HOMESTEAD NATIONAL MONUMENT: ITS ESTABLISHMENT AND ADMINISTRATION



BY RAY H. MATTISON

Cover: Freeman Homestead Cabin from a painting by Jack Tobias

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THE year 1962 marks the 100th anniversary of the passage of the Homestead Act, a law designed to hasten the settlement of the trans-Mississippi West. Special observances will be held in Nebraska to commemorate the passage of this important legislation. Particular attention will be focused on Homestead National Monument, near Beatrice, which was established by the Federal Government to memorialize this democratic land policy. The purpose of this study is to trace the creation of Homestead National Monument and its administration to date.

There are 189 areas in the National Park System which are owned by the Federal Government and administered by the National Park Service. Some of these areas, such as Scotts Bluff National Monument, in Nebraska, and Devils Tower National Monument, in Wyoming, were created from lands already in Federal ownership. Their establishment required only a presidential proclamation un-

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der the authority of the Antiquities Act of 1906 setting them aside as National Monuments. Other areas required congressional approval for their creation. Several such as Homestead National Monument and Mammoth Cave National Park in Kentucky, required many years of effort before they received congressional sanction.

It is impossible to determine when the idea of establishing a National Memorial to commemorate the Homestead Act germinated. There is little doubt that it was influenced to a marked degree by Daniel Freeman who homesteaded the area which was later established as a National Monument. Freeman early contended that he was the first homesteader in the United States. His claim was supported by the *Beatrice Express* as early as 1876. This newspaper boasted in its July 20 issue:

To the citizens of Gage County, also, belongs the honor of having secured the first homestead, entered under the U.S. Homestead Law. The claim belongs to Daniel Freeman, and is on Cub Creek four miles west of Beatrice. Some claim that Mr. Freeman must be mistaken about this matter, as there are ninety-four Land Districts in the United States, and hence it would be impossible for him to know anything about it; but the indicia on his patent establishes the fact beyond a doubt. The Homestead Law was enacted in 1862, and Mr. F.[reeman] took his claim on the 1st day of January, 1863, the day the act went into effect. His patent is numbered 1, and is recorded in Vol. 1, at page 1, of the Records of the General Land Office, at Washington. Is this not indisputable evidence of his claim?

A recent study made of the General Land Office records by the Bureau of Land Management indicates that the *Express* may have been in error in its contention that Freeman's patent was the first in the nation. Freeman's claim was Entry No. 1 (January 1, 1863), his Final Certificate No. 1 (January 20, 1868), and his Patent No. 1 (September 1, 1869), at the Brownville Land Office. Each of the land offices had a number one entry and there were

¹ Beatrice Express, July 20, 1876, page 2, column 4. The same claim appeared in the December 28, 1876 issue of that newspaper on page 2, column 4. Microfilm copies of this newspaper are in the Nebraska State Historical Society (indicated hereafter as NSHS). The same claim appears in A. T. Andreas, History of the State of Nebraska (Chicago 1882), 896.

30 of these made on January 1, 1863. The General Land Office records show there were 13 final certificates issued prior to the one to Freeman, on January 20, 1868. As to patents, in Topeka, Kansas, there were 105 final certificates patented January 5, 1869, the first in the nation. At the San Francisco Land Office, 44 patents were dated May 25, 1869 and 92 on June 1, 1869. There are patents issued on September 1, 1869 recorded in volume one, number one in 15 land offices in six states. By the criteria of firsts, as indicated in the official records, Freeman has no more unique claim to being the nation's "first homesteader" than several others. Orin Holbrook, whose entry was No. 1 (January 1, 1863), Final Certificate No. 1 (January 1, 1868), and Patent No. 1 (September 1, 1869), at the Des Moines General Land Office has three number one entries with one earlier date listed.2

In the 1880's Freeman advanced a further claim to being the nation's first homesteader. This story which appears to have been in circulation in late 1884 or early 1885,³ first appeared in print in 1888,⁴ and was repeated by him in 1903:

I was stationed at Brownville, Nebraska, as a young soldier to do some secret service work. [National Park Service Historians have been unable to find evidence that Freeman ever served either in the Army or the Secret Service.] The town was the seat of the government land office and the place was filled with prospective settlers who were waiting for the 1st of February, [January] when the Grow homestead law was to become operative. I had, in my several details, seen a good deal of Nebraska. I liked the soil of Gage County, so I staked my claim near Beatrice, and waited anxiously for the time when I could make my filing at the government office.

The fates seemed against me. I was ordered to St. Louis and had to leave early January 1st, the day the Homestead

² "The First Homesteader" (unpublished manuscript being prepared by the Bureau of Land Management, Washington, D. C.).
³ Nebraska City News, January 10, 1885, page 2, column 3. Files in the NSHS.

⁴ Chapman Bros. Portrait and Biographical Album of Gage County, Nebraska (Chicago 1888), 521-523. According to the records of the General Land Office, only three persons filed claims at the Brownville Land Office on January 1, 1863. Unpublished manuscript, Bureau of Land Management.

Law went into effect. On the night of December 31st, the prospective settlers had a dance. I sought out the assistant registrar of the land office, who was in the ballroom, and urged him to let me file on my claim at midnight, so I could leave for St. Louis early next morning. He agreed to this and we went to the office where the preliminary papers were made out. Before one o'clock Homestead Entry No. 1 was signed and I went away to St. Louis a happy lad.⁵

Freeman's claim to being the first homesteader because he filed soon after midnight of December 31, 1862, did not go unchallenged. William Young, of Palmyra, Nebraska, whose entry was number one in the Nebraska City Land Office, related the following story in early 1885:

claims compare. On the 26th of December, 1862, I was at the land office in Nebraska City and made out the papers for a homestead. The homestead law took effect Jan 1 1893 [sic] so yo[u] see that just one minute after midnight Dec. 31, 1863, [sic] I had owned a homestead for sixty seconds. If Daniel Freeman took the same method to secure a homestead that I did and did his business at Brownville, then he is fifteen or twenty seconds ahead of me, Brownville being that much nearer surrise than Nebraska City.

The reason I did the business at the above date was to save me an extra trip to the land office, my home being thirty miles west. A part of this homestead is on the western part of the same section that Palmyra stands on. . . . 6

In a letter written to the editor in 1918, Young, then in Pasadena, California, again related his story to the *Ne-braska City News*.⁷

Another rival claimant to being the first homesteader, who apparently knew nothing of either Freeman or Young,

⁵ James T. Dubois and Gertrude S. Mathews, Galusha A. Grow, Father of the Homestead Law (Boston 1917), 284.

