

Evidence Explained: Citing History Sources from Artifacts to Cyberspace

federal government. For land transactions at the national level, see chapter 11. The present chapter treats property and probate records maintained at the state, county, and town levels.

10.4 Using Originals vs. Record Copies

Many of the property and probate records you consult at the city and county level are *record copies* rather than “true originals.” Historically, citizens have created deeds, marriage contracts, probate inventories, and a host of related records in the private office of an attorney, a notary, or a justice of the peace. On those occasions, duplicate originals were typically made—one to be kept by the official who created the record and one or more *duplicate originals* for the key parties involved (say, the grantor and grantee in a land sale). Depending upon the law in effect at the time and place, either the official who created the document or one of the parties to the transaction might bring one of the duplicate originals to the town or county record office. There, the document would be recopied into a record book. Depending upon law and custom, the originals might be returned to the individual who submitted them for recording or they might be kept by the clerk. Retaining the original was a common early practice for probate records, less so for deeds.

As a careful researcher, you will want to use the original or the copy closest to the original (the so-called “most original”). If a city or county has preserved probate *files*, you would give more weight to the documents kept therein than to the record-book copies. However, as a legal and practical matter, record copies officially created and maintained by public record offices are treated as *original records*, unless a “more original” version exists.

DEEDS & CONVEYANCES

10.5 Basic Formats: Original Registers

See also QuickCheck Model *for* ORIGINAL RECORDS: LOCAL REGISTERS ...

Most property records for transfers between individuals are recorded at the city, town, or county level. The registers for them carry an endless variety of labels. Even so, their citations usually follow a basic pattern with six parts:

- creator’s name (the local jurisdiction);
- label on the volume you are using;
- page(s) where you found the item of interest;
- identification of the item of interest (if not identified in your text);