Congress of the United States
At the Second Session
BEGUN AND HELD AT THE CITY OF WASHINGTON
in the District of Columbia
on Monday the 30th day of December in the thousand eight hundred and sixty-one

AN ACT

To secure homesteads to actual settlers on the public domain.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That any person who is the head of a family, entitled to the age of twenty-one years, and is a citizen of the United States, who shall have filed his declaration of intention to become such as acquired by the naturalization laws of the United States, and who has never borne arms against the United States government on its aid or comfort to its enemies, shall from and after the first January, eighteen hundred and sixty-three, be entitled to enter one quarter section or a less quantity of unappropriated public lands, upon which said person has filed a preemption claim, which may at the time of application be made, be subject to preemption at one dollar and twenty-five cents per acre, or eighty acres of such unappropriated lands, at two dollars and fifty cents per acre, to be located in a body, in conformity to the legal subdivisions of the public lands, and after the same shall have been surveyed. Provided, that any person owning and residing on land may, under the provisions of this act, enter other lands lying contiguous to his or her said land which shall not, with the land already owned and occupied, exceed in the aggregate one hundred and sixty acres.

Sec. 2. And be it further enacted, That the person applying