



Researching Your Farmer Ancestor: Settling on Public Lands

Some Terms Relating to Public Lands:

- Entryman (claimant)
- Entry (initial filing)
- Proving up (meeting requirements)
- Patent (title of first transfer of land)

Record Types & Where to Find Them:

- **Land Patents** (first deeds):
 - Ancestry.com (limited)
 - BLM / GLOrecords (nearly complete and with additional features)
- **Land Entry Case Files:**
 - Ancestry.com (limited)
 - National Archives order (complete)
- **Cancelled applications:**
 - FamilySearch – Tract Books (all but MO & AK)
 - BLM / GLOrecords (limited)

Information Needed to Order Case File

- Name of entryman (claimant), state, approximate date of entry [all requests]
- Legal description of land, type of land entry, patent number, land office [pre-1908 request]
- Patent number only [post-1908 request]
- *Optional but recommended:* Send copy of patent, tract book page, or GLO online listing.

Public Lands Transfers before 1862 (selected laws)

- **Military Bounty Warrants:** awarded for service, Rev War thru Mexican War (1848).
- **Harrison Act of 1800:** Feds sold land at \$2 an acre, on credit; had to buy 640, reduced to 320 acres; ended in 1820 (too costly).
- **1820 Act for Cash-Entry Sales:** no credit, cash only; minimum purchase 80 acres at \$1.25 per.
- **Preemption Act of 1841:** allowed squatters with established claim to buy land at \$1.25/acre after federal survey; price reduced in 1854.
- **Donations:** free federal land for quick settlement of disputed territories; includes conditions; usually targeting specific geographic areas. *Key law:* **Donation Land Claim Act of 1850** to promote settlement in the Oregon Territory.

Homestead Era Public Lands Transfers (1862 and after; selected laws)

- **Homestead Act of 1862:** citizen or filed First Papers; over 21, never took up arms against U.S.; allowed up to 160 acres; five-year residency; small registration fee
- **Southern Homestead Act of 1866** allowing freed slaves to participate; few had means to build a farm; law abandoned in 1876; an amendment in 1867 allowed former Confederates to participate after taking Oath of Allegiance to U.S.
- **Timber Culture Act of 1873, 1874, & 1878** to promote timber growth on Great Plains (repealed 1891)
- **Kinkaid Amendment of 1904** increasing maximum acreage on homesteads to 640 in Sand Hills area of north central Nebraska
- **Enlarged Homestead Act of 1909** increasing maximum acreage on homesteads to 320 in dryland areas

Records Websites:

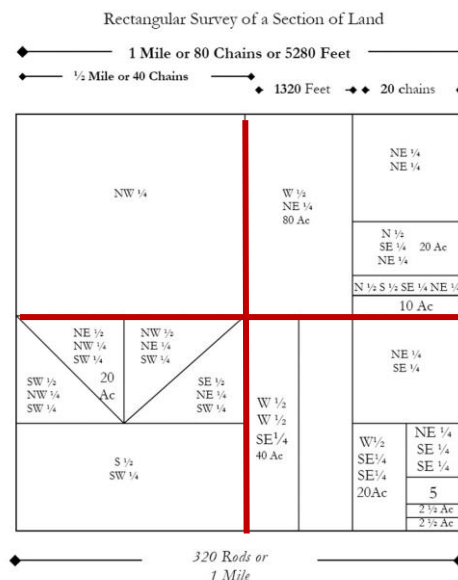
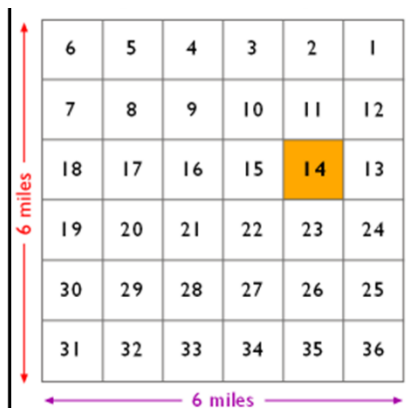
1. **Land Patents** at the General Land Office of the Bureau of Land Management provide a complete index with patent images and additional documents and features, <https://glorerecords.blm.gov/default.aspx>
On Ancestry.com, the database is limited to fourteen eastern states and contains images of patents only. It is titled "U.S. General Land Office Records, 1776-2015."
<https://www.ancestry.com/search/collections/blmlandpatents/>
2. **Tract Books** on FamilySearch in the database "U.S. Bureau of Land Management Tract Books (Washington, D.C.)"
<https://www.familysearch.org/search/catalog/607931?availability=Family%20History%20Library> Consult coverage table first at https://www.familysearch.org/wiki/en/United_States,_Bureau_of_Land_Management_Tract_Books_Coverage_Table_-_FamilySearch_Historical_Records
GLO records website has, to date, digitized tract books for three states: Alabama, Iowa, & Louisiana.
3. **Case files** online (limited coverage) on www.ancestry.com, "U.S., Homestead Records, 1863-1908". Images of homestead case files for ten states. Complete set of case files at the National Archives; order form NATF 84 online at <https://www.archives.gov/files/forms/pdf/natf-84.pdf>
4. **Cancelled, Relinquished and Abandoned Claims:** Browse tract books on FamilySearch (see above) by legal description of property (township, range, section and aliquot). Case files for abandoned claims also on FamilySearch, only two states (Kansas and Nebraska, limited counties): [United States, Cancelled, Relinquished, or Rejected Land Entry Case Files, 1861-1932](#). For other states, use record substitutes (p.3) to gather information needed to order from NARA.

