

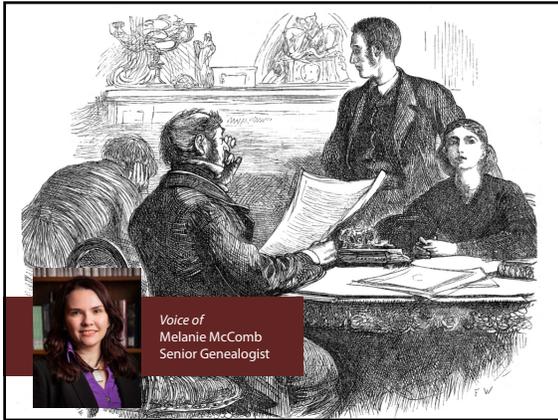
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5

What is a Probate Record?

- Court process that disposes of a deceased person's estate
- Describes how an estate will be distributed
- Names who will administer the estate
- Contains a list of property/possessions owned by the deceased

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Why Use Probate Records?

- Provide an approximate death date for the deceased
- Verify family relationships
 - Married daughters may be listed with their husband's surname
- Wills and inventories offer a glimpse into the personal belongings of an ancestor and how they were distributed
- Context of an ancestor's life

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Challenges of Probate Records

- Not everyone left a probate record (i.e. women)
- Deceased may have had multiple marriages
- Not all children are listed
- No uniformity
- Difficult to read

8

Common Terms

- **Testate:** dies with a Last Will & Testament.
- **Intestate / Administration:** dies without a will.
- **File Papers:** the original documents associated with the probate file.
- **Record Books / Copy Books:** copies of certain probate files copied into bound record volumes.

9

Documents Found in Probate Records

- Will
- Codicil
- Letters of Administration & Letters of Testamentary
- Inventory
- Accounts
- Distributions
- Guardianship Records
- Miscellaneous Probate Papers (examples below):
 - Dower Records
 - Bill of Sales
 - Receipts

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Testate vs. Intestate

Testate	Intestate
<ul style="list-style-type: none">• Will• Codicil• Letters of testamentary• Inventory	<ul style="list-style-type: none">• Letters of Administration• Inventory• Guardianships• Distributions

11

Wills and Codicils

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Wills

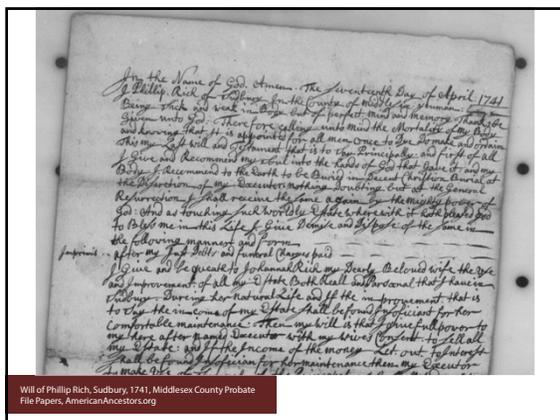
- A legal document written by the deceased
- Indicates how the deceased wants his or her estate distributed

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Wills Cont'd

- Wills can include the following:
 - Names of children (and their spouses)
 - Name of spouse
 - Names of grandchildren, nieces/nephews
 - Names of servants
 - Names of enslaved individuals

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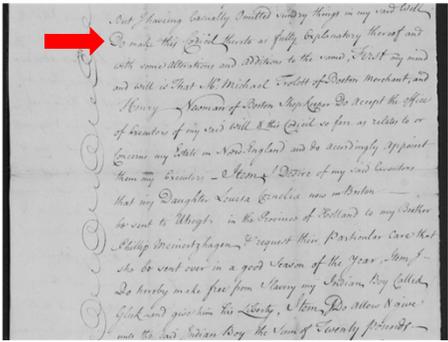


15

Codicils

- An addition or change to a will
- Common changes:
 - Add or remove heirs
 - Change distribution of estates
 - Acknowledge deaths of heirs in will
 - Administrators of estate

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*But having severally omitted sundry things in my said Will
 To make this Codicil thereto as fully explanatory thereof and
 with some alterations and additions to the same, I first my said
 and will is that Mr. Michael Trottell of Boston Merchant, and
 Henry Namian of Boston Ship-Carpenter Do accept the office
 of Executors of my said Will & the Codicil so far as relates to or
 concerns my Estate in New-England and do accordingly appoint
 them my Executors - I Item Do give of my said Estates
 that my Daughter Louisa Caroline now in Britain
 do send to Weymouth in the Province of Scotland to my Brother
 Philip Meinertzhagen I request their Respective Care that
 she be sent over in a good Season of the Year 1707
 Do hereby make free from Slavery my Indian Boy called
 Olick and give him his Liberty I Item Do allow Nine
 and the said Indian Boy the sum of Twenty pounds*

