

Virtual Capitol Lessons

Homestead Act: Free Land! Free Land!

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Editor	Karen Graff, Ed.D.
Grade Level	4
Class Period(s)	3

This lesson is designed to precede or follow a field trip to Lincoln or a virtual field trip (<http://nebraskavirtualcapitol.org>) to the Nebraska Capitol.

Nebraska Social Studies Standards

SS 4.3.1 Explore where (spatial) and why people, places and environments are organized in the state.

SS. 4.3.1.a Read local and state maps and atlases to locate physical and human features in Nebraska.

SS 4.3.1.b Apply map skills to analyze physical/political maps of the state.

SS 4.3.5 Students will identify how humans have adapted to and modified different environments in Nebraska.

SS 4.3.5.b Describe how humans have adapted to and modified Nebraska's physical environment.

Nebraska Language Arts Standards

LA 4.1.5 Vocabulary: Students will build and use conversational, academic, and content-specific grade-level vocabulary.

LA 4.1.5.c Acquire new academic and content-specific grade-level vocabulary, relate to prior knowledge, and apply in new situations.

LA 4.1.6 Comprehension: Students will construct meaning by using prior knowledge and text information while reading grade-level literary and informational text.

LA 4.1.6.e Determine main ideas and supporting details from informational text and/or media.

LA 4.2.1 Writing Process: Students will apply the writing process to plan, draft, revise, edit, and publish writing using correct spelling, grammar, punctuation, and other conventions of standard English appropriate for grade-level.

LA 4.2.1.c Gather and use relevant information and evidence from multiple authoritative print and/or digital sources to support claims or theses.

LA 4.2.2 Writing Modes: Students will write in multiple modes for a variety of purposes and audiences across disciplines.

LA 4.2.2.a Communicate information and ideas effectively in analytic, descriptive, informative, narrative, poetic, persuasive, and reflective modes to multiple audiences using a variety of media and formats.

LA 4.2.2.b Provide evidence from literary or informational text to support analysis, reflection, and research.

LA 4.2.2.d Use precise word choice and domain-specific vocabulary to write in a variety of modes.

LA 4.3.1 Speaking: Students will develop, apply, and refine speaking skills and strategies to communicate key ideas in a variety of situations.

LA 4.3.1.a Communicate ideas and information in a clear and concise manner suited to the purpose, setting, and audience (formal voice or informal voice), using appropriate word choice, grammar, and sentence structure.

LA 4.3.1.b Demonstrate appropriate speaking techniques for a variety of purposes and situations, including interpreting text.

LA 4.3.2 Listening: Students will develop and demonstrate active listening skills across a variety of situations.

LA 4.3.2.a Demonstrate active and attentive listening skills (e.g., eye contact, nonverbal cues, recalling, questioning) for multiple situations and modalities.

LA 4.4.1 Information Fluency: Students will evaluate, create, and communicate information in a variety of media and formats (textual, visual, and digital).

LA 4.4.1.c Use or decipher multiple formats of print and digital text.



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Nebraska Math Standards

MA 4.4 DATA: Students will communicate data analysis/probability concepts using multiple representations to reason, solve problems, and make connections within mathematics and across disciplines.

MA 4.4.1 Representations: Students will create displays that represent data

MA 4.4.1. a Represent data using line plots where the horizontal scale is marked off in appropriate units.

Nebraska Fine and Performing Art Standards

FA 5.2.3 Students will use the critical process to examine works of art, learning about themselves and cultures.

FA 5.2.3.c Interpret the message communicated by a work of art, using knowledge of visual elements, subject matter, and mood.

FA 5.2.4 Students will examine contemporary, historical, and cultural context in art and life.

FA 5.2.4.d Explore how images and objects are used to convey a story, familiar experience, or connection to the world.

Overview

This lesson illustrates how Nebraska was settled by numerous European immigrants, farmers from the East who didn't own land, single women, and freed slaves. With the passage of the Homestead Act in 1862, people in the West including the Nebraska Territory, were able to do just that. In fact, Daniel Freeman was the first homesteader to file a claim under the Homestead Act near Beatrice, Nebraska, on January 1, 1863. The Homestead Act of 1862 allowed people to stake a claim of 160 acres of land, free-of-charge (\$18 filing fees), if the homesteader agreed to a few qualifiers. The homesteader had to live on the land for a minimum of five years and to make improvements on that land parcel. Improvements were to include a dwelling, breaking the sod, and raising a crop. Over 1.6 million applications were processed and more than 270 million acres of land were transferred from the US government to individuals from 1862-1976, when the Homestead Act was repealed.

Key Vocabulary

Homestead Act-An Act of Congress passed on May 20, 1862, which assigned ownership of US public lands free-of-charge to the homesteader if they met three criteria: filing an application, improving the land, and filing for deed of title.

Homestead-a piece of public land that was transferred by the US government to a settler to develop into a farm

Improvement-a dwelling, breaking the sod or soil, and planting a crop

"Prove your claim"-having two neighbors or friends vouch for the truth of the land improvement and signing-off on this document

Vouch-to give a guarantee

Patent-a public document transferring ownership of land, also known as deed of title

Sod-the top layer of the soil containing grass with its roots

Sod buster-farmer who breaks up the sod preparing the land for planting crops

Survey-to measure the size and shape of a piece of land with special instruments

Land Agent-a person who worked for the government and was assigned to investigate and record the land transfers



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Materials

- Daniel Freeman's Homestead Application
- "Final Patents Received" bar graph from NPS
- "Final Homestead Entries" bar graph from NPS
- Ruler
- Line graph (to illustrate the increase of population in the West from 1860-1980)
- * Map of Nebraska showing bodies of water and land regions (*Student Atlas of Nebraska* is recommended)
- Homestead Proof Testimony (extension activity)

