



Discovering Your Kentucky Ancestors

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Kentucky Land Review

All land in Kentucky should follow a pedigree back to a governmental grant, generally Kentucky or Virginia. This process is called land patenting. Once a part of the commonwealth of Virginia, the land of Kentucky began to be granted after the King's Proclamation of 1763 stating that land would be granted in lieu of cash to the veterans of the French & Indian War. The Land Law of 1779 expanded the granting of land to the state's Revolutionary War veterans. John Filson discussed the land grant process in his 1784 publication.

"The proprietors of the Kentucke lands obtain their patents from Virginia, and their rights are of three kinds, viz. Those which arise from military service, from settlement and pre-emption, or from warrants from the treasury. The military rights are held by officers, or their representatives, as a reward for services done in one of the two last wars. The Settlement and pre-emption rights arise from occupation. Every man who, before March, 1780, had remained in the country one year, or raised a crop of corn, was allowed to have a settlement of four hundred acres, and a pre-emption adjoining it of one thousand acres. Every man who had only built a cabbin, or made any improvement by himself or others, was entitled to a pre-emption of one thousand acres where such improvement was made.

In March, 1780, the settlement and pre-emption rights ceased, and treasury warrants were afterwards issued, authorizing their possessor to locate the quantity of land mentioned in them, wherever it could be found vacant in Virginia.

The mode of procedure in these affairs may be instructive to the reader. After the entry is made in the land-office, there being one in each county, the person making the entry takes out a copy of the location, and proceeds to survey when he pleases. The plot and certificate of such survey must be returned to the office within three months after the survey is made, there to be recorded; and a copy of the record must be taken out in twelve months, after the return of the survey, and produced to the assistant register of the land-office in Kentucke, where it must lie six months, that prior locators may have time and opportunity to enter a caveat, and prove their better right. If no caveat is entered in that time, the plot and certificate are sent to the land-office at Richmond, in Virginia, and three months more are allowed to have the patent returned to the owner."

John Filson, *The Discovery, Settlement and Present State of Kentucky: And an Essay Towards the Topography and Natural History of that Important Country...* (Wilmington, 1784)p 36-38. (Online version at Kentuckiana Digital Library, www.kdl.kyvl.org)

Military District in Kentucky

The act of the Virginia General Assembly passed on June 22, 1779, established the Virginia Land Office. This act also provided for military bounty lands for Revolutionary War service. To qualify for bounty land, the individual soldier or sailor had to serve at least three years continuously in the Virginia State Line, Continental Line or Virginia Navy. Militia service did not count.

There were other types of land grants provided within the state of Kentucky. The following chart summarizes the grant series and includes additional information about each series.

Series	Dates	Notes	Number
Virginia Series	1782-1792	see Old Kentucky Series	9,441 surveys, 9564 grants
Old Kentucky Series	1792-1815	French and Indian War Warrants, Revolutionary War Warrants, Treasury Warrants, Importation Warrants, Acts for the Relief of Certain Poor Persons, Acts for the Establishment of Academies and Seminaries, Warrants for Finding Salt, Warrants for Clearing Roads, Certificates of Settlement, and Preemption Warrants	7,668 surveys, 9,034 entries
South of Green River Series	1797-1866	This opened the vacant land in the Military District to general settlement The original 1795 Act required applicants to be 21 or older. (lowered to 18 in 1798)	16,664 surveys, 15,730 grants
Tellico Series	1803-1853	Area purchased from the Cherokee Indians in 1805. Act of 1810: settlers (six-month residency) purchase up to 200 acres (\$40/100 acres)	590 surveys, 572 grants
Kentucky Land Warrant Series	1815-1873	Issued by the Kentucky Land Office	26,080 surveys
South of Walker's Line Series	1825-1923	These patents are located in northern Tennessee. They generally run to the 36 degrees 30 minute parallel or the baseline of the Jackson Purchase. The Kentucky Land Office has patent records for the following Tennessee counties: Sumner, Smith, Robertson, Macon, Montgomery, Stewart, Jackson, Claiborne, Clay, Fentress, Pickett, Scott and Campbell.)	4,327 surveys
West of Tennessee River Military Series	1822-1858	Area was purchased from the Chickasaw Indians in 1818.	242 surveys
West of Tennessee River Series	1822-1858	Jackson Purchase is mapped in ranges, townships and sections.	9,308 surveys
County Court Order Series	1835-present	In 1835, the General Assembly granted county courts the right to issue warrants authorizing surveys.	70,238 surveys

The process of obtaining land involved four steps, which must be completed before a land title was granted.

