

An Introduction to Land Records for Genealogists

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“Land and property records, when creatively utilized, can provide more answers, more often, than any other single source available.”¹

Land records are underutilized treasures!

- Records of land tenure exist when no other records can be found. In some areas, records documenting land ownership exist unbroken since the Middle Ages.
- Proof of land ownership is so important that deeds and other land records are usually recreated, if possible, after a disaster has destroyed the original registers.
- Some member of your family probably owned land.
- A record naming your family member and describing his (or her) residence probably exists.
- In most jurisdictions, land records are considered public documents, and are readily available.

Land records document:

- Identity
- Relationship
- Marriage, through prenuptial agreements and dower relinquishments
- Migration through acquisition and disposition of real property
- Divisions of estates in *releases, quitclaim deeds, and partitions*
- Life style, through *bills of sale* of personal property, *deeds of gift, apprentice agreements, and emancipations*
- Chains of title stated in recorded deeds may compensate for missing deeds

Land Transfer: Government to Individual

Original Land Grants

Our country is divided into *state land* states, the original thirteen states, plus Vermont, Kentucky, Tennessee, Maine, West Virginia, Texas, and Hawaii, and *federal, or public domain, land* states, the remaining thirty. In both cases, the original transfer of land from the governmental owner, whether Crown, proprietor, or our own federal government, proceeded in the following manner:

- *Application*: a request for land, usually a certain amount in a particular place
- *Warrant*: a written order to survey which usually restates the amount and location requested in the application
- *Survey*: actual process of going upon the land, measuring and marking the courses and distances, and drawing a tract diagram
- *Return of survey*: written testament combining the warrant and survey and signifies that the purchase price and all fees have been paid
- *Patent*: final deed from the proprietor or the state passing ownership of the particular tract of land to its initial purchaser

If your research subject acquired land from a government entity, the land entry case file may provide important information. However, this presentation is limited to subsequent land transfers from individual to individual. Information on federal land records will be found at the end of the handout. (see “[Federal Land Records](#)”)

¹ E. Wade Hone, *Land and Property Research in the United States* (Salt Lake City: Ancestry, 1997), “From the Author,” xiv.

Land Transfer: Individual to Individual

An individual usually acquired land from another individual in one of two ways: by deed, whether purchase, gift, or trust, or through inheritance. Both methods are likely to be recorded in the local jurisdiction's land records, but it's possible that inherited land is described only in a probate record.

County Land Records

After the first transfer of land from the government, whether Crown, proprietor, or nation, to an individual, subsequent land transactions were then recorded in the county courthouse, *in the county where the land was located at the time the land transaction occurred*. However, a deed could be recorded many years after the transaction, in which case, the record will usually be found *in the county where the land was located at the time of the recording*. Learn the genealogy of the county in which your subject lived.

Deed books are indexed by *grantor*, the seller, and *grantee*, the buyer. They are *not* every-name indexes. These indexes may be very unusual in structure, so be prepared.² They are seldom, if ever, arranged in strict alphabetical order. There may be separate volumes for recording mortgages and other contracts. If so, search those indexes, also. Individual volumes frequently contain their own indexes, and it's worthwhile to search those, as well as the series indexes.

Note that deed records in Connecticut, Rhode Island, and Vermont are created on the town level. Although there may be some records held in county courthouses, the bulk of the records will be found in town halls.

A Sample of Documents Found in Deed Books

Warranty deed	Personal bond	Contract (business, prenuptial, etc.)
Quitclaim deed	Agreement	Patent right
Release	Real or chattel mortgage	Power of attorney
Trust deed	Mortgage release	Emancipation
Land bond	Apprenticeship	

Land Records Research: A Strategy

Location, location, location! Begin your research with the location in which you *know* your subject family lived. Census records are the most readily available source to discover that location. Find the county (or town) land records, work forwards and backwards, and follow all clues.

The most important point to remember when researching land records:

Follow the land from the time it entered your family to the time the last parcel left the family.

