

FAMILY FEUDS AND DIRTY SECRETS

The pre-1858 Welsh Probate Records

In 1729 a street in Denbigh was the scene of a bitter family quarrel:

The said testator Mr John Conway in his lifetime and severall monthes before his decease hath been so barbarously used, abused and so ill treated by his sisters..... and particularly that he was by the said sisters and their associates violently and against his will turn'd out of his own house of abode, he being then in such weak condicion and state of health that he could not, nay durst not, resist them and then by them shutt out.....That the said sisters and their adherents did not shirk att in derision and scorn to call Mr Conway (their only brother) a Pedlar and a stinking fellow, adding thereto and speaking severall other opprobrious words, which coming to his Eares could not otherwise than increase his sickness, melancholy and grief ... (SA1729-38)¹

What would Mr Conway and his contemporaries think of their personal lives, their family feuds and their dirty secrets being on public show, hundreds of years later? For that is what has been achieved through the digitisation of around 190,000 wills and administrations which passed through the seven ecclesiastical courts which served Wales between 1521 and 1858.

Broadly speaking the content of the original probate records may be summarised as follows:²

Bangor, 1576-1858 (mainly 1635-1648, 1660-1858)
Brecon, 1557-1857 (mainly 1609-1653, 1660-1857)
Chester, 1521-1858 (mainly 1557-1650, 1660-1858)
Hawarden, 1554-1858 (mainly 1554-1641, 1660-1858)
Llandaf, 1568-1857
St Asaph, 1557-1858 (mainly 1583-1649, 1660-1857)
St David's, 1556-1858 (mainly 1564-1653, 1660-1858)

From 1989 to 1995 a major project took place at the National Library of Wales to recatalogue all the original pre-1858 probate records and to make them more accessible to the public. A second phase followed, involving microfilming and digitisation, culminating in 2009 in the online database, linked to images of thousands of documents:

<http://www.llgc.org.uk/index.php?id=487>

The database is sufficiently flexible to allow searches by date range, parish and/or township or abode, and occupation, with various options and help-tips to maximise your chances of success. Unfortunately, some wills in the catalogue do not yet have accompanying images and in other cases the images have not been matched properly with the catalogue entries. The technical problems are being investigated and readers are permitted to request xerox copies if the digitised versions are not available. On the whole, the project has been deemed successful and is very popular with researchers.

In addition to the digitised probate records there are several groups of register copy wills, some of which pre-date the originals. Further wills exist in the Library's

collections of estate records and personal papers. The research papers of local historians may be of help in locating probate records. They include the work of Francis Green³ for south-west Wales, David Jones of Wallington,⁴ mainly for Glamorgan, and Sir Joseph Bradney for Monmouthshire.⁵ Some wills and administrations are included in the consistory court papers filed with the diocesan records of the Church in Wales. In cases where the deceased was particularly wealthy or owned property in more than one diocese, it is worth searching for wills and administrations in the records of the Prerogative Court of Canterbury (PCC).

During the Commonwealth period, a Court of Civil Commission was established for the purpose of proving wills. The Library possesses indexes for the PCC and the Court of Civil Commission, but requests for full copies of the documents should be directed to The National Archives.⁶

The value of probate records.

Probate records are recognised as important primary sources by genealogists and local historians, providing personal names, places of abode, and occupations of the deceased and their surviving relatives. Wills and inventories can help to answer certain other questions: Who was resident in the parish? Who was the vicar? Was there a school, a shop, a tavern? How did people live? What was their work?

The nature of probate records.

Two kinds of will were in existence. The main type was the first-hand will, either written by the testator or, more often, dictated to a clerk or scribe. The second type was the nuncupative will, a report of the testator's last wishes and bequests, written down a short time after death. The latter remained a legal form of will until 1837 and it was equally valid, as long as it was properly witnessed. Inventories listed the deceased's personal estate, comprising household goods, husbandry implements, crops and livestock. Administration bonds might accompany wills or they could exist separately in the case of an intestate. Other miscellaneous documents included tuition bonds, renunciation bonds, grants, affidavits, depositions, and letters from solicitors or probate court officials.

The majority of the wills were written on paper, some on parchment or vellum, and they varied considerably in their length, quality and physical condition. The language was almost always English, with a small proportion of wills and inventories in Welsh and one or two early wills in Latin. Bonds, probate grants and other court papers were likely to be in Latin, as it was the official language for legal documents until 1733.

BR/1780/59 W

In the Name of God, Amen. I Elizabeth Price of the Town and Borough of Rhayader in the County of Radnor Widow being sick and weak in Body but of sound mind memory and Understanding Thanks be given to Almighty God and calling unto mind the mortality of my Flesh Do make this my last Will and Testament in manner and form following

First I give and bequeath to my Son Richard Price of Royadd Lwyd the Sum of Twenty Pounds.

Also, I give and bequeath to my Daughter Anne Wife of David Evans of Ligrin Two Sheets.

Also, I give and bequeath to my Son Evan Price the Sum of Twenty Five Pounds.

Also, I give and bequeath to my Son Evan aforesaid -- One Bedstead, One Feather Bed, Two Blankets, and Two Coverlids. Also, One Table one Chair one Pot one Pewter Dish and two Pewter Plates. also one Coffer.

