

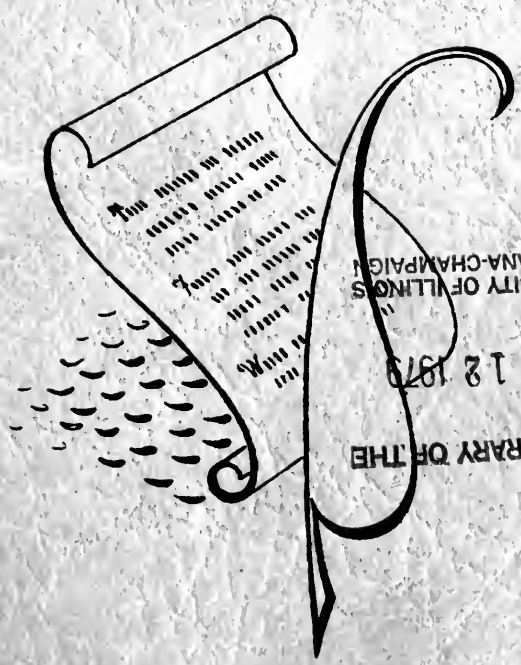
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INVENTORY OF THE COUNTY ARCHIVES OF ILLINOIS



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NO*70
MOULTRIE COUNTY
(SULLIVAN)





THE COURTHOUSE OF MOULTRIE COUNTY
Sullivan, Illinois

Inventory Of The County Archives Of Illinois

Prepared by

**The Illinois Historical Records Survey Project
Division of Professional and Service Projects
Work Projects Administration**

**NO. 70
MOULTRIE COUNTY (SULLIVAN)**



**Chicago, Illinois
The Illinois Historical Records Survey Project
April 1941**

The Historical Records Survey Projects

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GEORGE FIELD, Regional Director

HOWARD S. DREW, State Administrator

FOREWORD

The **Inventory of the County Archives of Illinois** is one of a number of bibliographies of historical material prepared throughout the United States by workers on The Historical Records Survey Projects of the Work Projects Administration. The publication herewith presented, an inventory of the archives of Moultrie County, is number 70 of the Illinois series.

The Historical Records Survey was undertaken in the winter of 1935-36 for the purpose of providing useful employment to needy unemployed historians, lawyers, teachers, and research and clerical workers. In carrying out this objective, the project was organized to compile inventories of historical materials, particularly the unpublished government documents and records which are basic in the administration of local government, and which provide invaluable data for students of political, economic, and social history. The archival guide herewith presented is intended to meet the requirements of day-to-day administration by the officials of the county, and also the needs of lawyers, business men, and other citizens who require facts from the public records for the proper conduct of their affairs. The volume is so designed that it can be used by the historian in his research in unprinted sources in the same way he uses the library card catalog for printed sources.

The inventories produced by The Historical Records Survey Projects attempt to do more than give merely a list of records—they attempt further to sketch in the historical background of the county or other unit of government, and to describe precisely and in detail the organization and functions of the government agencies whose records they list. The county, town, and other local inventories for the entire country will, when completed, constitute an encyclopedia of local government as well as a bibliography of local archives.

The successful conclusion of the work of The Historical Records Survey Projects even in a single county, would not be possible without the support of public officials, historical and legal specialists, and many other groups in the community. Their cooperation is gratefully acknowledged.

The Survey program was organized by Luther H. Evans, who served as Director until March 1, 1940, when he was succeeded by Sargent B. Child, who had been National Field Supervisor since the inauguration of the Survey. The Survey Program operates as a nation-wide series of locally sponsored projects in the Division of Professional and Service Projects, of which Mrs. Florence Kerr, Assistant Commissioner, is in charge.

HOWARD O. HUNTER,
Acting Commissioner.



PREFACE

The undertaking now officially designated The Historical Records Survey Projects, was initiated nationally in January, 1936, as part of the Federal Writers' Project of the Works Progress Administration, now the Work Projects Administration. In Illinois the Survey became an independent unit in August, 1936, but continued to operate as part of the nation-wide project under the technical supervision of Dr. Luther H. Evans, National Director, and under the administrative supervision of the Division of Professional and Service Projects. Dr. Evans resigned March 1, 1940, and was succeeded by the present director, Sargent B. Child. Alston G. Field, Howard E. Colgan, and Royal S. Van de Woestyne, were the first three state directors, serving until November 1, 1937, to May 16, 1939, and to October 1, 1940 respectively. On September 1, 1939, the Illinois State Library, of which Secretary of State Edward J. Hughes is State Librarian and Helene H. Rogers, Assistant State Librarian, became the sponsor of The Illinois Historical Records Survey. On January 15, 1940, this sponsorship was assumed by the University of Illinois, and since January 13, 1941, by the Honorable Dwight H. Green, Governor of Illinois.

In compiling this inventory of the archives of Moultrie County, the Survey has sought to locate, describe, and classify all extant county records and to make them more easily accessible to county officials, the general public, and research workers. It is believed that this inventory will be useful in the preservation of this valuable material, and as a guide to the archives wherein may be found so much important information in the field of history, sociology, political science, and economics. While some historians have realized this for many years, the general public has never been made aware of the intrinsic worth of this material. In the official documents of Moultrie County are found the materials of another chapter in the story of the coming into the Illinois wilderness of settlers who created a territory and the rudiments of a simple frontier government, bought and sold land, built roads, established schools, and later founded a state.

The Illinois Historical Records Survey has proved to be of considerable assistance to local and county governments. Records have been rearranged and made more accessible, material believed to be lost has been located, indexing projects have been fostered, and county officials have been encouraged and induced to provide new equipment for their offices and better storage space for the records.

In addition, the program of the Survey has been planned to dovetail with the long-range plans of the State of Illinois for the care of state and local archives. For example, the first step, the removal of all state records to a new Archives Building, has been materially aided by the preparation of preliminary inventories by survey workers for the various state departments. Furthermore, the program of the state for the preservation of county records, including the making of microphotographic copies of all important historical documents, obviously presupposes inventories such as The Illinois Historical Records Survey is now making.

The inventories being compiled by The Historical Records Survey also make possible for the first time a scientific study of the question of record destruction. Under Illinois law no records may be

destroyed without specific enabling legislation. This provision, together with the tremendous increase in the quantity of records in recent years, has made it impossible for either the state or the counties to take care of the documents adequately. Hence, a certain amount of record destruction has been inevitable. If, as seems probable, a study of these inventories should lead to the enactment of adequate and sensible legislation governing the disposition of public records, these compilations may prove to be the most important contribution of the Survey.

Preliminary work on the survey of records in Moultrie County, the seventieth on the alphabetically arranged list of the one hundred and two counties in Illinois, was begun under the supervision of Kenneth C. Blood on May 15, 1936, and finished as far as possible August 17, of the same year. Inventory forms were received December 7, 1937, and on July 27, 1938, a tentative draft inventory was submitted to the national director which was returned for revision October 13. A check on the county offices was sent out January 23, 1939, and on October 17, all inventory forms were returned to the state office in Chicago. Transcription of county board records, upon which much of the contents of this inventory is based, was begun November 18, 1938 and finished February 9, 1940. Field workers employed in gathering the material for the Moultrie County inventory were Otto P. Dehman, Sidney M. Cool, and John William Morgan.

The inventory was prepared for publication by the state editorial staff of The Illinois Historical Records Survey at Chicago, under the supervision of Herbert R. Rifkind, State Editor. Preparation of Part B of the inventory was under the direction of Martine O'Connor; Irving E. Barnett supervised the preparation of the legal essays; the historical sketch was written under the direction of Kathleen Summitt; and the format was prepared and collated under the supervision of Edward J. McDonough. In addition, too much credit cannot be given to the other members of the editorial, research, and typing staffs for their intelligent and diligent cooperation in the compilation of this inventory.

All of the officers of Moultrie County cooperated in every possible way with the workers, and grateful acknowledgement of their aid is hereby made. I also wish to express appreciation for the assistance rendered by the officials of the Illinois Work Projects Administration and the Illinois Writers' Project. For the cover design we are indebted to the Illinois Art Project.

The various units of the **Inventory of the County Archives of Illinois** will be available for distribution to governmental offices, libraries, schools, and historical societies in Illinois, and libraries and governmental agencies in other states. Requests for information concerning particular units of the Inventory should be addressed to the State Supervisor.

Thomas R. Hall
State Supervisor
The Illinois Historical Records
Survey.

April 15, 1941.

William H. Wheat
Congressman, 19th District

Everett R. Peters
Senator, 24th District

Charles W. Claubaugh
Representative, 24th District

Ora D. Dillavou
Representative, 24th District

Tom M. Garman
Representative, 24th District

MOULTRIE COUNTY OFFICIALS

Circuit Judge	William Bodman
County Judge	Fred F. Ledbetter
County Clerk	Ralph Hanrahan
Circuit Clerk and Recorder	James F. Ward
Treasurer	C. A. Lane
Sheriff	G. D. Edmonds
State's Attorney	Rodney A. Scott
Master in Chancery	Francis W. Purvis
Superintendent of Schools	Albert Walker
Superintendent of Highways	Fred A. Curl
Coroner	A. K. Palmer
Superintendent of County Home	Harley Craig
Superintendent of Old Age Assistance	George Fulk
Adult Probation Officer	Les Rushing
Juvenile Probation Officer	Les Rushing
County Agricultural Advisor	Paul Krows

BOARD OF SUPERVISORS OF MOULTRIE COUNTY

A. A. Hollonbeck, Chairman

Ralph Hanrahan, Clerk

Township	Name of Supervisor	Term Expires
Dora	John G. Albright, Lake City	April, 1945
East Nelson	A. A. Hollonbeck, Sullivan	April, 1943
Jonathan Creek	V. R. Ashbrook, Sullivan	April, 1943
Lovington	Jesse E. Funston, Lovington	April, 1945
Low	F. F. Fleming, Arthur	April, 1945
Marrowbone	O. C. Hoskins, Bethany	April, 1943
Sullivan	Lee Murphy, Sullivan	April, 1945
Sullivan	R. P. Dudley, (Assistant), Sullivan	April, 1945
Whitley	Jake Hortenstine, Gays	April, 1943

LIST OF STANDING COMMITTEES FOR 1941

- County Farm—John G. Albright (Chairman), Jake Hortenstine, Lee Murphy, V. R. Ashbrook.
- Purchasing—V. R. Ashbrook (Chairman), John G. Albright, Jesse E. Funston, R. P. Dudley.
- Building and Grounds—Jake Hortenstine (Chairman), John G. Albright, V. R. Ashbrook, R. P. Dudley.
- Hard Roads—Jesse E. Funston (Chairman), Lee Murphy, O. C. Hoskins, F. F. Fleming.
- Road and Bridge—O. C. Hoskins (Chairman), Jake Hortenstine, F. F. Fleming, Lee Murphy.
- Officers' Reports—V. R. Ashbrook (Chairman), O. C. Hoskins, John G. Albright, R. P. Dudley.
- Finance—F. F. Fleming (Chairman), V. R. Ashbrook, O. C. Hoskins, Jesse E. Funston.
- Legislative—Lee Murphy (Chairman), O. C. Hoskins, Jesse E. Funston, F. F. Fleming.
- County Claims—Jesse E. Funston (Chairman), V. R. Ashbrook, F. F. Fleming, Jake Hortenstine, O. C. Hoskins, John G. Albright, Lee Murphy, R. P. Dudley, A. A. Hollonbeck.
- Relief Committee—Lee Murphy (Chairman), O. C. Hoskins, Jake Hortenstine, F. F. Fleming.

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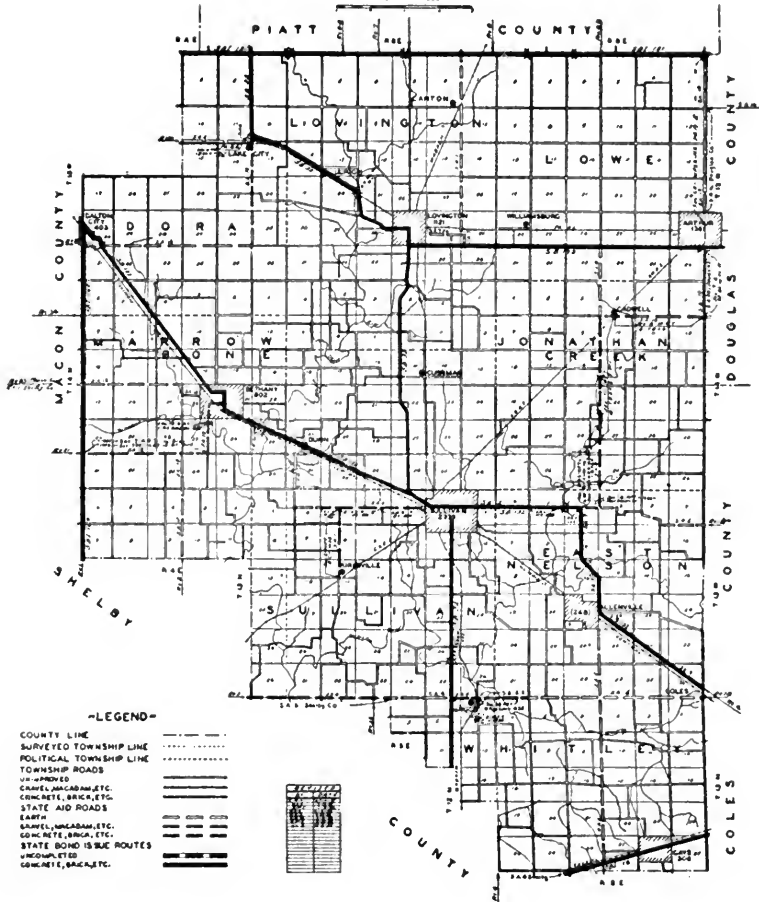
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A. Moultrie County and Its Records System

MOULTRIE COUNTY

SCALE IN MILES



-LEGEND-

- COUNTY LINE
- SURVEYED TOWNSHIP LINE
- POLITICAL TOWNSHIP LINE
- TOWNSHIP ROADS
- IM - IMPROVED
- CRIMEL, UNCLASSED, ETC.
- CONCRETE, BRICK, ETC.
- STATE AID ROADS
- EARTH
- GRAVEL, UNCLASSED, ETC.
- SOCK NETS, BRICK, ETC.
- STATE BOND IS BLUE ROUTES
- UNCOMPLETED
- CONCRETE, BRICK, ETC.



1. HISTORICAL SKETCH

INTRODUCTION

Location and Physical Characteristics

Moultrie County, situated a little southeast of the center of Illinois, was formed out of the northeastern portion of Shelby County and the southeast corner of Macon County, and was named in honor of William Moultrie, a brave and gallant soldier of the Revolution. It is bounded on the north by Macon and Piatt counties, on the east by Douglas and Coles, on the south by Shelby County, and on the west by Shelby and Macon counties. Its greatest length from the north to the south is about $23\frac{1}{2}$ miles, and its greatest width from east to west is 18 miles. The area is 218,525 acres, or nearly 342 square miles.¹

Geologically, the surface of this county, to the layman, has an uninteresting appearance. However, scattered through the boulder drift, especially in the more northern tier of townships, are occasionally found huge and lesser fragments of rocks whose parent beds lie hundreds of miles to the north of Lake Superior, tangible reminders of the great glaciers from the northeast which plowed over the land and planed down the rocks, pulverizing and mixing the debris to form the productive soil that gives sustenance to the present dweller.

The formations in this county consist of the Quarternary and limited Coal Measure outcrops. This includes the soil, the loose material, and more recent formations along the streams. Below Sullivan the soil on the south fork of the Kaskaskia bottoms is very sandy, and along the streams are many sandbars. The characteristics of the formations have incited, at various times, efforts to find coal in Moultrie County, but these have proved, practically speaking, unsuccessful.²

The prairies are either nearly flat or gently undulating. Along the south fork of the Kaskaskia River, sometimes called the "Okaw," near the eastern line of the county, are bluffs seldom exceeding 40 feet in height; southwest of Sullivan the hills rise to a height of 60 or 80 feet, but are not abrupt.³

Moultrie County is fairly well provided with natural drainage through its rivers and creeks, the principal ones being the Okaw or Kaskaskia River (including the West Okaw River). Jonathan Creek, Whitley Creek, Marrowbone Creek, the largest tributary of the West Okaw, and Welbourn Creek. Besides this natural drainage, tile draining has been widely used in sections remote from these water-courses, the tile being manufactured from the abundant fine native clay. There are many ponds and lakes in the county, two or three of

1. *History of Shelby and Moultrie Counties* (Philadelphia: Brink, McDonough & Co., 1881), p. 31. Hereinafter referred to as *History of Moultrie County*.

2. *History of Moultrie County*, p. 37.

3. *Ibid.*

Historical Sketch

which formerly contained several hundred acres each. Since the establishment of drainage districts, about 1885, most of these have been converted into tillable land.⁴

About two thirds of Illinois lies in the great corn belt, and Moultrie is one of the counties contained in this area. The soil of the prairie lands, which make up the greater portion of the county is composed of a black pasty loam from 3 to 10 feet deep, known as "vegetable mould." There is very little land that is not suitable for cultivation. The only type of soil in the county which is nontillable is the yellow silt loam found on steeply sloping hillsides. Such land is usually kept in forest or pasture.⁵

Moultrie has the characteristics of both a timbered and a prairie country. The largest quantity of timber found in the valleys and hills is along the Okaw, and on Whitley and West Okaw creeks, and their tributaries; in places the timber line once extended far into the prairie land, but much of this natural growth has receded before the axe and the plow. The original timber consisted principally of a heavy growth of the several varieties of oak, hickory, and elm, linden, wild cherry, honey locust, black walnut, sycamore, hackberry, and cottonwood, furnishing a liberal supply of material for early buildings and furniture, for fencing and fuel. Artificial groves consisting mainly of hard and soft maple, elm, and fruit trees, and the Osage orange for hedges, have been planted on the prairies and add their beauty to the landscape.⁶

Animal Life

The early ruminating animals of this section of the state ranged over a wide field, and before the coming of the white settler, were numerous. There were the American elk, the American deer and the white-tailed deer; at a period not very remote, the American buffalo found pasture near the shaded banks of the rivers and creeks and on the prairies of the state, but were driven westward, along with the elk, before advancing civilization. Black bears were fairly numerous in the days of the first settlers; the gray wolf and prairie wolf and the gray fox were not infrequently found. The panther also was occasionally met with in earlier times, and still later and more common was the wildcat. There were also the weasel, the mink, the American otter, the skunk, the badger, the raccoon, and the opossum, sought for their fur. The coonskin among the early settlers was regarded as legal tender. The rabbit was and still is very plentiful.

Many varieties of land and water birds inhabit the region, though a number of the game birds such as the wild turkey, the prairie chicken, and the wild pigeon, once plentiful, have disappeared. Among the game and song birds reported as being identified in the county are the pinnated grouse, ruffed grouse, quail, woodcock, English snipe, redbreasted snipe, tall-tail snipe, American swan, trumpeter swan, snow goose, Canada goose, mallard, black duck, pintail duck,

4. See Drainage Commissioners, Ch. XVIII.

5. Cyril B. Hopkins and Others, *Moultrie County Soils* (Urbana: University of Illinois, Agricultural Experiment Station, 1911), p. 24, 25.

6. *History of Moultrie County*, p. 32.

Historical Sketch

summer or wood duck, redhead duck, canvass-back duck, rough-billed pelican, loon, white heron, great blue heron, sand hill crane, common dove, American raven, cannon crow, redwinged blackbird, meadow-lark, golden oriole, and many varieties of warblers, thrushes, sparrows, and swallows.⁷

The Indian Inhabitants

Unlike many Illinois counties, particularly those along the main watercourses, Moultrie has few concrete reminders of the race to whom for centuries it belonged. What people occupied the land in dim prehistoric times is not certainly known. Parts of the state are thickly dotted with mounds of artificial origin that have furnished a rich field for exploration by archeologists and anthropologists. But with all the careful scientific work of such institutions as the University of Illinois, the University of Chicago, Peabody Institute, the Smithsonian Institution, and others, it has not been definitely established what manner and race of people they were who built the mounds. Ethnologists have traced, in the legends of the Siouan group of Indians, who belong to the great Muskogean family of plains-dwelling people, a record of their migration west from the Alleghany region. They dwelt at one time around the Great Lakes, and moved southward and westward, covering the Illinois country in their progress. But how long they stayed and where their chief dwelling places were, there is no record.⁸ Tribes of the Algonquin family, the eastern woods-people, pushed in behind them. By the time the white man made his first contact with the Illinois country, in the middle of the seventeenth century, it was peopled almost entirely by the Illini (in French, "Illinois") nation, a branch of the Algonquin family. This nation was composed of the tribes of the Illiniwek, or Illini, proper, and the Kaskaskias, Cahokias, Michigameas, Moingwenas, Peorias, and Tamaroas, bound together by ties of blood and customs into a confederation for their mutual protection. The territory they claimed lay south of the Great Lakes, extending westward from the divide between the waters flowing into the Wabash and those flowing into the Illinois and the Kaskaskia, to an indefinite boundary beyond the Mississippi. To the east of the Illinois lands were those claimed by the Miami confederacy, a people closely related in language and culture to the Illinois, and on good terms with them. Since Moultrie County lies on the boundary between the two nations, it is likely that the Miamis occasionally hunted over its prairies. It is also not improbable that parties of the Shawnees and Delawares, who occupied a small territory around the mouth of the Wabash, penetrated this far north.

The Illinois were not, like the plains Indians, a roving people. They lived in large villages situated close to a stream, and planted fields with corn, pumpkins, beans, and squash on the lands round about. Their homes were long lodges made of upright poles covered with woven mats. In the roof were the smoke-holes, one for each fire,

7. *History of Moultrie County*, p. 38.

8. William McGee, "The Siouan Indians" in *Fifteenth Annual Report 1893-94*, Smithsonian Institution, Bureau of Ethnology (Washington: Government Printing Office, 1897), p. 191ff.

Historical Sketch

and there were as many fires as there were families in the lodge—sometimes ten or twelve. While the women cultivated the fields, the men, under the leadership of the several chiefs of the village, went out on hunting or war expeditions. Several times a year whole villages together moved to the hunting grounds and camped while the season's supply of meat—deer, elk, or buffalo—was being prepared. The kill was celebrated with feasting and dancing, the medicine men, who performed the double duty of healing the sick and providing the village with entertainment, leading the ceremonial observances.⁹

In comparison with most of their neighbors, the Illinois were a peaceful people. Most of their fighting, so far as is told in white man's records, was to defend themselves against their traditional enemies, the Iroquois, and later the Kickapoos, Pottawatomies, and the Sacs and Foxes. Like most of the western tribes, they were friendly with the French who established missions and trading posts among them and found them a tractable, talkative people, although not too much to be trusted. The Iroquois were in league with the British, who kept them constantly incited to send out raiding parties against the Illinois and Miamis. As long as LaSalle kept his troops under Tonti, stationed at Fort St. Louis near Starved Rock, the Illinois were reasonably sure of protection; but after the abandonment of the fort in 1702, they were left open to attack on all sides. For the next half century the Illinois country was a battlefield for the hostile tribes surging back and forth across its expanse, in a war kept alive less by the enmities of the tribes themselves than by the more devastating enmities of European powers engaged in an economic struggle for the possession of the American continent. Gradually the diminishing Illinois nation was pushed southward and westward, until by the time the Americans came into possession of the land, there was only a remnant gathered in the vicinity of the French villages on the Mississippi. By the treaty of Vincennes in 1803, the Kaskaskias—by which name the remaining Illinois had become known—ceded to the United States the land they had claimed, including on its far western border, the Moultrie region.¹⁰

This cession, so far as most of the territory was concerned, was an empty gesture, for the Illinois had not occupied it for over half a century. During the early part of the eighteenth century the Kickapoos and the Pottawatomies had been pressing down from their

9. An excellent contemporary account of the customs and culture of the Illinois Indians is found in the so-called "De Gannes Memoir," a copy of which is in the Newberry Library, Chicago; it has been translated and published in Theodore Calvin Pease and Raymond C. Werner, **The French Foundations**, Illinois Historical Collections XXIII, French Series I, (Springfield: Illinois State Historical Library, 1934), p. 3025. The name signed to the manuscript is DeGannes, but its authorship is ascribed to Captain Sleur de Llette, who was a nephew of Henri de Tonti, La Salle's lieutenant. For other accounts, see Hiram W. Beckwith, "The Illinois and Indiana Indians" in Fergus Historical Series No. 27 (Chicago: Fergus Printing Company, 1884) p. 106ff (hereinafter referred to as "Illinois and Indiana Indians") W. D. Strong, **The Indian Tribes of the Chicago Region**, Anthropology Leaflet No. 24 (Chicago: Field Museum of Natural History, 1926), hereinafter referred to as **Indian Tribes**.

10. **Indian Affairs, Laws and Treaties**, ed. Charles J. Kappler (Washington: Government Printing Office, 1904), II, 49, 50. Hereinafter referred to as **Indian Affairs**.

Historical Sketch

homes in the upper Great Lakes region. They were a fiercer, more aggressive people than the Illinois, and had little difficulty in routing that nation, already decimated by its struggle with the Iroquois. The Kickapoos took possession of the country south of the Kankakee and east of the Illinois as far as the Wabash. They had large villages on the Sangamon River, and on Salt Creek in what is now Logan County, on the upper Wabash, and around the Salt Springs on the Big Vermilion. They hunted and trapped over all the country to which they claimed title, and their raiding parties went as far south as the Ohio and sometimes beyond it. They kept aloof from alliance with either the French or British during the struggle for empire, but cherished a deep hostility toward the Americans and were highly susceptible to British gifts and promises in the War of 1812. Their depredations upon the white settlements, and the long process of negotiation for the extinguishing of title to their lands, were among the chief deterrants to the settlement of Illinois in the early years of the nineteenth century. It was not until 1819 that the Kickapoos, by the treaty of Edwardsville, finally ceded the domain which they claimed "by descent from their ancestors and . . . by conquest from the Illinois nation, and uninterrupted possession for more than half a century." In return, the tribe was to receive an annuity of \$2,000 for fifteen years, a guarantee of peaceable possession of a designated tract in Missouri, and the protection and assistance of the United States in their journey thither.¹¹ Thus, forty years after the American occupation of the Illinois country and one year after the admission of the state to the Union, central Illinois was released from the menace of Indian hostilities and its fertile expanses open to the tide of the settlement that had been the dream of the progenitors of the commonwealth since the days of George Rogers Clark. That this release was bought at the price of virtual annihilation of the race whose claim to the land was by right of original possession, is one of the shameful tragedies of history.¹²

The French and British Periods

Long before the question of Indian title to land troubled a youthful United States government, the French had established a claim to the territory west of the Alleghenies, based on the explorations of Daumont de Saint Lussou and of Robert Cavalier, Sieur de La Salle. Saint Lussou, at a ceremony at Sault Ste. Marie in 1671 took possession of the country in the name of France, although he penetrated only the Great Lakes region. La Salle set up the cross and the fleur-de-lis of France at the mouth of the Mississippi on April 9, 1682. Nine years before, the explorer Louis Jolliet, with his priestly

11. *Indian Affairs*, p. 127-29.

12. The subject of Indian history, including the movements of the various tribes over the country, their relationship to each other, and their interrelation with the European colonists is too complex to be considered otherwise than very sketchily within the limits of this brief history. Good accounts of the Illinois phase, in addition to those already cited, are found in Hiram W. Beckwith, *History of Vermilion County* (Chicago: H. H. Hill and Company, 1879), p. 340-50; Clarence Walworth Alvord, *The Illinois Country, 1673-1818*, v. 1 of the *Centennial History of Illinois* (Chicago: A. C. McClurg & Company, 1922), p. 21-53.

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companion, Father Jacques Marquette, had traversed the Illinois River on his way back to Canada from a voyage of exploration of the Mississippi. In 1675, Father Marquette returned to the village of the Illinois at the (Starved) Rock and established there the Jesuit Mission of the Immaculate Conception. Four years later, La Salle arrived at the Rock and built his famous Fort St. Louis du Rocher, which served as a base for his exploring activities and as a protection for the Illinois nation against their enemies, the Iroquois.

Other missionary ventures followed, at Peoria, at Cahokia, and at Kaskaskia. On the heels of the missionaries and explorers came the fur traders and trappers. Settlements grew up about the missions and trading posts. But La Salle's splendid dream of a vast colonial empire peopled by French settlers was never realized. A colonial government for the Illinois country was established when a French governor was sent to Fort Chartres on the Mississippi in 1722, but there were few to be governed. The French never succeeded, as the British did, in forming colonies with builders of homes and tillers of soil. They explored the wilderness, but did not subdue it. Most of the interior of Illinois was as undisturbed by the government of France as by the flight of a flock of gulls. Unless some hardy trapper, as is not improbable—pushing up the Kaskaskia, explored the country in search of furs, the Moultrie region did not feel the tread of French feet.

Nor was it more affected by the rule of the British who superseded the French. The British had cast a covetous eye upon the rich fur country of the West ever since explorers from Virginia had penetrated the mountains, and looking upon the fair region, had claimed it in the name of England at almost the same time that St. Luson made his claim.¹³ French and British interests in America, against a background of European political conflict, were already clashing. The resources of the vast western wilderness for the production of wealth in furs possessed equal attraction for both nations. Each sought to bind to itself the most powerful Indian tribes, who were incited to make war against each other and against the white allies of their enemies. The French built Fort Chartres in 1718 as a protection against the British and the Choctaw, Chickasaw, Piankeshaw, and Iroquois tribes whom they controlled. The chief concern of the French commandants on the Mississippi for many years was to ward off Indian attacks instigated by the British traders. The French succeeded in retaining their supremacy in the Illinois country, but in Canada they lost battle after battle, until their defeat culminated in the battle at the Plains of Abraham in 1759. The Treaty of Paris, signed February 13, 1763, gave the entire French domain in America into the hands of the king of England. It was not until 1765, however, that the British troops, held off for two years by Pontiac and the warriors of his powerful confederation of tribes, were able to enter the Illinois to claim their possession. No settlers followed the soldiers to build homes and work the lands; indeed, they were forbidden by edict to do so, lest the fur trade be

13. Alvord, *The Illinois Country*, p. 122.

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disturbed. The governmental activities of the British were confined to the villages along the Mississippi.

The sway of the British was brief. In July, 1778, Colonel George Rogers Clark, coming down the Ohio and across country with a band of hardy soldiers from the backwoods of Virginia, slipped into Kaskaskia by night, seized the fortress, and dispossessed the British commandant.

American Occupation

From this conquest dates the American possession of the territory northwest of the River Ohio. At Clark's behest, the assembly of Virginia set up a government for the newly acquired region which was designated as the County of Illinois,¹⁴ and presided over by a county lieutenant acting for the governor. But the Illinois was a long way from Williamsburg and Virginia, deeply embroiled in the War of the Revolution. She had no money to provide for either adequate civil government or efficient military protection against the British and their Indian allies. In 1782 she ceded the territory to the Continental Congress, which took no action on the cession until 1784, and then did not provide a government for the handful of inhabitants who were endeavoring to hold the country against British invasion. Until the Ordinance of 1787 created the Northwest Territory, the Illinois was without an official government.

The seat of justice of the new Northwest Territory was Marietta, on the banks of the Ohio. The man chosen to be its Governor was Major-General Arthur St. Clair of Revolutionary War fame, a friend and associate of President Washington. Governor St. Clair, absorbed in the business of working out practicable details of administration for the vast territory, whose importance to the country he did not fail to recognize, did not reach the Illinois until April, 1790. One of his first official acts was the creating by proclamation, of the County of St. Clair,¹⁵ thus establishing for the future state of Illinois the county system of local government, first introduced to the western territory by Virginia's creation of the County of Illinois. A few months later Governor St. Clair erected the County of Knox, which extended from the Ohio River north to the Illinois, and had for its western boundary a line drawn from "the mouth of the little river above Fort Massac" on the Ohio, to the confluence of the Little Michillimackinack and the Illinois, in present-day Tazewell County.¹⁶

Moultrie's County Forebears

The Moultrie region was a part of the old Knox County, and remained so until 1801, when, after the creation of Indiana Territory, which included Illinois, Governor William Henry Harrison moved the

14. *Statutes at Large* (Virginia), compiled by William Waller Hening (Richmond: Printed for the editor by George Cochran, 1823), IX, 552.

15. "Journal of Official Proceedings" in *St. Clair Papers*, ed. William Henry Smith (Cincinnati: Clarke, 1882), II, 165n.

16. *Ibid.*, p. 166n.

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western boundary of Knox County eastward almost to the Wabash, and added the territory taken away to St. Clair.¹⁷

In February, 1809, occurred the division which gave Illinois a separate territorial government. The capital was Kaskaskia, where the French, the British, and Colonel Clark had had governmental headquarters. No rearrangement of counties to affect the Moultrie country took place for three years. In 1812, Governor Ninian Edwards by proclamation erected three new counties. The northernmost was Madison which began at a line drawn from the Mississippi at the present boundary between Madison and St. Clair counties, straight across the state to the Wabash, and took in all the rest of the state "to the line of upper Canada"—seventy-four of the present Illinois counties and parts of five others. In 1815, Madison County was bisected from north to south, and the eastern portion, which included Moultrie, was named Edwards. The next year a strip across the southern end of the county was cut off; the new county thus formed retained the name of Edwards, while the northern remainder was designated as Crawford. In Crawford County, Moultrie remained until 1819, when the southern end of that county was made into a separate civil unit keeping the old name; what was left of old Crawford became Clark County.

In the meantime, Illinois had arrived at the population requirement for statehood, had submitted a constitution which was approved, and on the third of December, 1818, had been "admitted into the union on an equal footing with the original states, in all respects whatsoever."¹⁸ Three years after statehood, Fayette County was created from the western portion of Clark; the present east line of Moultrie County formed a part of its eastern boundary. The population was concentrated in the southern part of the state, but was pushing north along the Illinois River, along the Wabash, and into the Sangamon country. In the territorial years between 1809 and 1818, ten new counties had been carved out of the original counties of St. Clair and Randolph, below the southern boundary of Madison, and only three north of that line. In 1821, when Fayette was established, there were nine counties north of the line, and the total number had increased to twenty-six. The tendency was, as the country filled up, to develop the small governmental unit for convenience of the inhabitants who must transact business at the county seat, and to allow them a closer participation in their local government than was possible in the very large counties. As was characteristic of Illinois settlers, the pioneers into the northern country settled first on the timber lands along the main streams. For many years the Grand Prairie country, in which Moultrie lies, was almost uninvaded. New counties continued to be formed on either side of the long strip of Fayette, but until 1827, its boundaries remained practically intact. In that year the southern third of Fayette was made into two coun-

17. *Counties of Illinois, their Origin and Evolution*, compiled by Edward J. Hughes, Secretary of State (Printed by authority of the State of Illinois), maps, p. 17, 19. Hereinafter referred to as *Counties of Illinois*.

18. *The Debates and Proceedings in the Congress of the United States, Fifteenth Congress, Second Session* (Washington: Gads and Seaton, 1856), p. 2548, 2549.

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ties, the southernmost called Fayette, the northern Shelby. The northern boundary of Shelby cut straight across what is now Moultrie. The portion of Moultrie above the Shelby line lay in unorganized territory that was attached for official purposes to Shelby County. In 1831, Macon County was created from the lower portion of this unorganized strip; the northern part of Moultrie was then included in Macon,¹⁹ and thus the situation remained until Moultrie County attained independent existence by an act of legislature approved February 16, 1843.²⁰

The Early Settlers

It was not until eight years had elapsed from the time Illinois was made a state of the Union that the first white man erected his cabin within the present boundaries of Moultrie County. Its pioneer history, therefore, does not have the long reach backward that some of the south-western counties have. The first settler is reported to have been one John Whitley, who with his wife, six sons, two or three daughters, and a son-in-law, Samuel Lindley, located at the point of timber which has ever since been known as Whitley's Point, in the fall of 1826. Whitley and his six sons were great sportsmen and kept a number of fine thoroughbred Kentucky race horses. Gambling in general seemed to be their chief occupation. In 1828 the Waggoners, a family of German origin, came to Illinois from North Carolina, and established themselves on Whitley Creek. One of the sons of this family, John, later taught a school in the neighborhood, and after moving to Sullivan, took over the publication of the county's first newspaper, and served as county treasurer and as circuit clerk.²¹ In the same year, the family of Elias Kennedy settled on the west fork of the Okaw in Marrowbone Township, having emigrated from Tennessee and located first in Shelby County, whence they came to the Moultrie location. It was James Kennedy of this family, who, twenty years later, forsook the timber land so dear to the early comers in a new region, and pushed out into the fertile, but fearsome prairie.

Although by this time the idea, prevalent at the beginning of the century, that the prairies were an uncultivable desert, was largely dispelled, still the settlers shunned them. The terrific fires that swept over them in the fall when the deep grass was tinder-dry were a strong deterrent; added to these were the lack of timber for buildings and fences, and, probably most significant of all, the almost insurmountable difficulty of breaking the tough prairie sod with the clumsy wooden plow. James Kennedy, in venturing on to the prairie, was a pioneer of pioneers.

In 1831 the Gammills, a Scotch family from Tennessee, settled in the Whitley neighborhood, and from then on, immigration into the Moultrie region was steady, the settlers spreading out to the northward into the more remote parts of the county.

19. For these successive boundary changes, see *Counties of Illinois*, p. 20-61.

20. L.1843, p. 83-85.

21. *History of Moultrie County*, p. 27, 194.

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The majority of the early Moultrie inhabitants were of southern stock, and brought with them the habits of hard work, rough play, simple living, and easy hospitality of the communities from which they came. Although most of them were poor, their poverty did not carry the sense of degradation known to the very poor of the present age. The very fact that they owned their own homes, however crude those might be, with sufficient ground for self-sustenance, gave them an independence of spirit. Besides, one home would compare favorably with the homes of the neighbors. They had plenty to wear as protection against the weather, and there was no lack of wholesome food, though it consisted of the meat of the deer or bear, the wild duck or turkey, the quail or squirrel, and bread made from the coarse meal of corn or wheat. Wild fruits and berries were plentiful in season, and were often dried for winter use. "Tea" and "coffee" were often brewed from native herbs.²² Sugar was obtained from the sap of the maple tree.

The new settler brought with him the keen axe and the rifle, indispensable to life in a new country, and often little else save seed for the first year's crop, and a few household articles. His first labor was to erect a cabin, which was crudely made of logs. It was usually from fourteen to sixteen feet square, and was often built without glass, nails, hinges, or locks. Light for the cabin would be provided by leaving out a log along one side, and stretching over the opening sheets of strong paper, well greased with coon grease or bear oil. This type of cabin, of course, prevailed only in earliest times, before the saw mill was introduced.

The furniture was in keeping with the house itself. The tables and benches were crude affairs made from puncheons with stakes driven in at the four corners for legs. The bedsteads were made by lashing side poles to forked sticks driven into the earthen floor of the cabin, and laying cross poles over these, on which were spread the feather beds, the home-spun sheets and coverlets, and the quilts pieced together from scraps of the women's dresses. The table utensils consisted often of a pack knife or butcher knife and some wooden spoons and vessels. The women made nearly all the clothing worn by the family, from cloth spun and woven from homegrown cotton,²³ flax, and wool. Every house had its wool card, spinning wheel, and loom.

Horses were not much used at first except for riding. The common draft animal was the ox. In many instances the carts and wagons, as well as the hoes and wooden plows, were made by the settler who was his own carpenter, wheelwright, and blacksmith.

The settlers were separated from their neighbors often by miles. There were no churches or regular services of any kind which would

22. Sage, bohea, cross-vine, "spice," and sassafras are some of the tea herbs mentioned in contemporary writings. See *Autobiography of Peter Cartwright, the Backwoods Preacher*, ed. W. P. Strickland (New York, Cincinnati: Methodist Book Concern, n. d.), p. 25.

23. Although cotton was never extensively raised for commercial purposes in Illinois, much was produced, especially in the southern part of the state, for home use. See John Mason Peck, *A Gazetteer of Illinois* (Philadelphia: Grigg and Elliott, 1837), p. 22; Arthur Clinton Boggess, *The Settlement of Illinois, 1778-1830* (Chicago: Chicago Historical Society, 1908), p. 167.

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get them together; invitations to a house-raising, or a logrolling, a cornhusking, or a sugar-boiling, were therefore eagerly accepted by men and women, and the distance they sometimes had to go did not seem to bother them at all. The gathering usually ended in a dance, with the fiddler playing the principal role.²⁴

CIVIC AND POLITICAL DEVELOPMENT

Creation of the County

By 1842 the Moultrie region had become populous enough for the inhabitants to feel the need for a smaller and more closely knit unit of local government than the large counties of Macon and Shelby with their distant county seats. Accordingly, in the fall of that year a petition for the organization of a new county was circulated and presented to the legislature as soon as it convened. The area described in this petition embraced the present territory of Moultrie County, plus one whole tier of townships on the east side of Coles County, and had for its southwestern boundary an unbroken line instead of the series of notches that mark the present boundary.²⁵ Abraham H. Kellar and John Cook were chosen to present the petition to the legislature. Their work done, they returned home in the belief that everything was arranged for a speedy passage of the act creating the proposed new county. Only a few days had elapsed when Kellar received word from S. G. Nesbit, representative from Macon County, of the presentation to the Assembly of a remonstrance, signed by four hundred citizens of Coles County who were opposed to the cutting off of any part of that county. The Coles County townships were accordingly lopped off the proposed Moultrie area, and the new county was formed. Mr. Williamson, the Shelby County representative, was given the privilege of naming the new county. He named it in honor of Colonel William Moultrie of early military fame.

In accordance with the petition as altered by the agreement, an act was passed and signed by the Governor, February 16, 1843, whereby the boundaries of the new county were defined;²⁶ the temporary seat of justice was fixed at James Camfield's house, but a permanent location was not to be chosen "until further legislation relating thereto"; stipulation was made that the school funds belonging to the several townships in Moultrie County were to be collected from the school commissioners of Macon and Shelby counties; notice was given that the new county was to form a part

24. *History of Moultrie County*, p. 49, 50.

25. *Ibid.*, p. 65, 66.

26. *L. 1843*, p. 83-85. "Be it enacted by the People of the State of Illinois, represented in the General Assembly, That all that tract of country lying within the following boundaries, to wit: beginning at the north-east corner of township fifteen north, range six east of the third principal meridian, thence west to the north-west corner of section three, township fifteen north, range four east, thence south three miles, west three miles, south eleven miles, east five miles, south four miles, east four miles, south one mile, east one mile, south one mile, east one mile, south one mile, east one mile, south two miles, east six miles, to the range line between ranges six and seven, thence north to the place of beginning, shall be constituted a new county, to be called Moultrie." It will be noted from the legal description that the act as passed gave the county its present jagged boundary on the southwest.

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of the eighth judicial circuit, the circuit which Abraham Lincoln rode as a young lawyer; instructions were given regarding elections for senators and representatives to the General Assembly to be continued and conducted as though no division had been effected, until otherwise provided for by law; the county commissioners' court²⁷ of Moultrie County was requested to ascertain the proportion of the courthouse debt of Macon County, which the inhabitants of that part of Macon taken to form a part of Moultrie County, had agreed by their petition to pay; provision was made that this money be raised by additional assessment.²⁸ Conveyances of land already owned in the new county were recorded in the parent counties, and it was not until 1876 that these early instruments were transcribed into the Moultrie records.²⁹

Establishment of County Government

The first election of officers for the new county was held on the first Monday in April, 1843. The officers elected were John A. Freeland, clerk of the county commissioners' court; Isaac Walker, sheriff; A. B. Lee, coroner; John A. Freeland, recorder; Hugh Allison, surveyor; David Patterson, probate justice; John Perryman, treasurer and school commissioner. The first meeting of the county commissioners' court was held at the private residence of James Camfield, about three miles southwest of Sullivan, on the tenth day of April, 1843. The members were Reuben B. Ewing, Abraham Kellar, and George Mitchell. The initial business of the court was the accepting of the oath of office of John A. Freeland, the county clerk-elect, and of William Thomason, justice of the peace. The court also appointed William Thomason assessor, and Andrew Love collector, for 1843, but afterward found that, according to law, the sheriff was ex-officio collector, hence that portion of their action was expunged from the record. John Perryman, school commissioner, presented his bond, which was approved.³⁰

Their next action was the subdivision of the county into thirteen road districts and four justices' districts which also constituted the voting precincts—Lovington, Thomason, East Nelson, and Julianna—each district having two constables and one overseer of the poor.³¹

Selection of the County Seat

The customary procedure in the erection of a new county included in the act of creation a provision for the choosing of a seat of justice; three commissioners were usually appointed to fix upon a location, and when this was decided, a number of acres of land were to be donated by the owner for county purposes. The act establishing Moultrie, deliberately avoided such a provision. Two strong factions were operating in the district comprising the new county at the time the petition for its creation was presented. The location

27. For the powers and duties of the county commissioners' court as an administrative body, see County Board, Ch. I.

28. This assessment was never made, on account of a "slip" in the petition of the Macon County residents.

29. Supervisors' Records, v. 3, p. 279. See entry 142.

30. Commissioners' Record, v. 4, p. 1, 5, 6.

31. *Ibid.*, p. 2-6, 11, 12.

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of the county seat was the bone of contention. In order for the eastern faction to be successful, it was necessary that the proposed strip from the western border of Coles County be included. But when the violent objections rose from Coles, it became evident that dissension among the promoters of the new county might result in a total defeat; accordingly the two factions agreed to forego the area from Coles County, and to drop the location of the seat of justice. Hence the enabling act for Moultrie left that matter to the future.

The following year, 1844, the place of holding court was removed by a vote of the people from James Camfield's to East Nelson, a settlement a few miles southeast of where Sullivan now stands.³² The probate justice of the peace was allowed by law "to hold his office at his place of residence, until the permanent location of a county seat."³³ In the fall of 1844 the question of permanently locating the county seat was submitted to the people. Three places were proposed, East Nelson, Patterson's Point near "Uncle Davy" Patterson's, and Osa's Point. It had been decided that the seat of justice should be located at the place receiving the majority of all the votes cast. As no one of the places designated received such a majority, another election was called, when the two places, East Nelson and Osa's Point, were voted upon. This time, Osa's Point was successful in winning a majority, and became the county seat. Its newly acquired dignity caused the settlement to change its name to Sullivan.³⁴ On June 2, 1845, the court in accordance with an act establishing the seat of justice, passed earlier in the year, ordered that its future meetings be held in Sullivan.³⁵

Philo Hale owned eighty acres of land on the site of Sullivan; he proposed for a nominal sum to let the town have forty acres of the eighty for a townsite. His offer was accepted and he was paid \$100 for the land, the amount being made up by popular subscription. The naming of the county seat was left to the county commissioners, Reuben Ewing, Abraham Kellar, and Grove Mitchell, who chose the name Sullivan, from Sullivan's Island, the small island off Charleston harbor upon which Fort Moultrie is situated.

Building of the Courthouse and Jail

Although the site of the county seat was decided upon in 1845, the building of the first courthouse was not commenced until the spring of 1847. Unlike the first courthouses in the older counties, the structure was built, not of logs, but of brick. It was a square, two-story building, measuring 38 feet on each side. Two offices occupied the space on each side of the central hall on the ground floor, and the courtroom composed the entire upper story.³⁶ The new courthouse was accepted by the commissioners March 6, 1848,

32. Commissioners' Record, v. 4, p. 24.

33. L. 1845, p. 191.

34. History of Moultrie County, p. 67.

35. L. 1845, p. 202; Commissioners' Record, v. 4, p. 48.

36. Except for ordering payments on the contract from time to time (Commissioners' Record, v. 4, p. 47, 82, 85), the commissioners records are strangely silent on arrangements for building the courthouse. The information here given is taken from History of Moultrie County, p. 72.

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and on the same day they ordered the final payment on the \$2,800 that the structure cost, made to Andrew Scott, the contractor.³⁷

The next year a tight fence was put around the ground, at a cost of more than \$300, to keep out the pigs, cows, and horses that foraged at large through the village.³⁸

This courthouse served the growing county for two decades. It was in this building that Stephen A. Douglas was scheduled to deliver a speech on a day in the summer of 1858. Unbeknownst to him, Abraham Lincoln was in Sullivan that day and accepted the invitation of his admirers to speak to them at Freeland Grove, outside the town. Lincoln was equally unaware of Douglas' presence. Each party arranged a parade, headed by its favorite. When the two leaders met near the center of town, trouble broke out among some of the more obstreperous followers, resulting in a few battered heads before peace could be restored.

On the morning of November 25, 1864, a fire broke out in the courthouse which destroyed the building and with it a large part of the county records. Fortunately, the proceedings of the county commissioners' court and the county court were preserved.

Plans for a new and more commodious courthouse were completed in the spring of 1865, and the contract let; the building, complete with a fireproof vault, was received by the court at its September term, 1866.³⁹

In the early records of almost every county, instances are found of the permission being granted for holding church services in the courthouse, for keeping school there "whenever the court is not in session," and even, in some instances for holding seminary classes. Contrary to this custom, the county court for Moultrie, its administrative body from 1849 to 1869, ordered the sheriff, for some reason not set forth in the record, to prevent occupation of the upper rooms of the courthouse except for political meetings and county business.⁴⁰

By 1904, this courthouse had become inadequate, and at a special election, held in February, the county voted to replace it with a modern structure, which is in use today.

The county jail was an important concomitant to the courthouse. In some counties it, and the stray pen, were built before the erection of a permanent courthouse. Horse stealing, assault and battery, and disturbing the peace were the most common crimes; the former was particularly serious in a pioneer community in which horses must be depended upon for transportation, communication with the rest of the world, and for getting the very means of livell-

37. Commissioners' Record, v. 4, p. 106.

38. Commissioners' Record, v. 4, p. 124, 130; **History of Moultrie County**, p. 72.

39. Court Record, v. 11, p. 205, 207, 213, 285. For complete details of the construction of this and the third courthouse, see **Housing, Care, and Accessibility of the Records**, Ch. 4.

40. Supervisors' Record, v. 3, p. 22. This order was violated on at least one occasion, when at the December term, 1869, a petition was presented by the "ladies of Sullivan requesting permission to exhibit a Christmas tree in the Court House on the evening of Dec. 24th, to be attended by the pupils of the Sunday Schools and their friends in town, which permission was granted." *Ibid.*, p. 86.

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hood, and was punished with severity. The jails in the older counties, such as St. Clair and Randolph, were equipped with stocks and whipping posts.

The usual jail was a separate structure, built after careful specifications calling for walls of a double thickness of logs, for iron bars, strong locks, and other expedients against escape of the prisoners. There were the ordinary cells, and the "dungeon" for the worst offenders. But the early jails were a thorn in the corporate flesh of the county board. In spite of precautions prisoners broke out; the condition of the buildings became so bad that the grand jury would report the places unfit for habitation by humans, even human criminals.⁴¹ After ineffective repairs, a new jail would be built, or prisoners would be transported to counties with more adequate facilities.

Moultrie County departed from the pattern by providing, at first, no separate jail building. Cell rooms and a dungeon were fitted up in the basement of the brick courthouse. But they proved no more adequate than the log buildings, and received but few occupants.⁴² Prisoners were either guarded by the sheriff or someone appointed by him who was paid for his trouble,⁴³ or were taken to adjoining counties for imprisonment.⁴⁴

It was not until 1876 that an adequate jail was constructed for Moultrie. This was a stout brick building with living quarters for the sheriff and his family on the ground floor, and on the second floor eight cells and—an innovation for that period—a recreation room for the prisoners.⁴⁵ Later, all prisoners were required to work eight hours a day on "county highways, buildings, lands, or any county work."⁴⁶

Changes in Government

During the forties, it became evident that the constitution, framed in 1818 to serve a population of about fifty thousand people, was not adequate for a commonwealth with a population that had increased by more than four hundred thousand, and with consequent complexities in governmental problems. Accordingly, a convention was called in 1847 to frame a new instrument. Moultrie County, with its neighbor Shelby County, was represented in the convention by General Anthony Thornton of Shelbyville.⁴⁷ The result of the deliberations was the Constitution of 1848.

41. Three such reports were returned by the grand jury in St. Clair County within the seven years, from 1828 to 1835. County Court Record, St. Clair County, v. 4, p. 28, 100, 229.

42. *History of Moultrie County*, p. 72.

43. In the June term, 1847, the county commissioners' court "ordered that James Thomason be allowed ninety-six dollars and twenty-five cents for guarding and dieting a prisoner." Commissioners' Record, v. 4, p. 90.

44. In December, 1845, James Stevens was allowed \$8.00 for removing Robert Barry, a horse thief, from the Coles County jail to the jail of Macon County. *Ibid.*, p. 59.

45. Supervisors' Record, v. 3, p. 272, 311.

46. *Ibid.*, v. 4, p. 288.

47. *Journal of the Convention Assembled at Springfield, June 7, 1847* (Springfield: Lamphler and Walker, 1847), p. 5.

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Among the significant changes brought about by this constitution was the abolition of the county commissioners' court. In its place was set up a county court composed of one judge and two associate justices, who, in addition to minor judicial duties, were to function as the administrative body for the county.⁴⁸ The old court, however, continued its duties until the details of organization of the new body were fixed by legislative act in 1849.⁴⁹

At the same time that the county court was created, the Constitution of 1848 provided for all counties an alternative form of government, township organization. Under this system the county was to be divided into a number of civil townships, in each of which a supervisor was to be elected. All the supervisors together were to compose the county board of supervisors, which was to be the governing body of the county. This was an adaptation of the system familiar to the New Englanders, in contrast to the county-wide system represented by the county court government in favor among the southerners.

Perhaps because of the southern origin of most of the early Moultrie inhabitants, the county chose, for two decades, to remain under the county court. The first court elected under the law of 1849 was composed of James Elder, county judge, and Daniel Ellington and E. D. Cleveland, associate justices, and John Freeland, clerk. They commenced their administrative duties in Sullivan on December 3, 1849, the commissioners' court having held its last session in October.⁵⁰

With slightly expanded powers, the new court continued the work of the old county commissioners' court in laying out new roads and keeping up old ones, in providing for the county's unfortunates, in levying taxes, and directing the financial affairs of the county.

The population of Moultrie was increasing, swelled both by people coming in from other parts of Illinois and by emigrants from other states, northern as well as southern. The first census after the creation of the county, that of 1850, showed 3,234 persons;⁵¹ by 1860, the number had almost doubled to 6,385.⁵² The enlarged group was a more heterogeneous one than the early group of southern pioneers. Agitation was commenced for the more representative form of county government typified by the township system. In 1862 the proposition was submitted to a vote of the people, but was defeated by a large majority. In the next few years sentiment in favor of the change increased, so that when the second vote was taken on the question, in the November election of 1866, the measure was carried by a majority of 219 votes.⁵³

48. Constitution of 1848, Art. V, sec. 11. For a complete account of the duties and powers of this court, see *County Board, Ch. I.*

49. *L.1849*, p. 65, 66.

50. *Commissioners' Record*, v. 4, p. 132, 134.

51. *Statistical View of the United States; Compendium of the Seventh Census*, compiled by J. D. B. DeBow (Washington: A. O. P. Nicholson, 1854), p. 213.

52. *Population of the United States in 1860 Compiled from the Original Returns of the Eighth Census*, compiled by Joseph C. Kennedy (Washington: Government Printing Office, 1864), p. 98.

53. *Court Record*, v. 11, p. 303.

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The original voting precincts coextensive with the old justices' districts had been altered from time to time in name and boundary, until there were now five precincts, Lovington, Taylor, Marrowbone, Whitley Creek, and Sullivan.⁵⁴ In order that there might be townships from which supervisors could be elected to make up the new board, the county court, at its last regular meeting, December, 1866, appointed John R. Eden, Benjamin S. Jennings, and Samuel P. Earp, commissioners to divide the county into townships.⁵⁵ At a special meeting on January 22, 1867, the commissioners submitted their report, having set the boundaries of eight townships: Sullivan, Marrowbone, Whitley, Lovington, Taylor, West, East Okaw, and Jonathan Creek.⁵⁶

In the spring of that year the new supervisors were elected. Jonathan Meeker of Sullivan was chairman; the other members were Alexander Porter from Lovington Township, Benjamin Freeman from Jonathan Creek, James T. Taylor from East Okaw, William Weakley from West, John A. Freeland, Jr. from Marrowbone, Alvin Waggoner from Whitley, and George W. Winn from Taylor.⁵⁷ No sooner had the certificates of election been approved at the first meeting than "the County Clerk J. B. Titus comes before the board and presents notice from State Auditor requiring the names of towns of Taylor, West, and East Okaw be changed on account of conflicting with names of other towns in the State." It was ordered, therefore, that Taylor be renamed Lowe, East Okaw be called East Nelson, and "the town of West be called and hereafter be known as Dory."⁵⁸

Since the adoption of the township plan no change has been made in the form of county government. The Constitution of 1870—formed after long and strenuous debates in the convention of 1869, in which Moultrie, Macon, and Piatt counties were represented first by Charles Emmerson, and after his death by Abel Harwood⁵⁹—stripped the county court of all its administrative powers and duties, and increased substantially its judicial functions. Again an option in types of county government was provided. Counties might either retain their supervisory system, or, by election, choose to adopt the county commission form, which provided for a governing body of three commissioners to be elected from the county at large.⁶⁰ Since the adoption of the Constitution of 1870, seventeen Illinois counties have elected to change to the commission plan. All the others, in-

54. Sullivan and Whitley Creek had been established in 1845 when the county seat was named (Commissioners' Record, v. 4, p. 49); Marrowbone was created in 1851 (Ibid., p. 345); Taylor in 1855 (Court Record, v. 11, p. 290). Thomason, East Nelson, and Julianna had faded out of existence, and only Lovington of the original precincts remained.

55. Court Record, v. 11, p. 303.

56. Report of Commissioners (see Supervisors' Record, entry 3), p. 2.

57. Supervisors' Record, v. 3, p. 2, 10; Winn's name does not appear among those at the original meeting of the board, but he was present at the September meeting.

58. Ibid., p. 4.

59. Journal of the Constitutional Convention of the State of Illinois Convened at Springfield, December 13, 1869 (Springfield, 1870), p. 5, 231.

60. Constitution of 1870, Art. X, sec. 5, 6.

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cluding Moultrie and its immediate neighbors, have retained the board of supervisors.⁶¹

Although the type of government has remained the same, new agencies of that government have arisen to fill a need created out of expanding population and a more highly complex civilization, wrought by rapid transportation, quick communication, and the overwhelming increase of industrialism. The direct effects of the rise of industrialism have been less striking in Moultrie, which has remained essentially an agricultural county, than in the counties in which large industrial centers have grown up, but the indirect effects have been no less potent. When industry draws workers away from the land, as it did in Illinois from 1870 on, when an economy shifts from an agrarian to an industrial one, the change is felt to the most remote community.

These new agencies were created by state law to be used in the counties in which they were needed. For such offices as county recorder, as separate from the circuit clerk, and county auditor, population was reckoned as the basis of need—sixty thousand for the former,⁶² and seventy-five thousand for the latter.⁶³ The counties which attained these population requirements were chiefly those with heavy industrial development. Moultrie is not an industrial county, and its population has never reached the figure necessary for these additional offices. However, other agencies, whose creation depends upon other considerations than population, have been added. A probation officer has been attached to the circuit court in accordance with the law of 1911.⁶⁴ In 1916 the Farm Bureau was organized, employing a farm advisor who acts in cooperation with the College of Agriculture of the University of Illinois and the United States Department of Agriculture.⁶⁵ In 1936 a commission of public welfare—whose name was changed the next year to county department of public welfare—was set up to handle the administration of public aid, particularly old age assistance.⁶⁶ The last of these agencies to be established in Moultrie is the board of directors of the Tuberculosis Sanitarium Fund, appointed in 1937 to manage the moneys appropriated for the hospitalization of tubercular patients.⁶⁷

At the same time that additions have been made to the original county offices, the scope of the county unit of local government has altered in another way. When most of the Illinois counties were formed, there was pressing need for a center of local government within convenient reach of all or most of the residents of a given district. Under the constitutions of 1818 and 1848, the counties were fairly autonomous bodies, bearing a relation to the young state government somewhat analogous to the relation of the original

61. *Counties of Illinois*, p. 66, 67.

62. Constitution of 1870, Art. X, sec 8; *R. S. 1874*, p. 833.

63. *L.1911*, p. 242, 243.

64. See Circuit Court, Ch. VI.

65. See Farm Bureau, Ch. XX.

66. See Department of Public Welfare, Ch. XIX.

67. Supervisors' Record, v. 110, p. 423; see also Tuberculosis Sanitarium Board, Ch. XXI.

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thirteen states to the Federal government in the first years of its operation. But the very complexities that have increased the number of county agencies have brought the inhabitants of the county into more direct contact with the state government, and the emphasis of control has shifted to the larger civic unit. The concentration of economic resources in large industrial concerns that began in the seventies and eighties and gradually increased during the nineteenth century, has had its reflection in a similar concentration of civic authority in the state and Federal governments as these advanced in stature and stability.

The Constitution of 1870 did away with the enactment of private laws under which counties and municipalities were granted special privileges.⁶⁸

When the railroads began their heavy building in Illinois, it became the custom for counties, townships, and even cities and villages to subscribe large sums to the companies building the roads that would be most advantageous to the subscribing community. Moultrie was not behind other counties in this respect; in 1869 the county voted by an overwhelming majority to subscribe \$200,000 to the Bloomington and Ohio Railroad.⁶⁹ This practice led to certain abuses which, in the end, it became necessary to curb by state action. One of the important measures of the Constitution of 1870 was the prohibiting of any county or municipality from subscribing public moneys to railroads or any other private corporation.⁷⁰

During the Civil War, the individual counties undertook the task of raising troops by offering bounties to volunteers and finally to drafted men as well. The bounty was raised by floating county bond issues and a tax was levied to meet the payments. In 1861, provision was made in Moultrie County for aid to the destitute families of volunteers to be paid from county funds; in 1865, the county board authorized the striking of posters offering a bounty of \$550 to every volunteer; a bond issue for \$20,000 was floated, and a three percent levy made. From the bounty tax also, a fund was created for the relief of the families of all soldiers killed or permanently disabled in the war.⁷¹ At the outbreak of the Spanish-American War, these activities were undertaken as a statewide enterprise. When the United States entered the World War in 1917, the machinery for carrying on the war was operated almost entirely by the Federal government. County units were organized for the sale of Liberty Bonds, assistance in the food conservation program, and for other forms of cooperation, but the plans under which they worked emanated almost wholly from a central authority, and little mention of war activity found its way into the official records of the county.

68. Constitution of 1870, Art. 4, sec. 22. After the burning of the courthouse in 1864, the county board petitioned the legislature for relief—a matter ordinarily handled by passage of a private law—but the records do not show that it was ever granted.

69. Supervisors' Record, v. 3, p. 85.

70. Constitution of 1870, separate sec., "Municipal Subscription to Railroads and Private Corporations."

71. Court Record, v. 11, p. 62, 186, 194-96.

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In the matter of other governmental and quasi-governmental functions the trend toward greater control by the larger civic unit is noticeable. The matter of road building, the first and for many years the most important concern of every county board, has with the years become more and more a function of the state. Every county has its network of state roads; the county highway superintendent works under the State Department of Public Works and Buildings;⁷² the motor fuel tax law, enacted in 1929, provided for allotment to each county of state-collected funds to be used in the planning, construction, and maintenance of roads within its boundaries.⁷³

The care of the county's poor was in the beginning solely the responsibility of the county itself, subject to the laws of the state. With the economic depression of the nineteen-thirties, however, when the burden of aid became too great for individual communities to carry, state and Federal assistance was employed to relieve the smaller units. A portion of the motor fuel tax allotment for each county was designated by law in 1932 to be used for relief purposes.⁷⁴

In the field of education, the setting of teaching standards and the supervision of schools by the State Department of Public Instruction, established by the Constitution of 1870,⁷⁵ and the granting of financial aid to schools meeting certain requirements, serve to obliterate county lines and county differences. Here again is connection with the Federal government through such measures as the Smith-Hughes Act under which government-paid instructors may be employed to teach agriculture, home economics, various trades, and other vocational subjects.

The linking of the Farm Bureau and the county farm advisor with the state agricultural college and the United States Department of Agriculture is another instance of the interrelation between county, state, and national governments.

County Politics

Whatever shadings have moderated the sharp lines of county government, the county remains, as in the beginning, a field of training for citizens in the exercises of their democratic rights, and to an even greater extent for the use of public office. The county officer, whose duties have broader application than those of the town or village official, but who is closer to the people he serves than it an officer in the state government, is directly the instrument of the collective will of a community in administering affairs of immediate concern. Woven through the pages of county records are the names of men who, in their capacities as county judge, county supervisor, state's attorney, superintendent of schools or other officer, were instrumental in determining the political and cultural, and to some

72. See Superintendent of Highways, Ch. XV.

73. L.1929, p. 627, 628.

74. L.1931-32, First Sp. Sess., p. 203; L.1932, Fourth Sp. Sess., p. 26, 28; L.1933, p. 907.

75. Constitution of 1870, Art. V, sec. 3. The office of superintendent had been established by law in 1854 (L.1854, p. 13); its powers and duties were expanded by legislation following the new constitution.

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extent, even the economic cast of their counties. Some of these same names appear on the rosters of the state senate and house of representatives and of various state offices.

The early inhabitants of Moultrie County, as might be suspected from their southern origin, were predominantly Democratic in their national politics. The first general election after the erection of the county was in 1844, when Henry Clay opposed James K. Polk for the presidency; the county supported Clay.⁷⁶ In the next two elections, however, those of 1848 and 1852, the Whig element predominated, and swung a small majority to Zachary Taylor in the first instance, and to General Winfield Scott in the second.⁷⁷ In the election of 1856, in which Abraham Lincoln campaigned for the first Republican candidate for the presidency, John C. Fremont, and in which Millard Fillmore ran on the American or "Know Nothing" ticket, Moultrie returned to the Democratic fold, giving James Buchanan 432 votes against 305 for Fillmore and only 154 for Fremont.⁷⁸ Even in the historic Lincoln-Douglas struggle, four years later, the Democratic hold was not broken, Douglas receiving 707 votes to Lincoln's 618.⁷⁹ The opposition to Lincoln was even heavier in his second campaign in 1864, when his opponent, George B. McClellan, surpassed him by 230 votes.⁸⁰ In the years following, Moultrie County remained steadily Democratic, opposing the victorious Ulysses S. Grant in 1868, and supporting Horace Greeley in his losing battle against Grant in 1872, and continuing to champion the lost cause through the Hayes-Tilden campaign of 1876 and the Garfield-Hancock campaign of 1880.⁸¹ Grover Cleveland was supported through his two successful campaigns in 1884 and 1892, as well as the unsuccessful one of 1888;⁸² William Jennings Bryan was favored above William McKinley in 1896 and 1900.⁸³ The first Republican majority in the history of the county was returned in 1904 for Theodore Roosevelt, and by a slender margin William Howard Taft maintained the Republican ascendancy in 1908. The campaign of 1912 saw the Republican party split by the formation of the Progressive or "Bull Moose" party under Theodore Roosevelt; the new party won heavy support from the non-Democratic element in Moultrie, but not heavy enough to prevent the majority from going to the Democratic candidate, Woodrow Wilson, who was supported also in his second campaign, in 1916.⁸⁴ With the first election after the World War—the

76. *The Whig Almanac and United States Register for 1845* (New York: Greeley and McElrath), p. 53.

77. *Ibid.*, 1849, p. 57; *ibid.*, 1853, p. 48.

78. *The Tribune Almanac and Political Register, 1857* (New York: Greeley and McElrath), p. 60.

79. *Ibid.*, 1861, p. 56.

80. *Ibid.*, 1865, p. 59.

81. *Ibid.*, 1869, p. 71; *ibid.*, 1873, p. 68; *ibid.*, 1877, p. 72; *ibid.*, 1885, p. 52.

82. *Tribune Almanac and Political Register for 1889*, ed. Edward McPherson (New York: The Tribune Association), p. 62; *ibid.*, 1893, p. 271.

83. *Ibid.*, 1897, p. 236; *Daily News Almanac and Political Register for 1901*, compiled by George F. Plumb (Chicago: The Daily News Company), p. 329.

84. *Chicago Daily News Almanac and World Year Book for 1905*, compiled by James Langland (Chicago: Chicago Daily News Company), p. 294; *ibid.*, 1909, p. 343; *ibid.*, 1913, p. 437; *ibid.*, 1917, p. 431.

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Harding-Cox campaign in 1920—the Republicans once carried the county, and held the majority through the Coolidge-Davis campaign in 1924 and the Hoover-Smith campaign in 1928.⁸⁵ In the election of 1932, the Democrats regained their sway with 4,219 votes cast for Franklin D. Roosevelt against 2,353 for Herbert Hoover, and maintained it with a slightly smaller majority in the Roosevelt-Landon election in 1936.⁸⁶ In twenty-four presidential elections since its creation, Moultrie County has aligned itself seventeen times with the Democratic Party, twice with the Whig, and five times with the Republican Party. The voting strength of the county in 1844 was 400 all told; in 1936 the total vote was 7,184.

ECONOMIC DEVELOPMENT

Agriculture

Moultrie from its beginning has been an essentially agricultural and stock raising county. All but three and eight-tenths percent of its land is in farms. The staple crop of the first settlers was corn. It furnished meal for their bread, fodder for their cattle, cobs for fuel, filling for mattresses, and fiber for mats and brooms. In the days before the development of good roads, most of the crop was raised for home consumption, and little transported to market. But home consumption at that period did not include the fattening of hogs with corn. The swine ran in open pasture or through the streets of the villages, and fed on mast of acorns and other wild forage. It was not until the development of the meat packing business in Chicago in the early seventies created a heavy demand for meat animals, and the railroads were equipped for quick transportation, that attention was given to special feeding.

During the decade in which Moultrie County was established, a wave of enthusiasm for wheat growing swept over Illinois, and much of the early corn land was given over to the cultivation of wheat. But winter wheat did not grow well in the Moultrie region, and the farmers there were inclined to cling to corn as their staple crop. Three bad wheat years in succession in the early fifties, resulting in financial failure for many wheat farmers (money loaned at twenty percent interest in 1854), dampened the ardor for wheat raising, and corn came back into its own. The substitution restored a measure of prosperity to Illinois farmers.

The wheat craze affected the farmers of Moultrie but little. They raised enough for their own use, and to supply the flour mills of the county, and later, when transportation facilities made it more feasible to ship to the large milling centers, thousands of bushels were exported from the shipping points along the railroads. But it was not the crop on which the county depended as its chief source of wealth. In 1850, while the county was yet new, 6,148 bushels of wheat were grown, and 373,630 bushels of corn; in 1870, with the

85. *Ibid.*, 1921, p. 730; *ibid.*, 1925, p. 714; *ibid.*, 1929, p. 691.

86. *Ibid.*, 1933, p. 689; *Blue Book of the State of Illinois, 1937-1938*, ed. Edward J. Hughes, Secretary of State (Printed by Authority of the State of Illinois), p. 675.

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heightened production demanded by the Civil War, 213,564 bushels of wheat were produced, while the corn crop was 2,896,737 bushels.⁸⁷ After 1880, when the milling industry had drawn away from Illinois to Minneapolis which drew on the northwest for its wheat supply, wheat production in Moultrie took a sharp decline. In 1890, only 68,875 bushels were grown, and by 1900, but 16,790. Oats had supplanted it as a secondary crop, something over a million bushels being produced in each of those years. Nothing supplanted corn. A little more than three million bushels were grown in 1890, and nearly four million in 1900.⁸⁸ The heavy corn production persisted after the turn of the century, the peak year coming in 1928 when 105,800 acres were sown to corn, out of a total of 163,885 acres of crop land. During the economic depression of the thirties, however, the corn acreage, as well as the total, declined; in 1934, the lowest year, only 62,300 acres were planted. Oats and wheat likewise diminished, and of all the crops produced in this essentially agricultural county, only tame hay and soy beans increased the acreage during this period.⁸⁹

Barley and rye and the various hay crops, such as timothy, clover, and of later years alfalfa, were grown as incidental crops. Flax, buckwheat, and tobacco are given among the county's crops in the agricultural statistics of early years, but disappeared from later lists. A profitable newcomer to the land is the soy bean. In 1919, 15 acres were sown to this crop; so successful was the experiment that farmers all over the county began soy bean cultivation, so that by 1930, 21,000 acres were devoted to it.⁹⁰

Crop production, however, has not, from the beginning, been the only dependence of Moultrie County farmers. The raising of livestock has been likewise an important industry. The Whitley family, the county's first known settlers, brought with them their Kentucky race horses, and continued in the breeding business. In 1835 William Snyder imported a thoroughbred Durham bull, and from this beginning, many herds of fine, blooded cattle were developed. In 1850, the livestock of the county was valued at \$113,153, and in 1870 it had increased to \$1,105,444.⁹¹ By 1900 it had climbed to \$1,275,824. Poultry raising, too, had become important; nearly \$85,000 worth was produced that year. Bee culture had engaged the interest of numerous persons since early times, and honey and beeswax were produced in increasing quantities. In 1900 the output amounted to nearly 20,000 pounds.⁹²

After the turn of the century came a definite trend toward concentration on dairy products. Good herds were no new story to

87. **Seventh Census of the United States, 1860, Agriculture** (Robert Armstrong, Public Printer, 1853), p. 729-35; **Ninth Census of the United States, 1870, Agriculture** (Washington: Government Printing Office, 1873), p. 134, 135. The census will hereinafter be referred to by its number, year, and type of statistics presented as, **Seventh Census, 1860, Agriculture**.

88. **Eleventh Census, 1890, Agriculture**, p. 363; **Twelfth Census, 1900, Agriculture**, p. 160.

89. **Farm, Home and Community**, p. 13, 33, 35, 37, 41, 43, 45.

90. *Ibid.*, p. 45.

91. **Seventh Census, 1850, Agriculture**, p. 732; **Ninth Census, 1870, Agriculture**, p. 134, 135.

92. **Twelfth Census, 1900, Agriculture**, p. 274.

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Moultrie County, and the work of improving them continued, with increased facilities furnished through the resources of the University College of Agriculture and the State Department of Agriculture. In 1919 more than a million gallons of milk were produced, and ten years later, more than two and a half million. The dairy products in that year netted the producers nearly \$300,000. This figure was surpassed by the value of poultry and eggs produced the same year, which amounted to \$434,083. The production of honey had increased to more than 51,000 pounds.⁹³

The heavy production of corn in the county and the increased demand for meat animals made hog raising an important industry. The old, half-wild variety of hog that rooted through the woods in search of mast, inhabited dooryards, and roamed the village streets, had become a creature of the past; in its place were well kept hogs of standard breeds, fed so as to produce the finest meat. In one of the best years, 1924, 31,200 hogs were raised; the depression that began in 1930 seriously affected hog raising, so that in 1935 only 15,800 animals were raised.⁹⁴

On the early livestock farms of the county, much attention was given to the breeding of fine horses. Draft horses, as well as carriage and riding horses were raised in large numbers. When the use of horses for hauling and general driving purposes waned with the almost universal employment of motor transportation, the emphasis on this phase of the livestock industry declined also. The effect of the gradual mechanization of farm work is evident in the diminishing number of horses used on farms. As late as 1924, Moultrie farmers were using 11,320 horses and mules. By 1935 the number had fallen to 5,880.⁹⁵ In line with the application of modern methods of farming, there were in the county in 1930, 1,288 farm automobiles, 100 farm motor trucks, and 607 farm tractors.⁹⁶

Moultrie County farmers early learned the efficacy of an organization to promote their interests and to exchange methods of improved production and marketing. In 1858 a group of farmers formed an association which sponsored the holding of a county fair. The organization was made permanent under the name of the Moultrie County Agricultural Society, and was the forerunner of the present Farm Bureau.⁹⁷ In the days when railroads and warehouses set their own individual rates for transportation and storage, and discrimination and exorbitant charges were rife, granges were formed among the farmers to press effective action in their behalf. These abuses were abated through the activities of the state railroad and warehouse commission which was authorized by the Constitution of 1870 and set up by the General Assembly the next year.⁹⁸ After this the granger movement, although it had been designed to stimu-

93. *Farm, Home and Community*, p. 58.

94. *Ibid.*, p. 66.

95. *Ibid.*, p. 70.

96. *Ibid.*, p. 78.

97. *History of Moultrie County*, p. 184, 185. See also *Historical Sketch*, p. 20.

98. Constitution of 1870, Art. XI, sec. 9-15; L.1871, p. 618.

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late interest and pride in the farmer's craft, as well as to bring about legislative action, went into a gradual decline.

In the early days of cheap land—the government price was \$1.25 an acre—it was customary for each farmer to own his own home place and often to buy up as much land nearby as he could afford. At his death, or at the marriage of his sons, the land would be divided. Comparatively few farms were rented. But when the public lands had been sold, and the low government price no longer prevailed, land was harder to come by. Vast quantities of it were in the hands of speculators who charged exorbitant prices. The result was that farmers who could not buy, rented their land. "Long John" Wentworth of Chicago protested against this situation in his paper as early as 1848, declaring that the tenant system operates against a true republican form of government. It "tends to separate classes in society; to the annihilation of independence. If we desire to continue (as a republic) let us pass the public lands into the hands of the people; let us give to those who are unable to buy without money and without price that which the fact of birth entitles them to."⁹⁹ The reform Wentworth advocated did not come to pass. The system of tenant farming was accentuated by the railroad boom with its accompanying speculation activities. Although the speculators' operations have been curbed by law from time to time, the tenant system has persisted. In 1930, sixty-seven and seven-tenths percent of the farm land in Moultrie County was operated by tenants. More than one fourth of the tenants were related to the owner.¹⁰⁰

A good many of the farm tenants at one time owned their places, but lost them through foreclosure of mortgage. In periods of high prices for farm products, it seemed easy and often advisable to raise money for improvements and better implements by a mortgage. A sharp drop in prices of farm commodities, unaccompanied by a similar drop in price of necessities to be purchased, brought about financial stringency which in the end caused the foreclosure of many mortgages. Frequently the farmer stayed on the land, renting from the person or corporation holding the mortgage. More often than not, the rent was paid, in part at least, by a share of the crop. But not all of the Moultrie farmers who mortgaged their places became tenants. Of the farms that were operated by their owners in 1930, fifty and eight-tenths percent were mortgaged, with an average mortgage debt of \$59 per acre.¹⁰¹

This situation is so far from being confined to any county or even state limits that the President in 1936 appointed a committee on farm tenancy which made its report in February, 1937. "Half a century ago," says the report, "one of every four farmers was a tenant. Today two of every five are tenants. For the past ten years the number of new tenants every year has been about 40,000 . . . Thousands of farmers commonly considered owners are as

99. "Land Reform," editorial in *Daily Democrat* (Chicago), January 22, 1848..

100. *Illinois Bulletin* 403, p. 224.

101. *Farm, Home and Community*, p. 78.

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insecure as tenants, because in some areas the farmers' equity in their property is as little as one-fifth."¹⁰²

The recommendations of the President's committee for remedying such a situation—neither so sweeping nor so simple as the one offered by Wentworth eighty years previous—involve action by both the state and national governments, "action to enable increasing numbers of farm families to enter into sound relationships with the land they till and the communities in which they live."¹⁰³

Already the state government had come to the aid of the farmers, dispensing, through the Department of Agriculture, grants of seed and feed, and giving long-time loans to farmers who had suffered in the severe drouth of 1934.¹⁰⁴ The Federal government, too, in the critical years of the depression, inaugurated measures designed to rebuild and enhance the security of the farmer, through resettlement of farmers without land or with submarginal land, and the control of prices and crops.

In spite of the seemingly untoward conditions in farming, the trend of the past ten years has been toward the farm rather than cityward. A similar back-to-the-farm movement took place during the World War and just afterward, when heavy demand and high prices for farm commodities were an encouragement. However, an upward swing in industry counteracted this movement after a few years. In 1920, there were 1,501 farms in the county, occupying ninety-five and six-tenths percent of its total acreage; by 1925 the acres had shrunk to ninety-two and nine-tenths percent and the number of farms to 1,403. As frequently happens when the number of farms decreases at the same time that tenancy is on the increase, the size of the farms enlarged. From an average of 133 acres to a farm in 1920, Moultrie farms increased to 143 acres in 1925. The combined effect of the government farm measures and the greatly lowered opportunity for security in the industrial field after 1930 was an upswing in number of farms to 1,495 and a corresponding diminution in number of acres per farm to 139. These figures are for 1935. The total farm acreage for that year surpassed that of any other year in its history, amounting to ninety-six and three-tenths percent of the entire county.¹⁰⁵

Trade and Commerce

Most of the farm commodities and livestock products of the county are shipped to outside markets. Only eight and six-tenths percent of all stuffs produced on Moultrie County farms in 1929 was used by the farmers' families.¹⁰⁶ The network of hard roads over the county combined with good railroad facilities make transporta-

102. **Report of the President's Committee on Farm Tenancy**, House Document No. 149, 75th Congress, 1st. Session (Washington: Government Printing Office, 1937), p. 1. Hereinafter referred to as **Farm Tenancy**.

103. *Ibid.*, p. 24.

104. **Illinois Blue Book, 1935-36**, ed. by Edward J. Hughes, Secretary of State (Printed by Authority of the State of Illinois), p. 457.

105. **Farm, Home, and Community**, p. 4.

106. *Ibid.*, p. 73. It should be remembered, however, that part of the produce sold was consumed in county towns and villages.

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tion easy. From Sullivan and Lovington and the other shipping points, thousands of bushels of grain and large quantities of hogs, poultry, and eggs are moved to the larger markets each year.

Except for the exporting of the wealth-producing commodities, most of the trade of the county is confined to the retail businesses of the towns.

Manufacturing and Other Industries

In most new localities of pioneer days, the earliest businesses to arise were taverns and grist mills. Moultrie County is no exception. Both industries were well established when the county was formed. John Whitley set up a mill on the creek that bears his name, early in his residence. Abraham Kellar built a mill in Lovington Township in 1832. These were the old "stump mill" variety, in which the grinding device was set in a hollowed stump and moved by a horse that walked round and round the stump. A tedious process when there was much grist to grind! In 1844 Kellar built a new mill, introducing cast iron machinery, and greatly increasing the possible quantity of output. It is said that people came from thirty or forty miles around to have their grain ground at Kellar's mill.¹⁰⁷ Abram Souther put up a sawmill on the banks of the Okaw, run by water power, and cut considerable lumber for the locality. For water mills it was necessary that the court issue a writ of *ad quod damnum* after a jury had inspected the proposed mill site and determined that the erection of a dam would not be injurious to animal or human life along the stream. Souther's writ was issued in September, 1845.¹⁰⁸ Several other such writs were allowed in the next few years to persons living on the Okaw and other streams of the county.¹⁰⁹ Colonel Allen Clore improved upon these mills by putting into operation a steam sawmill on his farm in Lovington Township about 1852.¹¹⁰

By 1860 there were five sawmills in the county, putting out about \$14,500 worth of lumber. The old grist mills had been supplanted by four flour mills of greatly increased capacity. Other industries had arisen. There were two "plough" factories, two boot and shoe makers' establishments, two carriage and wagon factories, a leather tannery, a brickyard, a saddlery and harness factory, and a sorghum plant.¹¹¹ These were small concerns owned and operated by local persons. In the 26 establishments, the total capital invested amounted to \$35,750, and only 58 persons were employed in the whole group of establishments.

During the next decade manufacturing increased. Thirty establishments were in operation, and the value of the flour and grist products alone exceeded the total of all manufactured commodities for 1860, reaching \$88,335. A woolen mill in Sullivan produced \$11,250 worth of goods. The number of employes increased to

107. *History of Moultrie County*, p. 225.

108. *Commissioners' Record*, v. 4, p. 15.

109. *Ibid.*, p. 67, 130.

110. *History of Moultrie County*, p. 223.

111. *Eighth Census, 1860 Manufactures*, p. 100.

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84; it is interesting to note that among these were three women—listed for the first time—and five children. The invested capital had climbed to \$124,510, and the total value of the products to \$161,127.¹¹²

Already by 1870, the first stirrings of the vast industrial expansion that in the next half century made Illinois one of the most important industrial states in the country, had begun to be felt. Chicago, Peoria, East St. Louis, and Rock Island were developing into lusty manufacturing towns, drawing to themselves divers kinds of businesses. For a number of years the small local manufacturing establishments through the state were relatively unaffected. The process of centralization was a gradual one. Expansion was greatly enhanced by constant new chemical discoveries and mechanical inventions to save labor. These were usually first employed in the larger plants, enabling them to manufacture their products at lower cost and offer them at cheaper prices than the smaller concerns, which were often absorbed or else passed out of existence altogether.

The effect of this concentration of industry began to be noticeable in Moultrie County by 1890. The number of establishments dropped from 55 in the previous decade to 29, and the value of products from nearly \$200,000 to approximately \$140,000.¹¹³

There was a slight upward trend in the decade ending in 1900, but in the years following manufacturing became increasingly less important as a source of the county's wealth. By 1929, only seven establishments were listed, employing 23 workers, and turning out products valued at \$145,000.¹¹⁴ The opening in Sullivan of branch establishments of two large concerns shortly after this, however, substantially increased the number of persons employed and the amount of goods produced for the decade following. These are the factory of the Brown Shoe Company of St. Louis, and the cheese and butter plant of the Armour Company of Chicago, which employ, between them, nearly 800 persons. An independent factory for the production of snowplows and oiling and grading machinery for roads, employing from 15 to 50 workers, as the season demands, is another industrial addition. Even with these recent developments the chief resource for the county is, as it has always been, the fertile soil of its farm lands.

Growth of Transportation

The importance of good roads to a community can hardly be over-estimated. As has already been shown, the paramount consideration of the county board of every new county was road building. In very few places were the earliest roads laid out according to plan. The first settlers came in over trails used by the Indians in going to and from their hunting grounds, and they in turn followed the paths worn by the hooves of buffalo and deer. These followed the contour of the land, clinging to high ground, and crossing the

112. Ninth Census, 1870, *Industry and Wealth*, p. 509.

113. Tenth Census, 1880, *Manufactures*, p. 108; Eleventh Census, 1890, *Manufactures*, p. 398, 399.

114. *Illinois, Resources—Development—Possibilities* (Springfield: Illinois Chamber of Commerce, 1930), p. 136.

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streams where the fording was easiest. But once two or three settlements were established in a district, the problem of inter-communication and of access to the world behind them arose. By the time Moultrie County was created, a rudimentary road system had already been established as part of the activities of Shelby and Macon counties. The commissioners' court of the new county took up their responsibilities promptly, and at their first meeting, in April, 1843, divided the county into thirteen road districts and appointed a supervisor for each; at the same term it was "ordered that every ablebodied man (of the age the law defines) be required to labor four days on the roads in the respective districts."¹¹⁵

An important part of the road program, recognized by the state as well as by individual counties, was the opening of roads between county-seat towns, and the maintenance of good connections with the state capital. At the June term, in 1845, the commissioners' court appointed viewers "to review a road known as the plowed furrow" in the direction of Paris in Edgar County; at the same term steps were taken to establish a road to Shelbyville.¹¹⁶ In 1847 the court approved a report of certain commissioners appointed by the previous legislature to view and locate a state road to run a little more than fifteen miles in the direction of Charleston in Coles County, to connect with the turnpike between Charleston and Danville in Vermillion County.¹¹⁷ In 1849 arrangements were made "to review and change so much of the Springfield road near the Black Horse Tavern as is petitioned for, provided that the change and review is made at their (the petitioners') own expenses."¹¹⁸

By 1857 the increase in settlement and consequent extension of the road system had resulted in diminishing the size of the road districts and increasing their number. Supervisors were appointed that year for twenty-seven districts.¹¹⁹

Ambitious bridge building was not indulged in in the early years. Some of the state roads and the most heavily traveled thoroughfares of the county were provided with bridges over the smaller streams where fording was not feasible, but for many years the way across the larger streams was by ferry. The court granted the license to the ferry keeper and set the rate he might charge. A typical example of such a license is that recorded in June, 1850, for Thomas Young, who paid \$2.00 "to keep a ferry at or near his house on the East Fork of the Okaw" for one year. He was allowed to charge five cents for carrying a single person, and ten cents for a horse and rider; for "a wagon and pair of horses, broken," he received twenty-five cents, and for a wagon and a four-horse team, thirty-five cents.¹²⁰ Near the ferries, at crossroads, and at intervals along the roads, taverns sprang up, where travelers could get refreshment for themselves and their beasts. These were usually at

115. Commissioners' Record, v. 4, p. 1-6.

116. *Ibid.*, p. 45.

117. *Ibid.*, p. 45, 91.

118. *Ibid.*, p. 135.

119. *Ibid.*, p. 331.

120. *Ibid.*, p. 151.

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the home of some settler who combined his tavern business with the regular farm work. These, like the ferries, were licensed by the court, and charged in accordance with established rates.¹²¹

As the county filled up and became more prosperous, bridges gradually came to replace the ferries. In 1857 the court paid John Solomon \$499.99—a large sum for that time—for building a bridge across the Okaw near Old Nelson.¹²² By the early years of the twentieth century, bridge building had become an important part of the road program. At the July meeting of the board of supervisors in 1903, the county clerk reported warrants issued in the amount of \$12,012.50, spread among the various townships as the county's share in the expense of building bridges. Concrete bridges of pleasing design have largely taken the place of the early wooden structures.

Even the coming of the railroads did not lessen the emphasis on the upkeep of good roads, for it is still necessary to have adequate transportation to shipping points. The common use of the automobile and the increase in transportation by motor truck in recent years has brought about further concentration on road improvement. Although there are still a good many miles of unimproved and earth roads in Moultrie County, the combined state and county program has provided a system of roads whereby no place in the county is isolated for want of access to a gravelled or concrete highway. Two state highways border the county, and four others cross it. State Bond Issue Highway 121 coincides with the county line on the north, and 169 on the west; Highway 32 enters from Piatt County in Lovington Township and proceeds south and southeast to Sullivan, thence directly south into Shelby County; Route 133 enters from Douglas County at Arthur and connects with 32; Route 132 comes in from Macon County at Dalton and crosses in a southeasterly direction to Sullivan and thence due east in the direction of Coles County; Highway 16 cuts across the southeastern tip of the county through Whitley Township. In 1939 the state highway department reported a total of 665.6 miles of roads in Moultrie, including 50 miles built by Federal aid, 65 miles by state aid, 40 miles from state bond issue funds, and 510 miles of township road.¹²³

Early in its history Moultrie County became involved in the railroad boom that was sweeping the state. The first significant adventure in railroad building had been the old Northern Cross begun in 1837 at Meredosia in northwestern Morgan County and designed, as a part of the ambitious internal improvement program inaugurated by the state, to run through Jacksonville, Springfield, Decatur, and on to Danville. The initial road was not completed beyond Springfield, and was eventually abandoned; years later, it was revived as a part of the Wabash system.¹²⁴ An extension of

121. Curiously enough, although various taverns in the county, such as the Black Horse in Lovington Township, are mentioned by name, no record of tavern rates is spread on the Moultrie County books.

122. Commissioners' Record, v. 4, p. 354.

123. Letter of R. T. Cash, District Engineer, October 23, 1939.

124. Carlton J. Corliss, *Trails to Rails* (Chicago: Compliments of the Illinois Central System, 1934), p. 17-19.

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the Northern Cross, called at the time of its building the Great Western, but since incorporated with the Wabash, reached Moultrie County in 1873-74, coming in from the northeast to Lovington, and passing through Sullivan south into Shelby County.¹²⁵ With the collapse of the state-sponsored railroad scheme, private corporations entered the state with vast schemes for threading its expanse with roads of steel. These were hailed with joy, and communities vied with each other in subscribing donations to induce the companies to bring the roads to them. The enthusiasm in Moultrie County is reflected in a petition presented to the county court in 1869 for an election on the question of donating \$200,000 to the Bloomington and Ohio River Railroad on condition that "said Company shall build and equip said Railway through said County of Moultrie and run its trains thereon;" the result was 1,031 votes in favor of the proposition and only 110 against.¹²⁶ As has been noted, this practice of subscription was forbidden by the new constitution adopted the next year.¹²⁷

The greatest of the railroad companies was the Illinois Central, chartered by the General Assembly in 1851, and given by the state a grant of 2,595,000 acres of land which had been donated by Congress from the public domain.¹²⁸ The grant was in the form of every alternate section of land—the even-numbered sections—for six miles on either side of the right of way. The result of throwing this enormous quantity of land on the market was a wave of wild speculation that swept over the entire state, engulfing many of the state's most prominent political figures. It was estimated that in 1856 more than 15,000,000 acres of Illinois land were in the hands of speculators. When the wave receded, it left some men with large fortunes and others in financial ruin.¹²⁹ Moultrie County was not without its participants in speculating schemes. Another result of the land opening was a tide of immigration into the state that filled up portions hitherto untouched or but sparsely settled. In this Moultrie shared to the extent of doubling its population in the decade of the railroad boom, 1850-1860.¹³⁰

It was discovered that a part of the land included in the railroad grant in Moultrie was that which had already been granted by the state to the county as swamp land, the revenue from its sale to be used for purposes of drainage, road construction, or education.¹³¹ The court in 1858 appointed John R. Eden, Jonathan Patterson, and John Meeker agents of the county to negotiate with the United States

125. *History of Moultrie County*, p. 33.

126. *Supervisors' Record*, v. 3, p. 84, 85. This road, although chartered, was never built, and its rights were taken over by the Illinois Central in 1892. Information furnished by George S. Stauet, Advertising Manager, Illinois Central System.

127. See p. 21.

128. William K. Ackerman, *Illinois Central Railroad, Historical Sketch* (Chicago: Fergus Printing Company, 1890), p. 77ff.

129. Paul W. Gates, *The Illinois Central Railroad and Its Colonization Work* (Cambridge: Harvard University Press, 1934), p. 110-13.

130. See p. 18.

131. *L.1852*, p. 178-86.

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government for reimbursement for the regranted swamp lands.¹³² Six years later the transactions were completed, and Meeker reported that "he had received four thousand, nine hundred and fifty-five dollars and eighty-seven cents of fees and expenses which he is ready to pay over on the order of the court."¹³³

The branch of the Illinois Central which crosses Moultrie was formerly known as the Peoria, Decatur and Evansville, a consolidation of two earlier roads, and was completed from Decatur to Mattoon in 1871. It enters the county in Dora Township at Dalton City, traverses the county in a southeasterly direction, and passes out at Coles Station, in the northeastern corner of Whitley Township. The most important station is Sullivan, where this road intersects the line of the Wabash.

The old Illinois Midland, composed of the Peoria, Atlanta and Decatur and the Paris and Decatur roads, entered the county in 1872, coming in from the west in the northern part of Dora Township, passing Lake City, connecting with the Wabash at Lovington, and crossing the eastern line of the county at Arthur in Lowe Township. This line is now a part of the Pennsylvania System.

The Chicago and Eastern Illinois, coming into Moultrie from Coles County at Arthur, where it connects with the Pennsylvania, crosses southwestward, passing through the village of Cadwell and entering Sullivan to meet the Wabash and the Illinois Central; thence it continues southwest through Kirksville Station and into Shelby County.

The only other railroad in the county is a five-mile stretch, constructed under the charter issued to the Terre Haute and Alton Railroad Company in 1851 and after several changes passing to the ownership of the Big Four (Cleveland, Cincinnati, Chicago, and St. Louis) now consolidated with the New York Central, which cuts across the southeastern point of the county in the lower corner of Whitley Township.

One of the prominent features of early railroad history was the large number of small independent companies chartered to build the first roads. In the variety of names by which they have been known since their construction is indicated the gradual merging into fewer and larger companies until today nearly all form parts of one of the great railway systems controlling nationwide traffic.

The taxes paid by the railroads are an important part of the county's revenue. In 1880 the assessed valuation of railroad property in Moultrie was \$275,688.¹³⁴ In 1925 the amount assessed by the state tax commission was \$95,794. In 1930, \$103,586 was assessed against a valuation of \$3,295,980. This was the peak year. During the severe depression of the early thirties, the valuation dropped until it reached \$1,692,726 in 1935, against which an assessment of \$47,345

132. Commissioners' Record, v. 4, p. 395.

133. Court Record, v. 11, p. 167.

134. History of Moultrie County, p. 22.

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was made. In the next three years the amount of tax gradually climbed to a figure of \$59,052 in 1938.¹³⁵

County Finances

One important index of the economic development of a county is the record of its own financial affairs. Periods of expansion and recession of population, of economic depression and prosperity, are reflected in the fluctuations of taxation and other revenues, of the amounts spent on the construction of roads and public buildings, on education, on the care of the unfortunate, and even on salaries of public officials.

The initial business affairs of nearly all counties were on a modest scale, and expanded as population increased and a more complicated social and economic life demanded a more complex government. The tax rate set by the commissioners' court for 1843, the first year of the county's existence, was twenty-five cents on every hundred dollars' worth of property. William Thomason, the assessor, was "allowed in full for his services \$30.50 to be paid by the county and the other half by the state as the law directs."¹³⁶ At the March term, 1844, "the court received of Isaac Walker, collector of Moultrie County \$255.71 as part of the county tax for the year A. D. 1843."¹³⁷ When the first settlement was made with the treasurer in September, 1844, "there was found to be the following amount of funds:

Jury certificates	31.52
County orders	19.50
Gold	26.62
Silver	164.00½
	<hr/>
	241.64½ ¹³⁸

In 1844 the tax levy was thirty cents on a hundred dollars,¹³⁹ and this rate stood for several years. But in 1855, a year following a period of general financial stringency, it dropped to eighteen cents. An expansion of county business, in line with the growth of population is indicated in the fact that Arnold Thomason, the assessor, received that year \$247.50 as his fee.¹⁴⁰

The treasurer's report for December, 1862, when the effects of the Civil War were beginning to be felt, showed the volume of business to amount to \$2,130.09, with a balance in the treasury of \$1,117.49.¹⁴¹ Five years later the county general fund had a balance of only \$7.77, but the fund for soldiers' bounty for which a three percent tax had been levied, contained \$2,044.09.¹⁴²

135. "Property Tax Collection in Illinois, 1925-35," MSS. in Illinois Tax Commission, Chicago. The figures for 1938 are estimates.

136. Commissioners' Record, v. 4, p. 16; L. 1842-43, p. 236.

137. Commissioners' Record, v. 4, p. 23.

138. *Ibid.*, p. 34.

139. *Ibid.*

140. *Ibid.*, p. 298, 300.

141. Court Record, v. 11, p. 113.

142. Supervisors' Record, v. 3, p. 16.

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A further measure of the county's economic expansion and fluctuations is indicated in the comparison of the figures for tax valuations of real estate and personal property (exclusive of railroad property) for several representative years. In 1858, during the railroad boom, the total valuation was \$1,828,831; in 1880, after the industrial impetus in the state had begun to take effect, it was \$2,284,519;¹⁴³ in 1927, a year of comparative prosperity, the valuation was \$15,410,000; in 1934, when the economic depression had seriously affected the ability of people to pay taxes, as well as to keep up improvements on their property, it dropped to \$11,216,000;¹⁴⁴ by 1938, a gradual increase had brought the property valuation to \$12,259,750.¹⁴⁵

Population

The early population figures for the county have already been noted.¹⁴⁶ For the first three decades after its establishment, increase was rapid. The period of heaviest growth was the decade of the Civil War; between 1860 and 1870, 4,000 persons were added to the population, and the increase was almost as great—3,314—in the next ten years. The year 1900 saw Moultrie at its peak in number of inhabitants, 15,224. From then on, in common with many nonindustrial communities, it has declined; the census of 1930 showed 13,247 persons.¹⁴⁷

As was the case with nearly all counties, Moultrie's numbers were swelled by immigration from foreign countries, the first wave coming in in the early fifties, and another in the seventies. Germany, England, France, and Sweden furnished the greater part of Moultrie's foreign-born population. The heavy immigration from the eastern and southern European countries that crowded Chicago, East St. Louis, and other industrial centers with foreign workers during the "melting pot" period of the early twentieth century was less noticeable in the agricultural counties such as Moultrie. The foreign-born peoples of Moultrie have for many years been integrated with the native population to form an American whole.

SOCIAL AND CULTURAL DEVELOPMENT

Education

The cause of education has been fostered in Illinois since the beginning. Following the clause in the Ordinance of 1787 that declared that "schools and the means of education shall be forever encouraged,"¹⁴⁸ which in turn was based on a congressional ordinance

143. **History of Moultrie County, p. 72, 73.**

144. **Illinois Tax Commission, Sixteenth Annual Report, Assessment Year 1934** (Printed by Authority of the State of Illinois), p. 283.

145. **Illinois Tax Commission, Property Taxation: Assessed Valuations, Levies, Tax Rates, and Tax Extensions** (Printed by Authority of the State of Illinois, 1939), p. 16.

146. See p. 18.

147. **Illinois Tax Commission, Survey of Local Finance in Illinois** (Printed by Authority of the State of Illinois, 1939), VI, Table p. 11.

148. Ordinance of 1787, Art. 3rd.

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which the plan of setting aside one section of land in every congressional township for school use was set forth,¹⁴⁹ the ordinance of the Illinois convention, answering the approval by Congress of its constitution, in August, 1818, provided for the reservation of the school section, and also for setting aside thirty-six sections (one entire township) in the state for the use of a seminary. Moreover, three fifths of five percent of the net proceeds from the sale of the lands lying within the state, which were sold by Congress after the first day of January, 1819, after deducting all expenses incident to the sale, were to be appropriated by the legislature for the encouragement of learning; one sixth part of this fund was to be exclusively bestowed on a college or university.¹⁵⁰

The earliest schools in the state were taught on a subscription plan, the teacher receiving a small sum per term for each child. When money was scarce, as it often was, the pay was in the form of food or of farm produce which the teacher might sell. In 1825 a law was passed providing for voluntary taxation for the support of schools.¹⁵¹ Some communities adopted the plan, others did not. Various changes were made in the law, working toward improvement of schools, until, in 1855, the "free-school act" was passed, whereby a general tax was provided for the maintenance of free public schools throughout the state, and the office of superintendent of public instruction was created to maintain state supervision of the school system.¹⁵² Only the elementary or "common" schools were included in these provisions. High schools did not appear in the state until the late 1860's.¹⁵³ Secondary education was provided by private academies or seminaries, established under the auspices of one or another of the churches. Frequently these were intended for the preparation of young men for the ministry, but many of them, like the Shelby Academy at Shelbyville, and the Sullivan Academy were designed only to provide at low cost, training beyond the common school for those who desired it.

So far as is known, the first school taught in what is now known as Moultrie County was opened by Samuel Anderson in the fall of 1828, near George Waggoner's cabin in Whitley Township.¹⁵⁴ Another early school was that conducted by Mrs. Mary Hostetler, in the year 1832, in a double log cabin on the farm of Hilera Rhodes in Lovington Township, and owned by Solomon Hostetler. It served as a residence as well as a school. In the fall of 1834, John Allen opened the term in a schoolhouse situated about half a mile west of the village of Lovington, on the farm of Colonel Allen Clore. The building was rough logs, left just as they were taken out of the woods.

149. Journal of the American Congress, v. V. chap. IV, p. 520, 521; also reprinted in Howard Cromwell, **The Educational Significance of the Early Federal Land Ordinances** (New York City: Teachers College, Columbia University, 1922), Appendix A, p. 129

150. R. L. 1827, p. 212-14.

151. L. 1825, p. 121.

152. L. 1855, p. 51.

153. The law providing for the establishment of high schools was passed in 1872 (L. 1872, p. 713), but a few such schools existed in the state prior to its passage.

154. **History of Moultrie County**, p. 210.

Historical Sketch

The openings between the logs were "chinked" with a mixture of moss and mud. The roof was of short boards or "shakes," about four feet long; the chimney was constructed of mud and sticks, an improvement over a good many houses that had only a hole in the roof to answer for a chimney, above a place marked off on the floor for a fireplace. The floor was of "puncheon," that is logs split in two halves and placed side by side, with the flat side up. The benches were made by boring two holes in each end of the puncheon and driving in crude pegs for legs. The desks were made in the same manner, except that they were fastened to the logs in the sides of the house, so that the flat side of the slab could serve as a desk top. Lighting was by means of the greased-paper window common in the log dwelling of the day. This schoolhouse was the voting place for the district in the first election for county officers, following the act organizing Moultrie County. Sullivan Township had its earliest school in 1832, taught by James Patterson, a well-informed gentleman then past sixty-five years of age.¹⁵⁵

The teaching methods of those days seem to the present generation as primitive as the buildings. There was extreme lack of uniformity of text-books, the children bringing to school such books as the family happened to own. For readers, they used histories, biographies of prominent men, or some religious or scientific work. Some read the testament, that being often the only book the family had on hand. However, the field of knowledge covered in the old "readin', writin', and 'rithmetic," was often much wider than is generally assumed by those accustomed to the highly organized curricula of present-day schools.

As new settlements grew up, the number of schools increased, and schoolhouses built for the purpose were erected. In some places the men of a community went together and "raised" the schoolhouse with the same enthusiasm and cooperation they displayed in putting up their own or their neighbors' homes.

The need for an institution to provide secondary education soon became apparent, and the Sullivan Academy was organized by James S. Freeland, one of a family whose members were prominent in the county for many years. Classes were held in the courthouse until Freeland completed the construction of a brick building in 1851, to house them. Articles of incorporation were issued to a board of trustees, among whom were Judge James Elder, Rueben B. Ewing, John A. Freeland, and John Perryman.¹⁵⁶ The Academy ceased operation at the death of Freeland in 1856, but was reopened later under H. S. Bastian. The name was changed to Moultrie County Academy, and its charter stipulated that a majority of the board of trustees be members of the Christian Church.¹⁵⁷ One of the chief promoters of the institution was Bushrod W. Henry, who had been active for many years in establishing churches of the Disciples of Christ in Shelby and other neighboring counties. The names of

155. *History of Moultrie County*, p. 98, 181.

156. *Pr. L.1853*, p. 459.

157. *Pr. L.1855*, p. 382.

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Arnold Thomason, Jonathan Patterson, and Ezra D. Cleveland appear on the list of trustees. No profession of religion was required of the students, but the purpose of the school was plainly stated to be to teach "with an especial view to the study of the Bible as a basis of education."¹⁵⁸ The academy flourished for five or six years. When the public school of Sullivan became overcrowded, rooms in the academy were used to house the overflow.¹⁵⁹ After the academy ceased to exist, the county was without an institution for secondary education until the establishment of the first high school in 1900.

The table, on page 40, covering eighty-eight years of school history in Moultrie County, presents an interesting picture of the fluctuation in numbers of young persons attending school in proportion to the number of those of school age and to the general population of the county, in the number of schools and of teachers, in the value of school property, and in the annual tax expenditure for education.

It is significant that while all the figures have moved up and down with the exigencies of changing conditions, only two do not reflect the economic depression of the nineteen-thirties by a decline. These are the figures representing the number of high schools in the county, and the number of volumes in school libraries. The latter has steadily increased, sometimes against the general trend, since 1900.

Other facilities, also, not included in the table, have expanded. Schoolhouses have been repaired and remodeled to give greater comfort and efficiency, new buildings have replaced those completely outmoded. In some schools, laboratory, vocational, and physical training equipment has been installed. At the same time, the curriculum has steadily expanded to meet the current needs of each succeeding generation of pupils. These are the outward and visible signs of the inward drive toward the intelligent training of youth for the responsibilities of self-government that led the farsighted fathers of Illinois to make liberal provisions for education in the state.

Religious Activities

Hand in hand with the development of education went the growth of the churches. Opportunity for religious expression was lacking in the pioneer society where families were widely scattered and travel was difficult, but the desire for it was not absent. When a preaching man came into a community—even one in which horse racing, gambling, and drinking were prevalent—he was usually well received. While the promoters of religious activities had no direct support from state or national government in a country whose policy is complete separation of church and state, they had the strong backing of powerful and long-established church groups in the East. The organization of private missionary societies in the eastern states between the years 1796 and 1826 greatly stimulated interest in church extension work. These societies were termed private simply because

158. *Ibid.*

159. *Ibid.*, p. 183.

STATISTICAL TABLE
OF
MOULTRIE COUNTY SCHOOLS*

Year	1850	1860	1870	1880	1890	1900	1910	1920	1930	1938
County Population	3,234		10,385	13,699	14,481	15,224	14,630	14,839	13,427	
Population between 6 and 21	1,383	3,506**	3,883	5,105	4,766	4,665	4,308	4,052	3,563	3,118
No. Pupils	755	1,383	3,129	3,942	3,927	3,833	3,595	3,419	3,094	2,630
Percent of persons of school age attending school	54.5	39.4**	80.6	77.2	82.4	82.1	84.3	84.3	86.8	84.3
No. Teachers			95	129	140	140	131	144	153	148
No. Districts			73	82	82	83	83	86	85	83
No. Schools		33	72	82	82	84	84	88	86	75
No. High Schools			0	0	0	2	2	5	5	5
No. Dist. Libraries			0	1	48	76	84	83	79	77
No. Volumes			0	40	1,180	1,042	7,564	10,536	20,220	26,203
Value School Property			58,074	78,010	97,000	198,835	690,097	595,085	686,564	
Tax Levied, Year			20,175	27,346	37,606	51,725	72,865	223,525	249,635	183,518
Expenditures, Year			27,695	39,482	46,053	58,422	73,769	221,193	249,389	203,160
No. of Illiterates			57	8	0	0	0	0	0	0

* These figures are compiled from the census reports of the years considered, and from the biennial reports of the superintendent of public instruction which cover these years.

** This figure represents the total number of persons below 21, rather than between 6 and 21; the percentage, therefore, is lower than the percent of persons of actual school age attending school.

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they were established by interested individuals instead of by authorized church boards. In the year 1826 the Congregationalists organized the American Home Missionary Society, and other denominations soon followed with similar boards or societies. The great West was a fertile mission field, and Illinois was one of the points of concentration.¹⁶⁰

The establishing of churches in some of the less densely populated counties represented many hardships. Wherever navigable rivers were lacking it meant that the early missionary must travel on horseback or in a covered wagon. If neither of these was available, he had to go on foot into the uncharted forests. Even if the primitive roads or paths were marked, bad weather often made them impassable. To these hardships was added the constant danger from bands of hostile Indians, and from wild animals. The early missionary had to be a man of good physique, courage, and strong religious convictions.

The Cumberland Presbyterians were one of the first groups to start organized religious work in Moultrie County. The Reverend David Foster met a group of eight persons in the home of Captain James Fruit at Bethany on May 14, 1831, and organized the Bethany congregation. This church grew rapidly, having 257 members in 1858, and helped to form other churches in Newhope, Sullivan, and Summit. The Cumberland group has now only one church in the county, at Bethany, with 280 members.¹⁶¹

The Disciples of Christ, known also as the Christian Church, came to Moultrie County in the early thirties. Nathan Stevens, who lived on the Okaw River about a mile west of Lovington, invited a group of religiously inclined people to his home on November 17, 1832. Three elders, or ministers, were present, and though they represented different denominations, they organized the group into a Christian Church. Beginning with seventeen members, the group increased rapidly. One group of early worshippers of the Disciples of Christ, near Lovington, met in a log house only twenty feet square, with a stick-and-mud chimney in one end, and a log cut out in the other end for a window. Here the gospel was preached to all the people of every faith from Cunningham's Grove in the north to Jerry Provolt's at the forks of the Okaw in the south.¹⁶² The Christian Church or Disciples of Christ now have nine active churches in Moultrie County, located at: Allenville (two), Arthur, Bethany, Dalton City, Gays, Sullivan (two), and at Lovington, with a total membership of 2,081.¹⁶³

In 1842 this church, as well as other denominations, was upset by the invasion of the Mormons, a number of whom trickled into

160. Carrie Prudence Kofold, *Puritan Influence in the Formative Years of Illinois History* (Springfield: Illinois State Journal, 1906), p. 7.

161. *History of Moultrie County*, p. 146; *Minutes General Assembly, Cumberland Presbyterian Church, June 15-21, 1939* (Nashville: Cumberland Publishing House, n. d.), p. 194.

162. *History of Moultrie County*, p. 142; Nathaniel S. Haynes, *History of the Disciples of Christ in Illinois, 1819-1914*, (Cincinnati: The Standard Publishing Company, 1915), p. 340-44.

163. *1938 Year Book, July 1, 1937—June 30, 1938, of International Convention of Disciples of Christ* (Indianapolis: Year Book Publishing Committee, n. d.), p. 357, 358.

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northern Moultrie County from their focal settlement at Nauvoo. Their zealous missionaries won members from all the existing church groups, disturbing the religious life of the community. The case of Mrs. Abram Souther, a sister-in-law of Andrew Love, later county collector, aroused considerable animosity; she was won over to the Mormon beliefs and threatened many times to leave her husband, who remained loyal to the Christian Church. Finally Mrs. Souther did leave her husband and her young baby to go with the Mormons on their trek into the West. This fired the minds of the people and the neighborhood arose and drove the Mormons out of the county. They never came back, but Mrs. Souther was persuaded to return to her family.¹⁶⁴

The Baptists began work in Shelby, Moultrie, and Piatt counties in 1845 when they formed the Shelbyville Association of the church.¹⁶⁵ The Reverend Joseph Perryman organized the first Baptist Church in Moultrie County in 1868 at Dunn, with forty members, and he became the first pastor. There are now two churches of the denomination in the county, one at Sullivan and one at Arthur, with a total membership of 278.¹⁶⁶

The progress of the Baptist Church in early Illinois was hindered by the activities of one Daniel Parker, a flaming preacher from Georgia. Parker opposed all missionary societies on the ground that missionaries often faked their reports to impress the boards that supported them, and that they often made slaves of the natives to whom they ministered; also on the theory that God had made two distinct races of people, the "saved" and the "unsaved." The saved, according to Parker, were predestined to salvation and preaching to them would result in a benefit, but the unsaved were predestined to the evil one and no amount of preaching to them could do any good. The controversy over this curious doctrine nearly split the church in central Illinois. Finally Parker and a group of families went to Texas where he started the same doctrinal controversy.¹⁶⁷

The Shelbyville Circuit of the Methodist Church, which included Shelby, Moultrie, Coles, and parts of Fayette and Cumberland counties, was formed in 1829. This meant that the preliminary work had been done in each of these counties.¹⁶⁸ The Methodists made rapid progress; in 1846 they made eighteen appointments to churches and missions in the Shelbyville Circuit. In 1847 the Reverend J. H. Hopkins became the pastor of a group of Methodists in East Nelson Township, and this group built there the first Methodist church in the county. The rapid rise of the Methodist Church was largely the product of the enthusiasm of its local preachers. These men were not

164. *History of Moultrie County*, p. 143.

165. *History of Moultrie County*, p. 149; Edward P. Brand, *Illinois Baptists, A History* (Bloomington: Pantagraph Printing Company, 1930), p. 153 (hereinafter referred to as *Illinois Baptists*).

166. *Illinois Baptist Annual for 1937* (Illinois Baptist State Convention, 1937), p. 97.

167. Brand, *Illinois Baptists*, p. 68-77.

168. James Leaton, *History of Methodism in Illinois, from 1793-1832* (Cincinnati: Walden and Stowe, 1883), p. 300, 310, 391.

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well educated, but could read the Bible, pray, and sing; they were permitted by church authority to do missionary work, and they did it with spirit. While other denominations were worrying about the education of their ministry, these Methodist circuit riders, unlettered, but full of zeal and the knowledge of the people with whom they worked, went vigorously to work to develop a strong church.¹⁶⁹ The Methodist Church now has six active churches in Moultrie County, located at Arthur, Allenville, Bethany, Hammond, Lovington, and Sullivan; the total membership is 1,759.¹⁷⁰

A Presbyterian church was organized at Dalton City on May 25, 1872, by the Reverend Nathaniel Williams and the Reverend C. Loudon, a committee from the Presbytery of Mattoon. The Presbyterians now have three churches in the county with a total membership of 344.¹⁷¹

A Congregational church at Arthur was organized in 1888 and is now the only church of that denomination in the county. It has 77 members.¹⁷²

There is one Episcopal church in the county, at Sullivan, belonging to the Springfield Diocese.¹⁷³

In 1857 a group of Irish Catholic families migrated westward and settled in Dora Township. There was no Catholic church near here, so the people traveled either to Decatur or Mattoon for Mass and the Sacraments, once or twice a year. After Father Anthony Voght of the Decatur parish had listened to the hardships this group endured in traveling that distance to church, he decided to come to them. In 1863, Father Voght met the group in the home of Edmund Brasman, three miles north of Bethany and preached to them, organizing them into a Catholic community. The next year he built them a church on land purchased from the railroad grant.¹⁷⁴ This church has maintained its existence since that time, and another Catholic church has been established at Dalton City; there are also missions at Lovington and Sullivan.¹⁷⁵

An independent religious community has existed in Sullivan since 1871. In that year came one Samuel Harshman, a Methodist preacher who thought that the Methodist Church was becoming too liberal for the good of its members. He established his own church,

169. For a good account of life of a circuit rider, see the *Autobiography of Peter Cartwright*. Cartwright not only rode the circuit and established churches in practically all parts of Illinois, but was elected to the Illinois legislature in 1828 and again in 1832, and opposed Abraham Lincoln for Congress in 1846.

170. *Journal and Year Book of the Illinois Annual Conference of the Methodist Episcopal Church, 1938* (Decatur, Illinois, 1938), p. 636.

171. *History of Moultrie County*, p. 148; *Minutes of the Synod of Illinois of the Presbyterian Church in the U. S. A., 1939* (Galesburg, Illinois: The Waggoner Printing Company, 1939), p. 88.

172. *The Year Book of The Congregational and Christian Churches, Statistics 1937*. (New York: The General Council), p. 102-9.

173. *The Living Church Annual, the Year Book of the Episcopal Church, 1939* (New York and Milwaukee: Morehouse, Gorham Company, 1939), p. 238.

174. Joseph H. Thompson, *Diocese of Springfield, Illinois, Diamond Jubilee History* (Springfield, n. d.), p. 333-35.

175. *The Official Catholic Directory for the Year of Our Lord 1935* (New York: P. J. Kenedy and sons), p. 533-37.

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which he called the Church of Jesus Christ, and which did not affiliate itself with any existing religious body. Its members do not vote, and do not appear in court because it is against their tenets to take oath. Harshman's adherents grouped their homes about the brick church, a few blocks from the courthouse, and that portion of town is still known as the "Harshman neighborhood."

Public Services

One of the first administrative acts in a new county was the appointment of overseers of the poor, one each in districts which usually corresponded with either the road districts or the election precincts. It was the duty of the overseer to "cause all poor persons who have . . . become a public charge to be farmed out at public venue or out cry . . . on the first Monday in May, yearly, . . . at some public place, to the person or persons who shall appear to be the lowest bidder."¹⁷⁶ The "farmers of the poor" received from the county the cost of the "common necessities of life" provided for their charges, who, in return, performed "moderate labour." Children of the poor, whose parents were dead, were bound out as apprentices, boys to the age of twenty-one, and girls till they were eighteen. The sick and the insane were farmed out along with the well, but the cost of their medical care was met by the county.

This practice was in accordance with the laws of the state which had been inherited from the territory, and were based, practically without change, upon the laws set up for the Northwest Territory by Governor Arthur St. Clair and the judges who were appointed to adapt the laws of the original states to the needs of the new territory. The poor laws were drawn largely from the code of Virginia, and founded on the poor laws enacted in England in the time of Elizabeth.

The county commissioners' court of Moultrie appointed overseers in four precincts at the June term, 1843. They were Andrew Love in the precinct named for him, James H. Roney in Thomason's precinct, John Fulton in Julianna, and Milton Cox in East Nelson.¹⁷⁷ On the same day, the sum of \$3.57½ was allowed for the making of a coffin for Elias Benett, a poor man deceased, and the "farmer of the poor" was allowed \$8.62½ "for taking care of Elias Benett in his last sickness."¹⁷⁸

There are no long lists of poor persons bound out on the pages of Moultrie County records. Only here and there a brief notice appears to indicate that the overseers were performing their duties. In one case agreement is made to care for a poor woman and her child at the rate of \$8.00 a month; in another a court notice is given to brothers "that they are required to take care of their sister in conformity with Chapter 80th concerning Paupers."¹⁷⁹ By the middle of the century, the custom of binding out the insane and feeble-minded

176. *Laws of the Territory of Illinois*, ed. Nathaniel Pope (Kaskaskia: Matthew Duncan, 1815), II, 498.

177. *Commissioners' Record*, v. 4, p. 11.

178. *Ibid.*, p. 12.

179. *Ibid.*, p. 36, 82.

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had given way to institutionalization for persons so affected. In the record of the court's session on November 4, 1851, appears the statement "On this day a . . . resident of Moultrie County was brought before the court and examined by questions, and the court being satisfied that he was insane, and that he is also a pauper, orders" that he be conveyed to the Illinois State Hospital for the Insane.¹⁸⁰

One of the last entries concerned with the farming out of paupers appears in 1857, when it was ordered that two women "be let out to the lowest bidder for their keeping."¹⁸¹ The system was found to be cumbersome and unsatisfactory. It was made possible by a law enacted in 1839,¹⁸² for counties, if they saw fit, to provide almshouses in which the poor might receive congregate care. Often these were on farms which were worked by the inmates, thus providing them with constructive work and at the same time furnishing a part of their sustenance. During the early sixties agitation for this type of care for Moultrie's indigent began. Judge Joseph Eden, coming to the bench of the county court in 1861, favored the plan and saw the opportunity for purchasing a farm with the funds obtained from the government in payment for the swamp and overflow lands that had been included in the railroad grant in 1852.¹⁸³ A two-hundred-acre tract, with suitable buildings, was secured in 1864 at a cost of \$5,800, the swamp-land fund covering all but \$645 of the expenses. There were five inmates when the farm was opened. Jonathan Patterson was appointed superintendent. It was considered impracticable to attempt the farming of the land by the poor themselves, and arrangements were made for it to be leased.¹⁸⁴ Four years later an appropriation was made "for extending the building for the comfort of the poor."¹⁸⁵ In 1871 an arrangement was made whereby the keeper of the farm was to lease the land himself "for a period of five years, at \$500 per annum and he is to clothe, feed and shelter, also provide for medical care at his own expense, the board to pay \$100 for each person so kept."¹⁸⁶

From time to time since that date, improvements have been made, both in the buildings and in the care given to the inmates, particularly those with physical disabilities. The almshouse never became overcrowded. A report of the superintendent in March, 1902, showed a total of twelve persons for that year. To counteract the stigma attached to the name "almshouse" or "poor farm," the name of all such institutions was changed by law in 1935 to "county home."¹⁸⁷

The binding out of children had long since been done away with. Instead, needy children were cared for in orphans' homes, established usually by some charitable organization, or were placed in private

180. Commissioners' Record, v. 4, p. 183.

181. *Ibid.*, p. 332.

182. L.1839, p. 138-40.

183. See p. 34.

184. Court Record, v. 11, p. 176, 180.

185. Supervisors' Record, v. 3, p. 50.

186. *Ibid.*, p. 112.

187. L.1935, p. 1058. See also County Home, Ch. XVIII.

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homes through a social agency recognized by the state. An entry appears on the Supervisors' Record for April, 1898, ordering that "the Children's Home Society be authorized to provide a home" for a small child, "now a county charge," \$50 being allowed for services.¹⁸⁸

In line with the slowly growing social consciousness that had brought about a gradual improvement in the physical care of the adult poor, segregation and treatment for the insane, training for the feeble-minded, and home placement for children, the state in 1903 recognized the special needs of blind persons by providing a pension of \$30 per month for blind heads of families.¹⁸⁹ Moultrie County did not immediately accede to the provisions of the statute. In December, 1903, the county board resolved "in lieu of pension provided by the statute for the blind that the supervisors of the several townships be authorized to furnish to all needy and deserving blind such sums of money or provisions as to him may be deemed necessary for their support and maintenance and that all petitions filed for aid be rejected."¹⁹⁰ Later, however, this practice was discontinued; after 1915 applications for blind relief were regularly accepted and warrants issued.¹⁹¹

In 1913 provision was made for small pensions to indigent mothers of families.¹⁹² The county immediately undertook this service, and has given aid to many mothers since the first pension was recorded in the year the statute was enacted.¹⁹³

These measures of relief, in addition to occasional medical service and groceries for those marginal families whose income is never quite sufficient to cover all the necessities, were adequate to provide minimum essentials of care for the unfortunates of the county until the severe depression of the nineteen-thirties swept away the economic stability of a great portion of the country's population. No longer was the group of persons unable to provide for themselves confined to those who were incapacitated by reason of age or physical disability. To it was added a much larger group who found themselves without employment or reserve funds, and in need of temporary relief. The county alone was totally unable to carry the suddenly augmented load, even in the early days of the depression when only emergency measures of alleviation were considered. In common with all other counties, Moultrie received allotments of funds from the state and Federal governments to supplement those available locally.

In the fall of 1933, 715 persons were receiving relief in the county, and by the next spring the number had increased to 1,588, about twelve percent of the population. Most of these were in rural areas, and in contrast to pre-depression years, almost half of those requiring aid were young persons sixteen years of age and under. The average amount provided for one family per month was \$12.36, and

188. Supervisors' Record, v. 105, p. 183.

189. L.1903, p. 138, 139.

190. Supervisors' Record, v. 105, p. 477.

191. See entries 16, 21, 22, 23.

192. L.1913, p. 127; see also County Court, Ch. IV.

193. See entries 219-221.

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of the total obligation, the county provided twenty-eight and three-tenths percent while the remaining seventy-one and seven-tenths percent was furnished by combined state and Federal grants.¹⁹⁴ Through the several succeeding years the number of needy persons receiving help varied but little, increasing during the winter months, and decreasing to some extent during the summer when farming activities offered a slight possibility of employment and increased means of self-sustenance. In June, 1938, a low month, 770 persons received relief. The total funds used for relief in 1937 amounted to \$62,362.85; the county's share of this in taxes was \$39,044.59, but only ninety-one percent of the amount was collected.¹⁹⁵

In addition to direct relief, various related programs, emanating from state and Federal agencies, have been put into operation, designed not only to supply subsistence, but to offset the social erosion that takes place when a large part of the population, through loss of economic security, is forced to live on a substandard scale. The needs of youth are served through the National Youth Administration and the Civilian Conservation Corps; the aged are cared for by the old age assistance program;¹⁹⁶ needed work and needy workers are brought together through the programs of the five divisions of the Federal Works Agency.

A survey made of the occupational characteristics of persons on relief in Moultrie was made in February, 1935. The report revealed that of approximately 1,500 persons, 515 were employable.¹⁹⁷ More than eighty-five percent of these were experienced workers; among them were 33 farm proprietors and tenants, and 171 farm laborers.¹⁹⁸

One public service inaugurated in recent years, which does not stem from the larger units of government is the tuberculosis sanitarium board, which was established in 1937 to administer funds for the treatment of tubercular persons in the county. Moultrie does not have an independent tuberculosis sanitarium, but sends its patients to St. John's Sanitarium at Riverton, in Sangamon County.¹⁹⁹

The Public Press

For more than a decade after its establishment, Moultrie County had no newspaper of its own. The people relied for local news on the papers published in Shelbyville and Decatur, and for broader contact with national and foreign affairs upon the eastern papers that came to a few homes and were passed from one to another until they were worn out. Many families subscribed for religious periodicals which reached a high point of production in the forties and fifties.

Many of the early newspapers in Illinois began life as the venture

194. *Second Annual Report, Illinois Emergency Relief Commission, February 6, 1933 through June 30, 1934*, p. 39, 70, 83, 114, 139.

195. *Biennial Report of the Illinois Emergency Relief Commission, July 1, 1936 through June 30, 1938*, p. 129, 132, 152, 193.

196. See Department of Public Welfare, Ch. XIX.

197. Those counted unemployable were the aged, children under 18, and persons physically disabled.

198. Pamphlet, *Occupational Characteristics of Persons Receiving Relief in Moultrie County, Illinois*, Illinois Emergency Relief Administration, 1935.

199. See Tuberculosis Sanitarium Board, Ch. XXI.

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of some traveling printer who, journeying west with a minimum amount of equipment, selected a spot where he thought a paper could prosper, and set himself up in the business. If successful he remained, if not, he either sold out to some local person, or packed up his gear and sought fresh fields. Other papers were started for the avowed purpose of voicing the political views of the people and influencing them to one or the other of the political parties.

The first journalistic venture in Moultrie County was the **Sullivan Express** started by James D. Mondy in 1856 or '57 as an independent sheet. The next year it changed hands, and became an advocate of the Democratic Party, and in 1866 took the name of **Sullivan Democrat**. Through the vicissitudes of change in ownership and management and mergers with other short-lived papers, this paper persists today as the **Sullivan Progress**, the county's only daily, and is edited by Edward C. Brandenburger.²⁰⁰

The **Moultrie County News**, published in Sullivan since 1884, is a Republican weekly with a large circulation under the editorship of Arlo Chapin.²⁰¹ This paper had a number of antecedents, though the continuity of a Republican organ in the county was broken by several gaps. The earliest Republican paper, whose first number was issued July 20, 1863, reflects the era of its birth in its name, **Moultrie Union Banner**; it later became the **Okaw Republican**, and soon thereafter, in 1871, was sold and removed from the county. The next year the **Sullivan Plaindealer** was launched as a Republican organ, but proved a losing enterprise and discontinued publication in 1874; it was followed by the **Moultrie County Chronicle** which put out its first issue October 9, 1874, but died after eleven weeks. After a year in which the Republican party had no organ in the county, the **Sullivan Journal** began publication in December, 1875. This paper exerted considerable influence, but it too, was eventually discontinued.²⁰²

Lovington had two newspapers preceeding the present one. The **Index**, first issued in 1875, and changing its name to the **Lovington Free Press** the next year, maintained publication till 1878; it was followed by the **Lovington Enterprise**, a politically independent sheet which had wide circulation in the northern part of the county during the eighties.²⁰³ In 1890 the **Lovington Reporter** began publication, and as an independant weekly, has continued to the present. Its editor is Thomas L. Conn.²⁰⁴

The only other newspaper in the county is the **Bethany Echo**, a non-partisan weekly begun in 1887 and now edited by Elmer McIlwain.²⁰⁵

200. **History of Moultrie County**, p. 86; **N. W. Ayer and Son's Directory of Newspapers and Periodicals, 1940** (Philadelphia: N. W. Ayer and Son), p. 252. Hereinafter referred to as **Ayer's Directory**.

201. **Ayer's Directory**, p. 252.

202. **History of Moultrie County**, p. 87, 88.

203. *Ibid.*

204. **Ayer's Directory**, p. 236.

205. *Ibid.*, p. 198.

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Towns and Cities

The most important city of Moultrie County is Sullivan. It is situated a little southeast of the center of the county, at the junction of the Wabash, the Illinois Central, and the Chicago and Eastern Illinois. It was laid out and made the seat of justice of the county in 1845, was incorporated as a village in 1850, and as a city in 1872, having a mayor and council. The first business of any kind in the city was a tavern or saloon owned by Joel Earp. The next business to follow was a small store, housed in a frame building that was moved from Glasgow by W. W. Oglesby. The earliest hotel was erected by Beverly Taylor late in 1847. On the same site an "opera house," imposing for its time, was built in 1871, at a cost of more than \$30,000. Here stock companies played current successes of the stage; concerts and lectures were held, and home talent performances given for many years. In the spring of 1846 a schoolhouse was built, costing \$85, which was made up by private subscriptions; the following year the first church building in the town was erected by the Methodists. It was in this city that the Honorable Richard J. Oglesby, later to become Governor of Illinois, first hung out his shingle as an attorney at law.

When the wave of industrial development swept the state and individual business men, forming small independent companies, set up modest industrial establishments in many moderate-sized cities, Sullivan became a thriving center for the district surrounding. Two steam flour mills flourished, where the farmers of the county found a market for their wheat. There were also a woolen mill and a plow factory, which did a prospering if not extensive business. With the gradual trend toward concentration of industry in fewer and larger companies, and toward centralization in cities with the best transportation facilities, the small establishments declined, and with them, often, the towns in which they were located. By 1929 Sullivan's two remaining manufacturing concerns were a concrete works and an ice cream factory, each employing five persons.²⁰⁶ But the fact that it is the county seat and the trading center for a large and rich hinterland, has enabled the city to maintain itself without serious loss of population,²⁰⁷ even in a period when the general movement of population is toward the larger cities. Although the flour mills were gone, the grain companies continued to handle the shipment of large quantities of the products of the farms, and the several poultry dealers to receive and export great numbers of the fowl and eggs which the county produces in abundance.

In 1930 the Brown Shoe Company of St. Louis established a branch factory in Sullivan, employing about 650 people. Somewhat later, the Armour Company of Chicago set up a branch establishment for the making of butter and cheese, and the Walker Company, a local enterprise, began the manufacture of machinery for the grading and oiling of roads, which is used throughout central Illinois. The

206. *Directory of Illinois Manufacturers*, 3rd ed. (Chicago: Illinois Manufacturers' Association, 1929), p. 648.

207. The population was 2,621 in 1910; 2,532 in 1920; and 2,339 in 1930. *Population Bulletin*, p. 29.

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opening of new industries stimulated the growth of population; the exact figure is not available, but it is well over the 1930 mark.

The old schoolhouse of 1846 has been superseded by three well equipped public schools, the Lowe and Powers elementary schools and the Sullivan Township High School. A free public library has served the city for a number of years. The Masonic Order chose Sullivan as the site for the Illinois Masonic Home for members of the order and their dependents. Wyman Park, named for its donor, a pioneer shoe merchant, provides a pleasure and beauty spot for the town. Through all the years of its civic development, Sullivan has been primarily a city of homes and small businesses.

The next city of importance in the county is Lovington, named for its pioneer settler, Andrew Love. He was the first postmaster of the settlement, served as county collector, and was active in county affairs in the early years. It was here that the old Black Horse Tavern was built in 1838 to provide rest and refreshment for travelers on the Springfield road. The village grew up around the tavern; homes were built, churches and a schoolhouse, and other places of business. But it was not until 1872 that the village of Lovington was incorporated. It has never had industries of importance, with the exception of a coal mine which operated for a time, but has flourished as a local business center. The Pennsylvania and the Wabash cross here. The census of 1930 showed 1,121 inhabitants.²⁰⁸

Arthur, in Lowe Township, lies partly in Moultrie and partly in Douglas County. Laid out along the line of the Illinois Midland (Pennsylvania) in 1872, it was incorporated as a village four years later, and became a junction point of the Pennsylvania and the Chicago and Eastern Illinois. It is the only incorporated town in the county whose population has increased since 1910. At that time 1,080 persons lived in the village; the 1930 census shows 1,361.²⁰⁹

Next in size is Bethany in Marrowbone Township, numbering 802 persons.²¹⁰ It is an old town, the first dwelling dating back to 1834, although for the next twenty years it made slow growth. Articles of incorporation were taken out in 1877, after the old Peoria, Decatur and Evansville (Illinois Central) came through.

Dalton City, on the Macon County line in Dora Township, is another town born of the railroad boom. It was laid out in 1871, the year that the Decatur, Peoria and Evansville was built from Decatur to Mattoon, and incorporated in 1877. Its population is 403.²¹¹

Gays, in former years called Summit, on the Big Four in southeastern Whitley Township, with a population of 306, and Allenville on the Illinois Central in East Nelson Township, with 248 inhabitants, are the only remaining incorporated villages.

There are, however, a number of unincorporated places, stations along one of the railroads: Williamsburg in Lowe Township, Lanton

208. Population Bulletin, p. 29.

209. Ibid.

210. Ibid.

211. Ibid

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and Ulrich in Lovington Township, Lake City in Dora, Dunn in Marrowbone, Cushman and Cadwell in Jonathan Creek, Coles in East Nelson, and Kirksville in Sullivan.

Prominent Citizens and Their Contributions

In the century of its history many men and women have contributed to the progress and stability of Moultrie County. The names of some weave in and out through the official records; others worked at their business or profession with little or no public mention, yet were the very backbone of the community structure. As in every community some names stand out above the others, for good or ill, and are remembered long past their own generation. Only a few of these can be mentioned within the confines of this brief sketch.

Among the early comers were the Whitley family who gave their name to the county's first settlement, and perpetuated it in Whitley Creek and Whitley Township. There was the Waggoner family from the same neighborhood, whose members served the county in one capacity or another from the time that Amos Waggoner was elected justice of the county court in 1853, almost to the turn of the century. Joseph Waggoner, born shortly after the family settled on Whitley Creek, held the office of circuit clerk for sixteen consecutive years, from 1864 to 1880. There was Abraham Kellar, whose efforts, both within the district and at Springfield were largely instrumental in the creation of the county. He was a member of the county commissioners' court during its entire life, from 1843 to 1849. It was he who was asked to act as arbitrator in the Mormon troubles of 1842, to negotiate a settlement in the family dispute over the defection of Mrs. Souther.²¹² There was John A. Freeland, many years county clerk, doubling in the office of recorder, and for a term school commissioner; and James S. Freeland who originated and managed the old Sullivan Academy. There was Charles L. Roane from Virginia, who ran a general store in Sullivan at the same time that he was county clerk (1857-61) and that he represented Moultrie, Shelby, and Effingham counties in the legislature. There was also John Perryman, a name as well known in Shelby as in Moultrie County, who was the first school commissioner, and whose interest in education never wavered. He was treasurer for a time, and clerk of the circuit court from 1848 to 1852. And there was Arnold Thomason, for whom the courthouse was virtually home for thirty years. He struggled with the county accounts as treasurer from 1849 to '55; he was circuit clerk from 1856 to '64, and from 1865 to '77 sat on the bench as county judge.

One of the colorful personages of the county was James Elder, judge of the county court from 1849 to 1861. He was a hospitable soul, and one of the friends who frequented his home was Abraham Lincoln. It was during one of these visits that the incident of the clash between the Lincoln and Douglas factions in Sullivan took place.

The Edens, Joseph and John, were outstanding men in the county

²¹². See p. 42.

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through many years. Joseph was the first to arrive, opening a general store in Sullivan in 1853. Later he became proprietor of the old Eden House. Like most business men in the county towns, he also had farming and stockraising interests. In 1861 he followed Judge Elder on the bench of the county court. It was through his vigorous activity in the sale of the swamp lands that funds were secured to build the new courthouse after the fire of 1864; it was also through his efforts that land was secured for the poor farm. His brother, John R. Eden, moved up from Shelbyville, where he had been practising law, late in 1853. Sharing his brother's interest in the swamp-land situation, he acted as attorney for the committee appointed by the court to secure reimbursement from the Federal government for the swamp lands granted to the Illinois Central Railroad.²¹³ His leadership soon extended beyond Moultrie County; he was elected to Congress as Representative from Illinois, and served four terms, including the difficult years of the Civil War.

A second member of the swamp-land delegation to Washington was Jonathan Meeker, likewise a lawyer. The report of the success of the mission carries his signature.²¹⁴ When Moultrie County instituted township government in 1867, Meeker was elected supervisor for Sullivan Township, and became chairman of the board. In 1870, he was elected to the house of representatives at Springfield, and in 1877 succeeded Arnold Thomason as judge of the county court, where he presided for nine years.

Another of the galaxy of young lawyers practising before the Moultrie County bar was Richard J. Oglesby, who opened his office in Sullivan immediately upon his admission to the bar in 1845. His stay was short, however, for the next year he enlisted in the Mexican War. An adventuresome spirit, he joined the forty-niners' gold rush to California, and later traveled around the world. Returning to Illinois, he was elected to the state senate, but from Macon County rather than Moultrie. He served brilliantly in the Civil War, and came through with the rank of Brigadier-General. Elected Governor in 1875, he resigned to take his seat in the United States Senate. In 1885 he was again elected to the governorship, and this time served four years.

A prominent lawyer of the county of a later period, whose early career presents considerable contrast to Oglesby's, was W. G. Cochran of Lovington Township. A farmer by training and a soldier by necessity, he had so little education in his youth that his enlistment papers carry only his mark for signature. By hard work, he mastered the law and was admitted to the bar in 1879. He was sent to the legislature where he became speaker of the house for the term of 1888, and later served in the senate.

