

Cornelius Boyle and Family: North Dakota Pioneers

Part Three Boyle Dakota Territory Land Entries

Type	Land Description	Owner	Dates
Tree Claim	SE ¼ 6 135 59 LaMoure County	Cornelius Boyle Relinquished	April 6, 1881 October 25, 1883
Preemption	SW ¼ 14 134 60 Pearl Lake Township, LaMoure County	Cornelius Boyle	Nov. 20, 1883 (paid cash)
Homestead	NE ¼ 2 134 58 Hanson Township, Ransom County	Cornelius Boyle	Apr 26, 1881 commuted to cash Dec 29, 1882
Homestead	NE ¼ 26 135 58 Hanson Township, Ransom County	Owen J. Boyle	May 18, 1881 final certificate (got title) June 11, 1886
Tree claim	SE ¼ 2 135 60 Gladstone Township, Lamoure County	Owen J. Boyle	May 18, 1881 cancelled May 18, 1885
Homestead	SW ¼ 4 134 58 Hanson Township, Ransom County	Patrick Boyle	Oct 5, 1882 relinquished Sept 15, 1884, patented (got title) Oct 30, 1888
Homestead	SW ¼ 9 134 58 Hanson Township, Ransom County	John Joseph Boyle	May 2, 1884 final certificate (got title) July 16, 1889
Owned soldier's right to buy land on the abandoned Ft. Ranson Military Reservation	NW ¼ 21 134 58 Hanson Township, Ransom County	Bridget Donnelly	Jan 26, 1883 (cash)

Observations:

Cornelius Boyle attempted to acquire 480 acres of land from the government. He successfully acquired 320 acres. The land cost him \$800. He used preemption to acquire 160 acres, paying the going rate of \$2.50 per acre.

He homesteaded an additional 160 acres. To complete homestead requirements he had to live on the land for five years and improve it. At the end of five years he'd get title by paying a \$14 filing fee. Cornelius decided instead to commute his claim. After living on the homestead for 20 months he paid cash for the land at the usual \$2.50 per acre price. This allowed him and younger children to enjoy the amenities of living in Lisbon during the winter months. The younger children may have attended school. With title in hand he could mortgage the property if needed to raise money for stock or equipment.

After trying to grow trees (where trees didn't grow naturally) on his tree claim for 2 ½ years Cornelius gave up. He relinquished his tree claim.

Owen J. Boyle had the same tree claim experience as his father Cornelius. It appears he tried to grow trees for four years before giving up and relinquishing his tree claim.

Patrick Boyle took longer than usual to complete his homestead requirement. The record shows he relinquished his homestead claim, but then reinstated it. He got the title six years after he started the process instead of in the usual five years.

The **Timber Culture act** of 1873 added to the Homestead Act, allowing an individual to file on a tree claim in addition to (or instead of) a homestead claim. An amendment was passed in 1878 changing the terms to planting at least 2700 trees per acre on ten acres of the tree claim within four years of filing, and keeping at least 675 of those trees per acre thriving for eight years.

The Homestead Act was a federal law offering "free land" to any man (with some restrictions) willing to settle and improve it. Unsettled government lands were divided into townships, each consisting of 36 sections. Each section was further divided into four "quarter-sections" of approximately 160 acres each. A homestead claim consisted of one quarter-section, and could be obtained by paying only filing fees if all conditions were met. (Actually many single women homesteaded in Dakota Territory.)

Commuted Homesteads If a settler desired, he could pay cash for his homestead and receive title to it without fulfilling the five-year residency requirement. In order to commute the homestead, an individual must have resided on, and cultivated, the land for not less than six months.

The Preemption Act of 1841 preceded the Homestead Act by two decades. This law allowed individuals (same restrictions as described above in the Homestead Act) to preempt a quarter-section of land at a cost of \$1.25 per acre (or \$2.50 for land near the railroad).

The Boyle entries were transcribed from copies of the actual land records by Daniel C. Boyle