

## LAND ENTRY PAPERS: FEDERAL LAND RECORDS AT THE NATIONAL ARCHIVES

Claire Bettag, CG, CGL • 1685 34th Street, NW, Washington DC 20007 • [claire@clairebettag.com](mailto:claire@clairebettag.com)

### LAND RECORDS OF GENEALOGICAL INTEREST AT THE NATIONAL ARCHIVES

A Land entry papers; B. Surrendered military bounty land warrants; C. Private land claims

#### A. LAND ENTRY PAPERS (CASE FILES)

Land entry papers at the National Archives and Records Administration (NARA) are in Record Group 49 (RG 49), records of the Bureau of Land Management (BLM), formerly the General Land Office (GLO). They document the *first transfer of title* of public land from the United States to private entities or states.

**NARA has *land entry papers* (case files) for the *public land states ONLY*:** *The 30 public land states* are those *excluding*: 13 original states, plus ME, VT, TN, KY, WV, TX, HI. Similar records for those 20 *state-land* states (never part of the public domain) are not at NARA.

**Public land states are divided into *eastern* and *western* states:** 13 eastern states: adjacent to Mississippi River (both sides), and those to the east; 17 western states: those to the west of the eastern states

**Rectangular Survey System:** Public domain is divided into 37 survey systems. Within each is an “initial point” where an east-west (base) line intersects with a north-south line (principal meridian). Township lines run parallel to the base line, spaced six miles apart. Range lines run parallel to the principal meridian, six miles apart. The thirty-six-square-mile blocks thus created are called “townships.”

*Exceptions exist, but this is the **general pattern** of surveying throughout the public lands of the U.S.*

- **Townships** (36 square miles) are named by their location relative to the initial point, determined by the distance N/S of the base line and the E/W of the principal meridian. Example: Township 2 North, Range 7 East (T2N, R7E). Each 36-square-mile township has 36 sections, each one-square mile, or 640 acres.
- **Sections:** (1 square mile; 640 acres) are numbered in a standard pattern, beginning in the northeast corner, going west (sections 1–6); continuing on the second row, west to east (7–12); continuing on row three, east to west (13–18), etc., and continuing to section 36 in the southeast corner. Sections are subdivided into “*aliquot parts*”: half sections (320 acres); quarter sections (160 acres); half-quarter sections (80 acres); quarter-quarter sections (40 acres); and smaller subdivisions.
- **Legal land description** is the “name” of the land parcel, including all subdivisions—smallest to largest. Example: Northwest quarter of Section 7, Township 3 North, Range 4 West, 2<sup>nd</sup> Principal Meridian (NW 1/4, S7, T3N, R4W, 2<sup>nd</sup> PM). To locate land on a map, read from right to left: first locate the principal meridian, then the township, then the section, and finally, the subdivision of the section (*aliquot part*).

For more about surveys, see <http://www.blm.gov/wo/st/en/prog/more/cadastralsurvey/tools.html>>. Particularly useful is a PDF document, *Surveying Our Public Lands* (1988).

#### **Bureaucracy for the disposal of the public domain:**

**District Land Office** was run by a register (recorded tract book entries) and a receiver (handled money). Where records created at the district land offices are today:

- Tract books and township plats: in local or state repositories (like state land offices, state archives, historical societies, etc.), or in a National Archives regional facility.
- Case files (documenting each land transaction), monthly abstracts of daily tract book entries, and related records: were forwarded to GLO headquarters; later sent to NARA.

**GLO / BLM HQ in D.C.:** under General Land Commissioner, kept duplicate tract books, issued patents. Where the GLO / BLM headquarters records that are of interest to genealogists are today:

- Eastern public land states: headquarters’ duplicate tract books, and all patent copies at the Eastern States Office, Bureau of Land Management, in Springfield, Virginia.
- Western states: headquarters’ duplicate tract books and pre-1908 patent copies at NARA.

### **Land entry process:**

*Entry* (application) made at district office; when all requirements met, register issued a *final certificate* (FC; the final certificate does NOT convey title to the land). He sent it and all related documents to headquarters. Those documents are NARA's *land entry papers (case files)*.

- Patent issued by GLO commissioner, signed by the president (after 1836, by a secretary).
- Patent (document that transfers title) sent to the district office for delivery to the entryman (patentee); record copy and case file kept at GLO; all case files and some patent copies now at NARA.

