



Scotland Land and Property Records

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Overview Scotland Land Records

These are some of the most important Scottish land records for establishing family relationships and identifying properties. Information about Scotland land records can be found in the FamilySearch Wiki or at the National Archives of Scotland website:

FamilySearch Wiki: https://www.familysearch.org/wiki/en/Scotland_Land_and_Property

National Archives of Scotland: <http://www.nas.gov.uk>

Important Tips to Know:

- Land in Scotland could not be bequeathed in a will before 1868.
- By law the eldest son inherited (primogeniture).
- If there was no son, property was equally divided among all the daughters.
- The heir of the deceased had to prove his entitlement.
- Understand different Scottish jurisdictions.
- Only a small percent of people owned land, however we should always search for ancestral relatives in the land records because they name family relationships.
- Search the indexes for all ancestral surnames.
- Understand some background about why these records were created.
- You may encounter reading old handwriting, some Latin, and old Scottish terms.

Services of Heirs and Retours

Process of Services of Heirs and Retours

Many of these records began in the 1500s and include: indexes, abstracts, and original records. Immovable property included land, buildings and mineral rights. When a landowner died:

1. Chancery courts sent a letter (Brief of Successions) to the Sheriff courts asking for an investigation to determine the legal heir of the deceased.
2. A jury of local landowners was selected who determined the legal heir.
3. The Sheriff courts then sent a retour (decision and findings of the jury) back to the Chancery courts.
4. The Chancery court tried to track down the legal heir. These are the Services of Heirs.

Types of Services of Heirs Records

The Family History Library collection includes indexes, abstracts, original records, retours, and some refused petitions for Services of Heirs. The indexes include family relationships! Services of Heirs are accessible online, at a local family history center, at the Family History Library or the National Archives of Scotland.

Abstracts:

Abstracts 1530-1700: (Digitized)

- A snippet of original records. May include relationships. These records are in Latin.

Abstracts 1544-1699: Retours of Services of Heir (Not yet digitized).

- The decision and findings of the jury sent from the Sherriff courts).

Abstracts 1855-1955: Abstracts of Services of Heirs... (Not yet digitized)

- At the Family History Library, access the books or films on the B2 Floor with the following call or film numbers:

Decennial Indexes:

Decennial Indexes: 1700-1859 (Digitized)

- The Decennial Indexes, 1700-1859 are indexes that are arranged by decade, then year, and then in alphabetical order by surname. They have been digitized and are available online. If you are not able to access the image from home, you can access it from a local family history center. These indexes include family relationships.

Decennial Indexes: 1860-1959 (Not yet digitized)

- The Decennial Indexes, 1860-1959 have not been digitized. These are a continuation of the Decennial Indexes after 1859. These indexes include family relationships.

Additional Indexes:

Heir of Tailie/Tailzie Indexes: 1685-1914 (Digitized from 1685-1784)

- Called a Deed of Tailzie or Entail. This allowed a landowner to decide who would inherit the estate for generations to come. The heir usually had to take the surname of the entailer along with the lands. Legal to entail estates between 1685-1914. After 1848, estates could be disentailed. These records continue beyond 1914.
- Go to <https://www.familysearch.org>
 - Click *Search*, and then *Catalog*.
 - Click the *Call Number* search and type 941 R2sh. Click the link and then click the camera icon to access the digital records.
 - Records up to 1914 are held at the National Archives of Scotland

Scottish-American Heirs, 1683-1883 (Digitized on Ancestry.com \$)

- An alphabetical list of American heirs of deceased Scottish landowners extracted from the Services of Heirs.
- These records are available in the Family History Library but have also been digitized on Ancestry.com.

