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## DOCUMENT 10.5 | Homestead Act of 1862

Signed into law by President Abraham Lincoln during the Civil War, the Homestead Act of 1862 encouraged Americans to migrate west of the Mississippi River. Historically, legislative efforts to distribute government lands faced opposition from the South, but this act was passed after secession.

### **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 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.

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*Circular from the General Land Office Showing the Manner of Proceeding to Obtain Title to Public Lands* (Washington, DC: Government Printing Office, 1870), 16.

### **PRACTICING Historical Thinking**

**Identify:** Paraphrase the opportunities that were provided by the Homestead Act.

**Analyze:** In what ways would the North gain an advantage in encouraging migration west of the Mississippi?

**Evaluate:** As the labor force for both the North and the South was depleted by the war, who stood to gain and lose more by the Homestead Act? Explain.