

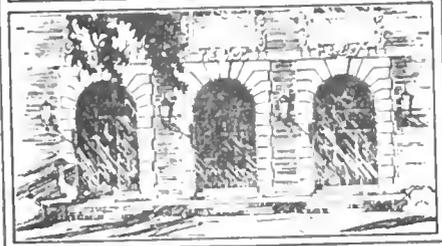
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ILLINOIS HISTORICAL SURVEY









SURVEY

# INVENTORY OF THE COUNTY ARCHIVES OF ILLINOIS

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## HISTORICAL RECORDS SURVEY

CHICAGO, ILLINOIS



INVENTORY OF THE COUNTY ARCHIVES  
OF ILLINOIS

PIATT COUNTY [MONTICELLO]

NO. 74

Prepared by

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

\* \* \* \* \*

Chicago, Illinois  
August, 1940

The Historical Records Survey Projects

Sargent B. Child, Director  
Royal S. Van de Woestyne, State Supervisor

Division of Professional and Service Projects

Florence Kerr, Assistant Commissioner  
Alma B. Kerr, Chief Regional Supervisor  
Mary Gillette Moon, State Director

WORK PROJECTS ADMINISTRATION

F. C. Harrington, Commissioner  
George Field, Regional Director  
Charles E. Miner, 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 Piatt County, is number 74 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carrying out this objective, the project was organized to compile inventories of historical materials, particularly the unpublished government documents and records which are basic in the administration of local government, and which provide invaluable data for students of political,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 requirement 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 was organized by Luther H. Evans and directed by him until his resignation in December, 1939, shortly after which he was succeeded by the present director, Sargent B. Child; it operates as a nation-wide series of locally sponsored projects in the Division of Professional and Service Projects, of which Florence Kerr, Assistant Commissioner, is in charge.

F. C. Harrington  
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 in December, 1939, and shortly thereafter was succeeded by the present director, Sargent B. Child. Alston G. Field and Howard E. Colgan were the first two state directors, the former serving until November 1, 1937, and the latter to May 16, 1939. On September 1, 1939, the Illinois State Library, of which Secretary of State Edward J. Hughes is State Librarian and Helene H. Rogers, Superintendent of State Library Division, became the sponsor of The Illinois Historical Records Survey Project. On January 15, 1940, this sponsorship was assumed by the University of Illinois.

In compiling this inventory of the archives of Piatt 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 Piatt 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 Project 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 project 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 Project is now making.

The inventories being compiled by The Historical Records Survey Projects 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 in Piatt County, the seventy-fourth on the alphabetically arranged list of one hundred and two counties in Illinois, was begun May 18, 1936, and completed as far as possible August 11. Field forms were received in Chicago, December 7, 1936, and a draft inventory sent to Washington, D.C., July 14, 1937. This was returned October 13, and on April 1 and April 6, 1938, all forms had a complete recheck, completed in July, 1938. Abstracting and transcribing of county board records, upon which much of the contents of this inventory is based, was begun November 18, 1938, and finished July 17, 1940. The inventory was taken under the supervision of Kenneth C. Blood, by Cal Atkinson, Eugene Doty, Francis H. Doty, Byford E. Flerc, Dwayne Gerald Nelson, Byron McCall, Samuel Robert McClure, and Carl E. Raglan.

The inventory was prepared for publication by the state editorial staff of The Illinois Historical Records Survey Project at Chicago, under the supervision of Herbert R. Rifkind. Preparation of Part B of the inventory was under the direction of Martine O'Connor; Gifford Ernest supervised the preparation of the historical sketch; and Edward J. McDonough supervised format and collation. 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 Piatt County cooperated in every way with the workers, and grateful acknowledgment 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 the 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.

*Royal S. Van de Woestyne*

Royal S. Van de Woestyne  
State Supervisor  
The Illinois Historical Records  
Survey Project

August 30, 1940

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A. Piatt County  
and  
Its Records System





## 1. HISTORICAL SKETCH

## Introduction

Genesis and Antecedents

In the region lying on the western edge of the Grand Prairie and in the rich "Sangamon Country" of Illinois, Piatt County was organized in 1841. The district out of which the county was formed is near the geographic center of the state. It was cut off from Macon and De Witt counties, reducing the parent counties by that much on their eastern halves.<sup>1</sup> At the time the Twelfth General Assembly authorized the organization of the new state administrative unit, its eastern boundary bordered on Coles and Champaign counties. Coles was later subdivided so that that part of this county which was on Piatt's border became Douglas County in 1859.<sup>2</sup> In 1843, Loultrie County was organized out of Macon and Shelby counties and Loultrie then became the southern boundary of Piatt, which for its first two years of history was bounded on the south by Macon.<sup>3</sup> On the west are De Witt and Macon counties, and on the north is McLean County.

Early settlement history of the county belongs to the antecedent counties which were formed successively from the time when the region was Knox County as a part of the Northwest Territory, then St. Clair County when it was Indiana Territory, then Madison, Edwards, and Crawford counties when they were parts of the Illinois Territory, and then Clark and Fayette counties from March 22, 1819 to January 23, 1827, when the area was attached for administrative purposes to the newly formed Shelby County.<sup>4</sup> Macon was formed in 1829, and McLean County in 1830 out of portions of territory attached to Shelby, and the northern part of what is now Piatt was included in McLean until De Witt was formed in 1839.<sup>5</sup> From then until the General Assembly acted on the petition of the qualified voters<sup>6</sup> of De Witt and Macon counties to form "a new county to be called Piatt", all the northern half of the Piatt area was in De Witt and the southern half in Macon.

Area and Physiography

The boundaries set by the act of establishment gave the county the shape of a rectangle from which the northwest corner was cut off with a

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1. L.1841, p. 71.
  2. L.1859, p. 24,29.
  3. L.1843, p. 83.
  4. L.1819, p. 163; L.1821, p. 164; R.L.1827, p. 115.
  5. L.1839, p. 199.
  6. As provided for in R.L.1827, p. 110.

## Historical Sketch

setback on the western line at the place where the cut-off begins.<sup>1</sup> The longest north and south line of the area thus set off is 3 $\frac{1}{4}$  miles, and the east and west distance, in the uniform of the rectangle, is 15 miles. The area comprises approximately 283,640 acres, or 451 square miles.<sup>2</sup> There is much nearly level land in the county; however, the northwest corner is gently rolling where the Blue Ridge moraine, a part of the Champaign moraine system, cuts across the county. Another moraine, the Cerro Gordo, crosses the county parallel to and on the south side of the Sangamon River, which traverses the central section of the county from northeast to southwest. Both morainal areas are gently rolling with few abrupt slopes. The remainder of the county is level country: some of it is so flat that the natural drainage is poor.<sup>3</sup> The average elevation of the county is above the 550-foot average for the state. The highest elevation is 793 feet in the northeast corner of the county, and the lowest is 612 feet recorded in the bed of the Sangamon River where it crosses the western boundary entering Macon County.<sup>4</sup>

## Drainage, Soils, and Climate

The Sangamon River, which has its source in Champaign County, is the principal waterway; it has no very large tributaries along its course in Piatt, the main ones from the north being Madden's Run, Goose Creek, Wild Cat Creek, and Wolf Run, and on the south Camp Creek and Willow Branch. South of the Cerro Gordo moraine the land drains into the

- 
1. L.1841, p. 71. "Be it enacted by the people of the State of Illinois, represented in the General Assembly, that all that part of Macon and De Witt counties, included within the following boundaries, to wit: Beginning where the north line of town fifteen north intersects the middle of range four east, and running thence north through the middle of range four to the middle of town nineteen; thence east to the west line of range five; thence north to the northwest corner of town nineteen north, range five east; thence by a direct line to the southwest corner of section seven, town twenty-one north, range six; thence east to the east line of range six; thence south along the east line of range six to the north line of town fifteen north; thence west along the north line of town fifteen to the place of beginning, shall constitute a new county to be called the County of Piatt."
  2. Farm, Home and Community, Illinois (Urbana: University of Illinois, 1936), p. 4. Hereinafter cited as Farm, Home and Community. Other sources report the area of the county variously, such as 438 and 440 square miles.
  3. R. S. Smith and Others, Piatt County Soils, Soil Report No. 47 (Urbana: University of Illinois, December, 1930), p. 6. Hereinafter cited as Piatt County Soils.
  4. Survey of Sangamon River from Chandlersville to Mahomet, United States Geological Survey (Washington: Government Printing Office, 1928), p. 67.

## Historical Sketch

streams of the Kaskaskia River system.<sup>1</sup> Lake Fork has its headwaters in the watershed formed by the Cerro Gordo moraine, and flows southeasterly into Douglas County where it empties into the Kaskaskia. Numerous small creeks or runs flow south into Louprie County and thence into the tributary system of the Kaskaskia.

The origin of the soil material, which gives to Piatt County its exclusively agricultural resources, is placed in the Glacial Epoch. A thick deposit of glacial till covers the county; this till exceeds two hundred feet in thickness over most of the area. During the Glacial Epoch two of the six ice sheets that moved southward from centers of accumulation in Labrador, in the Hudson Bay region, and in the northern Rocky Mountains, advanced over the area that is now Piatt County; these were the Illinoian and Early Wisconsin.<sup>2</sup> The surface of the county area prior to glacial times was broken, irregular and uneven. According to geologists the region around the Great Lakes and the Alleghany Mountains was once a part of a vast ocean bed. It emerged from its watery depth during the carboniferous period, after which the ice sheets, during a period when large portions of the earth's surface were subjected to a great refrigeration, rubbed down the hills and filled the valleys. Upon the retreat of these glaciers there was left a nearly level plain broken only by the Blue Ridge and Cerro Gordo moraines.<sup>3</sup> Following the retreat of the Illinoian glacier there was a long period during which soil formed on the till left by the Drift, or glacial ice sheets. But the present soils of the county were formed in a large part from the till left by the Early Wisconsin glacier, which followed the Illinoian. In a few areas a thin blanket of rock flour, or loess, appears to have been deposited on the till, and where such is the case the soils were developed from the loess and are pebble free.<sup>4</sup>

Over much of the county there was a local reworking of the soil material by the wind, producing a loess-like cover. Flowing water reworked glacial till and the loess in places, leaving deposits in the form of bottoms, terraces, and outwash plains from which the soils of these areas developed. All of the materials were high in carbonates at the time they were deposited, a fact which has an important bearing on the soils developed from them. The till was made up of a great variety of rocks, including limestone. These rocks were ground into various sized particles, including the very finest as well as gravel and stones, and these particles were mixed together, giving a material well supplied with all the elements of plant food.<sup>5</sup> In the region now included in Piatt County all conditions were favorable for the accumulation of organic matter over

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1. Piatt County Soils, p. 6.

2. Ibid., p. 10.

3. Ibid.

4. Ibid.

5. Ibid.

## Historical Sketch

a large proportion of the land. A grass vegetation developed and occupied most of the area, and this condition, together with the high lime and high moisture contents of the soil, favored the accumulation of organic matter and the development of dark-colored soils. A relatively small part of the total area was occupied by a timber vegetation, which resulted in the development of light-colored soils. This soil mostly was developed along the Sangamon River and in the southeastern corner of the county where most of the timber vegetation was to be found.<sup>1</sup>

Through the passing of time, the soils as they are known today took form. Layers or horizons, often spoken of as surface, subsurface, and subsoil, became distinguishable. The soils of the county are youthful in the sense that various parts of the profile are not yet fully developed. In some of the low-lying areas fresh water shells are still abundant, indicating the short time that has elapsed since these areas were swampy. The construction of dredge ditches and the installation of tile drainage have changed the low-lying swampy areas into highly productive farm land. About ninety-four percent of the soils of the county are dark colored. These soils were originally high in organic matter and are still supplied with this important constituent except where no provisions have been made in the farming plan for its replenishment, and on the slopes which have eroded rapidly. Light colored soils occupy about six percent of the total area of the county.<sup>2</sup>

The soils of the county on the whole are characteristic of the prairie lands throughout the central portion of the state, mainly being a deep, black vegetable mold. On the prairies there are boulders of various colors, generally grey, and red and grey syenite. In the altered drift can be found Devonian fossils and fragments of the Coal Measure rocks. Springs highly colored with oxide of iron have been found in the county. Some of the wells dug and bored from 60 to 100 hundred feet are supplied seemingly with an inexhaustable amount of water. There is such a well in Goose Creek Township 120 feet deep; another on the fair grounds at Monticello 52 feet deep; and on the prairie near Monticello is one 30 feet deep; and one at Bement 15 feet in depth. One of the wells dug in the county showed a fine deposition of conglomerate, supposed to have been from the bottom of Lake Michigan when its outlet was the Mississippi River.<sup>3</sup>

The climate of Piatt County is typical of that prevailing in the Mississippi Valley region. It is characterized by a wide range in temperature between the extremes of the winter and summer and by an abund-

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1. Piatt County Soils, p. 11.
  2. Ibid., p. 11,12.
  3. Emma C. Piatt, History of Piatt County, Illinois (Chicago: Shepard and Johnston, 1883), p. 100. Hereinafter cited as History of Piatt County.

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ant, well distributed rainfall. The greatest range in temperature for any one year for the twenty-six-year period, 1903 to 1928, was 122 degrees in 1905, and again in 1918. The highest temperature was 103° in 1913; the lowest, 25° below zero in 1905. The summer temperature exceeded 100° during five years and the winter temperature fell to 10° below zero during fourteen years out of the twenty-six-year period. The average date of the last killing frost in the spring is April 25; the earliest in the autumn is October 10. The average length of the growing season is 174 days, which is ample time to mature all the crops common to the region. Occasionally frost comes early enough to injure soft corn when the preceding spring has been very wet and backward, delaying planting. Winter wheat is sometimes injured by sleet and ice, particularly on flat land.<sup>1</sup>

The average annual rainfall for the twenty-six-year period was 35.26 inches. The wettest year on record, 1927, had a rainfall of 55.64 inches; the driest year, 1914, had a rainfall of 24.68 inches. The average monthly rainfall of more than 3 inches during the growing season supplies the soil with enough water to maintain proper moisture for growing crops. However, the total precipitation is only one of the factors that control drought; other important factors are humidity, rate of evaporation, rate at which the rain falls, lapse of time between rains and drainage conditions. Rainfall in this county is sufficiently well distributed that seldom is there a severe drought. Occasionally twenty to thirty days pass without much rain, and crop yields are then reduced and meadows and pastures are short.<sup>2</sup>

## Flora and Fauna

The streams of the county are all bordered with growths of timber which include the varieties that are common to this region. In the wooded sections are to be found such trees and shrubs as maple, hickory, wild cherry, pine, wild plum, wild crabapple, laurel, hazel, burr oak, white oak, black walnut, service-berry, ironwood, swamp and upland ash, locust, elm, gum, dogwood, and sycamore. Since the land has been under cultivation considerable timber has been added by the cultivation of forest trees on the prairie, and numerous groves have been grown throughout the county.

Before the region was settled the buffalo, elk, and bear roamed the prairies and forests along the Sangamon, pastured on its lands and watered in its streams. With the coming of the white man, however, their numbers gradually decreased and finally disappeared, leaving only trails and bones to tell of their former existence here. In the early days of settlement there were found in the region deer, fox, wolf, raccoon, mink,

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1. Piatt County Soils, p. 5.  
2. Ibid.

## Historical Sketch

opossum, and coyote. Several species of wild animals formerly common have become scarce, while some are no longer found at all. Gray fox squirrels, gophers, rabbits, and quail once were numerous, while now they are less frequently seen and only at times numerous enough to be hunted. The rivers, creeks, ponds, and lakes in the spring and autumn were covered with swans, pelicans, cranes, geese, ducks, and brants of many species. Grouse and wild turkey were abundant for the most aggressive hunter. Rattlesnakes were common and a great danger to man and beast. The streams abounded with edible fish, an important factor in man's conquest of the frontier. Without wildlife as a source of food supply it would have been most difficult for the earliest settlers to survive the rigors of frontier life which they were compelled to face.

## Natural Resources

It was determined by geologic forces years ago that the natural resources of the territory of this county were to be almost completely agricultural, since the prime essentials of good and cheap coal, constant water power, and an abundance of timber were lacking in quantities adequate for manufacturing purposes. There are no minerals to be found in Piatt County. The Coal Measures which underlie nearby counties are not reached at a depth that would make their commercial development profitable. It is probable that coal would not be found at a depth of less than 600 or 800 feet below the surface, and it is not known whether there is any considerable deposit of a quality that could be gainfully mined.

## Early Civilizations

Little trace of a civilization earlier than that of the Indians is to be found within the region. There are a number of mounds within the limits of the county, and some speculation has been advanced as to their origin. But until much more of the work of scientific exploration, comparison, and collation of evidence along the lines of the expeditions of the University of Illinois among the Cahokia Mounds, and the University of Chicago in Fulton and Tazewell counties is completed, no authoritative statement can be made concerning the mounds of Illinois.

The area of Piatt County seems not to have figured much in the existence of any but the white race. At the time Illinois was admitted into the Union the Kickapoo Indians were still in central Illinois, and the Sacs and the Foxes in the territory northwest of the Illinois River. Piatt County probably never was the site of an Indian village, nor was it crossed by important Indian trails, yet the Indian wandered over its hills and prairies to hunt game, and up and down the banks of the Sangamon to fish in its waters. Often spots in the county were chosen for camp grounds, at least one attraction, no doubt, being the fine springs of water.

## French and British Occupation

The civil history of the Illinois country begins when it was a part of the vast territory first claimed by the Spanish, and which they called Florida. Afterwards it was settled by the French as a result of the ex-

## Historical Sketch

plorations of Father Jacques Marquette, Louis Jolliet, Sieur de la Salle, and Father Louis Hennepin. Between the years 1680 and 1690 the first settlements were started. The first military occupation of the country was at Fort Crevecoeur, in February, 1680. The first settlement in Illinois, or in the Mississippi Valley region, was at Fort St. Louis on the Illinois River (the site now known as Starved Rock in La Salle County), the building of which was undertaken in 1682.<sup>1</sup> In the Illinois country the settlements were never large and they were widely scattered, consisting of the settlements of Kaskaskia, Prairie du Rocher, St. Philips, Fort De Chartres, and Cahokia. Yet the fertility of the Illinois bottom land produced enough grain to supply not only the needs of its own population and posts on the Ohio River, but Louisiana and New Orleans settlements as well.<sup>2</sup>

The English settled for the most part along the Atlantic seaboard from Maine to Florida, and were hemmed in between the Appalachian Mountains and the Atlantic Ocean. By the middle of the eighteenth century they had turned their eyes across the Alleghenies, but the French line of settlements and forts seemed to present an unbroken front, interfering with the progress of the English westward. The long struggle between the French and British for colonial possessions in the New World proved disastrous for the French, with the result that their regime in Illinois passed to the control of the English. Under the terms of the Treaty of Paris, February 10, 1763, which closed the French and Indian War, all Canada and other French territory east of the Mississippi were ceded to the British Crown.<sup>3</sup> Thus the region afterwards called the Northwest Territory came entirely under English rule.

### Sovereignty Achieved

The year 1763 marks a turning point in American history. The power of France in the New World was broken forever; England now had control of the vast territory stretching from the Atlantic Ocean to the Mississippi River. The English colonists fearing no longer the attacks of the French and Indians and, awakened to their own strength, began to demand from England the right which they asserted belonged to them as subjects of the British Crown. These demands eventually led to the Revolutionary War, and to the independence of the thirteen American colonies that became the United States. Large land companies were formed by enterprising colonial leaders to open up the territory west of the Alleghenies, but the outbreak of the Revolution delayed the plans. Every post of im-

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1. Theodore C. Pease, The Story of Illinois (Chicago: A. C. McClurg and Company, 1925), p. 9,10. Hereinafter cited as The Story of Illinois.
  2. *Ibid.*, p. 16.
  3. "Definitive Treaty," The Parliamentary History of England, published under superintendence of T. C. Hansard (London, 1813), XV, 1291-1303. Hereinafter cited as Parliamentary History of England.

portance in the West was held by the English at the outbreak of the war for independence. As the result of the successful conquest of the north-west by General George Rogers Clark and his expedition in 1778, the British power was ended north and west of the Ohio River, and south of Canada. This territory included what is now known as the states of Illinois, Indiana, Ohio, Michigan, and Wisconsin.

The history of the minor Illinois subdivision, Piatt County, is attached to many remote events which are well known to history and yet do not constitute a part of the archival record of the county. Nevertheless, the county's history is interwoven with its numerous governmental and social organizations.

### Early Settlers

The record of settlement of the area of Piatt County proper began about 1822. The first settler was George Hayworth, according to common agreement of chroniclers of the early settlement period. He was appointed by the Federal government as an agent to secure the signature of the Kickapoo Indians to a treaty providing for their removal beyond the Mississippi. With the help of the Indians he built in the autumn of 1822 the first cabin ever erected within the limits of the county. The cabin was near the Indians' camp on the site of the present city of Monticello. James A. Piatt, for whom the county was named,<sup>1</sup> bought the cabin from Hayworth in 1829 and occupied it as a residence until his death in 1838. It was well known as a tavern on the trail from Danville to Springfield and many men prominent in the early history of Illinois stayed over night beneath its roof. It was later removed from its original site to the county fair grounds in 1888 and used as a club house by the Old Settlers Association for many years. It is now at Briar Crest, having been restored to its original condition.

The first few who settled in the county area brought with them provisions to last through a planting to the time of harvest. The land was broken by yoke of oxen; fences were built of rails or sod. The first settlements were made in or near timber. Most farmers kept a few sheep and the spinning wheel was found in most homes. Women made the clothes for the family, and children were given work to do as soon as they were able to help. Few of that day dreamed that the broad prairies eventually would be settled and put under cultivation. The first settlers entering land were from the southern states, many of them coming by way of Ohio and Indiana. Hayworth was a Quaker from Tennessee. James A. Piatt, mentioned above, came from Ohio originally, and after purchasing Hayworth's

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1. Charles McIntosh, Past and Present of Piatt County, Together with Biographical Sketches of Many Prominent and Influential Citizens (Chicago: S. J. Clarke Publishing Company, 1903), p. 14. Hereinafter cited as Past and Present of Piatt County.

## Historical Sketch

claim, moved there with his family. Though the number of settlers increased, the rich, rolling prairie with all its fertility and beauty had few charms as a dwelling place for the hardy pioneers; instead, they invariably selected spots in the timber for their abiding place, and it was not long before the first settlers had neighbors in all the belts of timber that lined the banks of the streams.<sup>1</sup>

### Contemporary National and State Life

When Piatt County was organized in 1841, the frontier settlement period of Illinois was drawing to a close. The border states were now beyond the Mississippi River, though there still were millions of acres of unsettled public lands in Illinois. The Whigs and Democrats of the time were opposing one another with different land policy measures. Land speculation was rife,<sup>2</sup> and, with the exception of Abraham Lincoln, most prominent politicians in the state were involved. The nation as a whole was full of bounce and bluster. The country was growing up; it was immature. It was a busy age, though an awkward one. These years are now known as "the fabulous forties," when to enjoy America one lived roughly and simply. "A vast nation was forming, society ever changing, all in motion, nothing complete, . . . all busy as a hive, full of energy and activity." The decade of the forties opened with great numbers believing that the end of the world was imminent. The resurrection of Christ was predicted with elaborate calculations based on biblical prophecies. Tradesmen advertised "muslin for ascension robes." P. T. Barnum, self-styled "Prince of Humbugs," was thrilling and awing crowds with his human monstrosities. Godey's Lady Book was the guide of what was correct to wear, to say, and to do among those who cared for that sort of thing. Daniel Decatur Emmett of Mount Vernon, Ohio, minstrel song writer and actor, who later was to write and compose "Dixie," and "Old Dan Tucker," produced "Old Dog Tray," a popular song of the time. Stephen Collins Foster, writer and composer of folk songs, presented his "Old Folks at Home." Nathaniel Hawthorne, novelist, and Edgar Allen Poe, literary critic, pure poetic genius, writer of unsurpassed mystery tales and inventor of the detective story, were attracting attention in two worlds - the old and the new. James Russell Lowell, poet, essayist, and diplomat, and

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1. Past and Present of Piatt County, p. 10, 11.
  2. Theodore Calvin Pease, The Frontier State 1818-1848, v. II of The Centennial History of Illinois (Chicago: A. C. McClurg & Co., 1919), p. 174, 336, 337. Hereinafter cited as The Frontier State. Note: In 1850 Congress granted the state 2,595,000 acres through the central part of the state in aid of the construction of the Illinois Central Railroad. By 1856 more than 15,000,000 acres in the state were held by speculators, who had taken up about all the land that had been in the public domain excepting that portion owned by the state and the Illinois Central Railroad.

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William Cullen Bryant, poet and journalist, were luminaries among the literati who included such names as Ralph Waldo Emerson, the transcendentalist, Henry David Thoreau, and Thomas Carlyle, Scotch essayist and historian, and Charles Dickens, English novelist.

Martin Van Buren, Democrat, was finishing his administration as President of the United States, General William Henry Harrison, former governor of Indiana Territory when the Illinois country was a part of it, and John Tyler had been chosen president and vice-president as the first Whigs to be elected to these offices. The "Log Cabin and Hard Cider" campaign slogan had captured the Illinois frontier in spite of its former strong Democratic leanings: "Old Tippecanoe and Tyler Too" (the Whig candidates) were the heroes of the day - a short day for Harrison who died within a month after he was inaugurated president and before Piatt County was organized in accordance with the provisions of the act of establishment.

The Mormons from their headquarters at Nauvoo were a factor in the political life of the state, and were fast becoming a serious issue. They held the balance of political power in Illinois, and aspired to a similar position in the nation.<sup>1</sup> Thomas Carlin, Democrat, was Governor of Illinois, and Stephen A. Douglas, Democrat, and Abraham Lincoln, Whig, were ambitious and promising young lawyers with a bent for statecraft.

Agriculture was being influenced by the appearance of the new machines: the McCormick reaper, the Westinghouse and Church thresher, and the John Deere all steel, self-cleaning, chilled plow. These machines revolutionized the industry and stimulated emigration to the fertile lands of Illinois. The prairie lands of central Illinois were from this time on the scene of great changes affecting the life of the state and nation.

### Piatt County Government Organized

There was a movement in 1837 in that part of Macon County that is now Piatt to form a new county, because some of the settlers thought it was too far to go to Decatur, the county seat, for the transaction of legal business. A meeting of those interested was called, and a committee was appointed to draw up and circulate a petition to be presented to the General Assembly, asking that a new county be organized out of parts of Macon, De Witt, and Champaign counties. Little encouragement was received, by those who circulated the petition in Champaign County, and the idea of having any part of that county included in the new unit was dropped. The

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1. The Frontier State, p. 348, 350, 351.

## Historical Sketch

committees that circulated the petition for signatures among the voters of Macon and DeWitt counties were more successful, and the petition was presented to the General Assembly, January 1, 1841. An unsuccessful effort was made to have the new county named Grundy; however, it was named in the enabling act in honor of James A. Piatt, who had been a prominent and influential member of the court of county commissioners of Macon County, and whose efforts were largely responsible for the separation movement. Piatt died in 1838, before the enterprise had been carried to a successful conclusion.<sup>1</sup>

### The Legal Steps Followed

Pending organization of the county in accordance with the general provisions of the Constitution of 1818, and acts of the General Assembly, including the provisions of the act of formation,<sup>2</sup> elections were to be held at John Madden's and in Monticello, and the judges of elections in those precincts were to hold office until the county commissioners of Piatt County appointed others. The enabling act directed that an election be held on the first Monday of April, 1841,<sup>3</sup> for the purpose of electing all county officers. The poll books of said election were directed to be taken to Monticello where on Tuesday following the election John Hughes, Abraham Marquis, John T. Tinbrook, and James Reber, four regular acting justices of the peace in the county (or so many of them as could be present) were to canvass the votes given for each candidate, and cause the results to be proclaimed aloud, naming the persons elected and the offices to which they were elected. Returns of the election were to be made to the Secretary of the State.<sup>4</sup> The county would be considered as legally organized as soon as the first elected officers were qualified according to law.

As soon as the clerk of the county commissioners' court gave his bond "to the acceptance of the county commissioners" he informed the judge of the judicial circuit, who thereupon appointed a clerk, after which, courts were held in Monticello until a county seat was permanently established.<sup>5</sup> All suits at law commenced in Macon and DeWitt counties before the county of Piatt was organized were decided in the respective counties. All justices of the peace, constables and other officers within the newly organized unit continued in their respective offices until the terms of same expired.<sup>6</sup>

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1. Past and Present of Piatt County, p. 14.
  2. Constitution of 1818, Schedule, sec. 4; L.1819, p. 175,176.
  3. L.1841, p. 71.
  4. Ibid.
  5. Ibid., p. 72.
  6. Ibid.

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The act of formation provided for the appointment of school commissioner, who was to "demand and receive from the school commissioners of Macon and De Witt counties all monies, notes, bonds, mortgages, and other writings pertaining to said County of Piatt, and likewise its distributive share of all unexpended state and school funds."<sup>1</sup> The county commissioners were directed to meet on the first Monday in June, 1841, and to perform all the duties required of county commissioners, and to levy a tax which was to be equal in all parts of the county. Macon County was involved in a **heavy** debt, incurred by the construction of a courthouse in Decatur; and because the voters of Macon County consented upon certain conditions to the petition for the formation of Piatt County, the new county was required by terms in the enabling act to bear its portion of the balance of the debt due on the courthouse. Three Piatt County commissioners were named in the act to meet the commissioners of Macon County at their regular session in June, 1841, and to ascertain the amount of debt remaining unpaid at the close of the year 1840, and after deducting therefrom the funds on hand at the time, and the debts then owed to Macon County, they were to apportion the balance of the courthouse debt between the parts of Macon County included in Piatt and the remaining part of Macon, according to the tax list of the latter county in 1840, that part of Macon County included in Piatt County was held bound to pay its proportionate share of the courthouse debt, and the interest thereon on the same condition that Macon County was bound. The commissioners of Piatt County were given permission to order paid the whole of the debt due Macon County whenever funds arising from that part of Piatt County was sufficient therefor.<sup>2</sup> An act supplementary to the enabling act, and approved by the General Assembly February 27, 1841, provided that the inhabitants from that part of De Witt County which formed a part of Piatt, were not required to pay any portion of the indebtedness to Macon County.<sup>3</sup> Of the three commissioners named in the act to meet with the commissioners of Macon County in the matter of the courthouse debt, one was George A. Patterson, a school teacher,<sup>4</sup> who had been delegated to represent at Springfield the proposed new county and to secure passage of the act dividing Macon and De Witt counties. The other two commissioners were William Barnes and N. H. Devore.<sup>5</sup>

The enabling act provided that all county business be transacted in Monticello until a county seat had been permanently located.<sup>6</sup> Section five of the act specified that the court of the judicial circuit be held at the same place. It was in this manner that all of the county business

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1. L.1841, p. 72.
  2. Ibid., p. 73.
  3. Ibid., p. 91.
  4. Supervisors' Record, v. I, p. 215.
  5. L.1841, p. 73.
  6. Ibid., p. 72.

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life was centered in the one locality, pending the outcome of the election, set by the act for the first Monday in April, 1842,<sup>1</sup> or just one year from the date of holding the first election for county officers. It was required that the owners of the land upon which the county seat was to be located should execute a "good warranty deed for twenty-five acres of land for the benefit of the county" in order that the place be eligible for designation as the county seat. The county commissioners were to cause the land to be laid off in town lots, in the center of which was to be laid off one entire block for a public square. Should the highest number of votes be given to any town already laid off and a candidate for the county seat, the proprietor was required to make to the county commissioners a "good warranty deed" to forty lots in said town, sold and unsold, or in lieu thereof, twenty acres of land adjoining said town, at the option of the proprietor of the town.<sup>2</sup>

### Piatt County Begins to Function

The population of the county at the time it was organized was about seven hundred. Monticello, the oldest town in the county, was chosen as the county seat at the election held the first Monday of April, 1842. The town was planned and founded in 1837 by four men: Abraham Marquis, William Barnes, Major McReynolds, and John A. Piatt. These men formed a stock company and laid out the town on land formerly owned by Piatt. The site was on the south side of the Sangamon River and centrally located in the county. The town was named by Major McReynolds in honor of Thomas Jefferson, whose mansion-home is known as Monticello. The first term of the circuit court was held May 14, 1841, in the Devore Hotel, known as "The Old Fort." Samuel H. Treat was circuit judge.<sup>3</sup> The county commissioners chosen at the first election (April 5, 1841) were John Hughes, William Bailey, and Enoch Peck. John Piatt was elected sheriff; Henry Barnes, coroner; John P. Tinbrook, treasurer; James Rever, probate justice of the peace and surveyor; Joseph King, county clerk; and James F. Outten, recorder. Joseph King was chosen school commissioner at the August election of the same year.<sup>4</sup>

The first grand jury was impaneled at the October term of the circuit court, 1841. George A. Patterson was foreman of the jury which returned no indictments. Little business was transacted by the county commissioners' court during the first four terms, according to historians who have pieced together the record for the two years, April, 1841 to March, 1843, for which period no minutes of the meetings of the county

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1. L.1841, p. 72.

2. Ibid.

3. Past and Present of Piatt County, p. 15,37-39.

4. See Roster of County Officers, p. 59-68.

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commissioners' court are available.<sup>1</sup> However, it has been creditably established that the county was divided into three election precincts during this time of unrecorded administrative history; they were Monticello, Sangamon, and Okaw. George Boyer was appointed overseer of the poor for the Sangamon precinct, James McReynolds for the Monticello precinct, and Samuel Harshbarger for the Okaw precinct.<sup>2</sup> The marriage register of the county shows that the first marriage license was granted in April, 1841. The certificates of qualification for offices granted by the Secretary of State of Illinois further show that the county as an administrative unit of state government was legally functioning when its officers, elected April 5, 1841, were qualified.<sup>3</sup>

### First Recorded Administrative Proceedings

The county commissioners' court convened for the March, 1843 term at the courthouse in Monticello. The minutes of this meeting are the first available for inventory and study. The members of the court were the same commissioners as were chosen at the first county election. The first item of business was that of accepting the reports of nine road supervisors for the year 1842.<sup>4</sup> Road districts for the succeeding year were laid out and supervisors therefor appointed. This time two new districts were set up, indicating that new highways were being opened up and new farmsteads established in the county. By this time, George A. Patterson had become school commissioner and the court authorized him to make a settlement with Joseph King, the first school commissioner of the county. Patterson was authorized by the court to call on the school commissioner of De Witt County and receive from him all papers and monies in his hands belonging to town 19 north, range 5 and 6 east. The school commissioner was also authorized "to take a loan of the money paid in state bank paper by John West and to give his note with mortgage on unincumbered real estate at the rate of fifty-six and one-fourth cents per dollar in favor of township 18 north, range 5 east."<sup>5</sup>

Maintenance of roads was socialized by an order of the court requiring every able-bodied man to perform three days' labor on the highways in his respective district. George A. Patterson's county duties were expanded to include those of county assessor for 1843; Edward Ater was appointed collector, and was authorized to receive Indiana state paper for county revenue.<sup>6</sup> In 1842 the State Bank of Illinois failed, carrying widespread ruin all over the state. Its scattered notes amounted to more than \$3,000,000, and these state bank bills constituted most of the currency of the people. Though the notes had been falling

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1. County Record, v. A, p. 1.
  2. Past and Present of Piatt County, p. 15.
  3. L.1841, p. 71.
  4. Court Record, v. A, p. 1-5.
  5. Ibid., p. 5,6.
  6. Ibid.

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in value for a long time, they suddenly became practically worthless. It became a problem to keep the state government going because the state could borrow no money. The internal improvement bubble had burst and the financial world believed Illinois would repudiate her already heavy indebtedness. The people had little money except State Bank bills with which to pay taxes. The Governor, Auditor, and Treasurer of the state were authorized by the General Assembly to notify the public through the press that bills on the State Bank at Springfield would not be received for taxes. Bills on the State Bank at Shawneetown were exempted, and this permitted land speculators in particular to pay their revenue bills in worthless paper of that institution. The general effect of this was widespread protest by the taxpayers of the state.<sup>1</sup> This situation continued to be a cause for complaint and unrest; it also was in part the background of the circumstances on which Abraham Lincoln was at a later date challenged to a duel by State Auditor James Shields.<sup>2</sup> As above noted, Illinois State Bank notes were accepted at this time on a loan made by the county at the rate of fifty-six and one-fourth cents per dollar.

Edward Ater had replaced John Piatt as sheriff at the time the minutes of the county commissioners' court were opened as an archival record. Jefferson D. Wills was elected county clerk, replacing Joseph King, in August, 1842. Overseers of the poor were appointed for the Sangamon, Monticello, and Okaw precincts.<sup>3</sup>

The commissioners, who were elected at the time the county was organized, convened for the June, 1843 session of the court. Road viewers were appointed to serve in connection with a petition, for a new road, filed in the office of the county clerk. At the same time it was ordered that no allowance hereafter would be made for the services of road viewing. The report of a committee appointed by the court to examine the books and vouchers of the school commissioner, George A. Patterson, was accepted. The report absolved "Patterson from any charge of improper conduct in the management of the business and duties of the office of school commissioner of Piatt County."<sup>4</sup> Transactions involving school funds were recorded at this term of court, but no action was taken concerning the establishment of schools or their administration. Commissioners were allowed \$1.50 per day each for two days' service; likewise, the county clerk was allowed \$1.50 a day for his ser-

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1. Albert J. Beveridge, Abraham Lincoln 1809-58 (Boston: Houghton Mifflin Company), II, 37,38.
  2. Ibid., p. 38-57.
  3. Court Record, v. A, p. 7.
  4. Ibid., p. 8,10.

Historical Sketch

VICES at the court, and Edward Ater, sheriff, was allowed \$2.00 for two days' service.<sup>1</sup>

When the September (1843) term of the commissioners' court convened, two newly elected commissioners were present: William H. Piatt, who was elected to fill the vacancy created by the resignation of William Bailey, and William Wright. Enoch Peck was recorded as "judge of the board." James F. Outten had been elected court clerk. At this time the bonds of other elected county officers were accepted and filed.<sup>2</sup> The county road starting "from a point on Wild Cat point and running to a point above Gocse Creek near William Stages' lands on the old road," was relocated in accordance with the report made by Thomas Welsh and Abraham Marquis, road viewers appointed by the commissioners. The plot of survey of the road was laid before the court and was approved. Thirty dollars were appropriated for raising the highway at the Sangamon bridge, and for raising the east end of the said bridge.<sup>3</sup> John Ricketts was appointed county treasurer to fill the vacancy made by the resignation of John P. Tinbrook. The rate of taxation for county purposes for the year 1843 was fixed at twenty cents for every hundred dollars of taxable property.<sup>4</sup> In December, Adison I. Wiley, commissioner-elect, succeeded Enoch Peck, who was the last member of the court as originally constituted.

At this time, in addition to there being an elected county school commissioner,<sup>5</sup> there were three trustees of school lands in each congressional township where the county commissioners' court held it expedient and the population thereof approved. The trustees of the school lands were appointed by the commissioners.<sup>6</sup> It was at the December meeting of the commissioners' court that a vacancy was filled in township 18 north, range 6, by the appointment of Daniel Strickle, school land trustee in place of J. D. Willis. John Argo, Nicholas Oullery, and Daniel Stewart were appointed trustees of school lands for township 20 north, range 6 east.<sup>7</sup> County Treasurer Ricketts reported a balance on hand in the treasury of \$1.36. Uncollected notes for lots sold totaled \$115.48. These were lots of the twenty-five acres of land donated to the county by the owners of the property on which the county seat was located.<sup>8</sup>

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1. Court Record, v. A, p. 11,12.
  2. Ibid., p. 13,14.
  3. Ibid., p. 16,19.
  4. Ibid., p. 19,21.
  5. R.L.1829, p. 150-54; L.1841, p. 261,262.
  6. R.L.1827, p. 366-70. For the duties of the trustees of school lands, see Governmental Organization, p. 43,47.
  7. Court Record, v. A, p. 23.
  8. Ibid.

Historical Sketch

Public Buildings

Courthouses

Meetings of the commissioners were held at the courthouse in Monticello from the March, 1843 term to the December term of that year. In the minutes of the December meeting it was recorded that "John Ricketts was allowed \$50 of the \$100 which was withheld as security for completing the courthouse."<sup>1</sup> This was the first official mention that a courthouse had been constructed. From secondary sources it has been learned that the circuit court convened in May, 1841, in the Devore Hotel; but whether "the courthouse" mentioned in the minutes of the first records extant was this hotel or some other place rented for the temporary purpose, is not known from the county's administrative records. If the place of meeting from June, 1841 (the date set by the enabling act for the first meeting of the county commissioners' court) to the time of occupying the courthouse recorded in December, 1843, be called the first of Piatt County's county buildings, then there were four in all used for the purpose during the ninety-nine years (1841-1940) of the county's history.

However, the Supervisors' Record of September, 1903, contains a brief history of the formation of Piatt County. This history of the county was prepared and read before the board of supervisors and was ordered put in a box to be placed within the cavity of the corner stone of the new courthouse that was constructed at that time. It is stated that the first courthouse was constructed in 1843.<sup>2</sup> In January, 1845, the commissioners ordered the courthouse received off the hands of John Ricketts, and that he be paid \$30 in county orders to be issued in September of that year, "provided the doors be finished by that time according to contract."<sup>3</sup> It was a one-story frame building, the site of which was also used for the second courthouse which was formally accepted as completed by the county court, June 15, 1857.<sup>4</sup>

Thus it was that, by 1856, the need for a more commodious county building was apparent and a contract for a two-story brick building was awarded to George Dempsey and John Lowry for \$10,936 to be paid in four equal installments: one fourth when the foundation was completed, one fourth when enclosed, one fourth when finished, and one fourth a year after completion. This structure originally had a cupola; it was destroyed by a storm in 1871 and was never replaced. The building served the county for forty-six years, during which time it required little repairs.<sup>5</sup>

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1. Court Record, v. A, p. 25.
  2. Supervisors' Record, v. I, p. 215,216.
  3. Court Record, v. A, p. 45.
  4. Supervisors' Record, v. I, p. 216.
  5. Ibid.

## Historical Sketch

The first courthouse was removed from its site in Monticello to the west side of the public square. The county retained use of the building for one year pending the construction of the new courthouse on the site of the old one.<sup>1</sup> That the completed building and its furnishings cost more than the price fixed in the contract is apparent from the extra sums allowed the contractors at the time the structure was received and approved as having been completed in accordance with the terms and specifications of the contract. The building was valued at \$12,000 in January, 1859, when it was insured for \$8,000.<sup>2</sup>

In time, this structure became unsuited and unfit for the expanded services of the various county offices; and agitation for repairs or for reconstruction of the county building was recorded in the county records as early as 1876.<sup>3</sup> Finally in March, 1900, the board of supervisors adopted a resolution that asserted the courthouse was in such a state of decay as to make further repairs impracticable. The building was said to be "no longer adequate to meet the demands of our progressive people." The board recommended that the question of building a new courthouse be submitted to the voters at the next general election to be held the first Tuesday in November, 1900.<sup>4</sup> However, it was not until September, 1902, that a similar action of the board became effective in that it resulted in approval by the voters and the floating of a \$100,000 bond issue for the construction of a new courthouse and repairs of the jail.<sup>5</sup> Provision was made for housing the various county offices during the construction period in other buildings at the county seat. The contract for building the new courthouse was awarded July, 1903 to H. B. Walter of Danville, Illinois, the work to be completed on or before July 15, 1904. A penalty clause included in the contract required payment by the contractor of \$50 a day for every day the building remained unfinished after the date fixed.<sup>6</sup>

At the September, 1903 meeting of the board of supervisors there was read an invitation from the Fraternal Lodge, Number 58, A. F. and A. M. (Masonic order) of Monticello "cordially" inviting the "honorable body" of supervisors "to attend and participate in the ceremonies of laying the cornerstone of the new Piatt County courthouse, September 22, 1903, at two o'clock p. m." The supervisors at the same time authorized "the Masonic order to select the engraving or lettering on the east face of cornerstone." The other face of the stone was to have engraved thereon the names of members of the board of supervisors, the architect, and the contractor. A committee was appointed to select records or papers to

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1. Court Record, v. B, p. 49,58,61.
  2. Ibid., p. 145,146,430.
  3. Supervisors' Record, v. E, p. 60; *ibid.*, v. H. p. 205,409.
  4. Ibid., v. I, p. 3,33.
  5. Supervisors' Record, v. I, p. 3,33,45,46,48.
  6. Ibid., p. 151,153.

## Historical Sketch

be put in a box and placed in the cornerstone.<sup>1</sup> Among the papers and records placed in the box was a short history of the county, a copy of which was recorded in the minutes of the meeting of the board of supervisors that was held on the day of laying the cornerstone. It was in this county history that the result of the election held in November, 1902, for the purpose of voting on the \$100,000 bond issue was given. There was a majority of 187 votes favoring the proposition.<sup>2</sup> Final financial settlement for completion of the courthouse by the contractor was not made until April 18, 1906, which was almost two years later than the date fixed in the contract. When the board officially and formally accepted the three-story brick and stone trimmed structure, the cost had reached approximately \$80,000, which was an excess of \$5,000 over the estimated cost on which the amount of the bond issue had been calculated.<sup>3</sup> To this county building was added further improvement in 1938, when by the use of the services of the Federal agency, the Works Progress (Work Projects) Administration, the first floor was completely remodeled and a basement was excavated and finished. Vaults and fireproof storage facilities for county records were installed. The cost of improvement was in excess of \$20,000, which brought the total cost of the present courthouse to more than \$100,000.<sup>4</sup>

## Jails

The county records show no action taken on building a county jail until the September, 1850 term of the county board. At that time a committee of three was appointed to draft a plan for a jail for Piatt County; the committee was to report on the fourteenth of the month, but no report was recorded in the minutes of the meeting held on that date.<sup>5</sup> At the March, 1851 term, the board ordered that bids for the construction of a jail be received. A report of the action ordered was to be made at the next meeting of the board. At the June term (1851) the board ordered that S. L. Swords receive an order for \$150 as the first payment on the jail.<sup>6</sup> Almost three years later, January, 1854, the record shows that Swords received another order on the county treasury for \$150 to be paid for the work of jail construction.<sup>7</sup> Later the same year Swords received an order from the board for \$610.60, the balance in full for building the jail.<sup>8</sup> This sum and the \$300 previously received would show that a total of \$910.60 was paid the contractor. Ac-

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1. Supervisors' Record, v. I, p. 195,210.

2. Ibid., 216,217.

3. Ibid., v. I, p. 91-93,345,512,618. See p. 72 on the housing and care of records for detailed cost.

4. Ibid., v. T, p. 303-5,339.

5. Court Record, v. A, p. 18+.

6. Ibid., p. 211,217.

7. Ibid., p. 342.

8. Ibid., p. 385.

## Historical Sketch

According to the county board records, this was the first jail built for the purpose of confining prisoners and persons held in jurisdiction of the court and awaiting trial in Piatt County. Until the county conformed with the act of the General Assembly requiring that a jail be maintained in each county at the seat of justice,<sup>1</sup> prisoners held by county authorities were confined in the jail at Champaign in the county adjoining Piatt on the east, according to the writings of local historians.<sup>2</sup> There are in the writings of local Piatt County historians, data on a first jail that is said to have been located two blocks east and one north of the square in Monticello; its dimensions were 16 feet square, and it was built of hewn logs 12 inches square. It had a log floor and ceiling. This structure could hardly have been the one built by Swords, the contractor, between 1851 and 1854. The jail now serving the county was erected in 1903; it has been remodeled from time to time since then. It is a combination jail and residence for the sheriff.

### Matters Governmental and Political

#### Changes in the Form of County Government

The structural and administrative changes that occurred in the form of county government between 1818 and 1870 show an evolution in the functional aspects of Illinois counties as corporate entities and administrative units of the state government. The growth of the county economically, politically, and culturally is reflected in the changes made in its governmental structure. The expansion of powers under the laws of the state, and the inclination of the majority of county electorates to exercise them, reveal the democratic trends of the times. As before stated, the general administration of the county was at first vested in the county commissioners' court,<sup>3</sup> consisting of three elected members. There was a growing demand during the decade of the forties for changes in the Constitution of 1818; the drift toward popular government had become marked. The old constitution, designed for a frontier community, had come to be considered inadequate for a state that had made marked economic and social progress.<sup>4</sup> Illinois was no longer the intellectually provincial Western community of the early nineteenth century. Institutions of democracy had multiplied; new and complex social conditions were developing due to the impact on rural communities of growing cities and their industrialization.<sup>5</sup>

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1. R.L.1827, p. 246,247,249.
  2. Past and Present of Piatt County, p. 15.
  3. Constitution of 1818, Schedule, sec. 4; L.1819, p. 175,176.
  4. The Frontier State, p. 403-9.
  5. Ibid., p. 410,411.

## Historical Sketch

With the admission of Missouri in 1820 into the Union as a slave state, more settlers from the New England and Middle Atlantic states began to occupy northern Illinois, while Southern emigration was directed toward Missouri. A long and bitter political struggle ensued in Illinois as in many another frontier state. The need for a new basic law was partially the result of that struggle. In April, 1847, Piatt and Macon counties jointly elected one delegate to the state constitutional convention which convened in June at the state capital.<sup>1</sup>

The new constitution which was adopted by the convention, August 31, 1847, and ratified by the electorate of the state, March 2, 1848, went into effect, April 1, 1848. It entrusted extensive powers to the people, both in the election of officers and in the decision of important matters left to the inhabitants of localities. It also authorized the General Assembly to provide a general law under which any county might organize under the township form of government whenever a majority of the voters of such county at any general election should so determine.<sup>2</sup> To the early county form of government, which was that preferred by the state's immigrants from the South, there was added now the option of local government under township organization, or that form of administration with which immigrants from the New England and Middle Atlantic states were most familiar. But even for those counties that were to remain under the administration of the county court system, the form was changed by the new constitution from that of the county commissioners' court to the newly created county court.<sup>3</sup> The latter was more judicial in its concept than had been the county commissioners' court, as the county judge sitting alone had civil, criminal, and probate jurisdiction; while he and two justices of the peace sitting together administered business affairs of the county. The judge was elected constitutional officer,<sup>4</sup> and the two justices of the peace were elected at large from the county.<sup>5</sup>

Provision for this county court form of county administration was set up in the constitution in the article establishing the judiciary system of the state; whereas, the provision for adoption and creation of the township-county form of administration was set up in Article VII, which dealt with counties, their formation and government. Thus was poised in the basic law of Illinois in 1848 two diverse concepts of local government: one was the judicial theory of government, which was a political recurrence due to the acuteness of the political struggles of the day, and the other was the implementing of a deep-seated spirit of independence and an expansion of the political philosophy of self-

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1. L.1847, p. 34.
  2. Constitution of 1848, Art. VII, sec. 6.
  3. Ibid., sec. 18-19.
  4. Ibid., Art. V, sec. 17.
  5. Ibid., sec. 19; L.1848, p. 65,66.

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government. At best it was a compromise which was carried over into some county governments long after the political issues were dissolved by a changed national and state economy.

The only reference in the records of the commissioners' court to these forces that later convulsed a young but powerful nation, and were at the time carrying its commonwealth the onward to the crimson road to war, was at the June, 1847 term of court when an order was issued for the payment of the judges and clerks of the election at which the delegate to the constitutional convention was selected by the electorate of Piatt and Macon counties. The silence of the records on these matters belie the alertness of the people who from this time onward to the outbreak of the Civil War were in a ferment over the course their government was to travel.<sup>1</sup>

The change from the county commissioners' court was mandatory under the Constitution of 1848; the county electorate might exercise its option on adoption of the township-county form of government, which if chosen carried with it the board of supervisors as the county administrative body.<sup>2</sup> On February 12, 1849, the General Assembly approved an act establishing the county court; the act called for holding an election in November, 1849, for the purpose of choosing the county judge, two associate justices of the peace, clerk of the county court, and constables; also, it established powers and jurisdiction of the court.<sup>3</sup> The last meeting of the county commissioners' court in Piatt County was held in September, 1849. Judges were appointed at this meeting for three election precincts. At the time the commissioners' court was superseded by the county court its members were John Hughes, C. R. Ward, and P. K. Hull. James F. Outten was clerk of the court. Commissioner Hull was not present at the court's last meeting.<sup>4</sup> On December 3, 1849, the new county court, the members of which had been selected at the November election, held its first meeting to "exercise and possess all the power, jurisdiction, and authority heretofore conferred by law on the county commissioners' court,"<sup>5</sup> The times of the court's meetings were fixed by the act for the first Monday of December, March, June, and September in every year. The constitutional jurisdiction of the court extended to all probate and such other jurisdiction as the General Assembly conferred in civil cases, and such criminal cases as were prescribed by law, where punishment was by fine only, not exceeding one hundred dollars.<sup>6</sup>

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1. Court Record, v. A, p. 95.
  2. L.1849, p. 190,202,203; L.1851, p. 50-52.
  3. L.1849, p. 62-67.
  4. Court Record, v. A, p. 144.
  5. L.1849, p. 65.
  6. Constitution of 1848, Art. V, sec. 18,19.

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The court consisted of John Hughes, county judge, and associate justices John Winstead and Jonathan C. Johnson. Judge Hughes had served as a member of the last county commissioners' court. James F. Outten, who had been the last clerk of the commissioners' court, was now the elected clerk of the county court. Outten presented his bond for \$3,000 as required by law and was qualified for the office. The official bonds of the judges were examined and approved by the court. These were the first official acts of the new court.<sup>1</sup> Although no mention was made of it in the record of the first meeting of the court, the constitution required that every person elected or appointed to any office of profit, trust or emolument, civil or military, legislative, or judicial, under the government of the state, was required to take in addition to the oath prescribed by the constitution for the office, an oath swearing or affirming that he had not fought a duel, nor sent or accepted a challenge to fight a duel, the probable issue of which might have been the death of either party, nor been a second to either party, nor in any manner aided or assisted in such duel, nor been knowingly the bearer of such challenge or acceptance, since the adoption of the constitution, and that he would not be so engaged or concerned, directly or indirectly, in or about any such duel, during his continuance in office.<sup>2</sup>

The court ordered that Dr. Vanfleet be paid five dollars for medical attendance on a pauper from McLean County, and J. C. Johnson was allowed \$3.62 for the boarding and keep of the same pauper for two weeks. A petition for "a cart road" was received and viewers for the same were appointed. A report on a projected road leading from Monticello to Decatur on the east side of the Sangamon River was received. J. C. Johnson was given an order for \$15 for the purpose of furnishing "as soon as practicable" the circuit court and the county court of Piatt County with seals and a press.<sup>3</sup> At a special term of the court, March 9, 1850, attention was given to road building and highway maintenance. A petition was received for a review and location of a county road commencing on the county road at or near the line of section 34, township 19, range 6 east, thence east to the county line. The court appointed road reviewers for the same. In pursuance of the order that had been issued at the December term of the court to have a "cart road" viewed, the court now received report which described the cart road as being necessary to permit Zenobel Martino to have a roadway from his land to the road leading from Decatur to Middletown. The cart road sought would pass through the lands of Henry and Joseph Phillips for a distance of about 148 rods. The court heard the objections of the Phillips land owners, who held that the road would pass through their orchard, garden, and barnyard; this allegation was refuted by the report of the reviewers. The court overruled the objections and ordered "the cart road established

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1. Court Record, v. A, p. 150,151.
  2. Constitution of 1848, Art. XIII, sec. 26.
  3. Court Record, v. A, p. 151-55.

## Historical Sketch

as contemplated." Martino was to pay all costs and damages assessed according to law, and the road was not to exceed 30 feet in width.<sup>1</sup> Over a period of years the court was occupied with much highway construction of this character.

### County Court Form of Administration in Transition

The county was growing in population: since its organization it had more than doubled, being 1,606 by 1850; of this number, 1,587 were native born whites and 19 foreign born.<sup>2</sup> The development of the county agriculturally and increased transportation facilities, such as more and better highways, changed the circumstances of county government. The county did not at once exercise its option on adoption of township form of administration as provided for in an act of the General Assembly, approved February 12, 1849, the time when the law for establishing the county court was approved. The act required that favorable action on its provisions would become effective on and after the first Tuesday in April, 1850.<sup>3</sup> For ten years, county affairs were administered by the county court. The general effect of the changed economy, due to increase in population, agricultural expansion, and the spread of democratic ideas relative to local self-government, was to impel the electorate to prefer the township form of county administration. The law of 1849 specified that the county commissioners' court or the county court, whichever was in commission, could initiate the holding of an election at which the question of township organization would be submitted to the voters for adoption. A majority of all votes cast for or against township organization was required to determine the question.<sup>4</sup> This law was repealed February 11, 1851, by the enactment of another law providing for township organization. Under the provisions of this act the county court on a petition of fifty voters of a county, was required to submit to the voters of a county the question of township organization. A majority of the legal voters voting at such an election was required to determine the result of such an election for or against the change from the county court system to the township form of administration.<sup>5</sup>

### Township Organization Adopted

At the December, 1859 term of the county court an abstract of the vote on township organization was ordered recorded in the minutes of the meeting. The order stated that an election had been held in the coun-

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1. Court Record, v. A, p. 165,166.
  2. U.S. Bureau of the Census, Seventh Census of the United States, 1850, Population.
  3. L.1849, p. 190.
  4. Ibid.
  5. L.1851, p. 35,36.

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ty on Tuesday, the eighth of November, 1859, to decide whether township organization should be adopted. The report given was: "For township organization, 470 votes; against township organization, 194 votes."<sup>1</sup> The court appointed at its January, 1860 meeting three commissioners to divide the county into towns preparatory to township organization. According to the act of 1851 providing for township organization, the county would be governed and subject to the new form of administration on and after the first Tuesday of April next succeeding the election at which the decision was made.<sup>2</sup> The commissioners appointed were James Bryden of Monticello, C. D. Moore of Bement, and Ezra Marquis of Goose Creek. At a special term of the court held February 25, 1860, W. T. Foster was appointed to fill the vacancy on the commission caused by the death of James Bryden.<sup>3</sup>

The report of the commissioners on division of the county into townships was recorded in the minutes of the March, 1860 term of court. The commissioners declared they had made a careful examination of the county and had given consideration to the relative positions of the several settlements in dividing the county into eight townships; they judged their work "to be the best division that can be to secure the fulfillment of all the requirements of the law and at the same time meet the wants of the inhabitants."<sup>4</sup> The report included the designation of the boundaries of each township and gave the name of each as follows: Blue Ridge, Goose Creek, Sangamon, Monticello, Liberty, Bement, Douglas, and Cerro Gordo.

The March term of the court was the last held under county form of administration; it opened March 5, 1860, and continued in session until April 2, 1860. The record stated that one adjournment was taken until April 2, but does not state the day of adjournment. The minutes of the last term of the court indicate that the transactions were in preparation of the county's affairs for the transfer to township administration. The items considered and acted upon by the court run from page 588 of volume B to page 25 inclusive of volume C of the court record. At the opening of the March term, County Judge A. G. Boyer, and Associate Justices, James Ater and John Mosgrove were present. On the last day of the court Associate Justice Ater was not recorded present.<sup>5</sup> On May 28, 1860, "the board of supervisors met at the courthouse up stairs in the circuit court room in pursuance of previous notice for a special meeting."<sup>6</sup> The record was entitled "Piatt County Supervisors' Court." The supervisors present and the township each represented, were John Meliza of Blue Ridge Township; Seth C. Langdon, Goose Creek; Elias Hall, Willow Branch; William Cole, Cerro Gordo; Royal Mitchell, Unity; Caleb D. Moore, Bement; William

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1. Court Record, v. B, p. 572,573.
  2. L.1851, p. 35,36.
  3. Ibid., p. 578,581.
  4. Ibid., p. 624-27.
  5. Ibid., p. 588,636; County Court Record - Law, v. C, p. 1-25.
  6. County Court Record - Law, v. C, p. 26.

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Motherspaw, Monticello, and Ananias B. Knott, Sangamon. Reuben Bowman, sheriff, and Wilson F. Cox, county clerk, also were in attendance. The meeting was opened by proclamation of the sheriff, and on motion of C. D. Moore of Bement Township, Elias Hall of Willow Branch Township, was unanimously chosen chairman of the board of supervisors.<sup>1</sup>

The names of two of the eight townships appearing in this record were not so given in the list of names by which they were designated by the commissioners who divided the county into townships. The record of the change of the name of Liberty Township to that of Willow Branch was made at the first meeting of the board of supervisors, and for that reason Elias Hall was recorded as representing Willow Branch and not Liberty.<sup>2</sup> The name of Douglas Township had already been changed to Unity by the time of the first and special meeting of the board, but no record of the change appeared in the minutes. The names of the townships remain the same at the time of this writing as they were in 1860.

Administration by Board  
of Supervisors

The board authorized the county clerk to order from the Secretary of State eighty copies of Haines' "Laws of Illinois relating to Township Organization." The clerk was given an order on the county treasurer for the sum of twelve dollars "to pay the difference between the publisher's price and the price which the Secretary of State is authorized to pay for said laws, and that the said clerk of the county court forward said sum as soon as drawn from the treasurer."<sup>3</sup> On motion of Supervisor Moore, compensation of the supervisors was set at two dollars per day attending meetings of the board. Compensation for the services of the county clerk while attending meetings of the board was set at three dollars per day.<sup>4</sup>

At this time there was evidence of growing opposition to the licensing of taverns to sell intoxicating beverages. The board of supervisors at its first meeting rejected by a vote of four to one, the petition of Thomas W. McMillan for a license for him "to retail ardent spirits for a period of six months in less quantities than one gallon in the American House in Bement, Illinois." Supervisor Moore of Bement made some remarks in opposition to the granting of the license, "alleging that a majority of the citizens of Bement were opposed to having a licensed grocery or drinking saloon in their town."<sup>5</sup> This action was in contrast to the order of the county court at the September, 1855 term granting a license to J. C. Johnson to retail all kinds of spiritous liquors in his

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1. County Court Record - Law, v. C, p. 26.
  2. Ibid., p. 29.
  3. Ibid., p. 26.
  4. Ibid., p. 38.
  5. Ibid., p. 33.

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tavern in Monticello for the period of one year. Johnson was required to pay a fee of \$50.00 before receiving the license.<sup>1</sup> Tavern rates were set by the court early in the history of the county. No person was permitted to enter into a merchandising business without a license from the county commissioners. A fee of \$5.00 was charged for such a license. Ferries were established on the rivers, and licenses were granted by the county administrative body, which fixed the rates of ferriage. At the March, 1853 term the court ordered that a license be granted to anyone who would accept the same and keep a ferry across the Sangamon River at or near the "Old River bridge." The rate of toll was as follows: For footman, five cents; for man and one horse, ten cents, and for two horses and wagon or carriage, twenty-five cents. The court obligated itself to purchase the ferry should a bridge be built across the river near the ferry within five years from the date the license to operate was granted.<sup>2</sup>

In addition to their special duties as township supervisors, the members of the county board were specifically charged with certain county responsibilities: among these were the care of the poor and the management of the county poorhouse and farm, the audit of the accounts of town officers and the examination of the assessment rolls of the several townships, and the appropriation of funds to aid in the construction of roads and bridges in any part of the county, whenever a majority of the whole board deemed it proper and expedient.<sup>3</sup> Among the many administrative duties that devolved upon town officers in the administration of local affairs were overseeing the poor, maintenance of highways in the road districts of the townships, and maintenance of pounds for stray animals. The structure of town government was after the manner of local government in use in the New England states. In fact the law provided for the inauguration of town meetings.<sup>4</sup>

### An Historical Political Episode

During the first years of the county's history, Abraham Lincoln of Springfield often came to Monticello as a lawyer, practicing before the court there. In 1856, during the presidential election campaign, Lincoln was scheduled to speak in the courthouse. So unpopular was the cause which Lincoln represented - that of the new Republican Party - that only two men could be found who would walk with him from the hotel to the courthouse. These men were Ezra Marquis, Sr., and Joseph Guy, who carried the flag of the Union. The speaking began with these two men for an audience; gradually, however, the number increased until the courthouse was nearly full. During the senatorial campaign of 1858, a very different meeting

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1. Court Record, v. A, p. 486.

2. Ibid., p. 303.

3. L.1851, p. 51.

4. Ibid., p. 38,39.

## Historical Sketch

awaited the onetime backwoodsman when he returned to Monticello: he had become a statesman of national prominence. Lincoln was the Republican candidate for the United States Senate, and was opposed by Senator Stephen A. Douglas, Democrat. Delegations from Champaign, De Witt, and Piatt counties numbering about 5,000 persons met Lincoln who came from Bement by carriage to the county seat. Douglas, who spoke before the arrival of Lincoln, and knew that his opponent was to follow him in the afternoon, met Lincoln on the road about one mile south of Monticello. From his carriage Douglas called to Lincoln and protested his following him. Lincoln proposed joint meetings and they accordingly arranged to meet later at Bement at the home of F. E. Bryant. This latter meeting between Lincoln and Douglas resulted in arrangements for the series of joint debates, which later became famous in the annals of American history.<sup>1</sup>

Public sentiment in the county had changed considerably in two years. In 1856 the people would scarcely pause in their work to look at Lincoln, while in 1858 they literally carried him in their arms. A Lincoln-Douglas monument<sup>2</sup> was erected to mark the spot where "The Great Emancipator" and the "Little Giant" met and proposed their joint discussions of the political issues of their campaign. The inscription on the marker reads: "Here on July 29, 1858, Abraham Lincoln and Stephen A. Douglas first agreed to meet in joint debate in Illinois." The monument was dedicated on the sixtieth anniversary of the meeting and was unveiled in the presence of representatives of the State Historical Society and two thousand people who gathered in honor of the martyred President who was a master of political science and the man who defeated him for the United States Senate.

### The County's Response to the Nation's Call to Arms

When Lincoln was President of the United States and the nation was engaged in the Civil War, Piatt County sent 1,055 soldiers out of a population of 6,124 to support the cause of the Union. The average enrollment for the state was 100 soldiers for every 742 inhabitants, while Piatt County gave 100 men for every 580 inhabitants. Early in the war, the county issued bonds and borrowed money with which to care for the families of the volunteers at the front.<sup>3</sup> The board of supervisors, May 2, 1861, ordered that "the supervisor of each township be a committee," whose duty it was to provide necessary support for the families of soldiers from his township in the service of the United States, and that the reasonable expenses incurred in providing for such families be paid by the county.<sup>4</sup> A special war tax of twenty-five cents for every \$100 worth of property was subsequently levied for the support of the fami-

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1. History of Piatt County, p. 146.
  2. For illustration of monument, see cover.
  3. Past and Present of Piatt County, p. 18,19.
  4. County Court Record - Law, v. C, p. 132.

## Historical Sketch

lies of Union soldiers. This tax later reached five mills on the dollar.<sup>1</sup>

That Piatt County was represented in the War with Mexico, 1846-47, has been established by the county's historians. There is no reference in the administrative records of the county's participation in the war. However, the name given to the county's next most populous township, and to a settlement that is now a town, Cerro Gordo, had its origin in the battle fought at the Mexican town of that name. One of the tales told of its origin is that a Colonel Williams, one of the large land owners in the eastern part of the township during pioneering days, bore the sobriquet, "Cerro Gordo," on account of the valor that characterized his conduct in the battle of that name. The county's military record in support of the country's wars that have followed the Civil War has been one of patriotism and self-sacrifice. The methods of support and prosecution of the Spanish-American War and World War were different and required conformity to a more centralized control and a wider observance of Federal authority; nonetheless, Piatt County did its part with honor in devotion to the principles which were proclaimed as the motive for resort to arms.

## Economic Development

### Population

The population of the county reached its peak when the census of 1900 reported 17,706 persons living within its limits, which was an increase of 644, or 3.8 percent over the previous census figures of 1890. Of the total population, 16,981 were of native white parentage. There were 44 Negroes and 681 white persons of foreign birth.<sup>2</sup> The census of 1930 gave the county a population of 15,588, which was a decrease of 126 persons from the population in 1920.<sup>3</sup>

### Resources

The county being predominantly agricultural in industry, the chief wealth of its people is in land. In 1920, 90.8 percent of the 288,640 acres was in farms; in 1925 the percentage was 87.9; in 1930 the percentage was 91.9, and in 1935 it was 92.8. The number of farms declined from 1,386 in 1920 to 1,348 in 1935. There was an increase of 53 farms from 1930 to 1935.<sup>4</sup> The value of farm property, including land and

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1. County Court Record - Law, v. C, p. 342,519; Supervisors' Record, v. D, p. 8-12.
  2. Twelfth Census of the United States: 1900, v. I, Population (Washington, 1901), p. 128.
  3. U. S. Bureau of Census, Fifteenth Census of the United States, 1930, Population Bulletin, First Series, Illinois, Number and Distribution of Inhabitants, p. 30.
  4. Farm, Home and Community, p. 4.

## Historical Sketch

buildings, declined from \$40,325,923 in 1930 to \$30,475,684 in 1935.<sup>1</sup> The average number of acres per farm in 1935 was 199. In 1920 the average farm acreage was 199, which increased to 205 by 1930. Of the total number of farms in 1930, 1,143 were operated by tenants, and 416 were owner operated.<sup>2</sup> Of the owner operated farms in 1930, 50.6 percent were mortgaged, and the average mortgage debt per farm for the same year was \$11,733. The average mortgage debt per acre in the county was \$70. The average tax on land and buildings per acre of the same year was \$1.93. The value of farm land in the county averaged \$124.65 per acre in 1930.<sup>3</sup>

## Transportation

In 1856 the first railroad was constructed in the county, running east and west through Bement and Cerro Gordo townships; this was the Chicago and Paducah. In January, 1854, the county court was requested by a petition of citizens to call an election to have the electorate authorize the purchase of \$50,000 worth of stock in a railroad to run through the county. This election was to be held February 25, 1854. The road to be constructed was the "Northern Cross Railroad and Transportation Company leading from Decatur in Macon County via Monticello to or near Danville in Vermilion County." The condition on which the stock was to be purchased was that the railroad make Monticello a point on said road and that a station be constructed within one-half mile of the original survey of the town. The record does not state the result of this election, but at the March, 1854 term, the court authorized payment for services of judges of the election held on February 25.<sup>4</sup> The total mileage of steam railroads in the county came finally to be 58.54. There are 810.52 miles of vehicular highways in the county.

## Conclusion

After almost one hundred years of separate county existence, Piatt County is comparable in economic well-being, and in political and social stability to the average of Illinois agricultural communities. It is neither at the top of the pyramid of such counties nor at the base, considering the poorest as the apex and the best of the state as the base. Slightly more than half of the county's farms were mortgaged in 1930 and almost one half of the land value per acre was mortgaged. Schools have not gone backward, though teachers' pay in some classes is not high enough to be commended as compensation for such important educational service. Evidences are that the basic institutions of the county are sound, and public and social services have been maintained at a level consistent with income.

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1. Department of Commerce, Farm Census Report for Illinois (Washington: Bureau of the Census, 1935), p. 2.
  2. "Survey of Illinois," Census data (to 1935) broken down by counties by Planning Division of State Planning Board (Chicago: Illinois Planning Commission), Table B. (Typed)
  3. Farm, Home and Community, p. 78.
  4. Court Record, v. A, p. 342-45, 381.

## 2. GOVERNMENTAL ORGANIZATION AND RECORDS SYSTEM

### Introduction

The county in Illinois is a corporate body<sup>1</sup> 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 Piatt 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 important 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 Piatt 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.<sup>2</sup> It was expressly declared to have no original or appellate jurisdiction in

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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.

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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.<sup>1</sup> The commissioners were constitutional officers,<sup>2</sup> and elected;<sup>3</sup> the court existed solely by statutory provision.<sup>4</sup> Attached to it in a ministerial capacity was the independent statutory office of clerk of the county commissioners' court,<sup>5</sup> at first filled at the appointment of the court,<sup>6</sup> later by election.<sup>7</sup>

Under the second constitution, the newly created county court succeeded to the position of the county commissioners' court.<sup>8</sup> As an administrative body,<sup>9</sup> it was composed of the county judge, an elected, constitutional officer,<sup>10</sup> and two justices of the peace, elected at large.<sup>11</sup> Another new office, that of clerk of the county court, was created to provide it with a ministerial officer; the clerk also was elected.<sup>12</sup>

The Constitution of 1848 also made provision, for the first time, for an optional form of county government.<sup>13</sup> The subsequent enabling acts<sup>14</sup> 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.<sup>15</sup> Piatt County so elected in 1859 and in 1860 the county court was succeeded by a board of supervisors, composed of members elected, one in each of the several townships.<sup>16</sup> The clerk of the county court was required by law to act as the ministerial officer of the new county board.<sup>17</sup> In

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1. L.1819, p. 176.
  2. Constitution of 1818, Schedule, sec. 4.
  3. L.1819, p. 99; L.1821, p. 80; L.1837, p. 103,104.
  4. L.1819, p. 175.
  5. Ibid.
  6. Ibid.
  7. L.1837, p. 49; L.1845, p. 23.
  8. Constitution of 1848, Art. V, sec. 19; L.1849, p. 65.
  9. The county court was also a court of law. For its jurisdiction as such, see Administration of Justice, Courts, p. 39.
  10. Constitution of 1848, Art. V, sec. 17.
  11. Ibid., sec. 19; L.1849, p. 65,66.
  12. Constitution of 1848, Art. V, sec. 19; L.1849, p. 63.
  13. Ibid., Art. VII, sec. 6.
  14. 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).
  15. Other effects of the change, within the sphere of county government proper, appear with regard to the taxation procedure. See Finances, p. 36.
  16. Constitution of 1848, Art. VII, sec. 6; L.1851, p. 38,50-52; Constitution of 1870, Art. X, sec. 5.
  17. L.1849, p. 203; L.1851, p. 52.

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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,<sup>1</sup> and who was required by law to act as ministerial officer for the county board.<sup>2</sup> 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;<sup>3</sup> 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.<sup>4</sup>

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 transact all county business as provided by law.<sup>5</sup> 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.<sup>6</sup> These laws were ineffective in Piatt since this county has retained township organization since its institution in 1860.

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,<sup>7</sup> a limited but increasing management of county property,<sup>8</sup> and a growing fiscal control, stringent in regard to tax collections,<sup>9</sup> sporadic in its check on the expenditures of other county offices.<sup>10</sup> The court additionally had power to appoint judges of election,<sup>11</sup> select juries,<sup>12</sup> and, with limitations, to provide for the construction and maintenance of roads and bridges.<sup>13</sup> Poor relief<sup>14</sup> and a tentative supervision of education<sup>15</sup> also fell within its general administrative jurisdiction.

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1. Constitution of 1870, Art. X, sec. 8.
  2. R.S.1874, p. 322.
  3. Ibid., p. 1080; L.1925, p. 605; L.1929, p. 774; L.1931, p. 905-10; L.1933, p. 1115,1116.
  4. R.S.1874, p. 1080.
  5. Constitution of 1870, Art. X, sec. 6.
  6. L.1873-74, p. 79.
  7. L.1819, p. 175.
  8. Ibid., p. 237,238; L.1842-43, p. 128.
  9. L.1819, p. 238,318; 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.
  10. R.L.1827, p. 366; L.1831, p. 175.
  11. L.1819, p. 90.
  12. Ibid., p. 255; L.1823, p. 182.
  13. 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).
  14. L.1819, p. 127; L.1839, p. 138,139.
  15. R.S. 1845, p. 500,501.

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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.<sup>1</sup> 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.<sup>2</sup> Otherwise, the changes in form of the county board in Piatt County have not materially affected the general administrative jurisdiction of that body.<sup>3</sup>

### 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.

### 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.<sup>4</sup> 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.<sup>5</sup> In 1825 assessments were made by the county assessor, also an appointee of the county commissioners' court.<sup>6</sup> This duty reverted to the county treasurer in 1827<sup>7</sup> 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.<sup>8</sup> The earlier system was reestablished in 1844, with the treasurer, however, now having the status of ex-officio county

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1. 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.
  2. L.1849, p. 202; L.1851, p. 51; R.S.1874, p. 307; L.1933, p. 299.
  3. Cf. this running summary with R.S.1874, p. 306,307, and R.S.1937, p. 910-12.
  4. L.1819, p. 315.
  5. Ibid., p. 313,319; L.1825, p. 173; L.1839, p. 4-6; L.1840, p. 4; L.1845, p. 6.
  6. L.1825, p. 173.
  7. R.L.1827, p. 330.
  6. L.1839, p. 4.

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assessor.<sup>1</sup> Since 1860, the date of the institution of township organization in Piatt County, the assessment function has been performed on the lower governmental level by town assessors, elected one in each township.<sup>2</sup> 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.<sup>3</sup> The treasurer now has the status of ex-officio supervisor of assessments.<sup>4</sup>

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.<sup>5</sup> During the second constitutional period, appeals, in Piatt County, were made to the county court.<sup>6</sup> After the institution of township organization in 1860, 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.<sup>7</sup> 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 an additional member appointed by the county judge.<sup>8</sup> In 1923 the county clerk was replaced by another member appointed by the county judge;<sup>9</sup> the board of review now appoints its own clerk.<sup>10</sup>

The collection function was originally performed in all counties by the sheriff, an elected constitutional officer.<sup>11</sup> Its nature has changed little since that time. Essentially, the collecting officer collects taxes

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1. L.1843, p. 231.
  2. L.1849, p. 192; L.1851, p. 38; L.1871-72, p. 20-24.
  3. 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.
  4. L.1898, p. 36-44.
  5. L.1819, p. 316; R.L.1827, p. 330; L.1839, p. 7; L.1845, p. 8.
  6. L.1849, p. 65.
  7. L.1851, p. 56,57; L.1871-72, p. 21,22,24,25.
  8. L.1898, p. 46.
  9. L.1923, p. 496; L.1932, First Sp. Sess., p. 71,72.
  10. L.1923, p. 496,497.
  11. Constitution of 1818, Art. III, sec. 11; L.1819, p. 316.

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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.<sup>1</sup> In 1839, by a development analogous to that which occurred with regard to assessments, the county board's control was extended to enable it to appoint a regular county collector.<sup>2</sup> Soon after, the law reverted to the earlier situation, with the sheriff acting as ex-officio collector.<sup>3</sup> This situation continued until Piatt County adopted township organization when town collectors were elected, one in each township,<sup>4</sup> and the county treasurer became ex-officio county collector.<sup>5</sup> 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.<sup>6</sup> In 1917 the town office of collector was abolished in counties the size of Piatt, and the county collector became ex-officio town collector, assuming all duties previously assigned to the latter officer.<sup>7</sup>

Coordination of the taxation processes 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.<sup>8</sup>

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

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1. 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; R.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.
  2. L.1838-39, p. 7.
  3. L.1843, p. 234; effective in 1844.
  4. L.1849, p. 192; L.1851, p. 38.
  5. L.1853, p. 67.
  6. L.1871-72, p. 41,56,57.
  7. L.1917, p. 793.
  8. L.1819, p. 317; R.L.1827, p. 373; R.L.1837, p. 582; L.1839, p. 8-12; L.1840, p. 3; L.1845, p. 9,11; L.1853, p. 71,111; L.1871-72, p. 32, 34,35,43,56-58; L.1873-74, p. 51; L.1911, p. 485; L.1917, p. 654; L.1919, p. 765; L.1931, p. 747.

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disburse funds only on specific authorization by law, or in accordance with the order of the county board.<sup>1</sup> 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.<sup>2</sup>

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.<sup>3</sup>

Federal statutes already allowed circuit courts, in all states, jurisdiction over the naturalization of aliens;<sup>4</sup> 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.<sup>5</sup> The legislature further required that two terms of a circuit court be held in each county annually by one of the Supreme Court justices,<sup>6</sup> 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.<sup>7</sup> In 1827 the General Assembly repealed the 1824 law, and again provided for circuit courts to be held by Supreme Court justices.<sup>8</sup> At the next session

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1. L.1819, p. 315,316; R.S.1845, p. 138; L.1861, p. 239; R.S.1874, p. 323, 324.
  2. L.1819, p. 318; R.L.1837, p. 582,583; L.1845, p. 33; R.S.1845, p. 138, 139; L.1861, p. 239,240; R.S.1847, p. 232,324.
  3. Constitution of 1818, Art. IV, sec. 1,4,8.
  4. 2 U.S.S.L. 153-55.
  5. L.1819, p. 380.
  6. Ibid., p. 378.
  7. 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).
  8. R.L.1827, p. 118,119.

of the legislature, when a new circuit was established, provision was made for the appointment of a circuit judge to act therein.<sup>1</sup> 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.<sup>2</sup> 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.<sup>3</sup> The six judicial circuits existing at that time were supplemented during the next few years by the creation of new circuits,<sup>4</sup> so that they numbered nine in 1841 when the office of circuit judge was again abolished and the Supreme Court justices, also increased to nine, were required to hold circuit courts.<sup>5</sup>

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.<sup>6</sup> The power of appointment, the legislature at first reserved to itself;<sup>7</sup> 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.<sup>8</sup>

Jurisdiction over probate matters was at the outset delegated to the county commissioners' court.<sup>9</sup> By act of the next General Assembly, it was transferred to the court of probate,<sup>10</sup> consisting in each county of one judge appointed by the General Assembly.<sup>11</sup> As a result of the substitution in 1837 of probate justices of the peace for the judges of probate,<sup>12</sup> jurisdiction over probate matters for the first time was placed in the hands of elected officers.<sup>13</sup>

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1. R.L.1829, p. 38.
  2. Ibid., p. 42,48.
  3. L.1835, p. 150.
  4. L.1837, p. 113; L.1838-39, p. 155.
  5. L.1841, p. 173.
  6. L.1819, p. 185,192,195.
  7. Ibid., p. 22.
  8. R.L.1827, p. 255,256. Since 1821, however, the county commissioners' court had 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.
  9. L.1819, p. 223-33.
  10. L.1821, p. 121.
  11. Ibid., p. 119. The Constitution of 1818 (Art. IV, sec. 4) had also designated this manner of election for judges of all inferior courts.
  12. L.1837, p. 176,177.
  13. 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.

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The county court was the creation of the second constitution,<sup>1</sup> which also made circuit judges elected officers.<sup>2</sup> 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.<sup>3</sup> 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.<sup>4</sup> In pursuance of this latter provision, the county court was first given the same civil and criminal jurisdiction as justices of the peace;<sup>5</sup> at the second 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.<sup>6</sup> Until the next constitutional period, the county court, as such, was given jurisdiction only in a limited number of special actions;<sup>7</sup> it was however, considered entitled to equal jurisdiction with the circuit court over naturalization.<sup>8</sup> In this same period, provision was made for increasing, on the basis of population, the number of justices of the peace to be elected in each district. In Piatt 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.<sup>9</sup>

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.<sup>10</sup> As first established by statute, the new courts were to be formed in counties of one hundred thousand or more inhabitants.<sup>11</sup> This population requirement was lowered to seventy thousand in 1881.<sup>12</sup> The population of Piatt County not having reached this figure, jurisdiction over probate matters has continued

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1. Constitution of 1848, Art. V, sec. 1,16.
  2. Ibid., Art. V, sec. 7,15.
  3. Constitution of 1848, Art. V, sec. 17.
  4. Ibid., Art. V, sec. 18.
  5. L.1849, p. 65.
  6. Ibid., Second Sess., p. 15.
  7. L.1849, p. 65,66; L.1853, p. 103; L.1861, p. 171,172.
  8. 2 U.S.S.L. 155.
  9. L.1854, p. 30. No more than five justices, however, may be elected from any town or election precinct.
  10. Constitution of 1870, Art. VI, sec. 20.
  11. L.1877, p. 79,80.
  12. 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 population of between seventy thousand and eighty-five thousand (L.1933, p. 458).

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to be vested in the county court in accordance with constitutional provision to that effect.<sup>1</sup> The county court, early in this period, was given concurrent jurisdiction with the circuit court in appeals from justices of the peace;<sup>2</sup> 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 peace<sup>3</sup> and involving in controversy sums not exceeding \$500.<sup>4</sup> 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.<sup>5</sup> 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.<sup>6</sup> At present there are eighteen circuits in Illinois, and Piatt County is attached to the sixth circuit.<sup>7</sup>

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.<sup>8</sup> Since 1849, however, by provisions of the constitutions of 1848 and 1870, the office has been filled by election.<sup>9</sup> The office of clerk of the county court, which was an independent elective office under the second constitution,<sup>10</sup> is now filled in an ex-officio capacity by the county clerk<sup>11</sup> who is also required by constitutional provision to be elected.<sup>12</sup> 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.<sup>13</sup> Probate judges and justices of the peace who subsequently held probate jurisdiction, were required to act as their own clerks.<sup>14</sup> With the transfer of probate jurisdiction to the county court, the clerk of the county

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1. Constitution of 1870, Art. VI, sec. 18; L.1877, p. 80; L.1831, p. 72.
  2. R.S.1874, p. 340; L.1877, p. 77; L.1895, p. 212,223.
  3. The jurisdiction of justices has also been progressively increased during this period. See L.1871-72, p. 524; L.1895, p. 139,190; L.1917, p. 562,563; L.1929, p. 541,542.
  4. L.1871-72, p. 325.
  5. 34 U.S.S.L. 596.
  6. Constitution of 1870, Art. VI, sec. 13.
  7. L.1933, p. 436.
  8. Constitution of 1818, Art. IV, sec. 6.
  9. Constitution of 1848, Art. V, sec. 21,29; Constitution of 1870, Art. X, sec. 8.
  10. Constitution of 1848, Art. V, sec. 19.
  11. R.S.1874, p. 260.
  12. Constitution of 1870, Art. X, sec. 8.
  13. L.1819, p. 175.
  14. L.1821, p. 119,120; R.L.1837, p. 177,178.

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court was required to keep, separately, records of probate proceedings and business.<sup>1</sup> In Piatt County where 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.<sup>2</sup> Justices of the peace have always been required to keep their records in person.<sup>3</sup>

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.<sup>4</sup> Later, in 1827, statutory provision was made for the appointment of deputies by the principal officer;<sup>5</sup> since 1870, the number of deputies that the sheriff may appoint is determined by rule of the circuit court.<sup>6</sup> 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.<sup>7</sup>

The coroner was originally given equal power with the sheriff as a ministerial officer of the courts.<sup>8</sup> He was also required to serve all process in any suit in which the sheriff was an interested party<sup>9</sup> and to perform all the duties of the sheriff when that office was vacant.<sup>10</sup> The last two functions are still incumbent upon the coroner.<sup>11</sup>

Justices of the peace are served similarly in a ministerial capacity by constables. Not until 1870 was the office of constable given constitu-

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1. L.1849, p. 66.
  2. L.1877, p. 82.
  3. 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.
  4. Constitution of 1818, Art. III, sec. 11.
  5. R.L.1827, p. 373.
  6. Constitution of 1870, Art. X, sec. 9.
  7. L.1819, p. 111; R.S.1874, p. 990,991.
  8. L.1819, p. 111.
  9. L.1821, p. 20-33.
  10. R.L.1827, p. 372,373.
  11. R.S.1874, p. 282. 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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tional recognition;<sup>1</sup> at its creation by the first General Assembly, the county commissioners' court was empowered to appoint one or more constables in each township;<sup>2</sup> in 1827 it was provided that two constables should be elected in each justice of the peace district.<sup>3</sup> Since that date, subsequent legislation has grouped justices of the peace and constables in all provisions regarding their election.<sup>4</sup> Constables, like sheriffs and coroners, have always been required to serve and execute all process legally directed to them;<sup>5</sup> process issuing from a justice of the peace court, however, may be directed only to some constable of the same county.<sup>6</sup>

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,<sup>7</sup> was incumbent originally upon the circuit attorney.<sup>8</sup> In 1827 this officer was replaced by the state's attorney.<sup>9</sup> Also in effect from an early date is the officer's other major duty, apart from the enforcement of law,<sup>10</sup> of giving opinions on any questions of law relating to criminal or other matters in which the people of the county may be concerned.<sup>11</sup>

The office of circuit attorney and early state's attorney, which existed solely by statutory provision,<sup>12</sup> were appointive by the Governor until 1835,<sup>13</sup> and thereafter by the General Assembly.<sup>14</sup> The second constitution provided for an elected state's attorney;<sup>15</sup> since each judicial

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1. Constitution of 1870, Art. VI, sec. 21.
  2. L.1819, p. 162.
  3. R.L.1827, p. 258.
  4. See Courts, p. 39.
  5. L.1819, p. 162,163; R.S.1874, p. 400.
  6. L.1819, p. 136; 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 8,9, and 10, p. 43), 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).
  7. R.S.1874, p. 173,174.
  8. L.1819, p. 204; L.1825, p. 178,179.
  9. L.1827, p. 79,80.
  10. See Enforcement of Law, p. 45.
  11. R.S.1845, p. 76; R.S.1874, p. 174.
  12. L.1819, p. 204-6.
  13. Ibid., p. 204.
  14. L.1835, p. 44.
  15. 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).

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circuit was an elective district for this purpose, the territorial jurisdiction of the new officer remained the same as that of the former officer.<sup>1</sup> Not until the adoption of the present constitution was provision made for the election of a separate state's attorney in each county.<sup>2</sup>

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;<sup>3</sup> the statutory provisions concerning the inquest function have not changed substantially since their enactment by the second General Assembly.<sup>4</sup> 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.<sup>5</sup>

The verdict of the coroner's jury, however, is not generally admissible in evidence;<sup>6</sup> additionally, it is not held to be prima facie proof of matters stated therein with regard to the cause and manner of death;<sup>7</sup> 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.<sup>8</sup> 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.<sup>9</sup>

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1. Constitution of 1848, Art. V, sec. 28.
  2. Constitution of 1870, Art. VI, sec. 22.
  3. Constitution of 1818, Art. III, sec. 11.
  4. Cf. L.1821, p. 22-24; R.S.1845, p. 517,518; R.S.1874, p. 282-84; R.S.1937, p. 780-82.
  5. 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.
  6. 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).
  7. 201, Ill. App. 287.
  8. L.1821, p. 25; R.S.1845, p. 518; R.S.1874, p. 283,284.
  9. L.1818, p. 111,162,163; R.S.1845, p. 515; R.S.1874, p. 400.

The state's attorney's powers as an officer for the enforcement of law originally arose by implication from another duty;<sup>1</sup> 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.<sup>2</sup> 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.<sup>3</sup> 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.

### 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.<sup>4</sup> 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.<sup>5</sup>

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.<sup>6</sup> 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.<sup>7</sup> 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;<sup>8</sup> his subsequent gains in this respect at the expense of the township trustees foreshadowed the demarcation of

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1. See Prosecutions, p. 44.
  2. L.1819, p. 204; R.S.1845, p. 75.
  3. L.1863, p. 3; L.1907, p. 268; L.1913, p. 395; L.1915, p. 368; L.1927, p. 33.
  4. 5 U.S.S.L. 428.
  5. L.1819, p. 107,108.
  6. L.1825, p. 121,122.
  7. R.L.1827, p. 366-70.
  8. R.L.1829, p. 150-54.

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spheres of authority that was made in 1847.<sup>1</sup> In the interim, the school commissioner, who had first been appointed by the county commissioners' court,<sup>2</sup> became an elected officer;<sup>3</sup> in such townships as elected to incorporate for the purpose of organizing and supporting schools, township trustees also became elected officers and were there denominated trustees of schools.<sup>4</sup>

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.<sup>5</sup> The relative authority of the officer of the county<sup>6</sup> and of officers of the township with regard to financial administration was fixed essentially as at present.<sup>7</sup> Moreover, 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.<sup>8</sup> Filled at first by the school commissioner in an ex-officio capacity,<sup>9</sup> it quickly absorbed most of the functions of township trustees with regard to the advancement of education;<sup>10</sup> later, the office came to be filled by election<sup>11</sup> and completely absorbed that of school commissioner.<sup>12</sup> 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

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1. Cf. L.1831, p. 176; L.1841, p. 275-79.
  2. R.L.1829, p. 150.
  3. L.1841, p. 261,262.
  4. Ibid., p. 273,274. In unincorporated townships, trustees continued to be appointed by the county commissioners' court (ibid., p. 259,260).
  5. L.1847, p. 126; L.1909, p. 350.
  6. The subsequent substitution of an independent elected superintendent of schools for the school commissioner who had additionally been ex-officio superintendent (see footnotes 9,11, and 12), was only a change in the legal status of the officer of the county and had no further import.
  7. L.1847, p. 123,124,128,129; L.1909, p. 351-54; L.1927, p. 794,795.
  8. R.S.1845, p. 498.
  9. Ibid.
  10. 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).
  11. L.1865, p. 112.
  12. Ibid., p. 112,113.

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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.<sup>1</sup> 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.<sup>2</sup>

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 Schools<sup>3</sup> information concerning the schools in his county.<sup>4</sup> 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 State Department of Public Health,<sup>5</sup> the state fire marshal, or the state architect to inspect such buildings and issue reports upon which condemnation proceedings can be based.<sup>6</sup>

#### Recordation

For the function of making legal record of written instruments, the first General Assembly established the office of recorder.<sup>7</sup> Originally appointed by the Governor,<sup>8</sup> the recorder was required to be elected after 1835.<sup>9</sup> The second constitution made the clerk of the circuit court<sup>10</sup> ex-officio recorder in all counties;<sup>11</sup> the present constitution continued

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1. 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.
  2. L.1909, p. 347-50; L.1915, p. 636-38.
  3. The Secretary of State in ex-officio capacity (L.1843, 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).
  4. L.1845, p. 54.
  5. 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).
  6. L.1915, p. 637-40.
  7. L.1819, p. 18-20.
  8. Ibid., p. 19.
  9. L.1835, p. 166.
  10. An elected officer; see Clerks of Courts, p. 42.
  11. Constitution of 1848, Art. V, sec. 19; L.1849, p. 64.

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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.<sup>1</sup> As Piatt 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.<sup>2</sup> 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,<sup>3</sup> later by election.<sup>4</sup> In 1936 the surveyor again became an appointed officer, with the power of appointment delegated to the county board.<sup>5</sup> His duty to complete 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.<sup>6</sup>

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.<sup>7</sup> The act providing for such superintendence empowered the commissioners to appoint free holders 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 later the county commissioners were authorized to divide the county into road districts and to appoint annually one supervisor to serve in each district.<sup>8</sup> With a change in

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1. Constitution of 1870, Art. X, sec. 8; R.S.1874, p. 833.
  2. L.1819, p. 18-20; R.L.1829, p. 117,118; R.L.1835, 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.
  3. L.1821, p. 62.
  4. L.1835, p. 166.
  5. L.1933, p. 1104. Provision effective in 1936.
  6. 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.
  7. L.1819, p. 333.
  8. L.1825, p. 130.

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the county administrative body under the second constitution, the county court was granted supervision and control over public roads,<sup>1</sup> 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.<sup>2</sup> 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.<sup>3</sup> The supervision, control and maintenance of roads, highways and bridges in Piatt County were vested in the county court and the road district supervisors from 1849 to 1860, when township organization was instituted in this county.<sup>4</sup> 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.<sup>5</sup> 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,<sup>6</sup> 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.<sup>7</sup> 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 pre-

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1. L.1849, p. 65; L.1851, p. 179.
  2. L.1849, p. 212.
  3. L.1847, p. 111-13; L.1849, p. 65, 212, 213; L.1851, p. 64, 179.
  4. Piatt County adopted township organization in 1859, but the change was not effective until 1860.
  5. L.1913, p. 521-25, 537-46.
  6. Ibid., p. 524, 525, 538, 542-44; L.1917, p. 24; L.1921, p. 780-86; L.1933, p. 961.
  7. R.S.1874, p. 306.

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vided that a courthouse and jail be erected in each county,<sup>1</sup> and that the sheriff of each county be charged with custody of such buildings.<sup>2</sup> The county is further empowered to erect buildings for a county hospital, workhouse, tuberculosis sanitarium, and other county needs.<sup>3</sup>

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.<sup>4</sup> He is also to request the Department of Public Health,<sup>5</sup> 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.<sup>6</sup> The land so granted to Illinois was turned over to the counties in 1852 to be reclaimed by drainage and used for county purposes.<sup>7</sup> 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.<sup>8</sup> Where a proposed drain ran through more than one town the commissioners of all the towns affected made up

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1. L.1819, p. 237,238; R.S.1845, p. 135; R.S.1874, p. 307,308.
  2. R.L.1827, p. 246,247,372; R.S.1874, p. 990.
  3. R.S.1874, p. 307; L.1909, p. 163; L.1911, p. 246.
  4. L.1915, p. 637-40.
  5. Created in 1917 to supplant the State Board of Health abolished in that year (L.1917, p. 4,17,27).
  6. 9 U.S.S.L. 519.
  7. L.1852, p. 178.
  8. L.1865, p. 50.

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the board of drainage commissioners.<sup>1</sup> In 1879 drainage construction by special assessment was handled by the drainage commissioners, a body corporate and politic composed of commissioners of highways.<sup>2</sup>

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 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.<sup>3</sup> In 1885 this law was amended to include drains costing less than \$2,000 and provided for the appointment of three residents as commissioners.<sup>4</sup>

Public Services

Public Health

The State Department of Public Health, created in 1917,<sup>5</sup> 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.<sup>6</sup>

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 fill with the clerk an annual statement containing details as to sleeping accommodations for guests.<sup>7</sup> The clerk is also required to report annually to the state

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1. L.1867, p. 91,92.
  2. L.1879, p. 142.
  3. Ibid., p. 120.
  4. L.1885, p. 130,131.
  5. L.1917, p. 4.
  6. Ibid., p. 27,28,763,765,767,768.
  7. L.1901, p. 305.

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health department the names and addresses of township officials.<sup>1</sup>

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.<sup>2</sup>

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 a pool, the owner of the pool and the sheriff and state's attorney of the county are notified to that effect, it being the duty of these officers to enforce such notice.<sup>3</sup>

Vital Statistics

The State Department of Public Health has charge of the registration of births, stillbirths, and deaths throughout the state.<sup>4</sup> To effect proper control of this matter the state is divided into vital statistics registration districts which, in Piatt 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.

Since 1937 the county clerk has been required to keep a record of applications for marriage licenses, together with certificates showing that persons desiring to marry are free from venereal diseases.<sup>5</sup>

When a marriage has been performed the certificate of marriage together with the license is returned to the county clerk, who is

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1. L.1923, p. 480.
  2. L.1927, p. 694.
  3. L.1931, p. 735,736.
  4. L.1915, p. 660-70.
  5. L.1937, p. 908-11.

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required to keep a registry of marriages, showing the date, names of the parties and name and title of the official performing the ceremony.<sup>1</sup>

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 violations 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 examiner of the blind, 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.<sup>2</sup> 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.<sup>3</sup> In this latter regard the county department acts merely 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.<sup>4</sup> 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, examines all applicants referred to him by the county clerk.<sup>5</sup> 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.<sup>6</sup>

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

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1. R.S.1874, p. 696.
  2. L.1937, p. 451,452.
  3. L.1935-36, First Sp. Sess., 54-61,72; L.1937, p. 265-70,452.
  4. L.1935, p. 1057.
  5. L.1903, p. 138; L.1915, p. 256,257; L.1935, p. 264,265.
  6. L.1913, p. 127-30; L.1915, p. 243-45; L.1921, p. 162-64; L.1935, p. 256-59.

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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 appointments, 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 or 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.<sup>1</sup> In 1833 he was required to keep an alphabetical index to each book,<sup>2</sup> and by 1874 the General Assembly had prescribed a complete list of books to be kept in the office of the recorder, with a description of the contents of each, which list has been continued, substantially unchanged, to the present.<sup>3</sup>

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1. L.1819, p. 18,20.
  2. R.L.1833, p. 511.
  3. R.S.1874, p. 834.

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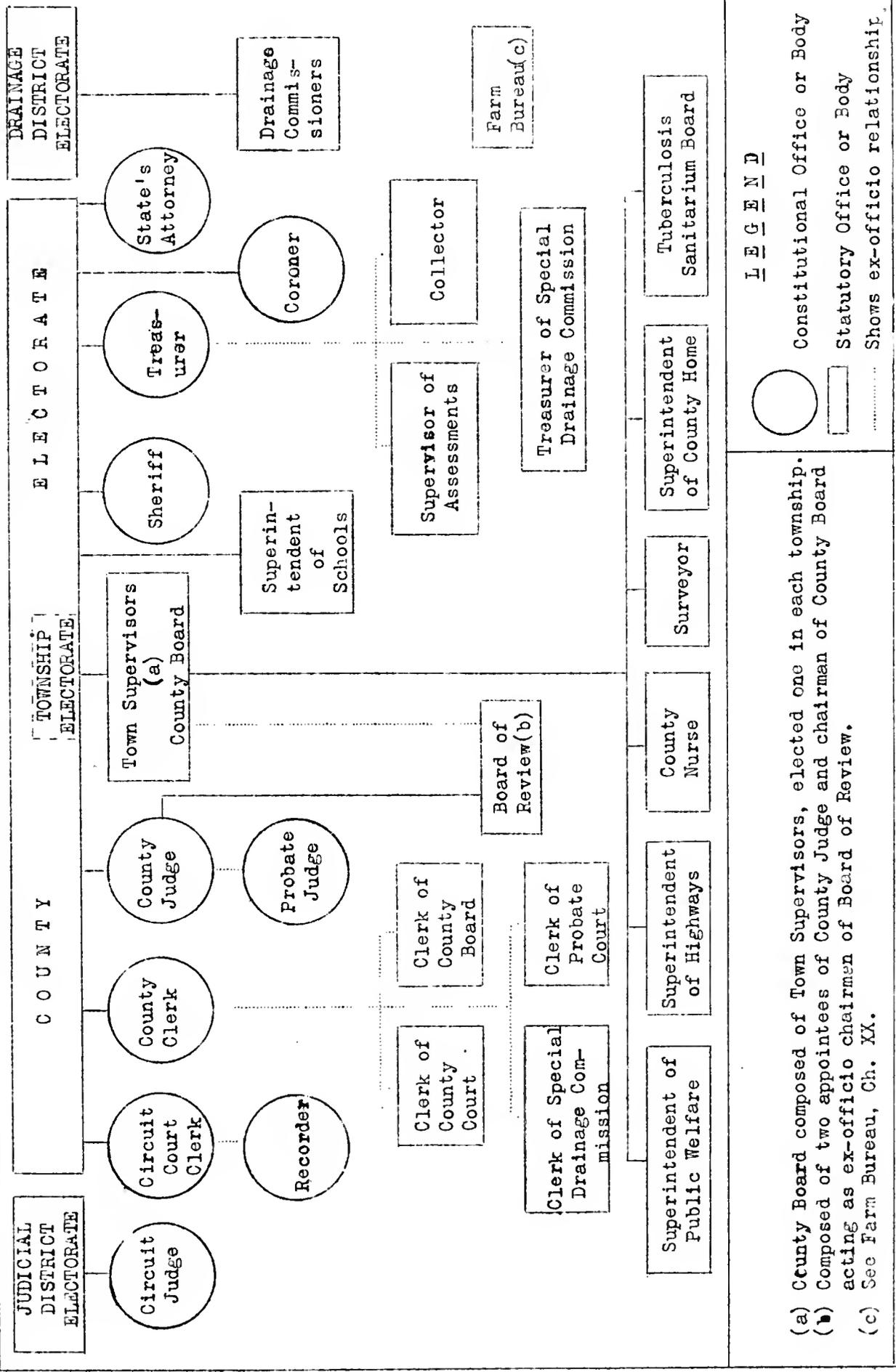
In like manner, legislation was enacted prescribing records to be kept by the county clerk and his predecessors, acting in their several capacities,<sup>1</sup> the clerk of the circuit court,<sup>2</sup> the judge<sup>3</sup> and justice<sup>4</sup> of the probate court, the coroner,<sup>5</sup> the county superintendent of schools,<sup>6</sup> the county surveyor,<sup>7</sup> and the county treasurer.<sup>8</sup>

Description of records and forms to be used are frequently found in legislation pertaining to the holding of elections,<sup>9</sup> assessments and the collection of revenue,<sup>10</sup> the organization and maintenance of common schools,<sup>11</sup> the registration of marriages,<sup>12</sup> and the recording of vital statistics.<sup>13</sup>

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. . . ." <sup>14</sup> 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 courthouses 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

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1. 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.
  2. R.L.1833, p. 162; P.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.
  3. R.L.1829, p. 231.
  4. F.S.1845, p. 427,428.
  5. R.L.1833, p. 574; L.1869, p. 104,105; R.S.1874, p. 233.
  6. L.1849, p. 155,156; L.1865, p. 120; L.1909, p. 346,348,349.
  7. R.L.1829, p. 173; R.S.1845, p. 524.
  8. R.S.1845, p. 136; R.S.1874, p. 323,324.
  9. L.1819, p. 92,94; F.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.1865, p. 143,148,173,176; L.1937, p. 522-23,531-48.
  10. 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.
  11. L.1845, 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.
  12. L.1819, p. 27; R.L.1827, p. 288,289; R.S.1874, p. 694,695.
  13. L.1842-43, p. 210-12; L.1877, p. 209; L.1901, p. 301-4; L.1903, p. 316-18; L.1915, p. 666,667.
  14. L.1819, p. 332.

GOVERNMENTAL ORGANIZATION OF PLATT 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 chairmen of Board of Review.
- (c) See Farm Bureau, Ch. XX.

○ Township Electorate  
 □ County Electorate  
 - - - - - Shows ex-officio relationship  
 ○ Constitutional Office or Body  
 □ Statutory Office or Body

Governmental Organization  
and Records System

might be deemed to apply to the offices of the clerks of the circuit and county commissioners' courts.<sup>1</sup> 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 preserving from injury, damage, loss, or destruction by fire, the records and documents of their respective counties."<sup>2</sup> The preservation of county archives has been greatly aided by an act to provide for the copying of old, worn-out, records,<sup>3</sup> 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.<sup>4</sup> 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.<sup>5</sup> Laws have also been enacted which provide for the restoration of certain classes of records destroyed by fire or other means.<sup>6</sup> 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.<sup>7</sup> 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.<sup>8</sup> Legislation enabling the destruction of worthless archives apparently is nonexistent with exception of laws relating to certain election papers.<sup>9</sup> 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.

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1. L.1842-43, p. 210.
  2. L.1845, p. 46.
  3. L.1871-72, p. 648,649.
  4. L.1897, p. 205; L.1939, p. 693.
  5. L.1907, p. 375.
  6. L.1871-72, p. 649,650,652.
  7. L.1935, p. 138.
  8. L.1842-43, p. 210; L.1845, p. 46.
  9. L.1861, p. 269; L.1871-72, p. 389; L.1885, p. 146,193; L.1891, p. 118,119; L.1917, p. 438,443.

### 3. ROSTER OF COUNTY OFFICERS\*

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

#### County Commissioners' Court\*\*

(The first county administrative body, from 1841 to 1849, which consisted of three elected commissioners)

John Hughes, William Bailey, Enoch Peck, William H. Piatt,  
Enoch Peck, 1 April 5, 1841 William Wright, September, 1843<sup>2</sup>

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\* This list was compiled from the following sources:

- 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 Qualifications. 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.

Where state records are incomplete or missing, data are secured from county records; secondary sources are used only when state and county records are deficient or not available.

- \*\* Dates shown after commissioners' names indicate date of election unless otherwise stated. By a law passed in 1837, the three commissioners elected in 1838 were to draw 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 officers of later county boards, see County Board; for length of term of other officers, see separate office chapters.
1. County board records beginning with the March term, 1843 (Court Record, v. A, p. 1) are the first known to exist, and show these three men as commissioners. State records show the number of votes they received in the April, 1841 election but the first record of their official proceedings is two years later. County board records do not show results of the drawing of lots for one-, two-, and three-year terms or which commissioner was re-elected in 1842. State records show no returns for election in August, 1841.
  2. Recorded as commissioners at this term (Court Record, v. A, p. 13); Piatt is recorded as having been elected vice Bailey, resigned (ibid., p. 14).

Roster of County Officers

County Commissioners' Court (cont.)

Adison I. Wiley, <sup>1</sup> December 4, 1843	John Hughes, September 8, 1846 <sup>4</sup>
Wm. H. Crain, October 14, 1844 <sup>2</sup>	Christopher R. Ward, August 2, 1847
William H. Piatt, Peter K. Hull, <sup>3</sup> August 4, 1845	Peter R. Kull (Peter K. Hull), <sup>5</sup> August 7, 1848

County Court

(From 1849 until institution of township form of government in 1860, county business was administered by county judge and two associate justices acting as county board)

John Hughes, county judge, November 12, 1849, John Winstead, Jonathan C. Johnson, associate justices, November 6, 1849	Joseph D. Phillips, associate justice (vice Winstead, resigned), <sup>6</sup> March 6, 1856
Alexander Boyer, county judge, November 25, 1853, John Mosgrove, associate justice, November 19, 1853, John Winstead, associate justice, December 13, 1853,	Alexander Boyer, county judge, November 20, 1857, James Ater, associate justice, November 16, 1857, John Mosgrove, associate justice, November 28, 1857

County Board of Supervisors

The several township supervisors, one elected from each township, together with any additional and assistant supervisors elected upon proportional representation, made 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

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1. Sworn as commissioner vice Peck, resigned (Court Record, v. A, p. 23).
  2. First recordation as commissioner serving with Wm. H. Piatt and Wm. Wright (ibid., p. 43).
  3. Record of commissioners' court meeting, September 1, states Wm. H. Piatt elected to fill vacancy of Wm. Wright, deceased; Peter K. Hull elected for 3 years (ibid., p. 58).
  4. Took seat as regularly elected commissioner for three years (ibid., p. 73).
  5. Peter K. Hull took seat as commissioner at September term, 1848 (ibid., p. 123).
  6. Court Record, v. B, p. 52.

Roster of County Officers

County Board of Supervisors (cont.)

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.

On November 8, 1859, the electorate of Piatt County voted for township organization.<sup>1</sup> A committee, for the purpose of dividing the county into townships, was appointed on January 2, 1860;<sup>2</sup> their report, made at the March term of the county court, named and bounded eight townships.<sup>3</sup> The first (special) meeting of the board of supervisors was held May 28, 1860, the supervisors present and townships each represented, being as follows:<sup>4</sup>

Supervisors	Townships	Supervisors	Townships
John Meliza	Blue Ridge	Royal Mitchell	Unity
Seth C. Langdon	Goose Creek	Caleb D. Moore	Bement
Elias Hall	Willow Branch	William Motherspaw	Monticello
William Cole	Cerro Gordo	Ananias B. Knott	Sangamon

Elias Hall was unanimously chosen chairman.<sup>5</sup>

County Judges

John Hughes	Hiram Jackson,
November 12, 1849	December 6, 1869
Alexander Boyer,	William McReynolds,
November 25, 1853,	December 3, 1873,
November 20, 1857,	December 1, 1877
November 27, 1861	William G. Cloyd,
Hamilton C. McComas,	June 6, 1879,
November 25, 1865	December 1, 1882
George L. Spear (vice McComas,	Harvey E. Huston,
removed),	December 6, 1886,
November 17, 1868	December 6, 1890

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1. For township organization, 470 votes; against, 194 (Court Record, v. B, p. 572).
  2. James Bryden, C. D. Moore, and Ezra Marquiss were the members of this committee (ibid., p. 578).
  3. Ibid., p. 624-27.
  4. County Court Record - Law, v. C, p. 26. Willow Branch Township was first named Liberty.
  5. Ibid.

Roster of County Officers

County Judges (cont.)

Marion R. Davidson (vice Huston, resigned), June 5, 1891	William A. Doss, November 16, 1914, November 29, 1918
F. M. Shonkwiler, November 16, 1894, November 18, 1898	Marion R. Davidson, November 22, 1922, November 22, 1926
Francis M. Shonkwiler, November 12, 1902	Thomas J. Kastel, November 21, 1930
Elin J. Hawbaker, November 14, 1906, December 2, 1910	Burl A. Edie, November 19, 1934

Probate Justices

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

James Reber,  
May 10, 1841,  
September 2, 1843,  
August 23, 1847

County Clerks

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

Joseph King, April 5, 1841 (elected)	James T. Outten, November 12, 1849, November 23, 1853
Jefferson D. Hillis, <sup>1</sup> August 1, 1842 (elected)	James L. Miller, November 20, 1857
James F. Outen, <sup>2</sup> August 2, 1847 (elected)	Wilson F. Cox, July 22, 1859

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1. Jefferson D. Willis is recorded as county clerk March 7, 1843 (Court Record, v. A, p. 6), the name being thus spelled in every recording until election of his successor.
  2. James F. Outten filed bond as clerk at September term, 1843 (ibid., p. 23), and is shown as serving continuously until the election of his successor in 1857, his name being invariably spelled as in this footnote throughout county records during this period.

Roster of County Officers

County Clerks (cont.)

John A. Helman, November 27, 1861	Benjamin F. Kagey, November 29, 1898, November 18, 1902
Watkins L. Ryder, November 25, 1865, December 6, 1869	Harvey Fay, November 30, 1906, December 13, 1910, December 3, 1914, November 29, 1918, November 29, 1922
John Porter, December 3, 1873	Lodoska McClure November 18, 1926
Andrew L. Rogers, December 1, 1877, December 1, 1882, December 6, 1886, December 8, 1890, November 16, 1894	Harvey Fay, November 28, 1930, November 23, 1934

Recorders

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

James F. Outten,  
April 12, 1841,  
September 9, 1843,  
August 10, 1847

Circuit Court Clerks

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

Jonathan C. Johnson, September 4, 1848 (elected)	November 28, 1892, December 7, 1896
Alexander George Boyer, November 20, 1852	J. C. Tippet, November 30, 1900, November 30, 1904
Lewis Bond, November 14, 1856, December 1, 1860	B. G. Duncan, November 28, 1908, November 22, 1912, December 1, 1916, November 26, 1920
William F. Foster, December 2, 1864, September 7, 1868	Nellie Duncan, July 25, 1923
William H. Plunk, November 16, 1872, December 1, 1876, December 2, 1880	Faurest L. Eorton, November 24, 1924, December 5, 1928
George A. Stadler, November 21, 1884	Darrell Foster, December 1, 1932, November 27, 1936
Robert Hudgen, December 3, 1888,	

Roster of County Officers

Sheriffs  
(Ex-officio collectors 1844 to 1860)

John Piatt, April 12, 1841	William M. Holmes, November 24, 1876,
Edward Ater, August 1, 1842, September 9, 1844	December 2, 1878, January 21, 1881
Charles W. Harris, August 28, 1846	John E. Andrew, December 1, 1882
George Heath, August 17, 1848	George F. Miller (vice Andrew, resigned), January 5, 1886, December 6, 1886
Alexander G. Boyer, November 30, 1850	Joseph M. Woolington, November 26, 1890
Samuel Morain, November 29, 1852	C. A. Shively, November 30, 1894
Griffin M. Bruffitt, November 15, 1854	Joseph M. Woolington, December 2, 1898
Samuel Morain, November 10, 1856	Freeman Clow, November 26, 1902
James C. Heath, November 2, 1858 (elected)	Colonel A. Shively, November 26, 1906
Reuben Bowman (vice Heath), January 21, 1860	Ford D. Duvall, November 30, 1910
Francis H. Lowry, December 1, 1860	George A. Lindsley, November 27, 1914
Ebenezer P. Fisher, December 5, 1862	Edward R. Gale, November 25, 1918
William B. Sist, December 2, 1864	George A. Lindsley, November 22, 1922
George F. Miller, November 22, 1866	Ernest E. Lindsley, November 18, 1926
John Kirby, December 7, 1868	W. H. Conaway, November 21, 1930
William Plank, December 6, 1870	Ernest E. Lindsley, November 23, 1934
E. P. Fisher, December 14, 1872, November 24, 1874	Paul B. Smith, <sup>1</sup>

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1. Shown as sheriff in Official List of State and County Officers of Illinois, July 1, 1939, compiled by Edward J. Hughes, Secretary of State, p. 40. Hereinafter cited as Official List of County Officers, July 1, 1939.

Roster of County Officers

Coroners

Henry Barnes (Barnes),  
 April 12, 1841  
 Titus Hubbard,  
 August 13, 1842  
 George Ater,  
 September 9, 1844  
 Titus Hubbard,  
 August 28, 1846  
 Washington M. Nesbitt,  
 August 23, 1848  
 Isaac Raney,  
 November 30, 1850  
 Wm. Motherspaw,  
 November 29, 1852  
 Moses Savage,  
 November 15, 1854  
 George Hickman,  
 November 10, 1856  
 Reuben Bowman,  
 November 30, 1858  
 Thomas M. Motherspaw,  
 December 1, 1860  
 Benjamin Markel,  
 November 4, 1862 (elected)  
 Abraham Peck,  
 December 2, 1864  
 Isaac Wooding,  
 November 6, 1866 (elected)  
 William Webster,  
 December 7, 1868  
 Amos S. Jackson,  
 November 8, 1870 (elected)  
 William A. Bates,  
 December 14, 1872

Mathew N. Secrist,  
 December 1, 1874  
 Henry H. Etherington,  
 November 24, 1876  
 Jacob H. Barnes,  
 December 2, 1878,  
 January 21, 1881  
 H. H. Eatherton,  
 December 1, 1882  
 Jacob H. Barnes,  
 December 1, 1884,  
 December 3, 1888,  
 December 1, 1892  
 M. N. Secrist,  
 December 7, 1896,  
 November 30, 1900  
 Wm. J. Porter,  
 October 30, 1903,  
 November 14, 1904,  
 November 25, 1908,  
 November 22, 1912,  
 November 28, 1916,  
 November 23, 1920  
 Louis W. Stitt,  
 November 24, 1924  
 William A. Corder (vice Stitt)  
 February 8, 1927,  
 June 22, 1927,  
 November 30, 1928  
 John H. McHutt,  
 December 3, 1932,  
 November 27, 1936

State's Attorneys

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

Samuel R. Reed,  
 November 21, 1872  
 Albert Emerson,  
 December 15, 1875,  
 November 24, 1876  
 Charles Hughes,  
 December 2, 1880,  
 November 28, 1884

James Hicks,  
 December 3, 1888  
 Harry H. Crea,  
 December 1, 1892  
 Charles F. Mansfield,  
 December 7, 1896,  
 November 30, 1900

Roster of County Officers

State's Attorneys (cont.)

Albert C. Edie,  
 November 14, 1904  
 William A. Doss,  
 November 28, 1908  
 Thomas Kastel,  
 November 25, 1912  
 Charles W. Firko,  
 December 1, 1916

Burl A. Edie,  
 November 23, 1920  
 Robert Payson Shonkwiler,  
 November 24, 1924,  
 November 22, 1928  
 James Howard Reed,  
 December 3, 1932  
 Carl I. Glasgow,  
 November 27, 1936

Treasurers

(Also acted as assessors 1844 to 1850, supervisors  
 of assessments 1898 to date, and collectors  
 1860 to date)

John Pinbrook,<sup>1</sup>  
 April 5, 1841 (elected)  
 Joseph A. Kee,  
 August 2, 1849 (elected),  
 November 6, 1849 "  
 William F. Hopper,  
 November 6, 1851 (elected)  
 Joseph A. Kee,  
 November 8, 1853 (elected)  
 William E. Foster,  
 November 5, 1855 (elected),  
 November 20, 1857  
 W. E. Rhodes,  
 November 16, 1859  
 Nathan E. Rhodes,  
 December 5, 1862,  
 November 7, 1865 (elected)  
 Charles Watts,  
 November 5, 1867 (elected)  
 Seth C. Langdon,  
 November 2, 1869 (elected)

Joseph F. Van Gundy,  
 March 1, 1872,  
 December 3, 1873,  
 November 11, 1875  
 Nelson Reid,  
 December 1, 1877  
 Theodore Gross,  
 December 1, 1879,  
 December 1, 1882  
 Edward W. Walker,  
 December 6, 1886  
 Daniel Hall,  
 November 4, 1890 (elected)  
 Edward W. Walker,  
 December 1, 1894  
 Samuel F. Funk,  
 December 2, 1898  
 Isaac Newton Biebinger,  
 November 25, 1902  
 Jacob H. Cline,  
 November 25, 1906

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1. John P. Tinbrook recorded as treasurer at September term, 1843 (Court Record, v. A, p. 19), the name being thus spelled in every mention in county records throughout his term; it is believed he was the first treasurer. John Ricketts appointed treasurer during September term, 1843, vice Tinbrook, resigned (ibid). Joseph A. Kee, appointed treasurer January 18, 1847, vice Ricketts, removed from county (ibid., p. 82).

Roster of County Officers

Treasurers (cont.)

Ona L. Cline, December 13, 1910	Burley A. Orrison, November 18, 1926
William Piatt Smith, November 27, 1912, November 3, 1914 (elected)	Cloyd D. Fisher, November 29, 1930
David A. Troxell, November 29, 1918	Burley A. Orrison, November 23, 1934
William Piatt Smith, December 2, 1922	Cloyd D. Fisher <sup>1</sup>

Superintendents of Schools  
(School commissioners to 1865)

Joseph King, August 2, 1841 (elected)	November 4, 1873 (elected)
George H. Patterson, August 1, 1842 (elected)	Mary I. Reed, December 1, 1877
James Reber, August 4, 1845 (elected)	Gilbert A. Burgess, December 1, 1882
John Britton, August 7, 1848 (elected)	George N. Snapp, December 6, 1886
Milton H. Abbott, November 6, 1851 (elected)	Allen B. Martin, November 4, 1890 (elected).
Joseph A. Kee, December 13, 1853	James H. Martin, November 30, 1894
Thomas Milligan, November 5, 1855 (elected), November 20, 1857	Charles McIntosh, November 8, 1898 (elected), November 30, 1900, December 15, 1902, November 26, 1906, December 14, 1910, November 27, 1914, November 29, 1918, November 7, 1922 (elected), September 6, 1927, March 12, 1931, July 23, 1935
John Huston, November 16, 1859, December 5, 1862	
John A. Coleman, November 7, 1865 (elected)	
Caleb A. Tatman, November 2, 1869 (elected)	
C. J. Pitkin, December 3, 1872,	

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1. Shown as county treasurer in Official List of County Officers,  
July 1, 1939, p. 40.

Roster of County Officers

Surveyors

(Beginning September, 1930, surveyor appointed by county board of supervisors)

James Reber,	April 12, 1841	March 1, 1872,
George Heath,	September 2, 1843,	November 11, 1875,
August 10, 1847,	December 1, 1879,	
August 17, 1848,	December 1, 1882,	
November 19, 1849	November 4, 1884 (elected)	
James H. Ferguson,	Henry Batherton,	
November 6, 1851 (elected)	December 3, 1888	
James Bryden,	Wm. J. Day,	
November 25, 1853,	November 2, 1890 (elected),	
November 15, 1855,	December 1, 1894,	
November 3, 1857 (elected),	November 3, 1896 (elected),	
November 16, 1859	November 30, 1900,	
Caleb D. Moore(vice Bryden, deceased),	November 14, 1904,	
March 16, 1860	November 3, 1908 (elected),	
C. D. Moore,	November 5, 1912 " ,	
November 5, 1861 (elected)	November 7, 1916 " ,	
William McReynolds,	J. Robert Bower,	
December 12, 1865	November 2, 1920 (elected),	
Caleb D. Moore,	November 4, 1924 " ,	
January 10, 1868,	November 2, 1926 " ,	
November 2, 1869 (elected),	December 4, 1928,	
	December 2, 1932	

#### 4. HOUSING, CARE, AND ACCESSIBILITY OF THE RECORDS

After the creation of Piatt County in 1841, so little county business was transacted that the erection of a courthouse in Monticello, the county seat, was not pressed until 1843.<sup>1</sup>

Due to the absence of county board records, from the origin of the county to March, 1843,<sup>2</sup> the date of the earliest records extant, it cannot be verified where meetings were held. Furthermore, only the meagerest of information can be extracted from these records as to the details of construction of the first courthouse. Of this we are certain: the courthouse was constructed by John Ricketts in 1843-1844, but it was not formally received by the county until January 5, 1845.<sup>3</sup> The building was a one-story frame structure.<sup>4</sup> Its cost is unknown.<sup>5</sup>

Again the board records are mute concerning this courthouse, its condition through the years - its gradual deterioration and the need for replacements - until 1856, when on March 7, James F. Outten, the county clerk was allowed \$5.00 for "writing and sending 5 advertisements to editors for Publish the building of the courthouse and for writing 5 letters to Bidders on courthouse and for copying Bill of Specifications for courthouse."<sup>6</sup> On this date, too, a contract was entered into with George Demsey and John Lowry for the construction of a new brick courthouse.<sup>7</sup> A few months later, June 2, Sheriff G. M. Buffett was authorized to contract for the removal, by the 13th or 14th, of the old courthouse to the east side of the public square so that the new courthouse might be built in its place.<sup>8</sup> But on June 10, he was instructed to post notice for the removal of the old court-

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1. A full treatment of the selection of Monticello as the county seat will be found in the Historical Sketch.
  2. Court Record, v. A, p. 1.
  3. Ibid., p. 25.
  4. Supervisors' Record, v. I, p. 216.
  5. On December 4, 1843, John Ricketts was allowed \$50 of \$100 which had been withheld from him as security for completing the courthouse (Court Record, v. A, p. 25). At the time the courthouse was formally received by the county, John Ricketts was allowed \$35 in county orders to be issued in September, 1845, provided the "door be finished by that time according to contract." Ibid., p. 45. This constitutes all information contained in the county board records concerning cost of the courthouse.
  6. Court Record, v. B, p. 49.
  7. Ibid., p. 53.
  8. Ibid., p. 58.

Housing, Care, and Accessibility of the Records

house on or before June 21 and its sale at auction on the 14th provided the purchaser did not remove it beyond the limits of Monticello, the county reserving the right of continued use for one year after sale.<sup>1</sup>

The new courthouse was a two-story brick building 65 feet long and 50 feet deep. It had a cupola when first constructed but this was demolished in a storm and never replaced. There were seven rooms on the first floor: the offices of the county clerk, probate judge, sheriff-collector, treasurer-assessor, surveyor, school commissioner, and circuit clerk. The second floor was finished into a circuit courtroom and jury rooms.<sup>2</sup> The new building was used for the first time on June 15, 1857. Its cost, with all incidentals, amounted to \$11,244.77.<sup>3</sup>

While it was in use for almost a half century, this courthouse was never a burden to the county in any appreciable way. Thus, in 1859, the structure was valued at \$12,000 and was insured for \$8,000; and as late as 1880, insurance of \$5,000 was carried, a difference of only \$3,000 after twenty years of use.<sup>4</sup> This would indicate low depreciation, if the amount of insurance can serve as a basis for judging value. A new roof laid in 1867 at a cost of \$1,850, as well as varying amounts expended in different years aggregating about \$4,000, constituted the only maintenance costs on this courthouse. In these amounts are included such "improvements" as new vaults built in 1867 at a cost of \$237.37, and a fireproof safe purchased in 1881 for the sum of \$65.50.<sup>5</sup>

In time, however, this courthouse fell into poor physical condition and became a subject of criticism of the circuit court and juries on many occasions.<sup>6</sup> Typical of this adverse judgment is the report of the grand jury to the county board on March 5, 1901:

"We find that Deed Record Books, Mortgages and miscellaneous records now fill the vault in the Circuit Clerk's room to its fullest capacity and that new books and new records cannot be properly cared for and that

- 
1. Court Record, v. B, p. 61. In the short historical sketch of Piatt County recorded in Supervisors' Record, v. I, p. 215-17, it is stated that the courthouse was moved to the west side of the public square where eventually it burned down.
  2. Court Record, v. B, p. 53,181; Past and Present of Piatt County, Illinois, p. 16.
  3. Court Record, v. B, p. 145,146.
  4. Ibid., p. 430; Supervisors' Record, v. E, p. 405.
  5. Court Record, v. B, p. 443,456,484,485,632; County Court Record - Law, v. C, p. 26,81,112,134,219,238,240-42,246-50; Supervisors' Record, v. D, p. 174,176,212,218,311; Supervisors' Record, v. E, p. 12,62,238, 239,450,478.
  6. Supervisors' Record, v. E, p. 60; *ibid.*, v. H. p. 205,409.

Housing, Care, and Accessibility of the Records

all records, instruments, deeds, and so forth, not returned to their owners, and all court files and papers of every character, are kept in the general office in wooden cases affording no fire protection at all. We also find that the circuit clerk's office is poorly lighted and that the wooden cases are not sufficient to take proper care of the files. And on examination of the County Clerk's office we find the vault full and papers of information piled on the floor. Also that the files of all the Estate, Guardianship, County Court Files of cases tried in the county since its organization, including tax record and other important papers, are kept in an open room without any fire protection whatsoever. As to the Treasurer's office, they only have one room for the books in current use, hence all records are not protected in the least."<sup>1</sup>

At the regular supervisors' meeting held September 10, 1902, the county board expressed itself in favor of building a new courthouse. The question of issuing bonds to the amount of \$100,000 for the courthouse and repair of the jail received the overwhelming support of the county electorate when submitted to it at the general election held November 4. Preliminary conferences were held with groups of architects to formulate plans of procedure relative to the matter of erecting a new courthouse, and building and finance committees were appointed.<sup>2</sup> On December 15, the board authorized the immediate issuance, and negotiation for the sale, of bonds. These were purchased by the First National Bank of Monticello, January 20, 1903.<sup>3</sup> An additional sum of \$12,500 was subscribed by the citizens of Monticello.<sup>4</sup>

Financing having thus been completed, the board proceeded to negotiate for the construction of the courthouse and, on April 2, 1903, entered into a contract with Architect J. W. Royer of Urbana, Illinois, to draw the plans and specifications and to supervise building operations, all of which was not to exceed a cost of \$30,000, including his commission of five percent.<sup>5</sup> On May 12, W. F. Lodge was awarded a contract to build a temporary vault for the sum of \$550. This vault was a brick building 22 by 40 feet and 11 feet high. The floor was granitoid and the roof of tin. To further safeguard the records that were stored there, the walls were covered with asbestos sheeting, and its double door was lined with asbestos and covered with iron.<sup>6</sup> Furthermore, provision was made to locate the various county offices, during the construction period, in the following places: the county judge, county clerk, and circuit clerk in the town hall; the treasurer in the Andrews Building on the west side of the square; the state's attorney in the R. J. Ayer Building on the south side of the square; and the sheriff with Clyde H. Ryder (party not known) in the C. A. Totman Building on the north side of the square.<sup>7</sup>

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1. Supervisors' Record, v. H, p. 409.
  2. Ibid., v. I, p. 3,33,45,46,48.
  3. Ibid., p. 46,48,51.
  4. This amount was collected in 1904 (ibid., p. 258).
  5. Supervisors' Record, v. I, p. 91-98.
  6. Ibid., p. 109.
  7. Ibid., p. 111.

Housing, Care, and Accessibility of the Records

Bids, to be returned by July 1, 1903, were advertised for, and on July 8, the contract for the construction work was awarded to H. B. Walter of Danville for \$64,480, but on the following day changes in specifications were made and the amount raised to \$75,000.<sup>1</sup> The contract called for delivery of the building before July 15, 1904,<sup>2</sup> but the work did not proceed on the time scheduled, as on August 15, 1904, the following contracts were awarded: Western Gas Fixture Company of Toledo, Ohio, for electric light fixtures, \$1,475; H. P. Dodge, for Venetian blinds, \$600; and J. W. Andrews of Clinton, Iowa, for frescoing, \$2,000.<sup>3</sup> A few months before this, on April 16, contracts were let to the Van Dorn Iron Works Company for metal furniture for \$1,409.25, and to the A. H. Andrews Company for wood furniture for \$1,031.25.<sup>4</sup>

What caused the delay in finishing the courthouse is not apparent from perusal of the county board records, but it was finally and officially accepted on April 16, 1906.<sup>5</sup> The entire cost was \$75,541.<sup>6</sup>

As originally built, this courthouse was three stories high and had an unexcavated basement. Built of brick with stone trim, the structure was 40 feet in height, 80 feet in depth, and 92 feet in length. The style of architecture is typical Georgian-Colonial. This beautiful courthouse stands on the terraced grounds of the public square, between Washington and Main streets, and State and Charter streets. There are two entrances, the principal one being on Main Street, the other on Washington Street.

In 1938 the basement was excavated and the first floor completely remodeled with the help of the Works Progress Administration at a cost in excess of \$20,000, but the exterior appearance was not changed.<sup>7</sup> By this improvement, additional storage space for records, among other things, was provided. The arrangement of offices and vaults enhances the building's value for governmental use from the standpoint of easy access by the public, and efficient use by county officials. (For detailed floor plans of courthouse, and arrangement of offices, see pages 79-82.) Incidentally, this courthouse is one of the few in the state that houses practically all county records. Only the records of the county home are not stored in the courthouse, and these, consisting of only four volumes, are kept in the steward's office at the home, two miles west of Monticello on R.F.D. No. 2.

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1. Supervisors' Record, v. I, p. 142, 151, 153.
  2. *Ibid.*, p. 153.
  3. *Ibid.*, p. 343-45.
  4. *Ibid.*, p. 302.
  5. *Ibid.*, v. 618.
  6. *Ibid.*, p. 524.
  7. *Ibid.*, v. T, p. 303-5, 369.

Housing, Care, and Accessibility of the Records

The distribution of records in the depositories in the Piatt County courthouse is such that only 401 record volumes, or sixteen percent, are kept in the offices, while 2,084 volumes are stored in the vaults. Again, 151 files, or eleven percent, are stored in offices, while 1,145 files are kept in vaults. All miscellaneous unbound material is kept in the offices. (For allocation of records in the depositories according to offices, as well as percentages of records stored therein, see charts on pages 74 and 75; for detailed information on the individual depositories, with a description of facilities for the housing of records, see charts on pages 76-78.)

Provisions for careful maintenance of records, with a view toward their best preservation, have been carried out. County board records from the establishment of the county to March, 1843, or for the first two years, are missing or have never existed as such, the gap never having been satisfactorily explained. Other records for the same period are listed both in this inventory and in the inventory of county records by Professor Theodore C. Pease.<sup>1</sup> Where records were in poor condition the county board has exercised its power to order transcriptions made, as in the case of the record of original land entries which was ordered transcribed February 2, 1862.<sup>2</sup> Binding and repair of record volumes are under the direct supervision of the county board. The system of indexing and filing records follows practices generally adopted and employed in other counties in Illinois.

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1. See entries: 1,37,41,56,58,63,74,76,82,86-89,157,160,162,197,198,201,209,221,222; Theodore Calvin Pease, The County Archives of the State of Illinois, v. III, Bibliographical Series, in v. XII, Collections of the Illinois State Historical Library (Springfield: Illinois State Historical Library, 1915), p. 515-22.
  2. Supervisors' Record, v. C, p. 283.

