

INTRODUCTION to the Clapham parish wills held in the Prerogative Court of Canterbury

The wills in this section are registered copies held by the Prerogative Court of Canterbury (PCC). They are the copies of the original probates by clerks at the church courts. At some later stage they were further copied into Registers in date order. Images from these Registers are here used for transcription. The style of handwriting shows that Secretary Hand and Court Hand styles were used, rather than a vernacular style. Small imperfections in transcription are possible since lettering is sometimes indistinct.

Until 12 January 1858 all wills had to be proved by the church and other courts. The PCC was the most important of these courts dealing with relatively wealthy individuals living mainly in the south of England and most of Wales.

The National Archives hold these copies of wills made between 1384 and 1858 in series PROB 11. The information found in these wills includes the following:

- where the testator lived
- name of person responsible for carrying out the wishes (executor)
- date of will
- witnesses to the will
- chief beneficiaries
- date of probate

There were three main factors determining in which court a will would be proved:

- where the person died
- value of the goods
- how these goods were distributed geographically

If a person's property lay entirely within one archdeaconry his will was proved in that archdeaconry court. If property or goods were owned elsewhere, to the value of £5 or more, a superior church court dealt with probate. If the property was in more than one archdeaconry but all in the same diocese the will was proved in a Diocesan or Consistory Court. If the property was held in more than one diocese the will was proved in one of the two Prerogative Courts (York or Canterbury). If property was held in the provinces of both York and Canterbury the will had to be proved in the senior Canterbury Court. The Canterbury Court also proved wills of English and Welsh property owners who died elsewhere. This was also the case in the Commonwealth period (1653-1660).

Images of the documents can be downloaded from the TNA website at a cost. Alternatively, the images have been made available by Ancestry.com for which a subscription is required. This latter possibility was brought to our attention by Professor Richard Hoyle. The Ancestry.com site for the PCC wills can be searched for the names of people and places and burial and probate dates. However, a few wills appear to have been overlooked or at least not imaged. In addition the Ancestry.com entries in their catalogue are sometimes faulty and one has to use imagination as far as spelling of names is concerned. Those creating the catalogue were not familiar with local names and sometimes serious misreadings have occurred. In some cases in the Register copies annotations are made or short forms used: Exd or Ext d –

Extracted, LS (Locus Sigilli) – place of the seal, Comon or Common – commission, Admon-
-administration.

As far as we have been able, the PCC wills for people living in or with connection to the the ancient parish of Clapham have been identified and transcribed. They are all written in English, apart from the Probate section in some cases. It cannot be claimed that all wills have been found because of catalogue errors. The earliest Clapham parish will is dated 1653. There are 14 wills in the turbulent period 1650 to 1660 and one in 1693. Only four wills are found in the 1700s. From 1800 to 1857 there are 10 wills. Many of the wills therefore had to be and were probated by Canterbury in the Commonwealth period and many of those dated later than 1800 might indicate that wealth and commercial ties with ports and London meant probating in Canterbury.

In several cases, because of the old calendar year end-date on 24 March used before 1752, the probate date is in ‘English Stile’ and all such are listed with these old-style dates. Similarly will dates are in the English style where appropriate. The probate section is in Latin only in two cases – John Peacock in 1720 and William Tomlinson in 1693.

The ancient parish of Clapham comprised the villages of Austwick and Clapham and the hamlets of Feizor, Lawkland, Newby and Newby Cote in the Deanery of Lonsdale. In 1879 the parish was divided to create the parish of Austwick.

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December 2023