

INTRODUCTION

Land records are not a perfect genealogical source. That is because they are not filled with birth dates or places, names of parents, etc. As a record group however, they comprise one of the most important sources for genealogical research in America. Why?

WHY SEARCH LAND RECORDS

- Land records exist from the earliest colonial period, dating to the first permanent settlements in America. Their value far exceeds their otherwise ordinary content because they date from a period in history when there are few other records.
- Prior to 1850, nine out of ten adult white males in America owned land. Any record group that includes such a large part of the population has to be considered important.
- Land records leave a trail which genealogists can follow.
- County-wide indexes exist to virtually every land owner in America since the early 1600s.
- Land records are solid proof of where your ancestor lived at a specific time.
- Because of their importance to families and government, land purchases were recorded as soon as possible and tend to survive catastrophes when other records don't.
- Individuals named together in deeds are often related.
- Land records may provide clues identifying where your ancestor came from or where they moved to.
- Land records may provide important information about your ancestor not found in any other records.
- Land records can provide enough detail to separate the identities of individuals having the same name and living in the same county. This is one method for solving a recurring problem in genealogy research.

TYPES OF LAND TRANSACTIONS

There are two major types of land transactions in the United States.

First are transactions between a government entity and an individual or party, called *First Purchase* transactions.

Second are transactions between two individuals or parties, called *Person-to-Person* transactions.

LAND SURVEY SYSTEMS

There are two major systems used in the United States for surveying land. They are:

Metes and Bounds Survey System: The first system used in the original 13 Colonies. This type of land survey is based on English Common law and uses running descriptions with measures of angles and distances (metes) and definite boundary markers (bounds) such as natural land features, including trees and streams, as well as adjoining property lines to describe plots of land. Today, iron pins and stakes are used to mark boundaries. Starting at a Point of Beginning (POB), the description runs clockwise or counterclockwise around the perimeter using directions or bearings and distances, or calls for bounds. The description leads back to the POB and usually includes an area expressed in acres or square feet. A metes and bounds description often includes reference to a survey plat.

Public Land Survey System (PLSS): Also known as the Rectangular Survey System has been used in the United States for the survey of public lands since the Land Ordinance Act of 1785. Its basic units of area are the Township and Section. For a more detailed description, refer to one of the resources listed under "Additional Resources."

USEFUL TERMS

Aliquot Part: The standard subdivisions of a section, such as a half section, quarter section, or quarter-quarter section.

Base Line: A parallel of latitude, or approximately a parallel of latitude, running through an arbitrary point chosen as the starting point for all sectionalized land within a given area.

Cadastral: Having to do with the boundaries of land parcels.

Cash Sale: Federal land purchased with cash.

Conveyance: Synonymous with deed.

Deed: A signed and usually sealed instrument by which title in real property is transferred from one party to another. Also evidence of a person's legal ownership. There are various types of Deeds.

Dower: The lands and tenements to which a widow has claim, in life estate, after the death of her husband, for the support of herself and her children. Under English common law this was one-third the value of all lands which her husband owned in fee simple at any time during their marriage. Even though a wife could not own land in

her own name, she could veto the sale of land in which she held rights.

Et al: Abbreviation for the Latin term referring to a number of people.

‘et alii’ masculine plural,
‘et aliae’ feminine plural, or
‘et alia’ neuter plural.

Et ux: Abbreviation for the Latin term ‘et uxor’ meaning “and his wife.”

First Purchase: A transaction happens when land is first purchased from a government or other entity, such as the federal government, a State or Colonial government, or a foreign monarchy. Before an individual could make such a purchase, a survey of the land had to occur.

Government Lot: In the PLSS system, a subpart of a section which is not described as an aliquot part of the Section, but which is designated by number, for example, Lot 3. A lot may be regular or irregular in shape, and its acreage may vary from that of regular aliquot parts. These lots frequently border water areas excluded from the PLSS.

Grant: When a government, under English Common law, gives land to an individual.

Grantee: Person or entities buying land.

Grantor: Person or entities selling land.

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

Indenture: See Deed. Formerly a deed drawn up in two or more parts according to the number of parties, which were separated by cutting in a curved or indented line known as the chirography, for identification and security.

Initial Point: In the PLSS system, the starting point for a survey of public lands.

Land Grant: A land grant is an area of land to which title was conferred by a predecessor government and confirmed by the U.S Government after the territory in which it is situated was acquired by the United States. These lands were never part of the original public domain and were not subject to subdivision by the PLSS.

Land Patent: See Patent.

Letters Patent: See Patent.

Lot: See Government Lot.

Patent: Also known as *first-title deeds* or *final certificates*. A document issued by the government giving an individual title to a tract of land. In the United States, all land can be traced back to the respective land patent, to first title deed and to claims that document titles for land originally owned by France, Spain, United Kingdom, Mexico, Russia, or native Americans.

Principal Meridian: In the PLSS system, a meridian line running through an arbitrary point chosen as a starting point for all sectionalized land within a given area.

Public Domain: Land owned by the Federal government for the benefit of the citizens. The original public domain included the lands that were turned over to the Federal Government by the Colonial States and the areas acquired later from the native Indians or foreign powers.

Sometimes used interchangeably with Public lands.

Public Lands: Lands in public ownership, therefore owned by the Federal government. Sometimes used interchangeably with Public domain.

Quitclaim Deed: An instrument by which a person releases all title, or claim which he may possess in certain real properties without making any warrants thereto.

Range: In the PLSS survey system, a vertical column of townships.

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

Section: In the PLSS system, a one-square-mile parcel of land, containing 640 acres, or approximately one thirty-sixth of a township. Due to the curvature of the Earth, sections may occasionally be slightly smaller than one square mile.

Township: In the PLSS system, an approximately 6-mile square area of land, containing 36 sections. Also, a horizontal row of townships.

