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# Guardianship and Adoption Records

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This research guide has information about guardianships and related records at the Archives of Ontario and offers information on agencies to contact about adoption records.

Please note that **The Archives of Ontario does not have adoption files**, only guardianship records.

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All descriptions for records mentioned in this guide are available in our online Archives Descriptive Database. You will find the database and all guides mentioned in this guide in the "Start Your Research" section of our website.

## THE RECORDS

### Guardianship Records

Please note: Pre-1921 guardianships are often erroneously identified as adoptions, even on the records themselves.

**Guardianships** appeared with the Guardianship Act, 1827. The Act allowed a Probate or Surrogate Court judge to appoint an individual to safeguard the child's "property, person and education" until maturity. If both parents were dead or destitute, a relative or family friend was often appointed guardian. While the child was often said to be "adopted", they had no claim on their guardian's name or estate. After Ontario made

adoption easier in 1921, there were fewer guardianships awarded but some guardianships were made as recently as the 1970s.

The province-wide Probate Court existed until 1859. The Surrogate Courts, located in each county and district, existed until 1985.

The Archives of Ontario holds records of guardianships 40 year old and older, with a few exceptions, and some records that are less than 40 years old. Other existing records are at the local courts.

The usual procedure was for the prospective guardians to appear before a Surrogate Court judge and declare their intention, and for the judge to award guardianship without further hearing. Consequently, the records do not have much information in addition to the names of the people involved and the date guardianship was awarded.

For most counties, guardianships are documented in the same **registers** as the estate files (successions). The registers are arranged chronologically but there is usually an index at either the front or the back of the register. We have microfilmed the registers and there are two ways to access them:

- in the Archives' Reading Room - check the **User's Guide to Surrogate Courts and Surrogate Clerk Microfilm Reels** for the list of registers for the county/district you are looking for
- through interlibrary loan -to determine the microfilm reel number of the register you need, go to the online [Microfilm Interloan Catalogue](#) (you will find the Catalogue in the "How to Access Your Records" section of our website). Not all registers are available through interlibrary loan. The Genealogical Society of Utah filmed some. If you do not find a register for a given county/district and year in the Interloan Catalogue, check the *User's Guide* in the Archives' Reading Room or speak with a reference archivist.

Some counties kept separate **guardianship registers and books** and **guardianship files**. These do not usually have any different information that is in the regular registers and books. Some counties kept **bond books** with information on the bonds that guardians placed as financial guarantees. Record series numbers for these records are listed in the table below (note: some series may cover more than one county; to access the description for those records, click on the link or go to the Archives Descriptive Database). These records are available only in the Archives' Reading Room.

County	Registers	Books	Bond Books	Files
Algoma	<a href="#">RG 22-332</a>			<a href="#">RG 22-381</a>
Brant	<a href="#">RG 22-1177</a>			<a href="#">RG 22-327</a>
Bruce	<a href="#">RG 22-1224</a>			<a href="#">RG 22-285</a>
Carleton				<a href="#">RG 22-1362</a>
Cochrane				<a href="#">RG 22-1420</a>
Dufferin	<a href="#">RG 22-349</a>			<a href="#">RG 22-350</a>
Frontenac				<a href="#">RG 22-161</a>
Grey		<a href="#">RG 22-254</a>		
Hastings	<a href="#">RG 22-342</a>			<a href="#">RG 22-377</a>
Huron	<a href="#">RG 22-299</a>	<a href="#">RG 22-299</a>		

County	Registers	Books	Bond Books	Files
Kent	<a href="#">RG 22-2693</a>	<a href="#">RG 22-2691</a>		
Lambton	<a href="#">RG 22-275</a>			<a href="#">RG 22-276</a>
Lanark		<a href="#">RG 22-170</a>	<a href="#">RG 22-2878</a>	
Leeds and Grenville				<a href="#">RG 22-181</a>
Lennox and Addington		<a href="#">RG 22-251</a>		<a href="#">RG 22-161</a>
Lincoln	<a href="#">RG 22-239</a>			<a href="#">RG 22-240</a>
Manitoulin		<a href="#">RG 22-337</a>		
Norfolk		<a href="#">RG 22-230</a>		<a href="#">RG 22-231</a>
Northumberland and Durham		<a href="#">RG 22-193</a>	<a href="#">RG 22-3753</a>	
Ontario		<a href="#">RG 22-786</a>		<a href="#">RG 22-371</a>
Oxford	<a href="#">RG 22-222</a>			<a href="#">RG 22-223</a>
Peel	<a href="#">RG 22-4147</a>	<a href="#">RG 22-4138</a>		<a href="#">RG 22-4139</a>
Peterborough				<a href="#">RG 22-247</a>
Prescott and Russell				<a href="#">RG 22-186</a>
Prince Edward				<a href="#">RG 22-345</a>
Stormont, Dundas and Glengarry	<a href="#">RG 22-200</a>	<a href="#">RG 22-200</a>	<a href="#">RG 22-4977</a>	
Timiskaming			<a href="#">RG 22-5147</a>	
Victoria				<a href="#">RG 22-282</a>
Waterloo	<a href="#">RG 22-5473</a>	<a href="#">RG 22-215</a>		
Welland	<a href="#">RG 22-239</a>	<a href="#">RG 22-291</a>		<a href="#">RG 22-240</a> ; <a href="#">RG 22-292</a>
Wentworth	<a href="#">RG 22-207</a>	<a href="#">RG 22-207</a>		<a href="#">RG 22-208</a>

