

ALL IRELAND SOURCES NEWSLETTER

A Monthly Newsletter: Editor: Terry Eakin, 38 Cabarita Road, CONCORD NSW 2137

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Introduction: ‘All Ireland Sources’ is a monthly newsletter distributed free by E-mail to Family History Societies and interested researchers near the end of each month. Distribution by Australia Post will cost 50 cents/month (\$6.00 annually). The aim is to bring items of interest regarding Irish record sources to the Australian genealogist through family history societies and groups. Last month we looked at “**Irish Repositories on the Internet**” and “**School Records for Ireland in the National Archives**”. School Records in PRONI has been held over waiting for an update. This month we examine the “**Registry of Deeds**” and “**Land Records**”.

The **Registry of Deeds**, Henrietta Street, Dublin 1, Republic of Ireland holds a massive collection of deeds, memorials, leases, conveyances, wills, etc. from 1708 and an **Index to Place Names 1708-1947**. This archive is more complete and better indexed than similar Registry of Deeds in England and Scotland. Abstracts of approximately 2,000 wills in the Registry of Deeds 1708-1827 have been published by the Irish Manuscript Commission in three volumes. These extracts were prepared by Mrs. P. B. Phair.

The Church of Latter Day Saints Family History Libraries throughout Australia have the Indexes 1708-1929 and the Memorials 1708-1929 available on microfilm for viewing by researchers. In Ireland the Registry of Deeds (Dublin) and Public Record Office of Northern Ireland (PRONI) [Belfast] have the Indexes 1708-1929 and the Memorials 1708-1929 available on microfilm. The National Library of Ireland (NLI) has the Indexes 1708-1929 but not the Memorials.

The Registry of Deeds was legislated by the Irish Parliament in 1708 to prevent Roman Catholics from owning land directly. The Registry of Deeds, Dublin, was established both to reinforce the penal enactments against Roman Catholics holding land and to reduce malpractices in land transactions. The Act founding the Registry was vague as regards what might be registered and so not only land ownership changes were recorded (lease, mortgage, conveyance and rents), also various interests were recorded (such as annuities, wills, tithes, rights of way, dissolution of partnerships and game rights).

In one respect the Act was specific: it excluded from registration all leases not exceeding 31 years, and thus, at least in theory, Roman Catholics were denied the legal protection which registration afforded until the dismantling of the penal code in 1778 and 1782. Therefore pre-1782, few Roman Catholics will be recorded in this source.

The early registrations cover the transfer of land from Anglo-Norman and Irish populations to the Protestant Anglo-Irish which had taken place during the Cromwellian and Williamite confiscations in the preceding century. The function of the Registry was to provide legal title in the event of a dispute. The majority of the early transactions recorded relate to property owning members of the Church of Ireland.

The Registry kept ‘memorials’, complete copies or detailed abstracts of documents registered. PRONI has microfilm copies of the memorials. A less detailed record was kept in abstract books; dates of registration, memorial and volume numbers, the names of grantors and grantees, any sum of money involved, and the name, description, and situation of the premises. PRONI has a fairly complete set of these transcript books 1708-1929 on microfilm, with only a few gaps, under the reference **MIC.311**.

The Registry of Deeds has the complete archive available. Note that none of these records were destroyed in the Public Record Office fire in 1922.

The **Grantors' Index**: Between 1708 and 1832, the registry kept a names index, arranged within years under the grantor's surname and giving the first grantee's surname. After 1832, the county, city or town in which the lands were situated and the year of registration are given. In 1833, land indexes were commenced and kept up to 1875. They are arranged by county and some cities and towns. If the volume and page number prove incorrect, look in the volumes either side of the one listed using the deed number (these are entered numerically but not consecutively) as several volumes were in use by the clerks at any one time.

The **Lands Index**: One land index series arranged the townlands alphabetically by barony; another series is arranged by county and townland (both indexes give ready access to records of townland transactions). PRONI has an incomplete set of names index volumes running up to 1940 but particularly good for the 18th century; and a complete set of land indexes up to 1869 with an imperfect run of volumes for 1869-74. It also holds separate land indexes, 1833-74, which record under street names the transactions in cities and towns with municipal corporations.

The information given in the Lands Index is brief, recording only the names of the two parties, as well as the volume, page and deed numbers. As with the Grantors' Index, the Index is divided into a number of sets covering different periods. After 1828, the Index further subdivides the townlands into baronies, making research easier. Along with the county volumes, there are separate indexes for corporation towns and cities. The subdivisions in these are complex, particularly in the city of Dublin (refer to Grenham's Irish Recordfinder for more details).

Note that a researcher cannot use these records to follow the history of any one property as some transactions may not have been registered as registration was voluntary.

In 1849, the **Encumbered Estates Commissioners** were established to authorize the sale of estates burdened by encumbrances and to give purchasers a title which could not be challenged in law. In 1858, the **Landed Estates Court** replaced the Commissioners. Many of the encumbered estates rentals, describing the land, giving the date of sale, the names of tenants and the terms of leases are available in PRONI, although the most complete set is in Dublin. Printed Rentals are available for some 3,000 estates with coverage fullest for county Galway.

