

Wills before 1858:

Where to start

Legal Records Information 46

1. Wills are kept in many record offices

- Before 1858, over 250 church courts dealt with wills and administrations.
- The records of most of these courts are kept in local record offices.
- There is no union index.
- Most wills have been indexed, and many of these indexes have been published.
- Collections of indexes can be seen in several places.

2. Where to find the collections of indexes

- Record office will have indexes for the records they hold, but they may not have indexes for records held by other offices.
- The Society of Genealogists is probably the best place to search efficiently over a wide range of indexes. A small charge is made for visiting the library. Society of Genealogists, 14 Charterhouse Buildings, Goswell Road, London EC1M 7BA, tel: 020 7251 8799, website: www.sog.org.uk .
- Many of the indexes to wills can be consulted at the Family History Centres of the Church of Jesus Christ of Latter-day Saints. There are a number of these centres throughout the UK, as well as throughout the rest of the world. You can find the one nearest you in the UK by contacting The Genealogical Society of Utah, British Isles Family History Service Centre, 185 Penns Lane, Sutton Coldfield, West Midlands B76 8JU, or by searching their library database at www.familysearch.com . The indexes you require may have to be ordered in advance so you should make an appointment to do your search.
- The indexes should give you a reference to the exact part of large documents where a particular will is located.
- An index to Irish wills, for the period 1484 -1858, is available on CD-ROM at The National Archives. The wills themselves are held by the National Archives of Ireland, Bishop Street, Dublin 8, Ireland.

3. Buying copies by post

- You can try to order copies by post from the relevant record office, citing the full reference from the index if you have been able to locate it.
- Some record offices will look in their indexes for you, if you can supply name and date of death, and send you a copy for a fee.
- In others, like The National Archives, you may have to visit yourself, or employ an independent researcher.

4. Which court to look for?

- Most wills were proved locally.
- To work out which court is the most likely, you need to know

- a name
- an approximate date of death
- an approximate geographical area
- some idea of the status of the person or family you are looking for

- You will need to consult the booklet by Jeremy Gibson, called *Probate Jurisdictions: Where to Look for Wills*. This is arranged by county, and then by church court within that.
- gives the date range of the records, where they are kept, and details of indexes.
- should be available through your local library or record office.
- can be bought from The National Archives bookshops.

There is a 'short-cut' for the period 1796 to 1858 - the indexes to the death duty registers at The National Archives give the court where a will was proved: see below.

5. Death Duty Registers

- If the grant of probate or administration was made after 1796 and the court of probate is not known, the Death Duty Registers and their indexes may be useful (The National Archives, [IR 26](#) and [IR 27](#)).
- These indicate in which court the grant was made, if legacy duty was payable on the estate in question. They are not searchable by name online.
- See our Research Guide [Death Duty Registers from 1796](#) for more information.

6. Wills at The National Archives

- The records of only one court can be seen at The National Archives.
- This is the Prerogative Court of Canterbury, whose records are in the [PROB](#) department code. See our Research Guide [Probate Records](#) for further information.
- You will not find individual wills and administrations from this court in The National Archives' online catalogue.
- You will need to use a mixture of published and manuscript indexes, at The National Archives or as described below.
- The National Archives also holds numerous wills scattered among other records. Some can be found through the online catalogue.

7. 'DocumentsOnline'

- All PCC wills from [PROB 11](#) are also available to download from [Documents Online](#) , The National Archives' digital image delivery website. They are fully indexed, and can be searched by name, place, occupation and date. Access is free onsite at The National Archives.

8. Further Reading

- [Wills and Probate Records](#) by Karen Grannum and Nigel Taylor (The National Archives, 2009).

The National Archives, Kew, Richmond, Surrey, TW9 4DU

Tel: +44 (0)20 8876 3444 Fax: +44 (0)20 8392 5286

Contact us: www.nationalarchives.gov.uk/contact/

Website: www.nationalarchives.gov.uk

Getting in touch

Contact us

Press office

Have your say

Site help

FAQs

A-Z index

Accessibility

About us

Jobs and careers

Terms of use

Freedom of information

Websites

Office of Public Sector

Information

Your Archives

Directgov