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How valuable are wills as a tool for family reconstruction in the pre-census era? A study based on the Oxford Ecclesiastical Court records for Bodicote, Oxfordshire, 1600-1650.

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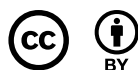
Abstract: This study tested the efficacy of wills as census substitutes, when used in conjunction with parish records. Facts extracted from thirty wills, dated 1600-1650, from Bodicote in Oxfordshire, were compared with the type of facts collected by the decennial censuses. Information obtained from these wills was also considered in terms of advantages over censuses and their reliability and representativeness as sources for this period. A subset of the thirty wills were chosen as case studies to examine if families in the pre-census era could be reconstructed using facts extracted from wills. The relationship information extracted from the case study wills was used to identify possible points of contact between the families with the object of constructing a horizontal community tree; exploring testamentary records use in creating a community context for genealogists to use. Due to the limited size of this study, the conclusions drawn from the analysis were compared with material from selected secondary sources. This study showed that wills were a source of sufficient facts to reconstruct families, when used with parish records. An advantage over censuses was the information wills provided on the quality of relationships; their disadvantages as a source being scarcity and not being classless.

Introduction

Genealogists and family historians rely heavily on the comforting regularity and coverage of the decennial censuses. Once progress has been made to the pre-census era, parish records are the linchpin of further research. The quantity of information on baptisms, marriages and burials in the registers varies from parish-to-parish; it is often scanty and in stark contrast to the details on family units provided in the nationwide censuses. The lack of detail and inconsistencies in parish registers can fuel doubts about finding the 'correct' family, especially if the surname is a common one, consequently any additional sources of information are worth exploring. The search for census substitutes during the Early Modern period can be vital for genealogists to fill gaps left by parish registers; providing the contextual information which transform names and dates into family histories. This study asks if wills can be used to substitute for censuses and reconstruct families in this era.

A review of literature indicated that an abundance of information can be gleaned from wills not only in the form of census-like facts but also on the quality of relationships. It also focussed on an examination of the classes of society who made wills. These themes suggested supplementary questions to be asked by a genealogical study, namely: if wills have advantages over censuses and can they match the reliability of the classless one-stop source provided by the mandatory decennial censuses.

Consequently, the approach followed to assess the efficacy of wills for family reconstruction employed the themes of facts extracted from wills, reliability of wills as a source and their advantages and disadvantages.



Firstly, the objective of the facts theme was to identify:

- What facts were provided about an individual and their family;
- If there was a standard set of facts;
- If the extracted facts were comparable to those from censuses;
- If the extracted data could be used to reconstruct a family.

The objective of the second theme was to establish:

- The proportion of the eligible population who made a will;
- If this will-making population was skewed towards a particular social class;
- If the optional aspect of wills made it an unreliable source;
- If the will itself prohibited information extraction due to its archaic format and letter forms.

Lastly, wills were considered to identify whether:

- They provided more or less information than censuses on areas such on immediate and extended family;
- They provided insight into the quality of relationships, family tensions and community networks absent from census data;
- Intention, bias and favouritism impacted on the reliability of wills as a source.

The wills studied were those of villagers of Bodicote, Oxfordshire, probated between 1600 and 1650, mainly in the Oxford Archdeaconry. This time period was chosen due to the scarcity of written sources and being approximately one generation after the start of parish registers in Bodicote (1563). Making a will was not compulsory.¹ Comparatively few women made wills, usually widows or spinsters, as common law placed the restriction on a married woman that she must have the permission of her husband to do so.² Church courts controlled proving (probate) of wills.³ Until the upheaval during the Interregnum (between about 1643 to 1660) there were three ecclesiastical courts with different jurisdictions: Archbishop's Prerogative Court which proved wills where the property was in more than one diocese and the goods were valued at least £5; Bishop's Court (also called Consistory or Commissary Court) where property was in the same diocese, but in more than one archdeaconry; Archdeacon's Court where the property was just in one archdeaconry.⁴

Bodicote - a chapelry in Adderbury parish - was in the Bloxham hundred, located 2 miles south of Banbury and 25 miles north of Oxford, near the river Cherwell.^{5 6} There has been a settlement in this location from at least the Anglo-Saxon period - with possibly an earlier Roman settlement - positioned on the edge of the ancient Salt Way.^{7 8 9} Oxfordshire was, at the time of this study, in the Diocese of Lincoln.¹⁰ The living of Adderbury was acquired in the late 14th century by William of Wykeham, Bishop of Winchester, who founded New College Oxford. This began a close association and patronage of Adderbury and Bodicote by New College.¹¹ Nearby Banbury and its neighbourhood was "zealously" Puritan which would have consequences during the English Civil War when it rapidly became embroiled in the fighting from 1642.¹² The economy of the area was predominantly based around agriculture which supported independent farmers.¹³

Main Body

Methodology

Using a combination of quantitative and qualitative approaches this study analysed 30 transcribed wills. These wills were representative of the total number of wills made by Bodicote residents and probated between 1600 and 1650 (see [Table 1](#)).^{14 15} The small sample necessitated comparison of the Bodicote results with data from similar studies in order to achieve validity. The wills were representative of the three Ecclesiastical Courts.

