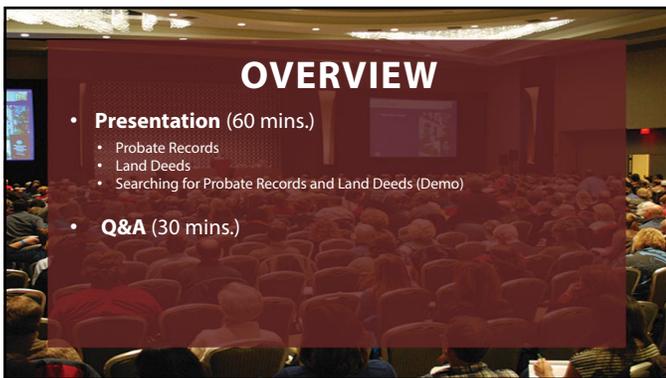


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4

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

5

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
- Provide context of an ancestor's life

6

Where do I find Probate Records?

- Filed at Courthouses
- Usually found on the county level
- Exceptions to this:
 - Rhode Island: town level
 - Vermont and Connecticut: Probate Districts

7

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.

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Documents Found in Probate Records

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

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Testate vs. Intestate

Testate	Intestate
• Will	• Letters of Administration
• Codicil	• Inventory
• Letters of testamentary	• Guardianships
• Inventory	• Distributions

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Wills and Codicils

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Wills

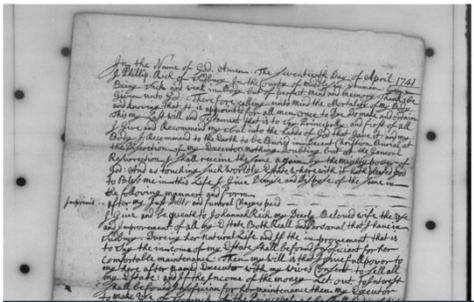
- A legal document written by the deceased
- Indicates how the deceased wants his or her estate distributed

13

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

14



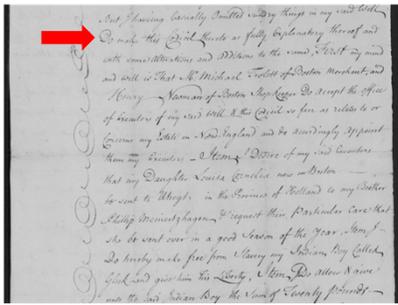
Will of Phillip Rich, Sudbury, 1741. Middlesex County Probate File Papers, AmericanAncestors.org

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

16



Codicil, Anthony Henry Meinertzhagen, 1755 Suffolk County, Mass, Case #10998

17

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

18

Letters of Testamentary and Administration

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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

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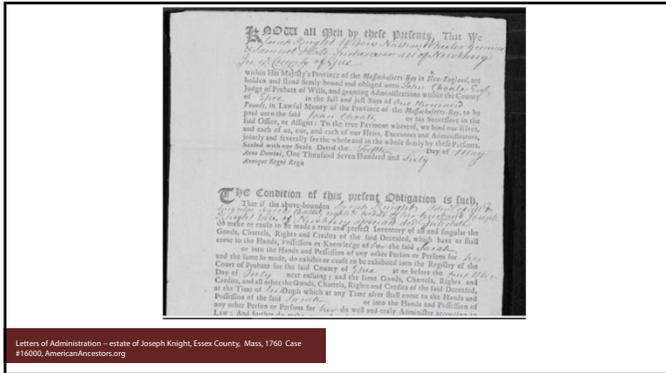
Letters of Testamentary, Philip Rich, Sudbury, 1741, Middlesex County Probate File Papers, AmericanAncestors.org

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Letters of Administration

- Issued if an individual died intestate
- The court appoints an administrator/trix
 - Distributes the estate of the deceased
 - If the deceased is married, typically the widow/widower
- After the Civil War, the names of the living heirs are named

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24

What is an Inventory?

