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Abstract: *Asset-building policy is a complementary alternative to income replacement policies that simply subsidize short-term consumption (Sherraden, 1991). This approach may seem novel, but the Homestead Act provides historical precedent for federal involvement in promoting asset development for individuals. This one policy allowed 1.5 million households to receive 246 million acres of land. More importantly, it provided a tangible asset that could also benefit future generations.*

Keywords: Homestead Act, federal policy, asset-building

Economic inequality may be an enduring reality. A few persons have large amounts of money and wealth, much of which they will retain to pass along to their children or other inheritors. Most others may have a regular income to make ends meet, but could not survive long without a paycheck. And in the latter group, only those that are prudent or fortunate might have a small amount of remaining wealth to pass along to their children. Still others own almost nothing, sometimes do not have enough income to survive from week to week, and often depend upon the generosity of others, leaving nothing to pass along to children. An important question is how public policy might affect this mix.

Asset building policy is one strategy for reducing wealth inequality in that it focuses on generating access to tangible resources and recognized pathways of mobility and opportunity. The goal is to break cycles of disadvantage so that individuals can participate more fully in the economy. And with more participation, families would perhaps even have sufficient wealth to pass on to future generations. Such opportunity to build assets is exactly the opposite of the sedimentation of inequality that Melvin Oliver and Tom Shapiro (1995) demonstrate has existed over time for African Americans, leading to intergenerational inequities and a lack of wealth that continue to exist. This paper will present a study of the Homestead Act that highlights the intergenerational nature of wealth and its long-term implications. After introducing historical background, this paper will consider empirical data about the number of homesteads granted over the relevant 75-year period and their estimated long-term impact. Studying this historic policy can provide insights to the relevance of asset-building policy for today.

Historical Background

The Homestead Act was passed on May 20, 1862, and signed into law by Abraham Lincoln. Its basic premise was to give land away in small parcels. This Act is important for several reasons. It represents consensus culminating from a larger dialogue concerning the rights of citizenship, how the nation's land resources would be managed, and whether an opportunity should be provided for persons other than the wealthy to own property in the Western territories.

The statute provided that anyone who was head of a household, a military veteran, or over 21 years of age was entitled to 160 acres of unappropriated land as long as they had not borne arms against the United States Government. Applicants had to be United States citizens or at least have filed intention of becoming one. After filing an application for surveyed land with the appropriate land office and swearing that the property was for one's own use with the purpose of cultivation and settlement, the person had six months to move onto the land and begin improvements. The land was exempt from taxes or previous debt. Any time after five years, the applicant was entitled to receive a patent for the land, after providing evidence that all conditions had been fulfilled and paying nominal charges to the appropriate land office. If the claimant abandoned the land or changed residence, the plot reverted back to the government. The Preemptive Clause of 1841 was still in effect, however, so if homesteaders wanted to pay the minimum price per acre before the five years expired, they could still buy the title to the land. This was called the commutation of a homestead (Dick, 1970; Sloan, 1976).

The beauty of the Homestead Act was that anyone willing to move west and stake a claim was eligible for the public land. Wage earners, recent immigrants, young adults from large families

desiring private property, those seeking adventure, those wanting to shape politics or culture in the ‘lawless’ west, those seeking a new start, and thousands of others could all pursue their personal dreams and aspirations. Everett Dick (1970) writes that “land was the most important single social factor in frontier history.” It “became the lure that enticed immigrants to America and settlers farther westward” (p. ix).

Citizens with few assets could find an unoccupied 160-acres, file a homestead application and, after living on the land for five years, possess crops, land, and financial independence. In a sense, the government was not simply giving away land, but rather the opportunity for upward mobility and a more secure future for oneself and one’s children. As Dick (1970) states,

Just as gaining an education is the surest way to rise in society today, in colonial days the acquisition of property was the key to moving upward from a low to a higher stratum. The property holder could vote and hold office, but the man with no property was practically on the same political level as the indentured servant or slave. (pp. 1-2)

Yet, as with any new policy, the details of implementation would be the key to realizing its promise. Staking a homestead claim was a great opportunity, but also entailed great risk. Gaining the title to available land was not a simple task and sometimes produced false hope. One of the biggest barriers to surviving five years and successfully attaining title was the need for at least some capital. Deverell (1988) estimates that between \$600-\$1000 was required. At minimum, the homesteaders needed money to travel, register, plant, and sustain themselves until harvest (Cross, 1995; Danhof, 1941). A bad crop or poor weather could cause setbacks making it difficult to survive the winters. In addition, moneylenders often charged exorbitant interest rates to settlers compelled to borrow. Initially optimistic homesteaders often became discouraged and returned home (Dick, 1970).

