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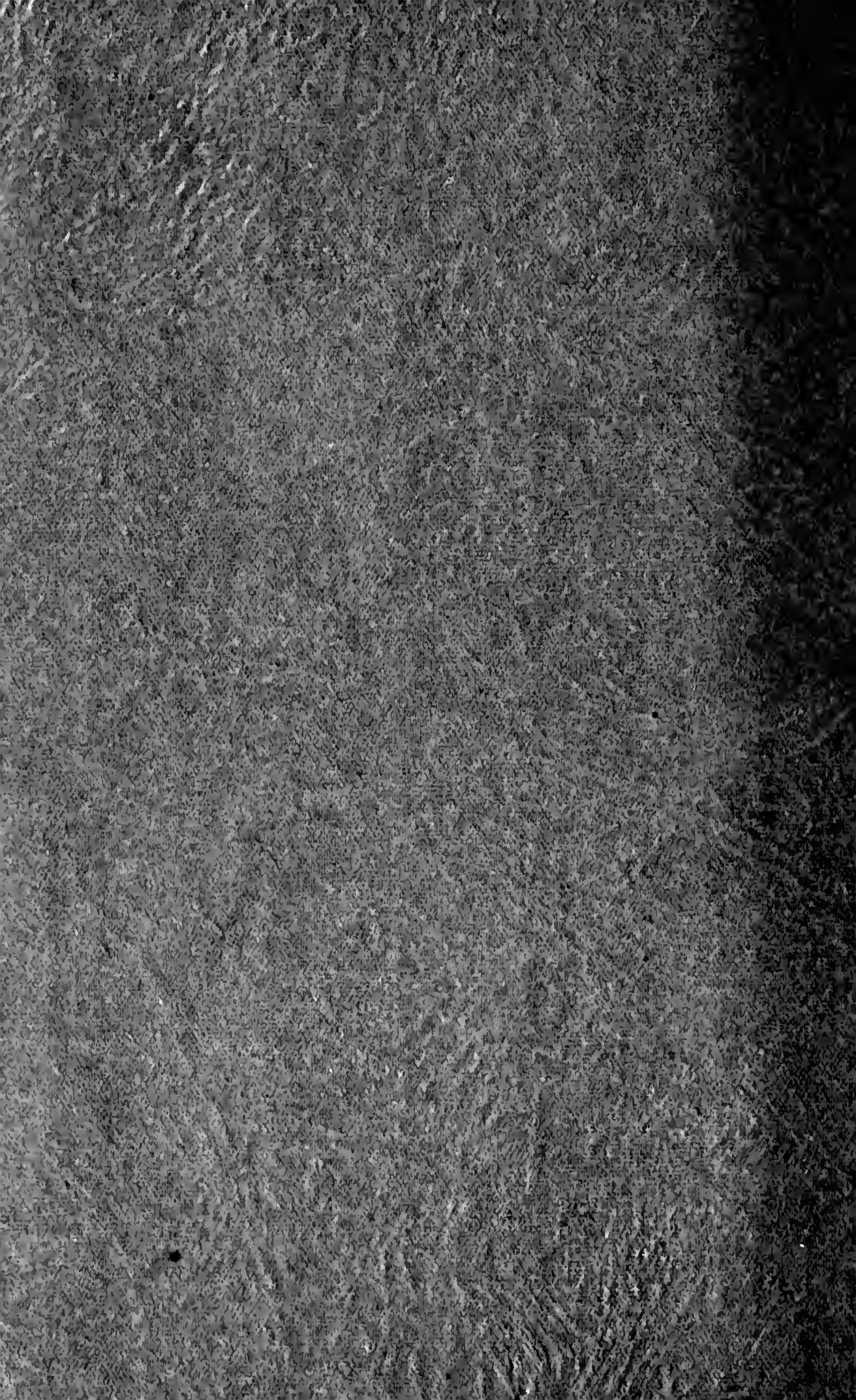
of the county archives  
OF ILLINOIS

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NO ★ 82  
SALINE COUNTY  
[HARRISBURG]







THE COURT HOUSE OF SALINE COUNTY

HARRISBURG, ILLINOIS

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INVENTORY OF THE COUNTY  
ARCHIVES OF ILLINOIS

No. 82. Saline County (Harrisburg)

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

SPONSORED BY  
THE GOVERNOR OF ILLINOIS

\* \* \*

Chicago, Illinois  
The Illinois Historical Records Survey  
February, 1941

THE HISTORICAL RECORDS SURVEY PROGRAM

SARGENT B. CHILD, DIRECTOR

THOMAS R. HALL, STATE SUPERVISOR

DIVISION OF PROFESSIONAL AND SERVICE PROJECTS

FLORENCE KERR, ASSISTANT COMMISSIONER

MARY GILLETTE MOON, CHIEF REGIONAL SUPERVISOR

EVELYN S. BYRON, STATE DIRECTOR

WORK PROJECTS ADMINISTRATION

HOWARD HUNTER, ACTING COMMISSIONER

GEORGE FIELD, REGIONAL DIRECTOR

CHARLES E. MINER, STATE ADMINISTRATOR

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## FOREWORD

The **Inventory of the County Archives of Illinois** is one of a number of guides to historical materials prepared throughout the United States by workers on The Historical Records Survey Program of the Work Projects Administration. The publication herewith presented, an inventory of the archives of Saline County, is number 82 of the Illinois series.

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carrying out this objective, the project was organized to compile inventories of historical materials, particularly the unpublished government documents and records which are basic in the administration of local government, and which provide invaluable data for students of political,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

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

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

**HOWARD HUNTER**  
Acting Commissioner

2488  
H. H. S.



## PREFACE

The undertaking now officially designated The Historical Records Survey Program, 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, Howard E. Colgan, and Royal S. Van de Woestyne were the first three state directors, serving until November 1, 1937, to May 16, 1939, and to October 1, 1940, respectively. On September 1, 1939, the Illinois State Library, of which Secretary of State Edward J. Hughes is State Librarian and Helene H. Rogers, Assistant State Librarian, became the sponsor of The Illinois Historical Records Survey. In January 1940, this sponsorship was assumed by the University of Illinois, and in December by the Governor of Illinois.

In compiling this inventory of the archives of Saline 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 Saline County are found the materials of another chapter in the story of the coming into the Illinois wilderness of settlers who created a territory and the rudiments of a simple frontier government, bought and sold land, built roads, established schools, and later founded a state.

The Illinois Historical Records Survey has proved to be of considerable assistance to local and county governments. Records have been re-arranged 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 space for the records.

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

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

## Preface

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.

Saline County, the eighty-second on the alphabetically arranged list of the one hundred and two counties in Illinois, was one of the first in which the survey was started. Organized under the supervision of Raymond Leydig in the latter part of February 1936, the survey was continued under the successive supervisorships of Leland H. Fish, John W. Suddes, Harold Harrison, and Margaret Resnik. Inventory forms were received in the Chicago office on April 8, and June 28, 1937. Six months later, December 2, all forms were sent for a recheck and returned December 2, 1938. Additional rechecks were made from time to time and all forms returned to the Chicago office, January 25, 1939. Field workers included Mary Dixon, Roy E. Ham, LeRoy Hawkins, Wayne Lightfoot, George Lindenmuth, Mary Mitchell, Webber Crowther, H. Frank Evans, Carrie Johnson, and George Ballard. Transcription of county board records, upon which much of the contents of this inventory is based, was done between December 5, 1938, and January 18, 1940, by Carrie Johnson, George Lindenmuth, Anna Geraci, Pauline Culbertson, and Wayne Lightfoot, under the supervision of Kenneth C. Blood.

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

All of the officers of Saline County cooperated in every possible 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 governmental offices, libraries, schools, and historical societies in Illinois, and libraries and governmental agencies in other states. (A list of Illinois Publications will be found at the end of this volume.) Requests for information concerning particular units of the Inventory should be addressed to the State Supervisor.

Thomas R. Hall State Supervisor

February 3, 1941

The Illinois Historical Records Survey

JAS. V. HEIDINGER

CHAS. H. THOMPSON

Congressman, 24th District

Senator, 51st District

ARTHUR VAN HOOSER

Representative, 51st District

PAUL POWELL

ORAL P. TUTTLE

Representative, 51st District

Representative, 51st District

#### SALINE COUNTY OFFICIALS

Circuit Judge .....	D. F. Rumsey
County Judge .....	Don Scott
County Clerk .....	Harold B. Riegel
Circuit Clerk and Recorder .....	Verner Joyner
Treasurer .....	Richard Cook
Sheriff .....	Thomas Gram
State's Attorney .....	Trafton Dennis
Master in Chancery .....	Robert E. Choisser
Superintendent of Schools .....	Kenneth Davis
Superintendent of Highways .....	Ralph D. Brown
(Acting County Surveyor)	
Coroner .....	Earl Thornton
County Veterinarian .....	Dr. W. H. Dean
County Nurse .....	Mrs. Bertha Yenicek
Superintendent of County Home .....	Claude Butler
Examiner of Blind .....	Dr. D. A. Lehman
Child Welfare Worker .....	Larue Spiker
County Agricultural Advisor .....	Harry C. Neville
County Mine Inspector .....	Joseph Poole

## BOARD OF SUPERVISORS OF SALINE COUNTY

Claude Winkleman, Chairman

Harold B. Riegel, Clerk

Township	Name of Supervisor	Term Expires
Brushy	Roy Brown	1945
Carrier Mills	Harry Fife	1945
Carrier Mills	W. T. Ingram	1945
Cottage	Marion Fox	1943
East Eldorado	Gratton Minor	1943
East Eldorado	John Carner	1943
East Eldorado	Tom Maxwell	1943
East Eldorado	Kelly Morris	1943
Galatia	Alfred Smith	1945
Harrisburg	Cecil L. Cook	1945
Harrisburg	Claude Winkleman	1945
Harrisburg	Clarence Dixon	1945
Harrisburg	Fred J. Patterson	1945
Harrisburg	George Wilkinson	1945
Harrisburg	Robert Ingram	1945
Independence	Herman McFarlin	1943
Long Branch	Elmo Busler	1945
Mountain	Lee DeNeal	1943
Raleigh	Chas. Rockwell	1943
Rector	Ralph Camp	1945
Stonefort	Ralph Lewis	1943
Tate	Ralph Williams	1943

### LIST OF STANDING COMMITTEES FOR YEAR 1941

Road and Bridge .....	Tom Maxwell, Ralph Lewis, Ralph Williams
Reports .....	Roy Brown, George Wilkinson, Kelly Morris
Claims .....	John Carner, Marion Fox, Lee DeNeal
Finance .....	Clarence Dixon, Fred Patterson, Harry Fife
Purchasing .....	Cecil Cook, Herman McFarlin, Lee DeNeal
Poor Farm .....	Harry Fife, Elmo Busler, Kelly Morris
Building .....	Ralph Williams, Tom Maxwell, Alfred Smith
Fees and Salaries .....	W. T. Ingram, Robert Ingram, Gratton Minor
Education .....	Charles Rockwell, Robert Ingram, Elmo Busler
Elections .....	Roy E. Brown, Chas. Rockwell, Herman McFarlin
Blind Relief .....	Clarence Dixon, W. T. Ingram, Roy E. Brown
Ditch .....	Fred Patterson, Cecil Cook, Marion Fox
Tuberculosis .....	Gratton Minor, Alfred Smith, George Wilkinson



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**A. SALINE COUNTY**

**and**

**ITS RECORDS SYSTEM**

- LEGEND**
- COLONY LINE
  - SURVEYED TOWNSHIP LINE
  - POLITICAL TOWNSHIP LINE
  - TOWNSHIP ROADS
  - EARTH PAVEMENT
  - GRAVEL-MACADAM-ETC. PAVEMENT
  - STATE AID ROADS
  - EARTH PAVEMENT
  - GRAVEL-MACADAM-ETC. PAVEMENT
  - STATE BOND ISSUE ROUTES
  - UNCOMPLETED PAVEMENT

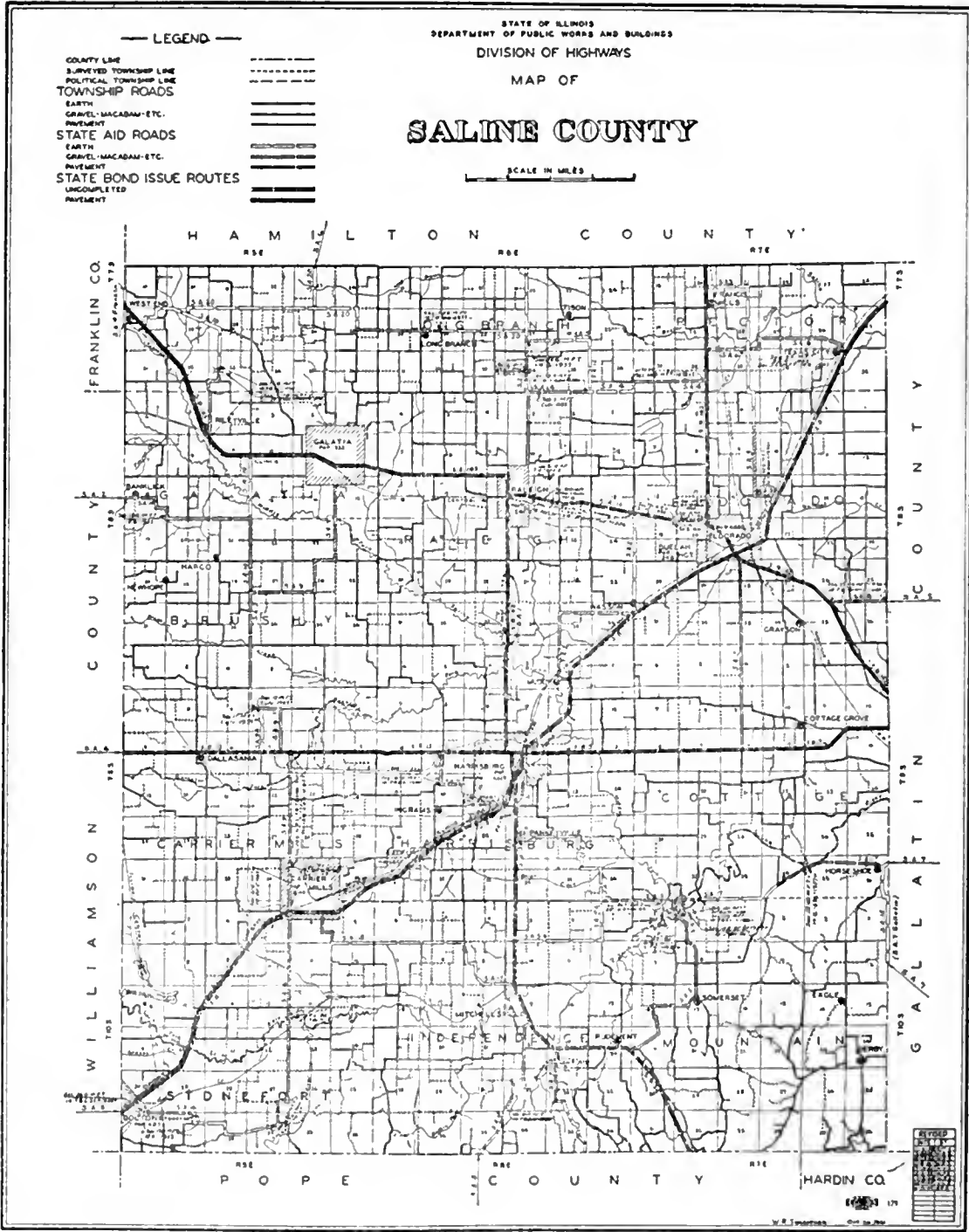
STATE OF ILLINOIS  
DEPARTMENT OF PUBLIC WORKS AND BUILDINGS

DIVISION OF HIGHWAYS

MAP OF

# SALINE COUNTY

SCALE IN MILES



# 1. HISTORICAL SKETCH

## SIGNIFICANCE OF SALINE COUNTY HISTORY

There appears to be little in the history of Saline County<sup>1</sup> of a phenomenal nature. That fact, however, paradoxical as this may sound, gives it a kind of distinction. It is interesting also because, though part of a predominantly northern state, it is actually located farther south than Richmond, Virginia. How remote it is from the most populous part of Illinois is further brought home tellingly when one stops to consider that Harrisburg, the county seat of Saline, is a greater distance from Chicago than is Louisville, Kentucky.

Economically, Saline County is noteworthy by reason of the nearly equal importance of its farming and its coal mining. Administratively it has some distinctive significance because it is one of the southern Illinois counties which has adopted the township form of government. The comparatively considerable influx of foreign-born into the county since the turn of the century and the concurrent development of its mining industry renders it of some special interest to the sociologist, as does also its acute unemployment and relief problem in the 1930's.

The modest though, nevertheless, significant expansion of its school system and the accompanying elimination of illiteracy gives the history of Saline County an element that appeals to educators and adherents of progressive democracy generally.

## THE SALINE AREA

### Topography and Climate

Saline County is rectangular in shape. In length it is approximately 21 miles, from north to south. Its width, from east to west, is about 18 miles. Designations of its area range from 378 to 399 square miles.<sup>2</sup>

Saline County is located a short distance from the southeast corner of the state, 18 miles west of the junction of the Wabash and Ohio rivers. It is bound on the north by Hamilton County, to the east by Gallatin, to the south by Pope and a bit of Hardin, and to the west by the full length of Williamson and a bit of the southern extreme of Franklin County.

1. To the fullest extent feasible, under the circumstances, the substance of the present historical sketch has been drawn from primary sources. These primary sources are, in the main, the records of the county board in its various forms. Supplementary material has been obtained from other sources both primary and secondary. This has been necessary to give continuity, direction, and organic unity to the present study, and in order to fill in essential background material.
2. History of Gallatin, Saline, Hamilton, Franklin and Williamson Counties, p. 149 (hereinafter cited as History of Saline); R. S. Smith, et al., Saline County Soils, Soil Report No. 33, p. 1; Illinois Department of Secretary of State, Edward J. Hughes, Secretary, Counties of Illinois, Their Origin and Evolution, p. 67 (hereinafter cited as Counties of Illinois); C. L. Stewart and Associates, Land Acreage of Minor Civil Divisions, 101 Illinois Counties, 1935, p. 18 (hereinafter cited as Stewart, Land Acreage 101 Illinois Counties).

## Historical Sketch

The name of this administrative unit was derived from the Saline River, the drainage basin of which includes almost the entire county. The river, in turn, gets its name from the United States Saline Reserve located in what is now Gallatin County. This designation seems to have been in use as early as 1803. At that time, William Henry Harrison, then Governor of the Indiana Territory, acting under the authorization of Congress, leased the salt springs and licks on the Saline River to a Captain Bell of Louisville, Kentucky. Bell, according to general belief, had previously been exploiting the salt springs along this river by permission of the Indians.<sup>3</sup>

Except for a strip of rough elevation in its southern portion, the county forms a part of the lower extremity of the glaciated region of Illinois.<sup>4</sup> At least six distinct advances, separated by long periods of time, occurred during the glacial period. Of these only one reached Saline County; it is designated as the Illinoian. It covered the entire area of the county save the aforementioned rugged belt south of the valley of the South Fork of the Saline River. Prior to the glaciation the range generally was too rough and hilly for agricultural purposes. Glaciation changed the hilly topography to a gently undulating one. Since then erosion has reversed the process. Consequently, some sections that were for many millenia undulating are hilly once more.

Another significant process effected a decided change in the soil formation of the county. This was the melting of the glaciers. It filled the streams with "rock flour" produced by the grinding action of glaciers moving over the land surface. When the swollen streams were reduced to their original channels they left great quantities of this "rock flour" in the adjoining valleys. It dried, was picked up by the wind and spread rather evenly over the uplands as dust. Saline County received its share of this material, called loess.<sup>5</sup> The Ozark highlands give parts of Saline County a rugged, hilly character. In extreme contrast to this are the nearly level valleys adjoining the broad stream of the Saline River. Then there are the undulating lowlands and the gently rolling plains.

In altitude, Saline County ranges from 340 feet above sea level to 980, a difference of more than 600 feet. Horton Hill, near the southern part of Sommerset Township, is the highest point; the lowest is at the spot where the Saline River leaves the county.<sup>6</sup> The drainage basin of this river takes in the entire county, and it is on the whole well drained.

Climatically, Saline County varies from severe winters to hot summers. The rainfall is abundant and well distributed. From 1899 to 1923 the widest diversity in temperature for any one year was 128 degrees, which was recorded in 1918. During the entire period the lowest temperature minus 22 degrees Fahrenheit, occurred in 1899; the highest, 110 degrees Fahrenheit, in 1918. The average annual date of the latest light

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3. George W. Smith, "The Salines of Southern Illinois," in *Transactions of Illinois State Historical Society* (1904), IX, 248.

4. Smith, *Saline County Soils*, p. 1.

5. *Ibid.*, p. 3, 4.

6. *Ibid.*, p. 4, 5, 6. The name of Sommerset (Somerset) Township was changed to Mountain Township, February 3, 1890 (*County Commissioners' Record*, v. C, p. 86, in *Supervisors' Record*, see entry 2).



## Historical Sketch

frost in spring was April 14 and of the earliest frost in the fall, October 24. The length of the growing season, therefore, is about 193 days.<sup>7</sup>

## Indians, French, and First Settlers

Saline County is part of the vast territory to which France laid claim in the seventeenth century because it was discovered and explored by French voyageurs and missionaries, among them being Jolliet, Marquette, and La Salle. Prior to the coming of the French it was, of course, occupied by the Indians—first by the Piankashaws, a quiet, peaceful, non-resisting tribe, and later by the more warlike Shawnee. It has been said that French buffalo hunters, under the leadership of Sieur Charles Juchereau de St. Dennis, established a depot near Stonefort in 1702 or 1703. They are supposed to have chosen this spot in order to use the Saline River as a route of travel. Their records are probably the earliest that deal with this region, and they tell of the salt springs near Equality, now in Gallatin County.<sup>8</sup>

After the American Revolutionary War immigrants from the South and East began coming to this region in considerable numbers. As early as 1802 the settlement which has since become the town of Equality, had a fort and blockhouse. The first settlers in this community were the seven Jordan brothers and other hunters and trappers. The favorite camping place for travelers going west and men hauling supplies from Shawneetown was situated in a little valley between the hills running from Eldorado to Raleigh. And in 1814 one Coleman Brown built a blockhouse near the present site of Eldorado.

Early in the nineteenth century salt obtained from the Equality springs began to gain commercial importance. About 4 miles from the present town of Equality one source of salt was discovered. It was variously denominated as "Nigger Spring," "Nigger Well," and "Nigger Furnace."<sup>9</sup> Another source of salt known as "Half Moon Lick," was found about one mile from Equality. Even before the coming of the whites the Indians had made salt in this area, and wild animals had beaten paths to the saline springs. After the whites had settled in the region, the leading industries in southern Illinois developed there. That position of leadership was retained until the exploitation of the state's coal deposits began.

## Gallatin County in the Illinois Territory

In 1812 the county of Gallatin was formally established as a unit of the Illinois Territory. At that time there was a mere scattering of inland settlements in the region and they consisted of small groups of cabins clustered around a blockhouse, a mill, or both. Savage Shawnee Indians dwelt in the area. Bears, panthers, buffalo, deer, and smaller game roamed the woods. Attacks by the Indians loomed constantly as a potential danger.<sup>10</sup>

## Early Grist and Saw Mills

The first manifestation of a rooted, civilized life in the area, aside

7. Smith, Saline County Soils, p. 1

8. History of Saline County and a Brief History of Harrisburg, Illinois, 1853-1933,, p. 1. (Herein-after cited as History of Saline County and Harrisburg.)

9. Ibid., p. 3.

10. Ibid., p. 5.

## Historical Sketch

from rather primitive farming, took the form of mills to grind corn into meal and saw trees into lumber. The last of these early mills was built in 1849 in Mitchellsville. Not until a number of years later was wheat introduced as a crop in this section, and shortly thereafter the grinding of flour from this grain was begun here. To the pioneers wheat flour was a luxury.<sup>11</sup>

Wherever possible the early mills were operated by water power. Most of the others were operated by horse power. Though extremely crude, these mills were highly important owing to the contribution they made toward the development of the early villages and the easing up of the hardships of pioneer life.

## First Land Entries

In 1812 the government established a land office in Shawneetown. However, for two years thereafter no entries were made at this office. John Wren and Hankerson Rude were the first to enter land in what is now Saline County. They did so in 1814. Rude came from Virginia. Nothing is known of Wren's origin. In 1816 Coleman Brown entered the land which is now Eldorado.<sup>12</sup>

There is some discrepancy between different accounts which are available regarding the establishment of a land office in this area and the initial entries recorded in that office. According to one account of the establishment of the land office at Shawneetown,<sup>13</sup> it was not opened until 1814. The first land entry was made in that office in July of that year. On July 7, 1814, according to the aforesaid report, one John Black made an entry of the Northwest quarter of section 19, township 10 south, range 9 East — the first such entry to be recorded in the Shawneetown office. This does not contradict the other account which has been cited here, save with respect to the opening date. The first record noted shows the initial land entries in what is now Saline County. The second indicates the initial entry in what was formerly Gallatin County, including the area which later was separated to form Saline County.

## Illinois Attains Statehood

When, in 1818, Illinois, with the required population of 40,000, was granted the status of statehood it came into the Union as a free commonwealth. The area which now constitutes Saline County had then a population of not more than ninety families. Almost all of them lived along the Kaskaskia Trail. Gallatin County as a whole claimed at the time a population of 3,440 persons.<sup>14</sup>

## The Negro Problem

Already at that time the slavery question and its implications constituted a critical issue. The population of Gallatin included 83 free Negroes and 218 indentured "servants," the greatest number of either in any

11. History of Saline County and Harrisburg, p. 5, 6.

12. Ibid., p. 6.

13. History of Saline, p. 24.

14. History of Saline County and Harrisburg, p. 6. This claim, however, has been disputed, and it is possible that the figure given included a considerable number of immigrants on their way to Missouri.

## Historical Sketch

county in the state. In 1824 when the constitutional amendment providing for the admission of slaves into the state was put before the electorate, Gallatin voted 597 for the amendment and 133 against it. This was the greatest proslavery majority shown in any county in the state; however, it was insufficient to offset the antislavery majorities in other counties.<sup>15</sup>

For a time the Negro problem was pushed into the background, but it surged forward again in 1839. There were in Gallatin County a number of Negroes, slaves or indentured servants, who had been freed or had bought their freedom. They were in the main peaceful, law-abiding people but their mere presence stirred up trouble. Crimes of every variety were attributed to them. In 1840 the whole area which now embodies Massac, Hardin, Saline, and Gallatin counties was in a turmoil over the issue. A band of men who called themselves "Regulators" ranged through the territory and attempted to force all the Negroes to leave the state. Negro children were kidnaped by them and sold into slavery. Negroes were blamed for the murder of Benjamin Hardin without sufficient evidence that any of them were guilty of this crime. Harmless Negroes were whipped and terrified.<sup>16</sup>

During this period, while the ominous cloud of black slavery was gathering the volume which was later to make it an overshadowing issue in Illinois and nationally, noteworthy progress of a salutary nature was being made in Gallatin County along other lines. To some extent this advance was disturbed by the Black Hawk War of 1832 which aroused all of Illinois. Gallatin County supplied several companies of soldiers to fight the famous Indian Chief and his inflamed warriors.<sup>17</sup> However, the general effects incidental to this were of minor importance.

## First School and Early Churches

The period was marked in the Gallatin area by forward movement along educational and religious as well as economic lines. The first school in the county began to function in 1823, and in 1832 or 1833 the first church was organized.<sup>18</sup> Generally, the Methodist and Baptist denominations were the favorites of the pioneers, as was true elsewhere in the Middle West. In the vicinity of Harrisburg the first house of worship was Baptist.<sup>19</sup>

## Railroad Survey

A survey was made in 1838, as part of an abortive internal improvement project, with the objective of laying out a railroad in the area. It was to have been called the Shawneetown and Alton. However, it was never built. Later when the first railroad was laid out it did not follow the route projected by the survey of 1838.<sup>20</sup>

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15. History of Saline County and Harrisburg, p. 6, 7.

16. *Ibid.*, p. 8.

17. *Ibid.*, p. 7.

18. *Ibid.*

19. *Ibid.*, p. 7, 8.

20. *Ibid.*, p. 8.

## Historical Sketch

### BEGINNINGS OF SALINE AS A COUNTY

#### Frontier Recedes Westward

In 1847 when Saline County was organized Illinois was already practically closed as the frontier of western settlement. The border region had receded beyond the Mississippi River; California and Oregon were beckoning the more venturesome frontiersmen. The war with Mexico had entered its second year. The slavery issue was becoming more and more a serious political question, and partisanship was growing acrimonious. Sectional feeling was splitting up the country. In Illinois as elsewhere there was much social unrest and political ferment. The commonwealth was trying to find itself economically. New machines appeared, revolutionizing farming and stimulating the flow of immigrants to the fertile land of Illinois. They were the McCormick reaper, the Westinghouse-Church thrasher, and the John Deere all-steel, self-cleaning chilled plow.

#### Portion of Gallatin Becomes Saline County

It was upon petition of Gallatin County<sup>21</sup> that the General Assembly passed the enabling act authorizing the establishment of Saline County.<sup>22</sup> This act was approved on February 25, 1847. The act directed the qualified voters of Gallatin County, as then existing, to vote on the first Monday of August 1847, for or against its partitioning. The act further stipulated that if a majority voted in favor of division the clerk of the county commissioners' court was to give notice of another election, to be held on the first Saturday in September 1847. On that occasion seats of justice for both Gallatin and Saline were to be fixed by a majority vote. Also, the electorate was to choose all public officers, not already elected and serving, to which each county was entitled, and to fill vacancies resulting from the division of Gallatin.<sup>23</sup>

The fact that the new county was established at the time indicated shows that the electorate of the parent county approved of this move by a majority vote. Likewise, the second election was also held and it resulted in the selection for the seats of justice for both counties and the choosing of county officials.

The first meeting of the commissioners' court of the new administrative unit was held "in Saline County at the county seat of justice for said county (on) October 11, 1847."<sup>24</sup> There were present David Upchurch and James Stricklin, commissioners, who appointed James M. Gaston, clerk pro tem.<sup>25</sup>

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21. William D. Barge, *The Genesis of Saline County* (manuscript in Gilpin Library, Chicago Historical Society).

22. This act provides for the creation, in the southeastern part of the state, of the last of a group of counties carved out of old Gallatin. It specified that the "County of Gallatin shall be, and the same is, hereby divided into two parts by a line commencing at the southern termination of the line which divides the counties of Hamilton and White; thence, running due south with the range line, through the present county of Gallatin, to the Hardin County line; the eastern part to retain the name of Gallatin and the Western part to be called and known as the County of Saline" (Priv. L. 1847, p. 34).

23. Priv. L. 1847, p. 35, 37.

24. County Commissioners' Record, v. A (1847-48), p. 1, in Supervisors' Record, see entry 2.

25. *Ibid.*

## **Historical Sketch**

### **Raleigh Chosen as County Seat**

Two potential sites for the seat of justice had been designated. One was Robinson's Ford, situated at the point where the Big Four Railroad now crosses the middle fork of the Saline River, now the site of a coal mining settlement named Muddy. The alternate choice was a place at which a grist mill was located. It was afterwards named Raleigh. The latter site was chosen, and it was "christened" by the commissioners at their first meeting. Different names were proposed, "and upon consultation it was ordered that it (the county seat) be known and be called by the name of Raleigh."<sup>26</sup>

## **CHANGES IN STATE CONSTITUTION**

### **Modification of Constitution of 1818**

The organization and the emergence of Saline County took place concurrently with marked departures in the government of the entire state. All through the 1840's there was a progressively increasing demand for modification of the Constitution of 1818. In large part this was one manifestation of the sentiment for the liberalization of government which was making itself felt nationally. The Constitution of 1818, formulated for a frontier commonwealth, had come to be considered inadequate for a state in which noteworthy economic and social progress had been made.<sup>27</sup>

Illinois was no longer merely a part of the western hinterland of the early eighteenth century. Public institutions had multiplied. Growing cities and expanding industrial organizations directly, and by reason of their impact on rural communities, indirectly, had given rise to new and complex social conditions.<sup>28</sup> The admission of Missouri into the Union as a slave state, in 1820, tended to draw to that state northwardbound immigrants from the South and to bring more settlers from New England and the Middle Atlantic states to northern Illinois. This, coupled with the fact that in southern Illinois there were many proslavery people, helped precipitate the bitter political dissension which characterized the period in that commonwealth, as in other frontier states.

### **Constitutional Convention of 1848**

In April 1847, Gallatin County elected two delegates to the state constitutional convention which convened in June at the state capital. Another delegate was elected by Gallatin and Hardin counties jointly. Thus that part of Gallatin which was then being organized as the County of Saline was represented at the constitutional convention through the parent county. The new constitution, having been adopted by the conven-

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26. County Commissioners' Record, v. A (1847-48), p. 1, in Supervisors' Record, see entry 2.

27. Theodore Calvin Pease, *The Frontier State, 1818-1848*, v. II, *The Centennial History of Illinois*, p. 406-9. Hereinafter cited as Pease, *The Frontier State*.

28. *Ibid.*

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tion on August 31, 1847, was ratified by the electorate of the state on March 6, 1848 and went into effect April 1, 1848. Inasmuch as Saline County became administratively active in October 1847,<sup>29</sup> the electorate of that county voted on the ratification of the state's new basic law.

## Liberal Reforms in County Government

Though the functioning of Saline County as such began under the Constitution of 1818, it was with the spirit which so soon thereafter was to manifest itself in the Constitution of 1848 that the founders and first administrators of the county were imbued. Thus they were ready to institute the liberal reforms in county government for which the Constitution of 1848 provided as soon as that constitution came into effect. The new Constitution authorized the state legislature to enact a general law giving every county the option of adopting the township form of local government. This authorization required that the law in question should be so formulated as to permit the inauguration of the township form of government in any county whenever a majority of the voters of such a county should, at any general election, so determine.<sup>30</sup>

The early form of concentrated county government was preferred by the state's immigrants from the South. In the region whence they came such a type of local government was the standard pattern. The new settlers hailing from the northeastern and the Middle Atlantic states, however, brought with them a different concept of county government, one which called for a more decentralized and more democratic administration of county affairs. The basic unit in the latter case was the township, and its distinctive implementation was the town meeting.

In Illinois, as in some other states where it has been adopted, the township system of government has not flourished as fully as it has in New England. In New England the town came first and the larger units of government later, whereas in Illinois the formation of the larger unit preceded the establishment of the township. Thus the latter has been a rather artificial creation of the law not particularly well suited to the geographical conditions and early industrial developments in Illinois.

Moreover, in Illinois the tendency has been to create other local governing bodies for the purpose of carrying on most of the local administrative functions. The more important responsibilities of this nature have been lodged in cities and villages, school districts, drainage districts, park districts, and so forth. They bear the responsibilities and direct the work which fall within their several spheres of operation. That has been one tendency in Illinois and another has been to transfer as many functions as possible from the township to the county as a whole.<sup>31</sup>

It is worth noting, that the spirit which pervaded the new constitution served to liberalize the local government of even those counties which chose to retain the county court system of administration. It is true that the new constitution required that the newly devised county court should in each such case replace the old county commissioners' court,<sup>32</sup>

29. County Commissioners' Record, v. A (1847-48), p. 1, in Supervisors' Record, see entry 2.

30. Const. 1848, Art. VII, sec. 6.

31. Walter F. and Sue H. Dodd, Government in Illinois, p. 223-25.

32. Const. 1848, Art. V. sec. 16-19.

## Historical Sketch

and this was a move toward greater simplification and centralization of the machinery of local government. On the other hand, though the coroner was omitted from the list of constitutional county officers, provision was made for a number of additional elective constitutional officers. Among them were county judges, state's or county attorneys, clerks of circuit courts, and justices of the peace.<sup>33</sup> The north and central counties tended to adopt the township unit; the extremely southern counties, as a rule, did not. Saline is one of the few southern counties which has adopted that system of local government. This, however, was not done until 1889.

## COUNTY COMMISSIONERS' COURT

### First Meeting

At the first meeting of the Saline county commissioners' court, held on October 11, 1847, in Raleigh, Archibald Sloan was appointed surveyor and "authorized to hire what help he may want in surveying out the lots in Raleigh in Saline County Ills." It was ordered that the lots be offered for sale on November 15, 1847, and that they be sold on credit with periods of six, twelve, and eighteen months allowance for payments. It was further ordered that ten percent of the purchase money be collected at time of sale and the balance in equal installments, also that promissory notes were to be accepted from purchasers as security for credit extended.<sup>34</sup>

Fifty copies of the notice bearing this information were ordered printed, and "one insertion" was ordered placed in the *Wabash Democrat and Gazette*. One dollar was ordered paid to Henry Gardiner, David Upchurch, James Stricklin, and Jacob Smith. Each of them had advanced that sum to pay for the printing and advertising relative to the sale of lots in Raleigh. It was ordered also that payment of fifty cents be made to Samuel Elder and to John Barger, they having each advanced that amount for the aforesaid purpose. Lot number 20 was reserved as a site for a county jail.<sup>35</sup>

### First County Record of Road Survey

The court adjourned until November 6, 1847. At the November meeting of the same body James M. Gaston presented the bond required of him as its clerk, which was approved. Hiram Burnett's bond as county treasurer was also received and approved. Other business transacted at this special term of the court included the following: payment was ordered for the services rendered by persons who assisted Surveyor Sloan in the work of laying out the lots in Raleigh. Payment of \$2.12 1-2 was ordered to be made to Hannah A. Crawford "for boarding hands while engaged in laying off the lots in Raleigh." William Carr, George Bond, and William Stricklin were appointed commissioners to review, mark out, and locate a county road running from Raleigh "to the notched

33. Illinois Legislative Reference Bureau, *County and Local Government in Illinois, Constitutional Convention (1920)*, Bulletin No. 12, p. 1011. (Hereinafter cited as *County and Local Government*, Bulletin No. 12.)

34. *County Commissioners' Record*, v. A (1847-48), p. 1, 2, in *Supervisors' Record*, see entry 2.

35. *Ibid.*

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trees on the line running and dividing the county of Saline and Williamson County."<sup>36</sup>

This is the earliest Saline County record with reference to the location and construction of a road within its boundaries. However, it was previously not altogether without a highway—since it was traversed by the old Shawneetown-Kaskaskia trail, "which ran northwest from Shawneetown by the blockhouse at Equality in Gallatin County by the Brown blockhouse at what is now Eldorado, and west to the range of hills north of Raleigh to the Karns blockhouse where later Bethels Church stood and by the Gasaway blockhouse to West Frankfort, and then a little northwest to Kaskaskia."<sup>37</sup> A part of this trail from Equality to Eldorado is still used as State Highway Number 142.<sup>38</sup>

## Demarcation of Precinct Boundaries

Transactions having to do with the sale of lots and the demarcation of precinct boundaries were the major items of business at the December 6, 1847 session of the county commissioners' court. The notes that had been given for lots sold at the auction held November 15 of that year were ordered "handed over to the treasurer."<sup>39</sup> A total of twenty-two such transactions came up for consideration. The promissory notes which had been received by the county in these deals provided for a payment of the amounts involved in three installments. As for the second item on the agenda, it consisted of the designation of six election precincts and their boundaries. These were Curran, Raleigh, Saline, Stonefort, Monroe, and Summerset (Somerset).<sup>40</sup>

## First Quarters Used by Commissioners' Court

The business of this session is closely related to an undertaking which in Saline, as in other counties, is outstanding among early historical events. That was the construction of the first county courthouse—an account of which is presented in some detail in another section of the present historical sketch, the section entitled "Public Buildings." At this point, however, note should be made of the quarters which were used for the meeting of the commissioners' court and related purposes prior to the erection of the courthouse. There is not a great deal of information

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36. County Commissioners' Record, v. A (1847-48), p. 2, 3, in Supervisors' Record, see entry 2.

37. History of Saline County and Harrisburg, p. 4.

38. Ibid.

39. County Commissioners' Record, v. A (1847-48), p. 7-11, in Supervisors' Record, see entry 2.

40. Ibid., p. 12-15. Demarcation of the Stonefort Precinct affords a good example of how precinct boundary lines were formulated and described at that time in the area under consideration. It was as follows: "Ordered that the Boundary Lines for Stonefort Precinct be and they are hereby established as follows Commencing at the southwest corner of Saline Precinct running thence down Brushy fork to the mouth thence up Bankston fork to the mouth of sinking fork thence up the sinking fork to David B. Russells thence south to Gillen Harris thence south to Joseph Bannetts thence south down the open Pond slough to the saline river thence up the saline river to the Mouth of Blcck House Creek to the County Line, thence West along said Line to the Williamson County Line, thence north to the Beginning" (ibid., p. 13).



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readily available on this subject. Apparently the first meeting of the county commissioners' court was held in the home of Andrew Musgraves.<sup>41</sup> Whether this home was also the two-story log house where the first court trial was held soon after the county was organized is not stated in available documents. Some light, however, is cast on the question by the record of action taken on March 10, 1848. On that date the county treasurer was ordered "to pay A. Musgraves \$5 for the use of his house to hold court up to this term."<sup>42</sup> In December of the same year, however, the treasurer was also ordered "to pay Hannah A. Crawford \$5 for furnishing house to hold county court for four days."<sup>43</sup>

## SALINE UNDER COUNTY COURT ADMINISTRATION

### Court Both an Administrative and a Judicial Agency

The county commissioners' court, as established under the Constitution of 1818, held its last session in Saline in December 1849. When the change was made to the county court system of administration, as provided by the Constitution of 1848, the last county commissioners' court consisted of David Upchurch, James Stricklin, and J. R. Norman—who had replaced Isaac E. Barker.

An act establishing the county court as an agency of county administration was approved by the General Assembly on February 12, 1849. The act called for the holding of an election in November 1849, for the purpose of choosing the county judge, two associate justices of the peace, the clerk of the county court, and constables. Also, it established the power and jurisdiction of the court.<sup>44</sup>

According to the statute, the county court was to "exercise and possess all the power, jurisdiction, and authority heretofore conferred by law on the county commissioners' court."<sup>45</sup> The sessions of the court were scheduled by the act to take place on the first Monday of March, June, September, and December of each year. The jurisdiction of the court was designated to include all probate cases and a limited range of other civil cases to be specified by the General Assembly, as well as criminal misdemeanors, punishment for which was restricted to fine only and that not exceeding \$100.<sup>46</sup>

On December 26, 1849 the county court of Saline County held a special meeting with Samuel Elder as the presiding judge. Participating, also, were James Stricklin and David Upchurch, associate justices of the peace, and H. C. Burnett, who had been elected clerk of the court. These associate justices of the peace, as will be recalled, had also been members of the county board from the very beginning of the county's existence as an administrative unit of the state.

### First Administrative Acts of County Court

The first administrative acts of the county court were the appoint-

41. County Commissioners' Record, v. A (1847-48) p. 32, in Supervisors' Record, see entry 2.

42. *Ibid.*

43. Order Book (1848-57), p. 15, in Supervisors' Record, see entry 2.

44. L. 1849, p. 62-67.

45. *Ibid.*, p. 65.

46. Const. 1848, Art. V, sec. 18, 19.

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ment of Associate Justice David Upchurch as county agent to procure "a suitable press and seals for the county court and circuit court to be engraved with suitable devices," and the appointment of Judge Elder as agent "to procure a suitable stove and pipe for the county clerk's office, to be paid for in county orders." Upchurch was to be paid interest on the cost of the seals and press "at the rate of six percent per annum from the date until paid."<sup>47</sup>

At the June term of court it had been ordered that town lots in Raleigh that "remain unsold be sold for one-fourth cost and the proceeds applied to procuring a courts seal for the circuit court and also for the county court."<sup>48</sup>

At the March 1850 term the report of John M. Burnett and Willie Pinnell,<sup>49</sup> road reviewers, was received; "and the said road leading from Raleigh to the notched trees on the line between the counties of Saline and Williamson be and the same hereby (is) declared a public County road."

The court then named the persons representing the different election precincts to serve as grand jurors at the June term of the circuit court. Supervisors for the road districts also were appointed, assignments of "hands" to work the roads were made, and the maximum labor for each "hand" for the year was fixed at five days.<sup>50</sup>

In 1849 the county commissioners' court had ordered the sum of \$1.75 paid to John Miller for "services in killing one wolf."<sup>51</sup> Shortly after the county court replaced the county commissioners' court, the judges decided that it was "inexpedient to allow any bounty on wolf scalps that may be taken in this county."<sup>52</sup> They also decided that the county had, at the time, no authority to pay for the service rendered by supervisors of roads. These supervisors were required to place guide boards at forks of public highways. In consideration of their special contribution to the public welfare they were exempted by law from military duty and jury service.<sup>53</sup> Other items recorded give indication of the financial status and potential assets of the county during the years 1849 and 1850.<sup>54</sup> The amount of revenue charged to the county collector was \$1,189.92. Outstanding orders to the county treasurer totaled \$734.83 1-2. There being no records in the office of the circuit court, it was declared "impossible to ascertain the amount of outstanding jury certificates." The clerk was directed to "post a copy of the fiscal situation of the county according to law." The tax levy for the year 1850 was set at forty cents on "each one hundred dollars worth of property." John Howard, tax collector, was allowed a credit of \$53.04 as part of his commission for collecting the county

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47. Order Book (1848-57), p. 45, 62, in Supervisors' Record, see entry 2.

48. *Ibid.*

49. This name is variously spelled in the transcript of the record as "Willie Pinnell" and as "Willie Pinvale."

50. Order Book (1848-57), p. 63, 74, in Supervisors' Record, see entry 2.

51. *Ibid.*, p. 26.

52. *Ibid.*, p. 73.

53. *Ibid.*, p. 74.

54. *Ibid.*, p. 75, 77, 85, 89.

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revenue for the year 1849. There was a balance of \$115.43 due the county from Howard. The assessor, James Burnett, was paid "\$85 in full for his service in assessing for taxation for the year 1850."

The jail that had been constructed and finished the previous year was in need of repairs, and Judge Samuel Elder was appointed commissioner to superintend the work. Elder was given authority to have the job done in a "substantial manner, and in whatever way he may think proper for the safe keeping of any and all prisoners that may be confined therein."<sup>55</sup> In September 1850, James Baker, the jailer, was paid \$15.75 "in full for dieting F. M. Huff in the county jail to this term of court." At the December 1850 term, Martin Kittinger was ordered paid \$1.75, "it being for committing John Starr to the county jail and dieting said prisoner up to this day inclusive."<sup>56</sup>

## Wide Range of Administrative Activity

Early administrative activity of Saline County includes, aside from that already indicated, proceedings having to do with taxation, appointment of jurors, permits to conduct various types of business, care of indigent persons, the effecting of waterway improvements, settlement of financial debts shared with Gallatin County, and the establishment of schools and school districts. In this respect the early history of Saline County is similar to that of other Illinois counties of the same area.

At the January 1848 term of the commissioners' court provision was made for allowing the county collector up to the first Monday in September to turn in all the revenue due the county for the year 1847. At the March term the tax rate was fixed at twenty cents on every "one hundred dollars worth of taxable property." At the June term of the court this rate was doubled, the commissioners having decided that a rate of twenty cents would be "insufficient to defray the expenses of the county for the year."<sup>57</sup> Other action taken at this term included the following: Lot No. 35 in Raleigh was reserved as ground for a public school or a meeting house. Grand and petit jurors were appointed from each of the six election precincts.<sup>58</sup>

Preparatory to the location of a mill site on the "S. W. quarter of Sec. 15, T. 10 S., R. 6 E. on the premises of Stephen F. Mitchell for the use and benefit of said Mitchell," the commissioners found it necessary to take special steps. At the January 1848 term of court they ordered the issuance of a writ of *ad quod damnum* by the sheriff of the county for the purpose of summoning a jury to inquire what, if any, damage might accrue to owners of adjoining properties should the mill be constructed.<sup>59</sup> This resulted in the changing of the permit granted to Mitchell. Originally it extended to him the right to build a dam 9 feet high across the Saline River. At the September term of the court, the commissioners amended the order so as to permit the construction of this dam up to a

55. Order Book (1848-57), p. 87, 89, in Supervisors' Record see entry 2.

56. *Ibid.*, p. 105.

57. County Commissioners' Record, v. A (1847-48), p. 19, 21; Order Book (1848-57), p. 2, in Supervisors' Record, see entry 2.

58. County Commissioners' Record, v. A (1847-48), p. 29, 30, in Supervisors' Record, see entry 2.

59. *Ibid.*, p. 17, 25.

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height of 11 feet.<sup>60</sup> This extension of the height of the dam was allowed, apparently because the jury determined that the additional height would not cause the water to overflow and inundate the lands adjacent to Mitchell's estate.

