

# U.S. LAND RECORDS

Cass County Public Library – Genealogy Branch

## THE BASICS

### How do Land Records Help You?

- Historical, legal, and genealogical research
- Establish a title chain of land ownership
- Pinpoint a person in a specific place and time
- Connecting relationships
  - Not just immediate family, but also in-laws, business partners, neighbors, etc.
- Land Entry case files and deeds may yield a variety of detailed information
  - *E.g.* age, citizenship, military service, literacy, economic status, family members, etc.

### Types of Records

- Government to Person Transactions (Federal & State)
  - *E.g.* grants, patents, war bounty land
- Private Transactions (Person to Person)
  - *E.g.* deeds, county and town records, land companies and railroads

### Public Land Survey System

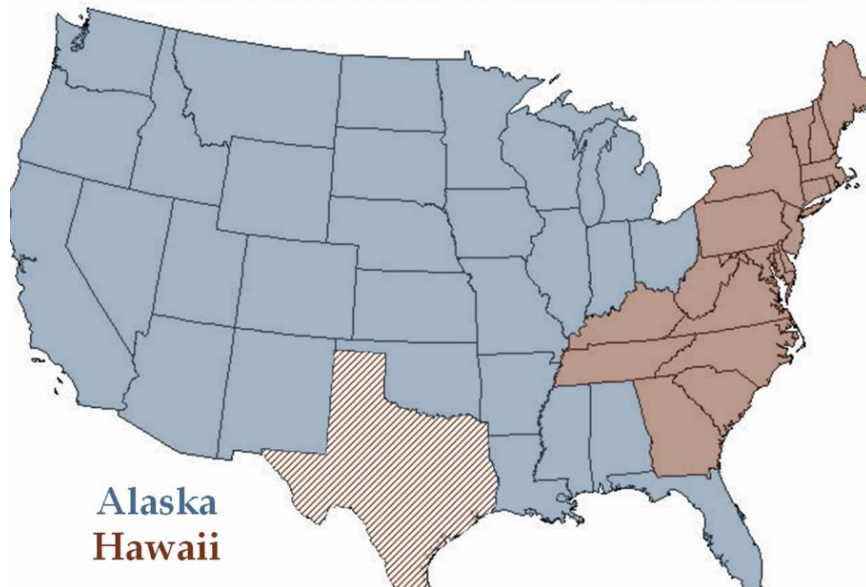
“Rectangular Survey System”

- Became the *General Land Office* and then *Bureau of Land Management*
- Initially created to survey land ceded to the United States by Great Britain and later others
- Controlled the surveying and platting of land for sale or settlement
- Divided **public domain lands** for benefit of citizens
- Most original land has been transferred to private ownership
- Covers major portions of 30 southern and western states
  - *Original 13 colonies and seven other states are not included in this system*

*How the PLSS works locally:*

- Typically divides land into 6-mile square townships
- Townships are subdivided into 36 one-mile square sections
- Sections can be divided into quarter or quarter-quarter sub-sections