Table 1. Bodicote Wills.

	Total Bodicote wills 1600-1650 (40 wills)		Sample Bodicote wills 1607-1640 (30 wills)	
	Number of wills	%	Number of wills	%
Probate court				
Archbishop's (PCC)	6	15	1	3
Bishop's	4	10	3	10
Archdeacon's	30	75	26	87
Gender				
Male	31	77.5	23	77
Female	9	22.5	7	23

The transcriptions used in this study were mostly made from scanned images of the original wills; if the original was not available the registered copy was used instead. The registered copy was also used when the script in the original will was difficult to read. A registered copy of the will was only made by the courts once the will was proved if the executor chose to pay for it to be done.¹⁶

See Table 2 (below) for details of the 30 sample wills, with case study wills shaded.

Table 2. Bodicote study sample will.

Probate	Surname	Forename	Occupation	Court	will_id
1607	WISE	Alice	Widow	Archdeacon	1607_wise_bad_31
1609	WEBB	Jone	Widow	Archdeacon	1609_webb_bod_35
1611	WHEELER	John	Yeoman	Archdeacon	1611_wheeler_bod_30
1612	HOWMAN	Richard	Yeoman	Archdeacon	1612_howman_bod_28
1612	NORTH	Robert	Not known	Archdeacon	1612_north_bod_29
1613	ABBOTT	Jhon	Husbandman	Archdeacon	1613_abbott_bod_27
1613	WARD	Henry	Yeoman	Archdeacon	1613_ward_bod_26
1614	HALL	Felix	Husbandman	Archdeacon	1614_hall_bod_34
1614	RIGHTON	Matthew	Husbandman	Archdeacon	1614_righton_bod_23
1622	GRANT	Katherine	Widow	Archdeacon	1622_grant_bod_2
1622	ROGHTON	John	Mason	Archdeacon	1622_righton_bod_7
1623	BRADFORD	Thomas	Not known	Archdeacon	1623_bradford_bod_9
1625	BURLING	Honner	Widow	Archdeacon	1625_burling_bod_10
1626	HENN	William	Not known	Bishop	1626_henn_bod_16
1626	PARKER	John	Blacksmith	Archdeacon	1626_parker_bod_11
1627	BURLING	John	Yeoman	Archdeacon	1627_burling_bod_32
1631	GRANT	Richard	Husbandman	Bishop	1631_grant_bod_3
1631	NORTH	Ann	Widow	Bishop	1631_north_bod_4
1635	CLARIDGE	William	Not known	Archdeacon	1635_claridge_bod_12
1636	DUMBLETON	Luke	Not known	Archdeacon	1636_dumbleton_bod_17
1636	WISE	Richard	Not known	Archdeacon	1636_wise_bod_5
1637	RIGHTON	John	Shepherd	Archdeacon	1637_righton_bod_33
1637	ROWSHAM	Matthew	Labourer	Archdeacon	1637_rowsham_bod_15
1638	ARIS	William	Husbandman	Archdeacon	1638_aris_bod_1
1638	KEARSEY	Anthony	Labourer	Archdeacon	1638_kearsey_bod_18
1638	RIGHTON	Isabell	Widow	Archdeacon	1638_righton_bod_8
1639	BURLING	Matthew	Not known	Archdeacon	1639_burling_bod_19
1640	WARD	John	Not known	Archdeacon	1640_ward_bod_22
1640	WHITE	John	Not known	Archdeacon	1640_white_bod_21
1640	WHITE	Alice	Widow	Archdeacon	1640_white_bod_20

Data sources

Research was conducted on information extracted from primary source material held at the Oxford History Centre (OHC). These were testamentary records (wills and probate) and parish records (baptisms, marriages and burials) for the villages of Bodicote and Adderbury. Adderbury records were also consulted as Bodicote was a chapelry of Adderbury and although Bodicote had separate registers the larger church of Adderbury was used on some occasions. A third of the testamentary records used were via transcriptions made by the Oxfordshire Family History Society (OFHS), available on their Oxfordshire Transcribed Wills database.¹⁷ The remaining wills were transcribed from scanned images of the original records available on Find My Past.¹⁸ A combination of parish register transcripts and original images were used.^{19 20} Bodicote registers began in 1563 and apart from an interval in marriage entries (1649-1673), there were no other apparent gaps. Adderbury registers started in 1598 and there were no obvious gaps in recordings.

