

BRITISH WILLS – Where there is a will, there's a way! by Carol Stiles

Definition of terms

Will- conveys real property to heirs (immovable)

Testament- conveys real property to heirs (movable)

Codicil- addition to the will

Administrations – appointed people to supervise the will

Inventory- list of belongings

Bond- written agreement to perform a task

Why are wills important?

- They are often the only record for the time period before census records where all members of a family might be listed
- They can give vital information such as localities that the individual is associated with
- They were recorded much earlier than birth, marriage, and death registration.

Cautions with Wills

- Omit the name of the eldest son who received his inheritance according to law; the names of others who had previously received their inheritance; or any deceased family members.
- Mention children from a spouse's previous marriage.
- Mention a spouse who is not the parent of the children named.
- Give inaccurate relationships of people mentioned in the document

Probating a Will

- Usually the location of the deceased's property determined which court had jurisdiction.
- The administrator, or executor, had one year to produce an inventory of personal property.
- If a person did not agree with how the court handled the will, that person could appeal to a higher court.
- The fees charged for the proving of a will and the taxes levied on the estate of the deceased.

Pre 1858 Wills

- **Peculiar courts:** Peculiar courts, manor courts, or other special courts
- **Archdeaconry courts:** Archdeaconries were divisions of a Church of England diocese
- **Bishops' courts:** Also called Episcopal, Commissary, Diocesan, or Consistory courts,
- **Prerogative Courts:** The prerogative courts of York and Canterbury had jurisdiction when the deceased's property was in more than one diocese court within each diocese

Determining Which Court the Will was Probated

- Use familysearch.org wiki and type in county and select parish

- Use maps.familysearch.org, put in county , parish and select “JURISDICTION”
- Use a data base like [Ancestry.com](https://www.ancestry.com) or [Findmypast.com](https://www.findmypast.com) in Wills category

PC C Wills – Fishing on Ancestry for Prerogative Court of Canterbury Wills

- pre 1858 – on [Ancestry.com](https://www.ancestry.com)
- Search using last name plus time period
- Search using just the name of the parish
- Search using just the time period and the county

Once You Find a Will

- Make a transcript of all the wills so you can read them readily.
- Analyze the transcript to see if you can glean any genealogical info.
- Ei. Children who have to wait until 21 are under that age (gives you an idea when they were born)

Wills After 1858

- The Principal Probate Registry was established on 12 January 1858 and keeps a copy of every will proved in England or Wales after 1858, as well as copies of letters of administration.
- An application for administration could be made when a person died without leaving a will.

National Probate Calendar of Wills 1858-1966, 1973-1995 – Available on [Ancestry.com](https://www.ancestry.com)

- Only transcripts. You can order copies for a fee from Principal Probate Registry at First Avenue House.

Where to Find Wills Online

National Archives Wills - <https://www.nationalarchives.gov.uk/>

- Has wills that you won't find elsewhere but you may need to pay

Wills Available on [www.Ancestry.com](https://www.ancestry.com)

- London, Wills and Probate 1507-1858
- Dorset, Wills and Probate 1565-1858
- Calendars of wills and administrations relating to the counties of Devon and Cornwall
- Kent, Tyler Index to Wills 1460-1882
- A calendar of wills proved in the Consistory Court (City and Deanery of Bristol Division) of the Bishop of Bristol 1572-1792
- Calendar of wills and administrations in the court of the archdeacon of Taunton 1537-1799
- Warwickshire, Occupational and Quarter Session Records 1662-1866
- Calendar of wills and administrations in the Consistory Court of the bishop of Worcester
- Calendars of wills & administrations in the Consistory Court of the bishop of Lichfield and Coventry 1516-1652
- A calendar of wills relating to the counties of Northampton and Rutland
- Calendars of wills and administrations relating to the county of Leicester

- Calendars of Huntingdonshire wills1479-1652
- Sudbury Archdeaconry Wills1439-1638
- Wills of the Archdeaconry of Sudbury1439-1461
- Wills of the Archdeaconry of Suffolk1620-1624
- Wills of the Archdeaconry of Suffolk1625-1626
- Ipswich Probate Inventories1583-1631
- Calendars of Lincoln wills
- Abstracts of Yorkshire wills in the time of the Commonwealth, at Somerset House, London, chiefly illustrative of Sir William Dugdale's Visitation of Yorkshire1665-1666

www.FindMyPast Wills

- Oxfordshire Wills Index, 1516-1857
- Explore wills to discover details of your ancestors' business and domestic lives
- Prerogative & Exchequer Courts of York Probate Index, 1688-1858
- Search over 263,000 wills to find details of where your ancestors lived and died.
- York Peculiars Probate Index, 1383-1883
- Find out about your ancestors' estates, possessions, tuition agreements and much more.

Other Useful Sites for Finding Wills

<https://probatesearch.service.gov.uk/#wills>

<https://www.nationalarchives.gov.uk/>