



Salt, Schools, Swamps, Military Bounties, and Homesteads: Researching Non-standard Federal Lands

Bill Eddleman
State Historical Society of Missouri - Cape Girardeau
Research Center
eddllemanw48@gmail.com

Questions: My ancestor sold land in 1893, but I can find no record of how he got it. I could not find anything on the General Land Office website, but he paid taxes on it beginning in 1858. How did he get it? What family information can I get from it?

Missouri is (mostly) a federal land state. That is, the U. S. Government acquired the land by purchase or conquest, then sold it to individuals.

“Typical” federal land sales in Missouri followed a sequence of events

- “Negotiate” Native American treaty to extinguish tribal land rights
- Government surveyors used the U. S Public Land system to provide a basis for land description and designation (from baseline in Arkansas and the 5th Principal Meridian)
- Purchasers viewed and entered their parcels in a tract book at a Land Office
- The land was offered for sale (by credit or by cash sale); file established
- Payment completed
- Paperwork sent to Washington, D. C. to the General Land Office
- Once the paperwork was cleared, a patent (original title) was issued
- Patent forwarded to the local Land Office

But, land sometimes transferred to private ownership differently

- Congress granted lands to the state to sell, sometimes for certain public purposes
- Some federal land was granted to individuals for performance of certain actions

Federal Lands Granted to Missouri for Public Purposes

Township School Lands

- Granted by Congress to the states for sale to support schools (Missouri Enabling Act (3 Stat 545, Sec 6): <https://memory.loc.gov/cgi-bin/ampage?collid=llsl&fileName=003/llsl003.db&recNum=586>)
- Typically Section 16 from each township, but if this section was not available, local Land Office selected other land as needed (3 Stat 787): <https://memory.loc.gov/cgi-bin/ampage?collid=llsl&fileName=004/llsl004.db&recNum=541>)
- Records of sale and patent images are at the Missouri State Archives, in the Missouri Digital Heritage, and oftentimes at county courthouses (Missouri Digital Heritage Land Records, 1777-1969) <https://s1.sos.mo.gov/records/archives/archivesdb/land/>)
- Search for records at the county level in “County Records on Microfilm” site: <https://www.sos.mo.gov/archives/resources/county/croll>
- As with most of these, check deed books to see if the patent was recorded
- Example: Samuel Vancil in Cape Girardeau County

Seminary and Saline Lands

- Also granted by Congress to Missouri in the enabling act—two townships for support of a university (seminary) and up to 12 salt springs with six sections attached to each for sale, with 5% of the net designated for public roads and canals
- Pike, Ralls, Cooper, Saline, and Howard counties
- The Missouri legislature was authorized to sell these lands on September 4, 1841 (4 Stat 492, Sec 6): <https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=004/llsl004.db&recNum=541>
- Records are also at the Missouri State Archives, in the Missouri Digital Heritage, and oftentimes at county courthouses in the case of Saline Lands
- Example: John Prewitt in Saline County

500,000-Acre Grant, 1843-1951

- Part of the Preemption Act (5 Stat 453, Section 8) of September 4, 1841
- Missouri was one of nine states granted 500,000 acres, to be selected by the state legislatures (<https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=005/llsl005.db&recNum=492>)
- Proceeds went to fund internal improvements
- Platte, Buchanan, Andrew, and Holt counties.
- Reported to appropriate land offices and removed from ongoing sale
- Any head of family, widow, or single man over the age of twenty-one was eligible to purchase the land at a cost of not less than \$1.25 per acre, total of 160 acres.
- Settlers allowed pre-emption rights on up to 160 acres, provided they had filed statements with the appropriate land office within three months of their settling the land. (Laws of Missouri, 1842-1843, pp. 77, 400)
- Indexed at the Missouri State Archives and the Missouri Digital Heritage.
- Digital records available through the Missouri State Archives research room.
- Example: John Kauble in Andrew County

Swamp Land, 1850-1945

- Lands designated by the surveyors as flood-prone and thus of lesser value
- Swamp Land Act of 1850 transferred swamp and overflow lands to the states, as identified by the Secretary of the Interior assisted by a Missouri commission (9 Stat 519: (<https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=009/llsl009.db&recNum=546>)
- The Missouri legislature transferred at least some of the land to the counties in 1852
- Many sales for Bootheel counties are in the Missouri Digital Heritage land records. Digital copies available in the Missouri State Archives research room
- Later records include listings at the county level (ledgers, oftentimes) or often recorded in the deed records. This
- Preemption permitted, giving rise to detailed records at the county level. Check the Missouri County Records on Microfilm under County Clerk's files
- Examples: Elijah M. Norman in Stoddard County, in Cape Girardeau County