If you do not find a guardianship file:

- Informal "guardianships" could be publicly announced with a deed poll. This is a declaration by an individual of their intentions and/or actions. It was deposited in the local Land Registry Office. Some deed polls may still be held by the Registry Offices.
- Poor families rarely approached the courts or registry offices. Instead, they made informal arrangements with relatives or friends for the care of their children. Children formally awarded a guardian had no more public support than those left in the care of relatives or friends. In informal arrangements, no official records were ever created.

## Adoption Records

Before 1921, **adoptions** could only occur through a statute (act) of the Legislature. They were very rare. See Research Guide 207 for information on how to locate statutes.

Under the Adoption Act (April 8, 1921) an application for adoption could be made to the Court. These were heard in the Judge's chambers and the records were sealed.

Adoptees now had the rights and claims a child "of lawful wedlock" had. The natural parents' rights were transferred to the adoptive parents.

Today, adoptions can occur through a Children's Aid Society or a government-licensed private adoption agency.

Adoptions files in Ontario contain the Adoption Order, legal papers and/or background information gathered at the time of adoption. While some files have histories of the growing adoptee, older files may contain almost nothing.

Information on adoption information and how to access it can be found on the [Government of Ontario Web site \(www.ontario.ca\)](http://www.ontario.ca) You can also contact

Custodian of Adoption Information  
P.O. Box 654  
77 Wellesley St. West  
Toronto, ON M7A 1N3

**Please note: The Archives' staff are unable to answer questions about access to adoption records.**

## Records of the Registrar General

Registrations of births by the Government of Ontario began in 1869. For guardianships involving a change of name, the birth registration was annotated. It was later re-indexed under the new name when all birth registrations were re-indexed in the 1950's. Please note that the annotation often mistakenly states that an adoption took place, rather than a guardianship. Consult [Guide 202 - Vital Statistics Records](#) for information about birth registrations held by the Archives or still with Office of the Registrar General.

After the legalization of adoption on April 8, 1921, the Registrar General received copies of the Adoption Orders from the court. The original birth registration was annotated and re-indexed under the new name. In 90 per cent of private adoptions, the adoptive parents also re-registered the birth of the child under the child's new name. The original birth registration is sealed. See the adoption section of this guide for information on accessing these records.

## WORDS AND TERMS IN ADOPTION AND GUARDIANSHIP RECORDS

The following are legal definitions for words and terms that you may come across in your research on adoption and guardianship:

**Adoption:** the legal process where minor persons become the lawful children and heirs of parent(s) who are not their natural parents.

**Adoptive parent:** An adult who has legally adopted a child.

**Birth or Natural parent:** The adopted person's biological mother or known father, whose consent was given for the adoption.

**Guardian:** A person assigned the custody of a child or person legally incapable of managing their own affairs.

**Guardianship:** the legal process where minor persons become the wards of people who are not their natural parents.

## MAKING CONTACT

### *Ready and Willing*

Although unable to do your guardianship and adoption records research for you, our reference archivists are waiting to assist you. You may telephone or write to them by mail or email or — best of all — visit the Archives of Ontario.

### *Contact us*

**Telephone:** 416-327-1600 Toll free (Ontario): 1-800-668-9933

**Fax:** 416-327-1999

**Email:** [reference@ontario.ca](mailto:reference@ontario.ca)

**Address:** Archives of Ontario, 134 Ian Macdonald Blvd., Toronto, ON M7A 2C5

### *Website*

For information about the Archives' holdings, as well as access to research guides and other customer service materials available through the Archives of Ontario, please visit our website <http://www.ontario.ca/archives>.

### *Customer Service and Research Guides*

The Archives of Ontario has published a series of in-depth research guides on a variety of specific topics. For more information, please see “Research Guides and Tools” under “Start Your Research” on the home page of the Archives website.

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This document may contain references to electronic links that can be activated only by using the HTML version found on the Archives of Ontario website.

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