Services of Heirs- Refused petitions: 1849-1851 (Digitized)

Original Records:

Original records: 1530-1900: Services of Heirs (Digitized)

- These records are in Latin up to 1847.
- To learn more about Services of Heirs and see what records are located in The National Archives of Scotland go to the following link:
<https://www.nrscotland.gov.uk/research/guides/inheriting-land-and-buildings>

Accessing Services of Heirs: Abstracts, Decennial Indexes, Original Records

1. Go to <https://www.familysearch.org>
2. Log in with your username and password (or create a free account).
3. Go to the *Search* tab and click *Catalog*.
4. Under the title Search by: click *Keywords*.
5. In the Keywords search type "Scotland Services of Heirs."
6. In the search results look for the following titles listed below. If you see a camera icon the record has been digitized and is available online or at a local family history center. You can also enter the following databases below directly into the *Keywords* search.
 - Decennial indexes to the services of heirs in Scotland, commencing January 1, 1700—ending December 31, 1859 (*Note: The first link is a CD-ROM only accessible in the Family History Library. The second link is the digital records*).
 - Abstract services of heirs and edictal citations, 1855-1955.
 - Glasgow burgh court register of services (determination of heirs), 1635-1830.
 - Services of heirs: the record of services: refused petitions, 1849-1851.
 - Services of heirs, 1530-1900 (the original records).
 - Retours of services of heirs: inquisitionum ad capellam domini..., 1544-1699 (only available in the Family History Library on CD-Rom).
 - Scottish-American heirs, 1683-1847.
 - Index to the records of services kept in chancery (a continuation of the Decennial Indexes from 1860-1959).
 - Inquisitionum ad cappellam regis retornatarum...abbreviation (Abstracts 1530-1700).

Sasines

Process of Sasines: (pronounced: "Sayzuns")

The term 'sasine' comes from the action 'to seize.' A 'sasine' documented the act of:

- Taking possession of a piece of land, building or minerals in the ground.
- It was the transfer of land to a new proprietor.
- Symbolic for the grantor to pick up a rock or earth and hand it over to the grantee.
- Witnesses needed to be present when the grantee took possession of the land.
- Sasines were needed for any transfer of land and immovable property, including heritable land and Crown grants of land.
- These acts were recorded in the Register of Sasines and are a primary source for information on ownership of land and property.
- The register began in 1617 but earlier Sasines survive from the mid-1500s.

Divisions of the Register of Sasines:

- General register (containing sasines for anywhere in the country)
- Particular registers (kept for each county)
- Burgh registers (kept for cities)

Types of Sasines Records:

The Register of Sasines is indexed from 1781 and easy to use. Prior to that year, there are partial indexes. For a list of records available at the National Archives of Scotland in Edinburgh go to the following link <https://www.nrscotland.gov.uk/research/guides/sasines>.

General Register of Sasines:

Registers kept by the country. Mention names, places, and relationships.

- Indexes, 1617-1700 (Digitized!)

Particular Registers of Sasines:

Registers kept by the counties. This includes Abridgements (Digitized).

- Indexes of Persons to Abridgements; By county, 1781-1868 (Digitized).
- Indexes of Places to Abridgements; By county 1781-1830 (Digitized).

Burgh Registers of Sasines:

Registers kept by the cities. This includes Minute Books (Many are digitized).

Minute Books: Minutes regarding the Sasines.

- Minute books for the General Register, 1717-1781 (Digitized)
- Minute books for the Particular Register, 1599-1793 (Digitized)

For other records search the library's online catalog at <https://www.familysearch.org> (do a Place search) for a burgh or county of interest, or for 'Scotland,' and the topic of 'Land and property.'

Accessing Sasines Records: General, Particular, and Burgh Registers, Minute Books

1. Go to <https://www.familysearch.org>
2. Log in with your username and password (or create a free account).
3. Go to the *Search* tab and click *Catalog*.
4. Under the title Search by: click *Keywords*.
5. In the Keywords search type "Sasines."
6. In the search results look for the following titles listed below. If you see a camera icon the record has been digitized and is available online or at a local family history center. You can also enter the following databases below directly into the *Keywords* search.
 - Abridgements of sasines: 1781-1868
 - Index of persons, to abridgement of sasines: 1781-1868
 - Index to places, to abridgement of sasines: 1781-1868
 - Index to general register of sasines, 1701-1720
 - Burgh registers... (look for your ancestor's city/parish of residence)
 - Index to particular registers of sasines... (look for your ancestor's county of residence)
 - Minute books of general registers of sasines: abstracts of registers, 1717-1781
 - Minute books of particular registers of sasines: 1599-1793
 - Register of Scotland sasines, 1599-1868
 - Registers of sasines... (look for your ancestor's area of residence)
 - Repertory of general and particular registers of sasines: 1599-1868