

SUMMARY OF GEORGIA LAND GRANT

AND LAND LOTTERY RECORDS

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Land records are never simple, anywhere. Below is a list of the very basic rules of land grants in Georgia. All of the information below could be qualified further. For more information on Georgia land grants see Farris W. Cadle, *Georgia Land Surveying History and Law* (1991). The Georgia Archives has begun scanning and indexing a number of land grant records for Georgia onto the Internet at its free web site the Virtual Vault: <https://vault.georgiaarchives.org/>; also see *The Early Settlers of Georgia: List of File Headings of Loose Headright and Bounty Land Grant Files in the Georgia Department of Archives and History* (Milledgeville, GA: Boyd Publishing, 1997).

1. A Georgia land grant is a transfer of ungranted land by the King of England (1733-1776) or by the state government of Georgia (1776-1906) to a private citizen (called the grantee). The land grant records are now state records and are kept in the Georgia Archives in Morrow.

2. From 1733 to 1754, Georgia was governed by a non-profit board of Trustees. They controlled all land. No complete or reliable list of the grantees of the trustee grants has been found, see "Settlers In and Around Savannah, 1738," *Georgia Genealogical Society Quarterly* 26 (1990): 2-6; "The First Savannahians, 1733-1755," *Georgia Genealogical Society Quarterly* 29 (1993): 84-86; and "Colonial and State Census Records of Georgia," *Georgia Genealogical Society Quarterly* 28 (1992): 260-63. Records of persons holding lands under the Trustees applying for royal grants are recorded in Pat Bryant, *Entry of Claims of Georgia Land Holders* (1984) and Mary B. Warren, ebook on Kindle, *British Georgia: Entry of Land Claims-1755*.

Other lists of land grants under the Georgia Trustees, 1733-1752, include George White, *Historical Collections of Georgia* (New York: Pudney & Russell, 1855), pp. 35-40 and George Gillman Smith, *The Story of Georgia and the Georgia People* (2nd ed., Macon: The Author, 1902), pp. 557-60.

3. From 1755 to 1776, Georgia was a royal colony. The genealogically valuable petitions for these grants are abstracted in Allen D. Candler, *The Colonial Records of the State of Georgia* (39 vols., 1904-1914), except for 1773. The giant comprehensive index to this series in typescript form at the Georgia Archives, Morrow, and elsewhere is far superior to the indexes in the original volumes. Mary B. Warren published

abstracts of these petitions for 1755-1774 as *Georgia Governor and Council Journals* (nine vols. to date, 1991-). We also have the minutes for 1772-1773 on microfilm. Also see Lloyd D. Bockstruck, comp., *Bounty and Donation Land Grants in British Colonial America* (Baltimore: Genealogical Publishing Co., 2010).

Abstracts of the grants can be found in Mary B. Warren, *Georgia Memorials Books, 1755-1775* (1989) and, with the surviving plats/surveys, in the incomplete *English Crown Grants in Georgia* series. The latter series is arranged by parish except for the grants of islands (including all of St. James Parish) which is a separate volume.

Most of the grants but only a fraction of Georgia's colonial plats (surveys) survive. The state copies frequently contain copying errors, such as the wrong parish. Some copies of colonial plats survive as copies in individual county plat books. For plats from other sources see Robert S. Davis, *A Researcher's Library of Georgia* (1987), vol. 1, pp. 19-28, vol. 2, pp. 169-71, and the claims filed by American Loyalists on microfilm at the Georgia Archives and abstracted in various publications. These records are abstracted in Mary B. Warren, ebook on Kindle, *British Georgia Loyalist Claims*.

4. Today's Wilkes and surrounding counties (the Ceded Lands) was initially sold to non-Georgians by installments. Genealogically valuable records of the buyers, 1773-1775, was recorded in the 1773-1775 Ceded Lands journal and land court minutes. The document is now a box of fragments at the Georgia Archives in Morrow. James A. LeConte transcribed it before it fell apart as "Transcript Records of the Court of Land Commissioners "Ceded Lands' Later Wilkes, Now Part of Records of Greene Co. Augusta, Ga. November 19th 1773" (1910), microfilm roll 154-65, Georgia Archives.

