

# Clay County Historical Society

Volume XXX No. 3

Clay County Historical Society Newsletter

May/June 2007



*Celebrating*  
**75**



**Clay  
County  
Historical  
Society**  
**1932-2007**

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Above: Clay County native Mary Conroy moved from Riverton Township to stake a homestead claim northwest of Williston, North Dakota, about 1908. She successfully proved up and received 160 acres of U.S. government land June 10, 1913. Who was the last person to claim a homestead in Clay County? See the story on page 8.

## CLAY COUNTY HISTORICAL SOCIETY



Hjemkomst Center, 202 1st Avenue North,  
PO Box 501, Moorhead, MN 56561-0501

Phone: 218-299-5520

[www.info.co.clay.mn.us/history](http://www.info.co.clay.mn.us/history)

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## President's Message

By Darren Leno, CCHS President



When I was kid growing up in Moorhead, I used to complain that there was "nothing to do in this town." But in hindsight, I now realize that the problem wasn't with the community; the problem was that I didn't get out and take advantage of all the stuff there was to do.

Clay County and the Moorhead-Fargo area are home to a number of hardworking non-profit organizations and local events that add tremendously to the quality of life of our communities. Be sure to take advantage of what they have to offer this summer. It's a great way to support these organizations and have a great time.

Here's a short list of things to do. Pull it out and take a look when you're not quite sure what to do with yourself.

- Your Clay County Historical Society has a wonder exhibit presently on display in the basement of the Hjemkomst Center.
- Visit the CCHS website at [www.clayhistory.org](http://www.clayhistory.org) and download a copy of the Red River Walking Tour. Then take a bike ride along the river and see the sites.
- Take the kids or grandkids to the Cass County Historical Society's Bonanzaville in West Fargo. More info at [www.bonanzaville.org](http://www.bonanzaville.org)
- Visit the Historic Comstock House. <http://www.mnhs.org/places/sites/ch/>
- Be sure to come to the Scandinavian Fest at the Hjemkomst Center, June 22-24. Be sure to visit the Berguist Cabin, which will be open Friday and Saturday during the Fest. <http://www.scandinavianhjemkomstfestival.org>
- Take a stroll through the historic Prairie Home Cemetery along Moorhead's 8<sup>th</sup> Street.
- Visit the Fire Engine Museum in Barnesville, and visit the Clay County Fair (Sept. 8-16) in Barnesville.
- The Gooseberry Park Players are celebrating 25 years in 2007. Learn more about their production at <http://www.gooseberryparkplayers.org>
- Visit the Rourke Art Museum and Gallery. Call 236-8861 for more info.
- Go to the Plains Art Museum. [www.plainsart.org](http://www.plainsart.org)

- Take in a movie at the Fargo Theater.
- Enjoy the Red River with a ride on the S.S. Ruby, or rent a kayak or canoe. [www.riverkeepers.org](http://www.riverkeepers.org).
- Take in the Old Fashioned 4<sup>th</sup> of July celebration at MSUM, visit the MSUM planetarium, take in a Straw Hat Players show, as well as Trollwood Performing Arts School's summer production.

This is a very short list, and I apologize in advance for all of the things that I've missed. But I hope the point is made: summer is short, and the list of things to do is long. Please get out, have a good time, and make some memories for yourself and your family. I don't want to hear anyone tell me that there's nothing to do this summer. The real problem is that summer is too short to do it all.

**Clay County Museum Hours: 10-5 Monday-Saturday, 10-9 Tuesday, 12-5 Sunday**

**Hjemkomst Center, 202 1st Avenue North, Moorhead, MN ♦ FREE ADMISSION**

# Clay County History Tour scheduled for September 15

As part of our 75th Anniversary celebration, the next CCHS history tour will explore the fascinating sites of Clay County! CCHS Archivist Mark Peihl will lead the tour on Saturday, September 15.

Enjoy learning about historic sites in Clay County aboard a deluxe motor coach. The tour will depart from the Hjemkomst Center at 8:00 a.m. and will visit several historic sites in Moorhead before venturing out to other sites in the county.

"Paper" town sites along the Red River, such as Lafayette, will be noted on the tour, as well as ghost towns like Catton. Other sites will include the Probstfield Farm, the Hudson's Bay Company post, and the Gantz Reservoir, pictured at right during construction, about 1907. The reservoir was developed to provide a source of water for steam locomotives and the City of Dilworth.

We will also visit the new Viking Sword Museum in Ulen! The historical society in Ulen and Ulen residents have worked hard to accomplish the construction of a new building for their collection documenting the history of that area.

The cost of the tour has not been set, but will include bus fare, morning coffee and rolls, and lunch. Registration deadline will be Friday,

September 7. To register, call 218-299-5520 or send your name, address and phone number to CCHS, PO Box 501, Moorhead, MN 56561.



## Scandinavian Festival hosts Rosemaling and weavings exhibits through July

This beautiful display in the hall case on the Hjemkomst Center's third level compares exquisite and diverse styles of rosemaling by award-winning artists and teachers from Norway and the U.S. You can see the display through July 29. The display is sponsored by the Nordland Rosemaling Association.