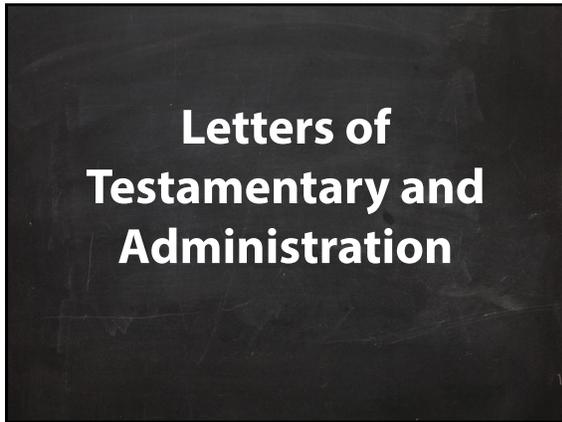
Codicil, Anthony Henry Meinertzhagen,
 Suffolk County, Mass, Case #10998

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**Why isn't someone mentioned
in a will?**

- Deceased
- Moved away
- Already received their inheritance
- Not yet born/considered a minor when the will was written
- Estrangement

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19

Letters of Testamentary

- Issued by the court
- Exists if a person left a will
- Allows the executor to take control of the deceased's estate and distribute it according to the will

20

Probate of the } Middlesex Co.
Highshewer-Gen.

At a Court of Probate holden by the Honorable Justices of the Peace for the County of Middlesex, on the twenty and Day of July 1741.

THE Inheritance hereunto assigned (purporting the last Will and Testament of PHILIP RICH, late of Middlesex County, deceased) was presented for Probate: Then present *PHILIP RICH* who made Oath that they saw the Writings thereto subscribed, who made Oath that they saw the said *PHILIP RICH* Sign, Seal, and hand *PHILIP RICH* declare the said Inheritance to be the last Will and Testament, and that they subscribed their Names together as Witnesses to the Execution thereof, in the Presence of the said *PHILIP RICH* and that *PHILIP RICH* was then (to the best of their Judgment) of sound and disposing Mind.

And the said Inheritance is by the said Judge proved, approved and allowed as the last Will and Testament of the said deceased, and Administration thereof in all Manners by him concerning, and of *PHILIP RICH* Here is committed unto *PHILIP RICH* the Executor therein named, faithfully to execute the said Will of the said *PHILIP RICH* and to administer the said Estate according to the said Will and *PHILIP RICH* shall render a full and true Account of the said Administration, when thereunto required.

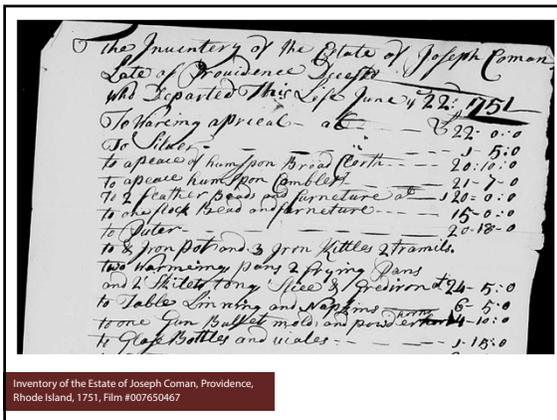
By Order of the said Judge,
PHILIP RICH Reg.

21

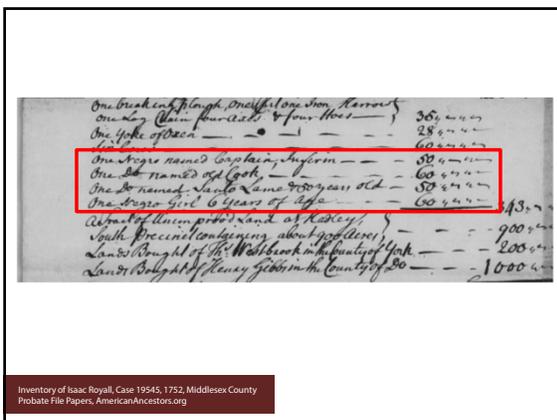
What can an inventory tell us?

