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Durham Probate Records: Catalogue of pre-1858 Durham Probate Records

Date range of material: ca.1540-January 1858

Durham University Library
December 2024

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Preface

Creation of catalogue

EAD at higher-levels by Andrew Gray, August-October 2011, incorporating lists of DPR1/2,4 volumes by Francis Gotto (which were based on work by Margaret McCollum), and information from the former DPR collection-level description.

Contact details

Palace Green

Durham

DH1 3RN

England

Telephone: 0191 334 2972

Email: PG.Library@durham.ac.uk

URL: <http://www.dur.ac.uk/library/asc/ark:/32150/s1bz60cw24m/PDF>

Introduction

Collection title: Durham Probate Records: pre 1858

Reference code: GB-0033-DPR1

Dates of creation: ca.1540-January 1858

Extent: 225 metres

Repository: Durham University Library, Archives and Special Collections

Creator: The Spiritual Chancellors to the Bishops of Durham (through their Registrars), and the Dean and Chapter of Durham (through their Commissaries)

Language of material: English, with some Latin before 1750s

Contents

Records of the pre-1858 probate jurisdiction administered through the consistory court of the Church of England diocese of Durham, and of the extra-diocesan ('peculiar') jurisdictions of the Bishop of Durham and of the Dean and Chapter of Durham within North Yorkshire. Surviving material from the Bishop of Durham's Allertonshire peculiar is within the main series of probate material for the diocese of Durham (DPR1/1-5,7-8), whereas material for the Dean and Chapter of Durham's Allerton and Allertonshire peculiar forms a separate sequence (DPR1/6, indexed in DPR1/7/7).

Geographical scope

The pre-1858 Durham probate jurisdiction dealt with the estates of those whose property lay solely within the diocese of Durham. The geographical range of the records of this jurisdiction is extensive because throughout this period the diocese of Durham covered most of the historic counties of both Durham and Northumberland, as well as small parts of Cumberland and Yorkshire. In addition, both the Bishop of Durham, and the Dean and Chapter of Durham cathedral, had probate jurisdiction over parts of Yorkshire in and around Northallerton.

The pre-1858 Durham Probate Records therefore cover the following areas (based on pre-1974 counties):

Northumberland, except for Thockrington and Hexham/Hexhamshire (see below).

County Durham

Alston (with Garrigill and Nenthead chapelries) in Cumberland

Crayke in Yorkshire (part of Durham diocese until 1837)

Townships within the Bishop of Durham's Allertonshire peculiar in Yorkshire (see below), until 1845

Townships within the Dean and Chapter's Allerton and Allertonshire peculiar in Yorkshire (see below), until 1845

The parts of Northumberland over which the Bishops of Durham did not have probate jurisdiction were as follows. Earlier probate records for these places are in the Borthwick Institute for Archives in York.

| | |
|------------------------|---|
| Thockrington | Subject to the peculiar jurisdiction of a prebend of York Cathedral until ca.1846 (probate records 1846-1857 within DPR1) |
| Hexham and Hexhamshire | A detached part of York diocese so subject to the probate jurisdiction of the Archbishop of York, until 1837. Hexham and Hexhamshire covered the parishes and chapelries of Allendale, Allenheads or Allendale St Peter, Bingfield St Mary, |

Carrshields (or High West Allen), Hexham, Ninebanks (or Low West Allen), St John Lee, St Oswald in Lee and Whitley chapel. Probate records 1837-1857 are within DPR1.

The two peculiar jurisdictions within Yorkshire covered the following parishes and chapelries. Both these peculiars were abolished in 1846, with jurisdiction transferred to the Archbishop of York. Probate records for 1846-1857 should therefore be at the Borthwick Institute for Archives in York.

| | |
|----------------------------|---|
| Bishop of Durham | Birkby, Cowesby, Hutton Bonville, Leake, Nether Silton, North Otterington, Osmotherley and Thornton-le-Street |
| Dean and Chapter of Durham | Brompton, Deighton, High Worsall, Kirby Sigston, Northallerton and West Rounton |

Accession details

See collection-level description for accession details and previous custodial history.

Arrangement

The separate series listed below reflect the original arrangement of the probate records when received from the District Probate Registry (with the exception of DPR1/8). Original wills and related documents in DPR1/1 were to some extent re-sorted after receipt (although the yearly bundles reflect the original arrangement), while the other classes are largely arranged as originally received.

Conditions of access

Open for consultation. See notes within collection-level description for further details.

Copyright and copying

Permission to make any published use of material from the collection must be sought in advance from University Library and Collections (e-mail PG.Library@durham.ac.uk) and, where appropriate, from the copyright owner. The Library will assist where possible with identifying copyright owners, but responsibility for ensuring copyright clearance rests with the user of the material. See notes within collection-level description for further details.

Finding aids

The bulk of the pre-1858 Durham Probate Records were catalogued as part of the North East Inheritance (NEI) project, 2006-2009. This catalogue is available online at <https://familyrecords.awh.durham.ac.uk/nei/data/>, and can be searched by name, place, occupation, date and/or document type.

