

# A Guide to the Correspondence regarding escheated Lands, from the Virginia Land Office, 1813-1868

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## History

**Processed by:** Daphne S. Gentry

## Title Statement

A Guide to the Correspondence regarding escheated Lands, from the Virginia Land Office, 1813-1868

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**Author:** Claire Radcliffe

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## Profile Description

**Creation:** Machine-readable finding aid derived from created in EAD by Claire Radcliffe, 4 December 2014

**Language Usage:** Description is in English

## Descriptive Summary

**Accession Number**

LOI 20

**Language**

English

**Creator**

Virginia. Land Office

**Extent**

.675 cu ft (2 boxes)

**Repository**

The Library of Virginia

## Administrative Information

### **Access Restrictions**

There are no restrictions.

### **Use Restrictions**

There are no restrictions.

### **Acquisition Information**

Accession LOI 20 transferred by the Secretary of the Commonwealth, 1948.

### **Preferred Citation**

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## **Historical Information**

The act which established the previous Land Office passed the General Assembly on 22 June 1779. The register was the head of the Office and was appointed by joint ballot of both houses of the legislature.

Escheat is a common law doctrine put in place to ensure that property is not left in limbo and ownerless after the death of its owner. A parcel of land is escheated, or transferred to the state, when a person dies intestate (without a will or rightful heirs). In the Commonwealth of Virginia, each locality had an escheator who kept track of ownerless land. The escheator was required by law to publicize the possible escheat of land in a newspaper or at the county courthouse. Once it was determined that a parcel of land had no rightful owner, the escheator reported the escheat to the Register of the Land Office. In some cases, an inquisition was held by the local escheator to determine whether any heirs existed or whether the heirs had rightful title to the land in question. After the county and city escheators reported to the Register of the Land Office, the Register was required to forward the information directly to the governor.

## **Scope and Content**

These records contain correspondence on lands which reverted or escheated to the commonwealth upon the death of an owner without an heir. These lands could be sold in the locality after proper notice had been given. The series of correspondence consists of information sent to the register that such notice had been given, either in the form of copies of the newspaper advertisements or affidavits to the effect that advertisements had been placed. The notices would run once a week for six weeks in newspapers such as the National Intelligencer, the Richmond Enquirer, or the Richmond Whig. There are also some notices of impending inquests to determine if a tract had been escheated as well as some certificates of sales on escheated lands.

## **Arrangement**

This collection is arranged into the following series:

- Series I. Correspondence Regarding Escheated Lands, 1813-1868;
- Series II. Register of Escheated Lands, 1819-1869.

## **Contents List**

### **Series I. Correspondence Regarding Escheated Lands, 1813-1868.**

**Boxes** 1 (box)

#### **Extent**

Extent: 3 folders.

#### **Scope and Content**

The first series consists of correspondence, arranged alphabetically by locality. The first folder contains items regarding escheated lands in Amelia, Berkeley, Brooke, Lewis, Cabell, Charles City, Chesterfield, Fairfax, Frederick, Gilmer, Halifax, Hampshire, and Harrison Counties, as well as Writ and Randolph counties and the towns of Manchester and Colchester, dated between 1813 and 1857. The second folder contains items from King William, Lewis, Logan, Middlesex, Northampton, Page, Pendleton, Prince Edward, Putnam, Randolph, Southampton, Wood, and Wythe counties, dated between 1813 and 1860. The third

folder contains items from Alexandria, Berryville, Petersburg, Richmond, and Staunton, dated between 1818 and 1867.

**Arrangement**

Alphabetical by locality.

**Series II. Register of Escheated Lands, 1819-1869.**

**Boxes** 1 (box)

**Extent**

Extent: 1 vol.

**Scope and Content**

The second series contains a register for escheated lands, with the front cover and some of the early pages missing. The entries are numbered, starting the first complete at entry at 19 and running through entry 92. Each entry includes information on the lot, the escheatment process, and the eventual disposal of the land. The entries are in chronological order and dated between 1819 and 1869.

**Arrangement**

Chronological