Also, I give and bequeath to Elizabeth Daughter of my Son James Price the Sum of one Pound.

Also I give and bequeath to Mary second Daughter of my said Son James Price the Sum of One Pound.

Also, I give and bequeath to Thomas Son of my said Son James Price the Sum of One Pound.

Lastly I nominate constitute and appoint my Daughter Elizabeth Powel Widow sole Executrix of this my last Will and Testament To whom I give and bequeath all my goods Credits and Chattles whatsoever not herein otherwise given and bequeathed and I hereby revoke and disallow all other former Wills and Testaments by me ever heretofore made ratifying and confirming this and no other to be my last Will and Testament. In Witness whereof I have hereto set my Hand and Seal this Seventh day of December in the Year of our Lord 1775

Signed Seald and declared as her last Will and Testament in the Presence of us

Elizabeth Price

Hugh Edwards, Cler
David Williams

A typical will. Elizabeth Price of Rhayader, BR1780-59.

A typical will began with the words: *In the name of God, Amen*, in order to solemnise and authenticate the contents. Next, the testator's name and the parish of abode were

stated. Beneficiaries among family and friends were named, sometimes with their places of residence. One or more executors were appointed, before the document was dated and finally completed with a signature or mark in the presence of witnesses.

Probate was undertaken usually within a few months of the death, but it could be delayed for many years. More than one act of probate might be granted if further property came to light or if the named executors had been unable to fulfil their duties. Inventories and accounts were usually dated to the interval between the death and the date of probate or administration. Other documents normally bore the date when administration was granted to the next of kin.

Parish and township names have been standardised in the NLW catalogue for the sake of consistency but researchers should be aware that personal names varied considerably, especially in the case of patronymics, which were frequently anglicised for official records. Aliases were used by women to differentiate their maiden and married names, by widows who remarried, or by both sexes in cases of adoption or step-families.

Historical events, local history and people

Collectively, though not exclusively, probate records may reflect periods of social change, historical events and population trends. For example, unusually small numbers of wills were proved in Wales during the years of the Commonwealth, when the functions of most of the local consistory courts were assumed by the central Court of Civil Commission between 1653 and 1660. On the other hand, greater numbers of probate records in certain years may result from epidemics, poor harvests or famine. It is possible to detect rural depopulation and a corresponding increase in the industrial areas during the eighteenth and nineteenth centuries, provided that the evidence is corroborated by other contemporary sources.

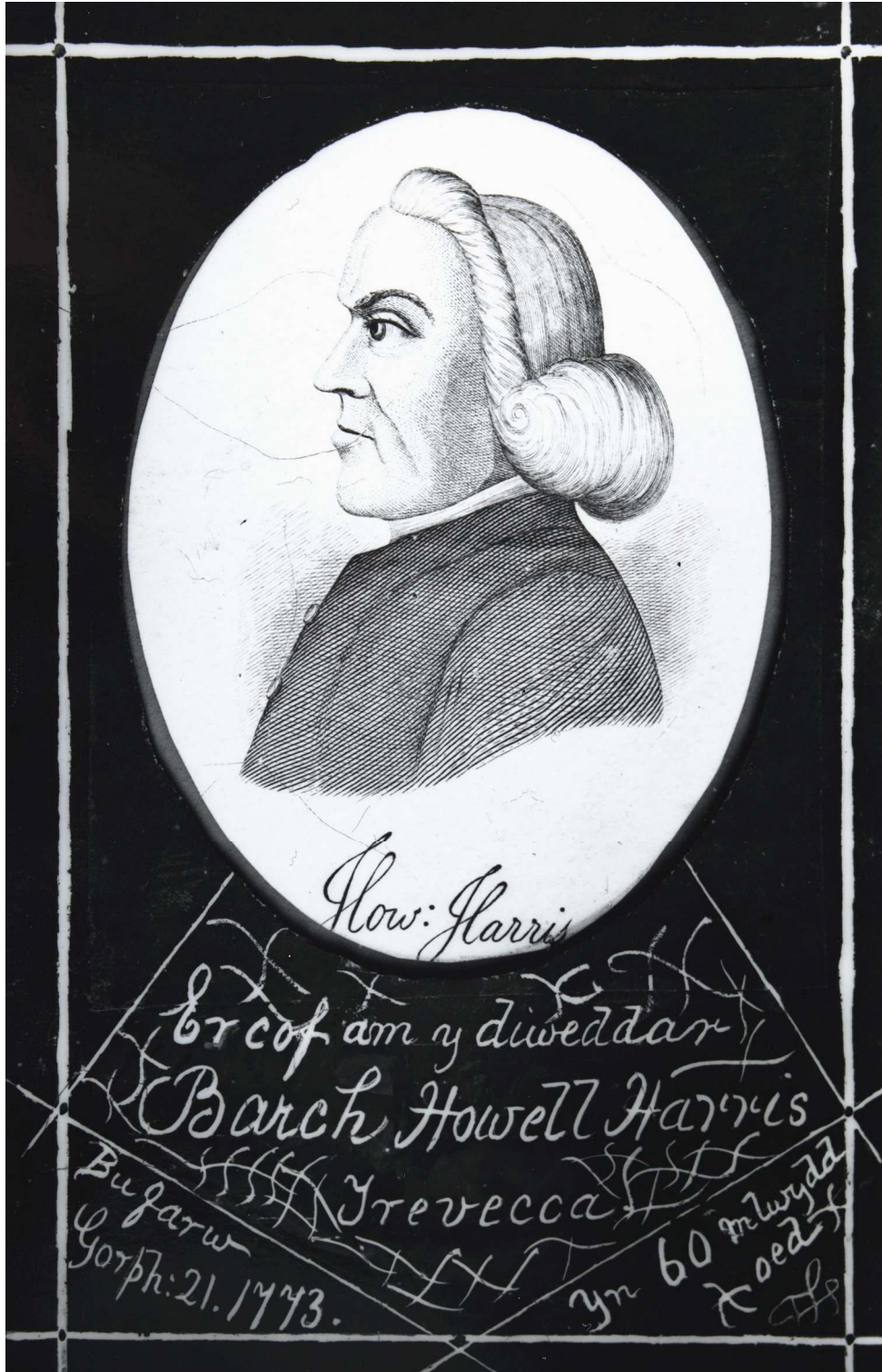
Probate records sometimes show the influence of government at a local level. A will might refer, for example, to lands allotted to the testator under the Enclosure Acts. Linked with national historical events were the gentry families such as Powell of Nanteos, Cardiganshire, and Lewis Lloyd of Nant-gwyllt, Radnorshire. They were the people 'at the big house', the MPs and the magistrates, who implemented parliamentary legislation at a local level.