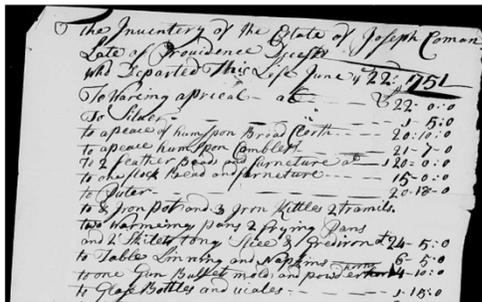
- Appraisal of deceased's real estate and personal property
- Provides a value for the estate
- Can provide clues about the lives of your ancestors

25

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

26



Inventory of the Estate of Joseph Coman, Providence, Rhode Island, 1751, Film #007650467

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Accounts

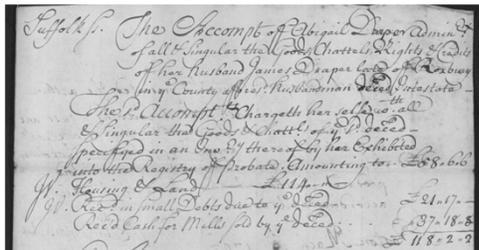
- List of debts owed to the estate
- List of debts the estate owes to others
- Notices published in newspapers to collect on any remaining debts

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Why look at accounts?

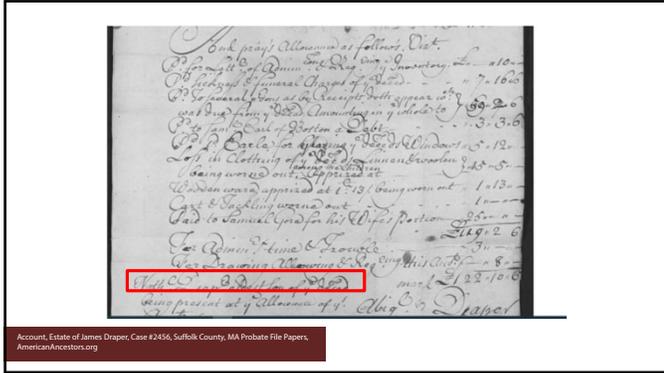
- Hint at status of ancestor
 - Do they owe a lot of money?
 - Are they lending money frequently?
 - Do the debts add up to more than the value of the estate?
- Potential family and associate connections
 - Extended family
 - Business associates

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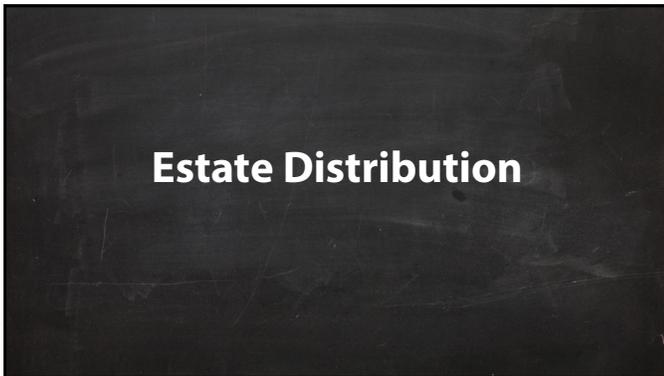


Account, Estate of James Draper, Case #2456, Suffolk County, MA, 1698, Probate File Papers, AmericanAncestors.org

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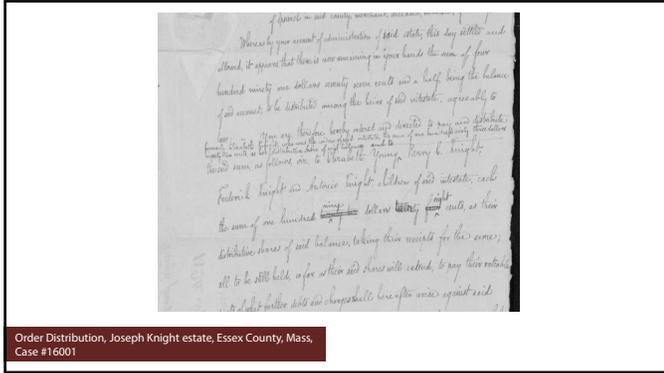


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Distributions

- 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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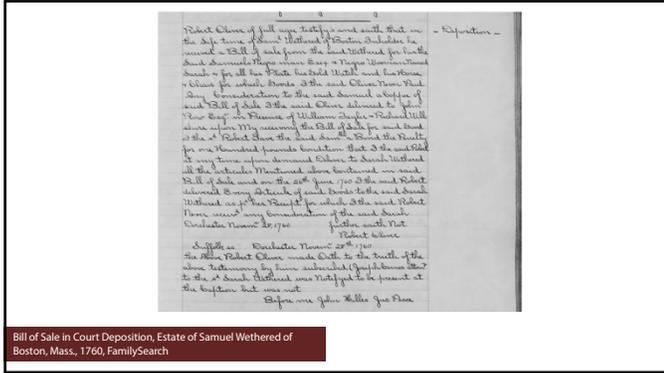
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Guardianships

