

Child in Esse



Pioneer Baby

It is not uncommon for a wife to be expecting a child at the time that her husband writes his last will and testament, or dies intestate. To learn if this was the fact, one should look for the legal language of "in esse" in the will. It means "in existence".

Otherwise, a complete study of the probate records is indicated. If the person died intestate (without a will), then the letters of administration, annual returns, vouchers, receipts, sales, inventories, etc. should be closely examined for any activity which resembles the birth of another heir. This includes Inferior Court cases which might be on the books as well as Minutes of the Inferior Court.

There are some census records which could help. Say, the husband died in 1841. The 1850 census should reveal the name of the widow and all of her children.

Then there is the court for orphans where bonds are given and guardians are appointed. Old newspapers (announcing births and deaths), cemetery

plots which contain infant graves, and so on, need to be carefully considered.

One of the most interesting facets of researching in Virginia is that the wills, inventories, sales and deeds are contained in one book. This is the best source for learning little tid-bits of information which help to form the puzzle.