Due to the limited size of this research project the results from theses, journal articles and other secondary sources were used to place the findings in a wider context.

Data collection

Information extracted from the transcribed wills (names, relationships/roles, age, marital condition, residence, occupation, bequests, will date, probate date and any additional information) was entered onto a spreadsheet for analysis. Relationship data was entered into Family Tree Maker to create descendant charts. Comparison data (occupations, kin range, executors) were collected from secondary sources and entered into spreadsheets for analysis.

Data analysis

Facts extracted from wills

Each set of data extracted from the wills was entered onto a spreadsheet with their own unique person ID (unique across all wills) consisting of the standard surname plus a sequential occurrence number e.g. aris_001. The standard surname refers to the spelling adopted by the OFHS in their transcriptions database, where the original spelling variation is retained in the transcription; the same convention was used in the study transcriptions for consistency. Every relationship/role recorded in the will for each person was also entered in Excel and assigned a kin type (kin_i, kin_e or non_kin) based on the relationship/role. Immediate family (kin_i) are spouse, children, grandchildren, parents. Extended family (kin_e) being siblings, in-laws, nieces, nephews, aunts, uncles and cousins. Non-kin (non_kin) are those named in wills who are not identifiable as family members, e.g. godchildren, friends, neighbours, servants etc.; this category also included those with the same surname as the testator. The occupations were noted to assess if this will-making dataset was skewed towards a particular social class.

The extracted facts were sub-divided into stated and inferred facts. The frequency of occurrence of facts was analysed in order to produce a standard set of will facts. Facts extracted from the wills were entered onto a spreadsheet for each named individual as either 1 (recorded) or 0 (not recorded). These were compared to a "standard" set of census facts. The standard census facts were those collected on 7 out of the 8 decennial censuses currently available, i.e. residence, name, relationship to head, age, gender, condition, occupation, birthplace and disabilities.²¹ The 1841 census did not collect relationship to head of household, condition or specific birthplace. Fertility information, employment status and number of rooms with one or more windows were only collected on the later 3 census (1891, 1901 and 1911).

These data were analysed in Excel using pivot tables to produce quantifiable results by kin_i, kin_e and non_kin, with a total for all three relationship types also produced. The objective of this analysis was to establish not only if there were a standard set of census-like facts (CLFs) in wills, but if they occurred in sufficient quantity for wills to be considered a census substitute. By distinguishing between immediate and extended family quantifiable results could be produced to ascertain if wills could provide more information than censuses. Range of family members and occupation of testator were extracted from the secondary sources, where available, to assess how representative this study's data were. The testator's occupation was standardised (per Wrightson's Terling and Biggs' Northamptonshire research) for comparison across the secondary sources (See Table 3).^{22 23}

Table 3. Social categories of occupations.

Terling social category		Biggs' interpretation
Category	Social position	
I	Gentry & very large farmers	Gentlemen
II	Yeoman; wealthy tradesmen; parish officers	Yeoman Husbandmen Vicar/clerk/curate
III	Husbandmen; craftsmen	Baker Blacksmith Butcher Carpenter Cook Cranslater Farrier Gardener Joiner Mason Maulster Miller Shepherd Tailor Tayplike Weaver Woolwinder
IV	Labourers; poor craftsman; poor windows	Labourers Servants
Uncategorised: not specified, seamen, spinsters & widows.		

Reliability of wills

A quantitative approach was taken in the analysis of data extracted from wills with respect to its reliability and representativeness. Once standardised, Bodicote testators' occupations were compared with secondary sources' data to assess if they were representative of will-makers in the Early Modern Period. The occupations were also used to assess if wills were a classless source. An assessment of the reliability of wills as a source was made by calculating the proportion of wills written during the study period by the eligible population. Bodicote's population was

estimated using a multiplier with the Protestation Returns from 1641, along with baptism and burial records to compensate for the missing population which were not enumerated.²⁴ The suggested multiplier for Protestation Returns (1641-2) is 3.25.²⁵

