



Your Family Tree: 30

Land Registry



What is the PRONI Land Registry archive?

After the establishment of the Ulster Plantation, c.1610-1640, the farmers and labourers of the six counties of Northern Ireland, settlers and natives, lived as rent-paying tenants on about 2,500 landed estates owned by different landlords. The basic structure of rural landownership and occupancy in the region changed little (the number of estates increased) until Land Acts passed between 1869 and 1925 arranged for ownership of fee simple (**see glossary**) to be transferred from landlord to tenant. Papers created by the administration of these Acts, mostly arising after the Land Act of 1891, form the Land Registry archive, named after the Office where they were retained till the 1980s.

The bulk of the documentation relates either to investigations of estate title or to the administration of tenant purchases carried out by the Land Commission (1881-1903), the Estates Commissioners (1903-1923) and the Land Purchase Commission N.I. (1924-1935), in respect of the various landed estates. The archive contains original deeds of estate title, transcripts and copies going back to the 17th and 18th centuries, together with a range of documents reflecting the making of title by the state in respect of holdings belonging to the new class of landowning farmers.

What was Land Purchase and Land Registry?

From 1869 to 1925, a series of statutes enabled tenants to buy farms from their landlords. Sales were slow until tenants were provided with the entire purchase money on mortgage after 1885. By 1891 approximately 12,000 farmers had bought their farms in Northern Ireland. The Wyndham Act of 1903 crucially speeded up the process. By 1935 agents and solicitors for some 4,200 landed estates in the six counties of present-day Northern Ireland (half of which were less than 200 acres in size) had negotiated, under State supervision, with about 110,000 tenant-farmers for the purchase of their holdings.

The new owners needed evidence of title for business and other purposes. Until 1891 it was expected that small purchasers would make use of the Registry of Deeds (Dublin) to register instruments of title and conveyance. This was found impractical in the case of many smallholders, however, and the Local Registration of Title Act (1891) set up a new system of state-guaranteed title to simplify future dealings in land. Under the Land Act of 1891 registration was made mandatory for all new purchasers taking advances from the state. It is estimated that around 75% of land in present-day Northern Ireland was registered by 1935. About 5,000 farmers in the North already held their land on perpetual lease of some kind by the 1870s and had no reason to purchase and thus were not recorded on folio in Land Registry. Almost all of the land in villages, towns and cities was held on long lease or on fee farm grant (**see glossary**) and was not registered.

Opening Hours

Mon-Wed and Fri 9:00am-4:45pm
Thurs 10:00am-8:45pm
(Please check in advance for
late evening opening)

Public Record Office of Northern Ireland
2 Titanic Boulevard, Belfast, BT3 9HQ

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Web-site: <http://www.nidirect.gov.uk/proni>
e-mail: proni@communities-ni.gov.uk

What kind of information might I find in this archive?

The transfer of land from landlord to tenant necessitated detailed scrutiny of title deeds (**see glossary**) to the landed estates, together with the inspection and demarcation of tenant holdings going into purchase. Much of the work of the Land Commission (Ireland & N.I.) was first an endeavour to consolidate and make sense of title prior to sale, clearing up practical problems in dispute at the point of sale, allocating ownership of a range of rights and claims attached to the lands and dealing with a multiplicity of problems ensuing after sale, while the state collected annuities from the new owners. Papers in many Land Registry bundles include conveyances, mortgages, wills and other deeds of title going back to the 17th century; schedules and abstracts of title; inspector's reports on estate valuations and tenant solvency; estate maps (which were the basis for Land Registry maps); administrative papers relating to the sale; vesting orders; agreements for sale; and maps of shares in turbary.

How is the archive organised?

The papers relating to each estate sale are held in bundles. The first part of the reference number of each document is **LR1**. The number of the box in which it is stored is added to this reference. Thus **LR1/1** is the first box in the collection, **LR1/2** the second box and so on. About 5,000 bundles, or estate-sales, are held in 2,500 boxes. A third digit in each reference indicates the number of a folder in a box containing papers reflecting more than one estate-sale, i.e. **LR1/1/1** or **LR1/1/2** etc.

