

How to find a will

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Introduction

Before 1858 wills were proved in church courts. Estates which lay in more than one jurisdiction were dealt with by the Prerogative Court of Canterbury, which sat in London; all wills were proved in London when the local jurisdictions were suspended between 1648 and 1660. Within the area of the pre-1974 county of East Sussex there were three local probate courts: the Archdeaconry of Lewes, the Deanery of South Malling and the Deanery of Battle. Most of their records are at this office, although some are at the West Sussex Record Office; for a detailed description see M J Burchall 'A Guide to Sussex Probate Records' *Sussex Genealogical Centre occasional papers 7* (1981).

All the wills, letters of administration and inventories are available on microfiche or microfilm (XA 26, 23).

Locally proved wills before 1660

Archdeaconry of Lewes

Look up the name of the testator in the index of the small green *Calendar of wills and administrations* (there is a supplement at the back covering wills omitted from this volume and the South Malling wills at the West Sussex Record Office). The numbers by the names are page numbers; turn to the relevant page and find the name of the testator.

If the page number is before **242** you will find the volume number of the relevant wills register at the top right hand corner of the left hand page (eg A20). The page number of the will within this register is at the end of the entry for the testator. However, if there are two numbers at the end of the entry, the second is the page of the grant of probate in the appropriate Act Book, the number of the volume being given in the top left hand corner of the right hand page (eg B 2). This need only be consulted if you want the value of the estate.

If the page number is between **242-417** it means that there is no will but only letters of administration; these are contained in the Act Books. Turn to the relevant page and find the name you require; the nearest number centred above the entry is the page number in the Act Book, the volume number is printed at the top right hand corner of the page (eg B 2).

If the page number is between **418-424** the will is in bundles U1-2 (the item number being given after the entry).

The originals of the registered wills are also available (XA 26/27-42) and in some cases they may be easier to read than the registered copies, although they have not survived in all cases. To find the relevant original you will need to note the name of the testator, the year of probate and the will number (which you will find in the left-hand margin of the index).

Deanery of South Malling

For unregistered wills, 1588-1660 look up the name of the testator in the index *above*; if the page number is between **425-440** the will is in bundles A-F (the item number being given after the entry). For registered wills, 1560-1575 and 1682-1857 use the card index.

Deanery of Battle

Look up the name of the testator in the index *above*; if the page number is between **441-446** the will is in the first book of registered wills (the item number being given after the entry).

Locally proved wills from 1660 to 1857

Archdeaconry of Lewes

Look up the name of the testator in the binders marked *Lewes Archdeaconry wills index, 1660-1858*. Note down the register number (eg A80) and the page number which follows it; if the will is unregistered, the reference will be U2-4 or W/PAW. If there is no will there may be letters of administration entered in the Act Books; use the card index to Lewes Administrations, which gives all the details you will find in the act book apart from bondsmen and witnesses. Should you need this additional information, note the act book number (eg B20) and the page number.

The originals of the registered wills are also available (XA 26/42-94) and in some cases they may be easier to read than the registered copies. To find the relevant original you will need to note the name of the testator, the year of probate and the will number (which you will find in the right-hand margin).

Deanery of South Malling

Look up the name of the testator in the card index (which also includes those wills in the printed pre-1660 index). If the reference (in the top right hand corner) is a letter from **A to J** followed by a number, it is an original will; if the reference is **SM/D** followed by a number hyphenated with another number, this means it is in one of the will registers (the last number in the reference is the page number). If the reference is **INV/SM** followed by a number, this means that there is a probate inventory.

All other references found on the cards are to wills in The National Archives or the West Sussex Record Office (a guide to their location is in the front of the index drawer covering A-DINE).

Deanery of Battle

Look up the name of the testator in the maroon binder marked *Index of Battle Deanery probate records, 1657-1857*. If the reference is **R** followed by a page number, this means the will is in the second book of registered wills. If the reference is from **RA to RI**, this means that it is an administration in the second register and can be found under the appropriate date at the end of that volume. If the reference is **O** followed by a number, this means that it is an original will.

Wills proved in the Prerogative Court of Canterbury to 1857

Wills of testators having property in more than one probate jurisdiction, or property over a certain value, were proved in the Prerogative Court of Canterbury, which sat in London. All wills were proved in London when the local jurisdictions were suspended between 1648 and 1660. These records are at The National Archives; a copy of the index can be viewed free while images of the wills can be ordered for a fee (www.nationalarchives.gov.uk). Copies of the published indexes are available in the Reading Room.

Wills proved after 1858

From 1858 wills could be proved either at the Principal Registry in London or at local registries; these wills are held at the Principal Registry of the Family Division, 1st Avenue House, 42-49 High Holborn, London WC1V 6NP. The index from 1858 to 1966 is available on the Ancestry website which is currently freely available on the public access computers in the Reference Room.

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