A stable core of prolific Bodicote family names was established by identifying the most frequently occurring standardised surnames in the baptism, marriage and burial registers over a period of at least 30 years, between 1600 and 1650. There were a total of 140 standardised surname entries in all 3 parish registers between 1600 and 1650; 23 of these surnames had entries spanning at least 30 years, with 16 surnames (15 of these were also in the list of 23 surnames) with at least 10 register entries. This resulted in a stable core of 23 family names. This methodology was based on Biggs' in her Northamptonshire study²⁶; however Biggs' prolific families were those with > 100 entries, but her period of study was about 3 times longer than this study. The rationale for using this methodology to select the case studies was that these families formed the stable core of the Bodicote community at this time and therefore had the highest likelihood of linkage between them. Once established the stable core of families was used for comparative analysis of the testators, the legatees and those who frequently appeared in trusted positions in the wills to assess how representative the wills were of Bodicote.²⁷

Advantages and disadvantages of using wills

The analyses of the wills data with respect to their advantages and disadvantages were a combination of quantitative (number of facts not obtainable from wills found) and qualitative which required examination of the wording and nature of the bequests to gain an insight into the quality of family relationships and evidence of bias and favouritism. Similar data were extracted from the secondary sources, where available, for comparison.

Case studies

The case studies were chosen from the stable core of prolific Bodicote family names. The facts extracted from the wills were used to create descendant charts. Parish registers were searched for supplementary information and inferred facts from the wills were confirmed, where possible. In this way reconstruction of the immediate and extended families named in the wills was attempted. Points of contact between the will families were identified with the objective of constructing a horizontal community tree.

Discussion/conclusions

Facts extracted from wills

In the case of the testator, wills can be said to be an effective census substitute having a proportion of 67.8% of possible stated census like facts (CLFs) recorded and if inferred CLFs are added to the total the proportion increases to 71.1%. The number of inferred CLFs was lower than expected primarily due to insufficient evidence to infer the residence and marital condition of the majority of those named in the wills. Similar results were seen in the analysis of CLFs for the testator's immediate and extended family (kin_i and kin_e), where higher proportions of inferred CLFs compensate for the slightly lower stated CLFs. A much lower proportion of stated CLFs were seen in non-kin, however this group of individuals can be considered an information bonus as they would not normally be found in the same family unit as the head of household (i.e. testator) on a census return. [Table 4](#) details the results of this analysis.

Table 4. Proportions of census-like facts in the Bodicote wills.

Types of individual named in wills	Number named in wills	Number of stated CLFs	Number of inferred CLFs	Total CLFs	Total possible CLFs	Stated CLFs as % of possible CLFs	Inferred CLFs as % of possible CLFs	Total CLFs as % of possible CLFs
Testator	30	183	9	192	270	67.8	3.3	71.1
Kin_i	136	699	190	889	1224	57.1	15.5	72.6
Kin_e	52	248	63	311	468	53.0	13.5	66.5
non_Kin	129	421	109	530	1161	36.3	9.4	45.7
Totals	347	1551	371	1922	3123	49.7	11.9	61.5

These results indicated that a significant advantage of using wills for family reconstruction was in their provision of extended family (e.g. married children) and immediate family (e.g. grandchildren); who would not necessarily be found together on the same census return. This study found immediate family members named in 27 of the 30 wills and extended family in 16; non-kin were named in every will, but this was due to the presence of overseers and witnesses in this category, who were generally friends²⁸ and neighbours rather than family members. The case studies were exemplars of the strength of wills in this respect. All of the case study wills provided the surnames of married daughters/sisters and either named or indicated the existence of subsequent generations; often with evidence that these immediate family members were not in the same household.

Table 5 illustrates the proportions of immediate and extended family members named in the thirty Bodicote wills.

Table 5. Proportions of kin named in Bodicote wills.

Kin	Bodicote	% of total
Child	91	53
Grandchild	29	17
Sibling	19	11
Spouse	16	9
Daughter/Son in law	11	6
Kinsman/woman	4	2
Nephew/niece	2	1
Brother in law	1	1
Total	173	100

The data were similar to Biggs' which had 46% bequests made to children and 13% to grandchildren, however Biggs found that 25% of bequests in Blakesley were to kinsman/kinswoman.²⁹ Thus it was undoubtedly the testator's main intent to remember and cater for their immediate family, consequently supplying the raw materials for constructing a family tree. The case studies demonstrated successful family reconstruction using wills and parish records, with partial reconstructions ranging from 2 to 4 generations. A link to another will was made in 3 out of 5 of the case studies. See Table 6 for a summary.

Table 6. Case study family reconstruction & link summary.

