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# From Grant to Patent: A Guide to Early Land Settlement Records, ca.1790 to ca.1850

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**215** Research  
Guide

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This research guide will help you find and use Crown Land Records on grants and patents from the eighteenth century to the mid-nineteenth century. It provides short summaries and links to Crown land records that will be of particular interest if you are researching family history. The guide does not cover all the land records that are available to researchers.

The Archives has most of the records on Crown land in Upper Canada, Canada West (the new name of the colony after the Union Act of 1840) and in Ontario (the name that came into effect in 1867). Library and Archives Canada (LAC) also has some records – mainly the Crown land Records of the Executive Council of Upper Canada. The Archives has copies of most of these records on microfilm.

There are a lot of records and they cover a wide range of topics. In addition to researching a family history, you can, use Crown land records to study many other topics (e.g., land use, local history and settlement patterns).

Most records in this guide are described in the [Archives Descriptive Database](#) (ADD). The ADD has more information about these records, including what they contain and instructions on how to access them; it does not include lists of people found in the records. [Research Guide 205: How to Use the Ontario Land Records Index](#) will also be useful if you have not used the Ontario Land Records Index (OLRI) before. It is available in the Archives' Reading Room or on our website ([www.ontario.ca/archives](http://www.ontario.ca/archives)).

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## GETTING STARTED

### Understanding the Crown Land Granting Process

The Crown Land Records of Upper Canada date back to the eighteenth century. Then, due to the American Revolution, a flood of immigrants from the American colonies wanted to settle on British territory. The land that was to become known under the Constitutional Act of 1791 as “Upper Canada” was to be distributed under the control of, and according to regulations that the Crown or its representatives made. By 1795, there was a complex system of land titles and ownership under the direction of the surveyor general. Throughout the pre-Confederation period (before 1867), land policy and distribution was a central activity of the Crown Lands Department.

The Crown’s system for granting land changed a lot over the years. In very general terms, this is how people obtained Crown land:

- A person who wanted to apply for a land grant from the Crown may have submitted a **petition** (application) to the Crown.
- If the petition was successful, the Crown would issue a land **grant** to the petitioner who then became a **settler**. Receiving a land grant was a complex process. Many offices were involved. Each office (Executive Council Office, Receiver General's Office, Attorney General's Office, Surveyor General's Office, Provincial Secretary's Office, etc.) had its own numbering system for the land grant documents it created or received.
- If the settler took up residence on the land and fulfilled certain settlement duties, he or she would have ended up owning the land. Then, the Crown issued a **patent** to the settler, indicating that the ownership of the land had passed from the Crown to a private individual.
- If there were any later transactions relating to that property (e.g., sale to another individual, taking out a mortgage on the property, etc.), this was documented in the records of the county Land Registry Offices (LROs).

In conducting your Crown land records research, we recommend that you look at the descriptions of the records in the [Archives Descriptive Database](#). The descriptions explain the relationship of the land records to other records in our holdings and what information is in them. Keep in mind that there are revised reference codes for many of the Crown land records series. However, the microfilm reels and the Ontario Land Records Index (see below) still use the old codes. You can search the old codes in the ADD using the keyword search. The Archives also has a conversion list matching old and new reference codes, which you can find in the Archives’ Reading Room.

# Using the Ontario Land Records Index to Find the Grant for a Particular Settler

Many Crown land records are arranged by the lot and concession numbers. In land record research, it is not essential, but it is useful, to know the township, concession and lot to which a person or corporation was associated.

If you do not know the location of the grant for a particular settler, check the Ontario Land Records Index, ca. 1780-ca. 1920 (OLRI). In the OLRI you will find a variety of other records that you can use to find more information about a specific settler and the land that the settler received.

The OLRI is available on self-service microfiche in the Reading Room and through microfilm [interloan](#). We have also distributed the OLRI to libraries, archives and family history centres across Canada and in some parts of the United States. There is a pathfinder to the OLRI in the Reading Room.

The OLRI is an index of settlers who received Crown land in Ontario by grant, lease, or purchase. The information is:

- collected and arranged from Crown land records, some records from the Canada Company fonds and the Peter Robinson fonds, and
- indexed by the surname and township of homesteaders who obtained permission to live on a specific piece of Crown land.

The index includes settlers that Peter Robinson (see below) sponsored and people who obtained land from the Canada Company (see below). The OLRI is useful for learning if a settler received a grant of land from the Crown and, if so, the location. It has the settler's name and residence (if known), the township, concession, and lot of the Crown property, the date and type of grant and the archival reference code to the source of the data.

The records that the index refers to are available on microfilm in the Archives' Reading Room and through microfilm [interloan](#), except for the Fenian Land Grants ([RG 1-99-8](#), former code RG 1 C-VII-8).