Warranty Deed: An instrument by which the grantor warrants, by covenant, the title of the property he sells; and should the title become faulty because of paramount claims against it, or for any other reason, the grantor, or his heirs, may be sued on the warranty. This is perhaps the most important and common type of deed.

HOW DEEDS ARE STRUCTURED

Typical information contained in deeds include the following:

- Names and residences of the grantor(s) and grantee(s).
- Consideration or cost.
- Legal description, which precisely identifies the location of the land. Deeds using the metes and bounds system also include names of abutting neighbors.
- Date the instrument was created.
- Date the instrument was recorded by the county.

Additional useful information sometimes contained in deeds include:

Introduction to U.S. Land Records

- Names of spouses of grantor(s) and grantee(s).
- Names of witnesses.
- Hairs and other relatives may be named as selling land together.
- Names of neighbors.
- Alternate residences.
- Occupation or other identifying information.

REPOSITORIES OF LAND RECORDS

Federal Land Records:

Copies of the records were filed with the General Land Office who later transferred them to the National Archives.

The records were compiled by NARA into a document series titled "Land Entry Case Files" and include transactions such as; Bounty Land Warrants, Preemption, Cash Entry Sales, Homesteads, etc.

General Land Office records may be searched online at the Bureau of Land Management's website given below under internet resources.

Federal land transactions were also recorded at the county level.

County Land Records:

Land transactions between individuals are typically recorded in deed books. The original deed was retained by the land owner, but a full copy of the deed was recorded by the county clerk. Deed books are kept at the county level for most U.S. states, though in some areas they may be kept at the city or town level, principally on the East coast. The county-equivalent in Alaska is known as a "district," and in Louisiana, as a "parish."

ADDITIONAL RESOURCES

Printed Resources:

Eichholz, Alice, *Red Book American State, County, and Town Sources*, 3rd ed. Salt Lake City: Ancestry, 2004.

Everton, George B., *The Handybook for Genealogists: United States of America*, 10th ed., Draper, Utah: Everton Publishers, 2002.

Garner, Bryan A. editor in chief, *Black's Law Dictionary*, 9th ed. St. Paul, Minn.: Thompson West, 2009

Greenwood, Val D., *The Researcher's Guide to American Genealogy*, 3rd ed., Baltimore, MD: Genealogical Publishing Co., 2000.

Szucs, Loretto Dennis, and Sandra Hargreaves Luebking, *The Source: A Guidebook to American Genealogy*, 3rd ed. Salt Lake City: Ancestry, 2006.

Internet Resources:

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

www.glorerecords.blm.gov: includes an index to public land transfers from the federal government, including homesteads, cash entry, and others. Digital images are available for many records.

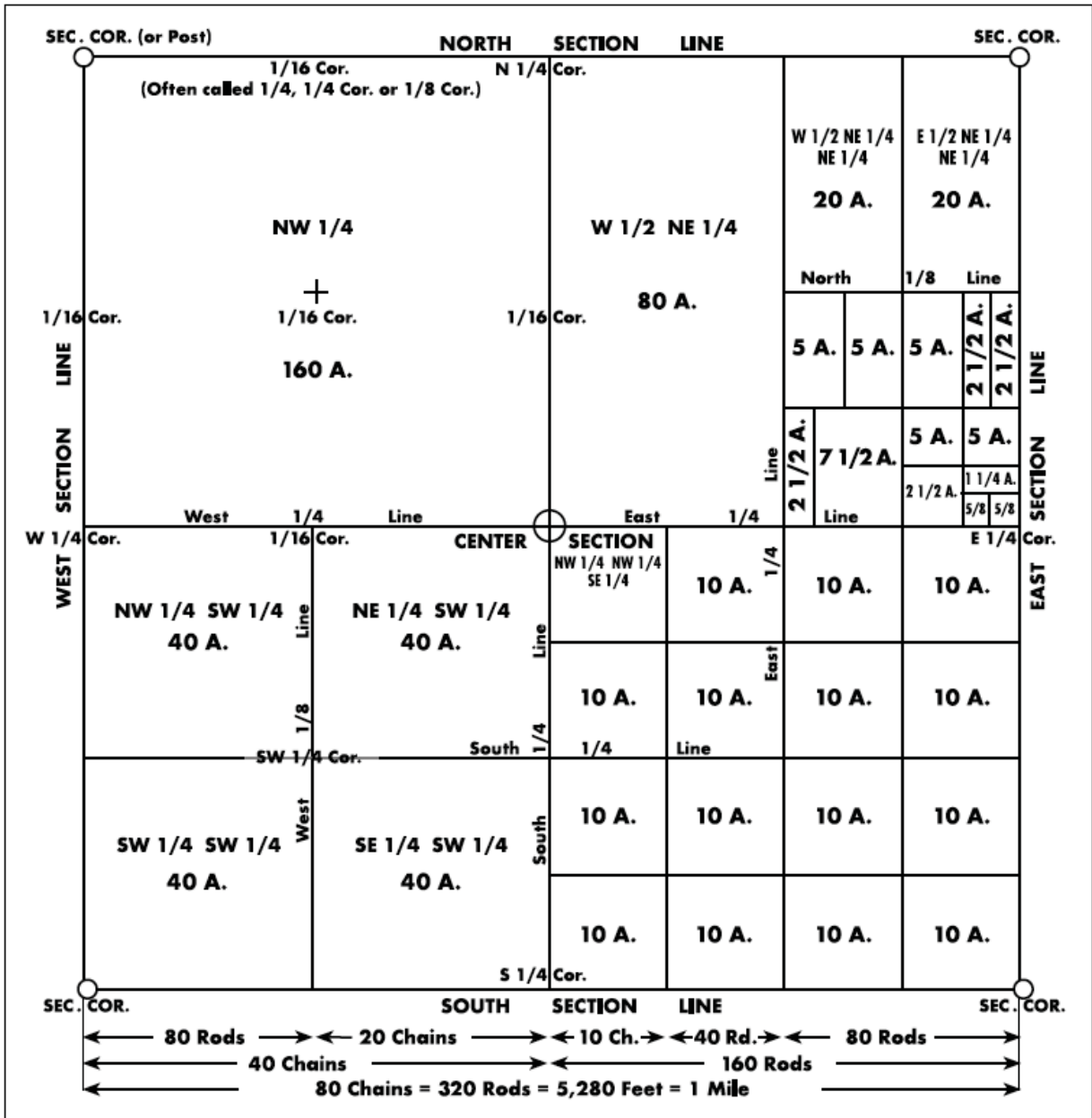
www.familysearch.org: includes county land records contained in the collection of the Family History Library of the Church of Jesus Christ of Latter-Day Saints. Digital images of many records are available. All digital images of records may be browsed online, not all records are indexed.

