**The Homestead Act (1862)**

Signed into law in May 1862, the Homestead Act opened up settlement in the western United States, allowing any American, including freed slaves, to put in a claim for up to 160 free acres of federal land. By the end of the Civil War, 15,000 homestead claims had been established, and more followed in the postwar years. Eventually, 1.6 million individual claims would be approved; nearly ten percent of all government held property for a total of 420,000 square miles of territory.

The Homestead Act (May 20, 1862) set in motion a program of public land grants to small farmers. Before the Civil War, the southern states had regularly voted against homestead legislation because they correctly foresaw that the law would hasten the settlement of western territory, ultimately adding to the number and political influence of the free states. This opposition to the homestead bill, as well as to other internal improvements that could hasten western settlement, exacerbated sectional conflicts. Indeed, the vision of independent yeomen establishing homesteads on the prairies was offered in the political rhetoric of the 1850s as a vivid contrast to the degradation of slave labor on southern plantations. A homestead bill passed the House in 1858 but was defeated by one vote in the Senate; the next year, a similar bill passed both houses but was vetoed by President [James Buchanan](http://www.history.com/topics/us-presidents/james-buchanan). In 1860, the Republican platform included a plank advocating homestead legislation.

After the southern states had seceded, homestead legislation was high on the Republican agenda. The Homestead Act of 1862 provided that any adult citizen (or person intending to become a citizen) who headed a family could qualify for a grant of 160 acres of public land by paying a small registration fee and living on the land continuously for five years. If the settler was willing to pay $1.25 an acre, he could obtain the land after only six months’ residence.

But the law did not provide the new beginning for urban slum dwellers that some had hoped; few such families had the resources to start farming, even on free land. The grants did give new opportunities to many impoverished farmers from the East and Midwest, but much of the land granted under the Homestead Act fell quickly into the hands of speculators. Also, over time, the growing mechanization of American agriculture led to the replacement of individual homesteads with a smaller number of much larger farms.

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**Actual Law:**

**CHAP. LXXV. —*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 preemption claim, or which may, at the time the application is made, be subject to preemption at one dollar and twenty-five cents, or less, 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 and 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.