

Tracing Your Irish Ancestors Through Land Records

Land ownership records

- Who owned land in Ireland?
- On what legal basis was it held?
- Who leased land?
- What records were generated?
- How was land registered?
- Have the relevant records survived?

How land was held

- Fee simple – land held in outright ownership
- Fee tail – land that was entailed; could only be disposed of via inheritance
- Fee farm – freehold land purchased via an upfront payment, but still liable to an annual ground rent.
- Leased – land rented to tenants for an undefined or defined duration
- Tenant right / 'Ulster Custom' – right of renewal without rent hikes, plus compensation for improvements made during tenancy. Extended to all of Ireland in 1881.

Estate papers

National Archives of Ireland www.nationalarchives.ie/article/guide-landed-estate-records/

National Library of Ireland www.nli.ie/en/irish-landed-estates-rentals-and-maps.aspx

PRONI www.nidirect.gov.uk/publications/family-tree-landed-estate-records

Useful books for estates records collections listings:

- *Tracing Your Irish Ancestors (5th ed.)* by John Grenham, 2019, Gill Books
- *Researching Scots-Irish Ancestors: The Essential Genealogical Guide to Early Modern Ulster, 1600-1800 (2nd ed)* by William J. ROULSTON. 2018, Ulster Historical Foundation

Landed Estates database www.landedestates.ie

Freeholders

- Originally, those landowners who held their land in fee simple or fee tail were called **Freeholders**, and had political rights.
- The term 'Freeholders' also came to mean those who held their land via a lease for lives.

1727 Disenfranchising Act. Roman Catholics barred from voting – male Protestant freeholders holding 40s value of land could vote

1793 Catholic Relief Act gave right to Catholics holding land at 40s value

1829 Freeholders rate raised to £10 following Catholic emancipation and the Roman Catholic Relief Act

1832 Representation of the People Act extended vote to those holding leases of 60 years or longer.

Dublin Morning Register, August 28th 1826

“There was another district of the County called the Barony of Farney – it was forfeited in the reign of Elizabeth, and had been for a long time in the possession of family of one Mr. Shirley, an Englishman, who was little known in this country. Mr. Shirley two or three years ago came to reside in Ireland, and although he professed liberal principles, he formed a political alliance with Colonel Leslie, a man who had been long odious in the eyes of the Catholics – he called upon his Catholic tenantry not merely to vote for him, but to give their second vote to Colonel Leslie, the head of the Orange party in the North.

*“The election came on, the power of the Orange party appeared in all its insolence and all its force – the Catholics saw that they had an opportunity of getting rid of the head of that party, and accordingly almost every Catholic voted against Leslie, but every Catholic voted for Shirley...
“Accordingly, every man that could be influenced in that interest did vote for Mr. Shirley...
“Now, mark the return which Mr. Shirley made to his friends for having placed him in Parliament. The very next week he and his agents commenced an attack upon those very men. Not satisfied with the payment of the accustomed gale of rent, he called upon them for a dead or hanging gale, which they had never before been called upon to pay, and which he knew they were not able to pay. He had their cattle impounded, and set up to auction.”*

PRONI Freeholders records www.nidirect.gov.uk/information-and-services/search-archives-online/freeholders-records

Tenancies

- Tenancy at will – could be terminated by either party at any stage
- Traditional leases – 21 or 31 years long
- Longer leases – e.g. 9000 year lease over four acres of land at St. James Gate taken by Arthur Guinness on 31 DEC 1759, annual rent £45.
- Leases for lives – valid for the duration of those named

With landlord’s permission, tenants could sub-let land to **undertenants**. In such an arrangement the original lessee/tenant became a **middleman**.

- Leases were granted by a lessor (the landowner) to a lessee (the tenant).
- Rent was usually payable twice a year on **gale days** (usually the quarter days of May 1st and November 1st)
- Prior to the 19th century it was common for rent to be delivered through a mixture of monetary payment and in kind, through agricultural yield, and/or through some form of labour or service.
- In some areas rent was collected via arrears, six months after the harvest – this practice was known as a **hanging gale**.

Landed Estate Court Rentals 1880-1885

- Encumbered Estates Acts of 1848 & 1849 – allowed landowners to sell estates to the state; land resold to new owners with titles clear of previous burdens.
- Encumbered Estates Court set up in 1849; replaced by Landed Estates Courts in 1852, and by a

Land Judges Court from 1872.

