

Land Grants: An Overview of North Carolina's Land Act of 1777

by Paula Gammell

Towards the top of your research priority list should be a thorough study of any land grants your ancestors may have had – its not enough to just read the grant; you need to obtain *all* the associated documents. Here's why:

This East Tennessee area – back when it was part of North Carolina – was affected by two North Carolina land grant acts: the Land Act of 1777 and the Land Act of 1783.

Do they sound similar? They weren't, really. Among their differences: they were created for a different purpose, the lands were sold for a different price, the area where the lands were located was different, the time periods were different, and the way one made a claim was different.

The Land Act of 1777 is not complicated, but it *is* very detailed. I'll risk a very brief summary of it here, with the caveat that many changes and amendments to it make such a summary risky. These are the basics:

- The purpose was to benefit homesteaders. "Lands within this State should be parcelled out to industrious people, for the Settlement thereof," it read, with preference given to those who had already settled and improved the land.
- Claimants in this area only (the act applied to *all* of North Carolina) could claim up to 640 acres; more if one

- There were three time periods one could enter a claim:
 - 1) 23 Feb 1778 - June Sessions 1781
 - 2) 01 Aug 1783 - 25 May 1784
 - 3) Nov Sessions 1786 - Nov Sessions 1789
- One entered the claim in the county in which the land lay during the time periods the act was in effect.

The process to claim lands required several steps. First one made an entry (or claim) with the county Entry-Taker; he issued a warrant to the county Surveyor. The surveyor surveyed the tract, made duplicate copies of both a plat map and a written description of it, and gave these to the Entry-Taker. The Entry-Taker forwarded all the documents to North Carolina's Secretary of State, who executed the deed, had it signed by the Governor, kept one copy and returned the other with the new deed to the Entry-Taker. The new landowner then recorded his deed in the county in which the land lay. As you can imagine, this process often took several years.

It is that surveyor's plat and description in particular that you must study: they were *very* detailed and often showed locations of streams, roads, even houses! The warrant also can contain unique information. Without obtaining and studying *all* these documents you will be potentially depriving yourself of a wealth of information.

Got problems? Sometimes people tell me they found a reference to a grant but are stuck because the supposed grant number or date doesn't match up with other references. There's usually one of two explanations for this problem:

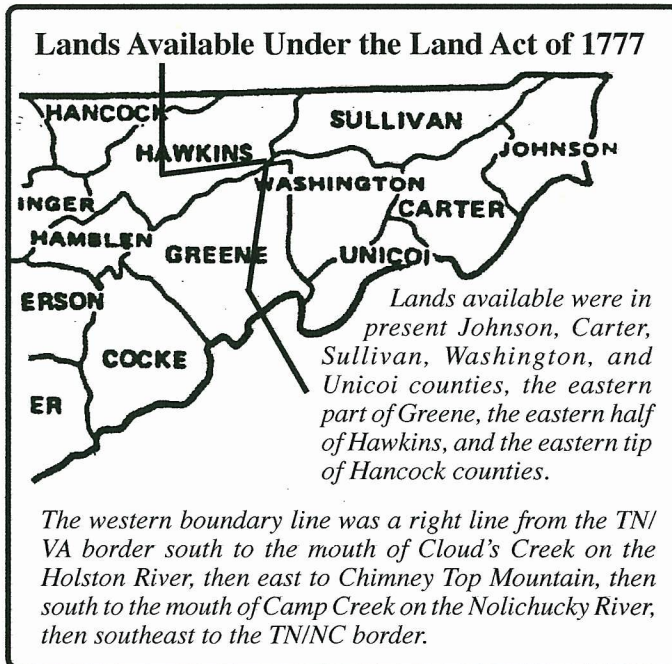
- For non-matching numbers consider that there was no such thing as 'North Carolina Land Grant #1.' Instead, the numbers were specific to each county – thus there was 'Washington County, North Carolina, Land Grant #1' and 'Greene County, North Carolina, Land Grant #1' and so forth.
- For non-matching dates consider that each step in obtaining a grant incurred a date. Thus there was the date claimed, the date of the warrant, the date of the survey, and the date the grant issued. (Of course, the *correct* date of a grant was the date it issued.)

That's why published summaries and index books are handy as a place to start – but they can contain errors so, like always, its best to just get the original copies for yourself.

See how the more you learn the less confusing it is?

Here at "East Tennessee Roots" we have begun a long-term in-depth study of land grants, beginning with this Land Act of 1777. You're welcome to check it out.

(One last thing: have you noticed any mention that these grants were for Revolutionary service? Well, that's because *they were not!* The Military Reservation was not even located here – and the tiny handful of service grants in East Tennessee were all late and were all located here due to insufficient land available in the Reservation.)



was married and/or had children.

- This land was *paid for!* The cost was £2 10 shillings (or, 50 shillings) per hundred acres.
- The lands were in uppermost East Tennessee: five present-day counties (Johnson, Carter, Sullivan, Washington, and Unicoi), and parts of three more (a strip along the eastern edge of Greene, the eastern half of Hawkins, and a tiny sliver of eastern Hancock).

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