

## **General Introduction**

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The aim of this project was to ascertain as much information as possible from wills about the changing way of life in the ancient parish of Giggleswick with a view to comparison with other localities and communities in the North of England (e.g. Swaledale for which a similar exercise has been published by the YAS) and particularly Horton in Ribblesdale parish in upper Ribblesdale.

Wills have been located using the Yorkshire Archaeological Society Record Series volumes for Wills in the York Registry, 1389 to 1688, vols. 6, 11, 14, 19, 22, 24, 26, 28, 32, 49, 60, 68, and 89; YAS Yorkshire Wills Registered in London 1649-1660; and YAS Consistory Court Wills vols. 73 and 93. One will was found at the North Yorkshire County Records Office.

The probate copies of the wills are held at the Borthwick Institute of Historical Research at the University of York, mainly on microfilms. The YAS listings go up to 1688 and further indexes in the Borthwick Institute were used for wills up to 1750. After 1688 inventories are found with some probate copies of these wills on the microfilms but are mainly found in bundles to be examined separately. The Prerogative Court of Canterbury collection has been used to obtain wills proven during the Commonwealth period: see

[www.nationalarchives.gov.uk/documentsonline/](http://www.nationalarchives.gov.uk/documentsonline/)

The wills transcribed by us have been lodged on CD with the Borthwick Institute of Historical Research at the University of York and the North Yorkshire County Record Office. Photocopies made from the microfilms at the Borthwick Institute vary very much in quality and sometimes are very difficult to read. The accuracy of transcription cannot therefore be guaranteed.

The Borthwick Institute of Historical Research at the University of York hold the copyright of the documents themselves but not the transcriptions. Anyone may therefore use the information on the CD made containing the wills for their own research purposes, but acknowledgement of the authors is requested in any publication or website using the material.

The administrations (admons) have not been looked at except for two or three very early ones of local interest. They are not associated with any inventories on the microfilms.

The style of transcription varies, with some wills transcribed into modern English using voice-activated software (with inevitable mistakes not noticed), many transcribed as written in the original spelling, and some typed directly in modern English. In reproducing original spelling short forms have not always been written in full except where there might be difficulty in understanding the text. The main concern was to investigate content and not spelling of words or names, and not to attempt a faithful reproduction of every word with ligatures and contractions noted.

Indeed the rather low quality of the photocopies must inevitably give rise to uncertainty about some spellings. Occasionally the scribe seems to have made an error and in several places we have inserted (*sic*) to indicate that it is not a typing error or misreading on our part, or it is our best reading of an uncertain word.

The few Latin wills have been translated with the expert help of John Harrop of Austwick but remaining errors are the fault of the authors. The texts of these wills in Latin are very difficult to read with many word-endings missing.

Any search for names of people or places must bear in mind idiosyncracies of spelling and difficulty in reading the names. The year dates used are usually those in the will but the probate year may be later.

It is necessary to have some background knowledge of various matters if the content of wills is to be understood and given justifiable weighting. The content of wills must be considered along with knowledge of the testator's family circumstances - the context needs to be known and generally this is not available. Wills are rather selective in nature since arrangements for widows and children may already have been made. Many men were content to die intestate because their affairs were settled or satisfied by common law descent of lands and goods. Wills are not representative of the population, perhaps about 30% of men left wills - but we do not know the population count at any time. A will was needed to devolve property in ways in which common law could not so we may see examples which are not representative of common practice. It requires the skills and knowledge of a professional historian of all written evidence before conclusions about many topics can be reasonably inferred. Professor Richard Hoyle has carried out this task for land tenure matters in his doctoral thesis of 1986 at Oxford (British Library D 074195 parts 1 and 2). Any conclusions reached are still specific to Giggleswick parish since conditions elsewhere varied and generalization to conditions in the North of England cannot be sustained.

It may be that oral testimony was sufficient as a will in early times but there was a drift to written contractual agreements in common law as time went by. Declaration to 'recorders' was also an accepted procedure. The Statute of Wills of 1540 made an age of 14 for boys and 12 for girls the minimum for making a will.

Hoyle discovered and read much material in archives before computer searching of catalogues and indexes became available. The transcripts of wills made here make them accessible for others to consider and have allowed us to record factual matters and the frequency of occurrence or reference to various items, with the caveat already made that conclusions must not be drawn from such information alone.