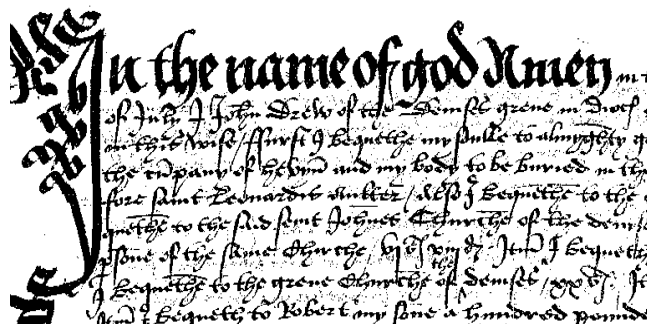


Westcountry wills and the Westcountry Studies Library

Factsheet 20

Westcountry wills and the Exeter Blitz

Before 1858, the only official copies of wills were held with the records of the various church courts which proved them. After 1858, these copies were moved to the new Probate Registries which have proved all wills ever since.



The Probate Sub-Registry at 6 Bedford Circus, Exeter housed all the early wills proved in the Dioceses of Exeter (covering Devon and Cornwall) and Bath & Wells (Somerset), including the Peculiar Courts whose jurisdiction lay within those dioceses. It also housed the post-1858 wills proved there. When Exeter was bombed on 3rd/4th May 1942, the Probate Sub-Registry was burnt out, and the probate records of Devon, Cornwall and Somerset were all destroyed.

What survived the Exeter Blitz

- Copies of post-1858 wills in the Principal Probate Registry in London
- Devon wills proved in the Prerogative Court of Canterbury, kept at the National Archives at Kew
- Copies of Inland Revenue (Death Duty) wills in London
- Copies of wills in other collections kept both privately and in County Record Offices
- Transcriptions and abstracts (summaries) made before 1942
- Wills proved in Peculiar Courts, whose records were in other locations in 1942
- Calendars and Indices made before 1942
- Administrations (created when a person had died without making a will) and Inventories (lists of the goods left by the deceased), often included in the collections of will transcriptions and calendars.

Some sources for early (pre-1858) Devon Wills in the Westcountry Studies Library (including the internet)

Copies and Abstracts

1. Wills proved in the **Prerogative Court of Canterbury** included Devon testators:
 - with estates worth over a certain sum (varied from £5)
 - with land in more than one diocese (plenty on the Devon/Dorset/Somerset borders)
 - dying overseas leaving property (including poor seamen)
 - wanting the kudos of having a will proved in the highest (and very popular) court

Images are available online via the National Archives Website

(www.nationalarchives.org.uk): simply use the search box. Entering the surname + parish is a good way to start. These wills can be downloaded for £3.50.

See also ***Devon Wills proved in the Prerogative Court of Canterbury*** by John Tuckett. Notes, abstracts and charts from wills 1550 to 1650 in 8 volumes of typescript (ms929.3: ask at the desk).

2. Wills which were copied to the **Inland Revenue** for death duty purposes survived in this form. We hold microfiche copies from 1812 to 1857, kept below the Parish Register fiches. There is an index in a red ring binder with the Parish Register indexes. These are also available online via the National Archives website from 1796 to 1811.
3. **Oswyn Murray** (x929.3/GEN/MUR) and **Olive Moger** (x929.3/MOG) each transcribed selected Devon wills before the war. Abstracts (summaries) of these are along the bottom of the right-hand wall in large, red volumes, arranged alphabetically under surname.
4. **Devonshire Wills** by Charles Worthy. A selection of abstracts of wills proved in various local courts including the three Devon archdeaconries. Name index includes those mentioned in wills as well as testators. (s929.3/DEV/1532: ask at the desk).
5. **Somerset Wills** extracted by A.J. Monday and edited by Mary Siraut c.1530 – nineteenth century including some from Devon and Dorset (Somerset Record Society, Volume 89, 2003, red periodicals by the window)
6. **The Uffculme Wills and Inventories 16th to 18th centuries** edited by Peter Wyatt, on behalf of the Uffculme Archive Group with an introduction by Robin Staines. Uffculme is a Peculiar parish under the jurisdiction of the diocese of Salisbury, with records stored safely in Wiltshire. "All known Uffculme inventories together with abstracts of all the known Uffculme wills at Trowbridge up to 1800" (Devon & Cornwall Record Society New Series Vol. 40, 1997 by the photocopier).
7. **Notes and Genealogical Abstracts relating to Devon and Cornwall** by George F.T. Sherwood. A bound typescript including extracts from wills, organised under parish (ms 929.3/DEV/SHE: ask at the desk)
8. The **Devon & Cornwall Record Society's collection** is held in the Westcountry Studies Library and includes books containing abstracts of wills, in particular two volumes by C.A.T. Fursdon. A subscription is payable to see these which can be arranged at the desk.
9. **Inquisitions Post-Mortem**. Inquisitions post mortem (sometimes known as *escheats*) were inquiries undertaken after the death of a feudal tenant of the crown, to establish what lands the deceased had held and who should succeed to them. They were in use from medieval times to c.1660. Heirs and other relatives of the deceased are named, making them a useful source, particularly where a will does not survive (arranged alphabetically under surname; brown volumes at 333.322/WES/CHA)
10. **Calendars (lists) and Indices**. The only two courts for which no calendar survives are the Archdeaconry Court of Totnes and the Peculiar Court of the Dean and Chapter of Exeter. Surviving manuscript sources are available in the Devon Wills Project (available via the Genuki site; see end of leaflet).