Some researchers use probate records to investigate the geographical concentration of a single family name, such as Baskerville around Aberedw in Radnorshire or Kinsey around Llandinam, Montgomeryshire. It might be interesting, too, to examine the use of Welsh and English at certain dates. Although Welsh was the main spoken language, a demand for English clearly existed. Since Tudor times it had become the language of officialdom and of education. The Library holds the will of a Rees Davies of Llanafan Fawr, who was teacher of an English school (BR1747-54).

Probate records can be valuable to historians of religion. The wording and content of individual wills may reveal personal beliefs. The religious tension of the late seventeenth century may be detected in the will of Dr John Cruso of the College of Brecon, Doctor of Laws and Vicar General of St David's:

I think it necessary that as a Priest I declare that I die...an obedient and dutifull sonne to the Church of England, thoroughly satisfied after no ordinary disgustions att home and abroad notwithstanding, since not inconsiderable tempacions to desert hir, that hir doctrine and discipline comes nearer to the Apostolique and Trinitise[?] regulation than any particular church whatsoever in the Xtian world. God deliver hir from his adversarys on both sides, those of the Roman and Schismaticall factions. My worldly estate as it is full of trouble, so it will be full of Uncertainty.

(BR1681-82)



Portrait of Howell Harris NLW photo album 1522, no. 4484

The influence of Nonconformity may be detected occasionally in a long, devout preamble to the will or by the testator's reference to a particular religious cause. The Methodist reformer Howell Harris requested the payment of debts and legacies to his daughter, Elizabeth Harris and to his friends, Evan Roberts, James Prichard and Evan Moses, whom he appointed his trustees. He bequeathed to each of the trustees £100 'for their long and affectionate service and assistance given', and if there were sufficient money left, a further £100:

I desire they would divide the same amongst the most indigent of the People now living with me at Trevecka in such manner as shall seem to them most proper.
(BR1773-51)

Abodes

In searching for communities of the past, local historians may be able to trace a single abode where several generations of the same family lived. One example was Nant-gwyllt, a well-known house visited by the poet Percy Bysshe Shelley and eventually submerged by the Claerwen Reservoir. In former days it was inhabited by the Lewis Lloyd family.



Nant-gwyllt, Radnorshire, NLW Photo PB8669

Thomas Lewis left bequests to his wife, Elizabeth, his son Robert and his daughter Elizabeth (BR1710-22). He owned substantial property in Gladestry, Huntingdon (co. Hereford), houses called Tyr Glan yr Avon, Glan Einion and Melin Gwnllin, along with several burgages and tenements in Rhayader. He appointed his cousin, Thomas Lewis of Harpton and his son-in-law Thomas Gwynn to be overseers of the will. His son, Robert Lewis, left to his wife Posthuma a cottage called Llyest Clairwen; his inventory included 270 stone of wool, books, sheepskins and three hives of bees (BR1729-42). The third successor was Thomas Lewis Lloyd, who wrote a fascinating will in 1772. He wished for burial in the churchyard of Cwmdeuddwr but only if:

... the chappel we are now building shou'd not be consecrated. But if it shou'd, my desire is to be buried in the yard of the said Chappel ...

Then he added this extraordinary declaration:

I do solemnly acknowledge and declare that I was married to my Dearest and most affectionate Wife, Margaret Daughter of John Lewis, in the Parish Church of St Anne's, Soho (tho' out of respect to, and for fear of impairing the health of my Dear Mother, I proposed keeping it a secret during her life).

Let us hope that he also kept the contents of his will secret, because he lived for a further eleven years! (BR1783–20).