The display is one part of the 30th annual Scandinavian Hjemkomst Festival, June 22, 23 and 24 at the Hjemkomst Center. This year's Festival featured Norwegian arts, food and culture in a "Voyage of Discovery," the 2007 Festival theme.

The Festival program celebrated Scandinavian art and design with this description:

Trade spreads culture, and nowhere is that more apparent than in the arts—the meeting ground for minds, hearts, beliefs, and influences as diverse as the countries roamed by the Vikings.

The arts in Scandinavian countries span decades, centuries, millennia. The simple fiddle tune may be an

echo of a Viking voice skipping across the water's surface. A Swedish ballad may be an echo of voices calling a message from hill to hill in the centuries before technology changed us irreparably. The complexity of a weaving may reverberate with the colors of the forest in Norway, the moss of the Emerald Isle, and the spice of a distant market.

To explore Scandinavian arts is to see the present mirrored through the past on a direct tangent to the future—a piece of music, sculpture, painting or film is three-dimensional in time as well as space.

Another exhibit on display through July 30 at the Spirit Room on Broadway in downtown Fargo is "Journey," tapestries by Norwegian artist Grete Bodogaard. Her weavings are inspired by a sense of place acquired through travel and home, including her childhood above the Arctic Circle. The Spirit Room is open daily 1:00-5:00 pm. The display is sponsored by the Spirit Room Galleries.

# Donations January-June -Thank you!!

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## Memorials

In Memory of Pearl Nyquist—Sherry Watt, Glyndon  
In Memory of Amy Larson—Arnie Ellingson

## Endowment

Chris & Ellen Velline, Torrance, CA  
Helen Rudie, Fargo  
LaVerne Halverson, Minneapolis, MN

## Donations for Programs by Staff

Valley Vintage Car Club, Fargo  
Home Builders Association of Fargo-Moorhead  
Cooperative Living Center, West Fargo  
Sons of Norway, Kringen Lodge, Fargo  
Hagen Township, Ulen, MN  
Fine Arts Club, Fargo  
Climax, MN Community Club  
Sand Hill Settlement Historical Society, Climax, MN  
Barnesville Senior Citizens

## 75th Anniversary Projects

Don & Alvina Lein, Glyndon

## Collections Funds

Don & Alvina Lein, Glyndon—Collections  
Warren Brendemuhl—Buffalo Fire Engine  
Sara Pudas, Champlin, MN—Buffalo Fire Engine  
Sherry Watt, Glyndon—Bergquist Cabin  
First National Bank of Hawley—District 3 School

## Annual Fund Drive

Norman B. Akesson, Davis, CA  
Dr. Geoff Bentley, Hawley  
Lois Selberg, Moorhead  
Alvin & Diane Swanson, Moorhead  
David Watt, Moorhead  
Paula Kay Johnson, Moorhead  
Dudley C. Wells, Moorhead  
Orval Hurner, Moorhead  
Yvonne C. Condell, Moorhead  
Alvera Murch, West Fargo  
Ben E. Brunsvold, Moorhead  
LaVerne Halverson, Minneapolis, MN  
James & Dorothy Powers, Fargo  
Pearl & Vern Quinnild, Barnesville

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## Win a Framed Art Print! Help Build CCHS Membership to 750

(No purchase necessary)

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## 75th Anniversary Membership Challenge

You could win a framed art print just for introducing a friend or family member to the Clay County Historical Society!

CCHS has set a goal to increase our membership from 500 to 750 in honor of our 75th Anniversary in 2007. This means we would like to greet 250 new individuals, families and business to the Clay County Historical Society.

To meet this goal, the historical society is entering the names of all new members through 2007 in a drawing for a framed art print! The print will be a nostalgic scene to reflect the rich history and heritage of this area that the historical society

exists to preserve.

Current members also have the opportunity to be entered for this fabulous prize! Any CCHS member who recruits a new member will also have their name entered for each new member registered by them. Just make sure that your name is included with the registration of each new member you bring to CCHS.

We know you will want to help CCHS achieve this goal of increasing our membership and becoming better able to preserve Clay County's history. Start now with the membership form on page 15 of this newsletter!

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# Get your 75th Anniversary Merchandise!

## Anniversary T-shirts

Help spread the word about our Diamond Jubilee and promote the Clay County Historical Society with this attractive, 100% cotton white t-shirt! In four sizes: M, L, XL, and XXL.

The front design is a rich purple and gold screen print, and the back of the shirt sports our catch phrase, "What Is It?" Only \$10!

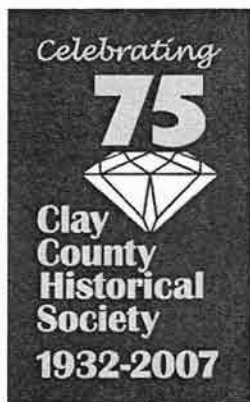


## Win \$750! - Diamond Jubilee Raffle

You could win the Grand Prize of \$750 in the Diamond Jubilee Raffle, one of the fundraisers for the 75th Anniversary Fund Drive! Raffle tickets are for sale now, available at the CCHS Office, from CCHS Board Members, at CCHS-sponsored events, and at CCHS booths at upcoming summertime community events. We currently plan to have a booth at the MSUM Old-Fashioned 4th of July, the Clay County Fair, Dilworth Loco Daze, Ulen Turkey Days, Glyndon Daz, and Barnesville Potato Days. Ten \$75 first prizes will also be awarded. Who can't use crisp, green cash?! 1,000 tickets will be sold at \$10.00 each. Buy yours now!

