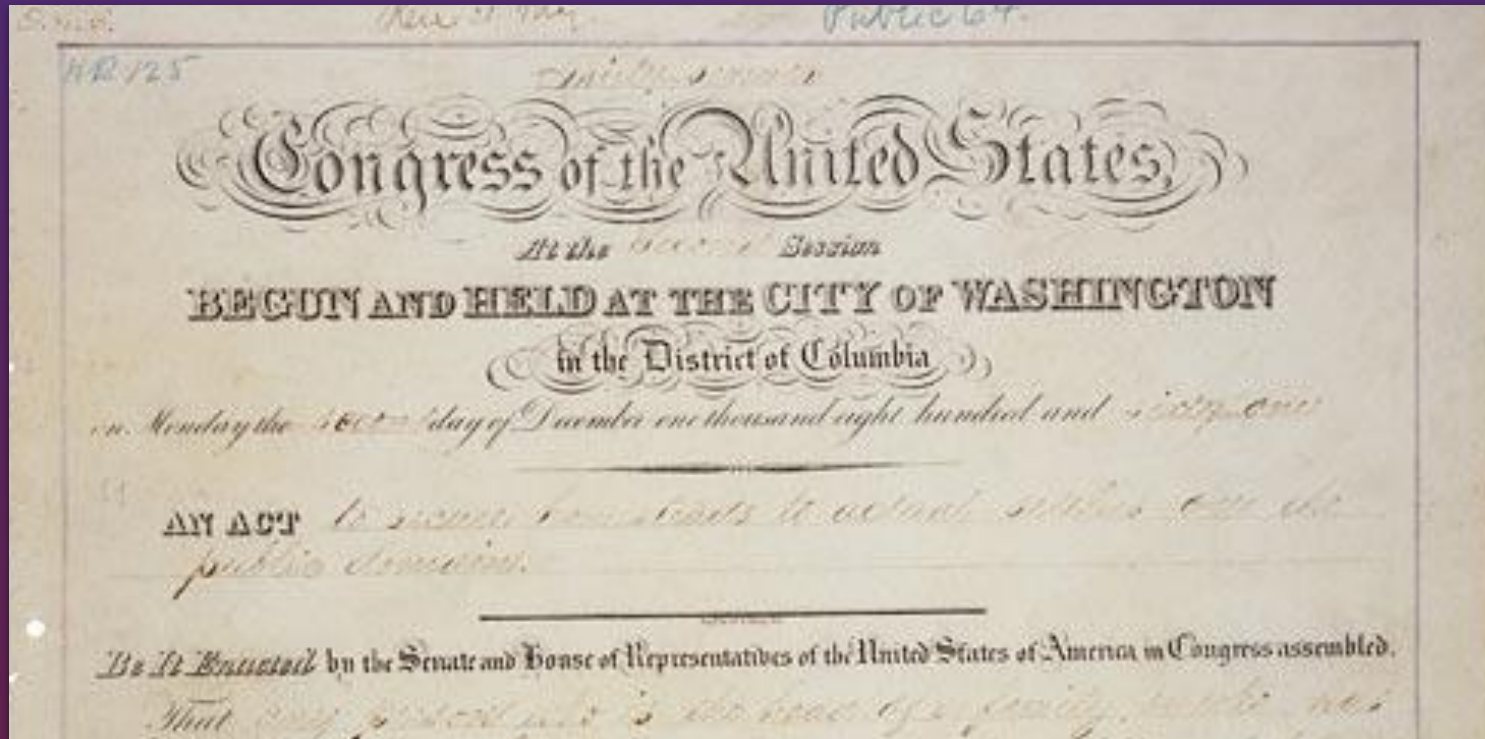


Letitia Carson, America's First Black Homesteader?

Zachary Stocks

Executive Director
Oregon Black Pioneers

An Act to secure Homesteads to actual Settlers on the Public Domain, enacted May 20, 1862



To be eligible, applicants must, on and after the date of Jan. 1, 1863...

- Be head of a family OR be 21+ years old; AND
- Have never taken up arms against the United States; AND
- Be a citizen of the United States, or have filed a declaration of intent to become one.

John A. Brown homestead (1881-1888),
Warm Springs, Oregon



HOMESTEAD.

[AFFIDAVIT.]

Land Office at Roseburg, Oregon,

June 17th 1863.

I, *Letitia Carson* of *Clatsop County Oregon* having filed my Application No. *103*, for an entry under the provisions of the act of Congress approved May 20, 1862, entitled "An act to secure Homesteads to actual settlers on the public domain," do solemnly swear, that I am the head of a family being a widow having two children that I am a Natural Citizen of the United States; that I am not the owner of any other land; that I have never borne arms against the government of the United States; or given aid or comfort to its enemies, either by word or deed, or desired them success; that said application is made for my exclusive benefit; & said entry is made for actual settlement & cultivation; & not for the use or benefit of any other person or persons whatsoever.

