

Northern Territory Archives Service

Researching Probate, Wills and Letters of Administration

Probates and Letters of Administration definitions

Probate is the process of proving and registering in the Supreme Court the last will of a deceased person. It is usually the executor of the will who administers the estate and handles the disposal of the deceased assets and debts. In order to get authority to do this, the executor may have to obtain a legal document called a 'grant of probate'.

An **executor** can be an individual named by the deceased in her/his will, a trustee company or, as in the Northern Territory, the Public Trustee.

If a person dies without making a will, that person is said to die '**intestate**'. **Letters of administration** must be obtained from the Supreme Court, to authorise the administrator of the estate to deal with all matters relating to the deceased person's affairs. The administrator may be the next of kin or the Public Trustee. At the conclusion of the administration process, the administrator of the estate must take direction from legislation for the purpose of the distribution of the assets.

Grants of probate and letters of administration given by the Supreme Court of the NT do not relate only to death having occurred in the Northern Territory. Many applications are received from overseas and interstate. These applications relate to deceased estate property located in the Northern Territory.

Access to Probate records

In the Northern Territory, once probate is granted by the Supreme Court, the record, usually including a copy of the will, becomes a public record. As a public record they can be made available for access and/or copying.

Probate files and letters of administration records over 30 years old, as listed overleaf, are available for research access and copying at the Northern Territory Archives Service.

Records that were created less than 30 years ago can be made available through the **Supreme Court of the Northern Territory Registry**, at a charge of \$31.00, plus payment for photocopying. If you are applying remotely, submit your request in writing to: The Probate Officer, Supreme Court Darwin, GPO Box 3946, DARWIN NT 0801, or by email to ProbateOfficer.NT@nt.gov.au.

It is possible that records relating to probates and letters of administration granted during the period of South Australian control of the Northern Territory, from 1864-1910, are held within relevant record series controlled by the **South Australian Probate Registry** in Adelaide. The registry maintains an index which may be searched by request. If a relevant entry is found then a copy of the record may be ordered. Charges apply for obtaining copies. See the information on Court Fee's Payable, in following website, for details <http://www.courts.sa.gov.au/courts/supreme/index.html>

Request forms for a search can be obtained by contacting the South Australian Probate Registry by e-mailing probate@courts.sa.gov.au, or by writing to South Australian Probate Registry, 1 Gouger Street, ADELAIDE SA 5000.

Indexes to Probates and Letters of Administration series

Indexes to probate records for the Northern Territory, held in the Northern Territory, are available in the Northern Territory Archives Service search room. These indexes were compiled by Len Cossons for the Genealogical Society of the Northern Territory. Please contact reference staff for assistance to access these.

Probate files can also be searched for on Archives Navigator from the NTAS website <https://dtsc.nt.gov.au/arts-and-museums/northern-territory-archives-service/about-ntas>. Please note that not all probates, wills or letters of administration can be found on Archives Navigator.

The last page of this information leaflet is a listing and description of relevant series selected from the Northern Territory Archives Service List of Holdings. Contact Reference staff for further information.

Contacts

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Website address: https://dtsc.nt.gov.au/arts-and-museums/northern-territory-archives-service E-mail: ntac@nt.gov.au	

Series relating to Wills, Probate and Letters of Administration at NTAS

Controlling Agency	Series details	Other details
Public Trustee	NTRS 2025 , Intestacy files, 1885 - 1911	This series consists of files created for people who died in the Northern Territory jurisdiction of South Australia. The records are arranged numerically, and its listing includes the name of the deceased. Although the series title suggests intestacy, some records appear to include wills, letters of administration, and probate documentation. Please note that some covers are empty of documents.
	F964 , Ledger books, 1928 - 1957	Consists of 4 volumes with an alphabetical index of names at the front, followed by entries arranged by number. It deals with transactions relating to deceased estates.
	F963 , Journals, 1923-1974	Consists of 1 bound volume listing names and financial transactions per estate.
	F966 , Register of estates and effects, 1970 - 1973	One bound book listing names and effects held at the Public Trustees noting their dispersal or disposal.
	F1064 , Estate files, 1957 - 1994	Correspondence files with deceased's name on front cover. These records are generally less than 30 years old. Access to the documents is via the Office of the Public Trustee, Northern Territory Department of Justice.

Controlling Agency	Series details	Other details
Supreme Court of the Northern Territory	NTRS 2816 , Index of probates [Previously registered as E97], 1911-1960	This is a bound register titled "Index of probates granted and sealed by the Supreme Court of the Northern Territory of Australia". It is arranged alphabetically. Entries include: Reference number; Folio in copies of will book; Name of testator; Name of executors; and date of sealing. It appears that this index applies to probates in series E96, E103 and E104.
	NTRS 2817 , Indexes of administrations [Previously registered as E98], 1911 - 1962	In two bound volumes, this index is titled: "Index of administrations granted and sealed in the Supreme Court of the Northern Territory of Australia". Entries include: Reference number; If special or limited, kind of grant; Details of deceased; Name of administrator, and Date of sealing or order. This index appears to relate to letters of administrations in E96, E103 and E104.
	NTRS 3121 , Record books of probates and letters of administration [Previously registered as E106], 1911 - 1976	In two thick bound volumes, this index is titled "Record Book of Grants of Probate". The information is arranged chronologically. It includes Date of grant; Number of grant; Name of deceased; Description of grant, ie probate or letters of administration; Name of executor or administrator; Value of estate sworn not to exceed....; and Solicitor or personal applicant.
	NTRS 3710 , Copies of grants of probate and administration, [Previously registered as E96], 1911 - 1941	This series consists of 5 volumes with entries numbered 1-374. Entries are hand written copies of wills, followed by the Northern Territory Supreme Courts probate entry as well as applications for letters of administration. The earliest date of death relevant to this series occurred in 1885, however the Supreme Court of the Northern Territory did not grant letters of administration for this deceased estate until 1916.
	NTRS 3623 , Probate files, [Previously registered as E103], 1928 - 1954	In this series, the legal style documents are arranged in numerical order with the name of the deceased appearing on the front cover.
	NTRS 3624 , Probate files, [Previously registered as E104], 1955 - 1975	Each item is a set of legal documents in a cardboard envelope. The name of the deceased and documents included in the envelope are listed on the front cover. Items are arranged numerically.
	NTRS 3625 , Probate jurisdiction dockets, [Previously registered as E105], 1971 - 1976	These legal style documents are in cardboard covers and arranged by annual single number.
	NTRS 404/P1 , Probate files, 1977 - 1979	Legal style documents with cardboard covers, records arranged by annual single number.
	NTRS 404/P2 , Probate files, 1980 - 1983	Legal style documents with cardboard covers, records arranged by annual single number.