## 75th Anniversary Buttons

Another way to help us celebrate our 75th Birthday and spread the word, is by wearing a 75th Anniversary button! The buttons are an attractive 1-3/4" x 2-3/4" rectangle shape with the diamond design and rich purple and gold colors of our anniversary. The buttons are available free at the Clay County Museum.



## Silent Auction

Great items are being collected for the silent auction at our Birthday Bash, Friday, October 5! Bidders will have a chance at the items listed below that have been promised and/or already collected, plus many other valuable items that we will keep you posted on.

- 75th Anniversary Jubilee Quilt
- Mighty Red Quilt
- North Star State Quilt
- 1883 Harper's Weekly print, "Mining Life in Colorado"
- 7-foot, lighted Christmas Tree
- Pillow covers made with 75th Anniversary quilt blocks
- Handmade glass tile
- Handmade glass snowflake
- Handmade wood duck houses
- Carved wooden bowl with Norwegian design trim by Guy Paulson
- Carved items from members of the Red River Valley Woodcarvers club
- Handmade bobbin lace by Pam Burkhardt
- Mary Kay cosmetic products

75th Anniversary Jubilee Quilt

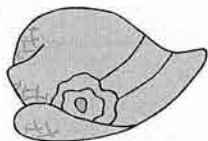


## Outreach Displays

	<u>Open</u>	<u>Close</u>
Hawley Public Library	April	July
Moorhead Public Library	April	July
Barnesville Public Library	April	July
Fargo CVB	May	October

The Hawley Public Library's second photo display MOORHEAD 1923 features Moorhead photographer O.E. Flaten. Flaten photographed the exterior of buildings in downtown Moorhead in July and August of that year. You might be familiar with these images. Flaten used a number of these in postcards.

Moorhead Public Library patrons can go back in time courtesy of Hawley photographer S. P. Wange. Wange took interior shots of Hawley businesses in OCTOBER 1917. What was Hawley up to?



HATS are on display at the Barnesville Public Library. You will find hats, caps and bonnets from the 1880s to the 1960s. Find one worn at the Minnesota State Fair and one worn on a downhill trip and another associated with music.

Tourists will have FUN IN THE SUN at the CVB (Convention and Visitors' Bureau) in Fargo this spring and summer. Area visitors can attend ballgames, visit parks, fish and swim. The options are endless. Dogs are not forgotten either!



## IN-HOUSE DISPLAYS

The 2007 Scandinavian Hjemkomst Festival will have displays featuring Norway in both level-three hall cases from mid-May to late July.

Beginning in August, CCHS will feature the following collections in the level-three hall cases, as part of the 75th Anniversary exhibition:

WWI military items from the **Walter & Agnes Manning Collection** (2001)

The **Ralph & Elsie Lee Collection** (1998)

The [Mrs. Albert] **Carlson Collection** (1937) and the **Agnes and Dora Gunderson Collection** (1984)

**Elsie Welter Collection:** Includes some of the millinery supplies Elsie used to make and wear her own hats.

\*as always, dates and topics are subject to change

## Artifacts & Donors

### March and April 2007

#### Donors:

Moorhead: Mark Voxland, Lloyd & Beverly Paulson, Dick Helland

Felton: Londa and Loren Ingebretsen

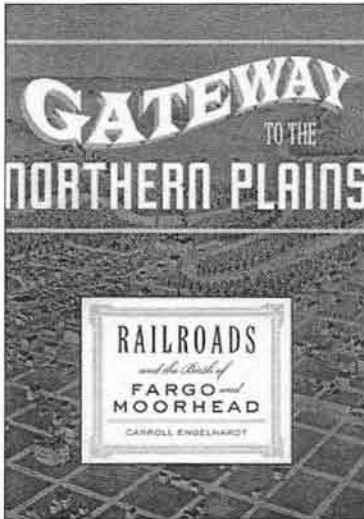
Hawley: Bob Brekken Estate, Happy Old Timers-Hawley Senior Citizens

Fargo, ND: Paul Rustad, Olive Lind and Tom Garber, Kenneth B. Nelson, Ruth Franzen

Detroit Lakes, MN: Kenneth Christianson

**Artifacts:** boxes of items relating to the Hawley area produced or collected by Bob Brekken; Rose E. Johnson farm records and rural school materials; 3-ring binder w/information on the famous Helland family, makers of violins; (2) color photocopy prints of Targe Kleiv families; (2) scrapbooks from around 1989-2003 containing photos of the Bergquist Cabin and the Scandinavian Hjemkomst Festival activities held there; Highland Grove church minute book, small flag possibly used on a teacher's desk, framed patriotic print from the Solem Elevator Co., Hitterdal; photo print of Olaf Lovo who lived in Eglon Township in the 1940s; box of records of Twilight Lodge #142, IOOF from around 1898-1939; CD dated 1988, produced by the Norwegian Cultural Council containing music by Norwegian violinist Ole Bull (1810-1880); flyer, *Zetterberg's Bargains* [Moorhead], produced between 1934-1938 advertising groceries; (6) bobble-head figures commemorating Power Bowls IV, V and VI (2002-2004) as part of Greater Moorhead Days activities; a Bethany Fellowship lefse maker in the original box and in working condition.

