

The **Timber and Stone Act of 1878** (45th Congress, Sess. 2, ch. 151, 20 Stat. 89) in the United States sold Western timberland for \$2.50 per acre in 160 acre blocks.

Land that was deemed "unfit for farming" was sold to those who might want to "timber and stone" (logging and mining) upon the land. The act was used by speculators who were able to get great expenses declared "unfit for farming" allowing them to increase their land holdings at minimal expense.

In theory the purchaser was to make an affidavit that he was entering the land exclusively for his own use and that no association was to hold more than 160 acres. In practice however, wealthy companies seeking to access natural resources semi-fraudulently circumvented the law by hiring individuals to purchase 160 acre lots which were then deeded to the company after a nominal compliance with the law. This was legal only in that companies complied with the letter of the law while brashly ignoring the spirit of it. Ultimately, said companies were able to obtain title up to twenty thousand acres.

The **Desert Land Act** was passed by the United States Congress on March 3, 1877, to encourage and promote the economic development of the arid and semiarid public lands of the Western states. Through the Act, individuals may apply for a desert-land entry to reclaim, irrigate, and cultivate arid and semiarid public lands. This act amended the Homestead Act.

The act offered 640 acres of land to an adult married couple who would pay \$1.25 an acre and promise to irrigate the land within three years. A single man would only receive half of the land for the same price. Individuals taking advantage of the act were required to submit proof of their efforts to irrigate the land within three years, but as water was relatively scarce, a great number of fraudulent "proofs" of irrigation were provided. Some fraudulent proofs were buckets of water, spread through the property.

The **Timber Culture Act** was a follow-up act to the Homestead Act. The Timber Culture Act was passed by Congress in 1873. The act allowed homesteaders to get another 160 acres of land if they planted trees on one-fourth of the land, because the land was "almost one entire plain of grass, which is and ever must be useless to cultivating man."

160 acres of additional free land could be obtained if they set aside 40 acres to grow trees to solve the problem of lack of wood on the Great Plains. After planting the trees the land could only be completely obtained if it was occupied by the same family for at least 5 years. The act was passed to prevent abuse of the original Homestead Act in 1862. Later the amount of land that needed to be set aside for trees was reduced to 10 acres. Any potential settler, including foreign immigrants, could claim this land under both this act and the Homestead Act provided the claimant had become a U.S. citizen by the time of proving up. Timber was needed to sell and use for building materials. This timber would provide them with wood for fires and building. It would also act as a wind break reducing the problem of the strong winds on the plains.

The **United States Court of Private Land Claims** (1891–1904), was a United States court created to decide land claims guaranteed by the Treaty of Guadalupe Hidalgo, in the territories of New Mexico, Arizona, and Utah, and in the states of Nevada, Colorado, and Wyoming.

In 1854 the U.S. Congress established the office of the Surveyor General of New Mexico to ascertain "the origin, nature, character, and extent to all claims to lands under the laws, usages, and customs of Spain and Mexico." At first the Congress tried to deal with each land grant by special bill and the House had a **Committee on Private Land Claims**, seats on which were sought after as a way of dispensing patronage. By 1880 the corruption inherent in determining these claims by politics rather than on a legal basis forced an end to this practice. For ten years no claims could be proved as against the United States.

So the U.S. Congress, in 1891, created the **Court of Private Land Claims** consisting of five justices appointed for a term to expire on December 31, 1895. The court itself was to exist only during this period, although its existence and the terms of the justices were from time to time extended until June 30, 1904. This court was given jurisdiction over claims to land in the territories of New Mexico, Arizona, and Utah, and in the states of Nevada, Colorado, and Wyoming, which had not been previously proved and affirmed by the United States. Many of these Spanish or Mexican land grants were based upon incomplete documentation, in part because those governments did not issue deeds to the grantees, and records were kept variously at the territorial, state, vice-royal or imperial level.

The Preemption Act of 1841 permitted "squatters" who were living on federal government owned land to purchase up to 160 acres (65 ha) at a very low price (not less than \$1.25 per acre, or \$3.09 per hectare) before the land was to be offered for sale to the general public. To qualify under the law, the "squatter" had to be:

1. a "head of household";
2. a single man over 21, or a widow;
3. a citizen of the United States (or was intending to become naturalized); and,
4. a resident of the claimed land for a minimum of 14 months.

The act further stipulated that Ohio, Indiana, Illinois, Alabama, Missouri, Mississippi, Louisiana, Arkansas, and Michigan, or any state afterward admitted to the Union, would be paid 10% of the proceeds from the sale of such public land.

The Preemption Act of 1841 declared that an individual was allowed to acquire federal land and claim it as one's property. However, for the claimant to preserve ownership over the land, the claimant had to do some things to legitimize the claim. One way was to be actively residing on the land. Another was to be consistently working to improve the land (for a minimum of five years). It was not necessary that the claimant be titled to the land, just to be living there and

working toward improving the stake was enough. If, however, the land remained idle for six months, the government could step in and take the property.

The **Donation Land Claim Act of 1850**, sometimes known as the **Donation Land Act**, was a statute enacted in late 1850 by the United States Congress. It was intended to promote homestead settlements in the Oregon Territory in the Pacific Northwest (comprising the present-day states of Oregon, Washington, Idaho and part of Wyoming). The law, a forerunner of the later Homestead Act, brought thousands of settlers into the new territory, swelling the ranks of settlers traveling along the Oregon Trail. 7,437 land patents were issued under the law, which expired in late 1855.