

HOMESTEAD ACT PAPERWORK



What would it cost today?

In 1863 the cost for filing a homestead application was \$10 for a temporary claim and \$2 that went to the commissioned land agent. After meeting the requirements, the homesteader had to pay another \$6 to receive the land patent.

In 2010 that \$18 fee would cost you about

Time Needed

One class period

Materials Needed

- National Archives Written Document Analysis Worksheets- one for each document
- Copies of the Neve Land Records – One for each group/student.

Introductory Set

Ask students if they have ever had to produce documentation of who they are or when they were born? Why did they have to do this? Why is it important to have documentation? Explain that students will learn what type of documents had to be completed in order to earn a Homestead Patent.

Process

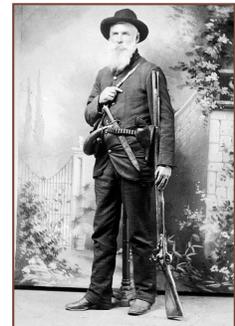
Distribute the National Archives Written Document Analysis Worksheet and the Neve Land Records to each student. Students will need to complete a worksheet for each of the records.

Students may be placed into groups to reduce the time needed to complete the analysis.

Culminating Activity

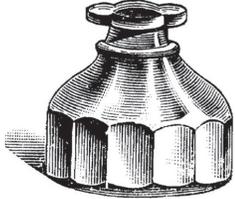
Once students have completed their analysis, have them describe some of the information that they found to be interesting as well as discussing any questions that they might have. Discuss with students whether they feel the paperwork was too much, not enough, or just right. Discuss why.

Daniel Freeman filed his claim for a homestead on January 1, 1863. The paperwork associated with a homestead claim are over 20 pages.



HOMESTEAD ACT PAPERWORK

Enrichment Activities



The immigrants who came to America to pursue the opportunity to acquire free land under the Homestead Act were most likely not required to carry documentation from their old countries, but if you ever travel to a foreign country you will need a Passport issued to you that identifies you as a United States citizen and will help to protect you in a foreign country. Would you like to know how to obtain a United States passport? In this activity you will research the steps it takes and the paperwork that needs to be completed to obtain a United States Passport.

Visit http://travel.state.gov/passport/passport_1738.html



Finding a Sequence



Students will examine congressional laws and homesteading records while searching for clues as to what order to put them in. The documents used in the activity should be examined carefully as to their correct order. The names and dates are of no significance. It is the type of document that is significant and what order they would have been done to claim land under the Homestead Act of 1862.

The Homestead Act of 1862 activity is located on the National Archives and Records Administration Docs Teach website at www.docsteach.org. The activity is located at <http://docsteach.org/activities/9271>.

Students will put the documents in order and then answer the question at the end of the unit and email the response to the teacher.

Filled With Stories: Homestead Records Project

Students will learn how current technology is being used to make the Homestead Act paperwork available for people to access online. This project is being undertaken by Homestead National Monument of America, Family Search and Fold3. Watch a video which explains the process at <http://youtu.be/C2X4UsIDrso>



After the video write 500 words on the impact these digital records will have on you and your family or on society as a whole.

Reset Form

Written Document Analysis Worksheet

Print Form

1. TYPE OF DOCUMENT (Check one):

- | | | |
|----------------------------------|-------------------------------------|--------------------------------------------|
| <input type="radio"/> Newspaper | <input type="radio"/> Map | <input type="radio"/> Advertisement |
| <input type="radio"/> Letter | <input type="radio"/> Telegram | <input type="radio"/> Congressional Record |
| <input type="radio"/> Patent | <input type="radio"/> Press Release | <input type="radio"/> Census Report |
| <input type="radio"/> Memorandum | <input type="radio"/> Report | <input type="radio"/> Other |

2. UNIQUE PHYSICAL CHARACTERISTICS OF THE DOCUMENT (Check one or more):

- | | |
|-------------------------------------------------|-------------------------------------------|
| <input type="checkbox"/> Interesting Letterhead | <input type="checkbox"/> Notations |
| <input type="checkbox"/> Handwritten | <input type="checkbox"/> "RECEIVED" stamp |
| <input type="checkbox"/> Typed | <input type="checkbox"/> Other |
| <input type="checkbox"/> Seals | |

