

OPERATION GRANNY FILES

Probate Records Quick-Reference Guide

Your Beginner's Companion to Wills, Inventories, and What the Court Remembered

Field Guide & Quick-Reference

Mission 14: The Reading of the Will

Clearance Level: Beginner

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QUICK-GRAB SUMMARY

Probate records are created when a court settles a deceased person's estate — whether or not they left a will. A full probate packet can include the will, an inventory of everything they owned, financial accounts, guardianship records for minor children, and sworn depositions from family and neighbors. These records name relationships, reveal economic status, and often contain more family detail than vital records. Start with the FamilySearch Catalog (search by county and state), read the whole packet (not just the will), and watch for relationship terms that meant different things in the 18th and 19th centuries.

What's in a Probate Packet?

A probate file isn't one document — it's a folder of records created over months or years. Here's what you may find:

- **The Will** — Names heirs, states relationships ("my beloved wife," "my eldest son"), describes property, and names the executor. Not everyone left a will — only about 10% of pre-1900 adults did.
- **Inventory** — Court-appointed appraisers listed and valued every item the deceased owned: livestock, tools, furniture, kitchen items, books, clothing. Reveals daily life in extraordinary detail.
- **Accounts / Settlements** — The executor's financial report: what was collected, sold, paid to creditors, and distributed to heirs. Names heirs and their shares.
- **Petitions and Bonds** — The filing that opens probate. Bonds guaranteed the executor's honest management, backed by sureties (often relatives or neighbors).
- **Guardianship Records** — When minor children were orphaned, the court appointed a guardian. These records name the children, their ages, and the guardian's relationship to them.
- **Depositions / Affidavits** — Sworn statements from family, neighbors, and associates. Narrative gold — people telling family stories under oath.

GRANNY PRO TIP

Don't just search for the will — read the entire probate packet. The inventory tells you how your ancestor lived. The guardianship records tell you what happened to the children. The depositions tell you what the neighbors knew. The will is often the least revealing document in the file.

Testate vs. Intestate

Understanding the two paths an estate can take:

Term	Meaning	Who Manages	What Gets Created
Testate	Deceased left a will	Executor / Executrix (named in will)	Will, inventory, accounts, distribution records
Intestate	No will	Administrator (court-appointed)	Petition, bond, inventory, accounts, distribution per state law

Both processes produce genealogically valuable records. Intestate estates can be just as rich as testate ones — the court still names heirs, appoints guardians, and inventories property.

Where to Find Probate Records

Repository	What It Holds	Access	Cost
FamilySearch Catalog	Microfilmed/digitized county probate records	familysearch.org → Catalog → search by county	Free
Ancestry.com	U.S. Wills and Probates collection, state indexes	ancestry.com (or free at many libraries)	Subscription
County Courthouse	Original probate packets, will books, guardianship records	In-person or by mail	Varies
State Archives	Older records transferred from counties	In-person; some digitized online	Varies

Key fact: Probate is a county-level process. You must know which county your ancestor died in. If unsure, check the last census record where they appeared and note the county.

Court name varies by state: Probate Court (most states) · Surrogate's Court (New York, New Jersey) · Orphans' Court (Pennsylvania, Maryland). Same function, different labels.

Step-by-Step Search Workflow

1. Identify the county where your ancestor died or last lived. Census records are your best clue if you're unsure.
2. Search FamilySearch Catalog — Type the county and state. Browse categories: "Probate records," "Wills," "Guardianships," "Court records."
3. Browse the collection — Many county probate records are digitized but not name-indexed. You may need to page through will books by date.
4. Check Ancestry's U.S. Wills and Probates — Name-searchable index. Free at many public libraries.
5. Search state archives — Some offer online indexes or mail-order copies for records not yet on FamilySearch.
6. Contact the county courthouse — For records that aren't digitized, call or write the Probate Court (or Surrogate's/Orphans' Court).
7. Read the whole packet — Will, inventory, accounts, guardianship, depositions. Every document adds a layer.

BONUS INSIGHT

Approximately 25% of pre-1900 heads of household had their estates probated. If your ancestor doesn't appear, it may simply mean they didn't own enough property to trigger the process — not that records don't exist for other family members in the same county.

Relationship-Term Decoder

Old wills use terms that didn't mean what they mean today. Watch for these common traps:

Term in Will	Modern Assumption	What It Often Meant (18th–19th c.)
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"Cousin"	First cousin	Any relative — nephew, niece, in-law, distant kin
"Son-in-law" / "Daughter-in-law"	Spouse's parent/child	Stepchild (frequently)
"Junior" / "Senior"	Father and son	Older and younger man of same name in community
"Natural son/daughter"	Biological child	Could mean biological (vs. adopted) OR illegitimate
"Now wife"	Current wife	Indicates a previous wife existed — look for earlier records
"Beloved"	Term of affection	Standard legal formula — not necessarily sentimental

GRANNY PRO TIP

When you see "Junior" and "Senior" in old records, check whether they're actually father and son — or just two unrelated men with the same name living in the same area. The designation sometimes dropped or shifted when one person died or moved away.

GRANNY SAYS

"A will is the last thing someone ever said about who mattered to them. The inventory is what they touched every day. The depositions are what the neighbors remembered. Read all of it — you're holding someone's whole life in a courthouse folder."

Notes

Use this space for personal notes and discoveries.