⁷ Nebraska City News, January 18, 1918, page 3, column 5.

⁶ Nebraska City News, January 10, 1885, page 2, column 3. Files of the newspaper are in the NSHS. The U. S. Land Office Tract Book, Nebraska City, located in the NSHS, shows on pages 144-145, that Young, whose entry was number one, dated January 1, 1863, received his certificate (No. 1590) November 4, 1873, and his patent March 20, 1874. Before railroads adopted standard time in 1883, various localities kept their own mean time. Brownville is located at 95° 39′ 30″ longitude; Nebraska City, 95° 51′ 20″; Vermillion, South Dakota, 96° 56′ 00″. If Freeman and Gore (another claimant of a midnight filing) filed at midnight on December 31, 1862 and Gore's claim was effective at that time, then Freeman's claim would be about 44 seconds ahead of Young's and 5 minutes and 12 seconds ahead of Gore's entry in Vermillion.

was Mahlon Gore, a printer employed in 1862-1863 by the *Dakota Republican* and who later was the publisher of the *Sioux City* [Iowa] *Journal*. According to Gore's story, which was first published in 1901,⁸ he filed on his homestead, which was Entry No. 1, in the Vermillion, South Dakota Land Office, immediately after midnight on December 31, 1862. Gore wrote as follows:

* * * * * *

The U.S. Homestead act went into effect January 1, 1863. The printing office, U.S. Land office and two or three cottages—one of which I occupied—were located on 'the bluff,' at the lower or south end of [the] town [of Vermillion]. The land officers, Hon. J. M. Allen, register, and Mahlon Wilkinson, receiver, slept in their office and took their meals at my house.

On the last night of the old year, 1862, I worked until about half past 11 o'clock in the printing office, in order to dispose of work, as I had arranged to go away for a day next morning—New Years day. On my way home, seeing a light in the land office I stopped in, and told Major Wilkinson that I would come over as soon as he got up in the morning and file my homestead application, thus avoiding an expected rush later in the day, and enabling me to get an early start. He replied that it was almost midnight. If I would wait until twelve o'clock, I could file my application before going home. I acted upon the suggestion and within five minutes after the clock struck twelve, I filed Homestead application No. 1, and started for home with my receipt in my pocket.9

* * * * * *

Before he made final proof for his claim Gore employed Henry Fisher to live in the house which he erected on his claim. While Gore was on a trip to Michigan, Fisher contested his claim. Not waiting to procure evidence to protect himself, Gore hurried back to Vermillion to look after his interests. His efforts proved in vain. Fisher.

S Dakota Republican, July 11, 1901, page 1, column 5; August 29, 1901, page 1. Originals on file at the University of South Dakota, Vermillion.

⁹ Letter, Mahlon Gore to Franklin Taylor, May 29, 1901. Original in the South Dakota State Historical Society, Pierre. General Land Office records show that Gore was the only one to file at Vermillion on January 1, 1863. The busiest land offices on January 1, 1863 were at Humboldt, Kansas, where 70 entries were recorded; Traverse City, Michigan, with 50; Minneapolis, Minnesota, with 60; La Crosse, Wisconsin, with 55; and St. Cloud, Minnesota, with 39. Unpublished manuscript, Bureau of Land Management.

supported by his friends, was given the claim by the land office so Gore never received a final certificate or patent for the land on which he made an entry.¹⁰

Of the three claimants for the early filing, Freeman was the only one who vigorously pushed forward his claim to being the "first homesteader," basing it primarily on his story of the midnight filing. Galusha Grow, father of the Homestead Law (Actually the Homestead Law was introduced in Congress by Cyrus Aldrich, Congressman from Minnesota. Grow, however, supported the Homestead Law for many years and is regarded as its "father.") appears to have accepted it without question. ¹¹ Nebraska historians have likewise accepted it. ¹²

Young caustically wrote in 1918, "Mr. Freeman gets lots of comforts out of his claim of being the first homesteader... He has been many times written up in the big dalies [sic]. I do not know whether my claim will catch up and pass his..."¹³ Young's claim, although known to Dr. A. E. Sheldon, long time Secretary, Nebraska State Historical Society, has generally been ignored. South Dakota historians, however, have generally recognized Gore as the first homesteader.¹⁴

In evaluating the stories of the three claimants, it should be pointed out that those of Young and Freeman first appeared in print over 20 years after their purported early filings occurred. Gore's story was first published

¹⁰ Dakota Republican, August 29, 1901. Gore's entry was cancelled January 11, 1868 (memorandum from the Assistant to the Director to the Director, Bureau of Land Management, May 18, 1961).

¹¹ Dubois and Mathews, *loc. cit; Congressional Record* (1897), Vol. 29, Part II, 1,999.

¹² A. E. Sheldon, History and Stories of Nebraska (Chicago 1911), 111; James C. Olson, History of Nebraska (Lincoln, 1955), 166.

¹³ Nebraska City News, January 18, 1918.

14 Ferd J. Goodfellow, "South Dakota's Early Surveys," Vol. V (1910), South Dakota Historical Collections, 360-362; Doane Robinson, Encyclopedia of South Dakota (Pierre 1925), 326. One South Dakota newspaper, the Big Stone Headlight, was under the impression that the home of J. Sterling Morton was the first homestead. (Dakota Republican, August 8, 1901.) It was probably confusing Morton with Freeman.

almost 40 years after his alleged midnight filing. It is possible that a search in states other than Nebraska and South Dakota would reveal stories of other early filings. It is of interest that Brownville and Vermillion, which were reported to have been open in the early hours of January 1, were the two offices with the least activity that day.

However, by any criteria advanced, Freeman was *one* of the nation's first homesteaders, in the chronological sense. His individualistic and non-conforming character was typical of that of many of the early settlers.

As early as 1884, Freeman appears to have been promoting the idea of placing a monument on his farm at Beatrice, memorializing it as the nation's first homestead. Young, Freeman's rival claimant from Palmyra, wrote in a letter to the editor of the *Nebraska City News*, early in 1885, "In the 'latest scheme for a monument to be built in honor of the homestead law' Daniel Freeman, a few miles west of Beatrice claims to be the first homesteader, and therefore the proper person to furnish the site." After stating his claim of prior filing, he remarked, "I don't want the monument just yet. I want to consider awhile on the design. . . ."