3. DATE(S) OF DOCUMENT:

4. AUTHOR (OR CREATOR) OF THE DOCUMENT:

POSITION (TITLE):

5. FOR WHAT AUDIENCE WAS THE DOCUMENT WRITTEN?

6. DOCUMENT INFORMATION (There are many possible ways to answer A-E.)

Limit response for each question to 3 lines of text

A. List three things the author said that you think are important:

B. Why do you think this document was written?

C. What evidence in the document helps you know why it was written? Quote from the document.

D. List two things the document tells you about life in the United States at the time it was written.

E. Write a question to the author that is left unanswered by the document:

Reset Form

Designed and developed by the
Education Staff, National Archives and Records Administration,
Washington, DC 20408

Print Form

Neve Land Records

A sample of the rich information that can be found in the Case Entry Land Records can found throughout the following pages. This case has several unique aspects to it. The claimant was unable to write, so you see his mark in place of a signature. He also died before proving up on the claim and the claim was proved up by his widow.

Neve Affidavit shows the initial paperwork to file application for the land. You can see Mr. Neve's "x" as his signature as well as the signature of the witness.

Neve Final Affidavit shows Mr. Neve's widow receiving the land patent. The patent gave her ownership of the land.

Neve Testimony-1 shows the first step in proving up on your claim. After the five years, you had to prove to the land office that you complied with the law and made improvements as needed.

Neve Testimony-2 is Page 2 of Mrs. Neve's testimony. It gives you a glimpse of the lifestyle. She talks of periodically living with her grandson part of the year. The law required six months per year of occupancy on the land. On this page you see the question about where she votes. Her response is "I have no vote." At that time, women did not have the right to vote. There is also a question about whether the home is habitable all seasons. This gives a hint of the living conditions they survived.

Neve Testimony-3 shows how proud these people were of surviving their first five years. The buildings, farm equipment, livestock and furniture are all listed. Only 45 percent of the people who filed claims survived five years on their claims. The others either went home or moved to the small communities sprouting up around the farms.

Neve Testimony-4 is the final page of this document. On it are questions about improvements and whether taxes were assessed on those improvements.

Neve Witness Testimony shows the first page of the witness document. In order to finalize proving up, a homesteader would have to bring two witnesses to the Land Office to answer questions on their behalf.

Neve Witness Testimony-2 shows the witnesses answering questions about how the land was used, who else was living on the land, and other family related questions.

Neve Witness Testimony-3 shows the witnesses answering questions about crops planted and their success. The witness is also questioned as to whether the claimant left or abandoned his/her property.



Neve Affidavit

(4-089.)

HOMESTEAD AFFIDAVIT

Under Section 2294, Revised Statutes, for settlers who cannot appear at the District Land Office.

Office of the Clerk of the Court

For Custer County,

1888

I, James Neve Sr. of Culbuck Neb.
having filed my Homestead Application No. 7783 do solemnly swear that I am
a citizen of the United States and the
head of a family.

that said application No. 7783 is made for the purpose of actual settlement and cultivation;
that said entry is made for my exclusive use and benefit, and not directly or indirectly for the use or
benefit of any other person or persons whomsoever; that I am
now residing on the land I desire to enter, and that I have made a bona fide improvement and settlement
thereon; that said settlement was commenced February 16th 1885
that my improvements consist of A house etc.

and that the value of the same is \$ 75⁰⁰; that owing to great distance

I am unable to appear at the District Land Office to make this affidavit, and that I have never before
made a homestead entry ~~except~~

attest Deall Dupree

James Neve Sr.
Sworn

Sworn to and subscribed before me this 23rd day of April, 1888.

Melvan Thewitt
District
Clerk of the Court for Custer Co. Neb.
By Deall Dupree

NOTE.—The claimant must fill up the blank places above, showing whether he is the head of a family of over twenty-one years of age; whether a native citizen, or has declared his intention to become a citizen; whether he and his family, or some member thereof, is residing on the land, giving the date of actual settlement, describing the dwelling-house and improvements, and stating the value of the same, and stating reason for not appearing at the District Land Office. If claimant ever before made a homestead entry, describe the same; if not, draw a line over the word "except."
[12017-100 M.]



