

A Panel Discussion on New York Land Records

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Some Key Dates Important for Understanding New York's Land Records

- 1624-1664 New Netherland Dutch colonial period. Grants and private party deeds recorded with provincial secretary.
- 1629 First Dutch patroonships granted, with patroons renting small parcels to tenants. (Rensselaerswyck was the only successful patroonship.)
- 1664-1783 English/British colonial period (ending with the Treaty of Paris and British evacuation).
- 1665 English patents and some private party deeds recorded with the provincial secretary. A few deeds recorded with the town clerk.
- 1683 Formation of the original ten counties within modern NY (Albany, Ulster, Dutchess, Orange, Westchester, Richmond, New York, Kings, Queens, and Suffolk). First English manorial lordship granted, with landlords renting small parcels to tenants.
- 1753 Mortgages required to be recorded with the county or city clerk.
- 1771 Married women required to sign and acknowledge deed conveyances, as well as have private, separate exams to verify that they did so voluntarily because they had dower interest in property within the marriage.
- 1777 First State Constitution; formation of New York State. Patents and some private party deeds recorded with the secretary of state.
- 1779 Forfeiture Act; Loyalist real estate seized by state.
- 1786 First state-funded mortgage (called "Old" loan¹).
- 1799 Begins gradual requirement for recording of deeds in new counties with numerous subsequent retroactive amendments.²
- 1792 Second state-funded mortgage (called "New" loan).
- 1795 Mortgages on sales of state unappropriated land offered by state and recorded with treasurer, comptroller, and secretary of state.
- 1808 Third state-funded mortgage (called "Commissioners" loan).
- 1823 Deeds must be recorded with the county clerk in all counties.³
- 1837 Fourth mortgage, administered by state using federal funds (called U.S. Deposit Fund).
- 1848 New York's Married Women's Property Act, allowing a married woman to own and control real and personal property as her separate property.

For New York State Archives series below, use series number in Finding Aid [iaarchives.nysed.gov/xtf/search?]

¹ "Memoranda to Loan Office Alphabet" in "First Deeds Deposited with Loan Commissioner 1771–1861 [title page]," [p. 3], Dutchess County, NY, Records of the Loan Office 1771–1882, FHL film #565,222, unmarked item 1, *Family Search*, familysearch.org/.

² Laws of 1798, Chap. 78; Laws of 1813, Chap 97; Laws of 1822, Chap. 254; etc.

³ Laws of 1823, Chap. 263.

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Four Basic Processes of Land Transfer

- **Crown or State to Individuals** – Done via grants and patents.
- **Land Contracts** – Initiated via Articles of Agreement but completed via county recorded deed.
- **Public Sales/Auctions from Government to Individuals** – deed recorded with provincial secretary/secretary of state or county clerk.
- **Private Sales of Individual(s) to Individual(s)** – deeds recorded mostly with county clerk/register of deeds, but some recorded by early town clerk or provincial secretary/secretary of state.

Town records

- Individual to individual deeds recorded by town clerk 1600s to 1700s for some towns.

Grants and Patents from the Colony or State to Individuals

- Some of these are available on *FamilySearch* at the FSL or an affiliate. See “[Patents of the state of New York, 1649–1912.](#)”
- Series A1880, Dutch colonial patents and deeds, NYSA
 - Series A0480, Indexes and translations of Dutch patents. Covers volumes GG, HH, and II, 1630–1661 of Dutch patents and deeds.
- Series 12943, Letters Patent, and Series A0487, Letters Patent, NYSA. Letters patent (commonly called a "patent") convey a grant of real property from a government to a person or persons. This series contains patents granted since 1664 by either the governor of the province of New York in the name of the king of England or the state of New York. Patents are arranged in chronological order by book and page number. They are indexed by name of grantee and by location:
 - Series A4684, Grantee index to colonial patents, NYSA. This series contains a name index of people who were granted land by the colonial government of New York prior to the American Revolution.
 - Series A4685, Grantee index to state patents, NYSA. This series contains a name index of people who were granted land by the state government of New York after the American Revolution.
 - Series A4686, Location index to colonial patents, NYSA. This series partially indexes Series 12943, Letters Patent, and Series A0480, Indexes and Translations of Dutch Patents.
 - Series A4687, Location index to state patents, NYSA. This series partially indexes Series 12943, Letters Patent.
- Series A0447, Military Patents, NYSA. This series consists of records of land grants by letters patent for military service. Grants were made to individuals holding land bounty rights originally issued to commissioned officers and private soldiers who served in New York Continental regiments during the Revolutionary War. Series also includes records of land grants to demobilize British officers and private soldiers who had served in North America during the Seven Years' War.
- Series A0272, Applications for land grants, NYSA. The series consists of applications for grants of unappropriated land by letters patent from New York Colony and State. Along with the applications are related reports, surveys, maps, warrants for surveying lands and drafting of letters patent, objections to title, and letters.

- O'Callaghan, E.B. *The Calendar of N.Y. Colonial Manuscripts Indorsed Land Papers; in the Office of the Secretary of State of New York, 1643-1803*. Albany: Weed, Parsons & Co., 1864. Abstracts and indexes Series A0272.

