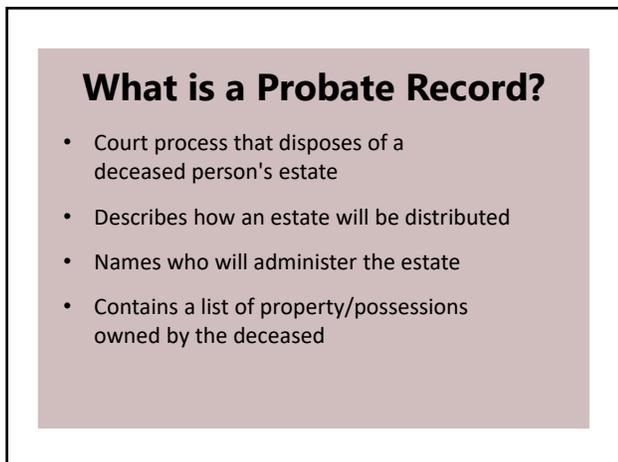




1



2



3

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

4

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

5

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.

6

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

7

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

8

Wills and Codicils

9

Wills

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

10

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

11

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

12

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

13

*But, having carefully omitted every thing in my said will
 To make this Codicil Acts as fully explanatory thereof and
 with some alterations and additions to the same, I direct my mind
 and will is That M^r Michael Frost of Boston Merchant, and
 Henry Newman of Boston Ship Carpenter Do accept the office
 of Executors of my said will & this Codicil so far as relates to or
 concern my Estate in New England and do accordingly appoint
 them my Executors - I Item I Desire of my said Executors
 that my Daughter Louisa Conelia now in Boston
 do sent to Whynge in the Province of Scotland to my Father
 Phillip Meinertzhagen I request their Particular Care that
 she be sent over in a good Season of the Year Item I
 Do hereby make free from Slavery my Indian Boy called
 Gook and give him his Liberty, Item Do allow & give
 unto the said Indian Boy the Sum of Twenty Pounds -*

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

14

Why isn't someone mentioned in a will?

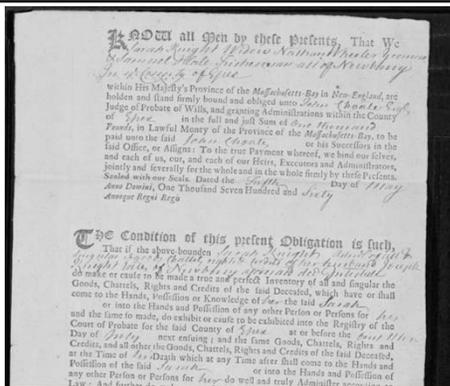
- Deceased
- Moved away
- Already received their inheritance
- Not yet born/considered a minor when the will was written
- Estrangement

15

Letters of Administration

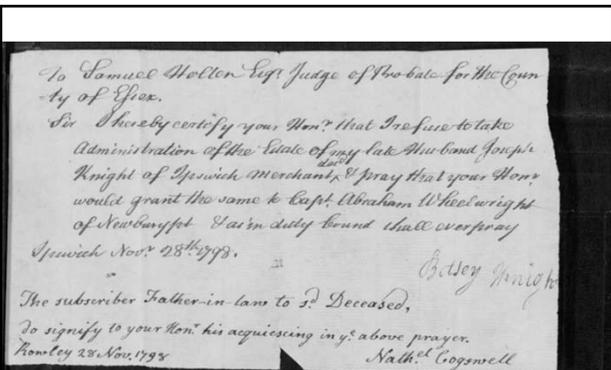
- Issued if an individual died intestate
- The court appoints an administrator/trix
 - Distributes the estate of the deceased
 - If the deceased is married, typically the widow/widower
- After the Civil War, he names of the living heirs are named

19



Letters of Administration – estate of Joseph Knight, Essex County Mass, Case #16000, AmericanAncestors.org