Neve Final Affidavit

(4-196.)

HOMESTEAD.

Land Office at Broken Bow Neb.

August 2nd, 1880.

FINAL CERTIFICATE,
No. 7

APPLICATION,
No. 7283

It is hereby certified That, pursuant to the provisions of Section No. 2202, Revised Statutes of the United States, Elizabeth Neve widow of James Neve has made payment in full for E² N E⁴ S² E⁴

of Section No. 35, in Township No. 18 North, Range No. 24 West, of the Fifth Principal Meridian and, containing 162 acres.

Now, therefore, be it known, That on presentation of this Certificate to the COMMISSIONER OF THE GENERAL LAND OFFICE, the said Elizabeth Neve, shall be entitled to a Patent for the Tract of Land above described.

John Reese

Register.

19303 b-25 m

Issue patent - to Elizabeth Neve widow of James Neve. G.M.D.



Neve Testimony, Page 1

(99.)

Homestead, Pre-Emption & Commutation Proof.

TESTIMONY OF CLAIMANT.

Full and Specific Answers must be given to each Question.

Evasive Answers will be Fatal to the Proof.

Elizabeth Neve widow of James Neve Deceased claimant, being first duly sworn, testified as follows:

Question 1.—What is your correct name, your age, and occupation? If employed by any person, state by whom.

Ans. *Elizabeth Neve widow of James Neve Deceased. Age 78 years. Farmer.*

Ques. 2.—What is your post-office address.

Ans. *Cliff Nebraska*

Ques. 3.—Are you the identical person who made pre-emption filing No _____ (or homestead entry No *7284*) at the *North Platte* land office on the _____ day of *May*, 1885; and what is the true description of the land now claimed by you?

Ans. *I am. E² NE⁴ E² SE⁴ 35-18-24 NE*

Ques. 4.—Where did you live before settling upon this land, and what was your occupation?

Ans. *Wisconsin - Farming*

Ques. 5.—Are you a citizen of the United States, or have you declared your intention to become such?

Ans. *No I have Naturalization ^{Papers} of my husband.*

In case the party is of foreign birth, a copy of his declaration of intention to become a citizen, or full naturalization certificate, officially certified, must be filed with the case. The latter is only required in final homestead entries.

Ques. 6.—Are you interested in any other entry or filing than the one upon which you now seek to make proof?

Ans. *No*

Ques. 7.—Have you ever made a pre-emption filing for any other tract of land, or made any other homestead entry or filing or entry of any kind? (Answer each question separately, describe the land, and state what disposition you made of your claim.)

Ans. *No*

Ques. 8.—Is your present claim within the limits of an incorporated town or selected site of a city or town, or used in any way for trade and business.

Ans. *No. No*

Ques. 9.—What is the character of the land? Is it timber, mountainous, prairie, grazing, or ordinary agricultural land? State its kind and quality, and for what purpose it is most valuable.

Ans. *Prairie land, agricultural land. Good. Farming.*

Ques. 10.—Is the land valuable for coal, iron, stone, or minerals of any kind? Has any coal or other minerals been discovered thereon or is any coal or mineral known to be contained therein? Are there any indications of coal, salines, or minerals of any kind on the land? If so, describe what they are.

Ans. *No. No*

Ques. 11.—If the land is timber land, state the kind, quality, and amount of timber thereon at date of initiating your claim, the amount still standing, how much has been cut and removed, and by whom, and whether the same has been disposed of, and to whom; also whether any other person than yourself has any interest in the timber, and if so, what kind of interest.

Ans. *Not timber land*



Neve Testimony, Page 2

Ques. 12.—If the land is used for grazing purposes, state how and by whom it is so used, and whether it is within any stock range or fence or other enclosure, and who owns or controls the range or enclosure.

Ans. *Not so used & not so enclosed*

Ques. 13.—When did you first make an actual personal settlement on this land? State what you did to make such settlement, and the character and value of the improvements you then placed upon the land.

Ans. *April 13th 1885 built house. broke 20 acres etc \$300*

Ques. 14.—Was the land occupied by any other person when you made such settlement? If so, state who lived there, and how you obtained possession.