Procedures

SESSION ONE

1. Provide students with background information on the Homestead Act. Refer to the Overview (above) and/or pages 156-163 and 172 in *The Nebraska Adventure* by Jean A. Lukesh, if available. The link below may also be helpful. Students should have a clear understanding of the significance of the Act. A primary document, Daniel Freeman's application for a homestead, is provided for viewing.
<https://www.nps.gov/home/learn/historyculture/abouthomesteadactlaw.htm>
2. In small groups or with a partner, students will discuss the qualities and characteristics of homesteaders and why these characteristics were necessary. They will list five specific adjectives describing the homesteaders (e.g., ambitious, resourceful, brave, creative, persistent, etc.)
3. Provide students with a map of Nebraska with bodies of water and land regions identified. Consider using the *Student Atlas of Nebraska** maps on pages 7 (Elevation), 11 (Rivers and Reservoirs), 14 (Natural Vegetation), and 30/32 (Landform Regions). Also, encourage students to examine the photos on pages 12 (Niobrara River Valley), 15 (Wildcat Hills), 20 (Platte River Valley), 22 (Oregon Trail), 31/33 (Sandhills), and 37/41 (Loup River Valley) for views similar to what the Homesteaders may have seen. Remind students that many of the cities identified on the map on page 7 had not been established or were not well-established in 1865. In small groups, have students examine the map and photos and decide where they would have chosen to live in Nebraska in 1865, if the land were free. Students must identify at least three reasons why they chose that location (e.g., proximity to water source, flat land, lower elevation, type of plant life growing in area, type of soil, wildlife, etc.) Other factors not depicted by maps might be recommendations of existing homesteaders, including weather conditions.
*If you are using the 2nd edition of the *Student Atlas of Nebraska*, some page numbers are different. Where two page numbers are given (e.g., 37/41) the second page number is for the 2nd edition.

SESSION TWO

1. The vestibule in the Capitol Building honors "Agriculture's Importance to Nebraska." Have students go to the Virtual Capitol Tour and enter the vestibule. Begin with the three murals by artist James Penney. Study and discuss the murals, answering the questions provided. Proceed to the four hexagonal mosaics in the pendentives showing the 4 seasons of agriculture and to the four seasons of nature in the ceiling.
<http://nebraskavirtualcapitol.org/panos/23>

Remind students that agriculture was an essential component of the Homestead Act.

SESSION THREE

1. Students will analyze data on the changing settlement of Nebraska from 1860-1980. Display the bar graphs showing the number of Patents Received (homestead claims) and Homestead Entries (acres). Have students note the relationship between the two. Then distribute the line graph, "Effects of the Homestead Act on the Population of Nebraska from 1860-1980". Explain that the population figures have already been



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rounded to the nearest thousand. However the graph has tick marks at intervals of 40,000 so they will need to estimate when plotting the points. After plotting and connecting the points, some might expect to see a pattern similar to the one in the previous graphs. Guide them to understand that while the number of claims (and thus acres) decreased with time, many homesteaders stayed, families grew, and so the population grew as well.

Assessment

Students will write a letter home to a friend or relative describing their life on the homestead. The letter will include the qualities a homesteader should have to attempt this adventure. The letter should also describe how they selected their claim, the physical environment they have encountered, and how they have adapted to it.

Extensions

1. "Homesteading by the Numbers" is a packet that can be used to extend the study of the Homestead Act across the U.S. Several graphs and worksheets for analysis are included.
<https://www.nps.gov/common/uploads/teachers/lessonplans/Homesteading%20by%20the%20Numbers.pdf>
2. The National Park Service's site for the Homestead National Monument provides background information and has links to many primary resources. <https://www.nps.gov/home/learn/historyculture/index.htm>
3. Students might engage in a mock filing/proving session on their land claim. Students will bring documentation of their homestead family to be presented to the land agent. If status is approved, students proceed to complete their application for a land claim. When summoned back to the land agent's desk, students receive directions for filing an application for "proving" their land improvements. The Homestead Proof Testimony forms provide a primary source document so students can read an example.
<https://www.nps.gov/home/learn/historyculture/abouthomesteadactlaw.htm>

Sources/Resources

<https://www.nps.gov/home/learn/historyculture/upload/Final%20homestead%20Entries%201868-1960.pdf>
NPS: Homestead National Monument of Nebraska. "Final Homestead Entries 1868-1960"

<https://www.nps.gov/home/learn/historyculture/upload/Final%20Patents.pdf>
NPS: Homestead National Monument of Nebraska. "Final Patents Received 1871-1950"

<https://www.census.gov/dmd/www/resapport/states/nebraska.pdf>
US Census Bureau Population of Nebraska 1860-2000

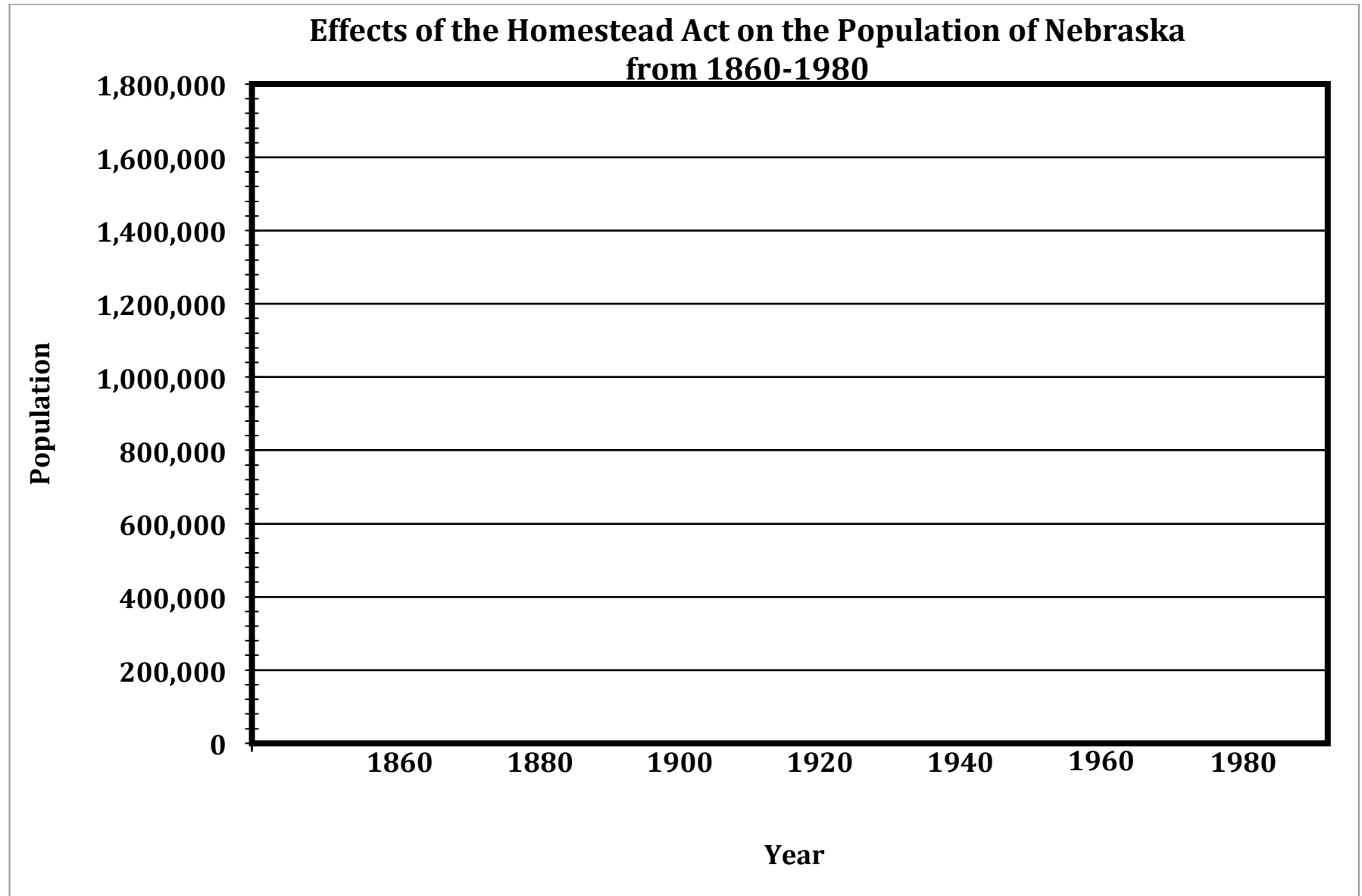
<http://www.archives.gov/education/lessons/homestead-act/>
Daniel Freeman's Homestead Application

