

TEST FOR RECORDS RETENTION SCHEDULE
To be Submitted to the Records Management Division
Hall of Records Commission

1. Requesting Agency WICOMICO COUNTY	2. Division or Bureau of Requesting Agency REGISTER OF WILLS
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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	<p>ORPHANS' COURT PROCEEDINGS</p> <p>Size: 14" x 18" x 2" Dates: 1867 - - Quantity: 9 volumes (2.5) File Arrangement: Chronological</p> <p>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.</p> <p>RECOMMENDATION: RETAIN PERMANENTLY</p>	<p>APPROVED HALL OF RECORDS COMMISSION</p>
2	<p>WILLS (ORIGINAL)</p> <p>Dates: 1867-1923 Quantity: 8 document files File Arrangement: Chronological Audit: State audit Index: In Wills and Testaments (Item 3)</p> <p>This file is composed of wills of deceased persons probated by the Orphans' Court of Wicomico County.</p> <p>RECOMMENDATION: RETAIN PERMANENTLY.</p>	

7. Agency, Division or Bureau Representative

J. Aubrey Galloway *Register of Wills* *Oct 7 1957*

Signature Title 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.
<i>10/10/57</i> Date	<i>Morris S. Randall</i> Archivist
	Date Secretary

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(Continuation Sheet)

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3. WILLS AND TESTAMENTS

Size: 14" x 18" x 3"
 Dates: 1867 - -
 Quantity: 11 volumes (5)
 File Arrangement: Chronological
 Index: By name of testator

The Wills and Testaments series contains verbatim copies of wills and codicils filed for probate with the Register of Wills and records the appearances of witnesses to testify to the condition of the testator at the time of making the will. This series also includes Renunciations prior to 1890 (See Renunciations, Item 10).

RECOMMENDATION: RETAIN PERMANENTLY

4. WILLS (DEPOSITED)

Quantity: 3 document files
 File Arrangement: Chronological
 Index: Separate volumes, Item 5

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

RECOMMENDATION: RETAIN UNTIL WITHDRAWN

5. INDEX TO DEPOSITED WILLS

Size: 6" x 12" x 1"
 Dates: 1928 - -
 Quantity: 1 volume
 File Arrangement: Chronological by date of deposit

The Index to Deposited Wills lists the wills deposited with the Register of Wills for safe-keeping (Sec. 93, art. 387, Annotated Code of Maryland, 1951 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

6. ESTATE PAPERS (ADMINISTRATORS AND EXECUTORS)

Size: 4" x 11" pockets
 Dates: 1924 - -
 Quantity: 308 document files (# 183-4620) (30)
 File Arrangement: By serial number
 Annual Accumulation: Less than 1 cubic foot
 Audit: State audit
 Index: Index to Administrators and Executors Papers (Item 7)

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(Continuation Sheet)

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This is a file of the official papers relating to the administration of estates. Each file pocket contains all or some of the following papers:

- The original will (after 1923)
- Application for probate and letters testamentary, and letters of administration
- Real Estate, cash, and personal property inventories
- Receipts
- Information reports
- Certificate of publication and newspaper clipping of the notice to creditors
- Renunciations
- Petitions, affidavits, and orders of the Court
- Release of Power of Appointment
- Receipt and release of the Administrator or Executor
- Administrator's or Executor's accounting in settlement of the estate
- Liber and folio references

RECOMMENDATION: RETAIN PERMANENTLY

7. INDEX TO ESTATE PAPERS (ADMINISTRATOR'S AND EXECUTOR'S)

- Size: 14" x 16" x 3"
- Dates: 1868 - -
- Quantity: 4 volumes (1-5)
- File Arrangement: Chronological
- Audit: State audit
- Index: By name of decedent

The index shows the names of the decedent, the executor or administrator, the date of the bond and the penalty, the names of the persons acting as securities, return of the inventory (date and folio number), the order for sale (date and folio number), return from the sale (date, amount, and folio number), additional sales, the notice to creditors, desperate debts (uncollectible), sperate debts (collectible), additional sperate debts, the administration account, the legatee receipt, and the release of the administrator by the Court.