It is important to note, however, that even if one homestead application was unsuccessful, the farmer could make an entry on another plot of land. Some people made several entries before successfully attaining title to a homestead property (Dick, 1970). And in spite of any difficulties, this policy provided a viable option for adults to attain independent living on a self-managed farm, to develop assets that might appreciate over time, and to provide an estate to pass on to one’s children. Indeed, settlers filing entry for a homestead with a land office were less likely to have their land dispossessed than a settler purchasing a similar plot of land from a private owner (Gates, 1996).

Except for a few minor adjustments, the basic tenets of the Homestead Act remained the same throughout its 76-year tenure. Any adjustments, however, were often in response to timber interests, mining interests, grazing interests, irrigation needs, and concern for the environment. For example, the area west of the 100th meridian received insufficient rainfall to farm without special techniques, so adjustments were made in the allowable acreage and the time necessary to remain on the land (Dick, 1970; Peffer, 1951). Also, when it appeared that forests were being harvested too quickly, some states created incentives for homesteaders to set aside part of their acreage to plant trees or required loggers to legally purchase land according to the value of the timber it contained (Robbins, 1976).

By the 1920s, however, the land remaining in the public domain became less and less productive for farming. Also with an agricultural depression, it was difficult for newly beginning small farmers to sustain themselves in less fertile terrain (Dick, 1970). However, most agree that the real end of frontier settlement came with a series of laws signed by President Franklin Roosevelt (Dick, 1970; Peffer, 1951; Robbins, 1976). Two Executive orders dated November 26, 1934, and February 5, 1935, withdrew all remaining land (aside from Alaska) from the “unreserved and unappropriated public domain”(Dick, 1970, p.364). What was left could be reserved for uses such as logging and grazing, but would be owned by all citizens of the United States, not given over as private property.

Overall, this process of land transfer provided a foundation for future growth both in terms of population and the economy. As the more western parts of the frontier were settled, the Homestead Act permitted development to take place gradually, family by family and community by community. With a legal title, the farmer could accumulate wealth by making incremental improvements over time, which could lead to upward mobility and tangible assets to pass along to descendants. For example, the original homesteader might clear 80 acres, build a house and plant a few crops in the first few years. The homesteader’s children might make further improvements by clearing the other 80 acres and raising livestock while continuing to sell crops. In addition, once enough farmers populated an area, there would be sufficient demand to establish a town, a school, retail stores, etc., creating economic opportunities outside of agriculture. This one-time transfer of property provided a mechanism and incentives for growth over generations rather than limiting benefits to one person or lifetime.

Number of Homesteads Granted

This section will review the actual number of people that received a title to public lands through the Homestead Act. Data from a report by Thomas Donaldson (1884) and public land statistics (United States Census Bureau, 1975; United States Dept. of the Interior, 1961) are compiled in Table 1 to summarize the basic information collected in land records. The third column lists the number of people making final entries who were issued an equitable title (patent) to their homestead property after complying with the relevant legal requirements while the next column lists the number of acres transferred from the federal government to those homesteaders. Upon paying the appropriate administrative fees, those making final entries owned the land to do with it as they pleased. Because the original Homestead Act required homesteaders to live on the land for five years, there is a lag between the original entries in 1863 and the first homestead titles granted in 1868.

Comparing decades, the largest number of applications was submitted between 1900 and 1909, at 794,513 entries. The largest number of final titles was granted between 1910 and 1919, for 384,954 homesteads. Over the 76-year period in consideration, three million people applied for homesteads and almost 1.5 million households were given titles to 246 million acres of land. The U. S. Department of the Interior (1998) records that 287.5 million acres of the public domain was granted or sold to homesteaders. This is approximately 20 percent of public land and is comparable to the amount of property granted to states and the acreage sold or awarded to railroads and other corporate interests. Homesteads represent a remarkable transfer of wealth and assets.

Estimated Long-term Impact

Given that a homestead represents a real asset that could be developed and passed on to one's children, an interesting question is how many people living today had ancestors who acquired property through the Homestead Act. This is not simply an intellectual curiosity, but rather a way to demonstrate the enduring legacy of early asset-building policy. The case can be made that once persons successfully survived on a homestead for five years and obtained a title, they became active participants in the developing economy. Whether family members continued in farming or took on other professions, future generations could have a tie to property and obtain a positive externality from ancestors that gained a potentially valuable asset.

