

Land Records Unlocked: A Genealogist's Guide to Land Deeds

Class 1: History of Land Records in America

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Land transfers

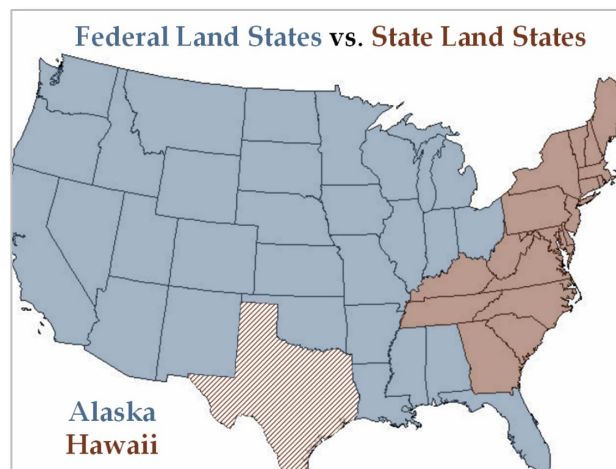
Thinking about land records really means thinking about how property is owned and transferred.

Acquisition	Disposition
Grant	Assignment/Escheatment
Deed/Quitclaim	Deed/Quitclaim
Inheritance	Bequeathment
Division/partition	Division/partition

Jurisdiction levels

We need to consider who would have created the records so that we can understand where they have been kept.

Crown/ Federal	<ul style="list-style-type: none">• Nation to person(s)
Colony/ State	<ul style="list-style-type: none">• Colony/state to person(s)• Colony/state to town to person(s)• Colony/state to proprietor(s) to person(s)
County	<ul style="list-style-type: none">• Person(s) to person(s)



Courtesy of FamilySearch Wiki

Level 1: National

- **Spanish**

- *When:* Mostly 1500s-1821; but for Louisiana (held 1762-1800)
- *Where:* Florida(s) (including today's Alabama and Mississippi), Texas, Southwest, Louisiana Territory, Puerto Rico
- *Why:* One of Spain's top goals was to expand Catholicism, so they established missionaries and attempted to recruit Catholic populations to settle there.
- *Records:*
 - *Louisiana Territory:* See French; post-1797 headrights (of up to 200 arpents per new settler, 50 arpents each child, 20 arpents each slave but max of 800 arpents)
 - *Floridas:* 1783-1815 headright grants (of 100 acres per head of household and 50 acres per additional family member); 1790-1821 memorials
 - *New Mexico Territory:* 1680s-1821 pueblo (town/community) grants and presidio (military settlement) grants
 - *U.S. Private Land Claims:* post-1821 reconfirmation of claims for lands previously possessed by Spanish

- **Mexican**

- *When:* 1821-1848; but for Texas (Republic 1835-1845)
- *Where:* Provinces of the West (California and Arizona), North (New Mexico, Nevada, Colorado, Utah), and East (Texas, Oklahoma, Kansas, Wyoming)
- *Why:* Mexico gained its independence from Spain but then lost the Mexican-American War. In between, Mexico passed acts to attract settlers to these areas.
- *Records:*
 - *California:* ranchos (mostly 1833-1846), pueblos, presidios, missions
 - *Texas:* empresario grants; grants by petition (dating back to 1716 but most documentation post-1821)
 - *U.S. Private Land Claims:* post-1840s

- **French**

- *When:* 1699-1762, 1800-1803
- *Where:* Louisiana Territory/Purchase (Louisiana, Arkansas, Missouri, Iowa, Oklahoma, Kansas, Nebraska, Dakotas, and parts of Montana, Wyoming, Colorado, and Minnesota) and Canada (including Midwest states, western parts of New York and Pennsylvania)
- *Why:* The French primarily were concerned with trade (fur and mineral), so they set up trading posts and networked with local tribes. To populate their settlements, beginning in 1717 the French imported convicts and slaves. These regions also attracted colonists from

Germany and Alsace-Lorraine, while welcoming the Acadians (who had been expelled from today's Canada).