Ans. *No*

Ques. 15.—When did you actually move on this land and commence living permanently thereon?

Ans. *April 13th 1885*

Ques. 16.—Where has been your actual personal residence and home during the whole time since the date of this filing or entry?

Ans. *Was my Present Claim*

Ques. 17.—Has your residence on the land now claimed been actual or constructive, continuous or at intervals? Explain what you mean by actual continuous residence.

Ans. *actual and continuous living there most of the time*

Ques. 18.—Have you resided or boarded elsewhere than on this land since commencing your residence thereon? If so, state when and where, how often, and for how long?

Ans. *Since last Oct. 89, I have boarded with my Grandsons at intervals being unable to stay right alone*

Ques. 19.—Where have you voted since establishing residence on this land, and where did you last vote, and how long have you voted there?

Ans. *I have no vote*

Ques. 20.—How many times have you been absent from said tract since you commenced actual residence thereon? Give the dates when each absence commenced and terminated, and the cause therefor.

Ans. *Not been absent except as stated above*

Ques. 21.—Have you a family, and of whom does your family consist?

Ans. *I have no Family*

Ques. 22.—Has your family resided with you on this claim? If so, state when they moved on the land, and how long they have lived there, and whether they actually reside there still.

Ans. *My husband lived with me until death March 1st 1887. April 13th 1885. lived there until death*

Ques. 23.—If your family has been absent any part of the time since moving on the land, state the causes for and the dates when each absence commenced and terminated.

Ans. *My husband was not absent until death March 1st 1887*

Ques. 24.—When and by whom was your house built? Is it habitable at all seasons of the year?

Ans. *April 1st 1885. My Son It is*



Neve Testimony, Page 3

Ques. 25.—Did you and your family live in said house during all of each or any winter since the date of your filing or entry? If not, state the duration and causes of each absence.

Ans. My husband did until death March 1st 1887

I have except last winter. To fable to stay alone

Ques. 26.—If your family has not lived with you on this claim since the date of your filing or entry, state the causes therefor, where they did reside, and where they are now living.

Ans. My husband did until death March 1st 1887

Ques. 27.—Do you own any other residence house than the one now on your claim? If so, state where, and who occupies the same.

Ans. No

Ques. 28.—Describe fully the house on this claim, giving value thereof; also describe fully all other improvements thereon, of whatever kind, giving the value of each and total value of all improvements.

Ans. Sod house 14x30. 3 windows 2 doors board & Sod roof. \$150. Sod Stable 14x14. \$75. Chicken house \$20 Cane. \$40 Cistern \$50. 25 broke same in cultivation \$100 Total \$415

Ques. 29.—What farm implements do you own and use on this claim? State kind and number, and how long you have owned the same.

Ans. Draining Plow cultivator wagon

Ques. 30.—What domestic animals and live stock do you own and keep on this claim? State kind and number of each kind.

Ans. one cow & chickens

Ques. 31.—State what articles of furniture of every kind you keep and use in your residence on this claim, and how long have you had them there.

Ans. 2 beds & bedding. cooking stove & utensils chairs. Table

Ques. 32.—Have you any personal property or live stock of any kind elsewhere than on this claim? If so, describe the same, and state where the same is kept.

Ans. No

Ques. 33.—How many seasons have you raised crops on this land, and what kind of crops have you raised each season.

Ans. 5 seasons. Corn wheat and oats

Ques. 34.—How many acres have you put in crops each year, and how much did you raise? State the amount in bushels of each kind.

85. 5 acres. 50 bu 86. 6 a wheat 101 bu. oats 5 a. 50 bu corn 150 bu

Ans. 87. wheat & corn. 2 a. 20 bu 88. 25 acres corn. 600 bu

Ques. 35.—Have you the land in crop this year, or is it prepared for cropping the coming season? How much of the land is so cropped or prepared?

Ans. Yes in crops

Ques. 36.—Do you carry on any trade, profession, or business elsewhere than on this land? If so, state what business you have been engaged in while claiming this land, where it was carried on, and the distance from your claim.

