

**“DIRECTIONS
ON HOW TO OBTAIN
PUBLIC LANDS
FROM AN OFFICIAL SOURCE”**

FROM

**THE REPORT OF THE MINNESOTA
COMMISSIONER OF STATISTICS
FOR THE YEAR 1878**

NOTE: The following instructions appear in the Annual Report of the Commissioner of Statistics, 3 *Minnesota Executive Documents for 1878* pp. 113-14 (1879). They likely were first printed and distributed by federal Land Offices and county and state officials to prospective homesteaders in the state.

The Commissioner also prepared a table of the “amount of business” of the nine U. S. Land Offices in 1878, and it is posted in an Appendix. Federal Land Offices were located at Benson, Detroit, Duluth, Fergus Falls, New Ulm, Redwood Falls, St. Cloud, Taylor’s Falls and Worthington. □

PUBLIC LANDS.

DIRECTIONS HOW TO OBTAIN THEM FROM AN OFFICIAL SOURCE.

Citizens of the United States, or persons who have declared their intention to become such, who are heads of families or over the age of 21 years, can obtain public land of the United States under the homestead, pre-emption, or timber culture acts, in the following manner, viz.:

***First*—A citizen, or one who has declared his intentions to become such, can homestead 160 acres outside, or 80 acres inside, the ten mile limits of any railroad grant, by filing his application and affidavit, and within six months thereafter commencing settlement and improvement, and continuing the same five years.**

***Second*—A soldier having served in the army or navy during the war of the rebellion for over ninety days can obtain 160 acres of any of the public lands by filing, himself or by an attorney, a declaratory statement, and within six months thereafter filing his affidavit and application commencing settlement and cultivation, and continuing the same for five years, less the time he served in the army or navy,**

***Third*—A citizen or person who has declared his intention to become such, is entitled to 160 acres under the pre-emption law, by commencing settlement thereon, and within ninety days thereafter filing a declaratory statement continuing such settlement and improvement. And any time after six months or within thirty-three months from date of settlement, making proof and payment for the same at the rate of \$1.25 outside, and \$2.50 per acre inside, the ten mile limit of any railroad grant.**

A person qualified as before can file his application and affidavit for 160 acres (under the timber culture act) of any of the public lands that are naturally devoid of timber, (provided

that only one-fourth of any section can be taken under this act) and by breaking, planting, and keeping in growing condition ten acres of timber, twenty-seven hundred trees to be planted on each acre, and at least six hundred and seventy-five trees per acre to be living and thrifty at the time of making final proof; that is eight years after the original filing of the claim. If it is desired the timber claims may be limited to eighty or forty acres, the land actually planted in trees in each instance being not less than one-sixteenth of the area of the claim, with the same number of trees per acre as that given above. Parties who had made timber claims under the original act, which required one-fourth of the land to be planted in trees twelve feet apart, are allowed by the amendment to complete their claims under the act as amended. In other words, to have under cultivation at the time of making final proof a number of trees equal to six hundred and seventy-five per acre on an extent of land equalling fully one-sixteenth of the area of the claim

The government fees for entries under the several acts mentioned, are as follows, viz

HOMESTEAD.

160 acres inside 10-mile limits.....	\$18.00
160 acres outside 10-mile limits.....	14.00
80 acres inside 10-mile limits.....	14.00
Soldiers' declaratory statement.....	2.00

PRE-EMPTION.

Declaratory statements.....	2.00
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TIMBER CULTURE.

More than 80 acres.....	10.00
80 acres or less.....	5.00

EXEMPTION LAWS OF MINNESOTA.

HOMESTEADS.

From the Statutes of 1866, page 498:

“That a homestead consisting of any quantity of land not exceeding eighty acres and the dwelling house thereon and its appurtenances, to be selected by the owner thereof, and not included in an incorporated town, city or village, or instead thereof, at the option of the owner, a quantity of land not exceeding an amount one lot, being within an incorporated town, city or village, and the dwelling houses thereon and its appurtenances, owned and occupied by any resident of this State, shall not be subject to attachment, levy or sale, upon any execution or any other process issuing out of any court within this State.”

PERSONAL PROPERTY EXEMPTED.

In addition to the home, there is also exempted a proportionately liberal amount of personal property, consisting of household furniture, library, horses, cattle, sheep, hogs, wagons, farming utensils, provisions, fuel, grain, &c., &c., and all the tools and instruments of any mechanic, and four hundred dollars worth of stock in trade; also the library and implements of any professional man.

See State Laws, page 489. □

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APPENDIX

A "Table Showing Amount of Business of United States Land Offices in Minnesota in 1878" followed these "Directions." The Commissioner of Statistics reported that "the total amount of lands entered and sold during 1878 is largely in excess of any preceding year." In 1878, 2,341,246.47 acres of land in the state were entered and sold. This was the sum of the following:

U. S. lands.....	1,777,947.42
Railroad lands sold.....	430,900.00
State lands.....	<u>133,399.05</u>
Total.....	2,341,246.47

U. S. lands were entered, claimed, filed on or sold under various federal laws. The following is acreage listed by the Commissioner for each law (though the sum is inaccurate):

Homestead entries.....	609,388.19
Final homestead entries.....	252,326.45
Timber claims.....	375,922.15
Pre-emption claims and soldier claims.....	610,283.86
Soldiers and Homestead filings.....	75,523.08
Cash and script sales.....	<u>106,837.83</u>
Total.....	2,030,273.87

