

PENNSYLVANIA ORIGINAL LAND RECORDS

SERIES FOR YORK COUNTY by Neal Otto Hively

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Pennsylvania Land Records are some of the most reliable colonial documents available to researchers, genealogists and historians today. Records summarized here are for official Pennsylvania colonial records in York County, beginning 1736 through the end of full land acquisition process (for some tracts as late as 1874.) There are now some 11,400 Colonial surnames listed for York County!

When properly summarized they detail *who* the settlers were, *when* they arrived in that area, *where* they settled, *what* was the most *local colonial era church*, and a host of other detail. With a little more effort - you may even find where those colonial properties are located today! Many have been able to "visit the original homestead!"

All research is original work, and was conducted with the full cooperation of the Historical Society of York (PA), and the Pennsylvania Historic and Museum Commission, (The Pennsylvania Archives), Harrisburg, PA.

ACCOMPANYING CONNECTED DRAFT SURVEY MAPS:

Cartographic connected-survey maps have been produced as companions to the acquisition written summaries for over 4,454+ individual land grants and covering some 582,400 acres (**no misprint...five hundred and eighty-two thousand acres**), and are a graphic illustration of how all of these early colonial warranted lands fit together; who the neighbors were; local features - roads, streams, etc. are located as closely as possible. Maps are 36 x 48, CAD produced, four-color on bond paper.

ABOUT PENNSYLVANIA LAND RECORDS

PENNSYLVANIA COLONIAL LAND POLICY

Land settlement West of the Susquehanna River was neither normative nor encouraged until after this territory was fully released by treaty with the Native American Indians in 1736. After that date, generous inducements and terms were used to promote settlement and expansion into this region of Pennsylvania. The Proprietors' objective in land settlement was to encourage actual settlement at extremely favorable terms, then subsequently bringing the settlers under regular colonial oversight and taxation. The purchase price for 100 acres of land was fifteen pounds ten shillings; the quit rent was one sterling halfpenny per acre, per year, until 1776.

DISPUTE WITH THE COLONY OF MARYLAND

From the time of their establishment, both the Maryland and Pennsylvania colonies were at odds as to where to place their common demarcation boundary. As a result officials from both colonies claimed title to what would later be determined as territory within the other's jurisdiction. Maryland assert claim to land as far north as the Fortieth Parallel (in York County, approximately where the Codorus Creek enters the Susquehanna River). Pennsylvania claimed land as far south as the Thirty-ninth Parallel (in Maryland, this would have included Baltimore City). Thus, a horizontal strip of virgin territory about fifty miles wide from Philadelphia in the East the Kittochtinny Mountains to the West was at stake.

As early as 1722, Philip Syng and Thomas Brown secured a Maryland warrant on the west side of the Susquehanna River, called "The Partner's Adventure" (Springettsbury Manor Survey "S-391"). Soon after others from Maryland followed, along with hundreds of unauthorized settlers from either colony.

An informal territorial dispute, known as "Cressap's War" was joined by settlers having allegiance on either side. Insult, abuse, abductions, arrests and occasional armed conflict ensued. The issue was appealed by both colonies to the Royal Court in England. As a result, on August 18, 1737 the royal order commanded that neither colony was to make grants within the other's confirmed territory. The next year, on May 25, 1738 an eight-part judgment was issued, establishing the conditions of authority and government over the disputed lands until the boundary issue could be settled by actual survey. A temporary line was laid out in May 1738 running along 39 Degrees 43 Minutes 18 Seconds Latitude. The survey commission reported back on May 28, 1739, effectively ending serious future boundary incursions. This colonial boundary was finalized in the Mason-Dixon Line in 1765.

"PRESUMPTIVE SETTLEMENT: SQUATTERS"

Many early settlers settled on vacant tracts of newly opened land without recourse to official authorization from the Proprietors of the colony. This was accentuated by the accelerated rate of European immigration at about the time the lands West of the Susquehanna River were opened for general settlement, and the inability of the Pennsylvania land grant system to deal with the vast surge of settlers. Settlers of Irish and Germanic extraction, especially took it upon themselves to locate and "improve" a vacant tract of land without obtaining any warrant for the land.

