

# Immigration and Land Records at the National Archives

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## Record Group 85

When researching our immigrant ancestors, we turn our attention to the passenger lists, begun in 1820, as a result of the Act of March 2, 1819, which required manifesting passenger lists for all ships from foreign ports docking in the U.S. This was to help limit the number of passengers a ship could transport and also outlined provisions for each passenger leaving the U.S. that the shipping company had to supply. Most of the passenger lists have now been digitized and indexed and are available on sites like Ancestry.com and FamilySearch.org. However, the passenger lists are just the beginning of the records amassed under the National Archives Record Group 85 collection—Records of the Immigration and Naturalization Service [INS], 1787-1993; with the bulk of them covering 1882-1957

## Closing the Door Begins

The Immigration Act of August 3, 1882 is considered to be the first time Congress began to exercise its muscle in this area. It began to close the “open door” policy by identifying classes of individuals that the United States felt were “unacceptable aliens.” Out of this, and subsequent acts, many documents have been generated in efforts to identify such aliens, determine what to do with them, and keep a paper trail of the entire process. This Act was also the first time in which the immigration officials had the authority to deny entry to aliens.

*“If on such examination there shall be found among such passengers any convict, lunatic, idiot, or any person unable to take care of him or herself without becoming a public charge, they shall report the same in writing to the collector of such port, and such person shall not be permitted to land.”*

By identifying “unacceptable immigrants” in this way, the Act led to the creation of more records that genealogists can use to find clues about their ancestors.

## Case Files – Entry 9 Files

The case files of the immigration and naturalization service include pages and pages of correspondence, documents, medical certificates, inquiries and more that resulted from the detention of, investigation of, or questions about immigrants. These records are somewhat indexed in the *U.S. Subject Index to Correspondence and Case Files of the Immigration and Naturalization Service, 1903-1959*, which is found on microfilm (publication T458) as well as on Ancestry.com.

These files may include almost any record imaginable, including:

- Board of Special Inquiry manifests & Detainee lists (filmed with the passenger lists only for port of NYC)
- Detention Cards
- Medical certificates and other health records
- Board of Special Inquiry interview transcripts
- Correspondence
- Bills for expenses of lodging and feeding of detainees
- Bonds
- Court records
- Verification of landing
- Records generated by county officials
- Arrest warrants
- Deportation warrants

## Lesser-Known Resources

### Americanization Files

The Immigration and Naturalization Service was intent on not only indentifying those immigrants that they felt would be valuable additions to the county and weeding out those they felt would be a drain, but also in assisting them to become Americans. There are a number of resources that were created to assist these immigrants in every manner of their understanding of:

- History of America
- How to write and do math
- Proper nourishment of a child
- Keeping a house and family clean

Publications were created to teach these new Americans what they needed to learn to assimilate into the culture as well as to prepare to become a citizen of their new country. Classes were held in schools, fraternal halls, and elsewhere in their communities. Some of the records created to assist in this education include:

- Education and Americanization Files, 1914-1936 (Entry 30)
- Citizenship Training Textbooks, 1918-1935 (Entry 34)

### Registers and Indexes

The INS kept track of many things in regard to those aliens coming to live in the United States. A lot of correspondence went back and forth between the main office in D.C. and the various ports of arrival and offices of the INS. And while much of that correspondence can be found in the case files, there were registers (similar to chronological indexes) to keep track of the letters coming and going as well as to other

aspects of identifying immigrants and dealing with those who had circumvented the system. Some of these include:

- Registers of Letters Received, 07/12/1891-09/11/1903 (Entry 3)
- Records of Passports Procured by the Deportation Division, 1927-1937 (Entry 11)
- Index of Fraudulent Naturalizations, 1906-1915 (Entry 28)
- Index to Naturalizations of World War I Soldiers, 1918 (Entry 29)

## Bibliography

*An Immigrant Nation: United States Regulation of Immigration, 1798-1991*. Washington, D.C.:

Department of Justice, Immigration & Naturalization Service, 1991.

<<http://catalog.hathitrust.org/Record/002581616>>

Cannato, Vincent J. *American Passage, The History of Ellis Island*. New York: Harper, 2009.

Carmack, Sharon DeBartolo. *Guide to Finding Your Ellis Island Ancestors*. Cincinnati: Family Tree Books, 2005.

Dinnerstein, Leonard and David M. Reimers. *Ethnic Americans, A History of Immigration and Assimilation*. New York: Dodd, Mead & Company, 1975.

Thernstrom, Stephen, ed. *Harvard Encyclopedia of American Ethnic Groups*. Cambridge, Mass.: The Belknap Press of Harvard University Press, 1980.

## Web Sites

Ancestry.com, [www.ancestry.com](http://www.ancestry.com)

FamilySearch.org, [www.familysearch.org](http://www.familysearch.org)

Fold3, [www.fold3.com](http://www.fold3.com)

The National Archives, [www.archives.gov](http://www.archives.gov)

## Using Land Records

### Bounty Land

As the American Revolutionary War got underway, the Continental Congress did not have any money to pay their military. Instead, they offered land grants to officers and soldiers if they were willing to fight in the Continental Army. While technically the Continental Congress lacked the authority to make such a promise in 1776, after the war ended the new Congress of the United States made good on their promise. Of course, they had to find land and devise a process for awarding the land and for determining who qualified as an eligible soldier.