USEFUL LAND MEASUREMENTS

- 1 Link = 7.92 Inches
- 1 Rod = 16.5 Feet
- 1 Pole = 1 Rod
- 1 Chain = 66 Feet
- 1 Furlong = 40 Rods or 10 Chains
- 1 Mile = 5,280 Feet or 320 Rods or 80 Chains

PUBLIC LAND SURVEY SYSTEM (PLSS)

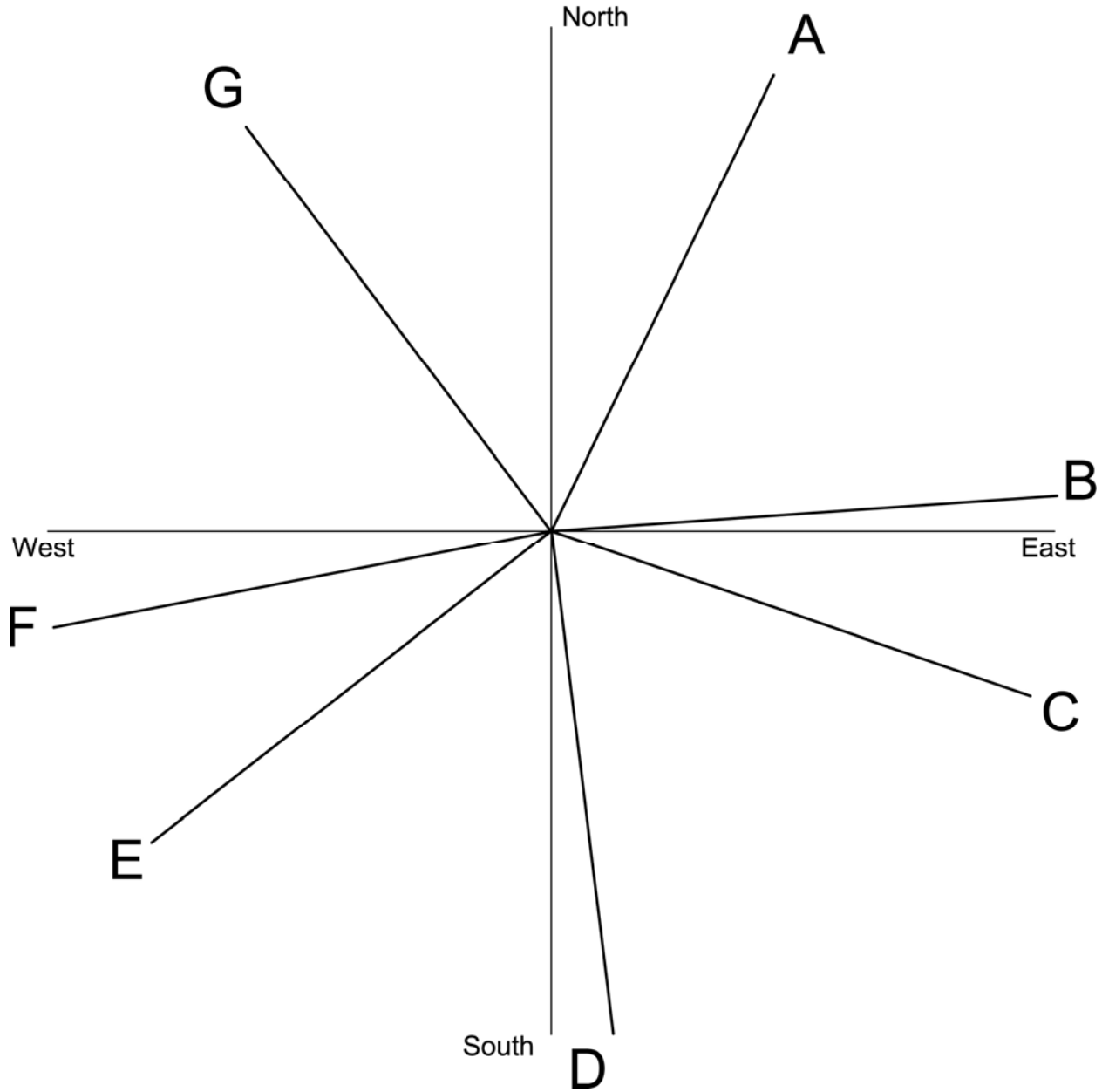
Aliquot Parts of a Section
 One Section contains 640 acres



**U.S. Land Records: The State Land States
Practical Exercises**

EXERCISE No. 1

In the following Exercise the baseline is oriented parallel to an imaginary North – South grid in the same manner as you would place it on a map or grid paper. Measure the angles for lines A through G and express them as surveyor’s bearing, such as N 68 S.