Following in the footsteps of these men of the law was F. M. Harbaugh, who had a long and influential career in the county, ending only with his death in 1930.

Not all the persons who have made significant contributions to

213. See p. 33, 34.

214. Court Record, v. 11, p. 167.

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the life of the county have followed the law. There have been many other professional men, physicians—Dr. Eleazer Pyatt of Bethany, who had served as an assistant surgeon-general in the Confederate Army, and Dr. D. D. Grier who practised for many years in the southern part of the county, to mention but two—preachers, editors, teachers, whose names and contributions would make a long list. And besides these are merchants and business men, farmers and stockmen and industrial workers, whose names may appear only in the records of marriage, death, and birth or in the local columns of the newspapers, who, nevertheless, without limelight of public office, have contributed of their thought and their work to the building of a sound community structure on the foundation laid by the county's pioneers.

2. GOVERNMENTAL ORGANIZATION AND RECORD SYSTEM

INTRODUCTION

The county in Illinois is a corporate body¹ and an administrative unit of the state; its governmental organization is at all times largely an expression of this dual nature.

The growth of the county as a body politic is reflected, in each of the state's three constitutional periods, in a progressive expansion of the powers which may by law be exercised by the county board, and in the creation of new, and the extension of existing, county offices. The latter phase of growth in Moultrie County and in others similarly organized at present, has also been affected by the adoption of township organization, which for the first time constituted the civil towns as an additional level of government.

An analogous development appears in the state's invasion of new fields of government and the extension of the county's role as its agent. Originally, the county performed but a single function for the state, that of collecting its share of the taxes levied within the county. Since then, however, education, public health, registration of vital statistics, public assistance, and many similar if less important matters have entered the province of state control or supervision. To effect this control, new governmental units, subcounty districts of various types, have come into existence or have been converted to new purposes; the county, because of its intermediate position, has become more important as a medium of that control.

Thus the complete operation of county government in Illinois brings into play a number of partly distinct authorities. Their relationships, at any time, are complex. The changing governmental organization of Moultrie County, therefore, is easiest traced from the viewpoint of the major functions of county government.

GENERAL ADMINISTRATION

General administrative jurisdiction over county business has always been vested in the county board. Under the first constitution, for all counties, the county commissioners' court acted as the county board.² It was expressly declared to have no original or appellate jurisdiction in civil or criminal actions, but had all power necessary to the exercise of its jurisdiction in cases concerning the public affairs of the county collectively.³ The commissioners were constitutional officers,⁴ and elected;⁵ the court existed solely by statutory provision.⁶ Attached to it in a ministerial capacity was

1. R.L.1827, p. 107; R.S.1845, p. 130; R.S.1874, p. 306.

2. Constitution of 1818, Schedule, sec. 4; L.1819, p. 175, 176.

3. L.1819, p. 176.

4. Constitution of 1818, Schedule, sec. 4.

5. L.1819, p. 99; L.1821, p. 80; L.1837, p. 103, 104.

6. L.1819, p. 175.

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the independent statutory office of clerk of the county commissioners' court,⁷ at first filled at the appointment of the court,⁸ later by election.⁹

Under the second constitution, the newly created county court succeeded to the position of the county commissioners' court.¹⁰ As an administrative body,¹¹ it was composed of the county judge, an elected, constitutional officer,¹² and two justices of the peace, elected at large.¹³ Another new office, that of clerk of the county court, was created to provide it with a ministerial officer; the clerk also was elected.¹⁴

The Constitution of 1848 also made provision, for the first time, for an optional form of county government.¹⁵ The subsequent enabling acts¹⁶ provided that whenever the voters of a county might so determine, that county should adopt township organization; one of the principal results of such a change was to alter the form of the county board.¹⁷ Moultrie County so elected in 1866, and in 1867 the county court was succeeded by a board of supervisors, composed of members elected, one in each of the several townships.¹⁸ The clerk of the county court was required by law to act as the ministerial officer of the new county board.¹⁹ In 1872, however, that clerk was replaced by a new officer, the county clerk, whose office had been created and made elective, by the third constitution,²⁰ and who was required by law to act as ministerial officer for the county board.²¹ Another significant change in the form of the county board has been the addition to its membership of assistant supervisors, elected from the various towns on the basis of population;²² the assistant supervisors have no powers or duties as town officers, but are members of the county board and as such enjoy the same powers and rights as other members.²³

The Constitution of 1870 also provided a new form of county board in counties not under township organization. This board was to be composed of three officers, styled commissioners, who would

7. L.1819, p.175.

8. Ibid.

9. L.1837, p. 49; L.1845, p. 23.

10. Constitution of 1848, Art. V, sec. 19; L.1849, p. 65.

11. The county court was also a court of law. For its jurisdiction as such, see Administration of Justice, Courts, p. 59.

12. Constitution of 1848, Art. V, sec. 17.

13. Ibid., Art. V, sec. 19; L.1849, p. 65, 66.

14. Constitution of 1848, Art. V, sec. 19; L.1849, p. 63.

15. Constitution of 1848, Art. VII, sec. 6.

16. The original enabling act of 1849 (L.1849, p. 190-224) was repealed two years later by a more comprehensive but essentially similar law (L.1851, p. 35-78).

17. Other effects of the change, within the sphere of county government proper, appear with regard to the taxation procedure. See Finances, p. 56.

18. Constitution of 1848, Art. VII, sec. 6; L.1851, p. 38, 50-52; Constitution of 1870, Art. X, sec. 5.

19. L.1849, p. 203; L.1851, p. 52.

20. Constitution of 1870, Art. X, sec. 8.

21. R.S.1874, p. 322.

22. Ibid., p. 1080; L.1925, p. 605; L.1929, p. 774; L.1931, p. 905-10; L.1933, p. 1115, 1116.

23. R.S.1874, p. 1080.

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transact all county business as provided by law.²⁴ Subsequent legislation granted to the board of county commissioners all powers and duties formerly exercised by the county court when acting in its administrative capacity.²⁵ These laws were ineffective in Moultrie since this county has retained township organization since its adoption in 1866.

Concurrent with the changing organization of the county board is an expansion of its functions without, however, considerable extension beyond the original jurisdiction conferred upon the county commissioners' court. The authority of that body extended to the imposition and regulation of taxes,²⁶ a limited but increasing management of county property,²⁷ and a growing fiscal control, stringent in regard to tax collections,²⁸ sporadic in its check on the expenditures of other county offices.²⁹ The court additionally had power to appoint judges of election,³⁰ select juries,³¹ and, with limitations, to provide for the construction and maintenance of roads and bridges.³² Poor relief³³ and a tentative supervision of education³⁴ also fell within its general administrative jurisdiction.

The effect of subsequent legislation, in the main, has only been to broaden that jurisdiction. The county board has been given full power to purchase, contract for, dispose of, and make regulations concerning all real and personal property of the county.³⁵ It is now required also to audit all claims against the county and the accounts of such officers as were not provided for by law.³⁶ Otherwise, the changes in form of the county board in Moultrie County have not materially affected the general administrative jurisdiction of that body.³⁷

FINANCES

In Illinois counties, there has always been a close relationship between the taxation processes and fiscal control. This circumstance, as well as frequent evidence of the county board's ultimate control in such matters, appears in a resume of the legal status and duties of the officers involved.

24. Constitution of 1870, Art. X, sec. 6.

25. L.1873-74, p. 79.

26. L.1819, p. 175.

27. *Ibid.*, p. 237, 238; L.1842-43, p. 128.

28. L.1819, p. 236, 318; L.1823, p. 208; R.L.1827, p. 373, 375; R.L.1829, p. 121; L.1842-43, p. 112; L.1845, p. 11, 12.

29. R.L.1827, p. 366; L.1831, p. 175.

30. L.1819, p. 90.

31. *Ibid.*, p. 255; L.1823, p. 182.

32. Either by calling on the able-bodied men of the county for labor or by raising bond issues by subscription (L.1819, p. 333, 334, 336, 337, 343; L.1821, p. 167; L.1825, p. 130-33).

33. L.1819, p. 127; L.1839, p. 138, 139.

34. R.S.1845, p. 500, 501.

35. L.1849, p. 202; L.1851, p. 50, 51; L.1861, p. 235, 236; R.S.1874, p. 306, 307; L.1911, p. 245, 246; L.1923, p. 304, 305; L.1937, p. 453, 454.

36. L.1849, p. 202; L.1851, p. 51; R.S.1874, p. 307; L.1923, p. 299.

37. Cf. this running summary with R.S.1874, p. 306, 307, and R.S.1937, p. 910-12.

Taxation

The assessment function in taxation was delegated by the first General Assembly to the county treasurer, a statutory officer appointed by the county commissioners' court.³⁸ The administrative body, within statutory limits, fixed the amount of the levy, while the value of many categories of real and personal property was fixed by law; however, a limited discretion was left to the assessing officer.³⁹ In 1825 assessments were made by the county assessor, also an appointee of the county commissioners' court.⁴⁰ This duty reverted to the county treasurer in 1827⁴¹ and continued to be vested in that office until 1839, when the General Assembly provided for the appointment by the county commissioners' court of district assessors, not to exceed one in every justice's district.⁴² The earlier system was reestablished in 1844, with the treasurer, however, now having the status of ex-officio county assessor.⁴³ Since 1867, the date of the institution of township organization in Moultrie County, the assessment function has been performed on the lower governmental level by town assessors, elected one in each township.⁴⁴ Today, the principal duties of the assessing officers, taken together, are to bring up to date each year the periodic assessment of real property, to take current lists of, and appraise personal property and special categories of other property.⁴⁵ The treasurer now has the status of ex-officio supervisor of assessments.⁴⁶

Before the creation of a board of review the functions which today fall within its scope were performed, in substance, by various officers. In the first constitutional period, it was left to interested individuals or parties to report property omitted from assessment; the county commissioners' court could hear appeals from assessments, but there was no provision for their equalization by districts.⁴⁷ During the second constitutional period, appeals, in Moultrie County, were made to the county court.⁴⁸ After the institution of township organization in 1867, town boards were empowered to review the assessments within their own jurisdiction, and the county board was required to meet annually to assess omitted property, review assessments upon complaint, and equalize valuations between towns.⁴⁹ In 1898 this authority of the county board was transferred to the newly created board of review, composed of the chairman of the county board as ex-officio chairman, the county clerk as ex-officio clerk, and

38. L.1819, p. 315.

39. *Ibid.*, p. 313, 319; L.1825, p. 173; L.1839, p. 4-6; L.1840, p. 4; L.1845, p. 6.

40. L.1825, p. 173.

41. R.L.1827, p. 330.

42. L.1839, p. 4.

43. L.1843, p. 231.

44. L.1849, p. 192; L.1851, p. 38; L.1871-72, p. 20-24.

45. L.1853, p. 16, 17; L.1871-72, p. 11, 14, 15, 19, 23; L.1873, p. 51; L.1879, p. 241-45; L.1881, p. 133, 134; L.1885, p. 234; L.1895, p. 300, 301; L.1905, p. 360; L.1915, p. 568; L.1923, p. 495, 500; L.1931-32, First Sp. Sess., p. 69.

46. L.1898, p. 36-44.

47. L.1819, p. 316; R.L.1827, p. 330; L.1839, p. 7; L.1845, p. 8.

48. L.1849, p. 65.

49. L.1851, p. 56, 57; L.1871-72, p. 21, 22, 24, 25.

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an additional member appointed by the county judge.⁵⁰ In 1923 the county clerk was replaced by another member appointed by the county judge;⁵¹ the board of review now appoints its own clerk.⁵²

The collection function was originally performed in all counties by the sheriff, an elected constitutional officer.⁵³ Its nature has changed little since that time. Essentially, the collecting officer collects taxes according to information originating outside his jurisdiction, pays over such sums to authorities designated by statute to receive them, and reports on payments of taxes and delinquencies.⁵⁴ In 1839, by a development analogous to that which occurred with regard to assessments, the county board extended its control to appoint a regular county collector.⁵⁵ Soon after, the law reverted to the earlier situation, with the sheriff acting as ex-officio collector.⁵⁶ This situation continued until Moultrie County adopted township organization when town collectors were elected, one in each township,⁵⁷ and the county treasurer became ex-officio county collector.⁵⁸ The town officers paid over their collections directly to the county officer, and supplied the basic information for the latter's summary report of collections in the county.⁵⁹ In 1917 the town office of collector was abolished in counties the size of Moultrie, and the county collector became ex-officio town collector, assuming all duties previously assigned to the latter officer.⁶⁰

Coordination of the taxation process has always been effected by the county clerk or his predecessors. The assessment books are made out by the clerk, and returned to him by the assessor; similarly, the collector reports on collections on delinquent property; finally, the treasurer's receipts to the collector for taxes paid come into his possession, and the centralization of records concerning the basic taxation procedure is completed.⁶¹

Fiscal Control

The fiduciary function in county finances is performed by the county treasurer alone. The duties of the office have remained substantially the same since its creation: namely, to receive, principally from the collectors of taxes, the revenue of the county; to have custody of its funds; and to disburse funds only on specific authorization by law, or in accordance with the order of the county board.⁶²

50. L.1898, p. 46.

51. L.1923, p. 496; L.1932, First Sp. Sess., p. 71, 72.

52. L.1923, p. 496, 497.

53. Constitution of 1818, Art. III, sec. 11; L.1819, p. 316.

54. L.1819, p. 316-18; L.1821, p. 182, 183; R.L.1827, p. 332, 333; R.L.1829, p. 121-23; L.1831, p. 125; L.1837, p. 581, 582; L.1839, p. 7-12; L.1843, p. 234; L.1845, p. 11; L.1847, p. 81; L.1871-72, p. 55, 57, 58.

55. L.1838-39, p. 7.

56. L.1843, p. 234.

57. L.1849, p. 192; L.1851, p. 38.

58. L.1853, p. 67.

59. L.1871-72, p. 41, 56, 57.

60. L.1917, p. 793.

61. L.1819, p. 317; R.L.1827, p. 373; L.1837, p. 522; L.1839, p. 8-12; L.1840, p. 3; L.1843, p. 9, 11; L.1853, p. 71, 111; L.1871-72, p. 32, 34, 35, 46, 56-58; L.1873-74, p. 51; L.1911, p. 485; L.1917, p. 654; L.1919, p. 765; L.1931, p. 747.

62. L.1819, p. 315, 316; R.S.1845, p. 138; L.1861, p. 239; R.S.1874, p. 323, 324.

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Through this last requirement, and that of the treasurer to report periodically to the board on the transactions of his office, in addition to his regular settlement with it, the lines of financial authority once more lead to the county board.⁶³

ADMINISTRATION OF JUSTICE

Courts

Justice, in Illinois counties, has been administered by a constantly increasing number of bodies. The Constitution of 1818 vested the judicial powers of the state in a Supreme Court and such inferior courts as the General Assembly should ordain and establish; required the Supreme Court justices to hold circuit courts in the several counties; and provided for the appointment, in such manner and with such powers and duties as the General Assembly should direct, of a competent number of justices of the peace in each county.⁶⁴

Federal statutes already allowed circuit courts, in all states, jurisdiction over the naturalization of aliens;⁶⁵ the first state legislature additionally conferred jurisdiction over all causes at common law and chancery and over all cases of treason, felony, and other crimes and misdemeanors.⁶⁶ The legislature further required that two terms of a circuit court be held in each county annually by one of the Supreme Court justices,⁶⁷ but in 1824 provision was made for the holding of circuit courts by separate circuit court judges, to be appointed, as were the Supreme Court justices, by both branches of the General Assembly, and to hold office during good behavior.⁶⁸ In 1827 the General Assembly repealed the 1824 law, and again provided for circuit courts to be held by Supreme Court justices.⁶⁹ At the next session of the legislature, when a new circuit was established, provision was made for the appointment of a circuit judge to act therein.⁷⁰ At that time, therefore, the circuit courts were held by Supreme Court justices in four judicial circuits and by a circuit judge in the fifth.⁷¹ A change was made again in 1835, when power to hold circuit courts was taken away from the Supreme Court justices and provision was made for the appointment of five circuit judges, in addition to the one already authorized, to hold circuit courts.⁷² The six judicial circuits existing at that time were supplemented during the next few years by the creation of new circuits,⁷³ so that they numbered nine in 1841 when the office of circuit judge

63. L.1819, p. 318; L.1837, p. 582, 583; L.1845, p. 33; R.S.1845, p. 138, 139; L.1861, p. 239, 240; R.S.1874, p. 323, 324.

64. Constitution of 1818, Art. IV, sec. 1, 4, 8.

65. 2 U.S.S. L 153-55.

66. L.1819, p. 380.

67. *Ibid.*, p. 378.

68. L.1824, p. 41. The Constitution of 1818, which had required that Supreme Court justices be appointed by the General Assembly, further provided that they should not, after the first session of the legislature subsequent to January 1, 1824, hold circuit courts unless required to do so by law. (Art. IV, sec. 4).

69. R.L.1827, p. 118, 119.

70. R.L.1829, p. 38.

71. *Ibid.*, p. 42, 48.

72. L.1835, p. 150.

73. L.1837, p. 113; L.1838-39, p. 155.

was again abolished and the Supreme Court justices, also increased to nine, were required to hold circuit courts.⁷⁴

The authority of justices of the peace was limited by law to jurisdiction in specified civil cases and in misdemeanors, with appeals allowed from their judgments to the circuit court.⁷⁵ The power of appointment, the legislature at first reserved to itself;⁷⁶ in 1827, however, justices of the peace were required to be elected, two in each of such districts as should be determined within statutory limits by the county commissioners' court.⁷⁷

Jurisdiction over probate matters was at the outset delegated to the county commissioners' court.⁷⁸ By act of the next General Assembly, it was transferred to the court of probate,⁷⁹ consisting in each county of one judge appointed by the General Assembly.⁸⁰ As a result of the substitution in 1837 of probate justices of the peace for the judges of probate,⁸¹ jurisdiction over probate matters for the first time was placed in the hands of elected officers.⁸²

The county court was the creation of the second constitution,⁸³ which also made circuit judges elected officers.⁸⁴ With regard to the new court, it was further provided by law that it should be held in each county by a single elected officer, the county judge.⁸⁵ Its authority was extended to jurisdiction in all probate matters, and to such jurisdiction in civil and criminal cases as might be conferred by the General Assembly.⁸⁶ In pursuance of this latter provision, the county court was first given the same civil and criminal jurisdiction as justices of the peace;⁸⁷ at the same session of the General Assembly, however, it was declared that county judges when exercising this jurisdiction, acted only in the capacity of justices of the peace.⁸⁸ Until the next constitutional period, the county court, as such, was given jurisdiction only in a limited number of special actions;⁸⁹ it was however, considered entitled to equal jurisdiction with the circuit court over naturalization.⁹⁰ In this same period, provision was made for increasing, on the basis of population, the number of justices of

74. L.1841, p. 173.

75. L.1819, p. 185, 192, 195.

76. *Ibid.*, p. 22.

77. R.L.1827, p. 255, 256. Since 1821, however, the county commissioners' court has been required to establish such districts, which also constituted general election precincts (L.1821, p. 74). For changes in the statutory limitations of this power of the court, see R.L.1827, p. 255, and R.L.1829, p. 93.

78. L.1819, p. 223-33.

79. L.1821, p. 121.

80. *Ibid.*, p. 119. The Constitution of 1818 (Art. IV, sec. 4) had also designated this manner of election for judges of all inferior courts.

81. L.1837, p. 176, 177.

82. The Constitution of 1818 (Art. IV, sec. 8) had reserved to the General Assembly the right to prescribe the manner of appointment of justices of the peace.

83. Constitution of 1848, Art. V, sec. 1, 16.

84. *Ibid.*, sec. 7, 15.

85. *Ibid.*, sec. 17.

86. *Ibid.*, sec. 18.

87. L.1849, p. 65.

88. *Ibid.*, Second Sess., p. 15.

89. L.1849, p. 65, 66; L.1853, p. 103; L.1861, p. 171, 172.

90. 2.U.S.S. L. 155.

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the peace to be elected in each district. In Moultrie County, and others similarly organized, one additional justice of the peace is now elected for every one thousand inhabitants exceeding two thousand inhabitants in each town.⁹¹

Provision was first made by the Constitution of 1870 for the establishment by the General Assembly of an independent probate court in each county having a population of more than fifty thousand inhabitants.⁹² As first established by statute, the new courts were to be formed in counties of one hundred thousand or more inhabitants.⁹³ This population requirement was lowered to seventy thousand in 1881.⁹⁴ The population of Moultrie County not having reached this figure, jurisdiction over probate matters has continued to be vested in the county court in accordance with constitutional provision to that effect.⁹⁵ The county court, early in this period, was given concurrent jurisdiction with the circuit court in appeals from justices of the peace;⁹⁶ its original jurisdiction was extended to be equal with that of the circuit court in all that class of cases cognizable by justices of the peace⁹⁷ and involving in controversy sums not exceeding \$500.⁹⁸ In 1906, however, it lost its naturalization jurisdiction since it failed to meet the additional requirement of Federal legislation that it possess jurisdiction at law without limitation upon amounts in controversy.⁹⁹ The present constitution, also, for the first time, directed the manner in which the General Assembly should establish judicial circuits, requiring that circuits be formed of contiguous counties and that they should not exceed in number one circuit for every one hundred thousand of population of the state.¹⁰⁰ At present there are eighteen circuits in Illinois, and Moultrie County is attached to the sixth circuit.¹⁰¹

Clerks of Courts

The clerk of the circuit court under the Constitution of 1818, was to be appointed by a majority of the justices of that court.¹⁰² Since 1849, however, by provisions of the constitutions of 1848 and 1870, the office has been filled by election.¹⁰³ The office of clerk of the county court, which was an independent elective office under the

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91. L.1854, p. 30. No more than five justices, however, may be elected from any town or election precinct.
 92. Constitution of 1870, Art. VI, sec. 20.
 93. L.1877, p. 79, 80.
 94. L.1881, p. 72. In 1933, the act of 1877 was further amended to make the establishment of an independent probate court mandatory in counties having a population of eighty-five thousand or more, and optional in counties having a population of between seventy thousand and eighty-five thousand (L.1933, p. 458).
 95. Constitution of 1870, Art. VI, sec. 18; L.1877, p. 80; L.1881, p. 72.
 96. R.S.1874, p. 340; L.1877, p. 77; L.1895, p. 212, 223.
 97. The jurisdiction of justices has also been progressively increased during this period. See L.1871-72, p. 524; L.1895, p. 189, 190; L.1917, p. 562, 563; L.1929, p. 541, 542.
 98. L.1871-72, p. 325.
 99. 34 U. S. S. L. 596.
 100. Constitution of 1870, Art. VI, sec. 13.
 101. L.1933, p. 436.
 102. Constitution of 1818, Art. IV, sec. 6.
 103. Constitution of 1848, Art. V, sec. 21, 29; Constitution of 1870, Art. X, sec. 8.

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second constitution,¹⁰⁴ is now filled in an ex-officio capacity by the county clerk¹⁰⁵ who is also required by constitutional provision to be elected.¹⁰⁶ The county commissioners' court, which for a brief period held jurisdiction over probate matters, had its own clerk who was at that time appointed by the court.¹⁰⁷ Probate judges and justices of the peace who subsequently held probate jurisdiction, were required to act as their own clerks.¹⁰⁸ With the transfer of probate jurisdiction to the county court, the clerk of the county court was required to keep, separately, records of probate proceedings and business.¹⁰⁹ In Moultrie County where the county court still retains probate jurisdiction, the county clerk serves it in these matters in his capacity as ex-officio clerk of the county court.¹¹⁰ Justices of the peace have always been required to keep their records in person.¹¹¹

Ministerial Officers

The principal ministerial officer of all courts of record in Illinois counties is the sheriff. The first constitution provided that the sheriff should be elected.¹¹² Later, in 1827, statutory provision was made for the appointment of deputies by the principal officer;¹¹³ since 1870, the number of deputies that the sheriff may appoint is determined by rule of the circuit court.¹¹⁴ The ministerial duties of the sheriff have undergone little change in more than one hundred years. Essentially he is to attend, in person or by deputy, all courts of record in the county, obeying the orders and directions of the court, and to serve, execute, and return all writs, warrants, process, orders, and decrees legally directed to him.¹¹⁵

The coroner was originally given equal power with the sheriff as a ministerial officer of the courts.¹¹⁶ He was also required to serve all process in any suit in which the sheriff was an interested party¹¹⁷ and to perform all the duties of the sheriff when that office was vacant.¹¹⁸ The last two functions are still incumbent upon the coroner.¹¹⁹

104. Constitution of 1848, Art. V, sec. 19.

105. R.S.1874, p. 260.

106. Constitution of 1870, Art. X, sec. 8.

107. L.1819, p. 175.

108. L.1821, p. 119, 120; L.1837, p. 177, 178.

109. L.1849, p. 66.

110. R.S.1874, p. 260.

111. L.1819, p. 185-97 (no specific record-keeping requirement listed among general duties of justices), 326 (establishing fees to be paid justices for keeping records); R.L.1827, p. 260 (becomes definite provision for justices to keep own records); L.1895, p. 221, 222.

112. Constitution of 1818, Art. III, Sec. 11.

113. R.L.1827, p. 373.

114. Constitution of 1870, Art. X, sec. 9.

115. L.1819, p. 111; R.S.1874, p. 990, 991.

116. L.1819, p. 111.

117. L.1821, p. 20-33.

118. R.L.1827, p. 372, 373.

119. Despite the absence from the present law of statutory provision for the coroner to serve process originally directed to him (R.S.1874, p. 281, 282), the courts have held that he may so do, an emergency being presumed to exist without need for the process to recite reason for its issuance to the coroner (20 Ill. 185; 57 Ill. 268).

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Justices of the peace are served similarly in a ministerial capacity by constables. Not until 1870 was the office of constable given constitutional recognition;¹²⁰ at its creation by the first General Assembly, the county commissioners' court was empowered to appoint one or more constables in each township;¹²¹ in 1827 it was provided that two constables should be elected in each justice of the peace district.¹²² Since that date, subsequent legislation has grouped justices of the peace and constables in all provisions regarding their election.¹²³ Constables, like sheriffs and coroners, have always been required to serve and execute all process legally directed to them;¹²⁴ process issuing from a justice of the peace court, however, may be directed only to some constable of the same county.¹²⁵

Prosecutions

The duty of the present state's attorney to prosecute and defend all actions, civil or criminal, involving the county, the people, or officers of the state or county,¹²⁶ was incumbent originally upon the circuit attorney.¹²⁷ In 1827 this officer was replaced by the state's attorney.¹²⁸ Also in effect from an early date is the officer's other major duty, apart from the enforcement of law,¹²⁹ of giving opinions on any questions of law relating to criminal or other matters in which the people of the county may be concerned.¹³⁰

The office of circuit attorney and early state's attorney, which existed solely by statutory provision,¹³¹ were appointive by the Governor until 1835,¹³² and thereafter by the General Assembly.¹³³ The second constitution provided for an elected state's attorney;¹³⁴ since each judicial circuit was an elective district for this purpose, the territorial jurisdiction of the new officer remained the same as that of the former officer.¹³⁵ Not until the adoption of the present con-

120. Constitution of 1870, Art. VI, sec. 21.

121. L.1819, p. 162.

122. R.L.1827, p. 258.

123. See Courts, p. 59.

124. L.1819, p. 162, 163; R.S.1874, p. 400.

125. L.1819, p. 186; R.S.1845, p. 317; L.1871-72, p. 525; L.1895, p. 191, 193; L.1937, p. 900. Similarly, process issuing from courts of record is required to be directed to the sheriff or, under certain conditions noted (footnotes 116, 117, and 118), to the coroner (R.S.1845, p. 413; L.1871-72, p. 338; L.1907, p. 444, 445; L.1933, p. 786; L.1937, p. 989).

126. R.S.1874, p. 173, 174.

127. L.1819, p. 204; L.1825, p. 178, 179.

128. R.L.1827, p. 79, 80.

129. See Enforcement of Law, p. 64.

130. R.S.1845, p. 76; R.S.1874, p. 174.

131. L.1819, p. 204-6.

132. Ibid., p. 204.

133. L.1835, p. 44.

134. Constitution of 1848, Art. V, sec. 21. The new title, however, had already come into occasional use in the interim (R.L.1827, p. 79, 80; L.1835, p. 44; L.1847, p. 18, 19).

135. Constitution of 1848, Art. V, sec. 28.

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stitution was provision made for the election of a separate state's attorney in each county.¹³⁶

Inquests

The holding of inquests, one of the duties of the coroner in Illinois counties, is also a part of the administration of justice. The office of coroner was created by the first constitution and required to be filled by election;¹³⁷ the statutory provisions concerning the inquest function have not changed substantially since their enactment by the second General Assembly.¹³⁸ The coroner, when informed of the body of any person being found dead, supposedly by violence, casualty, or undue means, is required to summon a jury to inquire how, in what manner, and by whom or what, death was caused; testimony of witnesses is taken; witnesses whose evidence implicates any person as the unlawful slayer of the deceased are bound over to the circuit court; the verdict of the jury is returned to the clerk of that court.¹³⁹

The verdict of the coroner's jury, however, is not generally admissible in evidence;¹⁴⁰ additionally, it is not held to be prime facie proof of matters stated therein with regard to the cause and manner of death;¹⁴¹ its essential nature, therefore, is that of a finding of facts upon the basis of which the coroner may be led to discharge his collateral duty to apprehend and commit to jail any person implicated by the inquest as the unlawful slayer of the deceased.¹⁴² To this extent, the coroner's inquest duties overlap his function as an officer for the enforcement of law.

Enforcement of Law

Sheriffs, coroners, and constables have always been charged equally with keeping the peace and apprehending all offenders against the law.¹⁴³ The state's attorney's powers as an officer for the enforcement of law originally derive by implication from another duty;¹⁴⁴ the gathering of evidence and the apprehension of offenders is necessarily involved in commencing and prosecuting actions in which the people of the state or county are concerned.¹⁴⁵ In relatively recent years, however, the state's attorney has been given more specific statutory powers to enforce laws and to investigate violations and secure necessary evidence thereof.¹⁴⁶ But at any time the effective spheres of authority of law enforcement officers have been determined less by statutory provisions than by local conditions and individual circumstances.

136. Constitution of 1870, Art. VI, sec. 22.

137. Constitution of 1818, Art. III, sec. 11.

138. Cf. L.1821, p. 22-24; R.S.1845, p. 517, 518; R.S.1874, p. 282-84; R.S.1937, p. 780-82.

139. L.1821, p. 24, 25; R.S.1845, p. 518; R.S.1874, p. 284; L.1879, p. 82; L.1907, p. 213; L.1919, p. 403, 404; L.1931, p. 388, 389.

140. 46 N.W. 872. It is, however, held to be proper practice to offer, in cross-examining witnesses sought to be impeached, excerpts from transcripts of testimony taken at the inquest (189 Ill. App. 556; 211 Ill. App. 474).

141. 201 Ill. App. 287.

142. L.1821, p. 25; R.S.1845, p. 518; R.S.1874, p. 283, 284.

143. L.1819, p. 111, 162, 163; R.S.1845, p. 515; R.S.1874, p. 400.

144. See *Prosecutions*, p. 63.

145. L.1819, p. 204; R.S.1845, p. 76.

146. L.1885, p. 3; L.1907, p. 268; L.1913, p. 395; L.1915, p. 368; L.1927, p. 33.

EDUCATION

The act of Congress providing for the creation and admission of the State of Illinois to the Union set aside section sixteen of every township for the use of schools.¹⁴⁷ The first state legislation on the subject was concerned only with the establishment of school districts and the sale or leasing of school land to provide necessary funds, for which purposes three trustees of school lands were appointed in each township by the county commissioners' court.¹⁴⁸

In 1825, however, with a common school system in operation, provision was made for its educational as well as financial administration. Three elected officers, known as township school trustees, were charged in each township with superintending schools, examining and employing teachers, leasing all land belonging to the district, and reporting annually to the county commissioners' court; this report, however, was limited to such matters as were concerned in the financial administration of the schools.¹⁴⁹ In 1827 the county commissioners' court was again empowered to appoint trustees of school lands, but despite the use of the earlier, more limited title, these officers were charged with all the duties of the former township school trustees.¹⁵⁰ The creation of office of county school commissioner in 1829 brought a new element into the complex situation. The commissioner was at first given limited duties with regard to the sale of school lands and the management of school funds;¹⁵¹ his subsequent gains in this respect at the expense of the township trustees foreshadowed the demarcation of spheres of authority that was made in 1847.¹⁵² In the interim, the school commissioner, who had first been appointed by the county commissioners' court,¹⁵³ became an elected officer;¹⁵⁴ in such townships as elected to incorporate for the purpose of organizing and supporting schools, township trustees also became elected officers and were then denominated trustees of schools.¹⁵⁵

The situation created by the legislation of 1847 in certain respects has not since been substantially altered. In all counties, township trustees became, and are still, elected officers, styled township school trustees.¹⁵⁶ The relative authority of the officer of the county¹⁵⁷ and of officers of the township with regard to financial administration was fixed essentially as at present.¹⁵⁸ Moreover,

147. 3 U.S.S. L. 428.

148. L.1819, p. 107, 108.

149. L.1825, p. 121, 122.

150. R.L.1827, p. 366-70.

151. R.L.1829, p. 150-54.

152. Cf. L.1831, p. 176; L.1841, p. 275-79.

153. R.L.1829, p. 150.

154. L.1841, p. 261, 262.

155. *Ibid.*, p. 273, 274. In unincorporated townships trustees continue to be appointed by the county commissioners' court (*ibid.*, p. 259, 260).

156. L.1847, p. 126; L.1909, p. 350.

157. The subsequent substitution of an independent elected superintendent of schools for the school commissioner who had additionally been ex-officio superintendent (see footnotes 160, 161, p. 66), was only a change in the legal status of the officer of the county and had no further import.

158. L.1847, p. 123, 124, 128, 129; L.1909, p. 351-54; L.1927, p. 794, 795.

township trustees lost practically all their former duties with regard to matters purely educational as a result of a development that occurred in 1845.

It was at that time that the county first entered into the actual administration of education with the creation of the office of superintendent of schools.¹⁵⁹ Filled at first by the school commissioner in an ex-officio capacity,¹⁶⁰ it quickly absorbed most of the functions of township trustees with regard to the advancement of education;¹⁶¹ later, the office came to be filled by election¹⁶² and completely absorbed that of school commissioner.¹⁶³ In the new field of county administration of education, the superintendent's duties remained constant through his change in legal status, requiring him to visit all the townships in his county and inquire into the condition and manner of conducting their schools, to examine persons proposing to teach school, to grant certificates to persons qualified to teach in schools, and to report to the county board on all his acts relating to the management of school funds and lands.¹⁶⁴ Subsequent legislation has enlarged the scope of this phase of the superintendent's functions, but it is in his role as an agent of state supervision that he has been charged with numerous duties of a new character.¹⁶⁵

The authority of the state with regard to education, first manifested in 1845, has, like that of the county, been extended beyond its original bounds. Originally the county superintendent was required only to communicate to the State Superintendent of Common Schools¹⁶⁶ information concerning the schools in his county.¹⁶⁷ Today, as a consequence of the state's increasing intervention in matters of public health and safety, the county superintendent is required to inspect, with regard to specifications, plans submitted to him for the heating, ventilation, lighting, etc., of public school rooms and buildings; to visit and notice such public school buildings which appear to him to be unsafe, insanitary, or otherwise unfit for occupancy; and to request the Department of Public Health,¹⁶⁸ the state fire marshal, or the state architect to inspect such buildings and issue reports upon which condemnation proceedings can be based.¹⁶⁹

159. R.S.1845, p. 498.

160. Ibid.

161. R.S.1845, p. 497-503. Cf. L.1825, p. 121, 122; R.L.1827, p. 366-70; L.1831, p. 173; L.1841, p. 270, 275, 276, 279. The only duty of this category that was left to township trustees in the laws of 1847 concerned the examination of prospective teachers and the issuance of certificates where merited (L.1847, p. 130).

162. L.1865, p. 112.

163. Ibid., p. 112, 113.

164. R.S.1845, p. 498-501. Cf. L.1847, p. 121-25; L.1857, p. 261-65, 278, 279, 296, 297; L.1861, p. 190, 191; L.1865, p. 114, 119-21.

165. L.1909, p. 347-50; L.1915, p. 636-38.

166. The Secretary of State in ex-officio capacity (L.1845, p. 52). In 1854 the office became independent, filled by election, and known as that of Superintendent of Public Instruction (L.1854, p. 13), which is its present status (L.1909, p. 343).

167. L.1845, p. 54.

168. Prior to 1917, the rights, powers, and duties of this department were vested in the State Board of Health, abolished in that year (L.1917 p. 4, 17, 27, 28).

169. L.1915, p. 637-40.

RECORDATION

For the function of making legal record of written instruments, the first General Assembly established the office of recorder.¹⁷⁰ Originally appointed by the Governor,¹⁷¹ the recorder was required to be elected after 1835.¹⁷² The second constitution made the clerk of the circuit court¹⁷³ ex-officio recorder in all counties;¹⁷⁴ the present constitution continued the earlier provision in counties of under sixty thousand population and provided for the election of a recorder in counties of that population or more.¹⁷⁵ As Moultrie County never met the population requirement, the clerk of the circuit court has continued to fulfill the duties of recorder.

The basic duty of the recorder, to record at length and in the order of their receipt all instruments in writing, has remained essentially unchanged; legislation has been directed toward the extension of categories of instruments entitled to be recorded.¹⁷⁶ Conveyances of title to land, a major category of such records, frequently involve another county officer, the surveyor. Established by the second General Assembly, the office of surveyor was at first filled by appointment by that body,¹⁷⁷ later by election.¹⁷⁸ In 1936 the surveyor again became an appointed officer, with the power of appointment delegated to the county board.¹⁷⁹ His duty to perform all surveys he may be called on to make within his county has undergone only minor change, but its importance has declined; the acts of any surveyor, properly acknowledged and certified, have equal standing before the law with those of the county surveyor; no maps or plats have any legal effect unless recorded by the recorder.¹⁸⁰

PUBLIC WORKS

Roads and Bridges

Public roads and bridges were first under the superintendence of the county commissioners' court which was authorized to locate new roads and alter or vacate existing roads.¹⁸¹ The act providing for such superintendence empowered the commissioners to appoint freeholders in each township to act as supervisors, each appointment to be for a one-year period. New roads were to be opened by the county commissioners' court upon petition of residents of the county and a favorable report from the road viewers and surveyor. A few years

170. L.1819, p. 18-20.

171. Ibid., p. 19.

172. L.1835, p. 166.

173. An elected officer; see *Clerks of Courts*, p. 61.

174. Constitution of 1848, Art. V, sec. 19; L.1849, p. 64.

175. Constitution of 1870, Art. X, sec. 8; R.S.1874, p. 833.

176. L.1819, p. 18-20; R.L.1829, p. 117, 118; R.L.1833, p. 511; R.S.1845, p. 305, 431, 432, 606; L.1851, p. 80; L.1859, p. 124; L.1869, p. 2; R.S.1874, p. 833, 834; L.1921, p. 756, 757; L.1925, p. 520-22.

177. L.1821, p. 62.

178. L.1835, p. 166.

179. L.1933, p. 1104. Provision effective in 1936.

180. R.L.1829, p. 173; R.L.1833, p. 511; L.1845, p. 201; L.1869, p. 241, 242; R.S.1874, p. 1050, 1051; L.1901, p. 307, 308; L.1915, p. 575.

181. L.1819, p. 333.

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later the county commissioners were authorized to divide the county into road districts and to appoint annually one supervisor to serve in each district.¹⁸² With a change in the county administrative body under the second constitution, the county court was granted supervision and control over public roads,¹⁸³ but the care and superintendence of roads and bridges in counties electing the township form of government were granted to the commissioners of highways, elected annually in each town.¹⁸⁴ The commissioners divided the town into road districts, and overseers of highways in each district were to repair the roads and carry out orders of the commissioners. In counties not electing the township form, the system of road districts was continued.¹⁸⁵ The supervision, control and maintenance of roads, highways and bridges in Moultrie County were vested in the county court and the road district supervisors from 1849 to 1867, when township organization was instituted in this county.¹⁸⁶ In 1913 the State Highway Department was established, and provision was made for the appointment by the county board of a county superintendent of highways.¹⁸⁷ The entire system was centralized by subjecting the county superintendent to the rules and regulations of the state highway commissioner and by requiring candidates for county superintendent to be approved by the state commissioner before appointment by the county board. The term of office of the county superintendent was set at six years, and his salary was to be fixed by the county board. A board of highway commissioners was set up in each township to superintend matters relating to roads and bridges. Although the county superintendent was to act on behalf of the county in regard to roads and bridges, and although he was subject to removal by the county board, he was regarded as a deputy of the state highway engineer, subject to his directions. This indicates the intention of the legislature to unify the entire state system of roads and bridges. In 1917 the Department of Public Works and Buildings assumed the rights, powers, and duties vested in the State Highway Department,¹⁸⁸ but the county organization has remained essentially the same since 1913.

Public Buildings

The county is given the power to hold, own and convey real estate for county purposes.¹⁸⁹ This power is exercised by the county board which is charged with the care and custody of all the real and personal property owned by the county. Throughout the period of statehood it has been provided that a courthouse and jail be erected in each county,¹⁹⁰ and that the sheriff of each county be charged

182. L.1825, p. 130.

183. L.1849, p. 65; L.1851, p. 179.

184. L.1849, p. 212.

185. L.1847, p. 111-13; L.1849, p. 65, 212, 213; L.1851, p. 64, 179.

186. Moultrie County adopted township organization in 1866, but the change was not effective until 1867.

187. L.1913, p. 521-25, 537-46.

188. *Ibid.*, p. 524, 525, 538, 542-44; L.1917, p. 24; L.1921, p. 780-86; L.1933, p. 961.

189. R.S.1874, p. 306.

190. L.1819, p. 237, 238; R.S.1845, p. 135; R.S.1874, p. 307, 308.

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with custody of such buildings.¹⁹¹ The county is further empowered to erect buildings for a county hospital, workhouse, tuberculosis sanitarium, and other county needs.¹⁹²

The county superintendent of schools is charged with the inspection of plans and specifications for public school rooms and buildings, and the approval of only those which comply with the specifications prepared by the State Superintendent of Public Instruction.¹⁹³ He is also to request the Department of Public Health,¹⁹⁴ the state fire marshal, or the state architect to inspect public school buildings which appear to be unsafe, insanitary, or unfit for occupancy. Upon receipt of an unfavorable report from these officials, the county superintendent is to condemn the building and notify the board of directors or board of education, and the board of school trustees.

Drainage

In 1850 an act of Congress provided for the granting of swamp and overflowed lands to various states.¹⁹⁵ The land so granted to Illinois was turned over to the counties in 1852 to be reclaimed by drainage and used for county purposes.¹⁹⁶ Such lands were to be under the care and superintendence of the county court which was to appoint a "Drainage Commissioner" to conduct the sales of such lands. The county surveyor was to prepare plats of the swamp lands and return such plats to the clerk of the county court, whereupon the court fixed the valuation upon each tract. The purchasers of these tracts were given a certificate by the drainage commissioner, and a deed was later executed by the county court. The court was to sell only enough swamp lands to insure reclamation of all such land, any balance to be granted to the several townships to be used for educational purposes. At the discretion of the county, such balance could also be used for the construction of roads or bridges, or for other public works.

In 1865 the commissioners of highways in each town became ex-officio boards of drainage commissioners.¹⁹⁷ Where a proposed drain ran through more than one town the commissioners of all the towns affected made up the board of drainage commissioners.¹⁹⁸ In 1879 drainage construction by special assessment was handled by the drainage commissioners, a body corporate and politic composed of commissioners of highways.¹⁹⁹

Provision was first made for the organization of drainage districts for agricultural, sanitary, and mining purposes in 1879. Petitions were to be filed with the county clerk and hearings on the

191. R.L.1827, p. 246, 247, 372; R.S.1874, p. 990.

192. R.S.1874, p. 307; L.1909, p. 163; L.1911, p. 246.

193. L.1915, p. 637-40.

194. Created in 1917 to supplant the State Board of Health abolished in that year (L.1917, p. 4, 17, 27).

195. 9 U.S.S. L. 519.

196. L.1852, p. 178.

197. L.1865, p. 50.

198. L.1867, p. 91, 92.

199. L.1879, p. 142.

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same were to be had before the county court. When the court found in favor of the petitioners, it appointed three disinterested persons as commissioners to lay out and construct the work. Petitions for the construction of drains to cost less than \$5,000 were to be presented to justices of the peace, if the petitioners so elected, and the commissioners of highways were to perform the duties of drainage commissioners in such cases.²⁰⁰ In 1885 this law was amended to include drains costing less than \$2,000 and provided for the appointment of three residents as commissioners.²⁰¹

PUBLIC SERVICES

Public Health

The State Department of Public Health, created in 1917,²⁰² is charged with general supervision of the health and lives of the people of the state. In conformance with this legislative order it is empowered to supervise, aid, direct, and assist local health authorities or agencies in the administration of the health laws. Public health districts may be organized along subcounty lines with a board of health in each. The names of such districts are to be filed with the county clerk to complete their organization. Annually, each board of health certifies to the county clerk the rate of a public health tax to be levied in each district, the clerk being responsible for setting out the proper taxes upon the warrant books and transmitting them to the collector as provided for in regard to other taxes.²⁰³

Control of the state health department over lodging houses, boarding houses, taverns, inns, and hotels is effected through the county clerk, the proprietors of such establishments being required to file with the clerk an annual statement containing details as to sleeping accommodations for guests.²⁰⁴ The clerk is also required to report annually to the state health department the names and addresses of township officials.²⁰⁵

Mosquito abatement districts are organized upon petition to the county judge of the county in which such territory lies, such petitions being filed with the county clerk. If, after hearing, the county judge determines that the organization of a district is necessary, the question is submitted to the residents of the territory at a special election. The judges of election make return to the county judge, and the results are entered upon the records of the county court. A majority of the votes favoring it, a mosquito abatement district is thereupon organized.²⁰⁶

County officials also enter into the state's control of public swimming pools. When a representative of the State Department of Public Health finds conditions that warrant the closing of such pool, the owner of the pool and the sheriff and state's attorney of the

200. L.1879, p. 120.

201. L.1885, p. 130, 131.

202. L.1917, p. 4.

203. *Ibid.*, p. 27, 28, 763, 765, 767, 768.

204. L.1901, p. 305.

205. L.1923, p. 480.

206. L.1927, p. 694.

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county are notified to that effect, it being the duty of these officers to enforce such notice.²⁰⁷

Vital Statistics

The State Department of Public Health has charge of the registration of births, stillbirths, and deaths throughout the state.²⁰⁸ To effect proper control of this matter the state is divided into vital statistics registration districts which, in Moultrie County, are identical with the townships. The township clerk acts as the local registrar in these districts and receives certificates of births and deaths occurring in the district. Burial permits are issued by the registrar and are later returned to him for filing.

The local registrar is required to deposit monthly with the county clerk a complete set of records of births, stillbirths, and deaths registered during the month, and the clerk is charged with binding and indexing, or recording, and safekeeping of such records. The original certificates are sent monthly by the local registrars to the state health department which certifies annually to the county clerk the number of births, stillbirths, and deaths registered in the county.

The county board is to appropriate money for the payment of the local registrars' fees. Such amounts are charges against the county, and the county clerk is required to issue warrants on the county treasurer for the amount of the fees payable to the registrars.

The county also enters into the enforcement phase of this matter. The state health department reports cases of violation of any provisions of the act relating to registration to the state's attorney who is to initiate and follow up court proceedings against violators.

Public Assistance

Public assistance is administered through the services of the county department of public welfare, the county home, the blind examiner, the probation officers, the county clerk, and the county board.

The county department of public welfare is headed by a superintendent appointed by the county board after approval by the State Department of Public Welfare.²⁰⁹ He assists the state department in the operation of welfare plans and policies within the county and has charge of the administration of old age assistance.²¹⁰ In this latter regard the county department acts as the agent of the state department, investigating applicants and reporting results.

The county home is an establishment for the maintenance and care of indigents. Its management and finances are provided by the county board.²¹¹ Blind assistance is administered in the county through appropriations by the county board together with state funds. An examiner of the blind, appointed by the county board,

207. L.1931, p. 735, 736.

208. L.1915 p. 660-70.

209. L.1937, p. 451, 452.

210. L.1935-36, First Sp. Sess., p. 54-61, 72; L.1937, p. 265-70, 452.

211. L.1935, p. 1057.

examines all applicants referred to him by the county clerk.²¹² The county court has jurisdiction in the administration of the mothers' pension fund. A probation officer, an appointee of the court for this purpose, investigates and visits cases of indigent mothers who are entitled to benefit.²¹³

COORDINATION OF FUNCTIONS

From the foregoing discussion of functions of the county government it is apparent that the county plays a dual role, that of a body politic and that of an agent of the state. In its first capacity the county, through its officials, is capable of suing and being sued, purchasing, holding, and selling property, making contracts, and raising revenue for its proper operation. As a state agent it fits into a state-wide program on various matters of public concern, acting under the supervision and control of the state and coordinating the activities of subcounty agencies and officials.

Coordination of county activities is effected chiefly through the county clerk. An illustration of this is the part this official plays in the election procedure. He notifies the judges and clerks of elections of their appointment, supplies them with blanks and poll books, receives copies of registers of voters, issues notices of election, receives and preserves returns, canvasses votes with the assistance of two justices of the peace and retains the abstracts, transmits copies of election returns and abstracts of votes to the Secretary of State, and issues certificates of election.

RECORDS SYSTEM

County records in the State of Illinois have suffered from the lack of an adequate program of legislation designed to secure uniformity in recordation and to insure the proper care of those documents which have permanent value. However, from the inception of statehood, some effort has been made to coordinate the records systems of the several counties and to preserve their archives.

In attempting to establish state-wide uniformity among counties, the General Assembly has at times provided detailed descriptions of required records and in many instances has supplied the very forms to be used. Laws relating to the duties and powers of county officers usually contained some such provisions. Thus, in 1819, the recorder of the county was ordered to supply "parchment of good large books, of royal or other large paper, well bound and covered" wherein to record all deeds and conveyances brought to him for that purpose. He was also to keep a fair book in which to enter every deed or writing to be recorded, noting the date, the parties, and the place where the lands were situated, such entries to be made according to priority of time.²¹⁴ In 1835 he was required to keep an alphabetical index to each book,²¹⁵ and by 1874 the General Assembly had prescribed a complete list of books to be kept in the office of the

212. L.1903, p. 138; L.1915, p. 256, 257; L.1935, p. 264, 265.

213. L.1913, p. 127-30; L.1915, p. 243-45; L.1921, p. 162-64; L.1935, p. 256-59.

214. L.1819, p. 18, 20.

215. R.L.1833, p. 511.

**Governmental Organization
and Records System**

recorder, with a description of the contents of each, which list has been continued, substantially unchanged, to the present.²¹⁶

In like manner, legislation was enacted prescribing records to be kept by the county clerk and his predecessors, acting in their several capacities,²¹⁷ the clerk of the circuit court,²¹⁸ the judge²¹⁹ and justice²²⁰ of the probate court, the coroner,²²¹ the county superintendent of schools,²²² the county surveyor,²²³ and the county treasurer.²²⁴

Description of records and forms to be used are frequently found in legislation pertaining to the holding of elections,²²⁵ assessments and the collection of revenue,²²⁶ the organization and maintenance of common schools,²²⁷ the registration of marriages,²²⁸ and the recording of vital statistics.²²⁹

While there has been enacted much legislation prescribing the kind of records to be kept, only a few laws deal with the safeguarding and preservation of county archives. In 1819 the General Assembly directed the clerks of the circuit and county commissioners' courts to provide "a safe press or presses with locks and keys for the safe keeping of the archives of their offices . . ." ²³⁰ In 1843 the county commissioners' courts were authorized, and required whenever the finances of the county would justify the expenditure, to erect a fireproof recorder's office at the county seat, or if the commissioners were of the opinion that any unappropriated room in their court-houses could be made fireproof, to make it so and house the office and records of the recorder there. At the discretion of the county commissioners' court, the provisions of this act might be deemed to apply to the offices of the clerks of the circuit and county commissioners' courts.²³¹ Similar in content but slightly different in wording is a later enactment in which the county commissioners' courts were authorized to "erect, build, and provide permanent fireproof rooms, houses or vaults, for the purpose of placing therein and

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216. R.S.1874, p. 834.
217. L.1849, p. 66, 203; L.1859, p. 92, 94; L.1865, p. 93; R.S.1874, p. 261-65, 332; L.1933, p. 293-95.
218. R.L.1833, p. 152; R.S.1845, p. 147; L.1847, p. 70; L.1849, p. 9; L.1865, p. 93; R.S.1874, p. 262, 263; L.1933, p. 293, 294.
219. R.L.1829, p. 231.
220. R.S.1845, p. 427, 428.
221. R.L.1833, p. 574; L.1869, p. 104, 105; R.S.1874, p. 283.
222. L.1849, p. 155, 156; L.1865, p. 120; L.1909, p. 346, 348, 349.
223. R.L.1829, p. 173; R.S.1845, p. 524.
224. R.S.1845, p. 138; R.S.1874, p. 323, 324.
225. L.1819, p. 92, 94; R.L.1827, p. 291, 292; R.L.1829, p. 59, 60; L.1845, p. 41, 42; L.1849, p. 73, 74; L.1865, p. 54, 55; L. 1871-72, p. 386-89, 391; L.1885, p. 143, 148, 173, 176; L.1937, p. 522-29, 531-48.
226. R.L.1827, p. 329-33; L.1838-39, p. 4, 5, 7, 8, 12, 13, 17; L.1845, p. 6-9, 12, 14, 15; L.1849, p. 37, 38, 124-26; L.1851, p. 53, 55, 56; L.1853, p. 17, 24, 50, 55, 77, 78, 111, 112; L.1871-72, p. 19, 23, 32, 48, 49, 54.
227. L.1825, p. 127; R.L.1833, p. 563; L.1841, p. 263, 270-72; L.1845, p. 53, 54, 65-68; L.1847, p. 121-23, 142-44; R.S.1874, p. 950, 957, 958, 964.
228. L.1819, p. 27; R.L.1827, p. 288, 289; R.S.1874, p. 694, 695.
229. L.1842-43, p. 210-12; L.1877, p. 209; L.1901, p. 301-4; L.1903, p. 315-18; L.1915, p. 666, 667.
230. L.1819, p. 332.
231. L.1842-43, p. 210.

**Governmental Organization
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preserving from injury, damage, loss, or destruction by fire, the records and documents of their respective counties."²³² The preservation of county archives has been greatly aided by an act to provide for the copying of old, worn-out records,²³³ and by a law authorizing the transfer of county records having historic value to the Illinois State Historical Library, the Archives Division of the Illinois State Library, or to the State University Library at Urbana.²³⁴ Provision is made in this act for the substitution of accurate copies of these documents if such action be deemed necessary. In 1907 the act was amended to include among the institutions to which old records might be sent, any historical society incorporated and located within a particular county.²³⁵ Laws have also been enacted which provide for the restoration of certain classes of records destroyed by fire or other means.²³⁶ In 1935 the General Assembly appropriated money for the construction of a fireproof building at Springfield for the purpose of storing therein the archives and records of the state.²³⁷ The erection of this structure, the State Archives Building, has helped to make possible the inauguration of an intelligent, farsighted program for the preservation of papers and documents of historic value.

There are still serious omissions in legislation pertaining to recordation. For instance, Illinois has no law prescribing the kinds of inks to be used in keeping records. And, although laws have been enacted authorizing the provision of fireproof accommodations for county documents, they are permissive rather than mandatory in character.²³⁸ Legislation enabling the destruction of worthless archives apparently is nonexistent with the exception of laws relating to certain election papers.²³⁹ The enactment of legislation which would remedy these defects in the laws and continue the trend toward state-wide uniformity among counties would result in an intelligent, economical records system for the State of Illinois.

232. L.1845, p. 46.

233. L.1871-72, p. 648, 649.

234. L.1897, p. 205; L.1939, p. 693.

235. L.1907, p. 375.

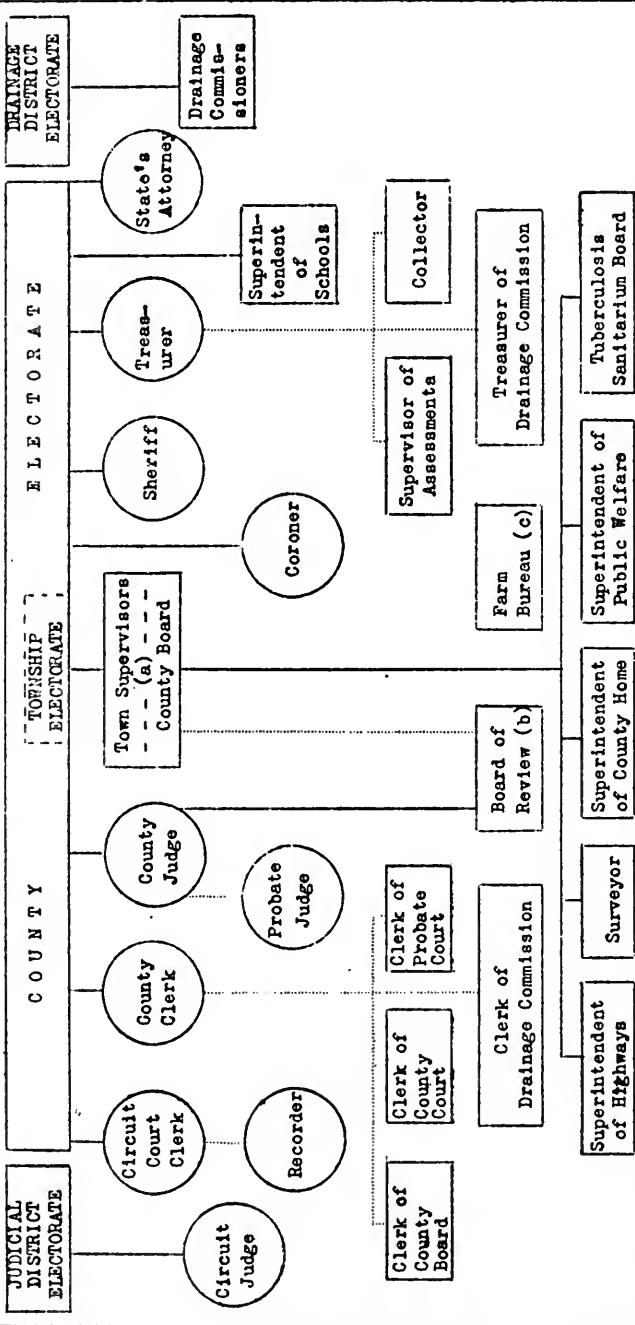
236. L.1871-72, p. 649, 650, 652.

237. L.1935, p. 138.

238. L.1842-43, p. 210; L.1845, p. 46.

239. L.1861, p. 269; L.1871-72, p. 389; L.1885, p. 146, 193; L.1891, p. 118, 119; L.1917, p. 438, 443.

GOVERNMENTAL ORGANIZATION OF MOULTRIE COUNTY, 1940



L E G E N D

- (a) County Board composed of Town Supervisors, elected one in each township.
- (b) Composed of two appointees of County Judge and chairman of County Board acting as ex-officio chairman of Board of Review.
- (c) See Farm Bureau, Ch. XX.

Constitutional Office or Body
 Statutory Office or Body
 Shows ex-officio relationship

3. ROSTER OF COUNTY OFFICERS*

(Date after name of officer refers to date of election,
unless otherwise stated)

COUNTY COMMISSIONERS' COURT**

(The first county administrative body, from 1843 to 1849,
which consisted of three elected commissioners)

Ruben B. Ewing,
Abraham H. Kellar,
George Mitchell,
April 10, 1843¹

Daniel Ellington,
R. Humton,²
August 3, 1846

Andrew Scott,
August 7, 1843

A. H. Kellar,
August 2, 1847

Abraham H. Kellar,
August 5, 1844

Rowland Hampton,
August 7, 1848

R. B. Ewing,
August 4, 1845

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- * This list was compiled from the following sources, with exceptions as noted:

- A. Secretary of State. Index Department. Election Returns. Returns from County Clerk to Secretary of State. 1809-47, 78 volumes (1-78), third tier, bay 1. 1848—, 53 file drawers (2-54), third tier, bay 2. State Archives Building, Springfield.
- B. Secretary of State. Executive Department. Certificates of Qualification. 1819—, 22 file drawers (1-22), fourth tier, bay 5, State Archives Building, Springfield.
- C. (1) Secretary of State. Executive Department Official Records. List of Commissions Issued to County Officers. 1809-1918, 5 volumes, fourth tier, bay 6, State Archives Building, Springfield.
(2) Secretary of State. Executive Department Official Records. List of Commissions Issued to County Officers. 1869—, 4 volumes, room 208, second floor, Secretary of State's Office, Executive Department, State Capitol Building, Springfield.

- ** By a law passed in 1837, the first three commissioners elected drew lots marked one, two, and three years to determine length of term. Thereafter until 1849, one commissioner was to be regularly elected each year to serve a three-year term. For length of term of other county board officers, see County Board office essay; for length of term of all other officers, see individual office essays.

1. Date of first meeting and commissioners present at the house of James Camfield. Commissioners' Record, v. 4, p. 1. Records do not show who drew the one-year, two-year, and three-year terms. However, record of the September, 1843, meeting of the court shows R. B. Ewing, A. H. Kellar, and Andrew Scott commissioners, indicating Mitchell drew the one-year term; state records of subsequent elections indicate Kellar drew the two-year and Ewing the three-year terms.
2. State records show Ellington elected for the "long term," Humton elected for the "short term," no further explanation being given. County records show A. H. Kellar, Rowland Hampton (name probably misspelled in state records) and Daniel Ellington commissioners at meeting September 7, 1846. Commissioners' Record, v. 4, p. 72.

Roster of County Officers

COUNTY COURT

(From 1849 to 1867, when township organization was instituted, county business was administered by the county judge and two associate justices acting as the county board)

James Elder, county judge,³
November 6, 1849,
E. D. Cleveland,
Daniel Ellington,⁴
associate justices

James Elder, county judge,
November 8, 1853,
Amos Waggoner,
Daniel Patterson,⁵
associate justices
Rowland Hampton (vice Waggoner, deceased)⁶

James Elder, county judge,
William Purvis,
D. Cannon,
associate justices,
November 3, 1857

Joseph E. Eden, county judge,
Stephen Cannon,
John H. B. E. Warren,
associate justices,⁷
November 5, 1861
Joseph Baker, associate justice,
June term, 1862⁸
Arnold Thomason, county judge,
November 7, 1865,
Wm. A. Noble,
John Rhodes,⁹
associate justices

COUNTY BOARD OF SUPERVISORS

The several township supervisors, one elected from each township, together with any additional and assistant supervisors elected upon proportional representation, make up the membership of the county board of supervisors. Because these supervisors, severally, are township officials and only as a group constitute the county board, they are not commissioned by the state as county officers, and no data concerning them, from which a list could be compiled, are kept by the state. For the same reason, county records, too, are inadequate for the compilation of a complete and accurate list of supervisors. Therefore, due to these and other limitations, only those members mentioned in county records in connection with the first recorded meeting of the board of supervisors are included in this roster.

3. State records show no associate justices 1849, 1853, and 1865.

4. Commissioners' Record, v. 4, p. 140.

5. Ibid., p. 233.

6. Ibid., p. 244.

7. County records show Stephen Cannon and William Purvis serving as associate justices at the January term, 1862. Court Record, v. 11, p. 65. County board records do not show Warren ever acting as associate justice.

8. Ibid., p. 88, 234.

9. Ibid., p. 237.

Roster of County Officers

On November 6, 1866, the Moultrie County electorate voted in favor of township organization 862 to 643, whereupon the county court appointed John R. Eden, Samuel P. Earp, and Benjamin S. Jennings commissioners to divide the county into townships.¹⁰ Their report, filed January 22, 1867, bounded and named eight townships. The first (special) meeting of the board of supervisors was held June 10, 1867, the supervisors present and township each represented being as follows:

Supervisor	Township
Jonathan Meeker	Sullivan
Benjamin Freeman	Jonathan Creek
Alexander Porter	Lovington
William Weakley	West
John A. Freeland, Jr.	Marrowbone
James T. Taylor	East Okaw
Alvin Waggoner	Whitley

Taylor township was not represented. Jonathan Meeker was elected chairman for the ensuing year.¹¹

COUNTY JUDGES

James Elder, November 6, 1849, November 8, 1853, November 3, 1857	Isaac Hudson, November 6, 1894
Joseph E. Eden, November 5, 1861	John D. Purvis, November 8, 1898
Arnold Thomason, November 7, 1865	E. D. Hutchinson, November 4, 1902, November 6, 1906
A. Thomason, November 2, 1869	Isaac Hudson, November 8, 1910
Arnold Thomason, November 4, 1873	John T. Grider, November 3, 1914
Jonathan Meeker, November 6, 1877, November 7, 1882	Oscar F. Cochran, November 5, 1918
H. M. Minor, November 2, 1886	John T. Grider, November 7, 1922, November 2, 1926
Chas. N. Twadell (vice Minor, resigned), December 2, 1869 (com- missioned)	John E. Jennings, November 4, 1930
John D. Purvis, November 4, 1890	Fred F. Ledbetter (vice Jennings, deceased), June 10, 1933 (commission- ed), November 6, 1934, November 8, 1938

10. Court Record, v. 11, p. 303.

11. Supervisors' Record, v. 3, p. 2. Because of confliction of names with those of other towns in the state, Taylor, West, and East Okaw were changed to Lowe, Dora, and East Nelson, respectively. (Ibid., p. 4).

Roster of County Officers

PROBATE JUSTICE OF THE PEACE

(In 1849 the probate justice of the peace was succeeded by the county judge as ex-officio judge of the probate court)

David Patterson,
August 7, 1843,
August 7, 1847

COUNTY CLERKS

(Clerks of the county commissioners' court,
county court, and board of supervisors)

John A. Freeland,
August 7, 1843,
August 2, 1847,
November 6, 1849,
November 8, 1853

C. L. Roane,
November 3, 1857

Alfred N. Smyser,
November 5, 1861

Joseph B. Titus,
November 7, 1865

A. N. Smyser,
November 2, 1869

George Hetherington,
November 4, 1873

W. W. Eden,
November 6, 1877

Charles Shuman,
November 7, 1882,
November 2, 1886

Silas D. Stocks,
November 4, 1890,
November 6, 1894

L. K. Scott,
November 8, 1898

Louis K. Scott,
November 4, 1902

Cash W. Green (vice
Scott, deceased),
August 22, 1906 (commis-
sioned),
November 6, 1906,
November 8, 1910,
November 3, 1914

J. B. Martin,
November 5, 1918,
November 7, 1922,
November 2, 1926

Paul L. Chipps,
November 4, 1930,
November 6, 1934

Ralph Hanrahan,
November 8, 1938

RECORDER

(In 1849 the circuit clerk became ex-officio recorder)

John A. Freeland,
April 3, 1843,
August 2, 1847

Roster of County Officers

CIRCUIT COURT CLERKS

(Prior to 1848, circuit clerk appointed by circuit judge)

John Perryman, September 4, 1848	E. A. Silver, November 3, 1896, November 6, 1900, November 8, 1904, November 3, 1908
Wilson C. Lloyd, November 2, 1852 ¹²	
Chas. White November 29, 1852 (com- missioned) ¹³	Fred O. Gaddis, November 5, 1912, November 7, 1916
Arnold Thomason, November 4, 1856, November 6, 1860	Nettie Bristow (vice Gaddis, deceased), January 30, 1920 (com- missioned)
Joseph H. Waggoner, November 8, 1864	S. P. English, November 2, 1920
J. H. Waggoner, November 3, 1868	Cadell West, November 4, 1924, November 6, 1928
Joseph H. Waggoner, November 5, 1872, November 7, 1876	Ivan D. Wood, November 8, 1932, November 3, 1936
Samuel W. Wright, November 2, 1880, November 4, 1884, November 6, 1888	James F. Ward, November 5, 1940
Samuel B. Patterson, November 8, 1892	

SHERIFFS

(Collectors 1844 to 1867*)

Isaac Walker, April 3, 1843, August 5, 1844	Joseph Thomason, November 2, 1852
James H. Stevens (vice Walker, deceased), February 3, 1845	S. M. Kearney, November 7, 1854
Joseph Thomason, August 3, 1846, August 7, 1848	Enoch C. Berry, November 4, 1856
T. O. Brown, November 5, 1850	Joseph Thomason, November 2, 1858
	Samuel Earp, November 6, 1860

12. Elected but not commissioned. Secretary of State's records, see footnote (*), p. 76.

13. Elected coroner but commissioned circuit clerk. *Ibid.*

* A separate collector, Andrew Love, appointed for the year 1843. Commissioners' Record, v. 4, p. 6.