In an effort to garner the needed lands, Congress turned to the now thirteen states and stated that as part of their ratifying the Constitution of the United States, they would relinquish any claims they thought they had to western lands (the one boundary that had not been very well described in the royal grants given at the founding of the original thirteen colonies. The newly created U.S. government promised that if the states did this, then the government would use the monies earned from selling land as their operating capital instead of taxing the people.

The key to making bounty land a reality was the opening of the Northwest Territory which includes modern day Ohio, Indiana, Illinois, Wisconsin, Michigan, and a portion of Minnesota.

During the time period that bounty land was awarded, there were numerous legislative acts spelling out the criteria for an award and other parameters circumscribing the process.

Though some states also offered bounty land to their soldiers, that is not addressed here.

### **Eligibility and Process**

The basic criteria were that if a soldier served in the Continental Line for a minimum of three years, or until the end of the War if they enlisted towards the end of the conflict, they were eligible for bounty land.

Initially the federal government did not allow a soldier to assign their award to someone else, but as time dragged on, it became clear that soldiers were becoming too old to start afresh on new land and the law was changed in 1788 to allow assignment. The law also allowed a soldier to claim bounty land from both the federal government and a state government. The amount of land to be granted was dependent on the soldier's rank at the end of the War.

For federal bounty land, initially the Secretary of War reviewed applications and issued warrants and the Treasury Department supervised the selection of land and issued the final patent. First a soldier had to apply for a land grant. If they met the criteria, they were issued a warrant which they took to the War Department and requested a survey of the land. After the survey was returned, a patent was issued and in theory, the soldier took possession of the land.

Finding the paper trail is sometimes challenging. The War Department suffered two fires in 1800 and in 1814 that destroyed many of the Revolutionary War warrants in its possession. So pre-1800 federal applications are gone. They have been replaced by cards that are filed with Revolutionary War Pension files and filmed by the National Archives (NARA) on microfilm publication M804. The warrants for the Ohio Bounty Land are shown on NARA microfilm publication M829.

The land given by the federal government was in the present-day state of Ohio and was in the counties of Noble, Guernsey, Tuscarawas, Muskingum, Coshocton, Holmes, Licking, Knox, Franklin, Delaware, Morrow, and Marion. Of the over 1 million acres claimed by warrant, only about half were finally patented.

## Bounty Land for Other Conflicts

**War of 1812:** Land was located in present day states of Arkansas, Illinois, and Missouri (Michigan was planned, but not fulfilled).

NARA Publications:

- War of 1812 Military Bounty Land Warrants, 1815-1858 (M848, 14 rolls)
- Ancestry Database: “U.S., War Bounty Land Warrants, 1789-1858” (includes M848 and M829 – Ohio Warrants)
- Fold3 Database: “War of 1812 Military Bounty Land Warrants, 1815”

Mexican War and Indian Wars also allowed bounty Land.

## Land Entry Case Files

These are records that document the transfer of public lands from the U.S. government to private ownership

- Public states do not include the following:
  - Original 13 colonies (Connecticut, Delaware, Georgia, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Virginia)
  - Hawaii, Kentucky, Maine, Tennessee, Texas, Vermont, and West Virginia
- Three types of land entry case files:
  - Military Bounty Land Warrants
  - Pre-1908 General Land Entry Files
  - Post-1908 General Land Entry Files

## Requesting Land Entry Case Files from the National Archives:

- For pre-1908 files, provide the following:
  - State
  - Land Office
  - Type of Patent Under Law (“Authority” field on BLM GLO web site)
  - Patent # (“Document Nr.” field on BLM GLO web site)
- For post-1908 files, provide the serial patent # (“Accession Nr” field on GLO web site)
- NATF Form 84 - <https://www.archives.gov/files/dc-metro/washington/natf-84.pdf>
- Order online - <https://eservices.archives.gov/orderonline>

## Homesteading

- The Homesteading Act was signed in 1862.

- The law allowed any American (or immigrant pursuing the citizenship process) to purchase up to 160 acres of federal land.
- Buyer was required to live on the land for five years and perform necessary upkeep and additions.
  - Civil War Union veterans could use time served in military towards the residency requirement.
  - Settlers could also acquire the title of land if they lived on the land for 6 months and paid the government \$1.25 per acre.
- Eligibility:
  - Adults 21 years and older, which included the following:
    - Single women
    - Former enslaved people
    - Immigrants (1<sup>st</sup> papers required – otherwise known as declaration of intention)
- The Process:
  - Go to the local land office.
  - Pay a small filing fee.
  - Live on the land and grow crops for 5 years.
  - After the 5 years, file for the patent (land title).
  - If approved, patent was awarded.
- What's in the Land Entry Case File?
  - Final Certificate
  - Final Receiver's Receipt
  - Testimony of Claimant
  - Testimony of Witness
  - Final Homestead Affidavit
  - Application and accompanying affidavits
- The law was not fully repealed until 1986, when it expired in Alaska. All previous states had repealed the law by 1976.
- Homestead Acts
  - Southern Homestead Act of 1866
    - Included and encouraged African Americans to obtain a homestead
  - Timber Culture Act of 1873
    - Claimant required to plant trees
    - No residency requirement
  - Kinkaid Amendment of 1904
    - 640 acres to new homesteaders in western Nebraska
  - Enlarged Homestead Act of 1909
    - Doubled acreage from 160 to 320 acres in marginal areas
  - National Stock-Raising Homestead Act of 1916
    - Granted 640 acres for ranching purposes