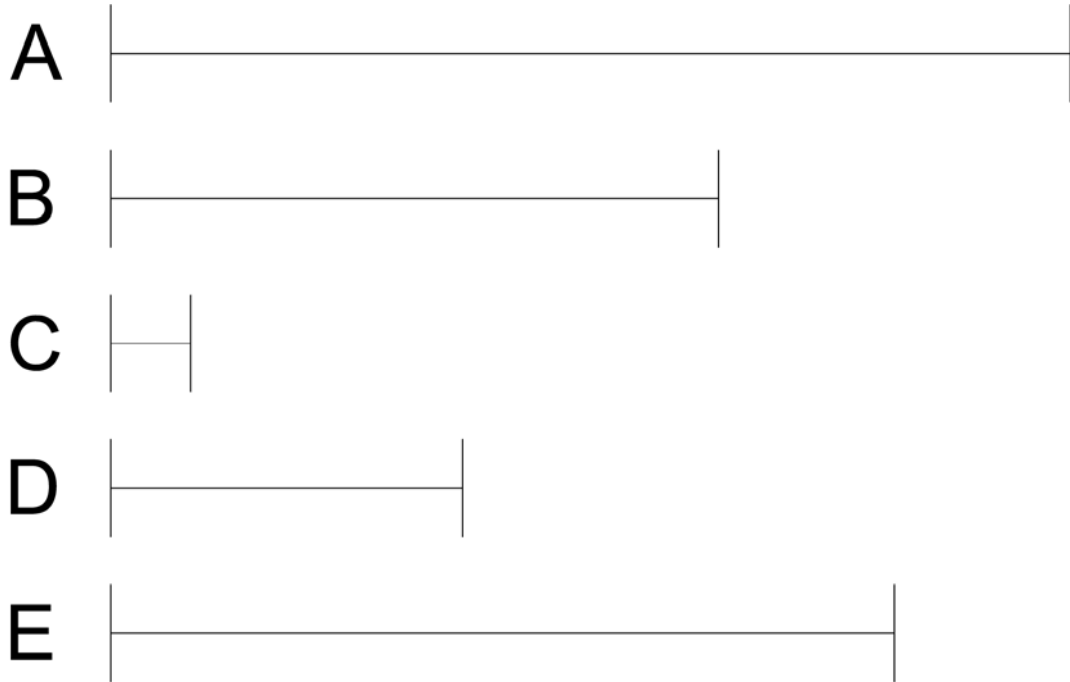
Line A: _____
 Line B: _____
 Line C: _____
 Line D: _____
 Line E: _____
 Line F: _____
 Line G: _____

Answers To Exercise No 2.
 Line A = 60 Poles
 Line B = 38 Poles
 Line C = 5 Poles
 Line D = 22 Poles
 Line E = 49 Poles

**U.S. Land Records: The State Land States
Practical Exercises**

EXERCISE No. 2

Measure the lengths of the lines drawn below using the scale of 1:24,000 (1 inch equals 200 feet). Cut out and use the scale provided. Note that this is a handy scale to use when plotting land descriptions because it matches that of the 7.5 minute quadrangle maps available through the United States Geological Survey.



Line A: _____

Line B: _____

Line C: _____

Line D: _____

Line E: _____

Answers To Exercise No 1:

Line A: = N 26 E

Line B = N 86 E

Line C = S 71 E

Line D = S 7 E

Line E = S 52 W

Line F = N 79 W

Line G = N 37 W

**U.S. Land Records: The State Land States
Practical Exercises**

EXERCISE 3:

The ability to draw plats from legal descriptions is a useful tool to genealogists. In this exercise, your research is focused on a hypothetical ancestor Matthew Dunsmore (1768-1806). Below is a legal description obtained from prior research of land records located at the clerk's office of Middle County, Kentucky, Deeds, vol. 5:118, Jeremiah Hicks to Matthew Dunsmore, recorded 18 February 1804. Complete the Worksheet below and plot the tract of land on the graph paper provided. Cut out and use the compass and scale provided. The plat will be drawn at a scale of 1:24,000 or 1 inch equals 200 feet.

A certain tract or parcel of land, Beginning at a Spanish Oak and two Black Oaks the northwest corner of a twenty acre tract granted to Samuel Richards thence with said line south sixty two degrees east thirty three poles to a post oak thence continuing with said line south thirteen degrees east twenty four poles to his southwest corner a post oak thence south fifty three degrees west nineteen poles to a Black Oak thence north sixty degrees west thirty six poles to a Hickory thence north forty five degrees east thirteen poles to a post oak thence north forty degrees east twenty one poles to the southeast corner of a twelve acre tract granted to Jesse Richards a post oak thence with said line north sixty six degrees forty three minutes [43 minutes is approximately 3/4 of one degree] seventeen and six tenths poles to the Beginning said parcel or tract of land containing 9.28 acres more or less.

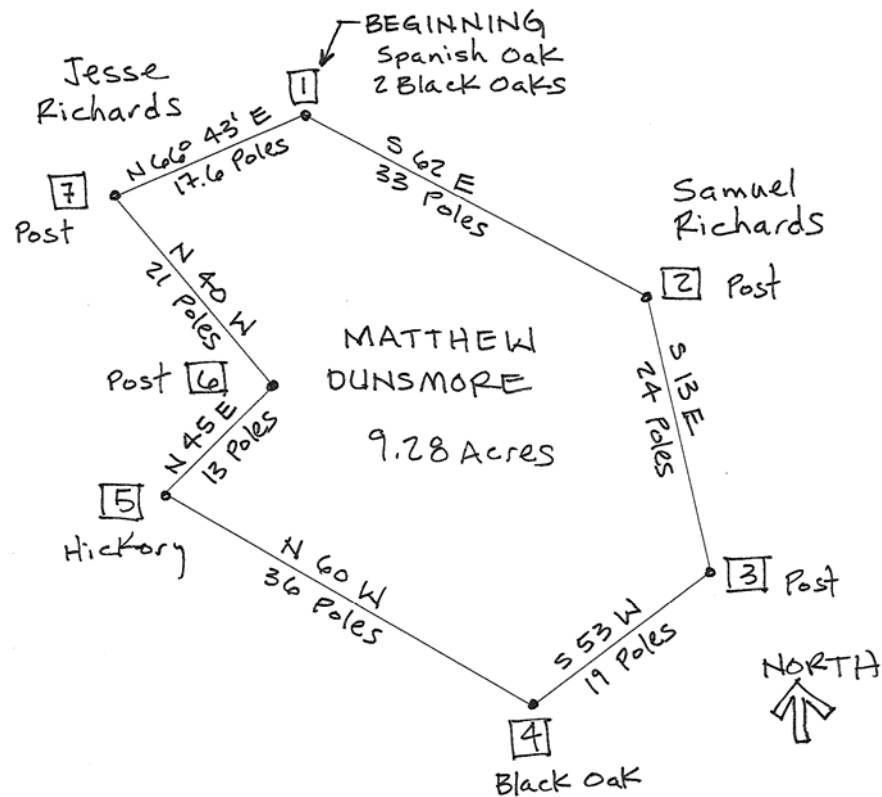
LAND RECORD WORKSHEET				
Name of Ancestor:		Source:		
Point	Description	Bearing	Distance	Remarks

