



Salt Lake County
records management
& **ARCHIVES**

Salt Lake County (Utah). Probate Court Land Claim Record Books, 1871-1894

Series # PC-010

Processed by: Ronda Frazier
Date Completed: March, 2009

Salt Lake County Records Management & Archives
4505 South 5600 West
West Valley City, Utah 84120
(801) 963-7330
E-mail: archives@slco.org
Website: www.archives.slco.org

Overview of Records

Creator:	Salt Lake County Probate Court
Title:	Land Claim Record Books
Dates:	1871-1894
Series Number:	PC-010
Quantity:	10 Microfilm Reels and 9 volumes in 3 boxes (2 F21, 1 F24 = 2 cubic ft.)
Arrangement:	Declaratory Statements and Docket A are numerical by statement number; Record of Court Hearings is chronological; and Records of Adjudication are numerical by land title certificate number.
Abstract:	Official record of the procedure by which occupants of land in Salt Lake City could obtain title to their land.

Administrative Information

Access Restrictions:	None
Use Restrictions:	None
Preferred Citation:	Volume title and page number; Box or reel number; Land Claim Record Books, 1871-1894; Salt Lake County Probate Court; Salt Lake County Records Management & Archives, West Valley City, Utah.
Provenance:	Transferred from the Utah State Archives in 2001
Related Records:	Land Title Certificates, Series PC-001 Contains certificates of land title issued to Utah settlers, by the Probate Court of Salt Lake County, establishing legal title to their land.

History Note

During the 19th century the federal government pursued a policy of transferring land in the public domain to private ownership as rapidly as possible. This policy was designed to encourage western expansion. Federal laws governing land distribution were already in place before Utah settlement. At settlement, Brigham Young and the territorial government established a system of land distribution, which is documented by territorial land records, but which did not comply with federal

laws. For the first 22 years after settlement, land ownership was based on Utah territorial land policies. The Utah Territorial Assembly governed land ownership in Utah and established methods of surveying and acquiring title. These practices and the documents they created were recognized in Utah Territory, but did not provide Utah settlers with federally recognized legal title to land.

Reconciliation between the territorial and federal land distribution systems required Congressional legislation to establish a land office in Salt Lake City, integrate Utah Territory into the national land system, and provide relief to the inhabitants of cities and towns on the public domain. The federal government opened a land office in Salt Lake City on March 9, 1869.

Relief for the Inhabitants of Cities and Towns

Prior to opening the land office, Congress addressed the issue of providing legal title to the owners of town lots in already surveyed towns. In March 1867 Congress passed an “Act for the relief for the inhabitants of cities and towns on the public domain.” This act provided that a mayor (for incorporated towns) or the county probate judge (for unincorporated towns) should enter town site lands at the land office and purchase them for the benefit of all inhabitants. Congress further specified that the territorial legislature should prescribe rules by which these lots would be disposed to individuals. Pursuant to this law, the Utah Territorial Legislature established regulations for disposing of town site lands. Within 30 days after making the entry, the judge or mayor was to give public notice and advertise the land he had entered. Every person, association, or corporation claiming to be a rightful owner of any part of this land was required within six months to present a claim to the probate court. In cases of adverse claims, the probate judge was required to “decide according to justice in the case,” and when claims were undisputed, to determine the validity of the claim. The probate judge or mayor was then required to issue a certificate authorizing a deed to be recorded.

Excerpts taken from Utah State Archives’ Research Guide: “Original Land Titles in Utah Territory.” See <http://archives.utah.gov/research/guides/land-original-title.htm> for complete text of this guide.

Scope and Content Note

These volumes record the procedure by which occupants of land in Salt Lake City could obtain title to their land which was classified as part of the public domain. The procedure was established under the Federal Townsite Act of 1867 and amended for Salt Lake City’s larger land base in 1870.

Three volumes of declaratory statements show statements filed by individuals to claim ownership. One volume records a court hearing to determine land ownership. The outcomes of the hearings were recorded in four volumes of adjudication records. The final volume in the series constitutes a docket which records a scant summary of all these events in an attenuated form. The volumes include such information as the name of the claimant to the land, the legal description of the land, witnesses or corroborating evidence of the claim, dates, and findings.

From Series 3934 Description, Utah State Archives

Microfilm	Reel
Declaratory Statements, Volume A Statement #s: 1-1350, 2951-3150 (<i>see Reel 2 for #s: 1351-2950</i>) December 1871 - April 1872	1
Declaratory Statements, Volume B Statement #s: 1351-2950 (Pages 328-329 at beginning of roll) December 11, 1871 - April 1872	2
Declaratory Statements Statement #s: 3151-3647, February - November, 1872 (pages 1-159) #s: 1-49, August 29, 1873 (pages 161-180) #s: 1-29, August 18, 1876 (pages 181-191) #s: 1-9, February 19 - April 4, 1876 (pages 192-196)	3
Record of Court Hearings June 17, 1872 – February 27, 1873	4
Record of Adjudications Certificate #s: 1-1106 June-November, 1872	5
Record of Adjudications Certificate #s: 1107-2001 November 1872 – March 1873	6
Record of Adjudications Certificate #s: 2001-2292 March-May, 1873 (<i>continues on Reel 8</i>)	7
Record of Adjudications Certificate #s: 2285-3309, May 1873 – October 1884 Corrected Certificates, December 1884 – December 1894 (pg 682)	8
Docket A 1872-1877	9
Index to Docket A	10

Volumes	Box
Declaratory Statements, 3 Volumes, 1871-1876	1
Record A: Record of Court Hearings, 1 Volume, 1872-1873	
Record of Adjudications, 3 Volumes, 1872-1894	3
Docket A and Index to Docket A, 1872-1874	4