

# Shaping America's History

## The Homestead Act

Commemorating 150 Years ❖ 1862-2012



BLM

## FREE LAND was the cry!!

The Homestead Act of 1862 brought about significant and lasting changes to the United States. Giving individuals from the United States and around the world the opportunity to claim free government land allowed nearly any man or woman a chance to live the American Dream. During the homesteading era over 1.6 million people stepped-up to the challenge to claim and settle more than 270 million acres of public land.

### *Homesteading in Oregon – Fast Facts*

Total: **62,926** homesteads

Total acres in State: **61,441,280**

Total acres homesteaded in State: **10,513,945**

Total percentage of Oregon homesteaded: **17%**

### *First Homesteaders in Oregon*

The first people to receive homesteads granted under the 1862 Homestead Act in Oregon did not receive patents to their homesteads until Oct. 1, 1869. (None patented earlier.) On Oct. 1, 1869, BLM records show that 71 homestead patents were issued to persons in Oregon, with the following breakdown by county:

**Clackamas 6, Columbia 4, Coos 3, Douglas 25, Hood River 1, Jackson 3, Josephine 2, Lane 6, Linn 1, Marion 1, Multnomah 5, Multnomah & Washington 1 (on the border area of two counties), Polk 1, Wasco 1, Washington 5, Washington & Yamhill 1 (on the border area of two counties), Yamhill 5**



[www.blm.gov/or](http://www.blm.gov/or)

## ***Women Homesteaders in Oregon***

Even before they had the right to vote, women over age 21 who were heads of their households were able to receive homestead patents. This included widows, those with disabled husbands, and single women. Of the 71 first homestead patents issued on Oct. 1, 1869, the first women in Oregon to be listed on Homestead patents were to: Letitia Carson (in Douglas County); Avenile F. Randle (in Jackson County); Nancy J. Thompson (in Douglas County); Lavina West (in Douglas County).

## ***Important Homestead Laws for Oregon***

**1862 Homestead Act:** This was the first homestead act where settlers could obtain up to 160 acres without cost other than certain filing fees by meeting requirements to live on the land in a habitable dwelling for 5 years and cultivate the land.

**1902 Reclamation Act:** (“Newland Act”) Allowed the Secretary of the Interior to withdraw lands from entry for the establishment of water projects so that the land through irrigation could become more productive. It was used in Oregon resulting in certain “reclamation” homesteads being patented in the state.

**1906 Homestead Act in Forest Reserves:** (“Forest Homestead Act”) Authorized lands “chiefly valuable for agriculture” within “permanent or temporary forest reserves” to be opened to 160-acre homesteads; also allowed persons already residing on such lands prior to Jan. 1, 1906 to have a preference right over new claims.

**1909 Enlarged Homestead Act:** Allowed homestead claims up to 320 acres in Colorado, Montana, Nevada, Oregon, Utah, Washington, Wyoming, and Territories of Arizona and New Mexico (thus not in Idaho initially nor in California, Nebraska, and certain other states).

**1912: Three-Year Homestead Act:** (applied nationwide) Homestead laws were amended to require only three years of residence on the land to prove up and receive patent to it if all other requirements were met including cultivation.

**1916 Stock Raising Homestead Act:** Allowed homestead entry of up to 640 acres in areas that had to be first designated by the Secretary of the Interior as “stock-raising lands.”

**1934 Taylor Grazing Act:** Provided for regulated grazing on federal public lands (exclusive of Alaska) to improve range conditions and stabilize the livestock industry in the American West. Under this law, President Franklin Roosevelt withdrew most public lands in the western United States for classification as part of grazing districts thus effectively ending the opportunity for further homesteading almost everywhere except Alaska.

**1976 Federal Land Policy and Management Act:** This is the “organic act “for the Bureau of Land Management that clarified and redefined its mission and authority. It repealed all prior laws related to homesteading in the Lower 48 states including the original 1862 Homestead Act.