20



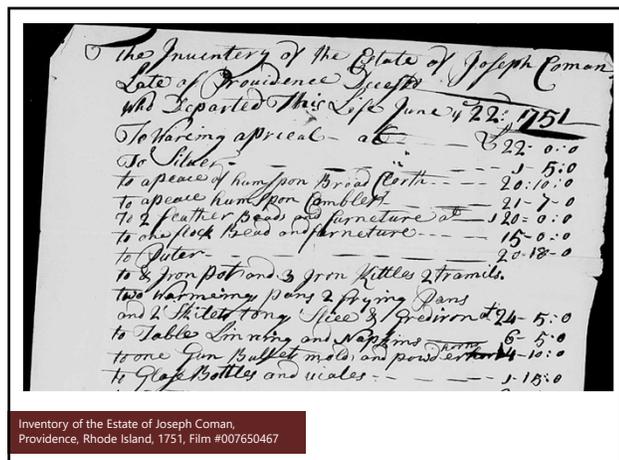
Letters of Administration – estate of Joseph Knight, Essex County Mass, Case #16001, AmericanAncestors.org

21

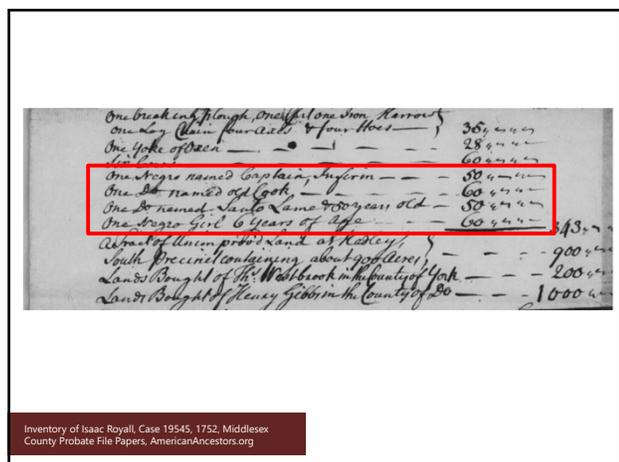
What can an inventory tell us?

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

25



26

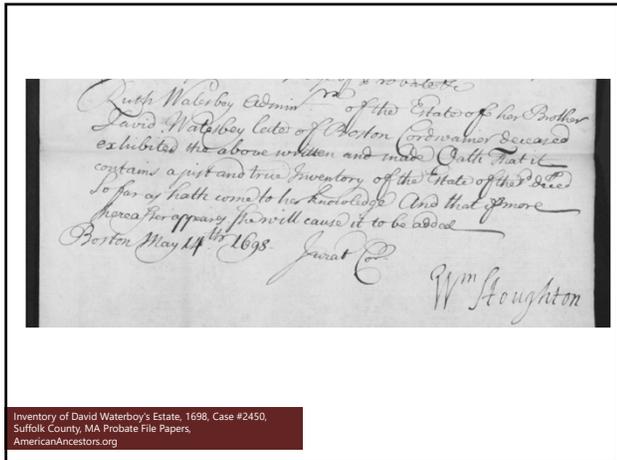


27

Tip

Note the persons who are taking the inventory. They may be family or close friends/business partners.

28



29

Tip

Review the inventory for any real estate holdings and then look for the corresponding land deeds.

30

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

34

Suffolk Co. The Account of Abigail Draper Admin of all the Singular the Goods Chattels Rights Credits of her Husband James Draper late of Newbury in my County of Essex Husbandman deceased intestate

The Account of Charges her self has all Singular the Goods & Chattels of her deceased husband in an Oath of her own Exhibited unto the Registry of Probate amounting to

<i>£ 111</i>	<i>11</i>
<i>17</i>	<i>17</i>
<i>18</i>	<i>18</i>
<i>18</i>	<i>18</i>
<i>11</i>	<i>11</i>
<i>8</i>	<i>8</i>
<i>2</i>	<i>2</i>
<i>2</i>	<i>2</i>

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

35

And pray Allowance as follows. Vizt.

<i>For Freight of Goods</i>	<i>£ 10</i>
<i>For Freight of Funeral Charges of Deceased</i>	<i>£ 7</i>
<i>For several Items as in Receipts doth appear to</i>	<i>£ 3</i>
<i>was due from the Deceased amounting in y^e whole to</i>	<i>£ 3</i>
<i>For the Rent of a Room at Boston</i>	<i>£ 3</i>
<i>For the Rent of a Room at Boston</i>	<i>£ 12</i>
<i>For the Clothing of y^e Deceased in Newbury</i>	<i>£ 3</i>
<i>being worn out, Appraised at</i>	
<i>Woolen wear appraised at</i>	<i>£ 13</i>
<i>being worn out</i>	<i>£ 1</i>
<i>Cost of Stocking worn out</i>	<i>£ 1</i>
<i>Paid to Samuel Wood for his Wife's portion</i>	<i>£ 25</i>
	<i>£ 119</i>
<i>For Rent of House & Furniture</i>	<i>£ 7</i>
<i>For Rent of House & Furniture</i>	<i>£ 8</i>
<i>For Rent of House & Furniture</i>	<i>£ 22</i>
<i>For Rent of House & Furniture</i>	<i>£ 2</i>