A previous paper (Williams, 2000) begins with the basic records of the quantity of homesteads granted and provides three demographic estimations of the number of potential descendants living today. The estimates ranged from a low of 20 million to a high of 93 million, with a preferred medium estimate of 46 million. If true, this would mean that a quarter of the United States adult population (aged 25 and up in the year 2000) potentially has ancestors who were homesteaders and a legacy of property ownership that can be directly linked to national asset-building policy. A single policy passed in the late 1800s leaves an enduring legacy.

Situation of Blacks

The Homestead Act was passed as the country was on the brink of civil war. Given its importance as a mechanism for acquiring property, a key issue is how the legislation impacted the four million Blacks who then lived as slaves. Blacks were ineligible for any public land prior to the Civil War because they were not considered citizens. After the Emancipation Proclamation at the end of the Civil War, the situation of Black freedmen and women often depended upon local leadership and conditions.

As early as 1865, certain White Southerners put legal obstacles in place to prevent former slaves from acquiring property. These included requiring Blacks to work or risk severe penalties for vagrancy as well as keeping them from owning land (Lanza, 1990). Magdol (1977) explains,

In the provisional state governments under President Johnson's protective leniency, planters not only prohibited black landownership but enacted extreme measures of social control that virtually restored slavery. The black codes struck directly at freedmen striving to escape their subordination and to obtain their communities. It was class and race legislation. (p. 150)

Oubre (1978) acknowledges that the Freedmen's Bureau invalidated such *Black codes*, but if no one enforced the rights of Black property owners, overt racism and opposition to Black ownership made acquiring land nearly impossible in some areas.

Words from Lincoln and confiscation acts passed by Congress, fueled by a strong desire for land and schools, led freed slaves to believe they would be given property along with freedom. The myth of *40 acres and a mule* was never an official legislative promise, but there were moments

of hope when it appeared that legal and political action would be taken to help recently freed slaves become economically independent from their former masters (Cox, 1958; Magdol, 1977). Unfortunately, nothing permanent was created to help the former slaves acquire property or a better economic position.

The Southern Homestead Act was passed in June of 1866 during the Reconstruction era. This Act set aside, exclusively for homesteading, 46 million acres of remaining public lands in five Southern states—Alabama, Mississippi, Louisiana, Arkansas, and Florida. It was intended to provide land to poor Whites and Negroes without discrimination based on race and was seen as supplementary to the Freedman’s Bureau (Lanza, 1990; Robbins, 1976). It was one of the few attempts to explicitly award public land and an economic base to Blacks, but was repealed 10 years later.

Evidence from the Act’s brief tenure provides some insight as to how Blacks fared once obtaining access to public land. First, it seems that Blacks tended to move onto land as groups or small colonies rather than as individual claimants like most White homesteaders (Lanza, 1990; Magdol, 1977; Oubre, 1978). Second, keeping land was more difficult for Blacks, whose claims were sometimes overturned when faced with inaccurate records and competing White bids (Lanza, 1990). Third, living on the land for five years proved difficult when the Black homesteaders had few financial resources and sometimes had to work other people’s land to support their families (Lanza, 1990).

Examining a sample of these southern homestead records from Mississippi, Lanza (1990) estimates that Blacks had a 35 percent success rate for applying and then obtaining patent to their land while Whites had a 25 percent success rate. Thus, even under difficult circumstances, Black homesteaders were more likely to remain on land and receive final title. Given the results of this sample along with other rough historical estimates, between 4,000 and 5,500 final patents may have been awarded to Black homesteaders (Lanza, 1990; Magdol, 1977).

However, the reality is that in light of the 1.5 million homesteads granted overall, all too few went to Black claimants. During a period where many citizens were given public land by the government, Blacks who wanted to be small farm owners had to pay for their land and struggle against obstacles their White counterparts did not. This is especially unsettling given that during the initial phase of the Homestead Act, from 1863-1880, most Blacks had just been freed from slavery, faced active discrimination, and were not in a position to negotiate on equal terms.

It was a missed opportunity not to use the Homestead Act explicitly as a vehicle for Black self-sufficiency, using existing laws to bring freed slaves into the economy entering an industry in which they already had experience. Not providing public land to Blacks or allowing them to participate fully in the agricultural economy after the Civil War opened the door for a system of sharecropping, peonage and violence that perpetuated racist systems for decades to come (Feagin, 2000). Oliver and Shapiro (1995) argue that outcomes of the Homestead Act are just one of many examples of the racialization of state policy, economic detours to self-employment, and sedimentation of racial inequality that shapes the inequality of wealth between Blacks and Whites even today.