Ans. No

Ques. 37.—If you have been employed in working for others away from this claim since you established residence thereon, state when, where, and for whom, in what occupation or capacity, how long have you so worked, and where you stayed and lived during that time.

Ans. Not here so employed



Neve Testimony, Page 4

Ques. 38.—Where are you assessed for taxes, personal, real estate, or license, and when and where have you paid taxes since claiming this land?

Ans. *Cliff N.P. when due, same place*

Ques. 39.—Are the improvements on this land assessed for taxes; if so, at what valuation? Have such taxes been paid, if so, when and by whom?

Ans. *no*

Ques. 40.—What use is made of this land, and who, besides yourself and family, uses it or causes it to be used?

Ans. *Farming no one*

Ques. 41.—Have you sold, transferred, or mortgaged this land, or offered or agreed to sell or dispose of it, and at what price?

Ans. *no*

Ques. 42.—Do you make this entry in the interest of or for the benefit of some one else, or has any person other than yourself and family any interest, immediate or prospective, in this entry? If so, state for whom the entry is made.

Ans. *no no*

Ques. 43.—Has any person paid your expenses for making this entry, or paid you wages or a salary on condition that you make said entry, or agreed to do either, or agreed to pay the entry money for you, or to pay the fees or commissions, with the agreement or understanding that you will deed the land after entry is made?

Ans. *no*

Ques. 44.—Do you make this entry in good faith, for the exclusive purpose of a home and farm for yourself and family?

Ans. *I do*

Ques. 45.—Did you leave or abandon a residence on your own land to reside on the land herein described, and claimed by you.

Ans. *no*

Geo. W. Simpson [Signature of Claimant.] *Elizabeth Neve* ^{her} *Neve widow of James Neve deceased*
H. O. Shires ^{mark} *Clerk District Court, Custer County*

I, *H. O. Shires*, Clerk District Court, Custer County, hereby certify that each question in the foregoing deposition was orally propounded to the said *Elizabeth Neve* and the foregoing answers severally given by him thereto before he signed the same and after being sworn according to law; that the said *Elizabeth Neve* is to me personally known (or satisfactorily identified by _____) as the person he represents himself to be in making this proof; that I have called his attention to the laws and penalties against false swearing, and that the foregoing deposition was sworn to and subscribed before me this *24* day of *July* A. D. 18 *90*

H. O. Shires
Clerk District Court.
By *County Judge*
Deputy.



Neve Witness Testimony, Page 1

(100.)

Homestead, Pre-Emption & Commutation Proof

TESTIMONY OF WITNESS.

Question 1.—What is your true name, (christian and surname,) given in full, your age, residence, and present post office address? (Give description of land on which you reside, quarter-section, township and range.)

Answer William H. Vanhorn age 32 years Beliff Outlook
S. 8 1/2 E. 2 1/2 N. 32-18-24

Ques. 2.—What is your present occupation, and where and by whom have you been employed since April 1st 1885 the date of claimant's alleged settlement on said tract?

Ans. Farming for myself

Ques. 3.—Are you related to claimant or in any way interested in this claim, or are you connected with him in business of any kind?

Ans. No No

Ques. 4.—How far from the residence of claimant on said tract, do you reside, and how long have you lived there?

Ans. 2 miles 5 years

Ques. 5.—Give the names and residences of two or more persons living nearer to the claimant of this tract than yourself. If none are nearer than you, give the names of two or more next nearest, and state the land on which they reside.

Ans. Mat Walmiczek sec 35-18-24 W.

John Mader. sec 1-17-24 W.

Ques. 6.—How long have you known Elizabeth Neve widow of James Neve, the claimant, for whom you appear as a witness, where has she been living since you first knew her up to the present time, and is she the identical person she represents herself to be?

Ans. 4 1/2 years am the claim described. Yes

Ques. 7.—Are you well acquainted with the land embraced in this claim? Give correct description thereof; also state the extent of your knowledge, and how you know what you affirm.

Ans. Yes. E 2 NE 4 E 2 SE 4 35-18-24 W.
Know by personal knowledge

Ques. 8.—How often have you been on this tract of land since claimant's alleged settlement thereon, at what time or times, and when did you last see him on the land?