CHART OF COUNTY OFFICES SHOWING PERCENTAGE OF RECORDS IN DEPOSITORIES

Office	Volumes	Files	Other	Depository and Percent of Records
County board	145	123	--	Co. clk.'s vlt., 1st fl. 86; co. clk.'s work rm. 3.5; treas.'s vlt. 0.5; co. clk.'s vlt., 2nd fl. 3.5; cir. clk.'s vlt., 1.5; co. clk.'s off. 5
County clerk	1185	261	--	Co. clk.'s off. 1.5; co. clk.'s lower vlt., bamt. 10.5; treas.'s vlt. 0.5; co. clk.'s vlt., 1st fl. 91; treas.'s off. 5.5; co. clk.'s work rm. 1
Recorder	322	85	--	Cir. clk.'s vlt. 97; cir. clk.'s off. 3
County court	79	79	--	Co. clk.'s vlt., 1st fl. 82; co. clk.'s off. 15.9; co. ct. rm. 0.1; co. clk.'s work rm. 2
Probate court	327	240	--	Co. clk.'s vlt., 1st fl. 86.5; co. clk.'s work rm. 1.5; co. clk.'s off. 12
Circuit court	191	379	--	Cir. clk.'s vlt. 97.5; cir. clk.'s off. 2.5
Sheriff	26	--	--	Sheriff's priv. off. 23; sheriff's vlt. 77
Coroner	2	37	--	Coroner's off. 99.8; cir. clk.'s vlt. 0.2
State's attorney	1	--	--	State's attorney's off. 100
Supervisor of assessments	1	21	--	Treas.'s off. 15; treas.'s vlt. 45; co. clk.'s vlt. 1st fl. 40
Board of review	7	--	--	Co. clk.'s vlt., 1st fl. 72; co. clk.'s off. 14; supervisors' rm. 14

CHART OF COUNTY OFFICES SHOWING PERCENTAGE OF RECORDS IN DEPOSITORIES

Office	Volumes	Files	Other	Depository and Percent of Records
Collector	38	--	-- --	Co. clk.'s vlt., 1st fl. 2.5; co. clk.'s off. 5; treas.'s off. 53; treas.'s vlt. 39.5
Treasurer	51	3	-- --	Treas.'s vlt. 82; treas.'s off. 18
Supt. of schools	176	8	24 bdl.	Off. of supt. of schools 100
Supt. of highways	5	8	3 maps	Off. of supt. of highways 99.9; co. clk.'s vlt., 1st fl. 0.1
Drainage Commission	16	46	-- --	Co. clk.'s vlt., 1st fl. 73; co. clk.'s off. 17; treas.'s vlt. 5; cir. clk.'s vlt. 5
Department of public welfare	1	5	-- --	Old age assistance office 100
County home	4	--	-- --	Steward's office 100
County nurse	2	--	-- --	Office of county nurse 100
Farm bureau	--	--	-- --	Reports sent to State and Federal Department of Agriculture
Tuberculosis sanitarium board	--	--	-- --	Board acts as supervisory body and keeps no records

CHART OF DEPOSITORIES, SHOWING LOCATION, CONTENTS, AND CONDITION  
 Piatt County Courthouse, Washington, Main, State, and Charter Streets, Monticello  
 (Three stories and basement; brick, concrete, and stone construction [1903-1905]; 294,400 cubic feet)

Depository	Floor Location	Dimen- sions	Floors	Walls & Ceiling	Light & Venti- lation	Accommo- dations	Shelving		Records			Housing & Accessi- bility
							Type	Feet	Vols.	Quantity		
										Files	Other	
Co. clk.'s office	2nd w.	13x18x20	wood	plaster	electric 4 win- dows	1 desk- rack	steel	36	81	1 f.b.	- -	good
Co. clk.'s work rm.	2nd se.	13x14x23	wood	plaster	electric 4 win- dows	2 desk- racks	steel	180	26	- -	- -	good
Co. clk.'s vault	1st w.	13x27x18	cement	plaster	electric 4 win- dows	1 table 2 chairs	steel	791	1469	764 f.b.	3 maps	good
Co. clk.'s lower vlt.	bsmt. e.	10x27x18	cement	plaster	electric no win- dows	- -	- -	- -	7	- -	- -	no equip- ment
Co. court room	2nd s.	13x24x35	wood	plaster	electric 4 win- dows	- -	- -	- -	1	- -	- -	good
Cir. clk.'s office	2nd n.	13x16x24	wood	plaster	electric 3 win- dows	1 desk- rack	- -	- -	12	87 f.b.	- -	good
Cir. clk.'s vault	2nd e.	13x18x26	cement	plaster	electric 4 win- dows	2 desk- racks 1 table 4 chairs	steel	840	510	378 f.b.	- -	more space, equipment needed
Sh.'s priv. office	2nd ne.	13x10x14	wood	plaster	electric 1 win- dow	1 desk 2 chairs	steel	3	6	- -	- -	good

CHART OF DEPOSITORIES, SHOWING LOCATION, CONTENTS, AND CONDITION  
Platt County Courthouse (continued)

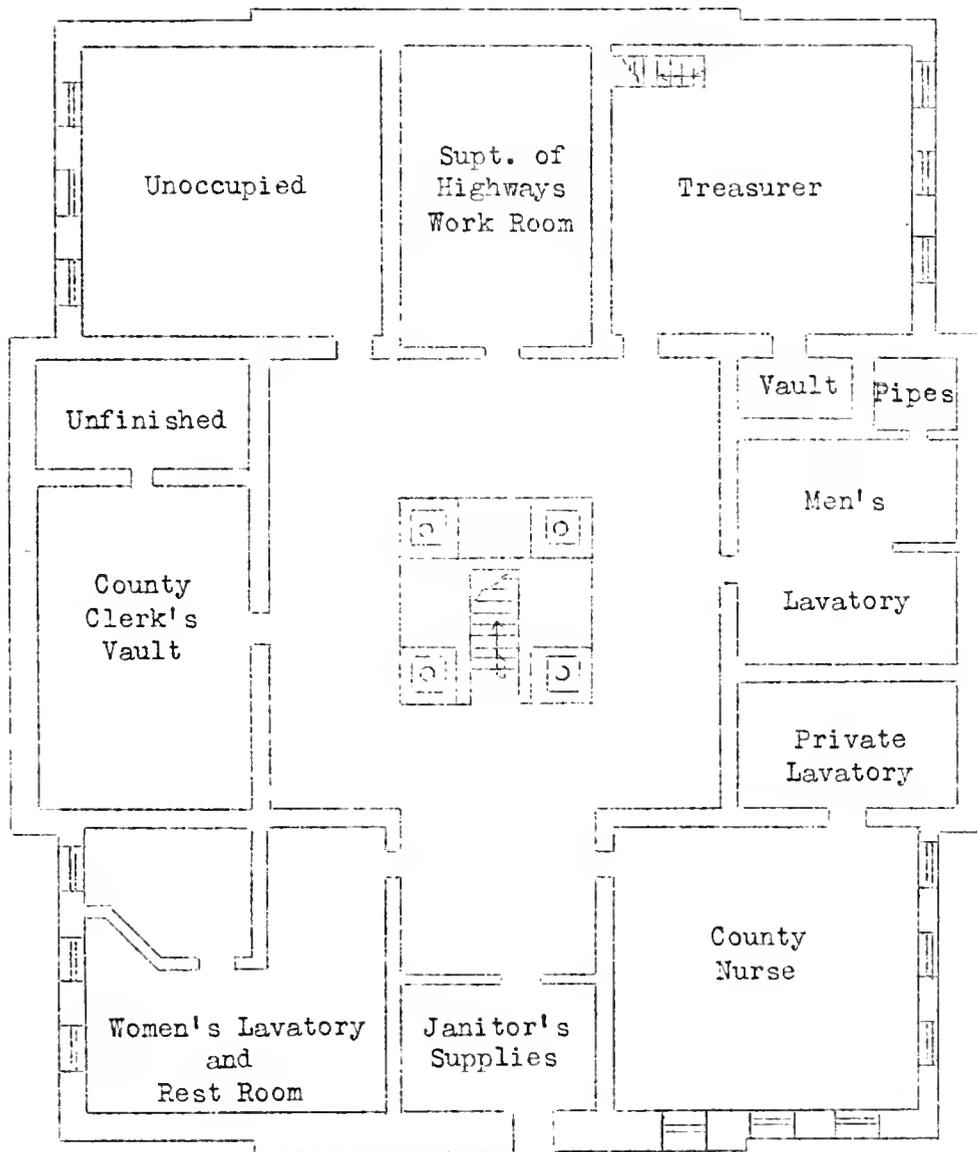
Depository	Floor Locations	Dimensions	Floors	Walls & Ceiling	Light & Ventilation	Accommodations	Shelving		Records			Housing & Accessibility
							Type	Feet	Vols.	Quantity		
										Files	Other	
Sheriff's vault	2nd ne.	13x9x12	cement	plaster	electric no windows	none	wood	4	20	--	--	good
Coroner's off.	1st e.	13x10x12	linoleum	plaster	electric 2 windows	1 table 1 bench 1 chair	wood	4	2	36 f.b.	--	good
State's atty.'s off.	2nd se.	13x10x15	wood	plaster	electric 1 window	1 table 1 desk 5 chairs	--	--	1	--	--	good
Supervisor's rm.	1st se.	13x24x25	wood	plaster	electric 5 windows	1 table 4 desks 40 chairs	steel	6½	1	--	--	good
Treas.'s off.	1st ne.	13x24x25	linoleum	plaster	electric 5 windows	1 desk-rack	steel	5	93	5 f.b.	--	good
Treas.'s vault	1st ne.	13x10x6	cement	plaster	electric no windows	none	steel	60	68	4 f.b.	--	good
Off. of 'supt. of sch.	1st nw.	13x24x25	linoleum	plaster	electric 5 windows	5 tables 12 chairs	wood cabinets	204	176	8 f.b.	24 bdl.	good
Off. of 'supt. of hws.	1st sw.	13x24x25	linoleum	plaster	electric 5 windows	4 desks 2 tables 6 chairs	--	--	5	8 f.d.	--	good

CHART OF DEPOSITORIES, SHOWING LOCATION, CONTENTS, AND CONDITION  
 Piatt County Courthouse, Washington, Main, State, and Charter Streets, Monticello  
 (Three stories and basement; brick, concrete, and stone construction [1903-1905]; 294,400 cubic feet)

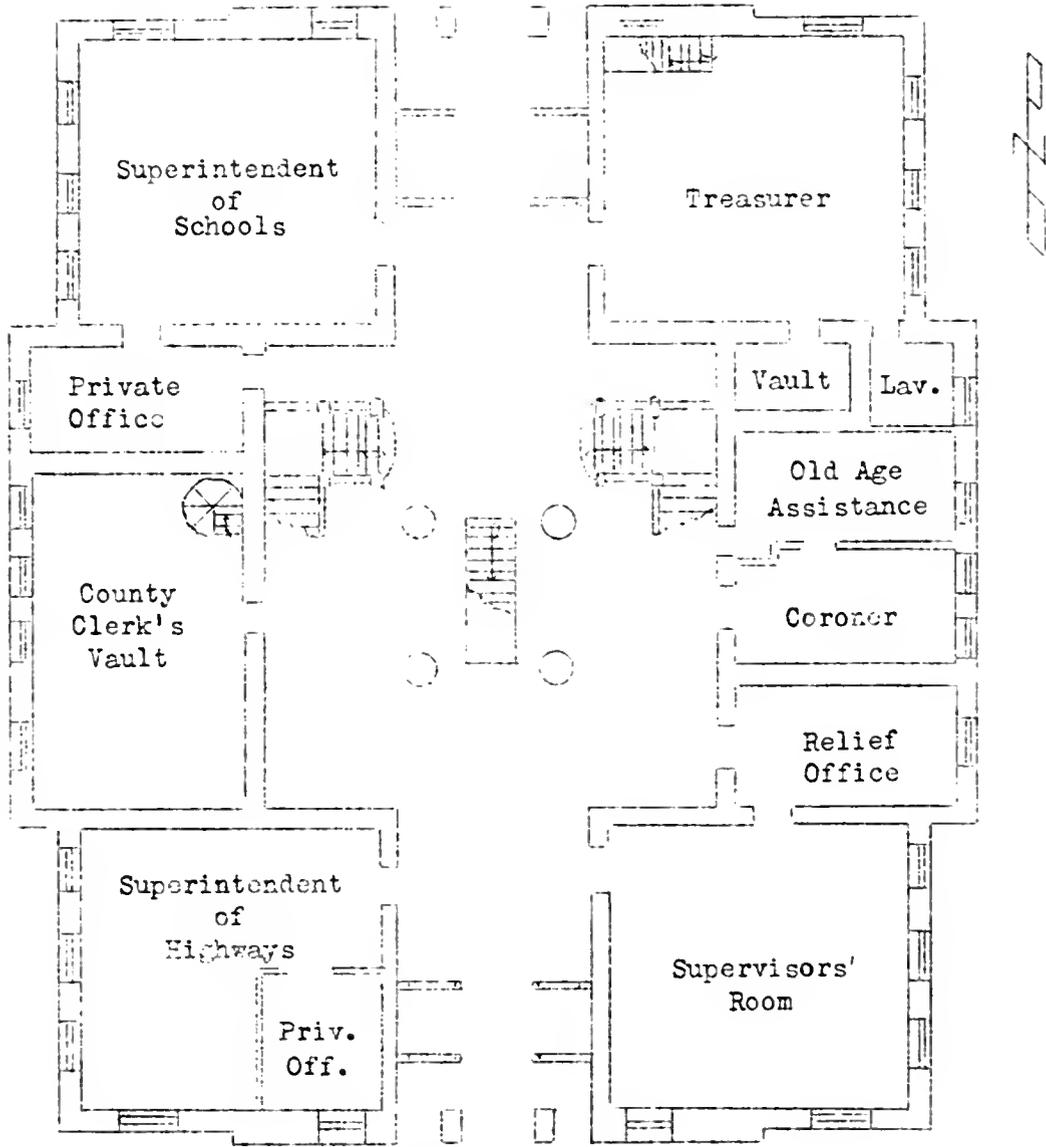
Depository	Floor Location	Dimensions	Floors	Walls & Ceiling	Light & Ventilation	Accommodations	Shelving		Records			
							Type	Feet	Quantity			
									Vols.	Files	Other	Housing & Accessibility
Old age assist. off.	1st e.	13x9x12	linoleum	plaster	electric 1 window	2 desks 4 chairs	--	--	1	5 f.b.	--	good
Co. nurse	bsmt. se.	10x25x24	cement	plaster	electric 5 windows	2 tables 4 chairs	--	--	2	--	--	good

Piatt County Home, two miles west of Monticello, R. F. D. 2  
 (Three stories; brick construction [1871, rebuilt 1902]; 81,000 cubic feet)

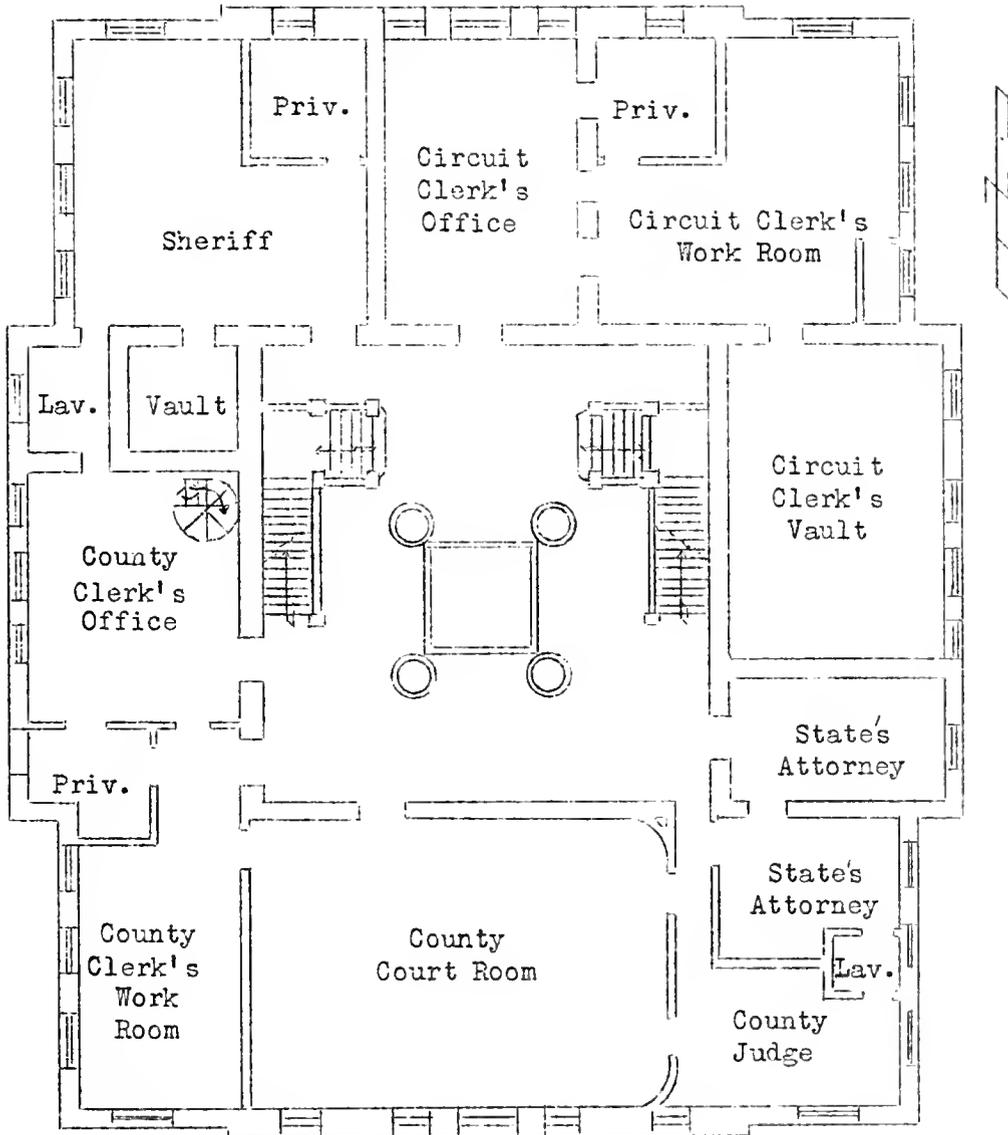
Depository	Floor Location	Dimensions	Floors	Walls & Ceiling	Light & Ventilation	Accommodations	Shelving		Records			
							Type	Feet	Quantity			
									Vols.	Files	Other	Housing & Accessibility
Steward's office	1st	9x14x18	wood	plaster	electric 2 windows	none	--	--	4	--	--	Good



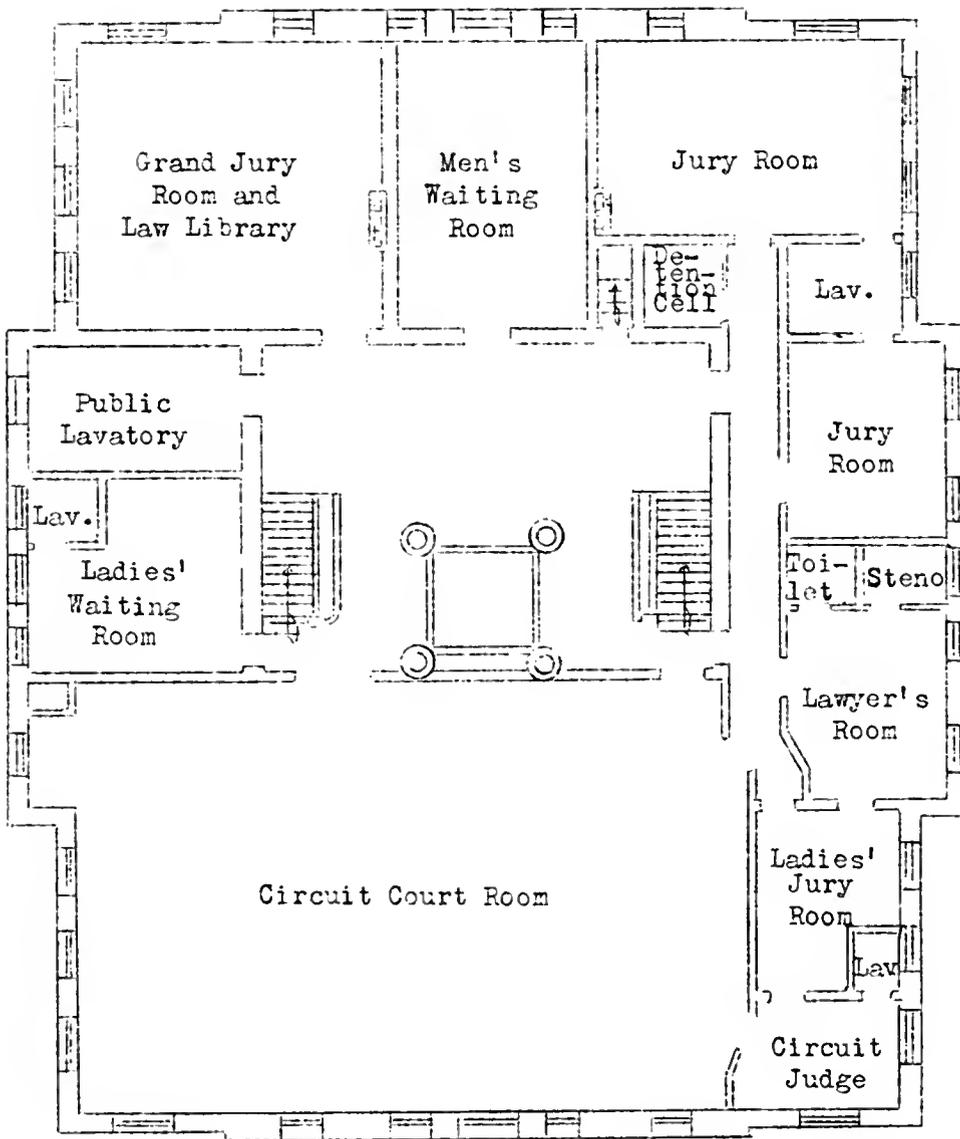
Basement



First Floor



Second Floor



Third Floor

## 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.	coroner
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
gen.	general
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 Annotated
in.	inch(es)
L.	Laws (of Illinois)
mi.	mile(s)
n.	footnote(s)
no(s).	number(s)
N.W.	Northwestern Reporter
off.	office
p.	page(s)

Abbreviations, Symbols,  
and Explanatory Notes

pr.	.....	printed
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 24, "1907-- in Supervisors' Record, entry 3." 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 records appearing elsewhere in the inventory, as in entry 6, "In (Miscellaneous Papers), entry 82." 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

Abbreviations, Symbols,  
and Explanatory Notes

3, "Also contains Record of County Officers' Semiannual Report, 1907--, entry 24; . . ." Dates shown in the description of the master entry are 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.<sup>1</sup> In Piatt County, since 1841,<sup>2</sup> 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.<sup>3</sup> The first General Assembly denominated the commissioners a court of record, styled the county commissioners' court.<sup>4</sup> 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.<sup>5</sup> The first commissioners were elected for an irregular term;<sup>6</sup> subsequently, it was provided that they should be elected at each biennial general election;<sup>7</sup> and by an act of 1837, the term was lengthened to three years and staggered, with one new commissioner elected annually.<sup>8</sup> Thereafter, the commissioner who was longest in office was to be recognized as the presiding officer of the court.<sup>9</sup> Compensation, originally set at the sum of \$2.50 for each day's attendance in holding court,<sup>10</sup> later was reduced to \$1.50.<sup>11</sup> In 1821, provision was made for the removal of commissioners for malfeasance

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1. R.L.1827, p. 107; R.S.1845, p. 130; R.S.1874, p. 306.
  2. Piatt County was created in 1841 (L.1841, p. 71).
  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. In 1838, to initiate the procedure, the three commissioners elected drew lots marked one, two, and three years to determine length of term.
  9. Ibid., p. 104.
  10. L.1819, p. 176.
  11. R.L.1827, p. 205.

County Board

or nonfeasance of duties, with proceedings as in criminal cases;<sup>1</sup> 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.<sup>2</sup> Vacancies resulting from any cause were filled by special election upon order of the clerk of the court to the district judges of election.<sup>3</sup>

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.<sup>4</sup> 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.<sup>5</sup> Their term of office, like that of the county judge, was set at four years.<sup>6</sup> 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.<sup>7</sup> The compensation of the county judge was originally set at \$2.50 for every day of holding court.<sup>8</sup> In 1855 the amount was increased to \$3.00.<sup>9</sup>

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.<sup>10</sup> By provision of the subsequent enabling acts,<sup>11</sup> a board of supervisors, whose members were to be elected one in each township annually,<sup>12</sup> was created to transact all county business in counties adopting township organization.<sup>13</sup> The board of supervisors was to meet for

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1. L.1821, p. 20. Conviction further carried disqualification from holding office for one year.
  2. L.L.1827, p. 145.
  3. L.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 the date of vacancy.
  4. Constitution of 1848, Art. V, sec. 16, 17, 19.
  5. L.1849, p. 65, 66.
  6. Constitution of 1848, Art. V, sec. 17; L.1849, p. 62, 65, 66.
  7. L.1849, p. 65.
  8. Ibid., p. 63.
  9. L.1855, p. 181.
  10. Constitution of 1848, Art. VII, sec. 6.
  11. 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.
  12. L.1849, p. 192; L.1851, p. 39.
  13. L.1849, p. 202-4; L.1851, p. 50-52.

County Board

one regular session a year with the provision that special meetings might be held when convenient.<sup>1</sup> The board members were compensated at the rate of \$1.50 a day,<sup>2</sup> and a fine was provided in the sum of \$250.00, for refusal to perform, or neglect of, duties.<sup>3</sup>

Piatt County was governed by a county court from 1849 to 1860 when township organization was instituted.<sup>4</sup> In 1870 Illinois adopted a new constitution which, while continuing the provision for township organization in counties so electing,<sup>5</sup> 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, 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.<sup>6</sup> As Piatt retained township organization from 1860 to the present, the county has not been affected by this change.

Since 1874, population has been recognized as a factor in local representation on the board of supervisors. In that year, each town or city, in addition to 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.<sup>7</sup> The assistant supervisors, whose terms run concurrently with those of the regular supervisors,<sup>8</sup> 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.<sup>9</sup> The population requirements in this respect have since changed.

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1. 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).
  2. L.1849, p. 203; L.1851, p. 52. In 1861 compensation was increased to \$2.00 a day (L.1861, p. 238).
  3. 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).
  4. Piatt County adopted township organization in 1859, but the change was not effective until 1860.
  5. Constitution of 1870, Art. X, sec. 5.
  6. Ibid., sec. 6; L.1873-74, p. 79,80.
  7. R.S.1874, p. 1075.
  8. L.1933, p. 1116.
  9. R.S.1874, p. 1078,1080; L.1925, p. 605; L.1929, p. 774; L.1931, p. 905,907; L.1933, p. 1115.

County Board

but have not affected Piatt County.<sup>1</sup> At present its board of supervisors has eight members. The term of office of supervisors, lengthened in 1869 to two years,<sup>2</sup> was further extended in 1929 to four years.<sup>3</sup> Compensation was increased from \$1.50 to \$5.00 a day in 1919,<sup>4</sup> lowered to \$4.00 in 1933,<sup>5</sup> and raised again to \$5.00 in 1937,<sup>6</sup> 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.<sup>7</sup> 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.<sup>8</sup> Other legislation by the first General Assembly gave the court power to buy and sell lots whereon to erect county buildings and to contract for their construction;<sup>9</sup> 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.<sup>10</sup> 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.<sup>11</sup> Fiscal control over school lands was exercised at first solely through the court's power of appointment of the trustees of school lands;<sup>12</sup>

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1. In 1931 a different set of population requirements was applied in counties of one hundred thousand or more inhabitants (L.1931, p. 908). Two years later the differentiating figure was reduced to ninety thousand (L.1933, p. 1116). Piatt County with its population of 15,588, according to the 1930 U.S. Census, was not affected at either time. Population Bulletin p. 9.
  2. L.1869, p. 109; L.1917, p. 793; L.1925, p. 605.
  3. L.1929, p. 774, 775; L.1931, p. 906.
  4. L.1849, p. 203; L.1857, p. 186; L.1871-72, p. 444; L.1919, p. 569.
  5. L.1933, p. 615.
  6. L.1937, p. 601.
  7. L.1819, p. 175.
  8. Ibid.
  9. Ibid., p. 237, 238.
  10. L.1843, p. 128.
  11. L.1819, p. 127; L.1859, p. 133, 139.
  12. R.L.1827, p. 366.

County Board

after the creation of the office of county school commissioner,<sup>1</sup> firmer control was effected through the medium of reports which the commissioner was required to submit to the court.<sup>2</sup> The court also had authority to examine the full accounts of commissioner.<sup>3</sup> Other functions of the court were its duties in relation to elections and juries. It had authority to establish precincts,<sup>4</sup> to appoint judges of elections,<sup>5</sup> and to allow compensation to officials for services and stationery.<sup>6</sup> Two panels each of petit and grand jurors were required to be selected. The former were enrolled on the list of taxable inhabitants; the latter only to be freeholders or householders.<sup>7</sup>

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.<sup>8</sup>

The revised law on township organization, in the main, only made more inclusive and definite the powers of the board.<sup>9</sup> 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 use of the corporate property as might seem to be to the interest of the inhabitants.<sup>10</sup> 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.<sup>11</sup> 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.<sup>12</sup>

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1. R.L.1829, p. 150.
  2. L.1831, p. 175; R.S.1845, p. 500,501.
  3. L.1831, p. 175.
  4. 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; R.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).
  5. L.1819, p. 90.
  6. Ibid., p. 99.
  7. Ibid., p. 255; L.1823, p. 182.
  8. Constitution of 1848, Art. V, sec. 19; L.1849, p. 65.
  9. The act of February 17, 1851, previously cited (L.1851, p. 35-78).
  10. Ibid., p. 50.
  11. Ibid., p. 51.
  12. Ibid.

County Board

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.<sup>1</sup>
5. The supervision of elections;<sup>2</sup> the selection of juries;<sup>3</sup> the construction and maintenance of roads and bridges;<sup>4</sup> the care of the indigent, infirm, and disabled.<sup>5</sup>
6. The appropriation of funds necessary to the effecting of its functions;<sup>6</sup> the raising of such sums through taxation; and in general, the management of county funds and county business.<sup>7</sup>

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.<sup>8</sup> This appointive power was rescinded in 1837 by an act which made the office elective.<sup>9</sup>

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.<sup>10</sup> 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 its judicial actions. For this purpose two sets of books were to be kept.<sup>11</sup>

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1. R.S.1874, p. 306,307.
  2. Ibid., p. 456,468.
  3. Ibid., p. 630.
  4. Ibid., p. 310.
  5. Ibid., p. 757,758.
  6. Ibid., p. 307.
  7. Ibid., p. 306,307.
  8. L.1819, p. 175.
  9. R.L.1837, p. 49.
  10. L.1849, p. 63.
  11. Ibid., p. 66.

In 1870 the new constitution established the office of county clerk;<sup>1</sup> subsequently, the General Assembly provided that the county clerk should act as clerk of the county board<sup>2</sup> as well as clerk of the county court.<sup>3</sup> 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 record includes orders to issue warrants on the county treasury; the board's action on committee reports 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.<sup>4</sup>

The clerk also keeps, separately, a register of orders issued on the county treasurer and lists of jury venire. He 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 other officers.<sup>5</sup> 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.<sup>6</sup>

#### General Index

##### 1. MISCELLANEOUS INDEX, 1830---. 1 v. (1).

Index to various county files including: Supervisors' Records (Files), entry 2; Cancelled County Orders, entry 12; Special Assessments Village of DeLand, Improvements, entry 34; Improvements-City of Monticello, entry 35; Special Assessments-Village of Atwood, entry 36; (Delinquent Taxes and Objections to Taxes), entry 40; (Birth and Stillbirth Certificates), entry 48; Death Certificates, entry 53; (Marriage Licenses), entry 56; Election Data, entry 76; (Miscellaneous Papers), entry 82; Executions, entry 121; Bonds, entry 168; Road Tax and Railroad Tax List, entry 263; Lake Fork Special Drainage District of Champaign, Piatt and Douglas Counties (Files), entry 323, showing names of parties and file box number. Arr. alph. by names of parties or subject. Hdw. under pr. hdgs. 300 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

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1. Constitution of 1870, Art. X, sec. 8.
  2. R.S.1874, p. 322.
  3. Ibid., p. 260.
  4. 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, 156; L.1839, p. 71, 72; R.S.1845, p. 237-342, 403, 437; L.1849, p. 66; L.1861, p. 234-37; R.S.1874, p. 322.
  5. R.L.1827, p. 366; L.1845, p. 169; R.S.1845, p. 136; L.1861, p. 237; R.S.1874, p. 325.
  6. Ibid., p. 322.

County Board - Proceedings  
of Board; Disposition of  
Accounts

Proceedings of Board  
(See also entry 62[xxvii])

2. SUPERVISORS' RECORDS (Files), 1860--. 94 f.b. (42-581 not consecutive).

Files of county board papers, including resolutions, reports of county nurse, physicians' contracts, appointment of justices and constables, fees and salaries of elected officers, emergency relief resolutions, reports of all county officers, financial reports of township supervisors, organizations of committees, almshouse reports, tavern licenses, claims against county, county orders, surveyors' reports, and mothers' pension applications. Arr. by date of document. For index, see entry 1. Nature of recording varies. 10 x 5 x 14. Co. clk.'s vlt., 1st fl.

3. SUPERVISORS' RECORD, 1843--. 19 v. (A-S). Title varies: Court Record, v. A, B, 1843-59; County Court Record - Law, v. C, 1860-65.

Record of proceedings of board of supervisors and its predecessors, the county commissioners' court and county court, including lists of appointments to county offices and official bonds; appropriations of funds for roads, schools, county buildings, blind and pauper relief, bounties, and county expenses; settlements of damages; record of action on and list of county claims. Contains proceedings of early justice courts. Also contains Record of County Officers' Semiannual Report, 1907--, entry 24, and Report of County Superintendent of Schools, 1906--, entry 25. Arr. by date of proceedings. No index. Edw. 600 p. 18 x 16 x 3. V. A, 1843-47, cir. clk.'s vlt., 2nd fl.; v. B-Q, 1848-1920, co. clk.'s vlt., 1st fl.; v. R,S, 1921--, co. clk.'s off., 2nd fl.

4. TOWN ROAD RECORD, 1866-1912. 2 v.

Record of town roads, showing location of proposed roads, method of obtaining right of way, and action of board of supervisors. Arr. by date of board meeting. No index. Edw. 200 p. 16 x 10 x 1. Cir. clk.'s vlt., 2nd fl.

Disposition of Accounts  
(See also entries 2, 3, 82[xii, xv, xvi, xxiv,  
xxxiv], 271-288, 305, 308)

Appropriations

5. APPROPRIATION LEDGER, 1933--. 2 v.

Account ledger of all amounts appropriated for and warrants issued against county funds, including county highway, mothers' pension, institute insurance, jury warrants, and witness fees, showing date, amount, and number of warrant, name of payee, and balance in fund. Also contains Motor Fuel Tax Allotment Record, 1933-35, entry 23. Arr. alph. by name of fund. No index. Edw. on pr. fm. 150 p. 10 x 12 x 1½. Co. clk.'s work rm., 2nd fl.

Bills and Claims

6. (FILES OF CLAIMS), 1853--. In (Miscellaneous Papers), entry 82. Files of all claims against the county, showing date, amount, and purpose of claim, name of claimant, and date of filing. Hdw., hdw. on pr. fm., and typed.

7. LAKE FORK - BILLS ALLOWED, 1915--. 1 f.b. Bills allowed the Lake Fork drainage district for material, labor, and surveyors' and commissioners' claims. Arr. by date of bill. No index. Hdw. 10 x 4 $\frac{1}{2}$  x 14. Co. clk.'s vlt., 1st fl.

Registers of County  
Orders

8. COUNTY ORDER REGISTER, 1860--. 7 v. (P-H). Register of county orders issued, including highway warrants, 1927-35, motor fuel tax warrants, 1932-35, jury certificates, witness fee orders, and birth report warrants, showing purpose, date, number, and amount of order, to whom payable, and date of payment. Arr. by order no. No index. 1860-1900, hdw. under pr. hdgs.; 1901--, typed under pr. hdgs. 250 p. 17 x 15 $\frac{1}{2}$  x 2 $\frac{1}{2}$ . V. B-F, 1860-1929, co. clk.'s vlt., 1st fl.; v. G,H, 1930--, co. clk.'s off., 2nd fl.

9. COUNTY HIGHWAY WARRANT REGISTER (and Motor Fuel Tax Warrant Register), 1936--. 1 v. Register of county highway and motor fuel tax warrants issued, showing number and date of warrant, name of payee, purpose of payment, and date of cancellation by bank. Arr. by date of warrant. No index. Hdw. under pr. hdgs. 25 p. 12 x 12 x 1. Co. clk.'s work rm., 2nd fl. For original warrants, see entry 12; for prior register, see entry 8.

10. REGISTER OF ORDERS OF MAIN AND SUBDISTRICTS OF LAKE FORK SPECIAL DRAINAGE DISTRICTS, 1903--. 6 v. (Main District, 1903--, 1 v.; Subdistricts, 1903--, 5 v.). Register of orders of Lake Fork special drainage district, showing date, order number, name of payee, and amount and purpose of payment. Arr. by district no. No index. Hdw. under pr. hdgs. 150 p. 12 x 9 x  $\frac{1}{2}$ . Co. clk.'s vlt., 1st fl.

11. RECORD OF BOARD OF HEALTH CERTIFICATES OF DEATH WARRANT (Register), 1903-16. 1 v. 1917-- in County Clerk's Account with Registrars, entry 84. Register of warrants issued in payment for death reports, showing names of deceased and attending physician, date of death, number of warrant, and date and amount of payment. Arr. alph. by name of physician. No index. Hdw. under pr. hdgs. 300 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

Cancelled County  
Orders

12. CANCELLED COUNTY ORDERS, 1851--. 27 f.b. (60-545 not consecutive). Cancelled county orders, including county highway, motor fuel tax, and mothers' pension warrants, and coroner's jury certificates, showing date, amount, and purpose of warrant, and name of payee; also contains cancelled jury certificates prior to 1908. Arr. by date of warrant. For index, see entry 1. Hdw. on pr. fm. 10 x 4 $\frac{1}{2}$  x 14. Co. clk.'s vlt., 1st fl.

13. COUNTY ORDER STUBS, 1851--. 95 v. Stubs of county orders, including jury warrants and mothers' pension warrants, showing name of payee, amount, purpose, date, and number of order, and name of payer. Arr. by date of order. No index. Hdw. on pr. fm. 175 p. 18 x 3 x 1. Co. clk.'s vlt., 1st fl.

14. BOUNTY CLAIMS (Stubs), 1907--. 1 v. Stub record of bounty claims allowed for killing crows, showing number, date, and amount of warrant, number of crows exterminated, name of township, and signature of payee. Arr. by date of warrant. No index. Hdw. on pr. fm. 150 p. 18 x 14 x 1. Co. clk.'s off., 2nd fl.

15. DEATH WARRANTS (Stubs), 1911--. 1 v. Stubs of warrants issued in payment for reports of deaths, showing number, date, and amount of warrant, name of payee, number of reports, and date of mailing or receipt by person making report. Arr. by date of warrant. No index. Hdw. on pr. fm. 100 p. 18 x 12 x  $\frac{1}{2}$ . Co. clk.'s work rm., 2nd fl.

16. BIRTH WARRANTS (Stubs), 1918--. 1 v. Stubs of warrants issued in payment for birth reports, showing number, date, and amount of warrant, name of payee, number of reports, and date of mailing. Arr. by date of warrant. No index. Hdw. on pr. fm. 100 p. 18 x 12 x  $\frac{1}{2}$ . Co. clk.'s work rm., 2nd fl.

17. PAID DRAINAGE ORDERS, LAKE FORK SPECIAL DRAINAGE DISTRICT, 1907-10. 1 f.b. Cancelled orders of the drainage district for commissioners' services, labor, and materials, orders for payments on contracts, fees of engineers, contractors, and attorneys, and paid orders for election notices and election expenses. Arr. by date of order. No index. Hdw. on pr. fm. 10 x 4 $\frac{1}{2}$  x 14. Co. clk.'s vlt., 1st fl.

Pension Fund Accounts and  
Applications (See also en-  
tries 142-144, 206)

18. RECORD OF BLIND BENEFITS, 1906-21. 1 v. Register of applications for blind benefits, showing date, name and age of applicant, degree of blindness, and amount of benefit. Arr. by date of application. Indexed alph. by name of applicant. Hdw. under pr. hdgs. 100 p. 14 x 9 $\frac{3}{8}$  x 1. Co. clk.'s vlt., 1st fl.

For subsequent record of amounts paid for blind relief, see entry 3.

19. (MOTHERS' PENSION CLAIMS), 1913--. In (Miscellaneous Papers), entry 82.

Original claims for mothers' pension, showing date, amount, and purpose of claim, names of mother and children, place of residence, age of each child, amount awarded by court, and date of filing. Hdw. and typed on pr. fm.

Management of County Properties and Roads  
(See also entries 2, 3, 82[x, xiv], 125, 339)

Bond Issues

20. REGISTER OF BONDS, 1927--. 1 v. (1).

Register of school and highway bonds issued, showing name and number of road or school district, purpose of issue, date and amount of bond, rate of interest, and date of maturity. Arr. by date of bond. Indexed by school and road district nos. Hdw. on pr. fm. 130 p. 18 x 12 x 2. Co. clk.'s off., 2nd fl.

Insurance

21. INSURANCE POLICIES, 1917--. 1 f.b.

Insurance policies on county property, showing name of insurance company, description of property insured, and amount, expiration date, and type of policy. Arr. by date of policy. No index. Hdw. on pr. fm. 10 x 5 x 14. Treas.'s vlt., 1st fl.

22. INSURANCE RECORD, 1937--. 1 v.

Record of insurance policies on county property, showing number and amount of policy, description of property insured, expiration date of policy, and name of insurance agency. Arr. by date of policy. No index. Hdw. under pr. hdgs. 50 p. 9 x 12 x  $\frac{1}{2}$ . Treas.'s vlt., 1st fl.

Motor Fuel Tax Allotments

23. MOTOR FUEL TAX ALLOTMENT RECORD, 1936--. 1 v. 1933-35 in Appropriation Ledger, entry 5.

Record of allotments of motor fuel tax to the various highway funds, showing name of fund, date and amount of allotment, route, section, receipt, and claim numbers, explanation, amounts of receipts and disbursements for each fund, balance available, and amounts transferred from one fund to another. Arr. alph. by name of fund. No index. Hdw. on pr. fm. 100 p. 10 x 12 x 1. Co. clk.'s work rm., 2nd fl.

Reports to Board  
(See also entries 2, 3, 82[xxix-  
xxxii], 237, 288, 302)

24. RECORD OF COUNTY OFFICERS' SEMIANNUAL REPORT, 1877-1906. 1 v.  
1907-- in Supervisors' Record, entry 3.  
Semiannual reports of all county officers to chairman of county board,  
showing date and amount of earnings, and names of payee and payer. Arr.  
by date of report. No index. Hdw. 300 p. 12 x 18 x 3. Co. clk.'s vlt.,  
1st fl.
25. REPORT OF COUNTY SUPERINTENDENT OF SCHOOLS, 1888-1905. 1 v.  
1906-- in Supervisors' Record, entry 3.  
Report of county superintendent of schools to the board of supervisors,  
showing the condition of the county school funds. Arr. by date of report.  
Indexed alph. by name of superintendent. Hdw. 300 p. 18 x 12 x 2. Co.  
clk.'s vlt., 1st fl.

Jury Lists  
(See also entries 82[xxi], 237, 259)

26. LIST OF JURORS, 1872--. 2 v. (1 not numbered, 2).  
Jury lists showing names, addresses, and occupations of jurors, dates of  
selection and drawing, and court of service. Arr. by date of selection.  
No index. Hdw. under pr. hdgs. 300 p. 16 x 12 x 2. Co. clk.'s off.,  
2nd fl.

## II. COUNTY CLERK.

Forerunner of the present county clerk was the clerk of the county commissioners' court. This court was the administrative body in Piatt County from 1841, the date of organization of the county, to 1849.<sup>1</sup> 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."<sup>2</sup> 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 two justices of the peace.<sup>3</sup> In 1859, Piatt 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.<sup>4</sup> Accordingly, the clerk of the county court became ex-officio clerk of the board of supervisors.<sup>5</sup>

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 their duties in other capacities. The Constitution of 1870 specifically provided for a county clerk<sup>6</sup> who has continued to act to the present in this capacity, and also as clerk of the county board<sup>7</sup> and clerk of the county court.<sup>8</sup> 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.<sup>9</sup> It is the performance of these duties that gives rise to the records dealt with in this section.

The first clerk of the county commissioners' court of Piatt County was elected in 1841, with a four-year term;<sup>10</sup> a two-year term became effective in 1847.<sup>11</sup> A bond of \$1,000 was required.<sup>12</sup> The clerk of the

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1. Constitution of 1818, Schedule, sec. 4; L.1819, p. 175.
  2. Constitution of 1848, Art. V, sec. 18,18,19; 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.1853, p. 143; R.S.1845, p. 131.

County Clerk

county court served for a four-year term, and was bonded in the sum of \$3,000.<sup>1</sup> 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.<sup>2</sup> The bond is entered upon the records of his office, and deposited with the clerk of the circuit court. He is required to take oath, and is commissioned by the Governor.<sup>3</sup> 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. The county clerk must procure all books and blanks used in the assessment and collection of taxes, and list in such books the lands and lots subject to taxation;<sup>4</sup> they 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.<sup>5</sup> 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.<sup>6</sup> The county clerk then reports the entire assessment list

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1. L.1849, p. 63,64.
  2. Constitution of 1870, Art. X, sec. 8; R.S.1874, p. 321.
  3. R.S.1874, p. 321.
  4. 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).
  5. 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 1860 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).
  6. L.1898, p. 36-44.

County Clerk

to the State Tax Commission for equalization, the equalized list is afterwards used by the county clerk in ascertaining tax rates and extending taxes.<sup>1</sup>

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.<sup>2</sup>

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.<sup>3</sup> The county clerk attends all tax sales, prepares a list of all sales and issues duplicate reports thereof, records affidavits of purchases of property for taxes, and keeps a record known as the "tax judgment, sale, redemption, and forfeiture record."<sup>4</sup>

An extensive group of records of vital statistics is kept by the 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.<sup>5</sup> 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.<sup>6</sup> It is probable that the tenor of the above-mentioned laws explains the fact that no birth or death records existed in Piatt County prior to 1877, the first law, 1819, requiring no public record to be kept, and that of 1842 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.<sup>7</sup> Teeth were put into these 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 as the local registrars who issued burial permits and forwarded the certificates to the county clerk.<sup>8</sup> In 1903, certificates of death were to be

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1. L.1919, p. 723.
  2. L.1871-72, p. 11,13,16; L.1937, p. 1011,1012.
  3. L.1849, p. 124,125; L.1871-72, p. 55; L.1931, p. 759.
  4. L.1838-39, p. 15; L.1871-72, p. 40; L.1879, p. 250.
  5. L.1819, p. 233.
  6. L.1842-43, p. 210-12.
  7. L.1877, p. 209.
  8. L.1901, p. 302,303.

County Clerk

turned over to the State Board of Health, which then delivered to the county clerk all certificates so received.<sup>1</sup> Later it was provided that the township clerks should annually deposit with the county clerk a complete set of the records of births, stillbirths and deaths registered with them. The county clerk was charged with binding and indexing, or recording, and safe-keeping of such records.<sup>2</sup> 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.<sup>3</sup>

Since the organization of Piatt County in 1841 the county clerk, or at that time clerk of the county commissioners' court, has been required to file marriage certificates and certificates of parents' consent to the marriage of minors.<sup>4</sup> The clerk was also required to keep a separate register of marriages in addition to his file of certificates.<sup>5</sup> 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.<sup>6</sup> Although a record of applications for marriage licenses has been kept by the clerk in this county since 1876, an act of 1937 appears to be the first legislation requiring the maintenance of such a record.<sup>7</sup> 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.<sup>8</sup> Marriage records have been kept in Piatt County since its organization in 1841.

The county clerk is charged with a number of duties relating to elections: preparing and issuing blank ballots,<sup>9</sup> poll books,<sup>10</sup> and certificates of election,<sup>11</sup> and keeping a record of registers of elections,<sup>12</sup> petitions,<sup>13</sup> and marked ballots,<sup>14</sup> tally sheets,<sup>15</sup> and election returns which

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1. L.1905, p. 315-18.
  2. L.1915, p. 667.
  3. L.1877, p. 209.
  4. L.1819, p. 27; R.S.1845, p. 354; R.S.1874, p. 694.
  5. R.L.1827, p. 289.
  6. L.1877, p. 130.
  7. L.1937, p. 909.
  8. Ibid., p. 910.
  9. L.1891, p. 113; L.1911, p. 311.
  10. L.1871-72, p. 386.
  11. L.1819, p. 96; L.1821, p. 79; L.1823, p. 64; L.1865, p. 176.
  12. L.1865, p. 59; L.1871-72, p. 386.
  13. L.1911, p. 310, 311; L.1929, p. 422.
  14. L.1891, p. 118.
  15. L.1885, p. 143.

County Clerk

are transmitted to him by the judges of election.<sup>1</sup> 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.<sup>2</sup> 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.<sup>3</sup> Now the clerk does not enter into the procedure, the school trustees canvassing the returns and certifying directly to the superintendent of schools.<sup>4</sup>

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.<sup>5</sup> 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.<sup>6</sup>

The clerk is also charged with issuing licenses to taverns,<sup>7</sup> ferries,<sup>8</sup> etc., and keeping records of the same. Other recordations made are: records relating to estrays;<sup>9</sup> registers of professionals, including physicians,<sup>10</sup> midwives,<sup>11</sup> dentists,<sup>12</sup> chiropodists,<sup>13</sup> and veterinarians;<sup>14</sup> list of county officers; list of town officers which is furnished annually by the town clerk;<sup>15</sup> record of notaries public;<sup>16</sup> and book of state civil service rules.<sup>17</sup> 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.<sup>18</sup>

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1. L.1819, p. 86; L.1821, p. 77; L.1823, p. 64; L.1871-72, p. 389.
  2. L.1917, p. 444.
  3. L.1889, p. 271,322.
  4. L.1909, p. 352.
  5. R.S.1845, p. 396,397; L.1861, p. 237,238; R.S.1874, p. 325; L.1895, p. 188.
  6. L.1895, p. 188.
  7. L.1819, p. 77-79; L.1933-34, Second Sp. Sess., p. 64-66.
  8. R.L.1827, p. 221; R.S.1874, p. 530.
  9. L.1819, p. 206,207; R.S.1874, p. 433.
  10. L.1877, p. 209; L.1899, p. 275; L.1923, p. 441, 442.
  11. Ibid.
  12. L.1881, p. 79; L.1899, p. 273; L.1909, p. 279; L.1933, p. 711.
  13. L.1899, p. 280; L.1935, p. 995.
  14. L.1917, p. 591.
  15. L.1861, p. 226; R.S.1874, p. 1077.
  16. L.1871-72, p. 575; R.S.1874, p. 721; L.1875, p. 88.
  17. L.1905, p. 115.
  18. L.1923, p. 480.