<https://www.archives.gov/education/special-topics.html>

Homesteading: The Free Land Idea. By Amy Garrett, Wesley Lamberson, L.S. Lange, Jason Sutter, and Gail Sutter. Beatrice NE: National Park Service, 2005. Print. (Activity Guide)



Directions: Plot the data on the graph by making a dot where the year and population intersect. Then use a straight edge to connect the first dot to the next and so on. Follow the line to see how the population of Nebraska changed.



1860 -- 29,000

1880 -- 452,000

1900 -- 1,066,000

1920 -- 1,296,000

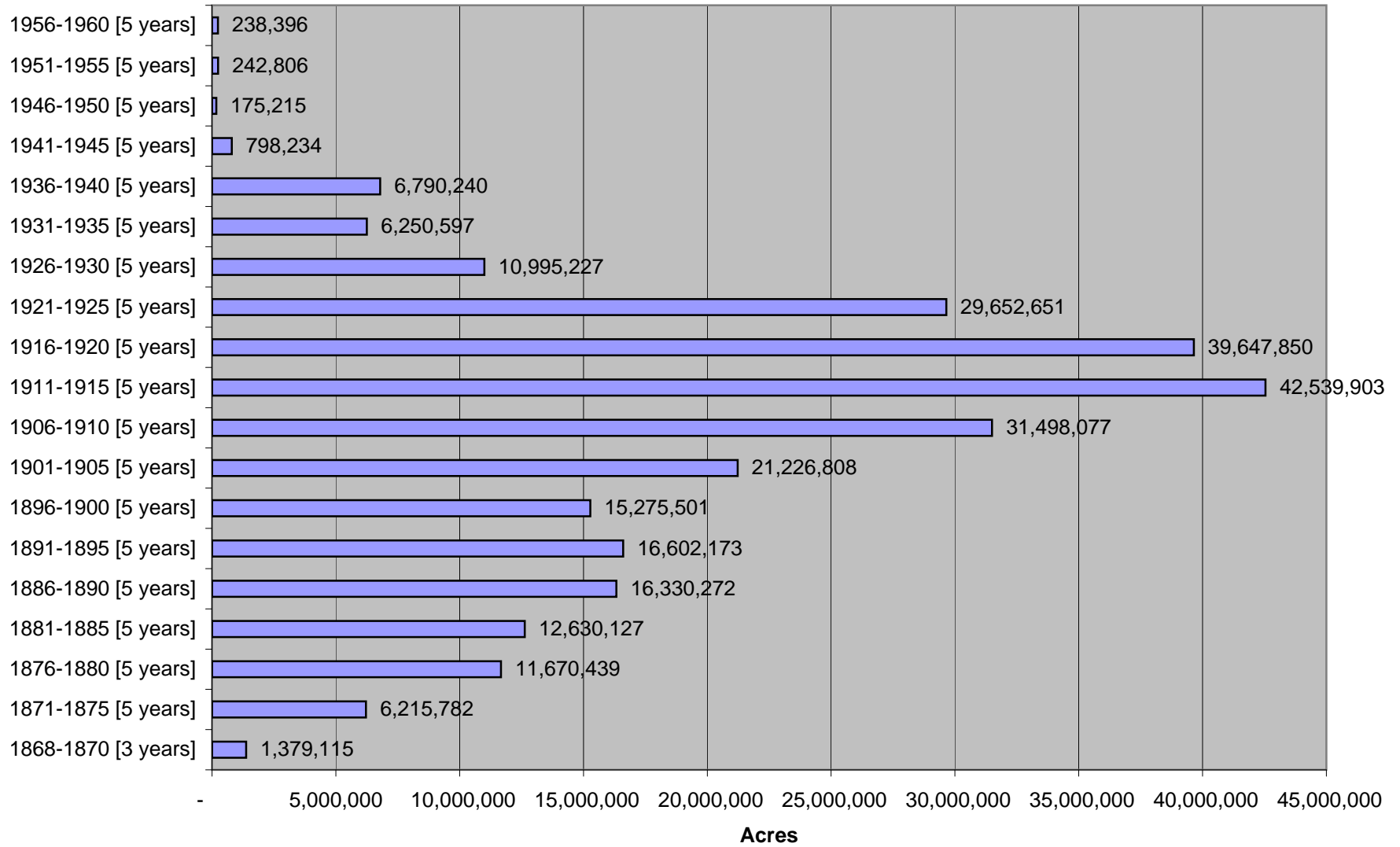
1940 -- 1,316,000

1960 -- 1,411,000

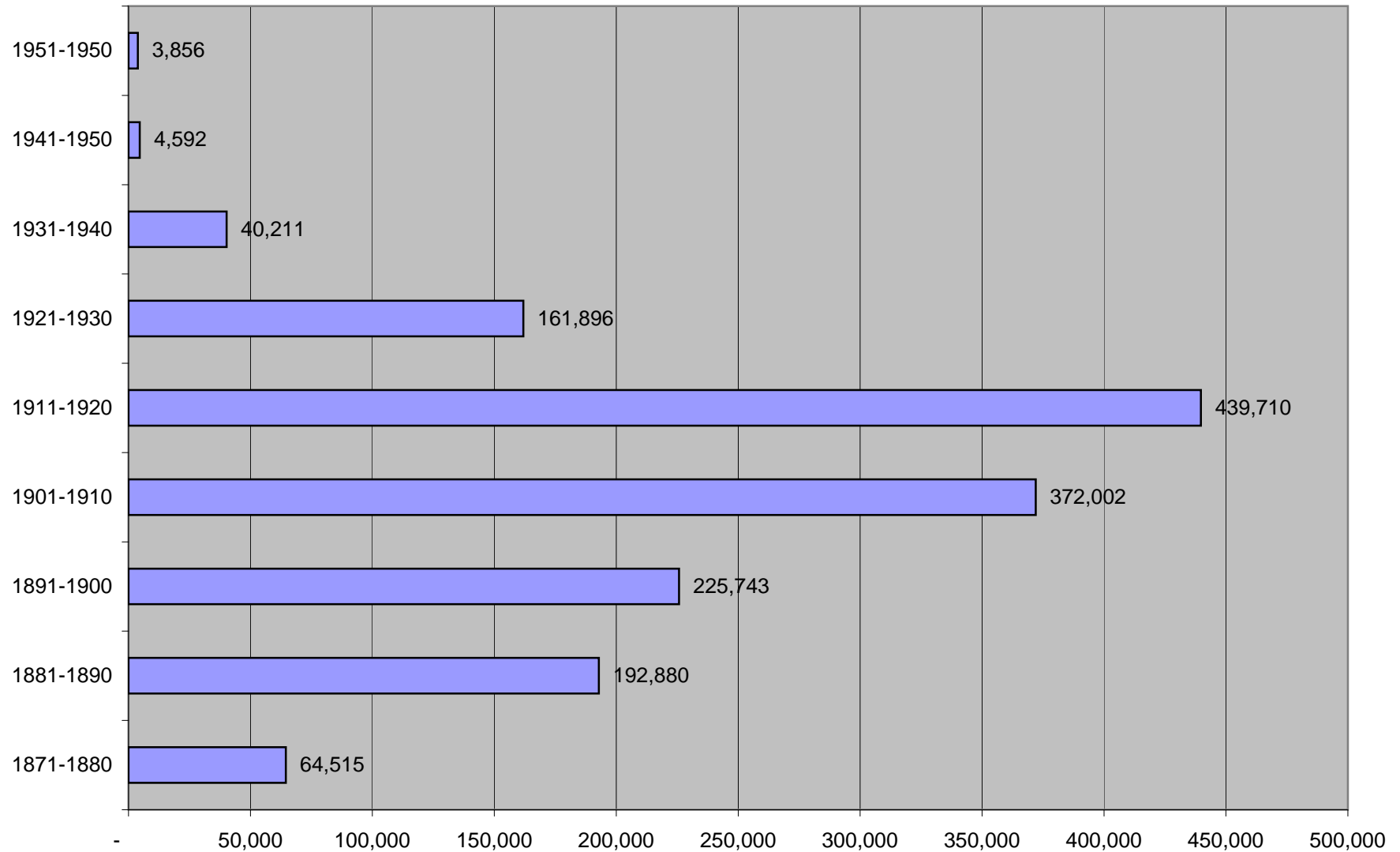
1980 -- 1,570,000

Source: U.S. Census Bureau

Final Homestead Entries 1868-1960



Final Patents Received



Application }
No. 1. }

Homestead
Land Office
Brownville N.T. 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} & NE^{1/4} of N.W^{1/4} & S.W^{1/4} of NE^{1/4} Sec. 26.
in Township ~~34~~⁽⁴⁾ N in Range Five East. containing 160 acres
Having filed my Preemption Declaration thereto on
the Eighth day of September 1862

Daniel Freeman

Land office at:

Brownville N.T. January 1st 1863

I Richard F. Barrett Register of the Land office do
hereby certify that the above application is for damaged
Lands 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 F. Barrett
Register

Homestead Proof Testimony of Almanzo Wilder September 12, 1884 South Dakota

Almanzo Wilder was the husband of Laura Ingalls Wilder,
author of the *Little House on the Prairie* book series.

Courtesy [National Archives and Records Administration](#)
Records of the Bureau of Land Management, 595419

HOMESTEAD PROOF---TESTIMONY OF WITNESS.

A. J. Sheldon
being called as a witness in support of the Homestead
entry of *Almanzo J. Wilder* for *NE 21-11-56*.
testifies as follows:

Ques. 1—What is your occupation, and where is your residence?

Ans. *Farmer Sec 10-11-56.*

Ques. 2—Have you been well acquainted with *Almanzo J. Wilder*

the claimant, in this case ever since he made his Homestead entry No.