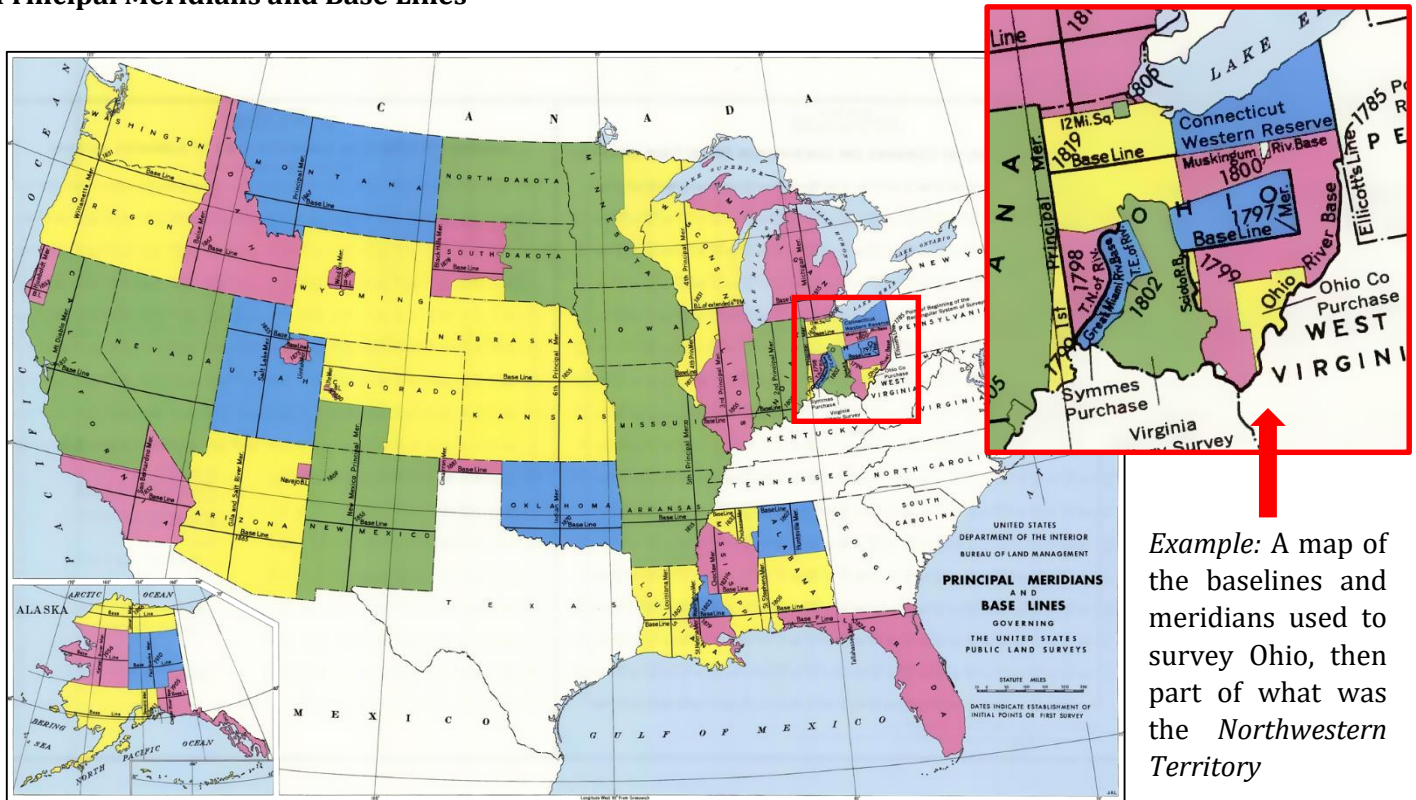
### Federal Land States vs. State Land States



## Basic Land Record Terminology

- **Base Line:** A reference line running east and west (latitudinal); a baseline intersects with a meridian
- **Meridian:** A reference line running north and south (longitudinal), sometimes Principal Meridian
  - This grid was used to survey large portions of land (often multiple states) simultaneously with the distance from the meridian and baseline determining the numbers assigned to a Township and Range
  - See color-coded map below for all principal meridians and baselines and corresponding survey areas
- **Township:** 1) A measurement of land six miles by six miles measured north or south from a base line
- **Range:** Measure of distance east or west from corresponding meridian
  - E.g. — *Grand River Township, Cass County, Missouri, is Township 44 North, Ranges 31 & 32 West*
- **et al.:** Latin for “and others” – may indicate there are additional parties other than those listed by name
  - Often seen on deeds and indexes
- **Grantee:** the person who purchases or receives property
- **Grantor:** the person who sells, gives, or transfers property

## Principal Meridians and Base Lines



## Measurement Terminology

- **Gunter's Chain:** a system of measurement invented in 1620 by English mathematician
  - Chain (66 ft.) — or 4 rods or 100 links
  - Pole/Rod/Perch (16½ ft.) — or ¼ chain or 25 links
  - Link (7.92 in) — 1/100th of a chain or 1/25th of a rod
- **Engineer's Chain:** alternative to Gunter's Chain, 100-foot chain containing 100 links
- **Acre:** 10 square chains (with Gunter's Chain)
- **Furlong:** Unit of length equal to 40 poles or 220 yards (based on the length that oxen can plow before they are rested and turned around)
- **Labor:** Unit of measurement used in *Texas and Mexico* equal to 177.14 acres (one million square varas)
- **Vara:** Unit of length also called the “Spanish Yard” used in the Southwest, equaling 33 1/3 inches