In less than six weeks following the death of Freeman in late 1908, interested individuals in Beatrice inaugurated a movement to preserve his homestead as a National Park. In an editorial, the *Beatrice Daily Sun* gave its endorsement to the proposal:

A movement started by J. E. Lang [a prominent citizen of Beatrice] is on foot to appeal to congress to covert the old Daniel Freeman homestead into a national park. The idea has merits galore and is of more than merely local significance.

Application will be made to the Nebraska congressional representatives with a view to having a bill introduced providing for this disposition of the first homestead filed on

¹⁵ Nebraska City News, January 10, 1885.

¹⁶ See above.

¹⁷ Nebraska City News, January 10, 1885.

under the law which has since made it possible for thousands to become thrifty and independent landholders. 18

In late February, in response to requests from interested persons in Beatrice, Congressman Edward H. Hinshaw, Representative from Nebraska, introduced a bill (H. R. 28380) proposing the establishment of a National Park on the Freeman homestead. This bill proposed that the Secretary of the Interior acquire, by purchase or condemnation, the quarter section known as the first homestead, "the first entry under the homestead law" and "to establish and maintain thereon a public park commemorating the achievements of Galusha A. Grow, of Pennsylvania." The bill further provided an appropriation of \$25,000 or as much thereof as was necessary to carry out the act.¹⁹

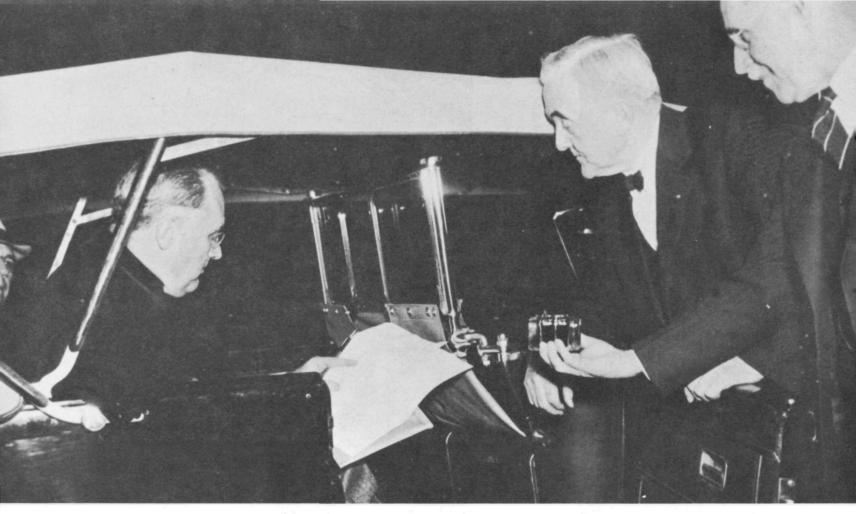
Hinshaw's bill appears to have received little or no organized support in Beatrice or elsewhere. It was referred to the Committee on Public Lands and was not revived.²⁰

In the next Congress, Hinshaw renewed his attempts to preserve the Freeman homestead. On April 8 he again introduced a bill (H. R. 6757), similar to H. R. 28380, to appropriate money to purchase the Freeman homestead as a National Park. This bill also was referred to the Committee on Public Lands.²¹ However, neither the city of Beatrice nor the State officials were content to have this bill die in the Committee. Early in 1911, Governor Chester A. Aldrich in a special message asked the State Senate to give its support to Hinshaw's bill. The preservation of the Freeman homestead, he wrote, "would be a fitting commemoration for the Services of the Honorable Galusha A. Grow." In accordance with the Governor's recommendation, a special committee, of Senators Peter Jansen, chair-

 $^{^{18}}$ Beatrice Daily Sun, February 12, 1909, page 1, column 2; see also editorial in the February 13 issue of this newspaper. Microfilm copies of the Sun are in the NSHS.

¹⁹ Congressional Record, 60th Congress, 2nd Session, 3,441. House of Representative Bills, 60th Congress, 2nd Session.

 ²⁰ Congressional Record, 60th Congress, 2nd Session, 3,441.
 21 Congressional Record, 61st Congress, 1st Session, 1,236.



President Roosevelt signing the Homestead National Monument Act with Senator Norris and Representative Luckey looking on. (Harris and Ewing Photograph)



Above—Freeman Homestead Cabin (From painting by Gusta Strohm)

Below—Brick House on the Freeman Homestead
Photo circa 1902



man, of Beatrice, W. A. Selleck of Lincoln, and Wes Pickens of Powell, was appointed. This committee prepared a petition to Secretary of the Interior, Richard A. Ballinger, and to the United States Senate and House of Representatives. urging the passage of the Homestead Bill. This petition was approved by the State Senate.22

To convey the petition of the State Senate to the Secretary of the Interior and Congress in Washington, B. H. Begole, a prominent merchant of Beatrice, was selected. Accompanying him were George H. Johnson, insurance agent, and P. C. Drew, former merchant, of Beatrice. In the capital, Hinshaw introduced the Nebraska delegation to veteran Congressman Frank W. Mondell (1860-1939). of Wyoming, Chairman of the Committee of Public Lands and, Secretary of the Interior, Ballinger. Neither Mondell nor Ballinger gave the Nebraskans much encouragement, informing them that it was a policy "that national parks shall not be established except in extraordinary cases of beauty, freaks of nature, geysers, etc."23 The Homestead Bill apparently died in the Committee on Public Lands. The files of the Sun do not indicate that the 1911 proposal. as the bill two years earlier, received much organized local support. Hinshaw retired from the House of Representatives early in March of 1911, and his successor, Congressman Charles H. Sloan, recognized the futility of submitting the proposal before Congress for reconsideration.

Almost two decades were to pass before another bill would be introduced in Congress authorizing the establishment of a park. In 1925 Senator George W. Norris suggested that a museum to house agricultural implements. representing developments from the early days, be established at the Freeman homestead.24 In November of that year, a delegation of the Elizabeth Montague Chapter of the Daughters of the American Revolution of Beatrice went

²² Senate Journal of the Legislature of the State of Nebraska, 32nd Session (Lincoln, 1911), 134, 141-142, 154-156.

23 Beatrice Daily Sun, February 5, 1911; January 28, 1911.

24 Newman Grove Reporter, April 8, 1925.

to Lincoln and selected a stone on which a plaque was placed marking the site of the Freeman homestead.²⁵ This marker was dedicated by Governor Adam McMullen, whose home was at Beatrice, the following May.²⁶

In 1927 Governor McMullen proposed that the Freeman homestead be developed into a state park. Interviewed by the *Sun* in early September, McMullen stated:

I am most cordially in sympathy with the proposal to create a state park at the Freeman farm. It symbolizes so much in the development of our state and our nation—particularly their agricultural development.

