

CALENDAR OF EARLY LEICESTERSHIRE WILLS
AND ADMINISTRATIONS, 1495 TO 1558.

TRANSCRIBED, AND WITH AN INTRODUCTION BY HENRY HARTOPP.

INTRODUCTION.

It would be difficult to discover a class of records of more historical value to the Topographer and Antiquary than early Wills and Administrations.

These documents, and especially Wills of the Pre-Reformation period, contain a vast deal of ecclesiastical and parochial information, such as the dedications of our old parish churches, the names of the clergy, and the names of the guilds, chapels, and altars in the church. They also contain a great deal of family history, which forms the backbone for genealogy; in fact, they are the principal and often the only records by which the middle-class families who lived prior to the Reformation can trace their descent. Occasionally we find testators in addition to recording the names of many relatives and friends, often naming two, three, and sometimes four clear descents of pedigree. It is scarcely necessary to say that no modern Topographical work could be considered complete unless its author had obtained and embodied within its pages the many items of historical importance contained in the Wills of former residents.

Originally each Bishop and Archdeacon had a separate court, extending over his diocese or archdeaconry. The Bishop claimed the exclusive right to issue a grant in cases where the testator had goods ("bona") in several archdeaconries or jurisdictions within his diocese, whilst the Archdeacon could only issue a grant where the testator's goods were solely within his archdeaconry. The Archbishop of Canterbury, as also the Archbishop of York, had his Prerogative Court, and exercised jurisdiction not only over his diocese, but over his Suffragan Bishops. The Archbishop asserted his claim whenever it was found the testator possessed "bona notabilia" or personal estate in more than one diocese within his province, the minimum value of £5 being held to constitute his jurisdiction.

It seems probable that the Archbishops began to claim their prerogative testamentary jurisdiction as early as the reign of Henry III., if not earlier, but some time elapsed before such claim was fully recognized by all their Suffragans. It is however, interesting to find that both the Bishop of Lincoln (the diocese in which Leicestershire

was until 1837 included) and the Archdeacon of Leicester began to claim their right to issue grants very shortly after the period just named.

There are five depositories where early Leicestershire Wills may be found, namely at Leicester, Lincoln, Somerset House, London, Lambeth Palace, and at Canterbury. The earliest extant are those recorded in the Episcopal Registers at Lincoln, which commence as early as 1280,* and were proved in the Bishop of Lincoln's Court. Some Leicestershire Wills were it appears proved in the Court of the Dean and Chapter of Lincoln, where they are still preserved. Many hundreds of early Leicestershire Wills were proved in the Prerogative Court of Canterbury, and are to be found, either the original Wills, or transcribed copies in the splendid parchment register books now preserved in the Principal Probate Registry, Somerset House, London. These records which commence in 1383,† contain some of the most important Leicestershire Wills. In the Registers of the successive Archbishops of Canterbury at Lambeth Palace, something like 1600 Wills are entered between 1312 and 1636, A few of these only belong to Leicestershire, being probably the Wills of testators proved there during the vacancies in the See of Lincoln. Among the records of the Dean and Chapter of Canterbury is a volume known as F., which contains some Wills proved in the Prerogative Court of Canterbury, probably during the vacancies of the Archiepiscopal See, and many of which are not indexed in the old calendars at Somerset House. One or two early Leicestershire testators' Wills may be found in this volume.

THE ARCHDEACONRY COURT OF LEICESTER.

THE earliest Wills now preserved in the District Probate Registry at Leicester, and which were proved in the Archdeaconry Court, date from the reign of Henry VII., 1495. It is clear however, that the Archdeacons of Leicester exercised their testamentary jurisdiction at a very much earlier date, probably as early as the reign of Henry III. or Edward I. We learn from the Woodford Chartulary, p. 64, b., quoted by *Nichols* in his *History of Leicestershire* (Vol. II., p. 374), that the Will of Alice Wodford, wife of John Wodford, of Brentingby,

* An interesting Volume on the Early Lincoln Wills recorded in the Bishop's Registers, 1280-1547, giving a complete Index and Abstracts, was compiled and published by A. Gibbons, Esq., of Lincoln, in 1888.

† An excellent Alphabetical Index to the P.C.C. Wills 1383-1558, has been compiled by J. C. C. Smith, Esq., late of the Literary Department, Somerset House, and is now being printed in the publications of the British Record Society.

co. Leicester, was proved in the Church of Melton Mowbray, 13 kal. Jan., 1333, before the Official of the Archdeacon of Leicester. From the same authority we learn that probate of the Will of Sir John de Wodeford, of Brentingby, a grandson of the said Alice, was granted in St. Martin's Church, Leicester, by the Official of the Archdeacon, 27 Aug., 1401, and an acquittance made to Mabel his wife of her Administration 22 April, 1402. (Woodford Chartulary, p. 60, 2.) In the Episcopal Registers at Lincoln, under date 10 Sept., 1417, is an entry which relates to a composition between the Bishop of Lincoln and the Archdeacon of Leicester, as to the probate of Wills of persons dying within the Archdeaconry jurisdiction of Leicester. (Reg. Repingdon, p. 161.)