RECOMMENDATION: RETAIN PERMANENTLY.

8. ESTATE PAPERS (GUARDIANS)

- Size: 4" x 11" pockets
- Dates: 1926 - -
- Quantity: 25 document files (#201-620) (4)
- File Arrangement: By serial number (chronological)
- Annual Accumulation: Less than 1/2 cubic foot
- Audit: State audit
- Index: Index to Guardians (Item 9)

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(Continuation Sheet)

Hall of Records
Commission

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

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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.

Each pocket contains all or some of the following papers:

- Guardian's Bond
- Orders of the Orphans' Court
- Fee receipts
- Reports by the Guardian to the Court
- Liber and folio references
- Receipt, and release of the Guardianship by the Court

RECOMMENDATION: RETAIN PERMANENTLY

9. INDEX TO ESTATE PAPERS (GUARDIANS)

- Size: 14" x 18" x 3"
- Dates: 1860 - -
- Quantity: 2 volumes (1)
- File Arrangement: Chronological
- Audit: State audit
- Index: By name of guardian

This index lists the name of the guardian, whether temporary or permanent, the name of the ward, the date of the bond and the persons acting as securities, a valuation of property and the date, and folio numbers referring to the series of original entry.

RECOMMENDATION: RETAIN PERMANENTLY

10. RENUNCIATIONS

- Size: 14" x 18" x 3"
- Dates: 1890 - -
- Quantity: 4 volumes (1)
- File Arrangement: Chronological
- Index: By name of decedent

This series records renunciations and the appointments of administrators and guardians. The appointments are signed by the Register of Wills, and renunciations by the person refusing to serve as administrator, executor, or guardian, and the Register of Wills. Prior to 1890 renunciations are found in the Wills and Testaments series (Item 3).

RECOMMENDATION: RETAIN PERMANENTLY

11. APPLICATIONS FOR LETTERS TESTAMENTARY AND OF ADMINISTRATION

- Size: 12" x 16" x 2"
- Dates: 1927 - -
- Quantity: 7 volumes (15)
- File Arrangement: Chronological
- Audit: State audit
- Index: By name of decedent

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This is a record of applications by executors for letters of administration and by administrators for letters testamentary, showing the estate number, the name and address of the applicant, the name of the lawyer if representing an applicant, the name of the decedent and time and place of death, his residence and the location of the estate, prior right of administration and renunciation, if any, notation of wills or codicils, notification of next of kin, the name of the custodian of the will, how the will was delivered to the Register of Wills, the names of the heirs at law and next of kin, liber and folio of recording, the value and description of real and personal property, the names of bondsmen and appraisers selected, the name of the newspaper publishing the notice to creditors, and the date of granting the letters. The original applications are filed with the Estate Papers (Item 6).

RECOMMENDATION: RETAIN PERMANENTLY

12. BOND BOOK

Size: 14" x 18" x 3"
 Dates: 1867 - -
 Quantity: 10 volumes (6)
 File Arrangement: Chronological
 Audit: State audit
 Index: By name of person bonded

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.

RECOMMENDATION: RETAIN PERMANENTLY

13. PETITION DOCKET

Size: 14" x 18" x 3"
 Dates: 1830 - -
 Quantity: 12 volumes (7)
 File Arrangement: Chronological
 Index: By name of petitioner

The early Petition Dockets show the names of the petitioners and administrators, the dates of filing petitions, the orders of the court, and the liber and folio numbers of recording. Later dockets contain more complete information in paragraph form showing the names of the petitioner and administrator, the petition in full and notarization, the exhibits and notarizations, the orders of the court, and the liber and folio numbers of recording.

RECOMMENDATION: RETAIN PERMANENTLY.

