

# Unlocking Family History: Researching Courthouse Records for Genealogical Discoveries

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## ➤ Terms:

- Supreme Court
- Superior Court
- Magistrate Court
- Plaintiff – Person complaining or suing (Private citizen or prosecutor for the government)
- Defendant – Person(s) having to defend against the accusation(s)
- Intestate – Died without a will or the will was not accepted. Hint – Often creates more legal records than if there was a will. Opposite of Testate



## ➤ Areas of a County Courthouse and what you can find in each

- Superior\Magistrate\Municipal Courts
  - Jury Lists
  - Criminal Cases
  - Ordinance Violations
- Probate
  - Vital Records (Registers, Certificates, Licenses)
  - Guardianship Records
  - Estate Records (Wills, Annual Returns, Permission to Sell, Sale Records)
- Land and Deed Records
  - Grantor Index Book (Seller)
  - Grantee Index Book (Buyer)
  - Land Transfer, Promissory Notes, Sale of Slaves, Livestock, etc.
  - Look for things like “Et Al” which indicates “and others.”
- Taxes
  - Property Tax
  - Poll Tax (also called Tythe)
  - Business Tax
- Historic Courts
  - Inferior Court

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- Court of Conscience
- Court of Chancery (Still used in Delaware)
- Court of Record (Still used in many states)
- Court of Equity

## ➤ Tips

- **Start** your research online and with research guides
  - What record dates are you researching?
  - When was the county formed?
  - Who has the records you want to research?
- Narrow down what you want to see at the courthouse
  - What is absolutely available elsewhere?
  - Is it available online?
  - Or at archives, historic societies, museums, and Family History Libraries?
  - Read each document! Do not just scan/photograph and go. The last thing you want is to get home; read a reference to another document you did not get because you did not read it at the courthouse
  - Many of the books are very large, bulky, and very heavy. Bring help? Many may be fragile. Please be careful. Some places may require gloves
  - Some areas can be very organized, neat, and easy to find what you want, while other courthouses, not so much. (I had one clerk in a GA County upon showing me where the room was and said, "Good luck!" The place was in utter disorder.)
- Use Index Books and Newspaper Abstract Books to find what records might exist

## ➤ What to look for

- Estate Will
  - Original
  - Ledger Version (look for errors)
- Administration of Estate
  - Executor vs Administrator
  - Starts with Letters of Appointment and ends with Letters of Dismission
  - Bonds
  - Inventories
  - Sales

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- Guardianships
- Annual Returns
- Final Return – typically shows heirs and how much each received
- Special Circumstances
  - Death or refusal to serve
  - Opposition to the person handling the estate
- Might be a special estate sale book located in probate court
- Look for
  - Married child died so inheritance passed to their children and may be held in trust by the surviving parent.
- Land and Deeds
  - Grantor Index & Grantee Index
    - Sometimes separate books
    - Sometimes the left page is the Grantor and the right page is the Grantee
    - Sometimes the clerk totally messed things up
  - Look at every document that has your person of interest on it, OR a family member
  - Look for them serving as an officer of some organization, buying or selling land
  - Look for terms of kinship, son, daughter, nephew, etc.
  - Look for other signs of kinship, “For Love and Affection,” and where he sold to a man for a very low price, could indicate a son-in-law
  - Look for other anomalies
  - Look for previous owners
  - Look for the wife being privately interviewed and giving consent to the sale
  - Plats
    - CC = Chain Carries, usually young men like sons or brothers
    - Look at who is living on all sides of the property as well as in the area
    - Read the full description
- Criminal & Civil Suit Records
  - Was your person charged with a crime? What was the outcome?
  - Did your person sue or get sued?
  - Did your person give testimony (a bit harder to find)

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## ➤ Plan your trip

### ○ CALL BEFORE GOING

- Are they going to be open? Tell them what you are coming to research, but do not let them talk you out of coming without good cause
- Are they operating out of temporary facilities?
- Do they have the books you need on-site or do they need to request them from storage?

### ○ Things to research & plan before you go

- Where can you park, and is it free?
- Where can you eat?
- Expect to go through security screening
- Be flexible
- Wear comfortable clothing (business casual), not dressed sloppily, and shoes (you may be standing and/or climbing a step-stool). Expect the books and shelves to be dusty, and that you may even have to get down on the floor
- If court is in session, you may have to use another entrance
- If court is in session, you may not be allowed to bring your phone or must keep it out of sight until you are in the research rooms
- Be very polite to the workers and understand they may not be aware of what is available and it is not their job to help you find a document (except vital records)

## ➤ What about burnt courthouses?

- Was a court case pushed to the state or circuit court?
- Did the deceased own land in another county when they died? Copy of the estate

## ➤ Final Takeaway - Courthouses are a great wealth of information. However, there are errors and lies in some documents, so be careful

## ➤ Share your findings. It is important that you document your findings with proper citations and record them so that you and others can use the newly found or proven information.

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## *For further research:*

- ▶ *Courthouse Research for Family Historian: Your Guide to Genealogical Treasures;* Christine Rose; CR Publications, 2004
- ▶ *Courthouse Indexes Illustrated;* Christine Rose, CR Publications, 2006
- ▶ *How to do Everything Genealogy, Third Edition;* George C. Morgan; McGraw-Hill Publishing, 2012
- ▶ *Advanced Genealogy: Research Techniques;* George C. Morgan, Drew Smith; McGraw-Hill Publishing, 2013

## Courthouse Research Planning Worksheet

1. Identify County and State

Notes:

2. Confirm Courthouse Location and Contact Info

Notes:

3. Check County Formation and Boundary Changes

Notes:

4. Determine Record Types Needed (e.g., probate, land, tax)

Notes:

5. Search Online Indexes or Catalogs

Notes:

6. Check for Burned Courthouse or Lost Records

Notes:

7. List Specific People and Dates of Interest

Notes:

8. Contact Courthouse to Confirm Access, Hours, Rules

Notes:

9. Make a Supplies Checklist (notebook, gloves, ID)

Notes:

10. Plan Transportation, Parking, and Meals

Notes:

11. Print or Download Maps and Finding Aids

Notes:

12. Note Nearby Repositories (archives, libraries, societies)

Notes:

## Courthouse Research Planning Worksheet

13. Set Research Priorities by Time Available

Notes:

14. Record Clerk Names and Departments Visited

Notes:

15. Log Document References and Page Numbers

Notes:

16. Photograph or Transcribe Onsite Finds

Notes:

17. Make Backup Copies After Visit

Notes:

18. Cite All Sources and File Digitally

Notes:

19. Analyze Findings and Correlate with Existing Research

Notes:

20. Plan Follow-Up Actions or Return Visit

Notes: