



Basic Courthouse Research

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Through many early deeds and probate records have been microfilmed, most are not. The courthouse is full of records rarely used by genealogist. Searching and studying these records can trace back family lines, show descendants, and give clues. These records are diverse. They were recorded and compiled while our ancestors lived. Combining records found in the courthouse can break down brickwalls that other records can't touch.

Preparing to do Courthouse Research

- Do the easy research first – ask family, census, vital records, etc.
- Visit local resources for information – library, archives, courthouse
- Do Internet research before going on location
- Visit a local courthouse
- Practice reading old handwriting, do some indexing
- Set a goal – who, what, why, where
 - Prepare one page surname sheet with years
 - Prepare Goal Summary sheets for each family

Where is the record?

- What is the Jurisdiction; timeframe?
- Where is it housed now?
- Needed record maybe in a different facility

What you need to think about before you plan

- Will you be able to handle the record books?
- Will you have to climb a ladder?
- Do you need to bring a friend?

Preparing for the Trip – What to Bring

- What are you allowed to bring, are there lockers
- Supplies
 - Lined paper, pencil, pens may not be allowed
 - Magnifying glass
 - Change – parking & copier
 - Camera – flash may not be allowed
 - Flashlight?
 - Computer, tablet? If allowed
 - Spares of needed items
- Information to bring

- State Records Access Law
- Goal Surname Summary Sheet
- Summary of families researching – **This is your Research Plan**
- Personal Locality Guide – everything you might need to know about that location
- “Courthouse Research for Family Historians Your Guide to Genealogical Treasures” and “Courthouse Indexes Illustrated” both by Christine Rose. Study them ahead of time, tab them.
- County information pages
- Maps of all kinds
- Clothing
 - Dress like a serious researcher, simple & practical.
 - Darker clothing, in layers
 - Flat Shoes

At the Courthouse

Which Office of the Courthouse Will You Need to Use?

- **Register (Recorder) of Deeds Office**- Property records showing ownership and transactions of land.
- **Assessor’s Office** – Tax records
- **Probate Office** – Wills and intestate proceedings. Also called Orphan’s Court, Surrogate Court or Register of Wills
- **County Clerk’s Office** – Vital records. Marriage records can be recorded by other courts, like probate, but housed in the same office. Vital records may be in other location, New England states and many large cities are in town or city clerk’s office.
- **Civil Court Department** – concerned with personal rights
- **Criminal Court Records Office** – involves violations of the law.

Some maybe combine

Add this information to your Personal Locality Guide

When You First Arrive

Bring Christine Rose’s books – see titles in the Resources section below

Is the Court in session that day? - What is allowed in the Courthouse? Rules for the day

Look around – Layout, directories, maps; Public areas

Be prepared with the right question to ask

Move to the correct office

Ready to research

Surname Summary Sheet It will keep you focused.

Research plan

Start a Research Log – log everything including negative results

Search the Indexes

Look around the room – take in the layout

Locate the right index - Learn how to use it.

Search first surname, every entry, all spellings

Photocopy or digital copy

Find the Record

Look around the area for where the records are stored

Open shelves – open to the public? Or need to request?

Cite Your Source **before** you open a book

Look through all pages of the document, before & after, marginal notes and gaps.

Looking at the Original Record

Focus on your Family Summary Sheet - Research Plan, note information on the sheet

Note on your Research Log what you found or didn't find and further research needed

Be mindful of time but don't be hasty

Make copies if allowed

Abstract the original record on the spot – Abstract vs. Transcribe

Courtesies

Keep only what you need on the counter. Keep all belongings with you.

Little quiet conversations. No talking or singing to yourself.

Don't use your paper on a record book while writing

Don't correct records in a book

Use only pencils if pens are prohibited

Return record books where you found them

Keep original loose records in the same order you found them

No eating, drinking or smoking around the records

Choose an Office – Land Records

Most reliable – Errors corrected, if damaged will be reconstructed

Crucial to Research – Provides connections going back to the beginning of the county

Type of Systems – Surveying and transfer to individuals

- State Land States
- Federal Land States

Indexes in the Land Office

- Grantor (Direct); Grantee (Indirect); General Index of Deeds
- Mortgagor; Mortgagee
- Consolidated – many type of records deemed important
- Devisor – wills where real property transferred (testator index listing wills);
Devisee – Received real property in a will
- Tract Index
- Lot & Block Indexes – large cities
- Entry book Indexes – transfer of land under various occupancy laws of state; not in deed index

Possible Records in a Land Office

- Bill of Sale – even if no land/
personal property even slaves
- Cemetery Deeds
- Deed of Heirs
- Deed of Lease and Release
- Discharge (military)

- Dower Release
- Gift Deed (or Deed of Gift)
- Indenture
- Lease
- Marriage Contract (Prenuptial Agreement)
- Manumissions – when slave was freed
- Mortgage (Chattel Mortgage)

- Oil and Mineral Lease or Oil and Gas Lease
- Partition Deed
- Personal Property Deed
- Petition for Sale of Real Estate
- Power of Attorney
- Quitclaim Deed
- Right of way deed
- Trust Deed (Deed of Trust)

Probate

- Will Books
- Inventories
- Dower – 1/3 right for widow to live on land
- Guardianships
- Estate Packets
- Loose Papers

Court Records

- Case Files – of the original documents; if you are lucky
- Dockets – short hand of each individual case
- Jury Lists
- Loose Papers – if you are lucky
- Minutes – what went on each day

Tax Office - Separate for whites, and colored or free persons of color

- Real property
- Personal Property
- Poll taxes

Government Records

- Appointments
- Contracts
- Election results
- Official bonds
- Road orders – everyone help

Other Records to Look for “The Goodies”

- Apprenticeships
- Brands and Marks
- Burial records and permits – vets
- Coroner’s records
- Criminal cases
- Estrays (stray animals)
- Jail Records
- Indentures of servants or workers
- Labor contract
- Licenses
- Maps
- Militia Lists
- Military discharge registrations
- Newspapers – legal notices
- Overseers of the poor
- School records
- Voter registrations

Remember Be Nice

- Bring donuts, chocolate – not sure with COVID these days
- Guards get hungry too, give him a donut!
- Send a thank you card

Resources

- Black, Henry Campbell. A Dictionary of Law [Black’s Law Dictionary], 1st ed. 1891, 2nd ed. 1910

- Eichholz, Alice ed. *Redbook* 3rd edition. Salt Lake City: Ancestry Inc., 2004. This guide includes county information including its formation, courthouse addresses and start year of records.
- Everton, George, ed., *The Handy Book for Genealogists: United States of America, 10th Edition* Logan, Utah: Everton Publishers, 2002
- Mills, Elizabeth Shown. *Evidence Explained: Citing History Sources from Artifacts to Cyberspace* 3rd edition revised. Baltimore: Genealogical Publishing Co., Inc., 2017
- Rose, Christine. *Courthouse Research for Family Historians* 2nd edition. San Jose Calif: CR Publications, 2020.
- Rose, Christine. *Courthouse Indexes Illustrated*. San Jose Calif: CR Publications, 2006
- Szucs, Loretto Dennis and Sandra Hargreaves Luebking. *The Source: A Guidebook to American Genealogy*, Third Edition. Provo, Utah: Ancestry, 2006.