Roster of County Officers

Joseph H. Snyder,
November 4, 1862

Samuel P. Earp,
November 8, 1864

Thomas H. Carter,
November 6, 1866

Samuel W. Wright,
November 3, 1868

Joseph Thomason,
November 8, 1870
November 5, 1872,
November 3, 1874

Washington Linder,
November 7, 1876,
November 5, 1878,
November 2, 1880

Samuel T. Foster,
November 7, 1882

Thomas A. Lansden,
November 2, 1886

Frank M. Webb,
November 4, 1890

T. A. Lansden,
November 6, 1894

A. E. Foster,
November 8, 1898

John F. Wright,
November 4, 1902

W. O. Funston,
November 6, 1906

W. M. Fleming,
November 8, 1910

Charles Lansden (vice
Fleming, deceased),
December 2, 1913

W. O. Funston,
November 3, 1914

Charles Lansden,
November 5, 1918

Vern R. Ashbrook,
November 7, 1922

Charles Lansden,
November 2, 1926

Halac Lansden,
November 4, 1930

Russell Freesh,
November 6, 1934

G. D. (Dud) Edmonds,
November 8, 1938

CORONERS

Alsey B. Lee,
April 3, 1843

Lewis J. Berry,
August 5, 1844,
August 3, 1846

Jonathan Patterson,
August 7, 1848,
November 5, 1850

Charles White,
November 2, 1852¹⁴

Hiram Travillion,
November 29, 1852 (com-
missioned)¹⁵

John R. Eden,
November 7, 1854

Josiah Hoke,
June 4, 1855

E. F. Vadakin,
November 4, 1856

Henry Vadakin,
November 2, 1858

Henry F. Vadakin,
November 6, 1860

William Patterson,
November 4, 1862,
November 8, 1864

14. See footnote 13, p. 80.

15. Secretary of State's records, see footnote (*), p. 76.

Roster of County Officers

- George W. Hoke,
November 6, 1866,
November 3, 1868,
November 8, 1870,
November 5, 1872,
November 3, 1874
- Oliver T. Atchison,
November 7, 1876,
November 5, 1878
- Charles Cochran,
November 2, 1880
- James Jeffories,
November 7, 1882
- Edward L. Hardin,
November 4, 1884,
November 6, 1888
- E. L. Hardin,
November 8, 1892
- W. H. Gladville,
November 3, 1896,
November 6, 1900
- Dr. A. D. Miller,
November 8, 1904,
November 3, 1908
- Walter E. Scarborough (vice
Miller, resigned),
November 8, 1910,
November 5, 1912
- Frank F. Fleming (vice
Scarborough, resigned),
December 2, 1913,
November 7, 1916
- C. O. Tohill,
November 2, 1920
- L. W. McMullin,
November 4, 1924
- W. R. Robinson,
November 6, 1928
- L. W. McMullin,
November 8, 1932,
November 3, 1936
- A. K. Palmer,
November 5, 1940

STATE'S ATTORNEYS

(Appointed by the General Assembly to 1849; elected
by circuit district electorate to 1872)

- Cassins C. Clark,
November 5, 1872,
November 7, 1876
- William Hollins Shinn,
November 2, 1880
- Samuel M. Smyser,
November 4, 1884
- John E. Jennings,
November 6, 1888
- Jonathan Meeker (vice
Jennings, resigned),
November 8, 1892
- W. K. Whitfield,
November 3, 1896,
November 6, 1900
- Art W. Lux,
November 8, 1904
- J. K. Martin,
November 3, 1908,
November 5, 1912
- C. R. Patterson,
November 7, 1916
- Merrill F. Wehinhoff,
November 2, 1920
- A. A. Brown,
November 4, 1924
- R. B. Foster,
November 2, 1926 (to fill
vacancy),
November 6, 1928
- Robert W. Martin,
November 8, 1932,
November 3, 1936
- Rodney A. Scott,
November 5, 1940

Roster of County Officers

TREASURERS

(Also acted as assessors 1844 to 1867*; supervisors of assessments 1898 to date; and collectors 1867 to date)

Bennett B. Everett, August 7, 1843	A. E. D. Scott, November 7, 1882
John Perryman (vice Everett, resigned) ¹⁶ September 2, 1844 (ap- pointed), August 2, 1847	Walter Eden, November 2, 1886
Arnold Thomason, November 6, 1849, November 4, 1851, November 8, 1853	J. M. Cummins, November 4, 1890
Isaac V. Waggoner, November 8, 1855	William Kirkwood, November 6, 1894
I. V. Waggoner, November 3, 1857	Andrew J. Patterson, November 8, 1898
Enoch C. Berry, November 8, 1859	Robert Selby, November 4, 1902
Joseph H. Waggoner, November 5, 1861	H. Ray Warren, November 6, 1906
Thomas M. Bushfield, November 3, 1863, November 7, 1865	George A. Daugherty, November 8, 1910
T. M. Bushfield, November 5, 1867, November 2, 1869	S. D. Burton, November 3, 1914
Samuel W. Wright, November 7, 1871	Oliver F. Dolan, November 5, 1918
John H. Dunscomb, November 4, 1873, November 2, 1875	H. H. Hawkins, November 7, 1922
A. E. D. Scott, November 6, 1877	D. G. Carnine, November 2, 1926
Andrew E. D. Scott, November 4, 1879	Orman Newbould, November 4, 1930
	Clark Lowe, November 6, 1934
	C. A. Lane, November 8, 1938

* A separate assessor, William Thomason, appointed for the year 1843. Commissioners' Record, v. 4, p. 6.

16. Ibid., p. 34, 35.

Roster of County Officers

SUPERINTENDENTS OF SCHOOLS

(School commissioners 1843 to 1865)

John Perryman,
April 3, 1843,
August 7, 1843,
August 4, 1845

W. C. Hendricks,
August 2, 1847

S. W. Moulton (vice
Hendricks, resigned),¹⁷
April 14, 1849 (appointed),
November 6, 1849

John A. Freeland (vice
Moulton, resigned),¹⁸
January 16, 1850 (appointed)

Franklin M. Porter,
November 5, 1850

A. N. Kellar,
November 4, 1851

John Y. Hitt,
November 6, 1855,
November 3, 1857

David Patterson,
November 8, 1859,
November 5, 1861,
November 3, 1863

Thomas Y. Lewis,
November 7, 1865

D. F. Stearns,
November 2, 1869

James K. P. Rose,
November 4, 1873

D. F. Stearns,
November 6, 1877

B. F. Peadro,
November 7, 1882,
November 2, 1886

O. B. Lowe,
November 4, 1890

Oscar B. Lowe,
November 6, 1894

B. F. Peadro,
November 8, 1898

J. Campbell Hoke,
November 4, 1902

J. C. Hoke,
November 6, 1906

Van D. Roughton,
November 8, 1910,
November 3, 1914

Mrs. Nettie L. Roughton (vice
V. D. Roughton),
August 14, 1918 (com-
missioned)

Lois Coombs,
November 5, 1918

Mrs. Nettie L. Roughton,
November 7, 1922,
November 2, 1926

Albert Walker,
November 4, 1930,
November 6, 1934,
November 8, 1938

17. Commissioners' Record, v. 4, p. 123.

18. Ibid., p. 138.

Roster of County Officers

SURVEYORS

(Beginning September, 1936, surveyors appointed
by county board of supervisors)

Hugh Allison, April 3, 1843	Michael H. Warren, November 2, 1880 (special election)
Parnell Hamilton, August 19, 1843 (commis- sioned), August 2, 1847, November 6, 1849, November 4, 1851	Benjamin B. Haydon, November 4, 1884, November 6, 1888
Daniel Randolph, November 8, 1853	M. H. Warren, November 8, 1892
D. D. Randolph, November 6, 1855	B. B. Haydon, November 3, 1896, November 8, 1900, November 8, 1904
James R. Anderson, November 3, 1857, November 8, 1859, November 5, 1861, November 3, 1863	William Kirkwood, November 3, 1908
William Kirkwood, November 7, 1865	Charles S. Selby, November 5, 1912, November 7, 1916
J. R. Anderson, November 5, 1867	John Moody, November 2, 1920
M. H. Warren, November 2, 1869	H. C. Creech, November 4, 1924
Abraham Jones, November 7, 1871, November 2, 1875	John Y. Bailey, November 6, 1928
John J. Bristow, November 4, 1879	Guy S. Little, November 8, 1932

4. HOUSING, CARE, AND ACCESSIBILITY OF THE RECORDS

The courthouse at Sullivan, the county seat of Moultrie, is the third building erected in ninety-seven years to house the offices and records of the county; the structure was accepted as completed on August 6, 1906.¹ County board records do not show when the contract was let for the first courthouse after the establishment of the county in 1843, but evidence is that some arrangement was made to build at the March term of the county commissioners' court in 1844. On June 2, the court paid Andrew Scott \$284.40 as part of the amount due him for building a courthouse.² The total cost was \$2,832.³ This courthouse, though, was not ordered received until March 6, 1848.⁴

No permanent site for this first courthouse was chosen until after the town of Sullivan had been platted and the county had received title to a donated tract of land.⁵ Early meetings of the county commissioners' court, from April 10, 1843 to December 4, 1844, had been held at the house of James Camfield about one and one-half miles south from what is now the center of the city of Sullivan.⁶ Later, from January 1 to June 3, 1845, the commissioners' court met in East Nelson, a village not in existence today.⁷ However, on June 2, the county board ordered that the place of holding court hereafter be in the town of Sullivan.³

After a continuous occupation for almost twenty years, this first courthouse was destroyed by fire on the morning of November 25, 1864, and nearly all of the circuit court clerk's and many of the county clerk's records were burned.⁹ At the special meeting of the county board held after the fire, on November 28, A. N. Snyder was ordered "to proceed at once to Chicago to purchase such books, blanks, paper, seals, etc., that may be necessary for the use of the two clerks' offices to carry on the public business of the county."¹⁰ Nor did the board lose much time in preparations for a new courthouse. At the April term, 1865, the county board adopted plans and specifications for the new courthouse, and ordered posters struck and distributed inviting proposals for building said courthouse.¹¹

Subsequently, on May 4, a contract was awarded to Charles R. Underwood and John W. Conn for the erection of a courthouse, in-

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1. Supervisors' Record, v. 106, p. 51.
 2. Commissioners' Record, v. 4, p. 47.
 3. *Ibid.*, p. 47, 51, 52, 96.
 4. *Ibid.*, p. 106.
 5. *Ibid.*, p. 48. June 2, 1845, ninety cents was allowed for recording a deed from P. Hale to Moultrie County, but records do not show for what purpose land was deeded. For the complete story of the selection of the county seat and the construction of the first courthouse, see Historical Sketch.
 6. Deed Record, v. S, p. 171.
 7. Commissioners' Record, v. 4, p. 24, 30, 33, 36, 39, 45.
 8. *Ibid.*, p. 48.
 9. Court Record, v. 11, p. 178.
 10. *Ibid.*
 11. *Ibid.*, p. 205.

Housing, Care, and Accessibility of the Records

cluding all material and labor, bell, and iron vault. The accepted bid was for \$19,500.¹² John Perryman was appointed superintendent on June 2 and on September 1 was authorized to make changes and modifications in the plans during the construction of the courthouse that he deemed necessary for the best interests of the county, provided the changes would not materially increase the cost of the building.¹³ The cost was to be met with funds from the sale of swamp lands.¹⁴ When construction began cannot be established by the records, but it was completed in the summer of 1865.¹⁵ County board records do not show when the finished building was accepted, but at a special term of the county court, the administrative body, in May, the court ordered the treasurer to pay all money in his hands belonging to the Swamp Land Fund to Charles Underwood the courthouse contractor.¹⁶ Built of bricks, two stories high, with a cupola, the courthouse was 50 feet square and 30 feet in height. The vault that was built into the courthouse was considered fireproof and the best in the state.

No significant alterations were ever made in this courthouse, except for the installation of electricity at a cost of \$100 in 1894.¹⁷ By 1902 the business of the county had increased many times over what the capacity of the courthouse could serve efficiently. Then, too, the ravages of time had wreaked their inevitable toll, and as a result the building was in a decidedly shabby condition. The Moultrie County Bar Association presented a resolution to the county board on June 1, 1902, pointing to the lack of accommodations for county officers and the insufficient size of the vaults for the proper care of records, and proposing that the question of building a new courthouse be submitted to the voters at the November election.¹⁸ The appeal for improvement was acted upon, the county board ordering the submission to the voters of the county the proposition of constructing a new courthouse at a cost not to exceed \$75,000 which was to be covered by a special tax levy of \$25,000 a year for the following three years.¹⁹

County board records do not reveal whether this proposition was ever submitted to a vote, but when another petition, signed by 112 citizens was placed before the board on December 9, 1903, the supervisors adopted another resolution to put before the voters the question of building a courthouse, in much the same way as before but specifying that the tax levy be applied to the years 1904, 1905, and 1906.²⁰ The special election was held February 16, 1904 and was carried by a vote of 1,163 to 816.²¹ Thereupon, on April 21, the

12. Court Record, v. 11, p. 207.

13. *Ibid.*, p. 213, 219.

14. *Ibid.*, p. 219.

15. *Combined History of Shelby and Moultrie Counties*, p. 72.

16. Court Record, v. 11, p. 260.

17. Supervisors' Record, v. 4, p. 514.

18. *Ibid.*, v. 105, p. 393.

19. *Ibid.*, p. 393, 403, 413.

20. *Ibid.*, p. 477.

21. *Ibid.*, p. 486.

county board ordered that the new courthouse be built on the public square on the site of the old one.²² The board also decided to visit Monticello in Piatt County on April 25, and Taylorville in Christian County on the following day, to inspect plans and specifications of the new courthouses built in those cities.²³ Then on April 27, a committee was chosen to receive bids for suitable quarters for county offices and records while the new courthouse was being erected.²⁴

On June 14, the committee on offices recommended that the board accept the offer of W. A. Caldwell to build temporary quarters for county offices at a cost of \$900, Caldwell agreeing to repurchase the same at forty percent of the value.²⁵ On the same day G. M. Edwards, James Morrison, and James Mitchell were authorized to enter into a contract with James M. Deal, who had been appointed architect provisionally on May 17, to draw the plans and specifications for the new courthouse.²⁶ When the plans and specifications were adopted August 1, proposals for contracts were invited to be presented not later than August 23, and the old courthouse was ordered sold at public auction on August 24.²⁷ After two days' study of the proposals which had been submitted, the contract for erection of the courthouse, exclusive of heating, sewerage, frescoing, and the installation of electricity which were let out on separate contracts, was awarded, on August 25, to H. B. Walter of Danville for \$67,952.50. He also purchased the old courthouse for \$280, but the bell, vault doors, all furniture and fixtures, and windows and doors were reserved by the county for use in the temporary county quarters which were being built by Caldwell, who on August 31 was allowed \$151.50 due on contract.²⁸

The exact time when work on the new courthouse commenced cannot be verified; however, as contracts were let in August, the old courthouse sold, and county board records also note that the board began meeting in the Chapman Building on the north side of the public square on December 13,²⁹ work must have been started in the months between. The new courthouse was received as having been completed according to contract on August 6, 1906,³⁰ but the board continued to meet in the Chapman Building as late as the September term in the same year.³¹ During the construction of the courthouse, courts convened for fifty-seven days at the Opera House, for the use of which, J. J. B. Titus was paid \$400.³² The total cost of this courthouse, including \$9,327.75 expended for furniture and equipment, was in excess of \$87,000.³³ The exterior as well as the interior layout of the building remains substantially the same today, except that a

22. Supervisors' Record, v. 105, p. 493.

23. *Ibid.*, p. 494.

24. *Ibid.*, p. 495.

25. *Ibid.*, p. 504.

26. *Ibid.*, p. 497, 498.

27. *Ibid.*, p. 510.

28. *Ibid.*, p. 513, 515.

29. *Ibid.*, p. 528.

30. *Ibid.*, v. 106, p. 51.

31. *Ibid.*, p. 57.

32. *Ibid.*, v. 105, p. 570.

33. *Ibid.*, p. 513, 540, 541, 560; *ibid.*, v. 106, p. 13, 34-36, 51.

Housing, Care, and Accessibility of the Records

small room in the office of the circuit clerk on the second floor was converted in 1938 into an additional vault for the circuit clerk.

Standing on the public square in Sullivan, and bounded by Harrison, Jefferson, Main and Washington streets, the present courthouse is an imposing structure of stately proportions, expressing in its classic details, the Georgian style of architecture. It is built of brick and trimmed with stone, rising three stories above a basement, and is topped by a massive hexagonal clock tower with a domed copper roof. The building is 80 feet wide, 100 feet long, and 50 feet high from the ground to the cornice; the space content is 400,000 cubic feet. Concrete, brick, and tile used in construction, especially of vaults, cause the building to be considered fireproof. Short flights of steps lead to impressive entrances on all four sides of the building. Massive pillars beginning at the second story support large pediments and break the monotony of the plain flat walls. Corridors lead from each entrance into a spacious square center lobby and divide the first floor into four equal parts. Two banks of stairs at the south end of the central lobby lead to upper floors.

The floor layout affords an interesting example of fine balance and efficiency. On the first floor are located the sheriff's suite of offices, the county nurse's office, the state's attorney's suite, a women's public waiting room, the office and storeroom of the superintendent of schools, a men's public toilet, the old age assistance office, and the suite of the master in chancery. On the north side of the central lobby, flanking the north corridor on both sides, are subvaults of the county clerk and the circuit clerk, but entrance to these may only be made from the second floor by means of circular stairways.

The second floor, arranged much like the first floor, contains the county judge's office, the probate courtroom, a grand jury room, a witness room, a bailiff's room, and the treasurer's office with an attached vault and private office. The circuit clerk's suite takes up the entire northeast corner of the second floor and consists of his west and east rooms, a newly built vault, and a vault which contains the entrance to the circular stairway leading to the subvault on the first floor. The county clerk's suite occupies the entire northwest corner of the second floor and consists of his east and west rooms, his private office, and a vault from which a circular stairway leads to the county clerk's subvault on the first floor.

The most important feature of the third floor is the large circuit courtroom which occupies almost the entire half of the north side of the floor. To the east of it are the judge's office and stenographer's room. Other rooms and offices on the third floor are, two petit jury rooms, a sleeping room for the jury, a lawyer's room, the office of the superintendant of highways, a consultation room, and two rooms for men and women witnesses. The basement, too, carries out the general layout of the upper floors. A single-bank stairway from the central lobby of the first floor leads into the basement. Here, around the central lobby are located the boiler and fuel rooms, one large and two small storage rooms, the circuit clerk's basement vault, a relief office with an attached private office, men's and women's rest rooms, a Work Projects Administration sewing room with an

Housing, Care, and Accessibility of the Records

attached office, and the county clerk's basement vault. Sections of the basement beneath the entrance to the courthouse remain unexcavated. There is an outside entrance to the boiler room, as well as to the men's and women's restrooms. (For detailed floor plans of courthouse, see pages 96-99).

Outside of the courthouse are located two depositories of certain county records: the coroner's residence at 1901 Jackson Street, Sullivan, and the county home located three miles southwest of Sullivan on a rural route. The coroner's residence is a two-story frame building, and the coroner has his office on the first floor where he keeps seventy-five percent of his records. The superintendent of the county home keeps all of his records in his office on the first floor. The county home is a two-story brick and wood building, now in its fiftieth year of usefulness.

Approximately ninety-two percent of the volume records and seventy-three percent of the files are located in the different fire-proof vaults and storerooms, leaving only the most recent records in the offices themselves. About fifty percent of miscellaneous material is contained in the offices. (For allocation of records according to county offices in the depositories, as well as percentages of records stored therein, see charts on pages 91, 92; for detailed information on the individual depositories, with a description of facilities for the housing of records, see charts on pages 93-95).

Careful provisions for the housing and maintenance of records, with a view toward their best accessibility and preservation, have been carried out. In the fire of 1864 some of the county clerk's early records as well as many of the circuit clerk's records were destroyed as noted earlier in this essay, but no serious loss of later records has been noticed. Binding and repair of record volumes are under direct supervision of the county board. Indexing and filing of records follow systems generally adopted and employed by a majority of the other counties in Illinois.

CHART OF COUNTY OFFICES SHOWING PERCENTAGES OF RECORDS IN DEPOSITORIES

Office	Volumes	Files	Other	Depository and Percent of Records*
County Board	112	672 f.b.	2 envelopes	Co. clk.'s east off. 5; co. clk.'s west off. 2; co. clk.'s vlt. 15; co. clk.'s vlt. bsmt. 73; co. clk.'s sub-vlt. 5; treas.'s vlt.
County Clerk	987	202 f.b.	99 envelopes 1 bdl.	Co. clk.'s east off. 2; co. clk.'s west off. 2; co. clk.'s sub-vlt. 2 $\frac{1}{2}$; co. clk.'s vlt. 8 $\frac{1}{2}$; co. clk.'s vlt. bsmt. 59; treas.'s vlt. 9 $\frac{1}{2}$; cir. clk.'s vlt. bsmt. 16 $\frac{1}{2}$
Recorder	298	4 f.b.	- - - - -	Cir. clk.'s off. vlt. 71; cir. clk.'s east off. 8; cir. clk.'s sub-vlt. 6 $\frac{1}{2}$; cir. clk.'s vlt. bsmt. 14 $\frac{1}{2}$; co. clk.'s off. vlt.
County Court	63	180 f.b.	- - - - -	Co. clk.'s off. vlt. 36; co. clk.'s vlt. bsmt. 34 $\frac{1}{2}$; co. clk.'s sub-vlt. 20; co. clk.'s west off. 9 $\frac{1}{2}$
Probate Court	171	363 f.b.	- - - - -	Co. clk.'s off. vlt. 47; co. clk.'s west off. 34; co. clk.'s vlt. bsmt. 15; co. clk.'s sub-vlt. 4
Circuit Court	204	522 f.b.	- - - - -	Cir. clk.'s off. vlt. 48; cir. clk.'s west off. 16; cir. clk.'s vlt. bsmt. 30; cir. clk.'s sub-vlt. 6
Sheriff	24	- - - - -	- - - - -	Sheriff's office 100
Coroner	1	4 f.b.	- - - - -	Cir. clk.'s off. vlt. 25; coroner's residence 75
State's Attorney	- -	- - - - -	- - - - -	State's attorney's reports to circuit court are in cir. clk.'s off. vlt. and sub-vlt.
Supervisor of Assessments	1	29 f.b.	- - - - -	Treas.'s vlt. 50; co. clk.'s sub-vlt. 10; co. clk.'s west off. 40
Board of Review	9	3 f.b.	- - - - -	Treas.'s vlt. 60; co. clk.'s vlt. bsmt. 30; co. clk.'s off. vlt. 10

* Minus sign after percentage figures shown indicates a deficiency of less than one-half of one percent; for fractional listing of records, depositories only are listed.

CHART OF COUNTY OFFICES SHOWING PERCENTAGES OF RECORDS IN DEPOSITORIES

Office	Volumes	Files	Other	Depository and Percent of Records*
Collector	454	9 f.b. 1 f.d.	- - - - -	Co. clk.'s vlt. 38; co. clk.'s east off. 56; treas.'s vlt. 3 1/2; treas.'s off. 1; co. clk.'s sub-vlt. 1/2; co. clk.'s west off. 1.
Treasurer	28	3 f.b.	54 bdl.	Treasurer's vault 50; co. clk.'s vlt. 5amt. 50
Superintendent of Schools	317	14 f.b.	1 map	Off. of supt. of sch. 80; strm. of supt. of sch 20.
Superintendent of Highways	2	2 f.b. 12 f.d.	- - - - -	Office of supt. of hwy. 100.
Surveyor	- - -	- - - - -	- - - - -	Surveyor's records are kept by the recorder
Drainage Commissioner	8	- - - - -	- - - - -	Co. clk.'s off. vlt. 100
Co. Home and Farm	3	1 f.b.	- - - - -	Off. of supt. of Co. Home 100 .
Dept. of Public Welfare	4	2 f.b. 2 f.d.	- - - - -	Old age assist. off. 100
Farm Bureau	- - -	- - - - -	- - - - -	Reports sent to State and Federal Departments of Agriculture
Tuberculosis Sanitarium Board	- - -	- - - - -	- - - - -	Board acts as supervisory body, reporting to county board

* Minus sign after percentage figures shown indicates a deficiency of less than one-half of one percent; for fractional listing of records, depositories only are listed.

CHART OF DEPOSITORIES, SHOWING LOCATION, CONTENTS, AND CONDITION

Moultrie County Courthouse, Main, Washington, Harrison, and Jefferson Streets, Sullivan
 (Three stories and basement; brick and stone construction - 1905-1906; 400,000 cubic feet)

Depository	Floor Location	Dimensions	Floors	Wall & Ceiling	Light & Ventilation	Accommodation	Shelving		Records			Housing Accessibility	
							Type	Feet	Vols.	Quantity			Other
										Files			
Co. clk.'s west off.	2nd NW.	12x20x30	wood	plaster	electric 4 win-dows	2 counters 4 chairs	wood	40	57	- - -	- - - -	good	
Co. clk.'s east off.	2nd NW.	12x17x30	wood	plaster	electric 2 win-dows	1 counter 6 chairs	wood	12	58	342 f. b.	99 envelopes	good	
Co. clk.'s vit.	2nd NW.	9x11x12	concrete	brick tile	electric no win-dows	3 desks 3 chairs	steel	260	203	423 f. b.	1 bdl.	good	
Co. clk.'s sub-vit.	1st NW.	9x10x10	concrete	concrete	electric no win-dows	1 desk 1 chair	steel	160	30	232 f. b.	2 envelopes	crowded	
Co. clk.'s vit.	Basmt. NW.	9x10x10	concrete	brick tile	electric no win-dows	none	wood	211	1159	460 f. b.	- - - -	some dust	
Cir. clk.'s west off.	2nd NE.	12x18x26	wood	plaster	electric 2 win-dows	2 desks 6 chairs	wood	10	23	- - -	- - - -	good	
Cir. clk.'s east off.	2nd NE.	12x17x26	wood	plaster	electric 4 win-dows	5 desks 6 chairs	steel	4	20	175 f. b.	- - - -	good	
Cir. clk.'s vit.	2nd NE.	9x11x12 9x12x22 (annex)	concrete	tile	electric 2 win-dows	3 desks 9 chairs	steel	27	292	355 f. b.	- - - -	good	
Cir. clk.'s sub-vit.	1st NE.	9x10x10	concrete	tile	electric no win-dows	none	steel	85	35	- - -	- - - -	good	

CHART OF DEPOSITORIES, SHOWING LOCATION, CONTENTS, AND CONDITION
Moultrie County Courthouse (cont.)

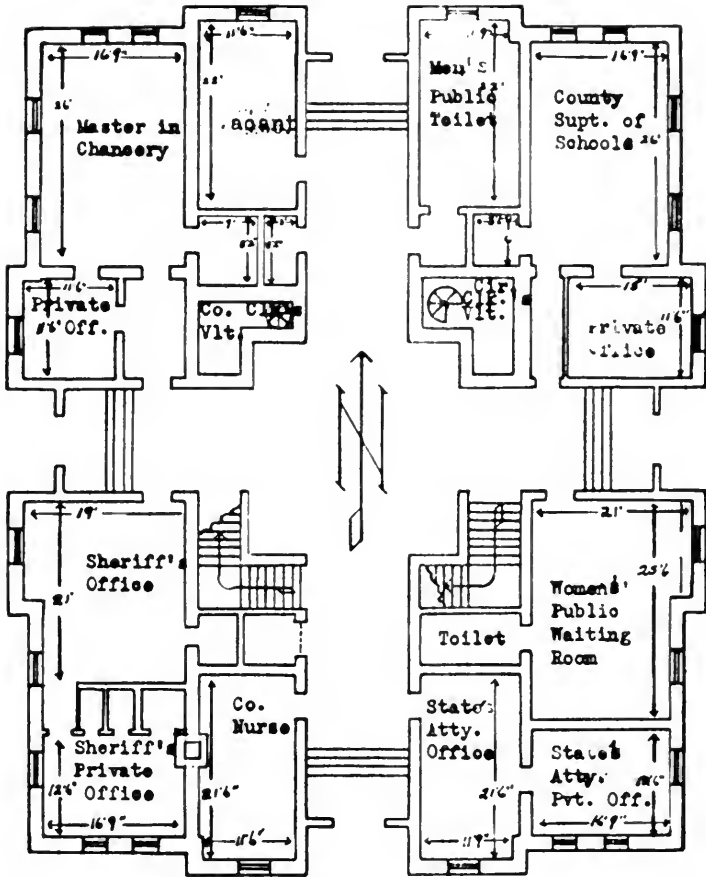
Depository	Floor Location	Dimensions	Floors	Walls & Ceiling	Light & Ventilation	Accommodations	Shelving		Records			Housing, Accessibility
							Type	Feet	Quantity		Other	
									Vols.	Files		
Cir. clk.'s vt.	Bsmt. NE.	9x10x10	con- crete	brick tile	electric no win- dows	none	wood	188	304	- - -	- - - -	some dust
Sheriff's office	1st ST.	12x20x21	wood	plaster	electric 2 win- dows	2 desks 4 chairs	wood	20	24	- - -	- - - -	good
Treas.'s office	2nd SE.	12x17x26	wood	plaster	electric 4 win- dows	3 desks 6 chairs	wood cabi- net	18	- -	1 f.d.	- - - -	good
Treas.'s vault	2nd SE.	10x6x10	con- crete tile	concrete	electric no win- dows	2 desks 4 chairs	steel	200	124	4 f.b.	- - - -	good
Off. of schools	1st NE.	12x17x26	wood	plaster	electric 4 win- dows	1 desk 2 tables 3 chairs	steel wood	50	250	14 f.b.	1 map	good
Strm. of supt. sch.	1st NE.	12x12x12	wood	plaster	electric 1 win- dow	1 table 2 chairs	wood	6	67	- - -	- - - -	good
Off. of supt. hvy.	3rd NW.	12x14x17	wood	plaster	electric 2 win- dows	2 desks 4 chairs	steel	6	2	2 f.b. 12 f.d.	- - - -	good
Old age assist. off.	1st. NW.	12x12x22	wood	plaster	electric 1 win- dow	2 tables 1 desk 5 chairs	- -	- -	4	2 f.b. 2 f.d.	- - - -	good

CHART OF DEPOSITORIES, SHOWING LOCATION, CONTENTS, AND CONDITION
 Coroner's residence, 1901 Jackson Street, Sullivan
 (Two stories; frame construction - 1923; 25200 cubic feet)

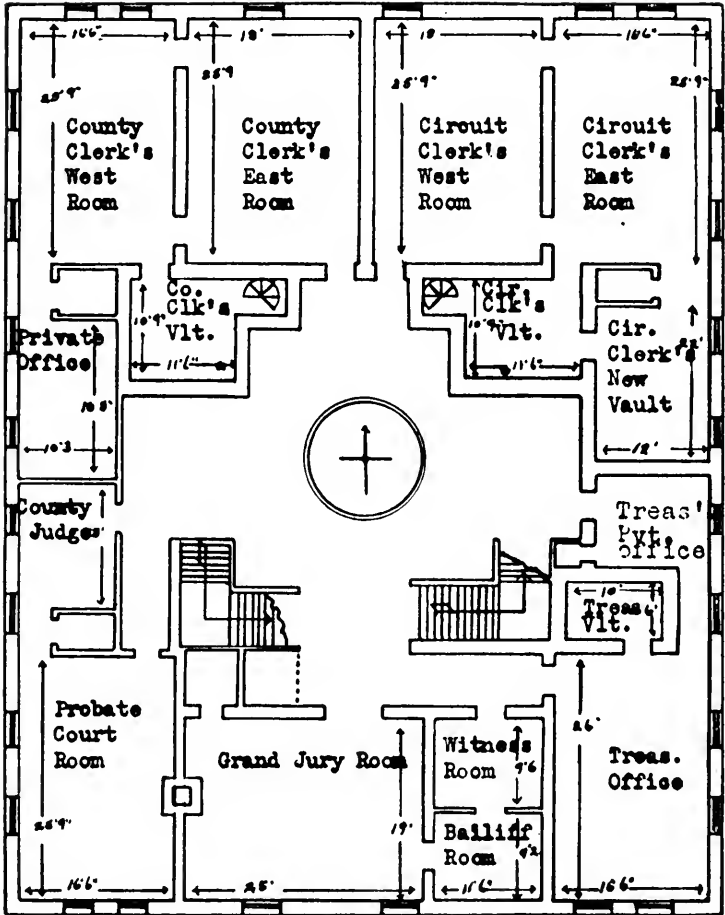
Depository	Floor Location	Dimensions	Floors	Walls & Ceiling	Light & Ventilation	Accommodations	Shelving		Records			Housing, Accessibility
							Type	Feet	Vols.	Quantity		
										Files	Other	
Coroner's office	1st	10x10x12	wood	plaster	electric 2 win-dows	1 desk 3 chairs	--	--	1	--	--	good

County Home, 3 miles SW. of Sullivan on Rural Route
 (Two stories; wood and brick construction - 1890; 33000 cubic feet)

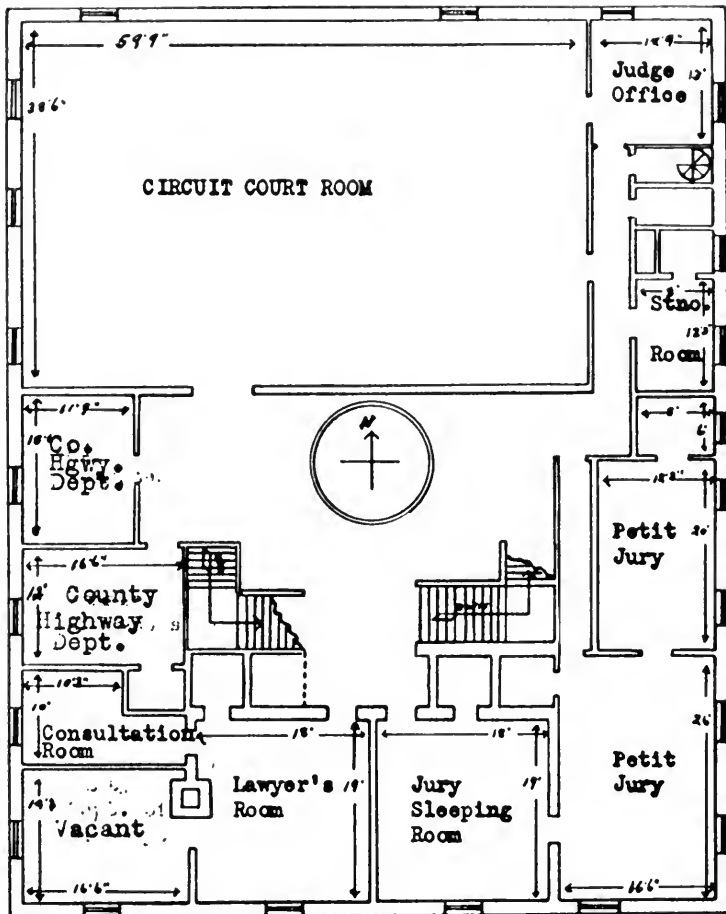
Off. of superintendent	1st	10x15x30	wood	plaster	electric 3 win-dows	1 desk 4 chairs	--	--	3	1 f.b.	--	good
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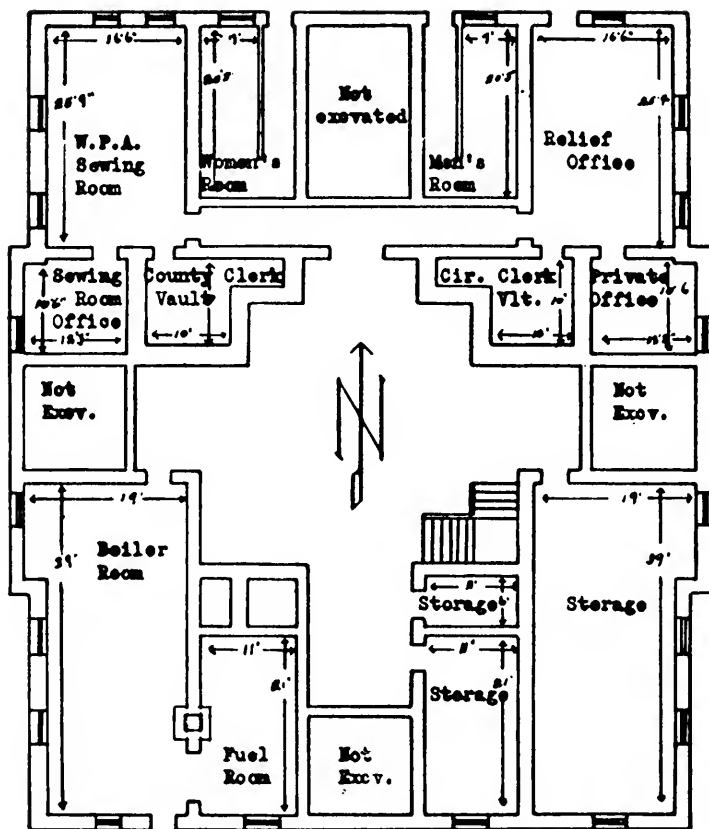
FIRST FLOOR - MOULTRIE COUNTY COURT HOUSE
 SULLIVAN, ILLINOIS
 SCALE: 16' to 1".



SECOND FLOOR - MOULTRIE COUNTY COURT HOUSE
 SULLIVAN, ILLINOIS
 SCALE: 16' to 1".



THIRD FLOOR - MOULTRIE COUNTY COURT HOUSE
SULLIVAN, ILLINOIS
SCALE: 16' to 1".



BASEMENT - MOULTRIE COUNTY COURT HOUSE
SULLIVAN, ILLINOIS
 Scale: 16' to 1".

5. ABBREVIATIONS, SYMBOLS, AND EXPLANATORY NOTES

alph.	.....	alphabetical(ly)
app.	.....	appendix
arr.	.....	arranged, arrangement
Art.	.....	Article
assr.	.....	assessor
atty.	.....	attorney
aud.	.....	auditor
bd.	.....	board
bdl.	.....	bundle(s)
bldg.	.....	building
bsmt.	.....	basement
cf.	.....	confer, compare
ch.	.....	chapter(s)
chron.	.....	chronological(ly)
cir.	.....	circuit
clk.	.....	clerk
co.	.....	county
coll.	.....	collector
cont.	.....	continued
cor.	.....	corner
ct.	.....	court
dept.	.....	department
ed.	.....	edited, edition
f. b.	.....	file box(es)
f. d.	.....	file drawer(s)
f., ff.	.....	and following (page, pages)
fl.	.....	floor
fm.	.....	form
ft.	.....	feet
hdgs.	.....	headings
hdw.	.....	handwritten
hwys.	.....	highways
ibid.	.....	ibidem (in the same place)
i. e.	.....	id est (that is)
Ill.	.....	Illinois Reports (Supreme Court)
Ill. App.	.....	Illinois Appellate Court (Reports)
Ill. S. A.	.....	Illinois Statutes Annotatec
in.	.....	inch(es)
L.	.....	Laws (of Illinois)
loc. cit.	.....	loco citato (in the place cited)
mi.	.....	mile(s)
n.	.....	footnote(s)
n. d.	.....	no date
no(s).	.....	number(s)
N. W.	.....	Northwestern Reporter
off.	.....	office
op. cit.	.....	opera citato (in the work cited)
p.	.....	page(s)
pr.	.....	printed

**Abbreviations, Symbols,
and Explanatory Notes**

Priv. L.	Private Laws (of Illinois)
pro.	probate
rec.	recorder
R. L.	Revised Laws (of Illinois)
rm.	room
R. S.	Revised Statutes (of Illinois)
sch.	school(s)
sec.	section(s)
sep.	separate
Sess.	Session
sh.	sheriff
Sp.	Special
strm.	storeroom
supt.	superintendent
surv.	surveyor
treas.	treasurer
twp(s).	township(s)
U. S. R. S.	United States Revised Statutes
U. S. S. L.	United States Statutes at Large
v.	volume(s)
vet.	veterinarian
vice	in place of
vlt.	vault
—	current

1. Despite inaccuracies in spelling and punctuation, titles of records are shown in the inventory proper exactly as on volumes and file boxes. The current or most recent title is used as the title of the entry.

2. Explanatory additions to inadequate titles and corrections of erroneous titles are enclosed in parentheses and have initial capitals.

3. In the absence of titles, supplied titles are capitalized and enclosed in parentheses.

4. In the title set-up, letters or numbers in parentheses indicate the exact labeling on volumes or file boxes. If the volumes or file boxes are unlabeled, no labeling is indicated.

5. Title line cross references are used to complete series for records kept separately for a period of time, and in other records for different periods of time, as in entry 2, "1867-1930 in Minutes and Claims Allowed by County Supervisors, entry 1." They are also used in all artificial entries - records which must be shown separately under their own proper office or section heading even though they are kept in files or volumes appearing elsewhere in the inventory, as in entry 41, "1885-1926 in Miscellaneous Record, entry 134; 1927—in Drainage District Record, entry 382." In both instances, the description of the master entry shows the title and entry number of the record from which the cross reference is made, as in entry 1, "Also contains Appointment of the Board of Review, 1867-1930, entry 2." Dates shown in the description of the master entry are

**Abbreviations, Symbols,
and Explanatory Notes**

only for the part or parts of the record contained therein, and are shown only when they vary from those of the master entry.

6. Separate third paragraph cross references from entry to entry, and "see also" references under subject headings, are used to show prior, subsequent, or related records which are not part of the same series.

7. Where no explanation of the beginning or for the discontinuance of a record is given, and where no cross reference appears, the information explaining such beginning or discontinuance could not be ascertained.

8. Unless the index is self-contained, an entry for the index immediately follows its record entry. Cross references are given for exceptions to this rule.

9. Records may be assumed to be in good condition unless otherwise indicated.

10. On maps and plat records, the names of author, engraver, and publisher, and information on scale have been omitted only when these data were not ascertainable.

11. Unless otherwise specified, all records are located in the county courthouse.

B. County Offices and Their Records

I. COUNTY BOARD

In Illinois, the county board is that body which exercises the corporate or politic power of the county.¹ In Moultrie County since 1843² three bodies have successively acted as a county board, the county commissioners' court, the county court, and the board of supervisors.

The Constitution of 1818 provided that there should be elected in each county, for the purpose of transacting all county business, three commissioners whose term of service, powers, and duties should be regulated and defined by law.³ The first General Assembly denominated the commissioners a court of record, styled the county commissioners' court.⁴ Four annual sessions were required to be held for six days each, unless the business should be completed sooner; additionally, any one of the commissioners had power, upon giving five days' notice to the remaining commissioners and the clerk of the court, to call a special court which had the same authority as at a regular session.⁵ The first commissioners were elected for an irregular term;⁶ subsequently, it was provided that they should be elected at each biennial general election;⁷ and in 1837, the term was lengthened to three years and staggered, with one new commissioner elected annually.⁸ Thereafter, the commissioner who was longest in office was to be recognized as the presiding officer of the court.⁹ Compensation, originally set at the sum of \$2.50 each day's attendance in holding court,¹⁰ later was reduced to \$1.50.¹¹ In 1821, provision was made for the removal of commissioners for malfeasance or nonfeasance of duties, with proceedings as in criminal cases;¹² when the first criminal code was enacted in 1827, the penalty was modified to a fine of not more than \$200, with removal from office only upon recommendation of the jury.¹³ Vacancies resulting from any cause were filled by special election upon order of the clerk of the court to district judges of election.¹⁴

1. R.L.1827, p. 107; R.S.1845, p. 130; R.S.1874, p. 306.

2. Moultrie County was created in 1843 (L.1843, p. 83, 84).

3. Constitution of 1818, Schedule, sec. 4.

4. L.1819, p. 175.

5. Ibid., p. 175, 176.

6. Ibid., p. 100. The commissioners were to continue in office from the election held on the fourth Monday in April, 1819, until the first Wednesday in August, 1820, and until their successors were elected and qualified. Not until 1821 was provision made for the election of such successors (L.1821, p. 80).

7. L.1821, p. 80.

8. L.1837, p. 103, 104. To initiate the new procedure the first three commissioners elected in 1843, the year Moultrie was organized, drew lots for one, two, and three years. The commissioner drawing the one-year term only served until August 7, 1843 when his successor was elected.

9. Ibid., p. 104.

10. L.1819, p. 176.

11. R.L.1827, p. 205.

12. L.1821, p. 20. Conviction further carried disqualification from holding office for one year.

13. R.L.1827, p. 145.

14. L.1837, p. 104. No election was required to be held if the term of the commissioner vacating office would have expired within six months from date of vacancy.

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In 1848, when Illinois adopted a new constitution, the county commissioners' court was discontinued. In its place, the constitution provided for an administrative body to be composed of an elected officer, the county judge, and such number of justices of the peace as should be required by law.¹⁵ In the following legislative session, the General Assembly provided for the election of two justices of the peace to sit with the county judge to transact county business.¹⁶ Their term of office, like that of the county judge, was set at four years.¹⁷ This body, styled the county court, was required to hold four sessions annually and when so sitting, had all power, jurisdiction, and authority formerly conferred upon the county commissioners' court.¹⁸ The compensation of the county judge was originally set at \$2.50 for every day of holding court.¹⁹ In 1855 the amount was increased to \$3.00.²⁰

The new constitution also directed the General Assembly to provide, by general law, for a township organization under which any county might organize whenever a majority of the voters in the county should so determine.²¹ By provision of the subsequent enabling acts,²² a board of supervisors, whose members were to be elected one in each township annually,²³ was created to transact all county business in counties adopting township organization.²⁴ The board of supervisors was to meet for one regular session a year with the provision that special meetings might be held when convenient.²⁵ The board members were compensated at the rate of \$1.50 a day,²⁶ and a fine was provided in the sum of \$250.00, for refusal to perform, or neglect of, duties.²⁷

Moultrie County was governed by the county court from 1849 to 1867, when township organization was instituted.²⁸ In 1870 Illinois adopted a new constitution, which continued the provision for township organization in counties so electing,²⁹ and provided for a different form of county board to supplant the county court as an administrative body. This board was to consist of three officers,

15. Constitution of 1848, Art. V, sec. 16, 17, 19.

16. L.1849, p. 65, 66.

17. Constitution of 1848, Art. V, sec. 17; L.1849, p. 62, 65, 66.

18. L.1849, p. 65.

19. Ibid., p. 63.

20. L.1855, p. 181.

21. Constitution of 1848, Art. VII, sec. 6.

22. L.1849, p. 190-224; L.1851, p. 35-78. The later law repealed and was a complete substitute for the earlier, but so far as their effect on the sphere of county government is concerned, there was almost no difference between the two.

23. L.1849, p. 192; L.1851, p. 38.

24. L.1849, p. 202-4; L.1851, p. 50-52.

25. L.1849, p. 202; L.1851, p. 51. In 1861 it was provided that special meetings could be called upon request of one third of the members of the board (L.1861, p. 236). Since 1899 the board has been required to hold two regular meetings (L.1899, p. 363).

26. L.1849, p. 203; L.1851, p. 52. In 1861 compensation was increased to \$2.00 a day (L.1861, p. 238).

27. L.1849, p. 203, 204. This fine was reduced in 1851 to \$200 (L.1851, p. 52). Subsequent legislation reduced it still further and added the more frequent penalty for misfeasance, disqualification for office (R.S.1874, p. 1080).

28. Moultrie County adopted township organization in 1866, but the change was not effective until 1867.

29. Constitution of 1870, Art. X, sec. 5.

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styled county commissioners, and by subsequent legislation, was given all powers, jurisdiction, and authority formerly vested in the county court when acting in its administrative capacity.³⁰ As Moultrie retained township organization from its adoption in 1866 to the present, the county has never been affected by these laws.

Since 1874 population has been recognized as a factor in local representation on the board of supervisors. In that year, each town or city besides its regular supervisor, became entitled to one assistant supervisor if it had four thousand or more inhabitants, two if sixty-five hundred, and one more for every additional twenty-five hundred.³¹ In 1931, these population requirements were made to affect only those counties having less than one hundred thousand inhabitants.³² The differentiating figure was reduced in 1933 to ninety thousand.³³ Moultrie with its population of 13,247 according to the 1930 U. S. Census was not affected by the latter change.³⁴ The assistant supervisors, whose terms run concurrently with those of the regular supervisors,³⁵ have no power or duties as town officers, but are members of the county board and enjoy the same powers and rights as other members.³⁶

At present its board of supervisors has nine members. The term of office of supervisors, lengthened in 1889 to two years,³⁷ was further extended in 1929 to four years.³⁸ Compensation was increased from \$1.50 to \$5.00 a day in 1919,³⁹ lowered to \$4.00 in 1933,⁴⁰ and raised again to \$5.00 in 1937,⁴¹ with an allowance of five cents per mile for necessary travel.

The functions of the Illinois county board, in contrast to its legal status, have undergone little change since the beginning of statehood, the development being merely one of accretion and increasing complexity of duties within a well-defined and nearly static sphere of authority and jurisdiction. The law establishing the court of county commissioners conferred upon it jurisdiction in all matters concerning county revenue.⁴² Of this basic provision, nearly all other statutory powers of the court can be considered extensions; some, enunciated in the same law, already show such a legislative viewpoint. The court was given power to regulate and impose the county tax, and to grant such licenses as might also bring in a revenue; additionally, it was given authority over all public roads, canals, turnpike roads, and toll bridges.⁴³ Other legislation by the first General Assembly gave the court power to buy and sell lots

30. Constitution of 1870, Art. X, sec. 6; L.1873-74, p. 79, 80.

31. R.S.1874, p. 1075.

32. L.1931, p. 908.

33. L.1933, p. 1116.

34. Population Bulletin, p. 9.

35. L.1933, p. 1115.

36. R.S.1874, p. 1078, 1080; L.1925, p. 605; L.1929, p. 774; L.1931, p. 905, 907; L.1933, p. 1115.

37. L.1889, p. 109; L.1917, p. 793; L.1925, p. 605.

38. L.1929, p. 774, 775; L.1931, p. 906.

39. L.1849, p. 203; L.1857, p. 186; L.1871-72, p. 444; L.1919, p. 569.

40. L.1933, p. 615.

41. L.1937, p. 601.

42. L.1819, p. 175.

43. Ibid.

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whereon to erect county buildings and to contract for their constructions;⁴⁴ later, in the case of the courthouse at least, the court was declared to have the care and custody of the property and the right to make certain disposition of it.⁴⁵ Care of the indigent was also made a function of the court; it was required to make appropriations, to be levied and collected in the same manner as other county revenue, for their support. As an extension of this fiscal function, it was required to appoint an overseer of the poor in every township and establish a county poorhouse if necessary.⁴⁶ Fiscal control over school lands was exercised at first solely through the court's power of appointment of the trustees of school lands;⁴⁷ after the creation of the office of county school commissioner,⁴⁸ firmer control was effected through the medium of reports which the commissioner was required to submit to the court.⁴⁹ By the terms of another early provision, a significant precursor of many similar ones to be found in more recent years, the court also had authority to examine the full accounts of the commissioner.⁵⁰ Other aspects of government which, if farther removed from the fiscal core, came early into this jurisdictional sphere, were elections and juries. With regard to the former, the court was authorized to establish election precincts,⁵¹ appoint judges of election,⁵² and allow compensation to election officials for services and stationery.⁵³ Its duty with regard to juries was relatively simple; it was required to select two panels each of petit and grand jurors. The former were required to be enrolled on the list of taxable inhabitants; the latter, only to be freeholders or householders.⁵⁴

The substitution of the county court for the county commissioners' court produced no important changes in the sphere of government; neither the second constitution nor the enabling legislation made any original pronouncements with regard to the powers or duties of the former.⁵⁵

The revised law on township organization, in the main, only made more inclusive and definite the powers of the board.⁵⁶ The board was given authority to purchase and hold any land within the county for the use of its inhabitants; it was also given authority to make such contracts, and to purchase and hold such personal property as might be necessary to the exercise of its powers; moreover, it could make such orders for the disposition, regulation, or

44. L.1819, p. 237, 238.

45. L.1843, p. 128.

46. L.1819, p. 127; L.1839, p. 138, 139.

47. R.L.1827, p. 366.

48. R.L.1829, p. 150.

49. L.1831, p. 175; R.S.1845, p. 500, 501.

50. L.1831, p. 175.

51. L.1821, p. 74. There was in this law and in many of those following, a limit to the number of precincts which could be established. See L.1825, p. 168; L.1827, p. 256; R.L.1829, p. 54; L.1835, p. 141. Prior to 1821, each township was declared by statute to constitute an election district (L.1819, p. 90).

52. L.1819, p. 90.

53. *Ibid.*, p. 99.

54. *Ibid.*, p. 255; L.1823, p. 182.

55. Constitution of 1848, Art. V, sec. 19; L.1849, p. 65.

56. The Act of February 17, 1851, previously cited (L.1851, p. 35-78).

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use of the corporate property as might seem to be the interest of the inhabitants.⁵⁷ Explicit also, was the authority to audit all claims against the county, and the accounts of such officers as were not otherwise provided for by law.⁵⁸ The board was also given power to appropriate funds for the construction of roads and bridges in any part of the county whenever a majority of the whole board might deem it proper and expedient.⁵⁹

From the enabling legislation of the present constitutional period is drawn the following brief statement of the principal functions of the county board:

1. The purchase, sale, and custody of the real and personal property of the county.
2. The examination and settlement of accounts against the county.
3. The issuance of orders on the county treasury in pursuance of its fiscal administration.
4. The examination of accounts concerning the receipts and expenditures of county officers.⁶⁰
5. The supervision of elections;⁶¹ the selection of juries;⁶² the construction and maintenance of roads and bridges;⁶³ the care of the indigent, infirm, and disabled.⁶⁴
6. The appropriation of funds necessary to the effecting of its functions;⁶⁵ the raising of such sums through taxation; and in general, the management of county funds and county business.⁶⁶

At all times the county board has had a clerk who has served it in a ministerial capacity. The law creating the county commissioners' court provided that it should have such an officer, and gave it the power to appoint him.⁶⁷ This appointive power was rescinded in 1837 by an act which made the office elective.⁶⁸

When the county court supplanted the county commissioners' court, the office of clerk of the latter body ceased to exist. A new office was created by statute, that of clerk of the county court.⁶⁹ When the court sat for the transaction of county business, its clerk was in effect a clerk of a county board; legal recognition of this distinction was given in the provision that the clerk should keep his records of the court's administrative actions separate from those of

57. L.1851, p. 50.

58. *Ibid.*, p. 51.

59. *Ibid.*

60. R.S.1874, p. 306, 307.

61. *Ibid.*, p. 456, 468.

62. *Ibid.*, p. 630.

63. *Ibid.*, p. 310.

64. *Ibid.*, p. 757, 758.

65. *Ibid.*, p. 307.

66. *Ibid.*, p. 306, 307.

67. L.1819, p. 175.

68. L.1837, p. 49.

69. L.1849, p. 63.

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its judicial actions. For this purpose two sets of books were to be kept.⁷⁰

In 1870 the new constitution established the office of county clerk;⁷¹ subsequently, the General Assembly provided that the county clerk should act as clerk of the county board⁷² as well as clerk of the county court.⁷³ From that time to the present, the county board has been served in a ministerial capacity by this officer.

The major record kept by the clerk for the county board is the minutes of its proceedings. This heterogeneous record includes orders to issue warrants on the county treasury; the board's consideration of the action on reports of committees of its members on roads and bridges, indigent and infirm relief, schools, taxation, etc.; and its orders in regard to juries, licenses, and other matters within its jurisdiction.⁷⁴

The clerk also keeps, separately, a register of orders issued on the county treasury and lists of jury venire; files and preserves all bills of accounts acted on by the board; and has custody of reports required to be made to the board by the county treasurer, various school bodies, and a number of county officers.⁷⁵ An obligation to preserve a multiplicity of other records is clearly set forth in the general provision requiring the clerk to have the care and custody of all papers appertaining to, as well as filed in, his office.⁷⁶

70. L.1849, p. 66.

71. Constitution of 1870, Art. X, sec. 8.

72. R.S.1874, p. 322.

73. Ibid., p. 260.

74. L.1819, p. 6, 28, 77, 127, 334, 335, 352; R.L.1829, p. 151-53; L.1831, p. 89, 90; L.1835, p. 131, 132, 136; L.1839, p. 71, 72; R.S.1845, p. 287, 342, 403, 437; L.1849, p. 66; L.1861, p. 234-37; R.S.1874, p. 322.

75. R.L.1827, p. 366; L.1845, p. 169; R.S.1845, p. 136; L.1861, p. 237.

76. R.S.1874, p. 322.

PROCEEDINGS OF BOARD

(See also entry 134 (viii, viii))

1. MINUTES AND CLAIMS ALLOWED BY COUNTY SUPERVISORS, 1867—. 578 f. b.

Proceedings of board of supervisors including claims allowed, minutes of meetings, and reports of county officers. Also contains Appointments of the Board of Review, 1867-1930, entry 2; Road Record, 1891—, entry 5; Applications for Blind Pensions, 1903-14, entry 21, including Proof of Deaths of Blind Pensioners, entry 23; Publisher's Certificates of Official Reports, 1867-1919, entry 29; Report of County Clerk, 1867-99, entry 32; Circuit Clerk's Report, 1867-99, entry 33; County Sheriff's Report 1867-99, entry 34; Sheriff's Monthly Report, 1867-1918, 1922—, entry 35; Report of Superintendent of County Farm, 1867-1905, 1919—, entry 39; and State's Attorney and Justices of the Peace Records, 1867-89, 1898—, entry 212. Arr. by date of filing. No index. Hdw., and hdw. on pr. fm. 2x4x8. 450 f. b., 1867-1928, co. clk.'s vlt., bsmt.; 116 f. b., 1929-35, co. clk.'s vlt., 2nd fl.; 12 f. b., 1936—, co. clk.'s west off., 2nd fl.

2. APPOINTMENTS OF THE BOARD OF REVIEW, 1931—. 1 f. b. 1867-1930 in Minutes and Claims Allowed by County Supervisors, entry 1.

Appointments and oaths of members of board of review, showing name and address of appointee, date of appointment, term, and duties. Arr. by date of appointment. No index. Hdw. on pr. fm. 4x4x10. Co. clk.'s west off., 2nd fl.

3. SUPERVISORS' RECORD, 1843—. 12 v. (4, 11, 3, 4, 105-111, 1843—; 1 not labeled, 1866-67). Title varies: Commissioners' Record, v. 4, 1843-59; Court Record, v. 11, 1859-67; Report of Commissioners, 1 v. not labeled, 1866-67.

Record of proceedings of county commissioners' court, county court as county board, and board of supervisors, showing date, minutes of meetings, roll call, business transacted, reports to board, jury lists, claims allowed, various petitions to board, licenses issued, appointment of county officers, and miscellaneous papers. Judicial records are also found in the first volume 4 and volume 11. Also contains Application of Blind Persons for Relief, 1903-14, entry 22, and Crow Bounty Receipts, 1862-1906, entry 24. Arr. by date of recording. 1843-66, indexed alph. by subject; for sep. index, 1867-69, see entry 4; 1870—, no index. 1843-99, hdw.; 1900—, typed. 500 p. 17x11x2—18x12x2. Co. clk.'s vlt., 2nd fl.

4. INDEX TO SUPERVISORS' RECORDS, 1867-69. 1 v.

Index to Supervisors' Record, entry 3, showing title of subject, and book and page of entry. Arr. alph. by title of subject. Hdw. 150 p. 16x12x1. Co. clk.'s vlt., bsmt.

5. ROAD RECORD, 1865-90. 3 f. b. Titles varies: Road Petitions, 1 f. b., 1865-73. 1891— in Minutes and Claims Allowed by County Supervisors, entry 1.

Petitions for building and improving roads, showing location and description of road, nature of improvement, names and addresses of petitioners and commissioners, and date of petition. Arr. by date of petition. No index. 1865-73, hdw. on pr. fm.; 1874-90, hdw. 4x4x11. Co. clk.'s sub-vlt., 1st fl.

DISPOSITION OF ACCOUNTS

County Budget and Appropriations (See also entries 351, 352)

6. **LEDGER ACCOUNT COUNTY FUNDS, 1872—** 6 v. Clerk's account of county funds, showing number, date, amount, and purpose of order, to whom paid, amount of appropriation, and balance in each fund. Arr. by date of transaction. No index. Hdw. under pr. hdgs. 300 p. 18x12x1½. 5 v., 1872-1925, co. clk.'s vlt., bsmt.; 1 v., 1926—, co. clk.'s east off., 2nd fl.

Bills and Claims (See also entries 1, 3, 379, 380)

7. **MOTOR FUEL TAX CLAIMS, 1933—** 1 v. Register of claims against motor fuel tax funds, showing date, number, purpose, and amount of claim, name and address of claimant, and payment warrant number. Arr. by date of claim. No index. Hdw. under pr. hdgs. 200 p. 10x14x1½. Co. clk.'s vlt., 2nd fl.

Registers of County Orders (See also entries 352-354)

8. **REGISTER OF COUNTY WARRANTS, 1862—** 9 v. (1 not labeled, A-E, 25, 1, 2). Title varies: Warrant Record, 1 v. not labeled, v. A-E, 25, 1862-1925. Register of county orders, bounty claims, and witness fee certificates, showing date, number, amount, and purpose of order, name of recipient, and fund classification. Arr. by order no. No index. Hdw. under pr. hdgs. 300 - 500 p. 16x10x1½ — 18x12x2. 1 v. not labeled, v. A-E, 25, 1862-1925, co. clk.'s vlt., bsmt.; v. 1, 2, 1926—, co. clk.'s east off., 2nd fl.

9. **REGISTER OF COUNTY WARRANTS (Cancelled), 1862—** 7 v. (5 not numbered, 1, 2). Title varies: Register of Cancelled Orders and Jury Certificates, 2 v. not numbered, 1895-1919. Register of cancelled county warrants and jury certificates, showing date, number, amount, and purpose of warrant, fund classification, name of recipient, and date of cancellation. Arr. by date of cancellation. No index. Hdw. under pr. hdgs. 300 p. 18x17x2. 5 v. not numbered, 1862-1925, co. clk.'s vlt., bsmt.; v. 1, 2, 1926—, co. clk.'s east off., 2nd fl.

10. **MOTOR FUEL TAX WARRANT REGISTER, 1933.** 1 v. Register of warrants issued against motor fuel tax fund, showing date, amount, number, and purpose of warrant, name of recipient, and date of cancellation. Arr. by warrant no. No index. Hdw. under pr. hdgs. 300 p. 10x14x1½. Co. clk.'s east off., 2nd fl.

Cancelled County Orders (See also entry 355)

11. **CANCELLED COUNTY ORDERS AND JURY CERTIFICATES, 1858—** 51 f. b. Cancelled county orders and jury certificates paid by county treasurer

er and returned to county clerk, showing date, number, amount, and purpose of warrant, to whom issued, and dates of payment and cancellation. Arr. by date of cancellation. No index. Hdw. on pr. fm. 8x4x12 — 10x5x14. 49 f. b., 1858-1935, co. clk.'s sub-vlt., 1st fl.; 2 f. b., 1936—, co. clk.'s vlt., 2nd fl.

12. JUROR CERTIFICATE STUBS, 1872—. 8 v.

Stubs of jurors' warrants, showing date, number, and amount of warrant, name of juror and date of cancellation. Also contains Warrant Stubs for Petit Jurors in Insanity Cases, 1917—, entry 17; Inquest Certificate Stubs, 1872-1903, 1914—, entry 18. Arr. by certificate no. No index. Hdw. on pr. fm. 100 p. 17x11x½. 6 v., 1872-1928, co. clk.'s vlt., bsmt.; 2 v., 1929—, co. clk.'s east off. 2nd fl.

13. WARRANT STUBS BIRTH AND DEATH REPORTS, 1903—. 2 v.

Stubs of warrants issued to local registrars in payment for birth and death reports, showing name of registrar, district number, number of reports, and amount and date of payment. Arr. by warrant no. No index. Hdw. on pr. fm. 100 p. 10x16x1. Co. clk.'s east off. 2nd fl.

14. MOTHER'S PENSION CANCELLED ORDERS, 1913—. 6 f. b.

Cancelled orders for mothers' pensions, showing date, amount, and number or order, name of mother, and date of cancellation. Arr. by order no. No index. Hdw. on pr. fm. 4x4x8. 5 f. b., 1913-35, co. clk.'s sub-vlt., 1st fl.; 1 f. b., 1936—, co. clk.'s vlt., 2nd fl.

15. MOTHERS' PENSION ORDER STUBS, 1913—. 24 v.

Stubs of mothers' pension orders, showing date, amount, and number of order, name of mother, and number of children. Arr. by order no. No index. Hdw. on pr. fm. 100 p. 10x13x½. Co. clk.'s vlt., bsmt.

16. STUBS OF WARRANTS FOR RELIEF OF BLIND, 1916—. 5 v.

Stubs of warrants issued for relief of blind, showing number and date of warrant, name of blind person, ending date of quarter, and dates of mailing and delivery. Arr. by warrant no. No index. Hdw. on pr. fm. 100 p. 10x13x½. 4 v., 1916-32, co. clk.'s vlt., bsmt.; 1 v., 1933—, co. clk.'s vlt., 2nd fl.

17. WARRANT STUBS FOR PETIT JURORS IN INSANITY CASES, 1888-1916. 1 v. 1861-87 in Stubs of County Orders, entry 19; 1917— in Juror Certificate Stubs, entry 12.

Stubs of warrants issued to petit jurors in insanity cases, showing name of recipient, date, number, and amount of warrant, and date of cancellation. Arr. by warrant no. No index. Hdw. on pr. fm. 100 p. 17x11x½. Co. clk.'s vlt., bsmt.

18. INQUEST CERTIFICATE STUBS, 1904-13. 1 v. 1872-1903, 1914— in Juror Certificate Stubs, entry 12.

Stubs of coroner's jury warrants, showing date, amount, number, and purpose of warrant, name of juror, and date of cancellation. Arr. by

certificate no. No index. Hdw. on pr. fm. Paper poor. 100 p. 17x11x $\frac{1}{2}$. Co. clk.'s vlt., bsmt.

19. STUBS OF COUNTY ORDERS, 1861-1907. 32 v.

Stubs of county orders, showing date, number, amount, and purpose of order, name of recipient, and date of cancellation. Also contains Warrant Stubs for Petit Jurors in Insanity Cases, 1861-87, entry 17. Arr. by order no. No index. Hdw. on pr. fm. 100 p. 16x11x1. Co. clk.'s vlt., bsmt.

20. CERTIFICATE OF FEES, 1894-98. 1 v.

Stubs of witness fee certificates, showing date, amount, and number of certificate, name of witness, and date of cancellation. Arr. by certificate no. No index. Hdw. on pr. fm. 150 p. 17x11x1. Co. clk.'s vlt., bsmt.

Pension Fund Account and Applications

(See also entries 14-16, 219-221, 351)

21. APPLICATIONS FOR BLIND PENSIONS, 1915—. 1 f. b. 1903-14 in Minutes and Claims Allowed by County Supervisors, entry 1.

Original applications and petitions to county board for blind relief, showing name, age, and residence of applicant or petitioner, names and oaths of witnesses, date and result of examination, and orders of county board. Also contains Proof of Deaths of Blind Pensioners, 1915-19, entry 23. Arr. by date of application. No index. Hdw. on pr. fm. 9x4x15. Co. clk.'s vlt., 2nd fl.

22. APPLICATION OF BLIND PERSONS FOR RELIEF, 1915—. 1 v. 1903-14 in Supervisors' Record, entry 3.

Copies of applications for blind relief, showing name, age, and address of applicant, date and result of examination, names of witnesses, amount of allowance by board, and final disposition of case. Arr. by date of recording. No index. Hdw. on pr. fm. 200 p. 15x10x1. Co. clk.'s vlt., 2nd fl.

23. PROOF OF DEATHS OF BLIND PENSIONERS, 1920—. 1 f. b. 1903-14 in Minutes and Claims Allowed by County Supervisors, entry 1; 1915-19 in Applications for Blind Pensions, entry 21.

Proofs of death of blind relief pensioners, showing name and address of blind person, dates of death and burial, certified statement of death by undertaker, and date of filing. Arr. by date of filing. No index. Hdw. and typed. 4x4x8. Co. clk.'s west off., 2nd fl.

Receipts

24. CROW BOUNTY RECEIPTS, 1907-9. 1 v. 1862-1906 in Supervisors' Record, entry 3.

Receipts for bounties paid for killing crows, showing name of claimant, and number of crows killed, and date and amount of payment. Arr. by date of payment. No index. Hdw. Writing faded, paper poor. 100 p. 17x13x1 $\frac{1}{2}$. Co. clk.'s vlt., bsmt.

MANAGEMENT OF COUNTY PROPERTY AND ROADS

(See also entries 5, 361)

Estimates and Contracts

**25. CONTRACTS AND CONDEMNATION PROCEEDINGS,
1930-32. 3 f. b.**

Contracts and agreements with land owners to release land needed for hard roads 132 and 133, showing number of acres needed, amount to be paid, signatures of members of committee, and dates of agreement and filing. Arr. by date of filing. No index. Typed. 9x4x15. Co. clk.'s vlt., 2nd fl.

**26. ARCHITECTS' ESTIMATES OF COURT HOUSE, 1904-6.
2 f. b.**

Architects' estimates of cost of construction of court house, showing name of architect, description of building, date and amount of estimate. Arr. by date of filing. No index. Hdw. and typed. 4x4x8. Co. clk.'s west off., 2nd fl.

Bond Issues

**27. REGISTER OF ROAD, SCHOOL, AND SPECIAL OIL
BONDS, 1920—. 1 f. b.**

Special bonds issued for construction, repair, and maintenance of roads and schools, showing date and amount of bond, names of school district and township, date of maturity, and final disposition of bonds. Arr. by date of bond. No index. Hdw. on pr. fm. 10x4x15. Co. clk.'s vlt., 2nd fl.

Insurance

28. INSURANCE POLICIES, 1934—. 1 f. b.

Original insurance policies on county buildings, showing name of insurance company, date and amount of policy, location and description of building insured, rate of premium, and date of expiration. Arr. by date of policy. No index. Typed on pr. fm. 12x4x14. Treas.'s vlt., 2nd fl.

Road Transactions

**29. PUBLISHERS' CERTIFICATES OF OFFICIAL REPORTS,
1920—. 4 f. b. 1867-1919 in Minutes and Claims Allowed
by County Supervisors, entry 1.**

Certificates of publication of statements of receipts and expenditures issued by township supervisors concerning funds used for roads and bridges, showing date and name of publication, signature of publisher, and acknowledgment. Arr. by date of publication. No index. Typed. 4x4x8. Co. clk.'s west off., 2nd fl.

Correspondence

**30. LETTERS PERTAINING TO BUILDING OF COURT
HOUSE, 1904-6. 1 f. b.**

Correspondence to and from county building committee pertaining to building of courthouse and repairing of other county buildings. Arr. by date of filing. No index. Hdw. and typed. 4x4x8. Co. clk.'s west off., 2nd fl.