Ans. *Yes. for 5 years he had taken his land at Yankton Neb. & 3 miles from it.*

Ques. 3—Was claimant qualified to make said entry? (State whether the settler was a citizen of the United States, over the age of twenty-one years, or the head of a family, and whether he ever made a former Homestead entry.)

Ans. *Yes. Citizen of U.S. over 21 yrs old.*

Single. Never made former homestead entry.

Ques. 4—When did claimant settle upon the homestead and at what date did he establish actual residence thereon? (Describe the dwelling and other improvements, giving total value thereof.)

Ans. *About Oct 1st 1879. Same time. House of frame—about 12 ft square. 2 rooms. 5 windows. Stable frame. Well of water clear. acre broken & cultivated. Some trees. Value at least \$3000.*

Ques. 5—Have claimant and family resided continuously on the homestead since first establishing residence thereon?

Ans. *Single man. Residence continuous.*

Ques. 6—For what period or periods has the settler been absent from the land since making settlement, and for what purpose; and if temporarily absent, did claimant's family reside upon and cultivate the land during such absence?

Ans. *At times. Was temporarily absent, working on the R.R. and visiting in Minn. not more than about 2 months at a time.*

Ques. 7—How much of the homestead has the settler cultivated, and for how many seasons did he raise crops thereon?

Ans. *Crops on part 4 years. raising 5 yrs. acre cultivated. about 20 acres of wheat this year 1884.*

Ques. 8—Are there any indications of coal, salines or other minerals of any kind on the Homestead? (If so, describe what they are, and state whether the land is more valuable for agricultural than for mineral purposes.)

Ans. *No no no. more valuable for agriculture*

Ques. 9—Has the claimant mortgaged, sold, or contracted to sell, any portion of said Homestead?

Ans. *not to my knowledge*

Ques. 10—Are you interested in this claim; and do you think the settler has acted in entire good faith in perfecting this entry?

