

## Booklist

- Amanda Bevan, *Tracing Your Ancestors in the Public Record Office*, Public Record Office, 2002
- Anthony J. Camp, *Wills and their Whereabouts*, London, 1974
- J.S.W. Gibson, *Wills and Where to Find Them*, Phillimore, 1974
- Jeremy Gibson, *Probate Jurisdictions: Where to Look for Wills*, Federation of Family History Societies, 1997
- Karen Grannum and Nigel Taylor, *Wills and Other Probate Records*, The National Archives, 2004
- Eve McLaughlin, *Wills Before 1858*, Federation of Family History Societies, 1985
- C.C. Webb, *A Guide to Genealogical Sources in the Borthwick Institute of Historical Research*, University of York, 1981



## WILLS

Wills and related records can be a useful source for family and local history. This guide provides information about the records available here and the indexes which we have for records held elsewhere. A booklist at the end also gives sources for more information.

### Background

A will has to be 'proved' after the person has died to be legally valid. Wills before 1858 were proved in church courts, after that date they were the responsibility of civil probate registries. The right to grant probate before 1858 was also attached to various local courts or 'peculiars'; these could cover a particular parish, a group of parishes or a special area. Details of the 'peculiars' in Yorkshire and their records are given in the Gibson Guide to probate jurisdiction included in the booklist. Information about local probate jurisdiction and 'peculiars' is also available on the Borthwick Institute's website at [www.york.ac.uk/inst/bihr](http://www.york.ac.uk/inst/bihr).

Some people died without making a valid will and then letters of administration would be granted to the person appointed to administer the estate. Widows and single women could make wills but a married woman was unable to do so until the 1882 Married Women's Property Act, unless she had her husband's permission, as all her property belonged to her husband.

## Records Available Here

Copies, drafts and extracts from wills can be found in the various family, estate and solicitors collections held here. There are also some records in the pre-1974 borough archives of Beverley and Hedon and the East Riding Quarter Sessions enrolment books. These wills mainly cover the 17th century to the 20th century and details of them are included in our Online Catalogue.

Wills involving property may also be recorded in the East Riding Register of Deeds 1708-March 1974, with letters of administration being included from 1885. All entries give the name, abode, occupation and names of witnesses to the will. The registered memorials (abbreviated copies) of the original wills vary in the detail given about the land and family involved. There is usually more detail before 1885, after that date the option to register a full copy was rarely taken. Date of death and grant of probate are however entered. Name indexes are available in three formats:  
**1708-1827** – modern typescript includes full name, dates of registration and will, abode, occupation, township where property is situated and volume reference.  
**1828-1884** – two contemporary volumes arranged in name first letter order, includes abode, township and volume reference.  
**1885-1974** – general name indexes in alphabetical order, includes township, registration date and volume reference.

## Wills Before 1858

Most wills were actually 'proved' in church courts before 1858 although we hold some information here as explained above. The East Riding is in the diocese and province of York so wills for this period were proved at York and are held at the Borthwick Institute, Heslington, York, YO10 5DD ([www.york.ac.uk/inst/bihr](http://www.york.ac.uk/inst/bihr)).

Printed indexes to these wills covering 1389-1688 are available in the *Yorkshire Archaeological Society Record Series* held here. These deal primarily with the main Exchequer and Prerogative Court series although some peculiars are also covered. Microfilm copies of the indexes to wills covering 1688-1858 (reference MF6) are also available here as part of our self-service system. These do not include wills proved in the peculiar courts, indexes to which are available at the Borthwick Institute.

## Wills After 1858

Civil probate registries are responsible for wills after 1858 although some information is available here as already described. Wills proved after this date in England and Wales are available at the Principal Probate Registry, First Avenue House, 42-49 High Holborn, London, WC1V 6NP. Requests for copies of wills however should be directed to the Postal Searches and Copies Department, York Probate Sub-Registry, Castle Chambers, Clifford Street, York, YO1 9RG. The HMCS (Her Majesty's Court Service) website includes information about ordering copies and contact details for local district probate registries ([www.hmcourts-service.gov.uk](http://www.hmcourts-service.gov.uk)).

National Calendars of Grants of Probate and Administration are available for each year, with entries arranged alphabetically by the surname of the deceased. Entries include the name, address, occupation (not in more recent years), date of death, place of probate or grant, names of executors and value of effects. The Calendars before 1871 list grants of administration separately to grants relating to wills so it may be necessary to check both sections. We hold microfiche copies of the National Calendars of Grants of Probate and Administration for 1858-1943 (reference MF20) as part of our self-service system.