

# Finding Your Family in Notarial Records

Notarial records are some of the most valuable documents you'll come across in genealogy. Written and notarized by a notary who was officially commissioned by the authorities, these records can include details about events in lives of your ancestors, and the distribution or sale of their property. By consulting notarial records, you can measure the wealth of your ancestors—during their lifetime and when they died. You can also learn about the challenges they faced in their personal life, as many settlements were written by notaries to avoid going to court.

## Getting Started with Quebec Research

You should first begin your research for ancestors who lived in Quebec by consulting church records and census records. Ancestry is home to the largest online collection of church records (Catholic and Protestant) called [Quebec, Canada, Vital and Church Records \(Drouin Collection\), 1621-1968](#). You will also find indexes to church records and cemeteries such as [Web: Montreal, Canada, Non-Catholic Marriage Index, 1766-1899](#) and [Web: Quebec City, Quebec, Mount Hermon Cemetery Index, 1846-1904](#) on Ancestry.

Continue your research by consulting the [Canadian Census Collection](#), which includes census records for Quebec from 1825 to 1921. Records like these can give your research a solid foundation, but in order to flesh out the lives of your ancestors, we encourage you to explore the unique and rich records that are the notarial records.

## The Notarial Records Collection on Ancestry

Ancestry is home to the largest online collection of notarial records for Quebec. You'll find records for the province of Quebec covering close to 300 years, from 1637 to 1935, which include acts written by 1,832 notaries. That's more than 8 million of documents available for browsing. The size of this unprecedented collection means you're likely to find at least one of your ancestors who lived in Quebec.

## What Are Notarial Records?

Notarial records are private agreements (contracts), written by "notaires" (notaries), who are recognized legal professionals. This system was introduced as early as 1621 by Samuel de Champlain in New France and maintained by the King when New France became a royal colony in 1663. This made it an official occupation and notaries were nominated by the government.

The notarial system was kept by the British authorities when they took over New France, as part of the civil code inherited from France. Because notaries were well-educated, they played a key role in the society, often holding other positions such as justice of the peace, mayor, or other political offices.

Because of multiple laws for preserving historical records, a vast majority of notarial acts were preserved and are available for consultation. The oldest notarial acts to survive are land transactions written in 1637 by Jean de Lespinasse.

### Types of Notarial Records

- Death Declaration
- Declaration of Heredity
- Guardianship
- Indenture
- Lease
- Marriage Contract
- Obligation
- Protest
- Proxy
- Receipt
- Sale
- Will

# Finding Your Family in Notarial Records

## The Content of Notarial Records

Each notarial act is a well-structured document that follows strict guidelines for its content and the presentation of the information. It consists of four parts:

1. Date, name of the notary and where the act was written;
2. Names of the parties, including their marital status, name of spouse if married, occupation, place of residence, legal status or any other information in order to identify precisely each of the parties involved;
3. The description of the agreement, including all the conditions, amount of money involved and any other information that is essential so that the agreement takes place;
4. Names and places of residence of the witnesses, date and time of signing, and signatures.

## The Main Notarial Records

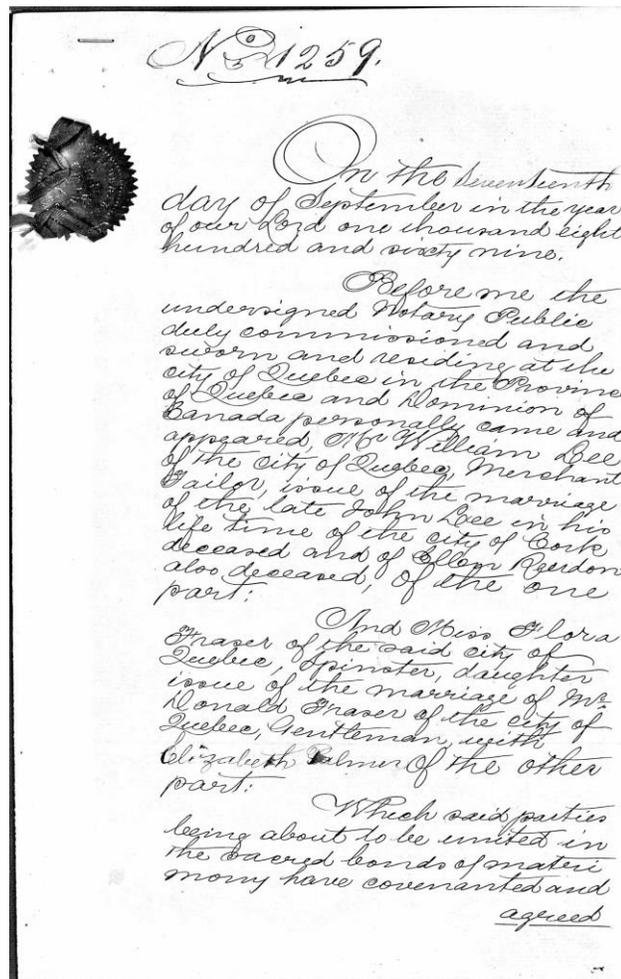
While you may find many notarial records for your ancestor, some notarial acts are more likely to contain valuable information. In any research, you should look for the following sets of records first.