Public Lands Surveys (Township / Range / Section / Aliquot)

Township is six miles square, made up of 36 sections arranged in pattern to the left.

Each **section** is one mile square, made up of approx. 640 acres.

First major subdivision of a section is a **quarter section**, identified clockwise from top left as NW $\frac{1}{4}$, NE $\frac{1}{4}$, SE $\frac{1}{4}$, and SW $\frac{1}{4}$.



Additional Resources for Researching Homesteads

- **County registrar's land register** (date of filing, land description). Check FamilySearch.org catalog for microfilmed or online images of county books.
- **State library and archives** websites: Ex. Missouri State Archives, <https://www.sos.mo.gov/archives/resources/land.asp>
- **Local newspapers** published notices of final proof (application number, land description): Consult Judy Janes' handout on research in newspapers, VCGS website under Library Workshop Handouts (2017), <https://venturacogensoc.org/fileDownload.php?cid=20&sid=1>
- **County plat maps** / land ownership map (for land description). Check the map collection at the Library of Congress, <https://www.loc.gov/maps/?fa=location:united+states%7Cpartof:county+landownership+maps> ; Historic Map Works, <http://www.historicmapworks.com/Search/search.php> (use the advanced search by location), and Ancestry.com, "U.S., Indexed Early Land Ownership and Township Plats, 1785-1898" <https://www.ancestry.com/search/collections/usearlylandplats/>
- **Farm directories** (limited info): Check the collection at Internet Archive, <https://archive.org/search.php?query=farm%20directory> (also try location searches). Also search catalogs on Ancestry.com and FamilySearch.org on keywords "farm directory"; both have limited, location-specific, digitized directories.

Typical Content of Homestead Act Land-Entry Case File

- Final certificate (patent)
- Receipts for payments: \$10 to GLO and \$4 to local register & receiver
- Settlement paper (info on date of residence and improvements to property)
- Proof of citizenship ("first papers" or copy of naturalization certificate)
- Homestead affidavit of claimant
- Homestead application
- Homestead proofs (affidavits from claimant and two witnesses, likely neighbors)
- Cross examination of claimant and witnesses
- Notice of publication in local newspaper of submission of final proof to GLO

Read up on land records in these sources:

Chapter 8, "Research in Land and Tax Records," in The Source, copy in VCGS genealogy collection, Camarillo Library, 016.929 EAK REFERENCE

Land & Property Research in the United States, by E. Wade Hone (published by Ancestry.com); copy in VCGS genealogy collection, Camarillo Library, 973 HON UNITED STATES

Research in the Land Entry Files of the General Land Office, Reference Information Paper 114, NARA, 2009, <https://www.archives.gov/files/publications/ref-info-papers/rip114.pdf>

"The Homestead Act: A Major Asset-building Policy in American History," by Trina Williams, Center for Social Development, Washington University, St. Louis, Missouri [online]

"How the West Was Settled," by Greg Bradsher, *Prologue* [online magazine], Winter 2012, <https://www.archives.gov/files/publications/prologue/2012/winter/homestead.pdf>

"The land, settlement, and farming," Chapters 4 and 5 in Sources for U.S. History: Nineteenth-Century Communities, by W.B. Stephens (Cambridge University Press, 1991); check WorldCat.org for library access [extensive description of records for researching farm communities]