Other finding aids for specific series are mentioned within the detailed list below.

Form of citation

The form of citation should use the code GB-0033-DPR, or the collection name Durham Probate Records, followed by the *reference number*

To order items in the search room, use the collection reference code(s), derived by removing the repository code (GB-0033-), followed by the reference number. Citing the section of the finding aid is useful. In general, digitised items will not be produced within the search

room unless there is a specific research need to consult the original item rather than a digitised copy.

Bibliography

A bibliography, with links to online full texts where available, is held on our North East Inheritance project pages.

Copies

Most of these records were microfilmed by the Genealogical Society of Utah (GSU, part of the Church of Jesus Christ of Latter Day Saints, or Mormons) before their deposit in Durham University Library. Although good quality, these microfilms are impracticable to use because individual items are not numbered or labelled. Other microfilms of specific items are mentioned within this catalogue as appropriate.

Digital images of most of the pre-1858 probate records have also been made by the GSU and are mounted online by them on their familysearch site, as noted within the list. Where the records have been catalogued within the North East Inheritance database, the catalogue entries link directly to the relevant digital images on familysearch.

Manuscript abstracts, transcripts and indexes are held by other local libraries and record repositories, including the following. These collections often contain details of probate documents the originals of which no longer survive.

Durham Cathedral Library: Sharp MSS (especially 31-40, with an index in 37) and Raine MS 40.

Northumberland Record Office: Raine's "Testamenta Dunelmensia", fourteen volumes of manuscript extracts from and transcripts of some Durham wills etc., compiled by Canon James Raine senior (1791-1858) and his son James.

Newcastle upon Tyne Central Library: H.M. Wood's manuscript transcript of Raine's "Testamenta Dunelmensia" in three volumes with an index, 1925.

Newcastle upon Tyne Central Library: J.J. Howe's transcripts, six volumes of manuscript extracts from wills, administration bonds and probate act books from the diocese of Durham, 1576-1735, with an index.

Related material - here

Durham Cathedral archives

Locellus VIII, nos. 1-20, 22, 33, 41, 42: wills and inventories from the Prior and Convent of Durham's Allerton and Allertonshire peculiar, c.1444-1531.

Other medieval wills within the cathedral archives include the following (some of which were proved in the Bishop of Durham's consistory court), though this list is not comprehensive.

Original wills among Specialia deeds: 1.1.Spec.64, 70, 71; 2.3.Spec.58, 64; 4.3.Spec.3, 25; 4.11.Spec.33 tag; 1.15.Spec.3; 3.15.Spec.6; 1.16.Spec.69; 2.16.Spec.20; 4.17.Spec.30; 1.18.Spec.41; 3.18.Spec.42; 4.18.Spec.88

Original wills among Eboracensia deeds: 1.2.Ebor.10; 1.5.Ebor.30

Original wills among Elemosinaria deeds: 4.4.Elem.17

Original wills among Miscellaneous Charters: Misc.Ch.457, 2243/4, 2305, 2438, 2532, 4793

Original wills among Locelli (in addition to Locellus VIII as above): Loc.XXXVII:7-16

Registered copies of wills: Reg.II f.80r; (?) Reg.V f.213v, 235r; Reg.Hat. f.v(v), 45r, 47r, 50r, 133v, 139v; Cart.II f.302r-v; Cart.IV f.219r-v; Alm.rntls & cart. f.105

Other: Misc.Ch.6782 (ref only), Misc.Ch.7130 (formula only)

Durham Diocesan Records

Records of litigation relating to probate matters are generally found not in the Durham Probate Records but among the consistory court act books and cause papers in the Durham Diocesan Records. The wills (and a few inventories) that survive within the consistory court cause papers are included within the North East Inheritance database.

Other collections

An incomplete card index to wills etc within other collections can be made available by advance arrangement within the Palace Green library search room.

Related material - elsewhere

Borthwick Institute for Archives, University of York

Prior to 1858 probate matters concerning the estates of deceased persons holding property in more than one diocese were dealt with by either the Prerogative Court of York (PCY), if the property lay entirely within the Northern Province of the Church of England, or the Prerogative Court of Canterbury (PCC), for estates situated in the Southern Province of the Church of England or scattered throughout the country. The records of the PCY are in the Borthwick Institute for Archives.

Borthwick Institute of Historical Research, University of York: Durham University Library holds a bound photocopy of a manuscript "Index of York wills [in the Borthwick Institute] probably relating to Hexham & Hexhamshire [in Northumberland], 1688-1745, 1746-1799". This index and its introduction were originally prepared by the late Dr. K. Mitchell (died 1994) and the introduction was updated by the staff of the Borthwick Institute in March 1994. A microfiche copy of the index (issued in 1994) is available from the Northumberland and Durham Family History Society. (For Hexham and Hexhamshire wills see Administrative etc. history).

The National Archives, Kew

The records of the PCC (see above under Borthwick Institute) are in the National Archives. Durham University Library holds copies of various published indexes of PCC wills etc.