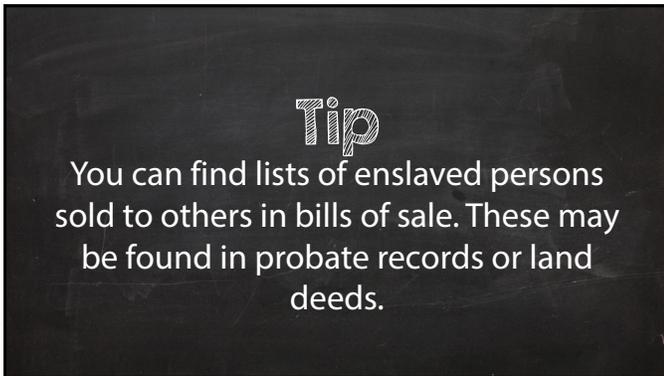
- Appointed for minor children
 - Males: under 21
 - Females: under 18
- Guardians protected the inheritance of minor heirs to an estate
 - Can provide financial support
- After minor becomes of age, the guardian is released
 - Guardian would then make an account of compensation

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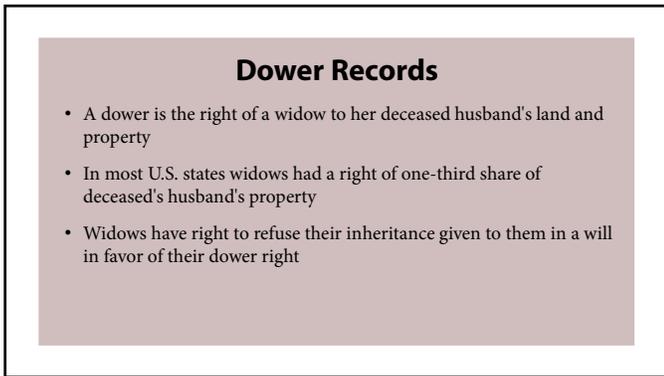
Class 3: Researching Colonial New England Ancestors



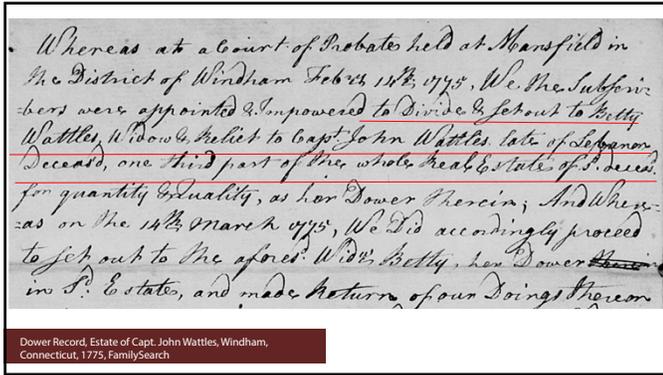
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Receipts

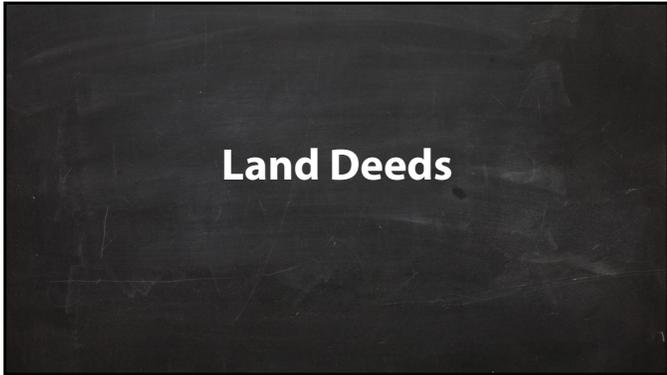
- Record of the administrator collecting or paying debts
- Record that the estate has been distributed

Receipt for Expenses, Estate of Nicholas Andrews, 1730, Case #700, Essex County, Massachusetts

50



51



52

Why Use Land Records?

- In some cases, a land record may be the only documented source you can locate.
- Land records can often trace generations of ownership of a single parcel of land.
- Using land records, you may determine the site of your ancestor's house or farm today.

53

Tip

Remember not all deeds were recorded at the date of the sale.

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Who Were Proprietors?