Once you have found a settler or location of interest from the OLRI, you can:

- Look up the original record (on microfilm) that the OLRI refers to and find out if there is any more information, or confirm the information that you found in the OLRI. However, this record often does not have any different information than what is in the OLRI.
- Read the description of the referenced record in the ADD to learn if there are related records with more information about the land grant. This is often true for references to series of records that are **registers** of fiats or warrants (documents created in the process of land granting). There may be a corresponding sub-series of the copybooks of fiats or warrants that may have further information on a particular settler.
- Look up the [petition](#) (application) that the settler who received the land as a grant most likely submitted to the Crown.
- Search for a land [patent](#) if you want to find out if the settler ended up owning the land.
- Research the specific lot of land by using the following records: [Township Papers \(RG 1-58\)](#), [Survey Notes and Diaries \(RG 1-59\)](#), and [Descriptions \(RG 1-53\)](#).
- Consult the records of the [Heir and Devisee Commission](#) if you want to know a particular property's buying and selling history, where the OLRI, in cases where the type of free grant listed is identified as COMM (granted through the Heir and Devisee Commission).

Please see [Research Guide 205: How to Use the Ontario Land Records Index](#) for more information on how to use the index.

## THE RECORDS

### 1. Applying for a Land Grant: Land Petitions

A settler who wanted to get a land grant had to send a petition to the Crown stating the basis for his or her claim. Most land petitions are in one of two series of records: [Upper Canada Land Petitions \(Library and Archives Canada RG 1, Series L 3\)](#) or [Petitions for Land \(RG 1-54\)](#).

#### Upper Canada Land Petitions, ca.1790-ca.1867

The series of records called the Upper Canada Land Petitions were addressed to the Executive Council of Upper Canada. The originals are at Library and Archives Canada. These records and an accompanying index are available on self-service microfilm in the Reading Room or through Library and Archives Canada. An online index is also available on the [Library and Archives Canada](#) website (or go directly to the database, [www.collectionscanada.gc.ca/databases/upper-canada-land/index-e.html](http://www.collectionscanada.gc.ca/databases/upper-canada-land/index-e.html)) ; it includes the date of the petition, the petition bundle and number, and the microfilm reel it is on.

The petitions submitted in Upper Canada are mostly individual petitions. They often have information about the petitioner and his or her family. Loyalists and discharged soldiers often mentioned the regiment in which they served. Sons and daughters of Loyalists gave their father's name. Civilian petitioners sometimes gave their country or place of origin. Other information that is in some petitions includes:

- age
- arrival date in Canada
- character references
- date and place of birth
- marital status and names of other family members
- oaths of allegiance
- previous residence.

If you do not find a name in the online index, you may want to search the microfilmed index. It includes entries from the Land Books (recording the decision to accept or reject the petition) when the petition has not survived:

- Entries from the Land Books (Library and Archives Canada RG 1 L1) have the name, date, land book, and page number.
- Entries for Land Petitions (Library and Archives Canada RG 1 L3) have the name, place, date, bundle and petition number (e.g., B12/43 indicates bundle B12, petition number 43). After consulting the index, check the list of microfilm reel numbers for the actual records:

[List of microfilm reel numbers for index](#)

[List of microfilm reel numbers for the land books](#)

[List of microfilm reel numbers for the land petitions](#)

There is a finding aid with these lists and a pathfinder in the Reading Room.

### **Petitions for Land, 1827-1856**

Between 1827 and 1856, the Office of the Lieutenant Governor referred some petitions to the Commissioner of Crown lands. The Archives has the Petitions for Land ([RG 1-54](#)) records. They are arranged in alphabetical order and are available on self-service microfilm in the Reading Room and through microfilm [interloan](#). There is a pathfinder in the Reading Room.

### **Orders-in-Council, 1827-1904**

If you believe that an individual filed a petition but you cannot find it, check the orders-in-council ([RG 1-50](#)). The Lieutenant Governor issued orders-in-council on the recommendation of the surveyor general or the commissioner of Crown lands, authorizing the sale, lease, or free grant of Crown lands.

### **Other Records**

Table 1, below, has other series and sub-series of records that have copies of petitions:

**Table 1**

<b>Reference Code</b>	<b>Title of Series / Sub-Series</b>	<b>Dates</b>
<a href="#">RG 1-1</a>	Correspondence and Memoranda Received by the Surveyor General's Office	1764-1800
<a href="#">RG 1-4</a>	Register of Memorials, Petitions and Letters Referred to the Surveyor General's Office by Government House	1833-1836
<a href="#">RG 1-9</a>	Crown Land Administration Subject Files	1790-1924
<a href="#">RG 1-13-1</a>	Reports on Petitions for Grants of Land Prepared by the Executive Council by the Commissioner of Crown Lands	1832-1835
<a href="#">RG 1-324</a>	Lists of Petitions or Applications for Land Heard by Members of the Executive Council	1824

## **2. First and Second District Land Board Records**

The records of the land boards of Upper Canada may have useful information on an early settler. Many of these records dealing with individual settlers are indexed in the Ontario Land Records Index (OLRI). However, for the Second District Land Boards, there is settlement information that is not indexed in the OLRI.