The first overseers of the poor in the county were appointed in the spring of 1848 — one for each of the six election districts. Local supervision of the poor was a common practice in those days. The first instance recorded of the provision of poor relief in Saline County is an order issued at the December 1848 term of the commissioners' court. It required the county treasurer to pay Edmund Baker "\$20 for keeping Samuel Barter, a pauper."<sup>61</sup>

Other items of business transacted at the same term help reflect the status of the county at that time and serve to show the quaint character of some of the early administrative duties. The assessor's book covering the year 1848 was received, and the county treasurer was ordered to pay Hiram Bennett \$92, "the balance on charge for assessing the revenue of Saline County for 1848." An order was issued for the payment of \$1.25 to Jacob Smith for "hauling the books for Saline County from Shawneetown to Raleigh."<sup>62</sup>

At the January 1848 meeting of the court it was ordered that \$10 be paid to each of the commissioners and to the county clerk for services performed at the town of Equality in Gallatin County. These services, apparently, were performed by way of carrying out a provision included in the enabling act which created Saline County. This act ordered that the "county debt of the present county of Gallatin shall be divided between the counties of Gallatin and Saline, as hereby established, in proportion to the taxable property of each, according to the last assessment made before this act, shall take effect, which shall be adjusted by the county commissioners' court of the two counties, with the aid of clerks thereof (if present), who shall meet at Equality, for that purpose, on such day as either court may notify the other of by reasonable notice."<sup>63</sup>

By March 1848, the clerk was ordered "to post up according to law the fiscal concerns of the county." The treasurer reported at the March term "\$3.00 in money in the treasury at this time and none paid out."<sup>64</sup>

## Attempt to Abolish Saline County

A curious phenomenon of the time was an act of the state legislature, approved on February 11, 1851, which abolished Saline and Gallatin counties as they then were. It declared that, beginning on the fourth Monday

60. Order Book (1848-57), p. 8, in Supervisors' Record, see entry 2.

61. County Commissioners' Record, v. A (1847-48), p. 31; Order Book (1848-57), p. 15, in Supervisors' Record, see entry 2.

62. Order Book (1848-57), p. 7; County Commissioners' Record, v. A (1847-48), p. 34, in Supervisors' Record, see entry 2.

63. County Commissioners' Record, v. A (1847-48), p. 16, in Supervisors' Record, see entry 2. Priv. L. 1847, p. 36. Whether the services performed at Equality had to do with the provision in the Saline County enabling act relative to the division of the Gallatin County debt is not indicated in the Saline records, but it seems reasonable to believe that that was the case—since the division of this debt and the beginning of the independent administrative activity in Saline County come so closely together.

64. County Commissioners' Record, v. A (1847-48), p. 31, in Supervisors' Record, see entry 2.

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of April 1851, the area embraced within these two administrative units be "styled and named as the county of Gallatin."<sup>65</sup> This act was apparently disregarded — as may be gathered from an amendment to it which was approved on June 21 of the following year. The amendment called for an election to be held in all the precincts of the two counties in order to give the voters an opportunity to decide whether the aforementioned merger should be put into effect.<sup>66</sup> The election in question was scheduled to be held on the first Monday in August 1852, and apparently was held on that date. The judges of the election were ordered paid at the September term of the county court.<sup>67</sup> The proposition, it appears, was voted down, for the two counties involved continued to exist as independent administrative units.

The passage of the act did, however, result in some misunderstanding and litigation. On May 22, 1851, Circuit Judge S. S. Marshall declined to hold court in Raleigh on the ground that no such county as Saline was then in existence.<sup>68</sup> Moreover, shortly before that the county court had ordered the county treasurer to "pay Henry Gardiner, William Frizell and David Upchurch the sum of \$200 for the purpose of defraying the expense of a suit testing the constitutionality of an act passed at the late session of the Legislature of the State of Illinois abolishing the counties of Gallatin and Saline and forming the County of Gallatin out of said counties."<sup>69</sup> Samuel Elder, presiding judge, protested against this order.<sup>70</sup> This, then, is an account of a change which, as it were, was nipped in the bud.

## Change of County Seat

Not long thereafter another change with bearing upon the Saline County administration was put through successfully. This was the transfer of the county seat from Raleigh to Harrisburg. At the time of the organization of Saline County some of the inhabitants of its southern section had objected to the establishment of the county seat at a location only 6 miles from its northern boundary. By 1850, however, Raleigh assumed that it was to remain the county seat permanently, having previously built a two-story courthouse in the public square of that town. Nevertheless, two years later, agitation was resumed in favor of removing the county seat to a more central point in the county.<sup>71</sup> At a meeting held in old Liberty Church, in 1852, a committee was chosen to select a centrally located town site to which the headquarters of the county administration might be moved. After due consideration, this committee selected the site of the present business section of Harrisburg, which at the time was called "Crusoe's Island." The 20 acres which constituted the original plat of the Harrisburg site consisted of 4 subdivisions of 5 acres

65. L. 1851, p. 28.

66. *Ibid.*, Second Sess., p. 106-8.

67. Order Book (1848-57), p. 172-76, in Supervisors' Record, see entry 2.

68. *Ibid.*, p. 130.

69. *Ibid.*, p. 108.

70. *Ibid.*, p. 129.

71. History of Saline County and Harrisburg, p. 12, 13. This public sentiment for a change of county seat was not reflected in county board records inasmuch as sealed proposals to build a new brick courthouse in Raleigh were invited at a meeting of the county court June 9, 1853. This structure was erected; and it was accepted at a special meeting April 8, 1853 (Order Book (1848-57), p. 217, 307, in Supervisors' Record, see entry 2).

## Historical Sketch

each. These were obtained in equal proportion from four men: Pankey, Yandell, Cain, and Harris.

The land was platted in July 1853 and the lots were auctioned off. The following year there were already several buildings standing around the public square. The first of these was a log structure used as a store. The site on which it stood is familiar now as the location of the City National Bank. It was not, however, until five years subsequent to the erection of Harrisburg's first buildings that the county seat was moved to that place. A new controversy over the matter caused this delay. An election called in 1857 to decide upon the permanent site of the county seat resulted, according to its exponents, in a majority of 15 votes in favor of Harrisburg. Apparently this claim was challenged, for the matter was taken into court where it remained for some time. The court took no action on the issue, and finally threw out the case. Some have contended that the Harrisburg exponents bribed the court to do so.<sup>72</sup> However that may be, in 1859, the county seat was moved to Harrisburg, and in 1861 Harrisburg was incorporated as a town. The evacuated courthouse at Raleigh was sold, at a great loss, to the Masonic order.<sup>73</sup>

## Harrisburg Emerges on Eve of Civil War

The removal of the county administration offices to Harrisburg, the erection of a courthouse at Harrisburg, and the incorporation of Harrisburg as a town all took place at a time when there was much ferment in the county and an acute state of crisis throughout the nation. Forces and developments which had become impossible to check were pushing the country with steadily increasing momentum toward the abyss of civil war into which it finally lurched on April 14, 1861. This is particularly worth noting here because, as shall be explained presently, the approach of the "War Between the States," as it is called in the South, found Saline and other southern Illinois counties sharply divided on the issues at stake. A large proportion of the populace in these counties was proslavery in sentiment.<sup>74</sup>

## First Meeting of County Court in Harrisburg

In June 1858 the county court met in Harrisburg for the first time. In March of the following year the county court ordered the appointment of commissioners to select sites for a courthouse and jail in that town. The state legislature had authorized the issuance of county bonds to pay for these buildings.<sup>75</sup>

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72. History of Saline County and Harrisburg, p. 13.

73. Ibid.

74. Ibid., p. 16.

75. History of Saline, p. 186, 187.

## Historical Sketch

### Early Growth of the Town

The first school house in the town was built in 1858. It was a small plain building on the corner of Vine and Church streets, directly in front of where the public library stands today. In 1859, when Harrisburg became the county seat, its first newspaper, the *Chronicle*, was started, and at about the same time Lodge No. 325 of F. & A. M. (Masons) was organized. The transfer of the county administration to Harrisburg brought with it also the doctors and lawyers who had previously been practicing in Raleigh.<sup>76</sup> Harrisburg was incorporated by special charter<sup>77</sup> which was approved February 12, 1861. By then the town had grown considerably. After the completion of the courthouse there was no further notable expansion of Harrisburg until the Civil War was over.

### Saline's Part in Civil War

In all parts of southern Illinois there were people who favored the Confederates during the War Between the States. This is not surprising inasmuch as the area is so close to what was then slave territory, whence many of the inhabitants had migrated. Williamson County, just west of Saline, went so far, after the fall of Fort Sumter, as to demand the division of Illinois and the attachment of its southern portion to the Confederacy.<sup>78</sup> Saline County did not declare for secession, but many of its inhabitants were members of the Knights of the Golden Circle, a semi-military organization which supported the Southern cause.<sup>79</sup>

The situation that developed in the county as a result of the sharp difference of opinion which prevailed at the time regarding the slavery issue was exemplified in the case of Dr. John W. Mitchell.<sup>80</sup> Shortly prior to the Civil War he brought two families of Negroes into Saline County. He gave them employment on his farm near Independence. In doing this he violated the state constitution. The Democrats warned him to remove these Negroes but he ignored the warning. Apparently the popular sentiment in the county favored Dr. Mitchell. This is inferentially indicated by the fact that the Knights of the Golden Circle did not dare to compel him to abide by the Constitution.<sup>81</sup>

It was not necessary to draft men for the Union Army out of Saline County. Its quota for the army was 1,285 and it supplied 1,280. Seven companies of infantry and one of cavalry were recruited almost entirely in the county. One of these companies was under the command of General John A. Logan and they were all in the brigade of General John A. McClernand. There were a number of Saline "boys" with Sherman on his famous march "from Atlanta to the sea."<sup>82</sup>

76. History of Saline County and Harrisburg, p. 26.

77. Priv. L. 1861, p. 636. This charter designated the area of Harrisburg as follows: "The southwest quarter of the northwest quarter, and the northwest quarter of the southwest quarter of section 15, and the southeast quarter of the northeast quarter, and the northeast quarter of the southeast quarter of section 16, in Township 9 south, of Range 6 east, and all additions that may hereafter be made to said town" (History of Saline, p. 212).

78. History of Saline County and Harrisburg, p. 16.

79. Ibid.

80. Ibid. Dr. Mitchell is gratefully remembered in his home county as the philanthropist who contributed the plot of land upon which the Mitchell-Carnegie Public Library in Harrisburg now stands.

81. Ibid.

82. Ibid.

## Historical Sketch

It was not until after the Civil War that the major expansion of Saline's population and industry really began. And most of this took place after the county had adopted the township form of government.

### TOWNSHIP ORGANIZATION

It was provided by the Constitution of 1870 that in counties not under township organization, a board of county commissioners was to be instituted in place of the administrative county court. This was a resumption of the major phase of county administration established by the Constitution of 1818.<sup>83</sup>

Saline was among the counties to which this new constitutional provision applied—that is, it applied to Saline for almost two decades. In 1889 this county, falling in line with most of its counterpart administrative units of the state, adopted the township form of organization and local administration, and as a result in 1890, the county board of supervisors replaced the board of county commissioners as the basic agency of county government.

Worth noting in this connection is the fact that it took some time to win the support of a majority of the Saline electorate for township organization. On petition of John C. Matthews and others it was ordered on September 4, 1878 that the county clerk advertise an election to be held November 5, 1878 for the purpose of giving the voters of the county an opportunity to vote for or against township organization.<sup>84</sup> Apparently the result was a majority for the negative, for on September 3, 1883, on petition of Nelson Webber and forty-nine others, it was again ordered that the county advertise an election for the same purpose.<sup>85</sup> Five years later the question was submitted to the voters for a third time as a result of a petition by D. N. Anderson and others.<sup>86</sup> In 1889 it was voted upon, apparently for the fourth time, and that year it won out.<sup>87</sup> On December 17, 1889 commissioners were appointed to divide the county into townships in pursuance of the majority decision in an election held November 5 of that year.<sup>88</sup>

On January 20, of the following year, these special commissioners reported that they had divided Saline County into thirteen townships: Hall, Galatia, Brushy, Douglas, Stonefort, Long Branch, Raleigh, Harrisburg, Independence, Texas, Eldorado, Cottage, and Somerset.<sup>89</sup> Two weeks later, the board of county commissioners ordered that changes be made in the names of five townships: Hall was renamed Tate; Douglas was renamed Carrier Mills; Eldorado was renamed East Eldorado; Somerset was renamed Mountain; Texas was renamed Rector.<sup>90</sup> The board of county commissioners at their January meeting also designated a polling place in

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83. County and Local Government, Bulletin No. 12, p. 1013.

84. County Commissioners' Record, v. A (1874-80), p. 428, in Supervisors' Record, see entry 2.

85. *Ibid.*, v. B, p. 206.

86. *Ibid.*, v. C, p. 28.

87. *Ibid.*, p. 67.

88. *Ibid.*, p. 78.

89. *Ibid.*, p. 80-83.

90. *Ibid.*, p. 86.



## Historical Sketch

each of the townships to be utilized for the annual town election to be held in April 1890 at which election town supervisors were to be chosen.<sup>91</sup> These town supervisors meeting together form the county board of supervisors, the board that administers county affairs.

At a special meeting held on April 24, 1890 at the office of the county clerk in Harrisburg the eight supervisors present ordered that the supervisors in the several towns "meet at the Court House in the city of Harrisburg on Friday, the second day of May A. D. 1890—at 10 o'clock A. M."<sup>92</sup> This meeting, the first official session of the board of supervisors, was held on May 2, 1890 at the courthouse in Harrisburg. All thirteen supervisors were present. Hezekiah Bromlet was elected chairman for the ensuing year. W. C. Baker was elected county treasurer to fill vacancy left by the death of Pleas (Pleasant) Taylor.<sup>93</sup> On July 14 of the same year rules and regulations and the order of procedure to be followed at board of supervisors' meetings were drawn up.<sup>94</sup> And thus the new type of county administration, carried on under the supervision of representatives from each of the county's thirteen townships, got under way, and, as in most of the other Illinois counties, it has been retained as the basic agency of local government.<sup>95</sup>

An indication as to how the board functions in Saline County is manifested in a routine piece of business which it carried through on April 15, 1913. This was the appointment of ten committees by the chairman of the board, three supervisors constituting each of these committees which were designated as follows: Rules, Reports, Claims, Fuel, Roads and Bridges, Poor and Poor Farm, Building, Finance, Printing, and Fees and Salaries.<sup>96</sup>

## THE JUDICIARY

There does not appear to be anything of an extraordinary nature to report, from a historical standpoint, with respect to the judiciary in Saline County. As in other counties, so in Saline, a number of cases significant for their psychological and sociological implications have been tried in the

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91. County Commissioners' Record, v. C, p. 83, 84, in Supervisors' Record, see entry 2. The following were the location of these polling places: Hall Township, at the Hall town school house in Township 75, Range 5 E. Galatia Township at the usual place in the Village of Galatia in Township 8 S., Range 5 E. Brushy Township at home of D. F. Med'in in Township 8 S., Range 5 E. Douglas Township at town of Carrier Mills in Township 10 S., Range 5 E. Stonefort Township at usual place in Village of Stonefort. Independence Township at usual place in town of Independence. Somerset Township at usual place at Crossroads in Township 10 S., Range 7 E. Cottage Township at Cottage Grove school house in Township 8 S., Range 7 E. Eldorado Township at usual place in Village of Eldorado. Texas Township at Delton Clary school house in Township 7 S., Range 7 E. Long Branch Township at Rhine school house in Township 7 S., Range 6 E. Raleigh Township at usual place in Village of Raleigh. Harrisburg Township at usual place in city of Harrisburg.

92. *Ibid.*, p. 95.

93. *Ibid.*, p. 95-99.

94. *Ibid.*, p. 100-102.

95. The number of supervisors and assistant supervisors by townships in Saline County is at present as follows: Brushy 1, Carrier Mills 2, Cottage 1, East Eldorado 4, Galatia 1, Harrisburg 6, Independence 1, Long Branch 1, Mountain 1, Raleigh 1, Rector 1, Stonefort 1, Tate 1; total 22.

96. Supervisors' Record, v. E, p. 66, see entry 2.

## Historical Sketch

circuit court. Worth noting historically among these are the litigations arising from quarrels, riots, fights, and destruction of property precipitated by antagonism over the slavery issue.

No attempt has been made here to present comprehensively the evolution of the judicial system in Saline County. Merely a few characteristic lawsuits and other relevant developments have been selected from the first thirty years of its history for presentation here by way of indicating how the judicial functions of the county government have been carried on.

Judge William A. Denning presided over the first term of the circuit court in Saline County. It began on Monday, June 5, 1848 at Raleigh. The first grand jury impaneled in this county, March 8, consisted of John B. Norman, William Stricklin, John Rhine, C. B. Bromlet, Henry Garner, George N. Pemberton, Albert A. Anderson, William Anderson, Willie Pinnell, Thomas Vaughn, William Elder, William Bourland, Jess E. Rude, David I. Blackman, Samuel B. Crank, George W. Hensley, Wilson Gaskins, James C. Ward, Harmon Thompson, David Tanner, John Miller, James Hill and James Murray.<sup>97</sup> The first case to come up during this first term of court was entitled "G. A. Pemberton, administrator of T. H. Spencer, deceased, vs Logan Lynch, Appeal." The decision in this case was handed down the following day. It was "in favor of the plaintiff for \$13.00 cost and charges."<sup>98</sup>

At the next term of this court, which opened Monday, June 11, 1849, one case of assault with intent to murder appeared on the docket, as did also several cases of "gaming." Two liquor cases were tried at the November term of the same year—one being for selling liquor without license and the other for selling liquor on the Sabbath day. Three divorce cases were on the docket for the June term in 1850. In each of these cases the plaintiff received a decree owing to the failure of the defendants to appear.<sup>99</sup>

Exacerbated feelings aroused by the slavery issue which was then about to break loose in civil war are reflected in the circuit court records for 1860 in Saline County. As has been indicated in another section of the present historical sketch, there was much proslavery sentiment in Saline County. The clash between this sentiment and the antislavery sentiment resulted in much violence and disturbance. The circuit court records for the county during 1860 show seven cases of assault with attempt to murder, one actual murder, one of "tearing advertisements," thirteen bodily injury assaults, ninety liquor selling cases, two counterfeit money cases, one for unlawful assembly, two for resisting an officer, one for disturbing a worshipping congregation, two for rioting, etc.<sup>100</sup>

Litigation over the ownership of a bull calf was the first case tried by a jury in Saline County. It was brought up to the circuit court from that of a justice of the peace. It came up on June 5, 1848, the first day of the first session of the court at Raleigh and was decided on June 6.

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97. County Commissioners' Record, v. A, (1847-48), p. 29, 30, in Supervisors' Record, see entry 2.

98. History of Saline, p. 188, 189.

99. *Ibid.*, p. 190-92.

100. *Ibid.*, p. 193.

## Historical Sketch

The defendant was found guilty and the damages were assessed at \$3.50 together with costs and charges. The latter came to about \$450. The defendant had to sell his 80-acre farm and his personal property to meet the fine and was thereby financially ruined.<sup>101</sup>

On March 4, 1874 seven persons, apparently from Saline County, were allowed \$5.50 each for attending the Gallatin County circuit court as witnesses for the people in the case of the People of the State of Illinois vs James Pickering. Pickering was indicted for murder in Saline County and on a change of venue was taken to Gallatin County.<sup>102</sup>

Twenty-one men were selected as grand jurors on March 7, 1874 to serve at the May 1874 term of the circuit court.<sup>103</sup> On September 12, 1877 twenty-three men were selected as grand jurors to serve at the November 1877 term of the circuit court.<sup>104</sup> For issuing 79 grand jury subpoenas at the May 1878 term of the circuit court, P. Y. Reynolds was paid \$27.65. This payment, it may be worth noting, was at the rate of thirty-five cents a subpoena.<sup>105</sup>

## TAXATION AND FINANCE

### Wide Range of Tax Rates

As is to be expected there has been, since its establishment, a wide range of difference in the tax rates of Saline County. For example, on March 6, 1848, there was levied for that year a tax of twenty cents on each \$100 of taxable property.<sup>106</sup> By way of contrast there may be cited the fact that in the year 1938 Mountain Township in this county set a tax rate of \$2.05 on each \$100 of assessed valuation.<sup>107</sup>

On June 6, 1848, the tax levy for that year was raised to forty cents on each \$100 of taxable property instead of the twenty-cent rate originally set.<sup>108</sup> The county tax on personal property for the year 1849 was continued at the rate of forty cents on each \$100.<sup>109</sup> In 1853 the same was still in effect.<sup>110</sup>

### Tabulation For Year 1853

Table I shows the quantity and value of each kind of personal property in the assessment list for the year 1853 in Saline County. It shows also the value of land and town lots assessed for taxation in the same county during the same year and the amount of state and county taxes charged thereon.<sup>111</sup>

101. History of Saline, p. 195, 196.

102. County Commissioners' Record, v. A (1874-80), p. 10, in Supervisors' Record, see entry 2.

103. *Ibid.*, p. 19.

104. *Ibid.*, p. 358.

105. *Ibid.*, p. 412.

106. County Commissioners' Record, v. A, (1847-48), p. 21, in Supervisors' Record, see entry 2.

107. Illinois Tax Commission, Survey of Local Finance in Illinois, III, 51.

108. Order Book (1848-57), p. 2, in Supervisors' Record, see entry 2.

109. *Ibid.*, p. 56.

110. *Ibid.*, p. 207.

111. *Ibid.*, p. 258.

## Historical Sketch

### Taxation—1874-1916

Thomas A. Jones was allowed \$669.80 for preparing the tax book for 1873.<sup>112</sup> A tax of one cent per dollar was levied and assessed for the year 1874 on taxable property in the county.<sup>113</sup> In 1880 a tax of seventy-five cents was levied on each \$100 of taxable property—both real and personal. This is the maximum rate permitted under the Constitution of 1870.<sup>114</sup> It was provided in 1880 that three quarters of the whole amount of such tax was to be paid out on orders drawn on the county treasurer. These orders were in anticipation of the collection of the taxes levied.<sup>115</sup>

Table 1: Property Valuation and Taxation for the Year 1853

Description of Property	Quantity of Property	Value of Property
No. of Horses Assessed	2,224	\$64,086
" of Meat Cattle "	4,848	35,233
" of Mules and Asses "	121	4,569
" of Sheep "	4,970	3,799
" of Hogs "	21,965	20,571
" of Carriages and Wagons ass'd	328	9,242
" of Watches and Clocks "	255	1,685
Value of Goods and Mdse. "		14,956
" of Manufactured Articles "		482
" of Money and Credits "		23,072
" of Unenumerated Articles "		25,784
Total value of Personal Property		\$203,479.00
Value of Lands Assessed		272,704.00
Value of Town Lots		6,192.00
Total .....		\$482,375.00
State tax for defraying ordinary		
expense	(at 1 mill)	\$482.37
" " " paying state debt	(at 2 mills)	964.75
" " " paying interest on		
state debt	(at 1 1/2 mill)	723.56
" " " the insane hospital	(at 1/3 mill)	160.79
" " " interest and cost on		
forfeited lands		97.21
" " " the institution for		
educating blind	(at 1/10 mill)	48.23
Total state tax .....		\$2,476.91
County tax levied at 4 mills ..... \$1,929.50		
County tax on forfeited lands ..... 74.73		
Total county tax .....		\$2,004.23
Total state tax charged .....		\$2,476.91
Aggregate		\$4,481.14

112. County Commissioners' Record, v. A (1874-80), p. 9, in Supervisors' Record, see entry 2.

113. *Ibid.*, p. 68.

114. Art. IX, sec. 8.

115. County Commissioners' Record, v.B, p. 13, in Supervisors' Record, see entry 2.

**Historical Sketch**

In 1914 the committee on taxation set \$40,000 as the approximate amount which the county should collect in taxes for that year.<sup>116</sup> The money raised by taxation for 1914 was designated to be used as follows:

35% Court costs expenses	2% Janitor Service
20% Poor	5% Feeding prisoners
20% Salaries of county officers	5% Special assessments and public improvements
5% Books and stationery	5% Repairs and building purposes <sup>117</sup>
3% Fuel	

It was found feasible in the year 1914 to levy an additional tax of three cents on each \$100 of taxable property for the "mothers' pension fund."<sup>118</sup> Later in the same year an additional tax of fifteen cents on each \$100 of taxable property was levied to finance the improvements of the state-aid road.<sup>119</sup>

The \$44,500 raised by taxation in 1916 was expended as follows:<sup>120</sup>

Court House Maintenance	\$1,000
County Jail	8,000
County officers and salaries	5,000
Printing, books and stationery	6,000
Court costs and expenses	11,500
Poor, keeping and maintaining	8,000
Sundry	300
Mother's pensions	1,200
Blind relief	3,000
	\$44,500
Total .....	\$44,500

**Tax Rates for 1938**

Table II showing assessed valuations, tax rates, and title extensions by townships in Saline County, for the year 1938,<sup>121</sup> is significant in itself. Moreover, by comparing figures in this table with general figures for earlier periods in the history of Saline County one may derive data helpful toward understanding its changing economic and social conditions. The total assessed valuation of \$11,454,000 in 1938, thus, may be compared with

116. Supervisors' Record, v. E, p. 124, see entry 2.

117. Ibid., p. 131.

118. Ibid., p. 132. This is a special tax which the county raises by command of the state legislature (L. 1913, p. 130).

119. Ibid., p. 145. This is a special tax which the county raises by command of the state legislature (L. 1872, p. 682).

120. Ibid., p. 223, 224.

121. Illinois Tax Commission, Survey of Local Finance In Illinois, III, 51.

## Historical Sketch

Table II: Saline County Assessed Valuations, Tax Rates, and Total Extensions, 1938, by Townships:<sup>122</sup>

Township	Assessed Valuation	Tax Rate %	Total Extension
Brushy	\$ 788,000	1.77	\$13,971
Carrier Mills	1,203,000	1.50	18,071
Cottage	496,000	1.14	5,660
East Eldorado	1,762,000	1.19	21,052
Galatia	433,000	1.42	6,154
Harrisburg	4,868,000	.83	40,562
Independence	218,000	1.87	4,070
Long Branch	146,000	1.33	1,952
Mountain	171,000	2.05	3,505
Raleigh	771,000	1.60	12,349
Rector	273,000	1.01	2,765
Stonefort	177,000	2.03	3,593
Tate	148,000	1.60	2,375
Total	\$11,454,000		

that for the year 1869 which was \$1,219,165;<sup>123</sup> that for 1900 was \$1,532,877,<sup>124</sup> while that of 1920 was \$12,310,966.<sup>125</sup> The assessment for 1940 was made on a valuation of \$11,136,014.<sup>126</sup>

### Routine Items of County Finance

Representative items of county business dating back to Saline County's early beginnings as an administrative unit and continuing on in to the twentieth century are here presented as additional data showing various factors involved in county finances and reflecting the general development of the county.

On November 6, 1847, Hiram Burnett's bond as county treasurer was received and approved. The following year on January 31, John Howard presented his bond of \$3,500 as county collector.<sup>127</sup> During the November 1848 term of the county court, John Howard presented another bond as county collector, this one amounting to \$10,000. During the September 1852 term of the county court the bond of John M. Burnett, county drainage commissioner, for \$10,000 was approved. On December 1, 1856, William Roark presented a bond for \$22,854 as county collector.<sup>128</sup>

R. N. Warfield was paid \$200 on November 5, 1874; this sum comprised his salary as county judge for "quarter ending March 1, 1874." On the seventh day of the same month in the same year each county commissioner, the county clerk, and the sheriff were paid \$18 each for six days' services, and on October 23 of the same year the annual salary of the county sheriff was fixed at \$1,000. On December 16, 1874 the bond of the

122. Illinois Tax Commission, Survey of Local Finance in Illinois, III, 51. Assessed valuations are here indicated in round figures; the amounts below \$1,000 are not given.

123. Illinois State Board of Equalization, Proceedings, 1869, p. 21, 34, 39, 103, 107.

124. Ibid., 1900, p. 20, 26, 39, 83, 93, 177.

125. Illinois Tax Commission, Second Annual Report, 1920, p. 48, 54, 331.

126. Ibid., Twenty-first and Twenty-second Annual Report, 1939-1940, p. 184, 192, 283.

127. County Commissioners' Record, v. A (1847-48), p. 2, 19, in Supervisors' Record, see entry 2.

128. Order Book (1848-57), p. 14, 181, 497, in Supervisors' Record, see entry 2.

## Historical Sketch

collector of revenue was fixed at \$96,000. The following year the salary of the county treasurer and assessor for the subsequent term of office was fixed at \$800 per annum. During the same year the county treasurer's bond was set at \$25,000 and that of the collector of revenue at \$130,226.<sup>129</sup>

On September 7, 1882 the yearly salaries of several county officers for the ensuing term of four years was fixed as follows: county clerk, \$950; sheriff, \$950; county judge, \$500; and the county treasurer, \$500.<sup>130</sup> The salary of the circuit clerk for the term commencing December 1884 was set at \$600 per year;<sup>131</sup> and A. G. Abney was paid \$250 as his salary for a half-year's service as county judge on June 12, 1891.<sup>132</sup>

In 1912 the bond of county collector for \$200,000 was presented. In 1914 the salary of the county clerk was set at \$2,000 per year, with the provision that he was to pay all deputy services required. At the same time the annual salaries of additional county officers were set as follows: county judge, \$1,000; county treasurer and collector, \$1,300 (with the provision that he pay for all deputy service required), and sheriff, \$2,400. It was provided that the sheriff should also pay for all deputy service out of his salary and that the remuneration of both himself and any deputies required should be drawn from the fees collected in the sheriff's office only.<sup>133</sup>

## Provision for Auditing County Books

During the year 1933 the question of auditing the county books came up for consideration several times. A motion to have an audit made for the two preceding years was carried on June 12, after the supervisors had voted down a proposal that the audit should cover the ten years immediately preceding. Later, during the same month, the motion which had been adopted was revoked and instead of that it was decided that an audit be made for three years ending December 1, 1933, and that thereafter the county books should be audited annually.<sup>134</sup>

## Bounties, Loans, Sale of Swamp Lands

Other transactions which fall within the scope of county finances in Saline include the payment of small bounties, the sale of swamp lands, and the making of loans. The balance on hand in the county treasury at different times during the early days of the county's history and certain references to the auditing of the county records help further to show how the county administration has been carried on.

On March 9, 1848 there was, according to the report of the treasurer, a total of \$3 in cash in the county treasury.<sup>135</sup> The following year the

129. County Commissioners' Record, v. A (1874-80), p. 15, 22, 76, 93, 155, 171, 179, in Supervisors' Record, see entry 2.

130. *Ibid.*, v. B, p. 145.

131. *Ibid.*, p. 278.

132. *Ibid.*, v. C, p. 164.

133. Supervisors' Record, v. E, p. 43, 140, see entry 2.

134. *Ibid.*, v. G, p. 12, 19, 20.

135. County Commissioners' Record, v. A (1847-48), p. 31, in Supervisors' Record, see entry 2.

## Historical Sketch

county treasurer reported a total of \$200.85 outstanding in county orders and warrants. The cash on hand in the county treasury at that time amounted to \$14.25.<sup>136</sup> During the same year also John Miller was paid a bounty of \$1.75 for killing one wolf.<sup>137</sup> With reference to bounties, it is worth noting that on March 8, 1881, it was ordered that a premium of fifty cents should be paid on each grey fox scalp and a premium of \$2.60 on each red fox scalp taken in the county after that date. The purpose of this measure was to rid the area of these animals that had been preying on poultry, pigs, and lambs.<sup>138</sup>

During the year 1853 and 1854 the problem of swamp lands and its various implications received much consideration in county affairs. At the June 1853 term of the county court a report on the classification of the quality and drainage of the swamp and overflowed lands of Saline County was received. This report was made by Hugh Kane, the surveyor, in compliance with an act of the State Legislature, passed June 22, 1852, entitled: "An Act to Dispose of the Swamp and Overflowed Lands."<sup>139</sup> The clerk of the court was ordered to record this report, and the price of the land in question was set as follows: \$1 per acre for first class, seventy-five cents per acre for second class, and fifty cents per acre for third class.<sup>140</sup> The proceeds from the sales of the swamp and overflowed lands went into the courthouse building fund. The following year it was ordered that net proceeds from the sale of swamp and overflowed lands which remained after paying for the new courthouse building fund had been completed should be divided between a permanent bridge fund and a county school fund. Two thirds of this money went to form a part of the principal of the county school fund and the other third was applied to the building and repairing of bridges on the public roads in the county.<sup>141</sup>

A report of the drainage commissioner, dated June 17, 1854, states that up to June 12 of that year 16,790.09 acres of swamp lands in the county were sold at public sale for a total of \$12,999.69. Of this amount, \$4,354.49 was received in cash, \$6,040.71 was in mortgages, and \$2,604.49 in the form of Saline county orders.<sup>142</sup> In 1855 the drainage commissioner was authorized to loan out \$1,000 of the drainage fund. It was provided that this money could be borrowed only by citizens of Saline County and that no single person or firm was to be loaned more than \$100. The

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136. Order Book (1848-57), p. 48, in Supervisors' Record, see entry 2.

137. *Ibid.*, p. 26.

138. County Commissioners' Record, v. B, p. 48, in Supervisors' Record, see entry 2.

139. L. 1852, Second Sess., p. 178. The following passage from the Saline county board Order Book shows how this state law was applied: "Ordered by the court that the proceeds of the sales of the Swamp Lands granted to the State of Illinois by act of Congress, entitled an act to enable the State of Arkansas and other states to reclaim the swamp and overflowed Lands, approved September 28th A. D. 1850 and also an act passed by the State Legislature of the State of Illinois entitled an act to dispose of the swamp and overflowed lands approved June 22nd 1852 be and the same and the proceeds of the sales thereof after defraying all the actual expenses of selection reporting, drainage &c are hereby irrevocable pledged for the redemption of the orders issued for the erection of the court house on the public square in the town of Raleigh as entered into contract this day" (Order Book (1848-57), p. 225, in Supervisors' Record, see entry 2).

140. Order Book (1848-57), p. 215, in Supervisors' Record, see entry 2, (June 7, 1853).

141. *Ibid.*, p. 289 (March 10, 1854).

142. *Ibid.*, p. 339.



## Historical Sketch

notes covering these loans were made payable on a nine months' basis.<sup>143</sup> The following year the drainage commissioner was authorized to lend out all special funds under his jurisdiction on the same terms as those designated a year before. He was instructed not to bring suit for the foreclosure of any mortgage given on swamp and overflow lands until ordered to do so by the court.<sup>144</sup>

## PUBLIC BUILDINGS

### Two-Story Log House in Public Square

The enabling act authorizing the organization of Saline County had specified that a public square should be provided for on the land selected for the county seat, and that the block or lot proposed for a public square should have the seat of justice located on it.<sup>145</sup> This lends special significance to the fact that the two-story log house where the first court trial was held was on the public square which had been laid out in the plat made by Surveyor Sloan.<sup>146</sup>

The surveyor's certificate stated that he had platted and surveyed "a certain piece or parcel of ground, being that which have (sic) been donated to the County of Saline by Andrew Musgraves and Hannah A. Crawford, and ordered by county commissioners' court of said county to be platted and laid out in lots. A copy of said plan and survey is hereunto annexed, and is described as follows: That plat was divided into fifteen blocks so subdivided as to make in all forty-six lots. The center block was reserved for the public square and the streets were named with respect to this square. There are only four streets and they are each sixty-six feet wide."<sup>147</sup> At the time of the survey no one was living there except Andrew Musgraves, Israel W. and Hannah Crawford, and Archibald Sloan.<sup>148</sup> This townsite for the location of the county seat, which was eventually to be called Raleigh at the first meeting of the county commissioners' court, was thus artificially created.

### Construction of First Court House

Ready means were found for financing the erection of a courthouse. It was ordered that money drawn from the proceeds of the sale of lots in Raleigh be used to construct a court house which was designated to be built "according to the plan made out for said house and placed in the hands of the agents appointed to let out said house."<sup>149</sup> Hiram Burnett and A. Sloan were appointed "to let out said house." This phrasing of the purpose of the appointment must have meant that Burnett and Sloan were designated to act as agents to let the contract for the structure.<sup>150</sup>

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143. Order Book (1848-57), p. 426, in Supervisors' Record, see entry 2.

144. *Ibid.*, p. 445, 446.

145. Priv. L. 1847, p. 35, 36.

146. History of Saline, p. 42.

147. *Ibid.*, p. 214.

148. *Ibid.*

149. County Commissioners' Record, v. A (1847-48), p. 11, in Supervisors' Record, see entry 2.

150. *Ibid.*

## Historical Sketch

The record of the April 1848 term of court reveals that James M. Gaston, who was the clerk of the county court, had been engaged to build the courthouse, and was to have completed it by May 15. Gaston asked for an extension of time in order to enable him to season the lumber which was to be used. The time was extended to August 15, and the court agreed to pay Gaston at the June term of court for "so much of the work as is completed at that time, according to the former contract." It was also agreed that the court would pay whatever balance might be due on completion of the contract.<sup>151</sup> At the time when these decisions were made the court also ordered "that the door in the south side of the court house be omitted."<sup>152</sup> At a session of the court, in November of the same year, "the court house which was undertaken by Wesley W. Gaston" was accepted, "having been completed according to the contract entered into by the said undertaker and the commissioners appointed to let said house." The county treasurer was ordered to pay "Gaston \$50.25 for extra work done on the court house for Saline County." Also, the treasurer was ordered to pay Gaston \$50, "the balance on payment on court house."<sup>153</sup>

In May 1848 the treasurer was ordered to remit to A. Sloan \$6.50 in part payment for a desk and table furnished to the county. A month later the commissioners' court instructed Gaston, the contractor, to build, "a temporary platform with bannisters in front of the judge's seat."<sup>154</sup> And "for furnishing brick and burning out chimney to the courthouse stove," \$1 was paid to John Barnes in March 1849.<sup>155</sup>

## First County Jail

The first courthouse having been completed and accepted by the county commissioners, they proceeded to execute plans for the construction of a county jail. After adopting a plan for the building, the commissioners ordered that the contract be let, on December 23, 1848, to the lowest responsible bidder. The plan called for a building 16 feet square and 2 stories high. Foundation stones were to be 18 inches underground, and 1 foot above ground. It was stipulated that the barricade or fence wall was to be 2 feet thick, the part underground to be of rough masonry, and the part above ground hammer-dressed. The walls of the building were to be of hewn timber, 10 inches square. Specifications were detailed and showed precautionary interest in having a jail that would be secure as a place for confinement of persons held as prisoners. There were to be 2 windows in the first story, 2 feet by 6 inches, with 1-inch square iron braces across, placed 2 inches apart. An intricate arrangement for the

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151. County Commissioners' Record, v. A, (1847-48), p. 33, in Supervisors' Record, see entry 2. At the June term, the court ordered the county treasurer to pay Wesley W. Gaston \$350 "for work done on the court house" (Order Book (1848-57), p. 1, in Supervisors' Record, see entry 2). No explanation is available to show why Wesley W. Gaston succeeded James M. Gaston as builder of the courthouse.

152. County Commissioners' Record, v. A (1847-48), p. 33.

153. Order Book (1848-57), p. 13.

154. *Ibid.*, p. 6.

155. *Ibid.*, p. 27.

## Historical Sketch

making of these bars secure and nonremovable with ordinary tools was devised. The second story was to be divided into 2 rooms of equal size, with 1 window to each room, and of the dimensions of those in the first story.<sup>156</sup> It was ordered that the jail should be completed on or before the first Monday in September 1849. The contractor was required to give bond for double the amount of the contract; and he was to receive one third of the contract sum on the first Monday of March 1849, one third the first Monday in June of the same year, and the remainder when "the work is completed."<sup>157</sup>

The contractors' bond was read to the commissioners at their March 1849 meeting. It was ordered that \$200 be remitted to John Howard and William St. C. Clark, contractors, as part of the first payment for building the jail. In June they were ordered paid another \$500 of the amount due them for the construction of this building. At the September term of court, the jail was received as having been built according to contract. The treasurer was ordered to pay the "undertakers" \$32.50 "in full for building the jail for Saline County."<sup>158</sup>

## Later Buildings

Five years after the first courthouse in Raleigh was accepted at the November 1848 term of court a contract was awarded, on July 18, 1853, to Jarvis Pierce to build there a new brick courthouse. Whereas the first courthouse was of wood and cost approximately \$500, the new brick structure was to cost \$5,500. Nine months later, on April 8, 1854, this second courthouse was received at a special meeting of the county court.<sup>159</sup>

As has been noted, late in the 1850's the decision was reached to transfer the county seat from Raleigh to Harrisburg. In June 1858 the county court met in the latter place for the first time. In March of the following year the county ordered the appointment of commissioners to select sites for a courthouse and jail in Harrisburg. The state legislature had authorized issuance of county bonds to pay for these buildings.<sup>160</sup>

The contract for the erection of the structures was awarded July 20, 1859, to John W. Mitchell and Robert Mick, the price set being \$15,440. Specifications had been prepared by the architectural firm, J. K. Frick and Company. This contract covered the jailer's residence as well as the courthouse and jail. The jail was completed and received on August 4, 1860, and the courthouse late in 1860 or early in 1861. Full settlement for these buildings was made at the December 1861 term of the county court.

The courthouse in question has been described as a "two story brick (building) with four doric columns of brick incased in plaster in front, standing near together, and supporting the roof of a portico, in which two spiral iron staircases wind up to the circuit court room above."<sup>161</sup>

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156. Order Book (1848-57), p. 22, 23, In Supervisors' Record, see entry 2.

157. *Ibid.*, p. 24.

158. *Ibid.*, p. 25, 41, 50.

159. *Ibid.*, p. 225, 307.

160. History of Saline, p. 186, 187.

161. *Ibid.*, p. 187.

## Historical Sketch

Shortly after the turn of the century it was found necessary to construct a new county courthouse in Harrisburg. It was completed in 1905, repainted in 1919, and an addition built in 1938.<sup>162</sup> A new county jail was built in Harrisburg in 1912 at the cost of \$16,587.08.<sup>163</sup>

## ROADS, BRIDGES AND RAILROADS

Much of the road building in which the white men engaged in the early days consisted merely of the broadening of trails which the Red Men had apparently been using for centuries. The Indians had selected these routes and beaten out paths upon them because of the solidity of the ground which underlay them. Nevertheless, whenever a new trail was blazed or a cartway hewed out, the area roundabout was opened up to cultivation and civilization. These roads were like rivers flowing through the land, enriching it and stimulating its expansion. Results of this nature eventuated from the establishment in 1812 of the mail route over the Shawneetown-Kaskaskia trail.

### First Road Laid Out Under Authority of County Commissioners

The first road planned by Saline County was not one of the cart roads, which, Topsy-like, just "grewed." Though it was comparatively shapeless and full of ruts, it was designed and laid out under the authority of the county commissioners, and represents a significant stage in the evolution from the primitive Indian trails to the modern, three-and four-lane concrete highways. This evolution includes such stages as the cart road, rut, narrow turnpike, and plank road. The development of roads in this area, as in the state and nation generally, runs parallel with broader economic, social, and political development.

In a foregoing section of the present study<sup>164</sup> reference has been made to the appointment of commissioners to lay out a road in Saline County. This action, it will be recalled, was taken at the meeting of the county commissioners' court held on November 6, 1847. At the March 1848 term of the court the commissioners again concerned themselves with the problem of roads and their upkeep. William Whiteside was directed "to change the McFarlain road from the Franklin County line above Robert Watson to William Whitesides." The order of the court added: "The hands allotted to that road (are) Adam Moses, Robert Carr, Spencer Pelon, James Mason, James Swan, Robert Watson, Logan Lynch, and William Whiteside," the last named acting as supervisor.<sup>165</sup> Assignments of thirty-four persons as supervisors of as many roads to be "worked" with "hands allotted" were also made at this meeting of the commissioners' court. The functions and prerogatives of these supervisors were stipulated in a state law approved February 12, 1827.<sup>166</sup> This law provided that the supervisors of road districts should assign five days of road work to all male citizens in their districts between the ages of 18 and 50.<sup>167</sup>

162. For details, see chapter 4, Housing, Care, and Accessibility of the Records.

163. Supervisors' Record, v. E, p. 41, 42, see entry 2.

164. County Commissioners' Court, p. 11.

165. County Commissioners' Record, v. A (1847-48), p. 21, in Supervisors' Record, see entry 2.

166. R. L. 1827, p. 340-46.

167. Ibid.

## Historical Sketch

A characteristic assignment read: "Ordered that Thomas Malcomb work the Road as supervisor from Bethel's Creek to Raleigh and the bounds for hands be as follows: A due north and south line to extend from the public square in Raleigh half way between the old Rasky road and this and extend to Bethel's Creek and on the south to James Smith's old place and thence southeast to the line now running south from Raleigh."<sup>168</sup> Every able-bodied man was ordered to perform each year five days of labor on the roads.<sup>169</sup>

## Road Building a Major County Function

The location and construction of roads continued to be a major function of the county administration. In December 1848, James P. Zondell, Joseph Choisser, and Daniel Mingo were appointed to "review, mark out, and locate a road leading from Raleigh in Saline County to the Middle Fork of the Saline at Wins Shanty, thence to Bankston at White Oak, thence to intersect the McLamsboro Road on the west of Joseph Wise."<sup>170</sup>

## Road Work Requirements

In 1850, five days' labor on road work was required from each "hand subject to perform road (labor) for the present year."<sup>171</sup> In 1874, each of the road supervisors had the responsibility of requiring every able-bodied man in his district to perform three days' labor upon some road, or to pay one dollar in lieu of such work. The road supervisors appointed for the year 1880 had the responsibility of requiring each man in their district, subject to road labor, to do five days' work on the highway.<sup>172</sup> In 1884 the road districts were changed and renumbered so as to make a total of sixty-one in the county.<sup>173</sup>

Toward the close of 1885 an incentive was offered road supervisors to make prompt and full reports of their activities during the ensuing year. It was ordered that each road supervisor who fulfilled his duty in this fashion should be paid \$3 as full compensation for his services. In 1887 a ruling of the county commissioners provided for the employment of all persons convicted of petty larceny or any other misdemeanor at labor on the public roads. The ruling further provided that these prisoners should work out their fines in this manner at the rate of \$1.50 per day, such work to be under the charge of the sheriff. However, the following year this order was revoked by the county board.<sup>174</sup>

In 1913 the salary of the county superintendent of highways was set at \$1,200 per year, with the provision that he pay his own traveling and other expenses.<sup>175</sup> The board of supervisors ordered, in 1915, that \$870 be appropriated to match a like amount provided by the state for the purpose

168. County Commissioners' Record, v A (1847-48), p. 22, in Supervisors' Record, see entry 2.

169. *Ibid.*, p. 28.

170. Order Book (1848-57), p. 15, in Supervisors' Record, see entry 2.

171. *Ibid.*, p. 73.

172. County Commissioners' Record, v. A (1874-80), p. 12, 52, in Supervisors' Record, see entry 2.

173. *Ibid.*, v. B p. 248.

174. *Ibid.*, p. 345, 468; *ibid.*, v. C, p. 7.

175. Supervisors' Record, v. E, p. 102, see entry 2.

## Historical Sketch

of building bridges, and the repair of the state-aid roads in Saline County.<sup>176</sup> During 1927, contracts were awarded to lowest bidders for the construction of eleven roadways in Saline County.<sup>177</sup>

## Early Bridges

As early as 1849, Saline County assumed responsibility for the construction of a bridge. This is recorded as follows: "The County Commissioners do agree to pay to the undertaker of a bridge to be builded across the Saline River immediately above Walter White's mill the one half of what the bridge may cost provided that the said bridge does not cost more than \$400 which one half is to be in an order drawn on the County Treasurer."<sup>178</sup>

In 1854 a remittance of \$60 was made to Samuel Stiff as part payment for building a bridge across the middle fork of the Saline River on the Golconda and McLeansboro State Road. During the same year three bridge commissioners were paid \$4 each for services in building bridges.<sup>179</sup>

A petition submitted in 1874 resulted in the appropriation of \$120 for the purpose of building two bridges on a new road leading from Harrisburg to the Williamson County line. The total paid out of the road and bridge fund during that year came to \$507.40, and covered the cost of building four bridges and the repairing of others. During the following year \$150 was paid for building a bridge across the Little Creek on the Harrisburg and Stonefort road. For building a bridge on the Saline Creek near Stonefort another \$268.65 was paid in 1884.<sup>180</sup>

## Railroads—Past and Present

An abortive attempt was made in 1838, to prepare the way for the building of a railroad in the area which is now Saline County.<sup>181</sup> The first decisive action of the county toward bringing about the construction of a railroad was an election held on October 5, 1867. At this election the people of Saline County voted to subscribe \$100,000 in bonds as their share of the capital stock of the Cairo & Vincennes Railroad Company. Green B. Raum, president of this company at the time, entered into a contract with the county court. This contract, signed by Moses P. McGehee, judge of the court, and William L. Mitchell, one of the associate justices,

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176. Supervisors' Record, v. E, p. 184, see entry 2.

177. These contracts were distributed as follows:

Section 1—being routes 20, 21, 25, awarded to Cummingham Bros., for \$21,491.34.

Section 2—being part of route 9, awarded to L. J. Utley and Son, for \$14,999.

Section 3—being route 29, awarded to Holland Bros., for \$19,129.47.

Section 4—being routes 12, 33, awarded to Barnett and Stump Construction Company, for \$52,463.86.

Section 5—being routes 10, 11, 13, 34 and part of 9, awarded to L. J. Utley and Son, for \$22,487.22 (Supervisors' Record, v. F, p. 190-93, see entry 2).

178. Order Book (1848-57) p. 46, in Supervisors' Record, see entry 2. Apparently this was either a toll bridge, or the other half of its cost was paid by the local road district.

179. *Ibid.*, p. 297, 325.

180. County Commissioners' Record, v. A (1874-80) p. 2, 78, 117; *ibid.*, v. B, p. 264, in Supervisors' Record, see entry 2.

181. See The Saline Area, p. 7.

## Historical Sketch

provided that twenty-six miles of railroad should be constructed "more or less within the county," and that Harrisburg should be a permanent point on this road. It provided further that \$50,000 in bonds should be issued to the company when the road work was completed and cars running thereon to Harrisburg, and the other \$50,000 after the road had been constructed, and cars were running thereon, the rest of the way through the county. This railroad was to have been completed within three years, but an extension of two years' additional time was granted. Also, the stock held by the county was purchased by the company—\$100,000 in stock for \$5,000 in bonds. Thus the county made a net donation of \$95,000 to the Cairo and Vincennes Railroad Company.<sup>182</sup>

On October 9, 1869, Saline County voted in favor of subscribing \$25,000 in bonds to the capital stock of the St. Louis and South Eastern Railway Company and of \$75,000 in bonds to the capital stock of the Belleville and Eldorado Railway Company.<sup>183</sup>

In 1874, James W. Russell was paid \$20 for four days' service in inspecting railroad crossings over public highways in the county. As a result of this inspection, the county clerk was ordered to demand of the railroad company involved that they repair the crossings which were in bad condition.<sup>184</sup>

During the years, 1876, 1877, and 1878 there was much negotiation between the county and the Belleville and Eldorado Railroad Company with respect to the county bond issue making possible the subscription for the aforementioned \$75,000 worth of that company's capital stock.<sup>185</sup>

There are at present three railroads in Saline County. Of these the Cleveland, Cincinnati, Chicago and St. Louis subsidiary of the New York Central Railroad, known as the Big Four, has a taxable valuation of \$1,101,932, and paid the county recently a yearly tax of \$61,631.97. The Louisville and Nashville Railroad has a taxable valuation of \$147,904 and recently paid the county a yearly tax of \$9,996.50. The Illinois Central Railroad has a taxable valuation of \$333,190 and has paid the county a yearly tax of \$17,762.94. In all, the taxable valuation of the railroads in the county, according to a recent assessment, was \$1,583,260 and the total amount annually derived by the county in taxes from this source, as of the late 1930's is \$89,254.41.<sup>186</sup>

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182. History of Saline, p. 201.

183. *Ibid.*, p. 202.

184. County Commissioners' Record, v. A (1874-80), p. 6, in Supervisors' Record, see entry 2.

185. *Ibid.*, p. 235, 247, 285, 288, 300, 334, 341, 362, 418.

186. Railroad Tax Book, see entry 45.

Table III: Railroads Operating in Saline County as of the year 1936<sup>187</sup>

Railroad	Main Track & Right of Way		Bldgs. on Right of Way Assessed Value	Second and Additional Main Track		Side or Turnout Track		Track-age Rights, Miles	Rolling Stock Assessed Value	Total Assessed Value		
	Miles	Assessed Value		Miles	Assessed Value	Miles	Assessed Value			By Tax Commission	By local Assessors	By Tax Commission and local Assessors
Illinois Central	24.7748	\$261,622	\$ 10,830	- -	- -	4.7841	\$ 42,942	- - -	\$ 71,946	\$ 388,686	\$ 155	\$ 388,841
Louisville & Nashville	12.8093	152,174	85	- - -	- - -	.9578	8,597	- - -	67,633	228,489	4,468	232,957
New York Central	27.9330	324,469	99,430	- - -	- - -	69.0402	619,704	- - -	206,480	1,250,083	7,250	1,257,333
TOTALS	65.5171	\$738,265	\$110,345			74.7821	\$671,243		\$346,059	\$1,867,258	\$11,873	\$1,879,131

187. Illinois Tax Commission, Seventeenth and Eighteenth Annual Reports, Assessment Years 1935 and 1936, p. 191, 192, 195, 232.



## Historical Sketch

### ECONOMIC DEVELOPMENT

Near the outset of the present study it was indicated that mills to grind corn into meal and saw trees into lumber were the first sizeable industrial enterprises in Saline County. Not long thereafter mills to grind wheat into flour were established. Large scale economic development, however, did not take place until a good many years later. Before the railroads came the economic development of the inland colonies in Illinois proceeded very slowly. There was, of course, some business done in Saline County almost from the very beginning of any settlement within its boundaries. Licenses and privileges granted to the stores and peddlers during the early years of the county's history and the methods of operation which these pioneers and small merchants followed, form an integral part of the history of the county.

#### Peddler and Grocery Licenses

In 1848, John Davis obtained a permit to peddle goods and merchandise for three months and was charged a fee of \$1.50 for this privilege.<sup>188</sup> Samuel Lepe was granted a license four years later to peddle dry goods for one year. The fee charged for this license was \$10. In 1854, James Bun, upon payment of \$5, was granted a license to peddle clocks for three months.<sup>189</sup> A license to operate a grocery store in Raleigh for one year was granted to Elbert S. Stimson in September 1848. The following year another license to sell groceries at his house in Raleigh was granted to Robert L. Stimson for \$25. In 1853 the license fee for the same right extended to the same man was \$50, or double that charged him four years previously. In 1852, William Frizell was granted a license to sell retail goods for one year at his store upon payment of \$20.<sup>190</sup>

#### Early Liquor Business

The sale of liquor also began early in Saline County. On June 5, 1848 it was ordered that William G. Burnett and John Irvin be granted a license to sell "spirituous liquor" at their house in Raleigh, the license fee for this being \$25.<sup>191</sup> Valentine Benson and William Baldwin were granted a license to keep a grocery "for the retail of spirituous liquor and other articles" in Raleigh for twelve months. This was in 1854; and the fee charged was \$50. During the same year Henry Stiff was granted the same sort of license to conduct the same sort of business in Raleigh for the same fee of \$50.<sup>192</sup> Two more items about the retail liquor business in the early years of the county's history are included here. One has some significance because of the quaint language in which it is couched. The other is noteworthy because it gives the cost of a liquor license fee in 1877. They are the following:

C. J. Estes and Benjamin Sisk "trading and doing business in

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188. Order Book (1848-57), p. 1, in Supervisors' Record, see entry 2.

189. *Ibid.*, p. 176, 329.

190. *Ibid.*, p. 12, 47, 176, 202.

191. *Ibid.*, p. 1.

192. *Ibid.*, p. 324, 325.

## Historical Sketch

the name and style Estes & Sisk be and they are hereby authorized to open and keep open a grocery, for the purpose vending spirituous liquors in a less quantity than one quart on the Lot in the town of Whitesville for the term of 12 months from the 20th day of April 1857, and that they give bond in the penal sum of \$500 and pay into the County Treasury the sum of \$50.<sup>193</sup> A license to keep a dram shop in Texas City was granted to Davis H. Harris on September 11, 1877. In return for this license he presented the bond required by law and paid a fee of \$150.<sup>194</sup>

## Prosecution of Bootleggers

An item dated June 10, 1918, provides a different note relative to the liquor traffic. It records the advancement of \$500 for counsel to assist in the prosecution of bootleggers, and the advancement of another \$500 as payment for detective work to help stamp out the sale of liquor in the county.<sup>195</sup> This, of course, was during the prohibition era.

## Tobacco and Cotton

Resuming now consideration of the general economic development in the county, the product that it seems appropriate to speak of first is tobacco. It was Saline's principal exportable product at the time when railroads began operating there. Great quantities of this plant were raised and sold in the county in its early days. The town of Galatia was the tobacco center.<sup>196</sup> Another of the chief products during the middle years of the nineteenth century in Saline was cotton. This will surprise those who are not aware of the fact that the southern extremity of Illinois is further south than Richmond, Virginia. During the Civil War and for a few years thereafter, cotton was Saline's leading export. However, the county did not attain a position of noteworthy industrial and commercial importance until the beginning of the mine boom some years later.<sup>197</sup>

## Coal and Coal Mining

The first mine in the county, which began operation in 1854, was the slope mine near Ingram Hill. The first shaft sunk in Saline County was at the old New Castle Mine, about half way between Stonefort and Carrier Mills. This took place in 1883 or 1884. Black Hawk and O'Gara's old Number 9, both of them just south of Harrisburg, were the first mines sunk near it. Number 6 seam<sup>198</sup> was dug in all three of these early mines. These three mines have now been abandoned. The old Lead Fort was the

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193. Order Book (1848-57), p. 550, in Supervisors' Record, see entry 2.

194. County Commissioners' Record, v. A, (1874-80) p. 358, in Supervisors' Record, see entry 2.

195. Supervisors' Record, v. E, p. 314, see entry 2.

196. History of Saline County and Harrisburg, p. 19.

197. Ibid.

198. The age of the coal deposit formerly was indicated in various coal regions by the number of the seam. In Illinois and Indiana this is still being done very often. In nearly all other states seams are named after the location in which they were discovered. Even Saline County coal is often designated as the Harrisburg, Illinois variety.

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first in the county to mine Number 5 coal, which seam is now dug by all the shafts in the county.<sup>199</sup>

There are no statistical records of the individual mines in Saline County prior to 1904. Reports prior to 1903, all grouped together, show a total output of 2,045,135 tons. The years 1904 and 1905 brought a coal mining boom to this county. In 1902 the Big Four railroad carried Saline County coal. The tracks of the Big Four and the bridges over which these tracks were laid were all rebuilt in 1905 in order to render them adequate to handle the much increased coal traffic. Since then this railroad has carried 9.01 per cent of all the coal produced in Illinois.<sup>200</sup>

Thirteen new shafts were sunk in Saline County in 1905, many of which have by now been abandoned. In the 1930's there were twenty-one operable mines in the county, owned by ten corporations, all producing Number 5 coal. There are also some drift mines digging Number 6 coal, one producing Number 2, and one producing Number 3. Saline rose from thirty-first place among the coal counties in Illinois—a position which it held in 1902—to fifth place in 1930. For the period from 1882 to 1930 its average position was eighth place.<sup>201</sup> The thickness and excellent quality of its coal makes Saline County a formidable rival of Williamson and Franklin counties in coal production. Since 1925, Southern Illinois coal has become increasingly popular among coal users. During that period the aforementioned three counties have produced forty-one percent of the state's output of this product.<sup>202</sup>

A report issued in 1939 sets forth the following information with regard to coal and coal mining in Saline County:<sup>203</sup> It has 2 strip mines. They are Bankston Colliery, 9 miles west of Harrisburg, and the Pickford Mine, 1 1-2 miles southeast of Harrisburg. There are 30 slope mines in the county, the majority of which employ only from 3 to 10 workmen each. The Blue Bird Coal Company operates 1 slope mine and 1 shaft mine. The Peabody Coal Company and the Sahara Coal Company each operate 3 shaft mines. The Wasson Coal Company has 1 shaft mine and 1 slope mine. The Deering Coal Company owns 1 shaft mine, but it is operated by the Rex Coal Company. There are approximately 15 abandoned mines in the county. There are in Saline County 30 local, and 10 shipping mines. The coal miners in the county number 2,550. Of these 1,290 are in Harrisburg, 600 in Eldorado, 250 in Carrier Mills, 60 in Wasson, and 315 in Harco.

Two shipping mines suspended operation between 1931 and 1937. These were the Peabody Coal Company, mine Number 42, and the Sahara Coal Company, mine Number 3. The first of these suspended operation in 1933, the other in January 1936.<sup>204</sup> In 1937 there were 11 shipping mines

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199. See footnote 198.

200. History of Saline County and Harrisburg, p. 19.

201. *Ibid.*, p. 20.

202. *Ibid.*

203. This report was obtained from the Harrisburg, Illinois office, the Progressive Miners of America, by J. J. McMurray.

204. Illinois Department of Mines and Minerals, Coal Report 1937, p. 30.

## Historical Sketch

in operation in the county, with 3,985 employees.<sup>205</sup> The graded output of these mines during that year was as follows:<sup>206</sup>

Lump .....	296,168	tons
Furnace .....	596,910	"
Small Egg .....	498,152	"
Stove .....	174,286	"
Chestnut .....	80,027	"
Pea Coal .....	43,533	"
Carbon .....	127,280	"
Screenings .....	1,223,917	"
Mine Run .....	269,370	"
Waste and Loss in preparing and coal unbilled or stored .....	150,487	"
<b>Total .....</b>	<b>3,460,130</b>	<b>tons</b>

The disposition of this output for 1937 was as follows:<sup>207</sup>

Loaded on cars for shipment .....	2,514,156	tons
Sold to railroad companies .....	703,312	"
Sold to local trade .....	52,307	"
Used at the mine .....	54,681	"
All coal not sold including waste .....	136,674	"
<b>Total .....</b>	<b>3,460,130</b>	<b>tons</b>
Handled by railroads .....	3,217,468	tons
Disposed of locally .....	242,662	"

**Total .....** 3,460,130 tons

Following is a tabulation of significant data with regards to the aforementioned 11 shipping mines. This information is as of 1937:<sup>208</sup>

Shipping Mines	Location	Employees	Total Output, tons
Bankston Creek Colliery	Carrier Mills	150	651,906
Blue Bird Coal Co.	Carrier Mills	128	250,124
Peabody Coal Co.	Harrisburg	323	148,432
Peabody Coal Co.	Harco	706	675,469
Rex Coal Co.	Eldorado	350	450,313
Sahara Coal Co.	Harrisburg	591	253,421
Sahara Coal Co.	Harrisburg	336	36,128
Sahara Coal Co.	Eldorado	403	291,677
Sahara Coal Co.	Harrisburg	424	159,407
Wasson Coal Co.	Harrisburg	249	157,421
Wasson Coal Co.	Harrisburg	325	385,382
<b>Total</b>		<b>3,985</b>	<b>3,460,130</b>

205. Illinois Department of Mines and Miners, Coal Report, 1937, p. 79. Apparently this includes all persons engaged in the coal mining industry rather than miners only.

206. Ibid., p. 82, 83.

207. Ibid., p. 84, 85.

208. Ibid., p. 60, 61, 72, 73. Apparently this includes all persons engaged in the coal mining industry rather than miners only.

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During the same year there were in operation in the county twenty-four local mines. These employed 107 workers and produced 37,427 tons.

The total number of employees engaged in the mining industry, thus, in 1937, was 4,092. This is 1,542 in excess of the figure (2,550) given for 1939 by the Harrisburg office of the Progressive Miners of America. However, the latter figure probably does not include surface workers employed by the mining companies, a category which in 1937 includes 792 persons on the payrolls of the shipping mines.<sup>209</sup> But even when these are taken into account there is still an excess of 750 workers in the mining industry of the county, as of 1937, by contrast with the 1939 figure.<sup>210</sup> This may mean that one or more mines were closed down in the interim between the two years designated. It may mean that the number of employees has been reduced owing to the utilization of labor-saving equipment and procedure, or it may mean that the figure provided by the Progressive Miners of America is incomplete.

The yearly combined output of shipping and local mines in Saline County from 1928 to 1937 was as follows:<sup>211</sup>

1928 .....	3,671,157
1929 .....	4,132,043
1930 .....	3,670,144
1931 .....	2,973,465
1932 .....	2,429,707
1933 .....	2,502,688
1934 .....	2,734,233
1935 .....	3,179,930
1936 .....	3,710,074
1937 .....	3,497,557

## Farms and Farming

Despite the fact that the soil is not particularly fertile, agriculture shares with coal mining the leading position among occupations in Saline County. The leading farm crops are corn, wheat, and oats.<sup>212</sup> As recently as fifteen years ago agriculture was designated as "first in importance" among the occupations in the county because it employed more workers than its chief rival, coal mining. The total value of agricultural products was equal to that of coal mined, and practically the entire area of the county was "utilized in its pursuit."<sup>213</sup>

Figures for more recent years tend to show that mining is forging ahead of agriculture as the prime industry of Saline County. In 1937 there were 4,092 persons employed in the coal mining industry of the county.<sup>214</sup> In 1935 there were 2,591 individual farms in the same area,

209. Illinois Department of Mines and Minerals, Coal Report, 1937, p. 72, 73.

210. Information obtained from Progressive Miners of America, Harrisburg, Illinois office, by J. J. McMurray.

211. Illinois Department of Mines and Minerals, Coal Report 1937, p. 92, 93.

212. History of Saline, p. 20.

213. Smith, et al., Saline County Soils, Soil Report No. 33, p. 1.

214. Illinois Department of Mines and Minerals, Coal Report 1937, p. 72, 73.

## Historical Sketch

and a farm population of 11,321.<sup>215</sup> If it be assumed that, on the average, each person employed in the mining industry supports three persons besides himself then it might be said the mining population of Saline was, in the year 1937, about 16,368 or 5,047 greater than its farm population, as of 1935. This, in a county with total population of less than 40,000 means a considerable proportional difference. A later report,<sup>216</sup> one for 1939, gives the reduced figure of 3,302 as the total of persons employed in the mining industry in Saline County. This, however, on the same basis of calculation as that just used, would show mining still ahead of farming in the county, though the lead is less than in 1937. General grain farming has been the predominant type of agriculture in the county since the earliest days of its settlement, and on the whole it has been profitable. Since the turn of the century, however, a considerable number of farms have been abandoned "because the land has passed the point of marginal utility; that is, the point at which under present conditions of agriculture, they can be profitably operated."<sup>217</sup>

One third of the area of the county was appraised in 1926 as suitable only for pasture, fruit raising, and forest.<sup>218</sup> In 1900 the number of farms reported in the county was 2,912. By 1919 this number had decreased to 2,105, "these having an average of 97 acres each, 84.2 acres of which were improved . . . Tenantry also decreased 50 percent during this time, 76.3 percent of the farms being operated in 1919 by the owners."<sup>219</sup> By 1935, as has been indicated, farming had recouped a large proportion of this loss; there were in that year 2,591 individual farms in the county. Following is a report on farm production (more important crops) in Saline issued in June 1926.<sup>220</sup>

Crops	Acreage	Production	Yield Per Acre
Corn	34,342	692,567 bu.	20.0 bu.
Wheat	29,276	387,403 bu.	13.0 bu.
Oats	11,295	208,270 bu.	18.0 bu.
Barley	16	156 bu.	9.7 bu.
Rye	265	1,800 bu.	6.8 bu.
Timothy	8,279	9,839 tons	1.2 tons
Timothy & Clover mixed	4,398	5,084 tons	1.1 tons
Clover	3,025	3,549 tons	1.2 tons
Alfalfa	876	1,421 tons	1.6 tons
Silage crops	342	1,472 tons	4.3 tons
Corn for Silage	2,730	5,955 tons	2.1 tons

215. The World Almanac And Book of Facts 1940, p. 459.

216. Illinois Department of Mines and Minerals, Coal Report 1939, p. 238.

217. Smith, et al., Saline County Soils, Soil Report No. 33, p. 2.

218. Ibid.

219. Ibid.

220. Ibid. (Figures taken from Fourteenth Census of the United States.)

## Historical Sketch

Additional data with regard to farming in Saline County — representative data covering the decade and a half between 1920 and 1935— provide figures useful for the purpose of comparison with figures representing earlier years. Also, such data show the trend of agriculture in the county during recent years:

### Number of Farms and Average of Acres per Farm<sup>221</sup>

Years	No. of Farms	Average acres per Farm
1920	2,105	97
1925	2,097	92
1930	2,175	86
1935	2,591	78

### Percentages of Crop and Pasture Land in Various Uses as of 1929<sup>222</sup>

Corn .....	23.7	%
Winter Wheat .....	6.1	
Rye .....	0.0	
Spring grains .....	4.3	
Hay .....	14.0	
Other crops .....	2.7	
Pasture <sup>223</sup> .....	31.1	
Idle, fallow and failure. <sup>224</sup> .....	18.1	

Table IV: Ten-year Average Crop Yields, Trend in Acreage, Trend in Total Number Livestock on all Farms, 1924-33<sup>225</sup>

Crop Yields		Trend in Acreage		Trend in Total Number of Livestock on all Farms	
Corn	bu. per acre 27.2	Corn	40,620	All cattle	9,734
Oats	bu. per acre 22.0	Winter wheat	10,538	Milk cows	4,573
Winter wheat	bu. per acre 13.6	Spring wheat	62	Hogs	15,039
Spring wheat	bu. per acre 11.0	Barley	19	Sheep	1,667
Barley	bu. per acre 22.5	Oats	8,000	Horses and	
Rye	bu. per acre 10.8	Tame hay	23,800	Mules	6,962
Soybeans	bu. per acre 11.3	Soybeans			
Tame hay	tons 1.11	threshed	362		
		All soybeans	1,487		
		Alfalfa	644		
		Sweet clover seeded	1,385		

## Manufacturing

Manufacturing has, comparatively speaking, not played a great role in Saline County. However, almost from the very beginnings of its set-

221. University of Illinois, Information Pertaining to Farm, Home and Community with reference to Types of Farming, Area 8, p. 3. Hereinafter cited as Farm, Home and Community.

222. *Ibid.*, p. 14.

223. Includes "woodland pasture" and "other pasture."

224. Larger than average in 1929 because of abnormal weather conditions.

225. Farm, Home and Community, p. 15, 17-26, 31-35.

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**Saline County Manufacturing in 1860<sup>226</sup>**

Number of Establishments	Capital Invested	Cost of Raw Material	Number of Persons Employed		Annual Cost of Labor	Annual Value of Products
			Male	Female		
38	\$38,100	\$58,126	72	5	\$18,552	\$106,949

**Saline County Manufacturing in 1900<sup>227</sup>**

Number of Establishments	Total Capital Invested	Average Number of Wage Earners	Wages	Total cost of Materials Used	Value of Products Including Custom Work and Repairing
49	\$179,308	89	\$31,555	\$380,465	\$541,861

**Saline County Manufacturing in 1929<sup>228</sup>**

Number of Establishments	Wage Earners (average for the year)	Horsepower	Wages	Cost of Materials, Containers, for Products, Fuel, and Purchased Electric Energy		Value of Products	Value Added by Manufactures
				Materials and Containers	Fuel and Purchased Energy		
18	188 <sup>229</sup>	1,106 <sup>230</sup>	\$239,887	\$861,192	\$34,920	\$1,432,922	\$536,810

226. U. S. Secretary of Interior, Eighth Census 1860, II, Manufactures, 111.

227. U. S. Department of Interior, Twelfth Census 1900, v. VIII, Part 2, Manufactures, p. 170.

228. U. S. Bureau of Census, Fifteenth Census 1930, v. III, Manufactures 1929, p. 140.

229. Not including salaried employees.

230. Rated capacity of prime movers plus rated capacity of electric motors driven by purchased energy.



## Historical Sketch

tlement there has been manufacturing and, as the table shows, since 1860 the volume of goods produced in the county and the sums of money involved in this production have been considerable.

## Recent Retail Business

Statistics with respect to retail business in the county help further to show its development and status in recent years. The data presented here is mainly as of 1930 and partly as of 1929. It covers the county as a whole and in addition includes a breakdown into the three leading incorporated communities and the remainder of the county.

### Retail Business (1930)<sup>231</sup>

Saline Co.	Population	No. of Stores	No. of Properties	No. of Employees (Full time)
County as a whole	37,100	371	363	662
Harrisburg	11,625	197	182	419
Eldorado	4,482	70	68	149
Carrier Mills	2,140	30	34	36
Rest of County	18,853	74	79	58
	Net Sales <sup>232</sup>	Stocks on Hand of Year (1929)	Total Payroll Full and Part Time	
Saline	\$9,275,000	1,693,000	765,000	
Harrisburg	5,514,000	1,040,000	501,000	
Eldorado	2,291,000	396,000	185,000	
Carrier Mills	537,000	98,000	37,000	
Rest of County	933,000	159,000	42,000	

## Population Growth

Population growth in Saline County has been gradual, just as has been its economic development. In 1850, a little over two years after it was launched upon its career as an administrative unit, it had 5,588 inhabitants. In 1940 the figure was 38,066. As will be seen from the table of population statistics which follows, there are only three exceptions to the gradual increase of inhabitants in Saline from decade to decade.

### Saline County Population<sup>233</sup>

Year	Population
1850	5,588
1860	9,331
1870	12,714
1880	15,940
1890	19,342
1900	21,685
1910	30,204
1920	38,353
1930	37,100
1940	38,066

231. U. S. Bureau of Census, Fifteenth Census 1930, v. 1, Part 1, Retail Distribution by Counties and Incorporated Places, p. 120.

232. Amounts of less than \$1,000 are not indicated in any of the figures of the lower half of this table.

233. Illinois Tax Commission, Survey of Local Finance in Illinois, v. 1, Atlas of Taxing Units. Figures for 1940 taken from U. S. Bureau of the Census, Sixteenth Census 1940, Illinois: Final Population.

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The gains in population between 1900 and 1910, and between 1910 and 1920 considerably above the average for Saline County, were no doubt affected by the concurrent expansion of the county's mining industry. This observation is practically confirmed by the fact that between 1902 and 1930 Saline rose from thirty-first to fifth among the coal producing counties of Illinois. Its slight decline in population during the 1920's was due, in all likelihood, to the general, nation-wide migration from the rural areas and the small towns to the large cities which marked that period of prosperity and expansion, and the decline of the mining boom. Recent population figures for the county's incorporated communities are:<sup>234</sup>

	1920	1930	1940
Beulah Heights	549	508	462
Eolton <sup>235</sup>	456	487	—
Carrier Mills	2,343	2,140	2,360
Galatia	863	933	986
Harrisburg	7,125	11,625	11,453
Raleigh	264	241	483
Eldorado	5,004	4,482	4,891
Ledford	673	462	—
		4,482	4,891

The following table shows the 1940 population, the 1937 and 1938 assessed valuations, and acreage of each township.

TOWNSHIP	POPULATION <sup>236</sup>	ACREAGE <sup>237</sup>	VALUATION <sup>238</sup>
Brushy	1,937	20,486	\$ 788,000
Carrier Mills	3,773	24,243	1,203,000
Cottage	680	17,667	496,000
East Eldorado	8,907	21,603	1,762,000
Galatia	1,414	17,913	433,000
Harrisburg	15,207	18,765	4,868,000
Independence	1,284	14,536	218,000
Long Branch	460	13,333	146,000
Mountain	798	26,671	171,000
Raleigh	1,950	28,937	771,000
Rector	382	12,469	273,000
Stonefort	700	10,552	177,000
Tate	574	12,905	148,000

There are just about enough foreign-born persons and Negroes among the populace of Saline County to constitute a consequential factor in its social, political, economic, and cultural configuration. The proportion of either of these elements in relation to the population as a whole is not great enough to create special problems of noteworthy proportions. The student concerned with population and other current sociological trends

234. U. S. Census Bureau, Fifteenth Census of the United States: 1930, Population Bulletin, First Series— Illinois, Number and Distribution of Inhabitants, p. 32. Hereinafter cited as Population Bulletin. Figures for Sixteenth Census 1940 from Illinois Final Population, Series, P-2, No. 47, Press Release January 11, 1941.

235. Partly in Saline and partly in Williamson County.

236. U. S. Bureau of the Census, Sixteenth Census 1940, Illinois: Final Population.

237. Stewart, Land Acreage 101 Illinois Counties, p. 18.

238. Illinois Tax Commission, Survey of Local Finance in Illinois, v. III, Property Taxations: Assessed

Valuation, Levies, Tax Rates, and Tax Extensions, 1937 and 1938.

## Historical Sketch

might take cognizance, among other factors, of Saline's moderate proportion of Negroes and foreign-born in comparing it with other counties where: (1) the proportion of these elements of the population is so small as to be hardly noticeable; (2) where it is so great as to give rise to a specific category of special problems.

Following are some tabulations showing by decades the number of foreign-born in Saline County according to the countries of their origin, the total number and proportion of the foreign-born by decades, and the total number and proportion of Negroes by decades.

Nativity of Foreign-born (White) in Saline County<sup>239</sup>

	1930	1920	1910	1900	1890	1880	1870
England	183	224	205	19	29	34	8
Scotland	170	235	195	2	4	3	1
Wales	11	27	21		3		
North Ireland	4						20
Irish Free State	12	23	23	18	21	32	
Norway							
Sweden	4	4	5	1	1	1	1
Denmark	1	3					
Netherlands	1	1	1	1			
Belgium	6	19	12	1	1		
Luxemburg		1					
Switzerland	6	4	2			1	
France	24	41	43		3	3	2
Germany	45	67	109	63	52	48	41
Poland	31	63		1	1		
Czechoslovakia	58	30					
Austria	17	74	137		1		
Hungary	155	337	153				
Yugoslavia	7	16					
Russia	26	175	505				
Lithuania	153	188					
Latvia	1						
Finland	2	11		5			
Rumania	7	5					
Greece	8	16	57				
Italy	83	98	49				
Palestine & Syria	6	3					
Turkey	1						
Canada, French	1	1	1	3)	5		
" Other	3	10	9	6)			
All Other	9	10	9	1	3	9	6
<b>Total</b>	<b>1,035</b>	<b>1,686</b>	<b>1,536</b>	<b>121</b>	<b>124</b>	<b>131</b>	<b>79</b>

239. U. S. Secretary of the Interior, Ninth Census 1870, v. I, Population, p. 352; Tenth Census 1880, v. I, Population, p. 505; Eleventh Census 1890, v. I, Population, p. 619; Twelfth Census 1900, v. I, Population, p. 745; U. S. Bureau of the Census, Thirteenth Census 1910, v. I, Population, p. 500; Fourteenth Census 1920, v. III, Population, p. 273; Fifteenth Census 1930, v. III, Part 1, Population, p. 638.

# Historical Sketch

Percentage of Negroes and Foreign-born (White), 1850-1930<sup>240</sup>

	1850	1860	1870	1880	1890	1900	1910	1920	1930
Negroes	93	170	231	583	792	868	918	1,490	1,542
Percent	1.6	1.8	1.8	3.6	4.1	4.0	3.0	3.9	4.2
Foreign-born (White)	Not shown	Not shown	79	131	124	121	1,536	1,686	1,035
Percent	"	"	0.6	0.8	0.6	0.6	5.1	4.4	2.8
Saline County Total Pop.	5,588	9,331	12,714	15,940	19,342	21,685	30,204	38,353	37,100

240. U. S. Secretary of the Interior, Ninth Census 1870, v. I, Population (includes figures for 1850 and 1860), p. 24; Tenth Census 1880, v. I, Population, p. 388, 505; Eleventh Census 1890, v. I, Population, p. 408; Twelfth Census 1900, v. I, Population, p. 536, 745; U. S. Bureau of the Census, Thirteenth Census 1910, v. I, Population, p. 500; Fourteenth Census 1920, v. III, Population, p. 259; Fifteenth Census 1930, v. III, Part 1, Population, p. 619.

## Historical Sketch

### SCHOOLS AND CHURCHES

#### Primitive School Houses

One of the first schoolhouses of which there is a record, in the area which later became Saline County was built by two pioneers, Charles Mick and Hugh Lambert. It was a log cabin 14 x 16 feet, and was constructed in 1823. The source of heat for the building was a fireplace on the outside with an opening at one end to permit some of the heat to enter into the cabin. This curious arrangement was found necessary apparently because there was no material available from which to build a chimney.<sup>241</sup> The first teaching in this school building began in August or September 1823, and the first school term comprised three months. School at that time was not in session during the winter season owing to the inadequacy of the heating facilities. Seven pupils attended the initial term of the school. The teacher was a certain Taylor, whose club feet rendered him "unable to labor as other men."<sup>242</sup> His pay as a teacher was \$12 a month.

The year following a "larger and better school" was conducted a little over 2 miles to the southwest of the original school building. It was in section 20 of the same township and range in which the other school was located (Township 9, range 7). A third school was started apparently at about the same time in township 9, range 5 "about two miles west of Hampton Pankey's place." The old structure used for school purposes at the last named location was also made of logs, but it had a chimney made of clay. A man by the name of Sloan was one of the first teachers there. He too kept school only in the fall, "the winter being too severe for the children to attend schoolhouses which could not be kept warm."<sup>243</sup>

#### Division of Gallatin School Fund

One of the first items of business which the county commissioners' court of Saline County had to deal with was the apportioning of the school fund which had been raised for old Gallatin County. It was agreed by the commissioners' courts of Gallatin and Saline counties that the school fund on hand at the time should be divided in accordance with the 1848 act of the legislature devoted to that problem. This provided that each county should receive an equal share of the fund and that no part of it should go to the area which had been separated from Gallatin and attached to Hardin County until the taxes due from that area were paid. That ruling was made despite the fact that the population of the latter area included 385 children. It was agreed, furthermore, that "Saline County should pay a certain balance of \$436 to Gallatin County, and that Gallatin County should pay such a portion to Saline of a certain fund as 249 is to 593, in orders on the treasurer of Gallatin County."<sup>244</sup>

#### Early School Statistics

At the time of the separation of Saline from Gallatin County, Samuel Elder became school commissioner for Saline. The school commission-

241. History of Saline, p. 156.

242. Ibid., p. 234.

243. Ibid.

244. Ibid.; Order Book (1840-57), p. 39, 42, in Supervisors' Record, see entry 2.

## Historical Sketch

er's report was received from year to year, but no details of the affairs, funds or transactions were included in the administrative records. V. Rathbone became school commissioner in 1857, although state records show a Valentine Rathbone commissioned November 8, 1853, and continued in office until 1866.<sup>245</sup> Rathbone's last report was made to the state superintendent of public instruction. He was then county superintendent of schools, the title of school commissioner having been changed by law in 1865.<sup>246</sup>

School statistics for Saline County for 1850, as given by the United States census for that year, show that there were 15 schools, 15 teachers, and 410 pupils in attendance. The enumeration of those eligible to attend was: males, 535, and females, 407. The number of adults who could neither read nor write was 735, of which number 322 were males, and 413 females. The school fund amounted to \$800, and in addition \$1,350 was available from other sources for use by the schools.<sup>247</sup>

The following is a curious example of how some money for the maintenance of schools was obtained in the early days: at a special meeting of the county commissioners' court held in 1849, the treasurer was ordered to pay to the school commissioner four dollars collected as "a fine for Sabbath breaking, and that it be added to the county school fund."<sup>248</sup>

The report of School Commissioner Rathbone, for the year 1856-57, indicated that 41 schools were operating in the county—with two townships not accounted for. The school enrollment for the year consisted of 1,118 males and 1,075 females. In order to show the full significance of these figures, general population data were included in the report. It showed that there were then living in the county a total of 4,067 white persons under the age of 21, and between the ages of 5 and 21 a total of 2,168 white persons. As for colored people, there were but 18 of them under 21 and 12 between the ages of 5 and 21. A remarkable fact about this report is that it shows a school attendance in excess, by thirteen, of persons in the county between the ages of 5 and 21. It lists a total of 64 teachers, of whom 56 were males and eight females. The teachers' salaries for the year totaled \$6,383.31. The amount expended for construction, renting, and maintenance of school property during the year came to \$690.30. In the course of the same period, 6,620 acres of school lands were sold for \$71,980.<sup>249</sup>

## Development of the School System

That the pioneers of Saline area early began to concern themselves with provisions for educational and general community development was indicated by the fact that on March 8, 1848, an order was issued reserving lot number 35 in the town of Raleigh as a site for a public school or a meeting house.<sup>250</sup> Early development of schools in the county as elsewhere in the state was provided for by the state school laws of 1829, 1831, 1833, and 1847.<sup>251</sup> Large scale development of public schools in Illinois, however, did not begin until after the enactment of the school law of

245. See Roster of County Officers.

246. History of Saline, p. 234; L. 1865, p. 112-25.

247. History of Saline, p. 235.

248. Order Book (1848-57), p. 45, in Supervisors' Records, see entry 2.

249. History of Saline, p. 235.

250. County Commissioners' Record, v. A (1847-48), p. 29, in Supervisors' Record, see entry 2.

251. R. L. 1829, p. 150-53; L. 1831, p. 172; R. L. 1833, p. 556-61; L. 1847, p. 119-49.

## Historical Sketch

1855.<sup>252</sup> Entries in the county's records ranging from the year 1874 to the year 1918 help to show the course of development which public education has followed in the county. In payment for 43 days' services as county superintendent of schools, B. L. Hall received \$117 on March 7, 1874,<sup>253</sup> and W. S. Blackman was paid \$200 on December 4, 1874 for 50 days' services in the same capacity.<sup>254</sup> James E. Gobe received \$287 on June 12, 1891, for services as county superintendent of schools from March 1 to June 1, 1891.<sup>255</sup> On September 10, 1914, the Saline county superintendent of schools advanced \$500 to cover the cost of printing a county course of study. This loan was made with the understanding that it was to be repaid out of the proceeds of the sale of the books embodying this course.<sup>256</sup> On June 10, 1918, the county judge was ordered to appoint a probation officer at a salary of \$10 per month.<sup>257</sup>

## Post-Civil War Period

Special significance, both as a reflection of general conditions in Saline County during the post-Civil War era and of educational development in the whole Middle West area during the Reconstruction Period is the report of F. F. Johnson, the superintendent of schools of Saline County to the State Superintendent of Schools, apparently for the school year 1871-72.<sup>258</sup> He complains that teachers "are generally young men who are teaching as a stepping-stone to some other profession, and the consequence is that about the time they learn to conduct a school successfully they quit the business." He notes further that, despite this these teachers did well as long as they continued to teach. He observed that very few people in the county are opposed to a free school system, and that these few are people who are generally opposed to progress of all kinds. Most of the citizens of Saline, he finds, are proud "that they live in the land of free school."

Township meetings receive his commendation for the services which they rendered to the advancement of schools. At these meetings problems relative to the construction of school houses, their layout, seating arrangements, and ventilation were discussed freely. The teachers are praised for their extra-curriculum service to the schools: "Not feeling satisfied with the labor of the day," says he, "they call in directors, parents and pupils one evening in each week, and the classes are drilled in spelling, reading, mental arithmetic, etc.; and then they improve the opportunity by giving the directors and parents a little talk, thereby enlightening their sympathies for the interest of the school generally."<sup>259</sup>

Superintendent Johnson speaks further of his own efforts to interest the general public in problems of education by calling on the people in each school district in the evenings and lecturing to them on the importance of the education of their children and kindred subjects, moral training, and the like.

252. L. 1855, p. 51 ff.

253. County Commissioners' Record, v. A (1874-80), p. 20, in Supervisors' Record, see entry 2.

254. County Commissioners' Record, v. A (1874-80), p. 450, in Supervisors' Record, see entry 2.

255. *Ibid.*, v. C, p. 164.

256. Supervisors' Record, v. E, p. 142, see entry 2.

257. *Ibid.*, p. 315.

258. Illinois Department of Public Instruction, Ninth Biennial Report of the Superintendent (1871-74), p. 288.

259. Illinois Department of Public Instruction, Ninth Biennial Report of the Superintendent (1871-74), p. 288.

## Historical Sketch

### Recent School Data

How much progress Saline County has made in the field of free public education is indicated by the following data on the county's schools in 1937.<sup>260</sup>

Total Population of County	Under 21 Years of Age		Total
37,100	Boys	Girls	14,672
	7,547	7,125	
Between 6 and 21 years	Total		Percent of minors of school age
Boys	Girls		80
5,844	5,904	11,748	

Total enrollment in elementary schools 7,660

Total enrollment in secondary schools 2,057

Classification of Teachers and School Administrators			
Superintendents	High School Principals	High School Teachers	Supervisors and teachers of special high school courses
4	2	49	14
Elementary School Principals	Elementary School Teachers (not rural)	Rural School Teachers	
25	118	93	
Grand Total of teachers and school administrators 305			

Salaries of Teachers			
Total	Men	Women	Average All
\$233,958.87	\$853.30	\$697.70	\$767.08

No. of school districts	No. of school bldgs.	No. of seatings
90	97	10,008

No. of libraries	No. of volumes in libraries
93	8,881

Total value of school property \$1,589,544

Amount of taxes levied August 1936 (Dollars only)		
Educational	Bldg. Fund	Total
\$791,323	\$235,697	\$1,027,020
Total Amount Teachers' Orders Outstanding June 30, 1937 (Dollars Only)	Amount of Anticipation Warrants Unredeemed June 30, 1937 (Dollars Only)	Total Amount of bonded indebtedness June 30, 1937 (Dollars Only)
\$37,452	\$22,004	\$166,000

260. Illinois Department of Public Instruction, Statistical Report for Year Ending June 30, 1937.



## Historical Sketch

### Churches

As elsewhere both in the United States and in other countries, the early history of educational development in Saline County, or rather the area which later became Saline County, is in certain respects part of the early church history. It was a common practice for the early settlers to conduct their religious services in log school houses, though sometimes religious devotions were held in private homes, and a little later on, after log churches had been erected, they were in some instances utilized for educational as well as religious purposes.<sup>261</sup>

Most of the preaching in the early frontier days in the Saline area was, as has already been indicated, done by Methodist or Baptist preachers. One of the first of these Baptist "exhorters" was Stephen Selley, the last man to make a land entry in 1819 in this area. During these early days religious camp meetings were frequent and were usually held under the auspices of the Methodists. These meetings became unpopular, however, because the preparation of victuals for the crowds that gathered became too great a task for the women. Moreover, it became evident that many of the frequenters of these camp meetings came only to be fed.

The Baptists showed a preference for protracted meetings. One of the churches in which meetings were held was located about 2 miles west of Harrisburg. Another log church, located about a mile further west, belonged to the Methodists.<sup>262</sup>

Liberty Church, which has previously been referred to as a political meeting place,<sup>263</sup> was situated about 3 miles from Harrisburg. This church was organized in 1832 or 1833. Not long afterward it probably became affiliated with the Saline Association. In 1843, Liberty Church with a membership of 44, was identified, as befitted its name, with the Emancipation Baptists. It joined the Franklin Association in 1845 and maintained that affiliation for over twenty years. Later it became a member of the Big Saline Association.<sup>264</sup>

Among the other early Baptist churches were Raleigh Church, Macedonia Church, Eldorado Church, Little Saline Church, New Hope Church, and Bankston's Fork Church. Raleigh Church was organized as Union Church on October 19, 1837, with seven members. Macedonia Church, located near Mitchellsville, about 8 miles south of Harrisburg, was organized September 20, 1847, with nine members. Eldorado Church, originally Wolf Creek, was organized in 1850 with nine members. Little Saline Church, with an original membership of thirteen was established in July 1851, near the old village of Stonefort. New Hope Church, with the same number of charter members, was organized June 4, 1852. Bankston's Fork Church, located about 6 miles west of Harrisburg, was organized in July 1854.<sup>265</sup> These apparently were all Baptist congregations. One of the very earliest churches in the county was the Ebenezer Methodist Epis-

261. History of Saline, p. 224, 225.

262. Ibid., p. 225.

263. See section of present Historical Sketch, entitled "Saline Under County Court Administration," p. 17.

264. History of Saline, p. 225.

265. Ibid., p. 225-27.

## Historical Sketch

copal Church, located about 7 miles west of Harrisburg.<sup>266</sup> The Harrisburg Cumberland Presbyterian Church was organized in 1858 with an original membership of about thirty. Several other churches of the same denomination were organized not long thereafter.<sup>267</sup> The Social Brethren denomination apparently came into being in Saline County August 29, 1867. It was organized as a result of contention between members of various denominations relative to certain points of doctrine. By 1884 there were three churches of this denomination in existence in Saline County.<sup>268</sup>

At present there are active in Saline County denominations numbering 48 churches, with a total membership of 9,983. This does not include the unlisted membership of the 2 Catholic churches. The Southern Baptists have the largest following in the county and the Methodists are next in number.<sup>269</sup>

### CARE OF POOR AND OTHER PUBLIC WELFARE SERVICE

A considerable range of action taken in Saline County, from the earliest days of its existence as a separate administrative unit down to the present, falls within the general category of public service. Much of this was specifically in behalf of the poor; some of it was broader in scope.

Six overseers of the poor, one for each precinct, were appointed on March 9, 1848.<sup>270</sup> About a year and a half later seven overseers of the poor were appointed, each to serve a term of four years. They represented the following precincts: Saline, Raleigh, Curren, Summerset (Somerset), Monroe, Stonefort, and Brushy.<sup>271</sup>

On March 6, 1878, the county board ordered that a specific tract of land — one acre and forty-four poles — be set apart and dedicated as a public burying ground for paupers.<sup>272</sup> On the same day 11 overseers of the poor, one for each precinct, were appointed for the ensuing year.<sup>273</sup>

On June 4, of the same year, Doctor E. M. Privine contracted to furnish all medical aid and treatment of prisoners confined in the county jail for the sum of \$25 per annum.<sup>274</sup> An allowance of \$12.50 was given John Fitz on September 22, 1879, for transportation to the Jacksonville Blind Institute.<sup>275</sup> There are several instances of direct and indirect aid for the infirm, widows, and orphans recorded for the years 1914 and 1915. On July 24, 1914, it was ordered that Eva Bennett, apparently a widow, be allowed \$6 per month beginning on May 1, 1914. It was ordered also that this money be obtained by drawing warrants against cash in the treasury appropriated as a Widow's Pension Fund. This was to continue until the

266. History of Saline, p. 228.

267. Ibid., p. 231.

268. Ibid., p. 231-34.

269. These statistics are derived from latest year books or directories of the following religious groups: Methodist Episcopal, Congregational, Disciples of Christ, Cumberland Presbyterian, Evangelical Lutheran Synod, Episcopal, Southern Baptist, Presbyterian, and Catholic. See Bibliography, Documentary Unofficial Publications, for separate year books.

270. County Commissioners' Record, v. A (1847-48) p. 31, in Supervisors' Record, see entry 2.

271. Order Book (1848-57), p. 345, in Supervisors' Record, see entry 2.

272. County Commissioners' Record, v. A (1874-80), p. 400, in Supervisors Record, see entry 2. A pole equals a rod or 5½ yards.

273. Ibid., p. 399.

274. Ibid., p. 405.

275. Ibid., p. 508.

## Historical Sketch

order was revoked or until the fund was exhausted.<sup>276</sup>

As in other Illinois counties, so too in Saline, paupers during the early days were farmed out among private homes with the county providing funds to cover the cost. Some representative examples of that procedure follow: On March 6, 1849, Edmund Baker was paid \$20 for the maintenance of a pauper.<sup>277</sup> For the maintenance of another pauper, Hugh Kane was paid \$14.40 on September 3, 1856.

A curious example of the expenditures of the pauper fund is a transaction which occurred almost twenty years later — on March 2, 1874. On that date two women were paid \$25 out of this fund, with the provision that they leave the county and never return again as county charges.<sup>278</sup>

On March 3, two payments were made from the pauper fund. One was the remittance of \$349.75 to Noah Williford for the maintenance of paupers. The other was a remittance of \$15.78 to John W. Cotts for articles and coffin furnished for burial of the child of May Johnson.<sup>279</sup> Three days later the county treasurer was ordered to pay the same Noah Williford, \$4.27 out of the pauper fund "for repairs of pauper farm and making cistern, same being in full settlement for all claims for work on said farm and (of) rents due from said Williford to said county Saline."<sup>280</sup>

The pauper contract for one year, starting March 12, 1874, was awarded to Wesley Cole on March 9, 1874. The provisions of the contract included the following: Cole was to furnish paupers of the county all necessary food, lodging, clothing, medical attention, and in case of death, decent burial. All of the paupers were to be treated and cared for in a humane and respectable manner. In return for such services Cole was to receive \$90 a year for each pauper maintained.<sup>281</sup>

Somewhat less than three years later the county got around to building its own poorhouse. On January 31, 1877, A. Winterberger was paid \$1,250 as the first installment on a contract for constructing the Saline County poorhouse. Three months later, \$1,000 was paid to Winterberger as the second installment on the same contract, and on May 10, 1877, he was paid \$1,000, the balance due on contract for erection of the poorhouse. He was paid also \$50 for building cistern, \$5 for making a dining table, and \$10 for other work connected with the construction of the poorhouse.<sup>282</sup>

William C. Roper's pauper contract was declared void on September 22, 1879, because he was not caring for the poor under his charge in a humane manner. He was charged with abusing and mistreating these unfortunates and failing to feed and clothe them properly.<sup>283</sup> On October 14, 1879, Josiah Gold was awarded a pauper contract for two years at the rate of \$90 a year per pauper. On December 8, 1887, the same Gold, being the lowest bidder, was again awarded the pauper contract, this time for one

276. Supervisors' Record, v. E, p. 129, see entry 2.

277. Order Book (1848-57), p. 26, in Supervisors' Record, see entry 2.

278. County Commissioners' Record, v. A (1874-80), p. 3, in Supervisors' Record, see entry 2.

279. *Ibid.*, p. 7.

