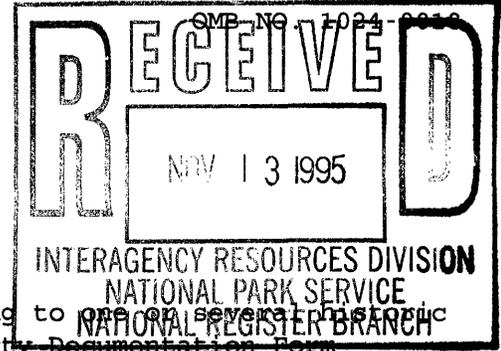


United States Department of the Interior
National Park Service

**NATIONAL REGISTER OF HISTORIC PLACES
MULTIPLE PROPERTY DOCUMENTATION FORM**



This form is used for documenting multiple property groups relating to ~~one or more~~ contexts. See instructions in How to Complete the Multiple Property Documentation Form (National Register Bulletin 16B). Complete each item by entering the requested information. For additional space, use continuation sheets (Form 10-900-a). Use a typewriter, word processor, or computer to complete all items.

New Submission Amended Submission

A. Name of Multiple Property Listing

HOMESTEADS ON THE LINCOLN NATIONAL FOREST, NEW MEXICO.

B. Associated Historic Contexts

Homesteading on Forest Reserves: The 1906 Forest Homestead Act (34 Stat. 233).

C. Form Prepared by

Name/Title: Jean Fulton/Heritage Resources Archaeologist/Lincoln National Forest.

Organization: USDA - Lincoln National Forest.

Date: May 27, 1995.

Street & Number: 1101 New York Avenue.

Telephone: (505) 434-7272

City or Town: Alamogordo.

State: New Mexico.

Zip Code: 88310

D. Certification

As the designated authority under the National Historic Preservation Act of 1966, as amended, I hereby certify that this documentation form meets the National Register documentation standards and sets forth requirements for the listing of related properties consistent with the National Register criteria. This submission meets the procedural and professional requirements set forth in 36 CFR Part 60 and the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation. (see continuation sheet for additional comments.)

Signature and title of certifying official

Date

State or Federal agency and bureau

I, hereby, certify that this multiple property documentation form has been approved by the National Register as a basis for evaluating related properties for listing in the National Register.

Signature of the Keeper of the National Register

Date

Table of Contents for Written Narrative

Provide the following information on continuation sheets. Cite the letter and the title before each section of the narrative. Assign page numbers according to the instructions for continuation sheets in How to Complete Multiple Property Documentation Form (National Register Bulletin 16B). Fill in page numbers for each section in the space below.

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Paperwork Reduction Act Statement: This information is being collected for applications to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listings. Response to this request is required to obtain a benefit in accordance with the National historic Preservation Act, as amended (16 U.S.C. 470 et seq.).

Estimated Burden Statement: Public reporting for this form is estimated to average 18.1 hours per response including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Chief, Administrative Services Division, National Park Service, P.O. Box 37127, Washington, DC 20013-7127; and the office of management and budget, Paperwork Reductions Project (1024-0018), Washington, DC 20503.

E. Statement of Historic Context

I. HOMESTEADING ON FOREST RESERVES: THE 1906 FOREST HOMESTEAD ACT (34 Stat.233)

The Federal government legislated five basic types of homesteading activity between May 20, 1862 and December 29, 1916:

(1) The Homestead Act (May 20, 1862). The Homestead Act, also known as the 160 Acre Act and the Johnson Homestead Act, authorized the head of a family or other person with specified qualifications to enter public lands after fulfilling stipulated minimum requirements.

(2) The Limitations of Enlarged Homesteads (August 30, 1890). The Limitations Act stipulated that titles acquired under public land laws were limited to 320 acres.

(3) The Forest Homestead Act (June 11, 1906). The Forest Homestead Act opened up tracts of arable land within timber stands administered by the Forest Reserves.

(4) The Enlarged Homestead Act (February 19, 1909). The Enlarged Homestead Act provided for the enlargement of entries up to 320 acres in various states on lands primarily designated by the Secretary of the Interior as being arid, nonmineral, and nonirrigable.

(5) The Homestead Act (640 Acres) (December 29, 1916). This homestead act authorized the creation of stock-grazing homesteads up to 640 acres on land designated as such by the Secretary of the Interior.