Case Study	Testator	Generations reconstructed	Linked to
1	Alice WISE	3	-
2	Joan WEBB	2	Thomas BRADFORD (1623_bradford_bod_9)
3	Henry WALL	4	John WARD (1640_ward_bod_22)
4	Fleix HALL	2	-
5	Katherine GRANT	4	Richard GRANT (1631_grant_bod-3)

Wills can be a rich source of facts not collected on a census return, such as accurate estimation of death date, using will and probate dates, and burial place for the testator. Out of the thirty Bodicote wills 12 identified the burial place. As seen in Table 7, the proportion of inferred CLFs from the case study wills which were successfully verified by parish registers was on average 44%, suggesting that wills were a reliable source of information.

Table 7. Inferred CLFs verified by parish registers in case studies.

Case Study	Testator	Probate date	Inferred CLFs	Verified inferred CLFs	%
1	Alice WISE	1607	36	13	36
2	Joan WEBB	1609	13	6	46
3	Henry WARD	1613	16	12	75
4	Felix HALL	1613	14	3	21
5	Katherine GRANT	1622	15	7	47
Total			94	41	44

A standard set of will facts was not found as only name and gender occurred in the wills reliably enough to be considered standard. Unlike censuses, the non-standard nature of wills meant that the available facts were at the discretion of the testator. For example, the place of residence of those expected to be living separately from the testator, e.g. married children, will officials and extended family, was provided in only five of the thirty wills, indicating that common knowledge was a factor. An exception was the will of Henry WARD where the residence of 8 of the 13 individuals named in the will was provided, with 4 of these outside Bodicote.³⁰

Reliability of wills

Assessment of the reliability of wills as a source focussed on the availability and representativeness of the will-making population.

Population estimates for 1600 gave a national total of 4,161,782 rising to 5,210,623 in 1700³¹ and Goose and Evans stated that 463,306 wills survived in England during the same period.³² These figures gave a crude estimate that 11% of the population made wills; not taking into account that only a sub-set of the population would have been eligible to make one. Consistent with this percentage were estimates of the proportion of the population who made wills in the Archdeaconry of Sudbury which ranged from 5-20%.³³ According to Houlbrooke the

number of will-makers in the Early Modern period varied from area-to-area; giving as an example Canterbury where a third of adult males left wills in the 1620s.³⁴

A crude estimate of Bodicote's population in the period studied was made using three methods employed by Biggs³⁵ and Hamilton³⁶ in their research. Firstly, the total number of burials (i.e. deaths) in Bodicote was subtracted from the total number of baptisms (i.e. births) recorded in the Bodicote parish registers 1600-1650 (N.B. burials for Bodicote residents were recorded in the Bodicote register even when the burial was in Adderbury churchyard). There were 389 baptisms³⁷ and 158 burials³⁸ resulting in a population estimate of 231. Secondly, the total number of adult males (aged 18 years and over) from the Bodicote Protestation Return dated 20 February 1641 was 91.³⁹ A multiplier of 3.25⁴⁰ was used to produce an estimated population of 295.75. Lastly, a further estimate of 108 was produced by using the multiplier of 4.5⁴¹ with the Hearth Tax returns for Bodicote, dated 1665, which recorded a total of 24 (charged and discharged)⁴². This estimate differed vastly from those based on the parish registers and Protestation Returns; an explanation for this may be due to economic and population disruption resulting from the English Civil War which would have impacted Bodicote from 1642⁴³, due to its proximity to Banbury⁴⁴. Consequently, this third population estimate of 108 has been disregarded and the Bodicote population was estimated at between 231 and 296.

The proportion of the male population in Bodicote who made wills 1600-1650, based on adult male burials was 57% (female burials were excluded due to the restrictions on women writing wills);⁴⁵ if the Protestation Return of 1641 was used rather than burials, the proportion of the male population who made wills reduces to 34%.⁴⁶ The large discrepancy between these estimates may be due to Protestation Returns only including males aged 18 years or over (a total of 91 in Bodicote)⁴⁷ whereas the burial registers (54 assumed adult male burials) may have a larger margin of error. The lower figure of 34%, which was consistent with the proportion for Canterbury from the secondary source, was perhaps more reliable.⁴⁸ As a census return was mandatory the presumed coverage was 100% of the entire population, therefore the estimated coverage of the Bodicote wills of 34% indicated that comparatively it was not a reliable source. However, the results of this study showed that testators, legatees and will officials represented between 50-67% of the stable core of Bodicote families (see Table 8). Therefore the wills can be considered a reliable and valuable source of information to the genealogist as they are representative of the majority of Bodicote's population during this period.

Table 8. Stable core representation in Bodicote wills.