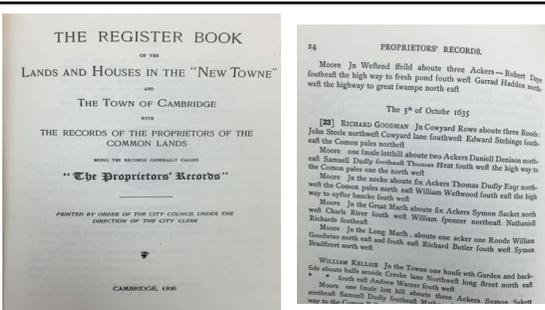
- The Colony courts assigned grants of land to groups of settlers.
- These settlers formed Proprietorship Committees to distribute land to settle towns.

58

Where to find Proprietor Records?

- Town Halls, Town Clerk, Tax Office or assessor
- County Registry of Deeds
- Libraries and local historical societies
- Family History Library microfilm
- Published transcriptions of Proprietor records

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Cambridge, Mass Proprietors' Records

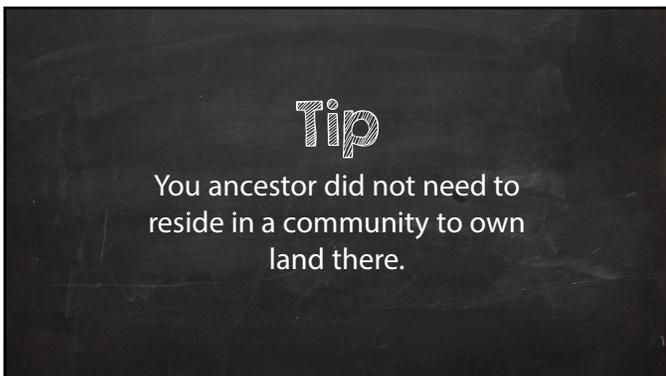
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Names.	Province.						Total
	Poll	Real	By	Waste	Town	Charg	
	£ s d	£ s d	£ s d	£ s d	£ s d	£ s d	£ s d
To Ebenezer Maccanib, Proprietor	X . . .	3 6	3 6 . . .	3 7	7 6
To Capt William Pierce	X . . .	2 4 . . .	. . .	2 9 . . .	2 10 . . .	. . .	5 11
To David Amphipson, Proprietor	X . . .	17 2 . . .	. . .	17 2 . . .	17 7 . . .	. . .	1 18 9
To James Swift	X 12 3 . . .	2 4 . . .	. . .	15 . . .	15 5 . . .	. . .	1 12 2
To John Webb	X 4 6 . . .	. . .	. . .	4 6 . . .	4 5 1 . . .	. . .	2 12 7
To Joseph Woodward	X 12 3 . . .	. . .	. . .	12 3 . . .	12 7 . . .	. . .	1 6 3
To Joseph Weston	X 12 3 . . .	. . .	. . .	12 3 . . .	12 7 . . .	. . .	1 6 3
brought over							
Total	3 1 3 . . .	5 5 9 . . .	. . .	4 7 5 . . .	4 3 2 . . .	. . .	3 7 5
	6 12 6 . . .	2 6 2 . . .	. . .	8 10 18 17 7 . . .	17 5 10 . . .	. . .	2 10 2 36 3 6
Note, The out of Marchant	9 3 9 . . .	10 12 . . .	. . .	1 9 3 21 5 . . .	21 5 6 . . .	. . .	4 7 10 11
And John Webb has paid in part							11 15 6
							2 . . .
Remains to collect							32 15 5
To be paid you may find in the							6 7 5
Total you have to pay							39 2 11