### Marriage Contract

Look for the marriage contract of your ancestors written by the notary a few days before the religious ceremony. The contract will contain additional information about your ancestors and their respective families at the time of the marriage. They include conditions of the financial agreement between the spouses, conditions that will have an impact when a party dies. In many cases, the marriage contract will also include a donation of belongings—possibly a house or a land—from the parents to the married couple.

The marriage contract can also be useful to establish a lineage in cases where the names of the parents are not mentioned in the religious marriage act.

*Marriage contract between William Lee and Flora Fraser, 17 September 1869, notary Charles Henry Andrews.*



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## Inventories and shares

During the French Regime (1608-1763), belongings were transmitted after death in equal shares between the surviving spouse (1/2) and all the children (1/2), without consideration of sex and how many children there were. Shortly after the death of an individual, a detailed inventory of all the belongings was made by the notary. This document is like a written picture and can be very extensive, including a list of notarial acts passed during the lifetime of your ancestor.

Following the creation of the inventory the division of the belongings took place and was also recorded by the notary. After the division, it is common to see a string of transactions over a long period of time between the heirs, so that, in case of a land or farm, the portions could be regrouped into the hands of one heir through exchanges, donations, sales, agreements, etc.

<p>No 316 The 16<sup>th</sup> July 1872 Inventory of the Estate of the late Andrew C. Stames</p>	<p>On this eighteenth day of July in the year of Our Lord one thousand eight hundred and Seventy two at the hour of eleven in the forenoon, At the special instance and request of Sara Smith, relict of the late Andrew C. Stames, in his lifetime farmer of the Locauship of Cox, deceased on the ninth</p>		
	<p>In the house upstairs</p>		
	1 spinning wheel -	\$ 1 00	one dollar 1 00
	<p>In the kitchen</p>		
	1 table	\$ 0 50	fifty cents 0 50
	1 lot of crockery ware	\$ 0 40	forty cents 0 40
	<p>In the drawing room</p>		
	Five old wooden chairs	\$ 0 60	sixty cents 0 60
	One table with one panel	\$ 1 00	one dollar 1 00
	One bed bed on a light stand	\$ 5 00	five dollars 5 00
	House exp.		\$ 121 20
			Brought over 26 03
			144 23

