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ONLINE RESOURCES

Archives of Michigan

www.michigan.gov/archivesofmi

Circular No. 6 - Probate Court Records - lists the Michigan materials available at the Archives. Counties include: Berrien, Eaton, Hillsdale, Ingham, Ionia, Kalamazoo, Monroe, and Wayne.

Bouvier Law Dictionary

www.constitution.org/bouv/bouvier.htm

Free, searchable version of an 1856 legal dictionary.

Cyndi's List: Wills & Probate

www.cyndislist.com/wills.htm

An excellent starting point for probate research online.

St. Louis Probate Court Digitization Project

www.sos.mo.gov/archives/stlprobate/

Digital project for St. Louis (MO) City/County covers 1802-1900.



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Abrams Collection Genealogy Highlights”

WHERE THERE’S A WILL, THERE’S A WAY: RESEARCH WITH PROBATE RECORDS

Summer 2007 Vol. 9, No. 3

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To family history researchers, the phrase “probate records” often means simply wills, but probate research offers much greater insight into families, their property, and the ancestral relationships that genealogy research is built upon. Today, the definition of “probate” has been expanded to include additional documents generated during the probate process, including account sheets, assignments of dower, depositions, estate inventories, executor releases, guardianship petitions, sale bills and, of course, wills.

Probate is a state function, thus the laws across the United States vary from state to state. Here in Michigan, most probate records are available at the local county courthouse. That said, there are a number of counties – including Ingham, Monroe, and Wayne – available at the Archives of Michigan; check the Archives’ Circular No. 6 for more detailed holdings information. In addition, a number of Michigan county probate records have been indexed and published by local genealogical societies, and are available at the Library of Michigan.

Most states require probate to begin the first term of court following the property owner’s death, typically 30-90 days after the death. Given this information, researchers can estimate an ancestor’s approximate date of death. Additional genealogy clues often found in probate records are an ancestor’s previous residence, household items and their value, former spouse(s), religious affiliation, occupation or trade, land ownership, military experience, and the estate’s witnesses and executors, who are typically family members. Most importantly, probate records frequently reveal direct evidence on family relationships.

The terminology used in probate research is often a stumbling block for researchers. With the assistance of a legal dictionary, however, researchers can quickly grasp the difference between testate (the deceased left a will) and intestate (no will), how a holographic will (written, dated, and signed by testator in own handwriting) compares with a nuncupative one (dictated orally), and the difference between an estate’s executor, administrator, and guardian. When researching probate records, also remember that not everyone composed a will or owned any property of real value; this is especially true in heavily populated urban areas. As very few statewide probate indexes exist, it is almost necessary to identify the ancestor’s county of residence at the date of death.

This publication is a sampling of probate court resources available at the Library of Michigan. Additional titles may be located by searching ANSWER, the Library’s online catalog, available at www.answercat.org. The easiest way to locate probate resources in ANSWER is with a keyword search using the word **probate** or **wills**, followed by the state or county you are interested in. Here are some additional examples to help maximize your search results:

- hillsdale county michigan probate**
- ohio probate court**
- england abstracts**
- pennsylvania wills**