With a cap. about son of y^e Deceased

being present at y^e Allowance of y^e Abig. Draper

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

36



37

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

38

Order Distribution, Joseph Knight
estate, Essex County, Mass, Case #16001

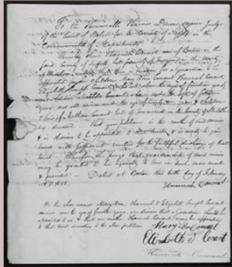
39



40

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



41

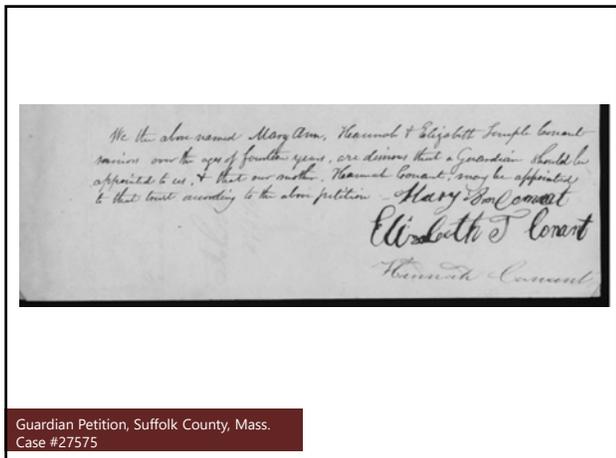
To the Honourable *Thomas Daves* Esquire,
 Judge of the Court of Probate for the County of Suffolk, in the Commonwealth of Massachusetts,

HUMBLY shews, *Hannah Comant* of
 the County of Suffolk, in that there is occasion for a Guardian to be appointed for *Charles Comant*, *William Comant*, *Elizabeth Comant*, *Temple Comant*, who are *children* ^{minor} *whom the age of fourteen years and Adeline Comant*, who is under the age of *fourteen* ^{minor} *and children of Nathan Comant* formerly of Townsend in the County of Middlesex deceased,

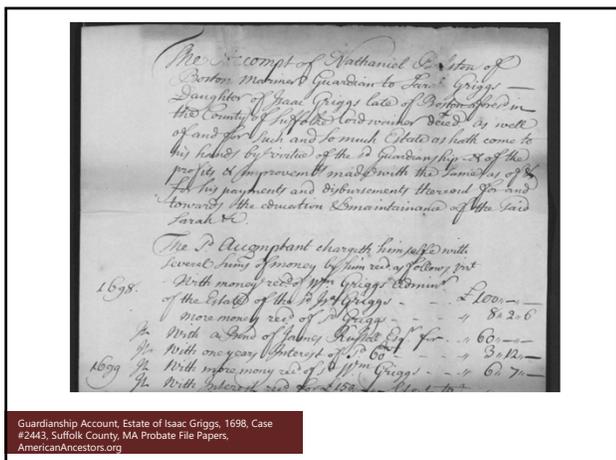
Witness my hand and seal this 14th day of January 1857.
Charles T. Bond
 Clerk of the Court

Guardian Bond, Suffolk County, Mass., Case #27577

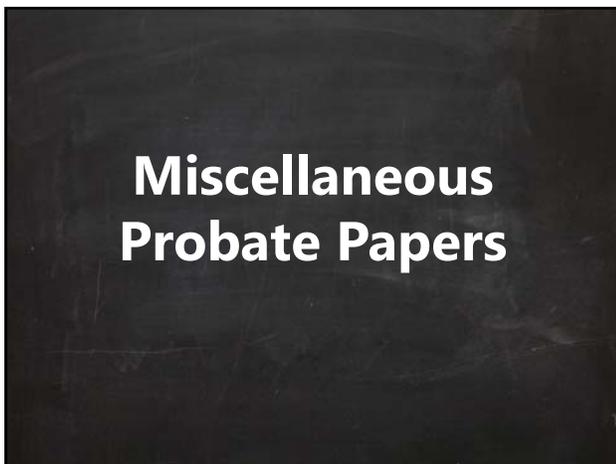
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45