**Typical documents in land entry papers (case files):** *Early files (cash and credit):* final certificate, receipt, miscellaneous. *Later files (post-1840: cash; preemptions; donations; homesteads; mineral, timber culture, desert land sales)* depending on type, **may** provide much family information in documents such as: application, affidavits, final proof papers, naturalization papers, identity papers, final certificate, deposition, plat, survey, etc. (Not all case files contain all of these types of documents.)

**Typical information:** Pre-1840 files: entryman's name, residence, date / place of entry, legal land description, acreage, land office, amount paid, location of patent. *Some* post-1840 files also include: age, P.O. address, residency dates, number / relationship of family members, citizenship proof, crops, acreage cultivated, description of house / property; patent citation. Some records have even more, like information about marriage or death, heirs, etc.

### **Types of land entry papers:**

- **Credit sales: 1800–June, 1820:** Two series: *Credit prior:* patented before credit sales ended in June 1820. *Credit under:* patented under 1820s relief acts. Not much family information in files.
- **Cash sales: from June 1820:** fully paid at entry. Pre-1840 files contain little family information.
- **Preemptions** (option to purchase at minimum price): especially after **1841:** Limited preemptions allowed before 1841; Preemption Act of 1841 granted right to settle / improve land before it was surveyed. When it was offered for sale settler could buy it for minimum price, removing it from public auction. Requirements imposed; affidavit provides some personal information. Categorized as *cash* files in indexes.
- **Donations: 1842, 1850:** To curb Indian raids in Florida, Congress passed the Armed Occupation Act of 1842 offering free land to settlers in Florida. Donation Act of 1850 gave free land to qualifying settlers in Oregon and Washington. Oregon and Washington files contain *much* family information, including naturalization information.
- **Homesteads: 1862:** Homestead Act of 1862 allowed qualifying persons to acquire 160 acres free. Conditions: actual, continuous settlement for five years and improvements on land (build house, cultivate land). Homesteads could be commuted to cash, eliminating residency requirement. Commuted homesteads are *cash* files in NARA and in BLM indexes. *Very informative* for genealogical research; contain naturalization information when applicable.
- **Mineral, Timber Culture, Desert Land Sales: 1860s–70s:** Requirements imposed. Much information, but fewer of these types of land transactions completed, compared with other types.

**LOCATING LAND ENTRY CASE FILES:** Washington and Oregon donation case files are microfilmed; others are not. Post-1908 original case files are arranged by *serial patent* number. Pre-1908 files are arranged by state, land office, type, and final certificate number. Those informational items must be provided to locate the files.

**Post-1908:** serial patent files: Researching on site at NARA: Consult BLM database or NARA index; request file using name, state, date, and serial patent number.

**Pre-1908** case files: Researching on site at NARA: Seven States Index: a consolidated, alphabetical surname index exists for: Alaska, Arizona, Alabama, Florida, Louisiana, Nevada, and Utah only. It gives data needed to request the case file: name, state, date, land office, type, certificate number.

- Unindexed states: to request case files, provide: name, state, approximate date of entry. Three additional items, which may be found in the tract books, are also needed: land office, entry type, final certificate number. The needed information can often be obtained from courthouse records, or:
  - Western states: If legal land description, or date is known, other needed items can be found in tract books or monthly abstracts at NARA.
  - Eastern states: Provide name, state, approximate entry date, plus land office, type, and final certificate number. If necessary, get the last three items from BLM office in Springfield, Virginia.

**BLM database at [www.glorerecords.blm.gov](http://www.glorerecords.blm.gov): View this as an incomplete index to the case files!** The database, searchable by surname or legal land description, has information needed to request NARA files. **But**, to date only *patented cash* and *homesteads* have been *completely* entered. Bounty-land warrants are being entered now. (Credit sales, private land claims, and other types have not yet been entered.) The only *digitized document* available is the image copy of patent; the type of family data often found in the case files, is not in BLM's database. Copy the data and examine the case files at NARA!

## **B. SURRENDERED BOUNTY-LAND WARRANT FILES**

1788–1855: U.S. offered land bounties (or scrip) to encourage military enlistments or to reward military service. **Bounty lands offered for service in:** Revolutionary War, War of 1812, Mexican War (1847), Indian Wars, Indian removal, other conflicts (1850s).