I can conceive of nothing more fitting than it should be made an enduring memorial to our homesteaders, to those courageous men and women who laid the foundation stones of our commonwealth.

Such a memorial would be of national interest, and in the years to come it would serve not only as an attractive recreation park, but it would also be a shrine at which the people could find anew the inspiration that has come down to us from the lives of courage, fortitude and sacrifice which were lived by the homesteaders.

I hope some feasible plan may be worked out for the acquirement of the Freeman farm as a state park. There is perhaps no other sight [sic] in our state or in the west which could be more fittingly dedicated to our pioneers.²⁷

The Sun gave the Governor's proposal its editorial support stating that "If Beatrice interests will get behind an organized movement in support of the project, the Daniel Freeman farm, site of the first homestead, may be converted into a state park." The paper added "It would seem that something in the way of organized support for the Freeman farm proposal, which would enlist the aid of women's organizations, the luncheon clubs, Chamber of Commerce and local public officials might secure definite results in the not distant future." The Beatrice Chamber of Commerce went on record in favor of the idea. However, that organization was undecided whether the area

²⁵ Nebraska State Journal, November 13, 1925.

²⁶ Photo in George W. Norris collection, Library of Congress; Beatrice Daily Sun, May 11, 1926.

²⁷ Beatrice Sun, September 6, 1927, page 1, column 1.

²⁸ Ibid.

²⁹ Ibid.

should be a state or federal park.³⁰ Interviewed, when he visited Beatrice in mid-September of that year, Congressman J. N. Norton, Representative of that district, endorsed the idea of a National Park, stating:

I think it is a most excellent suggestion and I think too that it will appeal not only to Nebraskans, but to the people of all our western states which were settled by the homesteaders.³¹

Norton added, moreover, that if anything came from the proposal, the initiative would rest with the people of Beatrice.³² Again, the movement appears to have received but little organized local support so Norton did not press the idea in Congress.

In late May 1929, Congressman Charles H. Sloan, who succeeded Norton as Representative, introduced a bill (H. R. 3572) in the House of Representatives proposing establishment of a National Park on the Freeman homestead.³³ This bill provided for an appropriation of \$50,000 to purchase the Freeman property and \$10,000 each year for its development and maintenance.³⁴ The proposal was referred to the Committee on Appropriations.³⁵

The Sun gave the Sloan bill its editorial support indicating that the park would be an asset from the standpoint of tourist trade. "Many thousands of people from Nebraska, adjoining states and throughout the country at large visited Stolley park, Grand Island and Arbor Lodge park, Nebraska City, last year..." The following week it commented:

Representative Chas. Sloan's introduction of the homestead park bill in Congress has revived interest in the project and called forth much appreciative comment. The hope

³⁰ Beatrice Daily Sun, September 9, 1927, page 1, column 5; September 11, 1927, page 1, column 2.

³¹ Beatrice Daily Sun, September 18, 1927.

³² Ibid.

³³ Congressional Record, 71st Congress, 1st Session, 2,217.
34 See H. R. 3572, 71st Congress, 1st Session in Edmund B. Rogers, History of Legislation Relating to the National Park System Through the 82nd Congress.

³⁵ Congressional Record, 71st Congress, 1st Session, 2,217.
36 Beatrice Daily Sun, May 31, 1929, page 1, column 3.

is expressed that he will encounter no obstacles in securing the passage of the measure. That he will succeed is the general opinion here, now that a definite move has been made at Washington.37

To enlist support for the proposal, John W. Baumgardner, Assistant Postmaster of Beatrice, proposed the issuance of a special stamp to draw attention to the first homestead.38 Again the movement to establish the park received no strong organized local support so Sloan's bill died.

Finally in 1934 the movement to preserve the Freeman homestead began to crystalize. On January 10 the Sun recorded that the Chamber of Commerce had launched a project for making the Freeman homestead a National Park. It had held a meeting presided over by E. L. Novotny, Superintendent of Schools at Beatrice, who later spearheaded the drive to preserve the area.39 At that time the National Homestead Park Association was organized for the purpose of establishing a park. In March, a meeting of interested citizens was held where Carl Wilke, C. L. Aller and W. H. Davis, submitted a report on the proposal. In an editorial in March, the Sun pointed out the monetary value of a National Park to Beatrice:

From the standpoint of community interest there is a practical side of the park plan. If the park is created thousands of people will visit the city annually. . . . The sightseers of course spend considerable sums of money.40

In May 1934 Congressman John H. Morehead introduced a bill (H. R. 9758) in the House of Representatives. It proposed that a sum of \$40,000 be appropriated to create a National Park to be known as the Homestead National Park of America on the Freeman homestead and the sum of \$10,000 be annually appropriated for the park's main-

³⁷ Beatrice Daily Sun, June 7, 1929. 38 Beatrice Daily Sun, June 9, 1929.

³⁹ Beatrice Daily Sun, January 10, 1934. 40 Beatrice Daily Sun, March 25, 1934.

tenance.⁴¹ The proposal was referred to the Committee on Public Lands and ordered to be printed. The *Sun* optimistically remarked, "Development of the park has been suggested at various times in past years but various obstacles have caused delay. The local association members now have occasion to believe the project has an excellent chance."

During the summer of 1934, E. L. Novotny, School Superintendent, who had been serving as chairman, and John Kees, secretary of the Homestead National Park Association, continued to work on the project while Judge J. A. Van Orsdel, in Washington, D. C., assisted it by contacting Congressmen and others in efforts to secure an appropriation. In August, the park committee was perfected and the following directors elected: C. L. Aller, Mrs. Adam McMullen, Mrs. Dwight S. Dalby, W. H. Davis, Mrs. C. W. Gale, John Kees, E. M. Marvin, William H. Kilpatrick, W. B. Morton, E. L. Novotny, and Carl Wilke, all of Beatrice, John W. Stewart of Nebraska City, and Mrs. Ben Miller of Crete.⁴³

Following the completion and organization of the committee, Novotny as chairman, immediately wrote the veteran United States Senator George W. Norris, of Nebraska, who was at that time at the peak of his influence, to interest him in the project. He also wrote Kenneth F. Jones, Inspector, National Park Service, who was stationed in Rapid City, South Dakota, urging that the Service establish the Freeman homestead as a National Park.⁴⁴

The proposal was referred to Arno Cammerer, Director, National Park Service, in Washington. Cammerer re-

⁴¹ Congressional Record, 73rd Congress, 2nd Session, 9,552; Beatrice Daily Sun, May 25, 1934.