- How much land/property an ancestor owned
- Job/trade
- Education level
- Level of wealth/status
- The number and names of enslaved persons

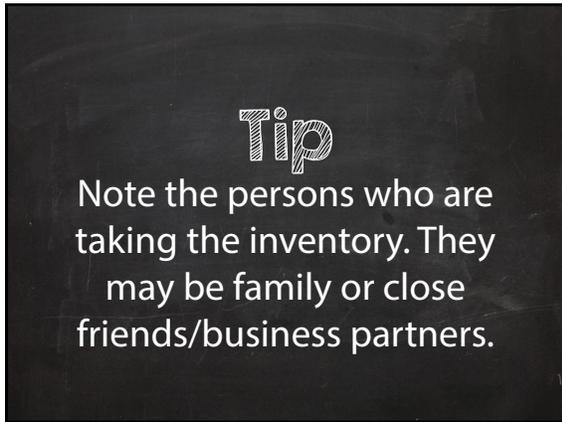
28



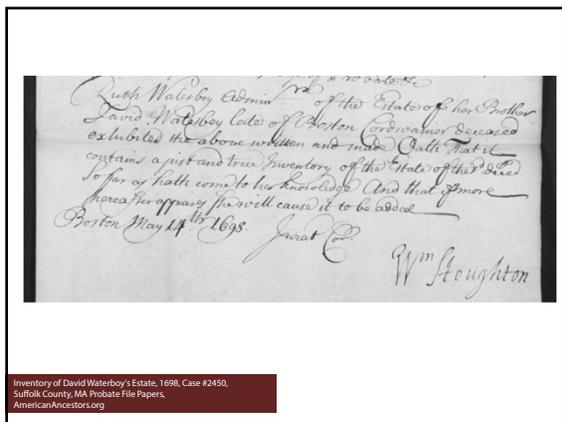
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32



33

Why look at accounts?

- Hint at status of ancestor
 - Do they owe a lot of money?
 - Are they lending money frequently?
 - Do the debts add up to more than the value of the estate?
- Potential family and associate connections
 - Extended family
 - Business associates

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Account, Estate of James Draper, Case #2456, Suffolk County, MA Probate File Papers, AmericanAncestors.org

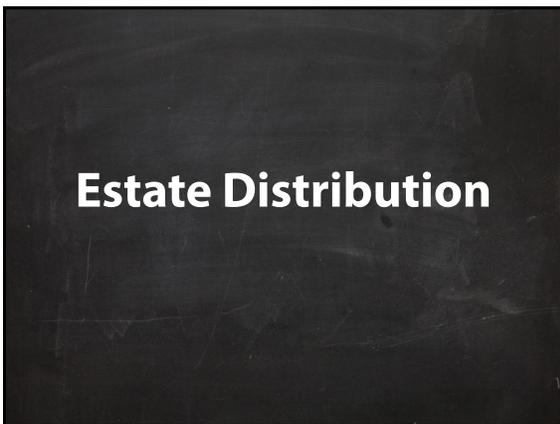
38

Account, Estate of James Draper, Case #2456, Suffolk County, MA Probate File Papers, AmericanAncestors.org

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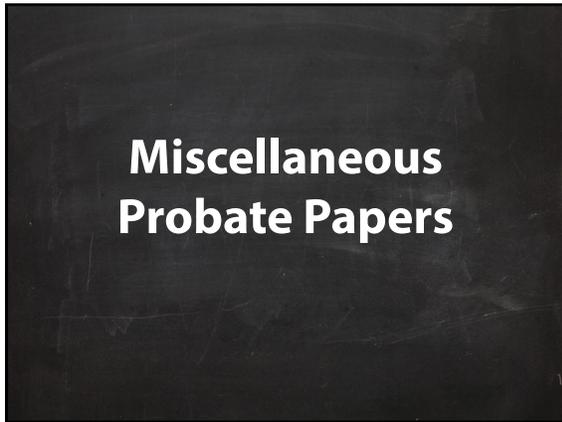


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Distributions

- Dividing an estate among heirs
- Occurs after bills are paid and debts collected
- Heirs (children, widow, etc.) mentioned in distribution
- Genealogical importance:
 - List of children if vital records aren't available
 - Married names of daughters
 - Children of deceased heirs

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Bill of Sale

- Property may have to be sold to pay debts
- Sold at public auction
- Approved by the probate court
- May include enslaved persons

