

Changes to the Homestead Act Video Transcript

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Title: The Homestead Act 1862-2012: Changes

Date: April, 2011

Featuring: Robert King, BLM Archaeologist

ROBERT. I would say that there's no fewer than 40 different laws or amendments that relate to homesteading. Some were of a technical nature and some were of a major magnitude of tremendous change.

ROBERT. All these requirements for basic homesteading, each one of them, changed through time to some extent, and that's one of the fascinating things about homestead legislation.

ROBERT. For the soldiers in the civil war, they started immediately doing some amendments to the original 1862 Homestead Act to allow those soldiers that were serving in the Union Army to be able to prove up on their homesteads, in part, by filing some of the information that was necessary with their own officials in the army. So that was an allowance that was made, and it was the first amendment to the Homestead Act in 1864.

ROBERT. Also you had another type of land that remained in the lower 48 states and those had derived from legislation that was passed in 1902 called the Newlands Act, and that was an act that looked once again at some of the drier areas of the western states. The areas where homesteading had never been successfully done and that land was withdrawn from the public into areas that the federal government would create reclamation projects. So, dams and other water sources would be provided at federal expense to reclaim those areas and then they would be opened up under that same legislation gradually as they became habitable for farming. They would be opened up to homesteading with the costs associated with the improvements allowing for the water to be brought in, those would be prorated and the homesteaders would be paying as

it were, some of the costs of that, but it was a form of homesteading.

ROBERT. In 1909, there was an act. It allowed for an increase in the amount of acreage, in general, that could be claimed under a homestead. So instead of 160 acres, which was more or less the standard, it could go up to 320 acres. That 1909 legislation has sometimes been tagged the Enlarged Homestead Act.

ROBERT. Something else was very important that happened in 1912, and that was that the five year requirement that had been on the books since 1862 for homesteading, was diminished to three years. And so, from 1912, in almost all areas, it became easier to obtain land for free under the homesteading legislation simply because it was amended to a shorter process, and that was one of the contributing factors for what happened the next year. 1913 was the apex of homesteading. The infrastructure of the country was much more developed than 50 years earlier. You had completed railroads that went into Montana and to Washington State and to really all of the western states. Most of the railroads were really completed by that time, and so the access to areas was much greater, even into areas that were still unsettled. You could have railroad access to those areas pretty easily.

ROBERT. Then you also had the 1916 Act, the Stock Raising Homestead Act was the homestead act that allowed for grazing. It sort of changed the basic purpose of what homesteading started out as and that was really for the creation of private farms, and that (1916 Act) was the law that started to look toward the future of what would become of some of the remaining public lands at that time.

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