Wills and inventories sometimes give details of the testator's abode, naming the street, the fields surrounding the property or even the rooms inside the house.



Pen- y-bryn, Aber, photograph by Hilary A. Peters

Pen-y-bryn, at Abergwyngregyn near Bangor, was allegedly once the palace of Llywelyn Fawr. In the seventeenth and eighteenth centuries it was occupied more mundanely by the Thomas family. The inventory of John Thomas described rooms which still exist to this day (B1705–20):

the parlour Chamber
the midle tower Chamber
the Porch Chamber
the Hall Chamber

In addition to the furniture of those rooms he owned £59 3s 6d in gold and silver, livestock, foodstuffs, pans, pewter, linen, a remnant of red cloth, cartwheels, implements of husbandry, books, silver plate and many other items.

Occupations

What was the status of the people who inhabited those various dwellings and how did they earn their living? By far the commonest rank was Yeoman, which covered a range from the moderately wealthy to the very poor. Likewise, the titles 'Gentleman' and 'Esquire' may prove difficult to define with exactitude; the will of a gentleman may well be endorsed 'pauper'. Traditionally the gentry were distinguished by birth and social standing rather than wealth. However, from Tudor times the increased opportunities for Welshmen in English education and local government created a new generation whose success was based on ambition and personal ability.

Some occupations were related to historical events. Howell Edwards from Radnorshire had been a soldier in the Civil War and in the aftermath he was still serving:

... in the troop of Col. John Jones [the Regicide] in the Regiment of Major General Harrison, once inhabitant of the parish of Nantmell in the co. of Radnor, beyng now sick in Denbyshe near Wrexham ...
(BR1652-62)

He left money to his brothers and to other relatives or friends; and he bequeathed to David Humphreys Walter his black horse with saddle and pistols.

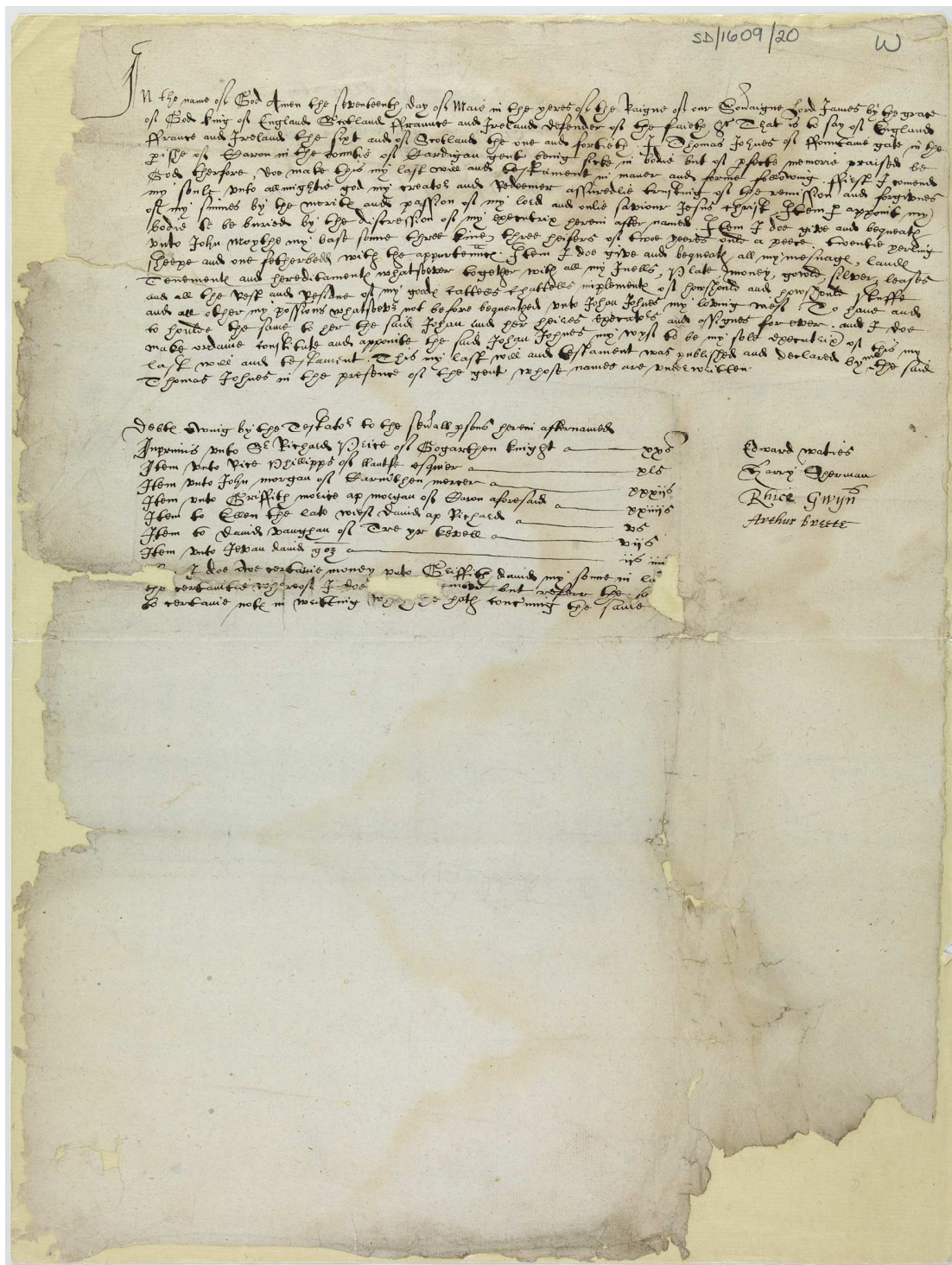
Numerous occupations in North and South Wales were associated with industry – miners, braziers, wire-drawers and iron workers. Around the coasts people were employed as rope-makers, mariners, fishermen and excise officials. In rural areas they worked mainly in agriculture and related activities. Every town or village had its mill, blacksmith's forge, inn and shop. Small manufacturing businesses of all kinds existed – weavers, nailers, shoemakers, tailors and saddlers. In 1733 the shop goods of Thomas Glascott in Cardiff included:

