BRITISH COLUMBIA ARCHIVES RESEARCH GUIDE TO PROBATE CASE FILES

Probate case files and other probate records for persons who died with or without a will are available at the British Columbia Archives. There is no central probate index, although the central wills index (see *Wills Research Guide*) can be used to determine probate location when there was a will. Probate files were usually created and maintained by the court registry nearest the residence of the deceased person or the executor of the will. Contents may vary. Most, but not all, contain a copy of the will, if there was one. Some registries also filed the Letters Probate separately.

ESTATES PROBATED IN VICTORIA

1859-1950 (Files 1 to 5307 and 1/1918 to 66/1950)

♦ Available on self-serve microfilm in the Reference Room.
♦ Use the finding aids* for **GR-1304** (1859-1941) and **GR-2083** (1941-1950) to locate the name of the person. The column to the far left contains the microfilm reel number, the column on the far right the probate file number. The files are arranged in numerical order on each reel.

1950-1981: GR-3016 (Files 67/1950-1606/1981)

♦ Follow instructions **1** to **6** on the *Wills Research Guide*. The number in the **PAPERS** column is the file number of the Victoria probate case file.
♦ Use the finding aid* for **GR-3016** to determine which box you need to retrieve. To retrieve a case file, fill out a call slip with the GR and box number you require. These case files are stored off-site and can take up to 24 hours or longer to retrieve.

1982-1999

♦See staff at Archives Reference Desk.

ESTATES PROBATED IN VANCOUVER, 1893-1992:

1893-1949 (Files 1 to 42,999)

♦ Available on self-serve microfilm in the Reference Room.
♦ **GR-1415** includes probate files from 1893-1941 (1-28,115), **GR-2202** from 1941-1947 (28,116 to 36,499), and **GR-2203** from 1947-1949 (36,500 to 42,999).
♦ Use the appropriate finding aid(s) to locate the name of the person. The column on the left contains the microfilm reel number, the column on the right the probate file number. The files are arranged in numerical order on each reel. (For the original indexes see **GR-1416** [B02531(1)] and **GR-2112** [B02531(2)].)

1949-1986 (Files 43,000 to 180,626)

Use the indexes listed below.

  1949-1951: **GR-2112** Reel **B02531(2)**
♦ Orient the film so you are viewing the bottom of each page, where there will be a footer listing the volume number and date range covered by the volume.
♦ Locate the first letter of the person's family name you wish to search. Check all the names on each page within that grouping, as the names are not alphabetized beyond the first letters of the family name.
♦ The number beside the name you are checking is the number of the probate file.
♦ A probate file is not always registered in the indexes within a few months after the death of the individual. You may need to search for several years after the person's death.

  1952-1986: **GR-2988**, volumes 1 to 13, Reels **B11786 - B11788; B09710**
♦ See the finding aid* for **GR-2988** for a further breakdown by year and reel number.
♦ For the 1952-1956 indexes note that family names are recorded by the first letter + the first vowel (soundex index) of the name. Except for this difference, follow the instructions above.

  1988-1992: Microfiche **Bf 00054**

  1987, 1992-1999 See staff at Archives Reference Desk.

Once you have a file number check the finding aids* for **GR-2989** (1949-1966, Files 43,000 to 93,199) or **GR-2991** (1966-1986, files 93,200 to 180,626) to determine which box you need. Fill out a call slip with the GR and box number. These case files are stored off-site and can take up to 24 hours or longer to retrieve. For 1987-1992 probates seek staff assistance.

PROBATE FILES OUTSIDE VICTORIA AND VANCOUVER:

♦ Consult the online database under **Textual Records: Searching the Textual Records Index: Basic Search on the Textual Records Index** or select the **Search** page, check off the **Textual Records** index, and enter your search terms (see below) in the search field. Select **Match All Words** (AND) in the **Change Search Method?** Box. Do not use quotation marks. Click START SEARCH. Click on the number to the left of the citations to display the full record.

- Use the family name and **probate?**, e.g. tolmie probate?. This works best if the name is not a common one and only on name-indexed finding aids. Add the registry name if you know it, e.g. tolmie probate? duncan.
- If the name is a common one, use the **Most Specific** search method option and search on **[family name] [first name] and probate?**, e.g. mills george and probate?. Depending on how the name is entered, this may or may not work.
- Use **probate?** and the registry name, e.g. revelstoke probate?. If there is no name index in the finding aid and a printed index is listed for the registry you must search the index first to obtain the probate file number. Locate the file number in the probate records finding aid to determine the box or microfilm reel number.

♦ For probates between 1982-1999, ask the duty archivist for assistance.

♦ If you do not know where the will was probated, and a search on the family name is unsuccessful, follow instructions **1** to **5** on the *Wills Research Guide*. For estates (with wills only) probated outside of Victoria there will be a place name noted.

♦ Consult the Attorney General Guide to Estates Binder 7A, entitled **Probate Case Files**, or the Court Records Guide Binder 7B in the Reference Room. These binders provide descriptions of probate files including those not yet described on our database.

STILL HAVEN'T FOUND YOUR PROBATE FILE?

Early probate records are often be found in the Victoria registry, even though the individual lived and died elsewhere in the province. In the absence of a local registry, the records would be filed with Victoria **OR** the registry in the nearest community e.g. for probate files from Chilliwack you might need to search New Westminster, Vancouver and/or Victoria.

If you are not successful in locating either a probate file or a will, you may wish to try and find other types of estate records.   The **succession duty and probate registers**, (**GR-2930**) cover 1892-1935 and the **succession duty and probate fees index cards** (**GR-3259**) cover 1934-1981. The registers will provide a registry name, whether the estate was settled by probate or letters of administration and, depending on the time period, the date of the probate. The cards are arranged in date groups by name of the deceased and provide the name of the registry where the estate was probated, or, if not probated, settled by letters of administration or other means.   See the finding aids for more information. There are also separate collections of Letters Probate, Letters of Administration, Letters of Administration with Will Attached, and Probate Cause Books. The Attorney General Guide to Estates Binder 7A in the Reference Room provides definitions and descriptions.

COPYING PROBATE RECORDS

Copies of microfilmed probates can be made on our self-serve reader-printers during full service hours. **Note: Certified copies** of probate records can only be made by BC Archives staff. Copies of original probate records on paper, where available, as well as on microfilm may also be requested by completing a Photocopy Requisition form or by writing, faxing or e-mailing Access Services. Pre-payment is required prior to copy orders and Archives staff will provide a quotation for the exact amount owing.

> **Mailing Address:** Access Services, BC Archives, 675 Belleville St., Victoria, BC V8W 9W2
> **Reference Room:** 655 Belleville St., Victoria, BC
> **Phone:** (250) 387-1952 **Fax:** (250) 387-2072
> **E-mail:** access@www.bcarchives.gov.bc.ca **Internet:** http://www.bcarchives.gov.bc.ca

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* Finding aids are available online, on our web site, and in hardcopy in the Reference Room.