Implications

For 1.5 million Americans, the Homestead Act meant property and the opportunity to be viable participants in the American economy—primarily through agriculture. The benefit was not a temporary income transfer or a privilege bestowed to a single individual that might be taken away or end at death. This policy provided a fungible asset that could be cultivated, invested, sold and more importantly, passed along as an inheritance. The land policies culminating in the Homestead Act provided a source of employment and subsistence for newly arriving immigrants, allowed people to pursue their own dreams, and permitted the country to grow without excessive controls or planning. Assuming that the estimated 46 million people living today had ancestors who were homesteaders, it was a policy choice that at least indirectly continues to impact millions of families. Even those unaware that their great grandparents were homesteaders might have relatives that live on the land or retain some connection to that original plot.

Asset building policies are a strategy to address concentrated levels of wealth inequality. When comparing current levels of inequality in wealth, income, and labor earnings in the United States, wealth is noticeably important as the most concentrated of the three. Households in the top one percent of the wealth distribution own 29.5 percent of wealth and are 875 times wealthier than those belonging to the bottom 40 percent of the wealth distribution (Diaz-Gimenez, Quadrini, & Rios-Rull, 1997). In addition to being highly concentrated, there are also large racial gaps in wealth. Whether the statistic is net worth, homeownership rates, or some measure of financial wealth net of housing equity, Blacks and Hispanics own considerably less than their White counterparts (Blau & Graham, 1990; Oliver & Shapiro, 1995; Wolff, 2000). In fact, many of the differences in economic outcomes by race in the United States can be linked to inequality of wealth (Conley, 1999). And because wealth is less connected to the current productivity or benefits of a particular individual, its value can be passed along to children.

The intergenerational nature of wealth brings added significance to its inequalities. As a matter of fact, parents with wealth can provide advantages to their children that make it easier to successfully transition to new stages of life such as postsecondary education and marriage. Some would even argue that wealth and intergenerational transfers are becoming increasingly more important in determining life chances and living standards. This importance of family wealth and intergenerational assistance has been documented in the United States, Great Britain, and Israel (Spilerman, Lewin-Epstein, & Semyonov, 1993).

When thinking about asset-building policy today, there are lessons that can be learned from the Homestead Act.

- *Create a simple asset-building opportunity that is enduring and open to all:* the basic tenets of the Homestead Act were easily understood and remained the same for 76 years until public land was no longer available to give away.
- *Design incentives that are particularly attractive to the non-wealthy:* although speculators existed, obtaining dispersed 160 acres of uncultivated land was risky compared to city lots or large already established farms that sold at market rates.

- *Allow some flexibility to complement local conditions:* by allowing changes in acreage, time spent on the land and other requirements suggested by experiments with new farming techniques and environmental concerns, the Homestead Act attempted to adapt to the needs of different terrains.
- *Resist racist or other structural impediments that exclude particular groups from full participation:* after Emancipation, Blacks clearly desired land of their own and if the political will had existed to ensure that more of them received and retained homesteads, the policy would have been more equitable.
- *Consider the intergenerational benefits for participants and their families:* by allowing a homestead to be passed along to descendants, the one-time asset transfer could have long-term impact by remaining a resource for future generations.

Yet, even once asset building policy is designed and approved, fair implementation and good management remains important. The Homestead Act was only successful as persons staking homestead claims gained title to their land. If land was not accurately surveyed, land grant offices were not accessible, records were lost, or people were denied titles after developing their claims for five years, the law might have collapsed under its own failures. But as the record stands, people continued to stake homestead claims and attain titles until there was no longer land remaining in the public domain. A noted historian of public land policy writes,

The old evils of careless drafting of land legislation, weak and inefficient administrations (inadequately staffed), and the anxiety of interests to take advantage of loopholes in the laws, all brought the Homestead Acts into contempt and censure. But their noble purpose and the great part they played in enabling nearly a million and a half people to acquire farm land, much of which developed into farm homes, far outweigh the misuse to which they were put. (Gates, 1996, p.52).

Conclusion

Asset building policy can be a powerful tool for reducing economic disadvantage and creating lasting opportunities for families to be active participants in the economy. The Homestead Act was a visionary approach to helping households build assets and become participants in the agricultural economy of the late 19th century. Although passed 140 years ago, the Homestead Act can provide meaningful lessons for models of asset-building policy today.