Letitia Carson
her mark

Sworn to and subscribed this *17th* day of *June*, 1863, before

John Kelly

of the Land Office.

Letitia Carson Homestead Affidavit, June 17, 1863. "Her mark X" indicates that she filed in person.

*FIRST PATENTS**

<i>State</i>	<i>Office</i>	<i>Name and Date</i>
Kansas	Topeka	Anson Eddy, Jan. 5, 1869 ^A
California	San Francisco	James Casey, May 25, 1869 ^B
Colorado	Denver	Andrew McPhetus, Sept. 1, 1869
Iowa	Council Bluffs	August Mathiensen, Sept. 1, 1869
	Fort Dodge	Henry Paterson, Sept. 1, 1869
	Des Moines	Orin Holdbrook, Sept. 1, 1869
Minnesota	Greenleaf	John Fitzgerald, Sept. 1, 1869
	Taylor Falls	John Maloy, Sept. 1, 1869
	St. Cloud	John Thuldshein, Sept. 1, 1869
	St. Peter	Safer F. Rebstin, Sept. 1, 1869
Nebraska	Brownville	Daniel Freeman, Sept. 1, 1869
	Omaha	Jacob Zimmerman, Sept. 1, 1869
Washington	Olympia	Wm. F. Brand, Sept. 1, 1869
	Vancouver	Joseph Fletcher, Sept. 1, 1869
Wisconsin	Eau Claire	Charles Bagg, Sept. 1, 1869
	Falls St. Croix	Anton Primeaux, Sept. 1, 1869
	La Crosse	George E. Rosman, Sept. 1, 1869

* These were the first patents recorded in the United States and each was noted in the Land Office books at the State offices as being No. 1, Volume 1, Page 1, Patent Books.

^A For some unexplained reason, the Topeka office received patents months before any other office. There were 105 final certificates patented Jan. 5, 1869, there. Eddy was recorded as Entryman No. 1, Jan. 3, 1863, and Final Certificate No. 1, Jan. 3, 1868.

^B There were 44 others with final certificates also patented in San Francisco the same date and another 92 patents recorded June 1, 1869, at San Francisco. Casey was entryman No. 22, Feb. 4, 1863, and Final Certificate No. 1, March 9, 1868.



Company E, 4th U.S. Colored Infantry, at Fort Lincoln (Washington DC), ca. 1863.



Original homesteaders cabin, Homestead National Monument, Beatrice, NE.

An Act to enable Soldiers, Sailors and Heirs to Acquire Homesteads on Public Lands

CHAP. LXXXV.—An Act to enable honorably discharged Soldiers and Sailors, their Widows and orphan Children, to acquire Homesteads on the public Lands of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every private soldier and officer who has served in the army of the United States during the recent rebellion for ninety days, or more, and who was honorably discharged, and has remained loyal to the government, including the troops mustered into the service of the United States by virtue of the third section of an act entitled "An act making appropriations for completing the defences of Washington, and for other purposes," approved February thirteenth, eighteen hundred and sixty-two, and every seaman, marine, and officer who has served in the navy of the United States, or in the marine corps, during the rebellion, for ninety days, and who was honorably discharged, and has remained loyal to the government, shall, on compliance with the provisions of an act entitled "An act to secure homesteads to actual settlers on the public domain," and the acts amendatory thereof, as hereinafter modified, be entitled to enter upon and receive patents for a quantity of public lands (not mineral) not exceeding one hundred and sixty acres, or one quarter-section, to be taken in compact form according to legal subdivisions, including the alternate reserved sections of public lands along the line of any railroad or other public work, not otherwise reserved or appropriated, and other lands subject to entry under the homestead laws of the United States: *Provided*, That said homestead settler shall be allowed six months after locating his homestead within which to commence his settlement and improvement: *And provided also*, That the time which the homestead settler shall have served in the army, navy, or marine corps aforesaid, shall be deducted from the time heretofore required to perfect title, or if discharged on account of wounds received, or disability incurred in the line of duty, then the term of enlistment shall be deducted from the time heretofore required to perfect title, without reference to the length of time he may have served: *Provided, however*, That no patent shall issue to any homestead settler who has not resided upon, improved, and cultivated his said homestead for a period of at least one year after he shall commence his improvements as aforesaid.

SEC. 2. That any person entitled under the provisions of the foregoing section to enter a homestead, who may have heretofore entered under the

April 4, 1872.

[Amended.
1879, ch. 338.
Post, p. 333.
1873, ch. 374.
Post, p. 306.]

Certain honorably discharged soldiers, sailors, and marines, may enter upon, &c., not over one-quarter section of certain public lands as a homestead.

1862, ch. 26, § 2.
Vol. xii. p. 339.
1862, ch. 75.
Vol. xii. p. 392.

Settlement, &c., may be commenced within, &c.

Certain time to be deducted.

Patent not to issue until, &c.