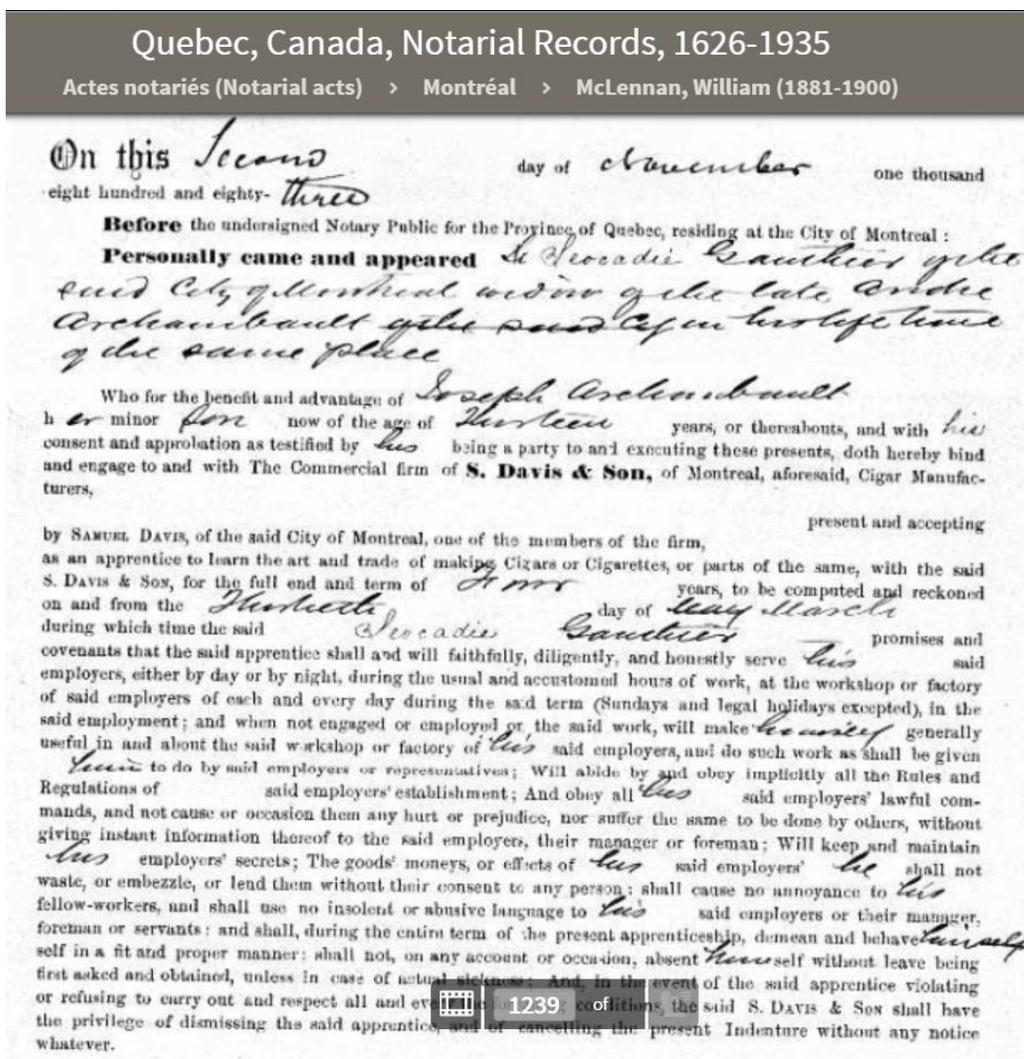
Inventory of the estate of the late Andrew Stames, Bonaventure, Quebec,  
notary Louis-Joseph Riopel, 1865-1880, No. 316, 16 July 1872.

# Finding Your Family in Notarial Records

## Apprenticeships and Indentures

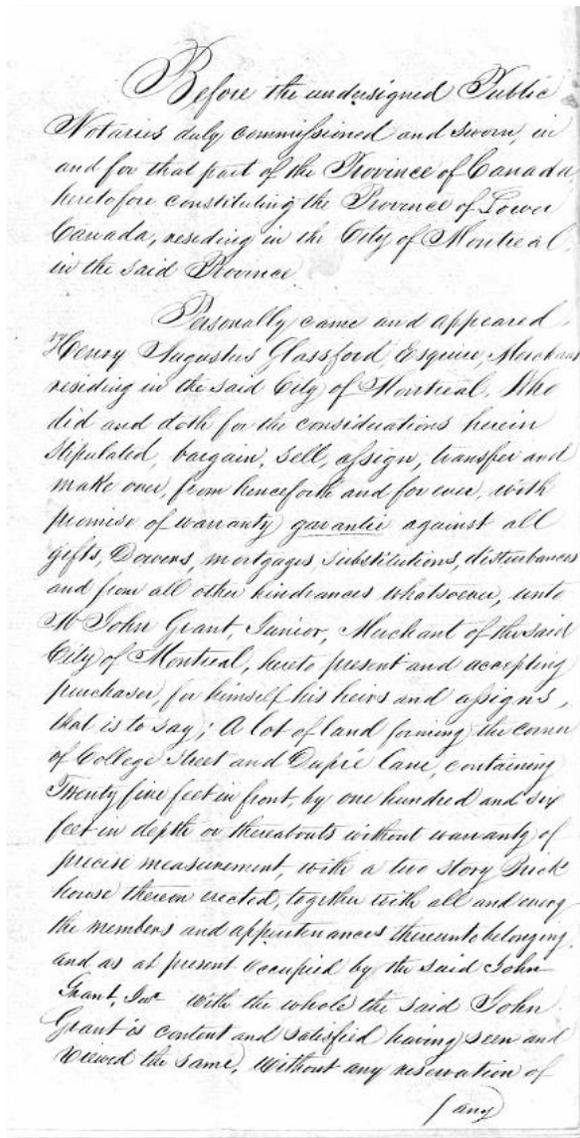
As in England or in France, if your ancestor wanted to learn a trade, he had to learn it from a master and was hired as an apprentice. All the conditions and the length of the apprenticeship were recorded in a notarial act. If things didn't work out between the master and the apprentice, the contract was also cancelled in a notarial act. Companies such as "Forges du Saint-Maurice," a large iron industry in Quebec were also hiring its personnel and manpower using notarial acts.