280. *Ibid.*, p. 16.

281. *Ibid.*, p. 23.

282. *Ibid.*, p. 285, 306, 310.

283. *Ibid.*, p. 508.

## Historical Sketch

year, at the rate of \$90 a year per pauper.<sup>284</sup> A committee, which on August 5, 1890 was appointed to inspect the poor farm, reported it to be "in a more or less dilapidated condition from top to bottom."<sup>285</sup> On November 20, of the same year, Daniel Abney was given the pauper contract for one year at the rate of \$89 a year per pauper.

A report of the committee on poor and poor farm issued on September 10, 1912, declared that on its two visits to the poor farm, visits which were not expected by the keeper, everything was found in perfect condition. The report further states that the inmates of the farm, upon questioning, expressed satisfaction with the treatment they had been receiving.<sup>286</sup>

A donation of \$300 of the Illinois Childrens' Home and Aid Society was approved on March 6, 1914. On November 30, 1914, Dr. Nyberg and Dr. Cummins were awarded a one year's contract for medical care of the paupers of the county. For this service the contract provided that they receive a total of \$250.<sup>287</sup> On September 15, 1915, an examiner of the blind was appointed. It was provided that he should receive a fee of one dollar for each applicant placed on the pension roll for the blind.<sup>288</sup> And on December 1, 1917, it was ordered by the county board that W. J. Hutchinson, keeper of the poor, be allowed seventy-five cents per day for the maintenance of each inmate of the poor farm, commencing on that day.<sup>289</sup>

## Recent Development in Field of Public Aid

According to a report obtained late in 1939, a total of 1,563 persons had by then received old age pensions in Saline County. The granting of such pensions began there in February 1936.<sup>290</sup> The first application for a mother's pension in the county was accepted November 25, 1913. Between that date and 1939 some 239 recipients of this pension were paid a total of \$42,700 in Saline.<sup>291</sup> Acceptance of applications for the blind pension began here about a year and a half later than that for mothers' pensions. The first of the former was accepted on October 16, 1915, and the first payment for a blind pension in Saline was made on April 1, 1916.<sup>292</sup> By 1939 a total of \$121,463.33 had been paid in Saline County in pensions to the blind.<sup>293</sup>

Saline has no county hospital, but it does have four private hospitals. The county physician is hired by the county board of supervisors to give medical care to the poor only. He is assisted by the county nurse who supervises health work in the schools and inspects the local hospitals. She also issues bulletins from time to time with regard to general health problems — bulletins which are published in the local press. The state nurse also participates in the supervision of the county's health program. A recently developed phase of this program is the feeding of a noon meal to under-nourished children from WPA kitchens. Local merchants cooperate in the financing of these kitchens.<sup>294</sup>

284. County Commissioners' Record, v. A (1874-80), p. 510-13; v. B, p. 532.

285. *Ibid.*, v. C, p. 113.

286. Supervisors' Record, v. E (1912-24), p. 39, see entry 2.

287. *Ibid.*, p. 150.

288. *Ibid.*, p. 112, 182, 203.

289. *Ibid.*, p. 239.

290. Information obtained by J. J. McMurray from Ray Owens, Superintendent of Old Age Assistance.

291. Mothers' Pension Docket, v. 1, 2, see entry 195.

292. Record of Application for Relief of Blind, see entry 23.

293. *Ibid.*

294. Information obtained from Kenneth Davis, Saline County Superintendent of Schools, December 1939, by J. J. McMurray.

Following is a table showing the extent of aid which the state's major public assistance programs administered between May 1 and October 1940:

Table V: Five Illinois Public Assistance Programs<sup>295</sup>  
 Service Rendered by Them in Saline County  
 From May 1939 through October 1940

Month and Year	Number	Percent of Population	One in Every	General Relief	WPA	Old Age Assistance	Mothers' Pension	Blind Pension
October 1940	15,857	42.4	2	6,897	7,357	1,552	219	40
September 1940	15,796	42.6	2	7,094	7,055	1,545	212	41
August 1940	14,600	39.4	3	5,970	6,976	1,548	198	41
July 1940	14,434	38.9	3	3,841	8,999	1,542	180	41
June 1940	16,312	44.0	2	3,700	11,218	1,542	182	41
May 1940	16,908	45.6	2	3,676	11,855	1,555	173	41
April 1940	17,803	48.0	2	3,676	12,681	1,551	193	40
March 1940	17,726	47.8	2	4,351	11,841	1,565	219	40
February 1940	17,264	46.5	2	4,712	10,987	1,571	217	40
January 1940	16,782	45.2	2	4,896	10,251	1,575	239	40
December 1939	16,501	44.5	2	5,027	9,788	1,563	222	40
November 1939	19,972	53.8	2	7,365	10,909	1,536	247	40
October 1939	15,564	42.0	2	6,331	7,538	1,522	259	41
September 1939	16,300	43.9	2	3,589	11,190	1,512	224	42
August 1939	17,896	48.2	2	4,839	11,841	1,502	196	41
July 1939	19,063	51.4	2	5,112	12,502	1,496	181	41
June 1939	17,034	45.9	2	3,858	11,840	1,486	191	40
May 1939	17,541	47.3	2	4,201	11,916	1,468	195	38

295. Illinois Emergency Relief Commission, Monthly Bulletins on Relief Statistics, v. VI, Nos. 5-12; v. VII, Nos. 1-9.

## Historical Sketch

### NEWSPAPERS AND FRATERNAL ORDERS

Next to the homes, schools, and churches the newspapers and fraternal orders have been the leading forces in the social and cultural life of the Saline area. **The Raleigh Flag**, which was established in 1856, was the first newspaper in the county.<sup>296</sup> **The Harrisburg Chronicle**, established in 1859, was the first paper issued in that town. Ten years later a second publication, a weekly called the **Saline County Register**, began coming out in Harrisburg. Since then a half dozen newspapers have come upon the scene and passed out of existence; by 1873 they were merged into a single publication, **The Chronicle**. The present **Harrisburg Daily Register** is an outgrowth of the aforementioned **Saline County Register**.

War veterans' organizations are particularly worth noting in the consideration of closely integrated groups of men and women that have been significant social and cultural forces in Saline County. Of prime importance among them is the George Newell Post, No. 454, Grand Army of the Republic which was organized June 6, 1884, with a membership of 38 that was later expanded to 186.<sup>297</sup> Worth mentioning, also, are such other early organizations as the Iron Hall and the Women's Christian Temperance Union. In addition, there are different types of collective bodies such as the Farm Bureau, the County Fair Association, and trade unions, which are important factors in the economic, as well as the social and cultural, life of the county. As for contemporary war veterans groups there are in Saline County several posts of the American Legion. This is readily understandable when it is recalled that during American participation in the World War almost 2,300 men from Saline County served in the United States military and naval forces. It should be added also that all the American Legion posts in the county have women's auxiliaries.<sup>298</sup>

### FARM, MINE, SCHOOL — PILLARS OF PROGRESS IN SALINE

Life in Saline County has not been easy at any time. It required the spirit of pioneers to break its soil and to probe its extensive coal deposits. And it has taken persevering hardihood to carry on in the county year by year down to the present. The farmer and the coal miner, as indicated in the foregoing pages, have been the key figures in this ninety-odd years of quietly courageous toil.

In the 1930's, particularly, poverty and want stalked the towns and countryside of this area near the southeastern extremity of the state. About half the population has, at times, had to depend for part of its livelihood on one or another of the public-aid programs. And yet people have carried on. Education has forged ahead. Illiteracy among young folks of school age has been obliterated. With the help of the state and the Federal government a number of improvements have been effected in the highways of the county, in its sanitation, health program, recreation facilities, etc. In its form of administration, also, Saline County has been progressive.

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296. Information regarding the press was obtained from the private historical files of Curtis G. Small, Manager and Editor of the Harrisburg Daily Register, by J. J. McMurray.

297. History of Saline, p. 208.

298. Data obtained from the American Legion records in Harrisburg, Ill., by J. J. McMurray.

## **Historical Sketch**

The make-up of its population, the conflicts which rent the spirit of its people during the Civil War period, the obscure tragedies and heroism, the labor strife, the readjustments which marked the 1930's in the area—all this constitutes rich material for the social historian, the student of folk ways, the compiler of indigenous anecdotes. Saline County has been a persevering toiler in the ranks — the type of toiler whose unspectacular services, though generally little noticed, are of prime importance when all the factors which go to make up the life of a people are taken into account.

## 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 Saline 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 Saline 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 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>3</sup> The commissioners were constitutional officers,<sup>4</sup> and elected;<sup>5</sup> the court existed solely by statutory provisions.<sup>6</sup> Attached to it in a ministerial capacity was the independent statutory office of clerk of the county com-

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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.

3. L. 1819, p. 176.

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

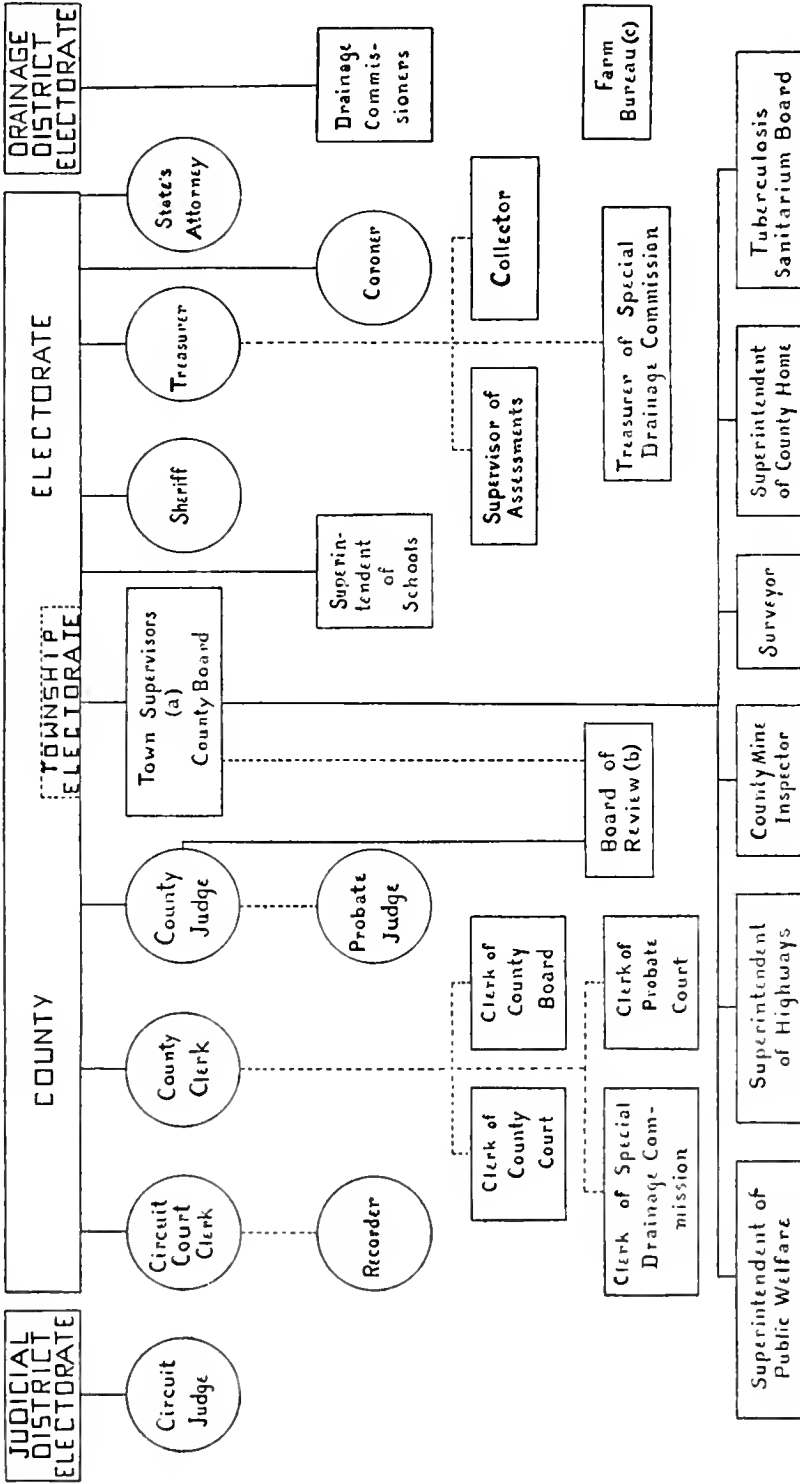
5. L. 1819, p. 99; L. 1821, p. 80; R. L. 1837, p. 103, 104.

6. L. 1819, p. 175.



**Governmental Organization and Records System**

**GOVERNMENTAL ORGANIZATION OF SALINE COUNTY, 1940**



**L E G E N D**

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

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

## Governmental Organization and Records System

missioners' court,<sup>7</sup> at first filled at the appointment of the court,<sup>8</sup> later by election.<sup>9</sup>

Under the second constitution, the newly created county court succeeded to the position of the county commissioners' court.<sup>10</sup> As an administrative body,<sup>11</sup> it was composed of the county judge, an elected, constitutional officer,<sup>12</sup> and two justices of the peace, elected at large.<sup>13</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>14</sup>

The Constitution of 1848 also made provision, for the first time, for an optional form of county government.<sup>15</sup> The subsequent enabling acts<sup>16</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>17</sup> An act of 1849 provided that the administrative body in such counties should consist of a board of supervisors, composed of members elected, one in each of the several townships.<sup>18</sup> The clerk of the county court was required by law to act as the ministerial officer of the new county board.<sup>19</sup> In 1872, however, that clerk was replaced by a new officer, the county clerk, whose office had been created and made elective, by the third constitution,<sup>20</sup> and who was required by law to act as ministerial officer for the county board.<sup>21</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>22</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>23</sup>

The Constitution of 1870 also provided a new form of county board in counties not under township organization. This board was to be com-

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7. L. 1819, p. 175.

8. *Ibid.*

9. R. L. 1837, p. 49; L. 1845, p. 28.

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

11. The county court was also a court of law. For its jurisdiction as such, see Administration of Justice, Courts, p. 66.

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

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

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

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

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

17. Other effects of the change, within the sphere of county government proper, appear with regard to the taxation procedure. See Finances, p. 63.

18. Constitution of 1848, Art. VII, sec. 6; L. 1849, p. 192; L. 1851, p. 38, 50-52; Constitution of 1870, Art. X, sec. 5. Township organization was adopted by Saline County in 1889, but the change was not effective until 1890.

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

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

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

22. R. S. 1874, p. 1080; L. 1925, p. 605; L. 1929, p. 774; L. 1931, p. 905-10; L. 1933, p. 1115, 1116.

23. R. S. 1874, p. 1078, 1080; L. 1925, p. 605; L. 1929, p. 774; L. 1931, p. 905, 907; L. 1933, p. 1115.

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posed of three officers, styled commissioners, who would transact all county business as provided by law.<sup>24</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>25</sup> Saline County was under the county commission form of government from 1874 to 1890 when township organization was instituted.

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>26</sup> a limited but increasing management of county property,<sup>27</sup> and a growing fiscal control, stringent in regard to tax collections,<sup>28</sup> sporadic in its check on the expenditure of other county offices.<sup>29</sup> The court additionally had power to appoint judges of elections,<sup>30</sup> select juries,<sup>31</sup> and, with limitations, to provide for the construction and maintenance of roads and bridges.<sup>32</sup> Poor relief<sup>33</sup> and a tentative supervision of education<sup>34</sup> also fell within its general administrative jurisdiction.

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

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

25. L. 1873-74, p. 79, 80.

26. L. 1819, p. 175.

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

28. 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.

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

30. L. 1819, p. 90.

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

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

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

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

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

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

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

## Governmental Organization and Records System

### 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>38</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>39</sup> In 1825 assessments were made by the county assessor, also an appointee of the county commissioners' court.<sup>40</sup> This duty reverted to the county treasurer in 1827<sup>41</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>42</sup> The earlier system was re-established in 1844, with the treasurer, however, now having the status of ex-officio county assessor.<sup>43</sup> Since 1890, the date of the institution of township organization in Saline County, the assessment function has been performed on the lower governmental level by town assessors, elected one in each township.<sup>44</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>45</sup> The treasurer now has the status of ex-officio supervisor of assessments.<sup>46</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 assessments; the county commissioners' court could hear appeals from assessments, but there was no provision for their equalization by districts.<sup>47</sup> During the second constitutional period, appeals, in Saline County, were made to the county court.<sup>48</sup> However, between 1874 and 1890 appeals were heard by the board of county commissioners.<sup>49</sup> After the institution of township organization in 1890, town boards were empowered to revise 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>50</sup> In 1898 this authority of the county board was transferred to the newly created board of review, composed of the chairman

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38. L. 1819, p. 315.

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

40. L. 1825, p. 173.

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

42. L. 1839, p. 4.

43. L. 1843, p. 231, 237.

44. L. 1851, p. 38, 54-57; L. 1853, p. 14, 15; L. 1855, p. 35, 37; L. 1871-72, p. 20-24.

45. L. 1853, p. 16, 17; L. 1855, p. 18, 24, 55; L. 1871-72, p. 11, 14, 15, 19, 23; L. 1873, p. 51; L. 1879, p. 241-45; L. 1881, p. 133; L. 1885, p. 234; L. 1895, p. 300, 301; L. 1905, p. 360; L. 1915, p. 568; L. 1923, p. 495, 500; L. 1927, p. 774; L. 1931-32, First Sp. Sess., p. 69.

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

47. L. 1819, p. 316; R. L. 1827, p. 330; L. 1839, p. 7; L. 1843, p. 237; L. 1845, p. 8.

48. L. 1849, p. 65.

49. L. 1873-74, p. 79, 80. Saline County was under the county commission form of government from 1874 to 1890.

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

## Governmental Organization and Records System

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>51</sup> In 1923 the county clerk was replaced by another member appointed by the county judge;<sup>52</sup> the board of review now appoints its own clerk.<sup>53</sup>

The collection function was originally performed in all counties by the sheriff, an elected constitutional officer.<sup>54</sup> Its nature has changed little since that time. Essentially, the collecting officer collects taxes according to information originating outside his jurisdiction, pays over such sums to authorities designated by statute to receive them, and reports on payments of taxes and delinquencies.<sup>55</sup> In 1939, by a development analogous to that which occurred with regard to assessments, the county board extended its control to appoint a regular county collector.<sup>56</sup> Soon after, the law reverted to the earliest situation, with the sheriff acting as ex-officio collector.<sup>57</sup> This situation continued until Saline County adopted township organization when town collectors were elected, one in each township,<sup>58</sup> and the county treasurer became ex-officio county collector.<sup>59</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>60</sup> In 1917 the town office of collector was abolished in counties the size of Saline, and the county collector became ex-officio town collector, assuming all duties previously assigned to the latter officer.<sup>61</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>62</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

51. L. 1898, p. 46.

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

53. L. 1923, p. 496, 497.

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

55. L. 1819, p. 316-18; L. 1821, p. 182, 183; R. L. 1827, p. 332, 333; R. L. 1829, p. 118, 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.

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

57. L. 1843, p. 234.

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

59. L. 1853, p. 67.

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

61. L. 1917, p. 793.

62. 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, 46, 56-58; L. 1873-74, p. 51; L. 1911, p. 485; L. 1917, p. 654; L. 1919, p. 765; L. 1931, p. 747.

## Governmental Organization and Records System

disburse funds only on specific authorization by law, or in accordance with the order of the county board.<sup>63</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>64</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>65</sup>

Federal statutes already allowed circuit courts, in all states, jurisdiction over the naturalization of aliens,<sup>66</sup> the first state legislature additionally conferred jurisdiction over all causes at common law and in chancery and over all cases of treason, felony, and other crimes and misdemeanors.<sup>67</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>68</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>69</sup> In 1827 the General Assembly repealed the 1824 law, and again provided for circuit courts to be held by Supreme Court justices.<sup>70</sup> At the next session of the legislature, when a new circuit was established, provision was made for the appointment of a circuit judge to act therein.<sup>71</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>72</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>73</sup> The six judicial circuits existing at that

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

64. 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. 1874, p. 323, 324.

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

66. 2 U. S. S. L. 153-55.

67. L. 1819, p. 380.

68. *Ibid.*, p. 378.

69. 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).

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

71. R. L. 1829, p. 38.

72. *Ibid.*, p. 42, 48.

73. L. 1835, p. 150.

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time were supplemented during the next few years by the creation of new circuits,<sup>74</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>75</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>76</sup> The power of appointment, the legislature at first reserved to itself;<sup>77</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>78</sup>

Jurisdiction over probate matters was at the outset delegated to the county commissioners' court.<sup>79</sup> By act of the next General Assembly, it was transferred to the court of probate,<sup>80</sup> consisting in each county of one judge appointed by the General Assembly.<sup>81</sup> As a result of the substitution in 1837 of probate justices of the peace for the judges of probate,<sup>82</sup> jurisdiction over probate matters for the first time was placed in the hands of elected officers.<sup>83</sup>

The county court was the creation of the second constitution,<sup>84</sup> which also made circuit judges elected officers.<sup>85</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>86</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>87</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>88</sup> at the same session of the General Assembly, however, it was declared that county judges when exercising this jurisdiction, acted only in the capacity of justices of the peace.<sup>89</sup> Until the next constitutional period, the county court, as such, was given jurisdiction only in a limited number of special actions;<sup>90</sup>

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

75. L. 1841, p. 173.

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

77. *Ibid.*, p. 22.

78. 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.

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

80. L. 1821, p. 121.

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

82. L. 1837, p. 176, 177.

83. 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.

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

85. *Ibid.*, sec. 7, 15.

86. *Ibid.*, sec. 17.

87. *Ibid.*, Art. V, sec. 18.

88. L. 1849, p. 65.

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

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

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it was however, considered entitled to equal jurisdiction with the circuit court over naturalization.<sup>91</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 Saline 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>92</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>93</sup> As first established by statute, the new courts were to be formed in counties of one hundred thousand or more inhabitants.<sup>94</sup> This population requirement was lowered to seventy thousand in 1881.<sup>95</sup> The population of Saline County not having reached this figure, jurisdiction over probate matters has continued to be vested in the county court in accordance with constitutional provision to that effect.<sup>96</sup> The county court, early in this period, was given concurrent jurisdiction with the circuit court in appeals from justices of the peace;<sup>97</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>98</sup> and involving in controversy sums not exceeding \$500.<sup>99</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>100</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>101</sup> At present there are eighteen circuits in Illinois, and Saline County is attached to the first circuit.<sup>102</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>103</sup> Since 1849, however, by provisions of the constitutions of 1848 and 1870, the office has been

91. 2 U. S. S. L. 155.

92. L. 1854, p. 30. No more than five justices, however, may be elected from any town or election precinct.

93. Constitution of 1870, Art. VI, sec. 20.

94. L. 1877, p. 79, 80.

95. L. 1881, p. 72. In 1933, the act of 1877 was further amended to make the establishment of an independent probate court mandatory in counties having a population of eighty-five thousand or more, and optional in counties having a population of between seventy thousand and eighty-five thousand (L. 1933, p. 458).

96. Constitution of 1870, Art. VI, sec. 18; L. 1877, p. 80; L. 1881, p. 72.

97. R. S. 1874, p. 340; L. 1877, p. 77; L. 1895, p. 212, 223.

98. The jurisdiction of justices has also been progressively increased during this period. See L. 1871-72, p. 524; L. 1895, p. 189, 190; L. 1917, p. 562, 563; L. 1929, p. 541, 542.

99. L. 1871-72, p. 325.

100. 34 U. S. S. L. 596.

101. Constitution of 1870, Art. VI, sec. 13.

102. L. 1933, p. 436.

103. Constitution of 1818, Art. IV, sec. 6.



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filled by election.<sup>104</sup> The office of clerk of the county court, which was an independent elective office under the second constitution,<sup>105</sup> is now filled in an ex-officio capacity by the county clerk<sup>106</sup> who is also required by constitutional provision to be elected.<sup>107</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>108</sup> Probate judges and justices of the peace who subsequently held probate jurisdiction, were required to act as their own clerks.<sup>109</sup> With the transfer of probate jurisdiction to the county court, the clerk of the county court was required to keep, separately, records of probate proceedings and business.<sup>110</sup> In Saline County where the county court still retains probate jurisdiction, the county clerk serves it in these matters in his capacity as ex-officio clerk of the county court.<sup>111</sup> Justices of the peace have always been required to keep their records in person.<sup>112</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>113</sup> Later, in 1827, statutory provision was made for the appointment of deputies by the principal officer,<sup>114</sup> since 1870, the number of deputies that the sheriff may appoint is determined by rule of the circuit court.<sup>115</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>116</sup>

The coroner was originally given equal power with the sheriff as a ministerial officer of the courts.<sup>117</sup> He was also required to serve all process in any suit in which the sheriff was an interested party<sup>118</sup> and to perform all the duties of the sheriff when that office was vacant.<sup>119</sup> The last two functions are still incumbent upon the coroner.<sup>120</sup>

104. Constitution of 1848, Art. V, sec. 21, 29; Constitution of 1870, Art. X, sec. 8.

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

106. R. S. 1874, p. 260.

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

108. L. 1819, p. 175.

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

110. L. 1849, p. 66.

111. R. S. 1874, p. 260.

112. 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.

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

114. R. L. 1827, p. 373.

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

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

117. L. 1819, p. 111.

118. L. 1821, p. 20-23.

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

120. 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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Justices of the peace are served similarly in a ministerial capacity by constables. Not until 1870 was the office of constable given constitutional recognition;<sup>121</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>122</sup> in 1827 it was provided that two constables should be elected in each justice of the peace district.<sup>123</sup> Since that date, subsequent legislation has grouped justices of the peace and constables in all provisions regarding their election.<sup>124</sup> Constables, like sheriffs and coroners, have always been required to serve and execute all process legally directed to them;<sup>125</sup> process issuing from a justice of the peace court, however, may be directed only to some constable of the same county.<sup>126</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>127</sup> was incumbent originally upon the circuit attorney.<sup>128</sup> In 1827 this officer was replaced by the state's attorney.<sup>129</sup> Also in effect from an early date is the officer's other major duty, apart from the enforcement of law,<sup>130</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>131</sup>

The office of circuit attorney and early state's attorney, which existed solely by statutory provision,<sup>132</sup> were appointive by the Governor until 1835,<sup>133</sup> and thereafter by the General Assembly.<sup>134</sup> The second constitution provided for an elected state's attorney;<sup>135</sup> since each judicial circuit was an elective district for this purpose, the territorial jurisdiction of the new officer remained the same as that of the former officer. Not until the adoption of the present constitution was provision made for the election of a separate state's attorney in each county.<sup>137</sup>

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

122. L. 1819, p. 162.

123. R. L. 1827, p. 258.

124. See *Courts*, p. 66.

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

126. L. 1819, p. 186; R. S. 1845, p. 317; L. 1871-72, p. 525; L. 1895, p. 191, 193; L. 1937, p. 900. Similarly, process issuing from courts of record is required to be directed to the sheriff or, under certain conditions noted (footnotes 117, 118, 119), 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).

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

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

129. L. 1827, p. 79, 80.

130. See *Enforcement of Law*, p. 71.

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

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

133. *Ibid.*, p. 204.

134. L. 1835, p. 44.

135. Constitution of 1848, Art. V, sec. 21.

136. *Ibid.*, sec. 28.

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

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### Inquest

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>138</sup> the statutory provisions concerning the inquest function have not changed substantially since their enactment by the second General Assembly.<sup>139</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>140</sup>

The verdict of the coroner's jury, however, is not generally admissible in evidence;<sup>141</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>142</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>143</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>144</sup> The state's attorney's powers as an officer for the enforcement of law originally derive by implication from another duty;<sup>145</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>146</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>147</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.

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

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

140. 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.

141. 46 N. W. 872. It is, however, held to be proper practice to offer, in cross-examination witnesses sought to be impeached, excerpts from transcripts of testimony taken at the inquest (189 Ill. App. 556; 211 Ill. App. 474).

142. 201 Ill. App. 287.

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

144. L. 1819, p. 111, 162, 163; R. S. 1845, p. 328, 515; R. S. 1874, p. 400, 990.

145. See Prosecutions, p. 70.

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

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

## Governmental Organization and Records System

### 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>148</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>149</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>150</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>151</sup> The creation of the 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>152</sup> his subsequent gains in this respect at the expense of the township trustees foreshadowed the demarcation of spheres of authority that was made in 1847.<sup>153</sup> In the interim, the school commissioner, who had first been appointed by the county commissioners' court,<sup>154</sup> became an elected officer;<sup>155</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>156</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. The relative authority of the officer of the county<sup>158</sup> and of officers of the township with regard to financial administration was fixed essentially as at present.<sup>159</sup> Moreover, township trustees lost practically all their former

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148. 3 U. S. S. L. 428.

149. L. 1819, p. 107, 108.

150. L. 1825, p. 121, 122.

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

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

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

154. R. L. 1829, p. 150.

155. L. 1841, p. 261, 262.

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

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

158. The subsequent substitution of an independent elected superintendent of schools for the school commissioner who had additionally been ex-officio superintendent (see footnote 162), was only a change in the legal status of the officer of the county and had no further impact.

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

## Governmental Organization and Records System

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>160</sup> Filled at first by the school commissioner in an ex-officio capacity,<sup>161</sup> it quickly absorbed most of the functions of township trustees with regard to the advancement of education;<sup>162</sup> later, the office came to be filled by election<sup>163</sup> and completely absorbed that of school commissioner.<sup>164</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 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>165</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>166</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>167</sup> information concerning the schools in his county.<sup>168</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 Department of Public Health,<sup>169</sup> the state fire marshal, or the state architect to inspect such buildings, and issue reports upon which condemnation proceedings can be based.<sup>170</sup>

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160. R. S. 1845, p. 498.

161. *Ibid.*

162. 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).

163. L. 1865, p. 112.

164. *Ibid.*, p. 112, 113.

165. 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.

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

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

168. L. 1845, p. 54.

169. 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).

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

## Governmental Organization and Records System

### RECORDATION

For the function of making legal record of written instruments, the first General Assembly established the office of recorder.<sup>171</sup> Originally appointed by the Governor,<sup>172</sup> the recorder was required to be elected after 1835.<sup>173</sup> The second constitution made the clerk of the circuit court<sup>174</sup> ex-officio recorder in all counties;<sup>175</sup> the present constitution continued the earlier provision in counties of under sixty thousand population and provided for the election of a recorder in counties of that population or more.<sup>176</sup> As Saline 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>177</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>178</sup> later by election.<sup>179</sup> In 1936 the surveyor again became an appointed officer, with the power of appointment delegated to the county board.<sup>180</sup> His duty to perform all surveys he may be called on to make within his county has undergone only minor change, but its importance has declined; the acts of any surveyor, properly acknowledged and certified, have equal standing before the law with those of the county surveyor; no maps or plats have any legal effect unless recorded by the recorder.<sup>181</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>182</sup> The act providing for such superintendence empowered the commissioners to appoint freeholders in each township to act as supervisors, each appointment to be for a one-year period. New roads were to be opened by the county commissioners' court upon petition of residents of the county and a favorable report from the road viewers and surveyor. A few years later the county commissioners were au-

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

172. *Ibid.*, p. 19.

173. L. 1835, p. 166.

174. An elected officer; see *Clerks of Courts*, p. 68.

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

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

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

178. L. 1821, p. 62.

179. L. 1835, p. 166.

180. L. 1935, p. 1104. Provision effective in 1936.

181. 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.

182. L. 1819, p. 333.

## Governmental Organization and Records System

thorized to divide the county into road districts and to appoint annually one supervisor to serve in each district.<sup>183</sup> With a change in the county administrative body under the second constitution, the county court was granted supervision and control over public roads,<sup>184</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>185</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>186</sup> Saline County did not adopt township organization until 1890,<sup>187</sup> and the supervision, control, and maintenance of roads, highways, and bridges during the second constitutional period were vested in the county court and the road district supervisors. 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>188</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>189</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>190</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 provided that a courthouse and jail be erected in each county,<sup>191</sup> and that the sheriff of each county be charged with custody of such buildings.<sup>192</sup>

183. L. 1825, p. 130.

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

185. L. 1849, p. 212.

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

187. From 1874 to 1890 when Saline County was governed by the board of county commissioners, the supervision of highways, roads, and bridges was vested in the board and the maintenance and superintendence was intrusted to three highway commissioners elected in each road district for a term of three years. (Constitution of 1870, Art. X, sec. 6; L. 1871-72, p. 679, 680; L. 1873-74, p. 79).

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

189. L. 1913, p. 524, 525, 538, 542-44; L. 1917, p. 24; L. 1921, p. 780-86; L. 1933, p. 961.

190. R. S. 1874, p. 306.

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

192. L. 1819, p. 111, 112; R. L. 1827, p. 246, 247, 372; R. S. 1874, p. 990.

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The county is further empowered to erect buildings for a county hospital, workhouse, tuberculosis sanitarium, and other county needs.<sup>193</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>194</sup> He is also to request the Department of Public Health,<sup>195</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>196</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>197</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>198</sup> Where a proposed drain ran through more than one town the commissioners of all the towns affected made up the board of drainage commissioners.<sup>199</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>200</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 con-

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

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

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

196. U. S. S. L. 519.

197. L. 1852, p. 178.

198. L. 1865, p. 50.

199. L. 1867, p. 91, 92.

200. L. 1879, p. 142.



## **Governmental Organization and Records System**

struct 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>201</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>202</sup>

## **PUBLIC SERVICES**

### **Public Health**

The State Department of Public Health, created in 1917,<sup>203</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>204</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 file with the clerk an annual statement containing details as to sleeping accommodations for guests.<sup>205</sup> The clerk is also required to report annually to the state health department the names and addresses of township officials.<sup>206</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>207</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 notices.<sup>208</sup>

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201. L. 1879, p. 120.

202. L. 1885, p. 130, 131.

203. L. 1917, p. 4.

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

205. L. 1901, p. 305.

206. L. 1923, p. 480.

207. L. 1927, p. 694.

208. L. 1931, p. 735, 736.

## **Governmental Organization and Records System**

### **Vital Statistics**

The State Department of Public Health has charge of the registration of births, stillbirths, and deaths throughout the state.<sup>209</sup> To effect proper control of this matter the state is divided into vital statistics registration districts which, in Saline County, are identical with the townships. The township clerk acts as the local registrar in these districts and receives certificates of births and deaths occurring in the district. Burial permits are issued by the registrar and are later returned to him for filing.

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

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

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

### **Public Assistance**

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

The county department of public welfare is headed by a superintendent appointed by the county board after approval by the State Department of Public Welfare.<sup>210</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>211</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>212</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>213</sup> The county court has jurisdiction in the

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209. L. 1915, p. 660-70.

210. L. 1937, p. 451, 452.

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

212. L. 1935, p. 1057.

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

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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>214</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 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 of 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>215</sup> In 1833 he was required to keep an alphabetical index to each book,<sup>216</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>217</sup>

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

215. L. 1819, p. 18, 20.

216. R. L. 1933, p. 511.

217. 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>218</sup> the clerk of the circuit court,<sup>219</sup> the judge<sup>220</sup> and justice<sup>221</sup> of the probate court, the coroner,<sup>222</sup> the county superintendent of schools,<sup>223</sup> the county surveyor,<sup>224</sup> and the county treasurer.<sup>225</sup>

Description of records and forms to be used are frequently found in legislation pertaining to the holding of elections,<sup>226</sup> assessments and the collection of revenue,<sup>227</sup> the organization and maintenance of common schools,<sup>228</sup> the registration of marriages,<sup>229</sup> and the recording of vital statistics.<sup>230</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>231</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 might be deemed to apply to the offices of the clerks of the circuit and county commissioners' courts,<sup>232</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

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218. L. 1849, p. 66, 191, 203; L. 1859, p. 92, 94; L. 1865, p. 93; R. S. 1874, p. 261-65, 332; L. 1933, p. 293-95.
219. R. L. 1833, p. 152; R. S. 1845, p. 147; L. 1847, p. 70; L. 1849, p. 9; L. 1865, p. 93; R. S. 1874, p. 262, 263; L. 1933, p. 293, 294.
220. R. L. 1829, p. 231.
221. R. S. 1845, p. 427, 428.
222. R. L. 1833, p. 574; L. 1869, p. 104, 105; R. S. 1874, p. 283.
223. L. 1849, p. 155, 156; L. 1865, p. 120; L. 1909, p. 346, 348, 349.
224. R. L. 1829, p. 173; R. S. 1845, p. 524.
225. R. S. 1845, p. 138; R. S. 1874, p. 323, 324.
226. L. 1819, p. 92, 94; R. L. 1827, p. 291, 292; R. L. 1829, p. 59, 60; L. 1845, p. 41, 42; L. 1849, p. 73, 74; L. 1865, p. 54, 55; L. 1871-72, p. 386-89, 391; L. 1885, p. 143, 148, 173, 176; L. 1937, p. 522-29, 531-48.
227. 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.
228. L. 1825, p. 127; R. L. 1833, p. 563; L. 1841, p. 263, 270-72; L. 1845, p. 53, 54, 65, 68; L. 1847, p. 121-23, 142-44; R. S. 1874, p. 950, 957, 958, 964.
229. L. 1819, p. 27; R. L. 1827, p. 288, 289; R. S. 1874, p. 694, 695.
230. L. 1842-43, p. 210-12; L. 1877, p. 209; L. 1901, p. 301-4; L. 1903, p. 315-18; L. 1915, p. 666, 667.
231. L. 1819, p. 332.
232. L. 1842-43, p. 210.

## Governmental Organization and Records System

by fire, the records and documents of their respective counties."<sup>233</sup> The preservation of county archives has been greatly aided by an act to provide for the copying of old, worn-out records,<sup>234</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>235</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>236</sup> Laws have also been enacted which provide for the restoration of certain classes of records destroyed by fire or other means.<sup>237</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>238</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>239</sup> Legislation enabling the destruction of worthless archives apparently is nonexistent with the exception of laws relating to certain election papers.<sup>240</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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233. L. 1845, p. 46.

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

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

236. L. 1907, p. 375.

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

238. L. 1935, p. 138.

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

240. 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 1847 to 1849, composed of three elected commissioners)

No state records, 1847, 1848<sup>1</sup>

#### COUNTY COURT

(From 1849 until institution of commission form of government in 1874, county business was administered by the county court, consisting of the county judge and two associate justices acting as the county board)

- |   |  |
|---|--|
| Samuel Elder, county judge,<br>December 5, 1849,  | David J. Blackman, county judge,<br>Jacob Smith, William A. Harris,<br>associate justices,<br>November 30, 1861                                  |
| Joseph Stricklin, David Upchurch,<br>associate justices, November 6,<br>1849 (elected)  |  |
| Samuel Elder, county judge,<br>M. P. McGehee, D. W. Upchurch,<br>associate justices,<br>December 3, 1853,<br>James L. Kennady, associate justice,<br>November 28, 1854 <sup>2</sup> | Moses P. McGehee, county judge,<br>November 23, 1865<br>Hiram Burnett, William L. Mitchell,<br>associate justices, November 7,<br>1865 (elected) |
| Moses P. McGehee, county judge,<br>James Stricklin, associate justice,<br>November 25, 1857,<br>William Watkins, associate justice,<br>December 2, 1857                             | Moses P. McGehee, county judge,<br>John D. Church, John V. Coxe,<br>associate justices, November 23,<br>1869                                     |

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

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

\*\* For length of term of county board officers, see essay, County Board, p. 108; for length of term of other county officers, see individual office essays.

1. David Upchurch and James Stricklin present at special meeting of county commissioners' court, October 11, 1847. County Commissioners' Record (1847-50), v. A, p. 1. Isaac E. Barker recorded as commissioner at meeting, December 6, 1847. *Ibid.*, p. 10. David Upchurch, James Stricklin, and J. R. Norman recorded as commissioners, September 4, 1848. Order Book, p. 6.
2. Records do not explain why Kennady was commissioned an associate justice during one of the off-election years.

## Roster of County Officers

### BOARD OF COUNTY COMMISSIONERS

(Beginning in 1874, administration of county business was lodged in this board of three elected officers until 1890 when it was succeeded by the county board of supervisors)

Nelson Weber, William N. Simmons, William H. Pankey,  
January 17, 1874<sup>3</sup>

John H. Wilson,  
November 13, 1874

Alexander Oliver,  
November 16, 1875

Parker Massey,<sup>4</sup>  
November 21, 1876

Roswell Seaton,  
November 21, 1876

Robert Lewis (vice Seaton,  
resigned), November 28, 1877

James A. Harris,  
December 1, 1877

Richard Westbrook,  
November 19, 1878<sup>5</sup>

John B. Berrey,  
November 11, 1879

James A. Harris,  
December 1, 1880

Richard Westbrook,  
November 30, 1881

William G. Frith,  
December 1, 1882

James A. Harris,<sup>6</sup>  
November 19, 1883

Joseph R. Baker,  
December 1, 1884

J. W. Harris,  
November 27, 1885

Richard Westbrook,  
December 7, 1885

James L. Cain,  
December 6, 1886

J. W. Harris,  
December 5, 1887

Richard J. Smith,  
December 3, 1888

Hezekiah Bromlet,  
November 22, 1889

### COUNTY BOARD OF SUPERVISORS

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

3. The Constitution of 1870 provided that effective at the next judicial election (in Saline, November, 1873), for counties not under township organization, administration of county business be lodged with three elected officers to be styled the Board of County Commissioners, and also provided that the first three commissioners draw lots to determine who should serve the one-year, two-year, and three-year terms; these were drawn by Weber, Simmons, and Pankey, respectively. Constitution of 1870, Art. X, sec. 6; County Commissioners' Record (1874-80), v. A, p. 1.
4. Vice Oliver, deceased. County Commissioners' Record (1874-80), v. A, p. 261.
5. On September 13, 1878, W. W. Largent appointed commissioner to serve unexpired term (to November election, 1878) of Parker Massey, resigned. Ibid., p. 438.
6. Resigned July 13, 1885. Ibid., v. B, p. 318.

## Roster of County Officers

The electorate of Saline County adopted township organization at an election held November 5, 1889, and Thomas H. Cain, William H. Pankey, and Francis W. Pickett were appointed commissioners to divide the county into towns. On January 20, 1890, these commissioners filed their report naming and bounding thirteen towns.<sup>7</sup> The first meeting of the board of supervisors was held Friday, May 2, 1890, the supervisors present and township each represented being as follows:<sup>8</sup>

Supervisors	Township	Supervisors	Township
J. J. Scott	Galatia	Robert Lewis	Stonefort
Benj. Reynolds	Brushy	J. C. Upchurch	Long Branch
Hez Thompson	Carrier Mills	Hez Bromlet	Raleigh
M. P. Cardwell	Tate	J. W. Cain	Harrisburg
W. G. McSparin	Independence	F. M. Borders	Cottage
A. J. Hayes	Rector	N. G. Hall	Mountain
J. N. Elder	East Eldorado		

## COUNTY JUDGES

Samuel Elder, December 5, 1849 December 3, 1853	Albert E. Somers, November 17, 1906
Moses P. McGehee, November 25, 1857	G. H. Dorris (vice Somers, re- signed), January 12, 1910
David J. Blackman, November 30, 1861	Kenneth C. Ronalds, November 23, 1910
Moses P. McGehee, November 23, 1865	Charles D. Stillwell, November 18, 1914
R. N. Warfield, November 20, 1873, December 1, 1877	S. D. Wise, January 15, 1918 (appointed)
Boen Phillips, December 1, 1882	H. N. Finney, October 5, 1918 (appointed)
William H. Parish, Jr., December 6, 1886	Wirt Damron, November 25, 1918
H. G. Abney, November 26, 1890	A. G. Abney, November 24, 1922
Albert W. Lewis, November 26, 1894	John W. Browning, February 20, 1926 (appointed)
John L. Thompson, November 25, 1898, November 28, 1902	W. W. Dameron, November 17, 1926
	Lynndon Hancock, November 17, 1930, November 17, 1934
	Don Scott <sup>9</sup>

7. Hall (Tate), Galatia, Brushy, Douglas (Carrier Mills), Stonefort, Long Branch, Raleigh, Harrisburg, Independence, Texas (Rector), Eldorado (East Eldorado), Cottage, Somerset (Mountain). County Commissioners' Record, v. C, p. 78-86.

8. Ibid., p. 96.

9. Shown as county judge in Official List of State and County Officers of Illinois July 1, 1939, compiled by Edward J. Hughes, Secretary of State, p. 44. Hereinafter cited as Official List of County Officers July 1, 1939.



## Roster of County Officers

### PROBATE JUSTICE

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

Archibald Sloan,

September 24, 1847

### COUNTY CLERKS

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

No state records, 1847, 1848<sup>10</sup>

Hiram Burnett,

December 5, 1849,  
December 3, 1853

Richard N. Warfield (vice Burnett,  
resigned), March 7, 1855,  
December 2, 1857,  
November 30, 1861

Thomas A. Jones,  
November 23, 1865,  
November 23, 1869

Warner E. Burnett,  
November 15, 1873,  
December 1, 1877,  
December 1, 1882

James H. Pearce,  
December 6, 1886,  
November 26, 1890,  
November 22, 1894,  
November 25, 1898

William S. Dorris,  
November 25, 1902

John Odum,  
November 22, 1906

John Davis,  
November 28, 1910

Harry E. Wills,  
November 23, 1914,  
November 29, 1918

Otis Stone,  
November 24, 1922

Bert Dunn,  
November 30, 1926

J. E. Rose,  
November 22, 1930,  
November 27, 1934

Harold B. Riegel<sup>11</sup>

### RECORDER

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

Archibald Sloan,

September 24, 1847

10. James M. Gaston appointed clerk pro tem at meeting of county commissioners' court October 11, 1847, County Commissioners' Record (1847-50), v. A, p. 1, and served as duly constituted clerk of the court until the election of his successor in 1849.

