



DYING WISHES AND FINAL THOUGHTS

What Wills & Testaments Can Tell You About Your Ancestors

By Robbie Gorr

DISCOVERING THE LAST WILL AND TESTAMENT OF AN ANCESTOR is an exciting prospect, but careful examination of such a document may tell you more about your forebear than you might imagine at first glance. Couched in the legal phrases and hidden among the standard locution and the prescribed jargon are the dying wishes and final thoughts of your ancestor. As well as divulging the extent of a lifetime's accumulation of wealth and property, it is an open letter to family and to descendants that can disclose much about their personality and disposition and can also reveal the state



Wills have often yielded unexpected 'legacies' to genealogists by providing confirmation of family relations and connections and other personal information about ancestors' lives, recorded in their final thoughts and dying wishes. (Photo by matsuyuki, Creative Commons)

of relationships with surviving family and friends. That final document is a window into the lifestyle and the mind of your ancestor at the culmination of their life.

In legal terms, a will makes provision following the death of an owner

for any immovable property that they possess, such as land, buildings, mineral rights and easements to be conveyed to some beneficiary. By contrast, a testament distributes movable property such as money, furnishings, livestock, and personal possessions, like jewelry or clothing, to similar beneficiaries or legatees. The will and the testament are historically joined in a document usually referred to as the last will and testament, although it is often colloquially known just as a will.

In your research, you will soon discover that most wills are written according to a standard formula. Wills in America and Canada are similar in structure and content to wills written in Britain as they follow the traditions of British common law. But, no matter the origin of the will, the terms and phrases often employed, including some legal vocabulary and some vernacular relating to the time when the document was created, can hinder your understanding of the content. A valuable website to explain and clarify these is the *Index of Terms Used in 17th and 18th Century Wills, Inventories and Other Documents* (<https://freepages.rootsweb.com/~fordingtondorset/genealogy/Files/Glossary.html>). This comprehensive guide is in