Answer is on back of this page. Do not look until after you have completed the exercise.

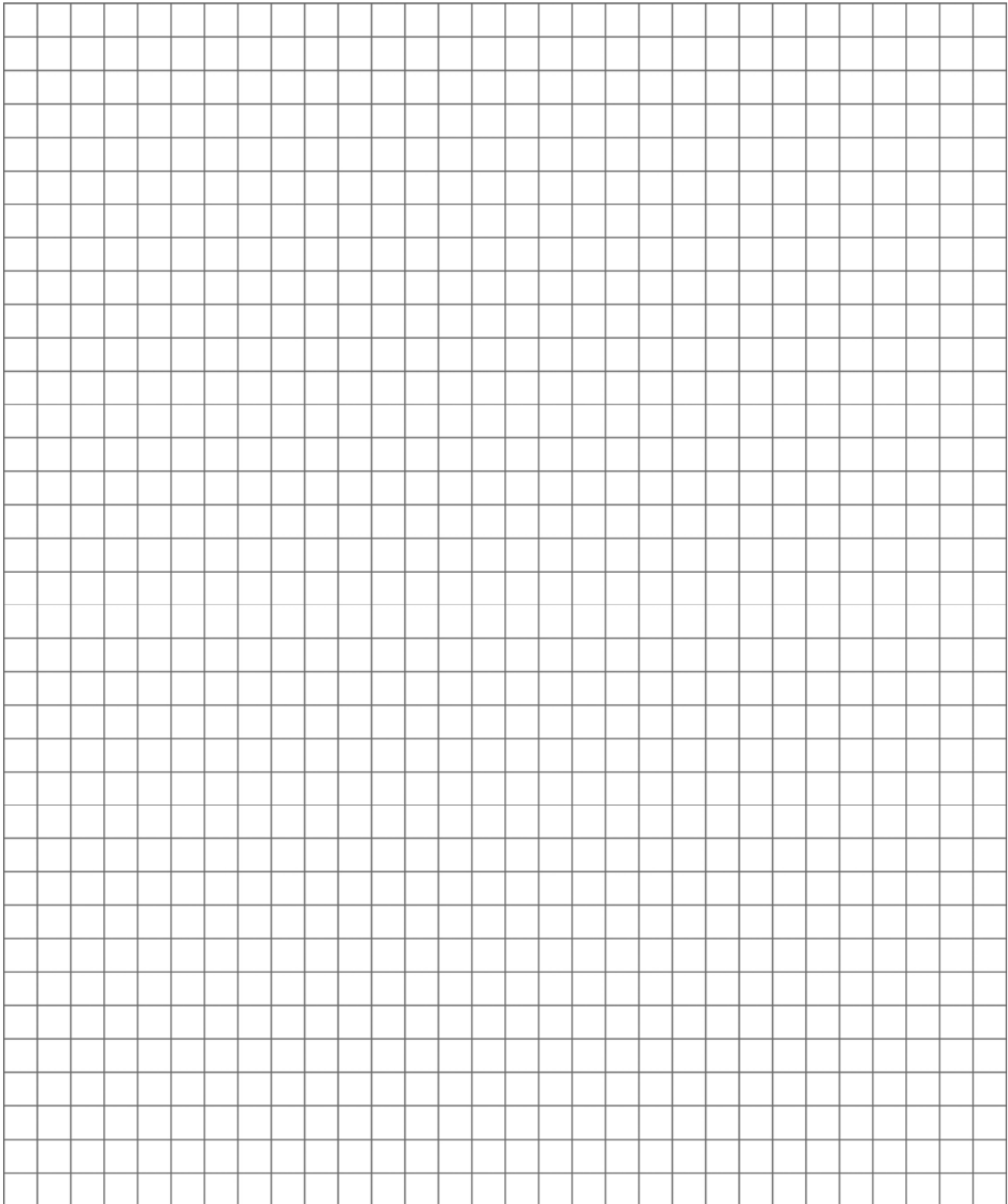
**U.S. Land Records: The State Land States
Practical Exercises**

LAND RECORD WORKSHEET				
Name of Ancestor:		Source:		
Point	Description	Bearing	Distance	Remarks
1	Spanish Oak, 2 Black Oaks	S 62 E	33 poles	Beginning, NW corner of 20-acre tract to Samuel Richards
2	Post	S 13 E	24 poles	
3	Post	S 53 W	19 poles	SW corner of Samuel Richards tract
4	Black Oak	N 60 W	36 poles	
5	Hickory	N 45 E	13 poles	
6	Post	N 40 E	21 poles	
7	Post	N 66 43' E	17 poles, 15 links	SE corner of 12-acre tract to Jesse Richards
	Beginning			

Scale reduced.