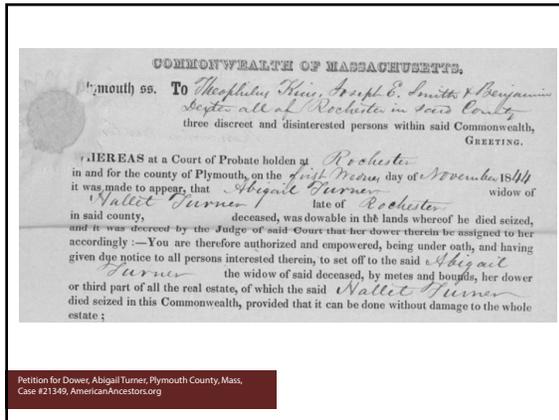


50

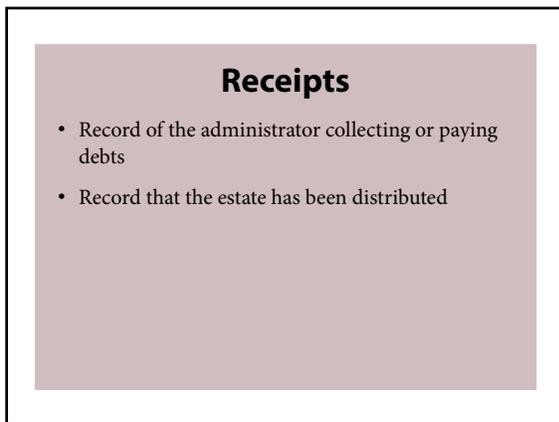
The Condition of the above-written Obligation is such,
 That whereas the above-bounden *Mark Newman*
 in his capacity of guardian of *Hannah Newman and*
William John Newman both
of Andover in said county of *Dux* minor, at the
Supreme Judicial Court holden at *Boston*
 on the *first Tuesday*
 in *March* last, obtained license to make sale of
 the real estate of said minor, in order to *benefit them;*

Bill of sale, Newman Family, Suffolk County, Mass, Case #28648

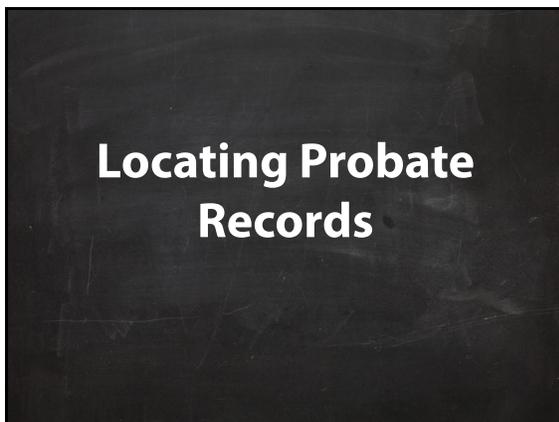
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Where to find United States Probate Records?

- Filed at Courthouses
- Usually found on the county level
- Exceptions to this:
 - Rhode Island: town level
 - Vermont and Connecticut: Probate Districts
 - New York: Early probate records for the state sometimes filed in Albany County
 - Louisiana: Filed in the parish (ex. Orleans Parish)

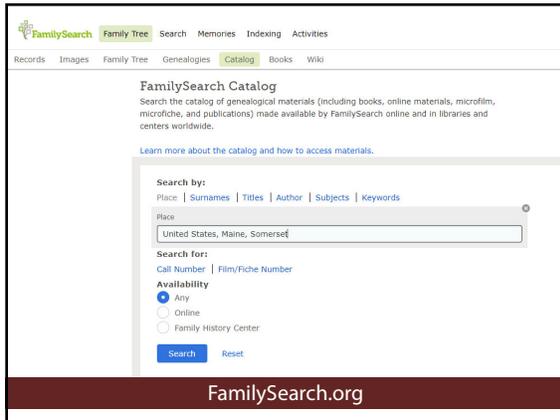
58

Identifying when a County/Town/ Probate District was Formed

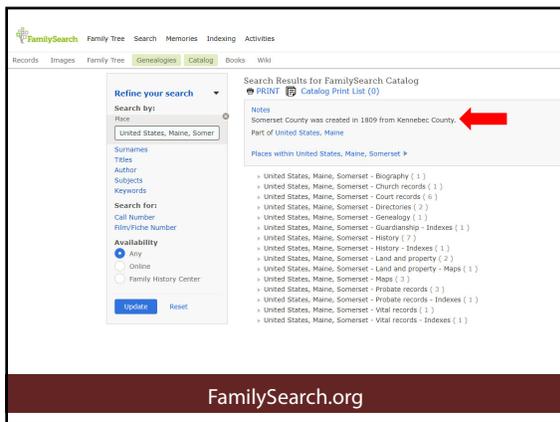
59

The screenshot shows the FamilySearch.org website interface. The main heading is 'Somerset County, Maine Genealogy'. Below this, there is a list of record types including Birth Records, Marriage Records, Death Records, Census Records, and Military Records. A red arrow points to a map of Somerset County, Maine, which is highlighted in red. The map is titled 'Somerset County, Maine' and includes a legend and a 'Found' date of March 1, 1839.

