INDEX OF SOMERSET ESTATE DUTY OFFICE WILLS AND LETTERS OF ADMINISTRATION 1805-1811

Edited by
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HARRY GALLOWAY PUBLISHING

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ISBN 1-873931-28-X

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ACKNOWLEDGEMENTS

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2019 EDITION

In order to make this information more widely available this edition has been placed on the Somerset and Dorset Notes and Queries website. The conversion of the data typeset and published in 1994 was undertaken by David Hawkings and Dr Adrian Webb.

The electronic version comprises three files. Part 1 is the introduction, part 2 the list of documents and the index of places. The documents referenced in this list are on microfilm at the Somerset Heritage Centre, Brunel Way, Norton Fitzwarren, Somerset, TA2 6SF. The original documents are held at The National Archives, Bessant Drive, Richmond, TW9 4DU.

The references to 'P.R.O.' now refer to The National Archives. The Somerset Record Office, Taunton is now the Somerset Heritage Centre, and the Devon Record Office, Exeter is now the Devon Heritage Centre.

INTRODUCTION

The destruction of West Country probate records as a result of an enemy air raid on Exeter during the second world war was a disaster for both genealogists and historians. It was therefore of particular interest to those with Devon, Cornwall or Somerset interests when the Estate Duty Office released from its archives full copies of wills covering the period 1812-1857. This series of wills, which covered the whole of England and Wales was transferred to the Public Record Office (P.R.O.), London. Those for the Diocese of Bath and Wells, and the Diocese of Exeter were (in 1969) transferred to the Somerset Record Office, Taunton, and the Devon Record Office, Exeter, respectively. The Exeter wills relating to Cornwall were later transferred to the Cornwall Record Office, Truro.

All other copy wills covering the rest of the country were destroyed despite the offer by the Society of Genealogists to house them. It is feared that those destroyed included wills from Somerset and other Peculiar Courts which do not survive elsewhere.

It was a tragedy too that the destroyed wills also included all wills for that period proved in the Prerogative Court of Canterbury. Although these duplicated existing wills now at the Public Record Office it would have been of immense help to all researchers to have transferred these copies to the appropriate counties, thus reducing the pressure on the Probate Department at the public Record Office, and in turn making them available to researchers at County Record Offices.

Also transferred from the Estate Duty Office and now preserved at the Public Record Office is an alphabetical name index for all the above mentioned wills consisting of four volumes for each year. This index is therefore a consolidated will index for the whole of England and Wales, and includes wills proved in the Prerogative Court of Canterbury.

In addition there is a series of "abstracts" of both wills and letters of administration for the same period (1812-1857). There is also a separate name index for the letters of administration (1812-1857).

A further series of "abstracts" for a period before 1812, is arranged by diocesan court. The earliest year covered is 1796 (which includes the Diocese of Exeter) whilst others (including the Diocese of Bath and Wells) date only from 1805. There is a name

index for each diocesan court. This series includes both wills and letters of administration.

Diocese of Bath & Wells: Wills and Letters of Administration 1805-1811

The index produced here is a complete transcript of the Somerset (Diocese of Bath and Wells) index of wills and administrations from 1805-1811 (P.R.O. reference IR 27/67). Every entry in the index has been checked against its related "abstract" and any discrepancy in the original index recorded. In the few cases where an "abstract" is not covered in the original index details have been added to this index. Part of the original index relates to wills and administrations proved in the Dean and Chapter, Chancellor, Decanal, and Peculiar Courts of Bath and Wells. These are grouped together in the original index and no indication has been given as to which court each of these was proved in. The years have also been omitted from the original index. The years of probate and grants of administration have been ascertained from the abstracts and added to this index.

Other minor additions have also been made to this index:-

In the case of the testator or intestate being of Taunton the index merely says "Taunton". There were however two parishes in Taunton at this period, namely St James and St Mary Magdalene. In cases where the actual parish has been given in the abstract this has been added to the index.

The original index contains many entries which give the names of houses, hamlets or streets as well as parishes. Where the parish has been recorded, the houses, hamlets and street names have been omitted from this index. Where there is a difference in the spelling of a surname in the original index and the abstract, the alternative is shown in brackets. Where a surname is badly written and the spelling uncertain, a possible alternative is given.

The abstracts sometimes contain more information than the original will:-

e.g.

a. IR 26/291 No. 41 Betty Broom 1805
"In Chancery."

b. IR 26/291 No. 42 Thomas Walmsley 1805
"£10 p. cent payable after death of widow, widow still living 5 April 1826."

c. IR 26/291 No. 197 Mary Michell 1807
"This will was transmitted from the registry of the Archdeacon of Wells (where it had been proved Dec 1797 by Maurice Uphill Hopkins, Mary Ann Palmer and Harriet Hopkins). The testatrix having sufficient property in the Archdeaconries of Wells and Taunton to found the Jurisdiction in this Court."

d. IR 26/291 No. 433 Joseph Rood 1810
"The exor died a bankrupt."

e. IR 26/291 No. 485 Joel Standerwick 1810
"The relict and Executrix survived but died without taking probate. John Hayes the administrator."

f. IR 26/291 No. 488 William Page 1810
Mr John Mills of Long Ashton near Bristol states the wife (Mrs Mills) died 15 March 1835. Executor not found 20 January 1817. (Executrix Ann Page - relict).

g. IR 26/290 No. 191 Richard Hyatt 1807
"Widow living in 1824."