Several additional laws, enacted within this basic framework, addressed the dispensation of lands contiguous to Indian Reservation lands, and granted special homesteading rights to veterans of war.

Of particular importance to this region of New Mexico was the June 11, 1906 Forest Homestead Act (34 Stat. 233). When the Forest Reserves (now administered by the USDA Forest Service) were established in 1891, areas suitable for cultivation were inadvertently locked within large timber reserves. The Forest Homestead Act authorized the Secretary of the Interior to withdraw those arable tracts from the Reserves, and offer them to interested homestead applicants.

Land was either advertised by the Supervisor's Office, or was brought to the attention of the Supervisor's Office by a prospective homesteader. In either case, a Federal examiner was sent to assess the property. Once the examiner determined that the tract was not valuable for timbering, the parcel was assigned an entry number. Because these tracts were often discrete meadowlands stranded within lands set aside for timbering, parcels were often irregularly-shaped, and much smaller in size than the 160-acre tracts allotted under the Homestead Act of 1862.

Some 63 tracts of land currently administered by the Lincoln National Forest were surveyed and approved as homesteads as a direct result of the Forest Homestead Act. Nearly half were smaller than 50 acres. Only 13 were larger than 100 acres. By 1918, Lincoln National Forest tracts fulfilling the Forest Homestead Act criteria had been parceled out.

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NATIONAL REGISTER OF HISTORIC PLACES
CONTINUATION SHEET

SECTION NUMBER E PAGE 4

E. Statement of Historic Context

II. DESCRIPTION OF PROPERTY TYPE

The Forest Homestead Act of 1906 initiated the settlement of remote areas. Settlement required that the land be shaped to suit economic needs. Clusters of buildings and outbuildings, structures such as windmills and chicken coops, hand-dug wells, and piles of rocks cleared from arable fields signal the presence of a homesteaded landscape. Transportation networks, boundary demarcations, changes in vegetation, and small-scale elements such as abandoned farm implements and fence posts also may indicate the presence of an historic homestead.

Religious beliefs, ethnic identity, and cultural traditions affected the way homesteads were constructed and spatially organized. The surrounding environment, national and local politics, and regional economic conditions also helped to determine the characteristic features of a particular homestead.

Some 63 properties were surveyed and approved as homesteads between 1906 and 1918 on land currently administered by the Lincoln National Forest. The adobe home constructed by the Aguayo family in 1917, including the surrounding outbuildings and landscape, is the finest remaining example of homesteading activity on the Lincoln. This property is the subject of an Individual Property Nomination included with this Multiple Property submission.

III. CONCLUSION

The cultural effects of the Forest Homestead Act on lands currently administered by the Lincoln National Forest remain evident today. Settlements were situated on lands isolated within rugged areas set aside as timber reserves. Located on the fringes of communication and transportation networks, homesteaders relied on themselves and their surroundings to survive. Architectural features including style and orientation were most often the direct result of the homesteader's cultural heritage, augmented by local expertise and the availability of imported materials.

As important reminders of a nationwide effort to settle remote areas, homesteads are significant for what they represent in the areas of pioneer culture and architecture. The remains of these homesteads provide us with a glimpse into a self-sufficient way of life that has all but disappeared from most regions of the country.

F. Associated Property Types

(Provide description, significance, and registration requirements.)

I. NAME OF PROPERTY TYPE: Homestead

II. DESCRIPTION:

A tract of public land acquired by a private individual through any one of the Homestead Acts described in the Statement of Historic Context is defined as a homestead. In the absence of paperwork documenting the status of a property as a homestead, the presence of the effects of any of the following four processes may signify the presence of a homestead:

(1) **Land Use.** Homesteading required property owners to shape the land to suit their economic needs. Piles of rocks cleared from tilled fields, corral posts, placer pits, hand-dug wells, and clusters of buildings and structures are but a few of the physical remains often imprinted upon homesteaded landscapes.

(2) **Responses to the Natural Environment.** Climate, topography, and the availability of natural resources played a role in determining where homesteads were located, how features within the homestead were situated, and what construction materials were utilized.

(3) **Responses to the Cultural Environment.** Nearby communities, the political climate, current economic conditions, and the presence or absence of communication and transportation networks all played a role in determining where and how early settlements were homesteaded.

(4) **Cultural Traditions.** Religious beliefs, ethnic identity, traditional skills, and local affiliations affected the way a homestead was constructed and operated.