Bill of Sale

- Property may have to be sold in order to pay debts.
- Sold at public auction
- Approved by the probate court



46

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

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

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Tip

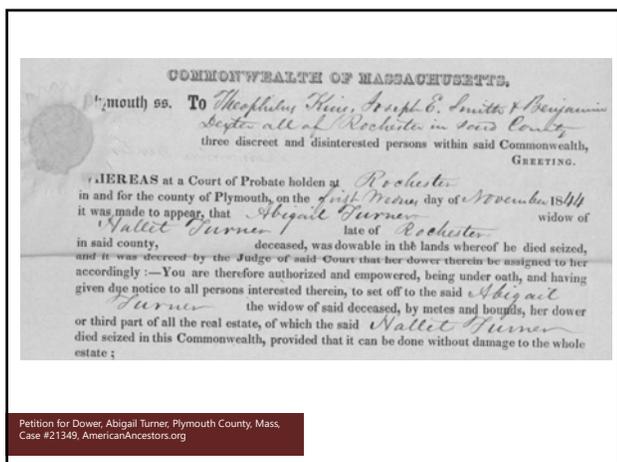
You can find lists of enslaved persons sold to others in bills of sale. These may be found in probate records or land deeds.

48

Dower Records

- A dower is the right of a widow to her deceased husband's land and property
- In most U.S. states widows had a right of one-third share of deceased's husband's property
- Widows have right to refuse their inheritance given to them in a will in favor of their dower right

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50

Receipts

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

51

Locating New England Probate Records

52

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

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Tip
Check when
the county/town/probate district
was formed

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Maine Probate Records on AmericanAncestors.org

- Early Wills and Deeds, 1640-1760

58

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

60

Rhode Island Probate Records on AmericanAncestors.org

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

61

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)

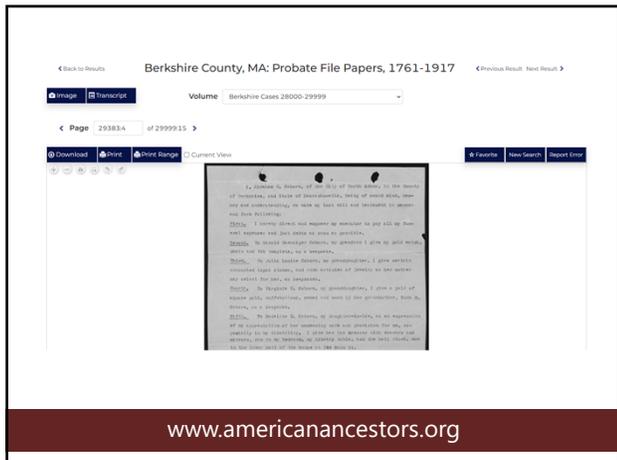
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The screenshot shows the AmericanAncestors.org search results page. The search term 'probate' is entered in the search bar, and a red arrow points to the search button. The results list 39 databases, with the first few being: Connecticut Early Probate Records, 1633-1750; Providence, RI Index to Probate, 1646-1899; Franklin County, MA Probate File Papers, 1812-1915; Norfolk County, MA Index to Probate records, 1793-1900; Berkshire County, MA Probate File Papers, 1761-1917; Barnstable, MA Probate Records, 1685-1789; Norfolk County, MA Probate File Papers, 1793-1900; Suffolk County, MA Probate File Papers; Essex County, MA Probate File Papers, 1630-1881; Plymouth County, MA Probate File Papers, 1686-1881; Worcester County, MA Probate File Papers, 1731-1881; Bristol County, MA Probate File Papers, 1686-1880; Middlesex County, MA Probate File Papers, 1648-1871; and Fairfield County, CT Probate Records, 1762-1787. The website URL www.americanancestors.org is visible at the bottom.