As fur trading companies and merchants were hiring men to go west from Montreal, a series of notarial acts in front of a specific notary were signed in the spring, before their departures. Again, those acts contain all the conditions and the length of the indenture.



Engagement (indenture) of Joseph Archambault to S. Davis & Son, cigar manufacturer, Montreal, Quebec, notary William McLennan, No. 885, 2 November 1883.

## Finding Your Family in Notarial Records



### Land transactions

As early as 1637, any transactions (sale, exchange, donation, etc.), regarding a piece of land—in town or in the countryside—were written by a notary. The act generally includes a pretty good description of the property and a reference to the previous act of property (date and the name of the notary).

During the French Regime, like in France, the seigneurial system was in place to manage lands. A large area of land was granted to a notable, now the "seigneur," who had the responsibility to develop it by granting smaller pieces of land to inhabitants. This system continued in some places until 1854. However, after 1763 new pieces of land were granted as lots in townships. You can find those grants by consulting [Quebec, Canada, Land Grants, 1763-1890](#) on Ancestry.

Sale of a two stories brick house located at the corner of College Street and Dupré Lane, in Montreal, by Henry Augustus Glassford, merchant to John Grant junior, merchant, April 27 1853, notary Joseph Aussem.

## Searching for Notarial Records

Before Ancestry added this extensive online collection of notarial records, you would have had to visit local centers of Bibliothèque et Archives nationales du Québec or to consult microfilms to find these documents. Now you can view these records in the comfort of your home.

### Before You Begin

Your searches will be more successful if you have a general idea of when and where your ancestor lived or died (village, town, and district). See the records mentioned at the start of this guide to zero in on their location.

# Finding Your Family in Notarial Records

**Tip:** Keep in mind that almost all transactions were notarized in Quebec, from renting a bench in the local church to the sale of a major commerce. Also, depending on the wealth and occupation of your ancestor, the number of results may vary.

## Searching the Collection

When you're searching for notarial records, think about the details you expect to find in the records you're looking for: the name of your ancestor, the date when the record was written, the name of the notary (often families employed the same notary for multiple contracts), the type of record, and the district where the notarial record was written.

Use these details, where known, in the appropriate search fields. Even if you don't have an exact date, an educated guess can help. **Note that names were indexed from the notarial repertoires, not the notarial acts themselves.** In the case of married couples, the name of the wife will generally be written in the notarial act only, not the notarial repertoire. She could have consulted a notary for her own requirements so look for that under her maiden name.

**Tip:** The settlement of an estate can take time so make sure you search in the years following the death, too. Also, keep in mind that majority was reached at 25 years old from 1608 to 1791, so your ancestor had to wait until he'd reached that age to go to the notary.

## Browsing the Collection

If you don't find your ancestor in the collection using a name search, you can also browse through each district, notary by notary.



# Finding Your Family in Notarial Records

Tip: If you don't know the name of the notary or want to learn what district a notary practiced in, use this [database](#) maintained by the *Chambre des notaires du Québec*. First choose the option "[Recherche d'un notaire inactif](#)" and then enter the name of a locality, you will get the names of all the notaries who practiced in the locality and the dates they were active. You can also consult *Index des lieux de résidence et de pratique des commis, des garde-notes, des greffiers, des tabellions, autres et des notaires, 1621-1991 ainsi que les lieux de dépôt de leurs minutes avec leurs côtes aux A.N.Q.*, by Jean-Marie Laliberté (Montréal, 1991.)

## Navigating the Records

This research tool was created by indexing the names of the parties found in the repertoire (catalog) of each notary. By clicking on **View Record**, you will view the name of your ancestor, the date of the act, the district, the name of the notary and the type of act. The names of the other parties are also provided. To see the original notarial act, click on View Notarial Act.