## Legal Land Description

- The numbered section, township, and range of the property in the rectangular survey system

- Knowing the aliquots is helpful
- Often necessary for record collections that are not indexed by owner's name, but organized by legal description
- The Legal description is also beneficial when using plat maps

### Aliquots and Plat Maps

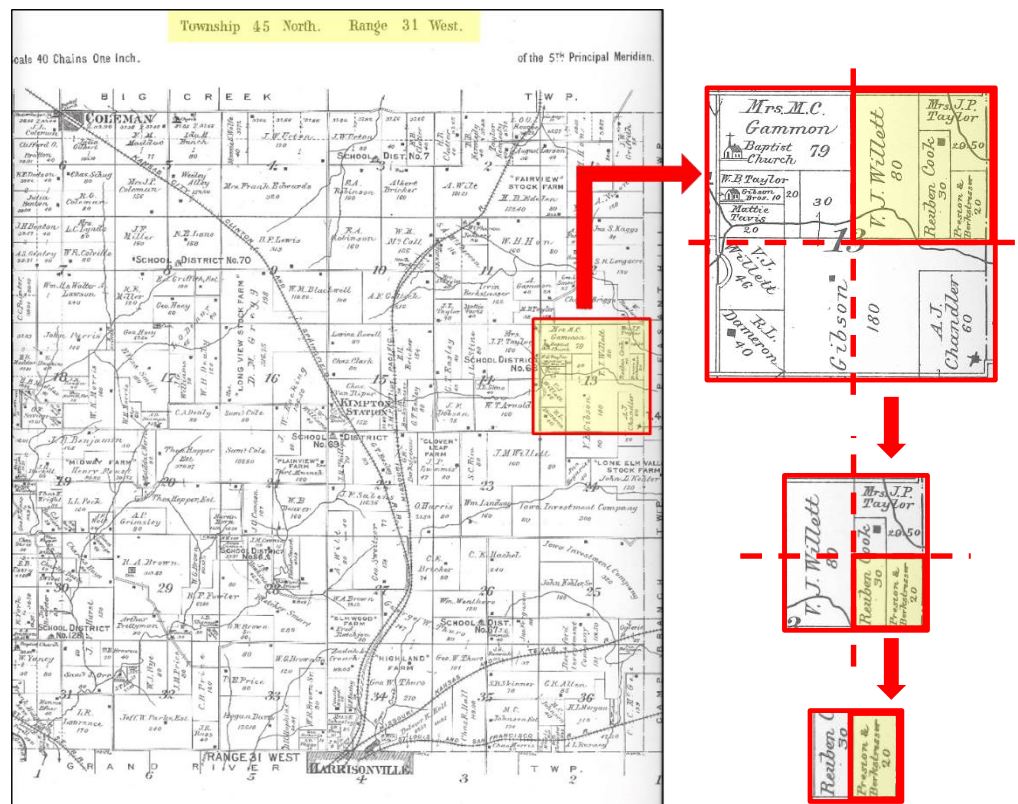
- Used to sub-divide numbered sections into even smaller parcels of land
- Combination of cardinal directions and fractions
  - E.g. N½ of Section 4
- For longer aliquot descriptions, reading backwards may help
- Can be used with plat maps to locate the land described
- May be written out or abbreviated
  - "southwest quarter" vs. "SW ¼"

Example: E½ SE¼ NE¼ of Section 13, 45N – 31W

Read as: "the east half of the southeast quarter of the northeast quarter of Section 13 in Township 45, of Range 31 containing 20 acres"

Finding this land:

1. Using a plat map, you would first go to the Township set at 45 North, 31 West ("Peculiar Township"), find Section 13
2. From there divide Section 13 into four smaller squares, find the northeast quarter
3. Divide that quarter again into four smaller sections, look at the southeast quarter
4. Split that square in half vertically – the eastern half is the land described



The result is a 20-acre parcel of land owned by "Preston & Berkstresser" located east of Kimpton Station and northeast of Harrisonville, Cass County, Missouri.