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REQUEST FOR RECORDS RETENTION SCHEDULE
(Continuation Sheet)

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5. Description of Records

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14. ADMINISTRATION DOCKET (OLD SERIES)

Size: 14" x 18" x 3"
Dates: 1869-1926
Quantity: 1 volume
File Arrangement: Chronological
Annual Accumulation: Discontinued
Audit: State audit
Index: By name of decedent

This record is a docket of petitions presented to the Orphans' Court relating to the sale of real property by estates and showing the names of the parties to the sale, the date of filing the will and the complaint or petition, subpoenas, and citations issued, folio number of the Minutes (Item 1), and prior to 1899, in some instances, the decision of the Court is noted. Subsequent to 1899 this docket shows only the name of the deceased, the dates of sale and the ratification of the Court, and the folio number of the Minutes. Since 1926 the Orphans' Court has usually referred petitions for real estate sales involving more than \$2000.00 to the Circuit Court.

RECOMMENDATION: RETAIN PERMANENTLY.

15. ADMINISTRATION DOCKET (NEW SERIES)

Size: 12" x 18" x 3"
Dates: 1908 - -
Quantity: 6 volumes (v)
File Arrangement: Chronological
Audit: State audit
Index: By name of decedent

The new series of Administration Dockets records the names and addresses of the testator and the administrator or executor, the date of death of the testator, the case number, and the liber and folio in which the certificate and bond are recorded, the dates on which notices were sent to newspapers, the inventory of personal and real property, petitions and court orders, dates of administration and distribution accounting, the date of the receipt from the legatee to the administrator, and the date of release of the administrator by the Court. When estates are closed, that notation appears. This docket serves as an index to all the records maintained by the Register's office.

RECOMMENDATION: RETAIN PERMANENTLY.

16. INVENTORIES

Size: 14" x 18" x 3"
Dates: 1868 - -

Continued

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(Continuation Sheet)

4. Item No.

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

Quantity: 2; volumes (10)
File Arrangement: Chronological
Annual Accumulation: 1/2 cubic foot
Audit: State audit
Index: By name of estate

Inventories list the date of the Court's order to appraise the estate, the names of the appraisers and their oath and dates of taking, the return of the appraisal and the date, showing the items appraised and their estimated value. Accounts of sales are also included listing the name of the estate, date of the sale, and the items sold with their appraised value and amount received. Debts are listed separately by name of the estate showing the date, name of the person or firm owed, and the amount.

RECOMMENDATION: RETAIN PERMANENTLY

17. CO-TENANCY OF LIFE TENANCY INVENTORIES

Size: 14" x 18" x 4"
Dates: 1956 - -
Quantity: 1 volume (5)
File Arrangement: Chronological
Audit: State audit
Index: By name of decedent

The inventories are records of securities and real property jointly held by two or more persons, other than husband and wife, and filed with the Register of Wills by one or more parties for the purpose of fixing the amount of State inheritance tax on the portion held by a decedent. The location of the property is shown with the value, the proportionate share of the decedent, the amount of the tax, and the signatures of the applicant and the Register of Wills. Between 1935 and 1956 this information is carried in the Inventories series (Item 16).

RECOMMENDATION: RETAIN PERMANENTLY

18. CLAIMS BOOK

Size: 12" x 18" x 3"
Dates: 1877 - -
Quantity: 4 volumes (1.5)
File Arrangement: Chronological
Audit: State audit
Index: By name of decedent

This is a record of claims against estates showing under each estate the date of filing the claim and the name of the claimant, the amount of the claim and a notation of payment. The estate number is shown after 1925.

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19. PETITIONS FOR DEEDS

Size: 14" x 18" x 3"
 Dates: 1914-1926
 Quantity: 1 volume
 File Arrangement: Chronological
 Annual Accumulation: Discontinued
 Index: By name of defendant and plaintiff

When a testator has died prior to giving a deed for property sold, the purchaser petitions the Orphans' Court for a proper deed. This record shows the names of the plaintiff and the defendant, the petition and notarization, the statement of the plaintiff, and the decision of the Court. After 1926 this record is included with the Real Estate series (Item 20).

RECOMMENDATION: RETAIN PERMANENTLY.