### **First District Land Boards**

There were two sets of district land boards in the Upper Canadian period. The first dated from 1789 to 1794. During this time, there were four administrative boards: Hesse, Nassau, Mecklenburg and Lunenburg. They oversaw land matters in their districts and facilitated settlement in the districts by granting certificates of location to the early settlers. On November 6, 1794 the land boards were abolished and centralized land management through the Executive Council began.

The records include minutes, reports, correspondence, and instructions or regulations for the operations of the land boards. Library and Archives Canada holds most of the records of the

First District Land Boards. Their records have a nominal index. It identifies the name, the volume and page and the microfilm reel numbers corresponding to the records.

Table 2, below, lists the records that are available on microfilm in our Reading Room. They are also available through microfilm [interloan](#), excluding the records described under Reference Code D 359. These records are available in our Reading Room and at [Library and Archives Canada](#).

**Table 2**

<b>Reference Code</b>	<b>Title Of Series / Sub-Series</b>	<b>Dates</b>
<a href="#">RG 1-177</a>	Nassau District Land Board Minutes	1788-1792
<a href="#">RG 1-178</a>	Hesse District Land Board Records	1789-1794
<a href="#">RG 1-30</a>	Schedules, Returns, and Lists of Certificates of Occupation Issued by Magistrates, Surveyors and the First District Land Boards	1789-1816
<a href="#">D 359</a>	Upper Canada Land Board Minutes and Records Diffusion Material (has records of First District Land Boards for the Hesse, Nassau, Lunenburg, and Mecklenburg districts, consisting of minutes, reports, instructions to the boards, and correspondence, which can be found at the Library and Archives Canada as RG 1, L 4).	[Microfilmed 19--], (originals, 1765-1804)

### **Second District Land Boards**

Under an Order-in-Council dated March 13, 1819, land boards were again established in each of the districts of Upper Canada (with the exception of Niagara, where there was no more grantable land). This was to speed up the process for locating settlers on land — the abolition of the First District Land Boards was seen as slowing down the land-granting process. These boards:

- handled applications from prospective settlers from the United States and granted land to these settlers if they could produce certificates of British birth
- granted land to some post-War of 1812 immigrants
- were required to record the applicant's age, birthplace, and date of entry into the province. Each applicant was required to supply a declaration that he or she had not previously received land from the Crown and to take an oath of allegiance. On meeting these terms and conditions and after paying a fee to the board for the hearing, the applicant could be located on a 100-acre lot
- did not deal with applications from United Empire Loyalists or military claimants. These applicants were responsible for going, in person, to York (Toronto), the colony's capital.

The land boards were abolished on December 31, 1825.

Table 3, below, has the series that list the settlers that the Second District Land Boards located. Most of these records are not indexed in the OLRI (except for [RG 1-161-2-1](#)). A number of the volumes in the series have nominal indexes.

**Table 3**

Reference Code	Title of series / sub-series	Dates
<a href="#">RG 1-176</a>	Second District Land Boards, returns of locations	1819-1826
<a href="#">RG 1-161</a>	Fiats for land grants – Second District Land Boards	1820-1854
<a href="#">RG 1-12-2-2</a>	List of locations to emigrants at the late land board, Bathurst District	1823-1824

### 3. Settling Disputed Land Claims: The Heir and Devisee Commission Records

The government created the Heir and Devisee Commissions to settle disputes about who was entitled to receive the letters patent for a parcel of land. This issue arose in the Upper Canadian period. Many individuals applied for and were located on land. However, they did not go through with the process of actually getting the letters patent that would transfer ownership to them from the Crown. By the early 1790s, government officials were noticing that many location certificates had passed out of the hands of the original nominees to other individuals. In some cases, the original nominees had died without a will or had “devised” or willed their land to another person. In other cases, land certificates had been exchanged between or assigned to other individuals, or sold or mortgaged — sometimes several times.

The Archives has a small number of records of the first Heir and Devisee Commission (1797-1804) and most of the records of the second commission (1805-1911).

#### When to Use the Heir and Devisee Commission Records

Use these records if:

- You know or suspect that there was a dispute about the ownership of the land and/or
- The OLRI refers to the type of free grant received as “COMM”, meaning Heir and Devisee Commission ([RG 1-150-2](#), volumes 90–92).

#### The First Heir and Devisee Commission (1797-1805)

In 1797, the government created the First Heir and Devisee Commission. The commission acted as a Court of Equity. It had jurisdiction to review and adjudicate claims to land in cases where no letters patent had been issued. The commission’s decisions could be appealed to the Executive Council. It also heard claims for larger tracts of land.