11. Shown as county clerk in Official List of County Officers July 1, 1939, p. 44.

## Roster of County Officers

### CIRCUIT COURT CLERKS

(Prior to 1848, circuit clerks appointed by circuit judges)

James M. Gaston, September 4, 1848 (elected)	Thomas Y. Reynolds, December 3, 1888
Hiram Burnett, November 23, 1852, November 14, 1856	John H. Lee, November 21, 1892, November 16, 1896
Thomas A. Jones, November 26, 1860	Ed. M. Stricklin, November 30, 1900
Thomas G. Reynolds, November 19, 1864	Isaac R. Tuttle, December 2, 1904, November 23, 1908
Warner E. Burnett, November 21, 1868	James T. Gram, November 26, 1912
Stern W. Forgy, November 29, 1872	Roy E. Holmes, November 29, 1916, December 3, 1920
John M. Gregg, January 11, 1876 (appointed vice Forgy)	Inez Wilson, November 28, 1924, November 28, 1928, December 1, 1932, November 27, 1936
Thomas Y. Reynolds, December 2, 1876, December 1, 1880	
Wm. H. Thornberry, November 22, 1884	

### SHERIFFS

(Collectors to 1890)

John Howard, September 24, 1847, September 16, 1848	John J. Jones, November 19, 1864
William Elder, November 20, 1850	Simpson S. Stricklin, November 15, 1866
Thomas I. Cain, November 23, 1852	William H. Pankey, November 21, 1868
Wm. Elder, November 28, 1854	Wm. B. Jones, November 22, 1870
William Roark, November 12, 1856	James A. Rice, November 19, 1872
Willis A. Stricklin, November 12, 1858	John J. Jones, November 11, 1874
T. G. Raynolds, November 26, 1860	George E. Burnett, November 21, 1876
William Burkhart, December 9, 1862	William G. Sloan, December 2, 1878
Asel W. Durham (vice Burkhart, deceased), August 10, 1863	G. J. Empson, December 1, 1880

## Roster of County Officers

### Sheriffs—Continued

William M. Gregg, August 8, 1882 (appointed vice Empson), December 1, 1882	George W. Russell, November 23, 1914
William W. Largent, December 6, 1886	John D. Cummins, November 25, 1918
Sam Barter, November 26, 1890	John Small, November 24, 1922
William O. Warren, November 22, 1894	Siege W. Turner, November 17, 1926
Sam Barter, November 21, 1898	Thomas J. Cain, November 27, 1929 (appointed)
Joel Mooneyham, November 25, 1902	Eugene Choisser, November 19, 1930
Oscar Cummins, November 17, 1906	Earl "Nip" Evans, November 27, 1934
Joel Mooneyham, November 28, 1910	Otto Pickering, April 21, 1938 (appointed)
	Tom Gram <sup>12</sup>

### CORONERS

William P. Pemberton, September 24, 1847	Louis Boatright, November 11, 1874
Fuel Moor, September 11, 1848	James Pearce, November 21, 1876
John C. Gillett, November 20, 1850, November 23, 1852	W. H. Edwards, December 2, 1878
Andrew Musgrave, November 28, 1854	Jackson Cook, December 1, 1880
Wm. G. Grable, November 12, 1856	Bluford A. Durham, December 1, 1882
Charles S. Burnett, November 10, 1858	Richard Westbrook, November 4, 1884
D. D. Mattice, November 6, 1860 (elected)	Samuel M. Parks, November 27, 1885
Lewis Weld, November 3, 1863 (elected)	James F. Burks, December 3, 1888
William H. Edwards, April 18, 1865	Thomas J. Vineyard, November 26, 1890, November 8, 1892 (elected)
W. W. Edwards, November 15, 1866	Joseph R. Baker, December 6, 1895, December —, 1896, November 30, 1900, November 29, 1904, November 13, 1908
F. M. Foster, November 28, 1868	
Jas. B. Harris, December 3, 1870	
Wilson Gaskins, November 29, 1872	

12. Shown as sheriff in Official List of County Officers July 1, 1939, p. 44.

## Roster of County Officers

### Coroners—Continued

A. J. Butner, November 26, 1912	Claud Gibbons, September 16, 1927, November 21, 1928
Freeman H. Ozment, November 27, 1916	James Lyon, December 1, 1932
L. McCormack, November 30, 1920, December 24, 1924	Hal C. Bynum, December 31, 1935 (appointed) Earl Thornton, November 14, 1936

### STATE'S ATTORNEYS

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

James M. Gregg, November 29, 1872, December 4, 1876	D. W. Choisser (vice Lewis, re- signed), November 17, 1906
W. V. Choisser, November 13, 1880	W. C. Kane, November 13, 1908
John J. Parish, November 22, 1884	Sam Thompson, November 26, 1912
Albert W. Lewis, December 3, 1888	James B. Lewis, November 27, 1916
Marion S. Whitley, November 21, 1892	Charles H. Thompson, December 3, 1920
Seigle Capel, December 7, 1896	Charles T. Flota, November 24, 1924
Albert E. Somers, November 30, 1900	D. F. Rumsey, November 21, 1928
Albert W. Lewis, November 29, 1904	John R. Kane, November 29, 1932
	Lloyd H. Melton, November 18, 1936

### TREASURERS

(Also acted as assessors to 1890, supervisors  
of assessments 1898 to date, and  
collectors 1890 to date)

No state records, 1847-49 <sup>13</sup>	John M. Bond, December 2, 1857, November 10, 1859
Archibald Sloan, November 4, 1851	William G. Hutchinson, November 5, 1861 (elected)
William P. Pulliam, November 8, 1853	November 3, 1863 (elected)
Willis A. Stricklin, November 6, 1855	November 23, 1865

13. Bond of Hiram Burnett as treasurer approved November 6, 1847. County Commissioners' Record (1847-50), v. A, p. 2. No change in incumbent is indicated in county records until John M. Burnett is recorded as treasurer December 4, 1850. Order Book, p. 102.

## Roster of County Officers

### Treasurers—Continued

John M. Burnett, Jr., November 20, 1867, November 23, 1869	Bryant D. Grace, November 22, 1894
John S. Greer, November 27, 1871	Pinckney J. Walker, November 21, 1898
F. N. Pickett (vice Greer, re- signed), January 23, 1873	Sam Barter, November 25, 1902
George L. Eubanks, November 20, 1873	Oscar O. Cummins, December 6, 1904
John Edmonds, November 30, 1875	Joel Mooneyham, November 17, 1906
John W. Hutchinson, December 1, 1877	Jack Lusk, December 1, 1910
Stephen B. Jones, December 1, 1879	Pleas L. Dorris, November 23, 1914
John W. Hutchinson, December 1, 1882	Guy M. Wallace, November 25, 1918
Pleasant Taylor, December 6, 1886	Ezra Heatherly, November 27, 1922
W. C. Baker, May 5, 1890 (appointed vice Taylor, deceased)	John Small, November 23, 1926
Jesse Rude, November 26, 1890	John C. Upchurch, November 19, 1930
	Bill L. Ghent, November 27, 1934
	Dick Cook <sup>14</sup>

### SUPERINTENDENTS OF SCHOOLS

(School commissioners to 1865)

No state records, 1847, 1848 <sup>15</sup>	
John M. Burnett, November 6, 1849	Barnett L. Hall, November 20, 1873
Hiram Burnett, November 4, 1851	William S. Blackman, December 1, 1877
Valentine Rathbone, November 8, 1853, November 6, 1855	William B. Parsons, December 9, 1881
V. Rathbone, December 2, 1857, November 10, 1859, November 5, 1861 (elected), February 17, 1864	George B. Parsons, December 1, 1882
F. F. Johnson, November 23, 1865, November 23, 1869	James E. Jobe, December 6, 1886, November 26, 1890, November 22, 1894
	Lewis E. York, March 23, 1897, November 21, 1898, November 28, 1902

14. Shown as county treasurer in Official List of County Officers July 1, 1939, p. 44.

15. Hiram Burnett recorded as school commissioner June 4, 1849. Order Book, p. 255.

## Roster of County Officers

### Superintendents of Schools—Continued

E. E. Rhine, November 17, 1906, November 23, 1910	A. A. Moore, ..... 1923, September 19, 1927, November 19, 1930
B. D. Gates, November 23, 1914, November 25, 1918	W. B. Westbrook, September 24, 1935 Kenneth Davis <sup>16</sup>

## SURVEYORS

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

No state or county records, 1847,

1848	William A. McHaney, December 1, 1884
Hugh Cain, December 5, 1849	Isaac C. Abney, December 3, 1888
Archibald Sloan, November 17, 1851	Charles Durfee, November 26, 1892
M. D. Gillett, December 3, 1853	William A. McHaney, December —, 1896
Martin D. Gillett, November 19, 1855	James P. Cain, November 30, 1900, November 29, 1904
M. D. Gillett, December 2, 1857	W. A. McHaney, November 3, 1908 (elected)
Wm. L. West, March 14, 1860, November 30, 1861	R. B. Clark, November 5, 1912 (elected)
J. W. Russell, December 2, 1865	Lana Weaver, November 7, 1916 (elected)
James W. Russell, November 20, 1867, November 23, 1869, November 27, 1871, November 16, 1875, December 1, 1879	C. B. Drake, November 2, 1920 (elected) November 4, 1924 (elected) November 6, 1928 (elected)
	Ray A. Estes, November 8, 1932 (elected)

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16. Shown as superintendent of schools in Official List of County Officers July 1, 1939, p. 44.

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

The honor of serving as county seat of Saline County has been shared by two communities, Raleigh and Harrisburg. Raleigh was the first, beginning in 1847 the year the county was established, and holding the distinction for nearly twelve years. In 1859, Harrisburg officially became the county seat which it still is today.<sup>1</sup> Harrisburg is centrally located while Raleigh is close to the northern boundary, seven miles north of Harrisburg. In each county seat there were built two courthouses. The second one erected in Harrisburg, with the recent addition of a wing, is the present headquarters for county business and the depository for county records.

Though Saline had been established as a county February 25, 1847, the first meeting of the county commissioners' court was not held until October 11, at the home of A. Musgraves; it was ordered at this meeting that the county seat be named Raleigh.<sup>2</sup> The first courthouse was ordered built on December 7, 1847. Hiram Burnett and A. Sloan were appointed "to let out the house and payment to be made from proceeds of the sale of lots," which had been ordered surveyed and sold in Raleigh for that purpose.<sup>3</sup>

When actual construction work was begun is not known, but county board records show that on April 10, 1848, James M. Gaston, county clerk at the time, was given an extension from April 5 to August 15, to complete the courthouse "so he could have lumber well seasoned."<sup>4</sup> By June 5, the county commissioners' court was able to meet in the unfinished courthouse and to order "so much of work as done be received." The county treasurer was ordered to pay Wesley W. Gaston \$350 for the work. The name of Wesley W. Gaston succeeds that of James M. Gaston as builder of the courthouse.<sup>5</sup> At the November term of the same year, the court formally accepted the courthouse as completed "according to the contract," and Wesley Gaston was paid the balance of \$50.00 due him and \$55.25 for extras, so that the total sum paid amounted to \$455.25.<sup>6</sup> The appearance of this courthouse cannot be ascertained from the records, no description of it having been entered, however it was two stories high, with two small rooms on the upper floor. The lower floor was reserved for the use of the court.<sup>7</sup>

This first courthouse served the county only five years when the county court, the administrative body, on June 9, 1853, invited sealed proposals to build a new brick courthouse in Raleigh. James Stelle and Horatio R. Coffee were employed to make a profile and full plan of the

1. For history of the selection of Raleigh and Harrisburg as county seats, see Historical Sketch.

2. County Commissioners' Record, v. A, p. 1.

3. *Ibid.*, p. 11.

4. *Ibid.*, p. 33.

5. Order Book, p. 1. County board records do not explain whether Wesley W. Gaston took over the contract for building the courthouse in its entirety from James M. Gaston, or whether he contracted merely to finish the courthouse; however, when the courthouse was accepted, W. W. Gaston was termed the contractor (*Ibid.*, p. 13).

6. *Ibid.*, p. 13.

7. *Ibid.*, p. 5.

## Housing, Care, and Accessibility of the Records

courthouse to be erected on the public square.<sup>8</sup> The county board records do not reveal the growing rivalry of Harrisburg to gain possession of the coveted honor of being the county seat. Three pages of meticulous specifications in the records,<sup>9</sup> however, for the proposed building, indicate an attempt by Raleigh adherents to settle the matter permanently in their favor by erecting a substantial courthouse. On July 18, following the June meeting, Jarvis Pierce was awarded the contract to build for \$5,500;<sup>10</sup> construction was to be completed within twenty-four months. The building was financed by county orders secured by pledging the "net proceeds of the swamp lands."<sup>11</sup> The courthouse was received at a special meeting on April 8, 1854, and Jarvis Pierce was paid a balance of \$1500 and \$42.00 for walling and paving the portico.<sup>12</sup>

This courthouse was a two-story structure 36 by 40 feet, built of stone, oak, and brick; the brick was ordered to be painted red and pencilled with white lead. A cupola surmounted the "common" roof, and a portico, 6 feet wide supported by four columns resting on stone pillars, extended along the south end of the building. On the first floor, which was 10 feet high, were four rooms and a hall 8 feet wide running from south to north. A flight of stairs led to the courtroom on the second floor, which was 12 feet high.<sup>13</sup> On May 30, a month after the new courthouse was accepted, the old one was sold to Thomas S. Mitchell for \$300 on terms of \$100 paid in county orders and notes for the balance secured by mortgages due in one and two years.<sup>14</sup>

The construction of a new courthouse did not, however, settle the struggle for location of the county seat. If anything, the rivalry between Raleigh and Harrisburg became more intensified, until it reached its climax in an election in 1857 which resulted in a victory for Harrisburg by only 15 votes. The inevitable lawsuit, which dragged out the final decision for another two years, was finally won by Harrisburg and the county seat was transferred to the latter city.<sup>15</sup> The courthouse in Raleigh, being no longer needed after 1859 for county purposes, was sold to a Masonic order at a great loss.<sup>16</sup>

Meanwhile, on February 14, 1859, a law was passed by the state legislature enabling the county to construct a courthouse and jail in Harrisburg,<sup>17</sup> and at the March term the county court ordered that Green B.

8. Order Book, p. 217, 218.

9. *Ibid.*, p. 234-36.

10. *Ibid.*, p. 225.

11. *Ibid.*, p. 236.

12. *Ibid.*, p. 324.

13. *Ibid.*, p. 234-36.

14. *Ibid.*, p. 330.

15. *Saline and Other Counties*, p. 205. *Saline County and Harrisburg*, p. 13ff. See *Historical Sketch*.

16. *Saline County and Harrisburg*, p. 43.

17. L. 1859, p. 38. By this law the county was permitted to issue bonds for the construction of public buildings in a sum not to exceed \$20,000. These bonds were to run for not longer than fifteen years and bear no more than eight per cent interest, payable semiannually in New York City, and the swamp land fund was to be pledged as security, if expedient. The bonds were to be funded by a special tax levy of not more than one mill on each dollar, per annum, on taxable property, to be collected for the payment of the interest on the principal of said bonds.



## Housing, Care, and Accessibility of the Records

Raum and William H. Parish, and another competent person of their choice, be appointed commissioners to select sites in Harrisburg upon which to erect buildings, and to obtain plans and specifications which were to be submitted to the county court for approval.<sup>18</sup> At the July meeting, sealed proposals were received by the county board and a contract was awarded to John W. Mitchell and Robert Mick for \$15,440 for the construction of a courthouse, jail, and jailor's quarters. The approved plans and specifications were drawn by J. K. Frick and Company, architects.<sup>19</sup> This courthouse, completed late in 1860 or early in 1861,<sup>20</sup> was a two-story, brick structure. Four Doric columns of brick encased in plaster supported the roof of a portico in which two spiral staircases led to the circuit courtroom above.<sup>21</sup> With only necessary repairs, this courthouse remained in service for more than forty years.<sup>22</sup>

By 1901, the courthouse was in noticeably poor physical condition. The building committee on May 6, reported to the board of supervisors that, after inspecting the building with the assistance of Architect Arthur W. Patton, it found very extensive remodeling would be necessary. Also, the erection of a separate fireproof building with vaults for the county and circuit clerks was recommended. The board then allowed an expenditure of not more than \$14,000 for repairs and construction.<sup>23</sup> The committee, however, doubting this sum would be adequate, secured the services of a well-known architect, John W. Gaddis of Vincennes, Indiana, to inspect the building thoroughly. On May 14, the committee advised the board "it is convinced and of the unanimous opinion of the utter impossibility of properly repairing the courthouse without taking down and removing the largest part of the building."<sup>24</sup>

A motion that the repairs be done at a cost not to exceed \$20,000, having been adopted, the committee composed of Charles Baker, M. J. Jones, F. E. Bauder, and J. A. Watson, was instructed to complete the specifications, to receive bids, and secure temporary quarters for county offices.<sup>25</sup> On July 2, 1901, the county board returned all bids except those of Charles Steward of Greenville, Illinois, for \$18,975 and Ford and King of Harrisburg for \$18,500, they being the lowest bidders.<sup>26</sup> But it was not until August 7, 1903, that the county board decided to build a courthouse, its cost not to exceed \$25,000 plus the material from the old courthouse. Also, it was decided to hold a special election September 4, to submit the proposition to the electorate of a special tax levy of seventy-five cents on each one hundred dollars for the tax year 1903-4 to raise the amount needed.<sup>27</sup> This proposition was approved by the voters.<sup>28</sup>

18. *Saline and Other Counties*, p. 186, 187.

19. *Ibid.*

20. *Ibid.*

21. *Ibid.*, p. 187.

22. A new roof was laid in 1877 at a cost of \$400 (*County Commissioners' Record* (1874-80), v. A, p. 339). In 1887, repairs were made at a cost of \$1,266.35, and on August 7, 1899, the building committee was directed to contract for painting of the roof, and order such other repairs as were necessary (*ibid.*, p. 339; v. B, p. 533; v. D, p. 94).

23. *Supervisors' Record*, v. D, p. 142, 143.

24. *Ibid.*, p. 144.

25. *Ibid.*, p. 144, 146. Bids were to be in by 2 o'clock, July 2, 1901 (*ibid.*).

26. *Ibid.*, p. 150.

27. *Ibid.*, p. 231-35.

28. *Ibid.*, p. 238.

## Housing, Care, and Accessibility of the Records

On September 26, new plans of Architect J. W. Gaddis were approved and the board entered into contract with him to receive a fee of five per cent of the awarded contract price, one half to be paid when the contract was awarded and the balance as the work progressed.<sup>29</sup> J. B. Ford and Robert King of Harrisburg were awarded the contract for construction on October 31, 1903, for \$29,386, including the old courthouse, exclusive of steam heating and plumbing. Contract for these was awarded July 6, 1904, to Fickert and Kokal for \$2,545.<sup>30</sup> According to the agreement with Ford and King, the work was to be completed on or before April 1, 1905.<sup>31</sup> They were to be paid in county warrants against the tax levy of 1903 and 1904 up to ninety percent of the estimate, and the balance ten days after fulfillment of the contract.<sup>32</sup>

The ceremony of cornerstone laying was held May 18, 1904,<sup>33</sup> after which the progress of building proceeded without any further delay. The courthouse was accepted by the board on February 4, 1905 after recommendation by the architect that the building was completed according to contract. County officials were ordered to move into their new quarters February 6.<sup>34</sup> The total cost of the courthouse with all extras, including architect's fees, but not including the furniture, was approximately \$35,000.<sup>35</sup> During the building of the courthouse the county offices were located in quarters rented from F. E. Bauder, the Independent Order of Odd Fellows, and Capel, Raley and Gaskin.<sup>36</sup>

Besides being repainted in 1919 at a cost of \$608, nothing more was done on this second courthouse in Harrisburg until 1938. An addition in this year was made to the south front of the courthouse from plans prepared by the county engineer, Ralph D. Brown. Edward Boyer of Eldorado was employed as a foreman to oversee the work which was done as a relief measure by county labor. The cost amounted to \$39,000.<sup>37</sup>

The courthouse as it stands today, with its new addition, displays a dignity that only time adds to a building; it occupies the center of the public square, facing south on East Poplar between North Main and North Vine streets, with East Locust to the north. Though the architectural style of a past era remains indelibly stamped on its red-faced walls and graystone trim and on its clock tower rising high above the center of the building, the addition of a wing, rearrangement of office space, and general improvements made, constitute in effect, a new courthouse. The interior layout of the floors is arranged with careful regard toward both economy of space and efficiency of use. A long corridor from the main entrance runs across the depth of the entire building, with another transverse to it running east and west, divides the first floor into four parts. Entrances at each end of the corridors add to the convenience of the pub-

29. Supervisors' Record, v. D, p. 245.

30. Ibid., p. 247, 284.

31. Ibid., p. 249.

32. Ibid., p. 250.

33. Ibid., p. 271.

34. Ibid., p. 318, 319.

35. Ibid., p. 245, 319, 356.

36. Ibid., p. 274, 297, 319.

37. Ibid., v. G, p. 343.

## **Housing, Care, and Accessibility of the Records**

lic. In the corridors there are two stairways that lead to the basement and two stairways that rise to the second floor. The first floor contains the county clerk's suite consisting of his office, a two-room vault, and a workroom; the circuit clerk's suite, composed of his office, a two-room vault, and a workroom; the county judge's office and waiting room; the sheriff's office and waiting room; and the treasurer's suite, consisting of his office, vault, and workroom.

The circuit courtroom occupies almost the entire east half of the second floor. To the west of it, on the north side of the building, is the office of the superintendent of schools, flanked on both sides by waiting rooms. The west half of the new addition contains the state's attorney's office, a waiting room, a storage room, a room given to the National Youth Administration, and another waiting room. The east half of the new addition has a workroom, a ladies' restroom, a jury room, men's restroom, and a smoking room. In the center of the lobby and abutting the circuit courtroom is a small consultation room. The third floor or attic is not used except that part which is in the new addition to the courthouse; here are two workrooms and the supervisors' room. In the center of the unused part of the attic is a stairway which leads to the tower. Two stairways from the second floor afford access to the third floor.

In the basement are located the furnace room, a washroom, the treasurer's vault, a ladies' restroom, a suite of two rooms given to the relief office, the farm bureau's suite of two offices and a storeroom, the office and vault of the superintendent of highways, the old age assistance suite of three offices, a men's restroom, and the common vault. (For detailed floor plans of the courthouse, see pages 100-103.)

Besides the offices and depositories located in the courthouse, there are two other ones: the coroner keeps his records in his office at his residence in Stonefort, and the county home's records are in the office of the superintendent at the county home in Dorrisville, R. F. D. 2, one and one-half miles from the public square in Harrisburg.

The distribution of records in offices and vaults in the Saline County courthouse indicates that only comparatively recent records are housed in the individual offices. Only eight percent of record volumes are kept in the offices, the remainder being stored in the fireproof vaults. A larger proportion of record files, twenty-seven percent, and twenty percent of miscellaneous records are stored in the different offices. (For allocation of records, according to offices, in the depositories, as well as percentages of records stored therein, see charts on pages 96-97; for detailed information on the individual depositories, with a description of facilities for the housing of records, see charts on pages 98-99.)

Provisions for careful housing and maintenance of records, with a view toward their best preservation, have been carried out in all offices. Too, records are filed in good order and are quickly available for consultation. Reason for certain gaps in the county clerk's records cannot be determined; however, in the changing of location of these records, minor losses must have occurred. Binding and repair of record volumes are under direct supervision of the county board. Indexing and filing of records follow systems adopted and employed, in general, by other counties in Illinois.

## CHART OF COUNTY OFFICES SHOWING PERCENTAGES OF RECORDS IN DEPOSITORIES

Office	Volumes	Files	Other	Depository and Percent of Records*
County Board	82	208 f. b.	1 carton 1 bdl.	Co. clk's off. 6; co. clk's vlt. 38; com. vlt. 22; treas's off. 1; attic strm. 33
County clerk	2278	52 f. b.	12 bdl. 1 carton 1 wood box	Co. clk's off. ½; co. clk's vlt. 8; com. vlt. 11; attic strm. 64; treas's off. 1½; treas's vlt. 15
Recorder	441	2 f. b.	10 maps 1 plan 1 plat	Cir. clk's off. 1; cir. clk's vlt. 93; com. vlt. 2½; attic strm. 3½
County court	124	136 f. b.	—	Co. clk's off. 7½; co. clk's vlt. 69½; com. vlt. 7; attic strm. 16
Probate court	138	149 f. b.	—	Co. clk's off. 6½; co. clk's vlt. 89; attic strm. 4½
Circuit court	263	431 f. b.	1 cardboard box	Cir. clk's off. 20½; cir. clk's vlt. 47; com. vlt. 20; attic strm. 12½
Sheriff	21	—	—	Sh's off. 76; attic strm. 24
Coroner	10	4 f. b.	—	Cor's off. 40; com. vlt. 60.
State's Attorney	—	—	—	State's attorney keeps no records; his reports to circuit court are in cir. clk's off.; his semi- annual reports to county clerks are in co. clk's vlt. 1st fl.
Supervisor of assessments	2	3 f. b. 36 f. d.	4 cartons 3 boxes 1 bdl.	Co. clk's vlt. 50; treas's vlt. 50
Board of Review	4	—	—	Co. clk's off. 25; co. clk's vlt. 50; attic strm. 25

Office	Volumes	Files	Other	Depository and Percent of Records*
Collector	20	3 f. b.	—	Treas's off. 15; treas's vlt. 20; attic strm. 65
Treasurer	26	4 f. d.	5 maps	Treas's off.; treas's vlt. 32-; attic strm. 68
Superintendent of schools	107	1 f. b.	13 envelopes 6 folders	Off. of supt. of sch. 100
Superintendent of highways	5	8 f. d.	1074 plans	Off. of supt. of hwy. 90; treas's vlt. 10
Surveyor	1	—	—	Cir. clk's vlt. 100
Drainage commission	14	11 f. b.	—	Co. clk's vlt. 100
Department of public welfare	1	3 f. b. 7 f. d.	—	Old age assistance off. 100
County Home	1	—	—	Off. of county home 100
County mine inspector	—	—	—	Keeps no records for the county
Farm Bureau	—	—	—	Reports sent to State and Federal Departments of Agriculture
Tuberculosis sanitorium board	—	—	—	Board acts as supervisory body and keeps no records

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

## CHART OF DEPOSITORIES, SHOWING LOCATION, CONTENTS AND CONDITION

Saline County Courthouse, East Locust, East Poplar, North Main, North Vine streets, Harrisburg  
(Three stories and basement; brick and concrete construction (1903-4); 336,960 cubic feet)

Depository	Floor Location	Dimensions	Floors	Walls & Ceiling	Light & Ventilation	Accommodations	Shelving		Records			Housing & Accessibility
							Type	Feet	Vols.	Quantity		
										Files	Other	
Co. clk's off.	1st s. w.	16x18x23	wood	plaster	electric 5 windows	counter, 1 table, 2 desks, 4 chairs	steel tier	20	42	2 f. b.	—	good
Co. clk's vault	1st s. w.	16x20x25	cement	plaster	electric 1 window	1 table, 1 chair, 1 ladder	steel tier	100	428	311 f. b.	4 car-tons	good
Cir. clk's off.	1st s. e.	16x19x23	wood	plaster	electric 5 windows	counter, 1 table, 2 desks, 4 chairs	steel tier	6	36	258 f. b.	—	good
Cir. clk's vault	1st s. e.	16x16x20	cement	plaster	electric 1 window	1 table, 2 chairs, 1 ladder	steel tier	168	540	154 f. b.	—	good
Sheriff's off.	1st n. w.	16x18x20	wood	plaster	electric 2 windows	2 desks, 1 table, 7 chairs	steel tier	5	16	—	—	good
Treas's off.	1st n. e.	16x24x28	wood	plaster	electric 5 windows	2 desks 3 chairs	steel tier	36	37	3 f. b.	1 bdl. 5 maps	good
Treas's vault	1st n. e.	12x 5 x 7	cement	plaster	electric no windows	none		6	320	40 f. b.	—	good
Off. of supt. sch.	2nd n. w.	16x17x26	wood	plaster	electric 5 windows	1 table, 1 desk, 10 chairs	—	—	107	—	13 envelopes	good
Off. of supt. hwys	bsmt.	10x16x29	cement	plaster	electric 4 windows	1 table, 2 desks, 3 chairs	—	—	4	8 f. b.	1074 plans	good

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

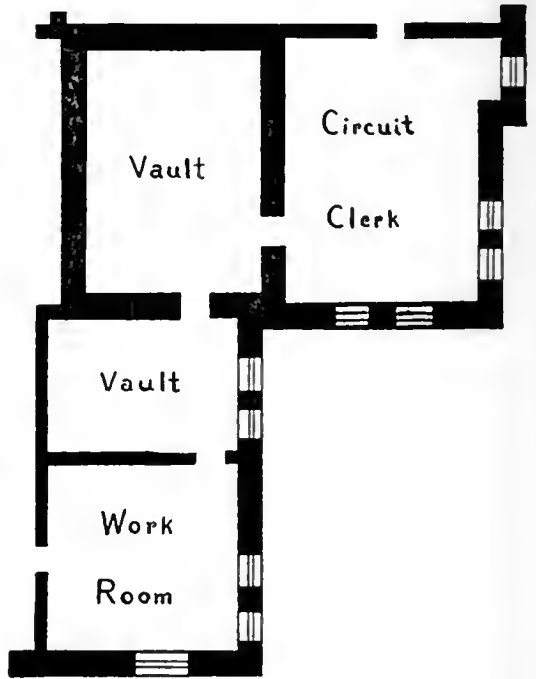
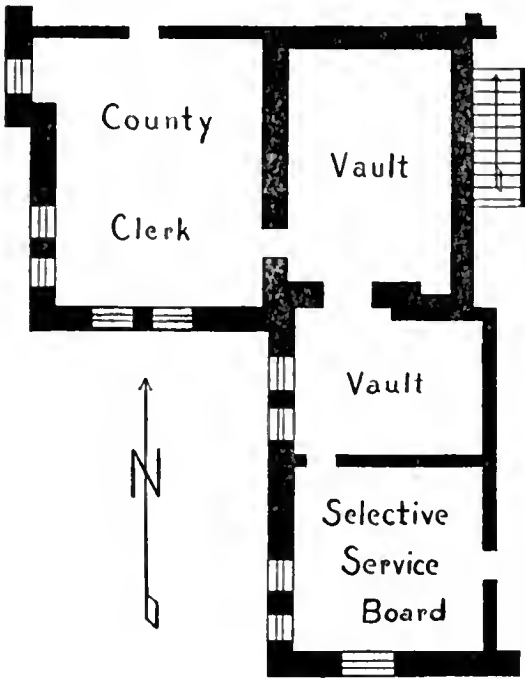
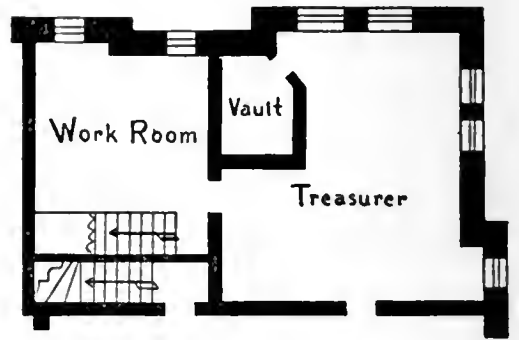
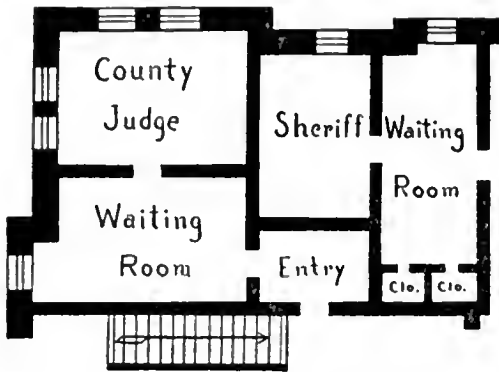
Depository	Floor Location	Dimensions	Floors	Walls & Ceiling	Light & Ventilation	Accommodations	Shelving		Records			Housing & Accessibility
							Type	Feet	Vols.	Files	Quantity	
Old age assist. off.	bsmt.	10x13x17	cement	plaster	electric 1 win-dow	1 desk 1 table 8 chairs	—	—	1	3 f. b. 7 f. d.	—	good
Common vault	bsmt.	10x12x23	cement	brick concrete	electric no windows	1 bench 1 table	wood	5	477	261 f. b.	1 carton bdl., box	dusty
Attic strm.	3rd	20x42x66	wood	brick wood	electric 9 windows	2 tables	wood	240	1524	9 f. b.	11 bdl. 1 carton	dusty

**EARL THORNTON'S RESIDENCE, STONEFORT**  
 (2 stories; frame construction (1902); 36,288 cubic feet)

Depository	Floor Location	Dimensions	Floors	Walls & Ceiling	Light & Ventilation	Accommodations	Shelving		Records			Housing & Accessibility
							Type	Feet	Vols.	Files	Quantity	
Coroner's off.	1st	12x16x16	wood	plaster	electric 6 win-dows	2 desks 5 chairs	—	—	4	1 f. b.	—	good

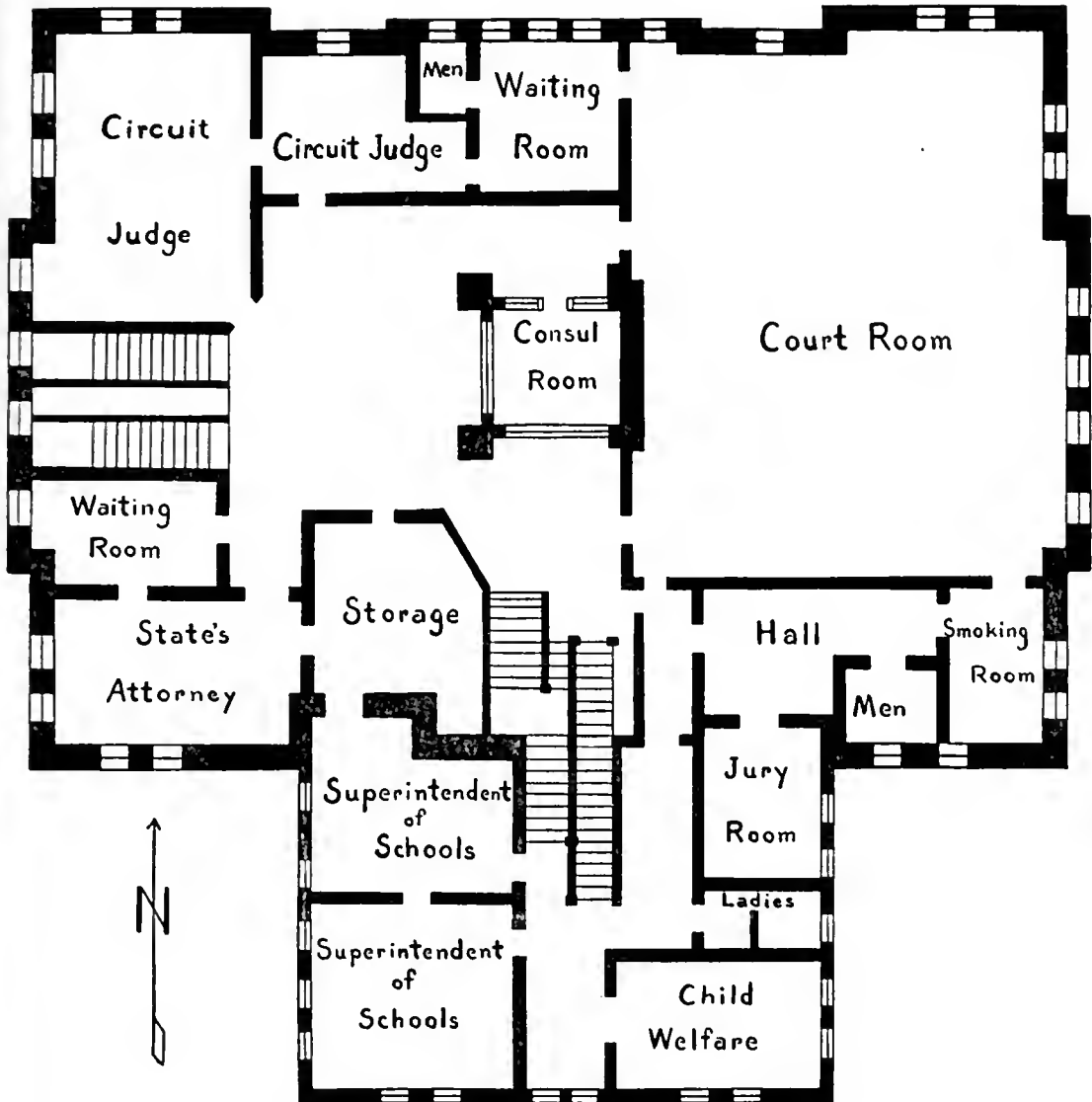
**COUNTY HOME, R. F. D. 2 DORRISVILLE**  
 (2 stories and basement; brick construction (1892); 230,400 cubic feet)

Depository	Floor Location	Dimensions	Floors	Walls & Ceiling	Light & Ventilation	Accommodations	Shelving		Records			Housing & Accessibility
							Type	Feet	Vols.	Files	Quantity	
Off. of supt.	bsmt.	16x24x26	wood	plaster	electric 6 win-dows	2 tables 4 chairs	—	—	1	—	—	good

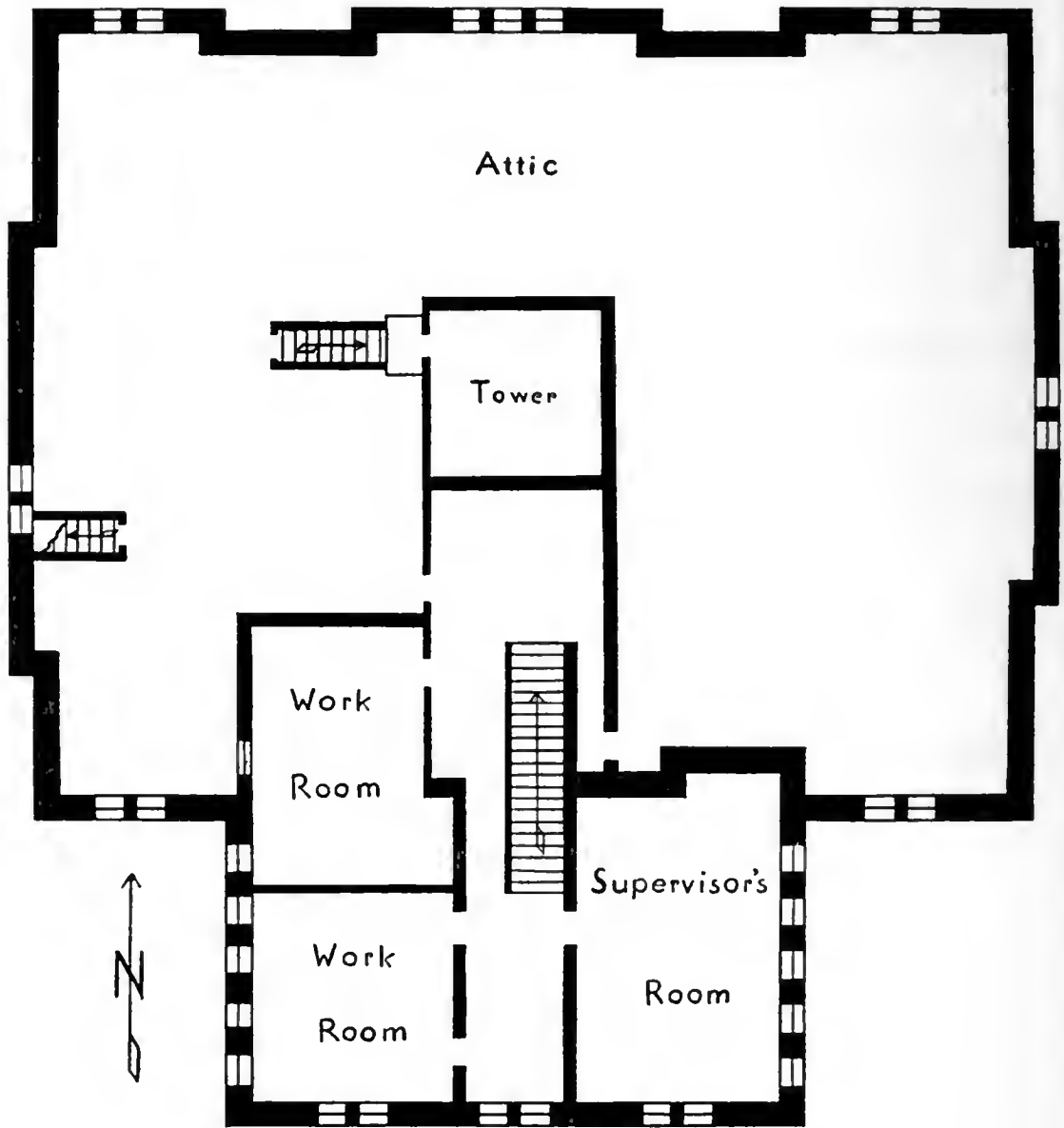


SALINE COUNTY COURTHOUSE  
First Floor

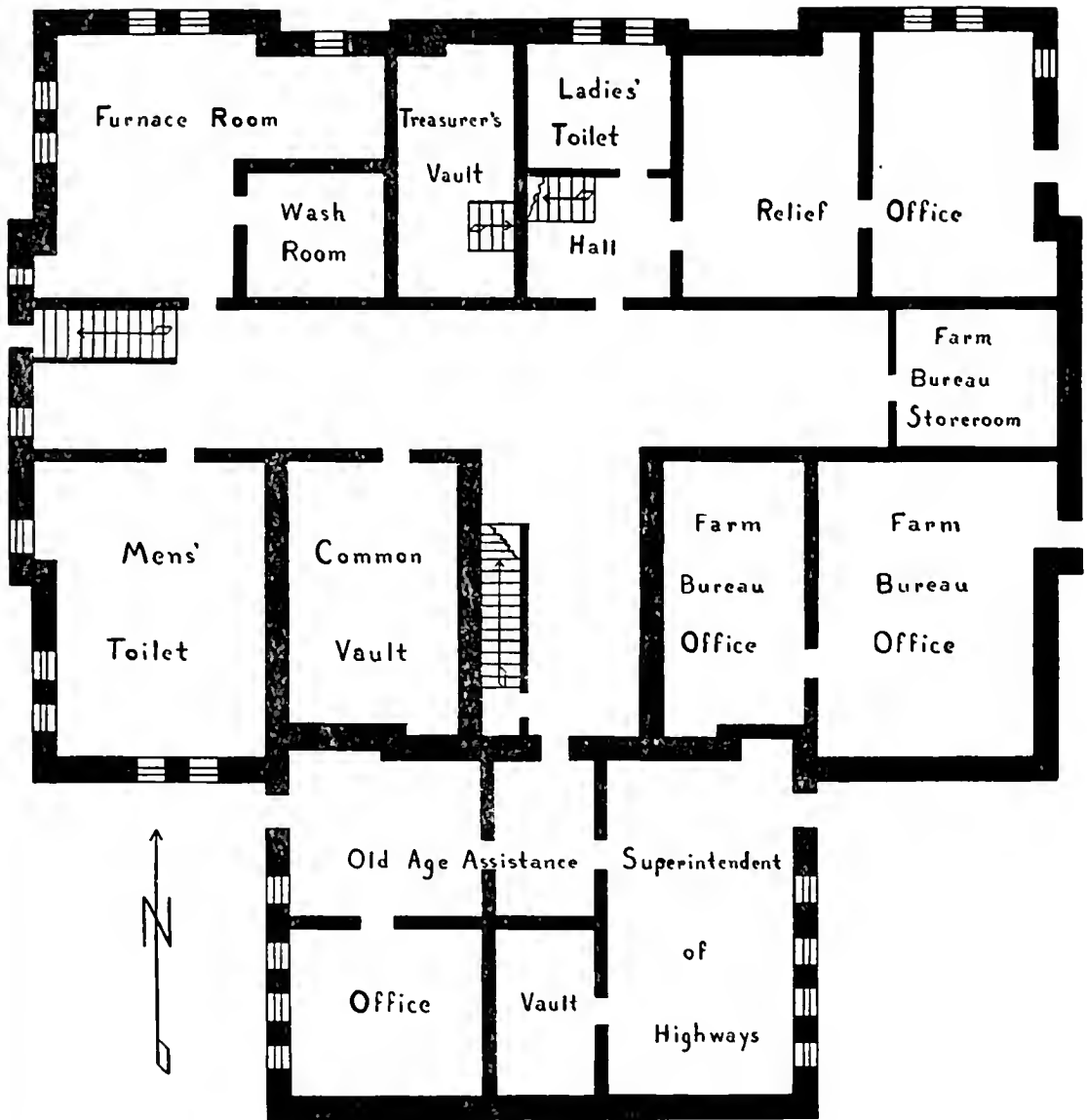




SALINE COUNTY COURTHOUSE  
Second Floor



SALINE COUNTY COURTHOUSE  
Third Floor



**SALINE COUNTY COURTHOUSE**  
Basement

## 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(s)
fl.	.....	floor
fm.	.....	form
ft.	.....	feet
hdgs.	.....	headings
hdw.	.....	handwritten
hwys.	.....	highways
ibid.	.....	ibidem (in the same place)
i. e.	.....	id est (that is)
Ill.	.....	Illinois Reports (Supreme Court)
Ill. App.	.....	Illinois Appellate Court (Reports)
Ill. S. A.	.....	Illinois Statutes Annotated
in.	.....	inch(es)
L.	.....	Laws (of Illinois)
loc. cit.	.....	loco citato (in the place cited)
mi.	.....	mile(s)
n.	.....	footnote(s)
no. (s)	.....	number(s)
N. W.	.....	Northwestern Reporter
off.	.....	office
op. cit.	.....	opere citato (in the work cited)
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 30, "1847-1925 in Supervisors' Papers, entry 1." The description of the master entry shows the title and entry number of the record from which the cross reference is made, as in entry 1, "Also contains Road and Bridge Levies (Petitions), 1847-1925, entry 30." 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.

### **Abbreviations, Symbols, and Explanatory Notes**

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 Saline County since 1847<sup>2</sup> four bodies have successively acted as a county board; the county commissioners' court, the county court, the board of county commissioners, 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 terms 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 in 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 or nonfeasance of duties, with proceedings as in criminal cases;<sup>12</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>13</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>14</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

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1. R. L. 1827, p. 107; R. S. 1845, p. 130; R. S. 1874, p. 306.
  2. Saline County was created in 1847. Priv. L. 1847, p. 34.
  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 be continued 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. R. L. 1837, p. 103, 104. In 1838, to initiate the new procedure, three commissioners were elected; by lot, they held office respectively for one, two, and three years.
  9. Ibid., p. 104.
  10. L. 1819, p. 176.
  11. R. L. 1827, p. 205.
  12. L. 1821, p. 20. Conviction further carried disqualification from holding office for one year.
  13. R. L. 1827, p. 145.
  14. R. 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.

## County Board

judge, and such number of justices of the peace as should be required by law.<sup>15</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>16</sup> Their term of office, like that of the county judge, was set at four years.<sup>17</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>18</sup> The compensation of the county judge was originally set at \$2.50 for every day of holding court.<sup>19</sup> In 1855 the amount was increased to \$3.00.<sup>20</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>21</sup> By provision of the subsequent enabling acts,<sup>22</sup> a board of supervisors, whose members were to be elected one in each township annually,<sup>23</sup> was created to transact all county business in counties adopting township organization.<sup>24</sup> The board of supervisors was to meet for one regular session a year with the provision that special meetings might be held when convenient.<sup>25</sup> The board members were compensated at the rate of \$1.50 a day,<sup>26</sup> and a fine was provided in the sum of \$250.00, for refusal to perform, or neglect of, duties.<sup>27</sup>

Throughout the second constitutional period, Saline County was governed by a county court. In 1870 Illinois adopted a new constitution which, while continuing the provision for township organization in counties so electing,<sup>28</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>29</sup> Saline was

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

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

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

18. L. 1849, p. 65.

19. *Ibid.*, p. 63.

20. L. 1855, p. 181.

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

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

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

24. L. 1849, p. 202-4; L. 1851, p. 50-52.

25. L. 1849, p. 202; L. 1851, p. 51. In 1861 it was provided that special meetings could be called upon request of one third of the members of the board (L. 1861, p. 236). Since 1899 the board has been required to hold two regular meetings (L. 1899, p. 363).

26. L. 1849, p. 203; L. 1851, p. 52. In 1861 compensation was increased to \$2.00 a day (L. 1861, p. 238).

27. L. 1849, p. 203, 204. This fine was reduced in 1851 to \$200 (L. 1851, p. 52). Subsequent legislation reduced it still further and added the more frequent penalty for misfeasance, disqualification for office (R. S. 1874, p. 1080).

28. Constitution of 1870, Art. X, sec. 5.

29. *Ibid.*, sec. 6; L. 1873-74, p. 79, 80.

## County Board

under the county commission form of government until 1890 when township organization was instituted.<sup>30</sup>

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>31</sup> The assistant supervisors, whose terms run concurrently with those of the regular supervisors,<sup>32</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>33</sup> The population requirements in this respect have since changed, but have not affected Saline County.<sup>34</sup> At present its board of supervisors has twenty-two members. The term of office of supervisors, lengthened in 1889 to two years,<sup>35</sup> was further extended in 1929 to four years.<sup>36</sup> Compensation was increased from \$1.50 to \$5.00 a day in 1919,<sup>37</sup> lowered to \$4.00 in 1933,<sup>38</sup> and raised again to \$5.00 in 1937,<sup>39</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>40</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>41</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>42</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>43</sup>

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30. Saline County adopted township organization in 1889, but the change was not effective until 1890.

31. R. S. 1874, p. 1075.

32. L. 1933, p. 1115.

33. R. S. 1874, p. 1078, 1080; L. 1925, p. 605; L. 1929, p. 774; L. 1931, p. 905, 907; L. 1933, p. 1115.

34. 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). Saline County with its population of 37,100, according to the 1930 U. S. Census, was not affected at either time. Population Bulletin, p. 9.

35. L. 1889, p. 109; L. 1917, p. 793; L. 1925, p. 605.

36. L. 1929, p. 774, 775; L. 1931, p. 906.

37. L. 1849, p. 203; L. 1857, p. 186; L. 1871-72, p. 444; L. 1919, p. 569.

38. L. 1933, p. 615.

39. L. 1937, p. 601.

40. L. 1819, p. 175.

41. *Ibid.*

42. *Ibid.*, p. 237, 238.

