

M1915

LAND ENTRY CASE FILES OF THE BROKEN BOW LAND OFFICE,
BROKEN BOW, NEBRASKA: HOMESTEAD FINAL CERTIFICATES,
1890–1908

University of Nebraska-Lincoln,
National Park Service, Homestead National Monument of America, and
National Archives and Records Administration
Washington, DC
2005

United States. National Archives and Records Administration.

Land entry case files of the Broken Bow Land Office, Broken Bow, Nebraska : homestead final certificates, 1890–1908.— Washington, DC : University of Nebraska-Lincoln, National Park Service, Homestead National Monument of America, and National Archives and Records Administration, 2005.

; 23 cm.— (National Archives microfilm publications. Pamphlet describing ; M 1915)

Cover title.

1. United States. Bureau of Land Management. Nebraska Land Office – Archives – Microform catalogs. 2. Land tenure – Nebraska – Broken Bow – History – Sources – Microform catalogs.
I. University of Nebraska–Lincoln. II. Homestead National Monument of America (Neb.) III. Title.

INTRODUCTION

On the 50 rolls of this microfilm publication are reproduced the 1,824 Homestead Land Entry Case Files of the Broken Bow Land Office, 1890–1908. These homestead files consist of unbound documents that include final certificates, applications with land descriptions, affidavits showing proof of citizenship, Register and Receiver receipts, notices and final proofs, and testimonies of witnesses. These documents are part of the Records of the Bureau of Land Management (formerly known as the General Land Office), Record Group (RG) 49.

HISTORY AND ORGANIZATION

An act of Congress on May 18, 1796 (1 Stat. 464), provided for the disposal of public lands north of the Ohio River and established the first Office of the Surveyor General under the Department of the Treasury. In 1812, Congress passed a law allowing a three-year extension of credit over delinquent payments (2 Stat. 782) and, in the same session, established the General Land Office (GLO) with the appointment of a commissioner under the Department of the Treasury. The first GLO commissioner, Edward Tiffin, organized land records under his office and began to process land entries. The GLO was transferred to the newly created Department of Interior in 1849.

The General Land Office was responsible for disposal of public lands through a local land office system. It was authorized to “superintend, execute and perform all such acts and things touching or respecting the public lands of the United States.” Public land sales required the establishment of land districts and land offices to operate and conduct the actual sales. The land office included a Register and Receiver appointed by the President. The Registers and Receivers were responsible for the administration of public land in the field, both judicial and administrative. They distributed information to the public on the availability of land, furnished plats showing vacant lands, and received and examined applications for homestead, desert land, and timber culture transactions. In addition, the Registers and Receivers accepted preemption certificates, land scrip, warrants, and cash from applicants to acquire land. The land office officials could administer oaths, conduct hearings, make decisions in contested cases, act on final proofs, and issue certificates. All final decisions were made by the Commissioner of the General Land Office in Washington, DC. In addition, the Registers and Receivers recorded all land transactions in tract books, received monies, and forwarded quarterly reports with all receipts and documents to Washington. The first land office to open was in Steubenville, Ohio, on July 2, 1800. Today there are 12 land offices operating: 11 in the west and 1 in the east.

When total acreage in a land district was reduced to less than 100,000 acres, the Secretary of Interior was required by law to discontinue the land office and consolidate the business of land sales with other offices. The Broken Bow Land Office, for example, was established by an act of Congress of April 16, 1890 (26 Stat. 55), and by GLO Notice No. 934 of April 25, 1890. It acquired the business of the North Platte and Valentine Land Offices by GLO Notice No. 1664, dated October 23, 1918.

The Broken Bow office closed on June 30, 1922, by order of the Secretary of Interior, transferring all activity to the Lincoln Land Office.

RECORDS DESCRIPTION

The land entry case files for 1800–1908 in the National Archives are arranged by state, thereunder by land office, and thereunder by type of land transaction, such as homestead, cash, or timber culture. The homestead case files reproduced here were created at the Broken Bow Land Office under the Homestead Law of May 20, 1862 (12 Stat. 392), which made available 160 acres of public land to heads of households, widows, and single persons over 21 years old. Those who lived on and cultivated the land for five years received ownership. The homestead files are trifolded documents consisting of the final certificate, the application with land description, an affidavit showing proof of citizenship, Register and Receiver receipts, a notice and final proof, and testimony of witnesses. The files are arranged in numerical order by final certificate number.

FRAUDULENT LAND AND CONTEST FILES

Local land offices examined every land transaction as required by law, and questioned any suspicious transaction by challenging those who may have attempted to acquire land outside the law. The Broken Bow Land Office was no exception. Among the 1,824 homestead files on this microfilm are 13 unique files documenting claims of fraudulent land transactions and other contested files. In addition to the standard GLO documents, these files contain depositions, affidavits, court rulings, reports, letters received and sent, preemptions, and in some cases the original land patent.

The contested land entry files consist of the following:

- 1) Homestead Entry 202: Lizzie Simpson. The file shows that the claimant did not reside on and cultivate the land according to law. This file includes testimony and affidavits documenting Simpson's improvements on the land.
- 2) Homestead Entry 210: Henry K. Hamilton. The file shows that the contestant initiated a contest against the claimant for abandonment of the land, and includes testimony with affidavits showing the claimant's improvements and intention of staying on the land. It includes the final decision by the court with appeal.
- 3) Homestead Entry 436: William H. Wright. This file includes reference to an error in the survey of land and a request for a new land patent.
- 4) Homestead Entry 1386: Bertha Austin. This cancellation of land patent includes letters received and sent, and a report, deposition, and final decision.
- 5) Homestead Entry 1412: James Ledwich, assignee of Thomas Lydick. This file contains documents related to a dispute over an acre of land, and includes a Soldiers Additional Homestead claim and proof of assignment.

