

# **BANBURY WILLS PROVED IN THE PREROGATIVE COURT OF CANTERBURY 1700-1799**

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One of the features of the Banbury burial registers as published by the Society is the inclusion of references against the relevant entries to probate records proved in the local Peculiar Court of Banbury and in the national Prerogative Court of Canterbury (P.C.C.). The assumption that this latter court was confined to the wealthy and the landed gentry is misconceived. It was in fact regularly used by the executors of testators of relatively humble status. This was particularly the case in Banbury, where it was the only alternative to the Peculiar Court (the Oxford diocesan Consistory and Archdeaconry Courts had no jurisdiction in Banbury and some neighbouring parishes). It is particularly noticeable amongst the Quakers, who would have been reluctant to have to deal with the 'hireling priest', *i.e.* the Vicar of Banbury, who was usually the Commissary appointed by the Dean and Chapter of Lincoln to preside over the proceedings of the Peculiar Court.

At the time of publication of the earlier registers (BHS vols. 7 and 9, 1966 and 1969) modern indexes to testators of wills proved in P.C.C., also providing indexes of places, had only been published up to 1700 (mostly by the British Record Society), so the later burial registers in general lacked references to this higher court.

Recently, however, The National Archives (T.N.A.), formerly the Public Record Office, utilising modern technology, have been able to create new indexes to the testators in P.C.C. for the all the remaining period, 1701 to 1857. These are freely available on line through the internet, with the additional facility that searches can be made for place names as well as personal names. I was thus able (through the good offices of Bob Boyd) to have a print-out listing around 600 wills from Banbury itself (there may be others under Neithrop, Calthorpe etc.). These have been arranged chronologically with, where identified, dates of burial. The first section, covering the eighteenth century, follows, and the period 1800-1857 will be published later. The list concludes with an index to surnames, by year. It should be noted that as yet there is no modern index to letters of administration (admons.) for those who died intestate.

Thus we now have a simple list of many of the men (and their widows or unmarried daughters) who were influential in Banbury's government and trade in the eighteenth century. It is of course confined to those who lived, or at least died, in the town. No attempt has been made to include the wealthy landed magnates such as those living at Wroxton or Broughton, or in London.