

REQUEST FOR RECORDS RETENTION SCHEDULE

To be Submitted to the Records Management Division

Hall of Records Commission

SCHEDULE NO. **C-113**

PAGE NO. **1.**

1. Requesting Agency

**SOMERSET COUNTY**

2. Division or Bureau of Requesting Agency

**REGISTER OF WILLS**

3. Authorization Requested (Check only one of the squares below).

**A** Dispose of present accumulation. No additional accumulation is anticipated. Records have ceased to have value to warrant retention.

**B** Establish retention schedule for records for which there is a continuing accumulation. The records will cease to have value to warrant their retention after the period of time indicated.

**C** Microfilm and destroy originals. Originals if not microfilmed would be retained for the period of time indicated.

4. Item No.

5. Description of Records

Describe records accurately. Include title, form number, size of documents, work or activity to which the records relate, inclusive dates, and quantity (cubic or linear feet). Show recommended retention period.

6. Recommendation of Hall of Records and Board of Public Works.

**1. MINUTES OF PROCEEDINGS OF THE ORPHANS' COURT**

Size: 10" x 14" x 2"  
Dates: 1811 - -  
Quantity: 13 volumes  
File Arrangement: Chronological  
Index: Alphabetical to decedent (1865-1917)

The Minutes of the Orphans' Court are a record of the proceedings on all matters pertaining to the probate of wills and the regulation of the management of decedents' estates, and to the control of the estates of minors or other persons who are under the especial protection of the law. The volumes for 1823-29, and 1842-48 are rough minutes (Item 2).

**RECOMMENDATION: RETAIN PERMANENTLY.**

**2. ROUGH MINUTES OF PROCEEDINGS OF THE ORPHANS' COURT**

Size: 8" x 14" x 1/2"  
Dates: 1823-36, 1840-1848  
Quantity: 4 volumes  
File Arrangement: Chronological

These records are rough minutes of the Court's proceedings which were later transcribed in permanent form. Rough minutes for 1823-1829 and 1842-48 have been included with the set of Permanent Minutes (Item 1) to cover periods of time for which these minutes

**APPROVED**  
**HALL OF RECORDS COMMISSION**

7. Agency, Division or Bureau Representative

*Edward L. Fontaine* **Register of Wills**

Signature

Title

*4/3/58*  
Date

Schedule Authorized as Indicated in Col. 6 by Hall of Records Commission.

Disposal Authorized as Indicated in Col. 6 by Board of Public Works.

*4/7/1958* *Merrin S. Quadall*

Date

Archivist

Date

Secretary

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are missing.

RECOMMENDATION: RETAIN PERMANENTLY; TRANSFER TO THE HALL OF RECORDS ROUGH MINUTES FOR 1830-36 AND 1840-1842.

*Transfered  
6/26/58*

3. ORPHANS' COURT DOCKETS

Size: 8" x 14" x 1"  
Dates: 1828-29, 1831-41, 1857-1926  
Quantity: 4 volumes  
File Arrangement: Chronological  
Annual Accumulation: Discontinued  
Index: Alphabetical

The Dockets list the docket or case number, the plaintiff and defendant, the initials of the lawyers, the Court action and disposition (in some cases), and the dates.

RECOMMENDATION: RETAIN PERMANENTLY.

4. WILLS - ORIGINAL

Size: 4" x 11" pockets  
Dates: 1789 - -  
Quantity: 24 docket files  
File Arrangement: Chronological by filing date  
Index: Index of Wills (Item 6)

This file is composed of wills of deceased persons probated by the Orphans' Court of Somerset County.

RECOMMENDATION: RETAIN PERMANENTLY.

5. WILLS - TRANSCRIBED

Size: 14" x 18" x 3"  
Dates: 1664 - -  
Quantity: 16 volumes  
File Arrangement: Chronological  
Index: Index of Wills (Item 6)

Transcribed wills contain verbatim copies of wills, codicils, and renunciations recorded by the Register of Wills showing the appearances of witnesses to testify to the condition of the testator at the time of making the will.

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Item No.

6. INDEX OF WILLS

Size: 6" x 16" x 1"  
Dates: 1664 - -  
Quantity: 3 volumes  
File Arrangement: Chronological  
Index: Thumb index to estate

The Index includes wills and renunciations listing the names of the testator, case number, and the liber and folio of recording.

RECOMMENDATION: RETAIN PERMANENTLY.