Library and Archives Canada has most of the records of the first commission (1797-1804) and some of the records of the second commission (1805-1911). These records are available on self-service microfilm in the Reading Room of the Archives of Ontario and through Library and Archives Canada. See Inventory D 352, First Heir and Devisee Commission diffusion material in the Reading Room or the Canadian Genealogy Centre’s [website](#) for more information about these records. The Archives of Ontario also has records of the First Heir and Devisee Commission.

The records of the First Heir and Devisee Commission do not contain a nominal index nor are there individual case files. There may be some information on settlers in the Commission’s minutes and reports.

Table 4, below, has references to records that are mainly material created by, or relating to, the First Heir and Devisee Commission. Please see the series descriptions for more information about these records.

**Table 4**

Reference Code	Title of Series / Sub-Series	Dates
D 352 (inventory available in the Reading Room)	First Heir and Devisee Commission Diffusion Material	[Microfilmed 1981], (originals 1777-1854)
<a href="#">RG 22-610</a>	Eastern District Clerk of the Peace Heir and Devisee Commission Claims Books	1797-1803
<a href="#">RG 1-16-2</a>	Minutes of Search	1797-1806
<a href="#">RG 40-2</a>	Reports on Land Claims Arising out of the First Heir and Devisee Commission	1797-1803
<a href="#">RG 1-15-1</a>	Heir and Devisee Commission Reports Submitted to the Surveyor General	1802-1805
<a href="#">RG 1-15-2</a>	Copies of Heir and Devisee Commission Reports Prepared by the Surveyor General	1797-1803
<a href="#">RG 40-1</a>	Memoranda of Undescribed Land Claims and Related Orders Arising out of the First Heir and Devisee Commission	1803-1804
<a href="#">RG 1-15-3</a>	[Register of] Original Nominees Claimed Under the First Heir and Devisee Commission	ca. 1808
<a href="#">RG 40-3</a>	Miscellaneous Documents Collected by the First Heir and Devisee Commission	1796-1805
<a href="#">RG 1-17</a>	Schedule Of Descriptions Issued by the Surveyor General's Office Which Clash with Heir and Devisee Commission Reports	1797-1804

### **The Second Heir and Devisee Commission (1805-1911)**

In 1805, new legislation was passed. It established what is generally referred to as the Second Heir and Devisee Commission. The act specified the role of this commission as giving “relief to those persons who may be entitled to claim lands in this Province as heirs or devisees of the lands” (*Statutes of Upper Canada*, 45 Geo. III, c. 2.).

This new commission heard the claims of the heirs, devisees, and assignees of the original nominees. Supporting submissions included anything that had a bearing on the claimant’s right to a particular lot of land. This could be genealogical information about family relationships and individual land transactions. A separate report was prepared for each session of the commission. Within each report, each claim that the Commission heard was assigned a unique number, beginning with the number one. In some cases a second application was made to the commissions by the heirs of the heirs of the Crown’s original nominee. The last meeting of the commission occurred in 1896 but it was not formally abolished until 1911 with the passing of the Ontario Act.

### **Second Heir and Devisee Commission Database**

To find out if someone made a claim to the Second Heir and Devisee Commission, use the [searchable online database](#). It provides an index to the 5,184 case files that record claims made to the commission. Detailed search results will provide information:



- about a particular case file, specifically: the name or names of the applicant, the township or town of concern, the year of application and the case file number
- the microfilm reel where you can find the case file. These reels are available in the Reading Room and through microfilm [interloan](#). They can also be borrowed through family history centres.

Finding out who received land as a result of an Heir and Devisee claim can be difficult because the surnames of the original claimant (who would have submitted a claim) and the descendant may be different. To find the original claimant's name:

- Look at the OLRI for the name associated with the lot of interest (if known).
- Check the Index to Patents by township and the Abstract Indexes (part of the records of the Land Registry Offices) to get the name of the person who received the patent.

Once you have the claimant's name, you can look for the commission case file.

### Other Second Heir and Devisee Commission Records

Table 5, below, lists the series and sub-series with references to records that are mainly material created by, or relating to, the Second Heir and Devisee Commission. Please see the series descriptions for more information about these records:

