

## Useful contact information:

### Probate Department, Principal Registry of the Family Division

First Avenue House, 42-49 High Holborn, London WC1V 6NP

Tel.: 020 7947 7000

### The Postal Searches and Copies Department

Leeds District Probate Registry, York House, York Place, Leeds LS1 2BA

### National Archives

Ruskin Avenue, Kew, Richmond, TW9 4DU

Telephone: 020 8876 34

[www.nationalarchives.gov.uk/records/looking-for-person/willafter1858.htm](http://www.nationalarchives.gov.uk/records/looking-for-person/willafter1858.htm)

### Archives+

Manchester Central Library

St. Peter's Square, Manchester M2 5PD

Tel.: 0161 234 1979

### Lancashire Archives

Bow Lane, Preston PR1 2RE

Tel.: 01772 533039

### Borthwick Institute for Archives

University of York, Heslington, York, YO10 5DD

<http://www.york.ac.uk/borthwick/>

Tel: 01904 321166

### Manchester Probate Registry

Manchester Civil Justice Centre, 1 Bridge St West, Manchester M60 1WJ

Tel: 0161 240 5701

### Ancestry.co.uk

[www.ancestry.co.uk/cs/uk/probate](http://www.ancestry.co.uk/cs/uk/probate)

### Origins.net

[www.origins.net](http://www.origins.net)

### Find a Will

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

For more detailed information:

[www.mlfhs.org.uk/guides](http://www.mlfhs.org.uk/guides)

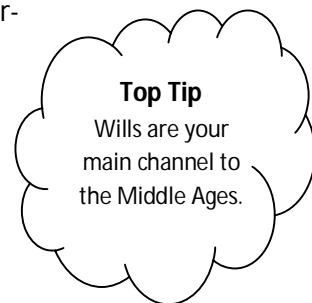
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Manchester & Lancashire Family History Society

3rd Floor, Manchester Central Library,

St. Peter's Square, Manchester, M2 5PD

Tel: 0161- 234 1060 Email: [office@mlfhs.org.uk](mailto:office@mlfhs.org.uk)



## Probate Records

Wills and other probate documents are invaluable to family historians. You should always check for the existence of a will even if you believe the deceased had nothing worth leaving. From 1858, it is relatively easy to locate a Will but before this date the structure of the probate courts presents greater difficulties. However, given the limitation of parish registers and other sources before the civil registration of births, marriages and deaths, probate documents assume a much greater importance. It is therefore important to understand the probate process so that you can access this potentially rich source of family information.

### How can Wills and Probate records help my research?

These are legal documents and so are more reliable than census enumerations or other sources where the individual was the informant.

**Wills** express a person's final instructions for the disposal of their personal possessions and property. A will may provide names of family, friends and associates. Wills can offer a glimpse of your ancestor's preferences, prejudices, loyalties, and fondness toward others. There may be a reference to the person's age, state of health, and where he or she should be buried. In short, these records can provide you with a greater understanding of your ancestor, not only in financial terms but at a personal level, and help you to confirm family relationships.

**Letters of Administration ('Admons')** were issued when no will was left and authority was needed to dispose of the deceased's estate. The court or probate registry appointed an administrator who would frequently be a family member or perhaps a chief creditor. In general, Admons provide only limited information, usually the name, residence and possibly occupation of the administrator. Occasionally, however, they may contain the names and details of several family members so should not be ignored. It is wise to obtain a copy of any Admon for a deceased ancestor.

**Inventories** of the deceased's goods were often compiled by executors in the eighteenth century and earlier. They can give a good idea of the deceased's household, interests and worth.

It should be noted that Probate was not necessarily granted immediately following the person's death. In some cases as much as ten or twenty years might elapse. You should therefore be prepared to search the calendars or indexes for several years after the death.

#### **Probate before 1858**

Before 1858 the Church was responsible for all matters concerning probate, which was administered through a hierarchy of Ecclesiastical probate courts. At the lowest level was the Archdeaconry Court (an Archdeaconry consisted of several parishes. If a testator held all of his property in a single Archdeaconry, this court could grant probate. If, however, the property extended into another Archdeaconry in the same Diocese, the authority of the Bishop's Consistory or Commissary Court was required. Similarly, if the property extended into more than one Diocese, probate jurisdiction was claimed by the next highest level, the Court of the Archbishop. There were two so-called prerogative courts, the Prerogative Court of York (PCY) which had probate jurisdiction over the northern Dioceses and the Prerogative Court of Canterbury (PCC), which operated from offices in Doctors' Commons in London, and had jurisdiction over the southern ones. If the deceased's property extended into both Provinces, the PCC claimed jurisdiction as the senior probate court.

#### **Probate after 1858**

On 11 January 1858 responsibility for all probate matters in England and Wales became the responsibility of a network of civil probate registries. These were established in the principal cities and large towns and had authority to grant probate regardless of the disposition of the deceased's assets. Any probate business in progress on the changeover date was handed over to the new bodies and the ecclesiastical probate courts ceased to operate. Finding a Will or Admon within this system is considerably simpler than under the system it replaced since there is a single consolidated national index for probates granted by all the registries.

#### **Where can I find Probate documents?**

Since the probate court structure changed radically in 1858, the first question to ask is "*when did the person die?*" If this was after 11 January 1858 then any Will or Admon will have been processed by a civil probate registry. This would usually be the registry closest to the place of death but, since Wills and administrations are indexed nationally, this is not usually important.

**After 1858:** The original printed indexes (known as 'Calendars') can be consulted at the probate search room at First Avenue House in London. A computerised index can be accessed at any probate registry; in Manchester, this is located on Bridge Street West. Copies of the calendars are available at many local archives. Those covering 1858-1943 are held on microfiche by Archives+ at Manchester Central Library. **When using the original or microfiche calendars, note that at different times Wills and Admons may be indexed together or separately.** The complete calendars are available free of charge online on the government *Find a Will* website. Those covering 1858-1966 are also available online at [ancestry.co.uk](http://ancestry.co.uk)

The Calendars give the full name, address and occupation of the deceased, date and place of death and probate and the value of the estate. They will also give the full names of executors or administrators and in many cases their relationship to the deceased.

**Before 1858:** Each probate court's wills and Admons are deposited separately. They are usually, but not always, held in County Record Offices. The publication '*Probate Jurisdictions – Where to Look for Wills*' by Jeremy Gibson is the best guide to locating deposits. The Wills for the Prerogative Court of Canterbury are held by The National Archives and an index is available on their web site from where it is also possible to order copies. Wills for the Prerogative Court of York are held at the Borthwick Institute in York but the indexes can be searched online at [Origins.net](http://Origins.net)

Wills for Manchester were generally proved in the Consistory Court of Chester and are now held by Lancashire Archives at Preston. Indexes have been published by the Lancashire and Cheshire Record Society.