## ***Homesteads and Historical Sites on BLM land in Oregon***

Birch Creek Historic Ranch, Vale

<http://www.blm.gov/or/resources/heritage/culbirchcreek.php>

Cape Blanco Lighthouse, Port Orford

<http://www.blm.gov/or/resources/heritage/culcapeblanco.php>

China Ditch Site, Roseburg

<http://www.blm.gov/or/districts/roseburg/recreation/chinaditch/history.php>

[Martha and Croesus] Comstock Homestead, Roseburg

Comstock Day Use Area: [http://www.blm.gov/or/districts/roseburg/north\\_bank.php](http://www.blm.gov/or/districts/roseburg/north_bank.php)

David L. Shirk Ranch (National Register 11/4/2009), Adel

[http://en.wikipedia.org/wiki/David\\_L.\\_Shirk\\_Ranch](http://en.wikipedia.org/wiki/David_L._Shirk_Ranch)

Gerber Block/Gerber Ranch, Klamath Falls

[http://www.blm.gov/or/resources/recreation/site\\_info.php?siteid=88](http://www.blm.gov/or/resources/recreation/site_info.php?siteid=88)

Historic Oregon Trail – settlers who traveled west, Baker City

<http://www.blm.gov/or/oregontrail/index.php>

Historic Yaquina Head Lighthouse, Newport

<http://www.blm.gov/or/resources/recreation/yaquina/lighthouse.php>

Rand National Historic Site, Grants Pass

<http://www.blm.gov/or/resources/heritage/culrand.php>

Riddle Ranch Historic District (National Register 5/23/1991), Burns

<http://www.blm.gov/or/resources/heritage/culriddlebros.php>

Rogue River Ranch, Medford

<http://www.blm.gov/or/resources/recreation/rogue/ranch.php>

Whiskey Creek Cabin, Medford

<http://www.blm.gov/or/resources/recreation/rogue/whiskey-creek.php>



## ***BLM Resources about Homesteading in Oregon – Books/Articles/Web***

- 1) The Gerber Block report: July 2000 report submitted to BLM: "The Gerber Block: Historical Developments on the Public Rangeland in Klamath County, Oregon," by Stephen Dow Beckham, Lake Oswego, Oregon, July 2000 (142 pp. included bibliography) -- has information on opening the area to homesteaders via the Applegate Trail and Oregon Trail.  
[http://www.oregon.gov/OPRD/HCD/OHC/docs/klamath\\_gerberblock\\_context.pdf?ga=t](http://www.oregon.gov/OPRD/HCD/OHC/docs/klamath_gerberblock_context.pdf?ga=t)
- 2) Upper Klamath River -- The "Overview of the Klamath River Canyon, Cultural Resource Series Number 13," by Steven Dow Beckham, Lake Oswego, Oregon, 2006 -- discusses the homesteading of the upper Klamath River Canyon in-depth.
- 3) National Historic Oregon Trail Interpretive Center. Homesteading is also featured at the center since many of those who traveled west on the Oregon Trail homesteaded.  
<http://www.blm.gov/or/oregontrail/index.php>
- 4) Roseburg District 2008 report: "Early Days on the Umpqua: Investigations at the Martha and Croesus Comstock Homestead." This is a report from work on a homestead during a 2007 PIT project with archaeological contractor, Cascade Research. Note: While this is not a homestead patented under the 1862 Homestead Act, it is an example of a similar claim awarded under the earlier "Donation Land Claim Act" (1850) that Congress enacted before the Homestead Act in order to populate the Oregon Territory.
- 5) The Official Federal Land Records Site: This site provides live access to Federal land conveyance records for the Public Land States, including image access to more than five million Federal land title records issued between 1820 and the present. There are also have images related to survey plats and field notes, dating back to 1810. <http://www.glorerecords.blm.gov/>
- 6) Oregon Federal Land Records: Oregon/Washington BLM maintains the official Land Status and Cadastral Survey records since the early days of the Government Land Office (GLO). These records are comprised of the Master Title Plats, Historical Index pages, Cadastral Plats and Survey Notes (organized by state, township and range). In addition, this site provides an on-line serialized casefile system (database), which contains mining claim data and information about federal current and historical leases, permits, land and mineral acquisitions, sales and exchanges, grants, withdrawals and more. <http://www.blm.gov/or/landrecords/index.php>
- 7) Shaping America's History – The National BLM Homestead Act website: This site provides information on homesteaders' stories and the BLM's role in preserving them.  
[http://www.blm.gov/wo/st/en/res/Education\\_in\\_BLM/homestead\\_act.html](http://www.blm.gov/wo/st/en/res/Education_in_BLM/homestead_act.html)
- 8) The Public Lands Foundation: Celebrating the 200th anniversary of the establishment of the General Land Office, and the 150th anniversary of the passage of the Homestead Act of 1862. Learn more about how PLF is working to educate America regarding that history and the value of the public lands. <http://www.publicland.org>