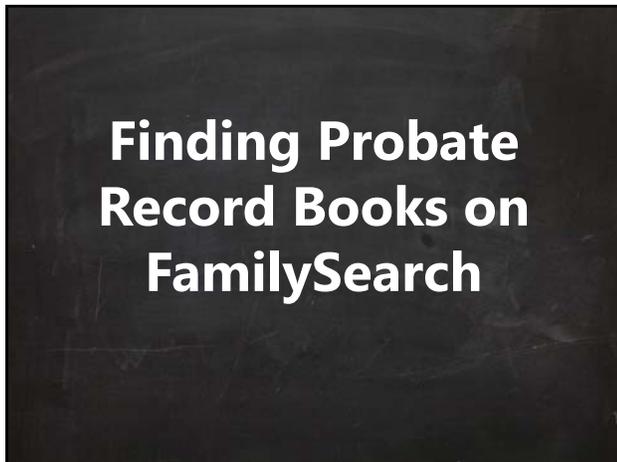
63



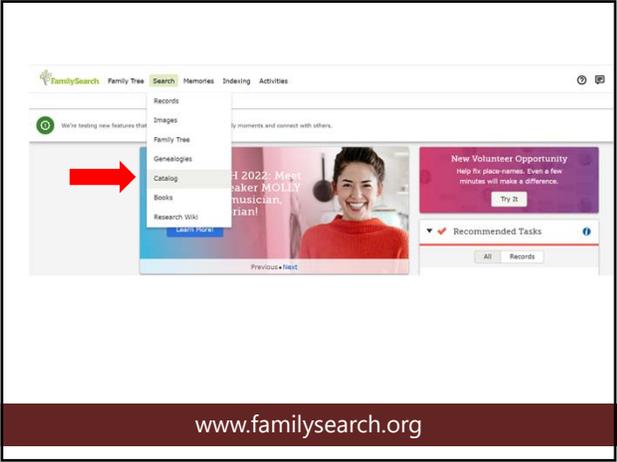
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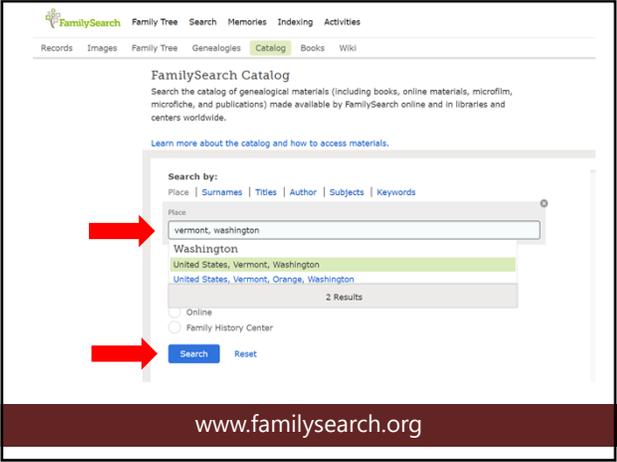


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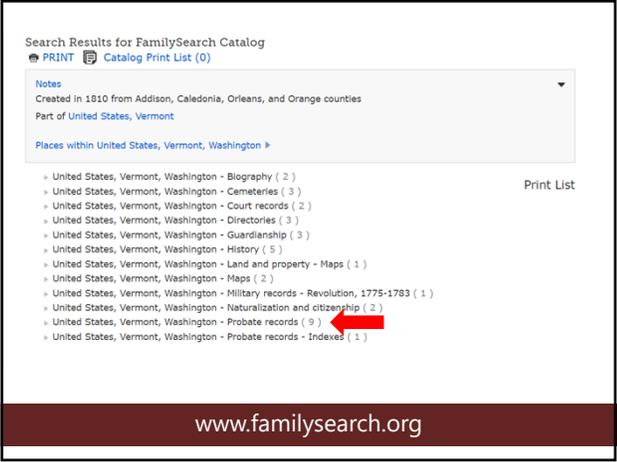
www.familysearch.org

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www.familysearch.org

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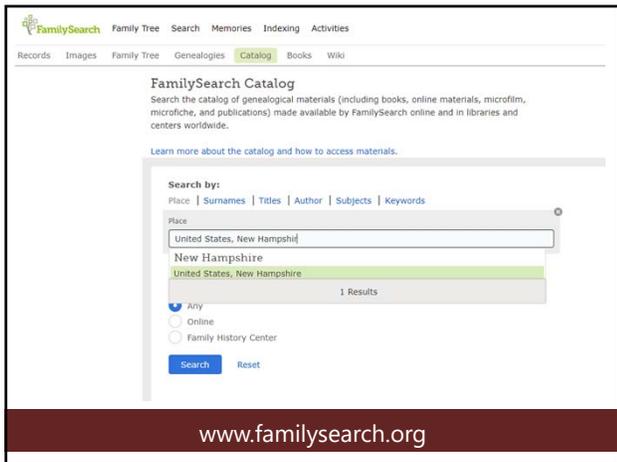


www.familysearch.org

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Finding Probate File Papers on FamilySearch