- *Records:*
 - *Louisiana Territory:* grants like headrights, ribbon farms
 - *Canada:* concessions, seigneuries
 - *U.S. Private Land Claims:* post-1803
- **British**
 - *When:* Mostly 1607-1783; but for territory gained from France and Spain 1763 and Oregon Country (Oregon and Washington) occupied 1818-1846
 - *Where:* Mostly east of the Appalachian Mountains (Georgia to Maine)
 - *Why:* Like the other nations, the British wanted to make money, but they also competed with those other European powers. Many colonists sought (mostly Protestant) religious freedom.
 - *Records:*
 - *Process:* charter, colonial grant, proprietor records, individual grant
- **Federal**
 - *When:* 1783-present
 - *Where:* 30 public-land states that use the rectangular survey system
 - *Why:* Public lands were granted to raise revenues, compensate veterans, and encourage westward migration.
 - *Records:*
 - *Process:* application, receipt, warrant, survey, land-entry case file, final certificate, patent
 - *Programs:* donation lands, cash/credit sales, homestead grants, military bounty lands, private land claims
- **Native American**
 - Acquisitions from tribes via donations, sales, and treaties
 - Distribution to members of tribes via allotments and scrips

Level 2: Local Distribution

- *Colony/State:* crown/nation to colony/state to person(s)
 - Individuals established rights to receive warrants then hired surveyors and were granted the land
 - Method used mainly by southern colonies
 - 20 state-land states typically use a metes-and-bounds system
 - Process: application, warrant, survey, patent/grant
 - Other records include headright grants

- Held by state archives (or equivalent)
- *Town*: crown to town to person(s)
 - Crown granted charters to colony which planted towns which distributed land to individuals
 - Records include distributions, agreements, deeds
 - Often mixed in with the town meeting records
 - Held by town clerk
- *Proprietor*: colony/state to person(s) then person(s) to person(s)
 - Crown granted land to proprietor(s) who sold or leased land to individuals
 - Records include sales, modified sales, reversions, leases, rent books/rolls, account books, receipts, etc.
 - Held in private/company collections

Level 3: County

- County – person(s) to person(s)
 - Records include deeds/conveyances, mortgages
 - Held by county clerk/recorder or register of deeds
 - TIP: Check for boundary/name changes. Try the interactive maps for each state at <https://www.mapofus.org/>

Resources

General Guides

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

E. Wade Hone, *Land & Property Research in the United States* (Salt Lake City: Ancestry Inc., 1997).

Donald A. Wilson, *Interpreting Land Records* (Hoboken, Wiley, 2006).

Carol Mehr Schiffman, “Geographic Tools: Maps, Atlases, and Gazetteers” and Wendy B. Elliott and Karen Clifford, “Printed Land Records,” in *Printed Sources: A Guide to Published Genealogical Records* (Salt Lake City: Ancestry Inc., c1998), 95–144, 388–435.

E. Kay Kirkham, *The Land Records of America and Their Genealogical Value* (Salt Lake City: Deseret Book Co., c1964).

James C. Barsi, *The Basic Researcher’s Guide to Homesteads & Other Federal Land Records* (Colorado Springs: Nuthatch Grove Press, c1994).

Malcolm J. Rohrbough, *The Land Office Business: The Settlement and Administration of American Public Lands, 1789-1837* (N.Y.: Oxford University Press, 1968).

Localized Resources

Carrie Eldridge, *An Atlas of Settlement Between the Appalachian Mountains and the Mississippi-Missouri Valleys, 1760-1880* (Chesapeake, Ohio: Eldridge, c2006).

Jeremy Dupertuis Bangs, *Indian Deeds: Land Transactions in Plymouth Colony, 1620-1691* (Boston, MA: NEHGS, 2002).

Roy Hidemichi Akagi, *The Town Proprietors of the New England Colonies: A Study of their Development, Organization, Activities and Controversies, 1620-1770* (Peter Smith Publishers, 1963).

David F. Stoddard, "Land System of the New England Colonial Colonies," *Connecticut Nutmegger* 11 (1979):556-564.

Genealogist's Handbook for New England Research, 5th ed. (Boston: NEHGS, 2012).

New York Genealogical and Biographical Society, *New York Family History Research Guide and Gazetteer* (N.Y.: New York Genealogical and Biographical Society, 2014).

Donna Munger, *Pennsylvania Land Records: A History and Guide for Research* (Wilmington, Del.: Scholarly Resources Inc., 1991).

Websites

- FamilySearch, www.familysearch.org
- Ancestry, www.ancestry.com
- Bureau of Land Management, General Land Office, <https://glorerecords.blm.gov/search/default.aspx>

Colonization Records Repositories

- National Archives and Records Administration, Cartographic Division, College Park, Md., <https://www.archives.gov/college-park>
- National Archives and Records Administration, Textual Reference Branch, Washington, D.C., <https://www.archives.gov/research/order/textual-records-dc.html>
- Library of Congress, Local History and Genealogical Reading Room, Washington, D.C., <https://www.loc.gov/rr/genealogy/>
- FamilySearch Library, Salt Lake City, Utah, www.familysearch.org
- National Genealogical Society, Arlington, Va., <https://www.ngsgenealogy.org/>

British

- Public Record Office (PRO), National Archives, Kew, England, <https://discovery.nationalarchives.gov.uk/details/r/C6027726>
- Library and Archives Canada (LAC), Ottawa, Canada, <http://www.bac-lac.gc.ca/eng/Pages/home.aspx>
- American Ancestors, Boston, Massachusetts www.americanancestors.org

- Library of Virginia, <http://www.lva.virginia.gov/> (Tip: Search "Virginia Land Office Patents and Grants" at <https://lva-virginia.libguides.com/land-grants>)
- College of William and Mary, Institute of Early American History and Culture, Earl Gregg Swem Library, Williamsburg, Va., <https://libraries.wm.edu/libraries/departments/special-collections>
- North Carolina State Archives, Office of Archives and History, Raleigh, N.C., <https://www.ncdcr.gov/about/office-archives-and-history>
- Florida State Archives, Tallahassee, Fla., <https://dos.myflorida.com/library-archives/about-us/about-the-state-archives-of-florida/>
- University of West Florida, John C. Pace Library, Pensacola, Fla., <https://libguides.uwf.edu/universityarchives>

French

- Archives nationales, Paris, France, <http://www.archives-nationales.culture.gouv.fr/>
- Bibliothèque nationale de France, Paris, France, <https://www.bnf.fr/fr/ricHELIEU>
- Bibliothèque et Archives nationales du Québec, Quebec, Canada, <https://www.banq.qc.ca/>
- Alabama Department of Archives and History, Montgomery, Ala., <https://archives.alabama.gov/>
- Arkansas State Archives, Little Rock, Ark., <https://www.arkansasheritage.com/arkansasstatearchives/home>
- Illinois State Archives Division, Springfield, Ill., <https://www.ilsos.gov/departments/archives.html>
- "French in the Americas," The Newberry, Chicago, Ill., <https://web.archive.org/web/20220704121558/https://www.newberry.org/french-america>, guide to collections of <https://www.newberry.org/>
- Louisiana State Archives, Baton Rouge, La., <https://www.sos.la.gov/HistoricalResources>
- Center for Louisiana Studies, The University of Southwestern Louisiana, Lafayette, La., <https://louisianastudies.louisiana.edu/about-center/archives-research>
- Louisiana Historical Center, Louisiana State Museum, New Orleans, La., <https://louisianastatemuseum.org/louisiana-historical-center>
- Notarial Archives, Clerk of Civil District Court for the Parish of Orleans, New Orleans, La., <https://www.orleanscivilclerk.com/research.htm>
- The Historic New Orleans Collection, Kemper and Leila Williams Foundation, Williams Research Center, New Orleans, La., <https://www.hnoc.org/about>
- New Orleans City Archives & Special Collections, New Orleans, La., <https://nolacityarchives.org/>
- Missouri State Archives, Jefferson City, Mo., <https://www.sos.mo.gov/archives/resources/land>
- Mississippi Department of Archives and History, Jackson, Miss., <http://www.mdah.ms.gov/new/research/collections/>