⁴² Beatrice Daily Sun, May 25, 1934.

⁴³ Lincoln State Journal, August 23, 1934, page 3, column 2-3. Microfilm copies in the NSHS; Beatrice Daily Sun, August 22, 1934.

⁴⁴ Letters E. L. Novotny to Kenneth F. Jones, August 27, 1934; Novotny to George W. Norris, August 28, 1934. Social and Economic Records Division, National Archives, Washington, D. C., hereafter abbreviated NA.

plied to Norris that the Service had been considering the Freeman homestead for a number of years but never had funds for its purchase. He suggested, however, that the homestead site be considered as a National Monument rather than a National Park.⁴⁵ Novotny also wrote letters to enlist the support of Congressman Edward Burke, of Omaha, and Arthur Mullen, former Democratic Committeeman.⁴⁶

In mid-November 1934, Senator Norris, in company with Dr. R. Zon, of the Lake States Forestry Experiment Station and Paul H. Roberts, Acting Director of the Shelter Belt Project, visited the Freeman homestead. Norris suggested that the site be made either a federal shelter belt experiment station, or a National Park, on which there would be a museum for relics of pioneer days, or perhaps both.⁴⁷ Other State newspapers immediately came to the support of the homestead proposal. The *Beatrice Daily Sun* summarized the movement to make the Freeman homestead a national area:

In past years—and more recently—many Nebraskans have discussed the homestead park with friendly interest. Among these advocates of a memorial to our first settlers have been both men and women of prominence. Bess Gearhart Morrison urged the development of a park a half dozen years ago. At different times Nebraska senators, governors and congressmen have given the plan endorsement. So, too, have different newspapers.

Today the Omaha World-Herald gave the project editorial support. That newspaper said:

All Nebraskans will support with sympathetic interest the proposal to make a national park of the Freeman homestead northwest of Beatrice—the first homestead to be taken under the law that spurred the development of the western prairies. Very practical is Senator Norris' proposal that the homestead be preserved, not only for its historic interest, but also as a convenient place for testing the trees to be grown in the midwest shelterbelt.

⁴⁵ Letter Arno Cammerer to Norris, October 2, 1934, NA. A National Monument normally differs from a National Park in size. A National Park is usually a superlatively scenic or scientific area.

⁴⁶ Beatrice Daily Sun, August 28, 1934. 47 Beatrice Daily Sun, November 12, 1934, page 1, column 1; November 13, 1934, page 1, column 3.

Some national parks are inspiring because of the beauty and grandeur of their scenic view. The Freeman homestead would be a mecca for tourists who would be inspired by it as a monument to the courage that led to the settlement of the west. No one could visit that farm land and see the first homesteaders' house without visualizing much of the triumphal human victory achieved in converting the "great American desert" into the food producing garden for the American nation and much of the world as well.48

Learning of the proposal to establish an area on the purported first homestead. Lawrence K. Fox, Secretary, South Dakota State Historical Society, in late December 1934, questioned Freeman's claim. Fox contended that Mahlon Gore, the Vermillion printer, who allegedly filed on his homestead immediately after midnight on January 1, 1863, was, in reality, the nation's first homesteader. 49 Norris referred the question to Fred W. Johnson, Commissioner of the General Land Office. 50 Johnson replied "Mr. Freeman's entry was the first homestead entry made. in point of time, in the United States, so far as the records here show. It received the identifying number 1, at the time it was made at the Brownville local land office. This identifying number, 'one' was merely the first number of the homestead entry series of entries made at that particular local office. The first homestead entry made at any other local United States land office would have been given the number 'one', even though made after the date of the Freeman entry." He stated that others made final proof earlier than Freeman. Johnson further pointed out that Freeman's Patent No. 1 located in volume 1, page 1, was like his entry, only for the Brownville Land Office and not for all land offices.⁵¹ It appears that no further question was raised as to Freeman's claim to being the first homesteader while the monument proposal was before Congress.

51 Letter, Johnson to Norris, January 9, 1935.

⁴⁸ Beatrice Daily Sun, November 16, 1934, page 1, columns 2

⁴⁹ The Dakota Republican, December 20, 1934. File in the South Dakota State Historical Society.

⁵⁰ Letter, Norris to Fred W. Johnson, December 15, 1934. Copy in Region Two Office files, Omaha.

Prior to the convening of the first session of the 74th Congress in January, Novotny redoubled his efforts to secure organized support for establishing the proposed area. At Norris' suggestion, the support of the Nebraska State Historical Society and the Nebraska legislature was solicited.⁵² Dr. A. E. Sheldon gave the movement his endorsement.53 and later in the month D. S. Dalby, in behalf of the Nebraska State Historical Society, also gave his approval to the measure.⁵⁴ Novotny also wrote to both President Franklin Roosevelt and Mrs. Eleanor Roosevelt seeking their support. 55 The letters were referred to the National Park Service. Later in January the Beatrice Chapter of the Daughters of the Revolution passed resolutions expressing its interest in the project.⁵⁶ Meanwhile, in Washington. Norris conferred with Secretary of Agriculture, Henry A. Wallace, who, according to the Sun "showed genuine interest in the proposal to establish a prairie museum on the site of the nation's first homestead near here and suggested items of Indian historical interest be preserved there also."57

On January 22 Norris introduced S. 1307 in the Senate.⁵⁸ Norris' bill proposed that the sum of \$24,000 be appropriated to purchase the Freeman homestead to be designated as "The Homestead National Park of America." The bill proposed further:

* * * * * *

It shall be the duty of the Secretary of the Interior to lay out said land in a suitable and enduring manner so that the same may be maintained as an appropriate monument to retain for posterity a proper memorial emblematical of the hardships and the pioneer life through which the early

⁵² Beatrice Daily Sun, January 9, 1935.

⁵³ Letter, A. E. Sheldon to Norris, January 9, 1935. Norris collection.

⁵⁴ Letter, D. S. Dalby to Norris, January 28, 1935. Norris collection

⁵⁵ Letters, Novotny to the President of the United States, January 7, 1935; Novotny to Mrs. Eleanor Roosevelt, January 8, 1935. NA.

⁵⁶ Beatrice Daily Sun, January 20, 1935.

⁵⁷ Beatrice Daily Sun, January 14, 1935.