Wills from the Commonwealth period, during which ecclesiastical courts were abolished and there was briefly a centralised system of testamentary jurisdiction for the whole country under a Court of Civil Commission. There are printed indexes to Commonwealth wills in the Index Library series. Durham University Library holds a typescript index of Commonwealth wills for Northumberland and Co. Durham, 1649-1660, compiled in 1909 for J.W. Robinson by Mrs. Trentham, with additions by R.H. Leighton.

Cumbria Record Office

Howard of Naworth Papers, volume 44/16 (temporary DUL reference) contains copies of "manorial wills" for Cumberland, c.1839-1866. These are copies of wills proved in various registries which contain references to properties within the Howard manors, chiefly in the Barony of Gilsland.

Original wills and associated documents

DPR1/1 1540-1857

Original wills, filed by year of probate (using mainly old-style years pre-1752). Within each year the wills are arranged according to the surname of the testator. Filed with the wills, in cases where they survive, are inventories of the deceased person's goods (until about the 1720s only), and executors' accounts (mainly for the 16th century, in some other cases accounts are written at the end of the inventory). Other miscellaneous documents such as renunciations or commissions etc are also occasionally found with the wills, although many such documents are stored with the executors' bonds within DPR1/3 below.

In addition to the wills proved in Durham, this series includes any inventories or accounts that survive, where these were originally associated with administration bonds (for those who died intestate). In these cases, the administration bonds themselves were filed in a separate sequence, now under DPR1/3 below.

137 metres

Other catalogues: The wills, inventories and other documents within this series are listed within separate online files as follows (based on the dates of probate or administration), though for most purposes a search of the North East Inheritance database will be more helpful.

16th century wills

1600-1625 wills

1626-1650 wills

1651-1680 wills (links to digital images for pre-1660 wills only)

1681-1699 wills (without links to digital images: see North East Inheritance database)

1700-1725 wills (without links to digital images: see North East Inheritance database)

1726-1750 wills (without links to digital images: see North East Inheritance database)

1751-1775 wills (without links to digital images: see North East Inheritance database)

1776-1799 wills (without links to digital images: see North East Inheritance database)

1800-1810 wills (without links to digital images: see North East Inheritance database)

1811-1820 wills (without links to digital images: see North East Inheritance database)

1821-1830 wills (without links to digital images: see North East Inheritance database)

1831-1840 wills (without links to digital images: see North East Inheritance database)

1841-1850 wills (without links to digital images: see North East Inheritance database)

1851-1857 wills - no wills appear to have been proved during the first half of January

1858 (without links to digital images: see North East Inheritance database)

Will registers

DPR1/2 1527-1858 (mainly 1550s-1858 with gaps, especially during 17th century)
Volumes (except as stated), containing registered copies of wills proved in the diocese of Durham. In addition to copies of wills the registers up to the early 17th century also contain copies of some inventories, and also grants of administration. Earlier registers each cover a span of years but from the mid-1820s there is generally one register per year. The date spans refer to the date, or assumed date, of the grants of probate and administration for each deceased person whose documents are transcribed into the register, rather than to the date of the creation of the original documents themselves. There are indications that the registers were occasionally compiled some months or even years after probate or administration had been granted. Within each register the contents are usually arranged chronologically according to the date of probate of the will. A record's presence in a particular register can usually be taken as a guide to a probate or administration date, and exact dates can often be found in surviving probate act books (DPR1/4 below). The registers include copies of some wills etc of which the originals no longer survive.

Language: Mainly English, with some Latin up to 1730s

6 metres

Other catalogues: Many probate registers have been indexed by names of testators, either by contemporary ecclesiastical court officers or by their civil probate court successors for business purposes. All the entries within the registers are included within the North East Inheritance database online, excepting entries from DPR1/2/1-7 (to 1613) which were excluded from the initial database but should be added during 2024/25. A card index within the Barker Research Library at Palace Green Library includes entries within these early registers.

Detailed lists of the contents of the registers can be found in the following catalogues

Durham will registers 1-29

Durham will registers 30-49

Durham will registers 50-63

though for most purposes a search of the North East Inheritance database will prove more useful.

Not all the volumes are numbered on their spines. The remaining volumes were numbered in 2003, prior to their digitisation by the Genealogical Society of Utah (GSU).

DPR1/2/30 1790 (surnames K-W) and 1793 (surnames A-C)

Items are arranged first by year, then within each year alphabetically by initial letter of the surname only, and then, within each initial letter, presumably chronologically. Indexed (separately for each year, arranged in the same way) at pp. 553-558. Pagination has been altered in the latter part of the volume (in ink) but the index refers to the final ink pagination.

DPR1/2/31 1793 (surnames D-Y) and 1795 (surnames A-H)

Items are arranged first by year, then within each year alphabetically by initial letter of the surname only, and then, within each initial letter, presumably chronologically. Indexed (separately for each year, arranged in the same way) at pp. 559-563 (with copy or draft as loose booklet, p.i-vi). Pagination has been altered in the latter part of the volume (in ink) but the index refers to the final ink pagination.

