

Will and intestacy records

Brief guide 19 | Queensland State Archives

Will and intestacy records held at Queensland State Archives were created by the [Supreme Court of Queensland](#), and the [Public Trustee](#) (formerly the Public Curator).

The Supreme Court will and intestacy files are open. Many of the Public Trustee will and intestacy registers and indexes are closed for 30 years, and the corresponding will and intestacy files are closed for 75 years.

Supreme Court of Queensland

The estate of a deceased person is administered by the executors appointed in the will or where no will exists – Intestate - by an administrator approved by the Supreme Court. Intestacy files can be an order of the Supreme Court, or an election – when the nominated executor is to be the Public Curator (later the Public Trustee).

Probate and letters of administration constitute official recognition by the Supreme Court of the executor or administrator's right to administer the estate. Such formal recognition is only required when an agency such as a bank, insurance company, government department or court insists. In cases where real property, crown leases, bank accounts, shares and motor vehicles are of small financial value, or in cases of joint tenancy, the executor or administrator may carry out the terms of the will without having to get Supreme Court's approval. Consequently, only a small proportion of files relating to deceased estates are held at Queensland State Archives.

Supreme Court of Queensland registries – ecclesiastical jurisdiction

Prior to the separate Supreme Court Districts and registries, wills and intestacies were filed in the Brisbane Supreme Court registry. The years when the registries were established are:

- Northern District – Bowen in 1875, transferred to Townsville in 1889
- Central District – Rockhampton in 1896
- Southern District – Brisbane in 1857
- Cairns Registry – 1 September 1997

When separate Supreme Court districts were established, files were registered in the relevant district of the deceased's legal address rather than the place of death. A map delineating these Supreme Court districts is available in the Public Search Room at Queensland State Archives.

Supreme Court ecclesiastical (will) files, and intestacy (orders and elections) files

There are two main series created by each Supreme Court district:

- Ecclesiastical files are estates administered by the executors appointed in the will, or, where no will exists (Intestate), by an administrator (other than the Public Trustee) approved by the Supreme Court.

Files may include deceased's name, address and occupation; date and place of death; grant of probate; next of kin; inventory of property, its value and disposition; a copy of the will; and legal costs.

- Orders and Elections (Public Trustee) or intestacy files are proceedings undertaken by the Public Trustee to prove its entitlement to administer a deceased estate under the *Public Curator Act 1915-1971*, and the *Public Trustee Act 1978*. Files refer to estates where the Public Trustee was appointed as executor under the terms of the will or as administrator by the Supreme Court where the deceased made no will. Files may include deceased's name, address and occupation; date and place of death; next of kin; an inventory of property, its value and disposition; a copy of the will; and legal costs.

Public Trustee of Queensland

In addition to the series of wills and intestacies created by the Supreme Court, Queensland State Archives holds series of wills, intestacies and deceased estate files created by the Public Trustee Office (known as Public Curator until 1979). There are three registries of Public Trustee Office, located in Brisbane, Rockhampton and Townsville. Public Trustee Office files are subject to a 75 year restricted access period. Further information in *Search Procedure 25, Public Trustee – wills, deceased estates and intestacies* available in the Public Search Room.

Wills and intestacies at Queensland State Archives

The main series of records of wills and intestacies at Queensland State Archives are listed below. If the records are closed, the restricted access category is provided.

Supreme Court, Southern District, Brisbane

Registers of Ecclesiastical Files

1/1/1857 - 29/11/1991

[Series ID 5170](#)

Register of Grants of Probate or Letters of Administration Recording Ecclesiastical Matters

3/3/1875 – 29/12/1900

[Series ID 15607](#)

Register of Probates Filed in the Rockhampton and Townsville Registries

1/1/1901 – 31/12/1906

[Series ID 7102](#)

Registers for Recording Grants in Ecclesiastical Matters

1/1/1928 – 31/12/1960

[Series ID 15609](#)

Ecclesiastical Files

1/1/1857 - 31/12/1999

[Series ID 4486](#)

Originating Applications

22/1/1900 – 31/12/2012

[Series ID 6339](#)

Miscellaneous Ecclesiastical Papers

1/1/1867 – 31/12/1889

[Series ID 15630](#)

Ecclesiastical Caveats

1/1/1928 - 31/12/1986

[Series ID 17990](#)

Indexes to Orders and Elections

1/1/1873 - 30/11/1991

[Series ID 5174](#)

Orders and Elections

1/1/1863 - 4/09/2003

[Series ID 5171](#)

Orders to Administer – Inventories

1/1/1953 - 31/12/1978

[Series ID 17985](#)

Files re Trustees under the *Trustees Act 1889*

1/3/1889-25/9/1929

[Series ID 15502](#)

Public Trustee Office, Brisbane

Master Card Index

1/1/1916 – 31/12/1998

[Series ID 19115](#)

Access: 30 years

Converted Wills Card Index

1/1/1916 – 31/12/1985

[Series ID 19116](#)

Access: 30 years

Non-converted Wills Card Index

1/1/1916 – 31/12/1985

[Series ID 19117](#)

Access: 30 years

Numerical Indexes to Wills

4/1/1956 – 5/12/1975

[Series ID 18779](#)

Access: 30 years

Alphabetical Indexes to Deceased Estate Files

1/1/1975 – 2/11/1982

[Series ID 18781](#)

Access: 30 years

Numerical Indexes to Deceased Estate Files

1/1/1975 – 2/11/1982

[Series ID 18780](#)

Access: 30 years

Alphabetical Indexes to Wills

Circa 1/1/1920 - 5/12/1975

[Series ID 6450](#)