The Archdeaconry Court of Leicester was formerly governed by a Commissary and Official, who was appointed by the Bishop of Lincoln, and who exercised the authority of Official Principal and Vicar-General under the Archdeacon. Occasionally these offices were vested in two persons, who held separate Courts, and exercised concurrent jurisdiction. William Mason was Commissary and Official in 1510. In 1516, John Sylvester, B.L., was Commissary, and Henry Wilcocks, LL.D., was Archdeacon. Richard Parker, B.L., was Commissary and Official 1522-3, and Robert Poulet, B.L., in 1526. The Registrar of the Commissary was appointed by the Bishop. William Biller, who signed many of the early records was Registrar from about 1510 to 1536, when he was succeeded by Thomas Webster. As already stated the existing records at Leicester date from about the year 1495, the earlier Wills having long since disappeared.

The following is a list of some of the Wills proved in the Archdeaconry Court of Leicester in 1510, none of which are now preserved in the Registry at Leicester:—*

1510.

Asterley, Richard; Wydderley [9 Nov.]
 Cleypole, Alice; Haloughton [27 April]
 Dande, John; Galby
 Harte, John; Kybbeworth [6 July]
 Kyng, William; Wiggston [16 July]
 Kyrke, Robert; Norton
 Olyvere, Richard; Estnorton [12 Oct.]
 Palmar, Alexander; Stokfaston
 Side, William; Thurleston [10 Aug.]
 Smythe, John; Medburne [12 Oct.]

* These references are taken from selected extracts from the Episcopal Registers at Lincoln, printed in the "Associated Architectural Societies' Reports and Papers," Vol. XXI., pp. 315-325.

Turnar, Thomas; Sodyngton
 Tyleswastell, William; Osolueston
 Warde, Sir Robert, rector of Broughton Astley. Adm' [25 Sept.]
 Woldnall, Hugh; Burbage [26 Oct.]
 Wryghte, Thomas; Kybbeworth [7 Dec.]
 Wynslow, John; Oudeby [27 April]

In the same year, 20 Sept. 1510, William Smith, Bishop of Lincoln, held his Visitation in St. Mary's Church, Leicester, when the following Wills were proved:—*

Claybroke, William;	St. Mary's, Leicester
Crafte, Robert;	St. Martin's, „
Gefferey, Agnes;	St. Mary's, „
Hayward, William;	St. Peter's, „
Pranke, Margaret;	„ „

It will be convenient to give here some particulars of the records extant in the Registry and of the Calendars or Indexes and Register Books of Wills, &c. now in use.

CALENDARS.

- Vol. 1. Transcripts of Wills only, 1500 to 1579, with some undated records 15th and 16th centuries.
- „ 2. Original Wills, 1580 to 1642, inclusive.
- „ 3. Administrations, 1594 to 1641, inclusive.
- „ 4. Wills, 1643-1649. Administrations, 1642-1649. Inventories, 1643-1649, inclusive.
(N.B.—There are no records between 1649 and 1660.†)
- „ 5. Wills and Administrations, 1660-1679. Inventories, 1665-1679, inclusive.
- „ 6. Wills, Administrations, and Inventories, 1680-1693.
- „ 7. Wills and Administrations, 1694-1749, and from thence in regular order to the present time.

An Index to a number of unproved Wills is also preserved. These separate records number about 300, and consist of copies and original Wills and papers relating to Administrations between 1576 and 1850, which have never been completed. There is also an Index to certain Administration Bonds, and Inventories, which have never been introduced into the general repertories. This contains several hundred names, chiefly of the earlier part of the 18th century.

* See Notes from the Episcopal Registers at Lincoln relating to Leicestershire "Associated Arch. Soc. Reports and Papers," Vol. XXII., pp. 111-2.

† The Wills of Leicestershire testators proved between 1649 and 1660 will be found preserved at Somerset House.

An original old Index to Wills proved between about 1500 and 1558 is still preserved which contains the names of several hundred testators whose Wills are now missing. A few 16th century Leicester Archdeaconry Wills are preserved among the Episcopal archives at Lincoln, but these appear to be chiefly duplicate transcripts of those at Leicester.

WILLS.

