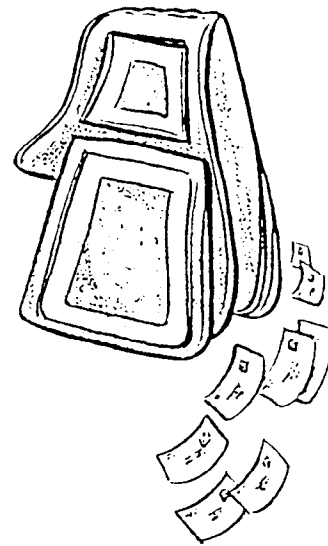


Saddlebag Notes

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THE KENTUCKY LAND GRANT SYSTEM

by Kandie Adkinson, Administrative Specialist,
Land Office of the Secretary of State

Are you tired of wandering through a maze of county deeds and puzzling over county formation dates in order to research early land transactions, only to find out your ancestor received a Kentucky Land Grant? Are you certain your ancestor (who did not serve in the Revolutionary War) did not obtain a land patent? A few minutes with the proper publications could possibly end your research frustrations and save you hours—even years—of valuable research time.

The miraculous texts to which we refer are the listings of land grant recipients from the time Kentucky was a part of Virginia to the present. Of course, the prospects of a fruitful search are in direct proportion to the historian's knowledge of the land grant system.

Highlights in Land Grant History

Under the King's Proclamation of 1763, the British Government declared land would be awarded to veterans of the French & Indian War in lieu of cash. Land grants authorized by these military warrants can be found in the Virginia and Old Kentucky Land Grant Series. Names of soldiers receiving warrants for service in the French & Indian War are included in Philip Fall Taylor's publication entitled *A Calendar of the Warrants for Land in Kentucky Granted for Service in the French & Indian War*, published by the Genealogical Publishing Co., Baltimore, Md., copyright 1967, and available in the Kentucky Historical Society Library.

After the Revolutionary War, Virginia continued and expanded the land grant system through its Land Law of 1779. Kentucky, in turn, reaffirmed the system after separation from Virginia with the Kentucky Act of 1796. The land grant system is still in use today as a method of appropriating Kentucky land. Structurally, the process has changed very little since its inception.

Administrative duties have shifted, but since 1934 all original land records have been the responsibility of the Secretary of State's Office.

What is a Land Patent?

"Patenting" refers to the system of land appropriation used in Kentucky to transfer land from the Commonwealth to an individual or group of individuals. All deeds trace back to an original patent recorded in the Kentucky Land Office. Land patenting consists of four steps, all of which must be completed before title is granted.

Step #1: The Warrant (syn. Certificate, Order)

This document authorizes a survey to be made. It does not specify the exact location of the land, although Revolutionary War Warrants were supposed to be used in the Military District located South of Green River—there are some exceptions. Present-day County Court Orders (Warrants) are to be used within the county in which they are issued.

A count of Virginia & Old Kentucky Patents, labeled "Military" by Kentucky Historical Society researchers, reveals that only 11 percent of all patents in both series were awarded for military service. The remainder were authorized by such warrants as settlement certificates; preemption claims; treasury, importation or village rights warrants; and special Acts of the General Assembly, such as "for the relief of poor persons," "for surveying," and for seminary funding. It is imperative that the researcher study the type of warrant authorizing the patent in order to understand why the patent was issued.

It should also be added that warrants can be traded, sold, or reassigned, in whole or in part, anytime during the patenting process. We strongly advise