### What a Plat Map Will Show You

- Property lines and lot dimensions
- Landowner's name(s), sometimes farm or business names
- Township borders
- Town names and locations
  - blocks, streets, lots, and subdivision names (for platted towns and cities)
- Location of any significant features
  - roads, rivers, creeks, lakes, railroad tracks and depots/stations, churches, schools, buildings, etc.



# FEDERAL LAND RECORDS

## Land Grants and Patents

- A record of the initial transfer of land title from the federal government to individuals
- Allows researchers to associate an individual with a specific location (legal land description) and time (issue date)
- Individual(s) may appear on these records as:
  - Patentee
  - Assignee
  - Warrantee
  - Widow
  - Heir
- Types of Patents
  - Credit Volume Patent
  - Cash Entry Sale
  - Homestead
  - Military Bounty Warrant
  - Serial Patent
  - Indian Fee Patent

## Credit Volume Patents, 1800-1820

- Settlers didn't have the necessary capital to purchase land and debt-ridden government wanted to increase revenue
- Harrison Land Act of 1800 allowed for the sale price to be paid over time (credit sale)
- Paid one-twentieth of the agreed price up front with a 6% interest rate (initially to be paid back in 4 years)
  - Time to pay back debt increased and minimum required amount of acreage decreased over time

## Cash-Entry Sale, 1820-

- Land earmarked for public sale
- After a new survey, a portion of land was set aside for bounty warrant and homesteads
  - The remaining area was divided among the states for immediate auction
- Intended to encourage westward expansion
- May be some overlap with Homestead transactions
  - Check the Authority, the date, and the full text of the associated statute
- Case file can be requested from NARA for a fee
  - Contains supporting documents, e.g. testimony from claimant, witness affidavits, etc.

**THE UNITED STATES OF AMERICA,**  
CERTIFICATE }  
No. 78938 }

**To all to whom these Presents shall come, Greeting:**  
**WHEREAS** James L. Scrivner of Cole County, Missouri,

has deposited in the GENERAL LAND OFFICE of the United States, a Certificate of the REGISTER OF THE LAND OFFICE at Fayette, whereby it appears that full payment has been made by the said James L. Scrivner,

according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An act making further provision for the sale of the Public Lands," for the South East quarter of the South East quarter of section six, in Township forty three, of Range thirteen, in the District of Land subject to sale at Fayette, Missouri, containing forty acres,

according to the official plat of the survey of the said Lands, returned to the General Land Office by the SURVEYOR GENERAL, which said tract has been purchased by the said James L. Scrivner,

**NOW KNOW YE,** That the United States of America, in consideration of the Premises, and in conformity with the several acts of Congress, in such case made and provided, HAVE GIVEN AND GRANTED, and by these presents DO GIVE AND GRANT, unto the said James L. Scrivner,

and to his heirs, the said tract above described: TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature, thereto belonging, unto the said James L. Scrivner, and to his heirs and assigns forever.

**In Testimony Whereof, I, Millard Fillmore**  
PRESIDENT OF THE UNITED STATES OF AMERICA, have caused these Letters to be made PATENT, and the SEAL of the GENERAL LAND OFFICE to be hereunto affixed.

Witness my hand, at the CITY OF WASHINGTON, the first day of December in the year of our Lord one thousand eight hundred and fifty one and of the Independence of the United States the Seventy sixth.

**BY THE PRESIDENT: Millard Fillmore**  
By M. P. Sillmore Secy.  
E. J. Terry, Recorder of the General Land Office.

**To all to whom these Presents shall come, Greeting:**  
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**Example:** 1851 Cash Entry Sale record for 40 acres purchased by James L. Scrivner of Cole County, Missouri, including a legal land description