60



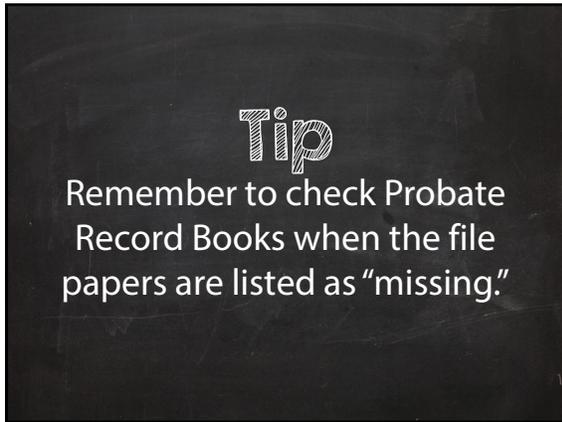
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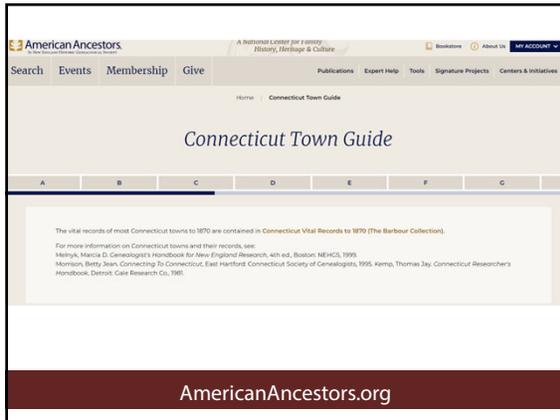
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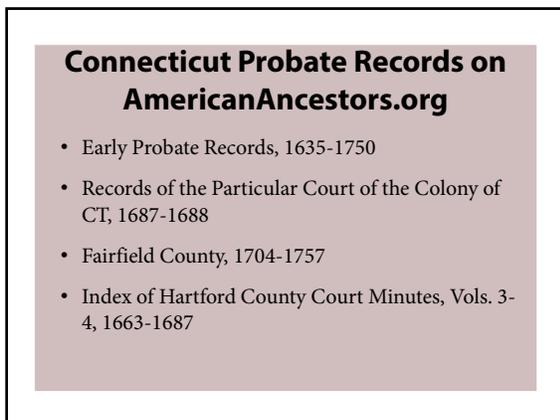
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**Maine Probate Records on
AmericanAncestors.org**

- Early Wills and Deeds, 1640-1760

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**Massachusetts Probate Records on
AmericanAncestors.org**

- Barnstable County, MA Probate Records, 1685-1789
- Berkshire County, MA Probate File Papers, 1761-1917
- Bristol County, MA Probate File Papers, 1686-1880
- Essex County, MA Early Probate Records, 1635-1681
- 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 Index to Probate Records, 1793-1900

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**Massachusetts Probate Records on
AmericanAncestors.org**

- Norfolk County, MA Probate File Papers, 1793-1900
- Plymouth County, MA Probate File Papers 1686-1881
- Suffolk County, MA Index to Probate Records, 1636-1893
- Suffolk County, MA Probate File Papers, 1630-1841*
*Eventually will include up to 1893
- Worcester County, MA Index to Probate Records, 1731-1881
- Worcester County, MA Probate File Papers, 1731-1881

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Rhode Island Probate Records on AmericanAncestors.org

- Providence, RI: Index to Probate, 1646-1899

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AmericanAncestors.org Databases with Probate Abstracts

- Fairfield, CT: Families of Old Fairfield
- *Genealogical Advertiser*
- *New England Historical and Genealogical Register*
- Portsmouth, NH: Abstracts from Newspapers, 1776-1800
- *Vermont Genealogy* (1996-2014)
- New York: Abstracts of New York County Wills, 1662-1801)
- New York: Abstracts of Wills, Admins. And Guardianships, 1787-1835