**General considerations:** initially restrictive conditions applied; policies were liberalized over time.

- **Eligibility:** Revolutionary War officers and enlistees were eligible. From 1812–1850s, no officers were eligible. Later acts (1842, 1850, 1850, 1852, 1855) extended eligibility to many not previously eligible; in 1855, extended to veterans of any war, including the Revolutionary War and Indian conflicts of the 1850s.
- **Acreage:** Revolutionary War: 100–1,100 acres awarded, depending on rank; 1812: \$10 cash bounty and 160 acres for enlistees serving five years or duration of war; 1847: 160 acres for one year of service, or 40 acres for less time; 1850s: 40–160 acres, depending on time of service; 1855: 160 acres for everyone; previous warrantees who received less could apply for balance.
- **Disposition:** Most veterans sold (“assigned”) warrants to others who redeemed them for land. For brief periods some warrants issued for the War of 1812 and the Mexican War could not be sold. By 1852, all existing and future warrants were assignable; warrants could pass to heirs if soldiers died.
- **Location:** Revolutionary War: land had to be located within military districts in Ohio. 1812: military districts were in Missouri, Illinois, Arkansas (in the Louisiana Territory); lottery determined location within requested state; after 1842: could be redeemed on offered land anywhere in the public domain.
- **Options:** 1830 and 1832. When land for 1812 veterans ran out in the Ohio military districts, scrip was issued for land in Ohio, Indiana or Illinois. 1842: scrip accepted for any offered public land. 1847: cash scrip (\$100 or \$25) useable to pay U.S. debts; 1850s: warrants could pay for preemptions.
- **Other:** State bounty-land records not at NARA. Speculation in warrants was rampant in 1840s–1850s. No bounties for Civil War, but Union veterans could get additional homestead benefits.

**Typical documents in land file:** Surrendered warrant, certificate of location (similar to “final certificate” in land entry papers). Some files have: assignment (sale to another party), affidavits, power of attorney, correspondence, application to locate land, surveys, survey notes, correspondence, etc. Most soldiers sold warrants to others. Land file info refers to the person who surrendered the warrant in exchange for a patent (in most cases, **not** the soldier).

**Typical information in land file:** Locator's name, act, acreage, land office, legal land description, date surrendered / by whom; patent citation. There *may* be additional information about veteran (if he located the land) like: name, rank, date / place of birth, date of issue, military unit, war served, heirs / assignee.

**NOTE:** Typically the **surrendered warrant files** (land records; RG 49) have less information than the bounty-land **application files** (veteran records, RG 15). *Veterans' applications* give: name, age, residence, rank, DOB / POB, issue date, military unit, war served. If heirs applied, one may find their names, ages, residence, relationship to soldier, his DOD, marriage / family info. Application files also give three items needed to locate the related surrendered bounty-land warrant (in RG 49), if granted: 1) warrant number, 2) acreage, 3) year of authorizing act. Researchers should consult **BOTH** applications and land (surrendered warrant) files.

### **Accessing Surrendered Bounty-Land Warrant Files (RG 49)**

**To obtain file, give:** 1) warrant number; 2) number of acres; 3) year of legislation authorizing bounty

- **Revolutionary War:** Many files lost in fire; extant warrants and approved applications microfilmed (M829; M804); rejected applications in unindexed series; published indexes (see bibliography)
- **War of 1812:** *some* applications indexed; additional records are in the unindexed series. Warrants and indexes microfilmed (warrants on M848, index on M313); published index (see bibliography).
- **Mexican War:** *some* applications indexed; additional records are in the unindexed series. Microfilm T317/ *Index to Mexican War Pensions*, mentions some bounty-land awards.
- **Indian Wars, other wars:** Unindexed; search (alpha) unindexed bounty-land application series; if a warrant was awarded, that file will provide the data needed to locate the surrendered warrant file.

**NOTE:** Many applications for the War of 1812, Mexican War, and Indian wars are **not** indexed, but their original applications are arranged alphabetically in a large, unindexed series. If a name is not on an index, request a search of the *unindexed* bounty-land warrant applications.

### **C. PRIVATE LAND CLAIMS**

Claims to land granted by colonial powers (France, Spain, Mexico) before U.S. acquired the land. NARA has records for: AL, AR, AR, CA, CO, FL, IL, IN, IO, LA, MI, MS, MO, NM, UT, WI.

- **Content / value:** variable. Minimally, files locate persons at a given time, and contain final certificate, and usually a survey and plat. If case was contested in court, may contain copies of original grants; maps, scrip certificates, title abstracts; legal papers (affidavits, depositions, court decisions, briefs, wills, vital records, estate settlements, etc.)
- **Accessing records:** Indexes (unmicrofilmed) to case files (called “dockets”) are at NARA. Some indexes are published by Fern Ainsworth (see bibliography). Write to NARA to order case files.

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