7. WILLS - DEPOSITED

Size: 4" x 11" pockets  
Dates: 1920 - -  
Quantity: Two 12" x 12" x 12" locked cabinets  
File Arrangement: Chronological  
Index: Index of deposited wills (Item 8)

This file is composed of wills of living persons deposited for safekeeping with the Register of Wills. They are indexed in a separate volume.

RECOMMENDATION: RETAIN UNTIL WITHDRAWN

8. INDEX OF DEPOSITED WILLS

Size: 8 1/2" x 13" sheets  
Dates: 1920 - -  
Quantity: 1 volume  
File Arrangement: Chronological  
Index: Alphabetical

The Index to Deposited Wills lists the wills deposited with the Register of Wills for safekeeping (Sec. 93, Art. 390, Annotated Code of Maryland, 1957 Edition) and shows the date of deposit, the name of the person making the will, and the date upon which the will is withdrawn.

RECOMMENDATION: RETAIN PERMANENTLY.

9. ESTATE PAPERS

Size: 4" x 11" pockets  
Dates: 1909 - -  
Quantity: 132 docket files, 21 boxes, 1 crate  
File Arrangement: Chronological - serialized  
Audit: State audit  
Index: In Key to Administrations (Item 17)

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This file is composed of the original papers, after 1908, relating to the probate, administration, and settlement of estates--partial and other exceptions are noted below. Original wills have always been filed separately (Item 4). Each file pocket contains all or some of the following papers with liber and folio references:

- Application for probate and letters testamentary, and letters of administration
- Bonds (1850-1908 in storage, 4 boxes)
- Renunciations
- Real Estate, cash, and personal property inventories, sales and petitions (1876-1908 in storage, 5 boxes)
- Receipts
- Information reports
- Certificate of publication and newspaper clipping of the notice to creditors
- Estate Vouchers (bills and notes) (1826-1837, 1892-1911 in storage, 1 crate and 4 boxes)
- Affidavits, and orders of the Court
- Release of power of appointment
- Receipt and release of the administrators, executors, and guardians (1808-1905 in storage, 2 boxes)
- Administrator's, Executor's, and Guardian's Accounts (Administration Accounts, 1864-1905, and Guardian Accounts, 1862-1899, in storage, 6 cartons)

RECOMMENDATION: RETAIN PERMANENTLY.

10. APPLICATION BOOK

- Size: 14" x 18" x 3"
- Dates: 1941 - -
- Quantity: 3 volumes
- File Arrangement: Chronological
- Index: Thumb index to decedent

This record is composed of application forms for letters of administration and testamentary, showing the names of the applicants and the decedent, addresses and names of heirs and next of kin, the value of personal property, debts, the names of bondsmen, the name of the newspaper publishing the notices to creditors with the newspaper clipping of the notice attached, and the date of granting the letters.

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11. BONDS (ADMINISTRATION)

Size: 14" x 18" x 2"  
Dates: 1797-1815, 1818-1850, 1853 - -  
Quantity: 21 volumes  
File Arrangement: Chronological  
Audit: State audit  
Index: Alphabetical thumb index

The bond books contain the names of bonded administrators and executors of estates and the names of the persons who act as securities. The amount of the penalty is shown as well as the conditions of the bond and the orders of the Orphans' Court to the Administrator or Executor. The volumes for 1853-1856 also contain Sales of Real Estate, Valuation of Real Estate, Notices to Creditors, Renunciations, and Indentures.

RECOMMENDATION: RETAIN PERMANENTLY.

12. INVENTORIES OF REAL ESTATE

Size: 14" x 18" x 3"  
Dates: 1952 - -  
Quantity: 1 volume  
File Arrangement: Chronological  
Audit: State audit  
Index: Thumb index to estate

The Inventories of Real Estate show the Court order to the appraisers, their oaths and their certifications by the Register, and the appraisal and certification by the appraisers.

RECOMMENDATION: RETAIN PERMANENTLY.

13. INVENTORIES OF PERSONAL PROPERTY

Size: 12" x 18" x 3"  
Dates: 1797 - -  
Quantity: 47 volumes  
File Arrangement: Chronological  
Audit: State audit  
Index: Alphabetical

This is a transcribed record of inventories of personal property including sales of personal property, 1855 to date, and petitions to sell, 1898 to date. The inventory shows the names of the appraisers and the estate, date of the inventory, sale or petition to sell, case number, liber and folio, court orders, and in case of sales, the appraised value and the sale price. Inventories for 1797-1799 are found in Administration Accounts (Item 15).