The records of the **Irish Land Commission**, recording the implementation of the 1881 Land Act and subsequent Acts, contain valuable information regarding land tenure over many years. The files contain details of farm size, the value of land, the size of the family in occupation and its circumstances. PRONI has the files for the six counties of Northern Ireland. They are catalogued and available. For the Republic, the ILC records are held in the National Archives Dublin but are not available for inspection.

Registration of Deeds: After a deed had been signed and witnessed, one of the parties to it had a copy made (this copy known as a "memorial"), signed it and had it witnessed by two people, one of whom at least had been a witness to the original.

This "memorial" was then sworn before a Justice of the Peace as a true copy of the original and sent to the Registry of Deeds. At the Registry the "memorial" was transcribed into a large manuscript volume, and indexed. These large manuscript volumes of transcripts are used for research by genealogists. The original "memorial" was retained and stored. These are still available in the basement of the Registry of

Deeds.

Registration of a deed normally took place soon after it was executed, within a month in most cases, though delays of up to a year or two are not uncommon. If the gap between the execution and the registration of the deed is much more, this may indicate a need for one of the parties to the deed or their heirs to be able to show legal proof of its execution. This could mean the death of one of the parties to the deed.

General: Counties Antrim, Down and Monaghan were excluded from the plantation of the province of Ulster; the other six counties were planted. 19 of 40 landed estates in Ireland with annual rentals greater than £20,000 were in the province of Ulster. These are available in PRONI. Landed estate records, particularly the rent rolls, which list the tenants on the estate, are a useful source of genealogical information. These landed estate records in PRONI cover the records of the landlord's estates elsewhere in the provinces of Connaught, Leinster and Munster and are indexed and catalogued.

For example, the Downshire Estate was administered from the 60,000 acre estate near Downpatrick, county Down. These records include the Downshire estate records for 13,000 acres at Edenderry, Queens (Leix) county and 16,000 acres at Blessington, county Wicklow. Similarly other Ulster estates included estates in the other provinces.

The names of the landlords in particular areas can be found by referring to the printed valuation books for 1860 where the landlord's name normally appears in the column headed "lessor". These rental rolls are the easiest estate records to use. The landowner of an estate was often a member of the nobility, landed gentry or Church of Ireland clergyman. Land was also held by the Church of Ireland, London guilds (e.g. Skinners, Goldsmiths, Fishmongers, Grocers, Haberdashers, Mercers, Vintners, Salters, Drapers, etc). Most of these guild records are in London but some are in PRONI.

Private estate archives are major sources of genealogical information. In general the best order in which to consult the different types of estate records for genealogical searching is:

- (i) **rent rolls:** which normally list the tenants, townland by townland;
 - (ii) **leases:** which give the tenant's name and probably those of some of his children, with their ages, if it should be what is known as a 'lease for lives'; these were common in the 18th century because if landlords granted tenants leases for lives they qualified as freeholders and were entitled to vote and this strengthened the political 'interest' of the landlord;
 - (iii) **rent ledgers:** showing how much and when each tenant paid his rent;
 - (iv) **maps:** which are usually on a large scale of about 6 inches to 1 mile and plot tenants' holdings;
 - (v) **wages books:** in which will be found the names of estate labourers and household servants and gardeners who may not appear as tenants;
 - (vi) **land agents' note-books:** where sometimes a page is devoted to a tenant and his family, giving personal details of children and character or an observation that a tenant had 'gone to America';
 - (vii) **land agents' letters:** since these are usually unindexed they are not easily used but contain a lot of family detail.
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Land Registers in Northern Ireland: Details of property ownership in Northern Ireland are recorded at the Land Registry Office, Lincoln Building, 27-45 Great Victoria Street, Belfast.

For further information, go to the Public Record Office of Northern Ireland on the Internet at: <http://proni.nics.gov.uk/index.htm> and look at the introduction. Select "Records of Private Individuals" and these will be listed from "The Abercorn Papers (D/623)" to "The Verner/Wingfield Papers

(D/2538)". Click on any of these larger collections and around 15-30 pages will describe the collection of records and some include photographs of the family members. Not all these collections relate solely to landed estates. This site provides quick connection to other archives including the National Archives of Ireland for further research.

Irish Gravestone Inscriptions: During 1999 I propose to commence compiling a listing of Irish monumental inscription publications held in Australia. This would make it easier for Australians to access these records locally instead of having to chase them in Ireland. I am proposing to make the database county based, then identify each graveyard within the county, religion, parish, townland location (if known), form (book, fiche, etc.), location within Australia (library & reference) and comments. Should anyone have any suggestions, or advice, relating to this project, these would be welcomed. Please contact Terry Eakin by 31 March 1999.

THE IRISH At Home and Abroad. A Journal of Irish Genealogy and Heritage published in the USA is available by contacting Perry McIntyre at McIntyre Research, 35 Myahgah Road, MOSMAN NSW 2088, telephone (02) 9969 7142 or fax (02) 9968 2874. This is included herein due to the number of enquiries regarding subscriptions. It is a quarterly publication.

Articles, suggestions or information for this newsletter may be E-mailed to: teakin@chilli.net.au, or posted to Terry Eakin, 38 Cabarita Road, Concord NSW 2137.