While the wills to which these lists refer were destroyed, inclusion can provide the following clues about the testators:

- The lists, under each court, are in order of the year proved, then alphabetically under name with parish of residence, thus showing that a person of a certain name and place died before a certain date (there is also a name index).

- If a woman is listed, she can be presumed to be unmarried or widowed as married women did not leave wills until the Married Women's Property Act.
- The estates can be assumed to be worth less than £5 or within a single diocese as otherwise the wills would have been proved in Canterbury.
- The testators can be presumed to be over 21 years old, the minimum age for leaving a will.

Calendar of Wills and Administrations for Devon and Cornwall by Edward Fry 1908/1914. Wills proved in the Principal Registry of the Bishop of Exeter and, for Devon only, the wills and administrations proved in the Archdeaconry of Exeter. Also Calendar of Wills and Administrations proved in the Consistory Court of the Bishop (includes all the various peculiar parishes and places in Devon and Cornwall under his jurisdiction; two volumes sometimes incorporated into one; 929.3/DEV/1532).

Index of Wills and Administrations for Devon proved in the Court of the Archdeaconry of Barnstaple 1563 - 1858. 5 volumes in alphabetical order of name of testators living in the north Devon parishes presided over by this court (929.3/DEV/1563).

Some sources for early Somerset Wills in the Westcountry Studies Library

- ***Somerset Medieval Wills:*** 3 volumes of abstracts based on transcripts of original wills copied in Somerset House 1383 – 1500 with complete index: (Somerset Record Society, Volume 16, 1901, small periodicals, by the window), 1500 – 1530: (SRS, Volume 19, 1903), 1531 – 1538(SRS, Volume 21, 1905).
- ***Somerset Wills II:*** Abstracts based on Olive Moger's copies with detailed introduction. 16th – 19th centuries (Somerset Record Society, Volume 94, 2008).
- ***Medieval Wills from Wells:*** Abstracts of wills deposited in the Wells Diocesan Registry 1543 - 1546 and 1554 - 1556: with index (Somerset Record Society Volume 40, 1925).
- ***Wells wills arranged in parishes and annotated*** by F.W.Weaver, 1890 (929.3/SOM/1528 also 1994: 6 microfiches, p929.3/SOM/1528; ask at the desk).
- ***Abstracts of Somersetshire wills:*** Copied from the manuscript collections of the late Rev.Frederick Brown, 1887. 7 volumes, includes references to Somerset Visitations and a name index (sx929.3/SOM/1500 and Microfiche Cabinet: ask at the desk).

The materials for the history of the town of Wellington Co. Somerset Part 1- Wills (Wellington & West Buckland) 1372-1811 by Arthur L Humphreys (929.3/WEL/1372).

Calendars (lists) and Indices

- ***Indexes to Somerset Inland Revenue Wills*** edited by David Hawkings (sx929.3/SOM/1812: ask at the desk).
- ***Somerset wills index, printed and manuscript copies*** by Sir Mervyn T Medlycott, 1993. An index to all known surviving wills and associated material and their whereabouts (sx929.3/SOM/1529: ask at the desk).
- ***Calendar of Wells Wills 1529 – 1600*** Names, place of residence and some dates (*Somerset Wills from Exeter*, Somerset Record Society, Volume 62, 1947).

Some sources for early Cornish Wills in the Westcountry Studies Library

- ***Cornish wills 1342-1540*** edited by Nicholas Orme: "All of the surviving wills of personal property relating to Cornwall up to the year 1540" including Wills of Cornish People, Wills containing Incidental References to Cornwall and Notes on the Wills and their Makers (Devon & Cornwall Record Society, New Series Volume 50, 2007, by the photocopier).
- ***Calendar of Wills, Administrations and Accounts relating to the Counties of Cornwall and Devon in the Consistorial Archidiaconal Court of Cornwall*** by R.M.Glencross.2 volumes: 1569 - 1699 and 1700 - 1799, BRS, 1932 (929.3/COR/1569).

Some sources for early Dorset Wills in Westcountry Studies (original wills mainly in Dorchester and Chippenham)

- ***A Calendar of Wills and Administrations relating to the County of Dorset*** by Edward Fry 1312 - 1801; BRS, various editions (2 volumes: 929.3/DOR/1312).
- ***Index to Dorset wills and administrations proved in the PCC, 1812 – 1858*** compiled by Miriam Scott, Somerset and Dorset Family History Society, 1992 (p929.3/DOR/1821: ask at the desk)

Other places to search for early Westcountry wills

Some wills survive because copies were included in family or other private collections which were then deposited in county Record Offices. Search under name and place on the National Archives website which includes collections from all over the country.