## Homestead Records, 1862-1930

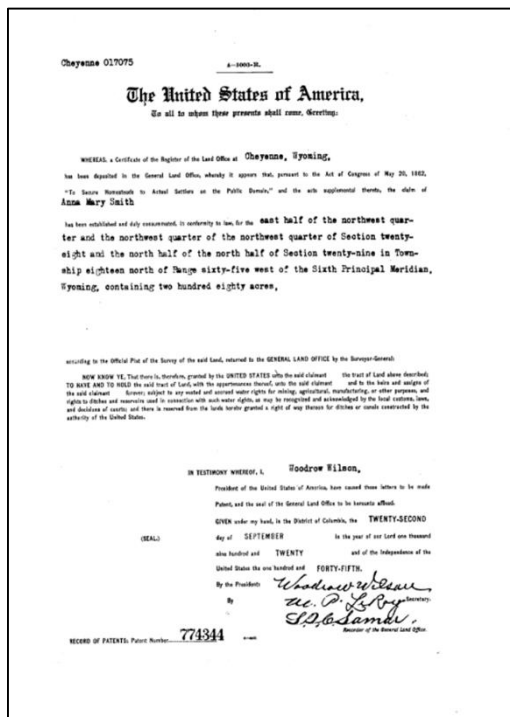
- Began with *Homestead Act of 1862*
  - Various additional Homestead Acts from 1862-1930 covering new land or changing the conditions
  - E.g. *The Timber Culture Act of 1873* granted land to claimants who were required to plant trees
- 738,000 citizens and foreign-born individuals who had filed their “first papers” towards naturalization received homestead patents

### Qualifications:

- Landless or owned less than 160 acres
- Had to reside on the land and improve it through cultivation
- Land was allotted to heads of household, widows, and single persons over the age of 21
  - Including single women
- Anyone who had not “borne arms against” the United States government or aided its enemies
- Check the *Incomplete Applications* – not all who began the application process completed it

### The Homestead Application Process:

- File application papers, and pay filing fees, eventually a total of \$18 (or \$10 to temporarily hold a claim on the land)
- Improve the land over the next five years (usually build a dwelling, and start a farm)
- File for a deed of title



### Example: 1920 Homestead Record, Laramie, Wyoming

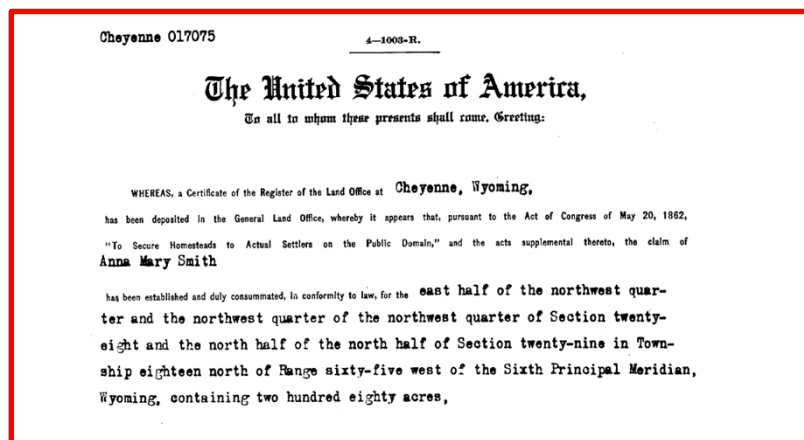
**Name:** Anna Mary Smith

**Land Office:** Cheyenne, Wyoming

**Land:** 280 acres

**Location:** Sections 28 & 29 in Township 18N, Range 65W

**Date:** 22 September 1920



## War Bounty Land Warrants, 1789–1858

- Soldiers were awarded land in lieu of monetary payment due to war debt or used as an incentive to serve
  - For service during the Revolutionary War and War of 1812
- These records help pinpoint an ancestor in place and time, but also indicate military service
- These warrants could be sold instead of surrendered
- *Warrants may include the following information:*
  - Date of issuance
  - Name and rank of veteran on discharge
  - Company, regiment, and branch of service
  - State from which enlisted
  - Name of heir or assignee, if applicable

## Revolutionary War

- In 1788, the government began granting free land in the public domain to officers and soldiers who served during the war
  - Or, if they were killed, to their representatives or heirs
- The amount of land received was determined by the veteran's rank:
  - Privates received 100 acres, major generals received 1,100 acres
- A 4,000 square mile tract of land located in what is now SW Ohio was earmarked for these warrants
- Veterans often turned around and sold the land
  - This would have been a private transaction and generated state or county deeds