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 office<sup>1</sup> 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.<sup>2</sup> Also included are his record-keeping duties as ex-officio clerk of the county court, with its resulting duties in relation to probate matters.<sup>3</sup> The clerk is also required to keep jury lists<sup>4</sup> 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.<sup>5</sup>

Taxation

(See also entries 82[iii,ix,xviii,xxxv],  
95, 125, 262-270, 302, 321-324, 326-328, 331)

List of Taxable Property,

Levies

- 27. ASSESSORS' BOOKS, 1853--. 433 v.  
(Piatt County, as a whole, 1853-59. 7 v.  
Bement Township, 1860--. 40 v. Missing: 1861-73, 1875-84, 1886, 1888-94.  
Blue Ridge Township, 1860--. 44 v. Missing: 1861-84, 1887, 1897, 1898.  
Cerro Gordo Township, 1860--. 56 v. Missing: 1861-74, 1884.  
Goose Creek Township, 1860--. 55 v. Missing: 1836, 1891, 1892, 1894.  
Monticello Township, 1860--. 67 v. Missing: 1886, 1891, 1892, 1894.  
Sangamon Township, 1860--. 64 v. Missing: 1872-74, 1886-89, 1921.  
Unity Township, 1860--. 50 v. Missing: 1861-76, 1882-84, 1887, 1893.  
Willow Branch Township, 1860--. 55 v. Missing: 1862-73, 1880, 1881, 1886, 1895).

Lists of taxable real estate and personal property, showing name of owner, description of property, tax spread, and assessed valuation. Real estate arr. by sec., twp., and range nos.; personal property arr. alph. by name of taxpayer. No index. Hdw. under pr. hdgs. 140 p. 17 x 14 x 1 1/2. 414 v., 1860-1933, co. clk.'s vlt., 1st fl.; 24 v., 1934--, treas.'s off., 1st fl.

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- 1. R.S.1874, p. 322.
- 2. L.1861, p. 239; R.S.1874, p. 322.
- 3. R.S.1874, p. 260.
- 4. Ibid., p. 630.
- 5. Ibid., p. 321.

28. ABSTRACT OF ASSESSMENTS AND TAXES, 1866--. 5 v. ( 4 not numbered, 3).

Summaries of county, city, town, and school valuations and tax extensions, showing date, name of township, valuation of real and personal property, amount of levy by the various tax levying bodies, back tax and interest, tax spread, and grand totals of valuation. Arr. by date of summary. No index. Hdw. 240 p. 12 x 14 x 1. 2 v. not numbered, 1866-1901, co. clk.'s vlt., 1st fl.; 2 v. not numbered, v. 3, 1902--, co. clk.'s off., 2nd fl.

29. RAILROAD TAX BOOK (Telephone and Telegraph), 1867--. 8 v.

Lists of taxable railroad property, showing date, name of railroad company, equalized value, rate, tax spread, and total tax; also contains telegraph and telephone tax record, 1873--. Arr. by date of levy. No index. Hdw. under pr. hdgs. 350 p. 18 x 12 x 3. Treas.'s vlt., 1st fl.

30. SPECIAL ASSESSMENT TAX LIST OF TRENKLE SLOUGH SPECIAL DRAINAGE DISTRICT, 1929--. 1 v.

Special assessment tax lists of Trenkle Slough drainage district, showing name of owner, description of land, and date and amount of levy. Arr. by date of levy. No index. Hdw. 300 p. 18 x 14 x 2. Co. clk.'s off., 2nd fl.

31. SPECIAL ASSESSMENT BOOK, LALE YORK DRAINAGE DISTRICT, 1930--. 1 v. (1).

Special assessment rolls showing owner's name, description of land, acreage, and date and amount of assessment. Arr. by date of assessment. No index. Typed. 500 p. 17 x 14 x 2 $\frac{1}{2}$ . Co. clk.'s vlt., 1st fl.

32. SPECIAL ASSESSMENT LIST, DELAND SPECIAL DRAINAGE DISTRICT, 1930--. 1 v.

Special assessment tax lists of lands in drainage district, including description and location of land, name of owner, classification of land, and date and amount of tax levy. Arr. by date of levy. No index. Hdw. under pr. hdgs. 100 p. 18 x 14 $\frac{1}{2}$  x 2. Co. clk.'s off., 2nd fl.

33. SPECIAL ASSESSMENT RECORD, 1892-1931. 2 v. (1, 1892-1916; 2, 1910-31).

Record of special assessments for improvements, showing nature of improvement, description of property assessed, amount and date of assessment, and name of owner. Arr. by date of assessment. No index. 1892-1909, hdw. on pr. fm.; 1910-31, typed on pr. fm. 150 - 750 p. 18 x 12 x 2 - 16 x 14 x 4. Co. clk.'s off., 2nd fl.

34. SPECIAL ASSESSMENTS VILLAGE OF DELAND, IMPROVEMENTS, 1926. 1 f.b.

Lists of special assessments to pay the cost of grading, paving, curbing and drainage on Highway Avenue and certain intersecting streets in Village of DeLand. Arr. by date of levy. For index, see entry 1. Nature of recording varies. 10 x 4 $\frac{1}{2}$  x 14. Co. clk.'s vlt., 1st fl.

35. IMPROVEMENTS - CITY OF MONTICELLO, 1926. 5 f.b. (E-H, K).

Special assessment papers pertaining to improvements in City of Monticello, including assessment rolls and plans for street paving, ornamental lighting system, and sewers. Arr. by date of document. For index, see entry 1. Nature of recording varies. 10 x 4 $\frac{1}{2}$  x 14. Co. clk.'s vlt., 1st fl.

36. SPECIAL ASSESSMENTS - VILLAGE OF ATWOOD, 1924. 2 f.b. (I, J). Special assessment lists and construction plans with specifications on the paving, grading, and curbing of certain streets in the Village of Atwood. Arr. by date of document. For index, see entry 1. Nature of recording varies. 10 x 4 $\frac{1}{2}$  x 14. Co. clk.'s vlt., 1st fl.

37. LAND ENTRY BOOK, 1835-59. 2 v. Land entry book showing date of entry, name of patentee, and legal description of land. The second volume is a copy and duplicate of the original land entry book, giving a more complete list of lands and owners. Arr. by date of entry. Original, no index; copy, indexed alph. by name of party entering land. Hdw. 100 - 150 p. 16 x 10 x 1 - 18 x 12 x 1. Co. clk.'s vlt., 1st fl.

Collections, Abatement

38. COLLECTOR'S BOOKS, 1850--. 604. v.  
 (Pitt County, as a whole, 1850-59. 6 v. Missing: 1851-52, 1855, 1859.  
 Belmont Township, 1860--. 75 v. Missing: 1866.  
 Blue Ridge Township, 1860--. 74 v. Missing: 1870, 1865.  
 Cerro Gordo Township, 1860--. 75 v. Missing: 1866.  
 Goose Creek Township, 1860--. 76 v.  
 Monticello Township, 1860--. 74 v. Missing: 1879, 1898.  
 Sangamon Township, 1860--. 74 v. Missing: 1873, 1876.  
 Unity Township, 1860--. 75 v. Missing: 1881.  
 Willow Branch Township, 1860--. 75 v. Missing: 1895).

Lists of taxes collected on all real estate and personal property, showing in whose name assessed, description, assessed value, tax spread, date of payment, and name of payee; also contains dog license tag records. Real estate arr. by sec., twp., and range nos.; personal property arr. alph. by name of owner. No index. Hdw. under or. hdgs. 100 p. 17 x 14 x 1 $\frac{1}{2}$ . 584 v., 1850-1930, co. clk.'s vlt., 1st fl.; 40 v., 1931--., treas.'s off., 1st fl.

39. COUNTY CLERK'S ACCOUNT WITH COUNTY COLLECTOR AND COUNTY TREASURER, 1886--. 2 v.

Accounts of county collector and county treasurer with county clerk for tax collections and disbursements, showing date, amount and purpose of receipt or disbursement, and name of payee or payer. Arr. by date of receipt or disbursement. No index. Hdw. 150 p. 12 x 18 x 1 $\frac{1}{2}$ . 1 v., 1886-1909, co. clk.'s vlt., 1st fl.; 1 v., 1910--., co. clk.'s off., 2nd fl.

40. (DELINQUENT TAXES AND OBJECTIONS TO TAXES), 1854--. 2 f.b. (47, 55, 152, 159, 366, 414, 477, 484, 1 not numbered).

Lists of delinquent taxes and objections to taxes, showing date, name of property owner, description and location of property, valuation, date due, amount delinquent, penalties, type and amount of objection, and names of complainant and attorneys. Arr. by date of list. For index, see entry 1. Nature of recording varies. 10 x 4 x 14 - 16 x 4 x 24. 8 f.b., 1854-1935, co. clk.'s vlt., 1st fl.; 1 f.b., 1934--., co. clk.'s off., 2nd fl.

41. LIST OF UNPAID TAXES ON REAL ESTATE, 1841-46. 1 v.

Lists of lands upon which taxes are unpaid, showing name of owner, description and location of land, date and amount of taxes and costs due. Arr. by due date of tax. No index. Hdw. Paper poor. 100 p. 12 x 8 x 1. Co. clk.'s vlt., 1st fl.

Judgment, Sale, Redemption,  
Forfeiture

42. TAX JUDGMENT, SALE, REDEMPTION AND FORFEITURE RECCRD, 1881--.  
9 v. (G-O).

Record of tax judgments, sales, redemptions, and forfeitures of lands and town lots, showing name of owner, legal description of property, value as equalized by state board, amounts of state, county, town, road and bridge, and school district taxes, total amounts of taxes, interest, and costs due, total amount of judgment, and dates of sale, redemption, and forfeiture. Tax Judgment Record, entry 43, and Sale and Redemption (and Forfeiture) Record, entry 44, formerly kept separately. Arr. by date of judgment. No index. Hdw. under pr. hdgs. 400 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

43. TAX JUDGMENT RECORD, 1858-80. 4 v. (B-D, 1 not lettered). 1881--  
in Tax Judgment, Sale, Redemption and Forfeiture Record, entry 42.

Lists of lands and town lots upon which judgment has been entered for taxes, interest, and costs due and unpaid, showing date, name of owner, legal description of property, value equalized by state board, amounts of state, county, town, road and bridge, and school district taxes, total amount of taxes, interest and costs due, and total amount of judgment. Arr. by date of judgment. No index. Hdw. under pr. hdgs. 103 - 312 p. 16 x 12 x 1 - 16 x 12 x 2 $\frac{1}{2}$ . Co. clk.'s vlt., 1st fl.

44. SALE AND REDEIPTION (and Forfeiture) RECORD, 1858-80. 4 v. (AB,  
C-E). Title varies: Tax Sale Record, v.AB, 1858-65; v.C, 1866-75.  
1881-- in Tax Judgment, Sale, Redemption and Forfeiture Record,  
entry 42.

Lists of sales, redemptions, and forfeitures of lands and lots, showing name of owner, legal description of property, total amount of judgment, date and amount of sale, name of purchaser, date and by whom redeemed, amounts of penalty, interest, and costs, and total amount of redemption. Arr. by date of sale or redemption. No index. Hdw. under pr. hdgs. 238 - 320 p. 16 x 16 x 2 - 13 x 12 x 3. Co. clk.'s vlt., 1st fl.

For additional record of forfeitures, see entry 45.

45. RECORD OF FORFEITED LANDS, 1872-80. 1 v.

Record of tax forfeitures, showing legal description of property, name of owner, amount of taxes, penalties, costs and interest due, and date of forfeiture. Arr. by date of forfeiture. No index. Hdw. on pr. fm. 200 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

For prior records, see entry 44; for subsequent record, see entry 42.

46. TAX AFFIDAVIT RECORD, 1872--. 3 v. (A-C).

Copies of affidavits for tax deeds, showing date, names of owner and purchaser, legal description of property, and amount involved. Arr. by date of affidavit. Indexed alph. by name of purchaser. Hdw. on pr. fm. 300 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

Maps and Plats

47. SCHOOL PLATS, 1854--. 3 v. (2 not lettered, A). Last entry 1932. Title varies: School Flat Book of Districts, 2 v. not lettered, 1854-65.

Plats of school districts used for taxation purposes, showing boundaries, location, and number of each school district, date of recording, and signature of county clerk. No plats made from 1866-69. Arr. by sec., twp., and range nos. No index. Hand-drawn. 100 p. 8 x 12 x 1/2. 2 v., 1854-65, co. clk.'s vlt., 1st fl.; v. A, 1870--, co. clk.'s off., 2nd fl.

Vital Statistics

Births and Stillbirths (See also entries 8, 16, 82[xi], 84, 271)

48. (BIRTH AND STILLBIRTH CERTIFICATES), 1877--. 6 f.b. (248, 303, 356, 357, 413, 489).

Birth and stillbirth certificates showing date and place of birth, name and sex of child, name, residence, color, age, and occupations of parents, number of children in family, treatment given child's eyes, certificate of attending physician, time of death, period of gestation, cause of stillbirth, signatures of attendant, undertaker, and registrar, place and date of burial, and date of filing of certificate. Arr. by certificate no. For index, see entry 1. Hdw. on pr. fm. 10 x 4 1/2 x 14. Co. clk.'s vlt., 1st fl.

49. RECORD OF BIRTH (and Stillbirth) CERTIFICATES, 1917--. 4 v. (4-7).

Copies of birth and stillbirth certificates, showing date and place of birth, names, residence, ages, color, and occupation of parents, number of children in family, treatment given eyes, name and sex of child, cause of stillbirth and time of death, and names of physician, undertaker, and midwife. Arr. alph. by name of child. Indexed alph. by surname of child. Hdw. on pr. fm. 500 p. 18 x 12 x 3 1/2. Co. clk.'s work rm., 2nd fl.

50. REGISTER OF BIRTHS, 1877-1916. 3 v. (1-3),

Register of births and stillbirths, showing date and place of birth, names, address, ages, color, and occupation of parents, number of children in family, treatment given eyes, and name of child; if stillbirth, cause and time of death, and names of physician, undertaker, and midwife. Arr. alph. by name of child. For index, see entry 51. Hdw. under pr. hdgs. 500 p. 18 x 12 x 3 1/2. Co. clk.'s work rm., 2nd fl.

51. INDEX TO BIRTHS, 1877-1916. 1 v. (A).

Index to Register of Births, entry 50, showing names of child and parents, and record book, and page of entry. Arr. alph. by name of child. Hdw. under pr. hdgs. 200 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

Deaths (See also  
entries 11, 15, 84, 271)

52. INDEX TO DEATHS, 1877-1916. 1 v.

Index to Death Register (Copies of Death Certificates), entry 54, and Death Register, entry 55, showing name of deceased, and book and page of entry. Arr. alph. by name of deceased. Hdw. under pr. hdgs. 200 p. 18 x 12 x 1. Co. clk.'s work rm., 2nd fl.

53. DEATH CERTIFICATES, 1877--. 4 f.b. (248, 355, 374, 490).

Original death certificates showing place, cause, and date of death, registration and primary district numbers, personal and statistical particulars, names of deceased, informant, undertaker, and physician, medical certificate of death, and signature of clerk. Arr. by certificate no. For index, see entry 1. Hdw. on pr. fm. 10 x 4 $\frac{1}{2}$  x 14. Co. clk.'s vlt., 1st fl.

54. DEATH REGISTER (Copies of Death Certificates), 1906--. 3 v. (4-6).

Copies of death certificates, showing name, age, sex, address, personal and statistical particulars, medical certificate of death, dates and places of death and burial, signatures and addresses of person reporting death, undertaker, physician, and registrar, and date of filing. Arr. by date of filing. For sep. index, 1906-16, see entry 52; 1917--., indexed alph. by name of deceased. Hdw. on pr. fm. 500 p. 18 x 12 x 3. Co. clk.'s work rm. 2nd fl.

55. DEATH REGISTER, 1877-1905. 3 v. (1-3).

Register of deaths, showing name, age, sex, address, color or race, and marital status of deceased, date of birth, type of occupation, name and birthplaces of parents, medical certificate of death, dates and places of death and burial, names and addresses of informant, undertaker, physician, and registrar, and date of filing. Arr. by date of filing. For index, see entry 52. Hdw. under pr. hdgs. 500 p. 18 x 12 x 3. Co. clk.'s work rm., 2nd fl.

Marriages (See also  
entry 90)

56. (MARRIAGE LICENSES), 1841--. 21 f.b. (46-476 not consecutive).

Marriage license returns showing names, ages, occupations, and birthplaces of bride and groom, names of parents, witnesses, official performing ceremony, and county clerk, and dates of license, marriage, and return. Arr. by certificate no. For index, see entry 1. Hdw. on pr. fm. 10 x 4 $\frac{1}{2}$  x 14. Co. clk.'s vlt., 1st fl.

57. APPLICATION FOR MARRIAGE LICENSES, 1876---. 23 v. (A-E, 6-11, 1 not labeled, 2-12).

Applications for marriage licenses, showing date, age, residence, birth-place, and relationship if any, of both parties, and consent of parents in case of minors. Arr. by date of application. No index. Hdw. on pr. fm. 300 p. 12 x 16 x 1½. V. A-E, 6-11, 1 not labeled, 2-11, 1876-1935, co. clk.'s vlt., 1st fl.; v. 12, 1936---, co. clk.'s off., 2nd fl.

58. MARRIAGE REGISTER, 1841---. 4 v. (1 not lettered, 1841-55; A-C, 1841--).

Marriage register showing date and number of license, names of male and female, dates of marriage and return, and name and title of official performing ceremony. Unlettered volume, 1841-55, has been transcribed into volume A. Arr. by license no. Indexed alph. by name of male. Hdw. under pr. hdgs. 400 p. 18 x 12 x 2. V. A, B, 1841-1910, co. clk.'s off., 2nd fl.; 1 v. not lettered, 1841-55, v. C, 1911--, co. clk.'s vlt., 1st fl.

59. RECORD OF MARRIAGE, 1878---. 2 v. (C, D).

Copies of marriage licenses on state board of health forms, showing number and date of license, names, ages, race, residences, occupations, and places of birth of bride and groom, names of parents, in case of minor name of person giving consent, date and place of marriage, names of witnesses, name and title of official performing ceremony, and dates of return and registration. Arr. by license no. For index, see entry 60. Hdw. on pr. fm. 640 p. 18 x 12 x 5. V. C, 1878-1900, co. clk.'s off., 2nd fl.; v. D, 1901---, co. clk.'s vlt., 1st fl.

60. INDEX TO MARRIAGES, 1878---. 2 v. (A, B).

Index to Record of Marriage, entry 59, showing names of male and female, date of license, and record book and page of entry. Arr. alph. by names of male and female. Hdw. under pr. hdgs. 600 p. 18 x 12 x 3. V. A, 1878-1924, co. clk.'s off., 2nd fl.; v. B, 1925---, co. clk.'s vlt., 1st fl.

Census

61. CENSUS ENUMERATION OF PIATT COUNTY, 1880. 8 v.

Lists of all inhabitants of Piatt County, showing name, age, sex, and color of each inhabitant. Arr. alph. by name of twp. No index. Hdw. under pr. hdgs. 50 p. 10 x 15 x ½. Co. clk.'s vlt., 1st fl.

62. CENSUS BOOK OF PIATT COUNTY, 1860. 1 v.

Census of Piatt County, showing list of all inhabitants, with name, age, sex, color, occupation, place of birth, value of property, number in school, number of illiterates; list of persons who died between June 1, 1859 and June 1, 1860 and cause of death, names of land owners, acreage owned and cash value, number and cash value of stock, amount produced and value thereof; a list of colleges, schools, libraries, churches, newspapers; also comments on pauperism, crime, and wages. Arr. by subject matter. No index. Hdw. on pr. fm. 100 p. 19½ x 14 x 1. Co. clk.'s vlt., 1st fl.

Licenses and Registers  
(See also entry 82[v, vii, viii])

Registers of Officers (See also  
entry 82[xxii])

63. RECORD OF COMMISSIONS AND BONDS, 1842--. 4 v. (2 not numbered, 2, 3). Title varies: Register of Commissions. Register of justices of the peace, constables, notaries public, police magistrates, coroners, sheriffs, state's attorneys, county treasurers, surveyors, and circuit and county clerks, showing names of officer and sureties, title of office, date of appointment or election, date and amount of bond, dates of oath, commission or certificate, and expiration of commission, and remarks. Arr. alph. by name of officer. No index. 1842-75, hdw.; 1876--, hdw. under pr. hdgs. 200 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

Professional Licenses and  
Registers

64. REGISTER OF PHYSICIANS AND ACCOUCHEURS, 1876--. 1 v. Register of physicians, showing date of registration, name of physician, address, age, number years in practice, and dates of certificate of state board of health and filing; also serves as register of osteopaths subsequent to 1900, register of accoucheurs prior to 1910, and register of chirepodists subsequent to 1922. Arr. by date of filing. Indexed alph. by name of physician. Hdw. under pr. hdgs. 150 p. 18 x 12 x 1. Co. clk.'s vlt., 1st fl.

65. RECORD OF PHYSICIANS' LICENSES, 1877--. 3 v. (1, 2, 2). Copies of licenses and certificates of physicians, showing name, address, years of practice, schools attended, date of diploma, years of practice in Illinois, signatures of examining board, and date of issue of license or certificate. Arr. by date of issue of license. Indexed alph. by name of physician. Hdw. on pr. fm. 300 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

66. RECORD OF ARCHITECTS' LICENSES, 1897--. 1 v. Last entry 1908. Copies of architects' certificates, showing date, name, qualifications, and residence of architect, and examiner's signature. Arr. by date of certificate. Indexed alph. by name of architect. Hdw. on pr. fm. 125 p. 16 x 10 x 1/2. Co. clk.'s vlt., 1st fl.

67. VETERINARY RECORD, 1899--. 1 v. Register of certificates issued by Illinois state board of examiners to veterinarians to practice in the state, showing name and address of veterinarian, certificate number, and dates of issue and filing with county clerk. Arr. alph. by name of veterinary. No index. Hdw. under pr. hdgs. 150 p. 16 x 12 x 1. Co. clk.'s vlt., 1st fl.

66. DENTAL RECORD, 1914-- , 2 v. (1, 2).

Copies of dentists' licenses, showing number and date of license, name of dentist, names of president, examiners, and secretary of board, school of practice, and date of filing. Arr. by date of filing. Indexed alph. by name of dentist. Hdw. on pr. hdg. 200 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

69. DENTAL SURGERY REGISTER, 1881-1919. 1 v.

Register of dentists' licenses, showing name, age, nativity, and address of dentist, date of issuance of certificate, name of school, date of diploma, years of practice in state, and certificate number. Arr. by date of certificate. Indexed alph. by name of dentist. Hdw. under pr. hdgs. 150 p. 16 x 10 x 1. Co. clk.'s vlt., 1st fl.

70. OPTOMETRY REGISTER, 1916-- . 1 v. 1st entry 1918.

Register of optometrists, showing certificate number, name and address of optometrist, and dates of certificate and registration. Arr. by date of registration. Indexed alph. by name of optometrist. Hdw. under pr. hdgs. 150 p. 18 x 12 x 1 1/2. Co. clk.'s vlt., 1st fl.

Patents

71. PATENT RECORD, 1867-89. 1 v.

Copies of certificates of patents issued by the United States Patent Office, showing name of inventor, kind of invention, dates of filing and expiration, name of inventor, and signatures of Secretary of the Interior and the commissioner of patents, with the United States Patent Office Seal. Contains only two entries, regarding mechanical improvements on gas stoves. Arr. by date of filing. No index. Hdw. 275 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

Militia Roll (See also  
entry 32[xiii])

72. ENLISTED MEN IN THE CIVIL WAR, 1860-64. 7 v. (One volume for each of the following townships: Belmont, Blue Ridge, Cerro Gordo, Monticello, Sangamon, Unity, and Willow Branch).

Lists of soldiers enlisted in the Union Army from Piatt County, showing date, name, age, nativity, occupation, and residence of soldier, and names of company and regiment. Arr. by date of enlistment. No index. Hdw. 50 p. 8 x 6 x 1/2. Co. clk.'s lower vlt., bsmt.

Strays, Marks and

Brands (See also entry 32[xix])

73. ESTRAY RECORD, 1849-99. 2 v. (1 not lettered, 1).

Record of stray stock, showing names of owner, appraiser, and justice of peace, description of stock, date, and by whom found, and appraised value; also contains entries from 1849-63, belonging to Guardians', Conservators', and Miscellaneous Fee Book, entry 195. Arr. by date of entry. 1849-63, indexed alph. by name of owner; 1864-99, no index. Hdw. 150 p. 12 x 18 x 1. Co. clk.'s vlt., 1st fl.

74. RECORD OF MARKS AND BRANDS, 1841-89. 1 v.

Record of stock marks and brands, showing names of owner and county clerk, description and location of mark or cropping, and date of recording. Arr. by date of recording. Indexed alph. by name of owner. Hdw. 200 p. 12 x 8 x 1. Co. clk.'s vlt., 1st fl.

Dog Licenses

75. DOG LICENSE RECORD, 1918--. 1 v.

Lists of dog license tags delivered and charged to assessors, showing quantity delivered to each assessor, inclusive numbers on tags, amount of tax, number returned, and date of payment. Arr. by date of payment. No index. Hdw. under pr. hdgs. 150 p. 12 x 16 x  $\frac{1}{2}$ . Co. clk.'s off., 2nd fl.

For prior records of dog tax, see entry 38.

Elections

(See also entry 82[i, xxviii])

76. ELECTION DATA, 1841--. 8 f.b. (38, 48, 72, 74, 184, 317, 409, 412).

Abstract of votes, tally sheets, poll books, records of special elections, certificates of judges of election, canvass of votes, and list of delegates to constitutional convention of 1919, with certificates of nomination. Arr. by date of election. For index, see entry 1. Nature of recording varies. 10 x 4 $\frac{1}{2}$  x 14. Co. clk.'s vlt., 1st fl.

Bonds of Officers

(See also entries 3, 82 [xiii], 133, 168, 242)

77. JUSTICE AND CONSTABLE BOND RECORD, 1871--. 2 v. (A, 2).

Copies of bonds and oaths of justice of the peace and constables, showing names of justice or constable and sureties, amount of bond, conditions of obligation, date and notarial acknowledgment. Arr. by date of bond. Indexed alph. by name of bonded official. Hdw. on pr. fm. 576 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

78. DOCKET OFFICIAL BONDS, 1886--. 4 v. (1-4).

Record of examination of bonds of county officials, executors, guardians, administrators, and conservators, showing name and title of principal, names of sureties, and name of estate; if bond of probate official, amount of bond, court term, date of approval, and orders of court. Arr. by date of bond. Indexed alph. by name of principal. Hdw. on pr. fm. 200 p. 18 x 12 x 2 $\frac{1}{2}$ . Co. clk.'s vlt., 1st fl.

79. ASSESSORS' BONDS, 1899--. 1 v.

Copies of bonds of township assessors, showing date and amount of bond, and names of assessor and surety. Arr. by date of bond. Indexed alph. by name of assessor. Hdw. on pr. fm. 300 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

County Clerk - Changes in  
School Districts; Miscel-  
laneous Papers

80. DOG LICENSE BOND, 1881-91. 1 v.

Copies of bonds of dog tax collectors, showing names of principal and bondsmen, and date, terms, and amount of bond. Arr. by date of bond. Indexed alph. by name of principal. Hdw. on pr. fm. 300 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

Changes in School Districts

81. SCHOOL DISTRICT RECORD, 1927--. 1 v.

Record of petitions for changing boundaries of school districts, showing changes made and dates. Arr. by date of petition. Indexed alph. by name of district. Typed. 300 p. 18 x 12 x 2 $\frac{1}{2}$ . Co. clk.'s off., 2nd fl.

Miscellaneous Papers

82. (MISCELLANEOUS PAPERS), 1830--. 206 f.b. (13-587 not consecutive). Miscellaneous papers belonging to various county offices and kept by county clerk, including:

- i. Abstract of votes cast for candidates in national, state, county, and town elections, 1842--, showing name and address of officer, title of office, number of votes received, and dates of election and filing.
- ii. Adoption papers, 1867--, including petitions, affidavits, investigation reports, and verdicts.
- iii. Affidavits for tax deeds and certificates of purchase, 1842--, showing date and amount of sale, acknowledgment, and date of filing.
- iv. Appeal bonds, 1911-14, showing names of plaintiff, defendant, and sureties, date, amount, and terms of bond, nature of action, and date of filing.
- v. Applications for licenses to sell beer, 1933--, showing date and number of application, name and address of applicant, date and place of birth, location of business, signature of applicant, statement of citizenship, acknowledgment, and date of filing.
- vi. Applications for certificates of good moral character filed by attorneys admitted to the bar, 1891--, showing names of applicant, witnesses, and court officers, and dates of filing and court order.
- vii. Applications for dance hall licenses, 1936--, showing date and number of application, name, address, and place of birth of applicant, statement of citizenship, statement of character, location of dance hall, signature of applicant, acknowledgment, and date of filing.
- viii. Applications for hunting licenses, 1903-17, showing date and number of application, name, age, residence, occupation, physical description, and signature of applicant, acknowledgment, and date and number of license issued.

- ix. Application of county collector to county court for credit for delinquent taxes, 1931--, showing name of collector, dates of application for credit and of appearance in court, amount of delinquent taxes, description and location of property, name of owner, and date of filing.
- x. Bids of various contractors to furnish supplies, and make repairs for county, 1928-30, showing date, amount, and nature of bid, kind of work and material, signature of bidder, and date of filing.
- xi. Birth certificates, 1875-76, showing date and number of certificate, date and place of birth, name of child, personal and statistical particulars, names of parents and physicians or midwife, signatures of physician and county clerk, and date of filing.
- xii. Blind relief claims, 1903--, showing name, age, marital status, and address of applicant, signature and sworn statement of identification of witnesses, examining physicians' reports, and dates of meeting of supervisors and of filing.
- xiii. Bonds of county officials, 1841--, showing date, amount, and obligations of bond, names of principal and sureties, acknowledgment, oath of office, title of office, and date of filing.
- xiv. Bonds issued by Piatt County to build courthouse and jail, 1903, showing date, number, purpose, and amount of bond, rate of interest, date of maturity, acknowledgment, and signature of chairman of board of supervisors.
- xv. Budget account of county funds, 1933--, showing itemized list and amount of governmental expenditures for each fiscal year, amount and source of revenue, dates of reports and awards.
- xvi. Cancelled jury certificates, grand and petit: grand, 1873--; petit, 1873, 1902--, showing date, number, and amount of certificate, name of juror, days of service, mileage, total amount of fees earned, signatures of clerk and deputy, and date of cancellation.
- xvii. Cemetery deed, Camp Creek, 1899, showing date, legal description and location of real estate, names of grantee and grantor, signatures of church trustees, acknowledgment, and date of filing.
- xviii. Corporation tax schedules, 1909--, showing name and address of corporation, listed value and description of property, and date of filing.
- xix. Estray papers, 1841-98, including estray notices, and appraisers' report of value of stock and damages.
- xx. Federal land patents, 1830-39, showing name and address of patentee, date and number of patent, legal description and location of land, place of issue and recording of patent, acknowledgment, signature of President of the United States, and dates of filing and recording.
- xxi. Jury lists, 1878, showing name and address of juror, name of township, signature of supervisor, acknowledgment of county clerk, and date of filing.

- xxiii. List of town officers elected, 1841--, showing name and address of official, title of office, precinct name and number, and date of filing.
- xxiiii. Militia roll of men subject to military service during the Civil War, 1861-62, showing name, age, and address of conscript, and date of filing.
- xxiv. Motor fuel tax warrants, list of cancelled, 1935--, showing date, number, and purpose of claim, amount, name of claimant, and dates of filing and cancellation.
- xxv. Naturalization papers, 1859-1906, including petitions for final papers, declarations of intention, oaths of allegiance, and final certificates.
- xxvi. Oaths of county probation officer, 1930--, showing date, place, and oath of office, signature of official, and date of filing.
- xxvii. Petitions to board of supervisors, including petitions for divisions of Willow Branch Township, 1923; to establish new roads, 1850 and 1927; and to form voting precincts, 1876.
- xxviii. Poll books for primary and general elections, 1841, showing precinct number, names of voters, candidates, office, and township, number of votes cast for each candidate, total votes cast, affidavits of election judges and clerks, and date of filing.
- xxix. Reports of auditor to county board on conditions of county finances, 1898--, showing date, amount, and purpose of receipts and expenditures, amount of appropriation, recapitulation of accounts, total receipts and expenditures, balance available, certified statement of correctness by auditor, and dates of filing and approval.
- xxx. Report of drainage commissioners on condition of swamp lands, 1858-61, showing date and amount of money expended from drainage funds for improvements, material, and salary, and date of filing.
- xxxi. Report of heating system at county farm, 1936--, showing date of inspection and of report, report on equipment, and remarks.
- xxxii. Reports (township supervisors) of finances, 1914-15, showing names of township and supervisor, date of report, itemized statement of receipts and disbursements, total receipts and disbursements, balance available, and date of filing.
- xxxiii. Sheriff's recognizance bonds, 1889-1928, showing date and amount of bond, names of defendant, sheriff, and sureties, date set for appearance, nature of crime, and date of filing.
- xxxiv. State-aid road warrants, list of cancelled, 1915--, showing date, number, purpose, and amount of claim, name of claimant, date and number of warrant, and dates of filing and cancellation.
- xxxv. Taxation papers, including lists of delinquent property and tax objections, 1847-53; lists of redemptions and forfeitures, 1841, 1858; road tax lists, 1905-11; railroad schedules, 1868-97, 1933--; lists of special levies for road, bridge, school, and improvement tax, 1857--; and collector's settlement record of taxes collected, 1869-1917.

County Clerk - Fees,  
Receipts and Expendi-  
tures

Also contains (Files of Claims), 1853--, entry 6; (Mothers' Pension Claims), 1913--, entry 19; (Insanity Papers), 1876--, entry 122; (Dependent and Delinquent Case Papers), 1909--, entry 140; (Mothers' Pension Applications), 1913--, entry 143; Inheritance Tax, 1914-19, entry 145; and Road Tax and Railroad Tax List, 1868-97, 1933--, entry 263. Arr. by date of filing. For index, see entry 1. Hdw., typed and hdw., and typed on pr. fm. 10 x 5 x 14. Co. clk.'s vlt., 1st fl.

Fees, Receipts and Expenditures

83. REGISTER OF FEE, 1872--. 5 v. (1-5).

Record of fees charged for affidavits, marriage licenses and certificates, filing fees, and drainage district costs and fees, showing name of payee, type of service rendered, name of drainage district, and date and amount of receipts. Arr. by date of receipt. No index. Hdw. on pr. fm. 275 p. 16 x 12 x 1 $\frac{1}{2}$ . V. 1-4, 1872-1922, co. clk.'s vlt., 1st fl.; v. 5, 1923--, co. clk.'s off., 2nd fl.

84. COUNTY CLERK'S ACCOUNT WITH REGISTRARS, 1917--. 1 v. (1).

Register of payments made to registrars for reporting births and deaths, showing name and address of registrar, registration and primary district numbers, date of filing certificate, number of births, stillbirths and deaths reported, date of certification by state board of health, amount of fee, and date and number of warrant. Also contains Record of Board of Health Certificates of Death Warrant (Register), entry 11. Arr. by date of warrant. Indexed alph. by name of registrar. Hdw. under pr. hdgs. 296 p. 16 x 12 x 1 $\frac{1}{2}$ . Co. clk.'s off., 2nd fl.

For prior record of orders paid for birth reports, see entry 8.

## III. RECORDER

In 1841, the year in which Piatt County was organized, the recorder was elected for a four-year term.<sup>1</sup> A two-year term became effective in 1847.<sup>2</sup> The amount of his bond was set at \$500.<sup>3</sup> 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.<sup>4</sup> The present constitution reestablished 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.<sup>5</sup> As the population of Piatt has not reached the minimum fixed by the constitution,<sup>6</sup> the circuit court clerk in this county has retained his ex-officio duties as recorder. The amount of recorder's bond was set at \$5,000 in 1872, and was to be approved by the county judge.<sup>7</sup> This amount was raised in 1874 to \$10,000 for counties having the population of Piatt. A copy of the bond is entered upon the records of the county court.<sup>8</sup>

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.<sup>9</sup> The compensation of the assistants and deputies is set by the county board.<sup>10</sup> Written oaths of deputies are filed with the Secretary of State.<sup>11</sup>

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

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1. L.1835, p. 166. Between 1819 and 1835 the recorder was appointed by the 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. Census shows population of Piatt County 15,714 in 1920 and 15,588 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

- 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 of 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 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.<sup>1</sup>

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1. L.1819, p. 18,30,31; R.L.1829, p. 116,117; L.1847, p. 69; L.1853, p. 254; L.1867, p. 148; L.1889, p. 2; L.1871-72, p. 645,646; L.1873, p. 144; R.S.1874, p. 334-46; L.1917, p. 652; L.1925, p. 521; L.1933-34, Third Sp. Sess., p. 214.

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.<sup>1</sup> 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.<sup>2</sup>

Entry Books  
(See also entry 37)

85. ENTRY BOOK (Recorder), 1852--. 12 v. (1 not lettered, A-K).  
Missing: 1860-66.

Entry book of deeds and mortgages, showing names of grantor and grantee, number and date of instrument, date of filing, consideration, description of property, amount of recorder's fee, and book and page of entry. Also contains Receipts for Recordings, 1923--, entry 114. Arr. by date of filing. No index. Hdw. under pr. hdgs. 300 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

86. ENTRY BOOK, 1835-54. 1 v.

Land entry book showing description, location, and classification of land, number of acres, by whom entered, and date of entry. Arr. by date of entry. Indexed alph. by name of person entering land. Hdw. 300 p. 19 x 12 x 2. Cir. clk.'s vlt., 2nd fl.

For Federal land patents, 1830-39, see entry 82[xx].

Instruments Recorded

General

87. GENERAL INDEX GRANTOR - GRANTEE, 1840--. 42 v. (1-13, 8 not numbered, grantor; 1-13, 8 not numbered, grantee).

Index to Deed Record, entry 89; Miscellaneous Record, entry 90; Quitclaim Record, entry 91; Trust Deed Record, entry 92; Warranty Deed, entry 94; Sheriff's Deed, entry 95; Mortgage Record, entry 96; Mortgage and Assignment Record, entry 97; Release Record, entry 98; Sheriff's (Master's) Certificates of Sale and Redemption, entry 103; and Sheriff's Certificate Sale Record, entry 104, showing names of grantor and grantee, type and date of instrument, amount of consideration, reference book and page of entry, description of property, and date of filing. Arr. alph. by names of grantor and grantee. Hdw. under pr. hdgs. 600 p. 18 x 11 x 3. Cir. clk.'s vlt., 2nd fl.

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1. L.1933-34, Third Sp. Sess., p. 214.  
2. L.1927, p. 521; L.1929, p. 592-94.

Recorder - Instruments  
Recorded

(88-91)

88. OLD DEED CASE, 1837-1905. 85 f.b.

Personal records left with the recorder for safe keeping and not called for, including real estate deeds, quitclaim deeds, warranty deeds, abstracts of titles, chattel mortgages and releases, trust deeds, land office patents, sheriff's bonds, and certificates of sale of real estate to satisfy judgments. Arr. by date of filing. No index. Nature of recording varies.  $4\frac{1}{2}$  x  $6\frac{1}{2}$  x 10. Cir. clk.'s off., 2nd fl.

89. DEED RECORD, 1840--. 72 v. (A-R, T-V, 2-161 not consecutive).

Recordation of all types of deeds, showing names of grantor and grantee, legal description of property, consideration, date and number of instrument, and date of recording. Also contains Miscellaneous Record, 1840-88, entry 90; Quitclaim Record, 1840-65, entry 91; Trust Deed Record, 1840-69, entry 92; Record of Deeds and Certificates, 1840-69, entry 93; Warranty Deed, 1840-1900, entry 94; Sheriff's Deed, 1840-66, 1875-88, entry 95; Mortgage Record, 1840-68, entry 96; Release Record, 1840-68, entry 98; and Chattel Mortgage Record, 1840-60, entry 99. Arr. by date of recording. For index, see entry 87. 1840-85, hdw.; 1886-1908, hdw. on pr. fm.; 1909--, typed. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

90. MISCELLANEOUS RECORD, 1889--. 14 v. (46, 59, 72, 83, 99, 108, 119, 131, 139, 149, 152, 157, 163, 171). 1840-88 in Deed Record, entry 89.

Record of miscellaneous instruments not conforming to printed forms or otherwise provided for including transcripts of estates, masters' certificate of purchase, treasurer's and administrators' bonds, certificates of redemption, bonds for deeds, real estate transfers, leases, agreements, power of attorney, transfer of bank stock, assignment of mortgage, affidavits for extension of mortgage, right-of-way permits, marriage contracts, and certified copies of land grants. Also contains Sheriff's Deed, 1889--, entry 95; Oil and Gas Leases, 1889-1937, entry 101; Sheriff's Certificate Sale Record, 1932--, entry 104; (Township Treasurers') Bond Record, 1926--, entry 106; and Trustees' and Masters' Report, 1889-1927, entry 238. Arr. by date of recordation. Indexed alph. by names of grantee and grantor; for sep. index, see entry 87. 1889-1908, hdw.; 1909--, typed. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

Deeds (See also  
entry 82[*viii*])

91. QUITCLAIM RECORD, 1866--. 12 v. (5, 8, 30, 45, 64, 77, 94, 107, 121, 140, 159, 170). 1840-65 in Deed Record, entry 89.

Recordation of quitclaim deeds, showing names of grantor and grantee, consideration, legal description and location of property, and dates of instrument, acknowledgment, recording, and filing. Arr. by date of recording. For index, see entry 87. Hdw. on pr. fm. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

82. TRUST DEED RECORD, 1870--. 5 v. (N, 1, 10, 20, 36). 1840-69  
in Deed Record, entry 83.

Recordation of trust deeds, showing date, names of grantor, grantee, trustees, and witness, amount of note, interest, date and place payable, description of property, date of maturity, and acknowledgment. Arr. by date of recordation. For index, see entry 87. Hdw. on pr. fm. 600 p. 18 x 18 x 3. Cir. clk.'s vlt., 2nd fl.

83. RECORD OF DEEDS AND CERTIFICATES, 1870--. 1 v. (1). 1840-69  
in Deed Record, entry 89.

Copies of patents from General Land Office, Department of Interior, Washington, D.C., showing date and number of certificate, name of patentee, description of land, and date of recording. Arr. by date of recording. Indexed alph. by name of patentee. Hdw. on pr. fm. 600 p. 20 x 15 x 3. Cir. clk.'s vlt., 2nd fl.

84. WARRANTY DEED, 1881--. 20 v. (78, 82, 83, 92, 97, 98, 102, 105, 109, 113, 115, 118, 121, 123, 132, 137, 142, 151, 153, 155).  
1840-1900 in Deed Record, entry 88.

Recordation of warranty deeds, showing instrument number, names of grantor, grantee, and recorder, dates of filing and recording, legal description of property, consideration, and acknowledgment. Arr. by date of recording. For index, see entry 87. Hdw. on pr. fm. 600 p. 12 x 18 x 3. Cir. clk.'s vlt., 2nd fl.

85. SHERIFF'S DEED, 1867-74. 1 v. 1840-66, 1875-88 in Deed  
Record, entry 83; 1880-- in Miscellaneous Record, entry 90.

Recordation of sheriff's tax deeds, showing date of sale, description of property, amount of delinquent taxes, names of purchaser, owner, and sheriff, and dates of instrument and recording. Arr. by date of recording. For index, see entry 87. Hdw. on pr. fm. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

Mortgages - Real Estate

86. MORTGAGE RECORD, 1869--. 41 v. (X, 1-172 not consecutive).  
1840-68 in Deed Record, entry 89.

Recorded copies of real estate mortgages, showing names of mortgagor, mortgagee, and witnesses, legal description of property, amount of consideration, terms of mortgage, rates of interest, and dates of mortgage, recording, and acknowledgment. Also contains Mortgage and Assignment Record, 1869-1902, entry 97. Arr. by date of recording. For index, see entry 87. Hdw. on pr. fm. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

97. MORTGAGE AND ASSIGNMENT RECORD, 1903--. 4 v. (85, 110, 122, 154). 1869-1902 in Mortgage Record, entry 96.

Recordation of real estate mortgages, showing names of mortgagor, mortgagee, and witnesses, legal description of property, amount of consideration, terms of mortgage, rate of interest, and dates of mortgage, acknowledgment, and filing; also contains copies of assignments of mortgages, showing names of assignor and assignee, amount of consideration, date and amount of mortgage, name of mortgagee, book and page of recordation of mortgage, and acknowledgment. Arr. by date of filing. For index, see entry 87. Hdw. on pr. fm. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

98. RELEASE RECORD, 1869--. 28 v. (1 not numbered; 27 v.; 3-17, not consecutive). 1840-68 in Deed Record, entry 89.

Recordation of mortgage releases, and of master's deeds subsequent to 1925, showing instrument number, names and addresses of grantor and grantee, consideration, legal description of property, date of recording, and acknowledgment before notary. Also contains Record of Bonds (Township Collectors), 1869-72, entry 105. Arr. by date of recording. For index, see entry 87. Hdw. on pr. fm. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

#### Mortgages - Chattel

99. CHATTEL MORTGAGE RECORD, 1861--. 46 v. (A-Z, 1-20). 1840-60 in Deed Record, entry 89.

Recordation of chattel mortgages, showing names of mortgagor and mortgagee, dates of instrument and recording, description of property, consideration, terms of mortgage and acknowledgment. Arr. by date of recording. For index, see entry 100. 1861-1931, hdw. on pr. fm.; 1932--, typed on pr. fm. 400 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

100. CHATTEL MORTGAGE INDLX, 1861--. 2 v. (1, 2).

Index to Chattel Mortgage Record, entry 99, showing names of mortgagor and mortgagee, date and amount of consideration, and date of filing. Arr. alph. by names of mortgagor and mortgagee. Hdw. under pr. hdgs. 400 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

101. OIL AND GAS LEASES, 1938--. 1 v. (187). 1889-1937 in Miscellaneous Record, entry 90.

Copies of gas and oil leases, showing date and terms of lease, consideration, names of lessee and lessor, location and description of land, duration of lease, location of well, and date of filing. Arr. by date of filing. Indexed alph. by name of lessor. Typed on pr. fm. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

Certificates of Levy

102. SHERIFF'S CERTIFICATES OF LEVIES AND REDEMPTIONS, 1871--.  
1 v. (Y).

Record of sheriff's certificates of levies and redemptions, showing names of parties, date and amount of levy, and legal description of real estate. Arr. by date of levy. Indexed alph. by names of plaintiff and defendant. Hdw. on pr. fm. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

103. SHERIFF'S (Master's) CERTIFICATES OF SALE AND REDEMPTION, 1871-1929. 1 v.

Copies of master's certificates of sale, 1873-1903, and redemption, 1871-1929, showing names of plaintiff, defendant, master, and purchaser, date and amount of sale, legal description of property, date and by whom redeemed, and date of recording. Arr. by date of recording. Indexed alph. by names of plaintiff and defendant; for sep. index, see entry 87. Hdw. on pr. fm. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

104. SHERIFF'S CERTIFICATE SALE RECORD, 1859-1931. 1 v. 1932--  
in Miscellaneous Record, entry 90.

Copies of sheriff's certificates of sale, showing names of plaintiff, defendant, purchaser, and sheriff, writ authorizing sheriff to hold sale, legal description of property, amount of bid, and dates of sale and filing. Arr. by date of filing. Indexed alph. by name of plaintiff; for sep. index, see entry 87. Hdw. on pr. fm. 396 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

Bonds of Officers

105. RECORD OF BONDS (Township Collectors), 1860-68, 1873-96.  
1 v. 1869-72 in Release Record, entry 98; 1897-1918 in (Township Treasurers') Bond Record, entry 106.