The earliest separate testamentary records extant in the Registry consists of transcripts of Wills, there being very few, if any, originals earlier than 1580. These transcripts, which number upwards of three thousand, may be said to commence in the year 1500, although one at least exists of an earlier date. A small packet is preserved containing twenty-five transcripts of the 15th and 16th centuries, the dates of which are wanting or imperfect. One of these, *viz.*, the Will of Alys Multon, widow, of Wymondham, is dated 15 May (year obliterated) Edw. IV., *circa* 1480. The transcripts are now placed in bundles for different periods, each year being tied up separately:—

Bundle 1.	Transcripts previous to 1535.		
„ 2.	„	1536 to 1541, inclusive.	
„ 3.	„	1542 to 1545	„
„ 4.	„	1546 to 1549	„
„ 5.	„	1550 to 1555	„
„ 6.	„	1556 to 1557	„
„ 7.	„	1558.	
„ 8.	„	1559.	
„ 9.	„	1560 to 1563, inclusive.	
„ 10.	„	1564 to 1569	„
„ 11.	„	1570 to 1574	„
„ 12.	„	1575 to 1579	„

Mr. John Stockdale Hardy, who for many years was Registrar of the Archdeaconry Court of Leicester, commenced to arrange the existing transcripts, and his labours were completed by the present Registrars, Messrs. G. H. and T. Nevinson, who prepared the MS. calendar now in use.

From 1580 to 1711, inclusive, the original Wills and Transcripts are filed in rolls, and after 1712 they are arranged alphabetically for each year in packets with the Administrations. The series is tolerably complete from 1580, with the exception of the roll for 1608, which is lost, and the gap between 1649 and 1660, when no Wills were proved in local Courts.

ADMINISTRATIONS.

The earliest Administration Bonds commence in 1556; but they are by no means complete, and are not regularly indexed until 1594. There is an old 16th century index arranged according to christian names which probably dates from 1558 to 1582 inclusive. The Bonds are packed in bundles for various periods, but the earlier ones are not well arranged.

INVENTORIES.

These records, which give us some insight into the domestic habits and position of our forefathers, commence about 1520. The earlier Inventories will be found generally attached to the Wills or Bonds, and there are good indexes to them from 1585 to 1711 when they ceased to be filed separately, Inventories for 1550, 1559 and for subsequent years are mostly filed in separate rolls.

REGISTER BOOKS.

In addition to the transcripts and original Wills which are respectively packed in bundles and rolls, there are several Register Books containing copies of Wills for the following years:—

1515-1526 (partly indexed).

1526-1533 (not indexed).

1560-1	1568	1574
1563	1569	1575
1564	1570	1576
1565	1571	1577
1566	1572	1578
1567	1573	1579

(Separate Register Books for each of these years with indexes.)

There are also Register Books containing copies of Wills without indexes for these years:—

1587	1606	1611	} 1 Bundle.
1588	1607	and	
1589	1608	1639	

1626-1631.

The Wills for part of the year 1626, and from 1627 to 1631 inclusive are also copied into three Register Books for which indexes exist. A few original Wills are bound up in these volumes. From 1749 to the present time a regular series of Register Books of Wills are preserved.

ACT BOOKS.

This earliest is a fragment or part of an Act Book on Probates and Administrations for part of the year 1526. It contains upwards of 120 names of testators and intestates, many of whose records no longer exist. Probate Act Books are preserved for the following years:—

1585 and 1586 very imperfect.	} 3 Books.
1604 to 1644 inclusive	
1645 to 1649 „	
1678 to 1688 „	

Administration Act Books exist for the years:—

1604 to 1635 inclusive	} 3 Books.
1635 to 1645 „	
1678 to 1689 „	

PECULIAR COURTS.

It will be necessary to give a list of the several minor Courts whose records are now deposited separately in the Registry at Leicester, with the date of earliest record:—

The Prebendal Court of St. Margaret's, Leicester, 1588.*
 The Manorial Court of Rothley, 1575.†
 The Manorial Court of Groby, 1670.‡
 The Manorial Court of Evington, 1581.

There are several Wills preserved in the Registry of testators belonging to other counties, namely:—

- 1511. Marbull, John; Dachett, co. Bucks [Transcript]
- 1516. Towers, Thomas; Uppingham, co. Rutland [Reg. Book 1515-1526, fo. 17]
- 1516. Browne, Philip; Hothorpe, co. Northampton [Reg. Book 1515-1526, fo. 116]
- 1521. Clarke, George; Aylesbury, co. Bucks [Reg. Book 1515-1526, fo. 238]
- 1528. Sexten, Margaret; Little Bowden, co. Northampton [Transcript]
- 1556. Humbleton, Richard; Oakham, co. Rutland [Transcript]

In the Register Book of Wills for 1572, fo. 80, is a copy of the Will of Henry Grover, Citizen and Haberdasher of London, Administration of whose goods, chattels and credits was granted at Leicester in that year.

* The first Will in the index is that of Thomas Tyers, of Leicester, 1596, but several earlier Wills are incorrectly indexed under 1633.

† Very few records before 1650.

‡ One earlier Will dated 1580.

The printed calendar which follows has been specially compiled for this publication. It embraces an important period of English history from the reign of Henry VII. to the accession of Queen Elizabeth, 1495 to 1558, and contains references to upwards of 3,500 Pre-Reformation testamentary records.

The official permission to transcribe and print the calendar was given by The Right Hon. Sir Francis Henry Jeune, Knt., the President of the Probate Division.

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