DPR1/2/32 1795 (surnames (J-Y) and 1797 (surnames A-D)

Items are arranged first by year, then within each year alphabetically by initial letter of the surname only, and then, within each initial letter, presumably chronologically. Not indexed. When this volume was paginated the numbers 190-199 were not used, and 337-346 were wrongly repeated between pages 346 and 347: they have been renumbered in pencil as pages 346A-346J.

DPR1/2/32A 1800 (surnames A-B)

Modern typescript index at p.i-iii.

DPR1/2/33 Jan 1821-May 1822

Apparently arranged chiefly according to date of probate. At pp. i - xxxii is a loose booklet containing (pp. i - xxii) an index to the 1822 entries in this volume only. When this volume was paginated the number 188 was not used, and numbers 411-412 were wrongly numbered 410-411: these have been renumbered in pencil as pages 411-412.

DPR1/2/34 May 1822-Dec 1823

Apparently arranged chiefly according to date of probate. Not indexed. In the original ink pagination numbers 504-505 were wrongly numbered 503-504: these have been renumbered in pencil as 504-505. Similarly page numbers 534-535 were wrongly numbered 533-534 and have been renumbered in pencil as 534-535; and page numbers 578-579 were wrongly repeated following page 579 and have been renumbered in pencil as 579A-579B.

DPR1/2/35 Jan 1824-Dec 1825

Apparently arranged chiefly according to date of probate. Indexed at p.1075-1081.

DPR1/2/36 1825 (surnames E-Y)

Apparently arranged alphabetically by initial letter of the surname only, and then, within each initial letter, presumably chronologically. Not indexed (but see preceding volume). Wrongly labelled 1825 D-Z

DPR1/2/37 1826

Wills are registered in two sections, in each case being arranged alphabetically by initial letter of the surname only:

p.1-103: surnames M-R

p.105-1029: surnames A-Y (including M-R)

DPR1/2/38 1827

Arranged alphabetically by initial letter of the surname only.

DPR1/2/39 1828

Arranged alphabetically by initial letter of the surname only. Not indexed. In the original ink pagination of this volume the pages 584-751 were wrongly numbered 484-651 (so numbers 484-583 were repeated): these have now been renumbered in pencil as 584-751.

DPR1/2/40 1829

Arranged alphabetically by initial letter of the surname only. Indexed at p.v-xxx. When this volume was paginated the page numbers 293, 395 and 457-466 were not used, and when bound the sheet numbered 565-566 was wrongly placed in front of instead of behind the sheet numbered 563-564.

DPR1/2/41 1830

Arranged alphabetically by initial letter of the surname only. Indexed at p.iii-xvii. When this volume was paginated the numbers 313-317 were not used.

DPR1/2/42 1831

Arranged alphabetically by initial letter of the surname only. Indexed at p.iii-xxviii.

DPR1/2/43 1832

Apparently arranged chiefly (but not strictly) according to date of probate. The volume is paginated in ink up to page 600 and thereafter in pencil. Indexed (by initial letter only of surnames) at pp.785-790, using the final pagination of the volume. In the original pencil pagination pages 601-622 were wrongly numbered 501-522 (subsequently renumbered as 601-622). Similarly pages 630-642 were wrongly numbered 650-662 (renumbered as 630-642), and pages 770-779 were wrongly numbered 780-789 (renumbered as 770-779).

DPR1/2/44 29 Dec 1832 and 1833

Apparently arranged chiefly (but not strictly) according to date of probate, with a loose insert at p.658-673 containing, in random order, copies of wills proved ca.April 1833 - July 1833 which had been omitted from the main body of the volume. Indexed (by initial letter only of surnames, but including the wills at p.658-673) at p.iv-viii. When this volume was paginated the number 625 was not used.

DPR1/2/45 1834

Apparently arranged chiefly (but not strictly) according to date of probate. Indexed (by initial letter only of surnames) at p.v-ix.

DPR1/2/46 1835-1836

Apparently arranged chiefly (but not strictly) according to date of probate. A partial index is at p.v-xii (as loose booklet, covering p.1-516 only, by initial letter only of surnames and without giving page numbers).

DPR1/2/47 Jan 1837-May 1838

Apparently arranged chiefly (but not strictly) according to date of probate. Indexed (by initial letter only of surnames) at p.913-921.

A loose sheet containing probate acts 5 September [1724] - 28 September [1724] was found between pages 912 and 913 of DPR1/2/47 in December 2003, and identified as containing the missing pages 15-16 from DPR1/4/19, the Durham Probate act book for 1724-1735. It has been restored to its correct place in that volume.

DPR1/2/48 May 1838-Apr 1839

Apparently arranged chiefly (but not strictly) according to date of probate. 'Draft index' (by initial letter only of surnames) on loose sheets at p.v-xii, and contents list on loose sheets at p.xiii-xx.