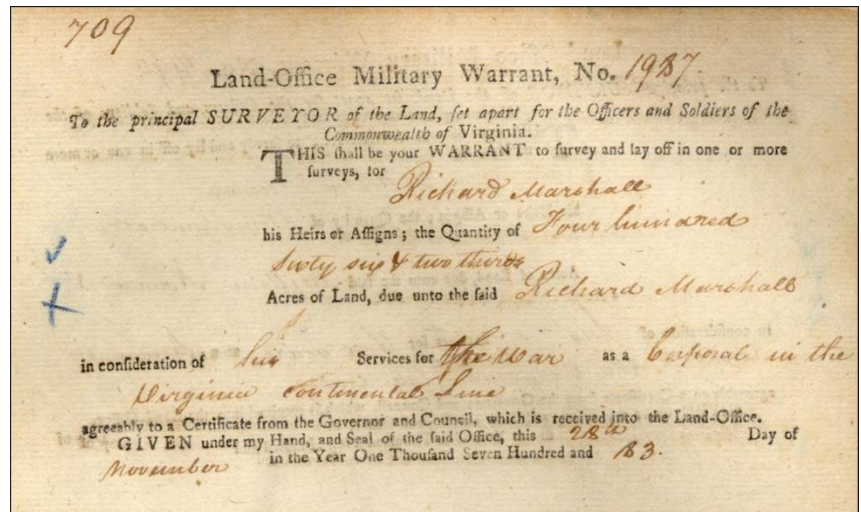
### Example: 1783 Virginia Land Office Revolutionary War Military Warrant

**Name:** Richard Marshall

**Date:** 28 November 1783

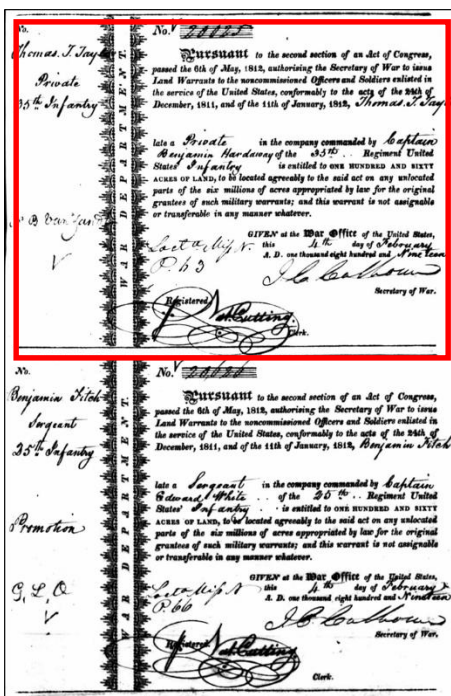
**Land Awarded:** 466 2/3 acres

**Service:** Corporal, Virginia Continental Line



## War of 1812

- Noncommissioned officers and soldiers serving for 5 years (unless discharged sooner), or their heirs, would be entitled to 160 acres of land
- 6 million acres of land in the Michigan, Illinois, and Louisiana Territories were set aside
- Warrants issued for service during the War of 1812 *could not be transferred* or assigned to a person other than the veteran, except through inheritance

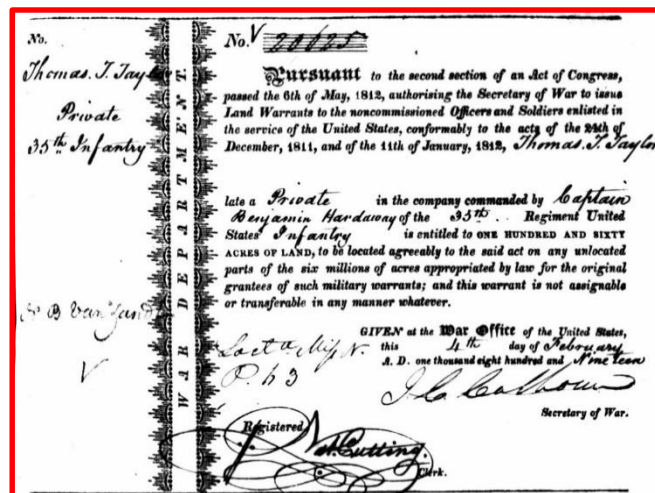


### Example: 1819 War of 1812 Bounty Land Warrant

**Name:** Thomas T. Taylor

**Date:** 4 February 1819

**Service:** Private, 35th Infantry, under Captain Benjamin Hardaway



### **Serial Patents, 1908–**

- Patents filed after July 1, 1908 were assigned consecutive numbers and filed numerically
  - Researchers only need the serial number to locate and request copies
  - Serial land patent series at the National Archives extends into the early 1970s
- Patents prior to that date are arranged by type and number under the name of the land office

