

Your Family Tree Series: 7



Wills and Testamentary Records

Introduction

Wills are an extremely important source of genealogical information. They contain the name, address and occupation of the *testator* (the person who made the will), as well as details of the *beneficiaries* (people to whom the testator left something) and of the property owned (land and goods). You can therefore extract information on the larger family network, for example, the names and addresses of married daughters who have taken their husband's surname, names of grandchildren, cousins, nephews etc. Many wills also include the addresses and occupations of witnesses and *executors* (those whose duty it is to see that the terms of the will are carried out) who may also be related to the testator.

Probated Wills and Letters of Administration (Admons)

Wills cannot take effect until after the death of a person and after they have been proved in a court. The grant of probate authenticates the will and confers on the executors the power to administer the estate of the deceased. The official date of a will is therefore the 'date of probate', that is, the date when it was officially proved in a court. Probate can take anything from a minimum of six weeks up to several years.

Where the will did not specify any executors, or the executors were unable to act or renounced their intention to act or had died, a grant of letters of administration with will annexed was granted, usually to the *residuary legatees* (those who receive the remainder of the personal estate, after all debts and legacies have been paid out, and who may be the next of kin). If a person dies without making a valid will, the court can grant letters of administration (known as admons) by appointing persons to administer the estate of the deceased. Admons will contain the name, residence and occupation of the deceased and of the person or persons appointed to administer the estate.

What is available?

Pre-1858

Before 1858 wills were proved and letters of administration were issued either in the Prerogative Court or in the consistorial or diocesan courts of the Church of Ireland (the State Church at the time). The following dioceses cover the nine counties of Ulster:

Diocese of Armagh	(Most of Co. Armagh and parts of Cos Londonderry, Tyrone, Louth and Meath)
Diocese of Clogher	(Parts of Cos Tyrone, Fermanagh, Donegal, Louth and all of Co. Monaghan)
Diocese of Connor	(Most of Co. Antrim and parts of Cos Down and Londonderry)
Diocese of Derry	(Most of Co. Londonderry and parts of Cos Donegal, Antrim and Tyrone)
Diocese of Down	(Eastern part of Co. Down and part of Co. Antrim)
Diocese of Dromore	(Western part of Co. Down and parts of Cos Antrim and Armagh).
Diocese of Kilmore	(Parts of Cos Cavan, Fermanagh, Leitrim and Meath)
Diocese of Raphoe	(Western part of Co. Donegal)

As these wills were public records they were deposited in the Public Record Office of Ireland in Dublin and almost all pre-1858 originals were destroyed in the fire of 1922. Fortunately, the indexes of wills and administration bonds for each diocesan/consistorial court survived, as well as the indexes for many Prerogative Court wills, some of which have been published. These bound, printed and manuscript indexes to pre-1858 wills, administrations and administration bonds, including Vicar's published 'Index to Prerogative Wills, 1536-1810' are available in the library in PRONI. They are useful for genealogical research because, although the wills no longer exist, the indexes will provide the names of the deceased, their address, the date of the grant of probate or administration and occasionally their occupation.

Other sources of pre-1858 wills

Although the official wills and administrations prior to 1858 were destroyed in 1922, copies can often be found in family, estate and

personal papers and in solicitors' archives. Details of these can be found in the *pre-1858 computerised list of wills* located in the Search Room. In addition, 'family trees' compiled from Betham's abstracts of many Prerogative Court wills, 1536-1800, and administrations, 1595-1802 (held in the National Archives of Ireland) are to be found in the Burke collection (PRONI Ref **T559**). A typescript index is included in the T559 catalogue. All these wills can be ordered in the normal way via the computer ordering system.

Post-1858

In 1858 authority for making grants of probate and administrations passed to the civil courts – to the Principal Probate Registry in Dublin and the eleven District Probate Registries that made up the new Court of Probate. In 1877 the Probate Court and the Court for Matrimonial Causes were merged into the Probate and Matrimonial Division of the High Court. From 1922, the Principal Probate Registry in Belfast and the Londonderry District Probate Registry of Probate and Matrimonial Division of the High Court assumed this responsibility for Northern Ireland.

Almost all original wills and letters of administrations from 1858 to 1900 were among the records destroyed in the fire at the Public Record Office in Dublin. Fortunately, before wills were sent to Dublin, the District Registries copied most of the information into large volumes, known as '**copy will books**' and these have survived. PRONI holds those for the District Registries of Armagh, Belfast and Londonderry, while the National Archives of Ireland hold those that have survived for the other District Registries. The copy will books for Armagh, Belfast and Londonderry District Registries, covering the years 1858 to c.1900, have been microfilmed by PRONI (**MIC/15C**) and are available in the Self Service Microfilm Room. A project to index and digitise these copy wills and link them to the will calendar entries is on-going. The first phase to index the wills from 1858 to c.1920 has been completed – the index is available on the PRONI website.

PRONI holds all original wills and letters of administration for Northern Ireland from 1900 onwards. They are normally transferred to PRONI from the High Court when they are seven years old. These original wills and admons and their associated papers are filed in a separate envelope or file for each testator and can be ordered using the **Single Document Request Form**. If you are cannot come to PRONI and would like a copy of a will, please write to PRONI, supplying the name, date and place of probate.

There are bound annual indexes to all wills and admons, 1858–2002 (updated annually), in what are known as ‘Calendars of Wills and Administrations’(simply referred to as ‘will calendars’) and a consolidated index, 1858–1877, on the shelves in the Self-Service Microfilm Room in PRONI. Arranged alphabetically by name of testator for each year (one or two volumes per year), these give a brief abstract of the will or admon. Up until 1921 the calendars cover the whole of Ireland and thereafter only the six counties of Northern Ireland. You will need to use these calendars to order a will/letters of administration from 1900.

