filed. The act remained in effect until 1986 encouraging settlement in Alaska, our last frontier. Today, the wagon rut trails of the Great Plains have been paved over by superhighways. The grass prairie now yields crops that feed America and the world. This is the legacy of the Homestead Act and the pioneers who pursued its promise.

** The conversion of 19th-century dollar values to 2006 U.S. dollars (the last date for which figures are available) is calculated based on the Consumer Price Index and relies on the work of economists Lawrence Officer and Samuel H. Williamson at www.MeasuringWorth.com*