DPR1/2/49 Apr 1839-June 1840

Apparently arranged chiefly (but not strictly) according to date of probate. Indexed (by initial letter only of surnames) at p.xxv-xxxiii, with [draft] on loose sheets at p.v-xvi, and contents list on loose sheets at p.xvii-xxiv.

DPR1/2/50 June 1840-Dec 1841

Apparently arranged chiefly (but not strictly) according to date of probate. Indexed (by initial letter only of surnames) at p.v-xiv, with draft on loose sheets at p.831-838, and contents list on loose sheets at p.839-846.

DPR1/2/51 1842

Apparently arranged chiefly (but not strictly) according to date of probate. Indexed (by initial letter only of surnames) at p.v-x, with draft on loose sheets at p.595-602, and draft contents list on loose sheets at p.603-610.

DPR1/2/52 1843-1844

Apparently arranged chiefly (but not strictly) according to date of probate. Indexed (by initial letter only of surnames) at p.v-xvi.

DPR1/2/53 1845

Arranged alphabetically by initial letter of surname (then by date of probate). Indexed (in the same order) at p.v-x, with [draft] on loose sheets at p.695-702.

DPR1/2/54 1846

Arranged alphabetically by initial letter of surname (then by date of probate). Indexed (in the same order) at p.v-xi.

DPR1/2/55 1847

Arranged alphabetically by initial letter of surname (then by date of probate). Indexed (in the same order) at p.v-xi.

DPR1/2/56 1848 (surnames A-Y) and 1849 (surnames A-B, plus C to May only)

Arranged in two sections (each by initial letter of surname, then by date of probate), viz:

p.1-738 (1848, A-Y)

p.753-864 (1849 A-B for whole year, then C for January to May only)

The original ink pagination ends on p. 287 but has been continued to end of volume in pencil (cancelling earlier pagination for 1849 entries only, which started with 1 on p.753 and continued into the next volume). Not indexed. Wrongly labelled Feb 1848-May 1849 on spine.

DPR1/2/57 1849 (surnames C for May-December only, and D-Y all year) and 1850 (surnames A-P all year, and R for January to November only)

Arranged in two sections (each by initial letter of surname, then by date of probate), viz:

p.1-525 (1849, C for May-Dec then D-Y whole year)

p.529-974 (1850, A-P whole year, then R for Jan-Nov)

New pencil pagination throughout volume, cancelling earlier (year-based) paginations. Not indexed. Wrongly labelled May 1849-Nov 1850 on spine.

DPR1/2/58 1850 (surnames R for December only, and S-Y all year), 1851, January-April 1852

Arranged in three sections (the first two by initial letter of surname then date of probate, the third solely by date of probate), viz:

p.1-186 (1850, R for Dec, then S-Y whole year)

p.187-810 (1851)

p.811-1012 (1852, Jan-Apr)

New pencil pagination throughout volume, cancelling earlier (year-based) paginations. Not indexed. When this volume was paginated the numbers 890-899 were not used. Wrongly labelled Dec 1850-Apr 1852 on spine.

DPR1/2/59 April 1852-December 1853

Arranged chiefly by date of probate. New pencil pagination throughout volume, cancelling earlier (year-based) paginations. Not indexed. When this volume was paginated the numbers 462-469 were not used.

DPR1/2/60 1854

Arranged chiefly by date of probate. New pencil pagination throughout volume, cancelling earlier (year-based) paginations. Not indexed.

DPR1/2/61 1855

Arranged chiefly by date of probate. New pencil pagination throughout volume, cancelling earlier (year-based) paginations. Not indexed.

DPR1/2/62 January-12 December 1856

Arranged chiefly by date of probate. New pencil pagination throughout volume, cancelling earlier (year-based) paginations. Not indexed. New pencil pagination throughout volume, cancelling earlier pagination.

DPR1/2/63 11 December 1856-9 January 1858

Arranged chiefly by date of probate. New pencil pagination throughout volume, cancelling earlier (year-based) paginations. Not indexed. New pencil pagination throughout volume, cancelling earlier pagination (continued from previous volume).

Probate bonds

DPR1/3 1555-1556 (two only) and 1565-1858 (with gaps, especially in 16th-17th centuries)
54 metres

The bonds for each year are in separate numerical sequences which were devised before the deposit of the material with the university; sometimes but not always these run chronologically. From 1739 onwards the bonds are divided into two numerical sequences for each year, one consisting of administration bonds (relating to the estates of intestates) and the other primarily of will bonds (relating to executorships). Filed with the will bonds are also some tuition and curation bonds (relating to the appointment of guardians for minors), and a few non-probate (chiefly sequestration) bonds.

No probate bonds survive for the following [old-style] years: 1540-1554, 1557-1564, 1567, 1569-1575, 1578-1582, 1584, 1588, 1590-1591, 1594-1596, 1600, 1606, 1609-1612, 1614-1615, 1622, 1626-1628, 1634-1635, 1646-1647, 1650-1659, 1661-1663, 1665, 1669, 1672, 1678-1679, 1682.

