



Switzerland Court Records

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FamilySearch

COURT RECORDS: BACKGROUND

Every canton kept their own records. They were generally established at the time of the Reformation, though land records could begin earlier. Compliance varied by parish or court district; some records begin years later. They are typically divided into:

- Physical matters (property) – *Landgericht* or land court
 - Property transactions/inheritance
- Spiritual matters – *Chorgericht* or *Ehegericht* or church/marriage court
 - Election of town officials (usually on a yearly basis)
 - Confirmations (admission to the church)
 - Instructions from the head church council of the canton
 - Illegitimacy cases
 - Broken engagements
 - Separations and divorces (mostly post-1800)
 - Disputes
 - Criminal proceedings (religious non-adherents like Mennonites, illegitimacy, family disputes, theft, drunkenness, assault, cursing, dancing)
- Notarial records (contracts) – *Notarakten* or notary acts
 - Any sort of contract: wills and inventories, property sales/transfers, marriage contracts, dowries, guardianships

Because every canton kept their records differently, each canton may call them by different names. Look for common words within the record names:

Typical German words	Typical French words
Court: <i>Gericht</i>	<i>Acts de notaire</i> – notary acts
Marriage: <i>Ehen</i>	<i>Testaments</i> – wills/probates
Records: <i>Manual, Protokolle, Sachen, Akten</i>	<i>Terriers</i> – land/property records

Reformed vs. Catholic: The Reformation in Switzerland (early 1500s) left most cantons either fully Catholic or fully Reformed. Land court records are generally found in every canton. “Religious” courts and their records were generally created for Protestant cantons. The Catholics had their own religious system of resolving religious problems.

COURT RECORDS: FINDING THE ENTRY

Because every canton kept their records differently, you need to identify the jurisdiction. Typically, small cantons had canton-wide courts, while large cantons had smaller jurisdictions such as districts or parishes. When looking for entries, keep these things in mind:

- Records are organized chronologically by court session date. In the case of notary records, you may have multiple notaries in a community or canton at the same time; each notary kept his records chronologically within their books.
- Look first at the parish of citizenship, then look at the parish of residence. The court records could be in either or both.
- The same case may have multiple entries.
- For an illegitimate child, look for records created both before and after the birth of the child.
- Entries are usually written in 'legalese' and in paragraph form. Each case should have its own paragraph. Scan the paragraph for the name of your ancestor. Sometimes names have been underlined.
- Look for an index! Indexes are usually available from around 1800 onward.

COURT RECORDS: FINDING THE RECORDS

Records available outside of Switzerland:

- Canton Bern, *Chorgerichtsmanual*: approximately 50% of parishes available digitally:
 - In person, Family History Library, on CD
 - For purchase on DVD, Genealogical-Heraldic Society of Bern, at www.ghqb.ch/seiten/literatur.html
- Canton Vaud: Notarial records (generally by parish), some land and testament records (generally by parish or district)
 - In person, Family History Library, on microfilm
 - Can be ordered to most local family history centers

Records available only in Switzerland

Other court records are only available in Switzerland. Depending on the canton, they are usually at the canton level (generally for smaller cantons) or at the community or district level (generally for larger cantons). To begin your search, contact the canton archive to see if they have them or if they know where they are. Do a google search for your canton:

German-speaking cantons: Staatsarchiv _____ (name of the canton)

French-speaking cantons: Archives cantonales de _____ (name of the canton)

Italian-speaking cantons: Archivio di Stato _____ (name of the canton)

To contact the archive, look for an email address or the word for contact: *Kontakt* (German), *contacter* (French), or *contatti* (Italian)