# New Guide to the Growth of Moorhead and Fargo



Professor Emeritus of History at Concordia College, Carroll Engelhardt is pleased to announce the publication of *Gateway to the Northern Plains: Railroads and the Birth of Fargo and Moorhead*. In addition to other research, Carroll spent many hours in front of the microfilm machine in the CCHS Archives gathering facts and data for this impressive volume.

From the University of Minnesota Press:

*Gateway to the Northern Plains* chronicles the story of Fargo and Moorhead's birth and growth. Once just specks on the vast landscape of the Northern Plains, these twin cities prospered, teeming with their own dynamic culture, economy, and politics. Moorhead was the first, boosted by railroad manager Thomas Hawley Canfield, who touted it as superior to Fargo. Amid disputes and deals with entrepreneurs, the railroad company provided land for public schools and churches to speed the refinement of the settlement. Despite Moorhead's earlier start, Northern Pacific Railway chose Fargo as its headquarters, and it became the "Gateway City" to North Dakota.

Development in the cities was not always harmonious. As the population increased, so did the pressure to conform to middle-class values. Residents joined together to create community churches and schools, clashing with migratory harvest workers, usually single men, who patronized saloons, brothels, and gambling dens. Outraged citizens worked to eliminate such antisocial behavior and establish moral order.

Though the dominant Twin Cities to the south limited Fargo and Moorhead's size and success, settlers from far and wide poured in, creating a diverse population and vital culture. There are many histories of major U.S. cities, but in *Gateway to the Northern Plains* Engelhardt reveals how the small cities of the plains have made their mark on the country as well as on the reality—and the myth—of the American West.

# County Community Events Guide 2007

Along with summer comes community gatherings, reunions and anniversary commemorations! These events are all part of the heritage and history of Clay County, and they're also just plain fun, so we've compiled a list of the events on our calendar for your convenience. We also plan to have a booth at many of these events so we can get out in your communities and see what's happening and hear from you what you'd like to see at the museum! Please do let us know if we've missed something.

## June

- 2 Breakfast on the Farm, Hawley
- 2-9 Hawley Rodeo Fest
- 16 Felton Field Days
- 22-23 Hitterfest, Hitterdal
- 22-23 Bergquist Cabin Open House, Moorhead
- 22-24 Scandinavian Hjemkomst Festival, Moorhead

## July

- 4 MSUM Old-Fashioned 4th of July, Moorhead
- 12-15 Clay County Fair, Barnesville
- 22 Oak Mound 4-H 75th Anniversary, Georgetown
- 27-28 Dilworth Loco Daze

## August

- 11 Glyndon Daz
- 18 Ulen Turkey Days
- 24-25 Barnesville Potato Days
- 26 District 3 School Reunion, Rollag
- 31 Western Minnesota Steam Threshers Reunion, Rollag

## September

- 1-3 Western Minnesota Steam Threshers Reunion
- 15 CCHS Clay County History Tour
- 22 Bonanzaville Pioneer Days
- 29 MSUM Homecoming

# The Last

By Mark Peihl, Archivist

This May 24 marked the 145<sup>th</sup> anniversary of the passage of the Homestead Act of 1862. One of the most influential congressional acts in history, the Act provided a way for average people with little capital to acquire land in the American west. It was a huge factor in the development of the country, and of Clay County. Though it was amended many times, the Act generally allowed folks to acquire up to 160 acres of public land for free (except for a small filing fee) if they lived on it for five years and made improvements. The U.S. government gave away 270 million acres under the Homestead Act. That's about 10% of the country.

Recently, I began wondering, "Who was the last person to receive a homestead in Clay County?" The search took some interesting turns which illustrate the complexity of the homesteading process and the various ways the government disposed of this vast public domain.

In 1851, the Sisseton and Wahpeton bands of Dakota ceded their lands in southwestern Clay County to the U.S. government. In 1855, the Mississippi, Pillager, and Lake Winnibigoshish bands of Ojibwe ceded their lands in the northeast part of the county. These properties had to be surveyed before the government could sell or distribute them. In 1859, General Land Office surveyors laid out all the township and range lines in the county and the section lines in the western tier of townships. In 1870 and 1871 surveyors laid out the section lines in the remaining county townships.

Clay County settlers acquired government land through various methods besides homesteading. Land in the western tier was opened for sale in 1864. Under the Cash Entry Sale Act of 1820 speculators snapped up much land at \$1.50 per acre. Many others claimed land with "Sioux Half-Breed Scrip." Various treaties had guaranteed people of mixed White and Dakota heritage certain amounts of public land. Speculators bought or otherwise appropriated scrip from these folks and used it to acquire large tracts.

In order to facilitate the completion of the Northern Pacific Railway, the U.S. government gave the railroad a

grant of land to sell to pay for construction. In Clay County this included the odd numbered sections for 20 miles either side of the tracks. Land close to railroads was considered more valuable. After the NPRy received its land grant, government land here sold for \$2.50 per acre. Over 76,700 Clay County acres were taken through Cash Entry sales.

