

## US Land Records

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- ✦ Land Records can give you a date and place for your ancestor, even if they are not mentioned in early census records.
- ✦ Prior to the Civil War, 85% of Americans owned land. You get more people named in land records than in an early census.
- ✦ When a court house burns or other major catastrophe, they are the first records replaced.
- ✦ Use when no early marriage records exist or you don't know the wife's name.
- ✦ Use in addition to probate records, because land records may list all the heirs, especially if there was no will.

### Legal Terms often used in Land Records

**Administrator (m)/ administratrix (f)** - A person appointed by the court to settle the estate of someone who died without a will

**Assigns** - Anyone acting on behalf of or in place of the nominal owner.

**Appurtenances** - Easements, rights of way, or agreements attached to land.

**Consideration** - The money (or other property) used to purchase land.

**Convey** - To transfer property or the title to property from one person to another.

**Dower** - A wife's interest in her husband's property, inheritable at his death. English law set this at 1/3.

**Encumbrance** - A burden on a property. (i.e. are liens, mortgages, taxes, easements, water rights.)

**Enfeoff** - To invest with an estate held in fee.

**Enfeoffment** - Giving ownership in fee. A deed or legal document giving ownership.

**Executor (m)/ executrix (f)** - The person named in a will to carry out the terms of the will.

**Fee simple** - Ownership of land that can be inherited by any heirs. *To hold in fee* means to possess.

**Grant** - Transfer of title from the government to the first titleholder.

**Grantee** - The person receiving a grant, or *buying property*.

**Grantor** - The person issuing the grant, or *selling property*.

**Indenture** - A written agreement.

**Life(time) Estate** - An *estate* with duration limited to the lifetime of the holder or some other person.

**Patent** - The final piece of paper you get from a grant.

**Quit claim Deed** - A common type of deed in which the seller relinquishes claim to whatever rights were held on the property, but does not guarantee that the property is actually free of claims by others.

**Remainder** - Transfer of ownership to someone on the death of another. (i.e. land may be sold to person A for use during their lifetime, but then remaindered to person B at the death of A)

**Tenement** - Permanent property, such as buildings

**Revert** - Return of ownership to a former owner (or heirs).

**Reversion** - An estate that will return to the original owner when a condition is met.

**Teste** - (Latin). Witness.

**To wit** - That is to say.

**Sample Text:** Use this sample of legal text to help decipher the clerk's handwriting.

This Indenture made the DATE between GRANTORS (seller) of COUNTY AND STATE of the one part and GRANTEES (buyer) of the COUNTY AND STATE of the other part witnesseth that for and in consideration of the sum of \$\$\$\$ dollars lawful money to the said in hand paid by the said GRANTEES at or before the sealing and delivery of these presents the receipt whereof is hereby acknowledged and thereof doth release, acquit, and discharge the said GRANTEES his heirs, executors, and administrators by these presents the said GRANTORS has granted, bargained, sold, aliened, released, and confirmed and by these presents doth grant, bargain, sell, alien, release, and confirm unto the said GRANTEES and his heirs or assigns a certain tract or parcel of land lying and being in COUNTY AND STATE bounded as followeth to wit: LAND DESCRIPTION including all houses, buildings, orchards, ways water, water courses profits, commodities, hereditaments, and appurtenances whatsoever to the said premises hereby granted and the reversion and reversions, remainder and remainders, rents, issue, and profits whereof and all the right, title in trust, use, trust, property, and demand whatsoever of them the said GRANTORS to have and to hold the said # OF ACRES and all and singular is hereby granted and released and every part and parcel thereof with their appurtenances to the said GRANTEES his heirs and assigns forever to the only proper use and behoof of executors and administrators doth covenant promise and grant to and with the said GRANTEES his heirs and assigns by these presents that the said GRANTORS now at the time of sealing and delivering these presents they were seized of good, sure, perfect, and indefeasible estate of inheritance in fee simple of and witnesseth hereby granted and released and that they hath good power and absolute authority to grant and convey the same to the said GRANTEES in manner and form aforesaid and that the said premises now are and forever hereafter shall remain to be free and clear of all other gifts, grants, bargains, sales, dower rights and title of dower, judgments, titles, troubles, charges, and encumbrances whatsoever. Witness whereof the GRANTORS hath hereunto set their hands & seals DATE.

**Township and Range Coordinates**

<-6 miles ->	<-6 miles ->				Township
T2N R3W					
	Baseline		T1N R1E		
		Principal Meridian		T2S R2E	
	T3S R2W				

**Units of measure in a Federal Land State**

**Meridian** - An imaginary line running directly north and south from pole to pole

**Baseline** - A line running east to west intersecting the meridian line at a right angle

**Township** - Count in the north/south direction from the baseline

**Range** - Count in the east/west direction from the meridian line

**Congressional Township** - 6 mile by 6 mile area identified by township & range coordinate

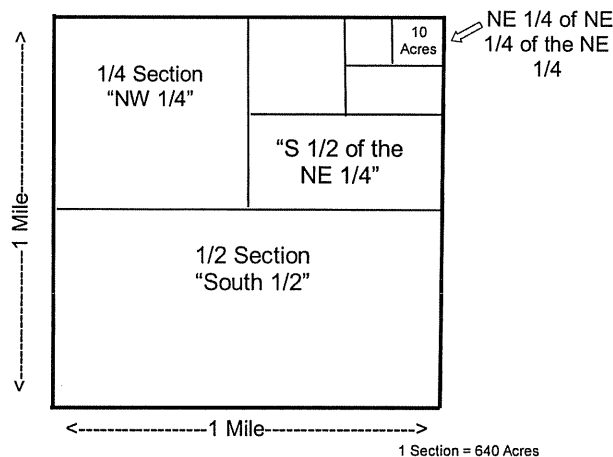
**Section** - 1/36<sup>th</sup> of a congressional township

The Federal Government surveyed the land in these states, and made square areas that ignored natural land obstructions like lakes, mountains and rivers.

Sections of a Township

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

Pieces of a Section



**Units of Measure used in the Original States**

- pole/rod/perch** (about 16.5 feet or 5.5 yards)
- chain** 100 links or 4 rods/poles/perches
- link** 7.92 inches
- furlong** 10 chains, 40 rods/poles/perches/, 1/8<sup>th</sup> of a mile
- 1 mile** 80 chains, 320 rods/poles/perches
- 1 acre** 160 rods square, 10 square chains, or 4,840 square yards

Uses compass directions from physical land marks, such as trees, rivers, and neighbor's property lines to mark the uneven shape of the land. Often there is a survey book in these states to keep record of the shape of the land.

**State Land State's** original records lie at the state level, and not at the federal government level. (Connecticut, Delaware, Georgia, Hawaii, Kentucky, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, Texas, Vermont, Virginia, and West Virginia) They usually use the above method to survey the land around natural obstacles.

**Common Abbreviations used in the land record index:**

- Mort** Mortgage
- P.A. or P of A** Power of Attorney
- B.S. or B of S** Bill of sale
- Chan** Chancery (court records)
- Et al -** Latin *et alia*, for "and others"
- Et ux -** Latin *et uxor*, for "and wife"

**Other Useful Books and Websites**

- Land and Property Research- in the United States by Wade Hone,
- <http://www.davidrumsey.com/> Online map collection
- <http://users.rcn.com/deeds/legal.htm> More Legal terms used in land records
- <http://users.rcn.com/deeds/> Lots of information about land records
- <http://www.cyndislist.com/land.htm> List of other useful websites
- <http://www.glorerecords.blm.gov/> Images and index of original land grants for Federal Land States