Although the will entries are basically "abstracts" it is apparent from some, that much of the detail was transcribed verbatim from the original will as is indicated by the following:-

IR 26/291 No. 81 John Jennings 1806
John Jennings the younger of Birts in the parish of Wellington, Somerset. Executors John Hunt of Milverton, Co. of Somerset, yeoman and Humphrey Mills of Cadhay in the parish of Ottery St Mary, Co. of Devon, yeoman.
Executors Legatees in Trust.
Executors Residuary Legatees in Trust.
"All my messuages etc. & Lands called Birts with appurts [appurtenances] situate at Wellington up Trust (subject to such annuities & sums of money as my messuage is now subject to pay by bond, note or otherwise) to sell the same & pay the Interest of the Produce to my children John, Thomas, Francis, Charles & Mary during their minorities & pay my said four sons equally on their attaining 21."
Real Estates to be sold.
"The Residue Upon Trust for the support & education of my wife & children during their minorities & when they shall have attained 21 to be divided in manner following:-

daughter Mary £300
son John £200

The then residue amongst my wife & said sons. If my wife refuses to accept of this Provision in lieu of her Dower she may claim & also in lieu of a Bond given by my Father for payment of a certain Annuity, then the Provision hereby made for her to go to my said sons."

The original index was made up annually by Court and arranged alphabetically by the first letter of each surname. The index here has been re-arranged in strict alphabetical order for the whole period 1805-1811.

The abstracts are contained in five volumes:-

Reference	Date	Court	Entry Numbers	
			Wills	Admons
IR 26/289	1805-1811	Dean & Chapter	1-48	433-451
		Chancellor	49-82	1-388
		Decanal	83-180	389-404
		Peculiars	181-255	405-432
IR 26/290	1805-1811	Consistory Archdeacon	1-547	---

IR 26/291	1805-1811	Consistory Episcopal	1-568	---
IR 26/292	1805-1811	Taunton Archdeacon	1-273	1-74
IR 26/293	1809-1811	Taunton Archdeacon	274-498	75-120

Microfilm copies of these are available for researchers at the Somerset Record Office, Taunton.

The relevant part of this index has been compared with a surviving will index at the Society of Genealogists for the Consistory Court of Bath and Wells for the same period. 695 wills are listed in the Society's index, 127 of which are not found in the Estate Duty Index. A check was also made through the abstracts of wills and two were found unindexed.

There are however three will abstracts which appear in the Estate Duty Index but are not recorded in the index at the Society of Genealogists:-
1. HUDLEY, Robert of Buckland (sic), 1807.
2. SPERING, William of Twerton, 1810. It is probable that this entry is an error for John SPERRING of Walcot, 1810, which appears in the index at the Society of Genealogists.
3. JONES, John of Chipping Sodbury, Gloucestershire, 1810. This will is presumably indexed out of place as Gloucestershire was not under the jurisdiction of the Bishop of Bath and Wells.

It is concluded that the Estate Duty Index (1805-1811) is missing about 18% of wills and it is probable that only those subject to death duty were recorded. No other index apart from that at the Society of Genealogists is known for further comparison. No index of administrations has been compared with the Estate Duty Index.

Notes

The following abbreviations for ecclesiastical courts have been used:

Taunton	Consistory Court of the Archdeaconry of Taunton
Con Arch	Consistory Court of the Archdeaconry of Wells
Con Epi Wells	Consistory Episcopal Court of Bath & Wells
B & W	Dean & Chapter, Chancellor, Decanal, and Peculiar Courts of Bath & Wells

There are variations in the spelling of many parishes. For consistency the modern spelling has been used. Where names have changed they have been given the modern name and are listed below:-

Frome Selwood	now	Frome
Katherine	now	St Catherine
Kings Brompton	now	Brompton Regis
Kitnor	now	Culbone
Langport Eastover	now	Langport
St Georges	now	Easton in Gordano
South Brent	now	Brent Knoll
Stoke Lane	now	Stoke St Michael

Stoke Under Hamdon now Stoke sub Hamdon

Place Name Index

Each surname entry has been given a code reference being made up by using the first letter of the surname and then a sequential number. The place names are arranged alphabetically and referred to in the name index using this coding. A small number of wills for people outside Somerset are included in this series. A separate place name index for these has been added.