Ans. *No. nor am I in any way related to claimant. Think he has acted in good faith.*

I hereby certify that the witness is a person of respectability; that the foregoing testimony was read to him before being subscribed, and was sworn to before me this

day of *September* 1884

(SEE NOTE ON FOURTH PAGE.)

W. J. Barner
ex officio clerk

UNITED STATES COURT,
KINGSBURY CO., DAK.

Transcript

HOMESTEAD PROOF—TESTIMONY OF CLAIMANT

A. J. Sheldon being called as a witness in support of the Homestead entry of Almanzo J. Wilder for NE – 21-111-56
 _____ testifies as follows:

Ques. 1 – What is your occupation, and where is your residence?

Ans. Farmer See 20-222-56

Ques. 2 Have you been well acquainted with Almanzo J. Wilder

the claimant, in this case ever since made his homestead entry No. _____

Ans. Yes for 5 years he had taken his land at Yankton about 3 weeks before I met him.

Ques. 3 –Was claimant qualified to make said entry? (State whether the settler was a citizen of the United States, over the age of twenty-one years, or the head of a family, and whether he ever made a former Homestead entry.)

Ans. Yes. Citizen of U.S. Over 21 yrs old.
Single. Never made former hd entry.

Ques. 4 – When did claimant settle upon the homestead and at what date did he establish actual residence thereon? (Describe the dwelling and other improvements, giving total value thereof.)

Ans. About Oct 1st 1879. Same time. House & raise -- about 12ft. square. 2 doors. 3 windows. Stable. Frame. Well of water. Cellar. Acres broken & cultivated. Some trees. Value at least \$300.00.

Ques. 5 Have claimant and family resided continuously on the homestead since first establishing residence thereon?

Ans. Single man. Residence continuously

Ques. 6 – For what period or periods has the settler been absent from the land since making settlement, and for what purpose; and if temporarily absent, did claimant's family reside upon and cultivate the land during such absence?

Ans. Was temporarily absent at times working on the R.R. and visiting in Minn.
Not more than about 2 months at a time.

Ques. 7 – How much of the homestead has the settler cultivated, and for how many seasons did he raise crops thereon?

Ans. Acres cultivated. Crops or part 4 years. Breaking 5 years. about 20 acers of wheat this year – 1884.

Ques. 8 – Are there any indications of coal, salines or other minerals of any kind on the Homestead? (If so, describe what they are, and state whether the land is more valuable for agriculture than for mineral purposes.)

Ans. No. No. No. More valuable for agriculture

Ques 9 – Has the claimant mortgaged, sold, or contracted to sell any portion of said Homestead?

Ans. Not to my knowledge.

Ques. 10 - Are you interested in this claim, and do you think the settler has acted in entire good faith in perfecting this entry?

Ans. No. Nor am I in any way related to claimant. Think he has acted in good faith.

A. J. Sheldon

I hereby certify that the witness is a person of respectability; that the foregoing testimony was read to him before being subscribed, and was sworn to before me this 12 day of September 1884.

W. J. Barnes
tex office clerk

Judge of the Probate Court
 Kingsbury Co., Dak.

HOMESTEAD PROOF --- TESTIMONY OF CLAIMANT

O. C. Sheldon being called as a witness in his own behalf in support of Homestead entry of Almanzo J. Wilder for NE - 21-111-56
 _____ testifies as follows:

Ques. 1 - What is your occupation, and where is your residence?

Ans. Farmer See 10-111-56 -

Ques 2. - Have you been well acquainted with Almanzo J. Wilder
 the claimant, in this case ever since he made his Homestead entry no. ____

Ans. Yes. For 5 years. Think he made his hd entry about 3 weeks before I met him.

Ques. 3 - Was claimant qualified to make said entry? (State whether the settler was a citizen of the United States, over the age of twenty-one years, or the head of a family, and whether he ever made a former Homestead Entry.)

Ans. Yes. Citizen of U.S. over 21 years old. Never made former hd entry.

Ques. 4 - When did claimant settle upon the homestead and at what date did he establish actual residence there on? (Describe the dwelling and other improvements, giving total value thereof.)

Ans. In first part of October 1879. Residence same time. House 12 by 12 ft. frame. 2 doors, 1 window stable, cellar well of water, 32 acres broken & cultivated same time. value \$300.00

Ques. 5 - Have claimant and family resided continuously on the homestead since first establishing residence thereon?

Ans. Single man. Residence continuously

Ques. 6 - For what period or periods has the settler been absent from the land since making settlement, and for what purpose; and if temporarily absent, did claimant's family reside upon and cultivate the land during such absence?

Ans. Was temporarily absent working on R.R. and in Minnesota during first winter. Necessarily to get money to improve his land.

Ques. 7 -- How much of the homestead has the settler cultivated, and for how many seasons did he raise crops thereon?

Ans. Crops on past 4 years -- making 5yrs. 32 acres cultivated. 20 acres cropped the year 1884

Ques. 8 - Are there any indications of coal, salines or other minerals of any kind on the Homestead? (If so, describe what they are. And state whether the land is more valuable for agriculture than for mineral purposes)

Ans. No. No. No. More valuable for agriculture

Ques. 9 - Has the claimant mortgaged, sold, or contracted to sell, any portion of said Homestead?

Ans. no no no

Ques. 10 - Are you interested in this claim, and do you think the settler has acted in entire good faith in perfecting this entry?

Ans. No. Nor am I in any way related to claimant think he has acted in good faith. O. C. Sheldon

I hereby certify that the witness is a person of respectability; that the foregoing testimony was read to him before being subscribed, and was sworn t before me this 12 day of September 1884

W. J. Barnes
 tex office clerk
 Judge of the Probate Court
 Kingsbury Co., Dak.

HOMESTEADING BY THE NUMBERS



Kenneth Deardorf on the porch of his cabin in Alaska.

Approximately 4 million claims were made under the Homestead Act. Of these, 1.6 million were successful. The total number of acres distributed through the Homestead Act was 270.2 million. The Act was not repealed until 1976 in the lower 48 and not until 1986 in Alaska. The last homesteader was Kenneth Deardorf from Alaska. He received his patent in 1988.

Time Needed

One class period

Materials Needed

Homestead Statistics Worksheets

Introductory Set

Ask students to brainstorm laws that they know have changed or influenced American history. Students are then to describe how those laws impacted the nation. Explain that students will learn today how the Homestead Act of 1862 influenced the nation.

Process

Students are to complete the Homestead statistics worksheets in order to develop an understanding of the effect of the Homestead Act of 1862 upon the United States.

This assignment could be used as group or all-class activity with the charts being transferred to a presentation program and projected onto a large screen.