**Table 5**

Reference Code	Title of Series / Sub-Series	Dates
<a href="#">RG 40-4</a>	Commissions of Appointment to the Second Heir and Devisee Commission	1840-1879
<a href="#">RG 40-11</a>	Correspondence and Miscellaneous Records of the Second Heir and Devisee Commission	1805-1891
<a href="#">RG 1-16-1</a>	Certificates of Search	1832-1872
<a href="#">RG 40-8</a>	Reports or Certificates of Search Submitted to the Second Heir and Devisee commission by the Crown Lands Department	1844-1868
<a href="#">RG 40-6</a>	Minutes of the Second Heir and Devisee Commission	1810-1895
<a href="#">RG 40-12</a>	Indices to Claims Made to the Second Heir and Devisee Commission	[ca. 1850- ca. 1889]
<a href="#">RG 40-5</a>	Second Heir and Devisee Commission Case Files	1804-1895
<a href="#">RG 40-9</a>	Draft Reports of Proceedings of the Second Heir and Devisee Commission	1857-1891
<a href="#">RG 1-18</a>	Heir and Devisee Commission Reports Submitted to the Inspector General	1823-1840
<a href="#">RG 1-15-1</a>	Heir and Devisee Commission Reports Submitted to the Surveyor General	1802-1886
<a href="#">RG 1-15-2</a>	Copies of Heir and Devisee Commission Reports Prepared by the Surveyor General	1811-1868
<a href="#">RG 40-10</a>	Certificates Documenting the Fulfilment of Settlement Duties and the Payment of Fees on Lands Awarded by the Second Heir and Devisee Commission	1846-1848
<a href="#">RG 40-7</a>	Lists of Land Claimed under the Second Heir and Devisee Commission	1805-1876
<a href="#">RG 1-150-2</a>	Registers of Fiats for Land Grants – Heir and Devisee Commission	[ca. 1800]- 1854
<a href="#">RG 1-150-1</a>	Individual Fiats for Land Grants – Heir and Devisee Commission	1812-1854

Reference Code	Title of Series / Sub-Series	Dates
<a href="#">RG 22-1899</a>	Western District Heir And Devisee Notices and Land Claims	1838-1858
<a href="#">RG 22-610</a>	Eastern District Clerk of the Peace Heir and Devisee Commission Claims Books	1806-1812

## 4. Promoters of Land Settlement: The Canada Company, Thomas Talbot, and Peter Robinson

### Canada Company Fonds (F 129)

Non-governmental fonds are a valuable tool in early land research. One such fonds is the **Canada Company Fonds (F 129)**. Established in 1825, the London (England)-based Canada Company was granted large tracts of land (approximately 2.5 million acres) in southwestern Ontario (much of which comprised the Huron Tract) during the 1800s. It leased or sold land for settlement. The principle aim of this company was to obtain land in Canada and to promote its sale to prospective settlers. It was also expected to build roads on its land to make the land more accessible.

Several series of records in the Canada Company fonds can be used for family-history research:

- The Canada Company registers of contracts and leases (F 129, Series B-3, Vols 19 to 41), indexed in the OLR, will help you to find sale, lease, and deed numbers for books of sales, leases, and deeds which will provide more information on the property.
- Other series of records of the Canada Company fonds are applications for deeds (F 129, B-3, Vols. 42 to 48), registers of wills (F 129, A-5-13) power-of-attorney files and burial certificates (both found in F 129, A-5-14, A-5-15 and A-5-16). For more information on how to find and use these series, consult the Virtual Reading Room database, available in the Reading Room.

In addition to its land business, the Canada Company acted as a remittance agent for its settlers when they wanted to send money to friends and family, and arranged for money to be made available to settlers when they travelled outside Canada. The Remittance Books (F 129, C-7, Vol. 1- 7) have the name of the settler who gave the money, the name of the place where he or she lived in Canada, the name and place of residence in Great Britain of the person to whom he or she was sending the money, the amount of money sent, and all relevant dates concerning the transaction. For more information on how to find and use these series, consult the Virtual Reading Room database. Some of the records from this series are also indexed in Ruth Holt and Margaret William's [\*Genealogical Extractions and Index of the Canada Company Remittance Books, 1843-1847\*](#) (Weston, Ont.: R. Holt, 1990). It is in the Reading Room's Genealogy Publications bookcase.

The Canada Company fonds has many manuscript and printed township and town surveys plans. These plans may have the names of owners and details about the shape, size, and location of lots. It is particularly useful to look at them along with the company's text records. Consult a reference archivist for information on how to retrieve these records.

### Thomas Talbot Fonds ([F 501](#))

In southwestern Ontario between 1802 and 1837, approximately one-half-million acres were entrusted to the control of Colonel Thomas Talbot. Talbot was a successful and remarkable settlement promoter. Large portions of the so-called "Talbot Tract" remained unimproved by

1837, when the Talbot agency was transferred to the Crown. By this date, however, Talbot had managed to settle approximately 6,000 families in the present-day counties of Norfolk, Elgin, Middlesex, Kent, and Essex. The forty-nine Talbot town and township plans ([F 501-1](#)) at the Archives have entries on the initial acceptance, retention, rejection or replacement of settlers.