Ans. Average once every two weeks. various times yesterday

Ques. 9.—Is said tract within the limits of an incorporated town or selected site of a city or town, or used in any way for trade or business?

Ans. No No

Ques. 10.—State specifically the character of this land—whether it is timber, prairie, grazing, farming, coal, or mineral land.

Ans. Prairie land Farming

Ques. 11.—Are there any indications of coal, minerals, or sulfides on this land?

Ans. No

Ques. 12.—Is it within any stock range or fence or other inclosure? If so, give the names of the parties owning or in any manner controlling such inclosure or range.

Ans. Not so enclosed



Homestead National Monument of America

Neve Witness Testimony, Page 2

Ques. 13.—If the land is timber land, state whether the timber, or any portion thereof, and what portion, if any, has been cut or removed, and by whom.

Ans. *Not timber land*

Ques. 14.—What is this land used for, and who (if any one) besides the claimant is in any manner interested in or uses or controls the land or claims the timber thereon?

Ans. *Farming No one*

Ques. 15.—What has been claimant's occupation since you first know her and where has she been employed, and by whom?

Ans. *Farming & housekeeper for herself on her claim*

Ques. 16.—Has he had any other living or boarding place than on this land during the existence of his present claim? If so, state where he has been living or stopping.

Ans. *Not until last fall. she has been staying with his grandson the most of the time on account of being too feeble to stay alone being on her claim often*

Ques. 17.—Does claimant's family reside on said land? When did they move thereon? How long have they lived there, and do they still reside thereon? If not, where do they reside?

Ans. *She has no family her husband died March 1st 1887.*

Ques. 18.—Has claimant's family been absent from said land since moving thereon? If so, state how often, how long each time, and the cause of said absence or absences.

Ans. *Since death as stated above*

Ques. 19.—State in full and in detail all the facts within your knowledge as to the claimant's actual residence upon this claim; when and how often you have seen him upon the land; what were the evidences that he actually lived on the tract; how long he has lived there, and whether he lives there now.

Ans. *I have saw her often saw her stock there know she has lived there since April 13th 1885. & lives there now*

Ques. 20.—If claimant has been absent from said land since his alleged settlement, state fully how often, when, how long each time, and for what purpose.

Ans. *Not been absent except as stated above*



Neve Witness Testimony, Page 3

Ques. 21.—State in detail the character of the improvements; what they consist of, and when they were made; the value of each distinct improvement, fully describing the same; also whether they were made by the claimant or by some other person.

Ans. Sod house 14x20. 2 windows. 2 doors. Sod roof. \$150. Sod stable. 75. Hen house \$20. Cave \$25. Cistern \$45. 25 in cultivation \$100. Made by claimant.

Ques. 22.—Give the size, construction, and material of claimant's house on said tract; also state whether the same is habitable during all seasons of the year.

Ans. 14x20. 2 windows. 2 doors. Sod roof. It is.

Ques. 23.—What is this land worth, and was it ever offered for sale?

Ans. \$1500. not to my knowledge.

Ques. 24.—When did claimant commence living upon this land?

Ans. April 13th 1885.

Ques. 25.—How much of said land has been broken, how much plowed since being broken, and how much put into crop each season? State kind of crops raised, their value, and number of seasons crops were raised.

Ans. 30 acres broken. Same ploughed. I do not know, but know fair crops were raised each seasons since 1885. don't know value. corn wheat & oats. 5 seasons.

Ques. 26.—Is said land in crops this season, or has it been prepared for cropping the coming season?

Ans. Yes in crops.

Ques. 27.—a. Is claimant the owner of 320 acres in this or any other State or Territory? b. Did claimant leave or abandon a residence on her own land, in this state, to reside on the land herein described?

Ans. a. Not to my knowledge. b. Not to my knowledge.

Ques. 28.—Do you believe that claimant intends to continue her residence on this land after making final proof, or does he intend to remove therefrom?

Ans. I believe she intends to remain.

Ques. 29.—Does claimant, with his family, reside on said land at the present time? You will explain how you know ~~claimant~~ resided there, as you have heretofore stated.

Ans. She does. Has no family. by living near, seeing her there often. know she lives there.

William H. Thompson
[Signature of Witness]