Culminating Activity

Bring students back together and have them discuss as a class the information that they have reviewed and how the Homestead Act influenced the nation as a whole.

Impacts of the Homestead Act

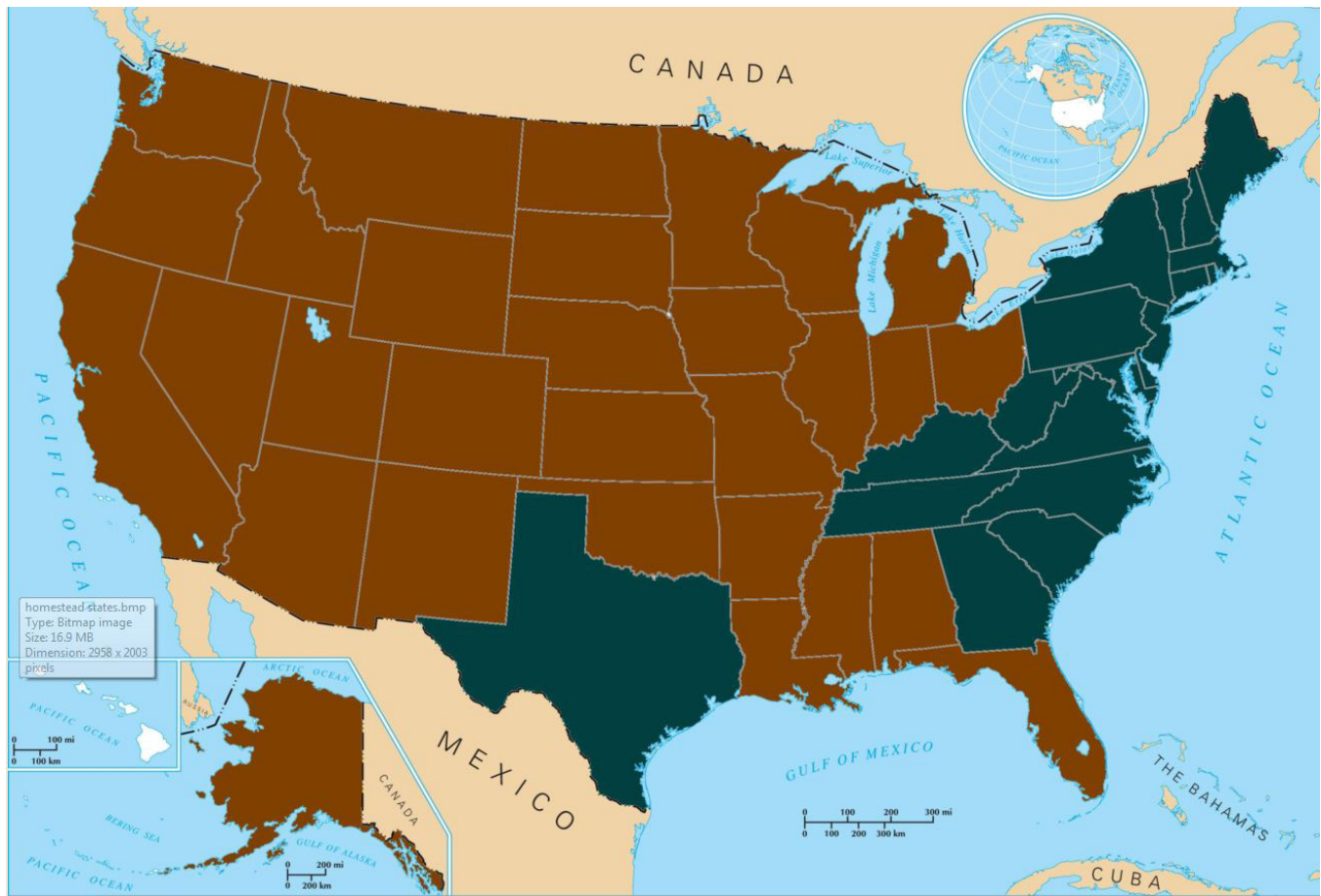


Students will learn about the impacts of the Homestead Act by watching a video that explains the impacts at:

<http://youtu.be/5KxooR9my1Q>

This activity can be used at the conclusion of a unit of study on the Homestead Act of 1862.

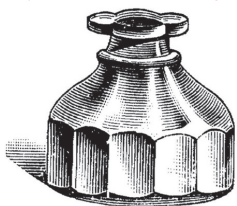
HOMESTEADING BY THE NUMBERS



The 30 states in brown were opened up to homesteading.

