



## Land Records

There are two kinds of land records:

- 1) **Crown grants** – record the first transfer of land from the government to a person or a company;
- 2) **Transfer records** – include deeds, mortgages, wills, quit claims, etc.

### Basic Steps in the Crown Land Granting Process

- 1) To get a free grant of land a person submitted a petition (application) to the Crown giving the reasons for their claim.
- 2) If the petition was accepted, the Crown would issue a land grant to the person.
- 3) If the settler met certain conditions (e.g., clearing land, building a house) he would then own the land and would receive a patent.
- 4) Any further transactions (e.g., sale of land, obtaining a mortgage) would be documented in the records of the county Land Registry Offices.

**Note:** For detailed information about how to find land records in Ontario read **From Grant to Patent: a guide to early land settlement records, ca. 1790 to ca. 1850**, written by staff at Archives Ontario:

[www.archives.gov.on.ca/en/access//documents/research\\_guide\\_215\\_grant\\_to\\_patent.pdf](http://www.archives.gov.on.ca/en/access//documents/research_guide_215_grant_to_patent.pdf)

### Index to the Upper Canada Land Books

If the person received a grant of land before 1841, check this nine volume index which covers February 1787 to February 1841. The **Upper Canada Land Books** recorded official land grants. If the person received a grant, a reference to the relevant petition usually appeared next to the minutes in the land books. Information provided includes: the petitioner's residence, the date, and the location of his grant. An introduction to land grants and instructions on how to use this resource are located at the beginning of each volume. (Genealogy Reference 929.3713 IND, volumes 1-9)

You can search the digitized reels of the Upper Canada Land Books at:

[http://heritage.canadiana.ca/view/oocihm.lac\\_mikan\\_205068](http://heritage.canadiana.ca/view/oocihm.lac_mikan_205068).

### Ontario Land Records Index (OLRI)

This microfiche index lists settlers who received Crown land in Ontario by grant, lease or purchase, including United Empire Loyalists, Peter Robinson settlers, and those who purchased land from the Canada Company. You can search the index alphabetically by settler's surname or by township. The index covers the 1780s to 1920 but most entries are from 1784 to 1850. This index is available at the Archives of Ontario and at many

public libraries, including the Brantford Public Library. Information provided includes: settler's name, residence in Ontario (if known), the township, concession, and lot number of the property being granted or sold, the date, the type of grant (indicated by codes), and the reference number for the original records.

**Note:** For more information about the index and the codes used read **The Archives of Ontario – Using the Ontario Land Records Index:**

[www.archives.gov.on.ca/en/access//documents/research\\_guide\\_205\\_land\\_records.pdf](http://www.archives.gov.on.ca/en/access//documents/research_guide_205_land_records.pdf)

## **Other Types of Land Records**

### **First and Second District Land Board Records**

**First District Land Boards-** From 1789 to 1794 four administrative boards oversaw land matters in their districts and granted certificates of location to the early settlers.

Records include: minutes, reports, correspondence, and instructions or regulations for the operations of the land boards.

**Second District Land Boards-**The land boards were re-established under an Order-in-Council on March 13, 1819 in each of the districts of Upper Canada (except for Niagara where there was no more grantable land). These land boards were abolished on December 31, 1825. Most of these records are not indexed in the Ontario Land Records Index.

### **Heir and Devisee Commission Records**

This commission was created to settle disputes about who was entitled to receive the letters patent for a parcel of land. The Archives of Ontario has a small number of records of the first Commission (1797-1804) and most of the records of the second commission (1805-1911). Library and Archives Canada has most of the records of the first commission and some of the records of the second commission. The second commission heard the claims of the heirs, devisees, and assignees of the original nominees. There is a searchable database ([ao.minisisinc.com/scripts/mwimain.dll/144/ARCH\\_HEIRS?DIRECTSEARCH](http://ao.minisisinc.com/scripts/mwimain.dll/144/ARCH_HEIRS?DIRECTSEARCH)) which provides an index to the 5,184 case files that record claims made to the commission.

### **The Canada Company, Thomas Talbot, and Peter Robinson (Land Settlement Promoters)**

**The Canada Company** was granted large tracts of land in southwestern Ontario which it leased or sold for settlement. This collection includes records related to land transactions such as grants, patents, surveys, and applications for deeds. The company also acted as a remittance agent for its settlers who wanted to send money to friends and family. **Genealogical Extraction and Index of the Canada Company Remittance Books, 1843-1847**, compiled and indexed by Ruth Holt and Margaret Williams (GenRef 929.3713 HOL) provides the name of the settler who gave the money, the place where the person lived in Canada, and the name and residence of the person who received the money.