Find online digital images of original deed volumes

- *FamilySearch* currently has the largest collection of county and town land records. Only a very small sample are available through the name search box. *Most are browse-only collections.*
 - Start at the *FamilySearch* Catalog (<https://www.familysearch.org/search/catalog>) or **Search > Catalog**.
 - Enter the relevant location and **Search**. In the resulting list of records types, examine available "Land and property" records. The "Author" of original records is the creating jurisdiction.
 - Search the Grantor and Grantee indexes, noting all instances of your subject, his or her surname, and related surnames.
 - Find each record and abstract and analyze all records relevant to your research. Don't forget to include the image number in each citation!
 - Neighboring landowners are usually named in the land descriptions. Study those deeds as well.

² See Christine Rose, *Courthouse Indexes Illustrated* (San Jose, Calif.: CR Publications, 2006), for examples.

- The *FamilySearch* collection is not complete. Some county deed records are not included and some county deed collections are limited in scope. In this case, search the relevant county court website. Many have historical land records online, as well as current land records, tax assessments, and deed index databases.
 - Google **county name, state, “land records”** to locate the county court’s website. Example site: *Cuyahoga County (Ohio) Fiscal Officer* database includes links to historical and current document images (<http://recorder.cuyahogacounty.us/searchs/generalsearchs.aspx>).
 - Deed record databases and images access may be found in state websites. Google **state, “land records”** to locate these sites. Example: New Hampshire county deed access can be found at *NHDeeds.org* (<https://www.nhdeeds.org/>). Access to the individual county records is regulated by each county, so read the instructions carefully.
 - Some state archives websites offer deed indexes and images. Google **state “state archives”** to locate these. A notable example is the Maryland State Archives’ *MDLandRec* collection (<https://mdlandrec.net/main/>). A free registration is required and instructions vary from county to county, but one can find almost all Maryland deeds on this site.
- Not all deed books are online, nor are all mortgage records or partitions. If that’s true for the location you’re researching, you may need to visit the county courthouse yourself or hire a researcher.
 - If you only need a few records, contact the county or town clerk and request copies of specific deeds.
- Published deed abstracts may index all names found in the county deed volumes.
 - Search the ABQ library catalog (<https://albuq.cabq.gov/>) or the Library of Congress online catalog (<https://catalog.loc.gov/>); keywords: **“deeds” location**.
 - Find volumes online at *Hathi Trust Digital Library* (<https://www.hathitrust.org/>) or *Internet Archive* (<https://archive.org/>).
 - Some volumes may be available on *Ancestry*, *MyHeritage*, or *FamilySearch*.
- If your ancestor and his family do not appear in the land records, information about them may appear in land records of their neighbors. You can identify these neighbors through census records or property ownership maps, and then examine their deed records.

Analyze the Land Records

Land records must be analyzed for inherent information (what is stated and what can be inferred from each deed) and for information gained from studying a group of deeds and related records. This analysis does not begin when a deed image is downloaded. It begins when the document is transcribed or abstracted. Transcribing the entire deed, including all “boilerplate” language, takes time, but transcribing one example deed from the relevant records is a good idea. Additional deeds may be abstracted. The following items should be noted for every deed found.

- | | |
|--|---|
| <ul style="list-style-type: none"> ● Citation ● Type of document ● Date executed ● Date recorded ● Grantor (include stated relationships, residence, station) ● Grantee (include stated relationships, residence, station) | <ul style="list-style-type: none"> ● Consideration ● Legal land description and area ● Witnesses and signatures ● Date acknowledged [may not be present] ● <i>Relinquishment of dower</i> [may not be present] ● <i>Chain of title, conditions of sale, etc.</i> [may not be present] |
|--|---|

Follow the Land from Entry into the Family to Exit from the Family

Ideally, the total number of acres bought and sold by your family and recorded in deed registers should be the same. If that's not true in your research, consider these strategies.