⁵⁸ Congressional Record, 74th Congress, 1st Session, 745.

settlers passed in the settlement, cultivation, and civilization of the great West. It shall be his duty to erect suitable buildings to be used as a museum in which shall be preserved literature applying to such settlement and agricultural implements used in bringing the western plains to its present high state of civilization, and to use the said tract of land for such other objects and purposes as in his judgment may perpetuate the history of the country mainly developed by the homestead law.⁵⁹

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On January 28 newly-elected Congressman Henry C. Luckey, of Lincoln, introduced H. R. 4878 (a bill identical with S. 1307) in the House of Representatives. The proposal was referred to the Committee on Public Lands.⁶⁰

Further support for Norris' and Luckey's bills came in February when the Nebraska Senate passed a resolution memorializing Congress to acquire the Freeman farm in Gage County for the purpose of establishing it as a National Monument to mark the filing of Homestead No. 1 of the United States and commemorate the development of the agricultural empire in the West.⁶¹

Following the introduction of his homestead bill, Senator Norris wrote Harold L. Ickes, Secretary of the Interior, seeking his support.⁶² This letter was referred to the National Park Service where A. E. Demaray, Acting Director, advised the Senator that the homestead proposal would be given further study. Demaray questioned, however, if the \$24,000 appropriation in Norris' bill would be in line with the administration's financial policy.⁶³

After being introduced in the Senate, Norris' bill was referred to the Committee on Public Lands and Surveys. Unlike previous homestead bills, Norris' proposal did not die in a congressional committee. It was reported back to

(Lincoln, 1935), 43-344, 358.

⁵⁹ S. 1307, 74th Congress, 1st Session.

⁶⁰ Congressional Record, 74th Congress, 1st Session, 798, 1,101.
61 Edmund B. Rogers, History of Legislation Relating to the National Park System through the 82nd Congress, Homestead National Monument; letter, Hugo F. Srb to President Roosevelt, February 11, 1935, NA; Senate Journal of the State of Nebraska, Fiftieth Session

⁶² Letter, Norris to Harold L. Ickes, January 25, 1935.
63 Letter, A. E. Demaray to Norris, February 6, 1935, NA.

the Senate with amendments. 64 The Committee endorsed the bill stating:

... This legislation seeks to preserve for posterity the historic emblems and relics of a period in our Nation's history which is rapidly being forgotten. The committee believes it is eminently proper that the events of this period should be preserved and while the place of commemoration might be selected anywhere in the country settled under the Homestead Act, yet it is fitting that the place selected for its preservation should be on the land which constitutes the first homestead entry made under the act.

* * * * * *

Under this act there have been taken up in original homestead entries more than 505,000,000 acres of land and an area in excess of 275,000,000 acres has gone to final proof and United States patents have been issued therefor.

It is expected, if this bill becomes a law, that this homestead will become a museum in which the literature, the implements of agriculture, the means of transportation, and all other past incidents of pioneer life of the period through which the western settlers had to pass in winning the great West, will be preserved to future generations.⁶⁵

The Committee made minor changes in the law. One significant change was in the title of the bill which was altered to read "Homestead National Monument of America in Gage County, Nebraska." The bill, with the amended title, passed the Senate on March 29.67

Congressman Luckey's bill, on the other hand, was still in the hands of the Committee on Public Lands in the House of Representatives. The passage of S. 1307 by the Senate paved the way for House action. On April 1, Ickes reported for the Department of the Interior on the two bills. He also recommended the change of the title of the proposed area from a National Park to a National Monument. He proposed further that the authorization for appropriations be struck out and provisions be inserted for acquiring the land by donation. Since Norris' bill had

 ⁶⁴ Congressional Record, 74th Congress, 1st Session, 646.
 65 Calendar No. 379, Senate Report No. 365, 74th Congress, 1st Session.

⁶⁶ Ibid.

⁶⁷ Congressional Record, 74th Congress, 1st Session, 4,682.

⁶⁸ Congressman H. C. Luckey, "Homestead National Monument of America," Nebraska History Magazine (January-March 1935), 49.

received the approval of the Senate, Luckey and Norris agreed to substitute S. 1307 for H. R. 4878.⁶⁹ Norris' bill was referred to the Committee on Public Lands in the House on April 3.⁷⁰ While it was in the hands of the Committee, both Norris and Luckey endeavored to get Ickes to reverse the Department's stand on the appropriation. After considerable negotiations, Ickes succeeded in getting the Bureau of the Budget to withdraw its objection to the budget difficulty so the Secretary of the Interior made a favorable report to the Committee on Public Lands.⁷¹ The Committee reported favorably on the bill to the House on June 12.⁷²

Meanwhile, Luckey was busy in the House securing support for the bill. All of the Nebraska Congressmen, together with Chairman Rene L. De Rouen and the members of the Committee on Public Lands came to his assistance.⁷³

Back at Beatrice, Novotny and his Homestead Park Committee likewise were endeavoring to get as much organized support for the measure as possible. He continued to write to Norris urging the passage of the bill. The Daughters of the American Revolution contacted organizations in 36 states asking them to get in touch with their respective Congressmen and Senators in support of the measure.

The sponsors of the homestead bill received a temporary setback when the bill came on the floor of the House. When it was debated there on August 15, Congressman Robert L. Bacon of New York objected to the proposal, on its first unanimous consent appearance, on the grounds that the State and not the Federal Government should es-

⁶⁹ Ibid., 50.

⁷⁰ Congressional Record, 74th Congress, 1st Session, 4,974.

⁷¹ Luckey, op. cit., 50.

⁷² House Report No. 1168, 74th Congress, 1st Session; Congressional Record, 74th Congress, 1st Session, 9,219.

⁷⁸ Luckey, op. cit., 50.

⁷⁴ Letters, Novotny to Norris, March 8, April 2, March 30, June 17, July 15, 1935. Norris collection.

⁷⁵ Beatrice Daily Sun, March 31, 1935.

tablish such monuments as that proposed in the bill. However, he finally withdrew his objection and allowed it to be passed over without prejudice. Learning of Bacon's success in preventing the passage of the monument measure, the park committee in Beatrice at once announced that pressure would be brought through New York City friends to bring the recalcitrant Congressman in line.

The supporters again attempted to force the bill through on August 22. However, at this time Congressman John Tabor, of New York, objected, but after a vigorous defense of the bill by Nebraska Congressmen Karl Stefan, Charles F. McLaughlin, and Luckey, it again was allowed to be passed over without prejudice. Congress adjourned before the House took final action on the measure.