Only a few probate bonds survive for the following [old-style] years: 1555-1556, 1568, 1592-1593, 1597-1599, 1601-1602, 1604-1605, 1607-1608, 1613, 1617, 1620-1621, 1623, 1631-1633, 1636, 1641, 1643, 1660, 1666, 1668, 1683-1684.

Other catalogues: The probate bonds within this series are listed in a chronological series

1555-1675 bonds

1676-1705 bonds

1706-1725 bonds

1726-1749 bonds

1750-1785 bonds

1786-1819 bonds

1820-1839 bonds

1840-1858 bonds

though for most purposes a search of the North East Inheritance database will be more helpful. In particular, abodes of the deceased are frequently not stated within the above lists although included in the NEI database. However, the lists include entries for the various illegible fragments and the few non-probate items found within the series.

Related material in other DUL collections: Although most of the probate bonds from the Bishop of Durham's Allertonshire peculiar are filed in the main series of probate bonds there is also a separate small batch of such bonds, 1732-1768, among the Durham Diocesan Records at DDR/P/ALP/1. One earlier Allertonshire bond for 1555 is kept with the 1555 wills.

The non-probate material chiefly concerns sequestrations of benefice income (granted to churchwardens during vacancies). See the Durham Diocesan Records for other sequestration records, and for background information.

Probate act books

DPR1/4 1571-1577, 1577-1587, 1598, 1599-1653, 1660-1668, 1724-1735, 1776-1778, 1780-1800 and 1809-1858

Volumes recording grants of probate and administration by the Durham ecclesiastical (consistory) court, and instance and office testamentary business, with many gaps in the series. They also contain acts of the court when sitting in various places outside the consistory court and acts commissioned by the court and enacted by surrogates. Also a box of unbound consistory court acts, dealing almost entirely with probate matters, 1850-1859. At certain periods separate probate act books were not kept; instead acts relating to testamentary matters were recorded in other volumes among the Durham Diocesan Records, chiefly in the main series of consistory court act books at DDR/EJ/CCA. *Language:* In Latin until 26 March 1733, thereafter in English

2 metres

Other catalogues: Many of the act books have been indexed, either by contemporary ecclesiastical court officers or by their civil probate court successors for business purposes. Additionally some typescript indexes have been created by Durham University archivists, which are kept on the search room shelves (at ASCRef Z DPR) as noted below: these all index both deceased persons and places within a single sequence. Finally the North East Inheritance (NEI) database contains some references to the probate act books, linking these acts to other probate records in the DPR1 collection, although none of the act books are comprehensively indexed within the NEI database.

Related material in other DUL collections: Many consistory court act books among the Durham Diocesan Records contain details of the the proving of wills similar to the information recorded in this series. In particular volumes DDR/EJ/CCA/1/16, 18 and 20, 1666-1734, relate solely to testamentary business. A consolidated list of volumes containing records of probate grants and administrations is in the Palace Green library search room at ASCRef Z DPR.

DPR1/4/1 1571-1577

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. Manuscript index at f.92v-93r, 94r-v. Folios 72-73 wrongly bound between f.69 and f.71.

DPR1/4/2 1577-1582

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. Manuscript index at f.295r-299v. Folios 24-25 missing (probably since 1817, when Raine missed f.24), folio 182 wrongly bound between f.225 and f.226.

Other catalogues: Index of names of deceased and places.

DPR1/4/3 1582-1585

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. As well as routine probate business, this act book includes some other general consistory court business, some possibly arising from visitations, as follows.

- f.55: cause against Elizabeth Wright and Thomas Dighton, both of Allertonshire
- f.55r: list of churchwardens in Yorkshire peculiars, May 1583
- f.64v: ? disputed probate cause, William Lawson and J Harle against Margaret Kitchen alias Raines
- f.65r: patent of apparitor general re-granted (John Roddam)
- f.68r: stray from Hexhamshire (York diocese), viz will of John Erington of Lynell [Linnels?], Hexham
- f.92r: list of Crayke churchwardens and moral causes
- f.103r-v: defamation cause, ? Newcastle
- f.103v-104r: Longhorsely living
- f.119r: Billingham sequestration
- f.121v, 123r: matrimonial causes, Sockburn and Newcastle

The probate business is not written up in strict date order, several entries are duplicated and many headings are incomplete or altered.

Folios 133-154 missing.

Other catalogues: Index of names of deceased and places, with introduction on the officials involved and probate procedures.

DPR1/4/4 1585-1587

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. [Incomplete] index at ff.134r-140r. Folios 141-147 blank.

Related material elsewhere: A fragment from a probate act book *sede vacante* for September-November 1588 survives among the J.J. Howe collection in Durham Cathedral Library, referenced as JJH 8/1. A separate typescript index to the Howe volume (people and places together) is at ASCRef Z DPR.

[DPR1/4/5]

Ownership history: The volume previously referenced under this number has been identified as a will register, and is now available under reference DPR1/2/7.