Individual to Individual Deeds Recorded with the Provincial Secretary or Secretary of State

- Some of these are available on *FamilySearch* at the FSL or an affiliate. See "[Deeds, 1659–1846](#)."
- [Series A0453, Record of Deeds](#), NYSA. This series contains deeds recorded in the office of the provincial secretary (from 1664 to 1783) and the secretary of state (from 1783 to 1890); 43 volumes covering 1659-1890, on 20 rolls of microfilm, available for use in the Reading Room on the 11th Floor of the CEC.
 - [Series A3074, Abstracts and indexes of deeds](#), NYSA. This series abstracts and indexes Series A0453. Each of the seven volumes has grantor and grantee name indexes, and location and subject indexes.
- [Series A4688, Grantor index to deeds and other miscellaneous documents recorded or filed by the Secretary of State](#), NYSA. This series indexes by grantor: Series A0453, Record of Deeds; Series A0464, Original Deeds and Title Papers; Series 12945, Miscellaneous Deeds and Title Papers; Series A0451, Original Releases to the State; Series A0448, Indian Deeds and Treaties; and Series A1882, Dutch Land Deeds.
- [Series A4689, Grantee index to deeds and other documents recorded or filed by the Secretary of State and Office of General Services](#), NYSA. This series indexes by grantee: Series A0453, Record of Deeds; Series A0464, Original Deeds and Title Papers; Series 12945, Miscellaneous Deeds and Title Papers; Series A0451, Original Releases to the State; Series A0448, Indian Deeds and Treaties; and Series A1882, Dutch Land Deeds; Series A4025, New York State Engineer and Surveyor records of Applications for and Grants of Land Under Water.
- [Series A4690, Location index to deeds and other documents recorded or filed by the Secretary of State and Office of General Services](#), NYSA. This series indexes by location: Series A0453, Record of Deeds; Series A0464, Original Deeds and Title Papers; Series 12945, Miscellaneous Deeds and Title Papers; Series A0451, Original Releases to the State; Series A0480, Indexes and Translations of Dutch Patents; Series A0050, Deeds of Cession and Assorted Documents of Record; and Series A1882, Dutch Land Deeds. indexes this series by location.

Loan Commissioners/State-Funded Mortgages

- County clerks, historians, and/or records centers for county records
- [Series A1074, Ledger of the Repayment of the Loan of 1792](#), NYSA.
- [Series A1044, Ledger of the Repayment of the Loan of 1808](#), NYSA.
- [Series A1281, County Commissioner's Ledgers of Mortgage Loans of the U.S. Deposit Fund, 1837-1911](#), NYSA. [example]

Mortgages on the Sale of State Unappropriated Land

- [Series A0005, Treasurer's Journals, Ledgers, and Registers of Receipts and Payments by the State](#), 1795 to 1884, NYSA. [example]
- [Series A1280, Comptroller's Ledgers for Bonds and Mortgages Held by the State of New York](#), 1796 to 1910, NYSA. [example]

Land Contracts – Articles of Agreement

- Contractual agreement between and individual and a land company to purchase land over time.

- Differs from mortgage in that there is no title transfer until contract fully satisfied.
- Private company records vice government documents – held in archives and repositories as family papers for land company principals.
- Examples
 - NYSL MSS - SC10440 Phelps Family Papers,
 - Archives of the Holland Land Company at SUNY-Fredonia & *FamilySearch*
 - Constable-Pierrepont Papers at New York Public Library, Rare Books & Manuscripts

County Deeds

- Recorded and indexed by county clerks
- Assembled into Libers
- Most historical deeds have been filmed by *FamilySearch* and available online “United States, New York Land Records, 1630–1975”
- Exceptions:
 - Albany Co. – Deeds in system but doesn’t display with “New York Land Records” collection. [familysearch.org/search/catalog/247679]
 - Franklin Co. – Deeds in system but locked – only viewable at FSL or affiliate. [familysearch.org/search/catalog/234773]
 - Nassau Co. – not on *FamilySearch* in any form – currently being digitized by NYG&B.
 - Oneida Co. – Deeds in system, comingled with Herkimer Co. in “New York Land Records” collection. [familysearch.org/search/catalog/318293]
 - Queens Co. – Deeds in system but locked – only viewable at FSL or affiliate. [familysearch.org/search/catalog/528322]
- Filming cutoff date varies by county, most 1865 to 1900.
- Don’t rely on *FamilySearch* Indexing – Grantor/Grantee Indexes also filmed.
- Check each county clerk’s website for their digitizing efforts.

Selected Resources

- French, J.H. *Gazetteer of the State of New York*. Baltimore, Maryland: Genealogical Publishing Company, reprint 1995.
- Higgins, Ruth L. *Expansion in New York: With Special Reference to the Eighteenth Century*. Philadelphia, Pennsylvania: Porcupine Press, 1976.
- Kim, Sung Bok. *Landlord and Tenant in Colonial New York: Manorial Society 1664-1775*. Chapel Hill, North Carolina: Institute of Early American History and Culture, 1978.
- New York Genealogical and Biographical Society. *New York Family History Research Guide and Gazetteer*. New York: The Society, 2017 revised edition. Chapters on Colonial Era, Land Records and Maps, and Tax Records.
- Wilcox, Jane E. *New York State Archives—A Guide: For Family Historians, Biographers, and Historical Research*. New York Genealogical & Biographical Society, TBD. Chapters on Dutch Colonial Records, British Colonial Records, Land Records: Patents and Deeds, Land Records: Mortgages and Mortgage Foreclosures, and Land Records: Taxes and Tax Sales.
- Wilcox, Jane E. *Syllabus for “Looking for Your New York Tenant Farmer: Little-Used Resources”* Kindle edition, 2014. [amazon.com/Syllabus-Looking-Your-Tenant-Farmer-ebook/dp/B00LLM68SE](https://www.amazon.com/Syllabus-Looking-Your-Tenant-Farmer-ebook/dp/B00LLM68SE) [Note: author receives a nominal royalty.]

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