

## Wills and Probate

### Wills Pre 1858

Wills and administration before 1858 were dealt with in a complex system of ecclesiastical courts. Warwickshire was in the province of Canterbury and divided between the Diocese of Lichfield and the Diocese of Worcester. Please see the County map for the division between the two dioceses. The map also shows the areas known as 'Peculiars' which had their own jurisdiction.

### Which Court?

- The will of a person with goods in one diocese will be proved in the Bishop's Court (Lichfield or Worcester)
- The will of a person with goods in more than one diocese **or** if the goods were valued at more than £5 (or £10 in London) was proved in an Archbishop's prerogative court (Canterbury)

### Where are the records held?

- Prerogative Court of Canterbury wills can be searched and downloaded from The National Archives website:  
<http://www.nationalarchives.gov.uk/records/looking-for-person/willbefore1858.htm>
- Wills proved in the Diocese of Lichfield are held at Lichfield Record Office and wills proved in the Diocese of Worcester are held by Worcester Record Office.
- For 'Peculiars' please consult Jeremy Gibson's *Probate Jurisdictions: Where to Look for Wills* (Reference Shelves)

### Indexes available at Warwickshire CRO.

- Wills Index (Card Indexes): Index to all the wills held at the Warwickshire County Record Office
- Index to the wills for the Diocese of Lichfield 1492-1860: Microfilm, ref. no. MI 443/1-6
- Index to the wills for the Diocese of Worcester 1451-1652 (on Searchroom shelves at E.Wor)
- Index to the wills for the Diocese of Worcester 1650-1858 (on Searchroom shelves at E.Wor)
- Index to Prerogative Court of Canterbury (PCC) Wills & Administrations:
  - 1383-1700 - British Record Society volumes (incomplete) (on Searchroom shelves at D.929.Bri)
  - 1701-1749 - on microfiche at the beginning of the National Probate Index
  - 1750-1800 - on Searchroom shelves at D.929.Cam
  - 1853-1857 - on microfiche at the beginning of the National Probate Index

### Wills Post 1858

All Wills and Administrations for England and Wales from 1858 are held by Principal Probate Registry. Full details can be found at [www.gov.uk](http://www.gov.uk)

A search for all wills from 1858 to present day can now be done online at [www.gov.uk/search-will-probate](http://www.gov.uk/search-will-probate) or alternatively by post, by downloading Form PIAS – Application for a search from the .gov.uk website.

### The National Probate Index

This is a calendar of grants of probate, and letters of administration of the Principal and District Probate

Registries in England and Wales. This index can be searched on

- [www.ancestry.co.uk](http://www.ancestry.co.uk) (£) or free at the County Record Office (1858-1966)
- microfiche available in the local studies area (1858-1943)
  - Arranged by year and then by name of the testator
  - 1858-1870, the Administrations are indexed separately under each letter of the alphabet, following the Wills.
  - 1871-1943, the Administrations and Wills are together in one index for each year

The content of the Index entry is as follows

- Name of deceased
- Address when the will was made
- Date of death
- Date & court of Grant of Probate/Grant of Administration
- Name & address of executor(s)/administrator(s)
- Executor's occupation, status, or relationship to deceased
- Amount of the estate (+ any revisions)

**Please note the following:**

- There may be a delay of several months (or even a few years) after the date of death before a grant is issued, so do not limit your searches.
- Married women rarely left wills before 1883 without their husband's consent, (except for widows and spinsters). Married Women's Property Act 1882 allowed women marrying after 1st January 1883 to make will.
- If someone died without making a will, a grant of administration (often called an admon) was made to the next of kin, or sometimes to a creditor. Some of the administrations are indexed separately from the wills and it is worth checking both sources.