- Sales catalogues were drawn up for each estate, which included details of the rentals of properties within the lots up for sale.
- Landed Estate Court Rentals are held at the NAI (microfilms MFGS/39/1-66). Copy of the 82 bound volumes for the whole of Ireland also held at PRONI (D/1201, microfilm index at MIC80/2).
- Records are also available in FindmyPast's Landed Estates Court Rentals 1850-1885 collection, with maps.
- Some further rentals from the post-1885 period, as held by the Quit Rent Office, are available for consultation at the NAI.

Available on FindmyPast at <https://search.findmypast.com/search-world-records/landed-estates-court-rentals-1850-1885>.

Irish Land Commission

- 1848 Encumbered Estates Act
- 1849 Encumbered Estates Act; Encumbered Estate Court established
- 1871 Disestablishment of the Church of Ireland
- 1879 Irish Land War
- 1881 Land Law (Ireland) Act; Irish Land Commission established
- 1885 Purchase of Land (Ireland) Act (Ashbourne's Act)
- 1887 Land Law (Ireland) Act (Balfour's Act)
- 1891 Purchase of Land (Ireland) Act; Land Registry created
- 1903 Land Purchase (Ireland) Act (Wyndham's Act); addressed absentee landlordism
- 1909 Land Purchase (Ireland) Act (Birrel Land Act)

- Irish land Commission established in 1881 by the Land Law (Ireland) Act
- Purpose was to assist in rents issues and to assume the work of the Landed Estates Courts
- Also assumed the role of the tenancy purchasing commission, offering loans for land purchases, and a means to grant titles known as vesting orders to those purchasing property
- Loans repayments scheme extended in 1885 and 1889

Partition

Republic of Ireland – the Commission was reconstituted in 1923, and finally wound up in 1999; records were transferred to Department of Agriculture, now stored in Portlaoise.

- Indexes to some papers are accessible at the National Archives of Ireland, surveyed between 1881 and 1909:
 - Topographical index – notes barony, county and vendor's name
 - Name Index – vendor's name, estate location, estate number
 - Some basic information on existence of documents compiled during sales processes, but not the documents themselves

Northern Ireland – the Commission was reconstituted as the **Land Purchase Commission NI**. Finally disbanded in 1937

- Historic records are now fully available to consult at PRONI in Belfast, catalogued under LR1 and LR2

- Guide to using the records is available at www.nidirect.gov.uk/publications/guide-land-registry-index
- Many post 1922 sales can be tracked using the *Belfast Gazette* newspaper www.thegazette.co.uk

Townland Valuation of Ireland

'The Archives of the Valuation of Ireland 1830-1865' (Maynooth Research Guides for Irish Local History) by Frances McGee. Published 2018, Four Courts Press, Dublin

- Valuation of Land (Ireland) Act 1826 enabled nationwide Townland Valuation from 1828-1840 by Boundary Commissioner Richard John Griffith
- Properties over £3 rateable value (£5 from 1838) to be valued
- More useful for urban residences due to the high property qualifications
- Published volumes do not list names of tenants or occupiers, only statistical information
- Field work does include some names and is available through NAI database Valuation Office books 1824-1856, available at <http://census.nationalarchives.ie/search/vob/home.jsp>.

Four kinds of books:

- Field Books – information about agricultural holdings, compiled by parish. Names lessors of property over £3, and over £5 from 1844
 - House Books – similar details for houses in urban areas of similar value, naming occupiers and physical details/observations about the properties
 - Tenure/Perambulation Books – notebooks compiled 1846-1858. Includes details of occupiers and immediate lessors, rent and leases. (None for Laois)
 - Quarto Books – Information about properties from 1839-1850, extracted from House Books. None for Leitrim and Sligo, only a few books for other counties.
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- Report from the Select Committee on Townland Valuation of Ireland, published 1844, is available on the Internet Archive at <https://archive.org/details/op1246071-1001>
 - It concluded that following the Poor Relief (Ireland) Act of 1838 the Townland Valuation could not be used to administer the poor rate or county cess.
 - Paved the way for a more complete valuation to be carried out by Richard Griffith.

Primary Valuation of Ireland (Griffith's Valuation)

- The Tenement Valuation Acts of 1846 and 1852 initiated the Tenement Valuation, aka Primary Valuation of Ireland. All property was to be rated for taxation purposes.
- The valuation was carried out between 1847 and 1864, with returns published shortly after – initially by barony, then from 1852 by poor law union.
- Under the Valuation Acts there was a right of appeal under oath, with amendments and revisions also published initially. No appeals information was published after 1852.
- Original Appeal application books include handwritten notes from oral testimonies, often noting grievances from the appellant, as well as information on genealogical relationships, rents paid, the nature of the properties involved, etc.
- Surviving appeals materials following the 1846 Act are held at the NAI (OL/19; microfilms MFA/16 & MFA/19) for baronies in Carlow, Clare, Dublin, Kerry, Kildare, Kilkenny, Limerick,

Tipperary, Waterford, Wicklow and Laois (Queen's County).