Name:	Nicolas Bernier					
Record Date:	4 sept. 1848 (4 Sep 1848)					
Record Place:	Beauce, Quebec, Canada					
Inferred Marriage Year:	1848					
Notary:	Pierre Godefroy de Tonnancour					
Notarial Act Number:	145					
Record Type:	Contrat de Mariage (Marriage Contract)					
Record Description:	Mariage					
Participants:	<table border="1"> <thead> <tr> <th>Name</th> </tr> </thead> <tbody> <tr> <td>François Chatellereau</td> </tr> <tr> <td>Grégoire Montplaisir</td> </tr> <tr> <td>Nicolas Bernier</td> </tr> <tr> <td>Delle Hélène Maranda</td> </tr> </tbody> </table>	Name	François Chatellereau	Grégoire Montplaisir	Nicolas Bernier	Delle Hélène Maranda
Name						
François Chatellereau						
Grégoire Montplaisir						
Nicolas Bernier						
Delle Hélène Maranda						

[View Notarial File](#)

[Add alternate information](#)

[Report issue](#)

[SAVE](#) [Cancel](#)

Note: Not all of the records in the repertoires will be linked to the notarial file, but using the details, you may be able to browse to the record.

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### Navigation Features

- To navigate through every act of notary, use the green or gray arrows.
- If you don't see the filmstrip (or if you want to hide it) click the filmstrip icon.
- To go to a specific image, enter the number and press **Return** or **Enter**.
- To view a specific image, click its thumbnail in the filmstrip.
- To hide the panel on the right that includes the source, click the panel icon.

### Reading the Notarial Records

Notarial indices, the repertoire (catalog) and the notarial acts are mostly handwritten documents until the 1920s. Some acts, such as 19th century land grants, may be printed forms on which the notary had to fill the blanks for names and other details. Depending on the language that your ancestor spoke (French or English), he could choose a notary that practiced in one of these languages, so some acts were written in French, while others are in English.

Some acts are difficult to read, but tools exist to help you decipher the handwriting such as articles published in newsletters of Quebec genealogical societies. First, have a look at [Understanding Old Handwriting](#), a guide available on Ancestry.ca that provides some useful tips.

Other good resources include the 3 guides written by Marcel Lafortune and entitled, *Initiation à la paléographie franco-canadienne; Les écritures des notaires aux XVIIe et XVIIIe siècles*.

Multiple notarial acts have been transcribed by Quebec genealogists. The [Marcel-Trudel collection](#) consists of close to 50,000 transcriptions of notarial acts; copies can be purchased from [Société Généalogique Canadienne-Française](#).

Quebec genealogists Fleurette Asselin and Jean-Marie Tanguay have transcribed some acts from early Quebec notaries such as Antoine Adhémar, Claude Aubert, Guillaume Audouard, Bénigne Basset and Romain Becquet to name a few. These transcriptions were published in 25 volumes by the [Société de Généalogie de Longueuil](#) in 1994.

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## Finding a place

Notarial acts contain many references to place names. Many of these names go back to the origins of New France in the early 1600s. To locate those places, you can use online tools such as Google Maps. Bibliothèque et Archives nationales du Québec offers a vast selection of [digitized historical maps](#) on its website. The 1709 map drawn by Gédéon de Catalogne and the 1812 map drawn by Joseph Bouchette are very useful to locate seigneuries and townships.

To learn more about the history of a place, consult the [Dictionnaire historique et géographique des paroisses, missions et municipalités de la Province de Québec](#), by Hormidas Magnan, published in 1912.

## Ordering Copies of Notarial Records

If the image of a notarial act is still not available, you can order digital copies from Bibliothèque et Archives nationales du Québec. You will see details, conditions and prices on their [Digital Copy Services](#) page.

### [Search Quebec, Canada, Notarial Records, 1626-1935 on Ancestry](#)

Répertoires et index de notaires > Montréal > McLennan, William (1881-1900)	
	29 October 1883 (cont.)
871	Protoksh Federal Bank vs B.L. Ross & Co
872	" " " "
	30 <sup>th</sup>
873	Noting of Protoksh of St. Elyen Dochart
874	Transfer by Arthur J Cleveland to Jas & Bazin
875	Signification of same on Jas Bazin
876	Notification & Protoksh of request Sparham Fire Proof Roofing Co vs Lemer & Co
877	Noting of Protoksh of St. 'Coban'
878	Protoksh Federal Bank vs Allen Contract Co
879	" " " Paul Labelle & Co

Repertoire from Montreal, 1883, notary William McLennan, 1881-1900