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14. SALES OF REAL ESTATE

Size: 14" x 18" x 2"  
Dates: 1866 - -  
Quantity: 3 volumes  
File Arrangement: Chronological  
Index: Alphabetical

This record contains the petition and certification by the Register, the order of court, the itemized report of the sale, and the affidavit of the correctness of the sale report.

RECOMMENDATION: RETAIN PERMANENTLY.

15. ADMINISTRATION ACCOUNTS

Size: 14" x 18" x 3"  
Dates: 1778 - -  
Quantity: 22 volumes  
File Arrangement: Chronological  
Audit: State audit  
Index: Thumb index to estate; Key to Administrations  
(Item 17, Index to Administration Accounts (Item 16))

This is a record of administration and distribution reports by administrators or executors of estates showing the itemized assets, disbursements made, notarization, and action of the Orphans' Court approving or disapproving the reports.

RECOMMENDATION: RETAIN PERMANENTLY.

16. INDEX TO ADMINISTRATION ACCOUNTS

Size: 5" x 18" x 2"  
Dates: 1685-1858  
Quantity: 1 volume  
File Arrangement: Chronological  
Annual Accumulation: Discontinued  
Index: Alphabetical

This index shows the name of the estate and the liber and folio of recordation. Administration Accounts have been indexed in the Key to Administration Accounts since 1855.

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17. KEY TO ADMINISTRATIONS (ADMINISTRATION DOCKET)

Size: 14" x 18" x 3"  
Dates: 1855 - -  
Quantity: 2 volumes  
Audit: State audit

This record is a synopsis of the Estate Papers--in docket form-- showing the estate number, the name of the decedent, the date of issuance of letters testamentary, the names of executors or administrators, the securities, dates of petitions and court orders, inventories and amounts, the accounts of administration, and the distributions and releases, with dates. The Key also indexes Guardian Accounts (Item 18).

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18. GUARDIAN ACCOUNTS

1828?  
Size: 14" x 18" x 3"  
Dates: 1845 - -  
Quantity: 14 volumes  
File Arrangement: Chronological  
Audit: State audit  
Index: Thumb index to guardian of minor; Key to Administrations (Item 17)

This record is an itemized account of receipts and expenditures by guardians, showing the names of the guardian and ward, the notarizations, and the approval or disapproval of the Orphans' Court.

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19. CLAIMS REGISTER

Dates: 1854-1871, 1899 - -  
Quantity: 5 volumes  
File Arrangement: Chronological  
Audit: State audit  
Index: Thumb index to estate

The Register shows the name of the estate, one estate to a page, the names of the claimants with the dates of filing claims and the amounts.

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20. RECEIPTS AND RELEASES

Dates: 1808 - -  
Quantity: 10 volumes  
File Arrangement: Chronological  
Index: Thumb index to estate

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This is a record of receipts given to administrators or executors by legatees in final distribution of estates, and the releases authorized by the Court. Releases are usually attested by the Register of Wills, but in some instances, this has been done by Justices of the Peace.

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✓ 21. ESTATE JOURNAL (FEE BOOK)

Size: 8" x 12" x 1"  
Dates: 1817-18, 1824-33, 1848-56, 1871-78, 1899-1906,  
1912-33, 1955 - -  
Quantity: 17 volumes  
File Arrangement: Chronological  
Audit: State audit

The estate journal is in effect a fee book, listing the name of the estate, the date of filing papers, and the amounts of the fees for each recordation.

RECOMMENDATION: RETAIN PERMANENTLY.

✓ 22. DAY CASH BOOK

Size: 6" x 6" x 1/2"  
Dates: 1840-1844  
Quantity: 2 volumes  
File Arrangement: Chronological  
Annual Accumulation: Discontinued

This fiscal record shows receipts by dates, the name of the payee and the amount, with the reason for the payment in some instances.

RECOMMENDATION: RETAIN PERMANENTLY.

✓ 23. CASH RECEIPTS AND DISBURSEMENTS JOURNAL

Size: 6" x 10" x 1"  
Dates: 1929 - -  
Quantity: 1 volume  
File Arrangement: Chronological  
Audit: State audit

This is a record of the cash receipts (fees) received by the Register, with the name of the payee, date, reason for payment, and the amount.

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