### **Indian Fee Patents, 1902-1911**

- Allotments of land held in trust by the General Land Office for a period of 25 years (generating a trust patent)
  - After which time the individual could sell the land
- To sell before then, they could petition the Secretary of the Interior to be released from guardianship
- If released, they would be issued a fee patent

### **Federal Tract Books, 1800–1950s**

- Listings of all the transactions involving surveyed public lands by State or territory, meridian, township, range, section, and subdivisions
- Provide legal land description, type (homestead, desert, forest, etc.), acreage, name of purchaser (if applicable)
- Show how, when, and to whom title to Public Domain lands passed from the US government for 13 states

#### *Tract Book States:*

- |             |               |
|-------------|---------------|
| • Alabama   | • Michigan    |
| • Arkansas  | • Minnesota   |
| • Florida   | • Missouri    |
| • Illinois  | • Mississippi |
| • Indiana   | • Ohio        |
| • Iowa      | • Wisconsin   |
| • Louisiana |               |

### **Additional Federal Land Records**

- Survey Plats
  - Graphic drawing of the boundaries involved with a particular survey project
- Field Notes
  - Contain the detailed descriptions of entire survey process: instrumentation and procedures utilized, calling all physical evidence evaluated in the survey process, and listing all of the individuals who participated in the work
- Land Status Records
  - Documents the ongoing state of a township's Federal and private land regarding title, lease, rights, and usage
  -

### **Land Record Databases**

- Bureau of Land Management – General Land Office database
  - <https://glorerecords.blm.gov>
  - Credit and Cash Patents, Warrants, Homesteads, Indian Fee, Serial Patents, etc.
- Ancestry Library Edition
  - [www.casscolibrary.org/genealogy/databases](http://www.casscolibrary.org/genealogy/databases)
  - Use the *Card Catalog* search & filters
- FamilySearch
  - [www.Familysearch.org](http://www.Familysearch.org)
  - *Browse All Published Collections* on the *Records Search* page, then search and filter

### **Additional Resources at the National Archives and Records Administration**

<https://www.archives.gov/research/land/land-records>

- Land Entry Case Files – submit NATF 84 Form or request copies online (<https://bit.ly/2HLhL2k>)



- Tract Books
  - Eastern States – digitized and available online at BLM-GLO database, originals held by the Bureau of Land Management
  - Western States – located at NARA’s D.C. Office and some NARA Field Offices
- Cancelled, Rejected, or Relinquished Land Entry Case Files
  - Check the National Archives facility for the state/region
  - Many indexes to these records held at NARA’s Kansas City location are available at the website linked above
- Land Record Research Guide (PDF): <https://bit.ly/37Pt986>

## STATE LAND RECORDS

### State Land States

- These were states that were not included in the Public Land Survey System
  - 13 original colonies + Hawaii, Kentucky, Maine, Tennessee, Texas, Vermont, West Virginia
- Retained their pre-Revolutionary War owned land and continued to issue grants for unclaimed land
- Because each colonial or state government issued their own records, there is no nation-wide database
  - You can search with Google for online databases or state archive holdings online

### State Land Records

- Record type and availability varies by state
- Some states have more digitized and online than others
- Look for state-specific databases by Google searching with keywords like “*Kansas state land records*” or “*Georgia headright records*”
  - *E.g. Missouri Digital Heritage* and *Masslandrecords.com* (Massachusetts)
- Check state historical society websites for holdings guides and digitized record availability

### Examples of State Records in Missouri

Available at Missouri Digital Heritage: <https://s1.sos.mo.gov/records/archives/archivesdb/land>

- Townland School Land Patents, 1820-1900
- Seminary and Saline Land Patents, 1820-1825
- Swampland Patents, 1850-1945
- 500,000 Acres Land Grants, 1843-1951
- Pacific Railroad Lands, 1867-1877
- Survey Books

### Colonial Land Records

- Charters granted to companies or individuals by England, Spain, Mexico, Russia, France, and the Netherlands
- Used the metes (angles and corners) and bounds (boundary lines) system
- Physical features used to describe the property’s boundaries (trees, rocks, creeks, etc.)