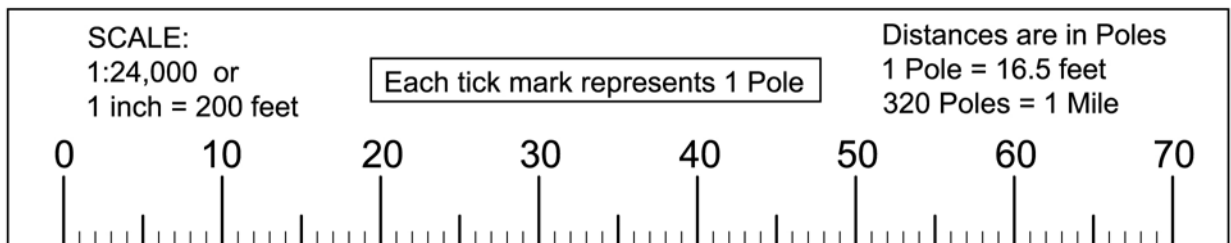
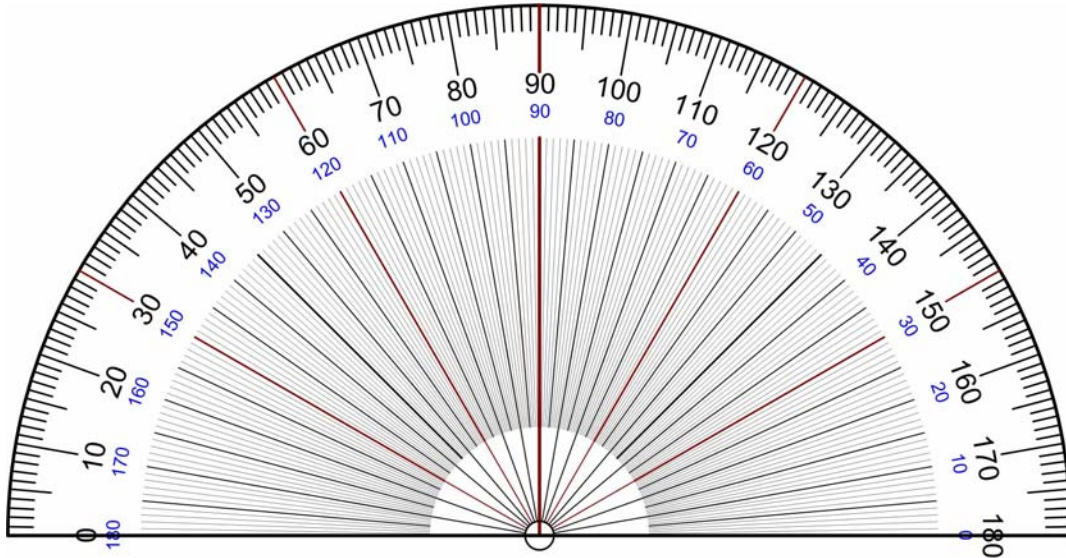
**U.S. Land Records: The State Land States
Practical Exercises**



U.S. Land Records: The State Land States

Below are a compass and scale, useful tools for plotting land descriptions. Cut them out for use.

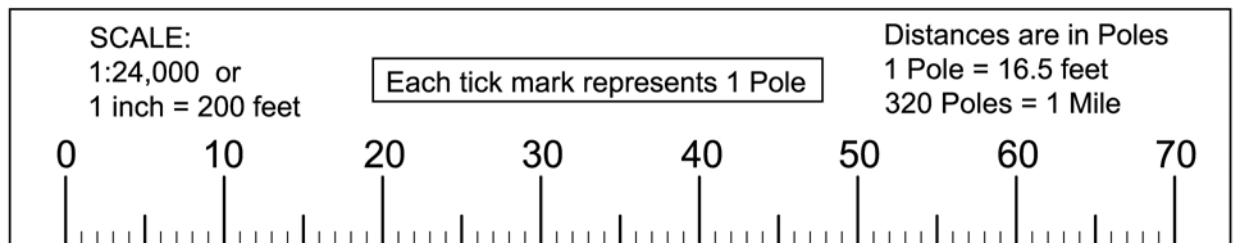
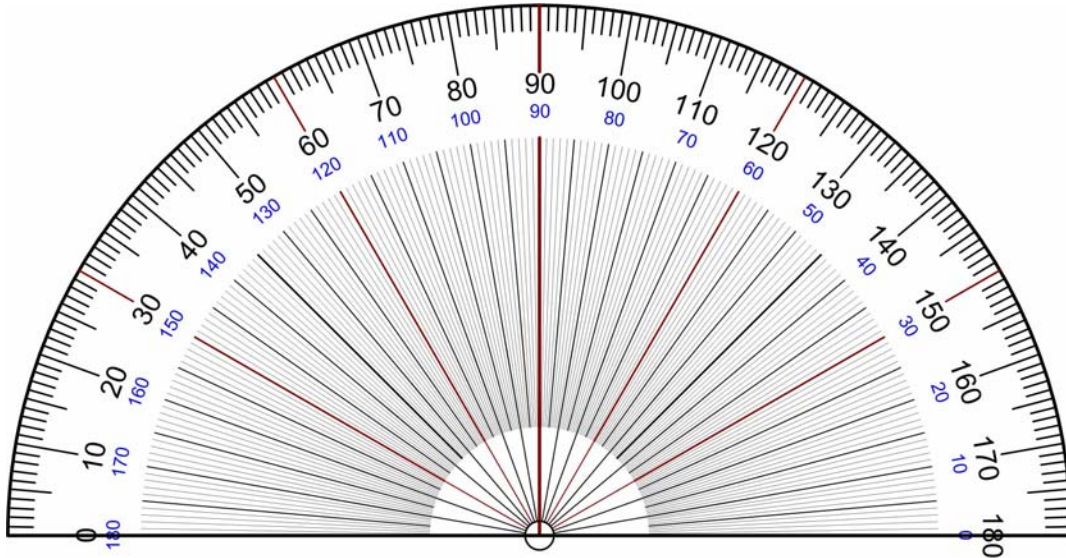
The scale is compatible with 7.5 Minute quadrangle maps (1:24,000) published by the United States Geological Survey.