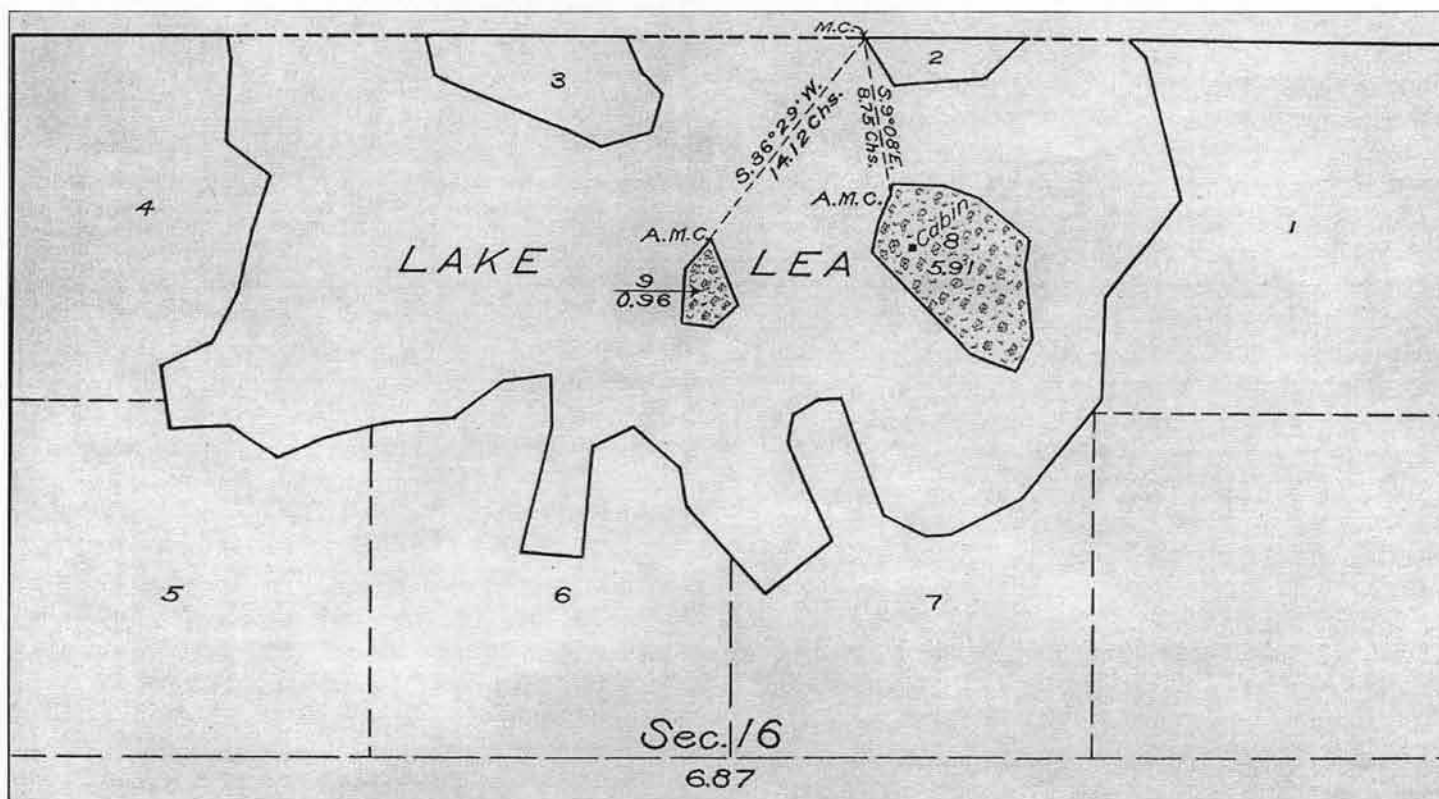
Of the remaining even numbered sections, the U.S. government gave the state of Minnesota sections 16 and 36 in each township to sell to pay for schools. In some cases, the odd numbered sections or 16 and 36 were covered with lakes or had already been taken by land seekers. The railroad and state received "indemnity lands" in other places in their stead.

In order to encourage tree planting in the west, Congress passed the Timber Culture Act in 1873. This allowed folks to acquire more land by planting and keeping alive a certain number of trees. Clay County settlers acquired over 52,000 acres through the Timber Culture Act. (Watch this space for a future article on Tree Claims in Clay County.)

But homesteading was the most popular way for Clay County settlers to obtain federal land. Here over 1,200 folks received nearly 174,000 acres of land through the Homestead Act - more than Tree Claims, Scrip or cash sales combined. A claimant selected a parcel of land, then traveled to the local Land Office to file an application. (The Nebraska State Historical Society has a nice web page describing the homesteading process, [http://www.nebraskahistory.org/lib-arch/services/refrence/la\\_pubs/landlaw7.htm](http://www.nebraskahistory.org/lib-arch/services/refrence/la_pubs/landlaw7.htm). Information here is from that page.) This was called "making an entry." The applicant was an "entryman." A filer had to be over 21 and either a U.S. citizen or had to have filed a Declaration of Intent to Become a U.S. Citizen. Single women and widows could file. About 5% of successful Clay County homesteaders were women. Upon paying a small filing fee the entry was recorded in the land office records.