REPORTS TO BOARD

(See also entries 2, 362, 385)

31. COUNTY TREASURER'S REPORTS, 1853—. 8 f. b.
Annual reports of county treasurer to county board of receipts and expenditures, showing amounts received for official services, and amounts paid for salaries, office supplies, and other purposes. Arr. by date of report. No index. 1853-1908, hdw. on pr. fm.; 1909—, typed on pr. fm. 4x4x10. 7 f. b., 1853-1916, co. clk's sub-vlt., 1st fl.; 1 f. b., 1917—, co. clk.'s west off., 2nd fl.
32. REPORT OF COUNTY CLERK, 1900—. 1 f. b. 1867-99
in Minutes and Claims Allowed by County Supervisors, entry 1.
County clerk's semiannual report to county board of receipts and expenditures, including clerk's fees in probate and county court cases, and miscellaneous fees. Arr. by date of report. No index. Typed. 4x4x10. Co. clk.'s west off., 2nd fl.
33. CIRCUIT CLERK'S REPORT, 1900—. 1 f. b. 1867-99 in
Minutes and Claims Allowed by County Supervisors, entry 1.
Circuit clerk's and recorder's semiannual reports to county board of official's receipts and expenditures, showing amounts received as fees for recording, and clerk's fees for court cases, amounts of disbursements for salaries and office expense, and balance turned over to county treasurer. Arr. by date of report. No index. Typed on pr. fm. 4x4x10. Co. clk.'s west off., 2nd fl.
34. COUNTY SHERIFF'S REPORT, 1900—. 1 f. b. 1867-99
in Minutes and Claims Allowed by County Supervisors, entry 1.
Semiannual reports of sheriff to county board, showing fees received, and itemized list of expenditures. Arr. by date of report. No index. Typed under pr. hdgs. 4x4x10. Co. clk.'s west off., 2nd fl.
35. SHERIFF'S MONTHLY REPORT, 1919-21. 1 f. b. 1867-
1918, 1922-- in Minutes and Claims Allowed by County Supervisors, entry 1.
Sheriff's monthly jail reports to county board, showing itemized list of provisions purchased, from whom purchased, and number of prisoners in jail. Arr. by date of report. No index. Typed. 4x4x10. Co. clk.'s west off., 2nd fl.
36. TOWNSHIP SCHOOL TREASURERS' FINANCIAL RE-
PORTS, 1912—. 3 f. b.
Annual financial reports of township school treasurers, including a detailed account of all receipts and expenditures, showing date, amount, and purpose of receipt or expenditure, names of payee and recipient, total receipts and expenditures, and balance available; also contains a record of school loans. Arr. by date of report. No index. Hdw. under pr. hdgs. 4x4x8. Co. clk.'s west off., 2nd fl.
37. CERTIFICATES OF ESTABLISHMENT OF TOWNSHIP
HIGH SCHOOL DISTRICTS, 1916-21. 1 f. b.
Reports on proceedings for establishment of high school districts,

showing location and legal description of district, date of report, reason for formation of district, and final results as certified by county superintendent of schools. Arr. by date of report. No index. Typed. 4x4x10. Co. clk.'s west off., 2nd fl.

38. DISTRICT SCHOOL PAID ORDERS AND SCHEDULES OF ATTENDANCE, 1904-5. 2 f. b.

Schedules of attendance of non-high school pupils, showing name of pupil, days of attendance and absence, amount of claim for tuition, names of school and district, signatures of president and secretary of board of education, and date of report; also includes duplicate orders for payment of tuition claims, showing date, number, amount, and purpose of each, name of payee, and date of cancellation. Arr. by date of report. No index. Hdw. on pr. fm. 4x4x8. Co. clk.'s west off., 2nd fl.

39. REPORT OF SUPERINTENDENT OF COUNTY FARM, 1906-18. 1 f. b. 1867-1905, 1919— in Minutes and Claims Allowed by County Supervisors, entry 1.

Reports of receipts and expenditures made by superintendent of county farm to county board, showing amounts and dates of receipts and expenditures, reason for receipt or payment, name of payer or payee, date of report, and signature of superintendent of farm. Arr. by date of report. No index. Typed. 4x4x10. Co. clk.'s west off., 2nd fl.

40. REPORT OF COMMISSIONERS ON TOWNSHIP ORGANIZATION, 1867-76. 1 v., 2 envelopes.

Reports on petitions and matters pertaining to organizing townships, showing date of petition, names and addresses of petitioners, location of proposed boundaries and name of township, and report of commissioners. Arr. by date of report. No index. Hdw. and typed. V., 50 p. 8x4x1; envelopes, 8x4x2. Co. clk.'s sub-vlt., 1st fl.

41. (REPORT OF COMMISSIONERS OF DRAINAGE DISTRICTS), 1885—. 1885-1926 in Miscellaneous Record, entry 134; 1927— in Drainage District Record, entry 382.

Copies of reports of drainage commissioners, showing date of report, itemized statement of benefits paid for damages, amounts spent for construction of new levies and ditches, and for repairs, itemized accounts of receipts and expenditures, and date of report. 1885-1905, hdw.; 1906—, typed.

JURY LISTS

(See also entries 3, 215, 216, 314, 315)

42. REGISTER OF JURORS, 1872-1923. 1 v.

Register of jurors selected by county board, showing name and address of juror, and date of selection. Arr. by date of selection. No index. Hdw. 200 p. 17x14x1. Co. clk.'s vlt., bsmt.

II. COUNTY CLERK

Forerunner of the present county clerk was the clerk of the county commissioners' court. This court was the administrative body in Moultrie County from 1843, the date of organization of the county, to 1849.¹ The Constitution of 1848 and laws of 1849 created a new judicial branch of county government presided over by the county judge and entitled the "county court," and provided for the quadrennial election of a "clerk of the county court."² In addition to his duties as clerk of the judicial court, the incumbent was also to act as clerk of the administrative branch of government which consisted of the county judge and the justices of the peace.³ In 1866 Moultrie County adopted the township form of government necessitating the election of a board of supervisors to supplant the county court as the county administrative body.⁴ Accordingly the clerk of the county court became ex-officio clerk of the board of supervisors.⁵

The above-mentioned clerks all performed the duties of county clerk as well as those of clerks of a judicial or administrative body. In fact, legislation frequently referred to these incumbents as "county clerks" when defining duties relating to county business as distinct from duties as clerks of judicial or administrative bodies. The Constitution of 1870 specifically provided for a county clerk⁶ who has continued to act to the present in this capacity, and also as clerk of the county board⁷ and clerk of the county court.⁸ The revised statutes of 1874 adopted the use of a distinction of titles for each of his ex-officio capacities, applying the title "county clerk" only when referring to his duties as such.⁹ It is the performance of these duties that give rise to the records dealt with in this section.

The first clerk of the county commissioners' court of Moultrie County was elected in 1843 with a four-year term;¹⁰ a two-year term became effective in 1874.¹¹ A bond of \$1,000 was set.¹² The clerk of the county court served for a four-year term and was bonded in the sum of \$3,000.¹³ The Constitution of 1870 and the revised statutes of 1874, establishing the office of county clerk, provided for his election for a quadrennial term, and that the amount of his bond be set by the county board.¹⁴ The bond is entered upon the records of his office, and deposited with the clerk of the circuit court. He is

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1. Constitution of 1818, Schedule, sec. 4; **L.1819**, p. 175.
 2. Constitution of 1848, Art. V, sec. 16, 18, 19; **L.1849**, p. 62, 63.
 3. **L.1849**, p. 65, 66.
 4. Constitution of 1848, Art. VII, sec. 6; **L.1851**, p. 38, 45, 50.
 5. **L.1851**, p. 52; **L.1861**, p. 237.
 6. Constitution of 1870, Art. VI, sec. 18 and Art. X, sec. 8.
 7. **R.S.1874**, p. 322.
 8. *Ibid.*, p. 260.
 9. *Ibid.*, p. 260, 322.
 10. **L.1837**, p. 49.
 11. **L.1845**, p. 28. Effective in 1847.
 12. **L.1819**, p. 176, 177; **R.L.1833**, p. 143; **R.S.1845**, p. 131.
 13. **L.1849**, p. 63, 64.
 14. Constitution of 1870, Art. X, sec. 8; **R.S.1874**, p. 521.

County Clerk

required to take oath, and is commissioned by the Governor.¹⁵ The county seal is kept by the clerk and is used by him when required.

In general, the county clerk's performance of his functions results in records relating to the following: taxation, vital statistics, licenses, and bonds. Various officials and agencies having authority over these matters report to, or deposit records with, the county clerk who in this manner acts as a coordinating factor in the execution of local and state affairs. In regard to other of these matters, the clerk is required to perform duties on his own behalf and retain the records resulting from such performance.

Illustrations of both of these procedures may be found by examining the various duties and records relating to taxation. It is the duty of the county clerk to procure all books and blanks used in the assessment and collection of taxes, and to list in such books the lands and lots subject to taxation.¹⁶ These books are then turned over to the supervisor of assessments who has the township assessors enter the valuations against each piece of property listed. The supervisor completes revisions and corrections upon complaint of property owners and returns the books in duplicate to the county clerk.¹⁷ Personal property assessments are handled in essentially the same manner. The board of review then makes adjustments on complaints and equalizes assessments between districts, certifying corrections and revisions to the county clerk.¹⁸ The county clerk then reports the entire assessment list to the State Tax Commission for equalization, the equalized list then being used by the county clerk in ascertaining tax rates and extending taxes.¹⁹

The State Tax Commission also certifies to the county clerk the assessments on the capital stock of corporations and railroad and telegraph companies, it being the duty of the clerk to extend these taxes and retain the books after use by the collector.²⁰

The books are next turned over to the county collector who, after collection, returns lists of collections, together with lists of uncollected real and personal property taxes.²¹ The county clerk attends all tax sales, prepares a list of all sales and issues duplicate reports thereof, records affidavits of purchase of property for taxes, and keeps a record known as the "tax judgment, sale, redemption, and forfeiture record."²²

An extensive group of vital statistics records is kept by the

15. R.S.1874, p. 321.

16. L.1867, p. 106; L.1871-72, p. 19, 20, 32; L.1903, p. 297. During the period of the first constitution such books and lists were prepared by the auditor of public accounts and turned over to the clerk of the county commissioners' court (L.1825, p. 173; R.L.1827, p. 329; L.1839, p. 3, 4; L.1847, p. 79)

17. The first assessment officer was the county treasurer (R.L.1827, p. 328-36). In 1839 this function was performed by the district assessors, who received from the county clerk copies of the auditor's transcripts (L.1839, p. 3, 4). The treasurer resumed these duties in 1844 (L.1843, p. 231), retaining them until the institution of township organization in 1867 resulted in township assessors acting in each township (L.1851, p. 38). The treasurer now acts as ex-officio supervisor of assessments (L.1898, p. 36-44).

18. L.1898, p. 36-44.

19. L.1919, p. 723.

20. L.1871-72, p. 11, 13, 16; L.1937, p. 1011, 1012.

21. L.1849, p. 124, 125; L.1871-72, p. 55; L.1931, p. 759.

22. L.1838-39, p. 15; L.1871-72, p. 40; L.1879, p. 250.

County Clerk

county clerk, including records relating to births and deaths, marriages, physicians, and midwives. The first legislation in regard to the keeping of vital statistics was included in the act for the establishment of medical societies.²³ One section of this act made it the duty of every physician to keep a record of births, deaths, and diseases occurring within the vicinity of his practice, and to transmit such record to his medical society, whereupon the record was to be published in the newspapers. In 1842 it was provided that a parent could appear before the clerk of the county commissioners' court and make affidavit as to the birth of a child, and the eldest next of kin of a deceased person could similarly appear and make affidavit as to death.²⁴ It is probable that the tenor of the above-mentioned laws explains the fact that no birth or death records exist in Moultrie County prior to 1877, the first law, 1819, requiring no public record to be kept, and the 1842 law providing that affidavits "may" be made. The act of 1877 creating the State Board of Health required that all births and deaths in the county be reported to the county clerk by the attending physicians or accoucheurs.²⁵ Teeth were put into this and subsequent laws by providing penalties for noncompliance. In 1901, death certificates issued by physicians, midwives, or coroners were to be presented to town clerks who issued burial permits and forwarded the certificates to the county clerk.²⁶ In 1903 certificates of death were to be turned over to the State Board of Health, which board, in turn, delivered to the county clerk all certificates so received.²⁷ In 1915 it was provided that for the registration of all births, stillbirths, and deaths outside any city, village, or incorporated town, the township clerks should deposit a complete set of such records with the county clerk who was charged with the binding and indexing, or recording, and safekeeping of such records.²⁸ From the earliest date, the legislation in regard to these matters provided that the clerk retain the abstracts and certificates, keep a record of births and deaths, maintain alphabetical indexes, and issue certified copies of certificates upon request. The clerk has also been required to prepare a register of all physicians and accoucheurs in the county.²⁹

Since the organization of Moultrie County in 1843 the county clerk, or clerk of the county commissioners' court, has been required to file marriage certificates and certificates of parents' consent to the marriage of minors.³⁰ In 1827 the clerk was required to keep a separate register of marriages in addition to his file of certificates.³¹ Before 1877 persons desiring to marry were required to secure licenses from the county clerk only when they had not previously published such intention, but in that year the securing of a license was made mandatory.³² Although a record of applications for

23. L.1819, p. 233.

24. L.1842-43, p. 210-12.

25. L.1877, p. 209.

26. L.1901, p. 302, 303.

27. L.1903, p. 315-18.

28. L.1915, p. 660.

29. L.1877, p. 209.

30. L.1819, p. 27; R.S.1845, p. 354; R.S.1874, p. 694.

31. R.L.1827, p. 289.

32. L.1877, p. 130.

County Clerk

marriage licenses has been kept by the clerk in this county since 1889, an act of 1937 appears to be the first legislation requiring the maintenance of such a record.³³ The same act provides that persons desiring to marry shall present to the county clerk a certificate setting forth that such persons are free from venereal diseases, such certificates to be filed with the application for license to marry.³⁴ Indexes to marriage records have been kept in Moultrie County since 1843.

The county clerk is charged with a number of duties relating to elections, such as preparing and issuing blank ballots,³⁵ poll books,³⁶ and certificates of election,³⁷ and keeping a record of registers of elections,³⁸ petitions,³⁹ and marked ballots,⁴⁰ tally sheets,⁴¹ and election returns which are transmitted to him by the judges of election.⁴² Abstracts of returns were formerly prepared by the clerk, but these are now originated by the election commissioners or judges of election and deposited with the clerk. Returned ballots are destroyed by the clerk six months after election, provided no contest in which the ballots are needed is in progress.⁴³ In 1889, when returns of elections for school trustees were made to the county clerk, he was charged with furnishing to the county superintendent of schools a list of all such trustees.⁴⁴ Now the clerk does not enter into the procedure, the school trustees canvassing the returns and certifying directly to the superintendent of schools.⁴⁵

The bonds of a number of officials are required to be transmitted to the clerk for filing and entering in a book maintained for that purpose.⁴⁶ Justices' of the peace and constables' oaths, bonds, and securities are approved by the clerk and entered in a separate book in accordance with statutory requirement. This book shows the date on which each justice of the peace and constable was sworn into office and the date of commission by the Governor. Resignations from these offices are made to the county clerk who enters such fact in the justices' and constables' record.⁴⁷

The clerk is also charged with issuing licenses to taverns,⁴⁸ ferries,⁴⁹ etc., and keeping records of the same. Other records kept are: those relating to estrays;⁵⁰ registers of professionals, including

33. L.1937, p. 909.

34. *Ibid.*, p. 910.

35. L.1891, p. 113; L.1911, p. 311.

36. L.1871-72, p. 386.

37. L.1819, p. 96; L.1821, p. 79; L.1823, p. 64; L.1885, p. 176.

38. L.1865, p. 59; L.1871-72, p. 386.

39. L.1911, p. 310, 311; L.1929, p. 422.

40. L.1891, p. 118.

41. L.1885, p. 143.

42. L.1819, p. 86; L.1821, p. 77; L.1823, p. 64; L.1871-72, p. 389.

43. L.1917, p. 444.

44. L.1889, p. 271, 322.

45. L.1909, p. 352.

46. R.S.1845, p. 396, 397; L.1861, p. 237, 238; R.S.1874, p. 325; L.1895, p. 188.

47. L.1895, p. 188.

48. L.1819, p. 77-79; L.1933-34, Second Sp. Sess., p. 64-66.

49. R.L.1827, p. 221; R.S.1874, p. 530.

50. L.1819, p. 206, 207; R.S.1874, p. 483.

physicians,⁵¹ midwives,⁵² dentists,⁵³ chiropodists,⁵⁴ and veterinarians;⁵⁵ list of county officers; list of town officers which is furnished annually by the town clerk;⁵⁶ record of notaries public;⁵⁷ and book of state civil service rules.⁵⁸ Referring to his list of town officers, the county clerk reports annually to the State Department of Public Health the names and addresses of the supervisor, assessor, and clerk of each township, and the dates of the expiration of their terms of office.⁵⁹

Included in the provision that the county clerk be charged with the care and custody of all records, books, and papers appertaining to, and filed or deposited in, his office⁶⁰ are those duties as clerk of the county board, wherein he is required to record the proceedings of the board and to file all their books, records, and accounts.⁶¹ Also included are his record-keeping duties as ex-officio clerk of the county court, with its resulting duties in relation to probate matters.⁶² The clerk is also required to keep jury lists⁶³ and a book in which he enters details as to orders upon the treasurer. He is further required to maintain alphabetical indexes of all records and papers in his office, and to supply copies of these records or papers to any person upon request and payment of the required fee.⁶⁴

TAXATION

(See also entries 187, 188, 333-350, 372, 382)

Lists of Taxable Property, Levies

43. DOCKET OF RATES AND AMOUNT OF TAXES WANTED, 1878—. 4 v.

Docket of tax rates and amounts wanted, showing name of township, number of school district, tax spread and rate, and amounts wanted by all tax-levying bodies including amounts for general tax and for education. Arr. by date of levy. No index. Hdw. under pr. hdgs. 280 p. 16x11x1½. 2 v., 1878-1920, co. clk.'s sub-vlt., 1st fl.; 2 v., 1921—, co. clk.'s vlt., 2nd fl.

44. TAX LEVIES, 1899—. 33 f. b.

Certificates of levy for villages, schools, roads and bridges, and officials' salaries, showing date, amount, and purpose of levy. Arr. by date of levy. No index. Hdw. under pr. hdgs. 4x4x10. Co. clk.'s west off., 2nd fl.

51. L.1877, p. 209; L.1899, p. 275; L.1923, p. 441, 442.

52. Ibid.

53. L.1881, p. 79; L.1899, p. 273; L.1909, p. 279; L.1933, p. 711.

54. L.1899, p. 280; L.1935, p. 995.

55. L.1917, p. 591.

56. L.1861, p. 226; R.S.1874, p. 1077.

57. L.1871-72, p. 575; R.S.1874, p. 721; L.1875, p. 88.

58. L.1905, p. 115.

59. L.1923, p. 480.

60. R.S.1874, p. 322.

61. L.1861, p. 238; R.S.1874, p. 322.

62. R.S.1874, p. 260.

63. Ibid., p. 630.

64. Ibid., p. 321.

45. TAX LEVIES, RATES BY AUDITORS, 1892—. 2 f. b.

Notification by auditor of public accounts to county clerk of changes in assessed valuation of property listed for taxation, showing date of notice, list of property, amount and purpose of addition or deduction, and tax rate. Arr. by date of notice. No index. Hdw. and typed on pr. fm. 4x4x10. Co. clk.'s west off., 2nd fl.

46. SCHOOL TAX LEVIES, 1882—. 6 f. b.

Certificates of levy for school purposes, showing school district number, legal description of property, name of owner, tax rate, and date and amount of levy. Arr. by date of levy. No index. Hdw. under pr. hdgs. 4x4x10. Co. clk.'s west off., 2nd fl.

47. LIST OF LANDS ENTERED AND SUBJECT TO TAXATION, 1843-78. 1 f. b.

Lists of lands entered for taxation, showing date and by whom entered, legal description and location of property, and date subject to taxation. Arr. by date of entry. No index. Hdw. under pr. hdgs. 4x4x10. Co. clk.'s sub-vlt., 1st fl.

48. ASSESSORS' BOOKS, 1851—. 608 v. (Moultrie County as a whole, Real Estate and Personal Property, 1851-66. 19 v. Dora Township, Real Estate and Personal Property, 1867-1922. 55 v. Real Estate, 1923—. 4 v. Personal Property, 1923—. 15 v. Missing: 1872.

East Nelson Township, Real Estate and Personal Property, 1867-1922. 54 v. Real Estate, 1923—. 4 v. Personal Property, 1923—. 15 v. Missing: 1871, 1872.

Jonathan Creek Township, Real Estate and Personal Property, 1867-1922. 55 v. Real Estate, 1923—. 4 v. Personal Property, 1923—. 15 v. Missing: 1871.

Lovington Township, Real Estate and Personal Property, 1867-1922. 53 v. Real Estate, 1923—. 4 v. Personal Property, 1923—. 15 v. Missing: 1871.

Lowe Township, Real Estate and Personal Property, 1867-1922. 55 v. Real Estate, 1923—. 4 v. Personal Property, 1923—. 15 v. Missing: 1897.

Marrowbone Township, Real Estate and Personal Property, 1867-1922. 55 v. Real Estate, 1923—. 4 v. Personal Property, 1923—. 15 v. Missing: 1879.

Sullivan Township, Real Estate and Personal Property, 1867-1922. 55 v. Real Estate, 1923—. 4 v. Personal Property, 1923—. 15 v. Missing: 1871.

Whitley Township, Real Estate and Personal Property, 1867-1922. 55 v. Real Estate, 1923—. 4 v. Personal Property, 1923—. 15 v. Missing: 1888.)

Lists of taxable real estate and personal property, including taxable telephone and telegraph property subsequent to 1880, showing date of assessment, name of owner, description of property, assessed value, tax spread, and total amount assessed. Personal property arr. alph. by name of owner; real estate arr. by sec., twp., and range. No index. Hdw. under pr. hdgs. 125 - 600 p. 16x12x1 — 16x12x3. 560 v., 1851-1930, co. clk.'s vlt., bsmt.; 48 v., 1931—, treas.'s vlt., 2nd fl.

49. ASSESSMENTS AND STATEMENTS OF TAXES OF MOULTRIE COUNTY, 1872—. 6 f. b.

Clerk's annual statements of valuation of property listed for taxation in Moultrie County, showing amounts of assessments and taxes due for previous years. Arr. by date of statement. No index. Hdw. and typed on pr. fm. 4x4x10. Co. clk.'s west off., 2nd fl.

50. ABSTRACTS OF ASSESSMENTS, 1904-20. 10 f. b. Missing: 1915-19.

Abstracts of assessments as compiled by county clerk, showing total amount of all personal and real estate assessment submitted by township assessors. Arr. by date of assessment. Indexed alph. by name of twp. Hdw. and typed under pr. hdgs. 14x4x16. Co. clk.'s sub-vlt., 1st fl.

51. ABSTRACTS OF TAX ASSESSMENTS, 1873—. 7 v.

Tabulated statements of tax assessments, showing totals of footings of each of the assessment books of real estate and personal property of county and state taxes, and grand total of all books for each year. Also contains Abstracts of Values by School Districts, 1873-1929, entry 52. Arr. by date of levy. No index. Hdw. 150 p. 17x14x1. 5 v., 1873-1915, co. clk.'s vlt., bsmt.; 2 v., 1916—, co. clk.'s vlt., 2nd fl.

52. ABSTRACTS OF VALUES BY SCHOOL DISTRICTS, 1930—. 1 v. 1873-1929 in Abstracts of Tax Assessments, entry 51.

Abstract of land and personal property as applied to school districts, showing description and location of property, amounts assessed by each district, of nonassessable property, of high school assessments, and total amount assessed. Arr. by date of assessment. No index. Hdw. 150 p. 12x9x1. Co. clk.'s east off., 2nd fl.

53. RAILROAD TAX BOOK, 1872—. 6 v. (1-6).

Lists of taxable railroad property, showing name of railroad, legal description of property, number of acres of right of way, length of main and side track, value as listed by railroad, assessed value as equalized by state and county boards, tax spread, and total tax. Arr. by date of levy. No index. Hdw. under pr. hdgs. 200 p. 17x13x1½. 4 v., 1872-1925, co. clk.'s vlt., 2nd fl.; 2 v., 1926—, treas.'s vlt., 2nd fl.

54. ASSESSMENT ROLL FOR SULLIVAN WATER SYSTEM, 1926. 1 v.

List of property in the City of Sullivan subject to special assessment to finance water system, showing names and addresses of taxpayers, description and location of property by street and lot numbers, and amount of yearly assessment. Arr. by lot and block nos. No index. Hdw. on pr. fm. 85 p. 18x19x1½. Co. clk.'s vlt., 2nd fl.

55. REPORT AND ASSESSMENT ROLL FOR VILLAGE OF ARTHUR, 1913. 1 bdl.

Assessment list showing names of property owners, location and description of property, amount, date, and purpose of assessment, and date of filing. Arr. by date of filing. No index. Hdw. under pr. hdgs. 14x11x4. Co. clk.'s vlt., 2nd fl.

56. ROAD LIST, 1870-1906. 25 f. b.

Lists of personal property taxpayers in road districts of Moultrie County, showing name of taxpayer, amounts of assessment and road tax, and number of days worked for payment of tax. Arr. by date of levy. No index. Hdw. 4x4x10. Co. clk.'s west off., 2nd fl.

Collections, Abatement

57. COLLECTOR'S BOOKS, 1853—. 218 v. (Moultrie County as a whole, Real Estate and Personal Property, 1853-66, 1882-1932. 61 v. Missing: 1854, 1855, 1857, 1858. Dora Township, Real Estate and Personal Property, 1867-81, 1933—. 20 v. East Nelson Township, Real Estate and Personal Property, 1867-81, 1933—. 20 v. Jonathan Creek Township, Real Estate and Personal Property, 1867-81, 1933—. 18 v. Missing: 1869, 1870. Lovington Township, Real Estate and Personal Property, 1867-81, 1933—. 20 v. Lowe Township, Real Estate and Personal Property, 1867-81, 1933—. 20 v. Marrowbone Township, Real Estate and Personal Property, 1867-81, 1933—. 20 v. Sullivan Township, Real Estate and Personal Property, 1867-81, 1933—. 19 v. Missing: 1876. Whitley Township, Real Estate and Personal Property, 1867-81, 1933—. 20 v.).

Lists of taxable real estate and personal property, showing name of owner, description of property, tax spread, amounts of levy, collection, and delinquency, collectors' commissions, and amounts of payment. Personal property arr. alph. by name of owner; real estate arr. by sec., twp., and range. No index. Hdw. under pr. hdgs. 50 p. 15x10x1/2. 171 v., 1853-1925, cir. clk.'s vlt., bsmt.; 47 v., 1926—, treas.'s vlt., 2nd fl.

58. COLLECTORS' CREDITS, 1891—. 1 f. b.

Statements of account by county collector for collection of taxes, showing names of township and collector, amounts of collection on real estate, personal property, back taxes, interest on forfeited property, errors on real property, credits by insolvencies, removals, forfeited property, and state credits, amount of collectors' commissions, total tax collections, and date of filing. Arr. by date of filing. No index. Hdw. under pr. hdgs. 4x4x10. Co. clk.'s west off., 2nd fl.

59. AUDITOR'S CERTIFICATES, 1892—. 4 f. b.

Copies of annual abstract statements of assessments, compiled by county clerk and transmitted to state auditor, and state auditor's certificate of final settlement with county collector, showing names of auditor and collector, dates of certificate and settlement, tax spread, and total amount due state. Arr. by date of filing. No index. Hdw. and typed on pr. fm. 4x4x10. Co. clk.'s west off., 2nd fl.

60. COLLECTORS' RECEIPTS FOR TAX BOOKS, 1872-1917.
2 f. b.

Receipts signed by township collectors for tax books, showing names of collector and township, and dates of receipt and return of books. Arr. by date of receipt. No index. 4x4x10. Hdw. on pr. fm. Co. clk.'s sub-vlt., 1st fl.

61. DELINQUENT ROAD LISTS, 1907—. 4 f. b.

Lists of real estate delinquent for special road tax assessments, showing name of owner, legal description of property, amount of tax, and date of assessment. Arr. by date of levy. No index. Hdw. and typed. 9x4x15. Co. clk.'s vlt., 2nd fl.

62. PUBLICATION OF DELINQUENT TAX LISTS, 1872-1910.
2 f. b.

Newspaper clippings of lists of unpaid taxes, showing name of owner, legal description of property, amount of delinquent taxes, and date of notice. Arr. by date of publication. No index. Printed. 4x4x10. Co. clk.'s sub-vlt., 1st fl.

63. DELINQUENT TAX LISTS FOR COUNTY, 1869-1906.
6 v. (2 v., 1869-78; 1 v., 1875-77; 3 v., 1872-1906).

Lists of real estate on which taxes are delinquent, showing name of owner, legal description of property, and amount of delinquent taxes. Arr. by date of levy. No index. Hdw. 300 p. 16x11x1½. 2 v., 1869-78, co. clk.'s sub-vlt., 1st fl.; 1 v., 1875-77, co. clk.'s vlt., 2nd fl.; 3 v., 1872-1906, co. clk.'s vlt., bsmt.

For subsequent similar records, see entry 68.

64. BACK TAX RECORD, 1869-1912. 2 v. (1, 2).

Lists of real estate with extensions of back taxes, compiled by county clerk from collector's delinquent lists, showing name of owner, legal description of property, tax spread, and total amount due. Arr. by date of levy. Indexed alph. by name of twp. Hdw. 250 p. 17x11x1. V. 1, 1869-78, co. clk.'s vlt., bsmt.; v. 2, 1879-1912, co. clk.'s vlt., 2nd fl.

For subsequent similar records, see entry 68.

Judgment, Sale, Redemption, Forfeiture

65. CERTIFICATES OF PURCHASE, 1870—. 5 f. b.

Copies of certificates issued to purchaser of lands sold for taxes, showing name of purchaser, legal description of property, date of sale, amounts of delinquency and payment, and signatures of clerk and collector. Arr. by date of certificate. No index. Hdw. on pr. fm. 4x4x12. 4 f. b., 1870-1930, co. clk.'s sub-vlt., 1st fl.; 1 f. b., 1931—, co. clk.'s vlt., 2nd fl.

66. REDEMPTION RECEIPTS, 1903—. 13 v., 1 f. b.

Duplicate receipts issued by county treasurer and countersigned by county clerk for redemption of lands sold for taxes, showing receipt number, name of purchaser or redeemer, legal description of property, and date and amount of payment. Prior to 1926 kept in loose-leaf volumes. Arr. by receipt no. No index. Hdw. on pr. fm. V. 50 p. 14x6x½; f. b. 10x4x12. Co. clk.'s vlt., 2nd fl.

67. **AFFIDAVITS OF TAX DEEDS, 1869-1932.** 3 v. (A, 87, 88). 1933— in Miscellaneous Record, entry 134.

Copies of affidavits for tax deeds, showing legal description of property, name of purchaser, date and amount of sale, and statement of compliance with legal provisions. Arr. by date of affidavit. Indexed alph. by name of purchaser. 1869-90, hdw. on pr. fm.; 1891-1932, hdw. 400 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

68. **TAX JUDGMENT, SALE, REDEMPTION, AND FORFEITURE RECORDS, 1881—.** 11 v.

Record of tax judgment, sale, forfeiture, and redemption of delinquent lands and lots, including record of abatements, showing names of original owner and purchaser or redeemer, legal description of property, amount of taxes unpaid, and amounts and dates of judgment, sale and forfeiture or redemption. Also contains Tax Judgment, Sale, Redemption, and Forfeiture Record of Special Assessments, 1881-1932, entry 74. Tax Sale and Redemption Records, entry 69, including Tax Judgment Record, entry 70, and Forfeited Land Record, entry 73, formerly kept separately. Arr. by sec., twp., and range. No index. Hdw. under pr. hdgs. 500 p. 18x12x2. 8 v., 1881-1922, co. clk.'s vlt., bsmt.; 3 v., 1923—, co. clk.'s vlt., 2nd fl.

69. **TAX SALE AND REDEMPTION RECORDS, 1846-80.** 3 v. Title varies: Tax Sale Record, 1 v., 1846-73. 1881— in Tax Judgment, Sale, Redemption, and Forfeiture Records, entry 68.

Lists of lands and lots on which judgment for sale has been entered and which have been sold for taxes or redeemed from sale, showing names of original owner, purchaser, and redeemer, legal description of property, acreage, valuation, date and amount of sale, date of redemption, and total amount due. Also contains Tax Judgment Record, 1846-60, entry 70, and Forfeited Land Record, 1846-73, entry 73. Arr. by date of sale. 1846-60, no index; for sep. indexes, 1861-80, lands, see entry 71, and town lots, see entry 72. Hdw. under pr. hdgs. 150 - 300 p. 15x9x1 - 18x12x1½. Co. clk.'s vlt., bsmt.

70. **TAX JUDGMENT RECORD, 1861-80.** 4 v. 1846-60 in Tax Sale and Redemption Records, entry 69; 1881— in Tax Judgment, Sale, Redemption, and Forfeiture Records, entry 68.

Record of tax judgments, showing name of owner, legal description of property, and amount and date of judgment. Arr. by date of judgment. Indexed alph. by name of twp.; for sep. indexes, see entries 71 and 72. Hdw. under pr. hdgs. 300 p. 18x12x1½. Co. clk.'s vlt., bsmt.

71. **INDEX BOOK, TAX SALE OF REAL ESTATE, 1861-80.** 1 v.

Index to sale of lands in Tax Sale and Redemption Records, entry 69, and Tax Judgment Record, entry 70, showing legal description of property, date, and book and page of entry. Arr. by sec., twp., and range. Hdw. 450 p. 17x11x2. Co. clk.'s vlt., bsmt.

72. INDEX BOOK, TAX SALE OF TOWN LOTS, 1861-80. 1 v. Index to sale of town lots in Tax Sale and Redemption Records, entry 69, and Tax Judgment Record, entry 70, showing date, lot number, and book and page of entry in record. Arr. by name of town, and block and lot nos. thereunder. Hdw. 450 p. 17x11x2. Co. clk.'s vlt., bsmt.

73. FORFEITED LAND RECORD, 1874-80. 2 v. 1846-73 in Tax Sale and Redemption Records, entry 69; 1881— in Tax Judgment, Sale, Redemption, and Forfeiture Records, entry 68.

Record of lands forfeited for taxes, showing name of owner, legal description of property, amounts of taxes, costs, penalties, and interest due, and date of forfeiture. Arr. by date of forfeiture. No index. Hdw. 150 p. 17x11x1. Co. clk.'s east off., 2nd fl.

74. TAX JUDGMENT, SALE, REDEMPTION, AND FORFEITURE RECORD OF SPECIAL ASSESSMENTS, 1933—. 1 v. (1). 1881-1932 in Tax Judgment, Sale, Redemption, and Forfeiture Records, entry 68.

Record of tax judgment, sale, redemption, and forfeiture of lands and lots for delinquent special assessments, including delinquent list, showing names of owner and purchaser or redeemer, legal description of property, date of sale or redemption, and amounts of delinquency and payment. Arr. alph. by name of twp. No index. Hdw. 150 p. 17x20x1. Co. clk.'s vlt., 2nd fl.

75. FORFEITED TAX RECORD, 1934-35. 1 v.

Record of forfeitures of real estate property and taxes paid by county collector to county clerk, showing name of owner, legal description of property, assessed value, amounts of tax payments and delinquency, and subsequent payments. This is not a county record. Arr. by twp. no. Indexed alph. by name of twp. Hdw. 200 p. 12x16x1. Co. clk.'s vlt., 2nd fl.

Plats (See also entry 376)

76. SCHOOL PLATS, 1866—. 2 v. (A, B). Title varies: Township School Plats, v. A, 1866-78.

Record of township school district plats for taxation purposes, showing boundaries of townships, and school districts, legal description of school lands, location of schools, date of plat, and signatures of president and clerk of board of trustees. Arr. by date of plat. No index. Hdw. and hand-drawn. 75 - 400 p. 17x11x $\frac{1}{2}$ - 17x11x1 $\frac{1}{2}$. Co. clk.'s vlt., 2nd fl.

VITAL STATISTICS**Births****77. BIRTH RECORD INDEX BOOK, 1877—.** 2 v.

Index to Birth Records (Certificates), entry 78 and Birth Records (Reports), entry 79, showing names of parents and child, date of birth, mother's maiden name, number of children born to mother, and book and page of entry. Arr. alph. by surname of child. Hdw. under pr. hdgs. 250 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

78. BIRTH RECORDS (Certificates), 1879—. 14 f. b., 4 v. (7-10). Title varies: Birth Reports, 14 f. b., 1879-1925.

Original birth certificates showing names of child, parents, and medical attendant, personal and statistical particulars, date and place of birth, and date of report. Subsequent to 1926 kept in bound form. Also contains Stillbirth Reports, 1916—, entry 82. Arr. by date of report. 1879-1925, no index; for index, 1926—, see entry 77. Hdw. on pr. fm. F.b. 4x4x10; v. 600 p. 9x7x4. 14 f. b., 1879-1925, co. clk.'s sub-vlt., 1st fl.; v. 7-10, 1926—, co. clk.'s vlt., 2nd fl.

79. BIRTH RECORDS (Reports), 1877-1925. 10 v. (1-10).

Copies of birth reports, showing names of child and parents, personal and statistical particulars, date and place of birth, name and address of medical attendant, and date of report. Arr. by date of report. For index, see entry 77. Hdw. on pr. fm. 500 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

Deaths and Stillbirths (See also entry 23)**80. INDEX BOOKS - DEATH RECORDS, 1877—.** 2 v.

Index to Record of Deaths (Certificates), entry 81, and Record of Deaths (Reports), entry 83, showing name of deceased, date of death, and book and page of entry. Arr. alph. by name of deceased. Hdw. under pr. hdgs. 250 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

81. RECORD OF DEATHS (Certificates), 1877—. 5 f. b., 4 v. (5-8). Title varies: Death Reports, 5 f. b., 1877-1918.

Original death certificates showing name of deceased, personal and statistical particulars, place, date, and cause of death, name and address of medical attendant, and date of report. Subsequent to 1919 kept in bound form. Arr. by date of report. 1877-1918, no index; for index, 1919—, see entry 80. Hdw. on pr. fm. F. b. 4x4x10; v. 500 p. 9x7x4. 5 f. b., 1877-1917, co. clk.'s vlt., bsmt.; v. 5-8, 1918—, co. clk.'s vlt., 2nd fl.

82. STILLBIRTH REPORTS, 1879-1915. 1 f. b. 1916— in Birth Records (Certificates), entry 78.

Reports of still births, showing names of child and parents, place and date of birth, personal and statistical particulars, name and address of person making report, and date of filing. Arr. by date of filing. No index. Hdw. on pr. fm. 4x4x10. Co. clk.'s vlt., 2nd fl.

83. RECORD OF DEATHS (Reports), 1877-1918. 4 v. (1-4).

Copies of death and stillbirth reports, showing name of deceased,

place, date, and cause of death, personal and statistical particulars, name and address of medical attendant, and date of report. Arr. by date of report. For index, see entry 80. Hdw. on pr. fm. 500 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

84. REGISTRATION OF WAR VETERANS, MOULTRIE COUNTY (Grave Record), 1937—. 1 v.

Register of burials of war veterans, showing names of veteran and cemetery, service record, regiment and rank, dates of enlistment, registration, and death, and lot and grave numbers. This record, covering veterans of all wars, was compiled in 1937 as a WPA Project. Arr. alph. by name of cemetery. Indexed alph. by name of veteran. Typed under pr. hdgs. 500 p. 14x16x3. Co. clk.'s vlt., 2nd fl.

Marriages

85. MARRIAGE LICENSES, 1856—. 33 f. b.

Original returned marriage licenses showing name, residence, age, birth-place, occupations, parents' names, and number of previous marriages of bride and groom, names of witnesses and officiating party, and date of marriage. Arr. by date of marriage. No index. Hdw. on pr. fm. 10x4x2. 22 f. b., 1856-1924, co. clk.'s sub-vlt., 1st fl.; 11 f. b. 1925—, co. clk.'s vlt., 2nd fl.

86. APPLICATIONS FOR MARRIAGE LICENSE, 1889—. 14 v.

Marriage license applications showing names of applicants, dates and places of birth, marital status, and date and number of application. Arr. by application no. No index. Hdw. on pr. fm. 300 p. 15x11x1. 6 v., 1889-1909, co. clk.'s vlt., bsmt.; 7 v., 1910-29, co. clk.'s sub-vlt., 1st fl.; 1 v., 1930—, co. clk.'s east off., 2nd fl.

87. MARRIAGE RECORD, 1843—. 2 v. (A, B).

Copies of marriage licenses, showing names of applicants, witnesses, and officiating person, date and number of license, and dates of marriage and return. Arr. by date of return. For index, see entry 88. Hdw. on pr. fm. 400 p. 18x11x2. Co. clk.'s vlt., 2nd fl.

88. INDEX BOOK TO MARRIAGE RECORDS, 1843—. 3 v.
(1 v. male, 1843-1900; 1 v. female, 1843-1900; 1 v. male and female, 1901—).

Index to Marriage Record, entry 87, showing names of male and female, and book and page of entry. Arr. alph. by names of male and female. Hdw. 300 p. 16x11x1½. Co. clk.'s vlt., 2nd fl.

89. MARRIAGE REGISTER, 1843—. 5 v. (1 not labeled, 2, 1843-1911; 97, C, D. 1877—).

Register of marriages, showing names of bride, groom, parents, witnesses, and person performing ceremony, personal and statistical particulars, and dates of marriage, registration, and issue and return of license. One volume not numbered, and volume 2, 1843-1911, show only names of male, female, officiating person, and date and place of marriage. Arr. by date of registration. No index. Hdw. under pr. hdgs. 100 - 500 p. 12x8x½ - 17x11x2. 1 v. not labeled, v. 2, 1843-1911, co. clk.'s vlt., bsmt.; v. 97, C, D. 1877—, co. clk.'s vlt., 2nd fl.

LICENSES AND REGISTERS

Registers of Officers

90. LIST OF TOWN OFFICERS, 1888—. 5 f. b.

Lists of township officers elected, showing names of officer and township, title and term of office, and date of election. Arr. by date of election. No index. Hdw. under pr. hdgs. 4x4x8. 4 f. b., 1888-1930, co. clk.'s sub-vlt., 1st fl.; 1 f. b., 1931—, co. clk.'s vlt., 2nd fl.

91. SPECIAL DEPUTY SHERIFFS, 1930—. 1 f. b.

Appointments of special deputy sheriffs by county sheriff, showing name of appointee, dates of appointment and filing, and oath of office. Arr. by date of filing. No index. Hdw. on pr. fm. 4x4x10. Co. clk.'s west off., 2nd fl.

For record of deputy sheriffs appointments and oaths, 1872-1927, see entry 134(i).

92. REGISTER OF COUNTY OFFICERS, 1865—. 2 v. (1 not numbered, 1865-85; 25, 1875—).

Register of county officers elected, showing name of officer, title of office, dates of commission and expiration of term, and amount of salary paid to each. Also contains List of Town Officers Elected, 1915—, entry 93. Arr. by date of commission. No index. Hdw. 300 p. 17x11x2½. 1 v. not numbered, 1865-85, co. clk.'s sub-vlt., 1st fl.; v. 25, 1875—, co. clk.'s vlt., 2nd fl.

93. LIST OF TOWN OFFICERS ELECTED, 1883-1914. 2 v. (1, 2). 1915— in Register of County Officers, entry 92.

Register of elected town officers, showing names of township and elected officer, title of office, and date of election. Arr. by date of election. No index. Hdw. 200 p. 16x10x1. V. 1, 1883-1900, co. clk.'s sub-vlt., 1st fl.; v. 2, 1901-14, co. clk.'s vlt., 2nd fl.

Professional Licenses and Registers (See also entry 134(iv))

94. RECORD OF PHYSICIANS' CERTIFICATES, 1877—. 2 v. (1, 2).

Copies of physicians' certificates issued by state board of health, showing name of physician, authorization to practice, date of issue, signatures of the president and secretary of the board of health, and date of filing. Arr. by date of filing. Indexed alph. by name of physician. Hdw. on pr. fm. 300 p. 17x11x1½. Co. clk.'s vlt., 2nd fl.

95. RECORD OF CERTIFICATES ISSUED BY STATE BOARD, 1877—. 2 v. (1 v., 1877-1910; 1 v. 1902—). Title varies: Register of Physicians and Accoucheurs, 1. v., 1877-1910.

Register of physicians' and accoucheurs' licenses, showing dates of registration and examination, names, age, and nativity of physician or accoucheur, school of practice, and names of board members. Also contains (Dentists' Licenses), 1903—, entry 96; (Veterinarians' Licenses), 1903—, entry 97; (Nurses' Certificates), 1907—, entry 98; (Chiropodists' Licenses), 1917—, entry 99; and (Optometrists'

Licenses), 1919—, entry 100. Arr. by date of registration. 1 v., 1877-1910, indexed alph. by name of physician; 1 v., 1902—, no index. Hdw. under pr. hdgs. 150 - 300 p. 17x11x½ - 17x11x2. 1 v., 1877-1910, co. clk.'s vlt., bsmt.; 1 v., 1902—, co. clk.'s vlt., 2nd fl.

96. (DENTISTS' LICENSES), 1881—. 1881-1902 in Miscellaneous Record, entry 134; 1903— in Record of Certificates Issued by State Board, entry 95.

Register of dentists' licenses, showing dates of registration and examination, name, age, and nativity of dentist, school of practice, and names of board members. Hdw.

97. (VETERINARIANS' LICENSES), 1899—. 1899-1902 in Miscellaneous Record, entry 134; 1903— in Record of Certificates Issued by State Board, entry 95.

Register of veterinarians' licenses, showing dates of registration and examination, name, age, and nativity of veterinarian, school of practice, and names of board members. Hdw.

98. (NURSES' CERTIFICATES), 1907—. In Record of Certificates Issued by State Board, entry 95.

Register of nurses' certificates, showing dates of registration and examination, name, age and nativity of nurse, school of practice, and names of board members. Hdw.

99. (CHIROPODISTS' LICENSES), 1917—. In Record of Certificates Issued by State Board, entry 95.

Register of chiropodists' licenses, showing dates of registration and examination, name, age and nativity of chiropodist, school of practice, and names of board members. Hdw.

100. (OPTOMETRISTS' LICENSES), 1919—. In Record of Certificates Issued by State Board, entry 95.

Register of optometrists' licenses, showing dates of registration and examination, name, age, and nativity of optometrist, school of practice, and names of board members. Hdw.

Stallion (Stock) Certificates (See also entry 164).

101. CERTIFICATE OF STALLIONS, 1880-97. 1 f. b.

Original certificates of registered stallions left for recordation and not called for, showing date and number of registration, name of owner, description of sire, date and place of foaling, record of pedigree, terms, statement of certification, and signature of secretary of board. Arr. by date of registration. No index. Hdw. on pr. fm. 8x4x10. Co. clk.'s west off., 2nd fl.

102. CERTIFICATES OF STALLIONS RECORDED, 1888—. 2 v. (1, 2).

Copies of certificates of pedigree of stallions issued by stallion registration board, showing registration and certificate numbers, name, color, and breed of stallion, name and address of owner, and name of examining veterinarian. Arr. by date of registration. Indexed alph.

by name of owner. Hdw. on pr. fm. 300 p. 17x11x1½. V. 1, 1888-1909, co. clk.'s vlt., 2nd fl.; v. 21, 1910—, co. clk.'s vlt., bsmt.

Estrays, Marks and Brands

103. **ESTRAY RECORD, 1858—.** 2 v. (A. B). Last entry 1915. Record of estrays taken up, showing names of claimant, appraisers, and justice of peace, date of finding, value and description of animal, and costs. Arr. by date of finding. No index. Hdw. Paper poor. 250 p. 13x9x1. Co. clk.'s sub-vlt., 1st fl.

104. **REGISTER OF EAR MARKS AND BRANDS, 1845-71.** 1 v. Register of marks and brands on livestock, showing name of owner, description of animal and mark or brand, and date of registration. Arr. by date of registration. Indexed alph. by name of owner. Hdw. Binding and paper poor, writing faded. 100 p. 12x8x1. Co. clk.'s vlt., bsmt.

Militia Roll

105. **MILITIA ROLL RECORD, MOULTRIE COUNTY, 1861.** 1 v. Militia roll showing names, ages, and addresses of soldiers subject to duty in Civil War. Arr. alph. by name of soldier. No index. Hdw. 250 p. 16x10x1. Co. clk.'s vlt., bsmt.

Dog Licenses (See also entry 364).

106. **RECORD OF DOG LICENSE TAGS, 1918—.** 1 v. (1). Register of dog license tags issued to assessors for delivery, showing date and number of tags issued and returned, and names of assessor and township. Arr. by date of issue. No index. Hdw. under pr. hds. 100 p. 16x11x½. Co. clk.'s east off., 2nd fl.

ELECTIONS

(See also entry 134(vii))

107. CERTIFICATE OF ELECTION OF SUPERVISORS, 1872—. 4 f. b.

Certificates of election of supervisors, showing name of township, name and address of supervisor, dates of certificate and election, and length of term. Arr. by date of election. No index. Hdw. on pr. fm. 4x4x12. 3 f. b., 1872-1929, co. clk.'s sub-vlt., 1st fl.; 1 f. b., 1930—, co. clk.'s west off., 2nd fl.

108. CERTIFICATE OF NOMINATIONS, 1897—. 2 f. b.

Statements by the Secretary of State to the county clerk certifying a list of candidates to be voted for at general election, showing names of candidates and party, and quotations of election laws of the state. Arr. by date of certification. No index. Hdw. and typed on pr. fm. 4x4x10. Co. clk.'s west off., 2nd fl.

109. ABSTRACTS OF VOTES FOR STATE OFFICERS, 1902—. 2 f. b

Abstracts of votes cast for state officers including tally sheets, showing names of candidates and office, number of votes received by each

candidate, and dates of certification and report to Secretary of State. Arr. by date of report. No index. Hdw. on pr. fm. 4x4x8. Co. clk.'s west off., 2nd fl.

110. TABULATED STATEMENT OF RETURNS BY CAN-VASSING BOARDS, 1908—. 2 f. b.

Statements of election returns, showing date of election and totals of votes by precincts and districts. Arr. by date of election. No index. Hdw. under pr. hdgs. 4x4x8. Co. clk.'s west off., 2nd fl.

111. REQUESTS FOR ABSENTEE BALLOTS, 1919—. 1 f. b.

Requests for ballots by absentee voters, showing name and address of applicant, and dates of application and election. Arr. by date of application. No index. Hdw. and typed on pr. fm. 4x4x8. Co. clk.'s west off., 2nd fl.

112. PRECINCT COMMITTEE PETITION, 1920—. 3 f. b.

Original petitions for nomination of precinct committeemen, showing name of candidate, names and addresses of petitioners, and date of filing. Arr. by date of filing. No index. Hdw. under pr. hdgs. 4x4x10. Co. clk.'s west off., 2nd fl.

113. CANDIDATES' PETITIONS, 1924—. 4 f. b.

Petitions of candidates for primary elections, showing names and addresses of candidates and petitioners, name of office, and dates of oath, petition, and filing. Arr. by date of filing. No index. Hdw. on pr. fm. 8x4x4. Co. clk.'s west off., 2nd fl.

114. ELECTION RETURNS, 1930—. 99 envelopes.

Poll books and tally sheets of general elections, showing lists of registered voters, names of candidates and party, canvass of votes, and total votes cast. Arr. by date of election. No index. Hdw. 10x4x18. Co. clk.'s west off., 2nd fl.

115. WRITS OF SPECIAL ELECTION, 1931—. 1 f. b.

Certified statements issued by Secretary of State, showing names of candidates for special elections, and date and purpose of election. Arr. by date of election. No index. Hdw. on pr. fm. 4x4x8. Co. clk.'s west off., 2nd fl.

116. RETURNS OF SHERIFF SERVING NOTICES TO ELECTION JUDGES, 1919-33. 1 f. b.

Sheriff's receipts for notices of appointment served on persons to act as judges of elections, showing name of appointee, dates of service and return to county clerk, and amount of sheriff's fees. Arr. by date of return. No index. Hdw. on pr. fm. 9x4x14. Co. clk.'s vlt., 2nd fl.

117. RECORD OF BALLOTS ISSUED BY COUNTY CLERK, 1892—. 1 v.

Record of ballots issued, showing name of precinct, district number, number of ballots, date of delivery, and name of recipient. Arr. by date of election. No index. Hdw. 100 p. 17x11x1½. Co. clk.'s vlt., bsmt.

BONDS OF OFFICERS

(See also entries 134(iii), 140(iv), 159, 316, 375)

118. **BONDS OF COUNTY OFFICIALS, 1861—.** 3 f. b. Original bonds of county officers, showing names of official, office, and sureties, amount and conditions of bond, and date of filing. Also contains Justice Bonds, 1861-62, entry 119; Constables' Bonds, 1861-71, entry 120; Assessors' Bonds, 1861-98, entry 121; Bonds of Ex-officio Treasurer (Road and Bridges), 1861-1915, entry 122; and Town Collectors' Bonds, 1861-97, entry 124. Arr. by date of filing. No index. 9x4x15. Hdw. on pr. fm. 2 f. b., 1861-1905, co. clk.'s sub-vlt., 1st fl.; 1 f. b., 1906—, co. clk.'s off. vlt., 2nd fl.
119. **JUSTICE BONDS, 1863—.** 2 f. b. Missing: 1898-1906. 1861-62 in Bonds of County Officials, entry 118. Original bonds of justices of the peace, showing names and addresses of justice and sureties, date, amount, and terms of bond, and dates of expiration and filing. Arr. by date of filing. No index. Hdw. on pr. fm. 9x4x15. 1 f. b., 1863-97, co. clk.'s sub-vlt., 1st fl.; 1 f. b., 1907—, co. clk.'s vlt., 2nd fl.
120. **CONSTABLES' BONDS, 1872—.** 2 f. b. 1861-71 in Bonds of County Officials, entry 118. Constables' original bonds showing names of constable and sureties, date, amount, and terms of bond, date of filing, and book and page of entry in Bond Record, entry 127. Arr. by date of filing. Hdw. on pr. fm. 9x4x15. Co. clk.'s vlt., 2nd fl.
121. **ASSESSORS' BONDS, 1899—.** 1 f. b. 1861-98 in Bonds of County Officials, entry 118. Original bonds of township assessors, showing name of assessor, date, amount, and terms of bond, signatures of sureties, and date of filing. Arr. by date of filing. No index. Hdw. on pr. fm. 9x4x15. Co. clk.'s vlt., 2nd fl.
122. **BONDS OF EX-OFFICIO TREASURER (Road and Bridges), 1916—.** 1 f. b. 1861-1915 in Bonds of County Officials, entry 118. Original bonds of ex-officio treasurer of road and bridge fund, showing names of treasurer and sureties, amount, date, and terms of bond, and date of filing. Arr. by date of filing. No index. Hdw. on pr. fm. 4x4x10. Co. clk.'s west off., 2nd fl.
123. **BONDS OF CITY MAYOR AND COMMISSIONERS, 1933-35.** 1 f. b. Original bonds of city mayor and commissioners, showing names of principal and sureties, amount of bond, and dates of approval and filing. Arr. by date of filing. No index. Hdw. on pr. fm. 9x4x15. Co. clk.'s west off., 2nd fl.
124. **TOWN COLLECTORS' BONDS, 1898-1917.** 1 f. b. Township collectors discontinued in 1918. 1861-97 in Bonds of County Officials, entry 118. Original bonds of township collectors, showing names of collector and sureties, date, amount, and terms of bond, and date of filing.

Arr. by date of filing. No index. Hdw. on pr. fm. 9x4x16. Co. clk.'s west off., 2nd fl.

125. ASSESSORS' BOND RECORD, 1899—. 1 v. (A). 1877-98 in Bond Record, entry 127.

Copies of assessors' bonds, showing names of assessor and sureties, date, amount, and terms of bond, notarial acknowledgment, and date of filing. Arr. by date of filing. Indexed alph. by name of assessor. Hdw. 300 p. 17x11x1½. Co. clk.'s vlt., 2nd fl.

126. RECORD OF COLLECTORS' BONDS, 1867-1918. 2 v. (A, B).

Copies of township collectors' bonds, showing names of collector and sureties, and date, amount, and terms of bond. Arr. by date of bond. Indexed alph. by name of collector. 1867-84, hdw.; 1885-1918, hdw. on pr. fm. 300 p. 17x11x1½. Cir. clk.'s vlt., bsmt.

127. BOND RECORD, 1877-1912. 1 v. 1913— in Miscellaneous Record, entry 134.

Copies of bonds of justices of the peace, constables, and police magistrates, showing names of principal and sureties, amount and terms of bond, and date of filing. Also contains Assessors' Bond Record, 1877-98, entry 125. Arr. by date of filing. Indexed alph. by name of official. Hdw. 600 p. 17x11x2. Co. clk.'s sub-vlt., 1st fl.

CIVIL SERVICE

128. CIVIL SERVICE PAPERS, 1916—. 1 f. b.

Files of miscellaneous civil service papers, including rules, notifications of examinations, and bulletins from civil service commission. Arr. by date of filing. No index. Mimeographed and printed. 4x4x8. Co. clk.'s west off., 2nd fl.

FEES, RECEIPTS AND EXPENDITURES

(See also entry 32)

129. DUPLICATE RECEIPTS OF THE COUNTY TREASURER, 1899—. 2 f. b.

Duplicates of receipts issued by county treasurer and filed by the county clerk, showing date, name of party given receipt, date, purpose, and amount of receipt, and signatures of treasurer and county clerk. Arr. by date of receipt. No index. Hdw. on pr. fm. 4x4x10. Co. clk.'s west off., 2nd fl.

130. TREASURER'S RECEIPTS FOR REFUNDED REGISTERED BOND TAX, 1876-79). 1 f. b.

Receipts issued by the county treasurer to county clerk for refunded bond tax, showing amount, date, purpose, and serial number of receipt. Arr. by date of receipt. No index. Hdw. on pr. fm. 4x4x8. Co. clk.'s west off., 2nd fl.

131. COUNTY CLERK'S CASH BOOKS, 1872—. 8 v. (6 not numbered, 1, 1).

Accounts of cash earnings, receipts, and expenditures, showing

source, date, amount, names of payer and payee, and balance available. Arr. by date of transaction. No index. Hdw. on pr. fm. 300 p. 17x11x1½. 6 v. not numbered, 1872-1925, co. clk.'s vlt., bsmt.; v. 1, 1, 1926—, co. clk.'s east off., 2nd fl.

132. REGISTER OF EARNINGS AND RECEIPTS, 1874—. 3 v. Semiannual register of fees and receipts by county clerk, showing date, number and page of fee book, name of payee, and source of fee; also includes recapitulation of fees in probate and county courts, showing amount earned and amount due county by county clerk after deduction of salaries and office expenses. Arr. by date of transaction. No index. Hdw. 150 p. 17x14x1. 1 v., 1874-1915, co. clk.'s vlt., bsmt.; 1 v., 1916-30, co. clk.'s sub-vlt., 1st fl.; 1 v., 1931—, co. clk.'s east off., 2nd fl.

133. COUNTY CLERK'S ACCOUNT WITH PHYSICIANS AND HEALTH OFFICERS, 1902-16. 1 v.

County clerk's accounts with registrars of births and deaths, showing names of registrar and physician, number of births and deaths reported, and amount and date of payment. Arr. by date of payment. Indexed alph. by name of registrar. Hdw. 200 p. 16x12x1½. Co. clk.'s sub-vlt., 1st fl.

For stubs of warrants issued in payment of birth and death reports, see entry 13.

MISCELLANEOUS RECORDS

134. MISCELLANEOUS RECORD, 1872—. 2 v. (B, 1 not lettered).

Miscellaneous records kept by county clerk, including copies of:

- i. Appointments and oaths of deputy sheriffs and deputy clerks, 1872-1927, showing names of deputy and appointing officers, nature of duties, and dates of appointment and filing, and acknowledgment.
- ii. Bonds and oaths of administrators and guardians, 1872-1927, showing names of estate, administrative officer, and sureties, date, amount and obligations of bond, date and nature of oath, and dates of filing and acknowledgment.
- iii. Bonds and oaths of superintendents of schools, coroners, circuit clerks, recorders, sheriffs, truant officers, county clerks, treasurers, commissioners, and judges, state's attorneys, and estate appraisers, 1872—, showing names of principal and sureties, date, amount, and obligations of bond, date and nature of oath, and dates of approval, filing, and acknowledgment.
- iv. Licenses of architects, 1904—, showing names of architect and members of board of examiners, license number, amount of fee, and dates of diploma, examination, license, and filing.

- v. List of visitors at courthouse dedication, 1906, showing names and addresses of visitors, and date of registration.
- vi. Ordinance and resolution of Sullivan City Council accepting Albert Wyman's bequest of land for use as a public park, 1913, including copy of will, and proposition to voters for acceptance of land.
- vii. Petition to county board to name a day for special election, 1913, showing names of petitioners, notice to public, and dates of petition, election, and filing.
- viii. Petition to county board for permit to manufacture explosives, 1905, showing names of manufacturer and board members, legal description of factory site, type and purpose of explosive, and dates of application, duration of permit, and filing.
- ix. Proceedings of estates in probate, 1872—, showing term date, case number, names of estate, heirs, and administrator, legal description and value of property, and court order.
- x. Proofs of wills, 1872-1923, showing names of deceased, executor, and witnesses, copy of will, and dates of filing and acknowledgment.
- xi. Transcript of judgment from a Peoria county court, 1928, showing date and amount of judgment, names of plaintiff, defendant, and judge, amounts of costs and fees, and dates of filing and recording.
- xii. Warrants appointing estate appraisers, 1872-1927, showing names of estate, administrator, and appraiser, description and appraised value of property, date and amount of bond, and dates of return of itemized bill of appraisement, filing and acknowledgment.

Also contains (Report of Commissioners of Drainage Districts), 1885-1926, entry 41; Affidavits of Tax Deeds, 1933—, entry 67; (Dentists' Licenses), 1881-1902, entry 96; (Veterinarians' Licenses), 1889-1902, entry 97; Bond Record, 1913—, entry 127; and (Inheritance Tax Receipts), 1936—, entry 224. Arr. by date of filing. Indexed alph. by name of principal. 1872-1905, hdw.; 1906—, hdw. and typed. 400 p. 17x17x2. Co. clk.'s vlt., 2nd fl.

135. GRAND SUMMARY AGRICULTURAL STATISTICS, 1877-98. 3 v.

Record of statistical reports of agricultural products and live stock in Moultrie County, showing acreage planted to grain and forage crops, quantity produced, number of livestock, and value of each. Arr. by date of report. No index. Hdw. 75 p. 16x14x1½. Co. clk.'s vlt., bsmt.

III. RECORDER

In 1843, the year in which Moultrie County was organized, the recorder was elected for a four-year term.¹ A two-year term became effective in 1847.² The amount of his bond was set at \$500.³ With the adoption of the second constitution the office of recorder was abolished, the duties of that office being delegated to the circuit court clerk in an ex-officio capacity.⁴ The present constitution re-established the office of recorder in counties having a population of sixty thousand or more but continued the provision of the prior constitution for other counties.⁵ As the population of Moultrie never reached the minimum set by the constitution,⁶ the circuit court clerk in this county has retained his ex-officio duties as recorder. The amount of the recorder's bond was set at \$5,000 in 1872, and the county judge was to give approval.⁷ This amount was raised in 1874 to \$10,000 for counties having the population of Moultrie. A copy of the bond is entered upon the records of the county court.⁸

Assistants and deputies are appointed by the recorder in a number as determined by rule of the circuit court and as entered upon the court record.⁹ The compensation of the assistants and deputies is set by the county board.¹⁰ Written oaths of deputies are filed with the Secretary of State.¹¹

In accordance with the duty of the recorder to record at length all written instruments, the following records are required to be kept:

1. An entry book in which data relating to date and order of receipt of instruments to be recorded or filed, and the names of parties and location of property, with a brief description of the premises, are entered. Each of such instruments is numbered by the recorder with the corresponding number of the entry. The entry book serves as a table of contents, with descriptive memoranda, for all instruments recorded at length or filed in the recorder's office.
2. Well-bound books for recording at length any instrument in writing entitled to be recorded, in the order or time of its reception. Separate books are allowed to be kept for the recording of different classes of instruments and two distinct series of document numbers may

1. L.1835, p. 166. Between 1819 and 1835 the recorder was appointed by Governor with the advice and consent of the senate (L.1819, p. 19; R.L.1829, p. 117).

2. L.1845, p. 28.

3. R.L.1829, p. 117.

4. Constitution of 1848, Art. V, sec. 19; L.1849, p. 64.

5. Constitution of 1870, Art. X, sec. 8; R.S.1874, p. 833.

6. Fifteenth Census of the United States: 1930 shows population of Moultrie County 14,839 in 1920 and 13,247 in 1930. *Population Bulletin*, p. 9.

7. L.1871-72, p. 645.

8. R.S.1874, p. 833.

9. Constitution of 1870, Art. X, sec. 9; R.S.1874, p. 833.

10. Constitution of 1870, Art. X, sec. 9.

11. R.S.1874, p. 833.

Recorder

be used in recording documents received for recordation. One series preceded by the letter "B" is for the recordation of bills of sales of personal property, chattel mortgages, releases, extensions, and assignments thereof. The other series of document numbers is for all other instruments received for recordation.

3. Grantor and grantee indexes. In the grantor index are listed the names of the grantors in alphabetical order and the names of the grantees. The grantee index shows the names of the grantees in alphabetical order and the names of the grantors. Each index also shows the date of the instrument, time of receipt, kind of instrument, consideration, book and page of recordation, or the number under which it is filed, and a brief description of the premises.
4. Indexes to each book of record in which are entered in alphabetical order, the names of each grantor and grantee and page on which the instrument is recorded. This series indexes instruments such as powers of attorney, chattel mortgages, and those recorded by corporations.
5. An index to recorded maps and plats, based on location of property, sometimes arranged by section, township, and range.
6. An abstract book, in effect indexing records by showing for each tract every conveyance or incumbrance recorded, its execution and filing date, and the book and page of its recordation. Series optional with county board.
7. A separate book to record certificates of honorable discharge from military, aviation, and naval service.¹²

The recorder, in recording at length any instrument in writing, is permitted to make a handwritten or typewritten transcription, a photographic or photostatic reproduction, or use a combination of these methods.¹³ In addition to the instruments received for recordation, the recorder is required, upon receipt, to file any mortgage, trust deed, or conveyance of personal property having the effect of a mortgage or lien upon such property which is endorsed with the words, "This instrument to be filed, but not recorded." The recorder marks such instruments "filed" and enters the time of their receipt and files them in his office.¹⁴

12. L.1819, p. 18, 20, 21; R.L.1829, p. 116, 117; L.1847, p. 69; L.1853, p. 254; L.1867, p. 148; L.1869, p. 2; L.1871-72, p. 645, 646; L.1873, p. 144; R.S.1874, p. 834-46; L.1917, p. 652; L.1925, p. 521; L.1933-34, Third Sp.Sess., p. 214.

13. L.1933-34, Third Sp. Sess., p. 214.

14. L.1927, p. 521; L.1929, p. 592-94.

ENTRY BOOKS

136. ENTRY BOOK (General), 1865—. 16 v. (A-P).

Entries of recorded instruments, showing names of grantor and grantee or mortgagor and mortgagee, number, date, and kind of instrument, legal description of property, book and page of entry in record, amount of fees, and dates of filing and recording. Also contains Chattel Mortgage Entry Book, 1865-1900, 1914—, entry 137. Arr. by date of filing. No index. Hdw. under pr. hdgs. 600 p. 17x11x2. V. A-O, 1865-1935, cir. clk.'s sub-vlt., 1st fl.; v. P, 1936—, cir. clk.'s east off., 2nd fl.

137. CHATTEL MORTGAGE ENTRY BOOK, 1901-13. 1 v. 1865-1900, 1914— in Entry Book (General), entry 136.

Entries of recorded chattel mortgages, showing names of mortgagor and mortgagee, number, date, and conditions of mortgage, date of maturity, description of chattels, book and page of entry in record, and dates of filing and recording. Arr. by date of filing. No index. Hdw. under pr. hdgs. 300 p. 17x11x1½. Cir. clk.'s sub-vlt., 1st fl.

138. LAND ENTRY RECORD, 1830-72. 1 v.

Record of original land entries as reported by the state auditor, showing name of patentee, legal description and location of land, and date of entry. First entries antedate formation of county by thirteen years. Arr. by date of entry. No index. Hdw. 75 p. 16x10x½. Co. clk.'s vlt., 2nd fl.

INSTRUMENTS RECORDED

General

139. MISCELLANEOUS PAPERS, 1890-95. 2 f. b.

Miscellaneous papers, kept by recorder, including receipts for paid bills for office supplies and furnishings purchased by county, notices of application for receivership of merchandise, and affidavits to clear title to land transfers with warranty deed attached. Arr. by date of filing. No index. Hdw. and hdw. on pr. fm. 9x4x14. Cir. clk.'s vlt., 2nd fl.

140. MISCELLANEOUS RECORD — COUNTY RECORDER, 1881—. 12 v. (1-12).

Recordation of miscellaneous instruments, including:

- i. Affidavits, 1881—, showing names of affiant and parties involved, date and purpose of affidavit, notarial acknowledgment, and dates of filing and recording.
- ii. Articles of agreement, 1881—, showing names of parties, date and nature of agreement, notarial acknowledgment, and dates of filing and recording.
- iii. Assignments of mortgages, 1881—, showing names of assignee, assignor, and witnesses, consideration, amount of mortgage, legal description of property, notarial acknowledgment, and dates of filing and recording.
- iv. Bonds of township treasurers, showing names of principal and sureties, school district number, date, amount, and obligations of bond, notarial acknowledgment, and dates of filing and recording.

