

REVIEW

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SQUATTERS RIGHTS: Some Pulaski County Settlers Prior to 1814

by Margaret Smith Ross

The earliest American settlers in what is now Pulaski county were nothing more than squatters on the public lands, for they had no claims of any kind to the land they occupied. When the land was finally exposed to public sale, these settlers, or their heirs or legal representatives, were given the right of pre-emption; that is, first preference over other purchasers to buy the land they had improved, at minimum prices. This was made possible by several acts of Congress granting the right of pre-emption to actual settlers.

The pre-emption act of April 12, 1814, was the one under which most of the earliest settlers of this area claimed, although a few claimed under the old "settlement and improvement" act which required ten years occupancy prior to 1802. These, of course, had settled under French and Spanish government, and in some cases they held grants from those governments. Many of these also claimed, and quite properly, under the 1814 law.

Because pre-emption rights were granted as a reward for advancing the frontier, the claimants were required to furnish proof that they had actually lived on the land, cultivated it, and otherwise improved it prior to April 12, 1814, and that they had not removed from the then Territory of Missouri prior to that date. This was designed to eliminate the hunters, trappers, and other transients, many of whom nevertheless entered claims and in some instances managed to perfect them.

Because Congress hoped to parcel out the land in squares, the settlers were given pre-emption rights to the entire quarter section on which their improvements were located, and in the case of fractional quarters, they could choose an additional adjoining quarter section. Consequently, we cannot locate their claims any more definitely than the quarter section, but the reader must bear in mind that the settler's homesite was far smaller than that area. As a further complication, many claims were entered before surveys were made and legal descriptions