Persons entitled under this act to a homestead, who have hereto



The United States of America,

To all to whom these presents shall come, Greeting:

Homestead Certificate No. 222.
Application 257

Whereas, there has been deposited in the General Land Office of the United States, a CERTIFICATE of the Register of the Land Office at Traverse City, Michigan, whereby it appears that pursuant to the Act of Congress approved 20th May, 1862, "To secure Homesteads to actual Settlers on the public domain," and the acts supplemental thereto, the claim of

William Davis has been established and duly consummated in conformity to law for the West half of the South East quarter and the East half of the South West quarter of Section twenty-two in Township twenty-five North of Range fifteen West, in the district of lands subject to sale at Traverse City, Michigan, containing one hundred and sixty acres.

according to the Official Plat of the Survey of the said Land returned to the General Land Office by the Surveyor General.

Now know ye, That there is therefore granted by the UNITED STATES unto the said *William Davis* the tract of Land above described. To Have and to Hold the said tract of Land, with the appurtenances thereof, unto the said *William Davis* and to his heirs and assigns forever.

In testimony whereof, *S. Wesley Grant*, PRESIDENT OF THE UNITED STATES OF AMERICA, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the CITY OF WASHINGTON, the first day of October, in the year of our Lord one thousand eight hundred and seventy, and of the INDEPENDENCE OF THE UNITED STATES the twenty-fifth.

By the President: *W.S. Grant*
By *C.O. Fisher* asst. Secy
J.M. Granger, Register of the General Land Office



(left) William Davis homestead patent certificate, Oct. 1, 1870
(right) 1900s photo of Davis house.



The United States of America,

To all to whom these Presents shall come, Greeting:

Homestead Certificate No. 37512

Application 7812

Whereas, There has been deposited in the General Land Office of the United States, a Certificate of the Register of the Land Office at Salt Lake City, Utah, whereby it appears that pursuant to the Act of Congress approved 20th May, 1862, "To secure Homesteads to actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of *S. Kaili Hoopiiana*

has been established and duly consummated, in conformity to law, for the West half of the North East quarter of the East half of the North West quarter of Section thirty-four in Township two South of Range eight West of Salt Lake Meridian in Utah, containing one hundred and sixty acres.

according to the Official Plat of the Survey of said Land, returned to the General Land Office by the Surveyor General.

Now know ye that these is, therefore, granted by the United States unto the said *S. Kaili Hoopiiana*

the tract of Land above described: To have and to hold the said tract of Land with the appurtenances thereof, unto the said *S. Kaili Hoopiiana* and to his heirs and assigns forever, subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs and in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietors of a vein or lode to extract and remove the same, but should the same be found to penetrate or intersect the premises hereby granted, as provided by law, and there is reserved from the lands hereby granted, a right of way chosen for ditches or canals constructed by the authority of the United States.

In testimony whereof, *J. William McKimley*, PRESIDENT OF THE UNITED STATES OF AMERICA, have caused these letters to be signed Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the *twenty seventh* day of *February*, in the year of our Lord one thousand eight hundred and *one*, and of the Independence of the United States the one hundred and *thirty fifth*.

By the President,

William McKimley
By *F. A. M. Keen*, Secretary.
C. H. Brauch, Recorder of the General Land Office.



(left) Kaili Hoopiiana homestead patent certificate, Feb. 27, 1901
(above) Photo of a Native Hawaiian farming family, 1900
(Wikimedia Commons).

Was Letitia Carson
the first African
American in the
nation to receive a
Homestead patent
in the nation?

Letitia Carson homestead patent certificate,
Oct. 1, 1869

THE UNITED STATES OF AMERICA.

Homestead Certificate No. 14 } ss. To all to Whom these Presents shall Come—GREETING.
Application 103 }

WHEREAS, There has been deposited, in the General Land Office of the United States a Certificate of the Register of the Land Office at Roseburg Oregon whereby it appears that, pursuant to the Act of Congress approved 20th May, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Letitia Carson

has been established and duly consummated, in conformity to law, for the

That half of the North East quarter and the fractional East half of the North West quarter of section twenty in Township twenty nine South of Range three west in the district of lands set apart to sale at Roseburg Oregon containing one hundred and fifty three acres, and ninety eight hundredths of an acre.

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General.

NOW, KNOW YE, That there is, therefore, granted by the United States unto the said Letitia Carson the tract of land above described:

TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said Letitia Carson and to her heirs and assigns, forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of Courts, and also subject to the rights of the proprietor of a vein or lode, to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

IN TESTIMONY WHEREOF, I, *Wm. S. Grant* President of the United States of America, have caused these Letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the *first* day of *October*, in the year of our Lord one thousand eight hundred and *sixty nine* and of the Independence of the United States the one hundred and *ninety fourth*

BY THE PRESIDENT: *W. S. Grant*

By *J. S. Burritt* Secretary

Recorded Vol. / Page 557 *J. W. Sawyer* Recorder of the General Land Office

Filed for Record at *Rock* Mo. *July 7* A. D. 1869, and recorded at the request of *J. W. Sawyer*

By *J. W. Sawyer* Deputy



Thank You!