DPR1/4/6 1591-1595

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. Damaged and incomplete index at f.iv-vi. Includes caveats at f.ii-iii.

DPR1/4/7 1594-April 1598

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. Indexed at f.93B-93K, covering also first section of following volume (to f.261: numbers in the index indicate that this particular foliation originally continued into the 290s). In addition the index seems to cover yet another sequence of folios, running from ca.150s-290s (and possibly one other further series) but these folios have not yet been identified (possibly DPR1/4/9, or may not survive).

DPR1/4/8 April 1598-September 1598; c.December 1624-January 1630; c.December 1633-May 1636; c.[1632?]; c.1634; 1636; 1647; 1661

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. This volume contains five sections:

f.218-261, April 1598 - September 1598 (continued from and indexed within preceding volume, qv; f.260 missing, f.261 restored ca.1979-1980).

f.1-224, ca.December 1624 - January 1630

f.225-281, ca.December 1633 - May 1636

f.282v, [1632?]

f.283-290, various dates, including ca.1634, 1636, 1647 and 1661 (thought to be possibly Yorkshire cases only)

Separate card index in Palace Green library search room.

Conserved and rebound, [2010-2012]

DPR1/4/9 June 1599 - March 1607

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court.

Conserved and rebound, [2000x2009]. Fragments included with volume, belong with either this or the next volume.

DPR1/4/10 1607-1614

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court.

Conserved and rebound as two volumes (10A-B), [2000x2009], viz:

10A: f.i-xii and f.1-208, for 1607-May 1611

10B: f.209-416, for June 1611-1614

DPR1/4/11 September 1614-December 1619

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. Caveats at f.ii-iv, probate acts f.1-348.

Binding: Annotation "Raine 181[7?]" on f.ii recto (under repair flap) may indicate when volume originally bound. Rebound ? mid/late 20th century.

Other catalogues: Index of names of deceased and places.

DPR1/4/12 1620-1625

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. Last folios fragile and unable to be examined until conserved.

Other catalogues: Index of names of deceased and places.

DPR1/4/12A 1620-1621

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. This volume contains only Northumberland Probate Acts, plus one reference to a marriage licence at f.74.

Other catalogues: Index of names of deceased and places.

DPR1/4/13 c.1630-1633

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. Damaged index at f.i-xxii. Apparently originally two sections:

f.1-126, ca.1629/30-December 1631 (smaller pages)

f.127-265, ca.December 1631-December 1633 (f.138A-B ? not probate)

DPR1/4/13A 1621-1624

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. This volume contains chiefly Northumberland Probate Acts, but also a few other probate and non-probate items. Damaged and incomplete index at f.i-xii (pages folded to fit within binding).

Other catalogues: Index of names of deceased and places.

DPR1/4/14 ca.April 1635-March 1638 and 1646

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. Fragile parchment index loose at back of volume is unfit for opening until conserved.

The contents of this volume are at present bound in a jumbled order and may not all have come from the same original foliation sequence. Most but not all of the folios bear their original foliation numbers. Other folio numbers have been deduced from the entries in the original parchment index. There are many gaps in the foliation sequence. The present order of the folios is as follows: [80-81], 82-87, [88-89], 96-127, [127A], 161, 219, [204], 205-213, 190-193, 224-233, 194-203, 182-187, 234-324, 336-342, Blank sheet, 330-335, 20 (dated 1646), 22 (dated 1646), 188, [189].

An analysis of the entries indicates that the volume should be read in the following order:

f.80-89: Apr-May 1635

f.96-127: July 1635-Feb 1636

f.127A: May 1636

f.161: May [?1636]

f.182-187: Sep-Oct 1636

f.188-189: [? Oct 1636]

f.190-193: Nov 1636

f.194-203: Nov 1636-Jan 1637

f.204-213: Jan 1637

f.219: Feb 1637

f.224-233: Feb-Mar 1637

f.234-324: Mar-Dec 1637

f.330-335: Feb 1638

f.336-342: Feb-Mar 1638

f.20-22: July-Aug 1646

Other catalogues: Index of names of deceased and places (which uses the original foliation).

DPR1/4/15 1638-1644

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. Indexed at f.169-179. Entries in this volume have not always been enrolled in strict chronological order.

DPR1/4/16 April 1645-1650 and 1660-1665

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. 20th-century pencil pagination runs throughout volume, as follows:

p.3-179 (original ink foliation 1-89): 1645-1650

p.180-490: 1660-1665 (p.259 occurs twice)

Volume originally finished at p.482: loose sheets containing pages 483-490 were presumably identified as belonging to this volume after it had been rebound [in the second half of the 20th century].

Partial manuscript index for C-E and J-W at p.1-2, covering 1645-1650 only (using ink foliation).

Other catalogues: Index of names of deceased and places, using the pencil pagination. This index did not originally cover the loose pages 483-490 but manuscript entries (personal names only) for these pages have been added.

DPR1/4/17 1645-1653

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. Folios 1-17 and 20-22 are missing.

Other catalogues: Index of names of deceased and places.