Despite his failure to get the monument proposal through the House in the first session of the 74th Congress. Luckey did not give up the fight. "The bill is still on the house calendar," he stated in early September. "When we return next January, its status will be the same as in the closing days of the recent session—passed by the senate, approved by the house public lands and awaiting action."79 He stated that new efforts would be made to pursuade those who had blocked action on the bill in the closing days of the session, to withdraw their objections. Luckey added that if objections could not be removed, the Nebraska delegation would work as a unit to try to get a special rule permitting consideration of a rule which would allow consideration of the bill so that only a majority vote would be necessary to pass it. The bill, he said, was still on the consent calendar, where one objection could block consideration and three objections on its present appearance could kill it.80

⁷⁶ Congressional Record, 74th Congress, 1st Session, 13,319; Luckey, op. cit., 51.

⁷⁷ Beatrice Daily Sun, August 16, 1935.
78 Congressional Record, 74th Congress, 1st Session, 14,145-14,146; Luckey, op. cit., 51.

^{14,146;} Luckey, op. cit., 51.

79 Beatrice Daily Sun, September 4, 1935, page 1, column 2.

80 Ibid.

In early March 1936, after the second session of Congress convened in December of the previous year, a statewide meeting was held at Beatrice to plan strategy for pushing the homestead monument proposal through the House. At this meeting it was concluded that the strongest support of Senators Edward R. Burke and Norris, with the help of Congressman Luckey, was necessary before the bill could be passed by the House. People participating at the meeting were John Delehant, prominent lawyer, A. E. Sheldon, of the Nebraska State Historical Society, Novotny, chairman of the park committee, State Senator John Callan, Mrs. R. G. McCue, representing the Daughters of the American Revolution, Mrs. B. G. Miller, of Crete, instigator of Flag Day in Nebraska, C. L. Aller, Dr. E. F. Felters and T. D. Bradley.⁸¹

It was evident when the monument proposal again came before the House, on March 16, that the park committee and the Nebraska Congressional delegation had done their work well. There being no objection, the clerk read the bill before that legislative body. The bill was then read a third time and passed. A motion to reconsider it was laid on the table.⁸² After being signed by the Speaker, the measure was presented to President Roosevelt who signed it March 19, and the new legislation became Public Law 480, 74th Congress.⁸³

The authorization of Homestead National Monument by Congress received the enthusiastic approval of several of the leading Nebraska newspapers. The editor of the *Lincoln Star* wrote on March 17:

The bill, introduced and sponsored by Senator George W. Norris, of Nebraska, to make a national park of the Daniel Freeman homestead near Beatrice, emerged with congressional approval Monday and went to President Roosevelt for signature.

It is a worthy undertaking. . . .

⁸¹ Beatrice Daily Sun, March 6, 1936.

S2 Congressional Record, 74th Congress, 2nd Session, 3,791.
S3 Ibid., 3,846, 3,905, 5,411; United States Statutes at Large, 49:1184.

The hunger for land, for home, and for fireside did not start with the American Revolution. It was just as keen, just as sharp, and just as insatiable under older civilizations. But under feudal systems of government, under autocracies, and even enlightened monarchies, with many features of representative government, nothing quite comparable to the gift of free land took place in these older countries. Not until the close of the World war in fact in England were the great landed estates partitioned, and then only because the British government imposed such heavy taxation that the traditional old English country squire found it to his advantage to dispose of his holdings.

The symbolism of the Freeman homestead is that of a great migration which carried a mighty flood tide of home seekers westward and onward into the wilderness to take up land virtually as a gift from a beneficent government, conditioned upon the settlement and development of that land, the adaption of it to useful purposes, and ultimately the building of a vast civilized region.⁸⁴

In an editorial, which appeared in the March 26 issue, the *Omaha World Herald* expressed its hope that the proposed museum at the new monument would present a realistic picture of the Government land policies and their consequences:

In the museum of pioneer history to be established on the Daniel Freeman homestead in Gage county there is opportunity for the development of a realistic representation of our land settlement policies and their consequences. We are beginning to realize, in a vague kind of way, that our pioneering was not altogether good, that the perpetuation of some of the error in it now calls for rather drastic measures of correction. The museum should show in a graphic way both sides of the shield.85

The enthusiasm of the supporters of the monument proposal was dampened when it was learned that Congress did not appropriate funds to carry out the law. Again they turned to Norris for help. Novotny and Elmer L. Hevelone, both of the park committee at Beatrice, continued to write Norris, following the authorization of the area, urging him to secure funds to purchase the Freeman homestead.⁸⁶ On

⁸⁴ Clipping in the NSHS. 85 Clipping in the NSHS.

⁸⁶ Novotny to Norris, May 16, June 17, 1936; January 28, April 23, May 5, 1937; E. L. Hevelone, February 12, March 10, 1938, Norris collection.

February 16, 1938 in the third session of the 75th Congress, Norris obtained an amendment to the Interior Department Appropriation Act of 1938, stipulating that \$24,000 be included in the House bill 9306 for Homestead National Monument.⁸⁷ The Deficiency Appropriation bill, after going through a Conference Committee of the Senate and House, was finally approved by both bodies and signed by President Roosevelt March 5.⁸⁸

Meanwhile, in Beatrice, the monument committee and the National Park Service endeavored to negotiate for the purchase of the Freeman homestead. The law that established the Monument authorized the Secretary of the Interior to acquire it "by gift, purchase or condemnation." The negotiations with the Daniel Freeman heirs to buy the lands dragged on for months over the value of the land, so condemnation proceedings were finally instituted to acquire the property. 90

In mid-April, following the approval of the Deficiency Appropriation Act, Hevelone, now chairman of the monument committee, finally succeeded in procuring options to purchase the Freeman homestead. These options were accepted and authority was given Hevelone by the National Park Service to execute deeds by the owners which were subsequently effected. On October 18 the Freeman heirs received their checks totaling \$18,000 from the Government for the 162.73 acres comprising the Monument.

⁸⁷ Congressional Record, 75th Congress, 3rd Session, 2,010. 88 Ibid., 2,694, 2,761, 3,180; United States Statutes at Large, 52:88.

 ⁸⁹ Ibid., 49:1184.
 ⁹⁰ Memorandum, A. E. Demaray to Secretary of the Interior,
 March 11, 1938; letters Cammerer to Hevelone, March 21, 1938;
 Joseph T. Votava to Attorney General, March 24, 1938, NA.

⁹¹ Letter, Hevelone to Cammerer, April 16, 1938, NA.
92 Letter, G. A. Moskey to Hevelone, May 13, 1938; Hevelone to Moskey, May 21, 1938, NA.
93 Letter, Demaray to Carl McFarland, October 28, 1938, NA.