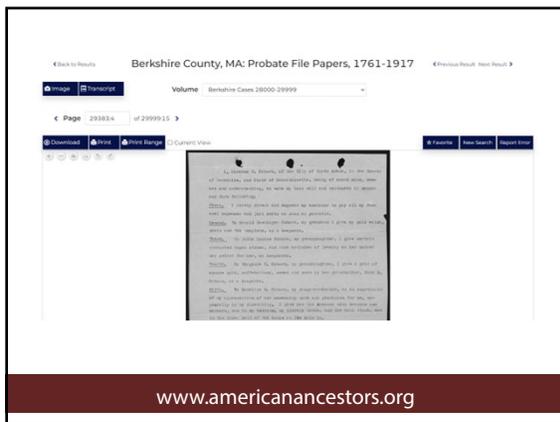
77

The screenshot shows the AmericanAncestors.org search results page for the term 'probate'. A red arrow points to the search bar. The results list 33 databases, including 'Connecticut Early Probate Records, 1633-1750', 'Providence, RI Index to Probate, 1646-1899', and 'Franklin County, MA Probate File Papers, 1812-1915'. The page includes filters for location, date, and categories.

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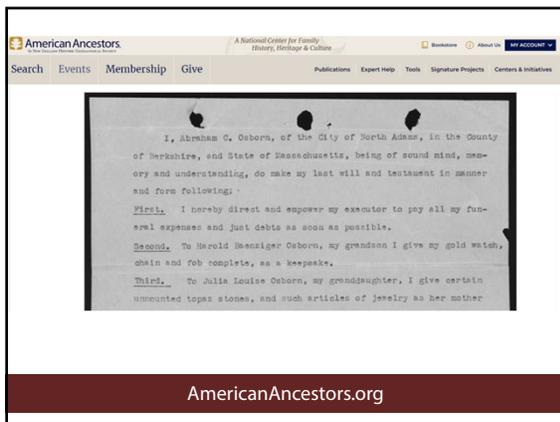
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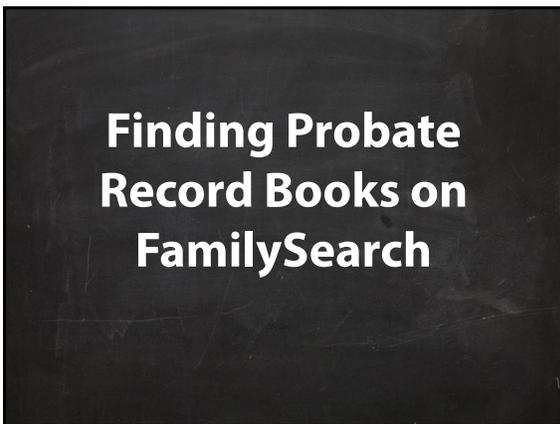
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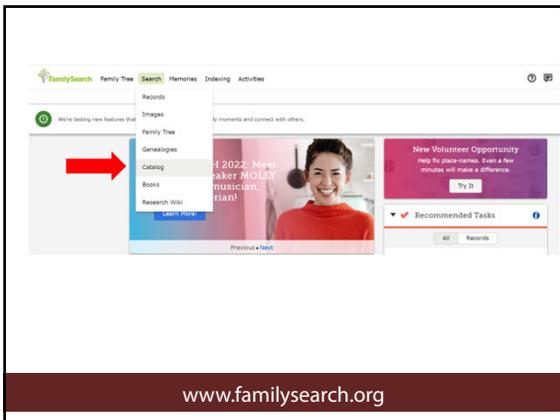
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98



99

Will books, 1754-1869 ; general indexes to wills, 1754-1915, 1937, 1974-1984

1984

Author: Virginia, County Court (Prince Edward County) (Main Author)

Format: Manuscript/Manuscript on Film

Language: English

Publication: Salt Lake City, Utah : Filmed by the Genealogical Society of Utah, 1949

Physical: on 8 microfilm reels ; 35 mm.

Notes: Microfilm of original records at the Prince Edward County Courthouse in Farmville, Virginia. Includes general indexes, Vols. 2-12 are also individually indexed. Index for v. 7 is found at the end of the book. The other filming of v. 1 includes an index. Contains wills, inventories, appraisements, accounts, and other probate documents. Bonds in will book, v. 1, were for sheriffs, surveyors, licenses for ordinarines, executors, administrators, marriages, and other officials or functions. Some pages are damaged. Ink has faded in places. View this catalog record in WorldCat for other possible copy locations