Will person	Number of wills	Number of stable core families	%
Testators	24	14	58.3
Legatees/named	30	16	66.7
Will officials	28	12	50

The testator occupation from the Bodicote wills was analysed to assess how representative the will-making population were of society and consequently if wills could be considered a classless source. The results were consistent with data from the secondary sources. The middle ranks of Wrightson's Terling study social categories, i.e. II and III, accounted for the majority of will-makers, with category II being the most common (see Table 9).⁴⁹

Table 9. Testator occupations comparison with secondary sources.⁵⁰

Social category	Bodicote (OXF) %	Blakesley (NTH) %	Churchill & Sarsden (OXF) %	Selston (NTT) %	Willingham (CAM) %	Woodstock (OXF) %
I	0	2.4	6.1	0	0	16.9
II	30	34.9	39.4	67.4	41.8	17.3
III	13.3	10	4.5	13	21.8	51.1
IV	3.3	5	0	2	14.5	14.7
Female	20	12	16.7	8.7	13.6	0
Unknown	33.3	34.9	33	8.7	8.2	0
Sailor	0	1.2	0	0	0	0

Using Wrightson's Terling social categories, in Bodicote category II were all Husbandmen and Yeoman (see Table 10).^{50 51} As both Houlbrooke and Vann highlighted, few of the poor (category IV) made wills, paupers not at all, and the wealthy (category I) had other methods of devising land.^{52 53} Therefore wills cannot be considered a classless source, but the Bodicote wills are representative of the will-making classes during this period.

Table 10. Occupations of Bodicote testators.

Occupation	Terling social category	Number of testators	% of total
Not specified	N/A	10	33.3
Female	N/A	6	20.0
Husbandman	II	5	16.7
Yeoman	II	4	13.3
Mason	III	2	6.7
Blacksmith	III	1	3.3
Labourer	IV	1	3.3
Shepherd	III	1	3.3

The nature of bequests and evidence of births and deaths from parish records were used to assess whether the subjectivity of wills introduced elements of bias and favouritism which could impact their reliability as a source. It was uncertain from the case studies if the testator had deliberately omitted members of their family. The nature of bequests (i.e. conditional or token amounts of amount) indicated that all legatees were not treated equally. This type of bias was seen in 2 of the 5 case studies.^{54 55} Therefore bias and favouritism can impact source reliability for family reconstruction.

An assessment of the skill-set required to transcribe wills was too broad in scope to be answered by a small-scale study such as this.

Advantages and disadvantages of using wills

Wills have the advantage, when compared to census data, of being sources of written evidence on interpersonal relationships, family tensions and community networks. As Wrightson observed, wills were optional and made at a critical point in testators' lives and therefore revealed the family members who they felt strongly about.⁵⁶ This had the potential to provide context and intimacy to family reconstruction for a class of society who would not normally appear in many records during this period. The 30 wills were examined for this type of evidence which was organised into 4 categories: conditional bequests; token bequests; evidence of friendship; other.

Conditional

Eleven of the thirty wills contained at least one conditional bequest, making it the most common of the 4 categories. This category was subdivided into age-dependant bequests, choice of spouse and money for a specified use. The testator's intention in including these types of bequests could be interpreted as concern for dependent's welfare (providing for minors)^{57 58} and lacking trust in family members (choice of spouse^{59 60} and putting bequeathed money to good use^{61 62 63,64 65}). The will of Matthew RIGHTON contained an example of a father showing little faith in his son's willingness to care for his sister after his death: the son's bequest of £32 was conditional on William, the son, 'keeping' Gillian, the daughter.⁶⁶ The will of Alice WISE contained bequests of money to her grandsons for the purpose of buying livestock.⁶⁷ Felix HALL's sister, Elizabeth, was required to 'marrye to the good liking of her freindes' or remain single to receive her bequest of £10; whilst her younger sister, Dorothy (aged about 16 years), had no condition set on her £30 legacy.^{68 69} Dorothy HALL received the largest monetary bequest in this will, whereas Raphe HALL aged 10 years when the will was written received just £10 from his older brother.^{70 71} Dorothy HALL's larger and unconditional legacy could be considered evidence of the testator's brotherly affection as well concern for her well-being as both female and a minor.