A concentration of cultural features resulting from the processes described above establishes a property type as being a homestead:

(a) **Buildings, Outbuildings, and Structures.** Cultural and environmental considerations often determined the methods of construction and placement of both the main houses and the outbuildings. Outbuildings including barns, root cellars, chicken coops, hog pens, and outhouses were usually clustered near the main house. Structures such as corn cribs and windmills often dotted the landscape.

(b) **Transportation Networks.** Effective transportation networks to circulate people, livestock, and goods were a necessary requirement for a successful homestead. Evidence of footpaths, roads, nearby railroad stations, and animal trails may assist the researcher in identifying a homestead.

(c) **Vegetation Related to Land Use.** Homesteading invariably introduced non-indigenous varieties of vegetation to a locale. Garden plots, crops, trees, shrubs, and flowers planted for both agricultural and ornamental reasons indicate the presence of a homestead.

(d) **Boundary Demarcations.** Barbed-wire fencing, corrals, survey monuments, creeks, and other demarcations delineate areas of homestead ownership and land use. Rocks culled from fields were often re-used as erosion-control features, or as low walls to separate living areas from work areas. Homestead locations are often signaled by the presence of tree lines, hedgerows, irrigation ditches, roadbeds, and other boundaries.

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CONTINUATION SHEET

SECTION NUMBER F PAGE 6

F. Associated Property Types

(e) Small-scale Elements and Objects. Single elements and isolated objects must be included in an assessment of any property type. Elements such as solitary fruit trees, fence posts, or abandoned farm implements may lack individual integrity, but viewed together may indicate the location of a variety of homesteading activities.

(f) Archaeological Remains. Often what remains of early homesteading activities may be ascertained only through archaeological inquiry. The remains of foundations, ruins of outbuildings, surface scatters of historic refuse, remnants of boundary demarcations and other artifacts all have the potential to yield important information about historic homesteads.

CONCLUSION

A tract of public land acquired by a private individual through homestead legislation is defined as a homestead. In the absence of archival documentation, the presence of the six cultural components described above may serve as guidelines in determining whether or not a property qualifies as a homestead. These physical components are the result of four processes, including land use, responses to the natural environment, responses to the built environment, and cultural traditions.

As a minimum requirement, an historic property must exhibit some remains of buildings, structures, small-scale elements, or must exhibit an archaeological component. These remains must retain some degree of historic integrity in terms of location, design, setting, materials, workmanship, feeling, and/or association. Final verification of a property's status as a homestead must be left up to the discretion of the researcher, in cooperation with the State Historic Preservation Office, and the Keeper of the National Register of Historic Places.

III. SIGNIFICANCE

The Forest Homestead Act of 1906 opened up public domain land for private ownership, causing the influx of settlers into previously remote areas. As important reminders of a nationwide effort to settle remote areas, homesteads are significant for what they represent in the areas of pioneer culture and architecture. **Homesteads are significant under Criterion A for representing an important national trend in regional settlement.**

A rich variety of factors influenced the design and construction of each homestead. Aside from utilitarian considerations, a particular cultural heritage often determined the design and materials used. **Homesteads are significant under Criterion C when they exhibit distinctive architectural styles and craftsmanship.**

Many historic homesteads retain archaeological significance. Homestead sites have the potential to impart valuable information on a wide variety of topics relevant to us today. Questions ranging from the influence of ethnic heritage on patterns of regional settlement, to the relationship between homesteading and nutrition could be answered in a study of early homesteads:

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CONTINUATION SHEET

SECTION NUMBER F PAGE 7

F. Associated Property Types

Research Potential/Archaeological Component

How is ethnic identity reflected in the location, layout, and architectural features of a frontier settlement? What other influences shaped the character of the buildings and features? How did these families utilize their surroundings in order to survive? Were larger families necessary in order to provide the required labor? How did providing all of their own food relate to health and longevity? What unique hardships did these settlers face? What role did outside influences such as catalogue outlets and railroads play in these remote outposts? How does homesteading relate to physical and mental fitness? Where did homesteaders obtain the skills necessary for homesteading? Why did some homesteads succeed and others fail? How did homesteads survive financially? What role did cash play? What role did bartering play? Was education deemed important by early homesteaders? What luxuries were afforded these early settlers? What viewpoints would a homesteading lifestyle engender that would differ from viewpoints commonly held today?