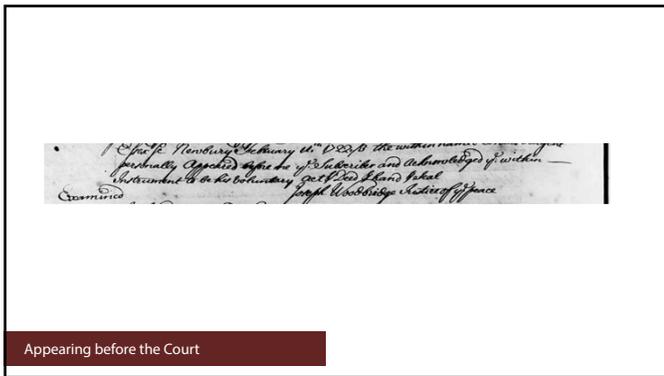
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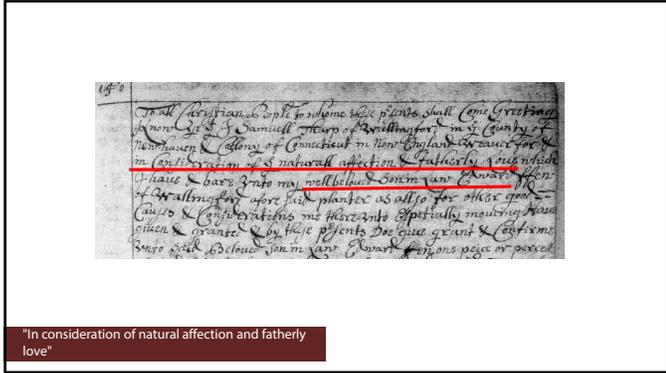


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Tips for Analyzing Land Deeds

- Note where the buyer and seller's residence is at the time of the sale. This is a key clue for identifying migration.
- Look for deeds where a husband is selling property. If his wife is living, first name will be referenced in the deed and/or the court inquiry to release her dower.
- Note the deed witnesses and abutting neighbors. They may be relatives of either party.
- Look for phrases like "in consideration of natural affection" to identify family members.
- Quit claim and power of attorney deeds are useful for documenting the children of a deceased parent.

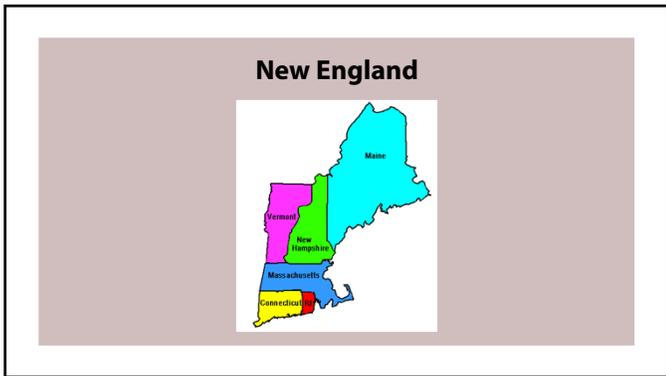
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Connecticut Land Records

- The earliest land was granted by the Conn. General Court to town Proprietors.
- Proprietors distributed the land within the town.
- Records are held on the town level
 - The only exception are the border towns of Woodstock and Suffield which were once part of Massachusetts.
- FamilySearch has microfilmed deeds on the town level through 1900 in most towns.
- There is no statewide or county index to deeds.

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AmericanAncestors.org
A National Center for Family History Heritage & Culture

Search Events Join/Renew Give 10 MB

Home Database Search

Search Database 1 Found

Hartford, CT: General Index of Land Records of the Town of Hartford, 1639-1839 SEARCH

Exact Search Surname

First Name Last Name

First/Middle/Maiden names Last Name

Years From To Location Exact Location

Keywords

Enter terms or words

Family Members (Father/Mother/Spouse)

Any First and Middle Names Last Name

[Add family members](#)

www.americanancestors.org

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Maine Land Records

- Maine deeds are recorded on the county level by the Registrar of Deeds
- Cumberland Co. Land records were not destroyed.
- First 18 vols. York County Deeds covering all Maine to 1736 were published by the state from 1887-1910 on AmericanAncestors.org
- Some land dealt with through the Land Office in Maine after 1820.

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Tip

All Provincial Deeds before 1771 are registered in Rockingham County, N.H.

85

Rhode Island Land Records

- The earliest land grants were made by the colony. The records of these grants are known as "land evidences" are held at the Rhode Island State Archives.
- The Rhode Island General Assembly granted land to groups who in turn became Proprietors of that town.
- Some early grants and land transfers were recorded in *Proceedings of the General Assembly, 1646 to 1851*, located at the Rhode Island State Archives and online on FamilySearch.
- Rhode Island Deeds are recorded on the town level.

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Vermont Land Records

- The earliest land owners in Vermont were town Proprietors.
- Some early Vermont land recorded 1688-1786 appears in Secretary of State. *New York Land Patents 1688-1786: Covering Land Included in the State of Vermont* (Vol. 7).
- Land Grants 1778-1881 were published in Secretary of State, *Petitions for Grants of Land 1778-1881*. State Papers of Vermont, (Vol. 5). The petitions lists the location, property, and the reason purpose for the petition.
- Vermont land deeds are recorded at the town level.