Record of township collectors' bonds, showing names of collector, township, and sureties, amount and terms of bond, and date of filing. Arr. by date of filing. No index. Hdw. 375 p. 14 x 9 x 1. Cir. clk.'s vlt., 2nd fl.

106. (Township Treasurers') BOND RECORD, 1897-1925. 1 v.  
1926-- in Miscellaneous Record, entry 90.

Township treasurers' bond record showing names of principal, township, and sureties, amount and conditions of bond, before whom subscribed, and date of filing. Also contains Record of Bonds (Township Collectors), 1897-1918, entry 105. Arr. by date of filing. Indexed alph. by name of principal. 1897-1908, hdw. on pr. fm.; 1909-25, typed. 424 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

Other Instruments

107. SOLDIERS' AND SAILORS' DISCHARGE, 1865--. 2 v. (A, 2). Soldiers' service record showing name of soldier, number, rank, reason for termination of service, age, address, physical description, place and date of discharge, and signature of officer in command. Arr. by date of discharge. Indexed alph. by name of soldier or sailor. Hdw. on pr. fm. 600 p. 13 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

108. SOLDIERS' ENLISTMENT, 1861. 1 v. Record of soldiers' enlistments, showing name, rank, and age of soldier, date and place of enlistment, by whom enrolled, period of enrollment, and remarks. Arr. alph. by name of soldier. No index. Hdw. under pr. hdgs. 100 p. 12 x 9 x 1/2. Cir. clk.'s vlt., 2nd fl.

109. REGISTER OF FARM NAMES, 1913--. 1 v. (1). Last entry 1925. Farm name register showing name and address of owner, name, legal description, and location of farm, and date of registration. Arr. by date of recording. Indexed alph. by name of owner. Hdw. under pr. hdgs. 300 p. 13 x 12 x 2. Cir. clk.'s vlt., 2nd fl.

110. STALLION CERTIFICATE RECORD, 1910-18. 1 v. Record of stallion certificates, showing registration and certificate numbers, by whom bred, stallion's color and breed, date of foaling, names of stallion and owner, examining veterinarian, secretaries of Illinois state board of agriculture and stallion registration board, and recorder, and date of filing. Arr. by date of filing. Indexed alph. by name of owner. Hdw. on pr. fm. 300 p. 13 x 12 x 1/2. Cir. clk.'s vlt., 2nd fl.

111. RECORD OF RENEWALS OF STALLION CERTIFICATES, 1911-17. 1 v. Register of stallion certificate renewals, showing date and number of license, names of horse, and original and present owners, date of filing, and type of breeding. Arr. by date of filing. Indexed alph. by name of owner. Hdw. on pr. fm. 300 p. 13 x 12 x 1/2. Cir. clk.'s vlt., 2nd fl.

Maps and Plats

112. PLAT RECORD, 1901--. 2 v. (1, 2). Political plats of surveys made in Piatt County, showing sections, townships, ranges, locations of cornerstones, witness trees, links distant, statements of surveyor, and date of survey. Authors: W. J. Day, engineer and J. R. Bower, county surveyor. Arr. by sec., twp., and range nos. Indexed alph. by name of plat. Hand-drawn. 1 in. to 200 ft.; 1 in. to 600 ft. 300 p. 19 x 18 x 3. Cir. clk.'s vlt., 2nd fl.

113. GOVERNMENT SURVEYS, 1875. 1 v.  
Plats of original government surveys, showing number of township, range, principal meridian, section, and acres, locations of corners and corners of section, witness trees, inches diameter, courses they bear, and links distant. Author, Government Surveyor General. Arr. by sec., twp., and range. No index. Printed. 1 in. to 40 chains. 50 p. 21 x 16 x 2 $\frac{1}{2}$ . Cir. clk.'s vlt., 2nd fl.

Fees

114. RECEIPTS FOR RECORDINGS, 1873-1922. 6 v. (1 not numbered, 2,3, 6-8). Missing: 1897-1904. 1923-- in Entry Book (Recorder), entry 35.  
Register of fees received by circuit clerk for making recordations, showing date, number, and type of instrument, and amount of fee. Arr. by date of receipt. No index. Hdw. under pr. hds. 300 p. 1 $\frac{1}{2}$  x 10 x 2. 1 v. not numbered, v. 2,3,6,7, 1873-1917, cir. clk.'s vlt., 2nd fl.; v. 8, 1917-22, cir. clk.'s 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 Piatt county judge was originally set at \$2,50 per diem for holding court, which was paid quarterly out of the county treasury.<sup>1</sup> Today, the judge in this county receives \$2,500 per annum.<sup>2</sup> 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.<sup>3</sup>

At the time of the organization of Piatt County, the powers of the judiciary in all counties were administered only by the justices of the peace,<sup>4</sup> the probate justice,<sup>5</sup> and the circuit court.<sup>6</sup> 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.<sup>7</sup> 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.<sup>8</sup> As the administrative body, the court was made up of the county judge and two justices of the peace.<sup>9</sup>

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 supervis-

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1. L.1849, p. 62,63.
  2. L.1933, p. 616; L.1938, First Sp. Sess., p. 30.
  3. L.1881, p. 70.
  4. Constitution of 1818, Art. IV, sec. 8; L.1319, 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.1374, p. 339; L.1933, p. 451.
  9. L.1849, p. 65.

County Court

ors, established under township organization.<sup>1</sup> This plan of government was not selected immediately, and Piatt was governed by the dual county court until 1860 when the 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 Piatt County.

The county court as established in 1849 was vested with the 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.<sup>2</sup> 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.<sup>3</sup> The court also exercised jurisdiction equal with that of the circuit court over naturalization.<sup>4</sup>

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 applications for the sale of real estate of deceased persons and for the payment of debts of the estate.<sup>5</sup> In Piatt County the county judge has served to the present day in his ex-officio capacity as judge of the probate court.<sup>6</sup>

The law jurisdiction of the county court in Piatt 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,<sup>7</sup> 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 peniten-

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1. Constitution of 1848, Art. VII, sec. 6; L.1849, p. 192, 202-04; L.1851, p. 38, 50-52.
  2. L.1849, p. 65.
  3. Ibid., p. 126.
  4. 2 U.S.S.L. 155.
  5. L.1849, p. 65.
  6. Constitution of 1848, Art. V, sec. 16, 18; L.1849, p. 65; Constitution of 1870, Art. VI, sec. 18; R.S.1874, p. 339, 340; L.1933, p. 449, 458.
  7. 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).

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tiary or death.<sup>1</sup> The county court also has original jurisdiction in matters relating to indigent mothers<sup>2</sup> and jurisdiction over insane persons not charged with crime.<sup>3</sup>

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.<sup>4</sup>

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.<sup>5</sup> In 1907 an amendment to this act authorized the court to allow compensation to 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.<sup>6</sup> 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.<sup>7</sup> For Piatt County, and others with a population not exceeding twenty-five thousand<sup>8</sup> 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.<sup>9</sup>

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1. R.S.1874, p. 340; L.1877, p. 77; L.1895, p. 212,223; L.1933, p. 449-51.
  2. L.1913, p. 127; L.1915, p. 243; L.1921, p. 162-64; L.1935, p. 256-59.
  3. L.1869, p. 366; R.S.1874, p. 685.
  4. L.1899, p. 131-37; L.1901, p. 141-44; L.1905, p. 152-56; L. 1907, p. 70-78.
  5. L.1899, p. 133.
  6. L.1907, p. 69,70.
  7. L.1925, p. 187,188.
  8. In 1930 the population of Piatt County was listed as 15,538. Population Bulletin, p. 9.
  9. L.1899, p. 133; L.1925, p. 187,188

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Upon petition filed with the clerk of the court for the removal of a neglected or dependent child from the custody of its parents or guardian, process is issued for appearance. The summons may be served by the sheriff or the duly appointed probation officer.<sup>1</sup>

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 into the custody of the probation officer.<sup>2</sup> 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.<sup>3</sup> 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.<sup>4</sup>

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.<sup>5</sup>

Another probation officer, an appointee of the county 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.<sup>6</sup>

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.<sup>7</sup> 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

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1. L.1899, p. 132,133; L.1905, p. 153,154; L.1907, p. 72,73.

2. L.1907, p. 74.

3. L.1923, p. 180,181.

4. L.1911, p. 280-82.

5. L.1907, p. 75.

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

7. L.1913, p. 127-30; L.1915, p. 244; L.1935, p. 256-59.

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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.<sup>1</sup>

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.<sup>2</sup>

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 Piatt County.<sup>3</sup> In addition the General Assembly, from time to time, makes appropriation 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.<sup>4</sup>

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.<sup>5</sup>

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1. L.1913, p. 127-30; L.1935, p. 257-59.

2. L.1913, p. 129,130; L.1935, p. 258.

3. L.1919, p. 780,781; L.1927, p. 196,197; L.1928, First Sp. Sess., p. 3,4; L.1933, p. 194,195.

4. L.1935, p. 259.

5. L.1885, p. 147-49; L.1889, p. 163-65; L.1917, p. 445,446; L.1929, p. 399; L.1933, p. 534; L.1935-36, Fourth Sp. Sess., p. 35.

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.<sup>1</sup>

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.<sup>2</sup>

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. Objections 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.<sup>3</sup> 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.<sup>4</sup> 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.<sup>5</sup> 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.<sup>6</sup>

Jurisdiction is vested in the county court to hear and determine all questions relative to taxes on gifts, legacies and inheritance.<sup>7</sup> 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 provisions of this law;<sup>8</sup> however, since 1913 these duties have been performed by the Attorney General.<sup>9</sup> 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 reason to believe a tax under this act is due and unpaid.<sup>10</sup> The county treasurer is required to collect

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1. L.1871-72, p. 396.
  2. L.1891, p. 110,111; L.1933, p. 552.
  3. L.1891, p. 110,111; L.1929, p. 394.
  4. L.1891, p. 111; L.1929, p. 394; L.1933, p. 552.
  5. L.1929, p. 394,395.
  6. L.1933, p. 552.
  7. L.1895, p. 306; L.1909, p. 318.
  8. L.1895, p. 306; L.1909, p. 319.
  9. L.1913, p. 515,516; L.1935, p. 1179,1180.
  10. L.1895, p. 306; L.1909, p. 319; L.1913, p. 516.

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and pay to the State Treasurer all taxes that may be due and payable under it.<sup>1</sup>

Under an act of 1933, housing corporations may be organized in Illinois for the express purpose of improving housing conditions.<sup>2</sup> 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 "approved" or "not approved" on the application.<sup>3</sup>

Appeals from the judgments and decisions of the county court may be taken to the circuit court.<sup>4</sup> 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.<sup>5</sup>

The records of the county court are kept by its clerk. In Piatt 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.<sup>6</sup>

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 desig-

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1. L.1895, p. 307; L.1909, p. 319; L.1913, p. 516.

2. L.1933, p. 396-415; L.1933-34, Third Sp. Sess., p. 167-74.

3. Ibid.

4. L.1933, p. 396.

5. R.S.1874, p. 339; L.1877, p. 77; L.1881, p. 66.

6. The form which such records take is generally determined by court order (L.1849, p. 66; R.S.1874, p. 262,263).

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nated 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.

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.<sup>1</sup>
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 or causes.
7. Transcripts of proceedings in appeals from justices' courts, dockets thereof, and transcripts of judgment for 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.<sup>2</sup>
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.<sup>3</sup>
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.<sup>4</sup>

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1. 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. 736).

2. 2 U.S.S.L. 153; U.S.R.S.1789-1874, p. 378.

3. 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.

4. R.S.1874, p. 617; L.1933, p. 678.

Proceedings of Court  
(See also entries 82[ii, vi, ix], 156)

115. INDEX TO CASES, 1872---. 1 v. (1).  
Index to Common Law, entry 117, and Criminal Cases, entry 119, showing names of defendant and plaintiff, case number, kind of action, and file box number. Arr. alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 300 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.
116. PLAINTIFF-DEFENDANT INDEX TO COURT RECORDS, 1872---. 2 v. (1 plaintiff; 1 defendant).  
Index to County Court Record (Law and Criminal), entry 118, and County Court Record - Criminal, entry 120, showing case number, names of plaintiff and defendant, and book and page of entry. Arr. alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 300 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.
117. COMMON LAW, 1872---. 33 f.b. (239-559 not consecutive).  
Original documents of common law cases, including writs of executions, subpoenas, pleas, petitions, appeal bonds, court orders, and writs and transcript of evidence. Also contains (Insanity Papers), 1872-77, entry 122, and (Dependent and Delinquent Case Papers), 1872-1908, entry 140. Arr. by case no. For index, see entry 115. Nature of recording varies. 10 x 4½ x 14. Co. clk.'s vlt., 1st fl.  
For other appeal bonds, see entry 82[iv].
118. COUNTY COURT RECORD (Law and Criminal), 1872---. 8 v. (1-8).  
Record of county court cases, including records of judgments by default and probation cases, showing names of parties and attorneys, date and kind of action, disposition, and orders of the court. Also contains County Court Record - Criminal, 1884---, entry 120, including Recognizance in Open Court, 1884-1929, entry 139. Arr. by date of case. Indexed alph. by names of plaintiff and defendant; for sep. index, see entry 116. 1872-1910, hdw.; 1911---, typed on pr. fm. 300 p. 18 x 12 x 3. V. 1-6, 1872-1926, co. clk.'s vlt., 1st fl.; v. 7, 8, 1927---, co. clk.'s off., 2nd fl.
119. CRIMINAL CASES, 1872---. 34 f.b. (233-513 not consecutive).  
Original documents in criminal cases, including summonses, subpoenas, appeal bonds, writs of executions, indictments, instructions to jury, affidavits of witnesses, mittimus, and court orders; also contains probation case papers, 1926---. Arr. by case no. For index, see entry 115. Nature of recording varies. 10 x 4½ x 14. Co. clk.'s vlt., 1st fl.  
For other appeal bonds, see entry 83[iv].
120. COUNTY COURT RECORD - CRIMINAL, 1872-83. 1 v. 1884--- in County Court Record (Law and Criminal), entry 118.  
Record of criminal cases in county court, showing names of defendant, plaintiff, and attorneys, date and kind of action, and disposition of case. Also contains Recognizance in Open Court, entry 139. Arr. by date of case. Indexed alph. by name of defendant; for sep. index, see entry 116. Hdw. on pr. fm. 300 p. 18 x 12 x 2½. Co. clk.'s vlt., 1st fl.

121. EXECUTIONS, 1873-1920. 1 f.b.

Executions on judgments showing date, name of person against whom judgment is pending, damages, fees of sheriff and clerk, and sheriff's returns on satisfaction. Arr. by date of execution. For index, see entry 1. Hdw. on pr. fm. 10 x 4 $\frac{1}{2}$  x 14. Co. clk.'s vlt., 1st fl.

For subsequent executions, see entries 117, 119.

122. (INSANITY PAPERS), 1872--. 1872-77 in Common Law, entry 117; 1878-- in (Miscellaneous Papers), entry 82.

Original documents filed in insanity cases, including petitions, reports of commission and physician, appointment of conservator, orders of court, and warrant of commitment. Hdw. on pr. fm. and typed.

123. INSANITY RECORD, 1880--. 3 v. (A, 4, 5). 1872-79 in Insane and Conservators' Record, entry 167.

Record of insanity and feeble-minded cases, showing name of alleged insane person, petitions for hearing, names of examiners, evidence presented, date, and final disposition of case. Arr. by date of case. Indexed alph. by name of alleged insane person. Hdw. on pr. fm. 300 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

124. RECORD OF JUDGMENT BY CONFESSION, 1890--. 4 v. (1-4). Title varies: Record of Confessions in Vacation and Fee Book, v. 1-3, 1890-1924.

Record of judgments by confession in term time and vacation, showing names of plaintiff and defendant, term date, type of action, amount of judgment, and costs. Contains entries of fees to 1909. Arr. by term date. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 300 p. 18 x 12 x 2. V. 1-3, 1890-1924, co. clk.'s vlt., 1st fl.; v. 4, 1925--, co. clk.'s off., 2nd fl.

For subsequent record of fees, see entry 136.

125. DELAND SPECIAL DRAINAGE DISTRICT, 1930--. 1 v. (1).

Record of DeLand special drainage district proceedings, showing petition for organization, court costs, mailing list of land owners, resolutions of commissioners, grants of right of way, tax objections, benefit classifications, notice of letting contract, minutes of meetings, annual report of treasurer, and dates of elections of drainage commissioners. Also contains maps of district folded and pasted between pages. W. J. Day, engineer; J. R. Bower, surveyor. Arr. by date of proceedings. Indexed alph. by title of subject. Typed and printed. 550 p. 18 x 12 x 3. Maps, 4 in. to 1 mi. 30 x 48. Co. clk.'s work rm., 2nd fl.

Dockets

Court Dockets

126. CLERK'S DOCKET - LAW (and Criminal), 1872--. 9 v.

County clerk's docket of civil and criminal cases, showing number of case, names of attorneys, plaintiff, and defendant, type of action, dates, and court orders. Arr. by case no. No index. Hdw. under pr. hdgs. 150 p., 9 x 14 x 1 - 12 x 18 x 2. 8 v., 1872-1933, co. clk.'s vlt., 1st fl.; 1 v., 1934--, co. clk.'s off., 2nd fl.

127. JUDGE'S DOCKET LAW (and Criminal Open Cases), 1933--. 1 v. (5). Judge's docket of open cases, showing case number, action, term date, names of plaintiff, defendant, attorneys, and judge, and orders of court. Arr. by case no. No index. Hdw. under pr. hdgs. 300 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

For docket of closed cases, see entry 128.

128. JUDGE'S DOCKET LAW (and Criminal), 1872-1933. 4 v. (1-4).

1934-- in Probate Judge's Order Docket, entry 188.

Judge's docket of all county court cases, showing case number, names of plaintiff, defendant, attorneys, and judge, action, and date and orders of court; also serves as a naturalization docket, 1887-1900. Arr. by case no. No index. Hdw. under pr. hdgs. 300 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

129. GENERAL DOCKET, 1886--. 2 v. (1,2).

Docket of county court cases, showing names of plaintiff and defendant, type of case, and term of hearing. Arr. by date of hearing. No index. Hdw. under pr. hdgs. 300 p. 18 x 12 x 3. V. 1, 1886-1911, co. clk.'s vlt., 1st fl.; v. 2, 1912-- , co. clk.'s off., 2nd fl.

130. DOCKET OF INSANE CASES, 1893--. 2 v. (1, 2).

Docket of insanity cases, showing name of insane person, date of filing application, case number, names of witnesses, date of trial, and findings and orders of the court. Arr. by date of case. No index. Hdw. under pr. hdgs. 143 p. 18 x 12 x 1 $\frac{1}{2}$ . Co. clk.'s off., 2nd fl.

131. JUDGMENT AND EXECUTION DOCKET, 1879--. 4 v. (1-4).

Docket of judgments and executions, showing term date, names of plaintiff and defendant, satisfaction, costs, and sheriff's remarks. Judgment Docket, entry 132 and Execution Docket, entry 133, formerly kept separately. Arr. alph. by name of person against whom judgment is entered. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 300 p. 12 x 18 x 3. V. 1, 2, 1879-1908, co. clk.'s vlt., 1st fl.; v. 3, 4, 1909-- , co. clk.'s off., 2nd fl.

132. JUDGMENT DOCKET, 1872-78. 1 v. 1879-- in Judgment and Execution Docket, entry 131.

Docket of judgments entered in county court, showing number of case, names of attorneys, plaintiff, and defendant, type of action, date and amount of judgment, and against whom entered, costs, and satisfaction. Arr. alph. by name of party against whom judgment is entered. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 300 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

133. EXECUTION DOCKET, 1860-78, 2 v. (1, 1 not numbered). 1879-- in Judgment and Execution Docket, entry 131.

Docket of executions in county court, showing case number, names of plaintiff and defendant, dates of issue and return, amount of judgment, damages, and costs, satisfaction, and sheriff's remarks. Arr. alph. by name of party against whom judgment is entered. 1860-71, no index; 1872-78, indexed alph. by name of defendant. Hdw. under pr. hdgs. 300 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

County Court - Fee Books;  
Reports to Court; Bonds

(134-138)

134. BAR DOCKET, 1872-89. 3 v.

Bar docket of county court cases, showing names of plaintiff, defendant, and attorney, action of the court, and case number. Arr. by case no. No index. Hdw. under pr. hdgs. 175 p. 9 x 13 x 1. Co. clk.'s vlt., 1st fl.

For subsequent docket entries, see entry 129.

Justices' Dockets

135. JUSTICE DOCKET, 1885--. 4 v. Missing: 1910-28.

Docket of justices of the peace, showing date, names of plaintiff, defendant, and justice, nature of case, amount of costs, and disposition of case. Arr. by date of case. No index. Hdw. under pr. hdgs. 200 p. 12 x 8 x 2. Co. clk.'s vlt., 1st fl.

Fee Books  
(See also entry 124)

136. FEE BOOK - LAW AND CRIMINAL, 1872--. 9 v. (A-I).

Record of fees received in common law and criminal cases, showing names of plaintiff and defendant, date and term of court, court costs, total amount of fees, and date of report. Arr. by date of receipt. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 500 p. 18 x 12 x 2½. Co. clk.'s vlt., 1st fl.

Reports to Court

137. JUDGE'S DOCKET OF FINES AND FORFEITURES, 1872-1917. 2 v. Missing: 1874-79.

Reports of fines collected by county clerk, police magistrate, justice of the peace, state's attorney, and circuit clerk, showing date, amount, and name of payer. Arr. by date of report. Indexed alph. by name of officer reporting. Hdw. under pr. hdgs. 250 p. 12 x 18 x 2. Co. clk.'s vlt., 1st fl.

Bonds

Official (See also entries 3, 77-80, 82[xiii], 168)

138. DOCKET OF OFFICIAL BONDS, 1886--. 4 v. (1-4).

Record of examination of officials' bonds, showing name of person bonded, date, term, and amount of bond, name of surety, and signature of county clerk. This docket duplicates the one in entry 78. Arr. by date of bond. Indexed alph. by name of official. Hdw. under pr. hdgs. 500 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

Court (See also entries 82[iv, xxxiii], 117, 119)

139. RECOGNIZANCE IN OPEN COURT, 1930--. 1 v. (1). 1872-83 in County Court Record - Criminal, entry 120; 1884-1929 in County Court Record (Law and Criminal), entry 118.

Copies of recognizance bonds, showing names of defendant and sureties, date and amount of bond, and date and place of appearance. Arr. by date of bond. No index. Hdw. on pr. fm. 200 p. 18 x 12 x 2. Co. clk.'s off., 2nd fl.

Probation

Juvenile (See also entry 151)

140. (DEPENDENT AND DELINQUENT CASE PAPERS), 1872--. 1872-1908 in Common Law, entry 117; 1909-- in (Miscellaneous Papers), entry 82.

Original papers filed in dependent and delinquent cases, including petitions, complaints, affidavits, investigation reports, verdicts, and orders of the court. Hdw. on pr. fm. and typed.

141. JUVENILE DOCKET (Mothers' Pension and Dependent and Delinquent Record), 1913--. 3 v. (1-3).

Record of mothers' pension and dependency and delinquency cases, showing case number, names of mother, dependent or delinquent child, and judge, number and ages of mothers' children, and proceedings and disposition of case. Arr. by case no. No index. Hdw. 158 p. 18 x 12 x 1 $\frac{1}{2}$ . Co. clk.'s off., 2nd fl.

Mothers' Pensions (See also entries 2, 19, 141)

142. (MOTHERS' AID ADMINISTRATION), 1934--. 1 f.b.

File of mothers' pension papers, including monthly reports to the probation officer, probation officer's monthly report to the state, applications for pension, and reports of investigations. Arr. alph. by name of applicant. No index. Hdw. on pr. fm. 12 x 12 x 24. Co. ct. rm., 2nd fl.

143. (MOTHERS' PENSION APPLICATIONS), 1913--. In (Miscellaneous Papers), entry 82.

Original applications for mothers' pensions, showing date and number of application, name and address of applicant, personal, occupational, and financial particulars, endorsements, and petitions to county court. Typed on pr. fm.

144. RECORD OF MOTHERS' PENSION, 1913--. 1 v. (1).

Mothers' pension record showing names of petitioner and mother, names and ages of dependent children, and date, amount, and number of warrant. Arr. by date of warrant. Indexed alph. by name of mother. Hdw. on pr. fm. 250 p. 18 x 12 x 2. Co. clk.'s work rm., 2nd fl.

Inheritance Tax  
(See also entries 151 and 280)

145. INHERITANCE TAX, 1920--. 10 f.b. (205, 338, 381, 382, 386, 407, 497, 511, 538, 566). 1914-19 in (Miscellaneous Papers), entry 82. Inheritance tax returns, orders assessing tax, certificates of county clerk transmitting order of judge, and mailing notice; order for mailing appraisement notice, acknowledgment of copy of inheritance return, and copy of order to county judge. Arr. by date of tax return. For index, see entry 150. Nature of recording varies. 10 x 4 $\frac{1}{2}$  x 14. Co. clk.'s vlt., 1st fl.

Naturalization  
(See also entries 82[xxv], 128, 197, 225)

146. NATURALIZATION RECORD - INTENTION, 1860-1906. 1 v. Copies of declarations of intention, showing names of alien, county clerk, and former country of allegiance, and date of declaration. Also contains Final Record of Naturalization - Adult, 1860-83, entry 147, and Naturalization Record - Soldiers and Minors, 1860-63, entry 149. Arr. by date of declaration. Indexed alph. by name of alien. Hdw. on pr. fm. 582 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

147. FINAL RECORD OF NATURALIZATION - ADULT, 1884-1906. 2 v. (1, 3). 1860-83 in Naturalization Record - Intention, entry 146. Copies of petitions and final naturalization papers, showing names of alien and witnesses, country of former allegiance, oath and petition, and dates of petition and final certificate. Arr. by date of final certificate. Indexed alph. by name of alien. Hdw. on pr. fm. 300 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

148. FINAL RECORD OF NATURALIZATION - MINOR, 1888-1906. 2 v. (1 not numbered, 4). 1864-87 in Naturalization Record - Soldiers and Minors, entry 149. Copies of petitions and final naturalization papers of minors, showing names of alien and witnesses, country of former allegiance, oath and petition, and dates of petition and final certificate. Arr. by date of final certificate. Indexed alph. by name of alien. Hdw. on pr. fm. 400 p. 18 x 12 x 2 $\frac{1}{2}$ . Co. clk.'s vlt., 1st fl.

149. NATURALIZATION RECORD - SOLDIERS AND MINORS, 1864-88. 1 v. 1860-63 in Naturalization Record - Intention, entry 146. Copies of petitions, final oaths, and certificates of soldiers, showing names of alien, witnesses, country of former allegiance, judge, sheriff, state's attorney, and county clerk, and dates. Also contains Final Record of Naturalization - Minor, 1864-87, entry 148. Arr. by date of petition. Indexed alph. by name of alien. Hdw. on pr. fm. 518 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

## V. PROBATE COURT

Jurisdiction in probate matters in Piatt County was vested in a separate probate court from the organization of the county, in 1841, until 1849. From 1841 to 1849, probate court in Piatt County was held by a probate justice of the peace who was elected by the county electorate for a four-year term.<sup>1</sup> The term was reduced in 1847 to two years.<sup>2</sup> The jurisdiction of the probate court was transferred to the newly created county court in 1849.<sup>3</sup> The Piatt county court has retained probate jurisdiction from that date to the present.<sup>4</sup>

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, all matters relating to apprentices, and cases of sales of real estate of deceased persons for payment of debts.<sup>5</sup> The court has power to impanel a jury for the trial of issues or matters of fact in any of these proceedings before it.<sup>6</sup>

Appeals may be taken from the final orders, judgments, decrees of the probate court to the circuit court of the county except in proceedings in applications of executors, administrators, guardians, and conservators for the sale of real estate. The appellant must give bond and security in such amount and upon such condition as the court shall require.

Aiding the court in its jurisdiction over the administration of intestate estates and the guardianship of minors, are 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.<sup>7</sup> Their duties are performed under the direction and orders of the court. The records that result from their proscribed duties appear

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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. 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.

Probate Court

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.<sup>1</sup> 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 debt 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, and any balance of intestate estate remains, the administrator causes a notice to be published requiring persons still having claims against the estate to present 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.<sup>2</sup>

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.<sup>3</sup> 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.<sup>4</sup> 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.<sup>5</sup> 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.<sup>6</sup> 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.<sup>7</sup> The latter's records appear with those of other guardians.

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1. R.L.1833, p. 628; R.S.1845, p. 548; L.1871-72, p. 89.
  2. R.S.1845, p. 549; L.1871-72, p. 89, 90.
  3. L.1831, 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.
  4. L.1871-72, p. 469; L.1877, p. 114.
  5. L.1919, p. 582; L.1933, p. 644.
  6. L.1871-72, p. 471; L.1919, p. 583; L.1929, p. 506.
  7. L.1889, p. 165.

Probate Court

The probate justice of the peace, 1841 to 1849, performed the ministerial function of the probate clerk.<sup>1</sup> From the establishment of the county court in 1849, until the present, the county clerk has served as ex-officio probate clerk.<sup>2</sup>

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.<sup>3</sup>

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.
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.

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1. L.1837, p. 177,178. The early probate judge was required to act as his own clerk (L.1821, p. 119,120).
  2. Constitution of 1848, Art. V, sec. 16,18; L.1849, p. 63-65; R.S.1874, p. 339,340.
  3. L.1877, p. 82.

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.<sup>1</sup>

Proceedings of Court

General Proceedings

150. INDEX TO ESTATES, 1853--. 1 v. (1).  
Index to Inheritance Tax, entry 145; Administrators' Records (Files), entry 157; Executors' Record (Files), entry 160; and Conservators' Files, entry 165, showing names of estate and administrative official, and file box number. Arr. alph. by name of estate. Hdw. under pr. hdgs. Paper poor. 300 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.
151. PROBATE RECORD, 1843--. 42 v. (A, C-N, P-Z, 1-18).  
Record of probate court proceedings, including petitions for reports of probate officers, bonds and decrees, letters, appointments, wills, and citations of executors, showing names of estate, executor, administrator, guardian, and conservator, date and amount of claim, names of claimants, court orders, and inheritance tax records; includes dependency records, 1889-1912, and delinquency, 1905-12. Also contains Probate Court Journal, 1843-89, 1895--., entry 152, and Probate Judge's Claims, 1843-74, 1929--., entry 153. Arr. by date of proceedings. Indexed alph. by name of estate. 1843-1907, hdw.; 1908--., typed. 550 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.
152. PROBATE COURT JOURNAL, 1890-94. 1 v. 1843-89, 1895-- in Probate Record, entry 151.  
Record of orders by judge to pay claims against estates, showing names of estate, claimant, and judge, term date, amount and date of claim, and date of order. Arr. by date of order. Indexed alph. by name of claimant. Hdw. 600 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.
153. PROBATE JUDGE'S CLAIMS, 1875-1928. 6 v. (C-H). 1843-74, 1929-- in Probate Record, entry 151.  
Register of claims against estates, showing names of claimant and estate, date of filing, amount of claim, and satisfaction. Arr. by date of claim. No index. Hdw. under pr. hdgs. 600 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

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1. 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.

154. CLAIM JUDGMENT RECORD, 1881--. 7 v. (O-Q, K-N).

Record of claims allowed on judgments, showing term date, names of judge, sheriff, clerk, estate, and administrator, name of paper in which adjustment notice printed, type and amount of claim, and decrees of court. Arr. by date of claim. Indexed alph. by name of estate. Hdw. 300 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

155. AFFIDAVIT OF POSTING NOTICES, 1866-78. 1 v. 1859-65, 1879-- in Estate Ledger, entry 182.

Record of affidavits that notices were posted in regard to the settlement of estates, showing names of estate and administrator, and date of term of court. Arr. by date of affidavit. Indexed alph. by name of estate. Hdw. on pr. fm. 400 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

Wills, Bonds, Letters

(See also entries 78, 151)

156. WILL RECORD, 1849--. 6 v. (A-F).

Copies of wills filed for probate, showing name of deceased, date of will, date set for probate, clauses of will, names of witnesses, and dates of proof of death and filing. V. A, 1849-77, also contains bonds and oaths of administrators, executors, and guardians, and petitions for incorporation of villages. Arr. by date of filing. Indexed alph. by name of deceased. 1849-1911, hdw. on pr. fm.; 1912--, typed on pr. fm. 500 p. 18 x 12 x 3. V. A-E, 1849-1927, co. clk.'s vlt., 1st fl.; v. F, 1928--, co. clk.'s work rm., 2nd fl.

157. ADMINISTRATORS' RECORDS (Files), 1841--. 110 f.b. (18-564 not consecutive).

Files of administrators' estate papers, including petitions, oaths, bonds, and letters of administration, proofs of will and of heirship, accounts current and final, reports on condition of estate, inventories, appraisements, sale bills, widows' selections, and claims against estates. Arr. by date of paper. For index, see entry 150. Hdw., typed, and hdw. and typed on pr. fm. 10 x 14 x  $4\frac{1}{2}$ . Co. clk.'s vlt., 1st fl.

158. ADMINISTRATORS' RECORD, 1859--. 8 v. (A-H).

Copies of administrators' petitions, oaths, bonds, and letters, showing names of petitioner, deceased, judge, clerk, and sureties, date of petition, amount and date of bond, and date of issuance of letters. Arr. by date of instrument. Indexed alph. by name of estate. Hdw. on pr. fm. 300 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

159. ADMINISTRATORS' BOND, WITH WILL ANNEXED, 1927--. 1 v. (1).

1872-1926 in Miscellaneous Bond Record, entry 169.

Copies of petitions, oaths, bonds, and letters of administration with will annexed, showing names of estate, administrator, and sureties, date and amount of bonds, and dates of petitions and letters. Arr. by date of instrument. Indexed alph. by name of estate. Hdw. on pr. fm. 100 p. 18 x 12 x 3. Co. clk.'s off., 2nd fl.

160. EXECUTORS' RECORD (Files), 1841--. 71 f.b. (9-13, 37, 94-98, 101-104, 121-132, 203-216, 225-227, 391-397, 425, 431, 433, 435, 444-448, 452, 454, 460, 499, 502, 506-509, 512, 541, 546, 562, 565).

Original documents filed in settlement of estates by executors, including petitions, oaths, bonds, letters of executorship, proofs of will and of heirship, accounts current and final, reports on condition of estate, final reports, inventories, appraisements, sale bills, widows' selections, and claims on estates. Arr. by date of document. For index, see entry 150. Hdw., typed, and hdw. and typed on pr. fm. 10 x  $4\frac{1}{2}$  x 14. Co. clk.'s vlt., 1st fl.

161. EXECUTORS' RECORD, 1875--. 5 v. (A-E).

Copies of executors' petitions, oaths, bonds, and letters, showing term date, names of judge, clerks, sureties, appraiser, petitioner, and deceased, appointment and report of appraiser, amount and condition of bond, and notarial acknowledgment. Arr. by date of instrument. Indexed alph. by name of estate. Hdw. on pr. fm. 300 p. 10 x 18 x 3. V. A-D, 1875-1923, co. clk.'s vlt., 1st fl.; v. E, 1924--., co. clk.'s off., 2nd fl.

162. GUARDIANS' PAPERS, 1841--. 35 f.b. (1-8, 19, 105-120, 217-224, 553, 560).

Files of guardians' estate papers, including petitions, oaths, bonds, letters of guardianship, proofs of will and of heirship, accounts current, reports on condition of estate, final reports, inventories, appraisements, sale bills, widows' selections, and claims against estate. Also contains Conservators' Files, 1841-52, entry 165. Arr. by date of document. For index, see entry 163. Hdw., typed, and hdw. and typed on pr. fm. 10 x  $4\frac{1}{2}$  x 14. Co. clk.'s vlt., 1st fl.

163. GUARDIANS' INDEX, 1857--. 1 v. (1).

Index to Guardians' Papers, entry 162, showing names of ward and guardian and file box number. Arr. alph. by name of ward. Hdw. under pr. hdgs. 300 p. 12 x 12 x 2. Co. clk.'s vlt., 1st fl.

164. GUARDIANS' RECORD, 1859--. 5 v. (A-E).

Copies of guardians' petitions, oaths, bonds, and letters, showing names of minor, guardian, and sureties, dates of bonds and letters, amount and terms of bond, and notarial acknowledgment. Arr. by date of document. Indexed alph. by name of guardian. Hdw. on pr. fm. 300 p. 12 x 12 x 3. V. A-D, 1859-1923, co. clk.'s vlt., 1st fl.; v. E, 1924--., co. clk.'s off., 2nd fl.

165. CONSERVATORS' FILES, 1853--. 16 f.b. (83, 84, 186, 194, 205, 343, 379, 380, 385, 408, 426, 498, 514, 535, 537, 551). 1841-52 in Guardians' Papers, entry 162.

Files of conservators' papers, including petitions, oaths, bonds, letters of conservatorship, proof of heirship, accounts current, final accounts, reports on condition of estate, final reports, inventories, appraisements, sale bills, and claims against estate. Arr. by date of document. For index, see entry 150. Hdw., typed, and hdw. and typed on pr. fm. 10 x  $4\frac{1}{2}$  x 14. Co. clk.'s vlt., 1st fl.

166. CONSERVATORS' RECORDS, 1887--. 2 v. (2, 3). 1872-86 in Insane and Conservators' Record, entry 167.

Copies of conservators' petitions for appointment, oaths, bonds, and letters, showing date, names of petitioner and alleged insane person, and sureties. Arr. by date of document. Indexed alph. by name of alleged insane person. Hdw. on pr. fm. 150 p. 18 x 12 x 1 $\frac{1}{2}$ . Co. clk.'s vlt., 1st fl.

167. INSANE AND CONSERVATORS' RECORD, 1872-86. 1 v.

Record of statement of insanity as proven by examination, and commitment to institution, showing names of examiner and alleged insane person, date of examination, history of case, petition and appointment of conservator, order of court, and name of judge. Subsequently kept as Insanity Record, entry 123, and Conservators' Records, entry 166. Arr. by date of case. Indexed alph. by name of alleged insane person. Hdw. on pr. fm. 410 p. 18 x 12 x 2 $\frac{1}{2}$ . Co. clk.'s vlt., 1st fl.

168. BONDS, 1870--. 8 f.b. (50, 53, 59, 69, 76, 160, 255, 486).

Bonds of administrators, conservators, guardians, executors, county officers, collectors, supervisors, and appeal bonds. Arr. by date of bond. For index, see ontry 1. Hdw. on pr. fm. 10 x 4 $\frac{1}{2}$  x 14. Co. clk.'s vlt., 1st fl.

169. MISCELLANEOUS BOND RECORD, 1872--. 4 v. (A, A, 1, 2). Title varies: Probate Bonds and Letters Miscellaneous.

Record of miscellaneous bonds, letters, and oaths, including bonds and letters de bonis non, bonds to collect, and guardians' additional bonds, showing names of estate, sureties, and principal, and date, terms, and amount of bond. Also contains Administrators' Bond, with Will Annexed, 1872-1926, entry 159, and Bond Record - Sale of Real Estate, 1872-1904, entry 180. Arr. by date of bond or letter. Indexed alph. by name of principal. 1872-84, hdw. on pr. fm.; 1885--, hdw. and typed on pr. fm. 300 p. 18 x 12 x 2. V. A, A, 1, 1872-1930, co. clk.'s vlt., 1st fl.; v. 2, 1931--, co. clk.'s work rm., 2nd fl.

170. MISCELLANEOUS RECORD, 1900--. 3 v. (1-3).

Record of bonds and oaths of administrators, executors, guardians, and conservators, widows' relinquishments, decrees to sell real estate, adoptions, state's attorneys' reports, and reports of sale by guardians, executors, administrators, and conservators. Also contains Sale of Real Estate, Petition and Report, 1900-1902, entry 178, and Guardians' Sale Record, 1921--, entry 181. Arr. by date of document. Indexed alph. by names of subject and person. Hdw. 400 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

Inventories and Appraisements (See also  
entries 157, 160, 162, 165)

171. INVENTORY RECORD, 1869--. 10 v. (B-K). 1860-63 in Inventory, Appraisement, and Sale Record, entry 173.  
Record of inventories of administrators and executors, showing names of estate and administrator, itemized list of real and personal property, and notes and accounts receivable. Also contains Guardians' Inventory Record, 1869-71, entry 174, and Conservators' Inventory, 1869-98, entry 175. Arr. by date of inventory. Indexed alph. by name of estate. 1869-1913, hdw. on pr. fm.; 1914--, typed on pr. fm. 300 p. 18 x 12 x 3. V. B-I, co. clk.'s vlt., 1st fl.; v. J,K, co. clk.'s off., 2nd fl.
172. APPRAISEMENT RECORD, 1870--. 8 v. (B-I). 1860-69 in Inventory, Appraisement, and Sale Record, entry 173.  
Record of appraisement of estates in probate, showing names of estate, appraiser, widow, minor heirs, and judge, court order appointing appraiser, dates of oath and acknowledgment, appraisement bill with itemized statement and value of real and personal property, total value, and amount of allowance to widow and minor children. Arr. by date of appraisal. Indexed alph. by name of estate. Hdw. on pr. fm. 300 p. 18 x 12 x 3. V. B-H, 1870-1929, co. clk.'s vlt., 1st fl.; v. I, 1930--, co. clk.'s off., 2nd fl.
173. INVENTORY, APPRAISEMENT, AND SALE RECORD, 1860-69. 1 v.  
Record of inventories, appraisements, and sales of estates in probate, showing names of estate, administrator, executor, conservator, and guardian; lists of chattel properties and real estate and value; notes and accounts with name of debtor, date, interest, and amount due; dates of appraisal and sale, warrant to and oath of appraiser; estimated value of property, amount of sale, and notarial acknowledgment. Inventory Record, entry 171; Appraisement Record, entry 172; Guardians' Inventory Record, entry 174; Conservators' Inventory, entry 175; and Sale Record of Personal Property, entry 179, subsequently kept separately. Arr. by date of appraisal, inventory, or sale. Indexed alph. by name of estate. Hdw. on pr. fm. 350 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.
174. GUARDIANS' INVENTORY RECORD, 1872--. 2 v. (A, B). 1860-68 in Inventory, Appraisement, and Sale Record, entry 173; 1869-71 in Inventory Record, entry 171.  
Record of guardians' inventories of estates, showing names of estate and administrator, itemized list of real and personal property, notes and accounts receivable, liabilities, and oaths as to correctness of report. Arr. by date of inventory. Indexed alph. by name of ward. 1872-1916, hdw. on pr. fm.; 1917--, typed on pr. fm. 200 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

175. CONSERVATORS' INVENTORY, 1899--. 1 v. (A). 1860-68 in Inventory, Appraisalment, and Sale Record, entry 173; 1869-98 in Inventory Record, entry 171.

Conservators' inventories record of estates, showing value of estates of insane or incompetent person, assets, liabilities, to whom credits owing, and names of conservator and ward. Arr. by date of inventory. Indexed alph. by name of ward. Hdw. and typed. 260 p. 18 x 12 x 3. Co. clk.'s off., 2nd fl.

Widows' Relinquishment and Selection (See also entries 157, 160, 162, 170).

176. WIDOWS' RELINQUISHMENT AND SELECTION RECORD, 1866--. 5 v. (A-E). Record of widows' relinquishments and selections, showing names of estate, widow, minors, and administrator, amount as appraised, amount of selection by widow, widow's acknowledgment, and date of filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 300 p. 18 x 12 x 1 $\frac{1}{2}$ . V. A-C, 1866-1909, co. clk.'s vlt., 1st fl.; v. D, E, 1910--., co. clk.'s work rm., 2nd fl.

Petitions, Decrees, Reports of Sale (See also entries 157, 160, 162, 165, 170)

177. PROCEEDINGS ON PETITIONS TO SELL REAL ESTATE, 1862-85. 1 v. Record of petitions of administrators to probate court for permission to sell real estate to pay debts and claims against estates, showing names of administrator and estate, amount of claim and court order. Arr. by date of petition. Indexed alph. by name of estate. Hdw. 200 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

178. SALE OF REAL ESTATE, PETITION AND REPORT, 1903--. 2 v. (1, 2). 1900-1902 in Miscellaneous Record, entry 170.

Copies of petitions of administrators, executors, and conservators to sell real estate to pay debts, showing date or term of court, names of judge and petitioner, amount of liabilities and assets, description and location of real estate for sale, and notarial seal. Arr. by date of sale. Indexed alph. by name of estate. 1903-22, hdw. on pr. fm.; 1923--., typed on pr. fm. 300 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

179. SALE RECORD OF PERSONAL PROPERTY, 1869--. 6 v. (B-F, 1869--; F, 1921--). 1860-68 in Inventory, Appraisalment, and Sale Record, entry 173.

List of personal property sold by administrators, guardians, or executors to assist in settling estates, showing date and amount of sale, name of purchaser, and description of property. One of the volumes lettered F is for private sales, the other for public sales. Arr. by date of sale. Indexed alph. by name of property owner. Hdw. 200 p. 18 x 12 x 3. V. B-E, 1869-1920, co. clk.'s vlt., 1st fl.; v. F, F, 1921--., co. clk.'s off., 2nd fl.

180. BOND RECORD - SALE OF REAL ESTATE, 1905--. 1 v. (A). 1872-1904  
in Miscellaneous Bond Record, entry 169.

Copies of administrators' bonds in cases of sale of real estate to pay debts, showing names of estate, administrator, and sureties, and date and amount of bond. Arr. by date of bond. Indexed alph. by name of estate. Hdw. on pr. fm. 300 p. 12 x 18 x 2. Co. clk.'s off., 2nd fl.