Remote settlements carved from the wilderness reflect the fortitude and ingenuity of those who homesteaded. The physical remains of these homesteads along with the oral histories of those who homesteaded provide the potential for research on a wide variety of topics. **Homestead sites which have the potential to impart important information are significant under Criterion D.**

Homesteading in southeastern New Mexico was no small feat. The remnants of homes, outbuildings, garden plots, and livestock shelters speak of a remarkable ability to remain self-sufficient in the face of extreme conditions and often harsh odds. The fact that survival itself was contingent upon the ability of the homesteader to live off of the land imbues the physical remains of any homestead with a special poignancy. Significant for what they represent culturally, architecturally, and archaeologically, homesteads continue to reflect the self-reliance and fortitude of those who managed to create homes of what was wilderness. Theirs was a lifestyle that, in the span of a single generation, has all but disappeared from most regions of the nation.

IV. REGISTRATION REQUIREMENTS

In order to qualify for listing on the National Register of Historic Places, homestead properties **must** exhibit effects of the four processes discussed in Section F (Description). These processes include responses to both the natural and built environment, cultural traditions, and use of the land itself. A homestead property **must** exhibit buildings, outbuildings, structures, or the archaeological remains of such components to qualify for listing.

A homestead property **may** exhibit the physical components described in Section F (Description). Broadly, these components may reflect transportation networks, vegetation changes, boundary demarcations, small-scale elements, or archaeological remains. Specifically, these physical components might include houses, barns, footpaths, roads, garden plots, orchards, fencing, corrals, rock walls, windmills, root cellars, corn cribs, irrigation ditches, or the archaeological remains of such components.

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CONTINUATION SHEET

SECTION NUMBER F PAGE 8

F. Associated Property Types

IV. REGISTRATION REQUIREMENTS (continued):

Homestead properties are eligible under **Criterion A** if they reflect a contribution to regional patterns of settlement. Homesteads are eligible under **Criterion B** if they are associated with the lives of persons significant in our region's past. Homestead properties are eligible under **Criterion C** if they exhibit distinctive styles of workmanship, design, or materials. Homesteads are eligible under **Criterion D** if they have the potential to yield important information through archaeological inquiry.

All homestead properties **must** retain integrity of location, setting, and association. Homestead properties **should** retain integrity of design, materials, feeling, and workmanship. Those properties retaining historic significance, but lacking historic integrity, **may** still qualify on the basis of their archaeological component(s).