FamilySearch.org

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Note

Note	Location	Collection/Shelf	Film	DGS	Format
General index to wills, surnames A-Z, 1754-1915 (indexes will books, v. 1-16; p. 251 has a few entries from v. 19, 1937).	Family History Library	United States & Canada 2nd Floor Film	33216	7645993	6B
General index to wills and fiduciary accounts, 1844-1915 (p. 1-400, general index of reports) (indexes will books, v. 9-16) -- General index to wills and fiduciary accounts, 1844-1915 (p. 401-596, general index of inventories, appraisements and accounts of sales) (indexes will books, v. 9-16)	Family History Library	United States & Canada 2nd Floor Film	2070191	Items 3 - 7644209	6B
General index to devises and heirs, surnames H-L, 1974-1984 (indexes v. 27-33) -- General index to devises and heirs, surnames M-R, 1974-1984 (indexes v. 27-33) -- General index to devises and heirs, surnames S-Z, 1974-1984 (indexes v. 27-33)	Family History Library	United States & Canada 2nd Floor Film	2070189	Items 1 - 7644207	6B
Will book, v. 1, 1754-1795 (p. 1-360) and bonds 1754-1793 (1784) (p. 361-442).	Family History Library	United States & Canada 2nd Floor Film	33216	7645993	6B
Another filming of will book, v. 1, 1754-1795, and bonds, 1754-1794.	Family History Library	United States & Canada 2nd Floor Film	2070189	Items 5 - 7644207	6B
Will book, v. 2, 1795-1795 -- Will book, v. 3, 1795-1807.	Family History Library	United States & Canada 2nd Floor Film	33217	7645994	6B
Will book, v. 4, 1807-1815 -- Will book, v. 5, 1815-1822 -- Will book, v. 6, 1822-1826.	Family History Library	United States & Canada 2nd Floor Film	33218	7645995	6B
Will book, v. 7, 1828-1837 -- Will book, v. 8, 1837-1844 -- Will book, v. 9, 1844-1853.	Family History Library	United States & Canada 2nd Floor Film	33219	7645996	6B
Will book, v. 10, 1853-1859 -- Will book, v. 11, 1859-1864 -- Will book, v. 12, 1864-1869.	Family History Library	United States & Canada 2nd Floor Film	33220	7645997	6B
Another filming of will book, v. 12, 1864-1869.	Family History Library	United States & Canada 2nd Floor Film	2070190	Item 1	6B

FamilySearch.org

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80 DEVISEE GENERAL INDEX TO WILLS

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z
Adams	Blanton	Callwell	Dawson	Fairley	Garden	Hartson	Harlow	Hawkins																	

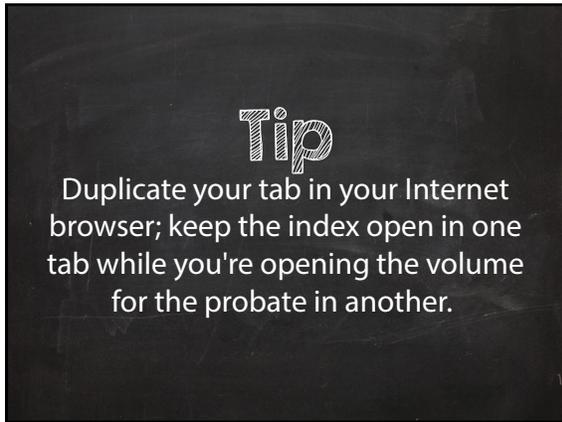
LOOK FOR THE FAMILY NAME

DATE RECORDED	Real or Personal	DEVISEE	WHERE RECORDED
May 1780	Real & Personal	Deviise	1209
May 1780	Real & Personal	Deviise	1209
May 1780	Real & Personal	Deviise	1209
Jan 17 1781	Real & Personal	Deviise	1209
May 1780	Real & Personal	Deviise	2105
May 1780	Real & Personal	Deviise	1209