Cockington, another Peculiar, where wills were proved in the manorial court and remained with the family records, are available from 1540 to 1623 in the Devon Record Office. Search for DRO references under name + Cockington online via the National Archives website. Details in Devon & Cornwall Notes and Queries: *Cockington Manor Wills* by M.M. Rowe (33:4, 1975, pp 109 – 113) by the photocopier.

The National Archive also holds Death Duty Registers dating from 1796. They are useful for finding out about some missing Devon wills dated between 1796 and 1811, as well as administrations between 1812 and 1857 which do not appear in the Inland Revenue Wills Series.

Other places to search for post-1858 Westcountry Wills

Any will proved from **12 January 1858** to the present day can be seen at the **Probate Search Room, First Avenue House, 42-49 High Holborn, London WC1V 6NP** (tel: 020 7947 7022) and copies bought. Copies can also be ordered by post. The address for requests by post is **York Probate Sub-Registry, First Floor, Castle Chambers, Clifford Street, York, YO1 7EA**. The same applies to letters of administration, which are granted if no valid will was made or found.

If you are researching in Exeter:

Indexes to all the wills and administrations - the National Probate Calendar - for England and Wales from 1858 until last year can be consulted in **Exeter** at the Probate Sub-Registry, 1st floor, Exeter Crown and County Courts, Southernhay Gardens, Exeter, EX1 1UH (tel: 01392

415370). The Devon Record Office also has the same index on microfiche for dates covering 1858 to 1935.

Wills proved and administrations granted in Devon **after 1942** are all held at the Exeter Probate Sub Registry.

If you are not local to Exeter:

Your local District Probate Office or Record Office should also have a copy of the National Probate Calendar with which to order Devon wills.

Another service through a local Probate Registry supplies scanned copies of wills from the new purpose-built storage facility and document retrieval service in Birmingham. Members of the public can go to any Probate Registry in England and Wales and request to read a copy of a will. Previously, a copy would have been sent in the post, taking several days, but the Probate Records Centre will scan the will and send it back to the Registry within one hour of the initial request.

Helpful Books in the Westcountry Studies Library

- ***Probate Jurisdiction: Where to Look for Wills*** by Jeremy Gibson and Else Churchill (FFHS 2002). A brilliant book which tells you where everything is, under county. For the question "Where do I go for wills?"
- ***Wills and Other Probate Records*** by Karen Grannum and Nigel Taylor (NA, 2004). Answers everything you might ask about the subject, calmly with big writing. Indexed.
- Phillimore's ***Atlas and Index of Parish Registers*** (kept at the desk). Marks the jurisdiction of different areas, indicating Peculiars. Helps with those border parishes which might not have been included in the Diocese of Exeter.

Postscript: Devon wills - the future

The Devon Wills Project

The aim of the Devon Wills Project is to provide a consolidated index of Devon wills, administrations and inventories, covering (and distinguishing between) original documents, probate copies, transcripts and abstracts. The project involves systematically transcribing information obtained from various "sources", i.e. indexes, calendars, catalogues, private collectons etc. The period covered is up to 1857, and wills, etc., are taken as related to Devon if the testator is identified to be or can be assumed as being of Devon, even if the will was proved elsewhere. (The index covers only testators, not other named individuals.)

The ultimate aim is to include information taken from all existing published or publicly available sources of information about Devon wills, administrations and inventories, i.e. of *all* Devon testamentary material, including the information (mainly just name and date) that is provided in published calendars of wills that were being held at Exeter prior to the destruction of the Exeter Probate Office during World War II, wills for which very few copies, abstracts or transcripts exist. All the material listed in this information sheet is being consulted and much more besides.

Full details and transcribed names to date can be found on the Genuki website at <http://genuki.cs.ncl.ac.uk/DEV/DevonWillsProject> or from Richard Grylls at richard.grylls@btinternet.com

Using Westcountry Studies Library resources

Before visiting, please ring to check the availability of stock and to book microfilm readers. For a full list of holdings, and to view illustrations, see the online local studies catalogue at www.devon.gov.uk/localstudies

Westcountry Studies Library opening hours

Monday	9.30 – 6.00
Tuesday	9.30 – 7.00
Wednesday	10.00 – 5.00
Thursday	9.30 – 7.00
Friday	9.30 – 6.00
Saturday	9.30 – 4.00

Contact details

Address: Westcountry Studies Library
Castle Street
Exeter
EX4 3PQ

Phone: 01392 384216

Email: westcountry.library@devon.gov.uk

Different formats

If you would like a summary of this in a different format such as large print, Braille or tape, or in a different language, please contact our Customer Service Centre on 0845 155 1015 or email customer@devon.gov.uk

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