

Will, Thrills and Chills: Digging into Probate Records

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This session will provide an overview of probate records, the different types of records created, including wills, inventories, and calendars, the family history content to be discovered, and where to find them online and onsite.

One of the most revealing and invaluable record sets available to family history researchers, probate records are also among the most complicated and difficult resources to successfully navigate. Within probate records, researchers may discover family relationships, find detailed information on an ancestor's life and property, and even identify the village of origin overseas.

With the dozens of different documents that are produced during the probate process, including bonds, claims, inventories, letters testamentary, orders, petitions, and releases, family history researchers would be remiss to focus on just one record type; a will, for example.

Although much content can be found online, with more appearing every day, researchers should remember that many states and localities (Michigan, for example) still have rich onsite collections at archives and county offices. Recent probate files may even be indexed at the county's web site.

There are a number of terms used in and throughout the probate process that researchers should familiarize themselves with. *Black's Law Dictionary* (the 4th edition) is still the best print source, but here are a few definitions of note:

- Bond: a document that guarantees an individual entrusted with duties relating to an estate will act responsibly
- Chattel: a basic term for personal property
- Dower: lands and property that a widow holds after her husband's death to support her and any children
- Guardianship: records relating to the court appointment of someone to manage an estate because of youth or inability to handle their own affairs
- Intestate: when someone dies without a will
- Inventory: listing of the decedent's landed and personal property
- Testate: when someone dies with a valid last will & testament

Print Sources:

Applegate, Marleen R. *Wills, Estates, and Guardianship Records: Ashland County, Ohio Probate Court, 1852-1887*. Ashland, OH: Ashland County Chapter OGS, 2014.
An excellent example of a local society publication specific to probate records.

Black, Henry C. *Black's Law Dictionary: Definitions of the Terms and Phrases of American and English Jurisprudence, Ancient and Modern*. 4th ed. St. Paul, MN: West Publishing Company, 1968.

Greenwood, Val D. *The Researcher's Guide to American Genealogy*. 4th ed. Baltimore: Genealogical Publishing Co., 2017.
Chapters 16-18 explore probate records and research.

Leuebing, Sandra H., Loretto D. Szucs, and Arlene H. Eakle. "Probate." *The Source: A Guidebook to American Genealogy*. Ed. Loretto D. Szucs and Sandra H. Leuebing. 3rd ed. Provo, UT: The Generations Network, 2006. 269-277.

MacNamara, Jane E. *Inheritance in Ontario: Wills and Other Records for Family Historians*. Toronto: Dundurn, 2013.

Remington, Gordon L. *New York State Probate Records: A Genealogist's Guide to Testate and Intestate Records*. 2nd ed. Boston: New England Historic Genealogical Society, 2011.

Taylor, Nigel. *Wills & Probate Records: A Guide for Family Historians*. Kew: National Archives, 2009.

Web Sites of Interest:

American Ancestors: <https://www.americanancestors.org>
Subscription site from the New England Historic Genealogical Society includes probate records from across the New England region.

Ancestry: <https://www.ancestry.com/>
Collections from across the world and United States, including Illinois, Missouri, Ohio, and Pennsylvania.

Colorado State Archives: <https://www.colorado.gov/archives>
An excellent example of a state-level collection, the Colorado State Archives maintains a searchable index database for some of their extensive probate records.

FamilySearch: <https://www.familysearch.org/search>
Free collections from across the world and United States, including California, New York, North Carolina, and Texas. Many records are name searchable, while others are easily accessible via browsing. Be sure to check the Research Wiki, too!