



Government of Western Australia  
Department of Culture and the Arts  
State Records Office of Western Australia

# Information Sheet

## GRANTS OF PROBATE (WILLS) AND LETTERS OF ADMINISTRATION

### Historical Background

Until 1832 there were no legal means of dealing with the estates of deceased persons in Western Australia. The estates of those who died in the colony before 1832 were either administered in Great Britain, settled informally or settled at a later date. In 1832, jurisdiction for the administration of deceased estates was vested in the newly established Civil Court of Western Australia and in 1861 jurisdiction was transferred to the Supreme Court.

Wills were registered and deposited with the Civil Court from 1832 – 1861, and with the Supreme Court from 1861, as were letters of administration granted when a person died intestate (without a will). Note, however, that not all wills came into the jurisdiction of the court, and no other record of these wills is known.

Copies of wills and letters of administration registered with the Supreme Court are available on microfilm for the period 1832 - 1947. After 1947 copies can be obtained from the Supreme Court. Probate and administration files (which usually contain documentation associated with will and letters of administration such as valuations of property, death certificates, etc) are also held by the State Records Office for the period 1832 - 1947.

### Index to Wills and Letters of Administration

The State Records Office holds two indexes to wills and letters of administration, which are on microfiche in the State Records Office microforms area. Although there is some overlap with dates, it is recommended that the first index be used for pre-1940 wills and letters of administration as this appears to be more comprehensive for this period.

- The first index ([Cons 3435](#)) covers the period 1832 - 1939.
- The second index ([Cons 5269](#)) covers the period 1900 – 1993

Index cards show name of deceased, date and place of death (and often names and descriptions of executors and administrators, sworn and net value of estate and amount of duty paid on the estate). More importantly the cards also provide a registry number for the will or the letter of administration. This number is also used for files relating to particular wills and letters of administration.

The index cards are arranged alphabetically by surname. The registration number of the document will be written in the top right hand corner, usually a number/year (although in some instances there will only be a book number and a page reference). You must also note whether the card refers to Executors (a will) or Administrators (a letter of administration).

### Wills (WAS 56, Cons 3436)

Certified copies of wills and grants of probate are contained in Registers arranged chronologically by probate number on year. [A listing of these Registers](#) is contained in [WAS 56](#) (ask a member of staff for their location) and this should be consulted once you have obtained a will number from the index. Next to each Register will be found the range of numbers of wills to be found in that particular Register and the date range covered. The Registers run from number 1 (which starts at Will 1/1832) to number 100 (which ends at Will 1675/1947). [Cons 3436](#) is the consignment number of these Registers and they can be found in the State Records Office microforms area. Having identified the will number (or book and page number) from the index it is an easy task to find which Register/reel of Cons 3436 is required.

### **Letters of Administration (WAS 57, Cons 3437)**

Copies of letters of administration are contained in Registers arranged chronologically by number on year. Typically, they show the name of the deceased, the date and place of death, the name of those appointed by the Court to administer the estate and sometimes the gross value and the net value of the estate. [A listing of these Registers](#) is contained in [WAS 57](#) and this should be consulted once you have obtained an administration number from the index. [Cons 3437](#) is the consignment number of these Registers and using them is the same as for Cons 3436 already discussed above, except that the Registers run from number 1 (which starts at Letter of Administration 1/1832) to number 49 (which ends at Letter of Administration 361/1947).

### **Probate Records (WAS 34, Cons 3403, 5564)**

The records in this series include original copies of wills, applications for grants of probate, copies of death certificates, statements of testator's assets and liabilities, and other related documents. [Files that are over 75 years old are on open access](#) and can be viewed [on microfilm](#) in the State Records Office's microforms area. (The files are arranged chronologically, and then by file number within each year). Files that are less than 75 years old are restricted and permission to view must be obtained from the Principal Registrar of the Supreme Court. Application forms are available at the State Records Office enquiry desk.

### **Grants of Letters of Administration (WAS 59, Cons 3458)**

The records in this series include original documents such as copies of death certificates, applications for grants of administration, affidavits verifying deceased's assets and liabilities, administration bonds binding the administrator to properly administer the estate and to pay fees and other duties and any other documents (such as marriage or birth certificates) lodged in order to satisfy the Court as to the dependent's claim to administer the estate. [Files that are over 75 years old are on open access](#) and can be viewed [on microfilm](#) in the State Records Office's microforms area at [Cons 3403](#) (The files are arranged chronologically, and then by file number within each year). Files that are less than 75 years old are restricted and permission to view must be obtained from the Principal Registrar of the Supreme Court. Application forms are available at the State Records Office enquiry desk.

## **Summary**

1. Use indexes to ascertain Will/Letter of Administration number.
2. Consult [WAS 56](#) (Wills) or [WAS 57](#) (Letters of Administration) to ascertain Consignment and Register number.
3. Select appropriate microfilm and view (copies can be made).
4. Select appropriate microfilm at [Cons 3403](#) for Probate file or [Cons 3458](#) for Letters of Administration file, if the records are outside the 75 year restriction period.
5. For records within the 75 year restriction period, complete an application form. The file will be made available pending approval by the Supreme Court.