- Later appeals material post-1852 (OL/20) also includes hearings for Antrim, Cavan, Cork, Donegal, Galway, Kildare, Kilkenny, Leitrim, Mayo, Meath, Monaghan, Sligo, Tipperary, Tyrone and Westmeath, as well as for Dublin City.

Primary Valuation of all Ireland from 1847-1864 available at www.askaboutireland.ie. Also available on FindmyPast and Ancestry.

Valuation Revisions

- Following the Primary Valuation, a series of annual revisions was enabled to the published returns, noting changes of occupation and ownership.
- The records for the Republic are held by the Valuation Office in Dublin, where they are known as the Cancelled Land Books, and can be consulted there, but are not yet available online. An order service is available.
- The equivalent records for Northern Ireland are held at PRONI, where they are known as the Valuation Revision Books, catalogued under VAL/12B. Some 3900 volumes have been digitised up to the 1930s, and can be freely consulted online at www.nidirect.gov.uk/services/searching-valuation-revision-books.

Registry of Deeds

- Designed to record interests in properties from purchases, mortgages, leases (21 years in length or more), marriage settlements, wills, etc
- Original deed signed by both parties and witnessed
- An abridged copy known as a **memorial** was then verified by a Justice of the Peace, again witnessed, and copied into the register

Memorial No. 1 (29 MAR 1708) www.prai.ie/blog-no-1-memorial-no-one/

- Original volumes are held at the Property Registration Authority in Dublin; all-Ireland 1708-1922, Republic only from 1922
- Microfilm copies from 1708-1922 also available at PRONI in Belfast (and paper indexes 1923-1989 for Northern Ireland)
- Records from 1708-1929 are freely available online via FamilySearch at <https://familysearch.org/search/catalog/185720>

Records are indexed in 2 ways:

- The Townlands Index (aka the Land Index)
 - 1708-1828 Indexed by county
 - 1828- Indexed by county and barony

Separate indexes for counties corporate and cities

- The Names Index (aka the Grantors Index)
 - Indexed by Grantors' surnames only
 - No townlands listed pre-1833

Registry of Deeds Index Project Ireland <https://irishdeedsindex.net>

Land Registry

- The Registration of Title Act 1891 provided for a new Land Registry from 1892 as an alternative to the Registry of Deeds for title registration

Post-Partition

- Republic of Ireland – managed by Property Registration Authority (www.prai.ie) offices at Dublin, Roscommon and Waterford
- Northern Ireland – managed by Land and Property Services NI (www.nidirect.gov.uk/information-and-services/buying-your-home/land-and-property-registers); offices at Ballymena, Belfast, Craigavon, Omagh and Londonderry

Land Registry www.landdirect.ie

Books:

Tracing Your Irish Ancestors Through Land Records (Pen and Sword)

- www.pen-and-sword.co.uk/Tracing-Your-Irish-Ancestors-Through-Land-Records-Paperback/p/19283

Tracing Your Irish Family History on the Internet, 2nd edition (Pen and Sword, 2019)

- www.pen-and-sword.co.uk/Tracing-Your-Irish-Family-History-on-the-Internet-Paperback/p/16483

Tracing Your Scottish Family History on the Internet (Pen and Sword, 2020)

- www.pen-and-sword.co.uk/Tracing-Your-Scottish-Family-History-on-the-Internet-Paperback/p/17717

Tracing Your Scottish Ancestry Through Church and State Records (Pen and Sword, 2019)

- www.pen-and-sword.co.uk/Tracing-Your-Scottish-Ancestry-through-Church-and-State-Records-Paperback/p/16848

Coming soon: *Tracing Your Belfast Ancestors* (Pen and Sword, 2023)

Courses:

- Pharos Teaching & Tutoring Ltd (www.pharostutors.com) 5 week long courses:
 - *Progressing Your Irish Research Online*
 - *Scottish Research Online*
 - *Scotland 1750-1850: Beyond the OPRs.*

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www.ScotlandsGreatestStory.co.uk

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www.ScottishGenes.blogspot.com

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