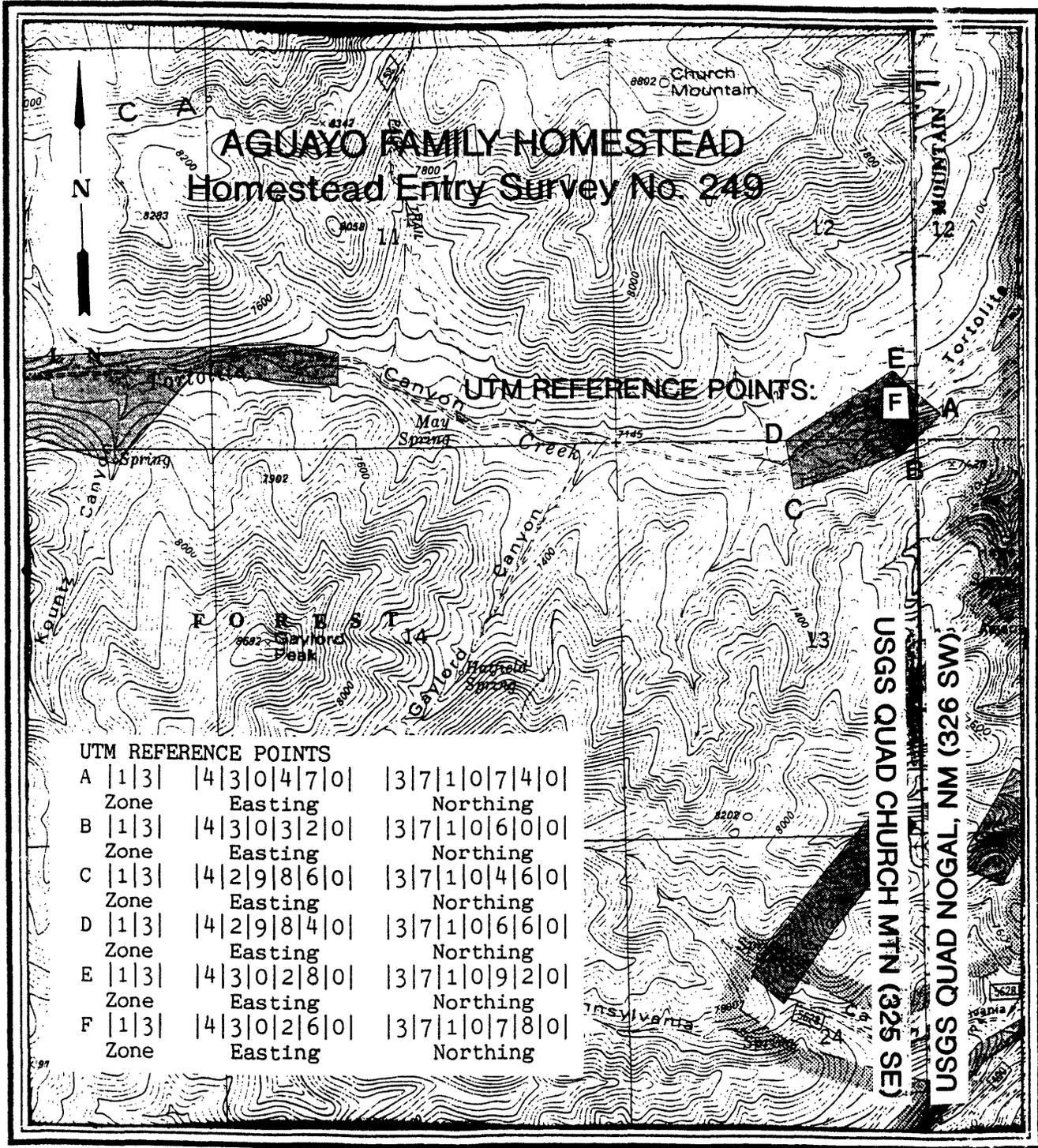
Conclusion: A tract of public land acquired by a private individual through homestead legislation is defined as a homestead. In order to qualify for listing, a property must meet the requirements described in this section for both significance and integrity. Final verification of a property's homestead status must be left up to the discretion of the researcher, in cooperation with the State Historic Preservation Office, and the Keeper of the National Register of Historic Places.

G. Geographical Data

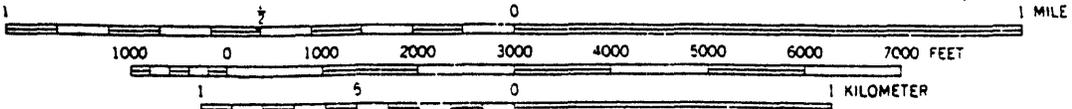
New Mexico's Lincoln National Forest contains some 1.1 million acres adjacent to the Mescalero Apache Reservation in the southeast region of the state. The Lincoln National Forest is divided into three Ranger Districts, and includes the Capitan Mountain Wilderness and the White Mountain Wilderness areas. The Lincoln National Forest Supervisor's Office is located at 1101 New York Avenue, Alamogordo, New Mexico, 88310.

Lincoln National Forest



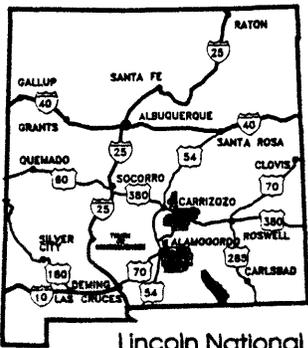


SCALE 1:24 000



CONTOUR INTERVAL 40 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

DISCLOSURE OF SITE LOCATIONS IS PROHIBITED (36 CFR 296.18)



Lincoln National Forest
1101 New York
Alamogordo, NM 88310-6992

H. Summary of Identification and Evaluation Methods

(Discuss the methods used in developing the multiple property listing.)

This multiple property nomination, and the enclosed individual nomination, are based on archaeological surveys, archival research, and oral histories compiled by archaeologists with the Lincoln National Forest Heritage Resources program. Surveys conducted as part of a continuing effort to provide cultural clearances for proposed Federal undertakings continue to document cultural resources. Sites located during the course of these surveys are plotted on the Lincoln National Forest Site Atlas.