### Headright Grants

- Used to encourage settlement in the colonies
- An individual received a grant of 50 acres for bringing people over from England
- The person whose passage had been paid for would serve as an indentured servant for 7 years
- After which, they received 50 acres and certain amount of money

## PRIVATE TRANSACTION LAND RECORDS

### Types of Private Transaction or “Person to Person” Records



- County Records (Deeds)
- Municipal Records (City Land Grants)
- Wills and Probates (inherited Land)

## **Deeds**

- Record of a transaction between two or more parties detailing the sale or transmission of real property
- Might have taken the place of a will
- May list the first name of the wife
- May give the names of adjacent property holders
- Often found more readily in index or microfilm form than digitized
- Physical copies typically kept by the Recorder of Deeds for the county
  - Check the protocol for relocating older records to local historical societies, state archives, or libraries
  - **For Cass County**
    - Microfilmed deeds and indexes from the 1800s are available at the CCPL Genealogy Branch
    - Physical copies up to the 1950s are held at the Cass County Historical Society Archives
    - Deeds dated between the 1950s and the present are kept by the Cass County Recorder of Deeds office

### *Deed of Trust*

- An arrangement between three parties: a lender, a borrower, and a trustee
- The lender and the borrower agree to give the property to a neutral third party as trustee to be held until the borrower has paid off the debt

### *Quitclaim Deed or "Quick Claim"*

- Transfers the owner's interest in the property
- If two people each have half interest in a property and one sells, they can only sell their half of the ownership

### *Warranty Deed*

- Provides the greatest amount of protection to the purchaser (grantee) of a property
- It "warrants" that the owner owns the property free and clear of any outstanding liens, mortgages, or other encumbrances

### *Deed of Gift*

- Similar to quitclaim deeds in that it is often used to transfer title to property between family members or close friends
- The deed serves as proof that the transfer is a gift without any further conditions or payment

### *Lease and Release (common up to mid-1800s, especially in Colonies)*

- Two separate documents: lease (smaller), release (larger)
- Records are usually dated one day apart
- Usually the land was leased for a year or 6 months and sold for a consideration of 5 shillings and a rent of one peppercorn per year
- Buyer is transferred the land and owned the current and future interest

### *Deed of Partition*

- Used to divide a single property among multiple people
- Each person gets a share and becomes the owner of the share allotted

## **Structure of a Deed**

- Type of Deed

- Date of Sale/Transfer
- Date of Recording (may be much later than the date of sale)
- Names of Grantee(s) and Grantor(s)
- County and State of Residence
- Sale Price/Amount Paid
- Legal Description of Property
- Conditions and Considerations
- Dower Release (wives) / Courtesy Right (husbands)
- Signatures and Witnesses

### **Inherited Land**

- Transfer of land to heirs may generate any type of deed
- Wills and probate records are often held by the County Probate Court, County Clerk, or a local historical repository
- Colonial probate records were kept by the town or colony and may affect where it is held now
- Probate is a function of state government, so the laws and records may change over time
- Terminology Note: “Devise” — we bequeath personal property, we devise land
- If the inheritor is a minor, their guardian might also be named in the deed

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*Visit the library's locations page ([www.casscolibrary.org/locations](http://www.casscolibrary.org/locations)) for CCPL Genealogy's location, contact information, and hours of operation. Information regarding our digital collections, access to online databases, submitting inquiries, and more, can be found on Cass County Public Library's Genealogy Resources page, located here: [www.casscolibrary.org/genealogy](http://www.casscolibrary.org/genealogy)*

**Send Research Inquiries to:**  
[askgenealogy@casscolibrary.org](mailto:askgenealogy@casscolibrary.org)

Cass County Public Library – Genealogy Branch  
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