181. GUARDIANS' SALE RECORD, 1908-20. 1 v. 1921-- in Miscellaneous Record, entry 170.

Copies of petitions of guardians to sell real estate and reports of sales, showing names of estate, minors, guardian, and sureties, date and terms of bond, court orders, and dates of sale and report. Arr. by date of sale. Indexed alph. by name of ward. Typed on pr. fm. 250 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

Reports, Current and Final Accounts (See also entries 157,160,162,165)

182. ESTATE LEDGER, 1859--. 10 v. (A,2-10). Missing: 1872-1901.

Probate estate ledger showing names of deceased and administrator, date of letters, amount of bond, names of widow, heirs, and sureties, date of inventory, sale bill, and amount of each sale. Also contains Affidavit of Posting Notices, 1859-65, 1879--, entry 155, and Administrators' Accounts, Current Probate Accounts, 1859-71, 1903--, entry 186. Arr. by date of case. Indexed alph. by name of estate. Hdw. on pr. fm. 300 p. 18 x 12 x 3. V. A, 2-4, 1859-1915, co. clk.'s vlt., 1st fl.; v. 5-10, 1916--, co. clk.'s off., 2nd fl.

183. ADMINISTRATORS' AND EXECUTORS' REPORT RECORD, 1874--. 15 v. (A-0).

Report record of administrators and executors, showing names of estate, petitioner, and heirs, dates of petition, bond, and letters, dates and amounts of receipts and expenditures, purpose, signature of agent, and recapitulation. Also contains Guardians' Reports, 1874-85, entry 184, and Conservators' Report Record, 1874-96, entry 185. Arr. by date of report. Indexed alph. by name of estate. 1874-1918, hdw. on pr. fm.; 1919--, typed on pr. fm. 500 p. 18 x 12 x 2½. V. A-L, 1874-1929, co. clk.'s vlt., 1st fl.; v. M-O, 1930--, co. clk.'s off., 2nd fl.

184. GUARDIANS' REPORTS, 1886--. 7 v. (1-7). 1874-85 in Administrators' and Executors' Report Record, entry 183.

Report record of guardians, showing names of estate and guardian, dates of petition, letters, and report, dates, purpose, and amounts of receipts and expenditures, signature of guardian, and recapitulation. Arr. by date of report. Indexed alph. by name of estate. Hdw. on pr. fm. 300 p. 18 x 12 x 3. V. 1-5, 1886-1925, co. clk.'s vlt., 1st fl.; v. 6, 7, 1926--, co. clk.'s off., 2nd fl.

185. CONSERVATORS' REPORT RECORD, 1897---. 2 v. (A, B). 1874-96 in Administrators' and Executors' Report Record, entry 183. Conservators' report record of assets and liabilities of estates, showing date and amounts of receipts and expenditures, purpose, names of payee and payer, ward, and conservator, balance on hand and general condition of estate, judge's signature, and date of approval. Arr. by date of report. Indexed alph. by name of ward. 1897-1913, hdw. on pr. fm.; 1914--, typed on pr. fm. 250 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.
186. ADMINISTRATORS' ACCOUNTS, CURRENT (Probate Accounts), 1872-1902. 1 v. 1859-71, 1903-- in Estate Ledger, entry 182. Account records of estates, showing names of estate and administrator, executor, guardian, or conservator, receipts and expenditures, names of payee and payer, and dates. Arr. by date of report. Indexed alph. by name of estate. Hdw. on pr. fm. 200 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

## Dockets

187. GUARDIANS' ESTATE DOCKET, 1846--. 1 v. (1). Estate docket of guardians, showing names of guardian, ward, and sureties, dates of letters and bond, age of ward, amount of bond, and date and amount of inventories, appraisals, and sales. This record was compiled from Guardians' Papers, ontry 162, in 1908. Arr. by date of case. Indexed alph. by name of ward. Hdw. under pr. hdgs. 216 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.
188. PROBATE JUDGE'S ORDER DOCKET, 1858--. 29 v. (2 not lettered, B-N, N, O-Z, Z). Judge's probate docket showing names of estate, probate officer, claimant, attorneys, and jurors, case number, term date, action, and orders of court. Also contains Judge's Docket Law (and Criminal), 1934--, entry 128, and Probate Judgment Docket, 1907--, entry 191. Arr. by date of court order. No index. Hdw. under pr. hdgs. 400 - 600 p. 18 x 12 x 3 - 16 x 12 x 5. 2 v. not lettered, v. B-Y, 1858-1928, co. clk.'s vlt., 1st fl.; 2 v. Z, 1929--, co. clk.'s off., 2nd fl.
189. JUDGE'S PROBATE DOCKET, 1928--. 1 v. Judge's docket of open probate cases, showing case number, names of estate, attorneys, administrator, executor, guardian, conservator, and bondsmen, term date, action, and orders of court. Arr. by date of term. For index, see entry 190. Hdw. under pr. hdgs. 700 p. 16 x 14 x 5. Co. clk.'s off., 2nd fl.
190. INDEX JUDGE'S PROBATE DOCKET, 1928--. 1 v. Index to Judge's Probate Docket, entry 189, showing case number, names of estate, administrator, executor, guardian, and conservator, and file box number and fee book of entry. Arr. alph. by name of estate. Hdw. under pr. hdgs. 100 p. 16 x 13 x 1. Co. clk.'s off., 2nd fl.

191. PROBATE JUDGMENT DOCKET, 1859-1906. 5 v. (A-E). 1907-- in Probate Judge's Order Docket, entry 188. Docket of judgments of claims against estates, showing names of claimant, nature and amount of claim, and date and amount of judgment. Arr. by date of judgment. For index, see entry 192. Hdw. under pr. hdgs. 300 p. 18 x 12 x 2 $\frac{1}{2}$ . Co. clk.'s vlt., 1st fl.

192. PROBATE JUDGMENT DOCKET INDEX - DIRECT AND INDIRECT, 1859-1906. 2 v. (A, B). Index to Probate Judgment Docket, entry 191, showing names of claimant and estate, and book and page of docket entry. Arr. alph. by name of claimant. Hdw. under pr. hdgs. 500 p. 18 x 12 x 2 $\frac{1}{2}$ . Co. clk.'s vlt., 1st fl.

Fee Books  
(See also entry 73)

193. GUARDIANS', CONSERVATORS', AND MISCELLANEOUS FEE BOOK, 1849--. 10 v. (2 not labeled, 1849-65; A-E, 1-3, 1858--). Title varies: Probate Fee Book, v. A-D, 1858-1911. Register of guardians', conservators', insanity, and miscellaneous probate court fees, and fees of sheriff's and state's attorneys, 1849-65, showing names of estate, judge, guardian, and conservator, term date, type and amount of fees, and court costs. Also contains Administrators' and Executors' Fee Book, 1849-81, entry 196. Arr. by date of payment. 1849-57, no index; 1858--, indexed alph. by name of estate. 1849-57, hdw.; 1858--, hdw. under pr. hdgs. 300 - 350 p. 15 x 10 x 2 - 18 x 12 x 2. 2 v. not labeled, v. A-E, 1849-1910, co. clk.'s vlt., 1st fl.; v. 1-3, 1911--, co. clk.'s off., 2nd fl.

194. GUARDIANS' FEE BOOK, 1866-75. 1 v. Register of guardians' fees, showing names of ward, guardian, judge, and clerk, term date, type and amount of fees, and date of payment. Arr. by date of payment. No index. Hdw. under pr. hdgs. 300 p. 16 x 12 x 2. Co. clk.'s vlt., 1st fl.  
For other guardians' fees, see entry 193.

195. FEE BOOK INSANE AND CONSERVATOR, 1887-1909. 1 v. (1). Register of insanity and conservators' fees, showing names of insane person, conservator, attorney, judge, and clerk, term date, amount and type of fee, and date of payment. Arr. by date of payment. Indexed alph. by name of insane person. Hdw. under pr. hdgs. 300 p. 18 x 12 x 2. Co. clk.'s off., 2nd fl.  
For other insanity and conservators' fees, see entry 193.

196. ADMINISTRATORS' AND EXECUTORS' FEE BOOK, 1882--. 7 v. (B-H). 1849-81 in Guardians', Conservators', and Miscellaneous Fee Book, entry 193. Register of administrators' and executors' fees, showing names of estate, judge, clerk, administrator, and executor, term date, type and amount of fees, and court costs. Arr. by date of payment. Indexed alph. by name of estate. Hdw. under pr. hdgs. 350 p. 18 x 12 x 2 $\frac{1}{2}$ . V. B-E, 1882-1911, co. clk.'s vlt., 1st fl.; v. F-H, 1912--, co. clk.'s off., 2nd fl.

## 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.<sup>1</sup> In addition, it is one of the courts capable of having naturalization jurisdiction according to Federal statutes.<sup>2</sup>

The circuit court was held in Piatt County by justices of the Supreme Court,<sup>3</sup> from 1841 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.<sup>4</sup> The Constitution of 1870 altered the circuit districts and established population requirements for counties that may comprise a circuit.<sup>5</sup> 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 Piatt.<sup>6</sup>

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.<sup>7</sup> 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.<sup>8</sup>

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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. Circuit courts still retain naturalization jurisdiction, but do not exercise it where United States District Courts are convenient.
  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 (Art. VI, sec. 16). A few of the other 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).

Circuit Court

The hearings on several of the election contests are held before this court. Jurisdiction is granted to the court to hear and determine contests on 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.<sup>1</sup> The circuit court also hears and determines the election contests of some of the local and county officers. 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.<sup>2</sup>

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 Piatt 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.<sup>3</sup>

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 Piatt County is in session. A branch court is held by any circuit judge in this circuit 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.<sup>4</sup>

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.<sup>5</sup>

Each of the three judges of the circuit court is authorized to appoint one official shorthand reporter. This appointee is required to be skilled

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1. L.1899, p. 152.
  2. L.1871-72, p. 396; L.1895, p. 170.
  3. L.1921, p. 742,743.
  4. L.1873-74, p. 82,83; L.1905, p. 146.
  5. L.1835, p. 167,168; L.1933, p. 441,442.

Circuit Court

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.<sup>1</sup>

The probation officer for adult probationers is an appointee of the circuit court.<sup>2</sup> 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 offenses.<sup>3</sup> In the performance of 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.<sup>4</sup> Piatt County has one probation officer under the law of 1915 providing for one such officer for each fifty thousand, or fraction thereof, of population.<sup>5</sup>

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.<sup>6</sup>

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 release on probation, probationers' bonds, the reports of probation officers noted above, and discharge of probationers.

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1. L.1933, p. 463,464.
  2. L.1911, p. 280.
  3. Ibid., p. 277.
  4. Ibid., p. 280,281; L.1915, p. 380,381.
  5. L.1915, p. 380. School census to be basis for determining population.
  6. L.1911, p. 281,282; L.1915, p. 381,382.

Circuit Court

The probation officer is required to keep complete accurate records of investigated persons, the action of the court, and the subsequent history of probationers. These are not public records but are open to inspection by any judge or any probation officer pursuant to a court order.<sup>1</sup>

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.<sup>2</sup> This official performs the ministerial duties of the circuit court of Piatt County and files and preserves its records as well as those of the branch circuit courts.<sup>3</sup> 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.<sup>4</sup> 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 regularly elected 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.<sup>5</sup>

The clerk of the circuit court was first appointed by the circuit judge in Piatt County.<sup>6</sup> He kept a record of all the oaths that he administered and certified a copy annually to the Secretary of State.<sup>7</sup> The clerk preserved a complete record of all proceedings and determinations of the court of which he was clerk.<sup>8</sup> At each term of the circuit court, the clerk inquired into the condition and the treatment of prisoners and was required to see that all prisoners were humanely treated.<sup>9</sup> This authority was in later years, and is at present, delegated to the circuit court.<sup>10</sup> 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.<sup>11</sup> The Constitution of 1848 made the

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1. L.1911, p. 277-84; L.1915, p. 378-84.
  2. Constitution of 1848, Art. V, sec. 7, 21, 29; Constitution of 1870, Art. X, sec. 8.
  3. L.1905, p. 147.
  4. R.S.1874, p. 260.
  5. L.1873-74, p. 95.
  6. Constitution of 1818, Art. IV, sec. 6; R.L.1833, p. 152; R.S.1845, p. 146.
  7. L.1819, p. 349.
  8. R.L.1829, p. 44; R.L.1833, p. 152; R.S.1845, p. 147.
  9. R.L.1827, p. 248.
  10. R.S.1874, p. 616; L.1923, p. 424.
  11. R.L.1829, p. 35.

Circuit Court

clerk of the circuit court an elective officer of the county with a four-year term. This arrangement has continued until the present.<sup>1</sup>

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.<sup>2</sup> This order is entered as of record and the compensation of such assistants and deputies is set by the county board.<sup>3</sup>

Among the records kept by the clerk for the circuit court are the following:<sup>4</sup>

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.
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.

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1. Constitution of 1848, Art. V, sec. 29; Constitution of 1870, Art. X, sec. 9.
  2. L.1831, p. 49; Constitution of 1870, Art. X, sec. 9.
  3. Constitution of 1870, Art. X, sec. 9.
  4. 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).

Circuit Court - Proceedings  
of Court

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 of the transcript with the corresponding number of the transcript.<sup>1</sup>
8. Naturalization proceedings; from petitions to final certificates; Federal statutes allow the circuit court to exercise jurisdiction.
9. Reports to the court from its 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.<sup>2</sup>

Proceedings of Court

197. CHANCERY AND COMMON LAW, 1841--. 297 f.b. (1-297).

Chancery and common law case papers, including replevins, assumpsits, appeals, confessions, bills for conveyance, separate maintenance, and divorce, transcripts, foreclosures, motions for new trial, mechanics' liens, bills to set aside deed or wills, garnishees, bills to quiet title, dissolution of partnership, bills for injunction, complaints, petitions for dower and homestead rights, and bills for relief; also contains naturalization papers for 1903. Arr. by date of document. For index, see entry 198. Nature of recording varies. 10 x 4 x 14. Cir. clk.'s vlt., 2nd fl.

198. INDEX TO COURT FILES, 1841--. 1 v.

Index to Chancery and Common Law, entry 197, showing names of plaintiff and defendant, title of case, and document and file box numbers. Arr. alph. by name of plaintiff. Hdw. under pr. hdgs. 500 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

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1. R.S.1874, p. 347; L.1901, p. 136,137.  
 2. R.L.1827, p. 217; R.S.1845, p. 323-25, 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. 378-60; 34 U.S.S.L. 596-607, 709, 710; 45 U.S.S.L. 1514, 1515.

199. EXECUTIONS (Common Law), 1859--. 3 f.b. (1859-1921); 1 f.d. (1900--).

Original executions in common law cases, showing date and number of execution, names of defendant, sheriff, clerk, and plaintiff's attorney, volume and page of fee book and record, amounts of judgment, fines, costs, and sheriff's fees, and date of return. Arr. alph. by name of defendant. No index. Hdw. on pr. fm. F.b. 10 x 5 x 14; f.d. 20 x 18 x 24. Cir. clk.'s vlt., 2nd fl.

200. INDEX TO COURT RECORDS, PLAINTIFF - DEFENDANT, 1858--. 6 v. (A, 1, 2, plaintiff; A, 1, 2, defendant).

Index to Common Law (Record), entry 201; Chancery Record, entry 203; and Criminal Record, entry 210, showing case number, names of plaintiff and defendant, kind of action, book and page of entry, and date of commencement and disposal of case. Arr. alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

201. COMMON LAW (Record), 1841--. 24 v. (A-T, W, 28, 30, 33). Title varies: Circuit Court Record, 20 v., 1841-1911.

Record of proceedings in common law cases, including orders for executions of judgments, showing names of plaintiff, defendant, and attorneys, kind of action, date of proceedings, and decrees and orders of court. Also contains Chancery Record, 1841-93, entry 203; Criminal Record, 1841-88, entry 210; Naturalization Record, 1885-1910, entry 246; Naturalization Record Final, 1881-1910, entry 247; and Naturalization Record Minors and Soldiers, 1881-1906, entry 248. Arr. by date of proceedings. 1841-57, indexed alph. by names of plaintiff and defendant; for sep. index, 1858--, see entry 200. Hdw. 300 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

202. CONFESSION RECORD AND FEE BOOK, 1891--. 6 v. (1-6).

Record of judgment by confession in vacation time, showing names of parties, date and term of court, action, and judgment of case. Arr. by date of judgment. Indexed alph. by name of defendant. Hdw. on pr. fm. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

203. CHANCERY RECORD, 1894--. 9 v. (U, V, X-Z, 27, 29, 31, 32). 1841-93 in Common Law (Record), entry 201.

Record of chancery cases, including divorces, showing names of parties and attorneys, date and kind of action, and decrees and orders of the court. Arr. by date of case. Indexed alph. by names of plaintiff and defendant; for sep. index, see entry 200. 1894-1930, hdw.; 1931--, typed. 300 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

204. DECREE RECORD, 1913--. 7 v. (1-7).

Record of court decrees on divorces, foreclosures, deeds, trustee appointments with approval of trustee's report, and partition suits. Arr. by date of proceedings. Indexed alph. by names of plaintiff and defendant. Typed. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

For prior record of decrees, see entries 201, 203, 210.

205. MISCELLANEOUS PAPERS, 1847-1925. 1 f.b.

Miscellaneous papers relative to common law and criminal cases, including bonds, appeals from justice of the peace courts, justices of the peace summonses, and injunctions. Arr. by date of document. No index. Nature of recording varies. 10 x 4 x 14. Cir. clk.'s vlt., 2nd fl.

For other case papers, see entries 197, 209.

206. PENSIONS AND LEGAL PAPERS, 1849-1912. 1 f.b.

File of miscellaneous papers that were never filed properly, including pension certificates, 1881-1907; contracts for grading race track, 1876-97; instructions to jury, 1880; indictments, 1878-97; executions, 1849-1912; bonds, 1874-81; old letters, 1904-7; and a few common law and criminal case papers, 1855-97. No obvious arr. No index. Hdw. and hdw. on pr. fm. 10 x 4 x 14. Cir. clk.'s vlt., 2nd fl.

207. OLD CASES, 1845-80. 6 f.b.

Files of original documents in common law and criminal cases, including papers similar to common law case papers in Chancery and Common Law, entry 197, and criminal case papers in Criminal (Files), entry 209. No obvious arr. No index. Hdw. on pr. fm. 10 x 5 x 14. Cir. clk.'s vlt., 2nd fl.

208. EXECUTION ORDER, 1888-1920. 1 v.

Orders to circuit clerk to issue executions, showing name of county, names of plaintiff, defendant, and attorneys, and dates of order and execution. Arr. by date of order. Indexed alph. by name of defendant. Hdw. on pr. fm. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

For subsequent orders, see entry 201.

209. CRIMINAL (Files), 1841--. 52 f.b.

Original papers filed in criminal cases, including praecipos for execution, executions, witness affidavits, habeas corpus writs, complaints before justices, warrants for arrest, bail bonds, indictments, depositions of evidence, instruction to jury, jury verdicts, and orders of court. Also contains Foreign Witnesses (Claims and Receipts), 1841-74, 1916--, entry 232. Arr. alph. by name of defendant. No index. Hdw., hdw. on pr. fm., typed; and typed on pr. fm. 10 x 5 x 14. Cir. clk.'s vlt., 2nd fl.

210. CRIMINAL RECORD, 1889--. 5 v. (1-5). 1841-88 in Common Law  
(Record), entry 201.

Record of criminal cases in circuit court, including bail bond records, showing names of parties and attorneys, kind of action, decrees and court orders, and dates. Arr. by date of case. Indexed alph. by name of defendant; for sep. index, see entry 200. 1889-1916, hdw.; 1917-26, hdw. and typed; 1927--, typod. 300 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

211. INDICTMENT RECORD, 1874-1904, 1 v.

Record of circuit court indictments, showing nature of case, names of parties, state's attorney, witnesses, and foremen of the jury, and term date of court. Arr. by date of indictment. Indexed alph. by name of defendant. Hdw. on pr. fm. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

For subsequent indictment papers, see entry 209.

Transcripts  
(See also ontry 241)

212. JUSTICE OF THE PEACE, 1895--. 1 f.b.  
Transcripts from justice of the peace courts to circuit court, including petitions, complaints, bonds, confessions in vacation, and judgments. Arr. by date of transcript. No index. Nature of recording varies. 10 x 4 x 14. Cir. clk.'s vlt., 2nd fl.

213. TRANSCRIPT RECORD, 1861--. 4 v. (A-D).  
Transcripts of judgment from foreign and justice courts, showing dates, names of attorneys, plaintiff, defendant, and officers of court, kind of action, petitions, testimonies, and court orders and decrees. Arr. by date of transcript. Indexed alph. by name of defendant. 1861-1925, hdw.; 1926--, typed. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

Dockets

214. GENERAL DOCKET, 1874--. 5 v. (A, 1-4). Missing: 1877-85.  
Docket of circuit court cases, showing term date, case number, names of plaintiff, defendant, and attorneys, type of action, and disposition of case. Arr. by term date. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

215. LAW DOCKET, 1908--. 2 v. (4, 5). 1858-1907 in Clerk's Docket, entry 218.  
Clerk's docket of common law cases, showing case number, term of court, names of plaintiff, defendant, and attorneys, nature of cause, and orders of the court. Arr. by case no. No index. Hdw. under pr. hdgs. 700 p. 14 x 12 x 5. Cir. clk.'s vlt., 2nd fl.

216. CHANCERY DOCKET, 1908--. 3 v. (4-6). 1858-1907 in Clerk's Docket, entry 218.  
Clerk's docket of chancery cases, showing date, number of case, term of court, names of plaintiff, defendant, and attorneys, type of action, and orders of the court. Arr. by date of case. No index. Hdw. under pr. hdgs. 700 p. 14 x 12 x 5. Cir. clk.'s vlt., 2nd fl.

217. CRIMINAL DOCKET, 1908--. 2 v. (4, 5). 1858-1907 in Clerk's Docket, entry 218.  
Clerk's docket of criminal cases, showing case number, date, term of court, names of defendant and attorneys, type of action, and orders of the court. Arr. by case no. No index. Hdw. under pr. hdgs. 700 p. 14 x 12 x 5. Cir. clk.'s vlt., 2nd fl.

218. CLERK'S DOCKET, 1858-1907. 22 v.  
Docket of criminal, common law, and chancery cases, showing date of court term, case number, names of plaintiff, defendant, judge, and attorneys, type of action, and abstract of proceedings. Law Docket, entry 215; Chancery Docket, entry 216; and Criminal Docket, entry 217, subsequently kept separately. Arr. by date of case. No index. Hdw. under pr. hdgs. 300 p. 14 x 9 x 2. Cir. clk.'s vlt., 2nd fl.

219. MASTER-IN-CHANCERY DOCKET, 1884--. 3 v. (2 not numbered, 3). Docket of master-in-chancery cases, showing kind of suit, names and addresses of plaintiff and defendant, names of attorneys, legal description of real estate, statements of posting notices, reports, and certificate of purchase fees. Arr. by date of case. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 200 p. 18 x 12 x 2. Cir. clk.'s vlt., 2nd fl.
220. JUDGMENT AND EXECUTION DOCKET, 1875--. 9 v. (D-L). Judgment and execution docket showing case number, names of parties, kind of action, nature of judgment, decree, costs, dates of execution issues and returns, and sheriff's returns and satisfaction. Judgment Docket, entry 221, and Execution Docket, entry 222, formerly kept separately. Arr. alph. by name of party against whom judgment is entered. No index. Hdw. on pr. fm. 400 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.
221. JUDGMENT DOCKET, 1841-74. 3 v. (A-C). 1875-- in Judgment and Execution Docket, entry 220. Docket of judgments in circuit court, showing names of parties, date, kind of action, debt, damages and costs, volume and page of court record, and general remarks. Arr. alph. by name of party against whom judgment is entered. No index. Hdw. 400 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.
222. EXECUTION DOCKET, 1841-74. 4 v. (1-4). 1875-- in Judgment and Execution Docket, entry 220. Execution docket showing number of case, names of parties, date of execution, amount of damages, costs, volume and page of fee books, and date of sheriff's return. Arr. by date of execution. Indexed alph. by name of defendant. Hdw. on pr. fm. 400 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.
223. DOCKET OF LIENS, 1867--. 1 v. (1). Lien docket showing name of person filing lien, date of filing, person against whom lien is filed, amount and nature of claim, description of property charged with lien, and acknowledgment of satisfaction; also contains liens on gets, 1902. Arr. by date of filing. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 150 p. 18 x 12 x 2. Cir. clk.'s vlt., 2nd fl.
224. JUSTICE OF THE PEACE DOCKET, 1869-1920. 2 v. Missing: 1874-1911. Docket of cases before the various justices in the county, showing date, action, amount of fine and costs, and names of parties. Arr. by date of case. No index. Hdw. under pr. hdgs. 400 p. 14 x 10 x 2. Cir. clk.'s vlt., 2nd fl.
225. JUDGES' DOCKET, 1869-1908. 12 v. Docket of circuit court cases, including probation, showing number of case, names of attorneys for each party, parties involved, kind of action, and order of court; also serves as a naturalization docket. Arr. by date of case. No index. Hdw. under pr. hdgs. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.
226. BAR DOCKET, 1849-75. 7 v. Bar docket of circuit court cases, showing names of parties and attorneys, and nature of the case. Arr. by date of case. No index. Hdw. under pr. hdgs. 400 p. 14 x 10 x 2. Cir. clk.'s vlt., 2nd fl.

227. CRIMINAL DOCKET (Court), 1869-71. 1 v. 1853-68 in Court Docket, entry 228.

Docket of people's cases tried in circuit court, showing term date, case number, names of parties and attorneys, kind of action, and orders of the court. Arr. by case no. No index. Hdw. under pr. hdgs. 300 p. 18 x 12 x 1 1/2. Cir. clk.'s vlt., 2nd fl.

For subsequent docket notations, see entries 218, 225.

228. COURT DOCKET, 1853-72. 5 v.

Court docket of common law, criminal, and chancery cases, showing case number, names of plaintiff, defendant, and attorneys, type of action, orders of the court, and date. Also contains Criminal Docket (Court), 1853-68, entry 227. Arr. by case no. No index. Hdw. under pr. hdgs. 320 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

For subsequent docket notations, see entries 218, 225.

Fee Books

229. FEE BOOK (Common Law and Chancery), 1911--. 5 v. (R, T, V-X). 1852-1910 in Fee Book, entry 231.

Register of fees received in civil and chancery cases, showing date of court term, nature and number of case, names of plaintiff or complainant and defendant, amount of sheriff's and clerk's fees, and total amount of fees taxed and collected. Arr. by case no. Indexed alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

230. CRIMINAL FEE BOOK, 1911--. 2 v. (S, U). 1852-1910 in Fee Book, entry 231.

Register of fees received in criminal cases, showing case number, date of court term, name of defendant, nature of charge, amount of clerk's and sheriff's fees, and total amount of fees received. Arr. by case no. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

231. FEE BOOK, 1852-1910. 14 v. (C-H, J-Q). Missing: 1868-72.

Register of fees received in criminal, civil, and chancery cases, showing names of plaintiff and defendant, date of court term, kind of action, and total amount of fees received. Subsequent to 1910, Fee Book (Common Law and Chancery), entry 229, and Criminal Fee Book, entry 230, kept separately. Arr. by case no. Indexed alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

232. FOREIGN WITNESSES (Claims and Receipts), 1875-1915. 1 f.b. 1841-74, 1916-- in Criminal (Files), entry 209.

Files of claims of foreign witnesses and receipts for witness fees, showing names of witness, judge, and defendant, type of case, number of days of service and mileage, and date and amount of payment. No obvious arr. No index. Hdw. on pr. fm. 10 x 5 x 14. Cir. clk.'s vlt., 2nd fl.

Reports to Court

233. STATE'S ATTORNEY'S REPORTS, 1924--. 1 f.b. 1899-1923 in Master-in-Chancery and State's Attorney's Reports, entry 235.  
Reports of state's attorney to circuit court of fines and fees collected, showing name of state's attorney, date, source and amount of fine and fees, total amount collected, and money on hand. Arr. by date of filing. No index. Typed, and typed on pr. fm. 10 x 4 x 14. Cir. clk.'s vlt., 2nd fl.
234. MASTER-IN-CHANCERY REPORT, 1924--. 2 f.b. 1899-1923 in Master-in-Chancery and State's Attorney's Reports, entry 235.  
Master's reports to the circuit judge on foreclosures and receivers, duplicate vouchers, and master's receipts. Arr. by date of report. No index. Typed. 10 x 4 x 14. Cir. clk.'s vlt., 2nd fl.
235. MASTER-IN-CHANCERY AND STATE'S ATTORNEY'S REPORTS, 1899-1923. 3 f.b.  
Master's reports to the circuit judge on foreclosures, duplicate vouchers, and report of receiver's fees and fines received by state's attorney. Subsequently kept separately as State's Attorney's Reports, entry 233, and Master-in-Chancery Report, entry 234. Arr. by date of report. No index. Typed, and typed on pr. fm. 10 x 4 x 14. Cir. clk.'s vlt., 2nd fl.
236. STATE'S ATTORNEY'S REPORTS TO CIRCUIT CLERK, 1874--. 1 v.  
Copies of reports of fees, fines, and forfeitures collected by the state's attorney, showing number of case, name of defendant, name of court, cause of conviction, amounts of fine and fees, and court orders. Arr. by date of report. Indexed alph. by name of state's attorney. Hdw. on pr. fm. 300 p. 18 x 12 x 2. Cir. clk.'s vlt., 2nd fl.
237. REPORTS ON COUNTY JAIL, 1878--. 1 f.b.  
Reports made by the grand jury or a committee of the grand jury to the circuit judge concerning the condition of the county jail, with their recommendations to the board of supervisors. Arr. by date of report. No index. Hdw. and typed. 10 x 4 x 14. Cir. clk.'s vlt., 2nd fl.
238. TRUSTEES' AND MASTERS' REPORT, 1928--. 2 v. (5, 8). 1889-1927 in Miscellaneous Record, entry 90.  
Reports of foreclosures and partitions, reports by trustees, and masters' reports of sale, showing information regarding estate, legal description of property, orders of the court, and date of filing. Arr. by date of report. Indexed alph. by names of plaintiff and defendant. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

Jury Records

(See also entries 26, 259)

239. VENIRES, 1884--. 2 f.b.  
Grand and petit jury venires showing names of jurors and date of court term, Arr. by date of term. No index. Hdw. on pr. fm. 10 x 4 x 14. Cir. clk.'s off., 2nd fl.

Circuit Court - Bonds;  
Parole

(240-245)

240. JURY WARRANT STUBS, 1873--. 10 v.

Stubs of jury warrants issued, showing number of warrant, term date of court, name of payee, days of service, mileage, total amount of fees, and signature of payee. Arr. by date of warrant. No ind x. Hdw. on pr. fm. 250 p. 18 x 12 x 1. 8 v., 1873-1928, cir. clk.'s vlt., 2nd fl.; 2 v., 1929--., cir. clk.'s off., 2nd fl.

241. NON-TRUE BILL, 1923--. 1 f.b.

Grand jurors' return of no bill after consideration of case, petitions for release, petitions for writ of habeas corpus, and transcripts from justice of the peace courts. Arr. by date of bill. No index. Nature of recording varies. 10 x 4 x 14. Cir. clk.'s vlt., 2nd fl.

Bonds

(See also entries 205,206,209,210,212)

242. BONDS, 1892--. 4 f.b.

Capias, official, recognizance, and appeal bonds, bonds of receiver, and injunction, attachment, and replevin bonds; also receipts for delivering prisoners to the penitentiary. Arr. by date of bond. No index. Hdw. and typed on pr. fm. 10 x 4 x 14. Cir. clk.'s vlt., 2nd fl.

243. RECOGNIZANCE RECORD, 1923--. 1 v. (1).

Record of recognizance bonds in probation cases in open court, showing names of defendant, state's attorney, sureties, circuit clerk, sheriff, and judge, amount of recognizance, charge, condition of recognizance, and term date of court. Arr. by date of bond. Indexed alph. by name of defendant. Hdw. on pr. fm. 214 p. 18 x 12 x 1. Cir. clk.'s off., 2nd fl.

244. BAIL BOND RECORD, 1917-19. 1 v.

Record of bail bonds, showing name of person bonded, nature of offense, date and amount of bond, name of surety, or a schedule of property, and date of appearance in court. Arr. by date of bond. Indexed alph. by name of surety. Hdw. on pr. fm. 400 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

Parole

245. PAROLE RECORD, 1897-98. 1 v.

Copies of applications for parole, showing date and term of sentence, crime for which convicted, and name of judge before whom plea is entered. Arr. by date of application. Indexed alph. by name of person paroled. Hdw. on pr. fm. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

For subsequent docket entries of probation, see entry 225.

Naturalization

(See also entries 82[xxv], 138, 146-149, 197, 225)

246. NATURALIZATION RECORD, 1858-84. 1 v. 1885-1910 in Common Law (Record), entry 201.

Copies of declarations of intention and final certificates of naturalization, showing names of alien and circuit clerk, oath of allegiance, nativity, and dates. Arr. by date of declaration. Indexed alph. by name of alien. Hdw. on pr. fm. 440 p. 18 x 12 x 2. Cir. clk.'s vlt., 2nd fl.

247. NATURALIZATION RECORD FINAL, 1864-60. 1 v. 1881-1910 in Common Law (Record), entry 201.

Copies of final certificates of naturalization, showing term of court, names of alien, judge, sheriff, clerk of the court, and witnesses, country of former allegiance, final oath, and date of certificate. Arr. by date of final certificate. Indexed alph. by name of alien. Hdw. on pr. fm. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

248. NATURALIZATION RECORD MINORS AND SOLDIERS, 1870-80. 1 v. 1881-1906 in Common Law (Record), entry 201.

Copies of petition, final oath, and certificate of minors, showing date, names of judge, witnesses, sheriff, state's attorney, clerk of court, and alien, years of residence in the United States, nativity, oath of allegiance to the United States, final oath, and dates. Arr. by date of final certificate. Indexed alph. by name of alien. Hdw. on pr. fm. 425 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

Receipts and Expenditures

249. REGISTER OF FEES, 1875---. 3 v. Title varies: Cash Book, 2 v., 1875-1917.

Ledger of circuit clerk's fee receipts and expenditures, including court costs, and witness, filing, and recording fees, showing date, amount, and purpose of receipt or expenditure, and name of payer or recipient. Arr. by date of transaction. No index. Hdw. under pr. hdgs. 250 p. 18 x 12 x 1½. 2 v., 1875-1917, cir. clk.'s vlt., 2nd fl.; 1 v., 1918---, cir. clk.'s off., 2nd fl.

250. EARNINGS OF COURT COSTS, 1885---. 4 v. Title varies: Receipts of Court Costs, 2 v., 1885-1922.

Register of collections and disbursements of fees charged in circuit court cases, showing case number, date, amount, and purpose of receipt or expenditure, name of payer or recipient, and book and page of entry in fee book. Arr. by date of collection. No index. Hdw. under pr. hdgs. 300 p. 18 x 12 x 3. 2 v., 1885-1922, cir. clk.'s vlt., 2nd fl.; 2 v., 1923---, cir. clk.'s off., 2nd fl.

251. CANCELLED CHECKS, 1910---. 3 f.b.

Cancelled checks for refund fees, witness fees, attorneys' fees, publishers' fees, alimony, clerk hire and salaries, office expense, treasurer's expense, sheriff's expense, and miscellaneous expenditures. Arr. by date of check. No index. Hdw. on pr. fm. 10 x 4 x 14. Cir. clk.'s vlt., 2nd fl.

## VII. SHERIFF

The sheriff, by constitutional provision, has been an elected officer in Piatt County from the organization of the county, in 1841, to the present.<sup>1</sup> The term of his office, originally set at two years,<sup>2</sup> is now four years.<sup>3</sup> In 1880 it was provided, by constitutional amendment, that no person elected to the office of sheriff should be eligible for re-election to that office until four years after the expiration of his term of office.<sup>4</sup> His bond in this county is required in the sum of \$10,000 and must be approved by the county judge.<sup>5</sup> 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.<sup>6</sup> 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.<sup>7</sup> The sheriff is warden of the county jail and has custody and regulation of the same and of all prisoners.<sup>8</sup> 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.<sup>9</sup>

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.<sup>10</sup>

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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.

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.<sup>1</sup>
3. To serve, execute, and return all writs, warrants, process, orders, and decrees legally directed to him.<sup>2</sup>
4. To sell real or personal property by virtue of execution or other process.<sup>3</sup>
5. To send fingerprints of criminals to the State Bureau of Criminal Identification and Investigation.<sup>4</sup>

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 Piatt County:

1. Receipts of deliveries of prisoners in changes of venue.<sup>5</sup>
2. Copies of reports to the county court and circuit court.<sup>6</sup>
3. Reports of pawnbrokers on loans and articles pawned.<sup>7</sup>
4. Data of identification of criminals and stolen property.<sup>8</sup>

The following records may be kept and do appear:

1. Register of prisoners.<sup>9</sup>
2. "Book of Accounts," including records of fees and disbursements.<sup>10</sup>
3. Docket of executions.
4. Process docket.

#### Process

252. SHERIFF'S PROCESS DOCKET, 1850--. 11 v. (1 not labeled, B, 1 not labeled, 2, 6-12). Missing: 1881-98.

Sheriff's process docket showing number of case, names of attorney, plaintiff, and defendant, type of action, court of issue, dates of receipt, service, and return, sheriff's fees, and remarks. Also con-

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1. R.L.1827, p. 372; R.S.1845, p. 515; R.S.1874, p. 990.
  2. Ibid.
  3. 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.
  4. L.1831, p. 465.
  5. R.S.1874, p. 1096.
  6. Ibid., p. 617; L.1923, p. 424; L.1933, p. 678.
  7. L.1909, p. 301.
  8. L.1931, p. 465.
  9. R.S.1874, p. 617; L.1923, p. 424.
  10. L.1871-72, p. 450,451; L.1873-74, p. 104,105.

tains Sheriff's Execution Docket, 1850-66, entry 253. Arr. by date of process. 1850-81, no index; 1899-- , indexed alph. by name of defendant. Hdw. under pr. hdgs. 150 - 500 p. 14 x 12 x 2 - 18 x 12 x 2 $\frac{1}{2}$ . 1 v. not labeled, v. B, 1 not labeled, 2, 6-9, 1850-1922, sh.'s vlt., 2nd fl.; v. 10-12, 1923-- , sh.'s priv. off., 2nd fl.

253. SHERIFF'S EXECUTIVE DOCKET, 1867-- . 6 v. (A, 1 not labeled, 2-5). Missing: 1871-98. 1850-66 in Sheriff's Process Docket, entry 252. Docket of executions, showing number of case, title of cause, date of writ, amount of damages and costs, sheriff's fees, amount of judgment, date of return, and remarks. Arr. by date of execution. Indexed alph. by name of defendant. Hdw on pr. fm. 150 p. 14 x 12 x 2. V. A, 1 not labeled, 2-4, 1867-1930, sh.'s vlt., 2nd fl.; v. 5, 1931-- , sh.'s priv. off., 2nd fl.

Jail Records

254. PRISON RECORD, 1869-1924. 2 v. (A, 1). Register of prisoners, showing date of commitment, name, personal description, nativity, intelligence statistics, and occupation of prisoner, offense, term of sentence, and note of physical or mental condition. Arr. by date of commitment. No index. Hdw. under pr. hdgs. 150 p. 18 x 12 x 1 $\frac{1}{2}$ . Sh.'s vlt., 2nd fl.

Fees, Receipts and Expenditures

255. MISCELLANEOUS COURT COSTS, 1914-- . 1 v. Register of miscellaneous fees due sheriff for service in court, showing date, title of service, amount earned and received, and name of sheriff. Also contains Register of Fees, 1933-- , entry 256. Arr. by date of service. No index. Hdw. under pr. hdgs. 125 p. 16 x 14 x 1. Sh.'s priv. off., 2nd fl.

256. REGISTER OF FEES, 1872-1932. 5 v. (2 not numbered, 2, 3, 5). Missing: 1915-23. Title varies: Receipts and Expenditures. 1933-- in Miscellaneous Court Costs, entry 255. Sheriff's register of fees due for serving writs, showing date, title of cause, kind of service, reference to book and page of sheriff's execution and process dockets, amounts of earnings and receipts, and name of court. Arr. by date of service. No index. Hdw. under pr. hdgs. 300 p., 18 x 12 x 2, - 18 x 14 x 2. Sh.'s vlt., 2nd fl.

257. CASH RECORD, 1930-- . 1 v. Record of all cash receipts and disbursements, showing date, title of cause, service, book and page of miscellaneous court costs, court fees, total fees, and deposits. Arr. by date of receipt or expenditure. No index. Hdw. under pr. hdgs. 400 p. 18 x 12 x 2. Sh.'s priv. off., 2nd fl.

## VIII. CORONER

The coroner's office in Piatt County has continued in existence from the organization of the county, in 1841, to the present.<sup>1</sup> The coroner is elected by the county electorate for a four-year term.<sup>2</sup> 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.<sup>3</sup> The coroner's bond in this county is required in the sum of \$5,000 and must be approved by the county judge.<sup>4</sup> 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.<sup>5</sup>

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.<sup>6</sup>

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.<sup>7</sup> In his own office, the coroner files and preserves the

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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. 32; L.1907, p. 213; L.1919, p. 403,404; L.1931, p. 388,399.
  7. L.1821, p. 24,25; R.S.1845, p. 518; R.S.1874, p. 283.

record of such testimony.<sup>1</sup> 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.<sup>2</sup>

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.<sup>3</sup>

258. CORONER'S INQUESTS, 1906--. 36 f.b.

Inquest papers showing name, age, sex, residence, and occupation of deceased; place and date of death, cause of death, names of witnesses and jurors, disposition of personal effects, coroner's verdict, and disposition of body. Arr. alph. by name of deceased. No index. Nature of recording varies. 6 x 5 x 12. Cor.'s off., 1st fl.

259. CORONER (Miscellaneous Papers), 1912--. 1 f.b.

Miscellaneous papers in coroner's cases, including verdicts of coroner's juries, mittimus, and writs of habeas corpus. No obvious arr. No index. Hdw. on pr. fm. 10 x 4 x 14. Cir. clk.'s vlt., 2nd fl.

260. CORONER'S RECORD, 1876--. 2 v. (A,B).

Record of coroner's inquests, showing name, age, sex, residence, and occupation of deceased, place, date, and cause of death, names of witnesses and jurors, disposition of personal effects, coroner's verdict, and disposition of body. 1876-1918, arr. by date of inquest; 1919--, arr. alph. by name of deceased. 1876-1918, indexed alph. by name of deceased; 1919--, no index. Hdw. on pr. fm. 600 p. 13 x 12 x 3. Cor.'s off., 1st fl.

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1. L.1869, p. 104, 105; R.S.1874, p. 283; L.1907, p. 213,214; L.1919, p. 293,294.
  2. L.1821, p. 25, 26; R.S.1874, p. 283.
  3. Constitution of 1870, Art. X, sec. 9; L.1831, p. 65.

## IX. STATE'S ATTORNEY

In Piatt County, since its organization in 1841, 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.<sup>1</sup> Legislation enacted in 1835 provided that the state's attorney be appointed by the General Assembly.<sup>2</sup> This provision remained effective until 1848, when the state's attorney became an elective officer of the circuit district electorate.<sup>3</sup> 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.<sup>4</sup> Bond in the sum of \$5,000 has been required since 1872.<sup>5</sup> 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.<sup>6</sup> In 1835 his term was set at two years.<sup>7</sup> 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.<sup>8</sup> In Piatt County the state's attorney receives an annual salary of \$2,000, 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.<sup>9</sup>

The duties of the state's attorney are the following:

1. To commence and prosecute all actions, suits, indictments, and prosecutions, civil and 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 for-

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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. 22; 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.1909, p. 231-33; L.1929, p. 474-76; L.1937, p. 607.

feitures 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.
4. To defend all actions and proceedings brought against his county or against any county or state officer, in his official capacity, in his county.
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.<sup>1</sup>
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.<sup>2</sup>

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1. R.S.1845, p. 76; R.S.1874, p. 172-74.

2. L.1909, p. 406; L.1912, Third Sp. Sess., p. 88; L.1929, p. 475.

For state's attorney's reports to circuit court, see entries, 233, 235, 236.

261. STATE'S ATTORNEY'S RECORD, 1937--. 1 v. (1). State's attorney's record of fines collected, showing date, name of defendant, type of offense, in what court fined, disposition of case, amount of state's attorney's fees and court costs, and date of payment. Arr. by date of payment. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 600 p. 18 x 12 x 3. State's atty.'s off., 2nd fl.

## X. SUPERVISOR OF ASSESSMENTS

The county supervisor of assessments, with the aid of the township assessors in Piatt 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.<sup>1</sup> Many statutory provisions have regulated this function in Piatt County. Early laws fixed the value of the several categories of real and personal property, leaving to the assessing officer only limited discretion.<sup>2</sup>

Property assessments in Piatt County were first made by district assessors, appointees of the county commissioners' court.<sup>3</sup> In 1844, this duty was assumed by the county treasurer<sup>4</sup> and continued to be vested in that office until 1860, when township organization was instituted in this county<sup>5</sup> and assessments were made by township assessors elected one in each township annually.<sup>6</sup>

Between 1849 and 1898, the assessing officers in Piatt County received their assessment lists from, and reported assessments to, the county clerk.<sup>7</sup> In the latter year, the legislature provided that the county treasurer should be ex-officio supervisor of assessments.<sup>8</sup> From that date until the present, the township assessors have worked under the direction of, and reported the assessment of property to, the county

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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. Piatt County adopted township organization in 1859, but the change was not effective until 1860.
  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.

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.<sup>1</sup>

For other taxation records, see entries 27-47, 82[iii, ix, xviii, xxxv], 95, 125, 265-270, 302, 321-324, 326-328, 331.

262. SCHEDULES PERSONAL PROPERTY, 1935--. 5 f.b.

Schedules of real estate and personal property, showing name and address of owner, number of school district and name of township, valuation, date, oath and signature of assessor. Arr. alph. by name of twp. No index. 12 x 16 x 22. Treas.'s off., 1st fl.

263. ROAD TAX AND RAILROAD TAX LIST, 1898-1932. 16 f.b. (13-15, 41, 51-53, 70, 71, 161, 163, 164, 167, 168, 372, 530). 1868-97, 1933-- in (Miscellaneous Papers), entry 82.

Railroad tax schedules, road and bridge tax lists, and levies for road and bridge funds. Arr. by date of paper. For index, see entry 1. Nature of recording varies. 10 x 4 $\frac{1}{2}$  x 14. Co. clk.'s vlt., 1st fl.

264. TELEGRAPH AND TELEPHONE TAX RECORD, 1922--. 1 v.

Tax schedules for telephone and telegraph companies, showing name of company, location and description of property, nature of assessment, total amount of tax due, and dates. Arr. by date of levy. No index. Hdw. on pr. fm. 250 p. 18 x 12 x 3. Treas.'s vlt., 1st fl.