- v. Certificates of election of trustees, 1881—, showing names of trustees and organization, purpose of organization, and dates of election, filing, and recording.
- vi. Certificates of incorporation, 1881—, showing names of corporation and directors, articles of incorporation, date and number of certificate, signature of Secretary of State, and dates of filing and recording.
- vii. Contracts, 1881—, showing names of contracting parties, date, nature, and terms of contract, notarial acknowledgment, and dates of filing and recording.
- viii. Dedications of right of way for public roads and buildings, 1890—, showing names of grantor and witnesses, legal description and location of property, consideration, date and terms of agreement, and dates of filing and recording.
- ix. Deeds, warranty, 1881—, showing names of grantor and grantee, legal description of property, consideration, notarial acknowledgment, and dates of deed, filing, and recording.
- x. Letters of conservatorship, 1881—, showing names of incompetent, conservator, and court of issue, nature of obligations, court orders, and dates of appointment, filing, and recording.
- xi. Liens, mechanics', 1881-1921, showing names of parties, description of property, date and amount of lien, and dates of filing and recording.
- xii. Petitions for letters testamentary, 1881—, showing names of deceased, administrator, and witnesses, nature of petition, notarial acknowledgment, and dates of will, petition, appointment, filing, and recording.
- xiii. Powers of attorneys, 1881—, showing names of grantor, grantee, and witnesses, nature of powers, notarial acknowledgment, and dates of filing and recording.
- xiv. Proceedings in bankruptcy, 1895—, showing names of defendant, referee, trustee, creditors, attorneys, and court, court order for sale of property, name of buyer and amount of sale, legal description of property, and dates of filing and recording.
- xv. Sales bills, 1881—, showing names of estate, administrator, and purchaser, description and value of articles sold, total amount of sale, and dates of sale, filing, and recording.
- xvi. Transcripts of divorce decrees, 1881—, showing names of plaintiff, defendant, and plaintiff's attorney, date and court of original proceedings, and dates of decree, filing, and recording.
- xvii. Titles to lands, 1881-97, showing names of original owner, grantor, and grantee, legal description and location of property, affidavit of purchasers and dates of transfer, filing, and recording.
- xviii. Wills, 1881—, showing names of deceased, beneficiaries, executor, and witnesses, nature of provisions, and dates of will, filing, and recording.

Also contains Liens on Gets, 1881-1901, entry 162, and Oil and Gas Leases, 1881-1935, entry 165. Arr. by date of recordation. Indexed alph. by names of principal and subject. 1881-98, hdw.; 1899—, typed. 600 p. 17x11x2. Cir. clk.'s vlt. 2nd fl.

Deeds

141. GENERAL INDEX TO DEED RECORD, 1849—. 18 v. (1-9 grantee; 1-9 grantor).

Index to Deed Record, entry 142; Deed Record (Warranty), entry 143; Deed Record (Quitclaim), entry 144; (Administrators' and Guardians') Deed Record, entry 145; Deed Record - Master's Deed, entry 146; and Deed Record - Release, entry 149, showing names of grantor and grantee, dates of instrument and filing, legal description of property, consideration, and book and page of entry. Arr. alph. by names of grantor and grantee. Hdw. under pr. hdgs. 600 p. 17x11x2. Cir. clk.'s vlt., 2nd fl.

142. DEED RECORD, 1831—. 26 v. (S, S2, C-E, G, K, 1, 3, 4, 7, 10, 12, 14, 15, 18, 20, 26, 31, 36, 46, 50, 64, 68, 77, 88).

Recordation of deeds and titles to lands, showing names of grantor and grantee, date and type of instrument, legal description of property, consideration, terms, and dates of filing and recording. Volumes S, S2, 1831-48, are transcribed from Shelby County records. Also contains Deed Record (Warranty), 1831-55, entry 143; Deed Record (Quitclaim), 1851-70, entry 144; Deed Record - Master's Deed, 1831-1912, entry 146; (Administrators' and Guardians') Deed Record, 1831-1904, entry 145; Mortgage Record, 1831-53, entry 148, including Chattel Mortgage Record, entry 153, and Chattel Mortgage Extension Record, entry 155; and Deed Record - Release, 1831-74, entry 149. Arr. by date of recordation. 1831-48, indexed alph. by names of grantee and grantor; for sep. index, 1849—, see entry 141. 1831-1920, hdw., and hdw. on pr. fm.; 1921—, typed, and typed on pr. fm. 500 - 600 p. 17x11x2. Cir. clk.'s vlt., 2nd fl.

For subsequent record of titles to lands, see entry 140(xvii).

143. DEED RECORD (Warranty), 1856—. 45 v. (I, 25-89 not consecutive). 1831-55 in Deed Record, entry 142.

Copies of warranty deeds, showing date, names and addresses of grantor and grantee, consideration, legal description of property, dates of filing and recordation, and notarial acknowledgment. Arr. by date of recordation. For index, see entry 141. 1856-1935, hdw. on pr. fm.; 1936—, typed on pr. fm. 600 p. 17x11x2. Cir. clk.'s vlt., 2nd fl.

For other records of warranty deeds, see entry 140(ix).

144. DEED RECORD (Quitclaim), 1871—. 13 v. (8, 22, 29, 34, 41, 48, 57, 63, 71, 78, 83, 86, 92). 1831-70 in Deed Record, entry 142.

Copies of quitclaim deeds, showing names of grantor and grantee, consideration, legal description of property, date and terms of instrument, and dates of filing and recordation. Arr. by date of recordation. For index, see entry 141. 1871-1920, hdw. on pr. fm.; 1931—, typed on pr. fm. 600 p. 17x11x2. Cir. clk.'s vlt., 2nd fl.

145. (Administrators' and Guardians') DEED RECORD, 1905—. 1 v. (56). 1831-1904 in Deed Record, entry 142.

Recordation of administrators' and guardians' deeds, showing names of grantor and grantee, date, consideration, and terms of deed, legal description of property, dates of filing and recordation, and acknowledgment. Arr. by date of recordation. For index, see entry 141. Hdw. on pr. fm. 600 p. 17x11x2. Cir. clk.'s vlt., 2nd fl.

146. DEED RECORD - MASTER'S DEED, 1913—. 2 v. (37, 66). 1831-1912 in Deed Record, entry 142.

Recordation of master-in-chancery deeds, showing names of grantor, grantee, master, and recorder, dates of filing and recordation, date and number of instrument, consideration, legal description of property, and acknowledgment. Arr. by date of recordation. For index, see entry 141. 1913-28, hdw.; 1929—, typed. 600 p. 17x11x2. Cir. clk.'s vlt., 2nd fl.

Mortgages - Real Property (See also entry 140(iii))

147. INDEX TO GENERAL MORTGAGE RECORD, 1854—. 12 v. (1-6 mortgagor; 1-6 mortgagee).

Index to Mortgage Record, entry 148, and Mortgage Assignment Record, entry 150, showing names of mortgagor and mortgagee, date and terms of instrument, legal description of property, book and page of entry, and dates of filing and recording. Arr. alph. by names of mortgagor and mortgagee. Hdw. 600 p. 17x11x2. Cir. clk.'s east off., 2nd fl.

148. MORTGAGE RECORD, 1854—. 65 v. (F, 1-108 not consecutive). 1831-53 in Deed Record, entry 142.

Recordation of real estate mortgages, showing date, amount, and terms of instrument, names and addresses of mortgagor and mortgagee, legal description of property, notarial acknowledgment, and dates of maturity, filing, and recordation; includes marginal releases. Also contains Mortgage Assignment Record, 1854-1925, entry 150, and Chattel Mortgage Record, 1854-64, entry 153, including Chattel Mortgage Extension Record, entry 155. Arr. by date of recordation. For index, see entry 147. For sep. index to chattel mortgages, 1854-64, see entry 154. 1854-1915, hdw.; 1916—, typed. 600 p. 17x11x2. Cir. clk.'s vlt., 2nd fl.

149. DEED RECORD - RELEASE, 1875—. 17 v. (16-93 not consecutive). 1831-74 in Deed Record, entry 142.

Recordation of mortgage releases, showing names of mortgagor and mortgagee, legal description of property, consideration, terms, date and number of release, dates of instrument and recordation, and notarial acknowledgment. Arr. by date of recordation. For index, see entry 141. 1875-1905, hdw.; 1906—, typed. 600 p. 17x11x2. Cir. clk.'s vlt., 2nd fl.

150. MORTGAGE ASSIGNMENT RECORD, 1926—. 1 v. (97).
1854-1925 in Mortgage Record, entry 148.

Copies of assignments of mortgages, showing date, names of assignor, assignee, and witnesses, consideration, terms of mortgage, book and page of original mortgage entry, legal description of property, notarial acknowledgment, and dates of filing and recording. Arr. by date of recording. For index, see entry 147. Typed. 500 p. 17x11x2. Cir. clk.'s vlt., 2nd fl.

151. INDEX TO MARGINAL RELEASE (Marginal Release Record), 1905—. 1 v.

Record of marginal releases in Mortgage Record, entry 148, showing names of mortgagor and mortgagee, dates of mortgage, release, and filing, book and page of original mortgage entry, consideration, legal description of property, and amount of fees. Arr. by date of filing. No index. Hdw. on pr. fm. 300 p. 17x11x2. Cir clk.'s east off., 2nd. fl.

For other mortgage releases, see entry 149.

Mortgages - Chattel

152. OLD CHATTEL MORTGAGES, 1873—. 1 f. b.

Mortgages left for recording and not called for, showing date, names of mortgagor and mortgagee, number, amount, and terms of mortgage, description of property, acknowledgment, and date of recording. Arr. by date of recording. No index. Hdw. on pr. fm. 9x4x14. Cir. clk.'s vlt., 2nd fl.

153. CHATTEL MORTGAGE RECORD, 1865—. 39 v. (14-110 not consecutive). 1831-53 in Deed Record, entry 142; 1854-64 in Mortgage Record, entry 148.

Recordation of chattel mortgages, showing names of mortgagor and mortgagee, description of property, date and terms of instrument, and dates of maturity, payment, filing, and recordation. Also contains Chattel Mortgage Extension Record, 1865-1911, entry 155. Arr. by date of recording. For index, see entry 154. 1865-1920, hdw.; 1921—, typed. 600 p. 17x11x2. 35 v., 14-98 not consecutive, 1864-1920, cir. clk.'s vlt., bsmt.; v. 102, 107, 109, 110, 1921—, cir. clk.'s east off., 2nd fl.

154. INDEX TO CHATTEL MORTGAGE RECORDS, 1854—. 6 v. (C, 1-5).

Index to Chattel Mortgage Record, entry 153, showing names of mortgagor, and mortgagee, description of property, date and terms of instrument, consideration, book and page of entry, and dates of filing and recording. Arr. alph. by name of mortgagor. Hdw. 250 p. 17x11x1½. V. C, 1-3, 1854-1916, cir. clk.'s vlt., bsmt.; v. 4, 1917-25, cir. clk.'s sub-vlt., 1st fl.; v. 5, 1926—, cir. clk.'s east off., 2nd fl.

155. CHATTEL MORTGAGE EXTENSION RECORD, 1912—. 2 v. 1831-53 in Deed Record, entry 142; 1854-64 in Mortgage Record entry 148; 1865-1911 in Chattel Mortgage Record, entry 153.

Recordation of chattel mortgage extensions, showing date, names of mortgagor and mortgagee, amount and conditions of instrument, book and page of original entry, dates of filing and recording, and acknowledgment. Arr. by date of recordation. Indexed alph. by names of mortgagor and mortgagee. Hdw. 300 p. 17x11x1½. Cir. clk.'s vlt., 2nd fl.

Certificates of Levy, Sale and Redemption (See also entry 282)

156. MASTER'S AND SHERIFF'S CERTIFICATES, 1919—. 1 v. (1).

Copies of master's and sheriff's certificates of levy, sale, and redemption, showing certificate number, names of plaintiff, defendant, master or sheriff, and purchaser, date, amount, and place of sale, legal description of property, acknowledgment, and date of filing. Master's Sales and Redemption (Certificates), entry 157, and Sheriff's Sales and Redemption Certificates, entry 158, formerly kept separately. Arr. by date of filing. Indexed alph. by name of plaintiff. Typed. 500 p. 17x11x2. Cir. clk.'s vlt., 2nd fl.

157. MASTER'S SALES AND REDEMPTION (Certificates), 1866-1918. 1 v. 1919— in Master's and Sheriff's Certificates, entry 156.

Copies of master's certificates of levy, sale, and redemption, showing certificate number, names of plaintiff, defendant, master, purchaser, and witnesses, date, amount of levy, place of sale, consideration, legal description of property, acknowledgment, and date of filing. Arr. by date of filing. Indexed alph. by names of plaintiff and defendant. Hdw. on pr. fm. 500 p. 17x11x2. Cir. clk.'s east off., 2nd fl.

158. SHERIFF'S SALES AND REDEMPTION CERTIFICATES, 1866-1918. 3 v. (1-3). 1919— in Master's and Sheriff's Certificates, entry 156.

Copies of sheriff's certificates of levy, sale, and redemption, showing certificate number, names of plaintiff, defendant, sheriff, witnesses, and purchaser, date, amount of levy, place of sale, legal description of property, acknowledgment, and date of filing. Arr. by date of filing. Indexed alph. by names of plaintiff and defendant. Hdw. on pr. fm. 500 p. 17x11x2. Cir. clk.'s vlt., 2nd fl.

Bonds of Officers (See also entries 124, 126)

159. COLLECTORS' BOND RECORD - TOWNSHIP, 1867-1918. 2 v. (A, B). Office of township collector discontinued in 1918.

Copies of township collectors' bonds, showing date, amount, and conditions of bond, names of principal and sureties, and date of filing. Arr. by date of filing. Indexed alph. by name of twp. 1867-84, hdw.; 1885-1918, hdw. on pr. fm. 300 p. 11x17x1½. Cir. clk.'s vlt., bsmt.

Other Instruments (See
also entry 140)

160. LIENS ON CHATTELS, 1922—. 1 f. b.

Original liens on chattels, showing names of claimant and defendant, date, amount, and number of lien, description of property, date of filing, and signature and address of claimant. Arr. by date of filing. For index, see entry 161. Hdw. on pr. fm. 9x4x14. Cir. clk.'s vlt., 2nd fl.

161. INDEX TO LIENS ON CHATTELS (Record), 1922—.
1 v. (1).

Docket and record of liens on chattels, showing name of claimant and defendant, amount, number, and nature of lien, description of chattels, and dates of filing and release. Serves as index to files of Liens on Chattels, entry 160. Also contains Liens on Gets, 1922—, entry 162. Arr. by date of filing. Indexed alph. by name of claimant. Hdw. on pr. fm. 275 p. 17x11x1½. Cir. clk.'s vlt., 2nd fl.

162. LIENS ON GETS, 1902-21. 1 v. 1881-1901 in Miscellaneous Records - County Recorder, entry 140; 1922— in Index to Liens on Chattels (Record), entry 161.

Register of liens on gets, showing names of owner, sire, and mare, certificate number, date and amount of lien, description of mare, and dates of service and acknowledgment. Arr. by date of lien. Indexed alph. by name of owner. Hdw. under pr. hdgs. 300 p. 17x11x1½. Cir. clk.'s vlt., bsmt.

163. SOLDIERS' DISCHARGE BOOK, 1865—. 2 v. (1, 2).

Copies of honorable discharge issued to soldiers, sailors, marines, and nurses, showing identification number, name and rank of veteran, nature of service, place of birth, age, personal description, occupation before service, term of service, reason for discharge, and military record. Arr. by date of filing. Indexed alph. by name of veteran. Hdw. on pr. fm. 200 p. 17x11x2. V. 1, 1865-1901, cir. clk.'s vlt., bsmt.; v. 2, 1902—, cir. clk.'s east off., 2nd fl.

164. RECORD OF STALLION CERTIFICATES, 1902—. 2 v. (A, B). Last entry 1920. Title varies: Stallion Register, v. A, 1902-11.

Register of stallion certificates, showing name and address of owner, name and description of stallion, and dates of license, registration, and renewal. Arr. by date of registration. No index. Hdw. under pr. hdgs. 300 p. 11x17x2. Cir. clk.'s sub-vlt., 1st fl.

165. OIL AND GAS LEASES, 1936—. 1 v. (1). 1881-1935 in Miscellaneous Record - County Recorder, entry 140.

Copies of oil and gas leases, showing names of lessor and lessee, date and terms of lease, consideration, legal description of property, and date of recording. Arr. by date of recording. Indexed alph. by names of lessor and lessee. Typed on pr. fm. 500 p. 17x11x2. Cir. clk.'s vlt., 2nd fl.

166. REGISTER OF FARM NAMES, 1898-1912. 1 v.

Register of names of farm lands, showing instrument number, owner's name and address, name and legal description of farm, date of recording, notarial acknowledgment, and remarks. Arr. by date of recording. Indexed alph. by name of owner. Hdw. under pr. hdgs. 300 p. 17x11x1½. Cir. clk.'s vlt., bsmt.

MAPS AND PLATS

167. RECORD OF SURVEYS, 1859—. 2 v.

Original record of surveys by the county surveyor, showing section, township, and range, date and plat of survey, name of surveyor, and date of recording. Arr. by date of recording. Indexed alph. by name of twp. Hdw. 500 p. 17x11x2. Cir. clk.'s vlt., 2nd fl.

168. RECORD OF PLATS OF COUNTY SURVEYOR, 1860—. 2 v. (A, B).

Surveyor's plat record including plats of additions, town lots, and cemeteries, and special surveys of real estate. Arr. by date of plat. No index. Hdw., and hand-drawn. 100 - 300 p. 17x11x2 - 24x30x2. Cir. clk.'s vlt., 2nd fl.

169. STANDARD ATLAS - MOULTRIE COUNTY, 1913. 1 v.

Atlas of Moultrie County, including plats of villages, cities, and townships of the county, maps of the state of Illinois, the United States, and the world, business directory, and departments devoted to general information, analysis of the system of civil service, and illustrations of towns. Arr. by twp. and sec. Indexed alph. by name of twp. and subject. Printed. 2 in. to 1 mi. 100 p. 20x18x1. Cir. clk.'s east off., 2nd fl.

170. GOVERNMENT PLAT BOOK (Record of U. S. Surveys). 1854. 1 v.

Copies of original surveys compiled by United States surveyor, showing section, township, and range, date of survey, and location of streams, timber, prairie, and swamp lands. Arr. by twp. no. No index. Hdw., and hand-drawn. 3 in. to 1 mi. 24 p. 24x20x1½. Cir. clk.'s east off., 2nd fl.

IV. COUNTY COURT

The county court serves as the judicial branch of county government. This court is administered by the county judge who is elected for a four-year term by the county electorate. Before entering upon the duties of his office, the county judge is required to take and subscribe to an oath which he files with the Secretary of State. The compensation of the Moultrie county judge was originally set at \$2.50 per diem for holding court, which was paid quarterly out of the county treasury.¹ Today, the judge in this county receives \$1,620 per annum.² The court hears and determines matters in which it has original or concurrent jurisdiction, including appeals from the justices of the peace and police magistrates.³

At the time of the organization of Moultrie County, the powers of the judiciary in all counties were administered only by the justices of the peace,⁴ the probate justice of the peace,⁵ and the circuit court.⁶ Later, a civil and criminal court with jurisdiction coextensive with the county lines was established under the provisions of the Constitution of 1848 and legislation of 1849.⁷ The court created was the county court. This unit of county government was established with a partial reversion to the dual function, administrative and judicial, of the local judiciary in Illinois under the Territorial Laws prior to 1818. The court was different from the territorial courts in that its composition varied for each of the two functions. The judicial court was administered by the county judge, who was elected by the county electorate and commissioned by the Governor. His original four-year tenure of office has remained effective to the present.⁸ As the administrative body, the court was made up of the county judge and two justices of the peace.⁹

Under the second constitution complete separation of county business powers from the judicial could be had with the acceptance by the county electorate of an independent administrative body, the board of supervisors, established under township organization.¹⁰ This plan of government was not selected immediately, and Moultrie was governed by the dual county court until 1867 when the county board of supervisors became successor to the county court in its jurisdiction over county affairs and business. From that date on, the county court has served only as a judicial court in Moultrie County.

The county court as established in 1849 was vested with the

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1. L.1849, p. 62, 63.
 2. L.1933, p. 616.
 3. L.1881, p. 70.
 4. Constitution of 1818, Art. IV, sec. 8; L.1819, p. 192.
 5. L.1836-37, p. 176.
 6. L.1819, p. 380.
 7. Constitution of 1848, Art. V, sec. 1, 16; L.1849, p. 62.
 8. Constitution of 1848, Art. V, sec. 17; L.1849, p. 62, 66; R.S.1874 p. 339; L.1933, p. 451.
 9. L.1849, p. 65.
 10. Constitution of 1848, Art. VII, sec. 6; L.1849, p. 192, 202-4; L.1851, p. 38, 50-52.

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same civil and criminal jurisdiction as the justices of the peace. The county judge was made a conservator of the peace. He was given the same power and authority as the circuit judge in preserving order in the court and punishing contempts offered the court while in session.¹¹ Suits for the sale of delinquent lands for taxes of 1848, and prior years, could be brought and presented in either the circuit or county court, but for taxes of subsequent years, the county court was given exclusive original jurisdiction.¹² The court also exercised jurisdiction equal with that of the circuit court over naturalization.¹³

In addition to its civil and criminal jurisdiction, the court was vested with all the powers and jurisdiction in probate matters which were vested prior to this date in the court of the probate justice. The court was given concurrent jurisdiction with the circuit court in hearing and determining application for the sale of real estate of deceased persons and for the payment of debts for the estate.¹⁴ In Moultrie County the county judge has served to the present day in his ex-officio capacity as judge of the probate court.¹⁵

The law jurisdiction of the county court in Moultrie County is concurrent with that of the circuit court in that class of cases wherein the justices of the peace have jurisdiction where the value of the amount in controversy does not exceed \$2,000,¹⁶ in all cases of appeals from justices of the peace and police magistrates, and in all criminal offenses and misdemeanors where the punishment is not imprisonment in the penitentiary or death.¹⁷ The county court also has original jurisdiction in matters relating to indigent mothers¹⁸ and jurisdiction over insane persons not charged with crime.¹⁹

The county and circuit courts have original jurisdiction in cases of juvenile offenders. This jurisdiction is over matters dealing with dependent, neglected, and delinquent children. The authority includes provision for the treatment, control, maintenance, adoption, and guardianship of such children.²⁰

In 1899 provision was made for the appointment by the court of a juvenile probation officer to serve without compensation from the public treasury and at the pleasure of the court.²¹ In 1907 an amendment of this act authorized the court to allow compensation to

11. L.1849, p. 65.

12. *Ibid.*, p. 126.

13. 2 U. S. S. L. 155.

14. L.1849, p. 65.

15. Constitution of 1848, Art. V, sec. 16, 18; L.1819, p. 65; Constitution of 1870, Art. VI, sec. 18; R.S.1874, p. 339, 340; L.1933, p. 449, 458.

16. Under the laws of 1872 and the revised statutes of 1874, the jurisdiction was in cases wherein the amount involved did not exceed \$500. (L.1871-72, p. 325; R.S.1874, p. 339, 340). Legislation enacted in 1933 extended the jurisdiction to \$2,000 (L.1933, p. 452), but a later amendment of the same session, passed June 21, 1933, placed the jurisdiction in cases where the amount involved is not over \$1,000 (*Ibid.*, p. 449). In 1939 jurisdiction was again extended to \$2,000 (L.1939, p. 492).

17. R.S.1874, p. 340; L.1877, p. 77; L.1895, p. 212, 223; L.1933, p. 449-51.

18. L.1913, p. 127; L.1915, p. 243; L.1921, p. 162-64; L.1935, p. 256-59.

19. L.1869, p. 366; R.S.1874, p. 685.

20. L.1899, p. 131-37; L.1901, p. 141-44; L.1905, p. 152-56; L.1907, p. 70-78.

21. L.1899, p. 133.

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such officers in a sum to be set by the county board, but the power of the court to appoint probation officers to serve without pay was in no way abridged by this legislation.²² An amendment of 1925 provided that if more than one probation officer were appointed, one was to be designated as chief probation officer. To be eligible for the position of chief probation officer, the candidate was required to have had experience in social welfare work equivalent to one year spent in active practical welfare work. Minimum rates, based upon population, were established for the compensation of these officers, the county board to fix the amount. Where a county had only one probation officer, the salary rates were made to apply to that individual. The court, however, retains the power to appoint probation officers to serve without pay.²³ For Moultrie County, and others with a population not exceeding twenty-five thousand,²⁴ the rate is set at a sum of \$50 a year for each thousand inhabitants, but not to exceed \$900 annually.

The officer under consideration makes investigation on order of the court and takes charge of the child before and after trial. He is required to be present at the court hearings in order that he may represent the interest of the child. This officer also furnishes information and assistance as required by the court.²⁵

Upon petition filed with the clerk of the court for the removal of a neglected or dependent child from the custody of the parents or guardian, process is issued for appearance. The summons may be served by the sheriff or the duly appointed probation officer.²⁶

At any time after the filing of the petition and pending the final disposition, the court may allow the child to remain in the possession of its custodian, or in its home subject to the visitation of the probation officer; or the child may be ordered in custody of the probation officers.²⁷ If upon hearing the case the court finds the child to be dependent or neglected, the court may commit the child to an association or institution, or allow the child to remain in his home subject to the visitation of the probation officer.²⁸ In a similar fashion the probation officer for adults, an appointee of the circuit court, assists the county court in the administration of justice among adult violators.²⁹

In cases of delinquency, if the court finds any child to be delinquent, the court may commit the child to an institution or to the custody of the probation officer. The court may, upon its discretion, send juvenile offenders and vagrants to the state reform school rather than to the county jail.³⁰

Another probation officer, also an appointee of the county

22. L.1907, p. 69, 70.

23. L.1925, p. 187, 189.

24. In 1930 the population of Moultrie County was listed as 13,247. **Population Bulletin**, p. 9.

25. L.1899, p. 133; L.1925, p. 187, 188.

26. L.1899, p. 132, 133; L.1905, p. 153, 154; L.1907, p. 72, 73.

27. *Ibid.*, p. 74.

28. L.1923, p. 180, 181.

29. L.1911, p. 280-82.

30. L.1907, p. 75.

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court, assists the court in mothers' pension cases. The state and county funds for indigent mothers and their children are administered by the county court, its appointed probation officers, the county board with the assistance of the county clerk, the county treasurer, and the State Department of Public Welfare. The county court, however, is given original jurisdiction in these matters.³¹

A mother whose husband is dead or incapacitated, or who is abandoned by her husband, is entitled to the benefits of the mothers' pension fund when she is in need. Such mother may file an application with the county court for relief. The case of the applicant is then investigated by the probation officer under the direction of the court.³² A report and recommendation of the approval or disapproval of such application is then made by this officer of the court. If the application is approved, the probation officer or other person may file with the clerk of the court a written petition verified by affidavit setting forth the facts giving the court jurisdiction and other facts upon which an order for relief is entered. Upon receipt of the petition, a summons is issued to the mother and the county board for appearance. The usual procedure is for the board to make a written appearance. Upon the hearing in court, the court may make an order upon the county board to pay monthly such money as may be necessary for the care of the mother and her child or children in accordance with the provisions of law.³³

To carry out this procedure, the county court appoints the probation officer who serves during the pleasure of the court and is compensated for his services by the county in such amount as determined by the county board. As noted above, this officer is required to investigate all applications for relief and make a written report to the court. In addition to this duty, the probation officer makes quarterly visits and supervises, under the direction of the court, the families to which such assistance has been granted.³⁴

The county board annually levies a tax on all taxable property to provide for the mothers' pension fund. The levy is made not in excess of two-fifths of one mill on a dollar in Moultrie County.³⁵ In addition the General Assembly, from time to time, makes appropriations to the State Department of Public Welfare, the funds, in turn, being distributed to the several counties to supplement the pension fund. To become entitled to the state appropriations, the county must meet the standards of administration set by the state agency. The county treasurer certifies to the state department an itemized statement, attested by the county clerk, of the money paid out during each quarter in accordance with the legislative provisions for this pension and also certifies annually the total assessed valuation and amount of money raised by tax levy for the mothers' pension fund.³⁶

31. L.1913, p. 127-30; L.1915, p. 243-45; L.1921, p. 162-64; L.1935, p. 256-59.

32. L.1913, p. 127-30; L.1915, p. 244; L.1935, p. 256-59.

33. L.1913, p. 127-30; L.1935, p. 257-59.

34. L.1913, p. 129, 130; L.1935, p. 258.

35. L.1919, p. 780, 781; L.1927, p. 196, 197; L.1928, First Sp. Sess., p. 3, 4; L.1933, p. 194, 195.

36. L.1935, p. 259.

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Jurisdiction in the election procedure is vested variously in the county board, the county court, and the county clerk. In the event that any city, village, or incorporated town adopts the City Election Act the county judge appoints a board of three election commissioners to have charge of elections in that political unit. Only one such board, however, is appointed in each county. This board has jurisdiction over elections in all cities, villages, or incorporated towns which may adopt the act.³⁷ Otherwise, jurisdiction is vested in the county board, county court, and county clerk. The county court has original jurisdiction in election contests for certain county, district, and township offices.³⁸

Aiding in the settlement of questions arising in the course of the election procedure is the county officers electoral board. This body consists of the county judge as chairman, the county clerk, and the state's attorney.³⁹

The several nomination papers for county offices are filed with the county clerk and are considered valid unless objections are made within five days after the last day for filing such papers. Objection to nominations are made to the county officers electoral board for any office of the county, park district, or other division coterminous with or less than the county and other than a city, village, incorporated town, or township.⁴⁰ The objector's petition is filed with the county clerk who presents the same, together with the nomination papers or certificate, before the electoral board.⁴¹ The petition contains the objector's name and residence, the nature of the objection, the interest of the objector, and the relief sought of the board.⁴² A notice of the hearing is sent to the candidate. Upon hearing the objections, the board renders a final decision by majority vote. In the event the candidate whose nomination is protested is a member of the electoral board, the circuit judge is required to fill his place.⁴³

Jurisdiction is vested in the county court to hear and determine all questions relative to taxes on gifts, legacies and inheritance.⁴⁴ The act granting this jurisdiction is generally known as the "Inheritance Tax Law." Originally, the state's attorney was charged with the duty of enforcing the provision of this law,⁴⁵ however, since 1913 these duties have been performed by the Attorney General.⁴⁶ Under that law the county judge and the county clerk are required every three months to make a statement in writing to the county treasurer of the property from which or the party from whom he has reasons to believe a tax under this act is due and

37. L.1885, p. 147-49; L.1899, p. 163-65; L.1917, p. 445, 446; L.1929, p. 399; L.1933, p. 534; L.1935-36. Fourth Sp. Sess., p. 35.

38. L.1871-72, p. 396.

39. L.1891, p. 110, 111; L.1933, p. 552.

40. L.1891, p. 110, 111; L.1929, p. 394.

41. L.1891, p. 111; L.1929, p. 394; L.1933, p. 552.

42. L.1929, p. 394, 395.

43. L.1933, p. 552.

44. L.1895, p. 306; L.1909, p. 318.

45. L.1895, p. 306; L.1909, p. 319.

46. L.1913, p. 515, 516; L.1935, p. 1179, 1180.

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unpaid.⁴⁷ The county treasurer is required to collect and pay to the State Treasurer all taxes that may be due and payable under it.⁴⁸

Under an act of 1933, housing corporations may be organized in Illinois for the express purpose of improving housing conditions.⁴⁹ Such corporations are subject to the supervision and control of the State Housing Board. This state agency has authority, after investigations and public hearings, to approve the acquisition of property and construction of housing projects. If the State Housing Board approves a project over the objections of ten percent of the property owners within a mile, but not included in the project, it must then file an application with the clerk of the county court to be submitted to the county judge for the confirmation of its approval. Such application is to contain copies of the findings and order of the board, transcript of testimony, description of the project and public spaces, statement of location, and reasons for approval by the board. The objectors to the project may file objections in the county court to the confirmation of such a project. The county judge then examines the application, objections, and any additional evidence before rendering a decision of "approval" or "not approval" on the application.⁵⁰

Appeals from the judgments and decisions of the county court may be taken to the circuit court.⁵¹ To the Appellate Court or Supreme Court may be taken and prosecuted appeals and writs of error in proceedings for the sale of lands for taxes and special assessments. In all common law and attachment cases, and in cases of forcible detainer and forcible entry and detainer. Such appeals and writs of error are, when not otherwise provided, taken and prosecuted in the same manner as appeals and writs of error from the circuit court.⁵²

The records of the county court are kept by its clerk. In Moultrie County the county clerk is ex-officio clerk of the county court. In addition to the statutory records described below the clerk necessarily maintains others in effecting the court's orders.⁵³

For the court the clerk keeps the following records:

1. Books of record of the proceedings and judgments of the court with alphabetical indexes by names of parties. Proceedings are recorded at length only in cases designated by law or when the court, at the motion and assumption of expenses by one of the parties, so orders. In practice, the court record has been broken down from an early date into segregated types of proceedings and judgments.

47. L.1895, p. 306; L.1909, p. 319; L.1913, p. 516.

48. L.1895, p. 307; L.1909, p. 319; L.1913, p. 516.

49. L.1933, p. 396-415; L.1933-34, Third Sp. Sess., p. 167-74.

50. L.1933, p. 396-415; L.1933-34, Third Sp. Sess., p. 167-74.

51. L.1933, p. 396.

52. R.S.1874, p. 339; L.1877, p. 77; L.1881, p. 66.

53. The form which such records take is generally determined by court order (L.1849, p. 66; R.S.1874, p. 262, 263).

2. "Plaintiff-Defendant Index to Court Records" and "Defendant-Plaintiff Index to Court Records," intended to be separate records, but frequently combined in a single volume with the two indexes segregated in each volume.
3. A general docket in which all suits are entered in the order they are commenced.
4. A judgment and execution docket containing a column for the entry of satisfaction or other disposition. In practice, an execution docket is frequently set up independently.
5. Additional dockets, designated as the clerk's, judge's, and bar docket. In practice, the bar docket has tended to drop out of use.⁵⁴
6. A fee book in which costs and fees are to be entered under the proper title of the cause. In practice, separate series of volumes are maintained under these titles of causes.
7. Transcripts of proceedings in appeals from justices' courts, dockets thereof, and transcripts of judgment of liens, etc., from justices' courts.
8. Naturalization records including petitions, proceedings, final certificates, etc. The county courts in Illinois prior to 1906 met the requirement of Federal statutes to exercise naturalization jurisdiction.⁵⁵
9. Original documents used in court hearings and determinations; of particular importance in the large number of cases where complete proceedings are not spread on court record.⁵⁶
10. Monthly reports of the warden of the county jail containing a list of all prisoners in his custody and showing the cause of commitment and names of persons by whom committed.⁵⁷

PROCEEDINGS OF COURT

(See also entry 3)

171. COUNTY COURT CASES (Closed), 1872—. 100 f. b.

Documents in common law and criminal cases, including summonses, subpoenas, pleas, warrants, writs, indictments, transcripts of evidence, witness affidavits, depositions, commitments, stipulations, replications, appeals, recognizance bonds, jury verdicts, and court decrees. Also contains Confession in Vacation, 1933—, entry 177;

54. The Civil Practice Act of 1933 grants authority to county courts, subject to rules promulgated by the Supreme Court and not inconsistent with statutory requirements, to make such rules as they may deem expedient, regulating dockets and calendars of said court (L.1933, p. 786)

55. 2 U. S. S. L. 153; U.S.R.S.1789-1874, p. 378.

56. R.S.1845, p. 323, 324, 414, 418, 419; L.1865, p. 79, 80; L.1871-72, p. 325; R.S.1874, p. 262, 263; 2 U. S. S. L. 153-55; U.S.R.S.1789-1874, p. 378-80; 34 U. S. S. L. 596-607; 44 U. S. S. L. 709, 710.

57. R.S.1874, p. 617; L.1933, p. 678.

Feeble-minded Cases, 1872-1926, entry 180; Adoption Records, 1872-1914, entry 182; Bastardy Cases, 1872-1919, entry 183; Appeal Cases, Docket Fees not Paid, 1872-1910, entry 184; Appellate Court Certifications and Orders, 1872-1905, 1917—, entry 185; Reports of Probation Officers, 1872-1930, entry 211; Appeal Bonds, 1872-1923, entry 213; Delinquent Cases, 1872-99, entry 217; Dependent Children, 1872-1914, entry 218; and Applications for Mothers' Pensions, 1913-19, entry 219. Arr. by case no. No index. Hdw. and typed on pr. fm. 9x4x15. 75 f. b., 1872-1901, 15 f. b., 1906—, co. clk.'s sub-vlt., 1st fl.; 10 f. b., 1902-5, co. clk.'s west off., 2nd fl.

172. CURRENT SUITS IN COUNTY COURT, 1933—. 1 f. b. Documents in pending common law and criminal cases, including the same type of documents as those enumerated in County Court Cases (Closed), entry 171. Arr. by date of case. No index. Hdw. and typed on pr. fm. 9x4x15. Co. clk.'s vlt., 2nd fl.

173. COUNTY COURT RECORDS, 1872—. 5 v. (55, B, C, G, H). Record of criminal and common law cases in county court, including delinquent, dependent, and probation cases, showing number and nature of case, names of plaintiff and defendant, minutes, action taken, and date of filing. Also contains Recognizance Record, 1872-1919, entry 214. Arr. by date of filing. Indexed alph. by name of defendant; for sep. index, 1877-79, see entry 174. 1872-1915, hdw. on pr. fm.; 1916—, typed on pr. fm. 500 p. 18x12x2. Co. clk.'s vlt., 2nd fl.

174. INDEX COUNTY COURT RECORD, 1877-79. 2 v. (1 v. defendant; 1 v. plaintiff). Index to County Court Records, entry 173, showing names of plaintiff and defendant, kind of action, date of term, disposition of case, and book and page in record and fee book. Arr. alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 500 p. 17x11x2. Co. clk.'s vlt., bsmt.

175. EXECUTIONS (County Court), 1873—. 6 f. b. Original executions on court orders, showing names of plaintiff and defendant, nature of charge, dates of execution and sheriff's return, amount of fees, and final disposition of case. Arr. by date of execution. No index. Hdw. on pr. fm. 4x4x8 - 9x4x16. 2 f. b., 1873-97, co. clk.'s vlt., 2nd fl.; 4 f. b., 1898—, co. clk.'s west off., 2nd fl.

176. JUDGMENT RECORD (County Court, Miscellaneous), 1872—. 3 v. (1,1, 2). Title varies: Default Records, v. 1, 1872-74; Default and Confession Record, v. 1, 187g-95. Record of judgments by default and confession, showing date, names of plaintiff and defendant, amount of judgment, date of court term, and court orders. Also contains County Court Record - Confession in Vacation, 1872-1910, 1933—, entry 178. Arr. by date of case. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 600 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

177. CONFESION IN VACATION, 1875-1932. 11 f. b. 1933— in County Court Cases (Closed), entry 171.

Documents in cases of confession of judgment during court vacation, showing names of plaintiff, defendant, and attorneys, nature of case, amount of judgment, dates of confession and judgment, and action taken. Arr. by date of confession. No index. Hdw. and typed on pr. fm. 9x4x14. Co. clk.'s vlt., 2nd fl.

178. COUNTY COURT RECORD - CONFESION IN VACATION, 1911-32. 1 v. 1872-1910, 1933— in Judgment Record (County Court, Miscellaneous), entry 176.

Record of confessions during court vacation, showing names of plaintiff, defendant, and attorneys, nature of case, amount of judgment, and dates of confession and award of judgment. Arr. by date of judgment. Indexed alph. by names of plaintiff and defendant. Hdw. on pr. fm. 250 p. 17x11x1½. Co. clk.'s vlt., 2nd fl.

179. PERSONS ALLEGED TO BE INSANE, 1885—. 17 f. b. Court papers of insanity trials, including petitions for trials, subpoenas, and verdicts of juries. Also contains Insane Hospital Reports of Inmates, 1885-1902, entry 209. Arr. alph. by name of patient. No index. 1885-98, hdw.; 1899—, typed. 9x4x16. Co. clk.'s vlt., 2nd fl.

180. FEEBLE-MINDED CASES, 1927—. 1 f. b. 1872-1926 in County Court Cases (Closed), entry 171.

Documents in feeble-minded cases, including reports of medical commission, warrants of commitment, court orders, and certificates of discharge. Arr. by date of case. No index. Hdw. and typed on pr. fm. 9x4x15. Co. clk.'s vlt., 2nd fl.

181. INSANITY RECORD, 1872—. 3 v. (A-C).

Record of insanity cases, showing names of patient, petitioners, witnesses and jurors, date of hearing and verdict of jury. Arr. by date of case. Indexed alph. by name of patient. Hdw. on pr. fm. 400 p. 17x11x2. V. A, 1872-93, C, 1914—, co. clk.'s vlt., 2nd fl.; v. B, 1894-1913, co. clk.'s sub-vlt., 1st fl.

182. ADOPTION RECORDS, 1915—. 1 f. b. 1872-1914 in County Court Cases (Closed), entry 171.

Original petitions, certificates of publication, and court proceedings in adoption cases, showing names and addresses of child, parents or guardian, and petitioners, date and court orders. Arr. by date of case. No index. Hdw. and typed on pr. fm. 9x4x15. Co. clk.'s vlt., 2nd fl.

183. BASTARDY CASES, 1920—. 1 f. b. 1872-1919 in County Court Cases (Closed), entry 171.

Documents in bastardy cases including subpoenas, summonses, transcripts of evidence, executions, and orders of court. Arr. by date of case. No index. Hdw. and typed on pr. fm. 9x4x15. Co. clk.'s vlt., 2nd fl.

184. APPEAL CASES, DOCKET FEES NOT PAID, 1911—. 1 f. b. 1872-1910 in County Court Cases (Closed), entry 171.

Documents in justice of the peace cases appealed to county court on which docket fees are not paid, showing names of plaintiff and defendant, nature of case, previous court orders, date of appeal, and amount of fee. Arr. by date of appeal. No index. Hdw. and typed on pr. fm. 4x4x8. Co. clk.'s vlt., 2nd fl.

185. APPELLATE COURT CERTIFICATIONS AND ORDERS, 1906-16. 1 f. b. 1872-1905, 1917— in County Court Cases (Closed), entry 171.

Certifications and orders of Supreme and Appellate courts in cases appealed from county court, showing date of completion of case, and orders of court. Arr. by date of completion of case. No index. Typed. 9x4x15. Co. clk.'s vlt., 2nd fl.

186. PLATS OF SCHOOL DISTRICTS (and Petitions to Change Boundaries), 1879—. 1 f. b.

Original petitions to change school district boundaries with plat of district, showing name and number of school district, present and desired boundaries, names and addresses of petitioners, date of petition, reason for boundary change, name of township, and date of filing. Arr. by date of filing. No index. Hdw. on pr. fm. 4x4x8. Co. clk.'s west off., 2nd fl.

187. OIL TAX LEVIES, 1930—. 3 f. b.

Petitions for special tax levies filed with the town clerk and certified by commissioners of highways, for the purpose of oiling and maintenance of township highways, showing amount of levy, period of time covered for levy, section of highway to be oiled, names of petitioners and date of filing. Arr. by date of filing. No index. Hdw. under pr. hdgs. 4x4x10. Co. clk.'s west off., 2nd fl.

188. (Special Assessment) VILLAGES OF ARTHUR, AND LOVINGTON, AND CITY OF SULLIVAN, 1915. 3 f. b.

Petition for special assessment for road paving, showing names of petitioners, city, and improvement, date and amounts of assessment, and court orders. Arr. by date of petition. No index. Hdw. and typed. 10x4x15. Co. clk.'s west off., 2nd fl.

DOCKETS

Court Dockets

189. GENERAL DOCKET - COUNTY COURT (Appeal), 1884—. 2 v. (A, B).. 1872-83 in Judge's Docket, Common Law and Criminal, entry 192.

Docket of appealed cases, showing names of plaintiff, defendant, and attorneys, term date of original court, date of appeal, and docket number. Also contains Clerk's Docket Book - County Court, 1931—, entry 193. Arr. by date of appeal. No index. Hdw. under pr. hdgs. 300 p. 17x11x2. V. A, 1884-1902, co. clk.'s sub-vlt., 1st fl.; v. B, 1903—, co. clk.'s west off., 2nd fl.

190. JUDGE'S DOCKET, COMMON LAW, 1898—. 2 v. (12, 13). 1872-97 in Judge's Docket, Common Law and Criminal, entry 192.

Judge's docket of common law cases, showing names of plaintiff, defendant, attorneys, and witnesses, type of action, cause and amount of claim, term date, and court orders. Also contains Docket Proceedings, Feeble-minded, 1898-1914, entry 199, and Inheritance Tax Docket, 1898-1914, entry 225. Arr. by term date. No index. Hdw. under pr. hdgs. 300 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

191. JUDGE'S DOCKET, PEOPLE'S CASES, 1898—. 3 v. (1-3). 1872-97 in Judge's Docket, Common Law and Criminal, entry 192.

Docket of criminal cases, showing names of plaintiff, defendant, attorneys, and witnesses, type of action, cause and amount of claim, term date, and court orders. Arr. by date of case. No index. Hdw. under pr. hdgs. 300 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

192. JUDGE'S DOCKET, COMMON LAW AND CRIMINAL, 1872-97. 2 v.

Docket of common law and criminal cases, showing titles of cases, names of attorneys, plaintiff, defendant, and witnesses, kind of action, cause and amount of claim, term date, and court orders. Also contains General Docket - County Court (Appeal), 1872-83, entry 189. Judge's Docket, People's Cases, entry 191, and Judge's Docket, Common Law, entry 190, including Docket Proceedings, Feeble-minded, entry 199, and Inheritance Tax Docket, entry 225, subsequently kept separately. Arr. by date of case. No index. Hdw. under pr. hdgs. 300 p. 17x11x2. Co. clk.'s sub-vlt., 1st fl.

193. CLERK'S DOCKET BOOK - COUNTY COURT, 1872-1930. 7 v. 1931— in General Docket - County Court (Appeal), entry 189.

Clerk's docket of cases in county court, showing term date, case number, names of plaintiff, defendant, and attorneys, kind of action, and court orders. Arr. by date of case. No index. Hdw. under pr. hdgs. 175 p. 14x8x1. Co. clk.'s vlt., bsmt.

194. JUDGMENT AND EXECUTION DOCKETS, 1886—. 3 v.

Docket of executions and judgments, showing names of plaintiff, defendant, and attorneys, nature of action, date and amount of judgment, and dates of issue and return of execution. Judgment Docket, entry 195, and Execution Docket, entry 196, formerly kept separately. Arr. by term date and alph. by name of person whom judgment is entered thereunder. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 500 p. 18x12x2. 2 v., 1886-1920, co. clk.'s vlt., bsmt.; 1 v., 1921—, co. clk.'s vlt., 2nd fl.

195. JUDGMENT DOCKET. 1872-85. 1 v. 1886— in Judgment and Execution Dockets, entry 194.

Docket of judgments, showing case number, names of plaintiff, defendant, and attorneys, nature of action, book and page of entry in execution docket, date and amount of judgment, costs, and disposition of case. Arr. by term date and alph. by name of person against whom judgment is entered thereunder. Indexed alph. by name of defendant; for sep. index, 1877-79, see entry 197. Hdw. under pr. hdgs. 500 p. 18x12x2. Co. clk.'s vlt., bsmt.

196. EXECUTION DOCKET, 1872-85, 1 v. 1896— in Judgment and Execution Dockets, entry 194.

Docket of executions, showing case number, names of plaintiff, defendant, and attorneys, nature of action, book and page of entry in judgment docket, date and amount of judgment, against whom entered, costs, sheriff's return, and disposition of case. Arr. by term date and alph. by name of person against whom judgment is entered thereunder. Indexed alph. by name of defendant; for sep. index, 1877-79, see entry 197. Hdw. under pr. hdgs. 500 p. 15x12x2. Co. clk.'s vlt., bsmt.

197. INDEX BOOK - COUNTY COURT DOCKET, COMMON LAW CASES - PLAINTIFF AND DEFENDANT (Index to Judgment Docket, Execution Docket), 1877-79. 2 v. 1 v. plaintiff; 1 v. defendant).

Index to Judgment Docket, entry 195, and Execution Docket, entry 196, showing names of plaintiff and defendant, date and number of judgment or execution, and book and page of entry. Arr. alph. by names of plaintiff and defendant. Hdw. 450 p. 17x11x2. Co. clk.'s vlt., bsmt.

198. INSANITY DOCKET, 1893—. 2 v. (1, 2). Title varies: County Judge's Docket of Insane Cases, v. 1, 1893-1922.

Docket of insanity cases, showing case number, names of patient, petitioner, witnesses, and jurors or commission, dates of petition, filing, and death or discharge of patient, and court orders. Arr. by date of filing. Indexed alph. by name of patient. Hdw. under pr. hdgs. 150 p. 17x11x1½. V. 1, 1893-1922, co. clk.'s sub-vlt., 1st fl.; v. 2, 1923—, co. clk.'s vlt., 2nd fl.

199. DOCKET PROCEEDINGS, FEEBLE-MINDED, 1915—. 1 v. (A). 1872-97 in Judge's Docket, Common Law and Criminal, entry 192; 1898-1914 in Judge's Docket, Common Law, entry 190.

Docket of proceedings in feeble-minded cases, showing names of patient, petitioner, guardian or conservator, and parties in supervision and control of patient, report of commission, court orders, dates, and disposition of case. Arr. by date of case. Indexed alph. by name of patient. Hdw. 150 p. 17x11x1½. Co. clk.'s vlt., 2nd fl.

Justices' Dockets

200. JUSTICE OF PEACE DOCKET, SULLIVAN TOWNSHIP, 1857-1929. 5 v. 1930— in custody of local justices of peace.

Docket of justice of the peace cases, showing date, name of plaintiff, defendant, attorneys, and justices of peace, amounts of costs and fines, nature of case, court orders, and final disposition. Arr. by date of case. No index. Hdw. 400 p. 14x8x1. Co. clk.'s vlt., bsmt.

FEE BOOKS

201. **GUARDIANS' AND CONSERVATORS' MISCELLANEOUS FEE BOOK** (County Court Fees), 1911—. 1 v. (9). 1845-51 in Probate Record, entry 232; 1852-1910 in Probate Fee Book, entry 275.

County clerk's miscellaneous fee book, showing itemized list of clerk's and sheriff's costs, and fees received from mothers' pension, insanity, adoption, delinquent, dependent, and minor heirs' cases. Also contains Guardians' and Conservators' Fee Book, 1911-23, entry 277. Arr. by date of case. Indexed alph. by name of guardian or conservator. Hdw. 500 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

202. **FEE BOOKS - LAW AND CRIMINAL, 1912—**. 2 v. (5, 6).

Record of fees received in common law and criminal cases, including witness and alias fees, showing date of court term, names of plaintiff and defendant, itemized list of court costs and fees, nature and number of case, name of payer, signature of clerk, and date of payment. Fee Books (Common Law), entry 203, and Fee Books (Criminal), entry 204, formerly kept separately. Arr. by date of case. Indexed alph. by name of defendant. Hdw. on pr. fm. 300 p. 17x11x2. Co. clk.'s west off., 2nd fl.

203. **FEE BOOKS (Common Law), 1872-1911**. 2 v. (1, 3). 1912— in Fee Books - Law and Criminal, entry 202.

Record of fees received in common law cases, including witness and alias fees, showing date of court term, names of plaintiff and defendant, itemized list of court costs and fees, name of payers, and date of payment. Arr. by date of case. Indexed alph. by name of defendant. Hdw. on pr. fm. 300 p. 17x11x2. Co. clk.'s vlt., bsmt.

204. **FEE BOOKS (Criminal), 1872-1911**. 2 v. (2,4). 1912— in Fee Books - Law and Criminal, entry 202.

Record of fees received in criminal cases, including witness and alias fees, showing date of court term, names of plaintiff and defendant, number and nature of case, itemized list of court costs and fees, name of payer, signature of clerk, and date of payment. Arr. by date of case. Indexed alph. by name of defendant. Hdw. on pr. fm. 300 p. 17x11x2. Co. clk.'s vlt., bsmt.

205. **WITNESS AND ALIAS FEES, 1925-30**. 1 v.

Journal of witness and alias fees received by county clerk, showing names of plaintiff and defendant, kind and amount of fee, and date of payment. Arr. by date of payment. No index. Hdw. 200 p. 16x11x1½. Co. clk.'s vlt., bsmt.

For other witness and alias fees, see entries 202, 203, and 204.

206. **FEE BOOK IN VACATION, 1891-99**. 1 v.

Register of fees received by county clerk while court is in vacation, showing names of plaintiff and defendant, type of action, amount of costs and fees, nature of fees received, date, and name of payer. Arr. by date of case. Indexed alph. by name of defendant. Hdw. 300 p. 17x11x2. Co. clk.'s vlt., bsmt.

207. DAILY RECORD OF FEES - COUNTY COURT, 1874-82.
1 v.

Daily record of fees earned and received by county clerk as county court clerk, showing date, amount, kind, and purpose of fees and from whom received. Arr. by date of payment. No index. Hdw. 350 p. 14x8x1. Co. clk.'s vlt., bsmt.

REPORTS TO COURT

(See also entry 180)

208. DISTRICT DRAINAGE REPORT, 1900—. 14 f. b.

Reports of drainage commissioners to county judge on improvements and proposed improvements in various districts, showing date, nature of improvement, amount of claim, and total amount of expenditures. Arr. by date of report. No index. Typed. 9x4x15. Co. clk.'s vlt., 2nd fl.

209. INSANE HOSPITAL REPORTS OF INMATES, 1903—. 1 f. b. 1885-1902 in Persons Alleged to be Insane, entry 179.

Semiannual reports of hospitals to clerk of the county court, showing name of hospital, name and condition of patient, and date of report. Arr. by date of report. No index. Typed. 4x4x8. Co. clk.'s west off., 2nd fl.

210. REPORTS OF CEMETERY TRUSTEES, 1912—. 1 f. b.

Annual reports of cemetery treasurer, clerk, and trustees to county court, on financial condition of cemetery associations, showing names of cemetery and officers, date of report, amount and purpose of receipts and expenditures, and balance available. Arr. by date of report. No index. Typed. 4x4x8. Co. clk.'s west off., 2nd fl.

211. REPORTS OF PROBATION OFFICERS, 1931—. 1 f. b. 1872-1930 in County Court Cases (Claimed), entry 171.

Original reports of probation officers, showing names and addresses of parents, children, and probation officer, recommendations of officer, and dates of report and filing. Arr. by date of report. No index. Hdw. on pr. fm. 4x4x8. Co. clk.'s west off., 2nd fl.

212. STATE'S ATTORNEY AND JUSTICE OF THE PEACE RECORDS, 1890-97. 2 f. b. 1867-89, 1898— in Minutes and Claims Allowed by County Supervisors, entry 1.

Reports of state's attorney and justices to county court of collection of fines and fees, showing name of defendant, date, amount, and purpose of fine, fee, or forfeiture, and dates of report and filing. Arr. by date of report. No index. Hdw. 4x4x8. 1 f. b., 1890-92, co. clk.'s sub-vlt., 1st fl.; 1 f. b., 1893-97, co. clk.'s west off., 2nd fl.

BONDS

(See also entry 171)

213. APPEAL BONDS, 1924—. 1 f. b. 1872-1923 in County Court Cases (Closed), entry 171.

Original appeal bonds showing names of plaintiff, defendant, and sureties, date, amount, and conditions of bond, and court approval. Arr. by date of bond. No index. Hdw. on pr. fm. 10x4x15. Co. clk.'s vlt., 2nd fl.

214. **RECOGNIZANCE RECORD, 1920—**. 1 v. (1). 1872-1919
in County Court Records, entry 173.

Copies of recognizance bonds, showing date, amount, and conditions of bond, names of principal and sureties, reason for indictment, penalty imposed by court, and date and place of appearance. Arr. by date of bond. Indexed alph. by name of defendant. Hdw. on pr. fm. 200 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

JURY RECORDS

(See also entries 3, 314, 315)

215. **JURY LIST, 1872—**. 3 f. b.

Lists of persons chosen for jury service, showing name and address of persons selected, and term of court. Arr. by date of court term. No index. Hdw. under pr. hdgs. 9x4x15. 1 f. b., 1872-1909, co. clk.'s sub-vlt., 1st fl.; 2 f. b. 1910—, co. clk.'s vlt. 2nd fl.

216. **JURORS' LIST, 1872—**. 1 v.

Register of county court jurors, showing name and address of juror, number of days and dates of service, mileage, and amount of payment. Arr. by date of court term. No index. Hdw. under pr. hdgs. 600 p. 16x10x2. Co. clk.'s vlt., 2nd fl.

PROBATION

Juvenile (See
also entry 201)

217. **DELINQUENT CASES, 1900—**. 1 f. b. 1872-99 in County
Court Cases (Closed), entry 171.

Original papers filed in delinquent children cases, including jury summonses issued to parents, subpoenas for witnesses, petitions, verdicts of jury, and orders of court. Arr. by date of case. No index. Hdw. on pr. fm. 9x4x15. Co. clk.'s vlt., 2nd fl.

218. **DEPENDENT CHILDREN, 1915—**. 1 f. b. 1872-1914 in
County Court Cases (Closed), entry 171.

Petitions to declare children dependent, showing names of child, petitioner, and parents or guardian, case number, court orders, date of filing, and final disposition of case. Arr. by case no. No index. Hdw. and typed on pr. fm. 9x4x16. Co. clk.'s vlt., 2nd fl.

Mothers' Pensions (See
also entries 14, 15, 201, 351)

219. **APPLICATIONS FOR MOTHERS' PENSIONS, 1920—**.
3 f. b. 1913-19 in County Court Cases (Closed), entry 171.

Applications for mothers' pensions, with complete court proceedings, showing name of mother, names and ages of children, report of probation officer, name of chairman of board of supervisors, case number, date, and amount of allowance. Arr. by case no. No index. Hdw. and typed on pr. fm. 9x4x15. Co. clk.'s vlt., 2nd fl.

220. DOCKET OF MOTHERS' PENSION, 1913—. 1 v. (1). Mothers' pension docket showing name of applicant, attorney, chairman of county board, state's attorney, and judge, investigator's report, amount of pension, court orders, case number, and date of filing. Also contains Record of Mothers' Pensions, 1920—, entry 221. Arr. by case no. Indexed alph. by name of applicant. Hdw. under pr. hdgs. 100 p. 17x11x1. Co. clk.'s vlt., 2nd fl.

221. RECORD OF MOTHERS' PENSIONS, 1913-19. 1 v. 1920— in Docket of Mothers' Pensions, entry 220. Mothers' pension records showing names of applicant, attorney, chairman of county board, state's attorney, and judge, names and ages of children, court orders, amount of allowance, date, number, and page of entry. Arr. by date of entry. Indexed alph. by name of applicant. Hdw. under pr. hdgs. 150 p. 17x11x1. Co. clk.'s sub-vlt., 1st fl.

INHERITANCE TAX

(See also entries 351, 359, 360)

222. INHERITANCE TAX PROCEEDINGS, 1905—. 2 f. b. Original documents in inheritance tax cases, including orders appointing and dismissing appraisers, orders appointing guardian-ad-litem, and orders fixing tax. Also contains Inheritance Tax Report, 1905-9, entry 223. Arr. alph. by name of estate. No index. Hdw. and typed on pr. fm. 9x5x15. 1 f. b., 1905-30, co. clk.'s sub-vlt., 1st fl.; 1 f. b., 1931—, co. clk.'s vlt., 2nd fl.

223. INHERITANCE TAX REPORT, 1910—. 1 f. b. 1905-9 in Inheritance Tax Proceedings, entry 222. Reports of appraiser in inheritance tax cases, showing names of estate and heirs, description and appraisal of property awarded each, amounts of exemptions, and dates of appraisal and report. Arr. by date of report. No index. Hdw. on pr. fm. 4x4x8. Co. clk.'s west off., 2nd fl.

224. (INHERITANCE TAX RECEIPTS), 1912-13. 1 v. Miss-
ing: 1914-35. 1936— in Miscellaneous Record, entry 134. Copies of receipts for payment of inheritance and succession taxes, showing names of deceased and beneficiaries, description, appraised value, tax rate, and tax of real and personal property awarded each, exemptions, total tax, signatures of county and state treasurers, and date of receipt. Arr. by date of receipt. No index. Hdw. on pr. fm. 150 p. 16x10x1½. Co. clk.'s vlt., bsmt.

225. INHERITANCE TAX DOCKET, 1915—. 1 v. 1895-97 in Judge's Docket, Common Law and Criminal, entry 192; 1898-1914 in Judge's Docket, Common Law, entry 190. Docket of inheritance tax cases, showing names of estate, beneficiaries, and attorneys, date set for hearing, abstract of proceedings, and rate and amount of tax as fixed by court. Arr. by date of case. Indexed alph. by name of estate. Hdw. 400 p. 18x11x2. Co. clk.'s west off., 2nd. fl.

NATURALIZATION
(See also entries 322, 323)

Subsequent naturalization records in the United States
District Court, Danville, Illinois

226. **NATURALIZATION PAPERS, 1899-1906.** 1 f. b.
Naturalization papers including declarations of intention of minors
and aliens, petitions for final papers, and oaths. Arr. by date of
filing. No index. Hdw. on pr. fm. Co. clk.'s vlt., 2nd fl.

227. **NATURALIZATION RECORD, 1869-1906.** 1 v.
Record of petitions, declarations of intention, and final papers of
naturalization, showing affidavit and name of witness, name, age,
nativity, marital status, and birthplace of alien, dates, and signature
of county clerk. Arr. by date of petition. Indexed alph. by name
of alien. Hdw. on pr. fm. 300 p. 18x12x1½. Cir. clk.'s vlt., bsmt.

OFFICE TRANSACTIONS

228. **ATTORNEYS' RECEIPTS, 1886—.** 2 v., 1 f. b. Title
varies: Attorneys' Receipt Books, 1 v., 1886-99.
Receipts given by attorneys for volumes or papers taken from
office, showing by whom taken, number of volume or file, and dates
file or volume removed and returned. Prior to 1900 receipts kept
in bound form. Arr. by date of receipt. No index. Hdw. V. 150 p.
14x8x1; f. b. 4x4x8. 2 v., 1886-99, co. clk.'s vlt., bsmt.; f. b., 1900—,
co. clk.'s west off., 2nd fl.

V. PROBATE COURT

Jurisdiction in probate matters in Moultrie County was vested in a separate probate court from the organization of the county, in 1843, until 1849. From 1843 to 1849 probate court in Moultrie County was held by a probate justice of the peace who was elected by the county electorate for a four-year term;¹ the term was reduced in 1847 to two years.² The jurisdiction of the probate court was transferred to the newly created county court in 1849.³ The Moultrie county court has retained probate jurisdiction from that date to the present.⁴

As enunciated by the present constitution and subsequent legislation, the jurisdiction of the court extends to all probate matters, the settlement of estates of deceased persons, the appointment of guardians and conservators and settlement of their accounts, and in all matters relating to apprentices, and in cases of sales of real estate of deceased persons for payment of debts.⁵ The court has power to impanel a jury for the trial of issues or matters of fact in any of these proceedings before it.⁶

Aiding the court in its jurisdiction over the administration of intestate estates and the guardianship of minors, are, respectively, the public administrator and the public guardian. Each officer is appointed quadrennially by the Governor with the advice and consent of the Senate. The public administrator and public guardian are required to enter into bonds set and approved by the court in sums not less than \$5,000.⁷ Their duties are performed under the direction and orders of the court. The records that result from their prescribed duties appear among the records of the court with those of other administrators, executors, and guardians.

When there is no relative or creditor who will administer an intestate estate, the court commits the administration to the public administrator upon application of any person interested in the estate.⁸ If a widow, next of kin, or creditor of the deceased appears within six months after the administration is granted to the public administrator, the court then revokes its grant of administration to the public administrator and orders letters of administration granted to such person interested in the estate. If, after all debts and charges against the estate which have been presented within two years after the administration of the estate was committed to such public administrator are fully paid, any balance of intestate estate remains, the administrator causes a notice to be published requiring persons still having claims against the estate to present

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1. L.1836-37, p. 176. From 1821 to 1837 probate court was held by a probate judge (L.1821, p. 119, 120).
 2. L.1845, p. 28.
 3. Constitution of 1848, Art. V, sec. 16, 18; L.1849, p. 65.
 4. *Ibid.*; Constitution of 1870, Art. VI, sec. 16; R.S.1874, p. 339, 340; L.1933, p. 449, 458.
 5. Constitution of 1870, Art. VI, sec. 20; L.1877, p. 80.
 6. R.S.1845, p. 425; L.1933, p. 460.
 7. L.1825, p. 70-72; R.L.1829, p. 208; R.L.1833, p. 627, 628; R.S.1845, p. 548; L.1871-72, p. 89; L.1881, p. 3; L.1889, p. 165.
 8. R.L.1833, p. 628; R.S.1845, p. 548; L.1871-72, p. 89.

Probate Court

them to the county court within six months. If no claims are presented, the balance is paid into the county treasury upon the expiration of the six-month period, the county remaining answerable to any future claims.⁹

As already noted, the court has authority to appoint guardians of minor heirs of deceased persons. In cases where the minor is under fourteen years of age the court appoints his guardian. When the minor is over fourteen he may nominate his own guardian, subject to the approval of the court.¹⁰ Under the direction of the court, the guardian is responsible for the custody, nurture, and tuition of his ward and the care and management of his estate. The court may assign the guardianship of the estate to one guardian and the custody and tuition of the ward to another.¹¹ Within sixty days after his appointment, the guardian returns to the court a complete inventory of the real and personal estate of the ward in the form prescribed by law.¹² At the end of the first year of his appointment, and every three years thereafter, he makes a settlement of his accounts. When his trust is completed or upon the death of the ward, the guardian makes final settlement and delivers over to persons entitled to them the property and papers in his hands as guardian.¹³ Upon failure of a guardian appointed by the court to act within three months in this capacity, the court commits the guardianship of the minor to the public guardian.¹⁴ The latter's records appear with those of other guardians.

The probate justice of the peace, 1843 to 1849, performed the ministerial function of the probate clerk.¹⁵ From the creation of the county court in 1849 until the present, the county clerk has served as ex-officio probate clerk.¹⁶

The clerk is required to attend the sessions of court, issue all process, preserve all files and papers, make, keep, and preserve complete records of all the proceedings and determinations of the court, and perform all other duties pertaining to his office as required by law or the rules and orders of his court. He is required to enter of record all judgments, decrees, and orders of the court.¹⁷

The major records of the probate court kept by the clerk are the following:

1. Journal of all judicial proceedings and determinations of the judge.
2. A judgment docket with a direct and an indirect index: former, by name of claimant against estate; latter, by estate. In practice, the requirement of two indexes often leads to two dockets.

9. R.S.1845, p. 549; L.1871-72, p. 89, 90.

10. L.1881, p. 100; L.1835, p. 36; R.S.1845, p. 265, 266; L.1873-74, p. 107; L.1919, p. 583; L.1931, p. 618; L.1937, p. 660.

11. L.1871-72, p. 469; L.1877, p. 114.

12. L.1919, p. 582; L.1933, p. 644.

13. L.1871-72, p. 471; L.1919, p. 583; L.1929, p. 506.

14. L.1889, p. 165.

15. L.1837, p. 177, 178. The early probate judge was required to act as his own clerk (L.1821, p. 119, 120).

16. Constitution of 1848, Art. V, sec. 16, 18; L.1849, p. 63-65; R.S.1874, p. 260, 339, 340.

17. L.1877, p. 82.

3. Books for recordation of bonds and letters of administrators, executors, guardians, and conservators; appraisement and sale bills; widows' relinquishment and selection of property; wills and the probate thereof; annual and final reports of administrators, executors, guardians, and conservators. Generally, each category of these probate business matters is recorded separately, but the segregation is not always carefully maintained.
4. Separate dockets of unsettled estates and claims against estates, and a ledger of the accounts of executors, administrators, and guardians. Note that the dockets of probate business matters are separated from dockets of court proceedings just as are the books of recordation of the two categories; the intention of the law to make this distinction is further shown in its granting the clerk, during vacation of the court, power to receive petitions, accept bonds, grant letters testamentary, etc.
5. Files of original documents not subject to recordation; indexes to such; records of office transactions in pursuance of the court's orders to the clerk, necessary in the latter's settlement with that body.¹⁸

PROCEEDINGS OF COURT

General

229. INDEX TO ESTATE FILES AND RECORDS, 1847—. 1 v. (1).

Index to (Probate Files), entry 230; Probate Record, entry 232; Closed Estate Guardianship, entry 233; Will Record, entry 246; and Inventory Record, entry 247, showing names of estate and administrative officer, date of letters, book and page of entry, and file box number. Arr. alph. by name of estate. Hdw. 500 p. 17x11x2. Co. clk.'s west off., 2nd fl.

230. (PROBATE FILES), 1847—. 142 f. b. (1-142).

Papers filed in closed probate cases, including wills, proof of death, bonds, oaths, letters, inventories, appraisement bills, widows' award and selection, claims against estates, final reports, court orders, and discharge of administrators. Also contains Closed Estate Guardianship, 1847-61, entry 233, and Trials of Rights of Property, 1847-1905, entry 236. Arr. by case no. For index, see entry 229. Hdw. and typed on pr. fm. 9x4x15. Co. clk.'s west off., 2nd fl.

231. UNSETTLED CURRENT ESTATE RECORDS, 1911—. 21 f. b.

Documents concerning unprobated estates, including the same types of papers as those found in entry 230. Arr. alph. by name of estate. No index. Hdw. and typed on pr. fm. 4x4x8 - 9x4x15. Co. clk.'s vlt., 2nd fl.

18. L.1821, p. 119, 120; R.L.1829, p.215, 231; L.1837, p. 429; R.S.1845, p. 427, 428; L.1851, p. 193; L.1859, p. 92-94; R.S.1874, p. 260-65; L.1877, p. 63; L.1933, p. 293.