43. L. 1843, p. 128.

## County Board

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>44</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>45</sup> after the creation of the office of county school commissioner,<sup>46</sup> firmer control was effected through the medium of reports which the commissioner was required to submit to the court.<sup>47</sup> By the terms of another early provision, a significant precursor of many similar ones to be found in more recent years, the court also had authority to examine the full accounts of the commissioner.<sup>48</sup> Other aspects of government which, if farther removed from the fiscal core, come early into this jurisdictional sphere, are elections and juries. With regard to the former, the court was authorized to establish election precincts,<sup>49</sup> appoint judges of election,<sup>50</sup> and allow compensation to election officials for services and stationery.<sup>51</sup> Its duty with regard to juries was relatively simple; it was required to select two panels each of petit and grand jurors. The former were required to be enrolled on the list of taxable inhabitants; the latter, only to be freeholders or householders.<sup>52</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>53</sup>

The revised law on township organization, in the main, only made more inclusive and definite the powers of the board.<sup>54</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>55</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>56</sup> The board was also given power to appropriate funds for the construction of roads and bridges in any part of

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

45. R. L. 1827, p. 366.

46. R. L. 1829, p. 150.

47. L. 1831, p. 175; R. S. 1845, p. 500, 501.

48. L. 1831, p. 175.

49. 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).

50. L. 1819, p. 90.

51. *Ibid.*, p. 99.

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

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

54. The Act of February 17, 1851, previously cited (L. 1851, p. 35-78).

55. *Ibid.*, p. 50.

56. *Ibid.*, p. 51.

## County Board

the county whenever a majority of the whole board might deem it proper and expedient.<sup>57</sup>

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>58</sup>  
The supervision of elections,<sup>59</sup> the selection of juries;<sup>60</sup> the construction and maintenance of roads and bridges;<sup>61</sup> the care of the indigent, infirm, and disabled.<sup>62</sup>
6. The appropriation of funds necessary to the effecting of its functions;<sup>63</sup> the raising of such sums through taxation; and in general, the management of county funds and county business.<sup>64</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>65</sup> This appointive power was rescinded in 1837 by an act which made the office elective.<sup>66</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>67</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>68</sup>

In 1870 the new constitution established the office of county clerk;<sup>69</sup> subsequently, the General Assembly provided that the county clerk should

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57. L. 1851, p. 51.

58. R. S. 1874, p. 306, 307.

59. *ibid.*, p. 456, 468.

60. *ibid.*, p. 630.

61. *ibid.*, p. 310.

62. *ibid.*, p. 757, 758.

63. *ibid.*, p. 307.

64. *ibid.*, p. 306, 307.

65. L. 1819, p. 175.

66. R. L. 1837, p. 49.

67. L. 1849, p. 63.

68. *ibid.*, p. 66.

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

## County Board - Proceedings of Board

(1-2)

act as clerk of the county board<sup>70</sup> as well as clerk of the county court.<sup>71</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 heterogeneous record includes orders to issue warrants on the county treasury; the board's consideration of the action on reports of committees of its members on roads and bridges, indigent and infirm relief, schools, taxation, etc.; and its orders in regard to juries, licenses, and other matters within its jurisdiction.<sup>72</sup>

The clerk also keeps, separately, a register of orders issued on the county treasury and lists of jury venire; files and preserves all bills of accounts acted on by the board; and has custody of reports required to be made to the board by the county treasurer, various school bodies, and a number of county officers.<sup>73</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>74</sup>

### PROCEEDINGS OF BOARD

1. **Supervisors' Papers, 1847--.** 166 f. b. Title varies: County Board Papers.

Files of county administrative body, including communications, roll calls, minutes of meetings, claims, reports of committees, appropriations, jury lists, official bulletins, semiannual reports of county officers, semiannual reports of receipts and disbursements, reports of births, county officers' bonds, road petitions, election papers, and general tax levies. Also contains Road and Bridge Levies (Petitions), 1847-1925, entry 30. Arr. by date of filing. No index. Hdw., and hdw. on pr. fm. 7½ x 4½ x 10 — 10½ x 5 x 14. 153 f. b., 1847-1910, common vlt., bsmt.; 13 f. b., 1911--, co. clk.'s vlt., 1st fl.

2. **Supervisors' Record, 1847--.** 9 v. (A, 1 not lettered, A-G). Missing: 1858-74. Title varies: County Commissioners' Record; Order Book.

Record of the proceedings of the county board in its various forms, including minutes of meetings, communications, reports of committees and county officers, resolutions on petitions, action on claims, bonds of township and county officers, tax levies, and other transactions of county business. Also contains Semiannual Report Record, 1847-1905, 1907--, entry 39. Arr. by date of proceedings. No index. 1847-1933, hdw.; 1934--, typed 600 p. 18 x 13 x 3. V. A, 1 v. not lettered, A-F, 1847-1933, co. clk.'s vlt., 1st fl.; v. G, 1934--, co. clk.'s off., 1st fl.

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70. R. S. 1874, p. 322.

71. Ibid., p. 260.

72. L. 1819, p. 6, 28, 77, 127, 334, 335, 352; R. L. 1829, p. 151-53; L. 1831, p. 89, 90; L. 1835, p. 131, 132, 136; L. 1839, p. 71, 72; R. S. 1845, p. 287, 342, 403, 437; L. 1849, p. 66; L. 1861, p. 234-37; R. S. 1874, p. 322.

73. R. L. 1827, p. 366; L. 1845, p. 169; R. S. 1845, p. 136; L. 1861, p. 237; R. S. 1874, p. 325.

74. R. S. 1874, p. 322.

**DISPOSITION OF ACCOUNTS**

**Appropriation of Funds** (See  
also entries 1, 307)

**3. Budget Account, 1933--.** 2 v.

Account of moneys appropriated by board of supervisors to various county funds, showing date and amount of appropriation, name of fund credited, amount and purpose of disbursements, fund upon which drawn, total amount of disbursements, and balance available in each fund. Arr. by date of transaction. No index. 1933-36, hdw. on pr. fm.; 1937--, hdw. under pr. hdgs. 400 — 550 p. 12 x 20 x 1½ — 12 x 18 x 3. 1 v., 1933-36, co. clk.'s vlt., 1st fl.; 1 v., 1937--, co. clk.'s off., 1st fl.

**Bills and Claims** (See also  
entries 1, 2)

**4. Claims Against Saline County, 1917--.** 6 f. b.

Audited claims against Saline County, showing name and address of claimant, date, amount, and nature of claim, signature of auditor, and dates of approval and payment. No obvious arr. No index. Hdw. under pr. hdgs. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**5. Claim Record, 1886--.** 5 v. (A-E).

Register of claims against Saline County, showing name and address of claimant, date, amount, number, and nature of claim, and dates of approval and payment. Arr. alph. by name of claimant. No index. Hdw. under pr. hdgs. 300 p. 18 x 12 x 1½. V. A-D, 1886-1929, co. clk.'s vlt., 1st fl.; v. E, 1930--, co. clk.'s off., 1st fl.

**6. State-Aid Road Claims, 1927--.** 1 carton, 2 f. b.

County highway claims showing name of claimant, amount of appropriation, claim number, and certificate of approval. No obvious arr. No index. Typed. Carton 12 x 10 x 18; f. b. 10½ x 5 x 14. 1 carton, 1927-29, common vlt., bsmt.; 2 f. b., 1930--, co. clk.'s vlt., 1st fl.

**7. State-Aid Road Claims-Paid, 1927--.** 2 f. b.

Claims against state-aid road fund, showing name and address of claimant, requisition, claims and purchase order numbers, quantity, description, and price of supplies, amount and date of claim, and dates of approval and payment. Arr. by date of claim. No index. Typed. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**8. Motor Fuel Tax Claims (Paid), 1927--.** 2 f. b.

County highway claims against motor fuel tax fund, showing date, amount, and number of claim, name of claimant, distribution of claim, description of material, certification and approval of claim, and affidavit of claimant. No obvious arr. No index. Hdw. on pr. fm. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

For other claims against motor fuel tax fund, see entry 31.

**County Board - Disposition  
of Accounts**

(9-16)

**Register of County Orders** (See  
also entries 310-313)

**9. Jury Register, 1884--.** 2 v.

Register of jury warrants, showing name and address of juror, date of warrant, days of service, mileage, amount of payment, and receipt. Arr. by date of warrant. No index. Hdw. under pr. hdgs. 300 p. 17 x 15 x 1½. 1 v., 1884-1912, attic strm., 3rd fl.; 1 v., 1913--, co. clk.'s off., 1st fl.

**10. Highway Warrant Register, 1927--.** 2 v.

Register of county highway warrants, showing date, name of fund, warrant and claim numbers, name of payee, purpose of payment, total number of warrants issued, and date of cancellation by bank. Arr. by date of warrant. No index. Hdw. under pr. hdgs. 85 p. 14 x 12 x 1. 1 v., 1927-31, co. clk.'s vlt., 1st fl.; 1 v., 1932--, co. clk.'s off., 1st fl.

**11. Motor Fuel Tax Warrant Register, 1927--.** 2 v.

Register of motor fuel tax warrants, showing date of warrant, claim number, name of payee, and purpose and amount of payment. Arr. by date of warrant. No index. Hdw. under pr. hdgs. 80 p. 14 x 12 x 1. Co. clk.'s vlt., 1st fl.

**12. Sheep Killed By Dogs, 1880-90.** 1 v.

Register of sheep bounty warrants, showing name of sheep owner, number of sheep killed, valuation, and amount of payment to owner. Arr. by date of warrant. No index. Hdw. under pr. hdgs. 150 p. 16 x 11 x 1. Attic strm., 3rd fl.

**13. Register of County Orders Issued, 1860-67.** 1 v.

Register of county orders issued by commissioners, showing name of payee, purpose and amount of payment, dates of order and cancellation, and remarks. Arr. by date of order. No index. Hdw. under pr. hdgs. 300 p. 16 x 11 x 2. Attic strm., 3rd fl.

**Cancelled County Orders**

**14. Cancelled Orders and Jury Certificates, 1873--.** 2 f. b.

Cancelled county orders and jury certificates showing date, name of payee, purpose and amount of payment, and signature of clerk. No obvious arr. No index. Typed. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**15. County Orders (Stubs), 1861--.** 27 v.

Stub record of county orders issued, showing order number, date, amount, and purpose of warrant, and name of recipient. Also contains Birth (and Death) Report Warrants, 1878-1901, 1904--, entry 20. Arr. by order no. No index. Hdw. on pr. fm. 150 p. 16 x 12 x 1. 25 v., 1861-1928, attic strm., 3rd fl.; 2 v., 1929--, co. clk.'s vlt., 1st fl.

**16. Jury Certificate, 1904--.** 4 v.

Stubs of jury certificates, showing date of term, certificate number, number of days of service, mileage, amount of payment, and signature of juror. Arr. by certificate no. No index. Hdw. on pr. fm. 200 p. 20 x 12 x 1. 3 v., 1904-30, common vlt., bsmt.; 1 v., 1931--, co. clk.'s off., 1st fl.



**County Board - Management of  
County Properties and Roads**

(17-24)

**17. Cash Warrants (Stubs), 1915--.** 11 v.

Stub record of warrants issued against county funds, showing warrant number, name of payee, and purpose, amount, and date of payment. Arr. by warrant no. No index. Hdw. on pr. fm. 200 p. 19 x 12 x 1. 4 v., 1915-26, attic strm., 3rd fl.; 7 v., 1927--., co. clk.'s vlt., 1st fl.

**18. Special Road Bond Issue Warrants, 1927--.** 1 v.

Stubs of warrants issued against fund accruing from special road bond issue, showing warrant number, name of payee, amount, and date of cancellation. Arr. by warrant no. No index. Hdw. on pr. fm. 200 p. 18½ x 12 x 1. Co. clk.'s vlt., 1st fl.

**19. County Highway Tax Fund, 1930--.** 2 v.

Stub record of warrants issued against county highway tax fund, showing number, date, purpose, and amount of warrant, and name of payee. Arr. by warrant no. No index. Hdw. on pr. fm. 200 p. 18 x 12 x 1. Co. clk.'s vlt., 1st fl.

**20. Birth (and Death) Report Warrants, 1902-3.** 1 v. 1878-1901, 1904-- in County Orders (Stubs), entry 15.

Stub record of warrants issued for birth and death reports, showing name of physician or midwife, and date and amount of warrant. Arr. by date of warrant. No index. Hdw. on pr. fm. 200 p. 18 x 12 x 1. Attic strm., 3rd fl.

For original birth reports, see entry 1.

**21. State-Aid Road Warrants, 1929-32.** 1 v.

Stubs of warrants issued for work done on state-aid roads, showing date, name of payee, and amount of warrant. Arr. by date of warrant. No index. Hdw. on pr. fm. 200 p. 16 x 12 x 1. Co. clk.'s vlt., 1st fl.

**Pension Funds and Applications (See  
also entries 32, 193-195)**

**22. Applications for Relief of Blind, 1915--.** 1 f. b.

Original applications for blind pensions, showing name, address, marital status, and age of applicant, amount of income, date of application, length of residence in county, sworn statement by examining physician, and amount of allowance by county board. No obvious arr. No index. Hdw. on pr. fm. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**23. Record of Application for Relief of Blind, 1915--.** 2 v. (1, 2).

Record of applications for blind relief pensions, showing date, application number, name and address of applicant, dates referred to examiner, and date and amount of payment. Arr. by date of application. Indexed alph. by name of applicant. Hdw. on pr. fm. 264 p. 18 x 12 x 2. V. 1, 1915-36, co. clk.'s vlt., 1st fl.; v. 2, 1937--., co. clk.'s off., 1st fl.

**MANAGEMENT OF COUNTY PROPERTIES AND ROADS**

**Bond Issues**

**24. Cancelled School Bonds and Levies, Road Bonds, 1915-28.** 1 f. b.

Cancelled school and road bonds and lists of levies, showing date, amount

**County Board - Management of  
County Properties and Roads**

(25-31)

of levy, and amount and purpose of bond. No obvious arr. No index. Typed, and typed on pr. fm. 10½ x 5 x 14. Co. clk's vlt., 1st fl.

**25. Register of School District Bonds, 1928--.** 1 v. (1).

Register of school bonds, showing name of school district issuing bonds, purpose of bond issue, date and amount of bonds, rate of interest, and dates of maturity and registration. Arr. by date of bond. Indexed by school district no. Hdw. under pr. hdgs. 318 p. 16 x 11 x 1. Co. clk's vlt., 1st fl.

**26. Township Bond Register, 1921--.** 1 v. (1).

Register of bonds issued by townships, showing names of township and improvement, date, amount, and purpose of bond issue, rate of interest, date of maturity, and remarks. Arr. by date of bond. Indexed alph. by name of improvement. Hdw. under pr. hdgs. 132 p. 17½ x 12 x ½. Co. clk's vlt., 1st fl.

**27. Bond Register, Roads, 1908--.** 2 v. (1 not numbered, 1).

Register of highway bonds, showing date, number, amount, rate of interest, and purpose of bond issue, dates of maturity and cancellation, and remarks. Arr. by date of bond. Indexed alph. by name of twp. Hdw. under pr. hdgs. 132 p. 18 x 12 x 1. 1 v. not numbered, 1908-21, attic strm., 3rd fl.; v. 1, 1922--, co. clk.'s vlt., 1st fl.

**Insurance**

**28. Insurance Policies, 1938--.** 1 bdl.

Original insurance policies covering county properties, showing amounts of policy and premium payments, date and terms of policy, and names of insured buildings and insurance companies. No obvious arr. No index. Typed on pr. fm. 10½ x 5 x 14. Treas's off., 1st fl.

**Motor Fuel Tax Allotments and  
Road Transactions**

**29. Road and Bridges (Miscellaneous Papers), 1850--.** 6 f. b.

Miscellaneous road and bridge papers including petitions for road improvements, and supervisors' reports; also includes railroad assessments. Also contains Road and Bridge Levies, 1858-1924, entry 50. No obvious arr. No index. Hdw. and typed. 10½ x 5 x 14. Co. clk's vlt., 1st fl.

**30. Road and Bridge Levies (Petitions), 1926--.** 1 f. b. 1847-1925  
in Supervisors' Papers, entry 1.

Petitions for consent of town boards to increase tax to be used for road and bridge improvements, including certificates of levy for roads and bridges. No obvious arr. No index. Hdw. on pr. fm. 10½ x 5 x 14. Co. clk's vlt., 1st fl.

**31. Motor Fuel Tax Funds, 1930--.** 1 f. b.

Motor fuel tax papers including affidavits of accounts, claims against motor fuel tax fund, itemized statements of disbursements for construction purposes, and lists of motor fuel tax receipts and refunds due county. Arr. by date of filing. No index. Hdw. on pr. fm. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**REPORTS TO BOARD**

(See also entries 1, 2, 332)

**32. County Treasurer (Annual Reports), 1865--. 2 f. b.**

Treasurer's annual reports to county board of various accounts, including liquor license, relief, dog license, old age assistance, births and deaths, mothers' pension, and maintenance expense accounts. Arr. by date of report. No index. Hdw. and typed. 10½ x 5 x 14. Co. clk's vlt., 1st fl.

**33. Circuit Clerk's Report, 1875--. 2 f. b.**

Circuit clerk's semi-annual reports to county board, showing date, itemized lists of earnings for recordings, court costs, and miscellaneous official services, and amount of receipts. Arr. by date of report. No index. Hdw. and typed. 10½ x 5 x 14. Co. clk's vlt., 1st fl.

**34. County Clerk (Reports), 1878--. 1 f. b.**

County clerk's annual reports to county board, including itemized lists of receipts for costs in probate cases and for miscellaneous official services. Arr. by date of report. No index. Hdw. and typed. 10½ x 5 x 14. Co. clk's vlt., 1st fl.

**35. Sheriff's Report, 1883--. 3 f. b.**

Sheriff's semi-annual reports to the county board, including account of receipts and expenditures, lists of prisoners, and lists of total expenses for office and jail. Arr. by date of report. No index. Hdw. on pr. fm. 10½ x 5 x 14. Co. clk's vlt., 1st fl.

**36. (Report of County Superintendent of Schools), 1885--. 1 f. b.**

File of county superintendent of school's annual reports to county board of office receipts and expenditures; also contains magistrates' reports of fines, penalties, and forfeitures, showing name of person fined and date and amount of fine. Arr. by date of report. No index. Hdw. and typed. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**37. State's Attorney's Reports, 1904--. 1 f. b.**

State's attorney's semi-annual reports to county clerk, showing amounts of fees collected from county clerk, and fines collected from justices of the peace. Arr. by date of report. No index. Hdw. and typed. 10½ x 5 x 14. Co. clk's vlt., 1st fl.

**38. School Treasurer's Report, 1908--. 1 f. b.**

Superintendent of schools' annual reports to county board compiled from township school trustees' annual reports to county superintendent of schools, showing name and number of district, date of report, balance in fund at end of previous year, amounts of receipts from taxation and sale of school property, loans from banks and other sources, amount of money expended, total amounts of receipts and expenditures, and fund balance. Arr. by date of report. No index. Typed under pr. hdgs. 10½ x 5 x 14. Co. clk's vlt., 1st fl.

For reports of school trustees to superintendent of schools, see entry 333.

**County Board - Jury Lists**

(39-42)

39. **Semiannual Report Record, 1906.** 1 v. 1847-1905, 1907-- in Supervisors' Record, entry 2.

Copies of county clerk's semi-annual reports to county board, showing date of report, amounts of fees, receipts, and expenditures, and signature of clerk. Arr. by date of report. Indexed alph. by name of county clerk. Hdw. under pr. hdgs. 148 p. 18 x 12 x 1½. Co. clk's vlt., 1st fl.

40. **Statement of Taxes Charged, 1921--.** 2 f. b.

County clerk's annual tax statements to county board, showing itemized assessments and taxes charged on real, personal, and railroad property, name and address of property owner, description of property, assessed and equalized value, tax spread, and total taxes. No obvious arr. No index. Hdw. under pr. hdgs. 10½ x 5 x 14. Co. clk's vlt., 1st fl.

41. **Record of Proceedings and Examinations, 1908-11.** 4 v. (1-4). Missing: 1910.

Reports of proceedings of mining board relative to examinations of miners for certificates of competency, showing name of and personal and occupational statistics concerning miner, date of report, number, date, and record of examination, and date of certificate or refusal. Arr. by date of report. No index. Hdw. on pr. fm. 580 p. 16 x 12 x 2. Attic strm., 3rd fl.

**JURY LISTS**

(See also entries 1, 237 [i],  
251, 272-274, 311)

42. **Jury List, 1898--.** 5 f. b.

Jury lists showing names and addresses of persons selected for jury service, and date. No obvious arr. No index. Typed. 10½ x 5 x 14. 3 f. b., 1898-1929, attic strm., 3rd fl.; 2 f. b., 1930--, co. clk.'s vlt., 1st 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 Saline County from 1847, 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>

The above-mentioned clerks all performed the duties of county clerk as well as those of clerks of a judicial or administrative body. In fact, legislation frequently referred to these incumbents as "county clerks" when defining duties relating to county business as distinct from duties as clerks of judicial or administrative bodies. The Constitution of 1870 specifically provided for a county clerk<sup>4</sup> who has continued to act to the present in this capacity, and also as clerk of the county board<sup>5</sup> and clerk of the county court.<sup>6</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>7</sup> It is the performance of these duties that give rise to the records dealt with in this section.

The first clerk of the county commissioners' court of Saline County was elected<sup>8</sup> in 1847 for a two-year term.<sup>9</sup> A bond of \$1,000 was set.<sup>10</sup> The clerk of the county court served for a four-year term and was bonded in the sum of \$3,000.<sup>11</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>12</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>13</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 function 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.

1. Constitution of 1818, Schedule, sec. 4; L. 1819, p. 175.
2. Constitution of 1848, Art. V., sec. 16, 18, 19; L. 1849, p. 62, 63.
3. L. 1849, p. 65, 66.
4. Constitution of 1870, Art. VI, sec. 18 and Art. X, sec. 8.
5. R. S. 1874, p. 322.
6. *Ibid.*, p. 260.
7. *Ibid.*, p. 260, 322.
8. R. L. 1837, p. 49.
9. L. 1845, p. 28. Effective in 1847.
10. L. 1819, p. 176, 177; R. L. 1833, p. 143; R. S. 1845, p. 131.
11. L. 1849, p. 63, 64.
12. Constitution of 1870, Art. X, sec. 8; R. S. 1874, p. 321.
13. R. S. 1874, p. 321.

## County Clerk

In regard to other of these matters, the clerk is required to perform duties on his own behalf and retain the records resulting from such performance.

Illustrations of both of these procedures may be found by examining the various duties and records relating to taxation. It is the duty of the county clerk to procure all books and blanks used in the assessment and collection of taxes, and to list in such books the lands and lots subject to taxation.<sup>14</sup> These books are then turned over to the supervisor of assessments who has the township assessors enter the valuations against each piece of property listed. The supervisor completes revisions and corrections upon complaint of property owners and returns the books in duplicate to the county clerk.<sup>15</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>16</sup> The county clerk then reports the entire assessment list to the State Tax Commission for equalization, the equalized list then being used by the county clerk in ascertaining tax rates and extending taxes.<sup>17</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>18</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>19</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>20</sup>

An extensive group of vital statistics records 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>21</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, where-

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14. 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 county commissioners' court (L. 1825, p. 173; R. S. 1827, p. 329; L. 1839, p. 3, 4; L. 1847, p. 79).

15. 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 1890 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).

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

17. L. 1919, p. 723.

18. L. 1871-72, p. 11, 13, 16; L. 1937, p. 1011, 1012.

19. L. 1849, p. 124, 125; L. 1871-72, p. 55; L. 1931, p. 759.

20. L. 1839, p. 3; L. 1871-72, p. 40; L. 1879, p. 250.

21. L. 1819, p. 233.

## County Clerk

upon 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>22</sup> It is probable that the tenor of the above-mentioned laws explains the fact that no birth or death records exist in Saline County prior to 1877, the first law, 1819, requiring no public record to be kept, and the 1842 law providing that affidavits "may" be made. The act of 1877 creating the State Board of Health required that all births and deaths in the county be reported to the county clerk by the attending physicians or accoucheurs.<sup>23</sup> Teeth were put into this and subsequent laws by providing penalties for noncompliance. In 1901 death certificates issued by physicians, midwives, or coroners were to be presented to town clerks who issued burial permits and forwarded the certificates to the county clerk.<sup>24</sup> In 1903 certificates of death were to be turned over to the State Board of Health, which board, in turn, delivered to the county clerk all certificates so received.<sup>25</sup> In 1915 it was provided that for the registration of all births, stillbirths, and deaths outside any city, village, or incorporated town, the township clerks should deposit a complete set of such records with the county clerk who was charged with the binding and indexing, or recording, and safekeeping of such records.<sup>26</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>27</sup>

Since the organization of Saline County in 1847 the county clerk, or clerk of the county commissioners' court, has been required to file marriage certificates and certificates of parents' consent to the marriage of minors.<sup>28</sup> In 1827 the clerk was required to keep a separate register of marriages in addition to his file of certificates.<sup>29</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>30</sup> Although a record of applications for marriage licenses has been kept by the clerk in this county since 1878, an act of 1937 appears to be the first legislation requiring the maintenance of such a record.<sup>31</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>32</sup> Indexes to marriage records have been kept in Saline County since 1886.

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22. L. 1842-43, p. 210-12.

23. L. 1877, p. 209.

24. L. 1901, p. 302, 303.

25. L. 1903, p. 315-18.

26. L. 1915, p. 660.

27. L. 1877, p. 209.

28. L. 1819, p. 27; R. S. 1845, p. 354; R. S. 1874, p. 694.

29. R. L. 1827, p. 289.

30. L. 1877, p. 130.

31. L. 1937, p. 909.

32. *Ibid.*, p. 910.

## County Clerk

The county clerk is charged with a number of duties relating to elections, such as preparing and issuing blank ballots,<sup>33</sup> poll books,<sup>34</sup> and certificates of election,<sup>35</sup> and keeping a record of registers of elections,<sup>36</sup> petitions,<sup>37</sup> and marked ballots,<sup>38</sup> tally sheets,<sup>39</sup> and election returns which are transmitted to him by the judges of election.<sup>40</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>41</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>42</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>43</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>44</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 facts in the justices' and constables' record.<sup>45</sup>

The clerk is also charged with issuing licenses to taverns,<sup>46</sup> ferries,<sup>47</sup> etc., and keeping records of the same. Other records kept are: those relating to estrays;<sup>48</sup> registers of professionals, including physicians,<sup>49</sup> midwives,<sup>50</sup> dentists,<sup>51</sup> chiropodists,<sup>52</sup> and veterinarians;<sup>53</sup> list of county officers; list of town officers which is furnished annually by the town clerk;<sup>54</sup> record of notaries public;<sup>55</sup> and book of state civil service rules.<sup>56</sup> Referring

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33. L. 1891, p. 113; L. 1911, p. 311.

34. L. 1871-72, p. 386.

35. L. 1819, p. 96; L. 1821, p. 79; L. 1823, p. 64; L. 1885, p. 176.

36. L. 1865, p. 59; L. 1871-72, p. 386.

37. L. 1911, p. 310, 311; L. 1929, p. 422.

38. L. 1891, p. 118.

39. L. 1885, p. 143.

40. L. 1819, p. 86; L. 1821, p. 77; L. 1823, p. 64; L. 1871-72, p. 96.

41. L. 1917, p. 444.

42. L. 1889, p. 271, 322.

43. L. 1909, p. 352.

44. R. S. 1845, p. 396, 397; L. 1861, p. 237, 238; R. S. 1874, p. 325; L. 1895, p. 188.

45. L. 1895, p. 188.

46. L. 1819, p. 77-79; L. 1933-34, Second Sp. Sess., p. 64-66.

47. R. L. 1827, p. 221; R. S. 1874, p. 530.

48. L. 1819, p. 206, 207; R. S. 1874, p. 483.

49. L. 1877, p. 209; L. 1899, p. 275; L. 1923, p. 441, 442.

50. *Ibid.*

51. L. 1881, p. 79; L. 1899, p. 273; L. 1909, p. 279; L. 1933, p. 711.

52. L. 1899, p. 280; L. 1935, p. 995.

53. L. 1917, p. 591.

54. L. 1861, p. 226; R. S. 1874, p. 1077.

55. L. 1871-72, p. 575; R. S. 1874, p. 721; L. 1675, p. 88.

56. L. 1905, p. 115.



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>57</sup>

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>58</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>59</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>60</sup> The clerk is also required to keep jury lists<sup>61</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>62</sup>

### TAXATION

(See also entries 1, 2, 24, 29, 30,  
40, 87, 170, 171, 292-305, 350-367)

#### Lists of Taxable Property, Levies

##### 43. Levy and Rates Record, 1936--. 1 v. (2).

Lists of tax levies and amounts wanted, showing name of township, valuation of property, tax rate, date and amount of levy, and tax spread. Arr. by date of levy. No index. Hdw. under pr. hdgs. 175 p. 18 x 12 x 1½. Co. clk.'s off., 1st fl.

##### 44. Assessor's Book, 1848--. 1062 v. (Townships: Cottage, Mountain, 65 v. each; Galatia, Long Branch, 66 v. each; Brushy, Independence, Raleigh, Rector, 67 v. each; Stonefort, Tate, 68 v. each; Carrier Mills, East Eldorado, 70 v. each; Harrisburg, 71 v. Cities: Carrier Mills, 57 v.; Eldorado, 63 v.; Harrisburg, 65 v.).

Lists of taxable real estate and personal property, showing name of owner, description of property, assessed and equalized values, tax spread, and total tax. Real estate arr. by sec., twp., and range; personal property arr. alph. by name of owner. No index. Hdw. under pr. hdgs. 150 p. 17 x 18 x 2. 922 v., 1848-1900, 1911-35, attic strm., 3rd fl.; 90 v., 1901-10, common vlt., bsmt.; 50 v., 1936--, co. clk.'s vlt., 1st fl.

##### 45. Railroad Tax Book, 1873--. 4 v. (2, 1 not numbered, 1873-97; 1, 1 not numbered, 1894--). Missing: 1876-78.

Lists of taxable railroad property, showing name of railroad company, description of property, number of acres of right of way, miles of track, rolling stock, value as listed by railroad company, equalized value, tax rate,

57. L. 1923, p. 480.

58. R. S. 1874, p. 322.

59. L. 1861, p. 238; R. S. 1874, p. 322.

60. R. S. 1874, p. 260.

61. Ibid., p. 630.

62. Ibid., p. 321.

**County Clerk - Taxation**

(46-51)

tax spread, and amounts of back taxes and tax collections. Arr. by date of levy. No index. Hdw. under pr. hdgs. 190 p. 17 x 14 x 1. V. 2, 1 not numbered, 1873-97, attic strm., 3rd fl.; v. 1, 1894-1910, co. clk.'s vlt., 1st fl.; 1 v. not numbered, 1911--, treas.'s vlt., 1st fl.

**46. Railroad Valuation From (State) Tax Commissioners, 1908--.**  
2 f. b.

Itemized statements of railroad property, showing name and address of railroad company, legal description of property, number of acres of right of way, miles of track, and rolling stock, assessed value, and total amount of assessment. No obvious arr. No index. Typed on pr. fm. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**47. Township School Plats, Levies, 1893--.** 3 f. b.

Certificates of levy for school districts, showing school district number, name of township, amount and purpose of levy, date of certificate, and signatures of president and secretary; includes township school plats, showing numbers and boundaries of school districts, and locations of schools. Arr. by date of certificate. No index. Hdw. on pr. fm. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**48. Township Record (Township School Record), 1856--.** 2 v. (A, B).

Lists of school tax levies, with plats of school districts, showing legal description of district, rate of tax, and amounts of levy and collection in each district. Arr. by twp. no. No index. Hdw. on pr. fm. 426 p. 18 x 12-x 2. Co. clk.'s vlt., 1st fl.

**49. Town, City, and Village Levies, 1919--.** 1 f. b.

Town, city, village, and school tax levy papers, including copies of ordinances, tax rates, minutes of highway commissioners, and lists of taxable property. Arr. by date of filing. No index. Hdw. on pr. fm. 10½ x 5-x 14. Co. clk.'s vlt., 1st fl.

**50. Road and Bridge Levies, 1925--.** 1 f. b. 1858-1924 in Road and Bridges (Miscellaneous Papers), entry 29.

County road and bridge levy papers showing names of tax levying body, and purpose, date, and amount of levy. Arr. by date of levy. No index. Typed. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**Collections**

- 51. Collector's Books, 1853--.** 625 v. (Brushy Township, 1853--. 48 v. Carrier Mills Township, 1853--. 45 v. Missing: 1926. Cottage Township, 1853--. 40 v. Missing: 1894, 1901, 1905, 1906, 1910, 1911, 1921. Eldorado Township, 1853--. 37 v. Missing: 1894, 1901, 1905, 1906, 1910-13, 1921. Eldorado City, 1853--. 24 v. Missing: 1894-1911, 1923. Galatia Township, 1853--. 48 v. Harrisburg Township, 1853--. 42 v. Missing: 1894, 1901, 1905, 1906, 1923. Harrisburg City, 1853--. 27 v. Missing: 1893-1908. Independence Township, 1853--. 43 v. Missing: 1894, 1901, 1905, 1906. Long Branch Township, 1853--. 47 v. Mountain Township, 1853--. 43 v. Missing:

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(52-56)

1894, 1901, 1905, 1906, 1910, 1911. Raleigh Township, 1853--. 46 v. Missing: 1921. Rector Township, 1853--. 41 v. Missing: 1894, 1901, 1906, 1910, 1911. Stonefort Township, 1853--. 47 v. Tate Township, 1853--. 47 v.).

Lists of taxable real estate and personal property, showing name of owner and township or city, description of property, tax spread, amount and date of payment, and amount of delinquency. Real estate arr. by sec., twp., and range; and personal property arr. alph. by name of owner. No index. Hdw. under pr. hdgs. 80 - 500 p. 17 x 14½ x ½ - 17 x 15 x 4. 285 v., 1853-99, attic strm., 3rd fl.; 306 v., 1900-36, treas.'s vlt., 1st fl.; 34 v., 1937--, treas.'s off., 1st fl.

**52. Docket of Back Taxes (Lots), 1873-82. 2 v. (A, A).**

City and town lot delinquent tax docket, showing name and address of owner, legal description of property, amounts of delinquent tax and payments, amount payable, and tax spread. Arr. by date of entry. No index. Hdw. under pr. hdgs. 318 p. 17 x 14 x 1. Attic strm., 3rd fl.

**53. Delinquent Book, 1908-17. 109 v. (Townships: Brushy, 6 v.; Cottage, Harrisburg, Independence, Long Branch, Mountain, Raleigh, Rector, Stonefort, Tate, 7 v. each; Carrier Mills, Eldorado, Galatia, 8 v. each. Cities: Eldorado, Harrisburg, 8 v. each).**

Lists of taxes assessed and declared delinquent, showing name of owner, location and legal description of property, amount of assessments, interest on delinquent taxes, and total amount due. Arr. by sec., twp. and range. No index. Hdw. under pr. hdgs. 50 p. 18 x 12 x ½. Attic strm., 3rd fl.

**54. Statements to State Auditor, 1886--. 1 f. b.**

Corrected and audited statements of taxes for state and school purposes reported to state auditor, showing date of report, class of property, names of county and township, legal description of property, and total amounts of assessments and collections. No obvious arr. No index. Hdw. on pr. fm. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**55. County Clerk's Statement to Auditor, 1866-1919. 1 v.**

Copies of reports of correct and audited statements of taxes for state and school purposes reported to state auditor, showing date of report, class of property, names of county and township, legal description of property, and total amounts of assessment and collection. Arr. by date of report. No index. Hdw. on pr. fm. 159 p. 17½ x 11½ x ½. Co. clk.'s vlt., 1st fl.

**Judgment, Sale, Redemption,  
Forfeiture****56. Tax Deeds and Affidavits for Tax Deeds, 1870--. 6 f. b.**

Original documents in sale and redemption of property for delinquent taxes, including tax deeds, affidavits, notices of publication, and certificates of redemption. No obvious arr. No index. Hdw. on pr. fm. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**57. Tax Sale - Certificate of Purchase, 1915--.** 9 bdl., 2 f. b. Original tax sale certificates of purchase, showing name of purchaser, legal description of property, and date and amount of payment. No obvious arr. No index. Hdw. on pr. fm. Bdl. 3 x 7 x 9; f. b. 10½ x 5 x 14. 9 bdl., 1915-31, attic strm., 3rd fl.; 2 f. b., 1932--, co. clk.'s vlt., 1st fl.

**58. Affidavits for Tax Deed Record No. 1, 1859--.** 7 v. (A-D, 1859-1918; E-G, 1915--). Missing: 1924-26. Title varies: Affidavits for Tax Sale.

Copies of affidavits for tax deeds and sale notices, showing date and place of sale, name of purchaser, legal description of property, amounts of tax, interest, and costs, and signatures of treasurer and county clerk. Also contains Tax Sale Certificate 1859-79, 1885--, entry 63. Arr. by date of sale. Indexed alph. by name of purchaser. 1859-82, hdw.; 1883--, hdw. on pr. fm. 350 p. 16 x 10 x 2. V. A, 1859-82, attic strm., 3rd fl.; v. B-D, 1883-1918, E-G, 1915--, co. clk.'s vlt., 1st fl.

**59. Tax Judgment Sale, Redemption, and Forfeiture Record, 1891--.** 30 v. (26 not numbered, 1, 1, 2, 2).

Record of tax judgments, sales, redemptions, and forfeitures, showing names of owner and redeemer or purchaser, legal description and value of property, amounts of taxes, costs, and penalties due, dates of judgment, sale or redemption, and certification by county clerk. Tax Sale Judgment Record, entry 60; Record of Forfeiture Lands, entry 61; and Tax Sale and Redemption Record, entry 62, formerly kept separately. Arr. by date of judgment. No index. Hdw. under pr. hdgs. 800 p. 18 x 15 x 2½. 4 v. not numbered, 1891-1912, attic strm., 3rd fl.; 21 v. not numbered, 1913-34, co. clk.'s vlt., 1st fl.; 1 v. not numbered, v. 1, 1, 2, 2, 1935--, co. clk.'s off., 1st fl.

**60. Tax Sale Judgment Record, 1849-90.** 4 v. (3 not numbered, 3). 1891-- in Tax Judgment Sale, Redemption, and Forfeiture Record, entry 59.

Record of tax sales and judgments, showing dates of judgment and sale, names and addresses of owner and purchaser, legal description of property, valuation, tax spread, amounts of taxes and costs due, amount of payment, and remarks. Arr. by date of judgment. No index. Hdw. under pr. hdgs. 472 p. 17 x 14 x 2½. Attic strm., 3rd fl.

**61. Record of Forfeiture Lands, 1849-90.** 6 v. (5 not lettered, D). 1891-- in Tax Judgment Sale, Redemption, and Forfeiture Record, entry 59.

Record of lands and town lots forfeited for delinquent taxes, showing date, name of owner, legal description and value of property, tax spread, and amounts of taxes, costs, and penalties due. Arr. by date of forfeiture. No index. Hdw. under pr. hdgs. 318 p. 18 x 15 x 2½. Attic strm., 3rd fl.

**62. Tax Sale and Redemption Record, 1852-90.** 5 v. (4 not lettered, D). 1891-- in Tax Judgment Sale, Redemption, and Forfeiture Record, entry 59.

Tax sale and redemption record showing date of sale or redemption, number

of acres offered and sold, legal description of property, names of owner and redeemer or purchaser, amounts of taxes and costs due, amount of payment, and remarks. Arr. by date of sale. No index. Hdw. under pr. hdgs. 920 p. 18 x 15 x 2½. Attic strm., 3rd fl.

**63. Tax Sale Certificate, 1880-84. 1 v. 1859-79, 1885-- in Affidavits For Tax Deed Record No. 1, entry 58.**

Copies of certificates of purchase to lands and lots sold for taxes, showing names of owner and purchaser, legal description of property, amount of taxes due, and date and amount of payment. Arr. by date of certificate. Indexed alph. by name of owner. Hdw. on pr. fm. 432 p. 18 x 12-x 2. Co. clk.'s vlt., 1st fl.

**64. Tax Judgment, Sale, Redemption, and Forfeiture Record of Special Assessments, 1935--. 2 v.**

Lists of real estate delinquent in special assessment payments, showing names of owner and township or city, valuation and legal description of property, tax spread, interest and costs due, years of delinquency, and totals. Arr. by date of judgment. No index. Hdw. under pr. hdgs. 100 p. 18 x 20 x 1½. Co. clk.'s vlt., 1st fl.

VITAL STATISTICS

**Births** (See also entries  
1, 15, 20, 32, 101)

**65. Birth Certificates, 1915--. 4 f. b., 1915-1918--; 2 v., 1916-17. 1877-1914 in Death (Birth and Stillbirth) Certificates, entry 68.**

Original birth certificates showing certificate number, date and place of birth, names of child, parents, and physician or midwife, personal and statistical particulars of parents, and certification of birth. Arr. by certificate no. No index. Hdw. on pr. fm. F. b. 12 x 18 x 24; v. 500 p. 7½ x 9 x 2½. 3 f. b., 1915-35, attic strm., 3rd fl.; 2 v., 1916-17, 1 f. b., 1936--, co. clk.'s vlt., 1st fl.

**66. Birth Record, 1877--. 16 v. (A-P). Title varies: Register of Births.**

Copies of birth certificates, showing certificate number, place and date of birth, name of child, personal and statistical particulars of parents, signatures of physician or midwife and county clerk, and date of filing. Arr. by date of birth. 1877-85, no index; for index 1886--, see entry 67. Hdw. on pr. fm. 500 p. 18 x 13 x 2½. V. A-N, 1877-1933, co. clk.'s vlt., 1st fl.; v. O, P, 1934--, co. clk.'s off., 1st fl.

**67. Index to Birth Records, 1886--. 3 v. (A-C).**

Index to Birth Record, entry 66, showing name of child, and volume and page of entry. Arr. alph. by surname of child. Hdw. under pr. hdgs. 350 p. 18 x 12 x 1. Co. clk.'s vlt., 1st fl.

**Deaths** (See also  
entries 15, 20, 32, 101)

**68. Death (Birth and Stillbirth) Certificates, 1877--. 1 wooden box, 1877-1914; 4 f. b., 1915, 1918--; 2 v., 1916-17.**

Files of original death and stillbirth certificates, showing date of certificate, name, age, and birthplace of deceased, personal and statistical par-

particulars, cause of death, and signature of physician. Also contains Birth Certificates, 1877-1914, entry 65. Arr. by date of certificate. No index. Hdw. on pr. fm. Wooden box 12 x 14 x 18; f. b. 12 x 18 x 24; v. 310 p. 9 x 10 x 2. 1 wooden box, 1877-1914, common vlt., bsmt.; 3 f. b. 1915, 1918-35, attic strm., 3rd fl.; 2 v., 1916-17, 1 f. b., 1936--, co. clk.'s vlt., 1st fl.

**69. Register Death Certificates, 1878--.** 10 v. (A, 2-10). Title varies: Death Record.

Record of deaths, showing name, address, age, sex, color, marital status, and occupation of deceased, place of death, medical certificate of cause and nature of death, place and date of burial, name and address of undertaker, date of filing, and signature of clerk. Arr. by date of certificate. For index, see entry 70. Hdw. on pr. fm. 600 p. 18 x 13 x 3. V. A, 2-8, 1878-1932, co. clk.'s vlt., 1st fl.; v. 9, 10, 1933--, co. clk.'s off., 1st fl.

**70. Index to Deaths and Stillbirths, 1878--.** 3 v. (A-C). Title varies: Index to Death Records.

Index to Register Death Certificates, entry 69, showing name of deceased, and volume and page of entry. Arr. alph. by name of deceased. Hdw. under pr. hdgs. 350 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

**Marriages**

**71. Index to Marriage Records (Male and Female), 1886--.** 4 v. (A, B, male; A, B, female).

Index to Marriage Record - Minors, entry 75; and Marriage Register, entry 76, showing names of bride and groom, and book and page of entry. Arr. alph. by names of bride and groom. Hdw. under pr. hdgs. 350 p. 17 x 12- x 1. Co. clk.'s vlt., 1st fl.

**72. Marriage Application Record, 1878--.** 27 v. (A, 1 not labeled, B, C, 3 not labeled, F-J, 1 not labeled, L-O, 2 not labeled, 2-9).

Applications for marriage licenses, showing names, ages, and residences of couple, previous marital status, and signatures of clerk and applicant. Arr. by date of application. Indexed alph. by name of applicant. Hdw. on pr. fm. 500 p. 18 x 13 x 2½. V. A, 1 not labeled, B, C, 3 not labeled, F-J, 1 not labeled, L-O, 2 not labeled, 1878-1925, attic strm., 3rd fl.; v. 2-9, 1926--, co. clk.'s vlt., 1st fl.

**73. Marriage License, 1877--.** 10 f. b., 3 bdl., 1877-1919, 1926--; 1 carton, 1920-25.

Original marriage licenses returned to county clerk, showing names of bride, groom, and official performing ceremony, personal and statistical particulars of bride and groom, license number, and dates of license, ceremony, and return. Also contains (Mothers' Aid), 1905-25, entry 193. Arr. by date of license. No index. Hdw. on pr. fm. Bdl. 10 x 24 x 18; carton 17 x 22 x 25; f. b. 10½ x 5 x 14. 5 f. b., 1 bdl., 1877-1904, common vlt., bsmt.; 2 bdl., 1 carton, 1905-29, attic strm., 3rd fl.; 5 f. b., 1930--, co. clk.'s vlt., 1st fl.

**74. Marriage Record, 1847--.** 17 v. (1, A, C-F, H-R).

Copies of marriage licenses, showing number and date of license, names of bride, groom, parents, witnesses and officiating person, personal and statistical particulars of bride and groom, and date and place of ceremony.

**County Clerk - Licenses  
and Registers**

(75-80)

Also contains Marriage Record - Minors, 1847-76, entry 75. Arr. by date of license. Indexed alph. by name of groom. 1847-70, hdw.; 1871--, hdw. on pr. fm. 500 p. 18 x 13 x 2½. V. 1, A, C-F, H-Q, 1847-1935, co. clk.'s vlt., 1st fl.; v. R, 1936--, co. clk.'s off., 1st fl.

75. **Marriage Record - Minors, 1877--.** 5 v. (B-D, M, P). 1847-76 in Marriage Record, entry 74.

Marriage record of minors, including affidavits of parents consent, showing names of bride, groom, parents, witnesses, and officiating person, personal and particular statistics of bride and groom, date and number of license, and date and place of marriage. Arr. by date of license. 1877-86, indexed alph. by names of bride and groom; 1887--, indexed alph. by name of groom; for sep. index, 1886--, see entry 71. Hdw. on pr. fm. 500 p. 18 x 13 x 2½. V. B-D, M, 1877-1926, co. clk.'s vlt., 1st fl.; v. P., 1927--, co. clk.'s off., 1st fl.

76. **Marriage Register, 1878-1909, 1914--.** 5 v. (A-E). This record was not kept for years 1910-13. Title varies: Marriage Record.

Register of marriages, showing license number, names of bride, groom, parents, witnesses, and officiating person, personal and occupational statistics of bride and groom, and dates of registration and return of license. Arr. by license no. Indexed alph. by name of groom; for sep. index, 1886-1909, 1914--, see entry 71. Hdw. under pr. hdgs. 500 p. 18 x 13 x 2½. V. A-D, 1878-1909, 1914-28, co. clk.'s vlt., 1st fl.; v. E, 1929--, co. clk.'s off., 1st fl.

**Census**

77. **Census of Saline County, 1856-65.** 2 v.

Census record of Saline County, including lists of agricultural and industrial productions, schools, colleges, libraries, and newspaper publications. Arr. by date of census. No index. Hdw. under pr. hdgs. 90 - 150 p. 14 x 8 x ½ - 20 x 15 x 1½. Common vlt., bsmt.

**LICENSES AND REGISTERS**

**Registers of Officers**

78. **Register of Officers, 1857--.** 2 v.

Register of elected county officials, showing name and address of officer, title of office, date and place of election, and dates of certificate of election and filing. Arr. by date of filing. No index. Hdw. under pr. hdgs. 250 p. 16 x 11 x 1½. Co. clk.'s vlt., 1st fl.

79. **Election of Town Officers, 1902--.** 1 f. b.

Lists of elected town officers, showing name and address of officer, title and term of office, date of election, and signature of town clerk. No obvious arr. No index. Hdw. on pr. fm. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

80. **Record of Township Officers, 1891-1910.** 1 v. 1911-- kept by township clerks.

Register of elected township officers, showing names of officer, office, and

**County Clerk - Licenses  
and Registers**

(81-86)

township, and date of election. Arr. alph. by name of twp. No index. Hdw. under pr. hdgs. 238 p. 14 x 9 x 1. Co. clk.'s vlt., 1st fl.