Initially, the Lincoln National Forest Site Atlas was consulted to identify homestead properties already listed as cultural resources. Time and budget constraints limited the initial research to the best known example of an historic homestead on the Smokey Bear Ranger District. Archival research ascertained a Chain-of-Title for the property. A search for Aguayo descendants located five of the original thirteen family members who homesteaded Tortolita Canyon. A family reunion was convened at the site on April 30, 1994. A video of this event is on file at the Supervisor's Office in Alamogordo, New Mexico. Written and verbal communication with the family continues.

For this and future related nominations, archival research verifies property ownership and compliance with homestead legislation. Genealogical information is compiled to understand the influence of cultural heritage on the design and construction of the settlement. Primary and secondary sources will again be consulted to research the settlement's historic context. All properties are documented through the use of black-and-white photographs. A site map locates all contributing and non-contributing features. Measured drawings document plan views and elevations for selected contributing structures.

Research on homestead properties identifies and evaluates properties on the basis of the physical components and processes described in Section F of this nomination. Properties are evaluated in terms of historic significance. National Register bulletins are consulted to ensure compliance with criteria regarding integrity of location, design, setting, materials, workmanship, feeling, and association.

I. Major Bibliographic References

(List major written works and primary location of additional documentation: State Historic Preservation Office, other State agency, Federal agency, local government, university, or other, specifying repository.)

PRIMARY SOURCES:

Deeds

Lincoln County Courthouse. Carrizozo, New Mexico:

Warranty Deed Books.

Miscellaneous Deed Books

Patent Books

SECONDARY SOURCES:

Certificates

Birth certificates, baptism records, certificates of employment, cattle brand papers, marriage and death certificates, immigration papers, awards and citations, etc.

Newspapers

Photocopies of local and national newspaper articles.

Family Papers

Photocopies of family papers and photographs.

Personal Interviews

Personal interviews with homesteaders, their descendants, friends and acquaintances.

Correspondence with Fred Roeder, (Retired Land Staff, LNF. Tularosa, NM).

Federal Documents

To Secure Homesteads to Actual Settlers on the Public Domain.

Federal Act of May 20, 1862.

Forest Homestead Act. Federal Act of June 11, 1906 (34 Statute, 233).

United States Department of the Interior. Circulars. General Land Office:

Suggestions to Homesteaders and Persons Desiring to Make Homestead Entries.

August 4, 1906. Washington, D.C.

Homestead Entries Within Forest Reserves--Act of June 11, 1906: Regulations.

September 7, 1906. Washington, D.C.

Survey of National Forest Homesteads.

April 30, 1913.

Instructions and Decisions Affecting National Forest Lands: Part 2.

June 8, 1908.

United States Code Annotated. Title 43, Public Lands, Volume II. 1964. West

Publishing Company: St. Paul, Minnesota.

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CONTINUATION SHEET

SECTION NUMBER I PAGE 13

I. Major Bibliographic References

SECONDARY SOURCES (continued):

Conway, A. W. "A Northern New Mexico House-Type and a Suggestion for the Identifying of Others." Landscape, I (Autumn 1951), 20-21.
 _____ . "Southwestern Colonial Farms." Landscape, I (Spring (1951), 6-9.
 _____ . "Village Types in the Southwest." Landscape, 2 (Spring 1952), 14-19.

Gould, C. Florence and Patricia N. Pando. 1991. Claiming Their Land: Women Homesteaders in Texas. El Paso: Texas Western Press.

McAlester, Virginia and Lee. 1989. A Field Guide to American Houses. New York: Alfred A. Knopf, Inc.

Stilgoe, John R. 1982. Common Landscape of America, 1580 to 1845. New Haven and London: Yale University Press.

Westphall, Victor. 1965. The Public Domain in New Mexico 1854-1891. Albuquerque: New Mexico Press.

Primary location of additional documentation:

- | | | | |
|-------------------------------------|------------------------------------|--------------------------|------------------|
| <input type="checkbox"/> | State Historic Preservation Office | <input type="checkbox"/> | Local government |
| <input type="checkbox"/> | Other State Agency | <input type="checkbox"/> | University |
| <input checked="" type="checkbox"/> | Federal Agency | <input type="checkbox"/> | Other |

Specify repository: Lincoln National Forest Supervisor's Office. Federal Building. 1101 New York Avenue, Alamoqordo, NM 88310. Heritage Program.