20. REAL ESTATE

Size: 14" x 18" x 2"
 Dates: 1868 - -
 Quantity: 6 volumes (1.5)
 File Arrangement: Chronological
 Audit: State audit
 Index: By name of intestate

This is a record of the sale of real estate by executors or administrators showing the petition to the Court for authority to sell, the date of the Court order, the newspaper announcement of the sale and the certificate of publication, the administrative report of the sale, the order nisi of the Court confirming the sale, and the final court order of ratification of the sale. After 1926 this record includes Petitions for Deeds (Item 19).

RECOMMENDATION: RETAIN PERMANENTLY

21. ACCOUNT SALES

Size: 14" x 18" x 3"
 Dates: 1869 - -
 Quantity: 8 volumes (3)
 File Arrangement: Chronological
 Audit: State audit
 Index: By name of decedent

The Account Sales is a record of the sales of personal estates pursuant to directives of the Orphans' Court. This record shows the date of the sale, the names of the decedent and the executor, the order of the Court setting forth the time and manner of the sale, and an itemized inventory of the sale with the appraised prices and the prices realized. In recent years the Register of Wills has

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22.	<p>included the names of the purchasers for each item sold.</p> <p>RECOMMENDATION: RETAIN PERMANENTLY</p> <p><u>ADMINISTRATION ACCOUNTS</u></p> <p>Size: 14" x 18" x 3" Dates: 1871 - - Quantity: 16 volumes (6) File Arrangement: Chronological Audit: State audit Index: By name of decedent</p> <p>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.</p> <p>RECOMMENDATION: RETAIN PERMANENTLY</p>	APPROVED HALL OF RECORDS COMMISSION	
23.	<p><u>GUARDIAN ACCOUNTS</u></p> <p>Size: 14" x 18" x 3" Dates: 1868 - - Quantity: 4 volumes (3) File Arrangement: Chronological Audit: State audit Index: By the name of the estate</p> <p>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.</p> <p>RECOMMENDATION: RETAIN PERMANENTLY.</p>		
24.	<p><u>ACCOUNT BOOKS</u></p> <p>Size: 14" x 18" x 3" Dates: 1911 - - Quantity: 10 volumes (H.S.) File Arrangement: Chronological and then by estate number Audit: State audit Index: By name of decedent</p> <p>This is a record of payment of fees due the County and State by estates. Under the name of the decedent is listed the amount and date of payment, and the purpose of the fee.</p> <p>RECOMMENDATION: RETAIN PERMANENTLY.</p>		

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25. RECEIPTS AND RELEASES

Size: 14" x 18" x 2"
 Dates: 1863 - -
 Quantity: 8 volumes (3.5)
 File Arrangement: Chronological
 Audit: State audit
 Index: By name of legatee

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.

RECOMMENDATION: RETAIN PERMANENTLY.

26. SMALL ESTATE RECORD

Size: 14" x 18" x 3"
 Dates: 1945 - -
 Quantity: 2 volumes (.5)
 File Arrangement: Chronological
 Audit: State audit
 Index: By name of decedent

The Small Estates Law of 1945 provides for the settlement of estates of \$500.00 or less by simplified procedure and reduced fees, thus reducing the cost of settlement (Art. 93, sec. 156, Annotated Code of Maryland, 1951 ed.). The record includes in one continuous instrument the petition, the preliminary and final orders of the Court, the statement of the petitioner regarding creditors and additional assets, and the certificate of distribution signed by the petitioner and the Register of Wills.

RECOMMENDATION: RETAIN PERMANENTLY.

27. INDENTURES

Size: 14" x 18" x 2"
 Dates: 1868-1900
 Quantity: 1 volume
 File Arrangement: Chronological
 Annual Accumulation: Discontinued
 Index: By name of the apprentice

This is a record of placement of persons not of age in homes other than their own for a specific period of time and for a specified purpose and imposing stated conditions on both the apprentice or ward and the master.

RECOMMENDATION: RETAIN PERMANENTLY; TRANSFER TO THE HALL OF RECORDS

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Transferred
11/8/57