

Researching Your French-Canadian Ancestors

Class 3: Working in Notarial Records, Part I

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Outside of parish registers, one of the most useful records for genealogical research of French-Canadian ancestors are notarial records. They include a wide range of documents including property deeds and labor contracts. You will also find wills and marriage contracts, with marriage contracts phasing out in the mid-1800s. The notarial records are any record involving a legal agreement—think of items that would be handled in county courthouses elsewhere.

Working with Notarial Records

Unlike most courthouse records that often include an index of individuals (e.g., a probate index that lists the names of the deceased with information to locate the will), notarial records are arranged by the notary.

During his time as a notary, the notary kept charge of his records. When he ceased being a notary, he would turn over his records to the *protonotaire* of the local judicial district. As such the records are often arranged by judicial district and thereunder by the name of the notary. In some instances, there may exist an index of his papers—known as a *repertoire*—but this is usually arranged chronologically. If it is alphabetical, be aware that it is more likely arranged by the type of record rather than the names of the parties involved. Understanding the different records found among those of a notary can assist you in working with a repertoire. The most common records include:

- *Acte* – any official document
- *Arrêté de compte* – record of judgment
- *Bail* – lease (rent) on land or building
- *Contrats de mariage* – marriage contracts
- *Testaments* – wills
- *Inventaires après décès* – inventories of the deceased person's estate
- *Marché* – business agreement
- *Partage* – distributions to heirs of an estate
- *Pension* – establishing room and board (usually for the elderly)
- *Tutelle et curatelle* – guardianship records
- *Donations entre vifs* – “early wills”
- *Engagements* – labor contracts
- *Vente de terre* – land sale

Tip: Refer to Charles Cushing's Notarial Form Book published in 1887 for types of documents.

A few of the repertoires have been scanned and are available on Ancestry.com, however, you will want to browse through the collections. Though they offer a search, browsing the images may prove more efficient. Some notarial records are also available on FamilySearch.org.

It is important to remember that the bulk of the notarial records will likely be in French, though there are some recorded in English. If not available through Ancestry.com or FamilySearch.org, you will need to reach out to the Bibliothèque et Archives nationales du Québec (BANQ).

General steps to working in notarial records:

1. Identify the notary responsible for the location and time in question
2. Locate the repertoire (index) for that notary, if available
3. Locate the records for that notary

Identification of the notary is easiest using Jean-Marie Laliberté's *Index des Lieux de Résidences et de Pratique: Des Commis...Des Garde-notes...Des Greffiers...Des Tabellions...Autres...et des Notaires, 1621-1991, Ainsi Que Les Lieux de Dépôt de Leurs Minutiers avec Leurs Cotes Aux A.N.Q.* If you are working in pre-1800 records, then the Parchemin database (see below) may prove useful.

Keep in mind that the repertoires may not be available online. However, if you can identify the notary, and you know the approximate date of the record you want, then you may be able to use available online records for that notary, working page by page.

Not all notarial records have been digitized, and of those, few through FamilySearch.org are searchable by name. They are usually found as part of the "browse images" collections that FamilySearch.org has made available. Some of the notarial records available on FamilySearch.org begin in 1800 and go up to 1920. You will need to use their catalog's keyword to make the most efficient search of the records.

Parchemin

The Parchemin database offers much of the information found in the documents of the roughly 277 notaries who practiced in Québec from France's colonization of North America up through December 31, 1801. That adds up to more than 500,000 possible items. In addition to the notarial minutes recorded in Québec from February 12, 1626 to December 31, 1801, the Parchemin database also includes records of:

- Notarial minutes pertaining to Western Forts (1700-1800 – Detroit area and Midwest)
- Notarial minutes of Acadia (166-1759)
- Notarial minutes in the Baby Collection (1620-1900) – this is the collection of Louis-François-George Baby, located at the Université de Montréal
- Private writings from the Montréal area (1648-1790)
- Actes des insinuations de la Prévôté de Montréal (1684-1760)
- Notarial minutes of the Principality of Liège – preserved in the State Archives in Liège, Belgium
- Notarial minutes of the Province of Walloon Brabant – preserved in the State Archives in Louvain-la-Neuve, Belgium

The database contains key information regarding the record including:

- Date of the record
- Name of the notary, including his years as a notary
- Location of notary
- Abstract of the record in question

Parchemin is available at the New England Historic Genealogical Society's research center in Boston along with a large collection of microfilmed notarial records.

Bibliography

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Websites

Quebec Notarial Records, 1800-1920, FamilySearch <https://familysearch.org/search/collection/1471015>

Bibliothèque et Archives Nationales du Québec (BANQ) <http://www.banq.qc.ca/accueil/>

French Script Tutorial [https://script.byu.edu/Pages/the-french-documents-pages/fr-techniques-and-tools\(english\)](https://script.byu.edu/Pages/the-french-documents-pages/fr-techniques-and-tools(english))

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