In respect of providing evidence of the quality of relationships the Bodicote wills were consistent with those of Biggs, Evans and Wrightson.^{72 73 74}

Token

Small bequests, such as the 12d (a shilling) left to an adult child and 4d to a godchild by John WHEELER⁷⁵ or a strike of milled corn to Alice WISE's "poore sester"⁷⁶ can be seen as examples of the value of wills in providing evidence of affection, concern and favouritism. There was at least one example of a token bequest in 9 of the wills, mostly these were small amounts of money, with some articles of clothing or small household items. This was consistent with Biggs' and Evans' conclusions which suggested that token bequests were evidence of the quality of relationships.^{77 78} In Matthew ROWSHAM's will his five children were dealt with inconsistently: a son was joint executor with his mother and shared the house and land with her; the unmarried daughter and another son were bequeathed £4 each; a son-in-law was left 1s (his wife's portion); the third son was left just 1s (equivalent to £7.98 today),⁷⁹ and nothing else.⁸⁰ This last bequest to John ROWSHAM, the third son, could either be evidence of a family tension or disfavour, or merely be a token appearing in the will, as John may have been provided for pre-mortem.

Friendship

The Bodicote wills provide little direct evidence of friendship and the strong community networks discussed by Biggs,⁸¹ Evans,⁸² Hamilton⁸³ and Wrightson,⁸⁴ with “friends” only being directly referred to in 4 of the wills.^{85 86 87 88} However, bequests to legatees identified as non-kin amounted to 18.4% of the total. This was slightly higher than the bequests to extended family (see Table 11) which suggested that the Bodicote results were consistent with studies found in secondary sources. By far, closest kin were the focus of Bodicote’s bequests with 63.6% of the total confirming Biggs’ and Wrightson’s findings; demonstrating that by naming them as legatees wills can be a census substitute for the testator’s immediate family.^{89 90}

Table 11. Legatees by kin type.

Kin type	Number of legatees	% of total
Kin_i	131	63.6
Kin_e	37	18
Non_kin	38	18.4
Total legatees	206	100

Other

Illustrations of wills as sources of family tensions and interpersonal relationships confirming Biggs⁹¹ and Wrightson’s⁹² findings were found in two Bodicote wills. The brief will of Anthony KEARSEY,⁹³ a widower with two children under 21 years, provided a glimpse of his anxiety; a labourer who had recently purchased land and a smithy no doubt in the hope of improving the lives of his family, now needing to find guardians for his children in anticipation of his death. The will simply identified the purchases and named his children’s guardians; perhaps putting his mind at rest to some extent. Isabel RIGHTON’s⁹⁴ will had the intriguing situation where she bypassed her son as executor, placing trust instead in her granddaughter Anne CHERRY who was also bequeathed the residue of Isabel RIGHTON’s goods; the son was bequeathed just 12d. According to his father’s will Richard RIGHTON, Isabel’s son, was bequeathed the dwelling house which he shared with his mother until her death when he would receive her half.⁹⁵ This was the only example of a grandchild chosen to be executor and was especially unusual when a son was available for the role. The proportion of Bodicote wills (30%) which had a son as executor was consistent with Biggs’ finding of 25% in the Blakesley wills.⁹⁶ It was not possible to be certain of Isabel RIGHTON’s intention in favouring Ann CHERRY who at the time of probate appeared not to be of full age;⁹⁷ perhaps sharing her house with her 33 year old son for the past 16 years had put Richard out of favour or Ann CHERRY had proved herself worthy of her grandmother’s trust.^{98 99}

Katherine GRANT’s (maiden surname LILLY) will was an example of how a will can act as a shortcut to uncovering the type of complex family relationship that often existed.¹⁰⁰ Katherine was the second wife and widow of John GRANT; her step-sons, Richard and Thomas GRANT, were identified as her sons-in-law along with her married daughter in the will.^{101 102 103} The will named her brother, William LILLY, thus providing Katherine’s maiden surname.¹⁰⁴ Parish records were used to confirm this family structure. Using Katherine GRANT’s will as the starting point, Figure 1 illustrates her extended family which was confirmed by parish records and linkage to the will of Richard GRANT (Katherine GRANT’s stepson) probated in 1631.¹⁰⁵