A jpg of this image is available at <http://www.nps.gov/home/historyculture/>

Enrichment Activities



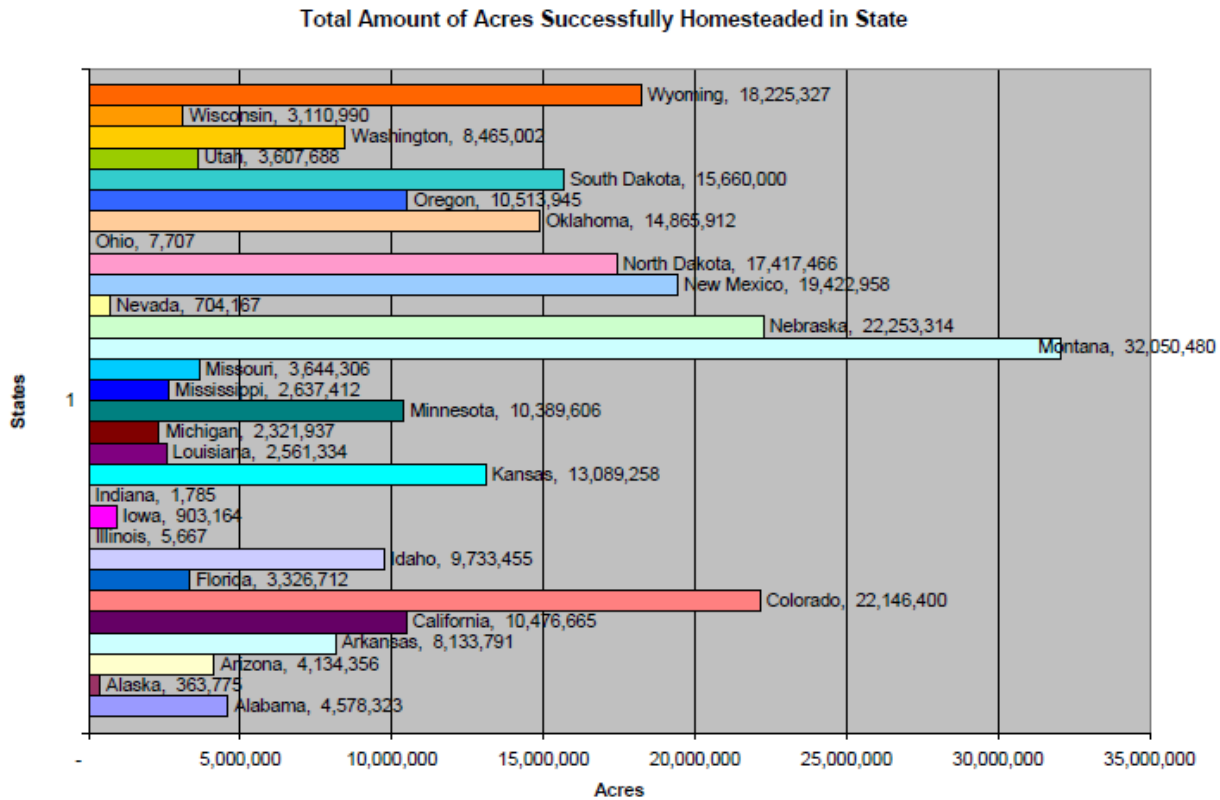
Homesteading by the Numbers

While Homesteading offered millions of acres of land for settlement, Homesteaders were not the largest recipients of western lands. Millions of acres of land were offered to the railroads for sale and use in building rail lines and communities. Research the role that the railroads played in the settlement of the west and write a comparative essay between the railroads and homesteaders.

Homestead Statistics Worksheet

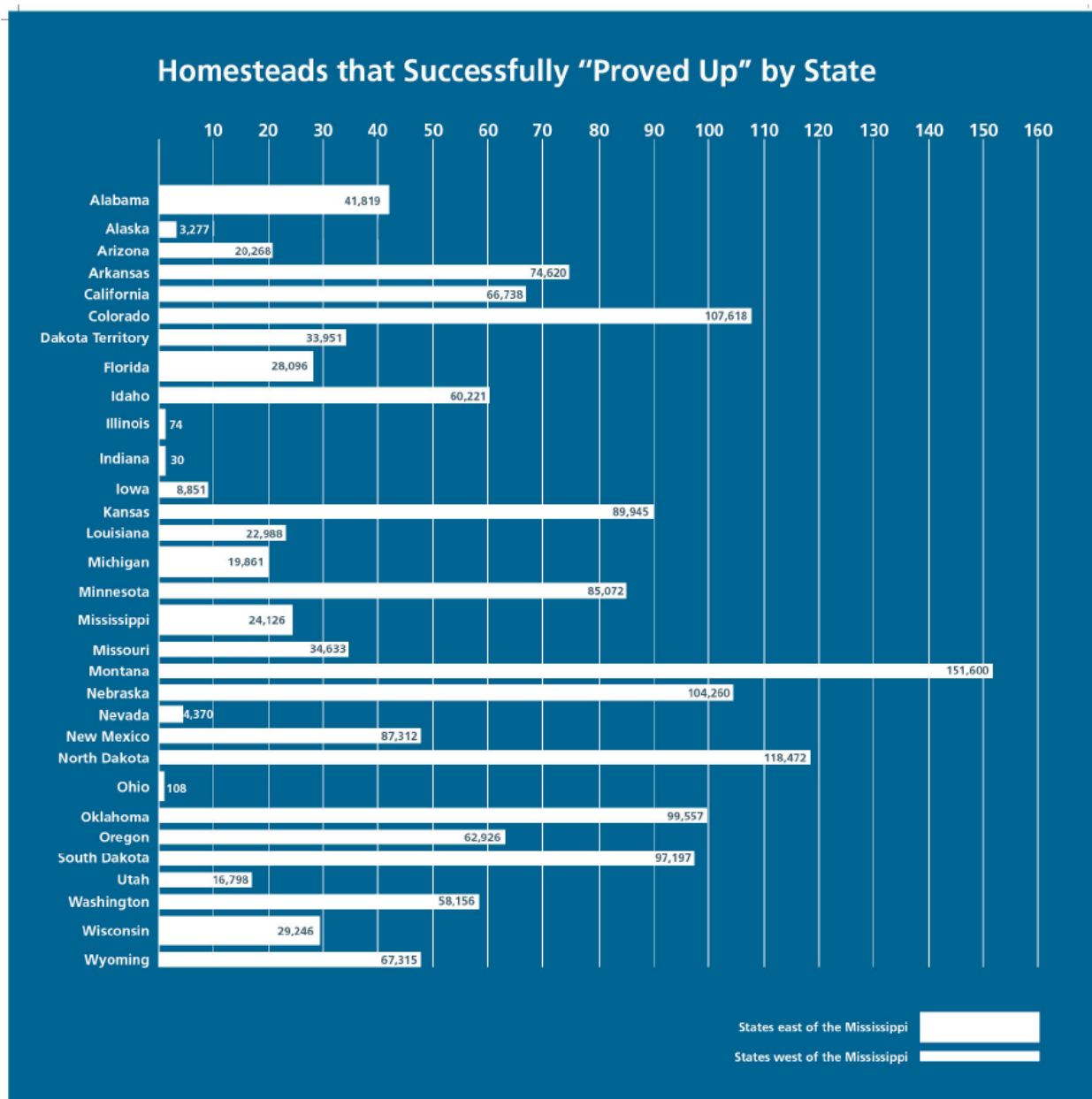
Name: _____

Instructions: Review each of the charts and answer the questions that are found below each.



