

# RESEARCHING PROBATE RECORDS

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1. What are probate records?
  - a. Who went through probate?
    - i. Decedent had personal or real property
    - ii. Decedent had significant debts
  - b. Who did NOT go through probate?
    - i. Individuals who disposed of their property before death
    - ii. Individuals who had no possessions to distribute and no debts to be resolved
  - c. Types of probate
    - i. "Testate"
      1. Decedent left a will
      2. Executor is named to "execute" the decedent's will
    - ii. "Intestate"
      1. Decedent left no will
      2. The court appoints an Administrator to manage settling the decedent's estate
  - d. Types of records
    - i. Court ledgers
      1. written by court clerk to record court instructions, decisions, and actions
      2. earlier records entirely in long hand, later records used forms for repetitive boiler-plate text
    - ii. Loose probate files
      1. Documents submitted to the court (receipts, letters, affidavits)
2. What can you learn from probate files?
  - a. Date of death:
    - i. Individual had to die before the probate process began
  - b. Spouse's name:
    - i. Often named as Executor or appointed as Administrator
  - c. Heirs:
    - i. Named in will or listed in Settlement
  - d. Daughters: married name or name of spouse
    - i. Children listed in guardianship records
  - e. Other relatives:
    - i. Administrator or Executor
    - ii. Bondsmen
    - iii. Buyers at Estate Sale

3. Details that help identify your ancestor in a probate record
  - a. Occupation
    - i. May be listed in court records
    - ii. May be inferred from the items in the estate inventory (e.g., shoemaker's tools, law books...)
  - b. Place of residence
    - i. May be stated explicitly
    - ii. May be calculated from land description
  - c. Original signature on will
4. FamilySearch
  - a. FamilySearch wiki
    - i. informative articles on geographic region of interest
    - ii. links to FamilySearch probate collections
    - iii. links to probate collections on other websites
  - b. Digital Collections
    - i. Browse the probate collection for your state
    - ii. Select your county of interest
    - iii. First, scan the subfolder list for titles covering the time period of interest and containing the word "Index"
      1. "Thumb" through images to locate the alphabetical index to names
      2. Locate target in the alphabetical index
      3. Note down the volume and page number for each entry of interest
      4. Return to the collection list and open the volume folder, then "thumb" to the page of interest
    - iv. Second, check the index in each volume in the relevant time-period (for entries that were not transcribed correctly to the master index)
  - c. Microfilm: search FamilySearch catalogue
    - i. [state][county]Court Records
5. Finding Aids
  - a. FamilySearch wiki
  - b. Websites for county archives or Clerk of Court
  - c. Published abstracts
    - i. Locate using WorldCat.org
    - ii. Local libraries
      1. West Florida Genealogy Library
      2. University of West Florida Pace Library
  - d. GenWeb
  - e. Ancestry.com
6. Tips
  - a. Indexes are transcriptions and therefore unreliable.
  - b. Can't decipher a word?
    - i. Google the term, using an asterisk or a guesstimate in place of the illegible term: "do hereby ordain and \* this to be"
    - ii. Scan the search results for a result that matches the text in question