



*New York State Archives*

**New York State Court of Probates Record of Wills and  
Probates J0043**

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## Overview of the Records

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| <b>Repository:</b>     | New York State Archives   |
| <b>Summary:</b>        | This series consists of wills, grants of administration, and (prior to ca. 1710) inventories and accounts of decedent estates. These documents were recorded and maintained by New York Colony's Prerogative Court and then by the State Court of Probates. Many of the wills were made by widows; several executors were women; some wills bequeathed slaves; and Dutch wills sometimes had English translations. Volumes before 1700 also include other records such as governor, council, and criminal proceedings; marriage licenses, and coroner's inquests. |
| <b>Creator:</b>        | New York (State). Court of Probates   |
| <b>Title:</b>          | Record of wills and probates  |
| <b>Quantity:</b>       | 18.6 cubic feet   |
| <b>Quantity:</b>       | 40 volume(s)  |
| <b>Quantity:</b>       | 15 35mm microfilm roll(s)   |
| <b>Inclusive Date:</b> | 1665-1822   |
| <b>Series:</b>         | J0043   |

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## Arrangement

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Chronological by recording date.

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## Scope and Content Note

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J0043-85: Contains wills registered by the Court of Probates, for which the court had granted letters of administration. Most wills were proved before a county surrogate or other judge.

J0043-92: This accretion is a record of wills, grants of administration, and (prior to ca. 1710) inventories and accounts of decedent estates. These documents were recorded and

maintained by the provincial secretary or a deputy, who served as register of the New York Colony Prerogative Court (ending 1783) and by the clerk of the New York State Court of Probates (commencing 1778). (The Prerogative Court continued to function in British-occupied New York until the end of the Revolutionary War.)

J0043-92: Each will provides for the disposition of the testator's real and personal property and designates an executor or executrix. The will is witnessed by two or three persons. Accompanying each recorded will is the probate, or grant of administration. This usually takes the form of a grant of authority by the governor, his delegate, or a local court to the executor, to take an inventory of the decedent's real and personal property and to make an accounting of the assets and present it to the court. Many of the wills were made by widows, and some of the executors were women. Some of the wills bequeath slaves. The record books (particularly before 1700) contain a significant number of Dutch wills, sometimes giving both Dutch and English versions, sometimes only a translation. There are also a few records of nuncupative or oral wills, later reduced to writing by the witnesses; and holograph wills (i.e. a will prepared in the hand of a decedent, without witnesses).

J0043-92: Other probate documents recorded in these volumes include inventories of real and personal property (almost all dating prior to 1710); letters of administration; final discharges (sometimes in the form of a certificate of quietus) issued to executors upon final settlement of an estate; a few scattered orders; and letters testamentary (after 1778 only).

J0043-92: Volumes/libers dating before 1700 contain other records besides probate documents, as follows: Miscellaneous proceedings of the governor and council, ca. 1665-68, including the act for confiscating property of subjects of the Estates of Holland, 1665; admiralty and court-martial proceedings; sentences in criminal proceedings; and a petition for return of slaves belonging to the Dutch West India Company; minutes of court of vice-admiralty, 1683; transcripts of English documents relating to Trinity Church and its rector, William Vesey; Governor's orders and certificates of induction of rectors to several Episcopal parishes in Westchester and Queens Counties; records of marriage licenses, ca. 1694-1702 (found in libers 2 and 5); minutes of court of sessions held in Queens County, 1689/9;

J0043-92: proceedings of New York City mayor's court, ca. 1677-82, mostly records of civil complaints; also a few petitions, orders, letters of attorney, and commercial contracts; reports of coroner's inquests, New York City, 1680-84; miscellaneous orders and proceedings of New York City mayor and aldermen, 1680-82; copy of governor's order fining coopers and shoemakers for engaging in an "illegall combinacion [sic]" (i.e. trade union), 1682 (lists names of persons fined); proceedings in attachment by New York County sheriff of 38 slaves from Angola, taken from ship Providence of London, bound for Nevis, 1683; volumes/libers of the Prerogative Court dating from the period 1776-80 contain (in addition to probate records) scattered records of civil appointments and commissions by Governor William Tryon; and a few records of deeds and mortgages.

