



Basic United States Land Records

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INTRODUCTION

Land ownership was one of the main attractions for people coming from the “old country.” Land records are unique in their value and use in family history research. This class covers:

- Why Use Land Records?
- Types of Land Transactions
- Land Survey Systems
- Anatomy of a Deed
- Locating Land Records
- Search Strategies

WHY USE LAND RECORDS?

- Land records place an individual in a specific place at a specific time. In addition, land records can indicate where in a county an ancestor owned land.
- Land was so important that the purchase of land was often recorded as soon as possible. Most counties have land records dating back to the earliest settlements.
- Land records may give clues as to where your ancestor came from or where your ancestor moved to upon leaving the county.
- People named together in a deed are often related. When a group sells land together, they are almost always related. Don't forget to research the witnesses.
- Land records often give clues about entire families and may provide names for family members that cannot be found elsewhere.
- When two men with the same name settled in the same county, land records can provide enough detail (spouse, place of residence) so that a careful researcher will be able to distinguish between the two.
- Deeds tend to survive even if few other records are available. Land constituted a family's wealth while providing the government with a tax base. If a courthouse burned, current landowners would often re-record their deeds.
- A high percentage of white males in rural areas owned land.

TYPES OF LAND TRANSACTIONS

There are two major types of land transactions. Transactions that occurred between a government body and an individual (called First Purchase transactions) and transactions that occurred between two individuals (called Person to Person transactions).

A **First Purchase** transaction happens when land is first purchased from a government or other entity. This could be the federal government (after the American Revolution), a State or Colonial Government, the British Crown, or an intermediary (such as a proprietor). Before an individual could make such a purchase, a survey of the land had to occur. Other vocabulary relating to the survey and purchase of government land include:

Cash Sale: Federal land purchased with cash

Grant: When a government (under English Common Law) gives land to an individual.

Homestead: A piece of land given to an individual(s) upon meeting certain requirements.

Patent: A document issued by the government giving an individual title to a tract of land.

Plat: A map showing the individual tracts of land within a location.

Survey: Defining the boundaries of land tracts.

Tract: A piece of land.

Warrant: A document guaranteeing an individual's right to land.

A **Person to Person** land transaction takes place when land is sold for a second, third, fourth, etc. time. A person to person transaction can take place between two or more individuals. The person (or group of people) selling the land known as the grantor(s) and the person (or people) purchasing the land are known as the grantee(s). Other related vocabulary includes:

Deed: Instrument for conveying real property or transferring a title.

Grantee: Individual(s) buying land.

Grantor: Individual (s) selling land.

Indenture: See Deed.

Release of Dower: The release of a wife's claim to the land being sold.

LAND SURVEY SYSTEMS

There are two main systems of surveying land in the United States:

Land surveyed as **Metes and Bounds** was surveyed according to local landmarks, compass readings, distances (usually listed in poles or chains), and neighbors. Initial settlement of land took place before most official surveying occurred, meaning the first settler often defined the boundaries of the land.

Metes and Bounds was used primarily in the State land States (land sold by the States) which are Connecticut, Delaware, Georgia, Hawaii, Kentucky, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia.

Platting Deeds in Metes & Bounds

<http://genealogytools.net/deeds>

Land surveyed after the establishment of the United States was surveyed by the Federal Government before settlement took place and is often called **Public Land Survey** or the Rectangular Survey. In the Rectangular Survey, land was surveyed according to a baseline and meridian in ever smaller rectangles. See one of the resources listed at the end of this handout for more information.

ANATOMY OF A DEED

Certain pieces of information are usually part of every deed, including:

- The **names** of the grantor(s) and the grantee(s) will be listed. The grantor is required to sign the deed. The grantee is not. (The deed may also include **witnesses**).
- The **consideration** or cost of the land. This may be monetary in nature or, if the land is a gift or inheritance, the consideration may be for “natural love and affection.”
- The **legal description**, which identifies the location of the land within the county. In deeds using metes and bounds, this includes names of neighbors.
- The **date** the transaction took place as well as the **date** the transaction was recorded.

Other pieces of information may also be found in deeds. Be on the lookout for the following additional information:

- The **spouse** of the Grantor/Grantee
- **Neighbors**, especially in descriptions using Metes and Bounds
- **Heirs** and other **relatives** may be named as selling land together.
- Alternate **residences** including the location from which an individual is moving (if the grantee) or the place to which an ancestor has already moved (if the grantor)
- **Occupation** and other **identifying information** including “farmer,” “husbandman,” “widower,” etc.
- **History** of the land with names of previous owners.

LOCATING LAND RECORDS

Federal Land Records:

- Copies of the records were deposited with the General Land Office and later transferred to the National Archives
- Bounty Land Warrants are on file at the National Archives with many also available online
- Microfilmed copies of the Tract Books are available at the Family History Library
- Some original land purchases have been mapped out and published in book form.
- The Bureau of Land Management has posted images of many original patents. If you find a patent for someone with a Homestead Case File, make sure to order a copy.

County Land Records:

- Original county records are kept on file at the county courthouses.
- FamilySearch has microfilmed many deeds and deed indexes and made them available in the Family History Library

- Some deeds have been abstracted and published by local individuals or genealogical societies.
- When searching the Family History Library Catalog, perform a place search for the county in which your ancestor settled. Under the county, look for the topics:
 - Land and Property
 - Land and Property – Indexes
 - Land and Property – Maps
- Use Abstracts to lead you to the original deeds.

Using Deed Indexes:

Many counties have created grantor and grantee indexes (sometimes called direct and indirect/reverse indexes). Some states have unusual indexes. Make sure to read the instructions on how to locate your ancestors within the index.

Indexes often use abbreviations (et al, etc.) to indicate multiple grantors/grantees or (et ux) to indicate that a wife is also named.

SEARCH STRATEGIES

1. Trace each and every piece of land owned by your ancestor.
 - a. How did you're your ancestor obtain the land?
 - b. How did your ancestor dispose of the land?
 - c. Search several years before and after the time your ancestor was known to be in the county to find additional land purchases.
2. Use Deeds to determine migration patterns
 - a. A deed may indicate the county a grantee is moving from.
 - b. A deed may indicate the county is a grantor has moved to.
3. Other records may indicate that your ancestor owned land, including:
 - a. Census Records
 - b. Probate Records
 - c. Court Records
4. Land Records can lead you to other resources, including:
 - a. Probate Records
 - b. Tax Lists
 - c. City Directories
 - d. Court Records
 - e. Plat Maps
5. Make sure to analyze each piece of land
 - a. The person buying, selling, or witnesseing the deed may be a relative

- b. Neighbors named in a deed may give information about your ancestor in their deeds
- c. If there are multiple grantors or grantees, these people are almost always related.
- d. Land history can give information about both purchase and inheritance.

ADDITIONAL RESOURCES

www.glorerecords.blm.gov: includes an index to public land transfers from the federal government, including homesteads, cash entry, and more.

wiki.familysearch.org: search for United States Land and Property.

Hone, E. Wade. Land and Property Research in the United States. Salt Lake City: Ancestry, 1997. (FHL book 973 R27h)

Szucs, Loretto Dennis, and Sandra Hargreaves Luebking, The Source: A Guidebook to American Genealogy. 3d ed. Salt Lake City: Ancestry, 2006. (FHL book 973 D27ts 2006)