Four Saddles with Flaps & without Pomells £1 12s 0d
Two Saddles without Flaps 10s
Two Bridles with Snaffles 3s 6d
Five pr Stirrup Leathers 3s 4d
One collar 1s
Four double Girts 2s 6d
Sixteen Curry Combs 10s 6d
Twenty Brushes 11s 8d
(LL1733-22)

Servants' wills may be illuminating. Elizabeth Lewis of Hay, servant and housekeeper to Richard Pemberton, thought highly of her master and of her fellow servant, Ann Morgan, to whom she left personal goods:

as a mark of my regard and gratitude for her kindness and attention to me at all times and particularly during my illness.
(BR1842-25)

More academic occupations included surgeons, schoolmasters, clerks and vicars, sometimes with their qualifications added. In the fields of entertainment and literature there were fiddlers, harpists and a bookbinder. Among the famous were Daniel Rowland of Llangeitho (SD1790-107) and Thomas Johnes, alias Twm Siôn Cati, of Fountain Gate, Tregaron, who died in 1609:



Will of Thomas Johnes (Twm Siôn Cati) of Caron, SD1609-20.

Physical state of testator

Almost invariably the testator announced the condition of body and mind. Of course some testators had the foresight to make their wills well in advance, but the phrase 'sick and weak in body' indicated that most people waited until they were at death's door. One always had to declare oneself of sound mind and memory in order for the will to be valid. A family dispute arose after the death of one Jeffrey Cooke, rector of Llanfrynach, co. Brecon (BR1718-74). It was claimed by the relatives who were contesting the will that he:

... dyed of a fever which for severall days before his death deprived him of his understanding and memory ... the fever grew so high upon him that the same day towards evening he became light-headed and talked and behaved himself very irrationally.

The behaviour of the relatives themselves was called into question when one of them alleged that his brother, Edward Cooke, had rifled Jeffrey's house and 'wasted his goods and drank his liquors in a profuse and wasteful manner'.

Burial

It was rare for wills and funeral accounts to provide details of actual burial customs, but often testators gave instructions for the place of interment. Religious sects had their own special burial grounds, such as Quakers' Yard, bequeathed by Mary Chapman of St Mellons (LL1670–176):

I give and devise on[e] plott of ground and land unto the people of the lord called quakers to bury there dead in for ever. It is waled about and made redy for that use ... situating, l[y]ing and being in the parish of Merthyre Tidvill ... and abutting to the river called Taff on the West and to the river called Bargott on the East and South.

Other Nonconformists might request burial in their chapel yard or bequeath money to the cause.

In 1818 Richard Hargest of Skynlas, Glasbury, claimed to have had a religious 'experience' in which he was told by God to give some land for the construction of a chapel at Cwm Bach.⁷ In his will he requested burial not at the chapel, but in the parish churchyard (BR1842–22):

... that my body may be buried on the west side next the Turnpike Road of the same Yew Tree as my brother Robert Hargest and the rest of the family are buried under, about one yard from the Trunk of the Tree in Glasbury Church Yard and a Tombstone erected over me at the discretion of my executors.

He gave numerous bequests of property to relatives, and he cancelled debts which the trustees of Cwm Bach chapel owed to him. He left £280 to be invested in annuities, to pay for repairs to the building and to contribute to the Auxiliary Fund of the Wesleyan Methodist Connexion; any surplus was to be used for supporting and preaching the Gospel in the chapel. The trustees were to submit regular accounts at the quarterly meetings of the Circuit. He also bequeathed £100 to the Methodist Missionary Society; and further personal goods to relatives and friends.

Worldy goods

Of the testator's worldly goods, sums of money were allocated for the reparation of the parish church and/or the cathedral of the diocese, payment to the vicar for forgotten tithes and charitable donations for maintenance of the poor. Sometimes the testator might take an interest in promoting education.