A version of the LeConte transcript without references to slaves and additional records is abstracted in Grace G. Davidson, *Early Records of Georgia, Wilkes County* (1932), vol. 1, pp. 2-29; and Alex M. Hitz, "The Earliest Settlements in Wilkes County," *Georgia Historical Quarterly* 40 (September 1956): 260-80. For related documents see Robert S. Davis, *The Wilkes County Papers* (1980), pp. 2-21.

5. The State of Georgia is not known to have issued any land grants during the American Revolution, 1775-1782, although a list of receipts for monies paid for land grants, 1775 and 1778, is in Robert S. Davis, *A Researcher's Library of Georgia* (1987), pp. 69-93. The history of this list is unknown.

6. State land grants in Georgia officially began in 1783 and initially were grants to heads of families (headright grants) and bounty land grants given to persons who

served in the Georgia forces during the American Revolution (including many soldiers recruited from the Carolinas and Virginia) and citizens who remained in the state from 1781 to 1782. Georgia Revolutionary War bounty grants should not be confused with the bounty grants given by the federal government to Continental soldiers (none of which grants were made in Georgia.)

Georgia's state headright and bounty grants (and the earlier Royal Grants, 1756-1776) are listed in the incomplete *Index to Headright and Bounty Grants of Georgia* (1970). These land grants were all on the Georgia coast and along the Savannah River west to the Oconee River. See the map. Land court records concerning granting of land (some of which survive at the Georgia Archives for Columbia, Franklin, Wilkes, and other counties) and records of Georgia deeds, mortgages, and estate records, after 1777, were recorded in the individual counties and can sometimes be found in the county records microfilm at the Georgia Archives.

7. Most of Georgia's surviving certificates for state Revolutionary War bounty grants are on file in the Georgia Archives, as are many loose original papers of Georgia's headright and bounty grants. The certificates for purely military service (not the citizens certificates for staying in the state from 1781 to 1782) are abstracted in Marion R. Hemperley, *Military Certificates of Georgia 1776-1800* (1983) and Mary B. Warren, *Georgia Revolutionary Bounty Land Records 1783-1785* (1992). Some bounty certificates now lost are among those abstracted in Lucian Lamar Knight, *Georgia's Roster of the Revolution* (1920), pp. 20-192. For a nation-wide list of state Revolutionary War bounty land grants see Lloyd Bockstruck, *Revolutionary War Bounty Land Grants* (1996) and for colonial bounty land grants see

For other bounty land records, those issued by the Continental (later the Federal) government see *The American State Papers*, indexed in Philip McMullin, *Grassroots of America* (1972); Margie Brown, *Genealogical Abstracts Revolutionary War Veterans [of Virginia]*(1990); and Robert S. Davis, *A Researcher's Library of Georgia* (1987), p. 117.

8. The plat (survey) books in the Georgia Surveyor General Department sometimes provide the names of chain carriers, men who were frequently relations of the grantees. Any relationship, however, is never stated in the land grant records. We have on microfilm an index to these plat books for the headright and bounty land grants. **We have indexes on microfilm to the headright and bounty grant plats/surveys and also to the loose headright and bounty grant files.** A list of the loose headright and bounty land grant files has been published as Robert S. Davis, *The Early Settlers of Georgia* (1999). We also have a CD ROM disk of the names from the indexes to the

early plat books. Also see Nathan and Kaydee Mathews, *Abstracts of Georgia Land Plat Books A & B 1779-1785* (Fayetteville, GA: The Authors, 1995).

9. Starting in 1805, Georgia dispensed newly acquired lands to Georgia's citizens by means of land lot lotteries. The land lottery lots were in the western and northern three fifths of modern Georgia. See map. The lotteries were held in 1805, 1807, 1820, 1821, 1827, 1832, and 1833. For the lotteries of 1807-1833, only the state-wide lists of the names of the winners have survived. Land lot numbers used in the lotteries are still used in deed and tax records as a means of locating land. Land lots never claimed and those below the minimum size usually were sold at auction by the state. (All books listed below are published by the Southern Historical Press.) Many county copies of registrants for the land lotteries are in the county records microfilm at the Georgia Department Archives.