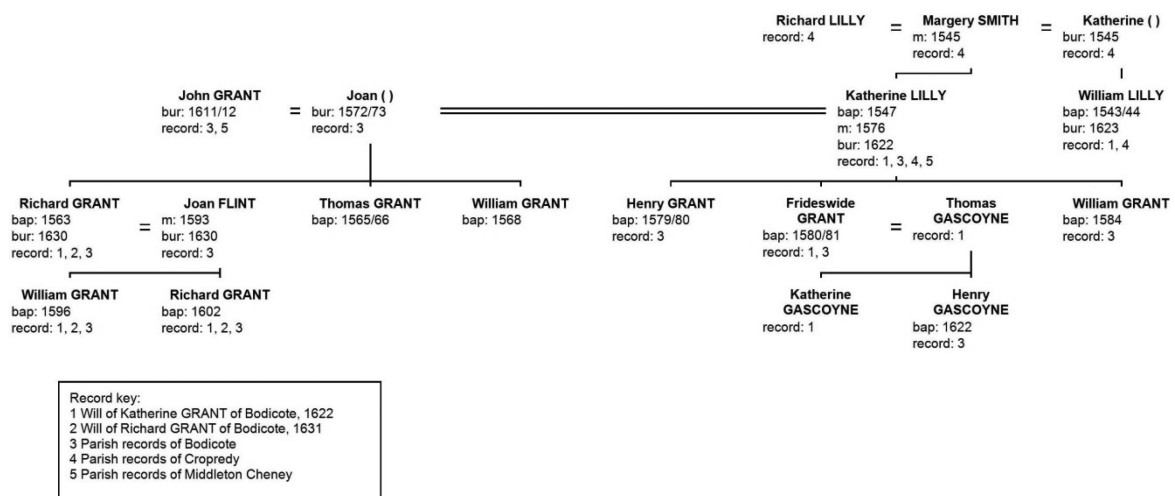


Figure 1. Case study 5 – Katherine GRANT (1622_grant_bod_2) extended family chart.

Lastly, as Biggs and Goose and Evans commented wills can provide an insight into the quality of marital relationships by the testator's choice of executor. The executor was entrusted to carry-out their wishes and wives were frequently chosen to fulfil this role.^{106 107} The Bodicote data were consistent with Biggs' Blakesley results showing wives of testators being most frequently chosen as sole executor (see Table 12).¹⁰⁸

Table 12. Bodicote executors' comparison.

Executors	Bodicote	% of total	Blakesley (NTH)	% of Total
Wife	9	30	30	36
Son	8	27	20	24
No executor	4	13	6	7
Son in law	3	10	2	2
Non-family/Trustee	2	7	1	1
Wife & Son (joint)	1	3	5	6
Sons (joint)	1	3	0	0
Grandchild	1	3	0	0
Brother	1	3	5	6
Daughter	0	0	3	4
Wife & daughter (joint)	0	0	1	1
Wife & brother (joint)	0	0	1	1
Son & kinsman (joint)	0	0	1	1
Daughter & Son in law (joint)	0	0	1	1
Sister	0	0	1	1
Brother in law	0	0	1	1
Kinsman/kinswoman	0	0	3	4
Nephew	0	0	1	1
Niece	0	0	0	0
Servant	0	0	1	1
Total	30	100	83	100

Conclusion

This study posed the question of whether wills could be used as census substitutes. Data from the Bodicote study sample were assessed in terms of comparison to census data, reliability and advantages/disadvantages as a source for this purpose. The study's limited size required comparison of results with secondary sources which mainly showed that the Bodicote wills were representative of their era. A review of the existing literature found studies from a social history perspective rather than a purely genealogical one. This demonstrated a knowledge gap in the field and an area for future larger-scale research.

The results of this project were proven to be valid, despite its restricted scope, as the Bodicote wills were shown to be representative of the will-making classes during this period; consequently, it was able to achieve the majority of its goals. A standard set of will facts were not identified, however by combining the stated and inferred census like facts (CLFs), 61.5% of CLFs could be collected from the wills. The majority of the information in a will (71.1%) was about the testator, however sufficient CLFs were found for their family to provide a framework, similar to that of censuses, for family reconstruction. The five case studies were partially reconstructed to between 2 and 4 generations. Three of the case study wills were linked to other wills in the study sample; this outcome was promising for future research as the number of links between families could be increased – and an horizontal community network of families created – if the size of the project were enlarged.

This study found that the disadvantage of using wills as a genealogical source was also its strength. Their optional nature resulted in scarcity, but making a will demonstrated intent and the quality of relationships; adding context to family history for a class of people whose voice was often unheard. Women were frequently invisible in written records and with 23% of the Bodicote sample of wills made by women this type of source can be regarded as a precious resource for genealogists. However this research, which was found to be consistent with data from secondary sources, revealed that wills cannot be considered a classless source. The will-making population was restricted to the middle social classes, per Wrightson's categories.¹⁰⁹ The evidence from the case study wills was inconclusive with respect to subjectivity in choice of legatees and nature of bequests, but there were no obvious signs of bias by excluding family members and negatively affecting the use of wills as a source. On the contrary, the nature of bequests and choice of legatees created an invaluable 'window into the world of the testator'.¹¹⁰

In this study wills have demonstrated their use as source by allowing the genealogist to transform the minimalist, though essential, information provided by parish records into family history.

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