Source: <http://www.nps.gov/home/historyculture/>

1. List the five states where the most acres were claimed.
2. List the five states where the fewest acres were claimed.



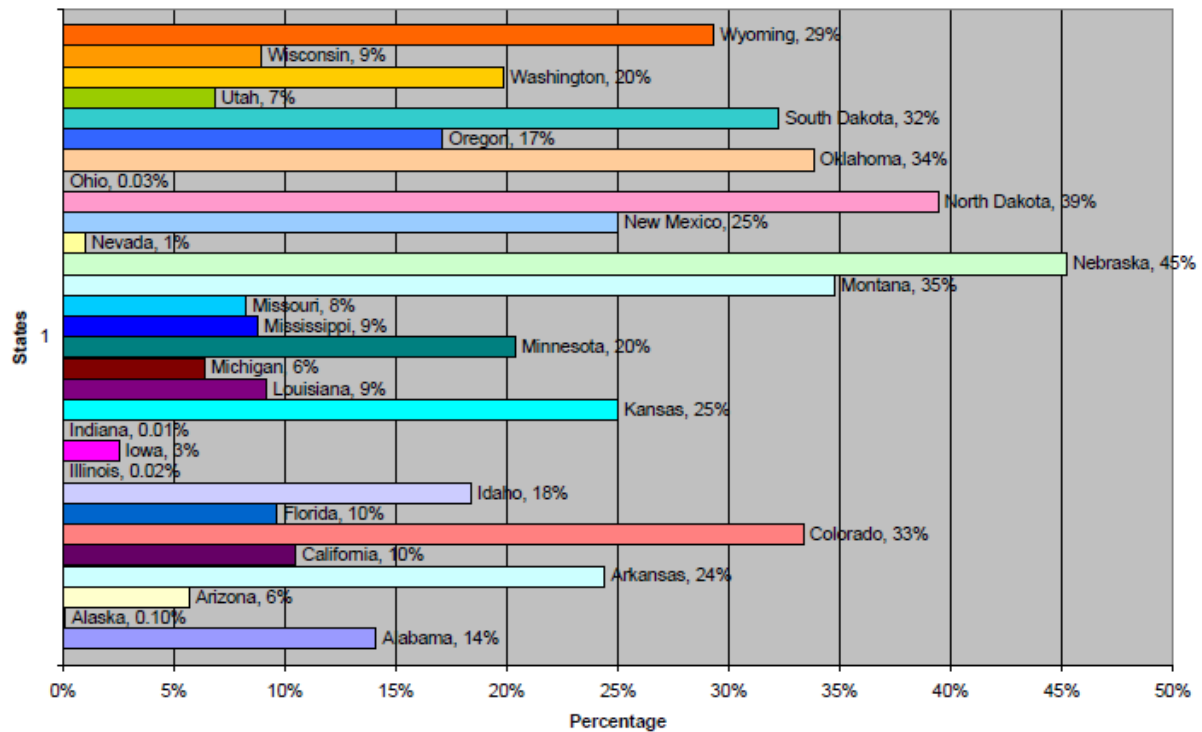
Source: <http://www.nps.gov/home/historyculture/>

1. In how many states did successful Homestead claims occur?

2. In how many states west of the Mississippi River were successful claims made?

3. In how many states east of the Mississippi River were successful claims made?

Percentage of Total Acreage in State that was Successfully Homesteaded



Source: <http://www.nps.gov/home/historyculture/>

1. Which state had the highest percentage of its land claimed under the Homestead Act?
2. Which states had less than 5 percent of their land claimed under the Homestead Act?
3. List the states west of the Mississippi River that had less than 10 percent of their land homesteaded.
4. Why do you think the states in question #3 had less land homesteaded than the other states west of the Mississippi River?

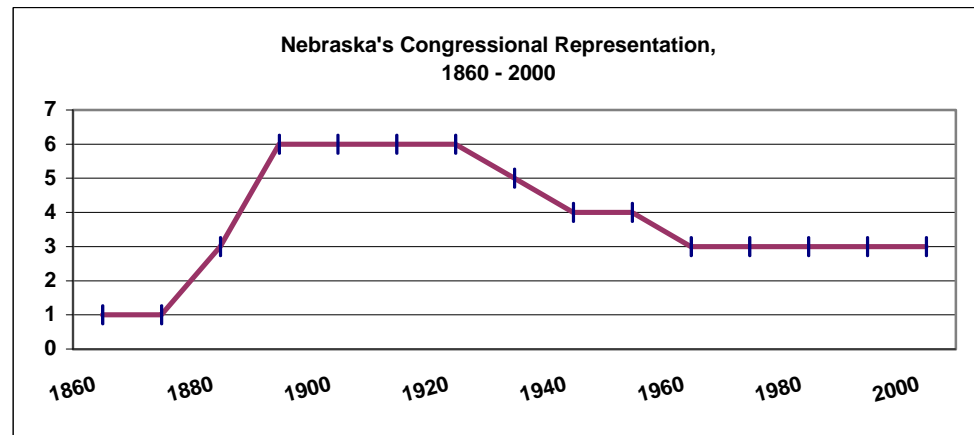
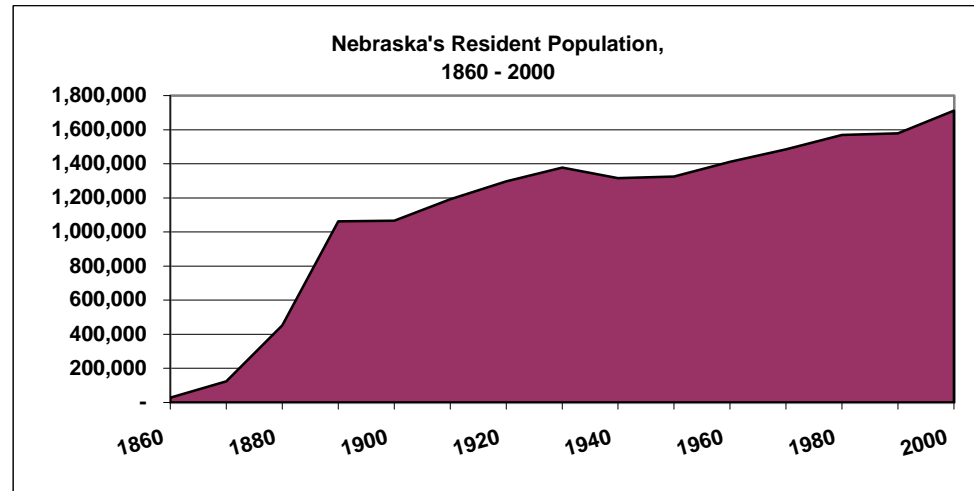
U.S. Census Bureau

Resident Population and Apportionment of the U.S. House of Representatives



Nebraska

Year	Resident Population	Number of Representatives
2000	1,711,263	3
1990	1,578,385	3
1980	1,569,825	3
1970	1,485,333	3
1960	1,411,330	3
1950	1,325,510	4
1940	1,315,834	4
1930	1,377,963	5
1920	1,296,372	6
1910	1,192,214	6
1900	1,066,300	6
1890	1,062,656	6
1880	452,402	3
1870	122,993	1
1860	28,841	1
1850	-	...
1840	-	...
1830	-	...
1820	-	...
1810	-	...
1800	-	...
1790	-	...
1789	-	...



1. The resident population excludes the overseas population.
2. Congressional apportionment for each state is based upon (1) the resident population and (2) the overseas U.S. military and federal civilian employees (and their dependents living with them) allocated to their home state, as reported by the employing federal agencies.