DPR1/4/18 November 1660 - October 1668

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. When paginated the number 146 was not used.

Other catalogues: Index of names of deceased and places.

DPR1/4/19 1724-1735

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. In the original ink pagination the page between 94 and 95 was wrongly numbered 93 (now renumbered 94A), and 146 was used twice (now 146 and 146A).

Other catalogues: Index of names of deceased and places (omitting entries on loose p.15-16, see under DPR1/2/47).

DPR1/4/20 January 1776-January 1778

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. Records of grants of administration and tuitions only. Labelled on front 'No.1'.

Other catalogues: Index of names of deceased and places.

DPR1/4/20A 1780-1790

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. Records of grants of administration and tuitions only. Not indexed.

DPR1/4/21 January 1791-December 1800

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. Records of grants of administration and tuitions only. Not indexed.

DPR1/4/22 November 1809-November 1813

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. Records of grants of administration and tuitions only. Not indexed. Folios 5v-8v, 50r-53r, 68r-80r blank.

DPR1/4/23 1814-1821

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. Records of grants of administration and a few tuitions only, on printed proformas. Not indexed.

DPR1/4/24 1822-1832

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. Records of grants of administration only, on printed proformas. Not indexed.

DPR1/4/25 1833-1842

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. Records of grants of administration only, on printed proformas. Not indexed.

DPR1/4/26 1843-1853

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. Records of grants of administration only, on printed proformas. Not indexed.

DPR1/4/27 1835-1845

Act book recording grants of probate and administration by the Durham ecclesiastical (consistory) court. Most entries relate to appointments of guardians for minors, with some grants of probate and administration. List of names (possibly of clerks or registrars) inside back cover, all written in same hand.

Other catalogues: Index of names of deceased and places.

DPR1/4/28 January 1850-January 1858

Box of unbound acts, chiefly probate, of the Durham consistory court (found in the series DPR1/5 (commissions etc) and transferred to DPR1/4 November 2003). Arranged in date order and numbered December 2003: pencil numbers at the bottom of the first sheet of each item indicate the order in which the items were originally filed, but should not be used for citation purposes. Not indexed.

Commissions, monitions and citations

DPR1/5 1650-1732 and 1753-1857 (with gaps)

Any surviving commissions etc. for the pre-1650 period and for 1733-1752 will be found with the series of original wills. These commissions etc. were generated during the court proceedings relating to the grant of probate and administration. The pre-1797 documents are chiefly in chronological order but after that date most of them are unsorted. Commissions are authorisations to carry out particular acts, usually administration of an oath to an executor or administrator of an estate. Monitions are usually general summonses to kindred or others with an interest in a will or administration of an estate. Citations are summonses usually to a specific person, sometimes to anyone concerned, to appear in an ecclesiastical court for some specific purpose.

21 metres

Dean and Chapter of Durham's Allerton and Allertonshire peculiar

DPR1/6 1670-1808

Two series of probate records relating to places in the Dean and Chapter of Durham's Allerton and Allertonshire peculiar, as follows:

- original wills, inventories and executors' bonds, 1681-1845 (with some gaps in the series)

- administration bonds and associated inventories, 1670-1808 (no bonds for 1809-1845 appear to survive, the six bonds listed in DPR1/7/7 not having been located)

2.5 metres

Other catalogues: The documents within this series are listed within a separate online file, though for most purposes a search of the North East Inheritance database will generally be more helpful.

Alphabet books

DPR1/7 1540-1858

Manuscript lists of names of deceased persons, arranged by initial letter of surnames (and within each letter, in yearly groups of wills and administration bonds). In the first instance only original wills and bonds were listed, but some later annotations indicate when an inventory survives and, for certain periods, the deceased person's place of abode, when this can be ascertained. Note that some of the documents mentioned within these lists, particularly bonds, no longer survive.

Except as otherwise stated in the list below, these volumes relate to wills proved and administrations granted within the bishop of Durham's consistory court or registry (including wills from the bishop's Allertonshire peculiar, but excluding those from the Dean and Chapter's peculiar).

0.5 metre

Copies can be made from microfilms of DPR1/7/1-5 (ref 5TC 192-196), and these films are also available for consultation in various local libraries and repositories, including Cleveland Archives Department, Middlesbrough and Newcastle upon Tyne Central Library. Copies are also held by the Society of Genealogists in London and the Genealogical Society of Utah (GSU).

Digital photographs of DPR1/7/1-5 are also held by the GSU. These are available for use within Durham University only, but for all practical purposes as a finding aid are superseded by the online North East Inheritance database.

DPR1/7/1 1540-1599

DPR1/7/2 1600-1660

DPR1/7/3 1660-1786

DPR1/7/4 1787-1831

DPR1/7/5 1832-1858

DPR1/7/6 1832-1839

Duplicate entries as DPR1/7/5

DPR1/7/7 1666-1845

This volume lists probate records from the Dean and Chapter of Durham's Allerton and Allertonshire peculiar.

Miscellaneous fragments and labels

DPR1/8
2 metres