Homestead Land

- Homestead Act of 1862 (12 Stat 392)
- <https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=012/llsl012.db&recNum=423>
- In Record Group 49
<https://www.archives.gov/research/guide-fed-records/groups/049.html>
- Application
 - Excluded non-citizens, ex-Confederates (initially), most Native Americans, foreign-born Asians
 - 160 acres, unappropriated, unoccupied, unreserved
 - Excluded land reserved for government purposes, Native-American lands, state & territorial lands, valuable mineral lands, valuable timber lands, private land grants, railroad grants
- Process
 - Residence – continuous, in a home on the land, improvements showing good faith to live on the land
 - Evidence of cultivation (again, showing good faith to live on the land)
 - Commutation allowed – could pay minimum price per acre before 5 years if evidence showed proof and settlement and cultivation – could use military bounty land warrants
 - File proof – at least 5 and no more than 7 years after entry
 - Patent
- Often entries were either relinquished (voluntary surrender) or cancelled by the GLO (abandonment, failure to fulfil a requirement or evidence of bad faith). Applicants were entitled to a hearing for cancellation
- Case Files – most likely to have family information - need the patent number if completed. If a case did not end in issue of a patent, you need the land office of the application and the serial number (many non-patented files destroyed)
- To obtain copies of patented land-entry case files, use form NATF-84
<https://www.archives.gov/forms/pdf/natf-84.pdf>
- Researching a Homestead
 - Finding patented homesteads – <https://glorerecords.blm.gov/default.aspx> – Use “Authority” Block; check patent for appropriate Homestead image
 - Patent examples – Isaac Wright, Felix J. G. Eddleman
- In total 34,633 homesteads were proved up in Missouri. The total acreage of homesteaded land was 3,644,306 which is 8% of the land in the state.



Federal Land Granted to Individuals for Performance of Certain Actions

Military Bounty Land – 1776-1860

- War of 1812 Military Bounty Land Reserve – 500,000 acres to replace unsuitable land set aside in Michigan – for NCOs and enlisted men in the War of 1812, and their widows/orphans (3 Stat 332) - <https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=003/llsl003.db&recNum=373>
- 1847 – 160 acres bounty for 12 months of service in the Mexican War, non-transferable (9 Stat 123, Section 9) - <https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=009/llsl009.db&recNum=150>

- 1850 – Soldiers serving in the War of 1812 and Indian Wars from 1790 onward – 80 acres for 4 months service, 160 acres for 9 months service; later made assignable (9 Stat 520) - <https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=009/llsl009.db&recNum=547>
- 1855 – all soldiers in all wars were granted up to 160 acres, minimum of 14 days of service, assignable (10 Stat 701) - <https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=010/llsl010.db&recNum=722>
- Locating on the General Land Office search page
 - Do not specify a location, uncheck "search patentees" OR
 - Search for ancestor using one of the "ScripWarrant Act of ___" Authority
 - Example: Henry Edleman
- Bounty land files – often merged with pension files – use form requesting war of 1812 bounty land files <https://www.archives.gov/files/research/military/bounty-land-1775-1855.pdf>
- Use NATF Form 85 <https://www.archives.gov/forms/pdf/natf-85.pdf>
- Example: George Strother

Further Information

State Statutes

Laws of the State of Missouri, Revised and Digested by Authority of the General Assembly Vol. II. (St. Louis, Missouri: E. Charles, 1825), 663-688;

<https://babel.hathitrust.org/cgi/pt?id=hvd.hx2z92&view=1up&seq=191>

The Revised Statutes of the State of Missouri, Revised and Digested by the Eighth General Assembly During the Years 1834 and 1835. (St. Louis, Missouri: Argus Office, 1835), 528-544; <https://babel.hathitrust.org/cgi/pt?id=nyp.33433009054291&view=1up&seq=538>

The Revised Statutes of the State of Missouri, Revised and Digested by the Thirteenth General Assembly, During the Session of 1844 and 1845, (St. Louis, Missouri: J. W. Dougherty, 1845), 480-496;

<https://babel.hathitrust.org/cgi/pt?id=mdp.35112104852902&view=1up&seq=490>

The Revised Statutes of the State of Missouri, Revised and Digested by the Eighteenth General Assembly During the Session of 1854 and 1855, 1322-1363 (Jefferson City, Missouri: James Lusk, Public Printer);

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Books

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Hawkins, Kenneth, comp. *Research in the Land Entry Files of the General Land Office*. Reference Information Paper 114. Revised. Washington, DC: National Archives and Records Administration, 2009. <https://www.archives.gov/files/publications/ref-info-papers/rip114.pdf>

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