

# Locating and Navigating Probate Records

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## Where to Find United States Probate Records

- Filed in the courthouses where your ancestor last resided. Sometimes you find probate records in the county where they owned property.
- Usually located on the county level.
  - Exceptions:
    - Rhode Island: town level
    - Vermont and Connecticut: Probate Districts
    - New York: Early probate records for the state were sometimes filed in Albany County
    - Louisiana: Filed in the parish (ex. Orleans parish)

## Identifying when a County/Town/Probate District was Formed

- FamilySearch Wiki (<https://www.familysearch.org/wiki>) lists the founding date for each town/county/probate district.
- Founding date can also be found in the FamilySearch catalog (<https://www.familysearch.org/search/catalog>) at the top of the page for the town/county/probate district.
- AmericanAncestors.org has town guides for New England and New York: <https://www.americanancestors.org/browse/town-guides>

## Probate Indexes

- Probate indexes can take many forms:
  - Card index
  - Index within the individual probate record book
  - Published index
  - Website with images
  - Online index

**TIP:** Remember to check probate record books when the file papers are listed as “missing”



## Accessing Probate Records

### Finding Probate Records on AmericanAncestors.org

- Search for indexed records via the Advanced Search
- Browse the probate databases, which include Massachusetts county probate databases as well as other states.
- American Ancestors is partnering with the Massachusetts Judicial Archives to digitize the probate file papers that are housed at the Massachusetts State Archives. On AmericanAncestors.org we have the following list of databases:
  - Berkshire County, MA: Probate File Papers, 1761-1917
  - Bristol County, MA: Probate File Papers, 1686-1880
  - Essex County, MA: Probate File Papers, 1638-1881
  - Franklin County, MA: Probate File Papers, 1812-1915
  - Hampshire County, MA: Probate File Papers, 1660-1889
  - Middlesex County, MA: Probate File Papers, 1648-1871
  - Norfolk County, MA: Probate File Papers, 1793-1900
  - Plymouth County, MA: Probate File Papers, 1686-1881
  - Suffolk County, MA: Probate File Papers
  - Worcester County, MA: Probate File Papers, 1731-1881
- New York: Abstracts of Wills, Admins. and Guardianships, 1787-1835 -  
<https://www.americanancestors.org/search/databasesearch/7/new-york-abstracts-of-wills-admins-and-guardianships-1787-1835>
  - Abstracted details are provided along with indexed names referenced in the abstract.
  - Includes the county and volume where the corresponding record can be found on FamilySearch or through the county courthouse.
- A full list of probate databases on AmericanAncestors.org can be found on our web site at  
<https://www.americanancestors.org/browse-database?databasename=probate&size=50&page=1>

### Finding Probate Records on FamilySearch

- In the catalog, search by Place for the Town, County, or Probate District
- Review the records under the Probate Records category, particularly for the ones with the court as the author.
- If camera icon appears, you can browse the records. Use the probate indexes to identify the volume and page where the probate appears.





## Finding Probate File Papers on FamilySearch

- In the catalog, search by Place for the Town, County, or Probate District
- Review the records under the Probate Records category, particularly for the ones with the court as the author.
- Look for something like “probate file papers,” “estate files,” “probate cases,” etc.
- Use the index to locate the case # and then identify the probate case file.

## Locating Irish Probate Records

- Prior to 1858, probate was administered by ecclesiastical courts. There were 28 courts that rolled up to the highest court, Prerogative Court of Armagh. The 1858-will calendars can be searched at <http://census.nationalarchives.ie/search/dw/home.jsp>
- Starting in 1858, the Irish government took over probate: 11 district will registries and Principal Probate Registry in Dublin. Note: Many of the pre-1858 probates were destroyed in the 1922 fire at the Public Record Office in Dublin.
- PRONI holds all original wills and other probate files in the six counties that make up Northern Ireland from 1900 onwards. The index can be searched at: [https://apps.proni.gov.uk/WillsCalendar\\_IE/WillsSearch.aspx](https://apps.proni.gov.uk/WillsCalendar_IE/WillsSearch.aspx)
- The National Archives of Ireland holds the wills and probate files for the Republic of Ireland.
- The index for 1858-1920 can be searched at: <http://www.willcalendars.nationalarchives.ie/search/cwa/home.jsp>

## Locating English Probate Records

- Prior to 1858, the Church of England oversaw the probate courts. More information on the different courts can be found on the FamilySearch wiki: [https://www.familysearch.org/wiki/en/England\\_Probate\\_Records#Pre-1858\\_Probate\\_Courts](https://www.familysearch.org/wiki/en/England_Probate_Records#Pre-1858_Probate_Courts)
- England & Wales, Prerogative Court of Canterbury Wills, 1384-1858 - <https://www.ancestry.com/search/collections/5111/>

**TIP:** Check for a probate record filed in the Prerogative Court of Canterbury for your American colonist ancestors.

- **English Estates of American Colonists, 1610-1699** <https://www.ancestry.com/search/collections/48506/>
- **English Estates of American Colonists, 1700-1799** <https://www.ancestry.com/search/collections/48554/>
- **English Estates of American Settlers** <https://www.ancestry.com/search/collections/48507/>
- **Find a Will** – order a PDF copy of a will 1858-present <https://probatesearch.service.gov.uk/#wills>



- You can order a will for a soldier who died serving in British armed forces between 1850 and 1986.

## Publications

Christine Rose, *Courthouse Research for Family Historians: Your Guide to Genealogical Treasures* (San Jose, CA: CR Publications, 2004).

Gordon Lewis Remington, *New York State Probate Records: A Genealogist's Guide to Testate and Intestate Records* (Boston, MA: New England Historic Genealogical Society, 2011). Available for purchase at <https://shop.americanancestors.org/products/new-york-probate-records-a-genealogist-s-guide-to-testate-and-intestate-records>

Jeff Bown, *Native American Wills and Probate Records, 1911-1921: Including 76 Never Before Published Wills* (Baltimore, MD: Genealogical Publishing Co., 2008).

Karen Grannum, *Wills and Probate Records: A Guide for Family Historians* (Kew, England: National Archives, 2009).

Tricia Healy Mitchell, *Using Probate Records* (Boston, Massachusetts: New England Historic Genealogical Society, 2019). Available for purchase at <https://shop.americanancestors.org/products/portable-genealogist-using-probate-records>

Val D. Greenwood, "Understanding Probate Records and Basic Law Terminology," "What About Wills?" and "The Intestate" chapters within *The Researcher's Guide to American Genealogy*. (Baltimore, MD: Genealogical Publishing Co., 2000).