

AN ADVENTURE IN USING FEDERAL LAND RECORDS

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I find using federal land records confusing and frustrating. Mountains of these documents seem to exist everywhere but with little or no explanation of what the records contain or how to use them. Doing Alabama research, however, requires some understanding of this process as Alabama, as well as Mississippi and many other states are “federal land states,” where land was initially transferred to settlers by the United States government and not by the territorial or state governments (unlike Georgia, the Carolinas, Virginia, Tennessee and other older states.)

The United States government has always recognized earlier, legitimate, land grants by foreign nations. Titles to lands granted by France, Spain, and Great Britain in what became Alabama are abstracted in THE AMERICAN STATE PAPERS, an indexed series of books that we have at Wallace State and which can also be searched for free, along with many published legislative records of the United States to 1875, at the Library of Congress web site: <http://memory.loc.gov/ammem/amlaw/lawhome.html> or “U. S. Congressional Documents and Debates.” The State of Georgia never issued any land grants for tracts in Alabama.

The United States government divides federal lands into numbered 640 acre squares called sections. Within each section, the land is further divided into 160 acre quarter sections and 40 acre “quarter quarter” sections. The 640 acre numbered sections are located by numbered range lines that run north/south and numbered township lines that run east-west. The lines are one mile a part and are counted off of meridians set by the government. Range and township lines in North Alabama are counted from the Huntsville Meridian.

You can go on the Internet to the web site of the Bureau of Land Management and from there search for and obtain copies for free of most but not all patents (grants) in Alabama. Not on this web site are the grants bought on credit to 1820, bounty lands granted for military service to veterans (and their heirs); and homestead applications that were not completed. All of the latter can be searched for and, for a fee, copies obtained from National Archives, Washington, DC 20408-0001.

Finding out when and if someone received a land grant in Alabama, however, becomes much more complicated after you have pursued the above, as I learned in trying to find the identities of the original grantees of the long dead town of Baltimore.

In 1820, William Dunn of Blount County, and partners from across north Alabama, sold lots for a town that they created in Section 7, at the intersection of Township line 13 S and Range line 3 W, Huntsville Meridian. Baltimore, near today’s Arkadelphia, ultimately failed from sickness and low water in the river, leaving little more than a colorful history, the name of a road, and a cemetery. Section 7 originally was bisected by the boundary line between Blount and Walker counties although today it would all be in Cullman County.

My first search for information on the Baltimore grants was to check Marilyn Davis Barefield, Old Huntsville Land Office Records & Military Warrants, 1810-1854 (1985), a book based on payment records now in the Alabama Department of Archives and History. However, while such books have names not found in the Bureau of Land Management data base on the Internet, these works omit many other names, such as people who made payments but did not make the last payment and thus did not receive the patent. You also cannot use books like this for locating owners by section number as the entries are in chronological order. I checked our book of Cullman County land grants, which can be searched by section number, but it has the problem of including only the incomplete information on the BLM data base.

It appeared that I would have to learn the grantees of the land in Section 7 by consulting the tract books. Each county in Alabama has a copy of its tract book, a large volume that shows all of its land grants by township, range, and section. Some of these records for individual Alabama counties have been published but not for Blount, Cullman, Walker, and Winston counties. When I went to the Cullman County court house to see the original book, no one I asked could find the county tract book. We have microfilm from the Alabama Archives of the county tract books but the film for Cullman County was too poor to read, a problem with many of the films of the tract books.

I went to the Alabama Archives to look at the original tract book but the state's copies of the county tract books are held by the Secretary of State, not the Archives. I had no time on that day to learn how to gain access to those books. I did search through the Archives' collection of original federal land grant records and in it I found an 1855 tract book for Blount County that gave me the information for half of Section 7. (The other half was in Walker County at that time and the Archives had no such volumes for Walker or Winston counties.)

In frustration, I wrote to the Bureau of Land Management, 7450 Boston Boulevard, Springfield, Virginia, 22153 for help. For a small fee, the BLM sent me copies of the pages from its tract book. The pages showed me who had made payments on the land, who had received the final patents, case numbers, and the dates for all transactions, as well as notes on specific acts of the United States applying to each grant. I finally had the information that I sought but I seemed, as usual, to have to make a long journey to get my answers. I should mention that the Hoole Library of the University of Alabama at Tuscaloosa also has a large collection of original federal land records that might have helped me in my quest.