Most winners never saw the lots they won but sold out to speculators who in turn sold the lots to other families, many of whom had just arrived in Georgia. Consequently valuable genealogical information on the winners or their heirs can, at times, be found in the recorded deeds of the counties where the land lots existed, even when the winners lived elsewhere.

For more information on all of Georgia's land lotteries see Paul K. Graham, *Georgia Land Lottery Records* (Atlanta: the author, 2010). For the specific qualifications for chances in Georgia's land lotteries, also see Robert S. Davis, *Research in Georgia* (1980), pp. 183-95. Petitions by heirs of winners in the land lotteries are abstracted in Robert S. Davis, *The Georgia Land Lottery Papers, 1805-1914* (1980). Surviving state records of fraud by winners in the land lotteries are abstracted in idem., *The Georgia Black Book* (1983). All published lists of Georgia land lottery participants/winners may be incomplete. More of the loose original records of the Georgia land lotteries have turned up in the Telamon Cuyler Collection of the Hargrett Rare Books and Manuscripts Library of the University of Georgia Libraries and have been abstracted in *Georgia Genealogical Society Quarterly* 52 (Summer 2016): 127-38.

1805 LAND LOTTERY. Registration for this lottery was four months after the Act of May 11, 1803 but was extended to March 1, 1804. Participants had to be at least Georgia tax payers since May 11, 1802. Dispensed were 202 1/2 acre lots in Original Baldwin and Wilkinson counties and 490 acre lots in Original Wayne County. Participants were single men, heads of households, and orphans. Males with wives and/or children received two chances each in the lottery. See Paul K. Graham has published so *1805 Georgia Land Lottery Persons entitled to Draws* (Atlanta: the

author, 2005) and *1805 Georgia Land Lottery: Fortunate Drawers and Grantees* (Atlanta: the Author, 2011).

The numbers beside the names in this book only indicate the order in which the people were registered by the first letter of each person's surnames. A list of land lots granted to heirs of winners (but not of the heirs) appears in *Georgia Genealogical Society Quarterly* 29 (1993): 41-44. The earliest deeds selling lands won in this lottery were frequently recorded in the county of residence of the seller and only later in the county where the land lay.

1807 LAND LOTTERY. Registration for this lottery was between June 26 and September 26, 1806 for persons who were Georgia residents since June 26, 1803. Dispensed were 202 1/2 acre land lots in Original Baldwin and Wayne counties. Qualifications were the same as for the 1805 land lottery except that single adult women were also allowed to participate. Winners in this lottery are listed in Paul K. Graham, *1807 Georgia Land Lottery: Fortunate Drawers and Grantees* (Atlanta: the Author, 2011). The earliest deeds selling lands won in this lottery were frequently recorded in the county of residence of the seller and only later in the county where the land lay.

1820 LAND LOTTERY. Registration for this lottery was from December 15, 1818 to March 15, 1819 and from December 13, 1819 to May 31, 1820. Participants were Georgia residents since December 15, 1815. Dispensed were 490 acre lots in Original Appling, Irwin, and Rabun counties and 250 acre lots in Original Early, Gwinnett, Habersham, Hall, Rabun, and Walton counties. Qualifications for this lottery were the same as for the 1805 land lottery except that special chances in the lottery were awarded to certain veterans, widows, and orphans of the American Revolution and the War of 1812 ("the Late War With Great Britain and the Indians"). The winners are listed in Silas E. Lucas, Jr., *The 1820 and 1821 Land Lottery of Georgia* (1973).

1821 LAND LOTTERY. Registration for this lottery was within two months after the publication of the Act of May 16, 1821 and was open to Georgia residents since May 15, 1818. Dispensed were 202 1/2 acre lots in Original Dooly, Fayette, Henry, Houston, and Monroe counties. Qualifications for this lottery were the same as for the 1821 land lottery. The list of winners are published in the same book as the 1820 land lottery (see above).

1827 LAND LOTTERY. Registration for this lottery was within two months from the publication of the Act of December 7, 1824, however, persons were still being registered until February 15, 1827. Participants were Georgia residents since January

1, 1824. Dispensed were 202 1/2 acre lots in Original Carroll, Coweta, Lee, Muscogee, and Troup counties. Qualifications were the same as in the 1820 land lottery except that the mentally and physically handicapped; and abandoned children and wives were awarded special chances in the lottery, as well as illegitimate children.