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Class 3: Researching Colonial New England Ancestors



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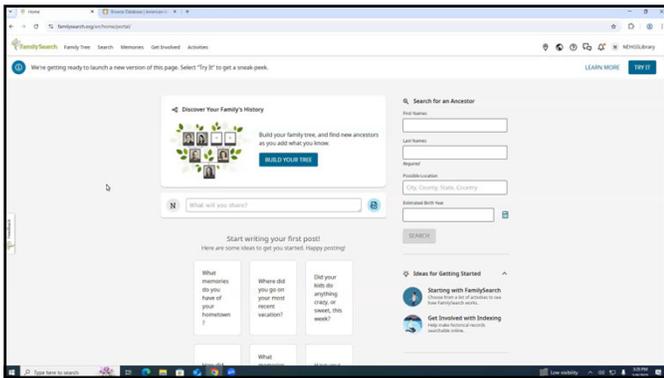


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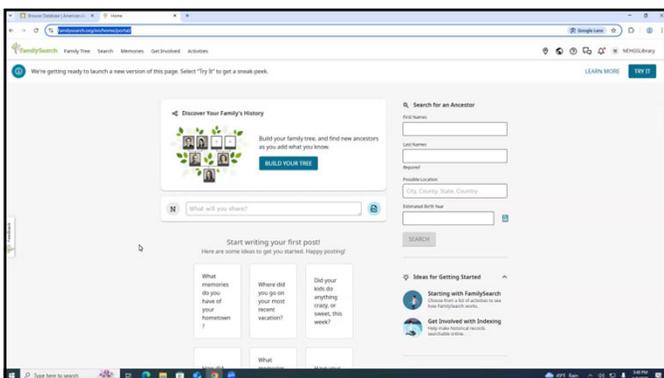
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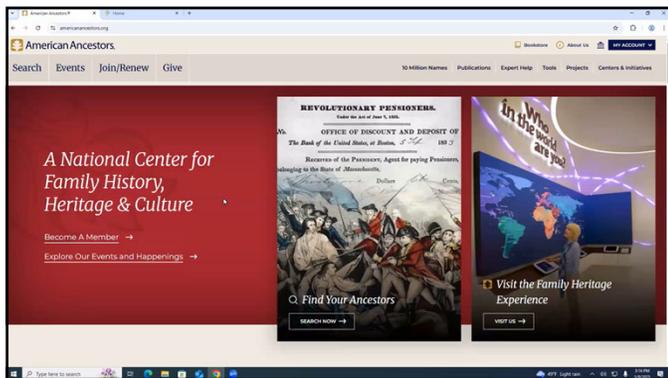
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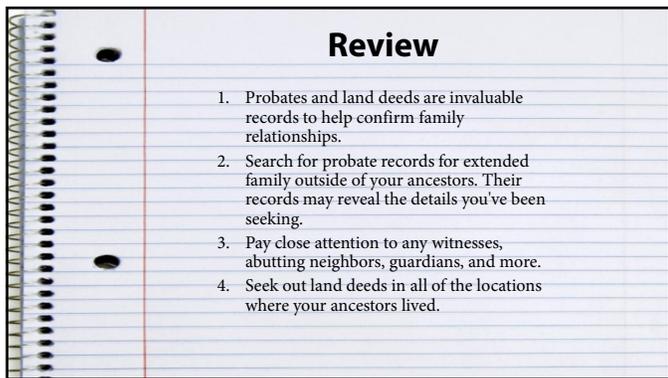
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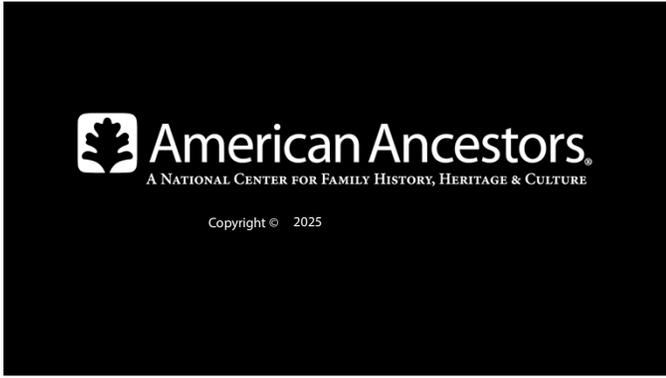
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