A major Pennsylvania colonial policy shift in 1765 permitted settlers who had squatted on unwarranted land, and who were willing to accept the results of a land survey, to be granted an official warrant for their land, upon application. The "East Side" and "West Side" Applications (corresponding to land on the East and

West sides of the Susquehanna River) were exceptional warrants issued to deal with settlers living on unwarranted land. The warrantee was granted an official Pennsylvania warrant, agreed to abide by the subsequent land survey, and pay the original purchase price of the property, with back interest. The large number of "Applications" listed in these volumes are an illustration of this phenomenon. "Interest dates" correspond to the date of actual settlement upon which the back rent was paid. Some 5600 West Side Applications were granted between 1765 and 1769.

PENNSYLVANIA LAND WARRANTS, SURVEYS, AND PATENTS

There were five steps in the official land acquisition process from the Proprietors of Pennsylvania. Beginning in the late 1730's, the proprietors of the colony initiated the process based on a (1) Application to Warrant from interested prospective settlers. This resulted in the issuance of a warrant. Most warrants were issued from Lancaster city during this time of the colonial period.

A (2) WARRANT was an official order for the county Deputy Surveyor to initiate a survey of the described tract of land. The warrant document designated the county, township, the person to whom the warrant was issued, the approximate acreage, and the date of issue. The earliest warrants give a general description of the land location. Later warrants give increasingly greater and more accurate detail of the property, including contiguous neighbors.

COPY OF A 1749 ORIGINAL WARRANT CERTIFICATE

Pennsylvania, ss.

 By the Proprietaries,

WHEREAS *Ignatius Davis* of the County of *Lancaster* hath requested that We would grant *him* to take up *One hundred fifty* Acres of Land in *Balam Township* adjoining *Stephen Coopers* over *Susquehanna* in *Lancaster*.

He in the said County of *Lancaster* for which *he* agrees to pay to our Use at the rate of *Fifteen Pounds Ten Shillings*, current Money of this Province, for *one* Hundred Acres *and the yearly Quitrent of One Halfpenny Sterling* for every Acre thereof.

These are therefore to authorize and require you to survey, or cause to be surveyed, unto the said *Ignatius Davis* at the Place aforesaid, according to the Method of Townships appointed, the said Quantity of *150* Acres, if not already surveyed or appropriated, and make Return thereof into the Secretary's Office, in order for further Confirmation, for which this shall be your sufficient Warrant; which Survey, in case the said *Ignatius Davis* fulfil the a-above Agreement within *six* Months from the Date hereof, shall be valid, otherwise void. GIVEN under my Hand and Seal of the Land-Office, by virtue of certain Powers from the said Proprietaries, at Philadelphia, this *26* Day of *April* Anno Dom. 1749.

To *Nicholas Scull*, Surveyor General.

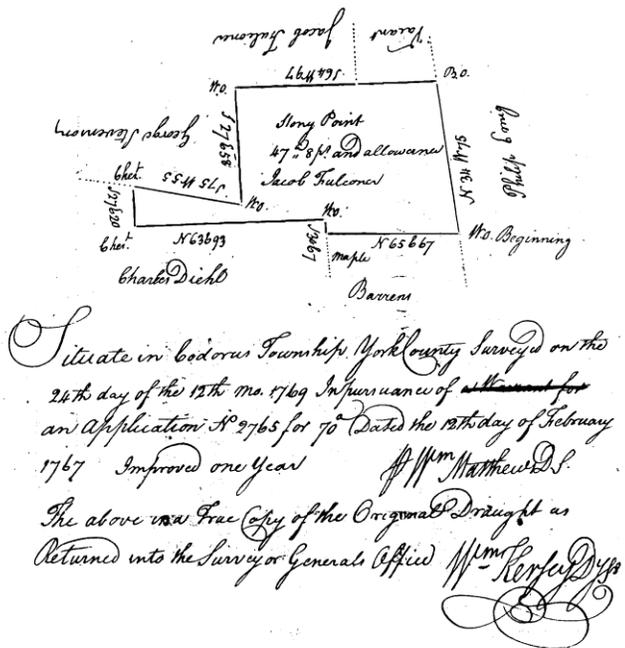
Thomas Cookson Deputy Surveyor.
Execute this Warrant and make Return thereof into my office
Nicholas Scull Surveyor Genl