**Thomas Talbot** controlled many acres of land in southwestern Ontario between 1802 and 1837 and settled some 6,000 families in the Norfolk, Elgin, Middlesex, Kent, and

Essex counties area. The Archives of Ontario have the 49 Talbot town and township plans with entries on the initial acceptance, retention, rejection or replacement of settlers.

**Peter Robinson** was put in charge of organizing and supervising the settlement of immigrants from southern Ireland for the government. The microfilmed records at the Archives of Ontario have: lists of immigrants by ship and embarkation cards for 1825, alphabetical lists of immigrants by township, giving birthplace locations in Ireland, applications from intended immigrants, arranged alphabetically and often with letters of recommendation.

### **Township Papers**

This miscellaneous collection of otherwise unrelated land records, dating from circa 1783 to circa 1870, have been sorted and arranged by township, town or village and within each township by concession and then lot number. These papers include copies of orders-in-council, location certificates and tickets, assignments, certificates of settlement duties, correspondence and some wills.

### **Land Descriptions, Surveyors Notes and Diaries, and Crown Lands Correspondence**

**Land Descriptions** - The series "Descriptions of Land Grants, Leases, Sales, Assignments and Licenses of Occupation" **may** provide: the name of the grantee, place of residence and profession, name of the original nominee, reason for the grant, relationship between the nominee and the grantee, location of the lot granted, etc.

**Surveyors Notes and Diaries** – Surveyors' diaries and field books documented vegetation cover, topography, soil type, and remarks on the suitability of the land for agriculture and these volumes may provide information about the details of the land granted to a settler. The records are grouped together by geographic location/general subject. The Archives of Ontario only has some surveyor diaries and field notes. The Crown Surveys Office of the Ministry of Natural Resources in Peterborough has a large number of them and you have to contact them to use these records.

**Crown Lands Correspondence** - Correspondence from and to the surveyor general and commissioner of Crown lands includes letters from individual settlers. Much of the correspondence is arranged in chronological order. There is a Crown Land Papers Card Index (available on microfiche in the Ontario Archives' Reading Room) which indexes mainly records from the series Correspondence and Memoranda that the Surveyor General Received Concerning Surveys and Land Administration that were created between the late 18<sup>th</sup> century and 1868 (not all of the correspondence during this period was indexed). The index has a brief description of the piece of correspondence and a reference to the volume in which the correspondence is found.

### **Maps and Plans**

The Archives has maps and plans for the early settlement of Upper Canada and before (check with a reference archivist for further information about these maps and plans). These include survey plans of townships (often occupants' names were written over the

survey grids) and patent plans (name of the patentee was written on the plan and sometimes other information was also included).

### **Land Patent Books**

Check these books to see if a settler received the official title of land from the Crown. A patent was issued once the administrative fees were paid and the settlement duties were completed. The indexes to the patent books include the Index to Land Patents by Township, 1793-1852 and the Index to Land Patents by Name, 1826-1967 (available at the Archives). These indexes have the name of the patentee, the date of the patent, the lot and concession number, the township, the type of transaction, the liber (book) and folio (page) numbers where the patent was located in the original patent books and the number of acres obtained.

### **Land Registry Office Records**

Once the patent for a particular lot of land was issued, any further transactions on that piece of property are documented in the Land Registry Offices. A land registry system was established in Ontario in 1795 to document land ownership and land transactions are registered in county, district, and regional Land Registry Offices with a variety of documents.

### **Other Sources of Land Information**

#### **Census Returns 1851-1871, 1901, 1911**

The **1851** agricultural returns come after the personal census for each sub-district and provide the lot and concession for the head of household, whether the person was the owner or tenant, the number of acres farmed and annual produce.

The **1861** agricultural returns are grouped together after the personal returns for the entire county.

The **1871** agricultural returns are schedules three to five and are keyed to schedule one (personal returns) by page and line number instead of name.

The **1901**, **1911**, and **1921** censuses include address or location of land.

#### **Illustrated Historical Atlases**

There are historical atlases for most of the counties in Ontario. **Illustrated Historical Atlas of Brant County** is a facsimile of the 1875 edition published by Page & Smith, Toronto (R911.71347 ILL). The names of the property owners are listed on the maps. In Search of Your Canadian Past: the Canadian County Digital Atlas Project ([digital.library.mcgill.ca/CountyAtlas/](http://digital.library.mcgill.ca/CountyAtlas/)) is a searchable database of the property owners which appear on the township maps in the county atlases.

