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## Who Owns the Land? A Brief History of North Carolina Land Grants

by Terry Moore, CG

Between 1584, when the first North Carolina settlers reached Roanoke Island, and 1662, no land grants were issued in North Carolina by the English Crown. In 1663, King Charles II granted to eight of his supporters, the Lords Proprietors, land in the New World in the Carolinas. The boundaries of this land began at the North Carolina–Virginia border then southward to Florida.<sup>1</sup>

The earliest land grant office opened in 1669, but the first ten years of grants are missing. The Lords Proprietors faced challenges in managing the land in the Carolinas and in 1729 seven of the Proprietors drew up an agreement with King George II to return their land in the Carolinas to the Crown. Only one Lord, John Carteret, the second Earl of Granville, eventually retained his portion of land, which covered the upper one-half of North Carolina.<sup>2</sup> These earliest grants have been abstracted by Margaret Hofmann in *Province of North Carolina: 1663-1729, Abstracts of Land Patents*.<sup>3</sup> Weynette Parks Haun abstracted the warrants and surveys in Old Albemarle County for 1681–1706. Olde Albemarle County covered the northeastern part of North Carolina above the Albemarle Sound, including the present day counties of Currituck, Chowan, Perquimans, and Pasquotank. Not all warrants and surveys resulted in a grant. The warrants and surveys in this group can be compared with the land grant abstracts in Margaret Hofmann's book to determine if a grant was actually issued.<sup>4</sup>

Most of the land grants during this early time period were issued under the headright system. The Lords Proprietors, wanting to populate the Carolinas, granted land to anyone who immigrated to the colony. A colonist received fifty or one hundred acres for each male or female, regardless of age or race, that he was responsible for transporting. He claimed the number of “heads,” or persons, he transported as it was his right to receive a certain number of acres for each one; hence, each person represented a “headright.” This system of receiving

a grant was subject to abuse as sometimes the same immigrants were claimed more than once. Be careful when analyzing the grants. If it appears there are several persons of the same name who were claimed as headrights, they may in fact be the same person.

It wasn't until 1744 that John Carteret reached an agreement with the Crown and was given a portion of the Carolinas. His land ranged north-south from the Virginia border to the present-day southern borders of Chatham, Randolph, Davidson, and Rowan Counties and east-west from the Atlantic Ocean to the Pacific. This area contained the greatest population in North Carolina.<sup>5</sup> It became known as the Granville District and from 1748 until 1763, when the second Lord Granville died, the district land office issued patents. (Don't confuse the Granville District with Granville County, North Carolina.)

In 1776, empty lands in the Granville District as well as lands in the rest of North Carolina were taken over by the revolutionary government of North Carolina. In 1777 North Carolina established land offices in each county. All of the above land grants are indexed in card catalogs at the North Carolina State Archives search room and are indexed on MARS (the Archives' online catalog) at [www.mars.archives.ncdcr.gov/](http://www.mars.archives.ncdcr.gov/).

Using the land grant abstracts is helpful in finding ancestors who not only received a grant but also those who were a neighbor or chain carrier. The early grants and some of the state grants have been abstracted in the following books by Margaret Hofmann:

*The Granville District of North Carolina 1748-1763, Abstracts of Land Grants, Volume One* (Weldon, NC: The Roanoke News Company, 1986).

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This article originally appeared in the November 2013 issue of the *NCGS News*, the newsletter of the North Carolina Genealogical Society, volume 37, number 6, pages 10–11.

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## Who Owns the Land?

*continued from previous page*

*The Granville District of North Carolina 1748-1763, Abstracts of Land Grants, Volume Two* (Weldon, NC: The Roanoke News Company, 1987).

*The Granville District of North Carolina 1748-1763, Abstracts of Land Grants, Volume Three* (Weldon, NC: The Roanoke News Company, 1989).

*The Granville District of North Carolina 1748-1763, Abstracts of Land Grants, Volume Four* (Weldon, NC: The Roanoke News Company, 1993).

*The Granville District of North Carolina 1748-1763, Abstracts of Land Grants, Volume Five* (Weldon, NC: The Roanoke News Company, 1995).

*Colony of North Carolina 1735-1764, Volume One* (Weldon, NC: The Roanoke News Company, 1982).

*Colony of North Carolina 1765-1775, Abstract of Land Patents, Volume Two* (Weldon, NC: The Roanoke News Company, 1984).

*North Carolina Abstracts of State Grants Volume One* (Ann Arbor, MI: Print-tech Inc., 1998).

*North Carolina Abstracts of State Grants Volume Two* (Ann Arbor, MI: Print-tech Inc., 2003).

The original land grants have been retired because of their fragile condition but they are available on microfilm at the North Carolina State Archives, the Family History Library, and other large genealogical libraries.

### Notes:

<sup>1</sup> William S. Powell, *The Proprietors of Carolina* (Raleigh, NC: The Carolina Charter Tercentenary Commission, 1963), 3-4.

<sup>2</sup> Margaret M. Hofmann, "Land Grants," Helen F. M. Leary, CG, F.A.S.G., editor, *North Carolina Research Genealogy and Local History* (Raleigh, North Carolina: North Carolina Genealogical Society, 1996), 313-316.

<sup>3</sup> Margaret M. Hofmann, *Province of North Carolina 1663-1729, Abstracts of Land Patents* (Weldon, NC: The Roanoke News Company, 1979).

<sup>4</sup> Weynette Parks Haun, *Old Albemarle County, North Carolina Book of Land Warrants and Surveys, 1681-1706* (Durham, NC: By the author, c1984), forward.

<sup>5</sup> The Church of Jesus Christ of Latter-day Saints, *Research Outline, North Carolina* (Salt Lake City, Utah: Intellectual Reserve, Inc., 1999), 24.

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Who Owns the Land?  
*continued from previous page*

### Land Grant Timeline

1584–1662	The English Crown owned the Carolinas. There are no known grants in North Carolina by the Crown during this period.
1663	King Charles II, in the Carolina Charter, granted land in the Carolinas to eight of his supporters, the Lords Proprietors.
1669–1679	The first land grant office was opened in 1669 but grants for the first ten years are missing.
1663–1729	Land grants were issued by the Proprietors.
1729	Seven of the Lords Proprietors sold their land back to the Crown.
1737	Henry McCulloh received a royal patent for 1,200,000 acres, located on twelve tracts, five of which were located in what later became the Granville District (two tracts in Orange County, three in Rowan County), five more tracts were partially in the district.*
1729–1744	John Carteret, the second Lord Granville, negotiated with the Crown for fifteen years to keep his land in the Carolinas.
1735–1775	Crown Colony grants were issued in North Carolina.
1744	John Carteret reached an agreement with the Crown. His land encompassed the upper half of North Carolina and was called the Granville District. (Do not confuse the Granville District with Granville County.)
1748	Lord Granville began issuing grants.
1763	John Carteret, the second Lord Granville died; the Granville District land office closed.
1776	Empty lands in the Granville District and other parts of North Carolina were taken over by the revolutionary North Carolina government.
1777–1959	North Carolina land offices were established in each county and the state of North Carolina issued land grants during this time period.

\* A list of those who purchased land from McCulloh are listed by John Scott Davenport as “Early Settlers in the North Carolina Piedmont ... 1749-1763” *North Carolina Genealogical Society Journal* 4 (May 1978): 74-86.