A pro-forma catalogue describes items to be found in each bundle. Box references are elaborated further for this purpose under the letters **A**, **B** or **C**. **A** relates to administrative documents accumulated in the course of the sale of tenancies on an estate. Schedules of tenancies specify rents paid by the tenantry. Surveyors' reports include information on the boundaries of holdings. Inspectors' reports describe type of land, quality of soil, turbary rights and the existence of mineral deposits. **B** contains title deeds relating to the tenure of the estate. **C** relates to wills and testamentary papers. Each letter may be further numbered according to sub-types of document. Accordingly the overall reference for papers arising out of the sale of the estate of M.A. Stewart, County Armagh, is **LR1/716/2/A-C** and the reference for the Originating Application is **LR1/716/2/A/1**.

Approximately one-fifth of Land Registry papers was created under the pre-1903 Land Acts (stamped **LJ**). About one-third, marked **EC**, was created under the 1903-1909 Land Acts. The rest, about half, stamped **NI**, was created after 1925.

Land Registry Indexes located in the Public Search Room list the appropriate box and sales references for each estate, cross-referencing estate name, box number and NI record number. The only way to find information on a specific tenancy is to search the bundle or bundles produced by estate sales from the relevant estate. Large estates were sold often in a number of blocks at intervals over the entire period of land purchase.

Items described above are not issued separately. The researcher identifies the estate relevant to the sale of a specific tenancy (using Griffiths Valuation and the Valuation Revision Books, see **Your Family Tree 20** & the PRONI website <https://www.nidirect.gov.uk/proni>), finds the **LR1** box number in the Search Room **LR** index

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and calls up the pro-forma breakdown of contents for the box by entering the box reference (i.e. **LR1/716**) on the Search Room Ordering System. The researcher then orders the first listed item (or any other item) relating to the estate in question on the S.R. Ordering System (i.e. **LR1/716/2/A/1**) and is provided with the Land Registry box in which the bundle of documents arising out of this sale is stored.

What records should I consult, if the land is unregistered?

No map of unregistered land has been created. However, the researcher can apply to Land Registry (NI) to see if a piece of land *has* been entered on folio and determine the status of the land that way. A quarter of tenant purchases made before 1891 were voluntarily registered by about 1898 (the others remained unregistered). 85% of agricultural holdings and 75% of NI land-area was registered by 1935. Land in urban areas up to 1935 was largely unregistered. There were few new registrations anywhere after that date so the area of registered land remained stable until 1996-2003 when it became compulsory to register sales or inheritances, first in selected council areas, then all over Northern Ireland. Transactions involving unregistered land were previously dealt with by lodging transcriptions (or *memorials*) of the legal instruments involved with the Registry of Deeds (NI). PRONI holds a complete set of memorials and indexes on microfilm covering records in the Registry of Deeds from 1708 to 1922 (MIC311). For further information, please see **Your Family Tree 17**).

Where else might I find Land Registry records?

Material relating to land purchase and registration can be found in other PRONI archives, deriving from the work of the Land Commission or other bodies. These include indexes and correspondence from the Land Judges Estate Court (FIN/4/1-3); case-files, deeds of charge, vesting and charging orders, registers from Land Purchase Annuities Branch (FIN/10/1-8); Church Temporalities (see **Your Family Tree 3**) deeds and files (FIN/10/9-10); Evicted Tenants' files and lists (FIN/23/4); Land Judges' Maps (FIN/23/5/3); Estate Commissioners' Files (FIN/23/5/6); Land Law Act files, 1921-25 (FIN/40/1); Land Purchase Commission estate analysis files (FIN/48/3, 8, 9); Land Purchase Commission maps (FIN/48/7); Quit Rent Office files (FIN/49); Land Purchase Commission instruments (LPC/1 to 1439); and Land Registry transcripts of indentures (T810).

Glossary of Terms

Title Deed is a legal document which demonstrates a chain of ownership leading to a current owner, together with evidence of extant interests and entitlements over the property.

Fee Simple is the highest interest that can be held by an individual, meaning full power to dispose of property at will. It is also known as freehold tenure.

Fee Farm Grant is an instrument of title that amounts to effective freehold tenure subject to a perpetual rent. It is like fee simple in conveyancing practice and for that reason the Renewable Leasehold Conversion Act of 1849 (Ireland) permitted leaseholders to turn perpetual leases into fee-farm grants, greatly increasing the amount of urban and other land under such tenure in Ireland.

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