#### **County/Town/City Directories**

Early directories may be available in print or on microfilm. There are also some directories available on the Internet (e.g., Various Ingersoll directories - <https://www.ocl.net/Services/Local-History/Ingersoll/Ingersoll-Directories>). **Canadian Directories Collection**

([www.collectionscanada.gc.ca/databases/canadiandirectories/index-e.html](http://www.collectionscanada.gc.ca/databases/canadiandirectories/index-e.html)) is a database that has digitized versions of some pre-1900 directories.

### **Wills and Estate Files**

Information about property and where it is located **may** be listed in a person's will. Sometimes the names and addresses of the heirs may also be given.

### **Tax Assessment Rolls**

These rolls provide information about a resident's property for tax purposes and list the concession and lot for the owner or occupant. They became more common after 1850 or once a particular municipality was incorporated.

## **Websites for Land Records**

### **Land Records (Library and Archives Canada)**

([www.bac-lac.gc.ca/eng/discover/land/Pages/land-records.aspx](http://www.bac-lac.gc.ca/eng/discover/land/Pages/land-records.aspx))

Provides information about what is available for land records at Library and Archives Canada and by province, listing the main series of documents and online databases available.

### **Provincial Archives of New Brunswick** ([archives.gnb.ca/Archives/](http://archives.gnb.ca/Archives/))

Click on "Search" and then highlight "Land Records" and choose either of these indexes:

- 1) Index to Land Petitions: Original Series, 1783-1918
- 2) Index to New Brunswick Land Grants, 1784-1997

### **Provincial Archives of Saskatchewan – Land Records**

([www.saskarchives.com/collections/land-records](http://www.saskarchives.com/collections/land-records))

Provides information about the history of land records and how to find them.

### **Upper Canada Land Petitions, 1763-1865**

([www.bac-lac.gc.ca/eng/discover/land/land-petitions-upper-canada-1763-1865/Pages/land-petitions-upper-canada.aspx](http://www.bac-lac.gc.ca/eng/discover/land/land-petitions-upper-canada-1763-1865/Pages/land-petitions-upper-canada.aspx))

This database contains more than 82,000 references to individuals who submitted petitions for grants or leases of land and who lived in what is now present-day Ontario between 1763 and 1865.

### **Lower Canada Land Petitions, 1764-1841** ([www.bac-lac.gc.ca/eng/discover/land/land-petitions-lower-canada-1764-1841/Pages/land-petitions-lower-canada.aspx](http://www.bac-lac.gc.ca/eng/discover/land/land-petitions-lower-canada-1764-1841/Pages/land-petitions-lower-canada.aspx))

This is an index to requests for grants or leases of crown land in Quebec (and some for Ontario before 1791). Sometimes the actual images of the petitions and supporting documentation are available.

### **Western Land Grants, 1870-1930** ([www.bac-lac.gc.ca/eng/discover/land/land-grants-western-canada-1870-1930/Pages/land-grants-western-canada.aspx](http://www.bac-lac.gc.ca/eng/discover/land/land-grants-western-canada-1870-1930/Pages/land-grants-western-canada.aspx))

This is an index to land patents granted in Manitoba, Saskatchewan, Alberta, and the railway belt of British Columbia.

**Alberta Genealogical Society** ([www.abgenealogy.ca/alberta-homestead-index](http://www.abgenealogy.ca/alberta-homestead-index))  
Search the Alberta Homestead Index on the Alberta Genealogical Society's website.

### **Books**

"Land and Property Ownership Records" (Chapter 6, p. 130-155) in **Genealogy in Ontario: Searching the Records (30<sup>th</sup> anniversary edition)**, Brenda Dougall Merriman, Toronto: Ontario Genealogical Society, 2013 (929.10720713 MER).

**Researching Canadian Land Records**, Sharon L. Murphy, Toronto: Heritage Productions, 2001 (GenRef 929.10720971 MUR).

**Upper Canada Land Granting Process**, Fawne Stratford-Devai, Ontario: [s.n.], 1998 (GenRef 929.3713 STR).

**Using and Understanding Ontario Land Registry Office Records**, Fawne Stratford-Devai and Ruth Burkholder, Ontario: [s.n.], 2002 (GenRef 929.10720713 STR).