But the potential for asset-building policy is not limited to rural agriculture on the open frontier. Other more current examples are the G.I. Bill passed for World War II veterans and tax benefits that accrue for retirement plans such as IRAs and 401(K) accounts. The challenge is to promote asset policy that provides a way for economically marginalized families to accumulate wealth and participate more equitably in today's more urban, fast-paced, industrialized economy. Once in place, the promise of such a policy is not only that it would help reduce wealth inequality, but also that there could be long-term benefits for generations to come.

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Table 1. Homestead Totals: Number of entries, acres and final patents

Year	Original Entries	Acres	Homestead Patents	Final Acreage	Year	Original Entries	Acres	Homestead Patents	Final Acreage
					1880	47293	6054709	15441	1938235
					1881	36999	5028101	15077	1928005
					1882	45331	6348045	17174	2219454
1863	8223	1032872			1883	56565	8171914	18998	2504415
1864	9405	1247171			1884	54982	7832000		2946000
1865	8924	1141443			1885	60877	7416000	43909	3033000
1866	15355	1890848			1886	61638	9145000		2664000
1867	16957	1834513			1887	52028	7594000		2749000
1868	23746	2332151	2772	355086	1888	46236	6677000	115264	3175000
1869	25628	2698482	3965	504302	1889	42183	6029000		3682000
Total					Total				
1863-1869	108238	12177480	6737	859388	1880-1889	504132	70295769	225863	26839109
1870	33972	3754203	4041	519728	1890	40244	5532000		4061000
1871	39768	4657355	5087	629162	1891	37602	5040000		3955000
1872	38742	4595435	5917	707410	1892	55113	7716000		3260000
1873	31561	3760200	10311	1224891	1893	48436	6809000		3477000
1874	29126	3489570	14129	1585782	1894	56632	8047000	116178	2930000
1875	20668	2369782	18293	2068538	1895	37336	5009000		2981000
1876	25104	2867814	22530	2590553	1896	36548	4831000		2790000
1877	18675	2176257	19900	2407828	1897	33250	4452000		2778000
1878	35630	4496855	22460	2662981	1898	44980	6207000		3095000
1879	41005	5267385	17391	2070842	1899	45776	6178000	110593	3134000
Total					Total				
1870-1879	314251	37434856	140059	16467715	1890-1899	435917	59821000	226771	32461000

Note: Homestead patents represent the number of households making final entry and receiving an equitable title to their land after complying with the relevant legal requirements, typically five years residence.

Table 1. Continued

Year	Original Entries	Acres	Homestead Patents	Final Acreage	Year	Original Entries	Acres	Homestead Patents	Final Acreage
1900	61270	8478000		3478000	1920	48532	13511000		8373000
1901	68648	9497000		5241000	1921	43813	13662000		7727000
1902	98829	14033000		4343000	1922	29263	8980000		7307000
1903	80188	11193000		3577000	1923	18942	5524000		5594000
1904	69175	10171000		3233000	1924	13886	3873000	119949	4791000
1905	70344	12896000	144121	3419000	1925	11010	3041000		4049000
1906	89600	13975000		3527000	1926	10354	2875000		3451000
1907	93957	14755000		3741000	1927	10500	3237000		2584000
1908	87057	13586000		4243000	1928	10429	3367000		1816000
1909	75445	12302000	130430	3699000	1929	11598	4178000	39439	1701000
Total					Total				
1900-1909	794513	120886000	274551	38501000	1920-1929	208327	62248000	159388	47393000
1910	98598	18329000		3796000	1930	12708	4723000		1371000
1911	70720	17639000		4620000	1931	12640	4757000		1353000
1912	52991	13624000		4306000	1932	10639	3914000		1210000
1913	57800	11222000		10009000	1933	7527	2642000		907000
1914	62229	12117000		9291000	1934	7507	2787000	20501	1124000
1915	62360	12440000	189553	7181000	1935	3297	1166000		1640000
1916	65282	13628000		7278000	1936	1209	357000		1765000
1917	58896	12021000		8497000	1937	561	111000		1915000
1918	35875	7420000		8236000	1938	447	78000		1362000
1919	39341	10204000	195401	6525000	1939	378	66000	19533	1089000
Total					Totals				
1910-1919	604092	128644000	384954	69739000	1930-1939	56913	20601000	40034	13736000
					Grand Total	3,026,383	512,108,105	1,458,357	245,996,212

Data compiled from the following references:

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