Access: 30 years

Will Files

9/12/1881 – Circa 31/12/1985

[Series ID 6047](#)

Access: 75 years

Deceased Estate Files

1/1/1975 – 21/12/2010

[Series ID 18778](#)

Access: 75 years

Alphabetical Indexes to Intestacy Files

Circa 1/1/1919 – 31/12/1975

[Series ID 420](#)

Access: 30 years

Intestacy Files

16/12/1868 – Circa 31/7/2009

[Series ID 335](#)

Access: 75 years

Supreme Court, Northern District, Townsville

Indexes to Ecclesiastical Files

Circa 1/1/1875 – Circa 31/12/1891

[Series ID 7424](#)

Registers of Ecclesiastical Files

12/8/1875 - 28/2/1985

[Series ID 6243](#)

Ecclesiastical Files

Circa 1/1/1875 – Circa 31/12/1984

[Series ID 6220](#)

Registers of Orders and Elections

Circa 1/1/1916 – Circa 31/12/1975

[Series ID 18206](#)

Intestacy Files

Circa 1/1/1905 – Circa 31/12/1950

[Series ID 7240](#)

Intestacy Claims Book

1/1/1898 – 31/12/1902

[Series ID 9304](#)

Public Trustee Office, Townsville

Indexes to Records of Public Curator (Townsville Office)

Circa 1/1/1898 – Circa 30/4/1996

[Series ID 10443](#)

Access: 30 years

Probate Files

Circa 1/1/1917 – Circa 31/12/1921

[Series ID 17796](#)

Access: Open

Will Files

Circa 1/1/1916 – Circa 29/4/2009

[Series ID17793](#)

Intestacy Files

Circa 1/1/1898 – Circa 31/12/1979

[Series ID 17798](#)

Access: 75 years

Deceased Estate Files

Circa 1/1/1976 – Circa 31/12/1986

[Series ID 18962](#)

Access: 75 years

Supreme Court, Central District, Rockhampton

Registers of Ecclesiastical Files

13/3/1896 - 26/9/1966

[Series ID 18230](#)

Access: Open

Ecclesiastical Files

Circa 1/1/1890 - 16/11/1966

[Series ID 7271](#)

Access: Open

Intestacy Registers

Circa 1/1/1898 - 31/12/1936

[Series ID 18238](#)

Access: Open

Orders to Administer

1/1/1898 - 31/12/1930

[Series ID 7265](#)

Access: Open

Public Curator Office, Rockhampton

Ledgers of Intestacy

1/2/1906 – 6/2/1917

[Series ID 9841](#)

Access: Open

Will files

Circa 10/1/1902 – Circa 31/12/1979

[Series ID 19414](#)

Access: 75 years

Intestacy Files

Circa 1/1/1925 – Circa 31/12/1979

[Series ID 19436](#)

Access: 75 years

Deceased Estate Files

Circa 1/1/1976 – Circa 31/12/1985

[Series ID 19437](#)

Access: 75 years

Public Trust Office, Redcliffe

Deceased Estate Files

Circa 1/1/1981 – Circa 31/12/2001

[Series ID 19321](#)

Access: 75 years

Public Trust Office, Toowoomba

Deceased Estate Files

Circa 1/1/1975 – Circa 31/12/1985

[Series ID 19324](#)

Access: 75 years

Finding aids and other sources of information

Search procedures

These search procedures are available in the Public Search Room:

- Wills, Supreme Court, Southern District, Brisbane, SP 8
- Wills, Supreme Court, Northern District, Townsville, SP 9
- Wills, Supreme Court, Central District, Rockhampton, SP 12
- Intestacies, Supreme Court, Southern District, Brisbane, SP 10
- Intestacies, Supreme Court, Northern District, Townsville, SP 1
- Intestacies, Supreme Court, Central District, Rockhampton, SP 13
- Public Trustee Office files (wills, intestacies and deceased estates), SP 25

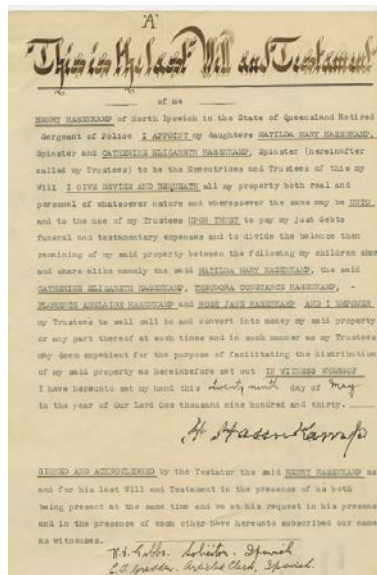
Indexes on the Queensland State Archives' website

The following [online indexes](#), compiled from records at Queensland State Archives, can be found under the Index Category 'Courts':

- Wills 1857-1940 (Southern District 1857–1940; Central and Northern 1857–1900)
- Equity files 1857-1895
- Instruments of renunciation 1915-1983 - renunciations are created when the Executor/Executrix no longer wishes to administer the will.

Image Queensland

Use [ArchivesSearch](#) (the Queensland State Archives catalogue) to search for references to public records. [Image Queensland](#) (part of [ArchivesSearch](#)) enables users to search and view digital copies of public records. The example below is from the ecclesiastical file of Henry Hasenkamp.



Queensland State Archives, [Digital Image ID 20748](#)

Transmission by death notices

These notices were published in the *Queensland Government Gazettes*. Notices include the name of the deceased, date of death, occupation, name of claimant, description of land, and particulars of the will. *Queensland Government Gazettes* are available on microfilm in the Public Search Room. These notices were also published in the local newspapers. Digitised copies of historical newspapers are available on [Trove](#).