Edward Richard was master of the grammar school at Ystrad Meurig, which provided a high quality classical education. His will contained instructions for the future running of his establishment (SD1777–207):

All the Rest of my real Estate that is to say Brynperfedd in the parish of Spytyty-Ystradmeurig, Ty Mawr, Pen-y-Gwndwn and Bryngarw in the parish of Lledrod and

Tyddyn y Prignant in the parish of Llanfihangel-y-Croyddyn, all in the said County of Cardigan, I have given to the Use of a Free-School at Ystradmeurig by a Deed inrolled in Chancery that my successors in the school may receive the Rents thereof as long as they shall discharge thir Trust faithfully ... All my Books I leave to my successors in the school and their scholars, but to be used only in the Library.

To my Successors in the School.

This school is not intended to be a sinecure. You must attend, and get your Bread by Labour and Industry ... Let the School and Library be kept in good Repair and improved to the utmost of your Power.

The main recipients of property and personal goods were of course the testator's closest relatives. Elizabeth Longueville of Esclusham, Wrexham had separated acrimoniously from her husband and remained childless. She left her personal treasures to her brother's family at Brogyntyn or Porkington, as it was then known (SA1754–151).



Portrait of Elizabeth, daughter of Sir Robert Owen (married name Longueville), NLW Slide 1461.

The will, written in her own neat hand, specified:

My ring with King Charles's Picture ... to my Nephew Robert Godolphin Owen ... I likewise leave him my Opall Ring ... My silver tea kete & lamp & stand I leave to my niece Margaret Owen of Porkington with Lady Mostyn's Dish who was my Mother's great Grandmother; it is of no great value but for its anticquity.

Other bequests included:

a Turkey stone Ring with my brother Arthur's hair under it ... diamond earrings ... my yellow Diamond Ring with my snuff Box that has King Charle's medal on the lid ... my Sapphire Ring ... my Plumbstone with our Saviour's Passion carv'd upon it ...

She insisted that the items were not to pass out of the family and were to be kept locked up until the children were of an age to care for them. In a codicil she lavished further items upon her nieces:

a gold chain with blue stones ... my Green Padusoy Gown ... my Embroidered Gown that has a green ground to make a Counterpan for a bed ...

and to her servant maid:

my brown silk Gown, my Straw colour Silk Sack, my Grey Silk Gown, my Washing Gowns and underpetticoats.

Testators with offspring took care to emphasise their legitimacy, with the words 'heirs of my body lawfully begotten'. The phrases 'natural' or 'reputed' usually indicated illegitimacy, regarded by many genealogists as the family's dirty secret or skeleton in the cupboard. In fact, bastard children were often acknowledged and provided for. Oakley Leigh of Brongest, Lampeter was agent to the tyrannical squire Sir Herbert Lloyd. He served his master with ruthless efficiency and held the responsible positions of town bailiff, portreeve and churchwarden. The parish register recorded his extramarital activities with various women of the town and eleven 'natural' children were named as beneficiaries in his will (SD1788-80).

The amount of the legacies may not have been an accurate indication of how much wealth the testator actually possessed at death. An apparently rich estate may in reality have been encumbered by mortgages and debts. Conversely, the offspring of other testators may appear to have inherited little in the way of bequests. However, they may well have received their portions upon coming of age or marriage, and of course the main entailed estate would pass automatically to the eldest son, without it being mentioned in the will.

A widow was normally provided for after the husband's death, until her own death or remarriage. It was common for a man to leave goods to his wife, provided she remained a widow. If she remarried, she would receive only a nominal portion (as little as one shilling) and the property would pass to the children of the original marriage. Until the Married Women's Property Act of 1882, a wife needed her husband's permission to make a will. Elizabeth Price of Brecon wished to dispose of

her own personal goods but she was aware of the constraints imposed upon her (BR1705–5):

I ... by and with the Assent and Approbation of my said Husband make, declare, constitute and appointe this my last will and Testament in writeing ...

She left all the property which was in her name before her marriage to her ‘dear and beloved Husband David Price for ever’.

Clearly she was happily married. Other wills may illuminate similar little scenes from everyday life – hard-pressed children patiently attending to sick, elderly parents, affectionate fathers providing for their sons’ education, appreciative employers leaving tokens of their esteem to loyal servants. On the other side of the coin we hear of undutiful sons who got drunk, owed money and caused all kinds of distress to their parents. Turbulent relationships are depicted in the seventeenth century will of Miles Bassett of Cardiff (LL1680–10):

And I would put as little confidence in my crabbed, churlish, unnatural, heathenish and unhuman sonne-in-law, Leyson Evans and Anne his wife; I never found noe love, shame nor honestie with them or eyther of them, but baseness and falsehood, knaverie and deceit, in them all, ever unto me since their Mariages and since more especially, God forgive them all – and I do forgive them – they were my greatest Enemies. I had no comfort in anie of them, but trouble and sorrow ever. They sued me in London in the Exchequier, and in the Commonplease, and in the Marches at Ludlow and in the Greate Sessions at Cardiff, and thus they have vexed me ever of a long time and will to my grave; I see no other hopes by them but that they will starve me ...

Family disagreements aside, the most obvious bequests were land and money. Before 1660 only two-thirds of land could be devised by will. After that date an estate owner could leave any of his land to named beneficiaries. In practice, the descent of most large estates was restricted by entail to pass from father to son. Only land which had been purchased or directly inherited (i.e. non-entailed) would be devised by will. The properties mentioned in wills can be linked with deeds, parish records and estate maps to trace a family’s place of occupation and other holdings.