U.S. Land Records: The State Land States

Below are a compass and scale, useful tools for plotting land descriptions. Cut them out for use.

The scale is compatible with 7.5 Minute quadrangle maps (1:24,000) published by the United States Geological Survey.

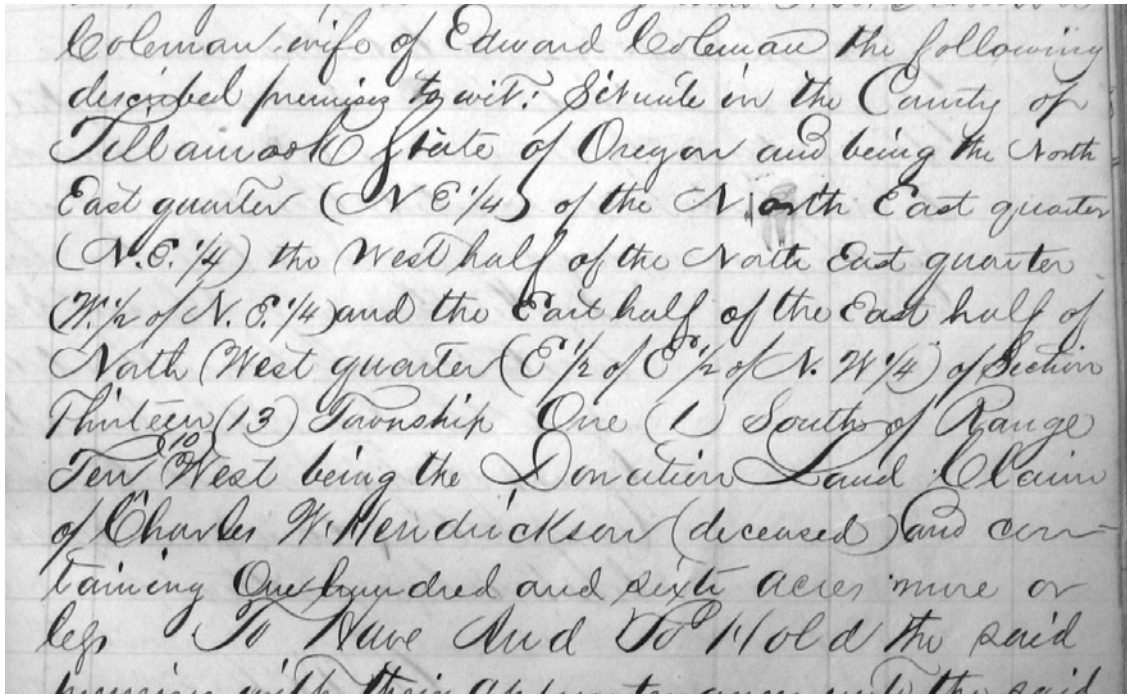


U.S. Land Records: Public Land States
Practical Exercises

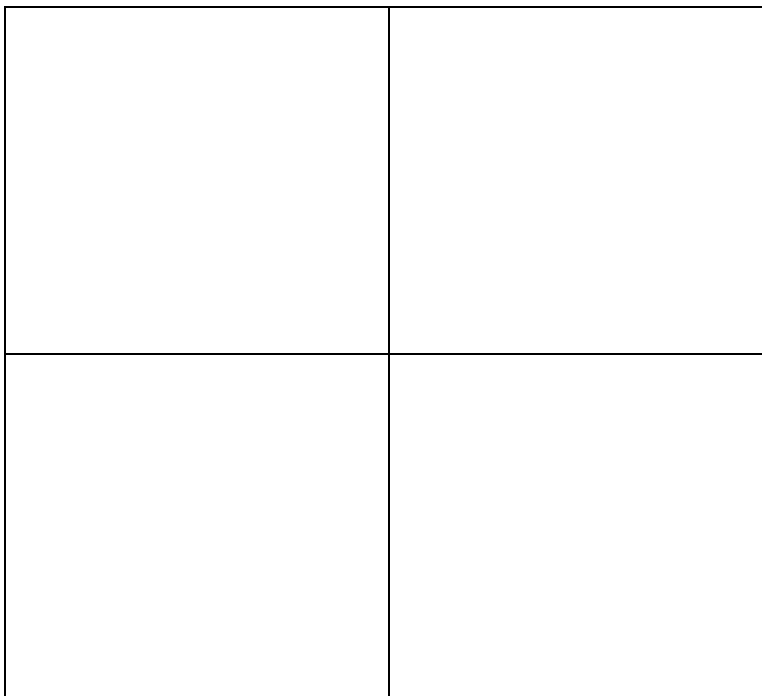
Learning to find and analyze the genealogical information contained in land records is important to the research process. The following exercises are designed to help you do that.

EXERCISE No. 1

On the drawing of Section 13 below, sketch the following land description.



Oregon, Tillamook County Deeds, vol. A:99, recorded 13 Mar 1866



Section 13, Township 1 South, Range 10 West, Tillamook County, Oregon

U.S. Land Records: Public Land States
Practical Exercises

EXERCISE No. 2

Read the land record handout and fill in the information below.