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## Related Information

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### Related Material

J0038 Probated Wills, 1658-1823, contains related probate records.

J2043 Index to Records of Wills and Probates contains related records.

A3296 State Court of Admiralty Minutes and Case Papers contains related records.

A4699 Testator index to wills recorded in New York City, 1665-1875, indexes this series.

A4700 Testator index to probated wills, 1671-1815, indexes this series.

### Related Publications

Henry B. Hoff, "New York Probates Recorded in Massachusetts, 1688-1689, during the Dominion of New England," *New York Genealogical and Biographical Record*, 139 (2008), 266-68, discusses wills and other documents relating to fifteen New York estates that were recorded in Suffolk County, Massachusetts (Boston), during the years 1688-89, when New York was part of the short-lived Dominion of New England.

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## Other Finding Aids

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### Available at Repository

J0043-85: Records are indexed in the following: 1) Berthold Fernow, *Calendar of Wills on File and Recorded in the Offices of the Clerk of the Court of Appeals* (New York: 1896; repr. Baltimore: 1967, 1991) (cited as "Vol. I" and "II"); 2) index to testators in front of each volume; 3) William A. D. Eardeley, "Index to Wills of New York State from 1653 to 1815" (typescript, 1941, available at New York Genealogical and Biographical Society library), pp. 72-83.

J0043-92: All but two volumes contain contemporary and/or later indexes to testators. (Some of the contemporary indexes also list executors, who are termed "administrators.") In addition, the records are indexed in the following: 1) series J2043-92 Index to Record of Wills and Probates; 2) Ray C. Sawyer, "Index of New York State Wills, 1662-1850, on File at the Office of the Surrogate for New York County," 2 vols. (typescript, 1931-32); 3) William H. Pelletreau, comp., "Abstracts of Wills on File in the Surrogate's Office, City [i.e. County] of New York, 1665-1800," *Collections of The New-York Historical Society*, 25-34 (1892-1901),

36 (1903), 40-41 (1907-08) (includes abstracts and indexes of both probate and non-probate documents);

J0043-92(con.):4) marriage licenses are abstracted and indexed by Kenneth Scott in *New York Marriages Previous to 1784; A Reprint of the Original Edition of 1860 with Additions and Corrections* (Baltimore: 1984), pp. 573-618; 5) estate inventories are indexed by name of decedent in Kenneth Scott, "Early New York Inventories of Estates," *National Genealogical Society Quarterly*, 53 (1965), 133-38.

Accretion J0043-92 is indexed by Series A4699, Testator index to wills recorded in New York City, 1665-1875.

Series A4700, Testator index to probated wills, 1671-1815, indexes this series.

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## Use of Records

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### Access Restrictions

Microfilm is not available for inter-library loan or reproduction for any purpose.

### Alternate Formats AvailableAlternate Formats Available

Microfilm is available for use at the New York State Archives.

### Alternate Formats Available

### Items Online

The entire series is digitized (from microfilm) as part of a larger collection of Wills and Probate Records and is available to New York State residents for free on Ancestry.com New York. You must sign up for a free account to access these records without a paid subscription. To learn more, go to [How to Use Ancestry.com New York](#)

[Wills and Probate Records, 1658-1880 on Ancestry.com](#)

## Administrative Information

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### Custodial History

J0043-92: Records were transferred from the New York County Surrogate Court to the Historical Documents Collection, Queens College, City University of New York, in the 1960s. Records were transferred to Queens Borough Public Library in the late 1980s.

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## Access Terms

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- Letters of administration
- Women--Legal status, laws, etc.
- Courts
- Women--New York (State)
- New York (State)
- Probating
- Probate records
- New York (Colony)
- Probate courts
- Probate records
- Slave records--New York (State)
- Courts-martial and courts of inquiry--New York (State)
- Deed registers
- New York (State)--Officials and employees--Selection and appointment
- Slavery--New York (State)
- Probate law and practice
- Admiralty--New York (State)
- Church of England Clergy