Warrant/Certificate - This step authorized a survey to be made. It is during this documentary process that the individual must prove entitlement. (i.e. military service, occupancy, or other reasons) These warrants could be sold or traded and therefore assigned to another party.

Entry - The surveyor recorded in the entry book the name of the person, the type of warrant, and the date of the intention. This record could be changed or withdrawn by the individual.

Survey/Plat - An actual survey of the property would be made with a recording of the metes and bounds. In addition to a recording in the local Surveyor's Book, a copy was sent along with the certificate to the Land office in Frankfort.

Grant/Patent - This document issued by the Governor's office, after any payment was due, typically contains the name of the owner, survey data, type of warrant, warrant/certificate number, and land description. The original grant was sent to the grantee, a copy was retained in the land office, and the grant may be recorded locally in a deed book.

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LOCAL GOVERNMENT RECORDS

Marriage Records:

Marriage Book
Marriage Register
Marriage Bond Book
Marriage Certificate Book
Marriage /Minister Returns
Marriages Licenses (loose papers)
Permissions (loose papers)
Declaration of Marriage
(or Freedman's Declaration Book)
Freedman's Marriage Register

Estate Records

Wills (loose papers)
Will Books
Guardianship (loose papers)
Estate & Settlement Books
Estate & Settlement (loose papers)
Inventory, Appraisalment & Sale
List of Guardians Books
Executor/Admin Bond Books

Land Records

Deed Books
Survey or Plat Books
Processioners Report Books
Mineral Lease Book
Mortgage Books
Sheriff's Deed Book
Power of Attorney Book

Tax Records

Tax Assessment Books
Tax Lists
Commissioner's Tax Book
Militia Lists
Tax Cards (loose papers)
Property Enrollment (loose papers)
Delinquent Tax Book
Sheriff's Land Sold for Taxes Book

Business Records

Articles of Incorporation Book
Register of Partnerships
Business Tax Books
Apprentice Bonds (loose papers)
Business License (loose papers)

Voter Registration Records

Voter Registration Books
Voter Registration (loose papers)
Voting Poll Books

(also see Tax Lists - Poll Tax paid)

Military Records

Veteran's Discharge Book
Application for Pension
County Militia Records

Court Records

Circuit Court Order Books
Circuit Court Docket Books
Circuit Court Cases (loose papers)
Chancery/Equity Court Books
Chancery/Equity Cases (loose)
Magistrate Order Book
Quarterly Court Order Book
City Court Order Books
County Court Order Book
County Court Files (loose papers)

Slave Records

Bill of Sale Book
Dower Slave Book
Register of Slaves Book
Record of Manumission Book
Slave Importation Book

Other Records

Birth Record Returns
Death Records Returns
Register of Physicians (other medical)
Naturalizations/ other Bonds
Estray Books

Kentucky Records Resources

Kentucky Department of Libraries and Archives
Archives Research Room
P.O. Box 537, Frankfort, KY 40602-0537
www.kdla.ky.gov/
Kentucky Historical Society
P.O. Box H, Frankfort, KY 40602-2108
history.ky.gov
KYGenWeb Project
usgenweb.org/ky
Kentucky Vital Statistics Index 1911-1999
ukcc.uky.edu/~vitalrec/
Kentucky Atlas & Gazetteer
<https://www.kyatlas.com/> /
Kentucky Newspaper Chronicling America
chroniclingamerica.loc.gov/newspapers/kentucky/
Kentucky Geographic Feature Name Index
<http://ipt.peabody.vale.edu/cgi-bin/GNIS?SU=1>
The Filson Club
filsonhistorical.org/
Kentucky Co. Highway Maps, Photo, 7.5' Topos
<http://ukcc.uky.edu/maps/>
Kentucky Gen Soc kygs.org