79



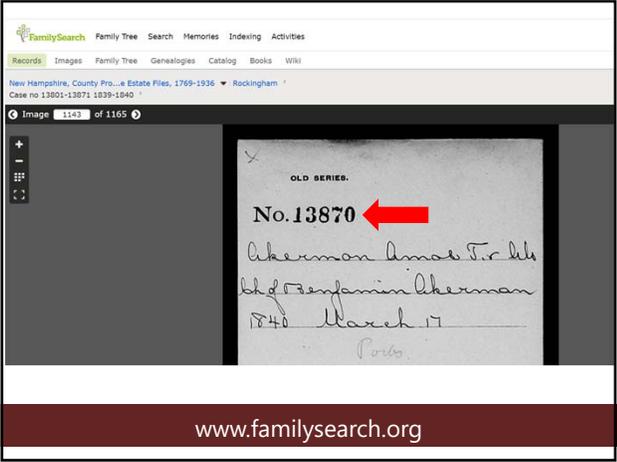
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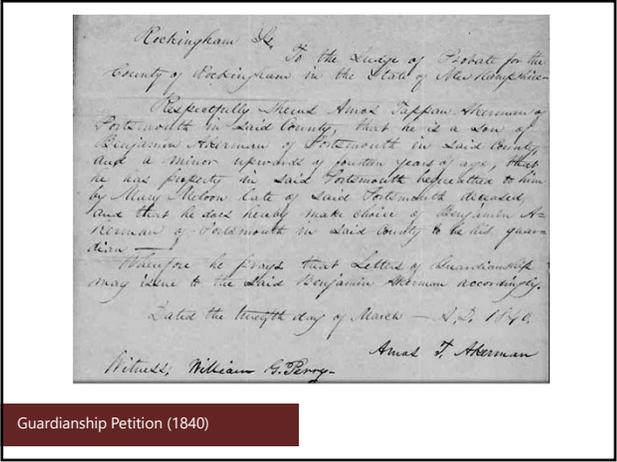
81



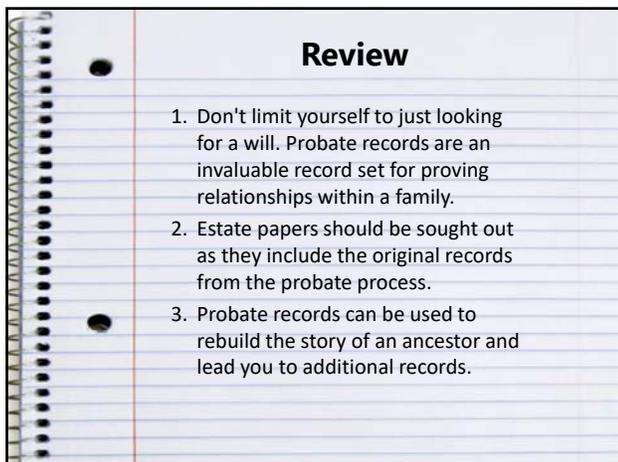
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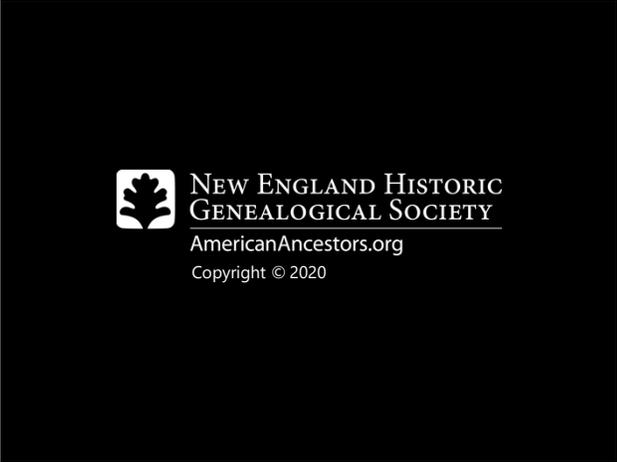
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