- Your subject sells land you can't find him purchasing.
 - Expand your search. Deeds may have been recorded many years after the transaction occurred.
 - The land may have been inherited, so search probate records of parent or sibling.
 - Your subject may have obtained the land from the government, so search land entry case files.
 - Follow neighboring plats for clues to unrecorded purchases.
- Your subject buys land you can't find him selling.
 - Expand your search. Deeds may have been recorded many years after the transaction occurred.
 - Search the probate records. The heirs may have inherited the land, but this inheritance was not recorded in the deed records.
 - Follow neighboring plats for clues to unrecorded sales.
- Land record research may involve hundreds of documents. A spreadsheet or database may be helpful in organizing the information and identifying patterns.

Note These Clues

- Pay particular attention to all names, including those of neighbors and witnesses. Deed neighbors are the epitome of the "Neighbors" in your subject's F.A.N. club (Friends, Associates, Neighbors). Witnesses may be related to your subject.
- Note the date of deed signing and of recording. Try to explain any large discrepancies.
- Read the deeds surrounding the ones that interest you. Families would frequently bring in several deeds to be recorded at the same time. This usually indicates a family change, perhaps a death or a planned migration.
- Follow up on any other documents mentioned in a deed, such as an earlier deed, a will, or a survey.
- A deed plat, when overlaid on a map, provides a picture of your subject's neighborhood. Note roads and rivers for transportation; identify the nearest churches; locate the nearest cemeteries.
- Become familiar with the laws relevant to the transfer of property at the time and place of interest.

Land Survey Methods

Plotting your ancestor's neighborhood may yield vital genealogical evidence. There are two land survey methods used to describe land in this country. Become familiar with both of them.

- *metes and bounds*: each individual parcel of land described and bounded
"Beginning at an oak stump ...," is the classic metes and bounds description of a tract's boundary line. This is the survey method usually found in this country's state land states.
- *rectangular survey*: inaugurated in 1784, used in public land states
In this survey method, the land is divided into *townships*: six-mile squares consisting of 36 mile-square (640 acres) *sections* numbered in *ranges* east or west of a designated *principal meridian* and north or south of an associated *base line*

The *legal land description* is written from smallest unit to largest; e.g., W¹/₂ NW¹/₄ S12 T18N R10E 2nd PM. This describes the **aliquot** (*west half of the northwest quarter*), the **section**, (*section 12*), the **township** (*township 18 north*), the **range** (*range 10 east*), and the **principal meridian** (*2nd PM*), or, in this example, eighty acres of land in Henry Co., Indiana.

Mapping rectangular surveys with graph paper is simple. Metes and bounds descriptions can be platted using only a protractor and ruler, but mapping programs, such as DeedMapper 4.2, and online aids, such as *Tract Plotter*, make the job much easier.

Federal Land Records

Federal records document only the first transfer of title to land from the United States to another party. These land entry case files are part of **Record Group 49**, Records of the Bureau of Land Management. Most are located at Archives I in Washington, D.C., as are the Headquarters' *Tract Books* for the Western states. Tract books for the Eastern States are still held by the Bureau of Land Management, Eastern States Office, in Springfield, Virginia.

The transfer of land from the federal government to a private entity was authorized under a series of legislative acts beginning with the Land Ordinance of 1785. Since that time, Congress has passed a variety of acts setting the conditions under which public domain land could be acquired by individuals. The documentation for each land transfer makes up a *land entry case file*, the content of which varies depending on the legislative act under which the land was acquired.