The homesteader had to live on the land for five years and make improvements. These could include building a

# Homestead



U.S. General Land Office Cadastral Engineer Earl Harrington's 1923 plat of two islands in Eglon Township's Lea Lake. Dr. Charles Simison filed a homestead claim on the smaller of the two islands in 1925 and received the property in 1927. He also acquired the larger of the islands.

home and other outbuildings, clearing and plowing land and putting in crops. At the end of his five years (but before seven years) he filed a "notice of intention" to prove he had completed his legal obligations (called making final proof or "proving up"). This notice was published in a local newspaper. If there were no contests against his claim, he returned to the Land Office and filed his proof. This included an affidavit describing his residency and improvements. Two witnesses also signed similar affidavits on his behalf. If everything worked out, the claimant received a final certificate for his claim, a copy of which was sent to the Commissioner of the General Land Office. The office then issued him a patent to his land, the well-known homestead document often found in family papers. Several months or years might elapse between the time the final certificate and patent were issued. The claimant then had a patent deed filed

with the county register of deeds.

In some cases the entryman changed his mind before proving up, "commuted" his claim to a cash sale and just forked over the money. Many others simply gave up and "relinquished" their claim, making the land again available for others to file on. Of the two million people who filed homestead claims in the U.S., only about 40% "proved up" and received their land.

All of the paperwork regarding the claim (successful or not) was filed in a single "Land Entry File." These are held by the National Archives and Records Administration. They can be gold mines of information for genealogists and other researchers. (Copies can be ordered from

Continued next page...

## Last Homestead, cont. from page 9

NARA's website. Currently the price is \$17.75 per file, but the price may be going up soon.)

Among the first Americans to file a homestead claim was Daniel Freeman of Beatrice, Nebraska. The National Park Service's Homestead National Monument of America now commemorates his claim. According to their website, Freeman allegedly "filed his claim 10 minutes after midnight at the Land Office in Brownville, Nebraska on January 1, 1863, the first day the Homestead Act went into effect."

So, who was first homesteader in Clay County? Well, it depends if you mean who filed first or who proved up first. On June 17, 1868, county pioneer Randolph Probstfield filed a claim on a parcel a mile east of present day Georgetown, but relinquished the claim 2½ years later. (Early in 1869, Probstfield filed another claim on land on the Red River in Oakport Township. He later commuted this claim and bought the property.)

Another county pioneer, Edwin R. Hutchinson, was the first filer who successfully acquired his land. He filed on a parcel a mile southwest of Georgetown, February 1, 1869. Hutchinson proved up November 23, 1874. However, John Jesten filed a claim on the area around present-day Moorhead's Gooseberry Park. Though Jesten filed 10 months after Hutchinson, he proved up on November 10, 1874 – two weeks before Hutchinson – making him the first to live on his land for five years and prove up.

Meanwhile, however, out in Hawley Township, Thomas S. Baker filed a claim July 1, 1872. As a Civil War Veteran, he was allowed to put his years in service toward the five years he had to remain on the land. He proved up on July 16, 1873, before either Hutchinson or Jesten.

There were a number of women who inherited claims from their husbands who had died before proving up. But the first Clay County lady to file and acquire a claim in her own name was Jane C. Woodward. She filed on an 80-acre parcel in Hawley Township southwest of Silver Lake on January 4, 1876, and proved up March 1, 1881. Her older brothers had come from New York and taken claims nearby in 1873. Jane arrived with her widowed mother in 1874 and took her own claim. Her sister Abbie bought a quarter section and her sister Lucie later homesteaded in Egdon Township.

Clay County homesteaders were most active in the late 1870s and 1880s. The U.S. Government issued over two-thirds of the homestead patents for Clay County claims in the ten years between 1882 and 1891 (168 in 1885 alone). Before and after those dates the numbers drop off quickly.

By 1900, very little land was left for homesteading in Clay County. After 1906, only four claims were proved up. On August 31, 1908, Gustav Andriasson proved up on his claim to the se ¼ of section 4, Spring Prairie Township. He had filed in 1901. Andriasson had had a hard time of it. In his Homestead Proof affidavit he describes his 160 acres as "low prairie land" of which he "seeded from 15 to 35 acres every spring since 1901, but the water has drowned the crop each season except one. This year I am summer fallowing the land." The 42-year-old bachelor described his improvements: "I built the house in which I now live in summer of 1901, but there was a house on the land when I filed on it in which I was living at the time. House 12x14 ft. one story. Barn 14x16 and two sheds attached 14x16, 15 acres fenced. Well (flowing), about 35 acres plowed land, aggregate worth at least \$550.00. I also have a lot of trees planted."

But Andriasson was not the last to take a claim. On October 24, 1917, Ole Arre filed on the nw ¼ of the sw ¼ of section 24 in Flowing Township. Arre carefully followed the rules. His Land Entry File includes a "Notice of Beginning of Absence from Homestead Entry" notifying the General Land Office that he intended to move off his homestead for "a period not to exceed five months beginning April 19, 1919." His Homestead Proof affidavit indicates he and his family spent April 19 to July 12, 1919 "working on other lands, rented, about two miles distant from this homestead." His proof was approved and he received his patent September 26, 1922. When his notice to prove up appeared in a newspaper in June 1922, *Ulen Union* editor Ole Reiersgord quipped that "This no doubt, is to be the last final proof of homestead to be made in Clay County." It nearly was.