Nanteos, Cardiganshire, NLW, Arthur Lewis collection (PZ5925/2, 9534, AL/C258)

Money was often left for a specific purpose like the apprenticeship of a child or the care of an elderly relative. Edward Johnes of Nanteos specified allowances to his second son, Thomas, for his university education and to his eldest son, John (SD1636–40):

for his maintenance in the Innes of Court, and provideing for him three score pounds towards a chamber and the buying of books.

Of individual items, the commonest bequests were mundane household objects – brass pans, iron skillets, kettles, pewter dishes and the bed, probably the one in which the testator lay dying, ‘with all its appurtenances’. Large chests called ‘whitches’ or ‘hutches’, appear to have been particularly valued. Other wills may mention the family Bible or the tools of the deceased’s trade. John Smyth, an apothecary/surgeon from Hay owned (BR1755–25):

Three small parsells of Drawers with the Drugs – £1 0s 0d
A pannell of Bottles containing Oyls and Surrops – £2 0s 0d
Seeds and other things in the Counter – £1 10s 0d
The whole Lumber in the Shop – £2 0s 0d

Inventories

The personal goods were listed in an inventory, drawn up by two or more honest people acquainted with the deceased, known as appraisers or ‘prizers’. The information and estimates were supposed to be accurate, but sometimes the valuations were deliberately reduced to minimise payments at the time of probate. The contents and indeed the very language of inventories evoke scenes from past lives, naming unfamiliar fabrics, tools which are now seen only in museums and various ‘trumpery ware’, meaning odds and ends of little value.

[illegible]

Among the goods in a shop belonging to John Jones, a glover from Brecon, were (BR1738-8):

- 9 yards dimity
36½ yds Rusha Cloath
13 yds flaxen sheeting
1 yd Hempen Rowl
11 yds Ordinary ticking
5 yds blew baize

4½ yds Green Lincy
Hard brimstone
German Alumn
Chip'd Log Wood
Tar
Oil
Umber & Ochre
Wash Leather Skins
Barell Skins
Tan Leather Skins
Goatskins
White Leather Skins
28 pr Hedging Gloves

End of the will

Towards the end of the will the testator usually named one or more executors from close family or friends. Provision was made for any children under age, by the appointment of a guardian or tutor selected from among the executors or other trusty friends. Finally, the will concluded with the signature or mark of the testator, in theory at least. In practice the attorney or scribe who wrote the will may have signed for the testator and attached his own seal. Then the witnesses attached their signatures or marks. They were normally two to four in number but they could be as many as seven. Once the will was signed and sealed, the testator could add further wishes or change previous bequests by means of one or more codicils.

Cause of death

Very rarely is it possible to determine the cause of death or the deceased's age by looking at probate records alone, but I did discover two rather dramatic examples. John James, a fisherman from Aberystwyth perished in a 'tempestuous storm with his boat' (SD1705–47). Richard Preese, a tinker from Haverfordwest, was 'inhumanly murdered by Griffith Evan' (SD1720–57).

Probate

After the death, the executor or another suitable representative took the will to the appropriate ecclesiastical court where it was validated and endorsed with an act of probate. The act was then recorded in the probate act book and an entry made in the index. The original will was filed with the court and a probate copy given to the executors. Often a further copy of the will and the probate act were written into a bound volume of registered wills. Some of these bound volumes have survived from the Welsh courts and they constitute a useful supplement to the records where the originals are illegible or have been lost.