The winners are listed in Martha Lou Houston, *Reprint of the Official Register of the 1827 Land Lottery of Georgia* (1928). Contrary to some published accounts, there is no missing list of winners of this land lottery. The Houston book is based on the official lists of winners of the lottery in 1827. The printers sometimes used initials to save costs. The original land lottery lists on microfilm will contain the whole names. This same problem may also exist with the original published list of the 1832 Cherokee land lottery (see below).

1832 CHEROKEE/GOLD LAND LOTTERIES AND THE 1833 EXTRA

DRAWING. Registration for these lotteries was to occur within four months of the Governor's proclamation of February 20, 1832. Participants had to be Georgia residents since January 1, 1829. Qualifications for the 1832 Cherokee land lottery were the same as for the 1827 land lottery except that veterans of the Indian Wars, 1784-1797, were also awarded special chances in the lottery. Qualifications for the 1832 Gold land lottery were basically the same as for the 1805 land lottery. Dispensed were forty acre lots (the Gold land lottery) and 100 to 160 acre land lots (the Cherokee land lottery) in Original Cherokee County, today's northwest Georgia. For a list of the winners in these lotteries see James F. Smith, *The 1832 (Cherokee) Land Lottery* (1976) and Silas E. Lucas, Jr., *The 1832 Gold Land Lottery of Georgia* (1976). The fractional land lots (those less than standard size) were given away in a special lottery in 1833 that used the losing tickets from the 1832 land lotteries. A list of the winners in that lottery is Robert S. Davis, *The 1833 Land Lottery of Georgia and Other Missing Names of Winners in the Georgia Land Lotteries* (1991).

Other Property Records

Transfer of land between private individuals--that is land that has already been granted-- can be done by deed, mortgage, will, or by other instruments in the county (not state) records found at the court house or on microfilm at the Georgia Archives or other places. Most often such property transfers are done by deed. The person giving up the property is the grantor and the person receiving the property is the grantee.

Records of property transfers are *usually, but not always, recorded in the county where the property resides at the time of the recording*. The first deeds involving land grants from the 1805 and 1807 land lottery, for example, were often recorded in other

counties because the courthouses of the land in question were sometimes not yet functioning. Even in well-established counties, the clerk of court would sometimes not record deeds except in two times per year when the Superior Court met.

Some deeds are not recorded until fifty years or more after being written and sometimes after changes in county boundaries placed the property in a different or a new county. The colonial Georgia deed and estate records are all today at the Georgia Archives, which also has most of the surviving county deed and estate records on microfilm to roughly 1900. The colonial deed books are indexed by instrument and sometimes not exactly the page where the person's name appears, in R. J. Taylor, Jr. Foundation. *An Index to Georgia Colonial Conveyances and Confiscated Estates Land Records, 1750-1804* (Atlanta: R. J. Taylor Jr. Foundation 1976). Deeds of these first Georgians are abstracted in Frances M. Beckemeyer, *Abstracts of Georgia Colonial Conveyance Book C-1, 1750-1761* (Atlanta: R. J. Taylor, Jr. Foundation, 1975). Other property transfers can be found in the colonial Georgia mortgage and Miscellaneous Bond books at the Georgia Archives in Morrow. Not all of those records are indexed.

The Georgia Archives has copies of all Georgia county tax records, beginning ca. 1872, and earlier tax records on microfilm. Some, but far from all, of Georgia's early tax records are at least indexed in R. J. Taylor Jr. Foundation. *An Index to Early Georgia Tax Digests*. (5 vols. Spartanburg, SC: Reprint Company, 1987); Ruth Blair, *Some Early Tax Digests of Georgia* (1926; reprint edition with index, Easley, SC: Southern Historical Press, 1971); Frank Parker Hudson, *Wilkes County, Georgia Tax Records, 1785-1805* (Atlanta: The Author, 1996); and Martha W. Acker, *Franklin County Tax Digests* (4 vols., Birmingham, AL: The Author, 1980-1987).