⁹⁴ C. C. Mullady to Mrs. M. Ruth Bishop, November 18, 1938; Beatrice Daily Sun, October 19, 1938.

The land having been acquired, all obstacles which stood in the way of its formal establishment were removed. On January 3 of the following year, in accordance with the act of March 19, 1936, Harry Slattery, Acting Secretary of the Interior, issued an order designating the lands comprising the Freeman homestead as "The Homestead National Monument of America." ⁹⁵

On October 4 of 1940, Clarence H. Schultz, Historian, Fort McHenry National Monument, entered on duty as the area's first Superintendent. He established a temporary office on the area. With Emergency Relief Administration help projects were set up to eradicate exotic weeds, erect control-check dams and move and plant trees and shrubs.⁹⁶

During 1941 considerable progress was made in the development of the area. Historical research work, begun by Charles Stout, Research Technician, several years earlier, was continued by Schultz. The E.R.A. constructed a temporary bridge leading to the headquarters. A temporary entrance road and parking area were built. The present brick utility building, which was to serve as official headquarters for the area until the present writing, was completed. One project inaugurated, which has stimulated considerable interest among the plant agronomists and plant ecologist throughout the Great Plains, was that to restore native grasses which were on the area in 1863.97

Work on the development at Homestead came to an abrupt end in December 1941 when the United States entered World War II. As the result of gasoline rationing, visitation to the area came to a standstill. Relief work on the area was sharply curtailed. Schultz went on military furlough in June 1942, and in November of that year Russell A. Gibbs entered on duty as Superintendent. With the

⁹⁵ Thomas Alan Sullivan, comp., Proclamations and Orders Relating to the National Park Service up to January 1, 1945 (Washington, 1947), 210.

⁹⁶ Monthly Report of the Superintendent Homestead NM, November 1940, NA.

⁹⁷ Monthly Reports of the Superintendent Homestead NM, 1940-1941.



Early Homestead Cabin, built in 1867 (Moved to Homestead National Monument)



Architect's Sketch (Courtesy National Park Service)

physical development of the area curtailed by both a shortage of funds and labor, Gibbs devoted much of his time to historical research relating to the Monument. Gibbs was transferred in July 1944 and the Service appointed Elmer L. Hevelone as Acting Custodian. Hevelone, a business man in Beatrice who had earlier played an important part in acquiring the land, did not have an office on the area, but provided it with minimum maintenance and custodial care for the remainder of the war. 99

Schultz returned from military furlough in early 1946. On inspecting the area he found that seeding and sodding of the area, which had been started in 1940 and had continued to some degree during the war, had been quite successful. The tree planting program, on the other hand, had not fared so well. In 1948 J. J. Bauxar, Smithsonian Institution, conducted an archeological excavation, in what proved to be a vain attempt, to find the remains of the early Freeman homestead cabin. During the same year, Gage County gave its museum collection to the area.¹⁰⁰

With more adequate funds becoming available, the tempo of the development at Homestead increased during the 1950's. In 1950 the Service acquired the two-story log homestead cabin from the Epard family and moved it to the Monument where it is now on exhibit. In the following year the Superintendent's residence was completed, and his subsequent residence there has afforded the area better protection. 101

The construction of State Highway No. 4 through the area and the erection of the new bridge across Cub Creek made it necessary for the Service to revise its plans for the

⁹⁸ A series of historical studies by Gibbs based on historical research are in the files of Homestead NM. Technical coordination of these reports was provided by Acting Regional Historian Merrill J. Mattes.

 $^{^{99}\,\}mathrm{Monthly}$ Reports of the Superintendent Homestead NM, December 1941 to June 1944.

 $^{^{100}}$ Monthly Reports of the Superintendent Homestead NM, March 1946 to December 1949.

¹⁰¹ Monthly Reports of the Superintendent Homestead NM, January 1950 to December 1953.

development of the Monument. The new highway resulted in the obliteration of the temporary bridge and road which were constructed in 1941.¹⁰²

In the same year, Schultz transferred to George Washington Carver National Monument, Missouri, in May. George Blake, Park Ranger, Mammoth Cave National Park in Kentucky, succeeded him in September as Superintendent.¹⁰³

In 1956 the National Park Service inaugurated MIS-SION 66. This program is designed to assure the maximum protection of the scenic, scientific, wilderness and historic resources of the National Park System in such ways and by such means as to make the mavailable for the use and enjoyment of present and future generations.

In conformity with this program, Homestead National Monument expedited its plan to implement the objectives of the legislation in establishing the area. These were "to retain for posterity a proper memorial emblematical of the hardships and the pioneer life through which the early settlers passed in the settlement, cultivation, and civilization of the great West."¹⁰⁴

The period from 1956 to 1960 was largely one of planning. In March 1956 Blake transferred and Ralph K. Shaver, Park Ranger, Great Smoky Mountains NP, succeeded him as Superintendent. As a part of the staffing under the MISSION 66 program, the Service employed Donald G. Warman as Historian. Following the transfer of Shaver in April 1959, Warren D. Hotchkiss, Management Assistant, Rocky Mountain NP, became Superintendent in September of that year.¹⁰⁵

¹⁰² Monthly Reports of the Superintendent Homestead NM, January to December 1954.

¹⁰³ Monthly Reports of the Superintendent Homestead NM, May to September 1954.

¹⁰⁴ Public Law No. 480, 74th Congress.

¹⁰⁵ Monthly Reports of the Superintendent Homestead NM, March 1956 to September 1959.

Since the end of World War II, visitation to the area has greatly increased:

1947 — 1,992 1950 — 3,408 1953 — 14,710 1955 — 18,854 1960 — 18,687

The staffing of the area has likewise developed. In the early years, the Monument was a one-man operation in which the Superintendent served as an administrator, typist, research historian, interpreter, ranger, and maintenance man. The present staff of the area includes three permanent employees, a Superintendent, Historian, Clerk-Typist, and three seasonal employees.

As the result of an appropriation of \$327,600 for construction and rehabilitation, the Service, in 1961, translated its plans into action. At the present time a visitor center is nearing completion which will include exhibits relating to the early homestead days, an audio-visual room and administrative offices. The plans also include an additional employee residence. The sponsors of the Homestead NM are about to realize their long-cherished goal of erecting "suitable buildings to be used as a museum in which shall be preserved literature applying to such settlement and agricultural implements used in bringing the western plains to its present high state of civilization, and to use the said tract of land for such other objects and purposes as in his judgment may perpetuate the history of the country mainly developed by the homestead law." 106

¹⁰⁶ Public Law No. 480, 74th Congress.