Date Filed:	Date Recorded:
Type of Instrument:	County where property is located:
Grantor(s) Residence(s)	Grantee(s) Residence(s)
Witnesses:	Consideration:
Land Description:	
Conclusions:	
List other sources that can be searched to support conclusions:	

Exercise 2

~~State of Kentucky }~~

~~County of Ohio } set.~~

~~I J. J. Smith Clerk of the County Court of the County aforesaid, do certify that the foregoing Deed was this day lodged in my office for record, and that I have truly recorded it, together with this and the foregoing certificate in my said office. Witness my hands this 22nd day of January 1885.~~

~~J. J. Smith, Clk.~~

This Indenture made this 21st day of November 1884, between J. J. Bell and his wife Fannie Bell, of the County of Daviess and State of Kentucky, Pierce Bell and his wife Kate Bell, A. J. Bell and his wife Sallie Bell, David Rogers and his wife Sallie Rogers, all of the County of Ohio and State of Kentucky, and Lizzie Bell of the State of Arkansas and County of Randolph party of the first part, and G. W. D. Richardson of Ohio County State of Kentucky of the second part: Witnesseth that the said parties of the first part, in consideration of the sum of Seventy five Dollars Cash in hand paid the receipt of which is hereby acknowledged, do hereby sell, grant and convey to the party of the second part his heirs and assigns the following described property, viz: (5/7) five sevenths of Lot No 3 on plat of division of George Richardson's tract of land in Ohio County Kentucky amongst his heirs. Beginning at a stone in the Bells Run and Buford Road N.E. corner of lot No 2, thence with a line of the same 141 poles to 2 black oaks and Red Elm. thence N 79 1/2 E 22 1/4 poles to 2 black oaks and white oak. thence N 10 1/2 W 141 poles to a stone in the said road, thence with the same N 79 1/2 W 22 1/4 poles to the beginning containing 1 1/2 acres. To have and to hold the same with all the appurtenances thereon to the second party his heirs and assigns forever, with covenant of General Warranty. Witness our hands and seals, the day and year first written

Pierce Bell.
Kate Bell.
A. J. Bell.
Sallie M. Bell.

D. Rogers.
S. Rogers.
Lizzie Bell.
J. J. Bell.
F. L. Bell.

State of Kentucky }

County of Ohio } set.

I G. P. Westerfield Deputy for J. J. Smith Clerk of the County Court of the County aforesaid, do certify that on this day the foregoing Deed was produced to me in the County aforesaid and acknowledged and delivered by D. Rogers and S. Rogers his wife Pierce Bell and Kate Bell his wife, A. J. Bell and Sallie M. Bell his wife to be their act and deed. Witness my hands, this 8th day of December 1884.

J. J. Smith, C. O. C. C.
By G. P. Westerfield Deputy, Clk.

Exercise 2

State of Arkansas. }
County of Randolph } ss.

On this 17th day of December 1884, personally appeared before me a Clerk Circuit Court of the above named County, Miss Lizzie Bell, to me personally well known as the person named in the foregoing instrument, party grantor, and acknowledged that she had executed the same for the consideration and purposes therein set forth as her free voluntary act and deed, and I certify that this acknowledgment is in due form of law. Witness My hand and official seal as such Clerk Circuit Court, the day and year last above written.

Jos. J. Robinson, Clerk.

State of Kentucky. }
County of Daviess } Det.

I W. S. Mattingly Clerk of the Daviess County Court, do hereby certify that the foregoing Deed was this day produced to me in my County and duly acknowledged by J. J. Bell and J. L. Bell, his wife, to be their act and deed, all of which is hereby certified to the proper office for record. Given under my hand, this January 7th 1885.

W. S. Mattingly, Clerk.
By R. A. Hagan, D. C.

State of Kentucky. }
County of Ohio. } Det.

I J. J. Smith Clerk of the County Court of the County aforesaid, do certify, that the foregoing Deed was this day lodged in my office for record, and that I have truly recorded it, together with this and the foregoing Certificates in my said office. Witness my hand, this 20th day of January 1885.

J. J. Smith, Clk.

Sent by
mail
Feb 4th
1885.

~~This Deed of Conveyance made and entered into this 23^d day of December 1884, between J. P. McIntire and Elizabeth E. McIntire his wife of the County of Muhlenberg State of Kentucky, parties of the first part, and James Benton of Ohio County and State aforesaid party of the second part, witnesseth, that said parties of the first part, for and in consideration of the sum of Three Hundred Dollars, secured by three promissory notes, executed by said second party, and of even date with this Deed, due respectively in One, Two and Three years, with interest from this date and retaining a lien on the land herein mentioned to secure their payment, do hereby sell and convey to the party of the second part, his heirs and assigns, the following described property situated in Ohio County and State of Kentucky; and bounded as follows: Beginning at two ash's on the bank of Green River Davyports lower corner. Running thence East 194 poles to a white oak and gum. Thence North 52 poles and 18 links to a stake. Thence West 201 poles and 64 links to the River. Thence up the River to the Beginning containing Sixty five acres~~

U.S. Land Records: Public Land States
Practical Exercises

EXERCISE No. 3

[The information presented below is fictitious and intended for educational purposes only.]

Theophilus Jones was born 10 May 1822 in New Jersey, the son of Jeremiah Jones and Mehetabel (maiden name unknown) and died 17 June 1883 in Hoosier County, Indiana. Theophilus married Jemima Smith on 15 July 1845 in Center County, Ohio. Jemima was born about 1826 in Ohio and died 13 Jan 1851 in Center County, Ohio. A search of the 1840 U.S. federal census identified three men enumerated in Center County with the surname “Smith” having a female age 10-15 years in the household.

Having first obtained the information below from a search of county land records, which Smith would you research first?

- Jeremiah Jones owned the NE1/4 of the NE1/4 of Sec. 27, T4N, R19E.
- James Smith owned the N1/2 of Sec. 8, T4N, R19E.
- Andrew Smith owned the NE1/4 of the NE1/4 of Sec. 30, T4N, R19E.
- Marshall Smith owned the SW1/4 of the SW1/4 of Sec. 23, T4N, R19E.

Use the map of the reverse side to sketch the location of each tract of land.

I would begin my search with _____ Smith.

Explain why:

U.S. Land Records: Public Land States
Practical Exercises

Center County, Ohio

Township 4 North, Range 19 East

(Each Section is 1 mile square)

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36