James Hamilton

Original warrant applications and warrant certificates are maintained at the Pennsylvania Historic and Museum Commission, Harrisburg, PA. The Deputy Surveyors duplicate copies for York and much of Adams Counties are in the extensive collection at the Historical Society of York, PA.

The third stage in securing land from the Proprietors of Pennsylvania was the official (3) SURVEY that was authorized by the warrant. Usually the survey followed the issuing of a warrant. Occasionally, a surveyor would lay off a property at the request of a prospective warrantee, at his own initiative, or at the request of a "squatter" who was already living on a tract and desired to officially acquire it. Surveys give graphic representation to the land within the designated boundaries. They note the compass "courses" in degrees, and the distances between corners (distances listed in "perches"; one perch = 16.5 feet). The narrative that accompanies the actual survey usually contains detail on the county, the township, the warrantee, the amount of acres contained in the survey with a 6% allowance for roads and error, natural features such streams, springs, etc., and the date of the original warrant and the subsequent survey. Early county roads are approximately located on some surveys.

COPY OF AN ORIGINAL 1767 COLONIAL SURVEY



The (4) APPLICATION FOR A PATENT was the preliminary step that led to a review process leading to the issuance of a Patent. A (5) PATENT was the official granting of full, clear release and title to the land by the Proprietors of Pennsylvania. It was always issued at the owner's initiative. When, and under what circumstances a family applied for a Patent varied widely. Some Patents were granted at almost the same time as the warrant survey in the Eighteenth Century. Other families delayed applying for a Patent until the mid 1870's, more than one hundred years after the first warrant and survey had been conducted. In the Nineteenth Century, the Commonwealth of Pennsylvania attempted to prod land owners to secure patents for their lands, by any number of various means. The large number of 1864 patents was one result of this focused initiative by the Legislature.

The records summarized in this research do not pretend to detail every owner or settler within the county, or be exhaustive in its scope. Deed transactions beyond the five-fold official Pennsylvania acquisition process are excluded from this research, with only a very few exceptions. This material is available in published form because I have limited the scope of the project; otherwise I'd still on Volume One. I'll leave the remaining deed research up to others with *that* as their project goal.

A NOTE ON THE SPELLING OF FAMILY NAMES

Those doing researches into family records in this region need to be aware of one peculiar phenomenon with regard to variant spelling of family names, especially in some proximity to the Colonial Period. Various records will spell the same person's name in different ways.

Some early settlers could neither read nor write. Others had some basic or rudimentary skills with reading and writing. As a result, as many settlers - especially German-language speakers, gave their name orally to the English-speaking Pennsylvania bureaucracy, a whole host of variant name spellings occurred. Names were written phonetically - the way they sounded to various clerks.

Certain letters "sound" alike, and may be interchangeable in early spellings. The letters "B," and "P" may be interchanged, such in the name "Bixler" or "Pixler." Similarly the letters "C," "K," and "G" as 'gutterals' may be interchangeable - such as in the name "Glatfelter," "Klatfelter" or "Clatfelter."

The Scotch-Irish family name "Sinclair" is spelled in some records as Sinkler, Sinclare, or even St. Clare. Variant spelling was the rule, rather than the exception, especially during the early years of county settlement.

For the sake of continuity, the author has Anglicized German name spellings. "Heinrich" becomes Henry; "Johann" is John, etc. Variant and Germanic spellings, however, are usually cross-referenced.