**Professional Licenses and Registers**

**81. Record of Physicians' Certificates, 1877--.** 2 v.

Copies of state board of health certificates of physicians and dentists, showing names of physician or dentist and college of graduation, dates of graduation and certificate, and signatures of president, secretary, and board members; includes copies of optometry licenses prior to 1917. Arr. by date of certificate. Indexed alph. by name of physician. Hdw. on pr. fm. 500 p. 18 x 12 x 2½. Co. clk.'s vlt., 1st fl.

**82. General License Record, 1917--.** 1 v.

Copies of dentists', chiropodists', physicians', surgeons', osteopaths', and optometrists' licenses, showing date and number of license, name and address of practitioner, school of practice, certification and signatures of board of examiners, and date of recording. Arr. by date of license. Indexed alph. by name of practitioner. Hdw. on pr. fm. 471 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

For prior copies of optometry licenses, see entry 81.

**83. Register of Physicians and Accoucheurs, 1877-1917.** 1 v.

Register of licenses of physicians and accoucheurs, showing date of registration, name, age, and nativity of physician or accoucheur, school of practice, certification, and names of board members. Arr. alph. by name of physician or accoucheur. No index. Hdw. under pr. hdgs. 500 p. 18 x 13 x 2½. Co. clk.'s vlt., 1st fl.

**84. Optometry Register, 1915-16.** 1 v.

Register of optometrists' certificates, showing name and address of optometrist, date of registration, class and date of certificate, and location of intended practice. Arr. by date of certificate. Indexed alph. by name of optometrist. Hdw. under pr. hdgs. 350 p. 18 x 12 x 1. Co. clk.'s vlt., 1st fl.

**Patents**

**85. Patent Record, 1866-69.** 1 v. Now kept by U. S. Patent Office.

Record of registered patents, showing number and date of patent, name, address, and affidavit of patentee, description of invention, duration of patent rights, names of secretary of interior and commissioner of patents, and signature of clerk. Arr. by date of patent. No index. Hdw. on pr. fm. 280 p. 18 x 12 x 1. Co. clk.'s vlt., 1st fl.

**Estrays** (See also entry 181)

**86. Estray Record, 1850--.** 1 v. Last entry 1889.

Record of estray notices, showing date, where and by whom found, description and appraised value of animal, amount of costs, and date of filing. Arr. by date of notice. No index. Hdw. 150 p. 17½ x 11 x 1. Co. clk.'s vlt., 1st fl.



## County Clerk - Elections

(87-92)

**Dog Licenses** (See also entries 32, 306)

### 87. Record of Dog License and Tags, 1927--. 2 v.

Record of dog license tags, with assessors' reports to county clerk, showing name and address of owner, breed, color, age, and sex of dog, license number, date of issue, names of assessor and county clerk, and itemized list of fee collections. Arr. by date of issue. No index. Hdw. under pr. hdgs. 155 p. 16 x 10 x ½. Co. clk.'s off., 1st fl.

## ELECTIONS

(See also entries 1, 79, 172, 326, 358-368)

### Election of County Officers

### 88. Abstracts of Votes at Elections, 1860--. 6 f. b. Missing: 1889-1901.

Abstracts of votes, showing date of election, title of office, names of candidates, and number of votes for each. No obvious arr. No index. Hdw. on pr. fm. 10½ x 5 x 14. 3 f. b., 1860-88, common vlt., bsmt.; 3 f. b., 1902--, co. clk.'s vlt., 1st fl.

For other abstracts of votes, see entry 90.

### 89. Election Expense Bills, 1926--. 1 f. b.

Statements of salaries of election clerks and judges, showing name of clerk or judge, days of service, miles of travel, date and amount of payment. No obvious arr. No index. Hdw. on pr. fm. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

### 90. Election Petitions, Miscellaneous, 1928--. 3 f. b.

Miscellaneous election papers, including nomination petitions of candidates for place on primary ballots, resolutions for special elections, lists of elected officers, minutes of proceedings of special election committees, abstracts of votes, and final reports of elections. No obvious arr. No index. Hdw. under pr. hdgs. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

### 91. Poll Books, 1932--. 303 v.

Election poll books showing name and address of voter, date of election, precinct number, polling place, and party affiliation. Arr. by date of election. No index. Hdw. under pr. hdgs. 32 p. 14 x 9 x ½. Common vlt., bsmt.

### Special Elections

### 92. Board of Education and School Elections (on Bond Issues), 1915--. 1 f. b. Last entry 1923.

Resolutions for non-high school district bond issues, showing date, amount, and purpose of bond issue, school district number, and results of elections. No obvious arr. No index. Hdw. on pr. fm. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

BONDS OF OFFICERS

(See also entries 1, 2, 109,  
134, 135, 350-356, 358-368)

93. **Bonds of Justices of the Peace and Police Magistrates, 1849--.** 2 f. b.

Original bonds of justices of peace, police magistrates, mayors, and county commissioners, showing names of officer and sureties, date, amount, and obligations of bond, and notarial acknowledgment. Arr. by date of bond. No index. Hdw. and typed on pr. fm. 10½ x 5 x 14. 1 f. b., 1849-90, common vlt., bsmt.; 1 f. b., 1891--, co. clk.'s vlt., 1st fl.

94. **Bonds of County Officers, 1893--.** 2 f. b.

Files of original bonds of county officers, showing name and title of official, names of sureties, date, amount, and obligations of bond, acknowledgment, and dates of filing and recording. Arr. by date of filing. No index. Hdw. and typed on pr. fm. 10½ x 5 x 14. 1 f. b., 1893-1910, common vlt., bsmt.; 1 f. b., 1911--, co. clk.'s vlt., 1st fl.

95. **Bonds of Constables and Coroners, 1901--.** 1 f. b.

Original bonds of constables and coroners, showing names of officer and sureties, date, amount, and obligations of bond, and notarial acknowledgment. Arr. by date of bond. No index. Hdw. and typed on pr. fm. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

96. **Bonds of Supervisors, Surveyors, Assessors, and Town Collectors, 1902--.** 1 f. b.

Original bonds of supervisors, surveyors, and assessors, showing names of principal, sureties, and office, date, amount, and obligations of bond, notarial acknowledgment, and dates of filing and approval; includes bonds of town collectors, 1902-18. Arr. by date of filing. No index. Hdw. and typed on pr. fm. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

97. **Assessors' Bond Record, 1899--.** 1 v. (1).

Register of town assessors' bonds, showing names of assessor, township, sureties, and supervisor, date, amount, and obligations of bond, and acknowledgment. Arr. by date of bond. Indexed alph. by name of assessor. Hdw. under pr. hdgs. 220 p. 18 x 12 x 1. Co. clk.'s vlt., 1st fl.

98. **Supervisors' (Treasurer's and Highway Commissioners') Bond Record No. 1, 1914--.** 1 v. (1).

Copies of county treasurer's and highway commissioners' bonds, showing names of principal and sureties, title of office, date, amount, and obligations of bond, and acknowledgment. Arr. by date of bond. Indexed alph. by name of principal. Hdw. on pr. fm. 200 p. 18 x 13 x 1½. Co. clk.'s vlt., 1st fl.

99. **Justice of Peace and Constables Bond Record, 1917--.** 1 v. (1).

Copies of bonds of justices of peace and constables, showing names of justice or constable and sureties, title of office, and date, amount, and obligation of bond. Arr. by date of bond. Indexed alph. by name of justice or constable. Hdw. on pr. fm. 420 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

**FEES, RECEIPTS AND EXPENDITURES**

- 100. Receipts and Expenditures, 1873--.** 7 v. (1 not numbered, 2, 1873-1911; 2 not numbered, 1-3, 1907--). Missing: 1886-1901, 1912-13.

Ledger of receipts and expenditures, showing amount, date and purpose of receipts and expenditures, showing amount, date, and purpose of receipt, name of payer, expenditures for clerk hire, salaries, and office supplies, and name of payee. Also contains Account Book - Births and Deaths, 1916--, entry 101. Arr. by date of entry. No index. Hdw. under pr. hdgs. 319 p. 17 x 13 x 1. 1 not numbered, v. 2, 1873-1911, attic strm., 3rd fl.; 1 v. not numbered, 1907-10, common vlt., bsmt.; 1 v. not numbered, v. 1-3, 1914--, co. clk.'s vlt., 1st fl.

- 101. Account Book - Births and Deaths, 1902-15.** 2 v. (1, 1). 1916-- in Receipts and Expenditures, entry 100.

County clerk's accounts with registrars of births and deaths, showing names of clerk and registrar, number of births and deaths reported, and amount and date of payment. Arr. by date of payment. Indexed alph. by name of registrar. Hdw. under pr. hdgs. 320 p. 16 x 12 x 1. V. 1, 1902-1903, co. clk.'s vlt., 1st fl.; v. 1, 1904-15, attic strm., 3rd fl.

- 102. Record of Fees and Expenses, 1908-13.** 1 v.

Register of fees received for miners' certificates and expenditures of examining board, showing date and amount of receipt, name of payer, date and amount of payment, and name of payee. Arr. by date of payment. No index. Hdw. under pr. hdgs. 478 p. 16 x 12 x 2. Attic strm., 3rd fl.

### III. RECORDER

In 1847, the year in which Saline County was organized, the recorder was elected<sup>1</sup> for a two-year term.<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 re-established the office of recorder in counties having a population of sixty thousand or more but continued the provision of the prior constitution for other counties.<sup>5</sup> As the population of Saline never reached the minimum set by the constitution,<sup>6</sup> the circuit court clerk in this county has retained his ex-officio duties as recorder. The amount of the recorder's bond was set at \$5,000 in 1872, and the county judge was to give approval.<sup>7</sup> This amount was raised in 1874 to \$10,000 for counties having the population of Saline. 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 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

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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. Fifteenth Census of the United States: 1930 shows population of Saline County 38,353 in 1920 and 37,100 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.

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 greater 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>12</sup>

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 to use a combination of these methods.<sup>13</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>14</sup>

### ENTRY BOOKS

#### 103. Entry Book, 1816--. 17 v. (1, A-H, H, J-P).

Entry book of recorded instruments, including transcriptions from records in Gallatin County which affect titles to lands in Saline County, 1816-63,

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12. L. 1819, p. 18, 20, 21; R. L. 1829, p. 116, 117; L. 1847, p. 69; L. 1853, p. 254; L. 1867, p. 148; L. 1869, p. 2; L. 1871-72, p. 645, 646; L. 1873, p. 144; R. S. 1874, p. 834-46; L. 1917, p. 652; L. 1925, p. 521; L. 1933-34, Third Sp. Sess., p. 214.
  13. L. 1933-34, Third Sp. Sess., p. 214.
  14. L. 1927, p. 521; L. 1929, p. 592-94.

showing type and number of instrument, names of grantor and grantee, consideration, legal description of property, book and page of entry, and date of filing. Arr. by date of filing. No index. Hdw. under pr. hdgs. 220 p. 18 x 12 x 2. V. 1, A-H, H, 1816-1915, attic strm., 3rd fl.; v. J-M, 1916-27, common vlt., bsmt.; v. N, O, 1928-35, co. clk.'s vlt., 1st fl.; v. P, 1936--, cir. clk.'s off., 1st fl.

**INSTRUMENTS RECORDED**

**General**

**104. General Index (Grantor-Grantee), 1847--.** 72 v. (A, B, 34 not lettered, grantor; A, B, 34 not lettered, grantee). Index to Deed Record, entry 107; Miscellaneous Record, entry 109; Quitclaim Deed Record, entry 112; Warranty Deed Record, entry 113; Tax Deed Record entry 115; Traction Deed Record, entry 118; Mortgage Record, entry 119; Mortgage School Trustees, entry 120; Bank Mortgage, entry 122; Building and Loan Mortgage, entry 123; Mineral and Option Record, entry 138; Oil and Gas Leases, entry 139; Pittsburg Oil Lease, entry 140; and Bond for Deed Record, entry 141, showing names of grantor and grantee, date and type of instrument, consideration, legal description of property, book and page of entry, and date of recording. Arr. alph. by names of grantor and grantee. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

**105. Tract Index, 1870-71.** 1 v. Index to conveyances of tracts of land, showing township number, dates of conveyance and recordation, names of grantor and grantee, and book and page of entry. Arr. by twp. no. Hdw. 40 p. 21 x 17 x 1½ Cir. clk.'s vlt., 1st fl.

**106. Files of Uncalled for Documents, 1866--.** 2 f. b. Uncalled for miscellaneous recorded documents including land grants, deeds, chattel and real estate mortgages, and certificates of purchase and sale. Arr. alph. by name of grantor. No index. Hdw. on pr. fm. 10½ x 5 x 12. Cir. clk.'s vlt., 1st fl.

**107. Deed Record, 1847--.** 52 v. (A, B, S, T, V, X, 1847-83; 1-238 not consecutive, 1847--). Recordation of all types of deeds and plats, showing date and type of deed, names of grantor and grantee, legal description of property, consideration, and date of recording. Also contains Quitclaim Deed Record, 1853-65, entry 112; Warranty Deed Record, 1847-90, entry 113; Cemetery Deed Record, 1847-1913, entry 114; Tax Deed Record, 1856-1926, entry 115; Mortgage Record, 1847-65, entry 119; Mortgage School Trustees, 1852-1907, entry 120; Release Record, 1850-87, entry 124; Chattel Mortgage Record, 1852-73, entry 126; Oil and Gas Leases, 1918--, entry 139; Bond for Deed Record, 1847-1910, entry 141. Arr. by date of recording. Indexed alph. by name of grantor; for sep. index, see entry 104; for sep. index to plats, see entry 108. 1847-80, hdw.; 1881--, hdw. on pr. fm. 600 p. 18 x 12 x 3.

**Recorder - Instruments  
Recorded**

(108-113)

Cir. clk.'s vlt., 1st fl.

For other and prior recorded deeds and mortgages, see entry 111.

**108. Plat Index, 1847--.** 1 v.

Index to recorded plats in Deed Record, entry 107, showing names of owner and township, range and section numbers, and book and page of entry. Arr. alph. by title of plat. Typed. 200 p. 17 x 10 x 1. Cir. clk.'s off., 1st fl.

**109. Miscellaneous Record, 1893--.** 12 v. (A-L).

Miscellaneous recordations, including deeds, mortgages, releases, oil and gas leases, affidavits guaranteeing title, school trustees' election certificates, corporation charters and articles of incorporation, and school trustees', lodge officials', and recognizance bonds. Also contains Pittsburg Oil Lease, 1917--, entry 140; Mineral and Option Record, 1920--, entry 138; and Sale Bill Record, 1893-1920, entry 133. Arr. by date of recording. Indexed alph. by name of principal; for sep. index, see entry 104. 1893-1924, hdw.; 1925--, typed. 574 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

**110. Master's Deed and Real Estate Mortgage, 1889-91.** 1 v.

Copies of master's deeds, showing names of master in chancery and complainant, dates of decree and recording, legal description of real estate offered for sale, and date and place of sale; including transcripts of real estate mortgages, showing names of mortgagor and mortgagee, legal description of real estate, and date of recording. Arr. by date of recording. Indexed alph. by name of grantor. Hdw. on pr. fm. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

**111. Transcript of Records from Gallatin County Deeds, 1820-63.**  
2 v. (A, B).

Transcriptions of deeds and mortgages from Gallatin County records which were recorded prior to organization of Saline County, showing date of recording, names of principals, consideration and obligations of instrument, legal description of property, and acknowledgment. Arr. by date of recording. Indexed alph. by name of principal. Hdw. 600 p. 18 x 13 x 2½. Cir. clk.'s vlt., 1st fl.

**Deeds**

**112. Quitclaim Deed Record, 1836--.** 21 v. (R, Y, 8-241 not consecutive). 1853-65 in Deed Record, entry 107.

Recordation of quitclaim deeds, showing instrument number, names of grantor, grantee, and recorder, consideration, legal description of property, and dates of deed and recording. Arr. by date of recording. Indexed alph. by name of grantor; for sep. index, see entry 104. Hdw. on pr. fm. 600 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

For other quitclaim deeds, see entry 117.

**113. Warranty Deed Record, 1891--.** 69 v. (31-246, not consecutive). 1847-90 in Deed Record, entry 107.

Recordation of warranty deeds, showing instrument number, names of grantor, grantee, and recorder, legal description of property, consideration, acknowledgment, and dates of filing and recording. Arr. by date of recording. Indexed alph. by name of grantor; for sep. index, see entry 104. Hdw. on pr. fm. 584 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

**Recorder-Instruments  
Recorded**

(114-120)

114. **Cemetery Deed Record, 1914--.** 1 v. (1). 1847-1913 in Deed Record, entry 107.

Recordation of deeds to cemetery lots, showing names of grantor and grantee, legal description of property, consideration, acknowledgment, and dates of deed and recording. Arr. by date of recording. Indexed alph. by name of grantee. Hdw. on pr. fm. 294 p. 16 x 11 x 1. Cir. clk.'s vlt., 1st fl.

115. **Tax Deed Record, 1927--.** 1 v. (216). 1856-1926 in Deed Record, entry 107.

Recordation of tax deeds, showing date, name and address of purchaser, legal description of property, acknowledgment, and dates of filing and recording. Arr. by date of recording. Indexed alph. by name of purchaser; for sep. index, see entry 104. Hdw. on pr. fm. 604 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

116. **Mausoleum (Deed) Record, 1919--.** 1 v. (1). Last entry 1935. Recordation of deeds to mausoleum compartments of Sunset Mausoleum Association, including plats of mausoleum, showing dates of deed and recording, names of grantor and grantee, consideration, and number and location of compartment. Arr. by date of recording. Indexed alph. by name of grantee. Hdw. on pr. fm. 580 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

117. **Trust, Master's, and Quitclaim Deeds, 1878-85.** 1 v. Recordation of trust, master's, and quitclaim deeds, showing names of principals, consideration and terms of deed, legal description of property, acknowledgment, and dates of deed and recording. Arr. by date of recording. Indexed alph. by name of grantor. Hdw. on pr. fm. 588 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

For other quitclaim deeds, see entries 107, 112; for other master's deeds, see entries 107, 110; for other trust deeds, see entry 107.

118. **Traction Deed Record, 1910.** 1 v.

Recordation of deeds to Egyptian Traction Company properties, showing names of grantor and grantee, legal description of property, consideration, and dates of deed and filing. Arr. by date of filing. For index, see entry 104. Hdw. on pr. fm. 324 p. 18 x 12 x 1½. Cir. clk.'s vlt., 1st fl.

**Mortgages - Real Property**

119. **Mortgage Record, 1866--.** 74 v. (O, U, Z, 5-244 not consecutive). Title varies: Real Mortgage Record. 1847-65 in Deed Record, entry 107.

Recordation of real estate mortgages, showing names of mortgagor and mortgagee, date and number of instrument, consideration, legal description of property, terms of mortgage, and date of filing. Also contains Release Record, 1888-92, entry 124. Arr. by date of filing. Indexed alph. by name of mortgagor; for sep. index, see entry 104. Hdw. on pr. fm. 590 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

120. **Mortgage School Trustees, 1908--.** 1 v. (101). Last entry 1935. 1852-1907 in Deed Record, entry 107.

Recordation of mortgages received by school trustees, showing date, names of mortgagor and mortgagee, legal description of property, obligations of mortgage, and dates of mortgage, recording, and filing. Arr. by date of



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recording. Indexed alph. by name of mortgagor; for sep. index, see entry 104. Hdw. on pr. fm. 592 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

121. **Farm Loan Register, 1917--.** 2 v. (1, 2). Last entry 1931. Recordation of farm loans, through Federal Land Bank of St. Louis, Missouri, showing date, name and address of mortgagee, consideration, legal description of property, terms, and date of recording. Arr. by date of recording. Indexed alph. by name of mortgagor. Hdw. on pr. fm. 294 p. 18 x 12 x 1½. Cir. clk.'s vlt., 1st fl.

122. **Bank Mortgage, 1923--.** 2 v. (190, 217). Recordation of conveyances of First Trust and Savings Bank, including mortgages and warrants, showing dates of conveyance and recording, legal description of property, and consideration. Arr. by date of recording. Indexed alph. by name of grantor; for sep. index, see entry 104. Hdw. on pr. fm. 576 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

123. **Building and Loan Mortgage, (Trust Building and Loan Association of Nashville, Illinois), 1919-31.** 1 v. Recordation of real estate mortgages received by Trust Building and Loan Association of Nashville, Illinois, showing instrument number, names of mortgagor and mortgagee, legal description of property, date, amount, and terms of mortgage, acknowledgment, and date of filing. Arr. by date of filing. Indexed alph. by name of mortgagor; for sep. index, see entry 104. Hdw. on pr. fm. 432 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

124. **Release Record, 1893--.** 14 v. (1-14). 1850-87 in Deed Record, entry 107; 1888-92 in Mortgage Record, entry 119. Recordation of mortgage releases, showing names of grantor and grantee, legal description of property, consideration, terms of release, acknowledgment, book and page of entry of mortgage recordation, and dates of instrument and recording. Arr. by date of recording. Indexed alph. by name of mortgagee; for sep. index, 1904--, see entry 125. Hdw. on pr. fm. 598 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

125. **Release Index, 1904--.** 3 v. (1-3). Index to Release Record, entry 124, showing date of mortgage, legal description of property, consideration, date of release, name of mortgagor, and book and page of entry. Arr. alph. by name of mortgagor. Hdw. under pr. hdgs. 600 p. 18 x 13 x 2. V. 1, 2, 1904-30, common vlt., bsmt.; v. 3, 1931--, cir. clk.'s off., 1st fl.

**Mortgages - Chattel**

126. **Chattel Mortgage Record, 1874--.** 56 v. (C, K, 1874-1913; R-Z, 1894-1920; 1-5, 7-27, 27, 30-47, 1905--). 1852-73 in Deed Record, entry 107.

Recordation of chattel mortgages, showing names of mortgagor and mortgagee, dates of instrument and recording, description of property, consideration, obligations, and acknowledgment. Arr. by date of recording. 1874-1916, indexed alph. by name of mortgagor; for index, 1917--, see entry 127. 1874-84, hdw.; 1885-1924, hdw. on pr. fm.; 1925--, typed. 600 p. 18 x 12 x 2. V. C, K, 1874-1913, attic strm., 3rd fl.; v. R-Z, 1894-1920, common vlt., bsmt.; v. 1-5, 7-27, 27, 30-47, 1905--, cir. clk.'s vlt., 1st fl.

127. **Chattel Mortgage Index, 1917--.** 4 v. (1, 2 not numbered, 1). Index to Chattel Mortgage Record, entry 126, showing names of mortgagor

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and mortgagee, date of filing, and book and page of entry. Arr. alph. by name of mortgagor. Hdw. under pr. hdgs. 319 p. 18 x 12 x 2. V. 1, 1917-24, common vlt., bsmt.; 2 v. not numbered, 1925-35, cir. clk.'s vlt., 1st fl.; v. 1, 1936--, cir. clk.'s off., 1st fl.

**128. Extension Chattel Mortgage, 1898--.** 1 v. (1). Last entry 1936.

Copies of extensions on chattel mortgages, showing names of mortgagor and mortgagee, amounts due, book and page of mortgage record, and dates of extension and recording. Arr. by date of recording. Indexed alph. by name of mortgagor. Hdw. on pr. fm. 424 p. 18 x 12 x 3. Cir. clk.'s vlt., 1st fl.

**Certificates of Levy,  
Sale, and Redemption**

**129. Sheriff's Certificate, Levy, Sale, and Redemption Record, 1872--.** 1 v. (B).

Copies of sheriff's certificates of levy, sale, and redemption, showing certificate number, names of plaintiff, defendant, sheriff, purchaser, witnesses, and county collector, date, amount, and place of sale, legal description of property, acknowledgment, and date of filing. Arr. by date of sale. Indexed alph. by name of defendant. Hdw. on pr. fm. 604 p. 18 x 12 x 2½. Cir. clk.'s vlt., 1st fl.

**130. Master's Certificate of Sale and Redemption, 1874--.** 1 v. (B). Copies of master's certificates of sale and redemption, showing date and term of court, names of plaintiff, defendant, and redeemer, amounts of debt, interest, costs, and sale, legal description of property, and dates of notice, sale, and recording. Also contains Master's Report of Sale Certificate of Purchase in Partition, 1874-1908, 1931--, entry 131; Master's Certificate of Purchase and Report of Redemption, 1874-1916, entry 132. Arr. by date of recording. Indexed alph. by name of defendant. Hdw. on pr. fm. 572 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

**131. Master's Report of Sale Certificate of Purchase in Partition, 1909-30.** 1 v. 1874-1908, 1931-- in Master's Certificate of Sale and Redemption, entry 130.

Copies of master's reports of sale and certificates of purchase in partition, showing names of plaintiff, defendant, and purchaser, date and term of court, legal description of property, amount of debts, interest, costs, and bid, and dates of notice, sale, and recording. Arr. by date of recording. Indexed alph. by name of defendant. Hdw. on pr. fm. 600 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

**132. Master's Certificate of Purchase and Report of Redemption, 1917--.** 1 v. (E). 1874-1916 in Master's Certificate of Sale and Redemption, entry 130.

Master's certificates of purchase, including master's reports of redemption, showing names of plaintiff, defendant, purchaser, and redeemer, term of court, amounts of debt, interest, and costs, period of redemption, legal description of property, and date of recording. Arr. by date of recording. Indexed alph. by name of purchaser. Hdw. on pr. fm. 432 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

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- 133. Sale Bill Record, 1905--.** 1 v. (1). 1893-1930 also in Miscellaneous Record, entry 109.

Copies of bills of sale, showing list of goods, chattels, and property, name of purchaser, by whom delivered, dates of sale and recording, and amount of receipts. Arr. by date of recording. Indexed alph. by names of grantee. Hdw. on pr. fm. 578 p. 18 x 12 x 3. Cir. clk.'s vlt., 1st fl.

**Bonds of Officers**

- 134. Treasurer's Bond Record, 1890-1924.** 2 v. (1, 1).

Copies of township treasurers' bonds, showing names of principal, sureties, and office, amount and terms of bond, dates of bond and recording, and length of term. Arr. by date of recording. Indexed alph. by name of principal. Hdw. on pr. fm. 423 - 588 p. 14 x 9 x 1½ - 18 x 12 x 2. Common vlt., bsmt.

- 135. Town Collectors' Bond Record, 1890-1918.** 1 v.

Copies of township collectors' bonds, showing names of collector, sureties, and town, date, amount, and terms of bond, acknowledgment, and date of recording. Arr. by date of recording. Indexed alph. by name of twp. Hdw. on pr. fm. 293 p. 18 x 12 x 1. Common vlt., bsmt.

**Other Instruments**

- 136. Field Notes, 1870--.** 1 v.

Copies of United States survey field notes, showing legal description of surveyed land, names of owner and surveyor, and dates of survey and filing. Arr. by sec., twp., and range. No index. Hdw. on pr. fm. 120 p. 18 x 15 x 1½. Cir. clk.'s vlt., 1st fl.

- 137. Record of Election of Trustees, 1871--.** 2 v. (A, B).

Copies of election certificates of trustees of churches, lodges, societies, or orders, showing names of trustees and organizations, acknowledgment, and dates of certificate and recording. Arr. by date of recording. Indexed alph. by name of organization. Hdw. on pr. fm. 290 p. 18 x 12 x 1. Cir. clk.'s vlt., 1st fl.

- 138. Mineral and Option Record, 1905-19.** 1 v. 1920-- in Miscellaneous Record, entry 109.

Copies of agreements for exclusive rights to coal and other minerals, including options to purchase mineral rights on adjoining real estate, showing date and terms of agreement, names of grantor and grantee, legal description of property, and dates of recording and filing. Arr. by date of recording. Indexed alph. by name of grantor; for sep. index, see entry 104. Hdw. on pr. fm. 572 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

- 139. Oil and Gas Leases, 1909-17.** 4 v. (1, 90, 110, 138). 1918-- in Deed Record, entry 107.

Copies of gas and oil leases, showing names of lessor and lessee, term and date of lease, location and legal description of land, and dates of expiration and recording. Arr. by date of recording. Indexed alph. by name of grantor; for sep. index. see entry 104. Hdw. on pr. fm. 579 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

For other copies of oil and gas leases, see entry 109.

- 140. Pittsburg Oil Lease, 1913-16.** 1 v. 1917-- in Miscellaneous Record, entry 109.

**Recorder-Maps  
and Plats**

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Copies of Pittsburg Oil and Gas Company agreements for oil and gas leases, showing names of lessor, lessee, and witnesses, consideration, term and date of lease and legal description of property. Arr. by date of lease. Indexed alph. by name of lessor; for sep. index, see entry 104. Hdw. on pr. fm. 584 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

141. **Bond For Deed Record, 1911--.** 3 v. (120, 121, 197). 1847 - 1910 in Deed Record, entry 107.

Recordation of bonds for deeds, showing names of grantor, grantee, and sureties, date, amount, and obligations of bond, acknowledgment, and date of filing. Indexed alph. by name of grantor; for sep. index, see entry 104. Hdw. on pr. fm. 582 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

142. **Soldiers' and Sailors' Discharge Record, 1919--.** 1 v. (1).

Record of World War soldiers' and sailors' discharges, showing dates of discharges and recording, name, age, and rank of veteran, places of enlistment and discharge, length of service, and name and rank of commanding officer. Arr. by date of recording. Indexed alph. by name of soldier or sailor. Hdw. on pr. fm. 252 p. 18 x 12 x 1½. Cir. clk.'s off., 1st fl.

143. **Stallion Record, 1910-21.** 2 v. (1, 2).

Copies of certificates and renewals of stallion certificates, showing certificate and registration numbers, names of owner, examiner, and breeder, name and description of stallion, dates of license expiration, foaling, and leases, signature of secretary of board, and date of filing. Arr. by date of filing. Indexed alph. by name of owner. Hdw. on pr. fm. 580 p. 18 x 12 x 2. V. 1, 1910-14, attic strm., 3rd fl.; v. 2, 1915-21, common vlt., bsmt.

144. **Stock Ledger, 1857-61.** 1 v.

Ledger of capital stock sold by Illinois Southern Railroad Company, showing number of shares sold, date, and amount of payment. Arr. by date of sale. No index. Hdw. under pr. hdgs. 640 p. 18 x 12 x 2. Attic strm., 3rd fl.

**MAPS AND PLATS**

145. **Surveyor's Plat Book, 1891--.** 1 v.

Original record of surveys made by county surveyor, with plats of surveys, showing section, township, and range numbers, name of surveyor, and date of recording. Arr. by date of recording. No index. Hand-drawn. 480 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

146. **State Aid Road, Route No. 1, Section 8, no date.** 8 maps.

Construction maps for state highway, route 1, section 8, in the section designated as section A, showing profiles of grades and elevations of project, kinds of materials to be used, and type of construction to be followed. Blueprint. 60 x 24. Common vlt., bsmt.

147. **Saline County, no date.** 1 map.

Physical road map of Saline County, showing outlines of townships, sections, and roads. Blueprint. 54 x 4. Common vlt., bsmt.

148. **State Highway Route Between Harrisburg and Equality, no date.** 1 map.

Physical map showing outline of state highway No. 13 between Harris-

**Recorder-Fees**

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burg and Equality, with connecting roads and highways. Blueprint 36 x 30. Common vlt., bsmt.

149. **Williamson and Saline Counties**, no date. 1 plan.

Road plan showing route and connecting highways of state highway. No. 13 between Harrisburg and Crab Orchard. Hand-drawn. 36 x 24. Attic strm., 3rd fl.

150. **Coal Belt-Fruit Belt Route**, no date. 1 plat.

Communication plat showing outline of route No. 1 between Harrisburg in Saline County, and Vienna in Johnson County. Blueprint. 1 in. to ½ mi. 24 x 30. Attic strm., 3rd fl.

**FEES**

151. **Receipts and Expenditures, 1873--**. 4 v. (1 not numbered, 3-5).

Register of recorder's receipts and expenditures, showing names of payer and recipient, type and number of instrument, amounts of receipts and expenditures, purpose of expenditure, and date of filing instrument. Arr. by date of transaction. No index. Hdw. under pr. hdgs. 318 p. 17 x 14 x 1. 1 v. not numbered, v. 3, 4, 1873-1904, attic strm., 3rd fl.; v. 5, 1905--, cir. clk.'s off., 1st 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 Saline 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 \$3,240 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 Saline County, the powers of the judiciary in all counties were administered only by the justices of the peace,<sup>4</sup> the probate justice of the peace,<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 supervisors, established under township organization.<sup>10</sup> This plan of government was not selected during this period, and Saline was governed by the dual county court until 1874 when the board of county commissioners 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 Saline 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>11</sup> Suits for the sale of delinquent lands for taxes of 1848, and prior years, could be brought

1. L. 1849, p. 62, 63.

2. L. 1933, p. 616.

3. L. 1881, p. 70.

4. Constitution of 1818, Art. IV, sec. 8; L. 1819, p. 192.

5. L. 1836-37, p. 176.

6. L. 1819, p. 380.

7. Constitution of 1848, Art. V, sec. 1, 16; L. 1849, p. 62.

8. Constitution of 1848, Art. V, sec. 17; L. 1849, p. 62, 66; R. S. 1874, p. 339; L. 1933, p. 451.

9. L. 1849, p. 65.

10. Constitution of 1848, Art. VII, sec. 6; L. 1849, p. 192, 202-4; L. 1851, p. 38, 50-52.

11. L. 1849, p. 65.

## County Court

and presented in either the circuit or county court, but for taxes of subsequent years, the county court was given exclusive original jurisdiction.<sup>12</sup> The court also exercised jurisdiction equal with that of the circuit court over naturalization.<sup>13</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 for the estate.<sup>14</sup> In Saline County the county judge has served to the present day in his ex-officio capacity as judge of the probate court.<sup>15</sup>

The law jurisdiction of the county court in Saline 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>16</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 penitentiary or death.<sup>17</sup> The county court also has original jurisdiction in matters relating to indigent mothers<sup>18</sup> and jurisdiction over insane persons not charged with crime.<sup>19</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>20</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>21</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>22</sup> An amendment of 1925 provided that if more than one probation officer

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12. L. 1849, p. 126.

13. 2 U. S. S. L. 155.

14. L. 1849, p. 65.

15. 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.

16. Under the laws of 1872 and the revised statutes of 1874, the jurisdiction was in cases wherein the amount involved did not exceed \$500. (L. 1871-72, p. 325; R. S. 1874, p. 339, 340). Legislation enacted in 1933 extended the jurisdiction to \$2,000 (L. 1933, p. 452), but a later amendment of the same session, passed June 21, 1933, placed the jurisdiction in cases where the amount involved is not over \$1,000 (*ibid.*, p. 449). In 1939 jurisdiction was again extended to \$2,000 (L. 1939, p. 492).

17. R. S. 1874, p. 340; L. 1877, p. 77; L. 1895, p. 212, 223; L. 1933, p. 449-51.

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

19. L. 1869, p. 366; R. S. 1874, p. 685.

20. L. 1899, p. 131-37; L. 1901, p. 141-44; L. 1905, p. 152-56; L. 1907, p. 70-78.

21. L. 1899, p. 133.

22. L. 1907, p. 69, 70.

## County Court

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>23</sup> For Saline County, and others with a population of more than twenty-five thousand and not exceeding fifty thousand<sup>24</sup> the rate is set at a sum not less than \$100 a month.

The officer under consideration makes investigations 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>25</sup>

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>26</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 in custody of the probation officer.<sup>27</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>28</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>29</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>30</sup>

Another probation officer, also 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>31</sup>

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23. L. 1925, p. 187, 188.

24. In 1930 the population of Saline County was listed as 37,100. Population Bulletin, p. 9.

25. L. 1899, p. 133; L. 1925, p. 187, 188.

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

27. L. 1907, p. 74.

28. L. 1923, p. 180, 181.

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

30. L. 1907, p. 75.

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



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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>32</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 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 the law.<sup>33</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>34</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 Saline County.<sup>35</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>36</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>37</sup> Otherwise,

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

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

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

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

36. L. 1935, p. 259.

37. L. 1885, p. 147-49; L. 1899, p. 163-65; L. 1917, p. 445, 446; L. 1929, p. 399; L. 1933, p. 534; L. 1935-36, Fourth Sp. Sess., p. 35.

## County Court

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>38</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>39</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>40</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>41</sup> The petition contains the objector's name and residence, the nature of the objection, the interest of the objector, and the relief sought by the board.<sup>42</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>43</sup>

Jurisdiction is vested in the county court to hear and determine all questions relative to taxes on gifts, legacies and inheritance.<sup>44</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 provision of this law,<sup>45</sup> however, since 1913 these duties have been performed by the Attorney General.<sup>46</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 reasons to believe a tax under this act is due and unpaid.<sup>47</sup> The county treasurer is required to collect and pay to the State Treasurer all taxes that may be due and payable under it.<sup>48</sup>

Under an act of 1933, housing corporations may be organized in Illinois for the express purpose of improving housing conditions.<sup>49</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 in-

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38. L. 1871-72, p. 396.

39. L. 1891, p. 110, 111; L. 1933, p. 552.

40. L. 1891, p. 110, 111; L. 1929, p. 394.

41. L. 1891, p. 111; L. 1929, p. 394; L. 1933, p. 552.

42. L. 1929, p. 394, 395.

43. L. 1933, p. 552.

44. L. 1895, p. 306; L. 1909, p. 318.

45. L. 1895, p. 306; L. 1909, p. 319.

46. L. 1913, p. 515, 516; L. 1935, p. 1179, 1180.

47. L. 1895, p. 306; L. 1909, p. 319; L. 1913, p. 516.

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

49. L. 1933, p. 396-415; L. 1933-34, Third Sp. Ses., p. 167-74.

## County Court

cluded 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>50</sup>

Appeals from the judgments and decisions of the county court may be taken to the circuit court.<sup>51</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>52</sup>

The records of the county court are kept by its clerk. In Saline 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>53</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 designated by law or when the court, at the motion and assumption of expenses by one of the parties, so orders. In practice, the court record has been broken down from an early date into segregated types of proceedings and judgments.
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>54</sup>

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

51. L. 1933, p. 396.

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

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

54. The Civil Practice Act of 1933 grants authority to county courts, subject to rules promulgated by the Supreme Court and not inconsistent with statutory requirements, to make such rules as they may deem expedient, regulating dockets and calendars of said court (L. 1933, p. 786).

6. A fee book in which costs and fees are to be entered under the proper title of the cause. In practice, separate series of volumes are maintained under these titles of causes.
7. Transcripts of proceedings in appeals from justices' courts, dockets thereof, and transcripts of judgment 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>55</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>56</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.

**PROCEEDINGS OF COURT**

- 152. Common Law Files, 1906--.** 4 f. b. 1872-1905 in County Court Files (Criminal and Common Law), entry 154.

Original papers filed in common law cases, including summonses, subpoenas, pleas, warrants, writs, witness affidavits, depositions, commitments, replications, appeals, supersedeas, orders, jury verdicts, and orders of court. Arr. by case no. No index. Hdw. on pr. fm. 10 x 5 x 14. Co. clk.'s vlt., 1st fl.

- 153. Criminal Court Files, 1906--.** 18 f. b. 1872-1905 in County Court Files (Criminal and Common Law), entry 154.

Original papers filed in criminal cases, including summonses, subpoenas, pleas, warrants, writs, witness affidavits, indictments, depositions, commitments, stipulations, replications, appeals, supersedeas order, recognizance and appeal bonds, jury verdicts, and orders of court. Also contains Executions, 1906-22, entry 156; Criminal Judgments, 1906-24, entry 157; and Sheriff's Recognizance and Criminal Capias, 1906-18, 1928--, entry 185. Arr. by case no. No index. Hdw. on pr. fm. 10 x 5 x 14. Co. clk.'s vlt., 1st fl.

- 154. County Court Files (Criminal and Common Law), 1872-1905.** 62 f. b. (1-62).

Files of common law and criminal cases, containing same types of papers as enumerated in Common Law Files, entry 152, and Criminal Court Files, entry 153. Common Law Files, entry 152; and Criminal Court Files, entry 153, including Executions, entry 156, Criminal Judgments, entry 157, Sheriff's Recognizance and Criminal Capias, entry 185, subsequently kept

55. 2 U. S. S. L. 153; U. S. R. S. 1789-1874, p. 378.

56. R. S. 1845, p. 323, 324, 414, 418, 419; L. 1865, p. 79, 80; L. 1871-72, p. 325; R. S. 1874, p. 262, 263; 2 U. S. S. L. 153-55; U. S. R. S. 1789-1874, p. 378-80; 34 U. S. S. L. 596-607; 44 U. S. S. L. 709-710.

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

**County Court-Proceedings of Court**

(155-160)

separately. Also contains Appellate Court Proceedings (Supersedeas Orders), entry 158; Adoption Files, 1872-1900, entry 169, and Juvenile Dependent and Delinquent Files, 1872-97, entry 190. No obvious arr. For index, see entry 155. Hdw. on pr. fm. 7½ x 4½ x 10. Common vlt., bsmt.

**155. Index To File Boxes (Probate and County Court), 1848-1928.** 1 v. Index to County Court Files (Criminal and Common Law), entry 154; Probate Court Files, entry 199, showing names of plaintiff and defendant or estate, kind of action, date of judgment, and file box number. Probate portion of this index has been transcribed into Index to File Boxes - Guardian, entry 200; Index to File Boxes Administrator, Executor, and Conservator, entry 201. Arr. alph. by name of estate or defendant. Hdw. under pr. hdgs. 600 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

**156. Executions, 1923--.** 1 f. b. 1872-1905 in County Court Files (Criminal and Common Law), entry 154; 1906-22 in Criminal Court Files, entry 153.

Executions on judgments acknowledged, showing names of plaintiff, defendant, attorney, sheriff, and county clerk, date, nature and amount of judgment, amounts of sheriff's and clerk's fees, and dates of issue, service, and return. No obvious arr. No index. Hdw. on pr. fm. 10 x 5 x 14. Co. clk.'s vlt., 1st fl.

**157. Criminal Judgments, 1925--.** 1 f. b. 1872-1905 in County Court Files (Criminal and Common Law), entry 154; 1906-24 in Criminal Court Files, entry 153.

Original judgement papers in criminal cases, showing names of plaintiff and defendant, nature of case, dates of judgment and sentence, name of institution of commitment, and term of sentence. No obvious arr. No index. Hdw. on pr. fm. 10 x 5 x 14. Co. clk.'s vlt., 1st fl.

**158. Appellate Court Proceedings (Supersedeas Orders), 1923-27.** 1 f. b. 1872-1905 in County Court Files (Criminal and Common Law), entry 154.

Final and supersedeas orders in criminal and common law cases in which writs of error from and appeals to supreme or appellate courts have been requested, showing names of attorneys, plaintiff, and defendant, type of case, and date, term, and decisions of court. No obvious arr. No index. Hdw. on pr. fm. 10 x 5 x 14. Co. clk.'s vlt., 1st fl.

For supersedeas orders, 1906-22, 1928--, see entries 152, 153.

**159. Plaintiff's (and Defendant's) Index To County Court Record, 1872-88, 1915-23.** 2 v. (1, 2).

Index to County Court Record Law, entry 160; Criminal Judgment Record, entry 163; Fee Book (Common Law), entry 183; Criminal Fee Book, entry 184, showing case number, names of plaintiff and defendant, type of action, court term, date of filing suit, record and fee book labeling, and page of entry. Arr. alph. by name of plaintiff or defendant. Hdw. under pr. hdgs. 500 p. 18 x 12 x 2½. Co. clk.'s vlt., 1st fl.

**160. County Court Record Law, 1872--.** 3 v. (A, D, E).

Record of common law cases, including default cases, showing names of plaintiff, defendant, and attorneys, term date, type of action, and court

**County Court-Proceedings of Court**

(161-165)

proceedings; includes copies of county officials' bonds, 1883--. Also contains Law Record Confession, 1872-1910, entry 161, including County Court Record, Judgments Confessed, entry 162; Criminal Judgment Record, 1872-77, entry 163; Juvenile Court Record, 1872-1919, 1925, 1937--, entry 191. Arr. by date of proceedings. For index, 1872-88, 1915-23, see entry 159; 1889-1914, 1924--, indexed alph. by name of defendant. 1872-1925, hdw.; 1926--, typed. 600 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

- 161. Law Record Confession, 1911--.** 1 v. (1) 1872-1910 in County Court Record Law, entry 160.

Record of judgments by confession in vacation, showing names of plaintiff and defendant, type of action, date and term of court, and amount of judgment. Also contains County Court Record, Judgments Confessed, 1911, 1913--, entry 162. Arr. by date of judgment. No index. Hdw. on pr. fm. 400 p. 18 x 12 x 2. Co. clk.'s off., 1st fl.

- 162. County Court Record, Judgments Confessed, 1912.** 1 v. 1872-1910 in County Court Record Law, entry 160; 1911, 1913-- in Law Record Confession, entry 161.

Record of county court judgments by confession, showing names of plaintiff and defendant, term date, case number, and amount of judgment. Arr. by date of judgment. Indexed alph. by name of defendant. Hdw. on pr. fm. 600 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

- 163. Criminal Judgment Record, 1878--.** 11 v. (B, E-N). Title varies: County Court Record (Criminal). 1872-77 in County Court Record Law, entry 160.

Record of criminal cases, showing term date, names of plaintiff, defendant, and attorneys, type of action, court orders, and final disposition of case. Also contains Criminal Record (Recognizance and Confession Record), 1878-81, 1911--, entry 164; Recognizance Bond Record, 1878-1917, entry 186; Register of Bonds in Bastardy Cases (Record), 1878-1921, entry 187; Bail Bond Record, 1878-1917, entry 188; Probation Record, 1878-1911, 1916--, entry 189; Juvenile Court Record, 1926-36, entry 191. Arr. by date of proceedings. For index, 1878-88, 1915-23, see entry 159; 1889-1914, 1924-- indexed alph. by name of defendant. 1878-1909, hdw.; 1910-24, hdw. on pr. fm.; 1925--, typed. 600 p. 18 x 13 x 3. V. B, E-M, 1878-1923, co. clk.'s vlt., 1st fl.; v. N, 1924--, co. clk.'s off., 1st fl.

- 164. Criminal Record (Recognizance and Confession Record), 1882-1910.** 1 v. 1878-81, 1911-- in Criminal Judgment Record, entry 163.

Record of confessions in open court in criminal cases, including recognizances, showing date and term of court, names of plaintiff, defendant, and sureties, amount of bond, and actions and orders of court. Arr. by date of court term. Indexed alph. by name of defendant. Hdw. on pr. fm. 600 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

- 165. Praeipie For Executions, 1876--.** 3 v. (2 v., 1876--; 1 v., 1886-1900). Missing: 1919-25.

Record of praecipies for executions, showing date and number of praecipies, names of plaintiff, defendant, plaintiff's attorney, and county in which execution was served, date of filing, and signature of clerk. Arr. by date of praecipie. No index. Hdw. on pr. fm. 110 p. 14 x 8½ x 1. 1 v.,

**County Court-Proceedings of Court**

(166-171)

1886-1900, attic, 3rd fl.; 1 v., 1876-1918, co. clk.'s vlt., 1st fl.; 1 v., 1926-- , co. clk.'s off., 1st fl.

**166. Insane and Feeble-Minded Files, 1883--.** 16 f. b. 1848-82 in Probate Court Files, entry 199.

Files of insanity and feeble-minded cases, including statement of family history of patient, record of examination, petition for commitment to institution, report of physician or commission, and orders of court. Arr. by case no. For index, see entry 201. Hdw. on pr. fm. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**167. Insane Record, 1883--.** 4 v. (A, A, BB, C). 1850-82 in Probate Record, entry 202.

Record of proceedings in insane cases, showing names of alleged insane person, petitioners, and witnesses, date of hearings, findings of jury or commission, and orders of court. Also contains Record of Findings and Orders Feeble-Minded, 1883-1914, 1918-- , entry 168. Arr. by date of hearing. Indexed alph. by name of alleged insane person. Hdw. on pr. fm. 300 p. 18 x 12 x 1½. Co. clk.'s vlt., 1st fl.

**168. Record of Findings and Orders Feeble-Minded, 1915-17.** 1 v. 1883-1914, 1918-- in Insane Record, entry 167.

Record of proceedings in feeble-minded cases, showing date of hearing, names of alleged feeble-minded person, petitioner, witnesses, and commission members, findings and recommendations of commission, and orders of court. Arr. by date of hearing. Indexed alph. by name of patient. Hdw. on pr. fm. 200 p. 18 x 12 x 1. Co. clk.'s vlt., 1st fl.

**169. Adoption Files, 1901--.** 2 f. b. 1848-71 in Probate Court Files, entry 199; 1872-1900 in County Court Files (Criminal and Common Law), entry 154.

Files of papers in adoption cases, including petitions, affidavits of petitioners' financial capability, certificates of publication, notices to defendants, defendants' answers, consent of parents or child, and decrees of court. Arr. by case no. For index, see entry 201. Hdw. on pr. fm. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**170. (Paving and Sewer District Files), 1908--.** 6 f. b. Last entry 1926.