Talbot pencilled in the settlers' names. Often, this information was subsequently erased or scratched out and replaced with the names of new locatees. Often a date, probably the date of location, appears next to the settler's name. Although settlers received their land patents from the Crown, Talbot reportedly exercised control over them. As with other township plans, clergy reserves are shown in grey, Crown reserves in red.

The Talbot fonds also include a Register or Lease Book ([F 501-2](#)). It has information on leases in ten townships where Talbot oversaw settlement: Aldborough, Bayham, Charlotteville, Dunwich, London, Malahide, Southwold, Townsend, Woodhouse and Yarmouth. This register is not indexed in the OLRI. See the [series description](#) for more information on this record and how to find and use it.

### **Records Relating to the Peter Robinson Settlers**

In 1823, as a form of poor relief, the imperial government began a program to help individuals from southern Ireland to immigrate to Canada. The settlement of these immigrants was entrusted to the civil administration of Upper Canada. Peter Robinson, the brother of Attorney General John Beverley Robinson, was put in charge of organizing and supervising the undertaking. He helped with two waves of immigration. The first group of immigrants, arriving in 1823, were located largely in the townships of Ramsay, Huntley, Pakenham, and Goulbourn in the Bathurst District of Upper Canada. A second, much larger, group of immigrants was brought over in 1825, locating in townships in the Peterborough area, most notably in Douro, Otonabee, Asphodel, Smith, Emily, Ennismore and Ops.

Immigrants were given free transportation to Upper Canada, provisions during the voyage and for an additional year following their location on the land, and the tools and utensils required for settlement. Each male immigrant between the ages of 18 and 45 was to receive a location ticket for 70 acres of land, with the option of purchasing another 30 acres at a later date.

The Peter Robinson fonds ([F 61](#)) has microfilmed records from the [Peterborough Centennial Museum](#). The museum's collection has:

- lists of immigrants by ship (1823) and embarkation cards for 1825
- alphabetical lists of immigrants by township, giving birthplace locations in Ireland and lists specifying the tools, livestock and clothing granted
- applications from intended immigrants, arranged alphabetically and often with letters of recommendation.

The Archives has original records with correspondence from settlers that Peter Robinson had assisted and who were now writing to him for more help. For more information about these records, consult the Virtual Reading Room database, available in the Reading Room. It has a detailed list of the correspondence and copies of ship passenger lists. The Peter Robinson settlers listed in this fonds are indexed in the OLRI.

Other records that Peter Robinson created are in the Crown land records listed in Table 6, below. The records in [RG 1-84-0-2](#) are indexed in the OLRI.

**Table 6**

Reference Code	Title of Series / Sub-Series	Dates
<a href="#">RG 1-162</a>	Fiats for land grants – Peter Robinson settlers	1833-1862
<a href="#">RG1-84</a>	Returns of settlers in the Newcastle District	[ca. 1836]-1869
<a href="#">RG 1-163</a>	Records relating to the Peter Robinson settlers	[ca. 1823]-1835

## 5. Township Papers

The series of Crown land records called “the Township Papers” ([RG 1-58](#)) are a miscellaneous collection of documents about land. The staff of the Ontario Department of Lands and Forests brought these records together as a way to sort and arrange otherwise unrelated land records. The records date from ca.1783 to ca.1870. If an individual document dealt specifically with a particular piece of property and did not appear to fit within another records series, it was placed within the Township Papers. After the department transferred the series to the Archives, our archivists continued to file miscellaneous material within the series.

The Township Papers include copies of orders-in-council, location certificates and tickets, assignments, certificates of settlement duties, correspondence and some wills. The records are arranged by township, town, or village and, within each township, by concession and then lot number. Once you know the particular lot of land the settler was granted, it is worth looking at the Township Papers since there may be records on the lot in question that will provide information about the settler. This series is available through [interloan](#) or in the Reading Room on microfilm.

## 6. Land Descriptions, Surveyor’s Notes and Diaries, and Crown Lands Correspondence

### Descriptions

The Crown produced a description of the land after it had been granted to an individual or corporation. See the series titled Descriptions of Land Grants, Leases, Sales, Assignments and Licenses of Occupation ([RG 1-53](#)) to find:

- “metes and bounds” (metes and bounds refers to an ancient system, still in use in some jurisdictions, for objectively measuring real property from recognized landmarks to place it precisely in a description to be used in legal documents like a deed) of a particular grant of land
- some (or all) of the following information: the name of the grantee (or assignee), place of residence and profession, name of the original nominee, reason for the grant (e.g., as a discharged soldier), relationship between the nominee and the grantee, location of the lot granted (lot, concession, township), number of acres, details on clergy reserves, date of the order-in-council, date of location ticket, surveyor general's fiat number, warrant number, description number, and details on the performance of settlement duties.

The descriptions are arranged by the more than 30 different types of land grants and leases in existence at various times. See the [sub-series descriptions](#) for more information. Domesday Books ([RG 1-63](#)) can serve as indexes to the Descriptions and the Lists and Indexes to Descriptions in [RG 1-53-1](#).

