



NZSG Kiwi Collection

Record Type: **New Zealand Probate Records**

Description: An index of Wills and Letters of Administration.

Time Period: 1842 - 1998

Area: New Zealand

Access to Source: Archives New Zealand Offices and some New Zealand Courts

Data submitted by: NZSG Members and Archives NZ Offices

The NZSG thanks those who have contributed to this resource and agreeing to make it available to other NZSG members via this NZSG collection. Special thanks to Marie Corser, Court staff of the Department of Justice, and Archives New Zealand.

Remember: Always treat genealogical information with sensitivity. Good genealogical practice means returning to the original source for verification whenever possible.

Other comments:

This record set has four individual files consolidated into a single index. None of these files should be regarded as complete. There are gaps and missing records detected, so because a probate cannot be located, it may not necessarily mean that it doesn't exist. It may be because it has not been indexed, or the name has been mis-spelt. There are also some duplicate references to the same probate, especially between the "Archway" index and the other three files.

The four files in this Index include:

1. [NZSG Members Indexed Wills and Probates](#)

Files included in this set commence 1842 and were donated by NZSG members nationwide under project leader Marie Corser.

2. [Archives NZ "Archway" Indexes to probates \(October 2010\)](#)

Archives NZ provided an extraction of the indexes that were loaded onto *Archway* online index as [at Oct 2010](#). An (Apr 2015) list of probates loaded into *Archway* is noted further down in this HELP file. Files in this set commence 1980.

3. [Archives Dunedin Index to probates](#)

Index to Dunedin and Invercargill courts (incl. sub-courts 1980+) probates

Archives New Zealand, Dunedin provided an updated file of the previous probate index that includes Box numbers and corrections. Files included in this set commence 1851.

4. Archives Christchurch Index to probates

Archives New Zealand Christchurch provided a file of later years Christchurch Court (1993-1998 excl 1996) and some sub-courts (1980-1997) probates that include Box numbers. Files include in this set commence in 1843.

Notes about this Index:

Name

For the purposes of the computer Index, some given names are either shown as initials only, or abbreviated. For example :-

Alxr	Alexander
Cath	Catherine
Chas	Charles
Edw	Edward
Eliz	Elizabeth
Fdrk	Frederick
Hnrt	Henrietta
Hrrt	Harriet
Jas	James
Jno	John
Marg	Margaret
Thos	Thomas
Wm	William

To determine the correct expansion of the given name, researchers should sight the original Probate Register at the appropriate repository or obtain a copy of the Will or "Letters of Administration". If you do not find the name you are looking for, it is wise to make a second check in the original Probate Register for the appropriate Court in case of mis-spellings of the family name.

Where transcribers were unable to decipher handwriting, full duplicate entries have been included under alternate spellings.

Full entries for testators who used an alias are included under both names.

Usual Place of Residence

Note that this is NOT necessarily the place of death.

Some places have been abbreviated. The full expansion of the place name may be found in the Probate Register, Will or "Letters of Administration".

Occupation

Many occupations have been abbreviated. The description "Retired" has either been abbreviated or removed altogether. The full expansion of the occupation may be found in the Will or "Letters of Administration".

Date of Death / Filing

Note that a Will or "Letters of Administration" can be filed (probated) many years after the date of death. Access to the Probate Records is by the date of filing, not by the testator's date of death.

Type of Record

In the NZSG Indexed records the following types are recorded:-

- Will
- Intestate (Letters of Administration)
- Miscellaneous papers only (no Will or Letters of Administration)
- No documents located

Courts

The year in which the first record and last record over the four files has been indexed for each Court is shown below:-

(As previously mentioned there are some gaps in these date ranges)

<u>Court</u>	<u>Starts</u>	<u>Ends</u>
Auckland	1842	1979
Blenheim	1876	1990
Christchurch	1851	1998
Dunedin	1851	1998
Gisborne	1877	1973
Greymouth	1868	1996
Hamilton	1904	1998
Hokitika	1865	1953
Invercargill	1864	1993
Masterton	1892	1967
Napier	1862	1981
Nelson	1849	1991
New Plymouth	1867	1981
Palmerston North	1913	1981
Reefton	1874	1909
Rotorua	1973	1991
Timaru	1871	1997
Wanganui	1859	1988
Wellington	1843	1981
Westport	1875	1970
Whangarei	1937	1989

Auckland Court includes District Court of Thames from 1904 - 1908.