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1. L.1898, 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.<sup>1</sup> 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.<sup>2</sup> In 1849, when the county court succeeded the county commissioners' court in Piatt County, appeals were made to that body.<sup>3</sup> When township organization was instituted in 1860<sup>4</sup> this jurisdiction was given to the town board composed of the township supervisor, clerk, and assessor.<sup>5</sup> 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 was empowered to increase or diminish the aggregate valuation of real estate in any town accordingly. They could make whatever alterations they deemed necessary in the description of the lands of nonresidents and were required to assess the value of any lands omitted by the assessor.<sup>6</sup> 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.<sup>7</sup>

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 citi-

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1. 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. 71, 75-78; L.1935, p. 1163-66.
  2. L.1839, p. 7; L.1843, p. 237; L.1845, p. 8; R.S.1845, p. 441.
  3. L.1849, p. 65.
  4. Piatt County adopted township organization in 1859, but the change was not effective until 1860.
  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. L.1871-72, p. 24, 25.

zen appointed by the county judge.<sup>1</sup> 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.<sup>2</sup>

Today, the board of review in Flatt 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 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.<sup>3</sup>

For other taxation records, see entries 27-47, 82, iii, ix, xviii, xxxv], 95, 125, 262-264, 267-270, 302, 321-324, 326-328, 331.

265. BOARD OF REVIEW RECORD, 1889--. 5 v. (1-5).

Transcript of minutes of board of review meetings, showing names of complainant and members of the board, nature of complaint, and orders of the board. Arr. by date of meeting. No index. Hdw. 300 p. 16 x 12 x 2. V. 1-4, 1889-1928, co. clk.'s vlt., 1st fl.; v. 5, 1929--, co. clk.'s off., 2nd fl.

266. COMPLAINT DOCKET, 1899--. 2 v.

Docket of complaints to board of review, showing complaint number, name of complainant, description and valuation of property, cause of complaint, and findings and orders of the board. Arr. by date of complaint. Indexed alph. by name of complainant. Hdw. under pr. hdgs. 150 p. 18 x 12 x 2. 1 v., 1899-1932, co. clk.'s vlt., 1st fl.; 1 v., 1933--, supervisors' rm., 1st fl.

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1. L.1898, p. 46.
  2. L.1923, p. 496,497; L.1931-32, First Sp. Sess., p. 71,72.
  3. 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.1935, p. 1153-56.

## XII. COLLECTOR

Tax collections in Piatt County were first made by the county collector who was appointed by the county commissioner's court.<sup>1</sup> This office was in existence from 1841 to 1844, when the sheriff became ex-officio county collector<sup>2</sup> and continued to act in this capacity until 1860; in that year township organization was instituted in this county,<sup>3</sup> and tax collections became the joint responsibility of the township and the county, with the county treasurer acting as ex-officio county collector.<sup>4</sup>

Under this plan, town collectors, elected one in each township,<sup>5</sup> made collections of resident property taxes;<sup>6</sup> nonresident and delinquent taxes were collected by the county treasurer.<sup>7</sup> 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.<sup>8</sup> 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 by himself.<sup>9</sup>

The collection procedure in Piatt 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.<sup>10</sup> As Piatt County has not attained this population minimum,<sup>11</sup> the county col-

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1. L.1839, p. 7.
  2. L.1843, p. 284; L.1853, p. 99. The sheriff was ex-officio county collector from 1819 to 1839 (L.1819, p. 316).
  3. Piatt County adopted township organization in 1859, but the change was not effective until 1860.
  4. L.1851, p. 38, 59-64; L.1853, p. 67.
  5. L.1851, p. 38.
  6. Ibid., p. 59.
  7. Ibid., p. 53.
  8. L.1855, p. 37.
  9. L.1871-72, p. 56, 57; L.1873-74, p. 56; L.1930, First Sp. Sess., p. 66, 67; 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. L.1917, p. 793.
  11. The population of Piatt County was 16,376 in 1910; 15,714 in 1920; and 15,588 in 1930. Population Bulletin, p. 9.

lector has since 1917, made collections for the townships as well as for the county.<sup>1</sup>

The county collector is bonded in an amount determined by the county board in addition to that bond required of him as county treasurer.<sup>2</sup> 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.<sup>3</sup> He also settles annually with the county board.<sup>4</sup> He prepares an annual list of delinquent property and files it with the county clerk,<sup>5</sup> advertises his intention of applying for judgment for sale of delinquent lands and lots,<sup>6</sup> and is required to attend, in person or by deputy, all tax sales resulting from this action.<sup>7</sup> The county clerk, in person or by deputy, is also required to attend all tax sales.<sup>8</sup> At such sales, the clerk and collector note and make entry of all tax sales and forfeitures to the state.<sup>9</sup>

The county collector is required to keep his records as collector of taxes separate from his records as county treasurer.<sup>10</sup> 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 entries 27-47, 82[iii, ix, xviii, xxxv], 95, 125, 252-256, 302, 321-324, 325-328, 331.

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1. L.1925, p. 605; L.1929, p. 774,775; L.1931, p. 905-3; L.1933, p. 1115, 1116.
  2. 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.
  3. L.1871-72, p. 56-59; L.1933, p. 922; L.1935, p. 1156,1213; L.1935-36, Fourth Sp. Sess., p. 63,69.
  4. L.1871-72, p. 55; L.1935, p. 1155,1156.
  5. L.1898, p. 51; L.1931, p. 759.
  6. L.1871-72, p. 44; L.1937, p. 1010.
  7. L.1871-72, p. 43; L.1930, First Sp. Sess., p. 64.
  8. L.1871-72, p. 48.
  9. *Ibid.*, L.1933, p. 886.
  10. L.1917, p. 664,665; L.1930, First Sp. Sess., p. 60-62; L.1935, p. 1149-58.

## 267. COLLECTOR'S ACCOUNTS - COUNTY FUNDS, 1872--. 3 v.

Collector's account with townships on tax collections, showing date, tax spread, amount delinquent, errors, county and local collectors' commissions, total amount delinquent, and total amount of collections. Arr. by date of collection. No index. Hdw. under pr. hdgs. 200 p. 18 x 12 x 2. 1 v., 1872-1909, co. clk.'s vlt., 1st fl.; 2 v., 1910-- , co. clk.'s off., 2nd fl.

## 268. TREASURER'S SETTLEMENT RECORD, 1870--. 13 v. (1 not numbered, 2-13).

Treasurer's settlement with county collector in account with townships, showing type of tax, current tax extended, amount of back tax, total charge, credits, county clerk's fees, county and local collectors' commissions, amount due treasurer, total accounted for, total amount paid, and date of final settlement. Arr. by date of settlement. No index. Hdw. on pr. fm. 250 p. 12 x 22 x 3. Treas.'s vlt., 1st fl.

## 269. TAX RECEIPTS, 1937--. 20 v.

Duplicate tax receipts, showing names of township and owner, description of property, assessed valuation, school district number, and amount and date of payment. Arr. alph. by name of owner. No index. Hdw. on pr. fm. 450 p. 8 x 11 x 5. Treas.'s off., 1st fl.

## 270. ABATEMENT RECORD, 1927--. 2 v. (A, 1 not lettered).

Statements of tax abatements, showing name and address of taxpayer, forfeitures, errors, and insolvencies, date and amount of abatement, and type of tax. Arr. by sec., twp., and range nos. No index. Hdw. on pr. fm. 150 p. 27 x 14 x 2. Treas.'s vlt., 1st fl.

## XIII. TREASURER

The treasurer has been an elective official in Piatt County since its organization in 1841.<sup>1</sup> He is commissioned by the Governor for a four-year term.<sup>2</sup> 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.<sup>3</sup> The penal sum of the treasurer's bond and his securities are determined by the county board.<sup>4</sup> 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.<sup>5</sup> 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.<sup>6</sup>

The treasurer acts as ex-officio treasurer of the special drainage district.<sup>7</sup>

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1. L.1837, p. 49; 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. 49); 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. 194,195; 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.

Treasurer - General  
Accounts

General Accounts

Registers and Ledgers (See  
also entry 5)

271. TREASURER'S ACCOUNT OF COUNTY FUNDS, 1873--. 3 v.  
Account record of county funds, including county farm, road, dog license, registrar of births and deaths, court costs and fees, tuberculosis, mothers' pension, dependent children, and county officers, showing dates, amount, and purpose of receipts and disbursements, names of payee and payer, and balance. Also contains Highway Funds Received, 1914-35, entry 282. Arr. by date of receipt or disbursement. No index. Hdw. under pr. hdgs. 300 p. 18 x 14 x 2. Treas.'s vlt., 1st fl.

272. APPROPRIATION LEDGER, 1936--. 2 v.  
Ledger of appropriations for county funds, showing amounts of levy and appropriation, title of fund, date and amount of receipt or disbursement, and balance in fund. Arr. by date of entry. No index. Hdw. under pr. hdgs. 300 p. 10 x 12 x 2. Treas.'s vlt., 1st fl.

273. REGISTER OF BANK DEPOSITS, 1933--. 3 v.  
Register of county funds deposited in various banks in county, showing name of bank, and date and amount of deposit. Arr. alph. by name of bank. No index. Hdw. under pr. hdgs. 100 p., 10 x 12 x 1 - 12 x 18 x 1. Treas.'s off., 1st fl.

Cash Books

274. CASH BOOKS, 1918--. 19 v.  
Daily cash book of moneys received and paid out of county funds, showing date, amount and purpose of receipt or expenditure, name of payee and payer, and balance. Arr. by date of receipt or disbursement. No index. Hdw. under pr. hdgs. 140 p. 14 x 10 x 1. Treas.'s vlt., 1st fl.

County Orders (See  
also entries 8-17)

275. REGISTER OF COUNTY ORDERS, 1870--. 6 v. (A, 3, 1 not labeled, 3-5).  
Register of county orders issued by the county clerk and county treasurer, showing name of payee, date, purpose, and amount of order, and date of payment. Also contains County Highway Warrant Register, 1931-35, entry 281. Arr. by warrant no. No index. Hdw. on pr. fm. 350 p. 18 x 12 x 3. Treas.'s off., 1st fl.

276. CANCELLED CHECK AND DEPOSIT SLIPS, 1935--. 2 f.b.  
Cancelled checks and deposit slips showing date, amount, by whom deposited and withdrawn, and name of bank. Arr. by date of check or deposit slip. No index. Hdw. on pr. fm. 10 x 5 x 14. Treas.'s vlt., 1st fl.

Special Accounts

School (See also  
entries 5, 288-292)

277. INSTITUTE FUND RECORD, 1893--. 1 v. (1).  
Record of institute funds, showing amount of fees paid to county treasurer, and amount paid out by warrant of county superintendent of schools, including name of person receiving order or warrant. Arr. by date of warrant. No index. Hdw. on pr. fm. 300 p. 18 x 12 x 2. Treas.'s vlt., 1st fl.

278. NON-HIGH SCHOOL FUND, 1913--. 1 v.  
Record of receipts from non-high school tax, showing date, amount, and from whom received, and distribution made to treasurers of non-high school districts. Arr. by date of receipt. No index. Hdw. on pr. fm. 150 p. 16 x 12 x 1. Treas.'s vlt., 1st fl.

Probate

279. TRUST FUND RECORD, 1874--. 2 v. (1,2).  
Record of moneys received by county treasurer and held in trust for various claimants, showing to whom due and paid, dates, and record of expense incurred in handling. Arr. by date of receipt. No index. Hdw. on pr. fm. 150 p. 18 x 12 x 1. Treas.'s vlt., 1st fl.

Inheritance Tax (See also  
entry 145)

280. ESTATE RECORD (Inheritance Tax Register), 1911--. 3 v.  
Register of inheritance taxes paid, showing names of estate, appraiser, county clerk, and treasurer, description of property, value of estate as returned by appraiser, cash value of annuities, rate of tax, interest, total tax, and date of payment. Arr. by date of payment. No index. Hdw. under pr. hdgs. 100 - 200 p. 16 x 12 x 1 - 18 x 12 x 1. Treas.'s vlt., 1st fl.

Highway (See also  
entries 5, 8, 9, 12,  
305-308, 313-316)

281. COUNTY HIGHWAY WARRANT REGISTER, 1936--. 1 v. 1931-35 in  
Register of County Orders, entry 275.  
Register of cancelled highway warrants, showing date, amount, and purpose of warrant, warrant and claim numbers, name of payee, and date of cancellation by bank. Arr. by date of warrant. No index. Hdw. under pr. hdgs. 50 p. 14 x 12 x 1/2. Treas.'s vlt., 1st fl.

282. HIGHWAY FUNDS RECEIVED, 1936--. 1 v. 1914-35 in Treasurer's Account of County Funds, entry 271.

Register of highway funds received, showing name of fund, date and number of receipt, from whom received, total receipts, and treasurer's fees. Arr. alph. by type of fund. No index. Hdw. under pr. hdgs. 100 p. 12 x 18 x 1. Treas.'s vlt., 1st fl.

283. MOTOR FUEL TAX ALLOTMENT RECORD, 1936--. 1 v.

Record of allotments of the motor fuel tax to various highway funds, showing to what highway fund allotted, date, purpose, and amount of receipts and disbursements, and balance available. Arr. alph. by type of fund. No index. Hdw. under pr. hdgs. 100 p. 10 x 12 x 1. Treas.'s vlt., 1st fl.

Dog License (See also  
entry 75)

284. SHEEP CLAIMS, 1930--. 1 f.b.

claims for damages to sheep, showing names of owner and township supervisor, date and number of sheep killed or damaged, amount of payment, and date of cancellation. Arr. by date of claim. No index. Hdw. on pr. fm. 10 x 5 x 14. Treas.'s vlt., 1st fl.

County Officers and  
Court Fees

285. REGISTER OF EX-OFFICERS AND WITNESS FEES, 1910--. 1 v. (2).

Register of delinquent fees due and paid ex-officers and witness fees paid through treasurer, showing date and amount received by treasurer, name of ex-official or witness, date of advertising, date and amount of payment, and remarks. Arr. alph. by name of payee. No index. Hdw. under pr. hdgs. 300 p. 18 x 12 x 2 $\frac{1}{2}$ . Treas.'s vlt., 1st fl.

286. REGISTER OF FEES, 1910--. 1 v. (1).

Register of fees paid to county treasurer, showing type of fee, amount and date of payment, and source of receipt. Arr. by date of payment. Indexed alph. by name of payer. Hdw. under pr. hdgs. 350 p. 18 x 12 x 3. Treas.'s vlt., 1st fl.

Drainage (See also  
entries 7, 10, 17,  
327, 328)

287. DRAINAGE TREASURER'S ACCOUNTS, 1885--. 6 v. (1 not numbered, 2, 3-5).

Drainage treasurer's record of receipts and disbursements, showing date, amount, number and purpose of receipt or disbursement, legal description and numbers of subdivision or section, town and range, number of acres, amount of assessment, and total receipt. Arr. by subdistrict no. No index. Hdw. under pr. hdgs. 250 p. 16 x 12 x 2. Treas.'s vlt., 1st fl.

## XIV. SUPERINTENDENT OF SCHOOLS

The first county school official in Piatt County was the county school commissioner who was elected for a two-year term.<sup>1</sup> 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 kept for that purpose.<sup>2</sup> The school commissioner also reported to the county commissioners' court on his other transactions in regard to the school fund.<sup>3</sup> In 1845 the office of county superintendent of schools was created as an ex-officio office of the county school commissioner.<sup>4</sup> 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.<sup>5</sup> In 1868 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.<sup>6</sup>

The superintendent of schools is a statutory office, now elective for a term of four years.<sup>7</sup> Before entering upon his duties he must take and subscribe to an oath and execute a bond in the penal sum of not less than \$12,000 to be approved by the county board or by the judge and clerk of the county court.<sup>8</sup> 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.<sup>9</sup> The boards of trustees appoint their own treasurers who also act as clerks of the township (or school district) boards.<sup>10</sup>

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:

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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.1909, p. 345.
  9. L.1847, p. 126; L.1909, p. 350; L.1929, p. 745.
  10. L.1917, p. 843; L.1929, p. 745.

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 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.<sup>1</sup>

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.<sup>2</sup> Twenty years later, the superintendent of schools was required to hold the institute annually.<sup>3</sup> A fund was set up for this purpose which has continued to be made up of the fees received from applications for teachers' certificates and from teachers' registrations. 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.<sup>4</sup>

Accounts of School Funds  
(See also entries 5, 277, 278)

288. RECEIPTS AND EXPENDITURES, 1873--. 2 v. (1 not numbered, 3).  
Missing: 1882-85.

Superintendent's record of receipts and expenditures from which annual report to board of supervisors is made, showing title of fund, date, amount, and purpose of receipt or expenditure, names of payee and payer, school district number, and balance available. Arr. alph. by name of fund. No index. Hdw. under pr. hdgs. 500 p. 12 x 8 x 2. Off. of supt. of sch., 1st fl.

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1. 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. 630-38.
  2. L.1869, p. 394.
  3. L.1889, p. 312.
  4. L.1905, p. 385; L.1931, p. 376.

Superintendent of Schools -  
School Districts; Teachers'  
Records

289. JOURNAL (Distributive and Institute Fund), 1886--. 1 v.  
County superintendent's daily account of school and institute funds, showing from whom received, nature of distribution, amounts, and dates. Also contains Record of Treasurers' Accounts, 1902--, entry 290. Arr. by date of entry. No index. Hdw. 400 p. 12 x 8 x 2. Off. of supt. of sch., 1st fl.

290. RECORD OF TREASURERS' ACCOUNTS, 1881-1901. 1 v. 1902-- in Journal (Distributive and Institute Fund), entry 289.  
Record of school district accounts and register of notes and securities, showing school district number, receipts, disbursements, and balance of fund on hand, amount of loanable fund, names of sureties and persons receiving loan of school funds, amount of bond, rate of interest, and dates. Arr. by date of account. Indexed alpk. by name of twp. Hdw. on pr. fm. 150 p. 18 x 12 x 3. Off. of supt. of sch. 1st fl.

291. PENSION RECORD, 1914--. 3 v. (A-C).  
Record of teachers' pension fund, showing name and address of teacher, number of school district, amount of salary per year, and date and amount deducted for pension fund. Arr. by date of payment to fund. No index. Hdw. under pr. hdgs. 300 p. 12 x 8 x 3. Off. of supt. of sch., 1st fl.

292. CLAIMS FOR STATE AID, 1934--. 1 bdl.  
Claims for state aid, showing number of school district, financial statement of district, general information, names of teachers, and budget allowed. Arr. by date of claim. No index. Hdw. on pr. fm. 9 x 8 x 1<sup>1</sup>/<sub>2</sub>. Off. of supt. of sch., 1st fl.

School Districts

293. NON-HIGH SCHOOL DISTRICT RECORD, 1917--. 1 v.  
Record of proceedings of non-high school board of education, showing minutes of meetings and financial accounts; also includes a list of eighth-grade graduates who attended high school from the non-high school district during 1918-22. Arr. by date of meeting. No index. Hdw. on pr. fm. 180 p. 14 x 12 x 1. Off. of supt. of sch., 1st fl.

Teachers' Records

294. COUNTY SUPERINTENDENT'S EXAMINATION RECORD, 1865--. 5 v. Missing: 1886-94, 1911-13.  
Record of teachers' examinations, showing name, address, age, and nativity of teacher, date of examination, grade and date of certificate. Volume for 1895-1910 also contains petitions, notices, and records of the organization of township and community high school districts. Arr. by date of examination. No index. Hdw., hdw. on pr. fm., and typed on pr. fm. 150 p. 16 x 12 x 1. Off. of supt. of sch., 1st fl.

295. TEACHERS' APPLICATION, 1914--. 23 bdl.

Applications for teachers' certificates, showing name, address, and age of teacher, name of institution from which graduated, number of teaching months, name of course and school, total education received, and dates. Arr. by date of application. No index. Hdw. on pr. fm. 11 x 8 x 2. Off. of supt. of sch., 1st fl.

296. (TEACHERS' PERMANENT RECORD CARDS), 1915--. 1 f.d.

Teachers' pension and service record showing name and address of teacher, beginning date of teaching in Illinois, whether pension contributions are compulsory or elective, previous service, and district number. Arr. alph. by name of teacher. No index. Hdw. on pr. fm. 12 x 12 x 22. Off. of supt. of sch., 1st fl.

297. TEACHERS' PERMANENT RECORD, 1914--. 2 v.

Teachers' permanent record, showing name, age, and address of teacher, certificate number, date of issue, subjects taken, grades received, schools attended by teacher, professional credits, date of employment, teaching experience, and date and grade of certificate. Arr. by date of employment. For index, see entry 298. Hdw. on pr. fm. 400 p. 10 x 16 x 1½. Off. of supt. of sch., 1st fl.

298. INDEX TO TEACHERS' PERMANENT RECORD, 1914--. 1 v.

Index to Teachers' Permanent Record, entry 297, showing name of teacher, address, and book and page of entry. Arr. alph. by name of teacher. Hdw. under pr. hdgs. 150 p. 14 x 9 x 1. Off. of supt. of sch., 1st fl.

299. INSTITUTE REGISTER (Application), 1885-1913. 7 v. Missing: 1889, 1890, 1893-96.

Copies of applications for teachers' certificates, showing name, age, and address of teacher, educational background, name of institution from which graduated, number of months and schools of service, course taught, total education received, and dates. Arr. alph. by name of teacher. No index. Hdw. on pr. fm. 200 p. 9 x 8 x 1. Off. of supt. of sch., 1st fl.

300. CONSTITUTION AND BY-LAWS OF THE PIATT COUNTY TEACHERS' ASSOCIATION, 1891-95. 1 v.

Record of constitution and by-laws of Piatt County Teachers' Association, showing names of members, dates of meetings, and names of teachers present. Arr. by date of meeting. No index. Hdw. 100 p. 12 x 8 x 1. Off. of supt. of sch., 1st fl.

Pupils Records

301. FINAL EXAMINATION RECORD, 1883--. 7 v. Missing: 1890-95.

Record of final examination of pupils in common schools, showing name, age, school, and grades received. Arr. by date of examination. No index. 1883-1910, hdw.; 1911--, hdw. under pr. hdgs. 200 - 600 p. 12 x 8 x 1 - 12 x 8 x 4. Off. of supt. of sch., 1st fl.

Reports

302. COUNTY SUPERINTENDENT'S ANNUAL REPORTS, 1868--. 71 v.

Annual reports of the county superintendent of schools, showing name and enrollment of each school, names of teachers, positions, qualifications, promotion of health and attendance, tax levies, salaries of teachers, fund records, receipts and expenditures of superintendent, tuitions paid, investments, general and financial reports, number of one-room schools, and remarks. Arr. by subject matter. No index. Hdw. on pr. fm. 50 p. 14 x 7 x  $\frac{1}{2}$ . Off. of supt. of sch., 1st fl.

303. TRUSTEES' ANNUAL REPORTS, 1862--. 74 v.

Annual reports of school trustees to superintendent of schools, showing names of trustees, school, and teachers, school census, number of school district, activities for promotion of health and attendance, income from taxes and other sources, qualifications and annual salaries of teachers, and account of expenditures. Arr. by date of report. No index. Hdw. on pr. fm. 16 p. 14 x 8 x  $\frac{1}{2}$ . Off. of supt. of sch., 1st fl.

School Treasurers' Bonds

304. (TOWNSHIP TREASURERS' BONDS), 1906--. 7 f.b.

Township school treasurers' bonds showing names of principal, sureties, and township, date, amount, and terms of bond, notarial acknowledgement, and date of filing. Arr. by date of bond. No index. Hdw. on pr. fm. 6 x 5 x 12. Off. of supt. of sch., 1st fl.

## XV. SUPERINTENDENT OF HIGHWAYS

From 1841 to 1849 the county commissioners' court exercised jurisdiction over roads and bridges in Piatt County.<sup>1</sup> 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.<sup>2</sup> 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 supervisors' duty to summon these men for work when road labor was needed.<sup>3</sup>

From 1849 to 1860, the county court in Piatt 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.<sup>4</sup>

In 1860, when township organization was instituted in Piatt County,<sup>5</sup> 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.<sup>6</sup> This system of road control and maintenance obtained until 1913; in that year the office of superintendent of highways was first established.<sup>7</sup> 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

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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. Township organization, adopted in 1859, was not effective until 1860.
  6. L.1849, p. 212.
  7. L.1913, p. 524.

Superintendent of  
Highways

to determine the person best fitted for the office.<sup>1</sup> 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 duties as may be prescribed by the chief highway engineer of the state.<sup>2</sup>

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.<sup>3</sup>

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.<sup>4</sup>

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1. L.1921, p. 781; L.1933, p. 961. From 1913 to 1917 the list was submitted to the State Highway Commission (L.1913, p. 524). 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.1917, p. 4,16,24).

2. L.1921, p. 782; L.1933, p. 961.

3. L.1913, p. 523-26.

4. Ibid., p. 525.

Superintendent of Highways -  
Commissioners' Records;  
Construction and Maintenance  
Records

Commissioners' Records

305. COUNTY SUPERINTENDENT OF HIGHWAYS RECCRD BOOK, 1924--. 1 v.  
Distribution record of highway funds, showing name of fund, type of construction or improvement, date, name of contractor, amount of contract, specifications of material and labor, and itemized financial statements. Arr. by date of contract. No index. Typed and hdw. under pr. hdgs. 350 p. 11 x 15 x 2. Off. of supt. of hwys., 1st fl.

306. CASH BOOK, 1936--. 1 v.  
Cash book of receipts and disbursements, showing date, amounts received or disbursed, and balance available. Arr. by date of entry. No index. Hdw. under pr. hdgs. 200 p. 13 x 18 x 1. Cff. of supt. of hwys., 1st fl.

307. (MOTOR FUEL TAX PAPERS), 1935--. 1 f.d.  
Original motor fuel tax papers including requests for construction and maintenance of roads, road changes, approvals or disapprovals, with date, lists of material required, itemized statements of receipts and expenditures, and balance available. Arr. by date of document. No index. Typed and hdw. 11 x 12 x 26. Supt. of hwys. off., 1st fl.

308. (BUDGET ACCOUNT), 1936--. 1 f.d.  
Budgets and appropriations for road and bridge construction, maintenance, purchase of machinery, and other accounts, showing date, amount of claim, name of claimant, amount and date of appropriation, and balance available. Arr. by date of claim. No index. Hdw. under pr. hdgs. 11 x 12 x 26. Off. of supt. of hwys., 1st fl.

Construction and Maintenance Records

Plans and Specifications

309. COUNTY HIGHWAYS AND BRIDGES, 1921--. 800 plans.  
Construction plans of county roads and bridges, showing location of project, length, width, elevation, cross sections, and details of special and unusual constructions, material specifications, and indications of how and where materials are to be placed. Artist, Robert Bower. Published in Monticello, Illinois. 1 in. to 100 ft.; 1/2 in. to 10 ft. 22 x 36. Off. of supt. of hwys., 1st fl.

310. VILLAGE OF ATWOOD PAVING, 1924. 3 maps.  
Maps of construction details for the street paving of streets of village of Atwood, showing outlines of streets, specifications, cross-sectional dimensions, and locations of improvements. Author, W. J. Day, engineer. Blueprint. 1 in. to 10 ft. 24 x 36. Co. clk.'s vlt., 1st fl.

Superintendent of Highways -  
Allotments and Claims;  
Warrants

Contracts

311. CONTRACT CONSTRUCTION LEDGER, 1924--. 1 v.

Record of contracts for construction and improvements of highways, showing bids, requisitions, orders to let contract, name of contractor, material specifications, and date and amount of contract. Arr. by date of contract. Indexed alph. by name of improvement. Typed and hdw. under pr. hdgs. 350 p. 18 x 13 x 2. Off. of supt. of hwys., 1st fl.

Labor

312. (TIME CARDS), 1935--. 1 f.d.

Daily time reports showing distribution of labor and material, date, number of hours of work, rate of pay, and total costs. Arr. by date of report. No index. Typed on pr. fm. 11 x 12 x 26. Off. of supt. of hwys., 1st fl.

Allotments and Claims

313. MOTOR FUEL TAX ALLOTMENT RECORD, 1938--. 1 v.

Ledger of motor fuel tax allotments, showing date, amount requested by county board, claim and receipt numbers, and total amount of receipts and fund distribution. Arr. by date of allotment. No index. Hdw. under pr. hdgs. 350 p. 12 x 16 x 2. Off. of supt. of hwys., 1st fl.

314. (COUNTY HIGHWAY CLAIMS), 1932--. 1 f.d.

Original highway claims showing warrant and claim numbers, date, amount, and purpose of claim, and name of claimant. Arr. by date of claim. No index. Hdw. and typed on pr. fm. 11 x 12 x 26. Off. of supt. of hwys., 1st fl.

315. CLAIM REGISTER PIATT COUNTY, 1936--. 1 v.

Register of claims against highway funds, showing date, amount, and purpose of claim, name of claimant, cost distribution, and amount of payment. Arr. by date of claim. No index. Hdw. and typed under pr. hdgs. 350 p. 12 x 16 x 2. Off. of supt. of hwys., 1st fl.

Warrants

316. (PURCHASE ORDERS), 1936--. 1 f.d.

Duplicate highway purchase orders showing names of fund and firm, nature of purchase, quantity, price, date, and amount of order. Arr. by date of purchase. No index. Hdw. and typed on pr. fm. 11 x 12 x 26. Off. of supt. of hwys., 1st fl.

Reports

317. (STATE AUDITOR'S REPORTS), 1932--. 1 f.d.

Duplicates of reports of motor fuel fund transactions to state auditor, showing itemized receipts and disbursements of motor fuel tax funds, amount available, acknowledgment, and date of report. Arr. by date of report. No index. Typed on pr. fm. 11 x 12 x 26. Off. of supt. of hwys., 1st fl.

Correspondence

318. (LETTER FILE), 1935--. 1 f.d.

General correspondence to and from superintendent regarding construction and improvements of highways and bridges. Arr. by date of correspondence. No index. Typed. 11 x 12 x 26. Off. of supt. of hwys., 1st fl.

## XVI. SURVEYOR

The office of surveyor was first established in Illinois in 1821; the incumbent was an appointee of the General Assembly.<sup>1</sup> During the recess of the legislature nominations were made by the county commissioners' court to the Governor.<sup>2</sup> From 1835 to 1936, the county surveyor was an elected officer of the county electorate.<sup>3</sup> 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.<sup>4</sup>

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.<sup>5</sup>

For other records of surveys, see entries 112, 113

## 319. SURVEYOR'S RECORD, 1843--. 5 v. (A-L).

Record of surveys made by county surveyors and engineers, showing plats and description of land, names of owner, and surveyor or engineer, location of witness trees and cornerstones, and dates of survey and recording. Arr. by date of recording. 1843-1850, indexed alph. by name of land owner; 1851--, no index. Hdw. 500 - 600 p. 12 x 9 x 2 - 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

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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.1936, p. 1104. Effective in 1936.
  5. L.1821, p. 65, 64; R.L.1829, p. 173; R.L.1833, p. 591-95, 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.<sup>1</sup> By statutory provision these activities are exercised by drainage commissioners in districts of Fiatt 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.<sup>2</sup>

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.<sup>3</sup> The districts are of three kinds: regular, which is composed of property lying in a single town; union, where the lands organized lie in two towns; special, with three or more towns involved.<sup>4</sup>

After the report on a proposed district has been made, the court completes the organization of the district.<sup>5</sup> 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.<sup>6</sup> In regular districts the commissioners appoint one of their number to act as secretary. The town clerk in union district acts as the clerk of the district.<sup>7</sup> The county clerk and county treasurer in cases of the

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1. Constitution of 1870, Art. IV, sec. 31.
  2. First amendment to the constitution, ratified November 29, 1873, 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. 429; 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.

special drainage districts are, respectively, ex-officio clerk<sup>1</sup> and treasurer<sup>2</sup> of each district.

Union and special drainage districts are maintained in Piatt 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).
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.<sup>3</sup>

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 records pertaining to drainage districts see entries 7, 10, 17, 30-32, 125, 287.

320. DELAND SPECIAL DRAINAGE DISTRICT, 1930--. 2 f.b.  
Papers of DeLand special drainage district organization, reports of commissioners, plans, claims, poll books, and election returns of commissioners' elections. Arr. by date of document. No index. Nature of recording varies. 10 x 4 $\frac{1}{2}$  x 14. Co. clk.'s vlt., 1st fl.

321. HAMMOND MUTUAL DRAINAGE DISTRICT, 1885--. 2 f.b.  
Papers of the Hammond mutual drainage district, including plans, special assessment rolls, claims, cancelled orders, bids, contracts, and minutes of special meetings. Arr. by date of document. Nature of recording varies. 10 x 4 $\frac{1}{2}$  x 14. Co. clk.'s vlt., 1st fl.

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1. L.1835, p. 96; L.1915, p. 390; L.1919, p. 468.
  2. L.1845, p. 78,104.
  3. L.1879, p. 130-34; L.1885, p. 78-104.

322. HAMMOND MUTUAL DRAINAGE DISTRICT, 1885--. 3 v. (A, 1885-1914, 1927--; 2 not lettered, 1915-23).

Record of Hammond mutual drainage district proceedings, showing names of property owners, leases, description of land, resolutions and actions of commissioners, and amount of taxes levied. Arr. by date of proceedings. Indexed alph. by name of subject matter. Hdw. 175 - 300 p. 8 x 12 x 1 - 13 x 12 x 2. V. A, co. clk.'s off., 2nd fl.; 2 v. not lettered, co. clk.'s vlt., 1st fl.

323. LAKE FORK SPECIAL DRAINAGE DISTRICT OF CHAMPAIGN, PIATT, AND DOUGLAS COUNTIES (Files), 1885--. 19 f.b. (1-18, 21).

Original papers of Lake Fork special drainage district, including resolutions of commissioners, treasurer's reports, certificates of levy, notices of letting of contracts, engineers' reports of estimates of costs, and bonds and oaths of commissioners. Arr. by date of paper. For index, see entry 1. Hdw.; hdw. on pr. fm.; typed; and typed on pr. fm. 10 x 5 x 14. Co. clk.'s vlt., 1st fl.

324. LAKE FORK SPECIAL DRAINAGE DISTRICT AND ITS SUBDISTRICTS, 1885--. 16 f.b.

Documents of Lake Fork special drainage district, and its subdistricts including commissioners' bonds, tax levies, special assessments, lists of owners of lands and respective acreage, reports of commissioners and engineers, estimates, bids, contracts, construction details, maps, profiles, and court orders. Arr. by date of document. No index. Hdw.; hdw. on pr. fm.; typed; and typed on pr. fm. 10 x 4 $\frac{1}{2}$  x 14. Co. clk.'s vlt., 1st fl.

325. LAKE FORK SPECIAL DRAINAGE DISTRICT; CHAMPAIGN, PIATT, AND DOUGLAS COUNTY, 1882--. 7 v. (1-5, 7, 8).

Records of Lake Fork special drainage district, including resolutions of commissioners, record of contracts, minutes of meetings, and record of claims allowed. Arr. by date of meetings. Indexed alph. by subject matter. 1882-1907, hdw.; 1908--, typed. 400 p. 13 x 12 x 3. V. 1-5, 7, 1882-1920, co. clk.'s vlt., 1st fl.; v. 8, 1921--, co. clk.'s off., 2nd fl.

326. TRANSFERRED LAKE FORK SPECIAL DRAINAGE, 1933--. 1 v.

Record of transferred Lake Fork special drainage district, showing name of owner, description of land, number of classification on scale, tax levy, and dates. Arr. by date of transfer. No index. Hdw. on pr. fm. 50 p. 13 x 14 x  $\frac{1}{2}$ . Treas.'s vlt., 1st fl.

327. DRAINAGE RECORD, CALESVILLE SPECIAL DRAINAGE DISTRICT, 1908-9. 1 v.

Record<sup>1</sup> of special assessments, showing name of owner, description of land, and amount assessed. Arr. alph. by subject matter. No index. Hdw. 300 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

328. DRAINAGE RECORD - LAKE FORK BOND RECORD AND UNPAID ASSESSMENT RECORD, 1882-87. 1 v.

Record of bonds and unpaid drainage taxes, showing date and amount of bond, rate of interest, date and place due and payable, amount received, date of assessment, number of installment, owner's name, legal description of property, and amount of delinquent assessment and interest. Arr. by date of bond or levy. No index. Hdw. on pr. fm. 250 p. 16 x 14 x 2 $\frac{1}{2}$ . Co. clk.'s vlt., 1st fl.

329. TRENKLE SLOUGH DRAINAGE DISTRICT, 1919--. 7 f.b.

Papers pertaining to Trenkle Slough drainage district, including engineers' reports, specifications, maps and profiles, miscellaneous organization papers, election commissioners' records, and records of commissioners' proceedings. Arr. by date of document. No index. 10 x 4 $\frac{1}{2}$  x 14. Co. clk.'s vlt., 1st fl.

330. TRENKLE SLOUGH SPECIAL DRAINAGE DISTRICT RECORD, 1920--. 1 v. (1).

Record of proceedings of Trenkle Slough special drainage district, showing resolutions, contracts, and transactions of commissioners. Arr. by date of meetings. Indexed alph. by subject matter. Typed. 500 p. 12 x 18 x 3. Co. clk.'s off., 2nd fl.

331. SUBDISTRICTS OF TRENKLE SLOUGH SPECIAL DRAINAGE DISTRICT, 1929--. 1 v. (2).

Record of subdistricts 1, 2, 3, and 4, of Trenkle Slough special drainage district, showing taxable property, legal description of land, valuation, and amount of levy. Arr. by district no. No index. Typed. 600 p. 18 x 12 x 3. Co. clk.'s off., 2nd fl.

332. SWAMP LAND RECORD, 1902-3. 1 v.

Lists of swamp lands, showing description of each tract, indemnity of the land, also report of the United States surveyor general on swamp lands. Arr. by sec., twp., and range nos. No index. Hdw. 600 p. 18 x 12 x 3. Cir. clk.'s vlt., 2nd fl.

### XVIII. 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.<sup>1</sup> 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.<sup>2</sup>

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 regulation of, and removal by, the state agency.<sup>3</sup>

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.<sup>4</sup>

All the records of the county department are subject to the inspection and supervision of the agents of this central authority.

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1. L.1935-36, First Sp. Sess., p. 70-73; L.1937, p. 451.  
2. L.1937, p. 451,452.  
3. Ibid., p. 452.  
4. L.1935-36, First Sp. Sess., p. 72; L.1937, p. 452.

Federal legislation was enacted in 1935 to provide for the general welfare by establishing a system of Federal old age benefits. In order to participate in the benefits of this act,<sup>1</sup> the several states were required to submit plans for old age assistance. Illinois passed legislation complying with this act the same year.<sup>2</sup> Today, the Federal government pays to Illinois, one half of the sums expended on old age assistance.

The department of public welfare administers old age assistance and is subject to the rules and regulations of the state department.<sup>3</sup> 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.<sup>4</sup>

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.<sup>5</sup>

All of the records of the department of public welfare are kept in the old age assistance office on the first floor.

333. (OLD AGE PENSION CASE FILES), 1936--. 2 f.b.  
Files of all old age pension cases showing date of application, case number, name, address, age, sex, and marital status of applicant, list of property owned, amount of insurance, income, living expense for last twelve months, investigator's report, correspondence, notation of rejection or acceptance, amount allowed, and disposal of case. Arr. by case no. For index, see entry 334. Hdw. on pr. fm. 12 x 12 x 24.

334. (MASTER FILE INDEX), 1936--. 1 f.b.  
Card index of (Old Age Pension Case Files), entry 333, showing case number, name, address, sex, color, age, and marital status of applicant, amount of award, and dates of application and approval. Arr. alph. by name of applicant. Hdw. on pr. fm. 4 x 6 x 16.

335. (CASE WORKERS' STATISTICAL FILE), 1936--. 2 f.b.  
Statistical file of active and closed cases, showing name, address, age, sex, color, and marital status of applicant, case number, investigator's report, amount allowed, date of approval, and whether paid or not. Arr. by case no. No index. Hdw. on pr. fm. 6 x 8 x 11.

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1. 49 U.S.S.L. 620.
  2. L.1935, p. 260.
  3. L.1935, p. 259,260; L.1935-36, First Sp. Sess., p. 54,55; L.1937, p. 265.
  4. L.1935-36, First Sp. Sess., p. 57-59; L.1937, p. 267,268.
  5. L.1937, p. 268,269.

336. (REGISTER OF OLD AGE PENSION APPLICANTS), 1936--. 1 v.  
Register of old age pension applications, showing name, age, sex, residence, marital status, and color of applicant, financial ability, and date. Arr. by application no. No index. Hdw. 150 p. 10 x 16 x 1. Supervisor's rm., 1st fl.

## XIX. 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.<sup>1</sup> 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.<sup>2</sup>

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.<sup>3</sup>

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1. L.1919, p. 699; L.1931, 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.1918, p. 608, 609; L.1935, p. 1057, 1058.  
 3. R.S.1874, p. 758.

All of the records of the county home are kept in the steward's office on the second floor.

337. ALMSHOUSE REGISTER, 1884--. 1 v. (1).

Register of county home inmates, showing name, sex, age, color, occupation, civil condition, birthplace, last residence, education and health status, list of property owned, authority, cause of pauperization, dates of admission and discharge, and remarks. Arr. by date of admission. No index. Hdw. under pr. hdgs. 140 p. 18 x 16 x 2.

338. (RECORD OF INMATES), 1930--. 1 v.

Record of state and local information on county farm inmates, showing name, age, residence, sex, color, civil condition, occupation, and date and place of birth, name and birthplace of parents, maiden name of mother, record of military or naval service in the United States, date and cause of death and place of burial of deceased, dates of admission and discharge, name and address of authority and correspondent, cause of pauperism, health status, religion, remarks, and list of personal effects. Arr. by date of admission. No index. Hdw. on pr. fm. 75 p. 6 x 9 x 1.

For prior record of inmates, see entry 337.

339. (RECEIPT AND DISBURSEMENT REGISTER), 1933--. 1 v.

Quarterly receipt and disbursement ledger showing dates and amounts of receipts and disbursements, purpose of payment, and total. Arr. by date of receipt or disbursement. No index. Hdw. under pr. hdgs. 500 p. 8 x 12 x 2.

340. (TOWNSHIP ACCOUNTS, QUARTERLY PAUPER REPORT), 1933--. 1 v.

Township accounts and quarterly pauper reports showing name of township, inclusive dates of report, name of inmate, number of days and weeks for which claimed, amount charged against each township, date and amount received, number of inmates present at beginning of quarter, number received, died, and discharged, and total present at end of quarter. Arr. by date of report. No index. Hdw. under pr. hdgs. 300 p. 6 x 10 x 1 $\frac{1}{2}$ .

## XX. FARM BUREAU

Piatt County farm bureau was organized in 1919<sup>1</sup> 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.<sup>2</sup> 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.<sup>3</sup> 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.<sup>4</sup>

The General Assembly appropriated money in 1917 for the payment of county agricultural advisors.<sup>5</sup> The money was 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 was to be utilized for the payment of salaries of extension agents in counties of the several states.<sup>6</sup>

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1. Supervisors' Record, v. M, p. 159.
  2. 38 U.S.S.L. 372.
  3. Ibid., 373.
  4. L.1915, Joint Resolutions, p. 732.
  5. L.1917, p. 85.
  6. 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.<sup>1</sup> 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.<sup>2</sup>

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.<sup>3</sup> 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.<sup>4</sup> This limit was lowered in 1923 to two mills,<sup>5</sup> and further reduced in 1929 to one and one-half mills,<sup>6</sup> the present statutory requirement. The money thus received was to be set apart in a special Tuberculosis Sanitarium Fund.<sup>7</sup>

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.<sup>8</sup> 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.<sup>9</sup> The county electorate voted on November 5, 1913,<sup>10</sup> for the levying of a tax to establish such an institution; the first board of directors was appointed on June 7, 1919.<sup>11</sup>

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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. L.1915, p. 347.
  10. Abstract of Votes, f.b. 48 (see entry 76).
  11. Supervisors' Record, v. M, p. 207.

Tuberculosis Sanitarium Board

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 the subsequent legislation.<sup>1</sup> 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, 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.<sup>2</sup>

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.<sup>3</sup> The tuberculosis sanitarium fund of Piatt County is distributed under this latter provision, as no county sanitarium is maintained. Patients are sent to Macon County Sanitarium, Plamer Sanitarium of Ottawa in LaSalle County, and St. Johns, 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 purpose expended, the number of patients, and other pertinent statistics, information, and suggestions.<sup>4</sup>

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1. L.1915, p. 346-49; L.1923, p. 302,303; L.1929, p. 304,305. Cf. R.S.1937, p. 956-59.
  2. L.1915, p. 347-49.
  3. L.1923, p. 303.
  4. L.1915, p. 348,349.

## XXII. COUNTY NURSE

The county board is empowered to employ nurses for such public health nursing duties as it may deem necessary.<sup>1</sup> All nurses to be employed as public health nurses, in addition to being registered, must be certified by the Department of Registration and Education as qualified to perform the duties of public health nursing.<sup>2</sup> The Department of Registration and Education conducts examinations to determine the fitness of applicants, and may revoke any certificate for cause as set forth in the act.<sup>3</sup> Review of any order of revocation may be made by the circuit court, and appeals from orders or judgments of the circuit court in such review may be taken to the Supreme Court.

The county board prescribes the duties to be performed by the county nurse, and makes appropriations for the compensation and necessary expenses of such nurses.<sup>4</sup> In Piatt County the county nurse visits child and adult patients throughout the county. Advice and assistance is received by the county nurse from the State Department of Public Health, and written reports, with the consent of the county board, are made to that department.<sup>5</sup>

## 341. HEALTH RECORD, 1937--. 1 f.b.

Pupils' health record cards showing name, sex, age, color, birth date, address, school, and grade of pupil, statistical report of disease, immunization, physical examination report, and names of parents. Arr. by school district no. No index. Hdw. on pr. fm. 12 x 13 x 28. Co. nurse's off., bsmt.

## 342. HEALTH SURVEY OF CHILDREN, 1937--. 1 f.b.

Children's health survey record cards showing name and address of parents, school district number, name of visitor and date of visit, name and birth-date of child, name and years of diseases, type and date of immunization, and conditions of parents' health. Arr. alph. by name of twp. No index. Hdw. on pr. fm. 12 x 13 x 28. Co. nurse's off., bsmt.

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1. L.1931, p. 732.
  2. L.1937, p. 998.
  3. Ibid., p. 1000,1001.
  4. L.1931, p. 732.
  5. Ibid., p. 733.



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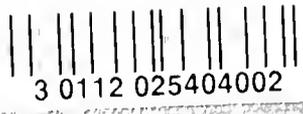








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