

## **Estates Records** <sup>[1]</sup>

# **Estates Records**

by Beverly Tetterton, 2006

Estates records are the documents generated by the disposition of a deceased person's property. They are created by executors (named in wills) or administrators (appointed by the court or an officer of the court when the deceased died intestate) whose job it is to settle the estate. Throughout its history North Carolina has seen significant changes in the laws regarding the settlement of estates. From 1777 to 1868 authority to oversee the affairs of executors, administrators, and guardians was held by the county court. After 1868 authority for probate became the function of the clerk of superior court.

Estates records are helpful resources for historians and genealogists. As a group they can reveal the details of social and economic life in a particular time and place. For family historians, they provide a unique look into the everyday lives of their ancestors and often assist in proving blood relationships. Modern estates records are kept in the offices of the clerk of superior court. Since 1966, estates records have been created as loose papers and placed in a decedent's individual estate file. Earlier estates records can be found in the [North Carolina Archives](#) <sup>[2]</sup>. Counties send their older records to the Archives 60 years after probate. There, the loose papers are grouped together and filed alphabetically under the decedent's surname. They are placed in the records of the county of legal residence at the time of death. Early estates records, prior to 1777, can also be found in the [Secretary of State Records or the Colonial Court Records](#)<sup>[3]</sup>, both of which are housed in the Archives.

### **References:**

William S. Price Jr., "Historical Origins of Wills and Estates Papers," *North Carolina Genealogical Society Journal* 3 (1977).

Raymond A. Winslow Jr., "Estates Records," in Helen F. M. Leary, ed., *North Carolina Research, Genealogy, and Local History* (2nd ed., 1995).

### **Additional Resources:**

State Archives of North Carolina: <https://archives.ncdcr.gov> <sup>[4]</sup>

### **Subjects:**

[Law and legal history](#) <sup>[5]</sup>

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### **From:**

[Encyclopedia of North Carolina, University of North Carolina Press.](#)<sup>[7]</sup>

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**Source URL:** <https://www.ncpedia.org/estates-records>

### **Links**

<sup>[1]</sup> <https://www.ncpedia.org/estates-records> <sup>[2]</sup> <https://www.ncpedia.org/archives-and-history-office> <sup>[3]</sup>

<http://www.digital.ncdcr.gov/cdm/home/collections/colonial-court> <sup>[4]</sup> <https://archives.ncdcr.gov> <sup>[5]</sup> <https://www.ncpedia.org/category/subjects/laws> <sup>[6]</sup>

<https://www.ncpedia.org/category/authors/tetterton-beverly> <sup>[7]</sup> <https://www.ncpedia.org/category/entry-source/encyclopedia->