### Surveyor Notes and Diaries

The Crown land survey diaries, field notes and reports ([RG 1-59](#)) are another source of information about the details of the land granted to a settler or corporation. Each surveyor was directed to keep a diary and a field book that documented vegetation cover, topography, soil type and remarks on the suitability of the land for agriculture. The records are grouped together by geographic location/general subject. The Archives does not have all the surveyor diaries and field notes. The Crown Surveys Office of the Ministry of Natural Resources, located in Peterborough, Ontario has a large number of them. To use these records, contact the [Ministry of Natural Resources in Peterborough](#).

### **Crown Lands Correspondence**

Correspondence of the surveyor general and his successor as commissioner of Crown lands can be a valuable source of information about a particular piece of land or individual settlers or corporations in Upper Canada. Correspondence from and to the surveyor general commissioner of Crown lands covers all aspects of land administration. There are letters from individual settlers.

Much of the correspondence is arranged in chronological order. However, if you do not know the date of a possible piece of correspondence, check the Crown Land Papers Card Index (available on microfiche in the Reading Room). This catalogue indexes mainly records from the series Correspondence and Memoranda that the Surveyor General Received Concerning Surveys and Land Administration ([RG 1-2](#)) that were created between the late 18<sup>th</sup> century and 1868. However, not all the correspondence created during this period was indexed. The Crown Lands Paper Card Index has a brief description of the piece of correspondence and a reference to the volume in which the correspondence is found. The index terms include: the names of correspondents, townships, counties, districts, etc.

Crown land correspondence can be found in several series of records. Some of the earlier correspondence is found in Table 7, below:

**Table 7**

Reference Code	Title of Series / Sub-Series	Dates
<a href="#">RG 1-1</a>	Correspondence and memoranda received by the Surveyor General's Office	1764-1800
<a href="#">RG 1-2</a>	Correspondence and memoranda received by the Surveyor General relating to surveys and land administration	1777-1905
<a href="#">RG 1-3</a>	Outgoing correspondence from the Surveyor General's Office	1792-1908
<a href="#">RG 1-4</a>	Register of memorials, petitions, and letters referred to the Surveyor General's Office by Government House	1833-1836
<a href="#">RG 1-6</a>	Outgoing correspondence from the Office of the Commissioner of Crown Lands	1827-1874
<a href="#">RG 1-7</a>	Registers of letters received by the Commissioner of Crown Lands	1837-1869

## 7. Maps and Plans

The Archives has maps and plans dating to the early settlement of Upper Canada, and before. Check with a reference archivist for further information on the maps and plans included in this research guide and other maps and plans at the Archives.

Most maps and plans documenting early land distribution and occupancy were prepared for the Crown. Maps produced by the Surveyor General's Office of the Department of Crown Lands are either at the Archives or the Crown Survey Records Office of the Ministry of Natural Resources, located in Peterborough, Ontario. The Crown Survey Records Office has the main group of Crown land maps. These include records like original town and township surveys, road and exploration surveys, maps of Indian lands and resurveys of disputed boundaries.

For legal purposes, the maps and plans at the Crown Survey Records Office are considered to be the first, or the official, map or plan. The Archives has mostly those maps and plans that, for legal purposes, are considered to be copies.

### Survey Plans of Townships

Early survey plans of townships show the lot and concession gridlines. Often, however, plans were used as office or working copies and other information was written on them. Different colours of ink were used to identify Crown and clergy reserves, swampy areas, and bodies of water: grey for clergy reserves, red for Crown reserves, a yellowish green for swamps and blue for water. Often, occupants' names were written over the survey grids.

Survey plans showing lots and concessions, and with other information written on them are in the Archives' Township Plan Collection ([C 277](#)) and in the government series called the Ministry of Natural Resources Township Survey Plans ([RG 1-470](#).)

### Patent Plans

Patent Plans ([RG 1-100](#)) are another important record created to record the distribution of Crown lands. Patent plans show the status of alienation of Crown lands ("alienation" here refers to the act of transferring property or title to it from one to another). Was a lot patented, leased, or under a licence of occupation? When a lot, or a portion of a lot, was patented, the name of the patentee (the grantee) was written on the plan in the appropriate place. Sometimes, other information was recorded, such as the order-in-council number, the licence of occupation

number or a lease reference. Different colours of ink identified Crown reserves (red ink) and clergy reserves (grey ink).

If a name is mentioned on a particular lot of land on a patent plan, this does not guarantee that the person received the patent. In conducting your research, you will find it useful to look at patent plans together with text records like land petitions and the index to land patents. There are approximately 5,600 patent plans.