Dunedin Court includes District Courts of Queenstown 1876-1909, Naseby 1897-1905, Oamaru 1873-1909 and Lawrence 1876-1909.

Timaru Court includes District Court of Ashburton 1898-1909.

Invercargill Court includes the District Court of Western Otago 1872-1907

"Archway" Indexes for each Court as at April 2015 as contained within this Index

<u>Court</u>	<u>Starts</u>	<u>Ends</u>
Auckland	1927	1997
Hamilton	1904	1998
Gisborne	1879	1998
Rotorua	1973	1998
Whangarei	1937	1994
Wellington	1843	1994
Wanganui	1859	1979
New Plymouth	1867	1981
Palmerston North	1868	1994
Napier	1862	1993
Masterton	1892	1992
Nelson	1849	1991
Blenheim	1876	1972
Christchurch	1888	2000
Timaru	1871	1999
Greymouth	1868	1999
Hokitika	1865	1953
Reefton	1876	1909
Westport	1875	1970
Dunedin	1851	1998
Invercargill	1864	1993

About Probates

The first New Zealand probates occurred in mid-1842 - prior to this date Wills of New Zealanders were probated in New South Wales, Australia.

Wills were usually probated at the District/High Court nearest to the place of residence of the testator - the person making the Will. An exception to this occurred when a testator had lodged a Will with a Public Trustee Office. In these instances, up to 1950, the Will was proved at the Wellington District/High Court regardless of the testator's usual place of residence. However, it needs to be noted that although proved at the Wellington District/High Court, these Wills could also be mentioned in the records of another District/High Court.

A person dying without making a Will is said to be Intestate. If such a person owned land, buildings or other assets, an application could be made to a District/High Court for permission to administer the estate - hence the term "Letters of Administration".

Filing a Will for Probate was not always necessary. Conversely, Wills or "Letters of Administration" may have been probated twice or more at different District/High Courts if the testator had property in different locations.

A Will or "Letters of Administration" may be accompanied by miscellaneous papers such as affidavits, caveats, inventories and accounts. These papers often contain information about the family of the deceased.

Where the Will or “Letters of Administration” are held in an office of Archives NZ the Archives Reference is included in the entry as well as the Probate Number.

How to obtain further Information about Probates

Probate records from all High/District Courts are progressively being transferred to Archives New Zealand offices in Auckland, Wellington, Christchurch and Dunedin. Probates that have not yet been transferred to Archives NZ (later years) are usually still accessible from the local District/High court.

A website that gives details of how to go about getting a will from the Courts is

Web: <http://www.justice.govt.nz/services/get-a-copy-of-a-will>

You need to identify the High Court where probate was granted. Up until 31 May 2013 this was the High Court closest to where the deceased was residing at the time of their death. From 4 June 2013 all probate applications will be filed in the Probate registry of the High Court at Wellington.

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Once the court has been identified, you will need to write to the Registrar at that court stating:

- the full name of the deceased
- the date of their death and / or the date probate was granted
- the area that they were living in at the time of their death

Please note that the majority of courts only hold probate records for a period of up to 25 years, after which time the files are sent to Archives New Zealand. An electronic search for probate records can be completed back to May 2004. Prior to that time, manual records were kept, and contact will need to be made directly to the Court to check if the probate file is held.

There is an 0800 number for the Ministry of Justice that can be called to check whether a probate exists in a Court around the country. Court charges vary dependent on the Courts holding the probate. Check current charges and fees before requesting information.

Digitization of Probates 1843 - 1998

An index of probates held by Archives New Zealand can be searched via Archway. In recent years these probates have been digitized (imaged) under a joint project with FamilySearch. In time, all probates over 50 years old will be made available online, free of charge, for searching, viewing and printing, via the FamilySearch website. Check the following address to see if the probate have already been captured and put online.

Web: <https://familysearch.org/search/collection/1865481>

How to obtain Probate records at Archives NZ offices

When requesting a copy of a Will or “Letters of Administration” quote the following details from the index.

- Full name of testator
- Date filed (NOT date of death)
- Type of record
- Court Name
- Probate Number
- Archives Reference (if appropriate)

In addition to the Will or “Letter of Administration”, ask also for copies of any accompanying papers. There may be charges involved.

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