Spanish and Mexican

- Archivo General de Indias, Sevilla, Spain, <https://www.cultura.gob.es/cultura/areas/archivos/mc/archivos/agi/portada.html>
- Archivo General de la Nación, Mexico City, Mexico, <https://www.gob.mx/agn>
- Alabama Department of Archives and History, Montgomery, Ala., <https://archives.alabama.gov/>
- Arkansas State Archives, Little Rock, Ark., <https://www.arkansasheritage.com/arkansasstatearchives/home>
- Arizona State Archives, Phoenix, Ariz., <https://azlibrary.gov/archives>
- Bureau of Land Management, Arizona State Office, Phoenix, Ariz., <https://www.blm.gov/office/arizona-state-office>
- Bureau of Land Management, California State Office, Sacramento, Calif., <https://www.blm.gov/office/california-state-office>
- California State Archives, Sacramento, Calif., <https://www.sos.ca.gov/archives/>
 - See *California, U.S., Spanish Land Records, 1784-1868*, database at <https://www.ancestry.com/search/collections/8808/>
- University of California-Berkley, Bancroft Library, Berkley, Calif., <https://www.lib.berkeley.edu/>
- Bureau of Land Management, Colorado State Office, Lakewood, Colo., <https://www.blm.gov/office/colorado-state-office>
- Florida State Archives, Tallahassee, Fla., <https://dos.myflorida.com/library-archives/about-us/about-the-state-archives-of-florida/>
- Division of State Lands, Bureau of Mapping and Survey, Tallahassee, Fla., <https://floridadep.gov/lands/bureau-survey-mapping>
- University of Florida, P.K. Yonge Library, Gainesville, Fla., <http://www.library.ufl.edu/spec/pkyonge/Microfilm/SpanHoldings.html>
- University of West Florida, John C. Pace Library, Pensacola, Fla., <https://libguides.uwf.edu/universityarchives>
- St. Augustine Historical Society, St. Augustine, Fla., <http://www.saintaugustinehistoricalsociety.org/research-library/>
- “Spanish-American Colonial Manuscripts,” The Newberry, Chicago, Ill., <https://www.newberry.org/collection/research-guide/spanish-american-colonial-manuscripts>
- Louisiana State Archives, Baton Rouge, La., <https://www.sos.la.gov/HistoricalResources>
- Center for Louisiana Studies, The University of Southwestern Louisiana, Lafayette, La., <https://louisianastudies.louisiana.edu/about-center/archives-research>
- Louisiana Historical Center, Louisiana State Museum, New Orleans, La., <https://louisianastatemuseum.org/louisiana-historical-center>
- Notarial Archives, Clerk of Civil District Court for the Parish of Orleans, New Orleans, La., <https://www.orleanscivilclerk.com/research.htm>

- The Historic New Orleans Collection, Kemper and Leila Williams Foundation, Williams Research Center, New Orleans, La., <https://www.hnoc.org/about>
- New Orleans City Archives & Special Collections, New Orleans, La., <https://nolacityarchives.org/>
- Doris Z. Stone Latin American Library and Research Center, Tulane University, New Orleans, La., <https://lal.tulane.edu/collections/special-collections>
- Loyola University of New Orleans, Spanish Documents Project, New Orleans, La., <https://library.loyno.edu/>
- Missouri State Archives, Jefferson City, Mo., <https://www.sos.mo.gov/archives/resources/land>
- Mississippi Department of Archives and History, Jackson, Miss., <http://www.mdah.ms.gov/new/research/collections/>
- Center for Southwest Research, University of New Mexico-General Library, Albuquerque, New Mexico <https://elibrary.unm.edu/cswr/>
- Bureau of Land Management, Department of the Interior, Santa Fe, New Mexico <https://www.blm.gov/office/new-mexico-state-office>
- New Mexico State Library, Southwest Room, Santa Fe, New Mexico <http://www.nmstatelibrary.org/research-and-collections/collections/southwest-collection>
- New Mexico Records Center and Archives, Santa Fe, New Mexico <http://www.nmcpr.state.nm.us/archives/about-the-archives>
- Texas General Land Office, Austin, Texas <http://www.glo.texas.gov/>
- Texas State Library, Archives Division, Austin, Texas <https://www.tsl.texas.gov/arc/index.html>
- Bureau of Land Management, Eastern States Office, Springfield, Virginia <https://www.blm.gov/eastern-states>