## Did Your Ancestor Have a Homestead?

- Check census records for birthplace of head of family and children. You may notice a move shortly after 1862 out west.
- Check census records for the occupation of the head of household. Look for farmers that owned property.
- Review agriculture schedules to identify if the family had 160 acres (full portion) or 80 acres (half portion).
  - Early 20<sup>th</sup> century, you may see a higher increase (320-640 acres).

## Online Resources:

- Bureau of Land Management General Land Office (GLO) Database - <https://glorerecords.blm.gov>
  - Click Search Documents.
  - Search by first and last name and include location if known.
- Ancestry.com is digitizing the files from the National Archives in Washington, D.C.
  - U.S. Homestead Records, 1863-1908 - <https://www.ancestry.com/search/collections/60593/>
- FamilySearch
  - Cancelled, Relinquished, or Rejected Land Entry Case Files, 1861-1932 - <https://www.familysearch.org/search/collection/2170637>
  - Use the catalogue to locate individual homestead records from various land offices across the United States
- African American Homesteaders - <https://www.nps.gov/home/black-homesteading-in-america.htm>

## Strategies for Using Homesteading Files

- Immigrant Origins
  - Immigrants were required to have already filed their first papers (declaration of intention) in order to apply for a homestead.
  - Many land entry case files contain copies of the naturalization papers that were filed by the applicant.
  - Applications also list details about an ancestor's birthplace.
- Military Service
  - Veterans who served in the Union during the Civil War were eligible to apply for a homestead and use their military service towards the 5-year residency requirement.
  - Soldier's Discharge records are included as proof of service.
    - Information includes regiment information, where enlisted or drafted, occupation, birth date and birthplace.

## Bibliography

### General

Hatcher, Patricia Law. *Locating Your Roots: Discover Your Ancestors Using Land Records* (Cincinnati, Betterway Books, 2003).

Hone, E. Wade, *Land & Property Research in the United States* (Provo, Utah: Ancestry.com, 1997).

Wilson, Donald A. *Interpreting land records*. (Hoboken, Wiley, 2006).

### Bounty Land-General

Lloyd Dewitt Bockstruck, *Revolutionary War Bounty Land Grants: Awarded by State Governments* (Baltimore: Genealogical Publishing Co, 1996). Online at Ancestry under the title "Revolutionary War Bounty Land Grants."

Lloyd Dewitt Bockstruck, *Bounty and Donation Land Grants in British Colonial America* (Baltimore: Genealogical Publishing Company, 2007)

George W. Knepper, *The Official Ohio Lands Book* (Ohio Auditor of State, 2002). Digitally available at [www.ohioauditor.gov/publications/OhioLandsBook.pdf](http://www.ohioauditor.gov/publications/OhioLandsBook.pdf).

Christine Rose, *Military Bounty Land 1776-1855* (San Jose, CA: CR Publications 2011).

## Federal Bounty Land

Clifford Neale Smith, *Federal Land Series; A Calendar of Archival Materials on the Land Patents Issued by the United States, Volume 2: Federal Bounty Land Warrants of the American Revolution, 1799-1835* (Chicago, American Library Association, 1972)

National Archives, "Bounty-Land Warrant Application Files, ca. 1800 - ca. 1900," Record Group 15, <https://catalog.archives.gov/id/567388> Online at Family Search, Ancestry, and Fold3.

National Archives, "U.S. Revolutionary War Bounty Land Warrants Used in the U.S. Military District of Ohio and Relating Papers (Acts of 1788, 1803, and 1806), 1788-1806," Record Group 49, <https://www.archives.gov/files/publications/ref-info-papers/rip114.pdf> Online at Ancestry under the title "U.S., War Bounty Land Warrants, 1789-1858."

## Land Entry Case Files

Hawkins, Kenneth. *Research in the Land Entry Files of the General Land Office* (Washington, DC: National Archives Records and Administration, 2009). Available online at <https://www.archives.gov/files/publications/ref-info-papers/rip114.pdf>.

## Homesteading

Edwards, Richard. *Homesteading the Plains: Toward a New History* (University of Nebraska Press, 2019).

Harris, Irene. *The Homestead Act and Westward Expansion: Settling the Western Frontier* (New York: Powerkids Press, 2017).

Raabe, Emily. *Pioneers: Life as a Homesteader* (New York: Powerkids Press, 2003).