- 6) Homestead Entry 1414: Charles McKibben. This file concerns a homestead application canceled due to nonresidence, and contains a Special Agent Report, affidavits, a court decree, and related correspondence.
- 7) Homestead Entry 1448: Ambrose J. Foran. This case file concerns a homestead canceled due to failure to file a final proof showing improvements on the land, and includes a Special Agent Report, affidavits, a court decree, the original patent, and related correspondence.
- 8) Homestead Entry 1479: assignee of John Kidd. The file documents cancellation of a land transaction for failure to submit final proof, and includes a Soldiers Additional Homestead claim and affidavit.
- 9) Homestead Entry 1499: Sanford B. Brown. The file shows cancellation of the land patent due to the claimant residing on the land for the benefit of a cattle company, and includes an affidavit, a Special Agent Report, and letters received and sent.
- 10) Homestead Entry 1538: Jessie C. Dufur. The file documents that this homestead was canceled due to forgery of final proof, and includes a Special Agent Report, an affidavit related to the fraudulent land transaction of J. H. Edmisten, a court ruling, and related correspondence.
- 11) Homestead Entry 1607: James Clary. This file concerns charges against the claimant for nonresidency on the land and failure to make improvements, and includes the homestead certificate, a Special Agent Report on the fraudulent claim, affidavits, and related correspondence.
- 12) Homestead Entry 1745: William C. Alspaugh. This file concerns charges against the claimant for nonresidence on the land and failure to make improvements, and includes an affidavit, testimony, a plat, and correspondence.
- 13) Homestead Entry 1810: William J. Medland. This file documents a contest over naturalization and the required cultivation of land. It includes testimony, an affidavit, reports, a court ruling, and correspondence.

RELATED RECORDS

Other records pertaining to land transactions between the Bureau of Land Management and other agencies include the Records of the Office of the Secretary of Interior, RG 48, documenting policy on land issues; Records of the Bureau of Indian Affairs, RG 75, showing land transfers from Indian reservations to the public domain; and Records of the Forest Service, RG 95, documenting the transfer of land from the public domain to national forests.

ROLL LIST

ROLL	FINAL CERTIFICATE NUMBERS	DATES OF FINAL CERTIFICATES
1	1–40	July 12–Sept. 25, 1890
2	41–80	Oct. 2–Nov. 24, 1890
3	81–120	Nov. 26, 1890–Apr. 13, 1891
4	121–160	Apr. 13–Sept. 9, 1891
5	161–200	Sept. 16, 1891–Jan. 9, 1892
6	201–226	Jan. 9–Apr. 8, 1892
7	227–267	Apr. 11–July 2, 1892
8	268–310	July 15–Oct. 25, 1892
9	311–350	Oct. 26, 1892–Jan. 9, 1893
10	351–391	Jan. 19–May 15, 1893
11	392–432	May 20–Aug. 21, 1893
12	433–473	Aug. 23–Nov. 21, 1893
13	474–512	Nov. 22, 1893–Apr. 9, 1894
14	513–553	Apr. 13–July 21, 1894
15	554–599	July 25–Oct. 27, 1894
16	600–640	Nov. 1, 1894–May 20, 1895
17	641–680	June 1–Oct. 18, 1895
18	681–720	Oct. 28, 1895–June 12, 1896
19	721–760	June 13–Nov. 30, 1896
20	761–800	Dec. 2, 1896–Aug. 7, 1897
21	801–840	Aug. 28, 1897–Feb. 28, 1898
22	841–880	Mar. 5–July 2, 1898
23	881–918	July 21, 1898–Jan. 23, 1899
24	919–960	Feb. 6–June 6, 1899

ROLL	FINAL CERTIFICATE NUMBERS	DATES OF FINAL CERTIFICATES
25	961-1000	June 8-Oct. 2, 1899
26	1001-1040	Oct. 4, 1899-Jan. 31, 1900
27	1041-1080	Feb. 7-Aug. 20, 1900
28	1081-1120	Aug. 23, 1900-Apr. 9, 1901
29	1121-1160	Apr. 11-Nov. 11, 1901
30	1161-1200	Nov. 19, 1901-May 31, 1902
31	1201-1240	June 7-Oct. 27, 1902
32	1241-1280	Oct. 28, 1902-Mar. 17, 1903
33	1281-1320	Mar. 19-July 29, 1903
34	1321-1360	July 30-Dec. 17, 1903
35	1361-1390	Dec. 22, 1903-Apr. 30, 1904
36	1391-1420	May 9-Nov. 1, 1904
37	1421-1449	Nov. 2, 1904-Feb. 14, 1905
38	1450-1490	Feb. 20-July 18, 1905
39	1491-1525	July 27-Nov. 18, 1905
40	1526-1550	Nov. 20, 1905-Mar. 7, 1906
41	1551-1590	Mar. 27-June 25, 1906
42	1591-1620	June 25-Oct. 26, 1906
43	1621-1650	Oct. 26, 1906-Feb. 7, 1907
44	1651-1680	Feb. 7-June 24, 1907
45	1681-1710	July 23-Sept. 21, 1907
46	1711-1739	Sept. 21-Oct. 24, 1907
47	1740-1755	Oct. 28-Nov. 26, 1907
48	1756-1785	Nov. 29, 1907-Mar. 31, 1908
49	1786-1805	Mar. 31-May 22, 1908
50	1806-1824	May 25-June 30, 1908