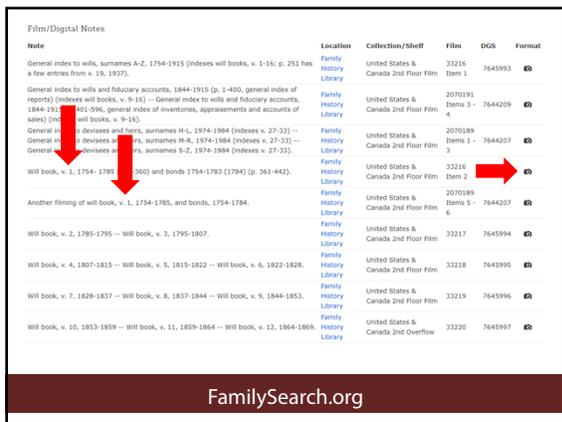
FamilySearch.org

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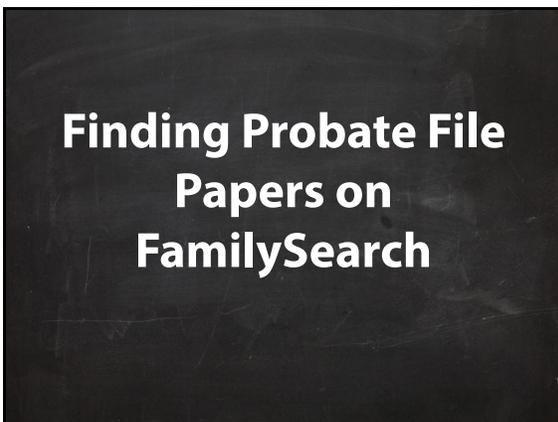
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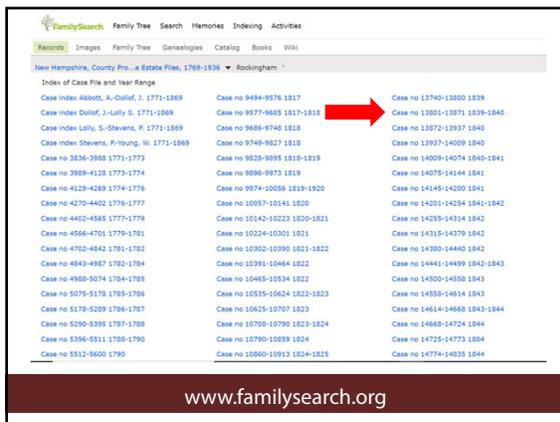
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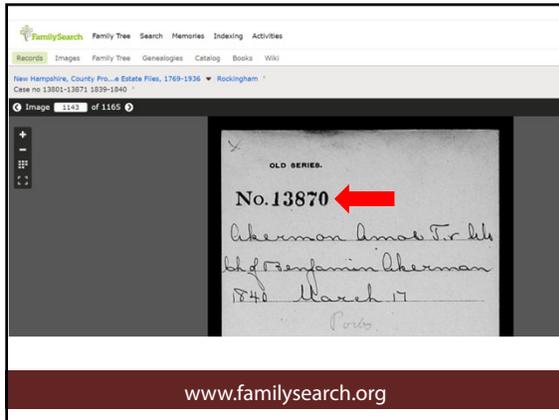
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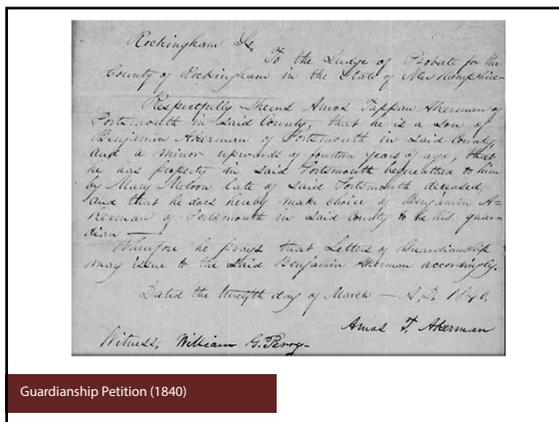
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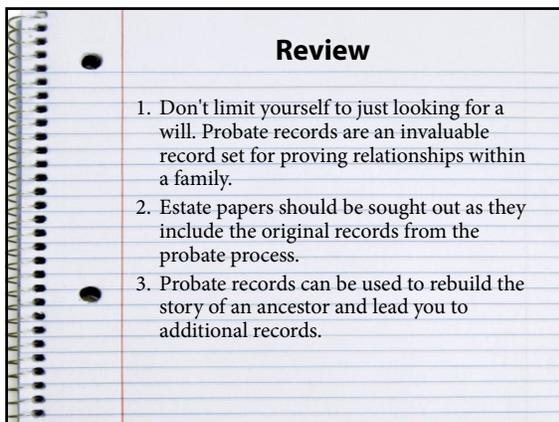
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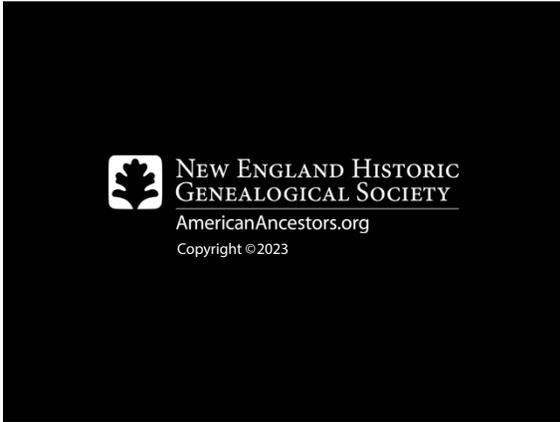
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125



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