232. PROBATE RECORD, 1845—. 20 v. (4 not lettered, B-Q). Record of probated estates, including claims against estates, final settlements, and reports, showing names of estate, judge, heirs, and claimants, and court orders. Also contains Administrators' Record, 1845-50, entry 239; Record of Executors' and Guardians' Bonds and Letters, 1845-48, entry 242, including Guardians' Record, entry 240, and Executors' Records, entry 241; Will Record, 1845-1903, entry 246; Inventory Record, 1845-52, entry 247, including Co-partnership Inventory Record, entry 250, and Guardians' Inventory Record, entry 249, which in turn includes Conservators' Inventory Record, entry 251; Appraisal Record, 1845-65, entry 248; Widows' Relinquishment and Selection Record, 1845-71, entry 253; Record of Sales of Personal Property of Estates (Private Sale), 1845-61, entry 255, including Record of Sales of Personal Property of Estates (Public Sale), entry 257; Proceedings of Petitions to Sell Real Estate, 1845-67, entry 256. Affidavits for Posting Notices, 1845-65, 1911—, entry 267; and Probate Fee Book, 1845-51, entry 275, including Fee Book of Probate Claims, entry 278, and Guardians' and Conservators' Miscellaneous Fee Book (County Court Fees), entry 201, which in turn includes Guardians' and Conservators' Fee Book, entry 277. Arr. by date of filing. 1845-46, no index; for index, 1847—, see entry 229. 1845-1922, hdw.; 1923—, typed. 500 p. 17x11x2½. Co. clk.'s vlt., 2nd fl.

233. CLOSED ESTATE GUARDIANSHIP, 1862—. 35 f. b.
1847-61 in (Probate Files), entry 230.

Documents concerning closed guardianship cases, including claims against estates, petitions, oaths, bonds, letters, widows' awards, inventories, and final reports. Arr. alph. by name of estate. For index, see entry 229. Hdw. and typed on pr. fm. 9x4x15. Co. clk.'s vlt., 2nd fl.

234. GUARDIANSHIP OPEN CASES, 1911—. 18 f. b.

Documents concerning unprobated guardian cases, including the same types of papers as those found in entry 233. Arr. alph. by name of estate. No index. Hdw. and typed on pr. fm. 9x4x15. Co. clk.'s vlt., 2nd fl.

235. ADMINISTRATORS' AND CONSERVATORS' ESTATES,
1862—. 142 f. b. (1-142).

Documents concerning closed estates, including proofs of death; letters, oaths, and bonds of administrators and conservators; inventories of real and personal property; appraisal bill listing widow's award and selections; lists of claims filed against estates; current and final reports; court orders; reports of closing of estates; and discharge of administrators. Arr. alph. by name of estate. No index. Hdw., and hdw. on pr. fm. 9x4x15. Co. clk.'s vlt., 2nd fl.

236. TRIALS OF RIGHTS OF PROPERTY, 1906—. 1 f. b.
1847-1905 in (Probate Files), entry 230.

Original papers concerning cases of right to property, including lists of property, petitions to prevent sale of property, and claims to legal title. Arr. alph. by name of estate. No index. Hdw. and typed on pr. fm. 9x4x15. Co. clk.'s west off., 2nd fl.

237. HISTORY OF GUARDIANS, 1905—. 2 v. (C, D). 1877-1904 in Estate History and Accounts Current, entry 259. History of appointment of guardians, showing names of estate, guardian, and minor heirs, date, amount, and conditions of bond, inventory of estate, amounts of receipts and expenditures, amounts due estate, accounts current, and date of final settlement. Also contains History of Conservatorship Record, 1905-23, entry 238. Arr. by date of final settlement. Indexed alph. by name of estate. Hdw. 500 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

238. HISTORY OF CONSERVATORSHIP RECORD, 1924—. 1 v. 1877-1904 in Estate History and Accounts Current, entry 259; 1905-23 in History of Guardians, entry 237. History of conservatorships in probate, showing date, names of estate and conservator, inventory of estate, amounts of receipts and expenditures, accounts current, and date of final settlement. Arr. by date of final settlement. Indexed alph. by name of estate. Hdw. 600 p. 17x11x2. Co. clk.'s west off., 2nd fl.

Wills, Bonds, Letters (See also entries 134(ii, x), 140(x, xii, xviii))

239. ADMINISTRATORS' RECORD, 1851—. 7 v. (67, A-F). Title varies: Record of Letters and Bonds of Administrators, v. 67, 1851-63. 1845-50 in Probate Record, entry 232. Record of administrators' cases in probate, showing names of deceased and administrator, list of real estate and personal property, oath, bond, letters of administration, record of final settlement, and date of approval by court. Arr. by date of recording. Indexed alph. by name of administrator. Hdw. 500 - 650 p. 17x11x2 - 17x11x4. Co. clk.'s vlt., 2nd fl.

240. GUARDIANS' RECORD, 1864—. 5 v. (A, 4, 106, 6, 7). 1845-48 in Probate Record, entry 232; 1849-63 in Record of Executors' and Guardians' Bonds and Letters, entry 242. Copies of guardians' petitions, oaths, bonds, and letters, showing names of estate, minor, guardian, and sureties, list of real and personal property, date, amount, and terms of bond, acknowledgment, and date of final report. Also contains Conservators' Record, 1864-82, entry 244. Arr. by date of recording. Indexed alph. by name of estate. Hdw. on pr. fm. 500 p. 17x11x2. Co. clk.'s west off., 2nd fl.

241. EXECUTORS' RECORDS, 1866—. 6 v. (A-F). 1845-48 in Probate Record, entry 232; 1849-65 in Record of Executors' and Guardians' Bonds and Letters, entry 242. Copies of executors' petitions, oaths, bonds, and letters, showing names of estate, executor, and sureties, list of real and personal property, date, amount, and terms of bond, record of final settlement, and court approval. Arr. by date of recording. Indexed alph. by name of estate. Hdw. 500 p. 17x11x2. Co. clk.'s west off., 2nd fl.

242. RECORD OF EXECUTORS' AND GUARDIANS' BONDS
AND LETTERS, 1849-65. 1 v. 1845-48 in Probate Record,
entry 232.

Copies of executors' and guardians' petitions, oaths, bonds, and letters, showing names of estate, executor, guardian, sureties, and witnesses, date, amount, and obligations of bond, acknowledgment, and date of filing. Guardians' Record, entry 240, and Executors' Records, entry 241, subsequently kept separately. Arr. by date of filing. Indexed alph. by name of estate. Hdw. 650 p. 17x11x2. Co. clk.'s west off., 2nd fl.

243. MISCELLANEOUS BONDS AND LETTERS, 1872—.
3 v. (A-C).

Copies of miscellaneous bonds and letters, including additional bonds and various bonds and letters which do not fit regular forms, showing names of estate, principal, and sureties, amount and obligations of bond, and dates of letter, bond, and filing. Also contains Administrator De Bonis Non and Administrator with Will Annexed Record, 1872-1901, entry 245. Arr. by date of filing. Indexed alph. by name of estate. 1872-1902, hdw. on pr. fm.; 1903—, hdw. 300 p. 18x12x1½. Co. clk.'s vlt., 2nd fl.

244. CONSERVATORS' RECORD, 1883—. 5 v. (105, 3-5, 106).
1864-82 in Guardians' Record, entry 240.

Copies of petitions for appointment, oaths, bonds, and letters of conservators, showing names of incompetent, conservator, and sureties, date, amount, and terms of bond, and court order of approval. Arr. by date of recording. Indexed alph. by name of incompetent. Hdw. 200 p. 17x11x2. Co. clk.'s west off., 2nd fl.

245. ADMINISTRATOR DE BONIS NON AND ADMINISTRA-
TOR WITH WILL ANNEXED RECORD, 1902—. 1 v.
1872-1901 in Miscellaneous Bonds and Letters, entry 243.

Copies of petitions, oaths, bonds, and letters of administrator de bonis non and with will annexed, showing names of deceased, administrator, heirs, and sureties, dates of petition, bond, letters, and oath, amount and terms of bond, and date of filing for recordation. Arr. by date of filing. Indexed alph. by name of deceased. Hdw. 200 p. 17x11x2. Co. clk.'s west off., 2nd fl.

246. WILL RECORD, 1904—. 4 v. (E-H). 1845-1903 in Probate
Record, entry 232.

Copies of last wills and testaments, showing dates of will and filing, names of deceased, heirs, and witnesses, and court orders. Arr. by date of filing. For index, see entry 229. 1904-35, hdw.; 1936—, typed. 500 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

**Inventories and Appraisements (See
also entry 134(iii, xii))**

247. INVENTORY RECORD, 1853—. 9 v. (C, D, D-J). 1845-52
in Probate Record, entry 232.

Inventories of estates in probate, showing names of estate and administrator or executor, value and description of real and personal

property, credits and accounts, and dates of inventory and report to court. Also contains Guardians' Inventory Record, 1853-72, entry 249, including Conservators' Inventory Record, entry 251; and Co-partnership Inventory Record, 1853-72, entry 250. Arr. by date of report. Indexed alph. by name of estate; for sep. index, see entry 229. Hdw. 300 p. 17x11x2. Co. clk.'s west off., 2nd fl.

248. APPRAISEMENT RECORD, 1866—. 6 v. (C, 4, E-H).
1845-65 in Probate Record, entry 232.

Record of appraisements of estates, showing names of deceased and appraiser, warrant and oath of appraiser, list and value of articles appraised, and date. Arr. by date of appraisal. Indexed alph. by name of estate. 1866-1925, hdw. on pr. fm.; 1926—, typed on pr. fm. 300 p. 17x11x2. Co. clk.'s west off., 2nd fl.

249. GUARDIANS' INVENTORY RECORD, 1873—. 2 v. (1, 2).
1845-52 in Probate Record, entry 232; 1853-72 in Inventory Record, entry 247.

Guardians' inventories of estates of minor heirs, showing date, names of estate, heirs, and guardian, value of real and personal property, notes, and accounts, and report to court. Also contains Conservators' Inventory Record, 1873-1922, entry 251. Arr. by date of inventory. Indexed alph. by name of estate. Hdw. 500 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

250. CO-PARTNERSHIP INVENTORY RECORD, 1873—. 1 v. (A). 1845-52 in Probate Record, entry 232; 1853-72 in Inventory Record, entry 247.

Inventory record of co-partnership estates, showing names of surviving and deceased partners, probate judge, and heirs, inventory of assets and liabilities, date of inventory, and report to court. Arr. by date of inventory. Indexed alph. by name of co-partnership. Hdw. 425 p. 17x11x1½. Co. clk.'s vlt., 2nd fl.

251. CONSERVATORS' INVENTORY RECORD, 1923—. 1 v. (1). 1845-52 in Probate Record, entry 232; 1853-72 in Inventory Record, entry 247; 1873-1922 in Guardians' Inventory Record, entry 249.

Copies of conservators' inventories of estates, showing names of estate and conservator, date, inventory of real and personal property, annuities and credits, and report to court. Arr. by date of inventory. Indexed alph. by name of estate. Hdw. 300 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

252. INVENTORY RECORD OF MERCHANDISE AND ESTATE OF G. MEYERS AND SON AND JOHN DICKSON, 1879-85. 2 v.

Inventory of personal property, notes and accounts of G. Meyers and Son and of John Dickson, showing valuation of property, amount due estate, interest, by whom owed, certificate of inventory, dates of filing and approval, and signature of county clerk. Arr. by date of filing. No index. Hdw. 75 p. 12x8x1. Co. clk.'s vlt., bsmt.

Widows' Relinquishment and Selection

253. WIDOWS' RELINQUISHMENT AND SELECTION RECORD, 1872—. 2 v. (4, 5). 1845-71 in Probate Record, entry 232.

Lists of personal property selected by widow, showing names of estate, widow, and appraiser, list of real and personal property selected, relinquished, and allowed, appraised value, and appraiser's statement to court. Arr. by date of report to court. Indexed alph. by name of estate. Hdw. 400 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

Petitions, Decrees, Reports of Sale (See also entry 140(xv))

254. SALE OF REAL ESTATE (To Be Recorded), 1936—. 1 f. b. Petitions of administrators to sell property to pay debts, including copy of publisher's notice, report of sale, and affidavit of administrator. Arr. by date of petition. No index. Hdw. on pr. fm. 4x4x8. Co. clk.'s west off., 2nd fl.

For record of sales of real estate, see entry 256; for record of sales of personal property, see entries 255 and 257.

255. RECORD OF SALES OF PERSONAL PROPERTY OF ESTATES (Private Sale). 1862—. 5 v. (A, 4, 6-8). 1845-61 in Probate Record, entry 232.

Copies of petitions by administrators to sell personal property at private sale, including reports of sale, and showing date, names of deceased, administrator, and purchasers, list of articles sold, amount of sale, oath and affidavit of administrator, and acknowledgment. Also contains Record of Sales of Personal Property of Estates (Public Sale), 1862-89, entry 257. Arr. by date of petition or report. Indexed alph. by name of estate. 1862-1930, hdw.; 1931—, typed. 300 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

256. PROCEEDINGS OF PETITIONS TO SELL REAL ESTATE, 1868—. 6 v. (A-F). 1845-67 in Probate Record, entry 232.

Proceedings on petitions to sell real estate belonging to estates, showing names of administrator, estate, and attorneys, dates of petition and notice, list of liabilities and assets, and court orders. Arr. by date of proceedings. Indexed alph. by name of estate. 1868-1914, hdw.; 1915—, typed. 500 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

257. RECORD OF SALES OF PERSONAL PROPERTY OF ESTATES (Public Sale), 1890—. 1 v. (5). 1845-61 in Probate Record, entry 232; 1862-89 in Record of Sales of Personal Property of Estates (Private Sale), entry 255.

Copies of petitions by administrators to sell personal property at public sale, including reports of sale, and showing date, names of deceased, administrator, and purchasers, list of articles sold, amount of sale, oath and affidavit of administrator, and acknowledgment. Arr. by date of petition or report. Indexed alph. by name of estate. Hdw. 300 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

Reports, Current and Final Accounts

258. ADMINISTRATORS' REPORT RECORD, 1845—. 6 v. (2 not lettered, A-D). Missing: 1870-71.

Record of administrators' and executors' reports on actions authorized by court, including reports of sale, and showing names of estate and administrator or executor, nature of action, list and value of property sold, and date of report. Also contains Guardian Report Record, 1845-84, entry 260, including Conservators' Report Record, entry 262; and Administrators' Final Report Record, 1845-98, entry 261. Arr. by date of report. Indexed alph. by name of estate. Hdw. 200 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

259. ESTATE HISTORY AND ACCOUNTS CURRENT, 1873—. 8 v. (1 not lettered, B-H). Title varies: Probate Estate and Account Record, 1 v. not lettered, 1873-87.

Record of reports of current accounts of estates in probate, showing names of estate, executor or administrator, and heirs, items of receipts and disbursements, and date and amount of final settlement. Also contains History of Guardians, 1877-1904, entry 237, including History of Conservatorship Record, entry 238; and Estate Ledger, 1881—, entry 263, including Guardians' Ledger, entry 264. Arr. by date of report. Indexed alph. by name of estate. Hdw. 300 p. 17x11x3. Co. clk.'s west off., 2nd fl.

260. GUARDIAN REPORT RECORD, 1885—. 5 v. (110, B-E). 1845-84 in Administrators' Report Record, entry 258.

Record of guardians' reports on actions authorized by court, showing names of estate, minor, and guardian, amounts of receipts and disbursements, balance on hand, acknowledgment, and date of report. Also contains Conservators' Report Record, 1885-1923, entry 262. Arr. by date of report. Indexed alph. by name of estate. Hdw. on pr. fm. 500 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

261. ADMINISTRATORS' FINAL REPORT RECORD, 1899—. 6 v. (1-6). 1845-98 in Administrators' Report Record, entry 258.

Final reports of administrators' to probate court, showing names of estate and administrator, amounts of receipts and expenditures, date of final settlement, and court approval. Arr. by date of court approval. Indexed alph. by name of estate. Hdw. on pr. fm. 500 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

262. CONSERVATORS' REPORT RECORD, 1924—. 1 v. 1845-84 in Administrators' Report Record, entry 258; 1885-1923 in Guardian Report Record, entry 260.

Record of conservators' reports on actions authorized by court, showing names of estate and conservator, nature of action, items of receipts and disbursements, and date of report. Arr. by date of report. Indexed alph. by name of estate. Hdw. 300 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

263. ESTATE LEDGER, 1862-80. 2 v. (A, B). 1881— in Estate History and Accounts Current, entry 259.

Ledger of accounts of receipts and disbursements of estates, showing name of estate, amount and nature of receipts and disbursements, and date of final settlement. Also contains Guardians' Ledger, 1862-65, entry 264. Arr. by date of final settlement. Indexed alph. by names of estate. Hdw. 325 p. 17x11x2. Co. clk.'s sub-vlt., 1st fl.

264. GUARDIANS' LEDGER, 1866-80. 1 v. 1862-65 in Estate Ledger, entry 263; 1881— in Estate History and Accounts Current, entry 259.

Ledger accounts of guardians, showing names of estate, guardian, and minors, itemized receipts and disbursements, and date of final settlement. Arr. by date of final settlement. Indexed alph. by name of estate. Hdw. 300 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

Claims

265. MISCELLANEOUS PROBATE PAPERS (Claims), 1840—
2 f. b.

Miscellaneous claims against estates for services rendered, acknowledged, and presented to administrator of estate, showing name of claimant, date, amount, and nature of claim, and date of filing. Arr. alph. by name of estate. No index. Hdw. and typed on pr. fm. 4x4x8. Co. clk.'s west off., 2nd fl.

266. CLAIMS (Against Estates before Probate of Will), 1931—
1 f. b.

Claims against estates filed with county clerk before will is probated, showing names of estate and claimant, and date, amount, and nature of claim. Arr. alph. by name of estate. No index. Hdw. and typed on pr. fm. 4x4x10. Co. clk.'s west off., 2nd fl.

267. AFFIDAVITS FOR POSTING NOTICES, 1866-1910. 1 v.
1845-65, 1911— in Probate Record, entry 232.

Copies of affidavits for posting notices to creditors, showing names of estate and probate judge, record of receipts and expenditures, and dates of affidavits and posting of notices. Arr. by date of affidavit. Indexed alph. by name of estate. Hdw. 550 p. 17x11x2. Co. clk.'s sub-vlt., 1st fl.

268. PROBATE JUDGMENT RECORD, 1867-95. 1 v.

Record of judgments entered in probate cases, showing names of estate and plaintiff, date, nature, and amount of claim, and date and amount of judgment. Arr. by date of judgment. Indexed alph. by name of plaintiff. Hdw. 600 p. 17x11x2. Co. clk.'s west off., 2nd fl.

For docket of claims against estates, see entry 270.

DOCKETS

269. PROBATE TRANSFER DOCKET, 1859—. 19 v. Title varies: Probate Judge's Docket, 15 v., 1859-1929.

Docket of probate court cases, showing date of hearing, case number, name of estate, kind of action, abstract of proceedings, and court orders. Also contains Guardians' Docket, 1859, 1900—, entry 271, and Assignees' Docket, 1859-71, 1885—, entry 273. 1859-1929, arr. by date of hearing; 1930—, arr. by case no. No index. Hdw. under pr. hdgs. 500 p. 16x12x2 - 18x12x2½. 15 v., 1859-1929, co. clk.'s vlt., bsmt.; 4 v., 1930—, co. clk.'s west off., 2nd fl.

270. PROBATE JUDGE'S CLAIM DOCKET, 1858—. 8 v. (A, A-E, G, H). Title varies: Probate Judgment Docket, A, A-E, 1858-1917.

Judge's docket of claims against estates in probate, showing names of estate and claimant, date, amount, and nature of claims, and judgment of court. Arr. by date of claim. Indexed alph. by name of estate. Hdw. 300 p. 17x11x2. V. A, A-E, 1858-1917, co. clk.'s vlt., bsmt.; v. G, H, 1918—, co. clk.'s west off., 2nd fl.

271. GUARDIANS' DOCKET, 1860-99. 1 v. 1859, 1900— in Probate Transfer Docket, entry 269.

Docket of cases in guardianship, showing names of estate, ward or minor, guardian, and sureties, amount and terms of bond, dates of filing and hearing, and abstract of proceedings. Arr. by date of filing. Indexed alph. by name of estate. Hdw. 200 p. 17x11x2. Co. clk.'s sub-vlt., 1st fl.

272. DOCKET OF OFFICIAL BONDS IN PROBATE 1881-93. 1 v.

Register of bonds of administrators, conservators, executors, and guardians, showing names of estate, probate judge, and sureties, date and amount of bond, and date of filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. 300 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

273. ASSIGNEES' DOCKET, 1872-84. 1 v. 1859-71, 1885— in Probate Transfer Docket, entry 269.

Assignees' docket of claims against estates, showing names of estate, assignee, and complain, date, amount, and exceptions to claim, and disposition by court. Arr. by date of claim. No index. Hdw. 140 p. 18x11x1. Co. clk.'s sub-vlt., 1st fl.

274. ESTATE DOCKET, 1870-72. 1 v.

Docket of estates in probate, showing names of estate, probate judge, sureties, widow, and heirs, date of letters of administration, amount of bond, and date of hearing. Arr. by date of hearing. Indexed alph. by name of estate. Hdw. 300 p. 17x11x2. Co. clk.'s sub-vlt., 1st fl.

FEE BOOKS

275. PROBATE FEE BOOK, 1852—. 13 v. (A-C, 1-10). 1845-51 in Probate Record, entry 232.

Register of fees received in probate cases, showing names of estate, administrator, and executors, amount of earnings and fees paid by administrator, and date of final settlement. Also contains Guardians' and Conservators' Miscellaneous Fee Book (County Court Fees), 1852-1910, entry 201, including Guardians' and Conservators' Fee Book, entry 277; and Fee Book of Probate Claims, 1852-70, 1915—, entry 278. Arr. by date of case. Indexed alph. by name of estate. Hdw. under pr. hdgs. 500 p. 17x11x2. V. A-C, 1-7, 1852-1920, co. clk.'s vlt., bsmt.; v. 8-10, 1921—, co. clk.'s west off., 2nd fl.

276. INSANITY AND CONSERVATORS' FEE BOOK, 1894—. 2 v.

Itemized list of fees received in insanity and conservatorship cases, showing date, amount, and purpose of payment, names of patient and conservator, and signature of clerk. Arr. by date of case. Indexed alph. by name of incompetent. Hdw. under pr. hdgs. 500 p. 17x11x2. 1 v., 1894-1910, co. clk.'s sub-vlt., 1st fl.; 1 v., 1911—, co. clk.'s vlt., 2nd fl.

- 277 GUARDIANS' AND CONSERVATORS' FEE BOOK, 1924—. 1 v. 1845-51 in Probate Record, entry 232; 1852-1910 in Probate Fee Book, entry 275; 1911-23 in Guardians' and Conservators' Miscellaneous Fee Book (County Court Fees), entry 201.

Accounts of fees received in conservators' and guardians' cases, showing names of estate and probate judge, itemized list of fees and costs received, and by whom paid. Arr. by date of case. Indexed alph. by name of estate. Hdw. 500 p. 17x11x2. Co. clk.'s west off., 2nd fl.

278. FEE BOOK OF PROBATE CLAIMS, 1871-1914. 1 v. 1845-51 in Probate Record, entry 232; 1852-70, 1915— in Probate Fee Book, entry 275.

Journal of fees and costs received from probate claim cases, showing names of estate and claimant, date and amount of claim, and by whom paid. Arr. by date of transaction. Indexed alph. by name of estate. Hdw. 300 p. 17x11x1½. Co. clk.'s sub-vlt., 1st fl.

279. PROBATE LEDGER, 1850-69. 1 v.

County clerk's ledger of cash receipts and disbursements in all probate cases, showing names of estate, administrator, executor, and conservator or guardian, amounts of receipts and payments, reason, and names of payer and payee. Arr. by date of transaction. Indexed alph. by name of estate. Hdw. under pr. hdgs. 500 p. 18x12x2. Co. clk.'s vlt., bsmt.

VI. CIRCUIT COURT

The circuit court has original jurisdiction of all causes in law and equity and acts as a court of appeals in probate matters and causes cognizable by the county court and justices of the peace.¹ In addition, it is one of the courts capable of having naturalization jurisdiction according to Federal statutes.²

The circuit court was held in Moultrie County by justices of the Supreme Court,³ from 1843 to 1849, when a change was made in accordance with the second constitution which provided for the election of circuit judges by the district electorate.⁴ The Constitution of 1870 altered the circuit districts and established population requirements for counties that may comprise a circuit.⁵ From 1849 to the present the circuit judges have been elected officers of the judicial district electorate. The sixth circuit is made up of six counties, one of which is Moultrie.⁶

Three circuit judges who serve for six-year terms are elected for the district. Before entering upon the duties of his office, each circuit judge is required to subscribe to an oath which he files with the Secretary of State.⁷ The salary for those circuit court judges elected after the first Monday of June, 1933 was set at \$7,200, and for those elected after the first Monday of June, 1939 the amount was increased to \$8,000. The salaries are paid from the state treasury.⁸

The hearings of several of the election contests are held before this court. Jurisdiction is granted to the court to hear and determine contests of the election of judges of the Supreme Court, judges of the circuit court, and members of the State Board of Equalization; but no judge of the circuit court is allowed to sit upon the hearing of any case in which he is a party.⁹ The circuit court also hears and determines the election contests of some of the local and county offices. These include contests of judge of the county court, mayors of cities, president of the county board, presidents of villages, elections in reference to removal of county seats and in reference to any other subject which may be submitted to the vote of the people of the county. The circuit court has concurrent jurisdiction with the county court in cases of contested elections under the latter's jurisdiction.¹⁰

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1. Constitution of 1870, Art. VI, sec. 12; L.1871-72, p. 109; R.S.1874, p. 344; L.1895, p. 189; L.1933, p. 688; L.1935, p. 1.
 2. 2 U.S.S.L. 155; U.S.R.S.1789-1874, p. 378-80; 34 U.S.S.L. 596; 37 U.S.S.L. 737; 44 U.S.S.L. 709.
 3. L.1841, p. 173; R.S.1845, p. 143.
 4. Constitution of 1848, Art. V, sec. 7, 15.
 5. Constitution of 1870, Art. VI, sec. 13.
 6. L.1933, p. 436.
 7. Constitution of 1870, Art. VI, sec. 12; L.1933, p. 436.
 8. L.1933, p. 621; L.1937, p. 189, 606. In 1835 the salary of the circuit judge was \$750 per annum (L.1835, p. 167). The Constitution of 1870 set the salary at \$3,000 until otherwise provided by law (Constitution of 1870, Art. VI, sec. 16). A few of the recent changes were: from 1919 to 1925 for judges elected during this period, \$6,500; for the period 1925 to 1933, those elected received \$8,000 per year (L.1919, p. 553, 554; L.1925, p. 400; L.1931, p. 148).
 9. L.1899, p. 152.
 10. L.1871-72, p. 396; L.1895, p. 170.

Circuit Court

Included under the jurisdiction of the circuit court are also appeals from the Illinois Commerce Commission's rules, regulations, orders, or decisions. Such appeals may be taken to the circuit court serving Moultrie County when the subject matter of the hearing is situated in this county. The appeal may be heard for the purpose of having the reasonableness or lawfulness of the rule, regulation, order, or decision inquired into and determined.¹¹

To expedite the handling of litigation, a branch circuit court may be held at the same time that the main or regular circuit court for Moultrie County is in session. A branch court is held by any circuit judge or by a judge of any other circuit called in for the purpose of hearing and deciding motions and settling the issues in any or all causes pending in the circuit court, and for the purpose of hearing chancery causes and cases at law which are pending in such court for that term. The presiding judge of the main circuit court assigns to the branch court as many of the law and chancery cases as the presiding judge of the branch court will possibly have time to hear.¹²

Also, to aid in the speedy administration of justice, the judges, or a majority of them, may by an order entered of record in the office of the clerk of the circuit court, dispense with either or both the grand and petit juries for any term or part of term of the circuit court, and may designate what term or portion thereof shall be devoted to criminal business, and what term or portion thereof to civil business.¹³

Each of the three judges of the circuit court is authorized to appoint one official shorthand reporter. This appointee is required to be skilled in verbatim reporting and is not allowed to hold more than one such official appointment. The appointment is in writing and is required to be filed in the office of the auditor of public accounts. The reporter holds office until his appointment is revoked by the appointing judge or until the termination of the judge's term. When the official reporter is absent or disabled, the presiding judge may appoint any other competent reporter to act during such absence or disability. The substitute is paid for his services by the official reporter. The reporter causes full stenographic notes of the evidence in all trials before the court to be taken down and transcript of the same to be correctly made if desired by either party to the suit, their attorneys, or the judge of the court. Each of the reporters receives and is paid out of the state treasury an annual salary of \$3,240. The salaries are paid out monthly on the warrant of the auditor of public accounts.¹⁴

The probation officer for adult probationers is an appointee of the circuit court.¹⁵ His services extend throughout the county. Courts exercising criminal or quasi-criminal jurisdiction are given power to release on probation adult or juvenile offenders found guilty of committing certain specified offences.¹⁶ In the performance of

11. L.1921, p. 742, 743.

12. L.1873-74, p. 82, 83; L.1905, p. 146.

13. L.1835, p. 167, 168; L.1933, p. 441, 442.

14. L.1933, p. 463, 464.

15. L.1911 p. 280.

16. Ibid., p. 277.

Circuit Court

his prescribed duties, the probation officer principally serves the county and circuit courts. He is required to give bond as determined by the circuit court in a sum not exceeding \$5,000 and is subject to the rules of and removal by the appointing court.¹⁷ Moultrie County has one probation officer, under the law of 1915 providing for one such officer for each fifty thousand, or fraction thereof, of population.¹⁸

The probation officer is compensated at a rate determined by the county board. In the performance of his duties, he is required to investigate the cases of defendants requesting probation; notify the court of previous conviction or probation; make reports to the respective courts; keep a set of records as described below; take charge of, and watch over, all persons placed on probation in his county, and all probationers moving from another county into his county. He is also required to notify probation officers in other counties of any probationers under his supervision who may move into those counties.¹⁹

The reports made by the probation officer to the courts are kept by the clerk in the respective cases. The courts' probation records include orders granting or refusing releases on probation, probationers' bonds, the reports of probation officers noted above, and discharge of probationers.

The probation officer is required to keep complete accurate records of investigated cases, including descriptions of the investigated persons, the action of the court, and the subsequent history of probationers. These are records open to inspection by any judge or by any probation officer pursuant to a court order and are not public records.²⁰

Unlike the judges of the circuit court who are elected by the judicial district electorate, the clerk of this court is elected by the county electorate.²¹ This official performs the ministerial duties of the circuit court of Moultrie County and files and preserves its records as well as those of the branch circuit court.²² He is commissioned by the Governor and before entering upon the duties of his office, gives bond with sureties which are approved by any two of the judges of the court. His bond is given in the sum of not less than \$5,000 as agreed upon by the judges. The oath to which he subscribes is filed with the Secretary of State.²³ If a vacancy occurs in this office and the unexpired term does not exceed one year, the court is required to fill such vacancy by appointment of a clerk pro tempore. The appointee is then required to qualify for office in the same manner as the clerk of the circuit court. When the appointment is made, the court notifies the Governor of the filled vacancy. The Governor in turn, as soon as practicable, issues a writ of election for the circuit court clerk.²⁴

17. L.1911, p. 280, 281; L.1915, p. 380, 381.

18. L.1915, p. 380. School census to be basis for determining population.

19. L.1911, p. 281, 282; L.1915, p. 381, 382.

20. L.1911, p. 277-84; L.1915, p. 378-84.

21. Constitution of 1848, Art. V, sec. 7, 21, 29; Constitution of 1870, Art. X, sec. 8.

22. L.1905, p. 147.

23. R.S.1874, p. 260.

24. L.1873-74, p. 95.

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The clerk of the circuit court was first appointed by the circuit judge in Moultrie County.²⁵ He kept a record of all the oaths that he administered and certified a copy annually to the Secretary of State.²⁶ The clerk preserved a complete record of all proceedings and determinations of the court of which he was clerk.²⁷ At each term of the circuit court, the clerk inquired into the condition of the treatment of prisoners and was required to see that all prisoners were humanely treated.²⁸ This authority was in later years, and is at present, delegated to the circuit court.²⁹ One of the early requisites of this office was for the clerk of the circuit court to reside near the county seat in order that he could attend to his duties daily. In the event that it were not possible for him to be in daily attendance, the presiding judge was to fill such vacancy.³⁰ The Constitution of 1848 made the clerk of the circuit court an elective officer of the county with a four-year term. This arrangement has continued until the present.³¹

The clerk is able to perform the several duties of his office with the aid of his staff which consists of assistants and deputy clerks who are appointed by him in a number determined by rule of the circuit court.³² This order is entered as of record and the compensation of such assistants and deputies is set by the county board.³³

Among the records kept by the clerk for the circuit court are the following:³⁴

1. Books of record of the proceedings and judgments of the court, with alphabetical indexes by parties. Proceedings are recorded at length only in cases designated by law, or when the court, at the motion and assumption of expense by one of the parties, so orders. In practice, from an early date the court record has been broken down into segregated types of proceedings and judgments.
2. "Plaintiff-Defendant Index to Court Records" and "Defendant-Plaintiff Index to Court Records," intended to be separate records, but frequently combined in a single volume with the two indexes segregated in each volume.
3. A general docket in which all suits are entered in the order they are commenced.
4. A judgment and execution docket containing a column for the entry of satisfaction or other disposition. In practice, an execution docket is frequently set up independently.
5. Additional dockets, designated as the clerk's, judge's, and bar docket. In practice, the bar docket has tended to drop out of use.

25. Constitution of 1818, Art. IV, sec. 6; R.L.1833, p. 152; R.S.1845, p. 146.

26. L.1819, p. 349.

27. R.L.1829, p. 44; R.L.1833, p. 152; R.S.1845, p. 147.

28. R.L.1827, p. 248.

29. R.S.1874, p. 616; L.1923, p. 424.

30. R.L.1829, p. 35.

31. Constitution of 1848, Art. V, sec. 29; Constitution of 1870, Art. X, sec. 9.

32. L.1831, p. 49; Constitution of 1870, Art. X, sec. 9.

33. Constitution of 1870, Art. X, sec. 9.

34. The Civil Practice Act of 1933 grants authority to the circuit court, subject to rules promulgated by the Supreme Court and not inconsistent with statutory requirements, to make such rules as they may deem expedient, regulating dockets and calendars of said court (L.1933, p. 786).

6. A fee book in which costs and fees are to be entered under the proper title of the case. In practice, separate series of volumes are maintained under such titles of causes.
7. Transcripts of proceedings in appeals from justices', city, and foreign courts, dockets thereof, and transcripts of judgments for liens, etc., from the former. Separate well-bound books are required to be kept for each city court. These books are to contain an alphabetical docket of all judgment decrees rendered in the city court. They also provide for entry of data relating to the filing and the transcript with the corresponding number of the transcript.³⁵
8. Naturalization proceedings from petitions to final certificates; Federal statutes allow the circuit court to exercise jurisdiction.
9. Reports to the court from the designated masters in chancery, the state's attorney, and the coroner's inquest juries.
10. Jury venires, summonses, certificates, etc.
11. Original documents used in court hearings and determinations. These documents are of particular importance because in a large number of cases the complete proceedings are not spread on court record.
12. Monthly reports of the warden of the county jail, containing a list of all prisoners in his custody, showing causes of commitment and names of persons by whom committed.³⁶

PROCEEDINGS OF COURT

Case Papers

280. INDEX TO COURT FILES, 1849—. 3 v. (1,1, 2). Index to Common Law Files, entry 281; Chancery Files, entry 282; Criminal Case Files, entry 283, showing names of plaintiff and defendant, type of case, date of court term, and case and file box numbers. Arr. alph. by name of plaintiff. Hdw. under pr. hdgs. 300 p. 17x11x1½. Cir. clk.'s west off., 2nd fl.

281. COMMON LAW FILES, 1849—. 173 f. b. (1-173). Papers filed in common law cases, including summonses, citations, petitions, affidavits, subpoenas, orders of court, defendant's answers, suits, final orders of reversal, instructions to jury, stipulations, declarations, praecipe for execution, depositions of evidence, and receipts for fees. Also contains Bonds (Miscellaneous), 1849-73, entry 318, including Trustees' Reports with Bond, entry 313. Arr. by case no. For index, see entry 280. Hdw. and typed on pr. fm. 9x4x14. Cir. clk.'s west off., 2nd fl.

35. R.S.1874, p. 347; L.1901, p. 136, 137.

36. R.L.1827, p. 217; R.S.1843, p. 323-26, 414, 418, 419, 518; L.1865, p. 79, 80; R.S.1874, p. 262, 263, 339, 616; L.1895, p. 217; L.1933, p. 442, 677; 2 U.S.S.L. 153-55; U.S.R.S.1789-1874, p. 378-80; 34 U.S.S.L. 596-607, 709, 710; 45 U.S.S.L. 1514, 1515.

282. CHANCERY FILES, 1849—. 262 f. b. (1-262).

Papers filed in chancery cases, including summonses, citations, petitions, affidavits, subpoenas, orders, defendant's answers, bills for divorce, final orders of reversal, instructions to jury, stipulations, declarations, praecipe for execution, transcripts of evidence, master's certificates of levy, sale, and redemption, and receipts for fees. Also contains Masters' Reports, 1849-87, entry 312. Arr. by case no. For index, see entry 280. Hdw. on pr. fm. 9x4x14. Cir. clk.'s vlt., 2nd fl.

283. CRIMINAL CASE FILES, 1864—. 34 f. b. (A-Y, AA-II).

Papers filed in criminal cases, including summonses, subpoenas, pleas, warrants, writs, information, witness affidavits, depositions, commitments, stipulations, replications, appeals, recognizance and appeal bonds, jury verdicts, and court decrees. Also contains Indictments (Current), 1864-1937, entry 286. Arr. by case no. For index, see entry 280. 1864-97, hdw.; 1898—, typed on pr. fm. 9x4x14. Cir. clk.'s vlt., 2nd fl.

284. EXECUTIONS (and Confessions), 1864—. 14 f. b.

Original executions and confessions of judgment, showing names of plaintiff and defendant, amounts of plaintiff's and defendant's costs, total costs, dates of issuance, return, and filing of execution, and date and amount of judgment. Arr. by date of filing. No index. Hdw. on pr. fm. 9x4x14. Cir. clk.'s vlt., 2nd fl.

285. MECHANICS' LIEN, 1880—. 2 f. b.

Mechanics' liens showing names of claimant and defendant, legal description of property, date, amount, and number of lien, signature of claimant, and dates of filing and notarization. Arr. by date of filing. No index. Hdw. on pr. fm. 9x4x14. Cir. clk.'s west off., 2nd fl.

For records of mechanics' liens, see entry 140(xi).

286. INDICTMENTS (Current), 1938—. 1 f. b. 1864-1937 in Criminal Case Files, entry 283.

Indictments of grand jury in criminal cases, showing name of defendant, nature of crime, date and number of indictment, and remarks. Arr. by date of indictment. No index. Typed. 9x4x14. Cir. clk.'s vlt., 2nd fl.

287. RECORDS PERTAINING TO RECEIVERSHIP ON BETHANY STATE BANK, 1918. 1 f. b.

Papers pertaining to assets and claims against Bethany State Bank, showing name of claimant, date, amount, and number of claim, and court orders. Arr. by date of claim. No index. Typed. 9x4x14. Cir. clk.'s vlt., 2nd fl.

Case Records

288. INDEX TO COURT RECORDS (Plaintiff and Defendant), 1866—. 2 v. (A plaintiff; A defendant).

Index to Chancery Records, Circuit Court, entry 289; Circuit Court Record, Common Law, entry 290; Circuit Court Record, Criminal, entry 291; and Law and Criminal Records, Circuit Court, entry 292, showing names of plaintiff and defendant, type of action, date of term, and book and page of entry. Arr. alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 500 p. 17x11x2. Cir. clk.'s west off., 2nd fl.

289. CHANCERY RECORDS, CIRCUIT COURT, 1866—. 22 v. (1-22). 1849-65 in Circuit Court Records (Common Law, Criminal, and Chancery), entry 292.

Record of chancery cases, including divorce cases, showing date, names of plaintiff, defendant, and attorneys, type of action, case number, court orders, and final disposition of case. Arr. by date of proceedings. Indexed alph. by name of plaintiff; for sep. index, see entry 288. 1866-98, hdw. on pr. fm.; 1899—, typed on pr. fm. 500 p. 17x11x2. Cir. clk.'s vlt., 2nd fl.

290. CIRCUIT COURT RECORD, COMMON LAW, 1883—. 7 v. (7-13). 1849-65 in Circuit Court Records (Common Law, Criminal, and Chancery), entry 293; 1866-82 in Law and Criminal Records, Circuit Court, entry 292.

Record of common law cases, showing names of plaintiff, defendant, and attorneys, date, type of action, case number, court orders, and final disposition of case. Contains lien and satisfaction docket entries to 1886. Arr. by date of proceedings. Indexed alph. by name of plaintiff; for sep. index, see entry 288. 1883-1903, hdw. on pr. fm.; 1904—, typed on pr. fm. 500 p. 17x11x2. Cir. clk.'s vlt., 2nd fl.

291. CIRCUIT COURT RECORD, CRIMINAL, 1883—. 7 v. (2-8). 1849-65 in Circuit Court Records (Common Law, Criminal, and Chancery), entry 293; 1866-82 in Law and Criminal Records, Circuit Court, entry 292.

Record of criminal cases, showing names of plaintiff, defendant, attorneys, and witnesses, date, type of action, case number, court orders, and final disposition of case. Also contains Record of State's Attorneys' Reports, 1927—, entry 311; Recognizance Record, Circuit Clerk, 1883-1901, entry 319; and Probation Record, 1913—, entry 320. Arr. by date of proceedings. Indexed alph. by name of defendant; for sep. index, see entry 288. 1883-1921, hdw. on pr. fm.; 1922—, typed on pr. fm. 500 p. 17x11x2. Cir. clk.'s vlt., 2nd fl.

292. LAW AND CRIMINAL RECORDS, CIRCUIT COURT, 1866-82. 3 v. (1, 3, 5). 1849-65 in Circuit Court Records (Common Law, Criminal), and Chancery), entry 293.

Record of common law and criminal cases, with lien and satisfaction docket entries prior to 1887, showing date, names of plaintiff, defendant, and attorneys, case number, type of action, court orders, and final disposition of case; contains lien and satisfaction docket entries. Also contains Recognizance Record, Circuit Clerk, 1866-82, entry 319. Circuit Court Record, Common Law, entry 290, and Circuit Court Record, Criminal, entry 291, subsequently kept separately. Arr. by date of proceedings. Indexed alph. by name of plaintiff; for sep. index, see entry 288. Hdw. on pr. fm. 500 p. 17x11x2. Cir. clk.'s vlt., 2nd fl.

293. CIRCUIT COURT RECORDS (Common Law, Criminal, and Chancery), 1849-65. 2 v. (O, A).

Record of common law, criminal, and chancery cases, showing names of plaintiff, defendant, and attorneys, date, type of action, case number, court orders, and final disposition of the case; contains lien and satisfaction docket entries. Also contains Recognizance Record, Circuit Clerk, 1849-65, entry 319. Chancery Records, Circuit Court, entry 289, and Law and Criminal Records, Circuit Court, entry 292, including Circuit Court Record, Common Law, entry 290, and Circuit Court Record, Criminal entry 291, subsequently kept separately. Arr. by date of proceedings. Indexed alph. by name of defendant. Hdw. 500 p. 17x11x2. Cir. clk.'s vlt., 2nd fl.

294. CONFESSION IN VACATION AND TERM TIME, 1864—. 9 v. (6, 10, 11, 13-18).

Record of confessions of judgment in court term and vacation, showing names of plaintiff, defendant, and attorneys, type of action, date and amount of judgment, and court orders. Also contains Default Record, 1925—, entry 295. Arr. by date of judgment. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 500 p. 17x11x2. V. 6, 10, 11, 13-16, 1864-1929, co. clk.'s vlt., bsmt.; v. 17, 18, 1930—, cir. clk.'s vlt., 2nd fl.

295. DEFAULT RECORD, 1874-1924. 2 v. (1 not numbered, 12). Missing: 1885-96. Title varies: Default and Confession Record, 1 v. not numbered, 1874-84. 1925— in Confession in Vacation and Term Time, entry 294.

Record of judgments by default and confession in term time, showing names of plaintiff, defendant, and attorneys, case number, dates and amounts of damages and judgment, court orders, and final disposition of case. Arr. by date of judgment. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 500 p. 17x11x2. Cir. clk.'s vlt., 2nd fl.

TRANSCRIPTS

(See also entries 134(xi), 140(xvi))

296. TRANSCRIPTS JUSTICE OF PEACE, 1860—. 3 f. b.

Transcripts of judgment from foreign and justice of the peace courts, including petitions, testimonies, and court orders. Arr. by date of transcript. No index. Hdw. on pr. fm. 9x4x14. Cir. clk.'s vlt., 2nd fl.

297. RECORD OF TRANSCRIPTS OF JUDGMENT FROM JUSTICE OF THE PEACE COURT, 1860—. 4 v.

Record of transcripts of judgments from foreign and justice of the peace courts, showing date, names of plaintiff, defendant, attorneys, and officers of the court, kind of action, proceedings of court, amount of judgment, and court orders. Arr. by date of transcript. Indexed alph. by name of plaintiff. Hdw. 350 p. 17x11x2. 2 v., 1860-93, cir. clk.'s vlt., bsmt.; 2 v., 1894—, cir. clk.'s vlt., 2nd fl.

DOCKETS

298. **CIRCUIT JUDGES' DOCKET, 1865—.** 27 v. (18 v., 1865-1916; 9 v., 1903—). Title varies: Judges' Docket - Law, Chancery, and Criminal, 7 v., 1865-85.

Judges' docket of common law, chancery, and criminal cases, showing names of plaintiff, defendant, attorneys, and judge, date, number and type of case, and abstract of proceedings. Also contains Judges' Docket Trustees, 1865-1912, entry 304, and Naturalization Docket, 1865-87, 1899-1906, entry 323. Arr. by date of case. Indexed alph. by name of defendant. 1865-1920, hdw.; 1921—, typed. 400 p. 17x11x2½. 18 v., 1865-1916, cir. clk.'s vlt., bsmt.; 9 v., 1903—, cir. clk.'s west off., 2nd fl.

299. **GENERAL DOCKET (Chancery, Law, and Criminal), 1865—.** 21 v. (18 not numbered, 1-3). Title varies: Circuit Clerk's Docket (Common Law, Chancery and Criminal), 18 v. not numbered, 1865-1909.

Clerk's docket of common law, criminal, and chancery cases, showing date, names of plaintiff, defendant, and attorneys, type of action, abstract of proceedings, and date of filing. Arr. by date of filing. No index. Hdw. under pr. hdgs. 600 p. 17x11x3. 18 v., 1865-1909, cir. clk.'s vlt., bsmt.; 3 v., 1910—, cir. clk.'s vlt., 2nd fl.

300. **JUDGMENT AND EXECUTION DOCKET, 1879—.** 13 v. (2-14).

Docket of judgments and executions, showing names of plaintiff and defendant, type and number of case, date and number of judgment and execution, amount of judgment and costs, and sheriff's remarks. Judgment Docket, entry 301, and Execution Docket, entry 302, formerly kept separately. Arr. by case no. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 500 p. 17x11x2. Cir. clk.'s sub-vlt., 1st fl.

301. **JUDGMENT DOCKET, 1859-78.** 1 v. 1879— in Judgment and Execution Docket, entry 300.

Docket of judgments, showing names of plaintiff, defendant, and attorneys, number and type of case, description of property, amounts of debt or damages and court costs, abstract of proceedings, and date of filing. Also contains Execution Docket, 1859-64, entry 302. Arr. by case no. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 500 p. 17x11x2. Cir. clk.'s sub-vlt., 1st fl.

302. **EXECUTION DOCKET, 1865-78.** 1 v. 1859-64 in Judgment Docket, entry 301; 1879— in Judgment and Execution Docket, entry 300.

Docket of executions issued, showing names of plaintiff and defendant, amount and date of judgment, legal description of property, amounts of damages and costs, date and number of execution, and court orders. Arr. by date of execution. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 500 p. 17x11x2. Cir. clk.'s sub-vlt., 1st fl.

303. **LIEN AND SATISFACTION DOCKET, 1887—.** 2 v.

Lien and satisfaction docket showing names of plaintiff and defendant, date, number, and amount of claim, description of property, and dates of filing and release. Arr. by date of filing. Indexed alph. by name of defendant. Hdw. 250 p. 17x11x2½. Cir. clk.'s vlt., 2nd fl.

For prior docket entries, see entries 290, 292, and 293.

304. JUDGES' DOCKET TRUSTEES, 1913—. 1 v. 1865-1912
in Circuit Judges' Docket, entry 298.

Docket of circuit court cases of estates in trusteeship, showing names of estate, trustee, plaintiff, and attorneys, cases and type of action, case number, date of report, and abstract of proceedings. Arr. by case no. Indexed alph. by name of estate. Hdw. 200 p. 17x11x1. Cir. clk.'s vlt., 2nd fl.

305. JUSTICE OF THE PEACE DOCKETS, 1881-1919. 19 v.
Subsequent dockets kept by justices of the peace.

Dockets of cases in justice of the peace courts, showing names of plaintiff, defendant, justice, and township, type of case, amounts of fines and fees, court orders, and final disposition of case. Arr. by date of case. No index. Hdw. 500 p. 15x9x2. Cir. clk.'s vlt., bsmt.

306. BAR DOCKET, 1849-78. 5 v. (1-5).

Docket of common law, chancery, and criminal cases, showing names of plaintiff, defendant, and attorneys, type of case, and date of trial. Arr. by case no. No index. Hdw. under pr. hdgs. 150 p. 13x8x1. Cir. clk.'s vlt., bsmt.

FEE BOOKS**307. FEE BOOKS LAW, CHANCERY AND CRIMINAL,
CIRCUIT COURT, 1859—.** 27 v. (1-27).

Register of common law, criminal, and chancery fees, showing names of plaintiff and defendant, date, type of case, amount of clerk's, sheriff's, and miscellaneous fees, total amount of fees, and date reported to county board. Also contains Earnings and Receipts of Circuit Clerk, 1859-72, entry 308, and Fee Book in Vacation, 1859-91, 1900—, entry 309. Arr. by date of case. Indexed alph. by name of defendant. Hdw. 500 p. 17x11x2. V. 1-21, 1859-1927, cir. clk.'s vlt., 2nd fl.; v. 22-27, 1928—, cir. clk.'s west off., 2nd fl.

**308. EARNINGS AND RECEIPTS OF CIRCUIT CLERK,
1873—.** 4 v. (1-4). 1859-72 in Fee Books Law, Chancery
and Criminal, Circuit Court, entry 307.

Register of miscellaneous and court fees earned and received, showing date, case number, names of plaintiff, defendant, and payer, book and page of record, amounts of earnings, receipts, and total fees received. Arr. by date of case. No index. Hdw. 600 p. 17x11x2. V. 1-3,, 1873-1900, cir. clk.'s vlt., bsmt.; v. 4, 1901—, cir. clk.'s vlt., 2nd fl.

309. FEE BOOK IN VACATION, 1892-99. 1 v. 1859-91, 1900—
in Fee Books Law, Chancery and Criminal, Circuit Court,
entry 307.

Register of fees collected by circuit clerk in court vacation, showing names of plaintiff and defendant, date, type, and amount of fee, and total amount fees collected. Arr. by date of collection. Indexed alph. by name of defendant. Hdw. 300 p. 17x11x1½. Cir. clk.'s vlt., bsmt.

REPORTS TO COURT

(See also entry 314)

310. STATE'S ATTORNEY REPORTS, 1872—. 2 f. b.

Reports of state's attorney and magistrates to circuit court of fees, fines, and forfeitures collected, including the county treasurer's receipts for money deposits, showing names of defendant and court, nature of offense, amounts of fees, fines, and forfeitures, and date of receipt. Arr. by date of report. No index. 1872-1914, hdw.; 1915—, typed. 9x4x14. Cir. clk.'s vlt., 2nd fl.

311. RECORD OF STATE'S ATTORNEYS' REPORTS, 1872-1926. 1 v. 1927— in Circuit Court Record, Criminal, entry 291.

Copies of state's attorney's reports to circuit court of fines, fees, and forfeitures collected, showing names of defendant and court, nature of offense, amounts of fine, fee, or forfeiture, and date and number of treasurer's receipt for money. Arr. by date of report. No index. Hdw. 150 p. 17x11x2. Cir. clk.'s sub-vlt., 1st fl.

312. MASTER'S REPORTS, 1888—. 3 f. b. 1849-87 in Chancery Files, entry 282.

Reports of master in chancery to circuit court, showing date, names of plaintiff and defendant, amounts of receipts, expenditures, and cash on hand at time of last report. Arr. by date of report. No index. 1888-1912, hdw.; 1913—, typed. 9x4x14. Cir. clk.'s vlt., 2nd fl.

313. TRUSTEES' REPORTS WITH BOND, 1900—. 3 f. b. 1849-73 in Common Law Files, entry 281; 1874-99 in Bonds (Miscellaneous), entry 318.

Bonds and reports of trustees of estates, showing dates and itemized account of receipts and expenditures, balance available, value of estate, date, amount, and terms of bond, and names of principal and sureties. Arr. by date of report. No index. Hdw. and typed. 9x4x14. Cir. clk.'s vlt., 2nd fl.

JURY RECORDS

(See also entries 3, 215, 216)

314. JURY LISTS, GRAND AND PETIT, JAIL REPORTS, 1872—. 3 f. b.

Lists of grand and petit jurors, showing name, address and township of persons selected for jury, number of calls, and term of court; also reports of grand jury on condition of jail. Arr. by term date. No index. 1872-1914, hdw.; 1915—, hdw. and typed. 9x4x14. Cir. clk.'s vlt., 2nd fl.

315. REGISTER OF JURORS (Certificates). 1867—. 2 v. (A,B).

Register of certificates of grand and petit jurors, showing date, number, and amount of certificate, number of days of service, mileage, and signature of clerk and juror. Arr. by date of certificate. No index. Hdw. under pr. hdgs. 400 p. 17x11x1½. V. A, 1867-1913, cir. clk.'s vlt., bsmt.; v. B, 1914—, cir. clk.'s vlt., 2nd fl.

BONDS

Official (See also entries
134(iii), 140(iv), 159, 375)

316. OFFICIAL BONDS, 1860—. 16 f. b.

Original bonds of county officials and officers, showing date, amount, and conditions of bond, names of officer and sureties, and date of filing. Arr. by date of filing. No index. Hdw. on pr. fm. 9x4x14. Cir. clk.'s vlt., 2nd fl.

Court (See also entry 283)

317. RECOGNIZANCE (Bonds), 1864—. 3 f. b.

Original recognizance bonds showing names of principal and surety, date, amount, and conditions of bond, nature of charge, and date and place of trial. Arr. by date of bond. No index. Hdw. on pr. fm. 9x4x14. Cir. clk.'s vlt., 2nd fl.

318. BONDS (Miscellaneous), 1874—. 2 f. b. 1849-73 in Common Law Files, entry 281.

Original appeal, injunction, replevin, and attachment bonds, showing names of principal and sureties, date, amount, and terms of bond, and date of expiration. Also contains Trustees' Reports with Bond, 1874-99, entry 313. Arr. by date of bond. No index. Hdw. on pr. fm. 9x4x14. Cir. clk.'s vlt., 2nd fl.

319. RECOGNIZANCE RECORD, CIRCUIT CLERK, 1902—.

2 v. (1, 2). 1849-65 in Circuit Court Records (Common Law, Criminal, and Chancery), entry 293; 1866-82 in Law and Criminal Records, Circuit Court, entry 292; 1883-1901 in Circuit Court Record, Criminal, entry 291.

Copies of recognizance bonds, showing date, amount, and conditions of bond, names of defendant, sureties, attorneys, judge, and clerk, nature of charge, case number, and date and place of trial. Arr. by case no. Indexed alph. by name of defendant. Hdw. on pr. fm. 300 p. 17x11x2½. V. 1, 1902-13, cir. clk.'s vlt., bsmt.; v. 2, 1914—, cir. clk.'s vlt., 2nd fl.

PROBATION AND PAROLE

320. PROBATION RECORD, 1912. 1 v. 1913— In Circuit Court Record, Criminal, entry 291.

Record of probation cases, showing name, habits, and occupation of probationer, nature of charge, date and terms of probation, amount of bond and restitution, date of report to probation officer, and court orders. Arr. by date of probation. Indexed alph. by name of probationer. Hdw. on pr. fm. 300 p. 17x11x½. Cir. clk.'s vlt., bsmt.

321. RECORD OF CERTIFICATE OF DISCHARGE UNDER PAROLE LAW, 1898. 1 v.

Record of discharge certificates issued to parolees, showing name of parolee, dates of application and certificate, and court orders. Arr. by date of certificate. Indexed by name of parolee. Hdw. 135 p. 16x10x½. Cir. clk.'s vlt., bsmt.

NATURALIZATION
(See also entries 226, 227)

Subsequent naturalization records kept by the United States
District Court, Danville, Illinois

322. **NATURALIZATION RECORDS, 1867-1906.** 1 v.
Copies of declarations of intention, final papers, and oaths of
allegiance, showing name, age, nativity, and address of alien,
renunciation of allegiance to foreign power, date, and signature of
clerk. Arr. by date of final papers. Indexed alph. by name of ap-
plicant. Hdw. 500 p. 17x11x2. Cir. clk.'s vlt., bsmt.

323. **NATURALIZATION DOCKET, 1888-98.** 1 v. 1865-87,
1899-1906 in Circuit Judges' Docket, entry 298.
Docket of naturalization cases, showing name of petitioner, date,
case number, and abstract of proceedings. Arr. by date of petition.
Indexed alph. by name of petitioner. Hdw. 250 p. 16x11x1. Cir.
clk.'s vlt., bsmt.

OFFICE TRANSACTIONS

Receipts and Expenditures

324. **CASH BOOK, CIRCUIT CLERK, 1859—.** 6 v. (2 not
lettered, A-D). Title varies: Receipts and Expenditures,
2 v. not lettered, 1859-94.
Circuit clerk's account of cash receipts and expenditures, showing
date, amount, and purpose of receipt or expenditure, name of payer
or recipient, total amount of receipts and expenditures, and balance
available. Arr. by date of transaction. No index. 1859-94, hdw.
under pr. hdgs.; 1895—, hdw. 300 p. 17x14x1½. 2 v. not lettered,
v. A, B, 1859-1915, cir. clk.'s vlt., bsmt.; v. C, D, 1916—, cir. clk.'s
vlt., 2nd fl.

325. **AFFIDAVITS FOR WITNESS FEES, 1870—.** 5 v.
Copies of affidavits for witness fees, showing name and address of
witness, date and number of affidavit, names of plaintiff and de-
fendant, mileage, number of days of service, amount of earnings,
and date of filing. Arr. by date of filing. No index. Hdw. 300 p.
17x11x1½. 3 v., 1870-1912, cir. clk.'s vlt., bsmt.; 2 v., 1913—, cir.
clk.'s vlt., 2nd fl.

Court Business

326. **STATE'S ATTORNEYS' RECEIPTS, 1896-1902.** 1 v.
Register of court papers issued from office of circuit clerk to state's
attorney, showing document number, name of recipient, and dates of
issue and return. Arr. by date of issue. No index. Hdw. 150 p.
15x10x½. Cir. clk.'s vlt., bsmt.

VII. SHERIFF

The sheriff, by constitutional provision, has been an elected officer in Moultrie County from the organization of the county, in 1843, to the present.¹ The term of his office, originally set at two years,² is now four years.³ In 1880 it was provided, by constitutional amendment, that no person elected to the office of sheriff should be eligible for reelection to that office until four years after the expiration of his term of office.⁴ His bond in this county is required in the sum of \$10,000 and must be approved by the county judge.⁵ Memoranda of this bond are entered at large upon the records of the county court, and the bond is filed in the office of the county clerk.⁶ One or more deputies are appointed by the sheriff in accordance with the number allowed by rule of the circuit court. Compensation of the deputies is determined by the county board.⁷ The sheriff is warden of the county jail and has custody and regulation of the same and of all prisoners.⁸ To assist him in this administration, he appoints a superintendent of the county jail for whose conduct he is responsible, and whom he may remove at pleasure.⁹

Essentially without change for over one hundred years, the principal duties of the sheriff are the following:

1. To act as conservator of the peace, with power to arrest offenders on view.¹⁰
2. To attend, in person or by deputy, all courts of record (city, county, probate, circuit, and appellate courts) in his county, and to obey the orders and directions of the courts.¹¹
3. To serve, execute, and return all writs, warrants, process, orders, and decrees legally directed to him.¹²
4. To sell real or personal property by virtue of execution or other process.¹³
5. To send fingerprints of criminals to the State Bureau of Criminal Identification and Investigation.¹⁴

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1. Constitution of 1818, Art. III, sec. 11; Constitution of 1848, Art. VII, sec. 7; Constitution of 1870, Art. X, sec. 8; second amendment November 22, 1880, to the Constitution of 1870, Art. X, sec. 8; also L.1819, p. 109, 110; R.S.1874, p. 989.
 2. Constitution of 1818, Art. III, sec. 11; Constitution of 1848, Art. VII, sec. 7.
 3. Constitution of 1870, Art. X, sec. 8.
 4. *Ibid.*, as amended November, 1880.
 5. R.S.1874, p. 989. Cf. R.L.1827, p. 371. Prior to the organization of the county court, the sheriff's bond and securities were approved by the circuit court.
 6. R.S.1845, p. 514; R.S.1874, p. 989.
 7. R.L.1827, p. 373; R.S.1845, p. 515; L.1869, p. 399; Constitution of 1870, Art. X, sec. 9.
 8. L.1819, p. 111, 112; R.L.1827, p. 247-50; L.1831, p. 103, 104, 106; R.L.1833, p. 574, 575; L.1845, p. 8, 10, 19; R.S.1845 p. 133, 134, 515-17; R.S.1874, p. 616, 989-91; L.1901, p. 137, 138; L.1923, p. 423-26. The citations also include references to duties not included in the general outline noted above.
 9. L.1923, p. 423.
 10. R.L.1827, p. 372; R.S.1845, p. 515; R.S.1874, p. 990.
 11. R.L.1827, p. 372; R.S.1845, p. 515; R.S.1874, p. 990.
 12. *Ibid.*
 13. R.L.1827, p. 334; L.1838-39, p. 14-18, 20; R.S.1845, p. 302, 306, 307; L.1871-72, p. 505, 507; R.S.1874, p. 622, 623, 627-29.
 14. L.1931, p. 465.

In the course of the sheriff's many detailed duties included in these broad provisions, the following records may be kept but do not appear in Moultrie County:

1. Receipts of deliveries of prisoners in changes of venue.¹⁵
2. Copies of reports to the county court and circuit court.¹⁶
3. Reports of pawnbrokers on loans and articles pawned.¹⁷
4. Data of identification of criminals and stolen property.¹⁸

The following records may be kept and do appear:

1. Register of prisoners.¹⁹
2. "Book of Accounts," including records of fees and disbursements.²⁰
3. Docket of executions.
4. Process docket.

PROCESS

327. SHERIFF'S EXECUTION DOCKET, 1866—. 7 v. Docket of executions served by sheriff, showing names of plaintiff, defendant, and sheriff, dates of judgment, writ, and return, amount of damages, cost, and sheriff's fees, and signatures of attorneys. Also contains Sheriff's Process Docket, 1866-89, entry 328. Arr. by date of writ. Indexed alph. by name of defendant. Hdw. 300 p. 17x11x2. Sh.'s off., 1st fl.

328. SHERIFF'S PROCESS DOCKET, 1890—. 7 v. 1866-89 in Sheriff's Execution Docket, entry 327. Docket of process papers served by sheriff, showing names of plaintiff, defendant, sheriff, and court, docket number, dates of issue, receipt, return, and service, amount of sheriff's fees, and signature of plaintiff's attorney. Arr. by date of issue. Indexed alph. by name of defendant. Hdw. 300 p. 17x11x2. Sh.'s off., 1st fl.

JAIL RECORDS

329. JAIL REGISTER, 1876—. 3 v. Register of prisoners in county jail, showing name of prisoner, personal and occupational statistics, crime record, sentence imposed, dates of commitment and discharge, and sheriff's remarks. Arr. by date of commitment. Indexed alph. by name of prisoner. Hdw. 300 p. 15x10x2. Sh.'s off., 1st fl.

FEEES

330. COUNTY SHERIFF'S CASH BOOK, 1873—. 7 v. Title varies: County Sheriff's Fee Book, 4 v., 1873-1905. Register of fees received by sheriff, showing date of receipt, case and process docket numbers, amounts received in county, circuit, and foreign courts, type of service, total amount received, and disposal of fees. Arr. by date of receipt. No index. Hdw. under pr hdgs. 250 p. 16x12x1½. Sh.'s off., 1st fl.

15. R.S.1874, p. 1096.

16. *Ibid.*, p. 617; L.1923, p. 424; L.1933, p. 678.

17. L.1909, p. 301.

18. L.1931, p. 465.

19. R.S.1874, p. 617; L.1923, p. 424.

20. L.1871-72, p. 450-51; L.1873-74, p. 104, 105.

VIII. CORONER

The coroner's office in Moultrie County has continued in existence from the organization of the county, in 1843, to the present.¹ The coroner is elected by the county electorate for a four-year term.² After certification of his election by the county clerk, filing of his bond, and taking oath of office, he receives his commission from the Governor.³ The coroner's bond in this county is required in the sum of \$5,000 and must be approved by the county judge.⁴ The inquest duties of this official have changed little over a period of more than a century. The coroner acts as a conservator of the peace with powers equal to those of sheriff in this respect and serves as a ministerial officer of the courts in the absence or disqualification of the sheriff; he also performs all the other duties of the latter when the office is vacant.⁵

The most important function of the coroner is to hold inquests over the bodies of persons supposed to have come to their death by violence, casualty, or other undue means. When notification of such death is received, the coroner proceeds to the body, takes charge of it, and summons a jury composed of six men from the vicinity in which the body was found. The jury is instructed to assemble at a stated time and place, to view the body and to inquire into the cause and manner of the death. If the inquest is continued and a vacancy should occur on the jury, the coroner is allowed to fill such vacancy.⁶

To the custody of the clerk of the circuit court are returned the verdict of the jury, and such recognizances as may be given the coroner by witnesses whose testimony implicates any person as the unlawful slayer of the deceased.⁷ In his own office, the coroner files and preserves the record of such testimony.⁸ The coroner also keeps one record which he originates, the "inquest record." This record recapitulates all the data involved in the entire inquest procedure and includes an inventory and accounting of the personal property and money of the deceased.⁹

Deputy coroners appointed by this official assist him in the performance of the duties of his office. The number of deputies is set by rule of the circuit court, and their compensation is determined by the county board of supervisors. The bond or securities of these assistants are taken by the coroner, and the oath to which each subscribes is filed in the county clerk's office.¹⁰

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1. Constitution of 1818, Art. III, sec. 11; L.1849, Second Sess., p. 7; Constitution of 1870, Art. X, sec. 8.
 2. The office is constitutional and elective (Constitution of 1818, Art. III, sec. 11; Constitution of 1870, Art. X, sec. 8). The term, formerly two years, is now four years (second amendment, November 22, 1880, to Constitution of 1870, Art. X, sec. 8).
 3. R.S.1845, p. 514; R.S.1874, p. 281.
 4. R.S.1874, p. 281.
 5. L.1819, p. 111, 160; L.1821, p. 20-23; L.1825, p. 63, 64; R.L.1827, p. 246-50, 372, 373, 375; R.S.1845, p. 515, 517; R.S.1874, p. 281, 282.
 6. L.1821, p. 22-24; R.S.1845, p. 517, 518; R.S.1874, p. 282-84; L.1879, p. 82; L.1907, p. 213; L.1919, p. 403, 404; L.1931, p. 388, 389.
 7. L.1821, p. 24, 25; R.S.1845, p. 518; R.S.1874, p. 283.
 8. L.1869, p. 104, 105; R.S.1874, p. 283; L.1907, p. 213, 214; L.1919, p. 293, 294.
 9. L.1821, p. 25, 26; R.S.1874, p. 283.
 10. Constitution of 1870, Art. X, sec. 9; L.1881, p. 63.

331. CORONER'S INQUEST, 1880—. 4 f. b.

Original papers in coroner's inquest proceedings, including testimonies of witnesses, jury verdicts, coroner's certificates of death, and lists of jurors. Arr. by date of inquest. No index. Hdw. on pr. fm. 9x4x14. Cir. clk.'s vlt., 2nd fl.

332. CORONER'S RECORD, 1905—. 1 v. Missing: October, 1932 - May, 1934.

Record of inquest proceedings, showing name, address, and description of deceased, names and addresses of jurors and witnesses, date of inquest, inventory and disposition of personal effects, testimony of witnesses, and verdicts of jury. Arr. by date of inquest. Indexed alph. by name of deceased. Hdw. on pr. fm. 300 p. 18x12x3½. Cor.'s residence, 1st fl.

IX. STATE'S ATTORNEY

In Moultrie County, since its organization in 1843, the state's attorney has commenced and prosecuted in courts of record all actions in which the people of the state or county were concerned.¹ Legislation enacted in 1835, provided that the state's attorney be appointed by the General Assembly.² This provision remained effective until 1848, when the state's attorney became an elective officer of the circuit district electorate.³ At this time his services also were expanded to include the newly created county court. Finally, the present constitution made the office elective in and for each county.⁴ Bond in the sum of \$5,000 has been required since 1872.⁵ From the creation of this office in the state until the present, the state's attorney has continued to receive his commission from the Governor for the tenure of his office.⁶ In 1835 his term was set at two years.⁷ Then, in 1849, the state's attorney's office became elective by the district electorate for a four-year term, the first term, however, being only for three years and ending in 1852.⁸ In Moultrie County the state's attorney receives an annual salary of \$1,625, with an additional \$400 paid by the state. Statutory fee rates are allowed him for convictions on specified offenses and crimes before justices of the peace, police magistrates, county and circuit courts. Also, rates are established for preliminary examinations of defendants, for attendance at trials, and for appeals. These several fees and rates make up a county fund from which is paid his salary.⁹

The duties of the state's attorney are the following:

1. To commence and prosecute all actions, suits, indictments, and prosecutions, civil or criminal, in any court of record in his county in which the people of the state or county may be concerned.
2. To prosecute all forfeited bonds and recognizances and all actions and proceedings for the recovery of debts, revenues, moneys, fines, penalties, and forfeitures accruing to the state or his county, or to any school district in his county; also to prosecute all suits in his county against railroads or transportation companies, which may be prosecuted in the name of the people of the State of Illinois.
3. To commence and prosecute all actions and proceedings brought by any county officer in his official capacity.