Land Entry Case Files

- **Credit prior** (1800-1820)
 - Documents: Credit prior receipt, final certificate
 - Information: name, date, residence, money paid, land office, assignee, legal description of land, acreage, patent date, patent volume and page number, previous payment dates and amounts.
- **Credit under** (1820-1840)
 - Documents: Credit receipt, final certificate, relinquishments, declarations requesting further credit
 - Information: name, entry date, money paid, legal description of land, discount received, act under which entered, final certificate date, acreage, debits and credits, patent date, volume and page number of record copy of patent.
- **Cash** (1820 to mid-twentieth century) [*Act of Congress, 21 April 1820, provided for the direct sale of public domain land*]
 - Documents: Final certificate, application, receipts, preemption proof, graduation affidavit and proof [Note that cash entries did not require an application as such]
 - Information: name, place of residence at time of purchase, land office, price paid, legal description of land, acreage, patent date, volume and page number of record copy of patent.
- **Homestead** (1862 to mid-twentieth century) [*Act of Congress, 20 May 1862*]

The Act states that heads of household, widows, and singles over 21 years who were citizens or had declared their intention to become citizens were to be given 160 acres if they: lived on land 5 years, built a home, and cultivated the land. Civil War veterans could count time in service towards the residency requirement, but had to have one full year of residence. Entry man could commute claim to cash entry. *Only half of homestead entries filed before 1900 went to patent.* Canceled entries are also held at NARA and are filed under application number.

 - Documents: Homestead application, certificate of publication of intention to complete claim, homestead final proof, testimony required of claimant and two witnesses, certified copy of naturalization papers, final certificate authorizing patent.
 - Information: name, age, post office of claimant, legal description of land, description of house, date when residence established, number and relationship of members of family, evidence of citizenship, nature of crops, number of acres under cultivation, description of personal property and house, patent date, volume and page number of record copy of patent.
- **Military bounty land warrants** (*various acts, 1788-1858*)
 - Documents: Surrendered warrant, certificate of location, correspondence, applications to locate land. *The application file itself is maintained with the military pension applications in Record Group 15, Records of the Department of Veterans Affairs.*

- Information: name of veteran, date of issue, military or naval organization, war served in, name of heir or assignee, act under which warrant issued, acreage, land office where surrendered, legal description of land, patent date, volume and page number of record copy of patent.

■ Private land claims

As the U.S. added land to the public domain, it recognized land titles granted by previous rulers to the residents. Claims had to be verified and patents issued to confirm title. Records are organized by state and claim docket number.

- Documents: Correspondence, reports, maps, plats, petitions, affidavits, transcripts of court decisions, deeds, abstracts of title, copies of original grants, depositions, testimony of witnesses, notices and evidence of claims, certificate and plat of survey, appeals.
- Information: name of claimant, period of occupancy, date of claim, acreage, legal description of land.

Locating Federal Land Records

- Your subject is found in the Bureau of Land Management’s General Land Office-Eastern States online database (<https://gloreCORDS.blm.gov/>), which covers land entries that were *patented*.
 - Order the *land entry file* from the National Archives. Form NATF-84 gives information on cost and instruction on how to order online (<https://www.archives.gov/files/forms/pdf/natf-84.pdf>).
 - *Land entry case files* prior to July 1908 are organized first by **state**, then **land office**, then **type of land entry** (credit, cash, homestead, timber culture, preemption certificate, private land claim, mineral, etc.), and then by **final certificate number** or **document number**; e.g., South Dakota, Montana land office, homestead entry, cert. no. 6122. Although the name of the **entry man** is useful for confirmation, *you must have the above information to obtain a copy of the original case file*.
 - Land entry files created after July 1908 are organized first by **state** and then by **serial patent number**. You must provide that information, as well as the name of **entry man** for confirmation; e.g., Montana, patent no. 1127975 [Ruth Ackerson].
 - *Surrendered military bounty land warrant* case files are organized first by **year of the Congressional Act** authorizing the warrant, then by the **number of acres**, and finally by the **warrant number**. Provide that information and the name of the warrantee; e.g., 1855-160-106565 [Betsey Prescott].
- Your subject is *not* in the BLM’s database, but he or she may have tried to obtain federal land. Failed homestead entries, rejected bounty land applications, entries based on credit acts passed before 1820, and some private land claims are among the case files *not* found in this database.
 - Find your subject in the BLM’s 3,907 *tract books* digitized on *FamilySearch*. These volumes are organized by state, then by legal land description. You *must* know at least the state and township and range on which your subject lived to effectively search these volumes.
 - Find the legal land description in land transactions in the county records, tax records, or some commercial atlases. Township and range may be specified in some census records.
 - Consult the “Bureau of Land Management Tract Books Coverage Table” [[https://www.familysearch.org/learn/wiki/en/United_States,_Bureau_of_Land_Management_Tract_Books_Coverage_Table_\(FamilySearch_Historical_Records\)](https://www.familysearch.org/learn/wiki/en/United_States,_Bureau_of_Land_Management_Tract_Books_Coverage_Table_(FamilySearch_Historical_Records))]. Find the volume that includes your township and range.
 - Browse to the correct volume in the *FamilySearch* collection, “United States Bureau of Land Management Tract Books, 1820-1908” (<https://www.familysearch.org/search/collection/2074276>).
 - Records are organized first by range, then by township within range, and then by section within township. If you know the section, browse to that section and read the entries.