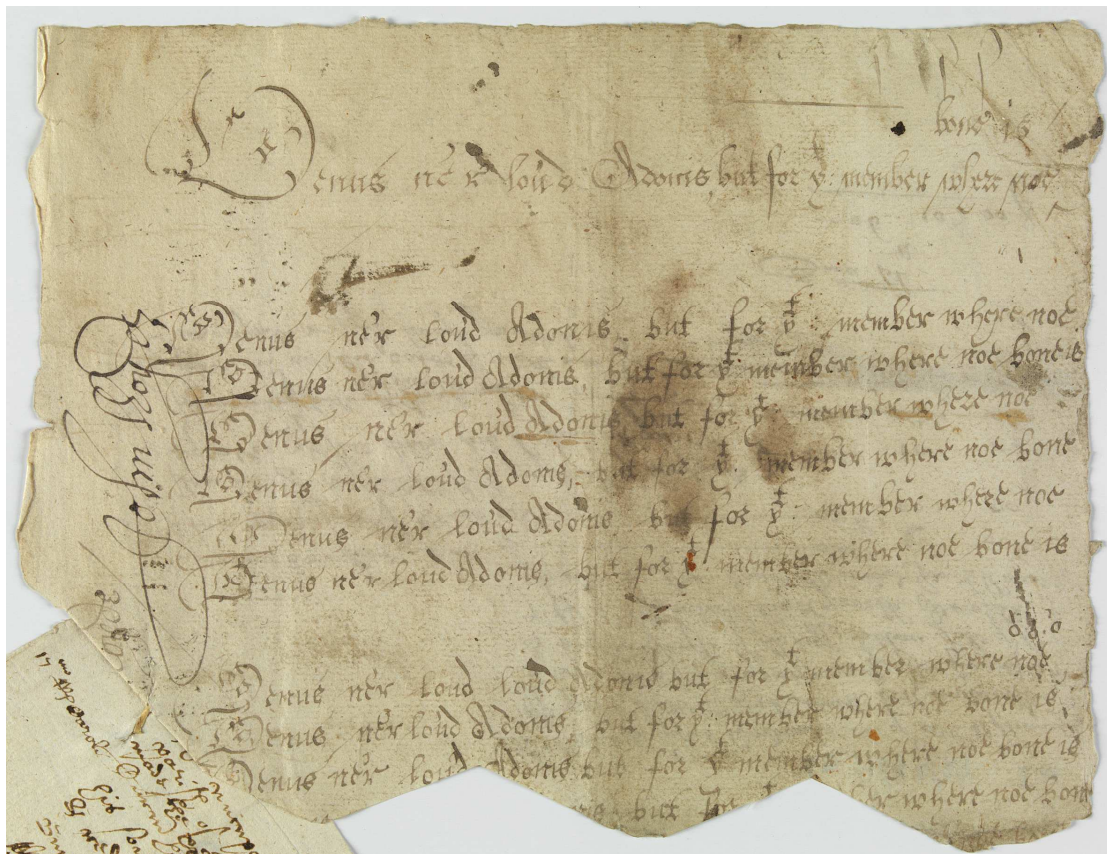
Probate was usually granted a few months after death, but it could be delayed for much longer by certain circumstances. The Civil War and the closure of the local church courts during the Commonwealth prevented many wills from being proved immediately. The will of Rees ap Jenkin from Llanbadarn Fawr, Cardiganshire, made in 1644, remained unproved until 1650, according to a note (SD1650–33):

because that in the troublesome tymes it was put in some hole and never found until now of late.

The procedure of proving the will might be delayed by family disputes, or some misfortune might befall the bearer on his way to the court (SA1675–70):

Oh, Mr Harpur, I fear that I shall never see you at St Asaph for it was my hard fortune ... to have a great fall in seeking to light down from horseback coming down the hill at Bont near Chirk Castle; the right thigh of my breeches did stick on the corner of some books that I had then in my cloak bag. And so forgetting to take hold on my saddle, and being so stiff and clumsy, I fell down on my back, which fall gave me a mortal bruise, for my ribs are broken or cracked and I am in great pain, the Lord comfort and ease me as he pleaseth in his good time; for I can scarce go by crutches; I desire to see you (if I be alive) when you do happen to come near Llangollen.

Even after probate, documents were not immune from loss or damage, possibly affected by damp, mould or fire in storage.



Inventory (verso) Hugh Bevan, Llanfihangel-ar-Arth, SD1642–27.

Some were abused, like this one above, endorsed with a rude verse by the probate official: ‘Venus ne’r lov’d Adonis but for that member where noe bone is’.

From the bitter family strife of John Conway to the dalliance of a bored clerk in the probate office, a whole panorama of past lives has been opened up to us and indeed to anyone in the world, by the application of modern technology to the Welsh probate records.

Hilary Peters

Notes

1. The NLW references incorporate the name of the diocese (abbreviated), the date of probate and the individual document number.
B = Bangor
BR = Brecon
C = Chester
HA = Hawarden
LL = Llandaff
SA = St Asaph
SD = St David's
2. For full details see Archives Wales:
<http://anws.llgc.org.uk/cgi-bin/anw/quicksearch?term=welsh+probate>
3. NLW, Francis Green MSS (Facsimiles). Originals in Haverfordwest Public Library.
4. Cardiff City Library, David Jones of Wallington MSS.
5. NLW, Sir Joseph Bradney papers, NLW MSS 7561–7767.
6. The National Archives, wills online:
<http://www.nationalarchives.gov.uk/documentsonline/wills.asp?WT.hp=Wills>
7. Cymdeithas Treftadaeth Capeli/The Chapels Heritage Society Local Information Sheet 7, Glasbury & Hay on Wye:
http://www.capeli.org.uk/uploads/local_07_hayonwye_glasbury.pdf

Further reading

Bristow, Joy, *The Local Historian's Glossary of Words and Terms* (Countryside Books 2001).

Camp, Anthony J., *Wills and Their Whereabouts* (4th edition, London 1974).
Very thorough introduction to historical background and technical aspects of probate.
BEWARE – the 'whereabouts' are now out of date. Use Gibson, or Grannum and Taylor to find repositories.

Gibson, Jeremy, *Probate Jurisdictions* (Federation of Family History Societies, 5th edition, 2002).

Gives a list of all known public repositories of probate records in the UK.

Grannum, Karen, and Taylor, Nigel, *Wills and Other Probate Records* (The National Archives, 2004).

Williams, Gareth Haulfryn , 'Wills and other Records of Inheritance', *Welsh Family History: A Guide to Research*, ed. John and Sheila Rowlands (Association of Family History Societies of Wales, 2nd edition 1998).

Website of Manchester and Lancashire Family History Society: www.mlfhs.org.uk in the information base 'Beginning UK Research'.

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