1. R.L.1827, p. 79, 80; L.1835, p. 44; R.S.1845, p. 76; R.S.1874, p. 173, 174.

2. L.1835, p. 44.

3. Constitution of 1848, Art. V, sec. 21.

4. Constitution of 1870, Art. VI, sec. 22; R.S.1874, p. 172.

5. L.1871-72, p. 189.

6. R.L.1833, p. 98; L.1835, p. 44; Constitution of 1848, Art. V, sec. 28; Constitution of 1870, Art. VI, sec. 22; R.S.1874, p. 172.

7. L.1835, p. 44.

8. Constitution of 1848, Art. V, sec. 21; Constitution of 1870, Art. VI, sec. 22.

9. L.1871-72, p. 422; L.1873-74, p. 104, 105; L.1899, p. 231-33; L.1929, p. 474-76; L.1937, p. 607.

State's Attorney

4. To defend all actions and proceedings brought against his county or against any county or state officer, in his official capacity.
5. To attend the examination of all persons brought before any judge on habeas corpus when the prosecution is in his county.
6. To attend before justices of the peace and prosecute charges of felony or misdemeanor for which the offender is required to be recognized, and to appear before a court of record when it is within his power to do so.
7. To give his opinion without fee or reward, to any county officer or justice of the peace in his county upon any question of law relating to any criminal or other matter in which the people of the state or county may be concerned.
8. To assist the Attorney General whenever it may be necessary, and in cases of appeal or writ of error from his county to the Supreme Court, to which it is the duty of the Attorney General to attend, he shall, a reasonable time before the trial of such appeal or writ of error, furnish the Attorney General with a brief, showing the nature of the case and the questions involved.
9. To pay all moneys received by him in trust, without delay, to the officer who by law is entitled to their custody.
10. To perform such other and further duties as may from time to time be enjoined upon him by law.
11. To appear in all proceedings by collectors of taxes against delinquent taxpayers for judgment to sell real estate, and to see that all the necessary preliminary steps have been legally taken to make the judgment legal and binding.¹⁰
12. To enforce the collection of all fines, forfeitures, and penalties imposed or incurred in the courts of record in his county; and to report to the circuit court on the collection of these moneys.¹¹

For reports of the state's attorney to the county board and county court, see entries 1, 212; for reports to the circuit court, see entries 291, 310, 311.

10. R.S.1845, p. 76; R.S.1874, p. 172-74.

11. L.1909, p. 406; L.1912, Third Sp. Sess., p. 88, 89; L.1929, p. 475.

X. SUPERVISOR OF ASSESSMENTS

The county supervisor of assessments, with the aid of the township assessors in Moultrie County, is responsible for the assessment of property upon which the township, district, county, state, and other taxes are levied. Principally, these officers annually revise the assessment of property, correct the same upon complaint, and quadrennially assess real and personal property.¹ Many statutory provisions have regulated this function in Moultrie County. Early laws fixed the value of the several categories of real and personal property, leaving to the assessing officer only limited discretion.²

Property assessments in Moultrie County were first made by district assessors, appointees of the county commissioners' court.³ In 1844, this duty was assumed by the county treasurer⁴ and continued to be vested in that office until 1867 when township organization was instituted in this county,⁵ and assessments were made by township assessors, elected one in each township annually.⁶

Between 1849 and 1898, the assessing officers in Moultrie County received their assessment lists from, and reported assessments to, the county clerk.⁷ In the latter year, the legislature provided that the county treasurer should be ex-officio supervisor of assessments.⁸ From that date until the present, the township assessors have worked under the direction of, and reported the assessment of property to, the county treasurer, acting in this ex-officio capacity. Every assessor is bonded in the sum of \$500. Bond for the supervisor of assessments is \$2,000 or such larger sum as the county board may determine.⁹

For other taxation records, see also entries 43-76, 187, 188, 335-350, 372, 382.

333. RAILROAD STATEMENTS, 1865—. 29 f. b.

Schedules of taxable property issued and filed by railroad companies, showing name and location of railroad, number of acres of right of way, miles of track, rolling stock, buildings, and improvements, with value of property, and date of filing. Arr. by date of filing. No index. Hdw. under pr. hdgs. 4x4x8. 5 f. b., 1865-1908, co. clk.'s sub-vlt., 1st fl.; 24 f. b., 1909—, co. clk.'s west off., 2nd fl.

334. PERSONAL PROPERTY TAX SCHEDULES, 1935—. 1 v.

Tax schedules for personal property, showing name and address of owner, description and classification of property, full and assessed values, acknowledgment, and date of filing. Arr. by date of filing. No index. Hdw. on pr. fm. 400 p. 16x11x2. Treas.'s vlt., 2nd fl.

1. L.1871-72, p. 20-22; L.1879, p. 243; L.1881, p. 134; L.1891, p. 187; L.1898, p. 37, 40, 44; L.1903, p. 295, 296; L.1923, p. 491, 492, 504, 505; L.1927, p. 713, 714; L.1928, Sp. Sess., p. 106; L.1931-32, First Sp. Sess., p. 66.
2. L.1819, p. 313-19; L.1825, p. 173; L.1839, p. 4-6; L.1840, p. 4; L.1845, p. 6.
3. L.1839, p. 4. From 1827 to 1839 property assessments were made by the county treasurer (R.L.1827, p. 330).
4. L.1843, p. 231, 237; L.1853, p. 46.
5. Moultrie County adopted township organization in 1866, but the change was not effective until 1867.
6. L.1851, p. 38, 54-57; L.1853, p. 14, 15; L.1855, p. 35, 37; L.1871-72, p. 20-24.
7. L.1849, p. 121, 128; L.1849, Second Sess., p. 38; L.1853, p. 14, 17, 47, 49, 50; L.1871-72, p. 19, 20, 22, 23.
8. L.1898, p. 36, 37.
9. Ibid., p. 38, 39; L.1923, p. 493, 494; L.1927, p. 743, 744.

XI. BOARD OF REVIEW

The authority to assess, equalize, and review or revise the assessment of property, an important aspect of the revenue procedure, is exercised by the board of review.¹ Early legislation provided for appeals from assessments to the county commissioners' court. The court was empowered to review and revise assessments on real and personal property.² In 1849, when the county court succeeded the county commissioners' court in Moultrie County, appeals were made to that body.³ When township organization was instituted in 1867⁴ this jurisdiction was given to the town board composed of the township supervisor, clerk, and assessor.⁵ The board of supervisors in their annual meeting examined the assessment rolls in the several towns to ascertain whether the valuations in one town bore just relation to the valuations in all other towns in the county, and were empowered to increase or diminish the aggregate valuation of real estate in any town accordingly. They could make whatever alterations in the description of the lands of nonresidents they deemed necessary, and were required to assess the value of any lands omitted by the assessor.⁶ In 1872 the duties of the board of supervisors with regard to assessments were the following:

1. To assess omitted property.
2. To review assessments upon complaint.
3. To hear and determine the application of any person assessed on property claimed to be exempt from taxation.
4. To ascertain whether the valuation in one town or district bore just relation to the valuation in all towns or districts in the county and adjust the assessment.⁷

In 1898 this authority was transferred to the newly created board of review, composed of the chairman of the county board who became ex-officio chairman of the board of review, the county clerk, and one citizen appointed by the county judge.⁸ Since 1923 the board has consisted of the chairman of the county board as ex-officio chairman of the board of review, and two citizens appointed by the county judge. The members of the board select their own clerk. The two citizen members are appointed alternately for a two-year term.⁹

Today, the board of review in Moultrie County is required to assess taxable property omitted from the regular assessment, to review and correct assessments on property claimed to be incorrectly assessed, to increase or reduce the entire assessment if, in their opinion, it has not been made upon the proper basis, to hear and

1. L.1898, p. 46-49; L.1915, p. 566-70; L.1919, p. 727; L.1923, p. 496-502; L.1930, Sp. Sess., p. 86-90; L.1931-32, First Sp. Sess., p. 71, 75-78; L.1935, p. 1163-66.
 2. L.1839, p. 7; L.1845, p. 8; R.S.1845, p. 441.
 3. L.1849, p. 65.
 4. Moultrie County adopted township organization in 1866, but the change was not effective until 1867.
 5. L.1851, p. 56; L.1871-72, p. 21, 22, 24, 25.
 6. L.1851, p. 57, 58; L.1871-72, p. 24, 25.
 7. Ibid.
 8. L.1898, p. 46.
 9. L.1923, p. 496, 497; L.1931-32, First Sp. Sess., p. 71, 72.

determine the application of any person assessed on property claimed to be exempt from taxation, and to correct errors or mistakes, except errors of judgment, as to the valuation of any property, any time before judgment.¹⁰

For other taxation records, see also entries 43-76, 187, 188, 333, 334, 338-350, 372, 382.

335. TAX OBJECTIONS, 1881—. 3 f. b.

Original tax objections filed with board of review, showing name of owner, legal description of property, amount of tax due, date of filing, and disposition of case. Arr. by date of filing. No index. Hdw. and typed. 9x4x15. Co. clk.'s vlt., 2nd fl.

336. BOARD OF REVIEW COMPLAINT DOCKET, 1899—. 4 v. (1-4).

Docket of tax complaints, showing number and date of complaint, name of complainant, legal description of property, assessed value as alleged by complaint, reason for complaint, and findings and orders of board. Arr. by date of complaint. No index. Hdw. under pr. hdgs. 300 p. 16x11x3. Treas.'s vlt., 2nd fl.

337. RECORD OF BOARD OF REVIEW, 1899—. 5 v. (1-5).

Transcript of minutes of board of review, showing dates of meeting and adjournment, names of assessor, complainant, and members of board, reason for complaint, type of action, and orders of the board. Arr. by date of meeting. No index. Hdw. 300 p. 16x11x3. V. 1-3, 1899-1925, co. clk.'s vlt., bsmt.; v. 4, 5, 1926—, treas.'s vlt., 2nd fl.

10. L.1898, p. 46-49; L.1915, p. 566-70; L.1919, p. 727; L.1923, p. 496-502; L.1930, First Sp. Sess., p. 85-90; L.1931-32, First Sp. Sess., p. 70, 71, 75-78; L.1936, p. 1163-66.

XII. COLLECTOR

Tax collections in Moultrie County were made by the sheriff¹ until 1867 when township organization was instituted,² when they became the joint responsibility of the townships and the county, with the county treasurer acting as ex-officio county collector.³

Under this plan, town collectors, elected one in each township,⁴ made collections of resident property taxes,⁵ while nonresident and delinquent taxes were collected by the county treasurer.⁶ By the terms of an act of 1855, the town collectors were required to return their tax lists or books to the county collector who delivered them to the county clerk.⁷ This provision was changed in 1872 by an act of the General Assembly which provided that the county collector should make an annual sworn statement to the county clerk, showing the total amount of each kind of tax collected, the amount received from each town collector, and the amount collected by himself.⁸

The collection procedure in Moultrie County was altered in 1917 when the legislature provided for the abolishment of the office of town collector in counties with fewer than one hundred thousand inhabitants, the county collector to be ex-officio town collector in such counties.⁹ As Moultrie County never attained this population minimum,¹⁰ the county collector has continued to make collections for the townships as well as for the county.¹¹

The county collector is bonded in an amount determined upon by the county board in addition to that bond required of him as county treasurer.¹² Under statutory provisions, he collects taxes for the state, county, and other governmental agencies, and pays to the proper authorities the amount in his hands payable to them.¹³ He also settles annually with the county board.¹⁴ He prepares an annual list of delinquent property and files it with the county clerk,¹⁵ advertises his intention of applying for judgment for sale of delinquent lands and lots,¹⁶ and is required to attend, in person or by

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1. L.1843, p. 234; L.1853, p. 99. From 1827 to 1839 tax collections were made by the sheriff (R.L.1827, p. 370, 374), and from 1839 to 1843, by a county collector, an appointee of the county commissioners' court, (L.1838-39, p. 7).
 2. Moultrie County adopted township organization in 1866, but the change was not effective until 1867.
 3. L.1851, p. 38, 59, 64; L.1853, p. 67.
 4. L.1851, p. 38.
 5. Ibid., p. 59.
 6. Ibid., p. 53.
 7. L.1855, p. 37.
 8. L.1871-72, p. 56, 57; L.1873-74, p. 56; L.1930, Sp. Sess., p. 66, 67.
 9. L.1931, p. 756; L.1931-32, First Sp. Sess., p. 112; L.1933, p. 873, 921; L.1933-34, Third Sp. Sess., p. 220; L.1935, p. 1156, 1213; L.1935-36, Fourth Sp. Sess., p. 69, 70.
 10. The population of Moultrie County was 14,630 in 1910; 14,839 in 1920; and 13,247 in 1930 (Population Bulletin, p. 9).
 11. L.1925, p. 605; L.1929, p. 774, 775; L.1931, p. 905-8; L.1933, p. 1115, 1116.
 12. L.1871-72, p. 36; L.1931, p. 748; L.1931-32, First Sp. Sess., p. 85, 86; L.1933-34, Third Sp. Sess., p. 225, 226.
 13. L.1871-72, p. 56-59; L.1933, p. 922; L.1935, p. 1156, 1213; L.1935-36, Fourth Sp. Sess., p. 68, 69.
 14. L.1871-72, p. 55; L.1935, p. 1155, 1156.
 15. L.1898, p. 51; L.1931, p. 759.
 16. L.1871-72, p. 44; L.1937, p. 1010.

deputy, all tax sales resulting from this action.¹⁷ The county clerk, in person or by deputy, is also required to attend all tax sales.¹⁸ At such sales, the clerk and collector note and make entry of all tax sales and forfeitures to the state.¹⁹

The county collector is required to keep his records as collector of taxes separate from his records as county treasurer.²⁰ The records of the collector's office include duplicates of receipts issued to taxpayers, state auditor's and county clerk's certification of the collector's settlement with them, duplicates of the collector's reports, delinquent property records, and tax sale and forfeiture records.

For other taxation records, see also entries, 43-76, 187, 188, 333-337, 372, 382.

ASSESSMENTS

338. RAILROAD, TELEPHONE AND TELEGRAPH TAX RECORD, 1870—. 5 v. (1-5).

Collector's lists of taxable railroad and telegraph property, including telephone property subsequent to 1889, showing name of railroad, telephone, or telegraph company, legal description of property, acres of right of way, miles of track, rolling stock, value as listed by railroad, telephone or telegraph company, equalized value as fixed by county and state boards, rate, tax spread, amount of back tax, and total tax. Arr. by date of levy. No index. Hdw. under pr. hdgs. 500 p. 16x15x2. V. 1-4, 1870-1922, co. clk.'s vlt., bsmt.; v. 5, 1923—, treas.'s vlt., 2nd fl.

COLLECTION, SETTLEMENT

339. COLLECTOR'S CREDITS IN ACCOUNT WITH AUDITOR, 1870—. 4 f. b.

Statements of taxes collected by the county collector and filed with the county clerk, showing itemized amounts of taxes collected on real estate and personal property assessed in the county, and amounts collected on delinquent and forfeited property, amounts due State of Illinois, certificate of final settlement, and signature of auditor of public accounts. Arr. by date of filing. No index. Hdw. under pr. hdgs. 9x4x14. Co. clk.'s west off., 2nd fl.

340. COUNTY COLLECTOR'S PARTIAL SETTLEMENT WITH STATE OFFICERS, 1892—. 2 f. b.

Statements of partial settlement of taxes due state, showing amounts paid and due state, and date of filing. Arr. by date of filing. No index. Hdw. on pr. fm. 4x4x10. Co. clk.'s west off., 2nd fl.

341. ORIGINAL TAX RECEIPTS, 1930—. 1 f. b.

County collector's original tax receipts, showing name of taxpayer, legal description of property, amounts paid and delinquent, interest and advertising costs, date of payment, and treasurer's signature. Arr. by date of receipt. No index. Hdw. on pr. fm. 10x18x30. Treas.'s off., 2nd fl.

17. L.1871-72, p. 48; L.1930, First Sp. Sess., p. 64.

18. L.1871-72, p. 48.

19. Ibid., L.1933, p. 886.

20. L.1917, p. 664, 665; L.1930, First Sp. Sess., p. 60-62; L.1935, p. 1149-58.

342. FINAL SETTLEMENT RECORD, 1861—. 10 v. (1-9, 1 not numbered). Title varies: Settlement with Town Officers, 1-9, 1861-1928.

Accounts and final settlement of taxes by county collector, including collector's annual report, showing names of assessor, payee, collector, and county clerk, amount charged to collector, date, amounts of back tax, interest, current taxes, clerk's fees, forfeited tax, and collector's commission, amount of final payment, total amount paid, and balance due. Also contains Settlement with School Treasurer, 1861-1921, 1931—, entry 343. Arr. by date of payment. No index. Hdw. under pr. hdgs. 300 - 400 p. 17x11x2 - 17x17x2½. V. 1-8, 1861-1928, co. clk.'s vlt., bsmt.; 1 v. not numbered, 1929—, treas.'s vlt., 2nd fl.

343. SETTLEMENT WITH SCHOOL TREASURER, 1922-30. 1 v. 1861-1921, 1931— in Final Settlement Record, entry 342.

County collector's account with school treasurers, showing name and number of school district and township, total tax collected, and date and amount of payment to school treasurer. Arr. by date of payment. No index. Hdw. under pr. hdgs. 300 p. 17x11x2. Treas.'s vlt., 2nd fl.

344. COLLECTOR'S STATEMENT OF ERRORS, 1887—. 35 v. Copies of list of errors in assessment submitted by collector to county clerk, showing date of filing, names of collector and property owner, legal description and value of property, amounts of taxes and special assessments, cause of error, and amount to be credited to collector; includes lists of errors in columnar footings of tax books. Arr. by date of filing. No index. Hdw. 150-500 p. 16x11x½ - 16x11x1. 1 v., 1887-1908, co. clk.'s vlt., bsmt.; 34 v., 1909—, co. clk.'s east off., 2nd fl.

345. COUNTY TREASURER'S (Collector's) MISCELLANEOUS SETTLEMENTS, 1898—. 7 v. (1-4, 8-10). Title varies: County Treasurer's Distribution Records, v. 1-4, 1898-1918. Ledger of collector's distribution of taxes, showing name of property owner, payment, receipt number, location of property, and amounts allocated to state, county, town, road and bridge, high schools, and city or village accounts. Arr. by date of levy. Indexed alph. by name of twp. Hdw. under pr. hdgs. 300 p. 15x16x2. V. 1-4, 8, 9, 1898-1928, co. clk.'s vlt., bsmt.; v. 10, 1929—, treas.'s vlt., 2nd fl.

346. TREASURER'S (Collector's) ACCOUNT WITH COLLECTORS, 1867-1918. 2 v. (A, B). Office of township collector abolished in 1918. Collector's account of taxes collected by township collectors, showing names of collector and township, legal description of property, amounts of collection, delinquency and collector's commission, and recapitulation. Arr. by date of collection. No index. Hdw. under pr. hdgs. 200 p. 16x11x1½. Co. clk.'s vlt., bsmt.

347. REGISTER OF TAX COLLECTED, 1888-90. 2 v. Register of taxes levied and collected, showing names of payee and collector, receipt number, legal description of property, and amount and date of payment. Arr. by date of payment. No index. Hdw. 300 p. 15½x10x1½. Co. clk.'s vlt., bsmt.

DELINQUENT TAX, ABATEMENTS

348. DELINQUENT TAX LISTS, 1872-1910. 3 f. b.

Lists of lands and lots upon which taxes have not been paid, showing name of owner, legal description of property, date, and amount due. Arr. by date of levy. No index. Hdw. under pr. hdgs. 10x4x12. Co. clk.'s sub-vlt., 1st fl.

349. ABATMENT LIST, PERSONAL PROPERTY, 1900—. 35 v.
1872-99 in Delinquent Tax List by Townships, entry 350.

List of abated personal property taxes, showing names of owner and collector, description of personal property, amount of taxes, reason for delinquency, and date of filing. Arr. by date of filing. Indexed alph. by name of twp. Hdw. 300 p. 13x8x2. Co. clk.'s east off., 2nd fl.

350. DELINQUENT TAX LIST BY TOWNSHIPS, 1872-1917.
357 v.

Lists of real and personal property on which taxes are delinquent, showing name of owner, description of property, and amounts of assessments and delinquencies. Also contains Abatement List, Personal Property, 1872-99, entry 349. Real estate arr. by sec., twp., and range; personal property arr. alph. by name of owner. No index. Hdw. 15 p. 17x14x1/2. Co. clk.'s vlt., bsmt.

XIII. TREASURER

In Moultrie County the treasurer has been an elective official since its organization in 1843.¹ He is commissioned by the Governor for a four-year term.² In 1880, by amendment of the Constitution of 1870, it was provided that no treasurer be eligible for reelection to the office until four years after the expiration of his term of office.³ The penal sum of the treasurer's bond and his securities are determined by the county board.⁴ Upon request of the treasurer, the board designates the bank in which the public funds are to be deposited.

In the performance of his duties, the treasurer receives the county revenue, has custody of its funds, and disburses them in accordance with orders of the county board or specific authorization by law. He is required to keep books of accounts of all funds received and disbursed by him, to maintain a register of county orders countersigned and paid, to report annually to the county board on the financial transactions of his office, and to settle his accounts with the board semiannually.⁵ The last two requirements give rise to a number of segregated records of accounts beyond strict statutory requirements. In addition, reports are made to the treasurer by other county, district, public, and semipublic authorities in the process of transacting business with him; and, finally, a large number of records arise from the requirement for collectors of taxes to settle their accounts with the treasurer.⁶

The treasurer acts as ex-officio treasurer of the special drainage district.⁷

GENERAL ACCOUNTS

Ledgers and Journals (See also entry 6)

351. CASH BOOK (County Treasurer), 1844—. 7 v. (4 not numbered 1, 2, 1 not numbered). Title varies: County Treasurer's Account of Funds Record, 4 v., 1844-91.

Treasurer's cash book account of county funds, including court costs and fees, and mothers' pension funds, 1913—, showing date, amount, and purpose of receipt or expenditure, name of payer or recipient, fund of issue, total receipts and disbursements, and amount

1. L.1837, p. 48, 274; L.1845, p. 28; R.S.1845, p. 137; L.1851, p. 144; Constitution of 1870, Art. X, sec. 8. From 1827 to 1837, the county treasurer was appointed by the county commissioners' court (R.L.1827, p. 329, 330; R.L.1833, p. 515, 516).
2. The term was set at four years in 1837 (L.1837, p. 274); it was later reduced to two years (L.1845, p. 28; L.1851, p. 144). The office was made constitutional in 1870 without change of term (Constitution of 1870, Art. X, sec. 8, as amended November, 1880).
3. Constitution of 1870, Art. X, sec. 8, as amended November, 1880.
4. R.L.1827, p. 329; R.S.1874, p. 323. The bond is required to be filed in the office of the county clerk.
5. L.1837, p. 582, 583; L.1843, p. 151; R.S.1845, p. 137-39; L.1861, p. 239, 240; R.S.1874, p. 323, 324.
6. R.L.1827, p. 330-33; L.1839, p. 8-10; L.1845, p. 11; L.1895, p. 304; L.1913, p. 516; L.1933, p. 898.
7. L.1885, p. 78, 104.

available. Also contains County Treasurer's Account of Inheritance Tax, 1895-1911, entry 360; and Monthly Report of Condition of Highway Fund, 1844-1926, entry 362. Arr. by date of transaction. No index. Hdw. under pr. hdgs. 300 - 350 p. 16x10x2 - 17x11x2. 4 v. not numbered, 1844-91, co. clk.'s vlt., bsmt.; v. 1, 2, 1 not numbered, 1892—, treas.'s vlt., 2nd fl.

352. LEDGER (County Treasurer), 1886-1924. 1 v. Daily account of cash received and disbursed, showing date, amount, and purpose of receipt or expenditure, total receipts and expenditures, fund issue, and balance available. Arr. by date of transaction. No index. Hdw. under pr. hdgs. 600 p. 18x11x2. Co. clk.'s vlt., bsmt.

For prior and subsequent similar records, see entry 351.

Registers of Orders (See also entries 8-10)

353. REGISTER OF COUNTY ORDERS AND JURY CERTIFICATES, 1861—. 9 v. (A, 1, B-E, 1-3). Missing: 1861-94. Title varies: Warrant Register, v. A, 1, E, B-E, 1861-1924.

Register of all paid county orders, including witness fees, showing date, amount, and number of warrant, name of recipient, and fund of issue. Also contains County Highway Warrant Register, 1861-1931, entry 354. Arr. by date of warrant. No index. Hdw. under pr. hdgs. 250 - 300 p. 17x11x3 - 17x 17x2. V. A, 1, D-E, 1861-1924, co. clk.'s vlt., bsmt.; v. 1-3, 1925—, treas.'s vlt., 2nd fl.

354. COUNTY HIGHWAY WARRANT REGISTER, 1932—. 1 v. (1). 1861-1931 in Register of County Orders and Jury Certificates, entry 353.

Register of county highway warrants, including warrants drawn on motor fuel tax fund, showing date, amount, and number of warrant, name of recipient, and fund of issue. Arr by date of warrant. No index. Hdw. under pr. hdgs. 200 p. 17x17x2. Treas.'s vlt., 2nd fl.

Cancelled County Orders (See also entries 11-20)

355. COUNTY ORDERS AND JURY CERTIFICATES CANCELLED, 1861—. 54 bdl., 1 f. b.

Cancelled county orders and jury certificates showing date, amount, number, and purpose of order, name of payee, and date of cancellation. Arr. by date of cancellation. No index. Hdw. on pr. fm. Bdl. 2x3x7; f. b. 4x4x9. 54 bdl., 1861-1915, co. clk.'s vlt., bsmt.; 1 f. b., 1916—, treas.'s vlt., 2nd fl.

SPECIAL ACCOUNTS

School (See also entries 365-367)

356. INSTITUTE FUND RECORD, 1883—. 1 v. (1).

Register of fees of teachers' institute funds received by county treasurer from superintendent of schools, showing name and address of teacher, amount of certificate or renewal fees, and date and to whom disbursed. Arr. by date of transaction. No index. Hdw. under pr. hdgs. 300 p. 11x17x1½. Treas.'s vlt., 2nd fl.

357. NON-HIGH SCHOOL RECORD, 1913—. 1 v. (1).

Account of non-high school funds, showing amount of receipts and expenditures, and balance available. Arr. by date of transaction. No index. Hdw. under pr. hdgs. 300 p. 16x12x1½. Treas.'s vlt., 2nd fl.

Probate

358. ESTATE FUND RECORD, 1894—. 2 v.

Account book of estate funds of missing heirs held in trust by county treasurer, and funds received from guardians, trustees, and administrators of estates, showing names of missing heirs, estate, and guardians or trustees, amount due each heir, and total amount. Arr. by date of establishing account. Indexed alph. by name of estate. Hdw. 200 p. 12x8x1. Treas.'s vlt., 2nd fl.

Inheritance Tax (See
also entries 222-225)

359. INHERITANCE TAX FILES, 1912—. 2 f. b.

Inheritance tax appraisements showing names of appraisers and beneficiaries, legal description of property, appraised value, amount of statutory exemption, taxable cash value, rate of taxation, and date of transaction. Arr. by date of appraisement. No index. Hdw. on pr. fm. 9x4x14. Treas.'s vlt., 2nd fl.

360. COUNTY TREASURER'S ACCOUNT OF INHERITANCE
TAX, 1912—. 1 v. (1). 1895-1911 in Cash Book (County
Treasurer), entry 351.

Treasurer's Inheritance tax collection account showing names of estate and heirs or legatees, gross amount collected from each heir, dates of tax, amount of treasurer's commission, and net amount due state. Arr. by date of tax. Indexed alph. by name of estate. Hdw. 100 p. 15x10x1. Treas.'s vlt., 2nd fl.

Bridge and Highway (See also
entries 7, 10, 27, 29, 379-381)

361. TREASURER'S ACCOUNT OF RECEIPTS AND EX-
PENDITURES (Roads and Bridges), 1922—. 1 v.

Register of county highway road and bridge fund transactions, showing date, amount, and purpose of receipts, itemized account of expenditures for road and bridge improvements, engineering, day labor, and salaries, and balance available. Arr. by date of transaction. No index. Hdw. under pr. hdgs. 200 p. 10x8x2. Treas.'s vlt., 2nd fl.

362. MONTHLY REPORT OF CONDITION OF HIGHWAY
FUND, 1927—. 1 v. 1844-1926 in Cash Book (County
Treasurer), entry 351.

Copies of treasurer's monthly report on condition of highway fund, including motor fuel tax fund, showing date, amount, and purpose of receipts and expenditures, total amount of cancelled and outstanding warrants, and balance available, and date of report. Arr. by date of report. No index. Hdw. under pr. hdgs. 300 p. 16x11x2. Treas.'s vlt., 2nd fl.

363. **MOTOR FUEL TAX ALLOTMENT RECORD, 1932—**. 1 v. Account of motor fuel tax allotments, showing date, amount, and purpose of receipts and expenditures, name of payer or recipient, total receipts and expenditures, and balance available. Arr. by date of transaction. No index. Hdw. under pr. hdgs. 200 p. 8x12x1½. Treas.'s vlt., 2nd fl.

Dog License (See also entry 106)

364. **DOG LICENSE FUND RECORD** (and Record of Sheep Claims), 1890—. 2 v. (1, 1). Register of collections of dog license taxes and payments of sheep claims, showing names of payer and claimant, date, number, and amount of claim, total amounts of license fees received and sheep claims paid, balance available, and date of payment. Arr. by date of transaction. No index. Hdw. under pr. hdgs. 100 p. 16x11x1. 1 v., 1890-1917, co. clk.'s vlt., bsmt.; 1 v., 1918—, treas.'s vlt., 2nd fl.

XIV. SUPERINTENDENT OF SCHOOLS

The first county school official in Moultrie County was the county school commissioner, who was elected for a two-year term.¹ The principal duties of this officer centered around the sale of school lands. His reports of these sales were made to the county commissioners' court and recorded by their clerk in a well-bound book for that purpose.² The school commissioner also reported to the county commissioners' court on his other transactions in regard to the school fund.³ In 1845 the office of county superintendent of schools was created as an ex-officio office of the county school commissioner.⁴ For his ex-officio duties as superintendent of schools, the commissioner received additional compensation for the days actually engaged in the performance of these duties.⁵ In 1865 the office of county superintendent of schools was established as an independent office, and had delegated to it the authority formerly vested in the county school commissioner.⁶

The superintendent of schools is a statutory office, now elective for a term of four years.⁷ The superintendent's office serves as the central school administrative agency for the county. One or more of the several congressional townships comprise the several school districts. Within these administrative units are elected boards of trustees who have executive and financial responsibilities which come under the supervision of the county superintendent.⁸ The boards of trustees appoint their own treasurers who also act as clerks of the township (or school district) boards.⁹

The superintendent makes quarterly and annual reports to the county board and also reports to the State Superintendent of Public Instruction, the State Department of Public Health, the state fire marshal, and the state architect. His original duties are the following:

1. To sell township fund lands and issue certificates of purchase.
2. To examine the complete accounts of every township treasurer in his county and report irregularities to the township trustees.
3. To conduct a teachers' institute, hold quarterly examinations for teachers' certificates, and issue such.
4. To hold examinations for normal and university scholarships.
5. To visit the public schools in the county, observe methods of instruction, make recommendations to teachers, and advise school officers; to observe sanitary and safety conditions, and notify trustees and state authorities of unsatisfactory conditions; to inspect plans and specifications, and approve those meeting state regulations.¹⁰

1. L.1841, p. 261, 262.

2. *Ibid.*, p. 262-67; L.1849, p. 155, 156, 159, 160; L.1851, p. 130.

3. L.1831, p. 175.

4. L.1845, p. 54.

5. L.1849, p. 178; L.1867, p. 161.

6. L.1865, p. 112; L.1871-72, p. 702; L.1889, p. 312; L.1909, p. 343.

7. L.1871-72, p. 702; L.1909, p. 343; L.1915, p. 628; L.1923, p. 596.

8. L.1847, p. 126; L.1909, p. 350; L.1929, p. 745.

9. L.1927, p. 843; L.1929, p. 745.

10. R.S.1845, p. 498, 499; L.1847, p. 122; L.1849, p. 156; L.1853, p. 246, 247; L.1855, p. 66, 67; L.1861, p. 190, 191; L.1865, p. 119, 120; L.1909, p. 347-50; L.1915, p. 636-38.

A noteworthy undertaking of the superintendent of schools is the annual teachers' institute. Pioneer legislation of 1869 provided that the school directors were to allow school teachers to attend the teachers' institute in their county without the loss of time or pay.¹¹ Twenty years later, the superintendent of schools was required to hold the institute annually.¹² A fund was set up for this purpose which has continued to be made up of the fees received from applicants for teachers' certificates and from teachers' registration. Money from the fund is paid out only on the order of the superintendent to defray the expenses of the annual institute. When the fund exceeds the annual cost of the institute, the excess may be paid out for special meetings of teachers.¹³

ACCOUNTS OF SCHOOL FUNDS

(See also entries 356, 357)

365. CLAIMS FOR STATE AID, 1917—. 11 f. b.

Claims of various school districts for state aid, showing date, amount, and number of claim, name and number of school district, budget for school expenditures, affidavit of clerk of school board, and date of filing. Arr. by date of filing. No index. Hdw. on pr. fm. 8x4x15. Off. of supt. of sch., 1st fl.

366. STUBS OF CHECKS GIVEN TOWNSHIP SCHOOL TRUSTEES, 1932—. 1 v.

Stubs of checks issued to township school treasurers on county school and distributive funds, showing name of recipient, and date, amount, and number of check. Arr. by check no. No index. Hdw. on pr. fm. 100 p. 12x9x1½. Off. of supt. of sch., 1st fl.

SCHOOL DISTRICTS

367. NON-HIGH SCHOOL DISTRICT RECORD, 1917—. 1 v.

Proceedings and minutes of meetings and financial account of non-high school board, showing date, names of treasurer and school, date, amount, and number of claim, names of pupils, amount of tuition charged, total receipts and disbursements, and balance available. Arr. by date of meeting. No index. Hdw. under pr. hdgs. 250 p. 15x10x1½. Off. of supt. of sch., 1st fl.

TEACHERS' RECORDS

368. TEACHERS' PENSION LIST, 1916—. 1 f. b.

Lists of teachers contributing to pension fund, showing name, address, and age of teacher, grade and number of certificate, teaching experience, salary earned, date and amount of annual total contribution to pension fund, and date of filing. Arr. by date of filing. Indexed alph. by name of teacher. Hdw. under pr. hdgs. 8x4x15. Off. of supt. of sch., 1st fl.

11. L.1869, p. 394.

12. L.1889, p. 312.

13. L.1905, p. 385; L.1931, p. 876.

369. **TEACHERS' PERMANENT RECORD, 1908—.** 29 v.

Teachers' permanent record showing name, age, and address of teacher, professional qualifications, teaching experience, annual registration and renewal of certificate, teaching and pension record, date, grade, and number of certificate, endorsement to other counties, and summary of pension record. Arr. by date of entry. Indexed alph. by name of teacher. Hdw. on pr. fm. 30 p. 5x8x2. Off. of supt. of sch., 1st fl.

370. **RECORD OF REGISTRATIONS OF TEACHERS' CERTIFICATES, 1908—.** 3 v.

Register of teachers' certificates, showing date, name, address, sex, and age of teacher, grade, number, and date of issuance of certificate, subjects in which examined, and grades earned. Arr. by date of registration. Indexed alph. by name of teacher. Hdw. under pr. hdgs. 350 p. 12x14x2. Off. of supt. of sch., 1st fl.

PUPIL RECORDS

371. **RECORD OF EXAMINATION OF 8TH GRADE GRADUATES, 1890—.** 1 v.

Register of eight grade graduates, showing date, name, address, age, and sex of pupil, name and number of school district, subjects in which examined, grade earned, and general average of each pupil. Arr. by date of graduation. No index. Hdw. under pr. hdgs. 300 p. 18x12x1½. Off. of supt. of sch., 1st fl.

REPORTS

372. **ANNUAL REPORT OF COUNTY SUPERINTENDENT OF SCHOOLS TO STATE, 1864—.** 73 v.

Annual report of county superintendent of schools to the state, showing school census, enrollments, names and qualifications of teachers, positions held, promotion of health and attendance, tax levies, annual salaries of elementary, rural, and high school teachers, district name and number, amounts of distributive and township funds, receipts and expenditures, tuition paid, exhibits, school loans, and investments, general and financial reports, number of one-room schools, and memoranda. Arr. alph. by subject. No index. Hdw. under pr. hdgs. 40 p. 15x10x½. 67 v., 1864-1932, strm. of supt. of sch., 1st fl.; 6 v., 1933—, off. of supt. of sch., 1st fl.

373. **TRUSTEES' ANNUAL REPORT, 1908—.** 29 v.

Annual reports of school trustees to the county superintendent of schools, showing name, number, and location of school district, number of pupils enrolled, name, qualifications, and salary of teachers, itemized account of receipts and disbursements, and recapitulation of accounts. Arr. by date of report. No index. Hdw. under pr. hdgs. 29 p. 14x8x½. Off. of supt. of sch., 1st fl.

374. **TRUSTEES' ANNUAL REPORTS (School Treasurers' Reports), 1920—.** 180 v.

School trustees' and treasurers' reports to superintendent of schools, showing date of report, township and range numbers, value of school property, amount of bonded indebtedness, cash receipts from taxes, bond issues, amounts of appropriations and disbursements,

and balance on hand. Arr. by date of report. No index. Hdw. under pr. hdgs. 25 p. 14x8x½. Off. of supt. of sch., 1st fl.

SCHOOL TREASURERS' BONDS

(See also entry 140(iv))

375. TOWNSHIP TREASURERS' BONDS, 1921—. 2 f. b.

Township school treasurers' original bonds, showing names of principal, sureties, and township, school district number, date, amount, and obligation of bond, and acknowledgment. Arr. by date of bond. No index. Hdw. on pr. fm. 8x4x15. Off. of supt. of sch., 1st fl.

MAPS

(See also entries 76, 186)

376. MAP OF SCHOOL DISTRICTS, 1928—. 1 map.

Political map showing outlines of school districts, district number, roads, towns, and cities. Artist, T. C. Fleming. Published in Sullivan, Illinois. Hand-drawn, colored. 2 in. to 1 mi. 60x42. Off. of supt. of sch., 1st fl.

XV. SUPERINTENDENT OF HIGHWAYS

From 1843 to 1849 the county commissioners' court exercised jurisdiction over roads and bridges in Moultrie County.¹ The court was empowered to locate new roads, to alter or vacate old roads, to divide the county into road districts, and to appoint a supervisor in each district.² The construction and maintenance of roads were effected by means of a labor tax levied on all able-bodied men between the ages of eighteen and fifty. It was the supervisor's duty to summon these men for work when road labor was needed.³

From 1849 to 1867, the county court in Moultrie County had the control and supervision of public roads and bridges. The substitution of this administrative body for the old county commissioners' court effected no material changes in the earlier set up. The system of road districts was retained and the work of superintending road construction and maintenance continued to be vested in district supervisors.⁴

In 1867, when township organization was instituted in Moultrie County,⁵ the care and superintendence of roads became the responsibility of the townships. In 1849 legislation enabling the adoption of this form of county government had provided for the election in each township of a highway commissioner and as many overseers of highways as there were road districts in the county. The commissioners at their annual meeting determined necessary action for establishing new roads and repairing, altering, or vacating old roads; the overseers of highways were then required to carry out the commissioners' instructions.⁶ This system of road control and maintenance obtained until 1913; in that year the office of superintendent of highways was first established.⁷ The boards of highway commissioners which existed prior to that date have continued to function, but their powers are principally subordinated to those of the superintendent of highways.

The superintendent is appointed by the county board. The board submits a list of three to five candidates to the State Department of Public Works and Buildings, which department examines the candidates to determine the person best fitted for the office.⁸ The successful candidate holds office for six years and is remunerated in a sum fixed by the county board.

The powers and duties of the superintendent of highways come under the rules and regulations of the Department of Public Works and Buildings. However, the superintendent is subject, upon hearing, to removal by the county board. The superintendent exercises supervision over township, county, and state-aid roads, and bridges and culverts in his county, and is required to perform such other

1. L.1819, p. 175; R.L.1827, p. 340.

2. L.1819, p. 333; L.1825, p. 130; R.L.1827, p. 340, 344.

3. L.1819, p. 334; R.L.1827, p. 341, 342.

4. L.1847, p. 111-13; L.1849, p. 65; L.1851, p. 179.

5. L.1851, p. 65. Township organization, adopted in 1866, was not effective until 1867.

6. L.1849, p. 212.

7. L.1913, p. 524.

8. L.1921, p. 781; L.1933, p. 961. From 1913 to 1917 the list was submitted to the State Highway Commission. In 1917 this state agency was abolished, and its rights, powers, and duties were vested in the Department of Public Works and Buildings, created in the same year (L.1913, p. 524; L.1917, p. 4, 16, 24).

duties as may be prescribed by the chief highway engineer of the state.⁹

His principal duties are as follows:

1. To prepare plans, specifications, and estimates for all bridges to be built by the county.
2. To supervise the construction and maintenance of county roads and bridges, and state-aid roads.
3. To inspect the highways and bridges in each town or district of his county at least once a year.
4. To advise and direct the highway commissioners in each town or district as to the best methods of repair, maintenance, and improvement of highways and bridges.
5. To approve any purchase in excess of \$200 for materials, machinery, or apparatus to be used in road construction in any town or district.¹⁰

He is required to keep the following records:

1. Records of contracts, purchases, and expenditures authorized by himself, the county board, or township commissioners.
2. Maps, plats, blueprints, specifications, etc., arising from his supervision of roads and bridges, or the planning of new construction.
3. Accounts of the funds handled by his office.
4. Reports from other officers or bodies touching upon the affairs of his office; copies of his own reports on the administration of his office; related papers.¹¹

CONSTRUCTION AND MAINTENANCE RECORDS

(See also entries 17, 187, 188)

Plans and Specifications

377. MAPS OF MOULTRIE COUNTY (Highways), 1932—. 1 f. b.

Original maps, plans, and specifications of county roads and bridges, showing location of road or bridge, length, width, elevations, cross sections, construction details, material specifications, and beginning and ending points. Arr. by date of map. No index. Hand-drawn. 2 in. to 1 mi. 9x4x14. Off. of supt. of hwys., 3rd fl.

Material

378. PURCHASE ORDER RECORD, 1938—. 1 f. b.

County highway purchase orders showing route and request numbers, number and amount of items and units purchased, date of issue, and signature of superintendent of highways. Arr. by date of issue. No index. Hdw. on pr. fm. 9x4x10. Off. of supt. of hwys., 3rd fl.

9. L.1921, p. 782; L.1933, p. 961.

10. L.1913, p. 523-26.

11. Ibid., p. 525.

ALLOTMENTS AND CLAIMS

(See also entries 7, 10, 361-363)

379. COUNTY MOTOR FUEL TAX ALLOTMENT RECORD,
1927—. 1 v.

Register of county motor fuel tax allotments, showing date, amount, receipt and claim numbers, purpose of claim, total amount of receipts and disbursements, and balance available. Arr. by date of transaction. No index. Hdw. under pr. hdgs. 300 p. 14x10x2. Off. of supt. of hwys., 3rd fl.

380. COUNTY SUPERINTENDENT OF HIGHWAYS CLAIM
REGISTER, 1927—. 1 v.

Register of county highway claims, showing date, amount, purpose, and number of claim, name and address of claimant, and purchase order number. Arr. by date of claim. No index. Hdw. under pr. hdgs. 300 p. 14x10x2. Off. of supt. of hwys., 3rd fl.

REPORTS

381. COUNTY REQUESTS FOR FUNDS, 1927—. 12 f. d.

Reports on labor, maintenance, and materials; maintenance, construction, and engineering costs of county and city roads; also reports of receipt and disbursement fee payments to treasurer, with amounts of estimates, funds, costs, and dates of payment. Arr. by date of report. Indexed by sec. no. of road. Hdw. on pr. fm. 3x8x15. Off. of supt. of hwys., 3rd fl.

XVI. SURVEYOR

The office of surveyor was first established in Illinois in 1821; the incumbent was an appointee of the General Assembly.¹ During the recess of the legislature nominations were made by the county commissioners' court to the Governor.² From 1835 to 1936, the county surveyor was an elected officer of the county electorate.³ Since September, 1936 he has been an appointee of the county board. His appointment is for a four-year term. He takes and subscribes to an oath which is filed in the county clerk's office.⁴

The surveyor is required by law to make all surveys within the bounds of his county that he may be called upon to make by the county board or interested persons. Such surveys include surveys of lands of persons requesting the same, of additions or subdivisions, and marking of county lines. Few changes have been made in the original statutory requirements for the duties of this office. The surveyor may appoint one or more deputies. Any individual requesting a survey must employ his own chainmen subject to the approval of the surveyor.

The surveyor is required by law to keep a well-bound book in which to record all surveys made by him, giving such information as the names of the persons whose land is surveyed and descriptive data of the survey. This record is required to be kept by the surveyor in the recorder's office. The surveyor also preserves his field notes and retains copies of plats.⁵

For record of surveys, see entries 167, 168.

1. L.1821, p. 62; R.L.1829, p. 172; R.L.1833, p. 591.

2. Ibid.

3. L.1835, p. 166; L.1837, p. 558; R.S.1845, p. 523; R.S.1874, p. 456, 1050; L.1903, p. 349.

4. L.1933, p. 1104. Effective in 1936.

5. L.1821, p. 63, 64; R.L.1829, p. 173; R.L.1833, p. 591-93, 599, 600; L.1845, p. 201; R.S.1845, p. 524; R.S.1874, p. 1050; L.1885, p. 248; L.1915, p. 575; L.1933, p. 1104.

XVII. DRAINAGE COMMISSIONERS

For the purpose of aiding in public welfare and health, the constitution has delegated to the General Assembly broad power to provide laws in regard to drainage.¹ By statutory provision these activities are exercised by drainage commissioners in districts of Moultrie County. The corporate authorities of the drainage districts have power to acquire rights of way, issue bonds, construct and maintain drains, ditches, and levees for agricultural, sanitary or mining purposes, and assess the benefited property.²

Drainage districts may be organized by land owners upon petition to the county court. When the court finds in favor of the petitioners, it then enters an order to that effect and appoints three commissioners to examine and survey the proposed lands. The commissioners, when they have completed their assignment, make a final report to the court with recommendations and the copies of surveys, maps, plats, and estimates.³ The districts are of three kinds: regular, which is composed of property lying in a single town; union, when the lands organized lie in two towns; special, with three or more towns involved.⁴

After the report on a proposed district has been made, the court completes the organization of the districts.⁵ The corporate powers of regular and union districts are vested in three commissioners appointed by town clerks. The corporate authority in special drainage districts is vested in three elected commissioners of the district.⁶ In regular districts the commissioners appoint one of their number to act as secretary. The town clerk in union districts acts as the clerk of the district.⁷ The county clerk and county treasurer in cases of the special drainage districts are, respectively, ex-officio clerk⁸ and treasurer⁹ of each district.

Regular, union and special drainage districts are maintained in Moultrie County.

The following records belong to the drainage commissioners:

1. Records of bonds issued.
2. Assessment books.
3. Petitions of owners of land to stay assessments, orders of commissioners thereupon, and other proceedings.
4. State auditor's certificates of interest due on bonds.
5. Tax lists showing pro-rata share of levy for bond interest (union and special districts only).

1. Constitution of 1870, Art. IV, sec. 31.

2. First amendment to the constitution, ratified November 29, 1878, incorporated in the Constitution of 1870, Art. IV, sec. 31; L.1879, p. 124-39.

3. L.1871-72, p. 356-58; R.S.1874, p. 439; L.1875, p. 76, 77; L.1879, p. 120, 124, 155; L.1885, p. 78, 93, 95, 110-15; L.1907, p. 275; L.1913, p. 261.

4. L.1879, p. 155; L.1885, p. 93, 94, 113. River districts, though not in this category, may be organized similarly and with like powers (L.1885, p. 106).

5. See footnote 3.

6. L.1879, p. 156; L.1885, p. 93, 95, 113.

7. L.1915, p. 390. The town clerk shall be clerk of the union drainage district, when the major portion lies in his town.

8. L.1885, p. 95; L.1915, p. 390; L.1919, p. 468.

9. L.1885, p. 78, 104.

6. Copies of reports to county court on conditions of district and estimated expenditures, and to county treasurer on delinquent lands; maps and plats, surveys and estimates; office transactions.¹⁰

The first two records are required to be kept in separate books, the next three generally are known as the "Drainage Record," and the remaining records are kept desultorily.

For other drainage commission records, see entries 134, 208.

382. DRAINAGE DISTRICT RECORD, 1916—. 7 v. (1-6, A). Record of drainage districts, showing names and addresses of land owners, legal description of lands, petitions for drainage improvement, amount of special assessment, and action of drainage commission. Also contains (Reports of Commissioners of Drainage Districts), 1927—, entry 41. Arr. by date of levy. Indexed alph. by name of district. Typed. 500 p. 17x11x2. Co. clk.'s vlt., 2nd fl.

383. RECORD OF SWAMP LANDS, 1847-85. 1 v. List of overflow and swamp lands with record of appraisalment and sale, showing legal description of land, number of acres, appraised value, name of purchaser, amount of payment, and date of deed. Arr. by sec. and range. No index. Hdw. 150 p. 16x10x1. Co. clk.'s vlt., 2nd fl.

10. L.1879, p. 120-34; L.1885, p. 78-104.

XVIII. COUNTY HOME

One phase of public assistance is administered by the county home. All county poorhouses, poor farms, and institutions for the support and care of indigents in Illinois are known as county homes.¹ County poorhouses and farms have existed in this state under statutory provisions for nearly a century. The legislation creating these county establishments for the indigent has changed little since the original enactments. The county boards of the various counties may establish a county home, and are granted the following powers:

1. To acquire by purchase, grant, gift, or devise, a suitable tract or tracts upon which to erect and maintain a county poorhouse and other necessary buildings, and for the establishment and maintenance of a farm for the employment of the poor.
2. To receive gifts and bequests to aid in the erection and maintenance of the poorhouse, or in the care of the indigents.
3. To make rules and regulations for the same.
4. To appoint a keeper of the poorhouse and all necessary agents and servants for the management and control of the poorhouse and farm, and to prescribe their compensation and duties.
5. To appoint a county physician and prescribe his compensation and duties.
6. To appoint an agent to have the general supervision and charge of all matters in relation to the care and support of the poor, and to prescribe his compensation and duties.
7. To make the necessary appropriations for the erection and maintenance of the county home.²

Records of the county home are prepared and kept by the keeper (superintendent) of the home. He is required to keep an account showing the name of each person admitted to the county poorhouse, the time of his admission and discharge, the place of his birth, and the cause of his dependency. He is also required, at the same time each year, to file with the county clerk of his county a copy of this record together with a statement showing the average number of persons kept in the poorhouse each month during the year.³

384. (ALMHOUSE REGISTER), 1876—. 2 v.

Register of inmates in county home, showing name and last address of inmate, date of admission, financial and personal particulars, name and address of nearest relative, and date of death or discharge. Arr. by date of admission. No index. Hdw. under pr. hdgs. 200 p. 8x6x1. Off. of supt. of co. home and farm, 1st fl.

1. L.1919, p. 699; L.1935, p. 1058.

2. L.1839, p. 139; R.S.1845, p. 404, 405; L.1861, p. 180; R.S.1874, p. 757; L.1917, p. 638, 639; L.1919, p. 498, 699; L.1935, p. 1057, 1058.

3. R.S.1874, p. 758.

385. INVENTORY AND REPORT, 1900—. 1 f. b.

Duplicate reports of superintendent of county home to board of supervisors, including inventory of supplies, tools, implements, and livestock, and amounts of grain produced on county farm. Arr. by date of report. No index. Hdw. under pr. hdgs. 6x8x14. Off. of supt. of co. home and farm, 1st fl.

386. COUNTY FARM RECORD, 1925—. 1 v. (1).

Account of receipts, expenditures, and farm production of county farm, showing itemized amounts of receipts and expenditures, date, and amount of receipt, date, amount, and purpose of payment, amounts and values of grain, vegetables, and livestock produced, and number of farm laborers employed. Arr. by date of transaction. No index. Hdw. under pr. hdgs. 160 p. 17x11x2. Off. of supt. of co. home and farm, 1st fl.

XIX. DEPARTMENT OF PUBLIC WELFARE

Matters relating to public assistance and welfare in the county are handled by the department of public welfare, which was established in 1937 as successor to the county commission of public welfare.¹ This department consists of the superintendent of public welfare and a staff selected by him in accordance with, and subject to, the approval of the State Department of Public Welfare.

The county board submits to the state department a list of five residents as candidates for the office of superintendent. An eligible list of these candidates is prepared by the state department by competitive examination and certified to the county board. The board in turn makes an order appointing one of the eligibles as superintendent of public welfare.²

The superintendent is charged with all the executive and administrative duties and responsibilities of the department of public welfare. He is subject to the rules and regulations of, and removal by, the state agency.³

This officer has power and it is his duty to:

1. Have charge and develop plans for the administration of old age assistance.
2. Investigate and study problems of assistance, correction, and general welfare within his county.
3. Cooperate with the State Department of Public Welfare in the operation of welfare plans and policies in his county.
4. Maintain such records and file such reports with the State Department of Public Welfare as that department may require.
5. Serve as agent and executive officer of the State Department of Public Welfare in the administration of all forms of public assistance administered by that department.⁴

All the records of the county department are subject to the inspection and supervision of the agents of this central authority.

The department of public welfare administers old age assistance and is subject to the rules and regulations of the state department.⁵ Upon receipt of an application the department makes an investigation of the case. In the course of the investigation the department is allowed to hold hearings and compel the attendance of witnesses and the production of papers and books.⁶

Old age assistance records and accounts are kept as prescribed by the state department. All applications and records in these matters are considered public records.⁷

All of the records of the department of public welfare are kept in the old age assistance office on the first floor of the courthouse.

1. L.1935-36, First Sp. Sess., p. 70-73; L.1937, p. 451.

2. L.1937., p. 451, 452.

3. *Ibid.*, p. 462.

4. L.1935-36, First Sp. Sess., p. 72; L.1937, p. 452.

5. L.1935, p. 259, 260; L.1935-36, First Sp. Sess., p. 54, 55; L.1937, p. 265.

6. L.1935-36, First Sp. Sess., p. 57-59; L.1937, p. 267, 268.

7. L.1937, p. 268, 269.

387. CARD INDEX, 1936—. 1 f. b.

Card index to Case Cards (Record), entry 388, and Current Cases, entry 389, showing name and address of applicant, date and number of application, whether approved or disapproved, and name of district. Arr. alph. by name of applicant. Hdw. on pr. fm. 6x4x24.

388. CASE CARDS (Record), 1936—. 1 f. b.

Card record of applications for old age assistance, showing case number, name, address, age, and sex of applicant, date of approval or disapproval of application, statistical report, and amount allowed. Arr. by case no. For index, see entry 387. Hdw. on pr fm. 6x4x24.

389. CURRENT CASES, 1936—. 1 f. d.

Record of active old age assistance cases, showing name and address of applicant, proof of age and citizenship, notarized property statement, investigator's report, and correspondence. Arr. by case no. For index, see entry 387. Hdw. on pr. fm. 12x14x24.

390. COPY OF ADMINISTRATIVE EXPENSE, 1936—. 2 v.

Account book of administrative expense, showing names and addresses of employees, monthly salary, days of employment, and mileage. Arr. by date of transaction. No index. Hdw. under pr. hdgs. 250 p. 10x16½x1½.

391. COPY OF PAYROLL, 1936—. 2 v.

Copy of monthly payroll of pensioners as furnished by state welfare department, showing name and address of pensioner, amount, date, and number of warrant, case number, and name of county. Arr. alph. by name of pensioner. No index. Hdw. on pr. fm. 250 p. 10x16x1½.

392. CORRESPONDENCE - STATE DEPARTMENT OF PUBLIC WELFARE, 1936—. 1 f. b.

Correspondence to and from the Department of Public Welfare pertaining to old age assistance cases. Arr. alph. by name of applicant. No index. Typed. 12x14x24.

XX. FARM BUREAU

Moultrie County farm bureau was organized in 1916 to promote and foster the social and economic interest of persons engaged in agriculture, and to encourage, promote, and foster cooperative organizations for the mutual benefit of its members. The membership of this bureau is made up of farmers of the county. A farm advisor is employed who cooperates with the University of Illinois College of Agriculture in its program of extension education and farm studies, and to work with farm leaders in establishing such organizations as 4-H clubs and Dairy Herd Improvement Associations.

In 1914 Congress inaugurated a program of agricultural extension education by providing for cooperation between the agricultural colleges in the several states and the United States Department of Agriculture.¹ The purpose of the act was to aid in diffusing useful and practical information on subjects relating to agriculture and home economics, and to encourage the application of the same. An appropriation was made to each state to carry out the act, subject to the assent by the state legislature to the provisions of the act, and provided that the state appropriate a sum equal to that given by the Federal Government.² The General Assembly assented to this act by a joint resolution which, authorized and empowered the trustees of the University of Illinois to receive the grants of money appropriated under the act, and to organize and conduct agricultural extension work in connection with the College of Agriculture of the University.³

The General Assembly appropriated money in 1917 for the payment of county agricultural advisors.⁴ The money was to be appropriated to the Department of Agriculture to be distributed equally among the several county agricultural advisors of the state, to apply upon their salaries. The vouchers approved by the Department of Agriculture for payment were to be accompanied by the certificate of the agricultural college of the University of Illinois that the requirements of the act relative to the employment of county advisors had been substantially applied. In 1928, to further develop the cooperative extension system in agriculture and home economics, Congress appropriated additional sums of money, eighty percent of which were to be utilized for the payment of salaries of extension agents in counties of the several states.⁵

Records kept by each 4-H club and other farm organizations, and reports sent to Federal and State Departments of Agriculture.

1. 38 U.S.S.L. 372.

2. *Ibid.*, 373.

3. L.1915, Joint Resolutions, p. 732.

4. L.1917, p. 85.

5. 45 U.S.S.L. 711.

XXI. TUBERCULOSIS SANITARIUM BOARD

In 1909 the powers of the county were extended to permit the establishment of a sanitarium for the care and treatment of county residents suffering from tuberculosis.¹ This provision was greatly amplified in an act of 1915 which described in detail the conditions necessary to the establishment of such an institution and the manner in which it was to be supported, managed, and controlled.²

The act provided that whenever one hundred legal voters in a county should petition the county board to levy a tax for the establishment and maintenance of a tuberculosis sanitarium, the board was required to submit the question to the voters of the county at the next regular general election. A favorable majority of all votes cast upon the proposition was necessary for adoption.³ In the original legislation of 1915 the amount of the tax levy was limited to not more than three mills on the dollar annually on all taxable property in the county.⁴ This limit was lowered in 1923 to two mills,⁵ and further reduced in 1929 to one and one-half mills,⁶ the present statutory requirement. The money thus received was to be set apart in a special Tuberculosis Sanitarium Fund.⁷

The management of the sanitarium was vested in a board of three directors appointed by the president or chairman of the county board with the approval of that body. The directors were to serve for three years;⁸ vacancies on the board were to be filled in the manner in which the original appointments were made. Immediately after their appointment, the directors were required to meet and elect from their number a president, secretary, and such other officers as they might deem necessary.⁹ The county electorate voted on November 4, 1936,¹⁰ for the levying of a tax to establish such an institution; the first board of directors was appointed on August 4, 1937.¹¹

Today the powers and duties of the board of directors are essentially the same as in 1915. The directors have been given broad powers in the control and management of any sanitarium, all dispensaries, or auxiliary institutions and activities established or carried on under the provisions of the act of 1915 and subsequent legislation.¹² They are granted exclusive control of the expenditure of all moneys collected to the credit of the fund and may receive, in the name of the county, contributions or donations to the sanitarium of money or property. Persons desiring to make a donation, bequest,

1. L.1909, p. 162.

2. L.1915, p. 346-49.

3. *Ibid.*, p. 346, 347.

4. *Ibid.*, p. 346.

5. L.1923, p. 302.

6. L.1929, p. 304.

7. L.1915, p. 346; L.1923, p. 302; L.1929, p. 304, 305.

8. The first three directors, however, were required to serve for irregular terms of one, two, and three years in order to permit the appointment of one new director annually. The particular term each director was to serve was decided by lot (L.1915, p. 347).

9. *Ibid.*

10. Supervisors' Record, v. 110, p. 423.

11. *Ibid.*

12. L.1915, p. 346-49; L.1923, p. 302, 303; L.1929, p. 304, 305. Cf. R.S.1937, p. 956-59.

Tuberculosis Sanitarium Board

or devise of any money, personal property, or real estate may vest the title to such property in the board of directors who, upon acceptance, hold and control it and act as special trustees. Otherwise, all moneys received for the use of the sanitarium are deposited in the county treasury within a month after their receipt, to be drawn upon only by the proper officers upon presentation of properly authenticated vouchers of the board of directors. When such a deposit is made the board is required to secure a receipt from the treasurer.¹³

Since 1923, to insure greater working efficiency, counties maintaining tuberculosis sanitariums have been permitted to convey property acquired for such purposes, to any adjacent county or counties upon such terms and conditions as the respective county boards agree on by a majority vote of all members of each board. In the same year it was also provided that counties without public tuberculosis facilities might use funds secured for that purpose to give patients sanitarium care in private or public sanitariums of the state.¹⁴ The Tuberculosis Sanitarium Fund of Moultrie County is distributed under this latter provision, as no county sanitarium is maintained. Patients are sent to St. John's Sanitarium, Riverton, in Sangamon County.

The directors are required to return to the county board monthly a list of the names of all persons making contributions and donations, the amount and nature of the property so received, and the date of its receipt. On or before the second Monday in June in each year, the directors make an annual report to the county board, stating the condition of their trust on the first day of June, the various sums of money received from all sources and how and for what purposes expended, the number of patients, and other pertinent statistics, information, and suggestions.¹⁵

13. L.1915, p. 347-49.

14. L.1923, p. 303.

15. L.1915, p. 348, 349.

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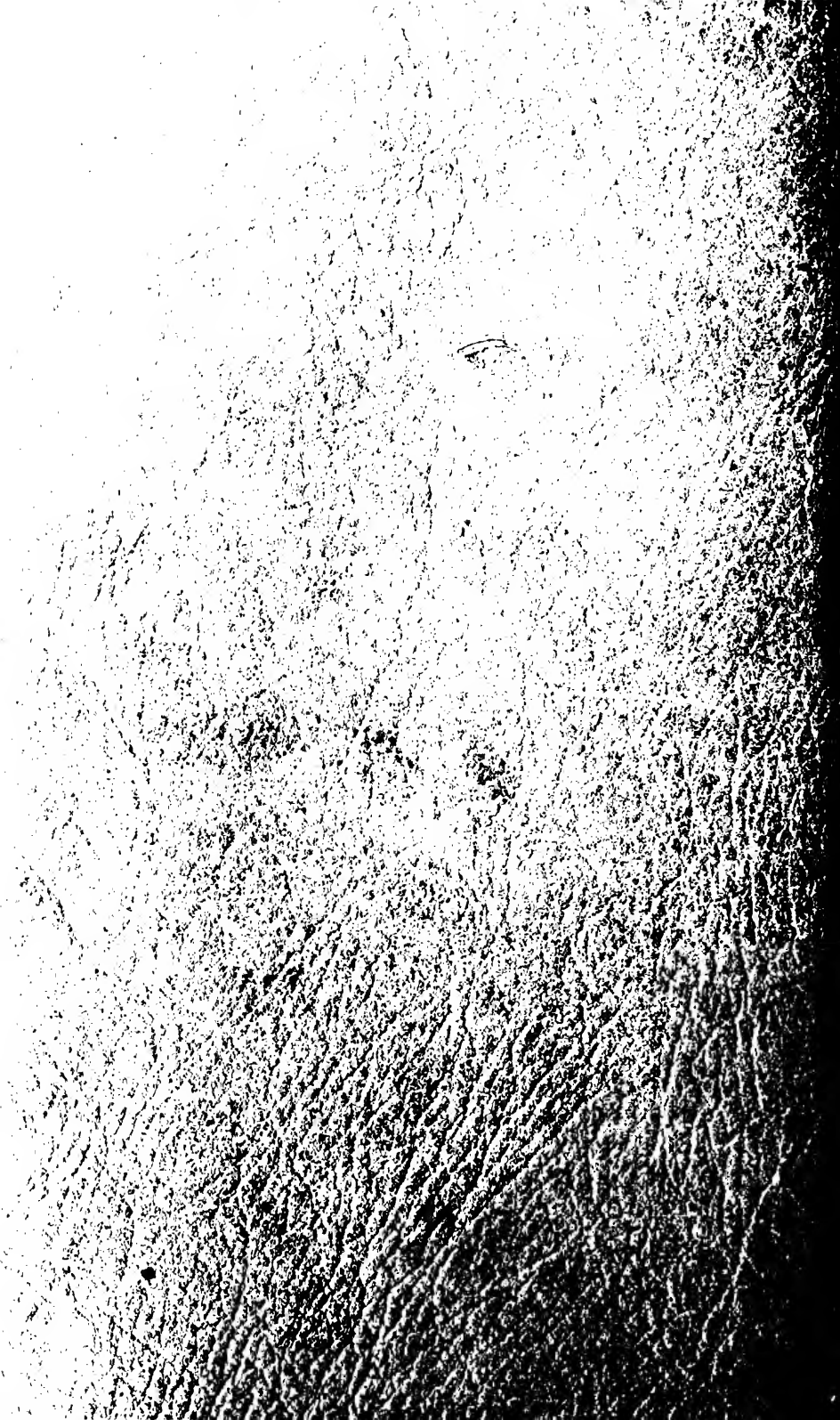
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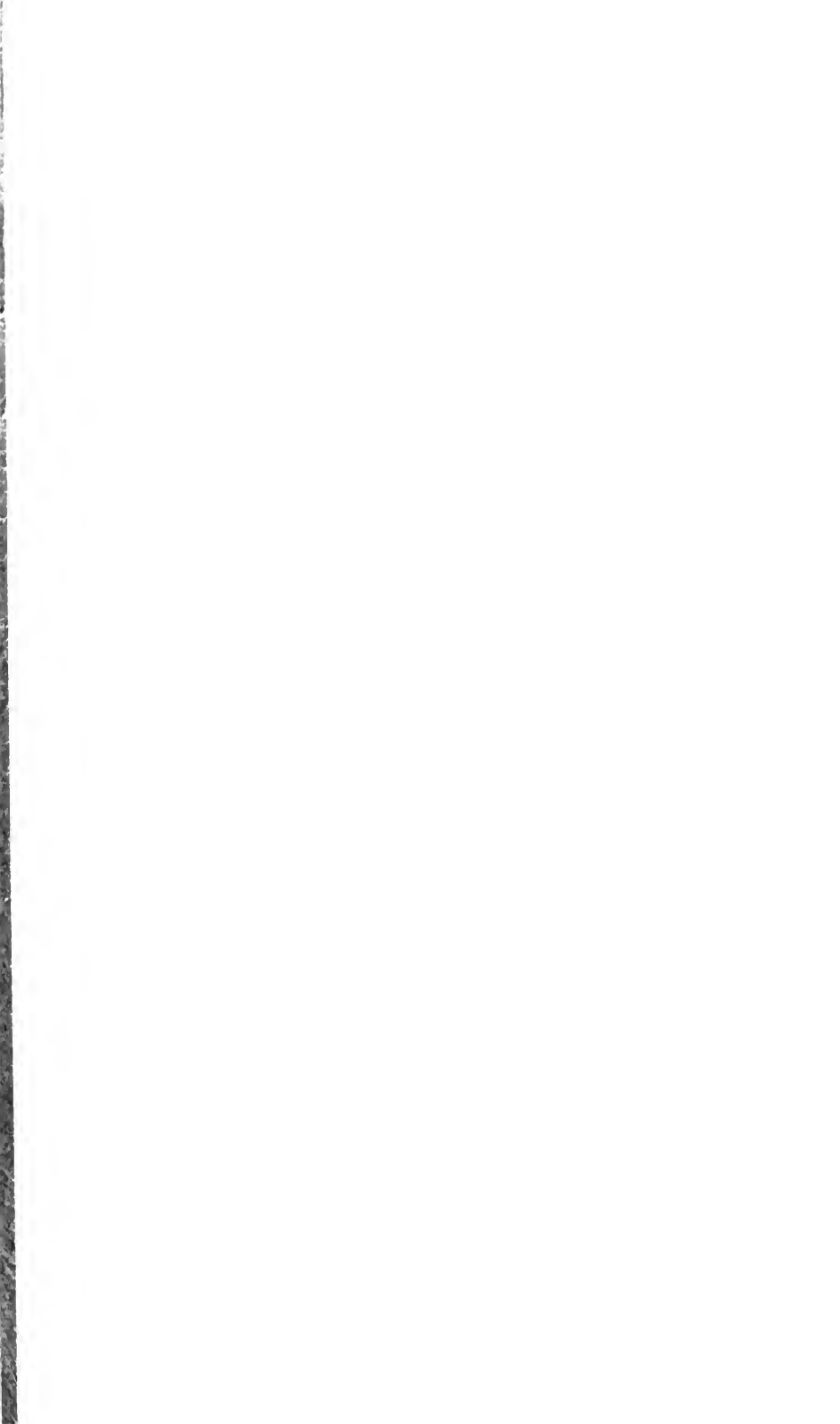
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