An 1872 amendment to the Homestead Act granted Union Civil War veterans who had claimed less than 160 acres the right to additional acreage up to 160 anywhere in the country. Subsequent court rulings determined that, not only did the vet not have to live on the additional land for 5 years, make improvements, etc. to claim it, but that he could assign his right to all or part of those acres to another person who could then acquire the land.

Continued next page...

## Last Homestead, cont. from page 10

Parcels of land abutting irregularly shaped rivers or lakes are not neat rectangular properties which can be described, for instance, as "northwest quarter of the southwest quarter of section 2." Instead, these parcels are described as "government lots" (numbered 1 or 2 or 3, etc.) of section 2. Lea Lake covers part of the north half of section 16, Eglon Township (see the map on page 9). The inundated parcels, which in most sections would be 80-acre plots called "the northwest quarter of the northwest quarter" or "the southwest quarter of the northwest quarter," etc., are irregularly shaped government lots 1-7.

When government surveyors measured Eglon Township in October 1870, they missed two islands in Lea Lake. The islands belonged to the U.S., but were not available for homesteading because they had not been surveyed. A few months after Ole Arre proved up on his claim,

Hawley physician Charles W. Simison contacted the General Land Office requesting a survey of the missed properties. In July 1923, U.S. Cadastral Engineer Earl Harrington surveyed the islands and designated the eastern island "government lot 8" (5.91 acres) and the western one "government lot 9" (.96 acres).

Here's where things get a bit complicated. Please bear with me. On June 1, 1869, Henderson Hood, formerly a Corporal in Company M, 1<sup>st</sup> Arkansas Volunteer Cavalry, filed a homestead claim on an eighty-acre parcel in Carroll County, Arkansas. He proved up and later moved to California. On October 10, 1898, Hood assigned his entitlement to the additional 80 acres to a G. W. Penn. A month later Penn, in turn, assigned the rights to Frank P. Stubbs, Jr. On November 15, 1899, Stubbs used this assignment to file a claim on a 78.24 acre parcel in Ouachita Parish, Louisiana. On August 9, 1924, Stubbs sold the rights to the remaining 1.76 acres to Edwin W. Spalding of Washington, D.C. On February 13, 1925, Spalding assigned his rights to Oden T. Wick of Duluth. Wick sold the rights to .96 acres of the remaining 1.76 acres to Dr. Simison. On March 4, 1925, Simison used this assignment to file a claim on the western island in Lea Lake, lot 9. (Wick's rights to the remaining .8 acres were apparently never used.)

The story does not quite end there. In October 1923, Simison had also filed a claim to the larger island (lot 8) under the provisions of another obscure federal law which I'm not going to go into now. On February 3, 1925, Oscar W. Olson, who owned lots 1, 2, 7 and the east half of section 16, Eglon, filed a protest with the Department of Interior. Olson claimed that since section 16 was a "school land" section it had been given to the state of Minnesota to sell and was therefore not the U.S. government's to give away. The south side of Lea Lake is quite shallow. Olson also claimed that, in the 1920s, the level of the lake had dropped to the point that the islands had "disappeared as such, and that most of the year said islands are connected with the former shore so that a person can drive to and from the same with an automobile without going through any water. [And] that said islands most of the time are in fact a part of the shore lands," which Olson owned. He claimed the islands were his.

The Interior Department rejected both claims. When Minnesota received section 16, the state also received indemnity lands for the property covered by Lea Lake. Since Minnesota had already been compensated for the

Cass Lake 013824

4-1000-11.

**The United States of America,**  
To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at **Cass Lake, Minnesota,** has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of **Charles W. Simison, assignee of Henderson Hood,** has been established and duly consummated, in conformity to law, for the **Lot nine of Section sixteen in Township one hundred thirty-nine north of Range forty-four west of the Fifth Principal Meridian, Minnesota, containing ninety-six 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 claimant the tract of Land above described, TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereto, unto the said claimant and to the heirs and assigns of the said claimant forever.

IN TESTIMONY WHEREOF, I, **Calvin Coolidge,** 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, in the District of Columbia, this **FIRST** day of **APRIL** In the year of our Lord one thousand nine hundred and **TWENTY-SEVEN** and of the Independence of the United States the one hundred and **FIFTY-FIRST**

By the President: *Calvin Coolidge*  
By *W. P. LeRoy* Secretary

RECORD OF PATENTS: Patent Number **999438**

Dr. Charles Simison's patent on government lot 9, section 16, Eglon Township – the last homestead claim issued in Clay County.

Continued on page 13...

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**Last Homestead, cont. from page 11**

lake-covered area, including the unsurveyed islands, the state had no claim to them. They were U.S. government property and, once surveyed, could be disposed of.

Olson's claim that they no longer were islands was also without merit. Surveyor Harrington wrote in his survey report,

The islands are from 5 to 20 feet above the mean high water mark of the lake and are covered with highland timber consisting of ash, elm, basswood and oak and undergrowth of alder and willow.