Otherwise, browse to the correct township and read all the sections until you locate your subject. *Your subject may be entered more than once.*

- The tract book will provide the information necessary to order the original land entry file from the National Archives.

In addition to the online database, the BLM website includes a must-read “Reference Center,” land patent images for many of the records, original survey plats and field notes, and a new mapping feature.

Example Land Abstract Form

Deed Abstracts: Location, collection citation

Citation:	Vol: page (image #)		
Document type:	Deed, Mortgage, Quitclaim, etc.		
Date enacted:	dd Mmm yyyy	Date recorded:	dd Mmm yyyy
Grantor(s):	Name, residence, station.		
Grantee(s):	Name, residence, station.		
Consideration:	Enter cost, “love and affection,” etc.		
Location and acreage:	Describe property briefly.		
Signature(s):	Signature, location, mark.		
Witnesses:	Signature, location, mark.		
Acknowledged:	Location, date, name(s).		
Dower relinquishment:	Location, date, name(s).		
Legal land description:	Aliquot, section, township, range.		
Call 1:	Beginning point, direction, length.		
Call 2:	Point, direction, length.		
Call 3:	Point, direction, length.		
Call 4:	Point, direction, length.		
Conditions:	Additional conditions of sale.		
Notes:	Additional information or research notes.		

The most important point to remember when researching land records:
Follow the land from the time it entered your family to the time the last parcel left the family.

Suggested References

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- Rose, Christine. *Courthouse Indexes Illustrated*. San Jose, Calif.: CR Publications, 2006. 347 Rose.

Websites (all accessed June 2021)

Map Resources

- “Geographic Names Information Service (GNIS).” *USGS*. <https://www.usgs.gov/core-science-systems/ngp/board-on-geographic-names/domestic-names>.
- “Maps.” *Library of Congress*. <https://www.loc.gov/maps/>. Search by location or location + “land ownership maps”.
- Royce, Charles C. and Cyrus Thomas, *Indian land cessions in the United States*. 1899. Digital images. *Library of Congress*. <https://www.loc.gov/item/13023487/>. Beautiful maps that display meridians, base lines, townships, and ranges.
- Topoquest*. <https://www.topoquest.com/>.

Deed-Platting

- Direct Line Software*. “Deed Mapper 4.2.” http://www.directlinesoftware.com/deedmapper_42.
- Tract Plotter*. <http://www.tractplotter.com/>.

Deed Index Examples

- “The County Courthouses and Records ... General Indexes.” *Archives of Maryland Online*. <http://aomol.msa.maryland.gov/megafile/msa/speccol/sc2900/sc2908/000001/000546/html/am546--20.html>.

Miscellaneous

- HistoryGeo.com*. <https://www.historygeo.com/>.
- “Land Patent Search.” *Bureau of Land Management*. <https://glorerecords.blm.gov/search/default.aspx>.