### **Other Maps and Plans**

In addition to maps created as part of the surveying and land granting process, the Archives' collections have various maps that document land use and occupancy. For example, one of these collections has a series of county atlases published in the late 1870s. These atlases show the names of the occupants of individual lots. The atlases are available on microfilm in the Archives' Reading Room and through microfilm [interloan](#). Around the year 2000, bound re-editions were published and are in the Reading Room.

Joan Winnearl's book *Mapping Upper Canada, 1780-1867: An Annotated Bibliography of Manuscript and Print Maps* (Toronto: University of Toronto Press, 1991) lists maps produced between 1780 and Confederation (1867). Please consult a reference archivist for information about using this volume or the map collections at the Archives.

## **8. Acquiring Ownership of the Land: The Patent**

To find out if a settler received the official title of land from the Crown, check the land patents. The Crown issued the patents once the administrative fees were paid and the settlement duties were completed. Land Patent Books, 1793-1984 ([RG 53-1](#)) have copies of letters patent. Indexes to the patent books include the Index to Land Patents by Township, 1793-1852 ([RG 53-55](#)) and the Index to Land Patents by Name, 1826-1967 ([RG 53-56](#)). They are available on self-service microfilm in the Reading Room and through microfilm [interloan](#). The Indexes have the name of the patentee, the date of the patent, the lot and concession number, the township, the type of transaction, the liber (book) and folio (page) numbers where the patent was located in the original patent books and the number of acres obtained. Typically, there is no additional information on a settler in the patent books. There is a pathfinder in the Reading Room.

## **9. Land Registry Office Records**

Once the patent for a particular lot of land was issued, any future transactions on that piece of property are documented in the Land Registry Offices (LRO). A land registry system was established in Ontario in 1795 to document land ownership. Under this system, land transactions are registered in county, district, and regional LROs. There are a variety of records that document land transfer ownership from and to individuals or corporations. To find out more about these records, please consult *Research Guide 215: Finding land registration records*.

## 10. Further Reading - Resources on Early Land Settlement

The following book and articles provide more information on Crown Land Records:

### Books

- Clarke, John. [\*Land, Power, and Economics on the Frontier of Upper Canada\*](#). Montreal and Kingston: McGill-Queen's University Press, 2001.
- Coleman, T. [\*Canada Company\*](#). [Stratford, Ont.] : Published by the Corporation of the County of Perth in Co-operation with the Perth County Historical Board and Cumming Publishers, 1978.
- Gates, Lillian F. [\*Land Policies of Upper Canada\*](#). Toronto: University of Toronto Press, 1968.
- Merriman, B.D. [\*Genealogy in Ontario\*](#). Toronto: Ontario Genealogical Society, 2002
- Winearls, Joan. [\*Mapping Upper Canada, 1780-1867: An Annotated Bibliography of Manuscript and Printed Maps\*](#). Toronto: University of Toronto Press, 1991.

### Published Articles

- Elliott, Bruce S., and Fawne Stratford-Devai. "Upper Canada Land Settlement Records: The Second District Land Boards, 1819-1825." [\*Families\*](#) 34, no. 3 (1995): 132-37.
- Gundy, H. Pearson. "The Family Compact at Work: The Second Heir and Devisee Commission of Upper Canada, 1805-1841." [\*Ontario History\*](#) 66, no. 3 (1974): 129-46.
- Kennedy, Patricia. "Deciphering the Upper Canada Land Books and Land Petitions." [\*Readings in Ontario Genealogical Sources\*](#). Oakville, Ont.: Conference on Ontario Genealogical Sources, 1979: 41-64.
- Mezaks, John. "Records of the Heir and Devisee Commission." [\*Families\*](#) 16, no. 4 (1977): 199-206.

### Archival Documents

Table 8

Reference Code	Title of Series / Sub-Series	Date
<a href="#">RG 1-12-3</a>	Reports relating to the Surveyor General's Office made to the Commission to Investigate and Report to the Public Departments	1839



# MAKING CONTACT

## *Ready and Willing*

Although unable to do your land records research for you, our reference archivists are waiting to assist you. You may telephone or write to them by mail or email or — best of all — visit the Archives of Ontario.

### **Contact us**

**Telephone:** 416-327-1600 Toll free (Ontario): 1-800-668-9933

**Fax:** 416-327-1999

**Email:** [reference@ontario.ca](mailto:reference@ontario.ca)

**Address:** Archives of Ontario, 134 Ian Macdonald Blvd., Toronto, ON M7A 2C5

### **Website**

For information about the Archives' holdings, as well as access to research guides and other customer service materials available through the Archives of Ontario, please visit our website [www.ontario.ca/archives](http://www.ontario.ca/archives).

### **Customer Service and Research Guides**

The Archives of Ontario has published a series of in-depth research guides on a variety of specific topics. For more information, please see "Research Guides and Tools" under "Accessing Our Collection" on the home page of the Archives website.

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