The age of an oak on the island designated as lot 8 was determined by counting the annual rings of growth. This tree was found to be over 80 years old. The height above the mean high water mark and the age of the timber shows that the islands existed prior to 1858 when Minnesota was admitted to the union and 1870 when the township was subdivided. The remains of decayed stumps also indicate that the islands were in place at the earliest date involved.

The high water mark of the lake is well defined. The water level at the time of this survey was executed was about 3 feet below the high water mark as indicated by the timber growth and the well defined bank...

From all indications the islands were in place in

1858...and 1870...and separate from the mainland by definite expanses of water at said dates.

Legally, they were still islands and Olson had no claim to them. Dr. Simison received his homestead patent to the lot 9 island April 1, 1927. It was the last such patent issued in Clay County.

Incidentally, the surveyors missed other islands. In 1962, Clay County Engineer Orville Hunt alerted the Bureau of Land Management to the presence of an unsurveyed island in Tilde Lake three miles northeast of Hitterdal. Surveyors visited that fall and designated the 2.78 acre plot as government lot 5, section 24, Goose Prairie Township.

But don't go looking up unused Civil War veterans' land claims. In 1990, Congress passed the Minnesota Public Lands Improvement Act which identified and transferred to Minnesota ownership unclaimed surveyed and unsurveyed islands and lands in the state. These included the Tilde Lake island and eight other islands in Clay County lakes ranging in size from .1 acres to .6 acres. They are now all administered by the Minnesota Department of Natural Resources.

Besides, Congress repealed the Homestead Act in 1976. They left in place a ten-year extension for Alaska. California native Kenneth Deardorff was the last person to receive title to a homestead property. Deardorff had moved onto his claim in southwest Alaska in 1974 and proved up in 1979, but his patent was delayed until May 1988.

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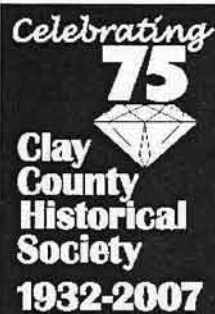
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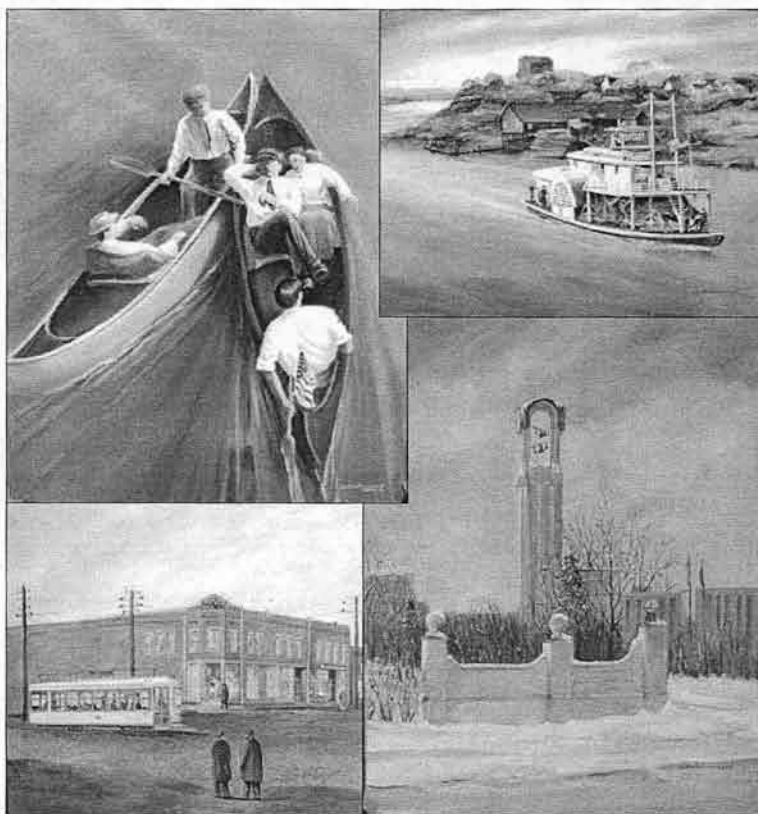
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# *...all about Moorhead* by artist Donna Chalimonczyk

Area artist and CCHS Member Donna Chalimonczyk has created a delightful series of paintings modeled on both historic photos and modern scenes in Moorhead and the Red River Valley! Donna is giving a portion of all sales of the prints and paintings to the Clay County Historical Society. The 16x20" paintings are for sale at \$300, and she will have giclee prints made in two sizes. Prices for the prints will be \$115 for 12x18" and \$90 for 10x16". The prints can be printed on canvas or heavy acid-free paper.

The seven scenes are: Red River Flood, 1897; Hjemkomst Center & Stave Church, 2006; The Pluck, Red River, 1890s; Birnby Trolley, 1920s; Concordia Carillon, 2006; Canoeing the Red, 1890s; and Moorhead Dairy Queen, 2006. The paintings are on display in the Hjemkomst Center, in the display case next to the building staff desk.

Contact Donna for more information, or to purchase a painting or print: 218-287-2065 or e-mail: [donnachali@juno.com](mailto:donnachali@juno.com)



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