Sewer and paving district files, including petitions for special assessment, objections, confirmation of assessment, orders of court fixing date of hearing for final confirmation, notices to property owners, publication notices of special assessments, appraisements of properties, notices to vacate, judgments, and court orders. No obvious arr. No index. Typed. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**171. Eldorado, Beulah Heights, Dorrisville, Gaskins City, Harrisburg and Galatia Sidewalk District, 1909--.** 2 f. b. Last entry 1925.

Papers pertaining to sidewalk districts, including petitions to levy taxes, tax levies, affidavits, ordinances, notices to property owners, confirmation of assessments, and court decrees. No obvious arr. No index. Typed. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**County Court-  
Dockets**

(172-178)

172. **Harrisburg Park District Organization and Incorporation Papers of Gaskins City, Beulah Heights, Dorrisville and Ledford, 1905-28.** 1 f. b.

Files of papers on incorporation of villages and organization of park districts, including petitions, abstract of votes, tally sheets, court orders, detailed accounts of receipts and expenditures, estimates, bonds, and lists of voters. No obvious arr. No index. Typed. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**DOCKETS**

**Court Dockets**

173. **Judge's Docket, 1872--.** 26 v. (1, B, C, B-J, 14 not labeled).  
Title varies: Judge's Transfer Docket.

Docket of criminal and common law cases, showing date of filing suit, names of plaintiff, defendant, and attorneys, type of case, abstract of proceedings, and book and page of entry. Also contains Judge's Juvenile Docket, 1872-1915, entry 192; Inheritance Tax Docket, 1872-94, entry 197. Arr. by date of filing suit. No index. Hdw. under pr. hdgs. 800 p. 17 x 14 x 4. V. 1, B, C, B-J, 13 not labeled, 1872-1936, co. clk.'s vlt., 1st fl.; 1 v. not labeled, 1937--, co. clk.'s off., 1st fl.

174. **Judgment Docket, 1872--.** 7 v. (A-G).

Docket of judgments, showing names of plaintiff and defendant, nature of judgment, amounts of costs, debt, and damages, record book and page of entry, and dates of judgment and satisfaction. Arr. alph. by name of person against whom judgment is entered. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 600 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

175. **Execution Docket, 1872--.** 2 v. (1, 2).

Docket of executions, showing execution number, names of plaintiff and defendant, amounts of debts, damages, costs and judgment, record book and page of entry, and dates of execution and sheriff's return. Arr. by execution no. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 300 p. 18 x 12 x 1½. Co. clk.'s vlt., 1st fl.

176. **Insanity Docket, 1893--.** 3 v. (1-3).

Docket of insanity proceedings, showing date of hearing, names of alleged insane person and petitioner, physician's report, and orders of court. Also contains Docket of Feeble-Minded, 1893-1914, 1927--, entry 177. Arr. by date of hearing. Indexed alph. by name of patient. Hdw. under pr. hdgs. 300 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

177. **Docket of Feeble-Minded, 1915-26.** 1 v. 1893-1914, 1927-- in Insanity Docket, entry 176.

Docket of feeble-minded cases, showing names of petitioner and alleged feeble-minded person, report of medical examiners, date of hearing, and orders of court. Arr. by date of hearing. Indexed alph. by name of patient. Hdw. under pr. hdgs. 200 p. 18 x 12 x 1. Co. clk.'s vlt., 1st fl.

178. **Judgment and Docket of Special Assessments, 1908--.** 4 v. (1-4).

Docket of special assessments for sidewalk, paving, and sewer improve-



**County Court-Fee  
Books**

(179-184)

ments, showing dates of petition for improvement, report of commissioners of assessment, description of improvement and affected property, and names and addresses of persons making payments. Arr. by date of petition. No index. Hdw. under pr. hdgs. 229 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

179. **Issue Docket, 1873-1908.** 4 v. (1, B, C, C). Missing: 1892-1906. Title varies: Clerk's Docket.

Clerk's docket of common law and criminal cases filed in county court, showing date of filing suit, case number, names of plaintiff, defendant, witnesses, attorneys, and judge, type of case, and remarks. Arr. by date of filing suit. No index. Hdw. under pr. hdgs. 300 p. 18 x 12 x 2. V. 1, 1873-76, C, 1907-8, co. clk.'s vlt., 1st fl.; v. B, C, 1877-91, attic strm., 3rd fl.

180. **Process Docket, 1880-82.** 1 v.

Docket of processes issued by county court, showing names of plaintiff, defendant, and attorneys, dates of issue, service, and return of process, by whom served, and amount of sheriff's fees. Arr. by date of issuance. No index. Hdw. under pr. hdgs. 478 p. 16 x 11 x 1½. Co. clk.'s vlt., 1st fl.

181. **Bar Docket, 1869-89.** 2 v.

Docket of common law and criminal cases set for trial, showing names of plaintiff, defendant, and attorneys, type and number of case, and date of hearing; includes newspaper clippings of estray notices pasted on pages. Arr. by date of hearing. No index. Hdw. under pr. hdgs. 250 p. 13 x 8½ x 1½. 1 v., 1872-75, attic strm., 3rd fl.; 1 v., 1876-89, co. clk.'s vlt., 1st fl.

**Justices Dockets**

182. **Justice Docket, 1891-1932.** 76 v. 1933-- kept by justices of peace. Title varies: Justice of Peace Docket.

Justice of the peace docket showing names of plaintiff, defendant, and witnesses, nature of action, minutes of proceedings, date of hearing, and judgments or orders. Arr. by date of hearing. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 290 p. 14 x 10 x 1. Attic strm., 3rd fl.

**FEE BOOKS**

183. **Fee Book (Common Law), 1872--.** 7 v. (1, B-G).

Record of all fees collected in common law cases, including witness fees, showing date of filing suit, names of plaintiff and defendant, case number, itemized list of fees, signatures of receiver, and date and amount of receipts. Also contains Criminal Fee Book, 1872-92, entry 184. Arr. by date of filing suit. Indexed alph. by name of plaintiff; for sep. index, 1872-88, 1915-23, see entry 159. Hdw. on pr. fm. 600 p. 18 x 13 x 3. V. 1, B, C, 1872-83, attic strm., 3rd fl.; v. D-F, 1884-1914, co. clk.'s vlt., 1st fl.; v. G, 1915--, co. clk.'s off., 1st fl.

184. **Criminal Fee Book, 1893--.** 7 v. (F, G, F, H-K). 1872-92 in Fee Book (Common Law), entry 183.

Record of fees in criminal cases, showing date of filing suit, names of plaintiff and defendant, case number, itemized list of fees, signature of receiver, and date and amount of payment. Arr. by date of filing suit.

**County Court- Bonds;  
Probation**

(185-190)

Indexed alph. by name of defendant; for sep. index, see entry 159. Hdw. on pr. fm. 600 p. 18 x 13 x 3. V. F, G, F, H-J, 1893-1931, co. clk.'s vlt., 1st fl.; v. K, 1932--, co. clk.'s off., 1st fl.

**BONDS**

185. **Sheriff's Recognizance and Criminal Capias, 1919-27.** 2 f. b. 1872-1905 in County Court Files (Criminal and Common Law), entry 154; 1906-18, 1928-- in Criminal Court Files, entry 153.

Sheriff's recognizance bonds and criminal capias, showing date and amount of bond, names of sureties, witnesses, and defendant, nature of charge, term of court, sheriff's fees, and date of filing. No obvious arr. No index. Hdw. on pr. fm. 10 x 5 x 14. Co. clk.'s vlt., 1st fl.

186. **Recognizance Bond Record, 1918--.** 3 v. (1-3). 1878-1917 in Criminal Judgment Record, entry 163.

Copies of recognizance bonds, showing date, amount, and terms of bond, names of principal and sureties, nature of charge, orders of court, and date and place of appearance. Also contains Bail Bond Record, 1918-22, 1924--, entry 188. Arr. by date of bond. Indexed alph. by name of defendant. Hdw. on pr. fm. 400 p. 18 x 12 x 2. V. 1, 2, 1918-36, co. clk.'s vlt., 1st fl.; v. 3, 1937--, co. clk.'s off., 1st fl.

187. **Register of Bonds in Bastardy Cases (Record), 1922--.** 1 v. (1). Last entry 1933. 1878-1921 in Criminal Judgment Record, entry 163.

Copies of bonds posted in bastardy cases, showing names of defendant and sureties, amount and conditions of bond, and dates of bond and appearance in court. Arr. by date of bond. Indexed alph. by name of defendant. Hdw. on pr. fm. 300 p. 16 x 12 x 1½. Co. clk.'s vlt., 1st fl.

188. **Bail Bond Record, 1923.** 1 v. 1878-1917 in Criminal Judgment Record, entry 163; 1918-22, 1924-- in Recognizance Bond Record, entry 186.

Copies of bail bonds, showing names of defendant and sureties, date of court term, type of action, and amount of bond. Arr. by date of bond. Indexed alph. by name of defendant. Hdw. on pr. fm. 300 p. 18 x 12 x 1½. Co. clk.'s vlt., 1st fl.

**PROBATION**

**Adult**

189. **Probation Record, 1912-15.** 1 v. 1878-1911, 1916-- in Criminal Judgment Record, entry 163.

Record of probationary releases in county court, showing date, name of defendant, order of court releasing person on probation, and terms of probation. Arr. by date of release. Indexed alph. by name of defendant. Hdw. on pr. fm. 200 p. 18 x 12 x 1. Co. clk.'s vlt., 1st fl.

**Juvenile**

190. **Juvenile Dependent and Delinquent Files, 1898--.** 13 f. b. 1848-71 in Probate Court Files, entry 199; 1872-97 in County Court Files (Criminal and Common Law), entry 154.

Files of papers in dependent, delinquent, and adoption cases, including petitions, affidavits, complaints, and investigation and supervision reports. No obvious arr. No index. Typed, and typed on pr. fm. 10½ x 5 x 14.

**County Court-Inheritance  
Tax**

(191-197)

10 f. b., 1898-1924, common vlt., bsmt.; 3 f. b., 1925--, co. clk.'s vlt., 1st fl.

191. **Juvenile Court Record, 1920-24.** 2 v. (1, 2). 1872-1919, 1925, 1937-- in County Court Record Law, entry 160; 1926-36 in Criminal Judgment Record, entry 163.

Record of juvenile cases, showing names of delinquent or dependent child, institution of commitment, and petitioner, nature of charge, dates of petition and commitment, and signature of judge. Arr. by date of petition. Indexed alph. by name of delinquent. Hdw. on pr. fm. 600 p. 18 x 12 x 3. Co. clk.'s off., 1st fl.

192. **Judge's Juvenile Docket, 1916--.** 2 v. Title varies: Transfer Juvenile Docket. 1872-1915 in Judge's Docket, entry 173.

Docket of juvenile delinquency cases, showing names of plaintiff, defendant, and attorneys, type of action, case number, dates of petition, summons, and warrants, and notations of court orders. Arr. by date of petition. Indexed alph. by name of delinquent. Hdw. under pr. hdgs. 400 p. 17 x 14 x 2. 1 v., 1916-36, co. clk.'s vlt., 1st fl.; 1 v., 1937--, co. clk.'s off., 1st fl.

**Mothers' Pension (See  
also entry 32)**

193. **(Mothers' Aid), 1926--.** 3 f. b. 1905-25 in Marriage License, entry 73.

Original papers in mothers' pension cases, including petitions for pensions, petitioners' financial statements, investigators' reports, and court orders. Arr. by date of petition. No index. Hdw. on pr. fm. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

194. **Mothers' Pension Record, 1915--.** 2 v. (1, 2).

Record of mothers' pension, showing date of petition, name of mother, names and ages of dependent children, mother's financial status, decision of court, and amount of pension. Arr. by date of petition. Indexed alph. by name of applicant. Hdw. on pr. fm. 320 p. 18 x 12 x 2. V. 1, 1915-36, co. clk.'s vlt., 1st fl.; v. 2, 1937--, co. clk.'s off., 1st fl.

195. **Mothers' Pension Docket, 1915--.** 2 v. (1, 2).

Docket of mothers' pension petitions, showing name and address of applicant, minutes of proceedings, date of petition, and orders of court. Arr. by date of petition. Indexed alph. by name of petitioner. Hdw. on pr. fm. 260 p. 18 x 12 x 1. V. 1, 1915-36, co. clk.'s vlt., 1st fl.; v. 2, 1937--, co. clk.'s off., 1st fl.

**INHERITANCE TAX**

196. **Inheritance Tax Files, 1895--.** 4 f. b.

Files of inheritance tax papers, including inheritance tax returns, appraisers' reports, petitions to determine tax, certificates of transmittal of court order, orders assessing tax, and notices of appraisement. No obvious arr. No index. Hdw. on pr. fm. 10½ x 5 x 14. 2 f. b., 1895-1910, common vlt., bsmt.; 2 f. b., 1911--, co. clk.'s vlt., 1st fl.

197. **Inheritance Tax Docket, 1918--.** 1 v. 1895-1917 in Judge's Docket, entry 173.

Docket of inheritance tax determinations, showing names of estate, bene-

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ization**

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ficiaries, attorneys, and appraisers, value of estate, description of property, appraised and taxable values, date of hearing, and amount of tax. Arr. by date of hearing. Indexed alph. by name of estate. Hdw. 450 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

**NATURALIZATION**

(See also entry 280)

**198. Final Record of Naturalization, 1902-6. 1 v.**

Record of final certificates of naturalization, showing date, names of alien and witnesses, nativity, oaths of renunciation and allegiance, and court order granting certificate. Arr. by date of court order. Indexed alph. by name of applicant. Hdw. on pr. fm. 479 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

## V. PROBATE COURT

Jurisdiction in probate matters in Saline County was vested in a separate probate court from the organization of the county, in 1847, until 1849. From 1847 to 1849 probate court in Saline County was held by a probate justice of the peace who was elected<sup>1</sup> by the county electorate for a two-year term.<sup>2</sup> The jurisdiction of the probate court was transferred to the newly created county court in 1849.<sup>3</sup> The Saline 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, and in all matters relating to apprentices, and in 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>

Aiding the court in its jurisdiction over the administration of intestate estates and the guardianship of minors, are, respectively, the public administrator and the public guardian. Each officer is appointed quadrennially by the Governor with the advice and consent of the senate. The public administrator and public guardian are required to enter into bonds set and approved by the court in sums not less than \$5,000.<sup>7</sup> Their duties are performed under the direction and orders of the court. The records that result from their prescribed duties appear among the records of the court with those of other administrators, executors, and guardians.

When there is no relative or creditor who will administer an intestate estate, the court commits the administration to the public administrator upon application of any person interested in the estate.<sup>8</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 debts and charges against the estate which have been presented within two years after the administration of the estate was committed to such public administrator are fully paid, any balance of intestate estate remains, the administrator causes a notice to be published requiring persons still having claims against the estate to present 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>9</sup>

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1. L. 1836-37, p. 176. From 1821 to 1837 probate court was held by a probate judge (L. 1821, p. 119, 120).

2. L. 1845, p. 28.

3. Constitution of 1848, Art. V, sec. 16, 18; L. 1849, p. 65.

4. *Ibid.*; Constitution of 1870, Art. VI, sec. 16; R. S. 1874, p. 339, 340; L. 1933, p. 449, 458.

5. Constitution of 1870, Art. VI, sec. 20; L. 1877, p. 80.

6. R. S. 1845, p. 425; L. 1933, p. 460.

7. L. 1825, p. 70-72; R. L. 1829, p. 208; R. L. 1833, p. 627, 628; R. S. 1845, p. 548; L. 1871-72, p. 89; L. 1881, p. 3; L. 1889, p. 165.

8. R. L. 1833, p. 628; R. S. 1845, p. 548; L. 1871-72, p. 89.

9. R. S. 1845, p. 549; L. 1871-72, p. 89, 90.

## Probate Court

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>10</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>11</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>12</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>13</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>14</sup> The latter's records appear with those of other guardians.

The probate justice of the peace 1847 to 1849, performed the ministerial function of the probate clerk.<sup>15</sup> From the creation of the county court in 1849 until the present, the county clerk has served as ex-officio probate clerk.<sup>16</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>17</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; widow's relinquishment and selection of property; wills and the probate thereof; annual and final reports to administrators, executors,

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10. 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.

11. L. 1871-72, p. 469; L. 1877, p. 114.

12. L. 1919, p. 582; L. 1933, p. 644.

13. L. 1871-72, p. 471; L. 1919, p. 583; L. 1929, p. 506.

14. L. 1889, p. 165.

15. L. 1837, p. 177, 178. The early probate judge was required to act as his own clerk. (L. 1821, p. 119, 120).

16. Constitution of 1848, Art. V, sec. 15, 18; L. 1849, p. 63-65; R. S. 1874, p. 260, 339, 340.

17. L. 1877, p. 82.

guardians, and conservators. Generally, each category of these probate business matters is recorded separately, but the segregation is not always carefully maintained.

4. Separate dockets of unsettled estates and claims against estates, and a ledger of the accounts of executors, administrators, and guardians. Note that the dockets of probate business matters are separated from dockets of court proceedings just as are the books of recordation of the two categories; the intention of the law to make this distinction is further shown in its granting the clerk, during vacation of the court, power to receive petitions, accept bonds, grant letters testamentary, etc.
5. Files of original documents not subject to recordation; indexes to such; records of office transactions in pursuance of the court's orders to the clerk, necessary in the latter's settlement with that body.<sup>18</sup>

#### PROCEEDINGS OF COURT

##### General

199. **Probate Court Files, 1848--.** 149 f. b. (1-141, 1848--; 8 not numbered, 1913--).

Files of documents in probate cases, including wills, bonds, oaths, and letters of administering persons, inventories, appraisements, petitions, widows' relinquishments and selections, bills and claims against estates, reports of administrative persons, notices of publication, periodic and final accounts, notices of settlement, and orders and decrees of court. Also contains Insane and Feeble-minded Files, 1848-82, entry 166; Adoption Files, 1848-71, entry 169; Juvenile Dependent and Delinquent Files, 1848-71, entry 190. Arr. by date of filing suit. For indexes, see entries 200, 201. For additional index, 1848-1928, see entry 155. Hdw. on pr. fm. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

200. **Index To File Boxes - Guardian, 1848--.** 1 v. (A).

Index to guardians' papers contained in Probate Court Files, entry 199, showing names of minor heirs, estate, and guardian, and file box number. Arr. alph. by name of estate. Typed under pr. hdgs. 600 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

201. **Index To File Boxes Administrator, Executor, and Conservator, 1848--.** 1 v. (A).

Index to Insane and Feeble-minded Files, 1883--, entry 166, Adoption Files, 1901--, entry 169, and administrators', executors', and conservators' papers as contained in Probate Court Files, entry 199, showing names of estate and administrative officer, and file box number. Arr. alph. by name of estate. Typed under pr. hdgs. 600 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

202. **Probate Record, 1850--.** 22 v. (B-W). Title varies; Probate Journal.

Record of proceedings in probate court, including copies of petitions, letters, oaths, bonds, appointments, and reports of administrative officers,

18. L. 1821, p. 119, 120; R. L. 1829, p. 215, 231; R. 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.

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settlements of estates, record of adoptions, and orders and decrees of court. Also contains Insane Record, 1850-82, entry 167; Probate Record of Claims, 1850-83, 1906--, entry 203; Administrators' Record, 1850-53, entry 205, including Administrators' De Bonis Non (Bonds and Letters), entry 207; Executors' Record, 1850-58, entry 206, including Guardians' Record, entry 209; Miscellaneous Bond Record - Probate, 1850-75, 1911--, entry 208; Guardians' and Conservators' Record, 1850-84, entry 210; Proof of Heirship Record, 1850-1916, entry 212; Insolvency Record, 1850-75, 1886--, entry 217; Widows' Award and Selection Record, 1850-73, entry 218; Real Estate Sale Record, 1886--, entry 219; Record of Decrees, 1850-64, 1871--, entry 220; Administrators', Executors', and Guardians', (Conservators') Report Record, 1850-75, 1878-1903, entry 222. Arr. by date of filing. No index. 1850-1927, hdw.; 1928--, typed. 600 p. 18 x 12 x 3. V. B-U, 1850-1935, co. clk.'s vlt., 1st fl.; v. V, W, 1936--, co. clk.'s off., 1st fl.

203. **Probate Record of Claims, 1884-1905.** 1 v. 1850-83, 1906-- in Probate Record, entry 202.

Copies of claims against estates in probate, showing names of claimant, estate, and administrative officer, date, nature, and amount of claim, and orders of court. Arr. by date of claim. Indexed alph. by name of estate. Hdw. on pr. fm. 600 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

**Wills, Bonds, Letters (See also entry 199)**

204. **Will Record, 1847--.** 5 v. (1-5).

Copies of last wills and testaments, including proofs of will and death, and oaths of executors, showing names of testator, witnesses, judge, and clerk, provisions of will, and dates of instrument and filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw., and hdw. on pr. fm, 588 p. 18 x 12 x 2. V. 1-4, 1847-1927, co. clk.'s vlt., 1st fl.; v. 5, 1928--, co. clk.'s off., 1st fl.

205. **Administrators' Record, 1854--.** 9 v. (1 not lettered, B-I). Title varies: Administrators' and Guardians' Bonds and Letters. 1850-53 in Probate Record, entry 202.

Copies of administrators' petitions, bonds, oaths, and letters, showing names of estate and administrator, date, amount, and obligation of bond, and dates of letter and filing. Also contains Administrators' De Bonis Non (Bonds and Letters), 1861-75, 1923--, entry 207; Guardians' Record, 1854-60, entry 209. Arr. by date of bond. 1854-60, indexed alph. by name of estate; 1861--, indexed alph. by name of administrating person. Hdw. on pr. fm. 578 p. 18 x 12 x 2½. Co. clk.'s vlt., 1st fl.

206. **Executors' Record, 1859--.** 3 v. (A-C). Title varies: Executor and Guardian Record. 1850-58 in Probate Record, entry 202.

Copies of executors' petitions, oaths, bonds, and letters, showing date and amount of bond, date of appointment, names of appraisers and sureties, and notice to claimants to file claims. Also contains Guardians' Record, 1861-71, entry 209. Arr. by date of bond. Indexed alph. by name of estate. Hdw. on pr. fm. 600 p. 18 x 13 x 3. V. A, B, 1859-1932, co. clk.'s vlt., 1st fl.; v. C, 1933--, co. clk.'s off., 1st fl.



- 207. Administrators' De Bonis Non (Bonds and Letters), 1911-22.** 1 v. 1850-60 in Probate Record, entry 202; 1861-75, 1923-- in Administrators' Record, entry 205; 1876-1910 in Miscellaneous Bond Record-Probate, entry 208.

Copies of petitions, oaths, bonds, and letters of administrator de bonis non, showing names of deceased, judge, clerk, heirs, administrator, and bondsmen, dates of petition, oath, bond, and letters, amount and terms of bond, and acknowledgment. Arr. by date of bond. Indexed alph. by name of estate. Hdw. on pr. fm. 300 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

- 208. Miscellaneous Bond Record - Probate, 1876-1910.** 1 v. 1850-75, 1911--, in Probate Record, entry 202.

Copies of petitions, oaths, bonds, and letters of administrators with will annexed and copies of administrators' additional bonds, showing names of estate, sureties, and administrator, amount and obligations of bonds, and dates of appointment and filing. Also contains Administrators' De Bonis Non (Bonds and Letters), entry 207. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 300 p. 18 x 12 x 1½. Co. clk.'s vlt., 1st fl.

- 209. Guardians' Record, 1872-84, 1896-1924.** 3 v. (D, E, R). 1850-53 in Probate Record, entry 202; 1854-60 in Administrators' Record, entry 205; 1861-71 in Executors' Record, entry 206.

Copies of guardians' petitions, oaths, bonds, and letters, showing names of estate, minor, sureties, and guardian, date, amount, and obligations of bond, and order of appointment. Arr. by date of bond. Indexed alph. by name of estate. Hdw. on pr. fm. 600 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

For other guardians' petitions, oaths, bonds, and letters, 1885-1914, and for other petitions, oaths, and letters only, 1915--, see entry 210; for separate bond series, 1915--, see entry 211.

- 210. Guardians' and Conservators' Record, 1885--.** 2 v. (T, U). 1850-84 in Probate Record, entry 202.

Copies of conservators' petitions, oaths, bonds, and letters, showing names of minor, estate, and administrative officer, amount and conditions of bond, and dates of letter, oath, and bond; includes copies of guardians' petitions, oaths, bonds, and letters, 1885-1914. Volume U, 1915--, contains only petitions, oaths, and letters of conservators and guardians. Arr. by date of bond. Indexed alph. by name of estate. 600 p. 18 x 13 x 3. V. T, 1885-1914, co. clk.'s vlt., 1st fl.; v. U, 1915--, co. clk.'s off., 1st fl.

For copies of guardians' and conservators' bonds, 1915--, see entry 211.

- 211. Guardians' and Conservators' Bonds, 1915--.** 2 v. (S, U).

Copies of guardians' and conservators' bonds, showing names of estate, administrative officer, and sureties, date, amount, and obligations of bonds, and acknowledgment. Arr. by date of bond. Indexed alph. by name of guardian or conservator. Hdw. on pr. fm. 640 p. 18 x 12 x 3. Co. clk.'s off., 1st fl.

For other and prior copies of guardians' and conservators' bonds, see entries 202, 206, 209, 210.

**Heirship**

212. **Proof of Heirship Record, 1917--.** 1 v. (1). 1850-1916 in Probate Record, entry 202.

Copies of proof of heirship affidavits, showing date, names of heirs, deceased, and witnesses, and signature and seal of notary. Arr. by date of affidavit. Indexed alph. by name of estate. Hdw. on pr. fm. 578 p. 18 x 12 x 2½. Co. clk.'s off., 1st fl.

**Inventories and Appraisements** (See also entry 199)

213. **Appraisement Record, 1866--.** 7 v. (A-G). 1849-65 in Inventory, Sale Bill, and Appraisement Record, entry 215.

Record of appraisements of estates in probate, showing names of estate, appraiser, and heirs, court order appointing appraiser, date of oath, notarial acknowledgment, itemized statement and value of real estate and personal property, total value, amount of allowance to widow and minor heirs, appraisement bill, and date of filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 580 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

214. **Inventory Record, 1866--.** 7 v. (A-G). 1849-65 in Inventory, Sale Bill, and Appraisement Record, entry 215.

Administrators' and executors' inventory record showing names of estates, judges, administrators, and executors, legal description and value of real estate, list and value of chattels, status of notes and accounts, signatures of administrator, executor, and judge, and date of filing. Also contains Guardians' Inventory Record, 1866-83, 1907--, entry 216. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 600 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

215. **Inventory, Sale Bill, and Appraisement Record, 1849-65.** 4 v. (1 not lettered, A-C).

Copies of appraisements, inventories of real and personal property, and sale bills, showing names of estate, administrator, appraiser, and purchaser, itemized list of real and personal property, amounts of receipts and disbursements, balance available, and dates of appraisal, inventory, sale, and filing. Appraisement Record, entry 213; Inventory Record, entry 214, including Guardians' Inventory Record, entry 216; Real Estate Sale Record, entry 219; Sale Record Personal Property, entry 221, subsequently kept separately. Arr. by date of filing. 1849-53, no index; 1854-65, indexed alph. by name of estate. Hdw. 375.- 575 p. 13 x 8½ x 1½ - 18 x 12 x 2½. Co. clk.'s vlt., 1st fl.

216. **Guardians' Inventory Record, 1884-1906.** 1 v. 1849-65 in Inventory, Sale Bill, and Appraisement Record, entry 215; 1866-83, 1907-- in Inventory Record, entry 214.

Guardians' inventory record showing legal description and value of real estate, list and value of chattels, lists of annuities, credits, and creditors, and dates of filing and recording. Arr. by date of recording. Indexed alph. by name of estate. Hdw. 250 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

217. **Insolvency Record, 1876-85.** 1 v. 1850-75, 1886-- in Probate Record, entry 202.

Record of settlement of insolvent estates, including petitions for insolvency

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and inventories and appraisements, showing names of estate, creditor, petitioners, administrator, executor, and guardian, or conservator, assets of estates, amounts due, allowances to widows and minor children, and court orders. Arr. by date of recording. Indexed alph. by name of estate. Hdw. on pr. fm. 300 p. 18 x 12 x 1½. Attic strm., 3rd fl.

**Widows' Relinquishment and Selection (See also entry 199)**

218. **Widows' Award and Selection Record, 1874--.** 4 v. (A-D). Title varies: Widows' Relinquishment and Selection Record. 1850-73 in Probate Record, entry 202.

Lists of items selected, relinquished, and allowed widows' showing names of estate, widow, heirs, and appraiser, appraised value, appraisement bill of personal property, statement of appraiser, widow's acknowledgment, and date of filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 600 p. 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

**Petitions, Decrees, Reports of Sale (See also entry 199)**

219. **Real Estate Sale Record, 1866-85.** 2 v. (A, B). 1849-65 in Inventory, Sale Bill, and Appraisement Record, entry 215; 1886-- in Probate Record, entry 202.

Copies of petitions to sell real estate to pay debts, showing names of estate, petitioner, judge, clerk, and creditors, legal description and value of property, and dates of petition and filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 575 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

220. **Record of Decrees, 1865-70.** 1 v. 1850-64, 1871-- in Probate Record, entry 202.

Copies of decrees of court on petitions to sell real estate to pay debts, showing names of estate, petitioner, judge, clerk, and creditors, description of property sold, and dates of order, petition, sale, and filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 500 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

221. **Sale Record Personal Property, 1866--.** 4 v. (A-D). Title varies: Sale Record. 1849-65 in Inventory, Sale Bill, and Appraisement Record, entry 215.

Copies of reports of personal property sales, showing names of estate, petitioner, judge, clerk, and purchaser, list and description of property, amount of sale, and dates of petition, sale, filing, and recording. Arr. by date of recording. Indexed alph. by name of estate. Hdw. on pr. fm. 550 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

**Reports, Current and Final Accounts (See also entry 199)**

222. **Administrators', Executors', and Guardians' (Conservators') Report Record, 1876-77, 1904--.** 8 v. (A, 1-7). Title varies: Report Record. 1850-75, 1878-1903 in Probate Record, entry 202.

Copies of reports of administrators, executors, guardians, and conservators of estates, showing names of estate and administrative officer, date,

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items and amounts of receipts and expenditures, and recapitulation. Also contains Estate Ledger, 1923--, entry 224. Arr. by date of report. Indexed alph. by name of estate. 1876-77, 1904-23, hdw.; 1924--, typed. 600 p. 18 x 13 x 3. V. A, 1876-77, 1-4, 1904-23, co. clk.'s vlt., 1st fl.; v. 5-7, 1924--, co. clk.'s off., 1st fl.

223. **Account Current, 1848-84.** 2 v. (1 not lettered, B). Missing: 1854-64.

Administrators', executors', guardians', and conservators' ledger of accounts of estates, showing names of estate, minor heirs, and administrative officer, date of allowance, itemized lists of disbursements, amounts of inventory, appraisal, and sale bills, names of sureties, and dates of filing and recording. Also contains Estate Ledger, 1848-76, entry 224. Arr. by date of recording. Indexed alph. by name of estate. Hdw. under pr. hdgs. 400 p. 18 x 12 x 2. Attic strm., 3rd fl.

224. **Estate Ledger, 1877-1922.** 9 v. (A, C-I, 1). Title varies: Estate Guardians' Ledger; Estate Ledger Administrators'; Probate Ledger; Guardians' Ledger. 1848-76 in Account Current, entry 223; 1923-- in Administrators', Executors', and Guardians' (Conservators') Report Record, entry 222.

Ledger accounts of claims against estates, showing names of deceased, widow, executor, administrator, guardian, and minor, dates of death, proof of will, and petitions and decrees to sell real estate, amount of bond, types and amounts of claims allowed, and remarks. Arr. by date of proof of will. Indexed alph. by name of estate. Hdw. under pr. hdgs. 578 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

**DOCKETS**

**Court Proceedings**

225. **Judge's Transfer Docket Probate, 1855--.** 12 v. (A, B, 1-5, 5 not labeled). Missing: 1874-79. Title varies: Estate Docket; Probate Judge's Docket.

Judge's docket of cases in probate court, showing date of petition, names of estate, administrative officer, witnesses, attorney, judge, and clerk, type of action, and abstract of proceedings. Arr. by date of petition. No index. Hdw. under pr. hdgs. 600 - 700 p. 18 x 12 x 2 - 16 x 14 x 3½. Co. clk.'s vlt., 1st fl.

**Probate Business**

226. **Probate Claim Docket, 1859--.** 6 v. (A-F).

Docket of claims against estates, showing names of claimant and estate, date, nature, and amount of claim, and amount allowed. Also contains Probate Judgment Docket, 1859-72, 1911--, entry 227. Arr. by date of claim. Indexed alph. by name of estate. Hdw. under pr. hdgs. 500 p. 18 x 12 x 2½. V. A, 1859-78, attic strm., 3rd fl.; v. B-F, 1879--, co. clk.'s vlt., 1st fl.

227. **Probate Judgment Docket, 1873-1910.** 3 v. (B-D). 1859-72, 1911-- in Probate Claim Docket, entry 226.

Docket of judgments of claims against estates, showing names of claimant and estate, date, amount, number, and nature of claim, memoranda as to summons and notice, and judgment of court. Arr. by date of claim. Indexed alph. by name of estate; for sep. index, see entry 228. Hdw. under pr. hdgs. 300 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

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Fee Books**

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**228. Index to Probate Judgment Docket Direct (Indirect), 1873-1910.**  
1 v.

Direct and indirect index to Probate Judgment Docket, entry 227, showing names of claimants and estate, and docket and page of entry. Arr. alph. by names of estate and claimant. Hdw. under pr. hdgs. 350 p. 18 x 12-x 2. Co. clk.'s vlt., 1st fl.

**229. Docket of Settlements Due, 1875-84.** 1 v.

Docket of amounts due estates, including annual and final reports, showing names of estate and administrative officer, dates of letters and approval, amount of claim, name of debtor, and remarks. Arr. by date of letters. No index. Hdw. under pr. hdgs. 300 p. 17 x 12 x 1½. Attic strm., 3rd fl.

For record of settlements, see entry 202.

**FEE BOOKS**

**230. Probate Fee Book, 1850--.** 12 v. (1 not lettered, A, A-J).  
Missing: 1860-66.

Ledger of fees paid in probate cases, showing date, names of estate and administrating persons, amounts and dates of receipts and expenditures, and itemized statement of fees. Arr. by date of initial fee. Indexed alph. by name of estate. Hdw. on pr. fm. 600 p. 18 x 13 x 3. 1 v. not lettered, 1850-59, attic strm., 3rd fl.; v. A, A-J, 1867--, co. clk.'s vlt., 1st 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 Saline County by justices of the Supreme Court,<sup>3</sup> from 1847 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 first circuit is made up of nine counties, one of which is Saline.<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>

The hearings of several of the election contests are held before this court. Jurisdiction is granted to the court to hear and determine contests of the election of judges of the Supreme Court, judges of the circuit court, and members of the State Board of Equalization; but no judge of the circuit court is allowed to sit upon the hearing of any case in which he is a party.<sup>9</sup> The circuit court also hears and determines the election contests of some of the local and county offices. These include contests of judge of the county court, mayors of cities, president of the county board, presidents of villages, elections in reference to removal of county seats and in reference to any other subject which may be submitted to the vote of the people of the county. The circuit court has concurrent jurisdiction with the county court in cases of contested elections under the latter's jurisdiction.<sup>10</sup>

Included under the jurisdiction of the circuit court are also appeals

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1. Constitution of 1870, Art. VI, sec. 12; L. 1871-72, p. 109; R. S. 1874, p. 344; L. 1895, p. 189; L. 1933, p. 688; L. 1935, p. 1.
  2. 2 U. S. S. L. 155; U. S. R. S. 1789-1874, p. 378-80; 34 U. S. S. L. 596; 37 U. S. S. L. 737; 44 U. S. S. L. 709.
  3. L. 1841, p. 173; R. S. 1845, p. 143.
  4. Constitution of 1848, Art. V, sec. 7, 15.
  5. Constitution of 1870, Art. VI, sec. 13.
  6. L. 1933, p. 436.
  7. Constitution of 1870, Art. VI, sec. 12; L. 1933, p. 436.
  8. L. 1933, p. 621; L. 1937, p. 189, 606. In 1835 the salary of the circuit judge was \$750 per annum (L. 1835, p. 167). The Constitution of 1870 set the salary at \$3,000 until otherwise provided by law (Constitution of 1870, Art. VI, sec. 16). A few of the recent changes were: from 1919 to 1925 for judges elected during this period, \$6,500; for the period 1925 to 1933, those elected received \$8,000 per year (L. 1919, p. 553, 554; L. 1925, p. 400; L. 1931, p. 148).
  9. L. 1899, p. 152.
  10. L. 1871-72, p. 396; L. 1895, p. 170.

## Circuit Court

from the Illinois Commerce Commission's rules, regulations, orders, or decisions. Such appeals may be taken to the circuit court serving Saline 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>11</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 Saline County is in session. A branch court is held by any circuit judge or by a judge of any other circuit called in for the purpose of hearing and deciding motions and settling the issues in any or all causes pending in the circuit court, and for the purpose of hearing chancery causes and cases at law which are pending in such court for that term. The presiding judge of the main circuit court assigns to the branch court as many of the law and chancery cases as the presiding judge of the branch court will possibly have time to hear.<sup>12</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>13</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 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>14</sup>

The probation officer for adult probationers is an appointee of the circuit court.<sup>15</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>16</sup> In the performance of his prescribed duties, the probation officer principally serves the county and circuit courts. He is re-

11. L. 1921, p. 742, 743.

12. L. 1873-74, p. 62, 83; L. 1905, p. 146.

13. L. 1835, p. 167, 168; L. 1933, p. 441, 442.

14. L. 1933, p. 463, 464.

15. L. 1911, p. 280.

16. *Ibid.*, p. 277.

## Circuit Court

quired 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>17</sup> Saline County is allowed one probation officer under the allowance of one for each fifty thousand, or fraction thereof, of population.<sup>18</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>19</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.

The probation officer is required to keep complete accurate records of investigated cases, including descriptions of the investigated persons, the action of the court, and the subsequent history of probationers. These are records open to inspection by any judge or by any probation officer pursuant to a court order and are not public records.<sup>20</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>21</sup> This official performs the ministerial duties of the circuit court of Saline County and files and preserves its records as well as those of the branch circuit court.<sup>22</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>23</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 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>24</sup>

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17. L. 1911, p. 280, 281; L. 1915, p. 380, 381.

18. L. 1915, p. 380. School census to be basis for determining population.

19. L. 1911, p. 281, 282; L. 1915, p. 381, 382.

20. L. 1911, p. 277-84; L. 1915, p. 378-84.

21. Constitution of 1848, Art. V, sec. 7, 21, 29; Constitution of 1870, Art. X, sec. 8.

22. L. 1905, p. 147.

23. R. S. 1874, p. 260.

24. L. 1873-74, p. 95.



## Circuit Court

The clerk of the circuit court was first appointed by the circuit judge in Saline County.<sup>25</sup> He kept a record of all the oaths that he administered and certified a copy annually to the Secretary of State.<sup>26</sup> The clerk preserved a complete record of all proceedings and determinations of the court of which he was clerk.<sup>27</sup> At each term of the circuit court, the clerk inquired into the condition of the treatment of prisoners and was required to see that all prisoners were humanely treated.<sup>28</sup> This authority was in later years, and is at present, delegated to the circuit court.<sup>29</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>30</sup> The Constitution of 1848 made the clerk of the circuit court an elective officer of the county with a four-year term. This arrangement has continued until the present.<sup>31</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>32</sup> This order is entered as of record and the compensation of such assistants and deputies is set by the county board.<sup>33</sup>

Among the records kept by the clerk for the circuit court are the following:<sup>34</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 lawsuits 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.

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25. Constitution of 1818, Art. IV, sec. 6; R. L. 1833, p. 152; R. S. 1845, p. 146.

26. L. 1819, p. 349.

27. R. L. 1829, p. 44; R. L. 1333, p. 152; R. S. 1845, p. 147.

28. R. L. 1827, p. 248.

29. R. S. 1874, p. 616; L. 1923, p. 424.

30. R. L. 1829, p. 35.

31. Constitution of 1848, Art. V, sec. 29; Constitution of 1870, Art. X, sec. 9.

32. L. 1831, p. 49; Constitution of 1870, Art. X, sec. 9.

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

34. The Civil Practice Act of 1933 grants authority to the circuit court, subject to rules promulgated by the Supreme Court and not inconsistent with statutory requirements, to make such rules as they may deem expedient, regulating dockets and calendars of said court (L. 1933, p. 786).

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.
7. Transcripts of proceedings in appeals from justices', city, and foreign courts, dockets thereof, and transcripts of judgments for liens, etc., from the former. Separate well-bound books are required to be kept for each city court. These books are to contain an alphabetical docket of all judgment decrees rendered in the city court. They also provide for entry of data relating to the filing and the transcript with the corresponding number of the transcript.<sup>35</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>36</sup>

**PROCEEDINGS OF COURT**

- 231. Plaintiffs' - Defendants' Index to Court Records, 1857--.** 12 v. (1-6, plaintiff; 1-6, defendant).

Index to Court Papers (Common Law), entry 233; Court Papers (Chancery), entry 234; Court Papers (Criminal), entry 235; Circuit Court Record (Common Law), entry 243; Judgment Record in Vacation, entry 244; Chancery Record, entry 245; Criminal Record, entry 247, showing names of plaintiff and defendant, type and number of case, and book and page of entry. Arr. alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 300 p. 18 x 12 x 2½. Cir. clk.'s vlt., 1st fl.

- 232. Index to Court Papers, 1864-1920.** 3 v. (A-C).

Index to Court Papers (Common Law), entry 233; Court Papers (Chancery), entry 234; Court Papers (Criminal), entry 235, showing names of plaintiff and defendant, type of action, dates of commencement and disposal, and case number. Arr. alph. by name of plaintiff. Hdw. under pr. hdgs. 550 p. 18 x 12 x 2½. Cir. clk.'s vlt., 1st fl.

35. R. S. 1874, p. 347; L. 1901, p. 136, 137.

36. R. L. 1827, p. 217; R. S. 1845, p. 323-26, 414, 418, 419, 518; L. 1865, p. 79, 80; R. S. 1874, p. 262, 263, 339, 616; L. 1895, p. 217; L. 1933, p. 442, 677; 2 U. S. S. L. 153-55; U. S. R. S. 1789-1874, p. 378-80; 34 U. S. S. L. 596-607, 709, 710; 45 U. S. S. L. 1514, 1515.

**233. Court Papers (Common Law), 1853--.** 127 f. b.

Original documents in common law cases, including summonses, subpoenas, affidavits of witnesses, defendants' answers, instructions to jury, stipulations, pleas, replications, motions for new trial, challenges to array of jurors, disposition of evidence, verdicts, writs of mittimus, court orders, and receipts for fees. Arr. by case no. 1853-56, no index; for index, 1857--, see entry 231; for additional index, 1864-1920, see entry 232. Hdw. on pr. fm. 11 x 5 x 14. 4 f. b., 1853-64, common vlt., bsmt.; 33 f. b., 1865-86, cir. clk.'s vlt., 1st fl.; 90 f. b., 1887--, cir. clk.'s off., 1st fl.

**234. Court Papers (Chancery), 1851--.** 143 f. b. (6 not numbered, 1-59, 78 not numbered).

Circuit court chancery case files, including bills, summonses, citations, petitions, affidavits, subpoenas, orders, defendants' answers, demurrers, instructions to jury, stipulations, decrees, writs of mittimus, final orders of reversal, praecipes for executions, and receipts for fees. Arr. by case no. 1851-56, no index; for index, 1857--, see entry 231; for additional index, 1864-1920, see entry 232. Hdw. on pr. fm. 11 x 5 x 14. 6 f. b. not numbered, 1851-64, common vlt., bsmt.; f. b. 1-59, 14 not numbered, 1865-1904, cir. clk.'s vlt., 1st fl.; 64 f. b. not numbered, 1905--, cir. clk.'s off., 1st fl.

**235. Court Papers (Criminal), 1854--.** 126 f. b.

Files of papers in criminal cases, including praecipes for executions, habeas corpus writs, complaints before justices, warrants for arrest, bail bonds, indictments, transcripts of evidence, instructions to jury, verdicts of jury, writs of mittimus, orders for fees, receipts for fees, and orders of court. Arr. by case no. 1854-56, no index; for index, 1857--, see entry 231; for additional index, 1864-1920, see entry 232. Hdw. on pr. fm. 11 x 5 x 14. 2 f. b., 1854-64, common vlt., bsmt.; 32 f. b., 1865-86, cir. clk.'s vlt., 1st fl.; 92 f. b., 1887--, cir. clk.'s off., 1st fl.

**236. Bond Files (Miscellaneous Papers), 1861--.** 6 f. b.

Files of miscellaneous papers in circuit court cases, including state, bench, and search warrants, criminal capias, complaints, bonds under workmen's compensation act, and sheriff's recognizance, justices' bail, appeal, injunction, and general bonds. No obvious arr. No index. Hdw. on pr. fm. 10½ x 5 x 14. 4 f. b., 1861-1915, common vlt., bsmt.; 1 f. b., 1916-23, cir. clk.'s vlt., 1st fl.; 1 f. b., 1924--, cir. clk.'s off., 1st fl.

**237. Miscellaneous Court Writs and Papers, 1886--.** 7 f. b.

Circuit clerk's file of miscellaneous court papers. Contains:

- i. Jury venires, 1901-33, showing date and place of summons, name and address of juror, and signature of clerk.
- ii. Mechanics' liens, 1886-1933, showing names of plaintiff and defendant, and date, amount, and purpose of claim.
- iii. Recognizance bonds, 1917-28, showing names of defendant and sureties, date, amount, and obligations of bond, and sheriff's approval.
- iv. Subpoenas for witnesses, 1918--, showing name and address of witness, names of plaintiff and defendant, date of issue, and signature of clerk.

**Circuit Court-Proceedings  
of Court**

(238-243)

Also contains Executions, 1886-1933, entry 240; Sheriff's Certificate of Purchase, 1886-1933, entry 241; State's Attorney Reports, 1886-1933, entry 267; Master in Chancery Reports, 1886-1933, entry 268. No obvious arr. No index. Hdw. and typed on pr. fm.; hdw. under pr. hdgs.; typed. 4½ x 4½ x 11. Cir. clk.'s vlt., 1st fl.

238. **Mechanics' Lien, 1887--.** 4 f. b. (3 f. b. 1887--; 1 f. b. 1934--). Mechanics' statements of claims for lien, showing name of claimant, kind, date, purpose, and value of material furnished, and remarks. Arr. by date of lien. No index. Hdw. on pr. fm. 4½ x 4½ x 11 - 10½ x 5 x 14. 2 f. b., 1887-1911, common vlt., bsmt.; 2 f. b., 1912--, cir. clk.'s vlt., 1st fl.

For mechanics' liens, 1886-1933, see entry 237 [ii].

239. **Notice of Tax Liens, 1928--.** 1 f. b. Original notices of tax liens under internal revenue laws, showing date, name of taxpayer, address or place of business, nature and amount of tax, signature of collector, and acknowledgment. No obvious arr. No index. Typed on pr. fm. 4½ x 4½ x 11. Cir. clk.'s off., 1st fl.

240. **Executions, 1934--.** 1 f. b. 1886-1933 in Miscellaneous Court Writs and Papers, entry 237. Original executions returned, showing date, names of plaintiff and defendant, sheriff's fees, clerk's costs, date of filing, and signature of attorney. No obvious arr. No index. Typed. 4½ x 4½ x 11. Cir. clk.'s off., 1st fl.

241. **Sheriff's Certificate of Purchase, 1934--.** 1 f. b. 1886-1933 in Miscellaneous Court Writs and Papers, entry 237. Original sheriff's certificates of purchase, showing date of issue, date, amount, and place of sale, description of property, and signature of sheriff. No obvious arr. No index. Typed on pr. fm. 4½ x 4½ x 11. Cir. clk.'s off., 1st fl.

242. **Mittimus Returned, 1934--.** 1 f. b. Original writs of mittimus returned to circuit clerk by sheriff, showing dates of issue and commitment to prison, names of prisoner, state's attorney, judge, and clerk, and cause for sentence to prison. No obvious arr. No index. Typed on pr. fm. 4½ x 4½ x 11. Cir. clk.'s off., 1st fl.

243. **Circuit Court Record (Common Law), 1848--.** 23 v. (A-N, N-P, P-R, 1-3). Title varies: Law Record; Order Book. Record of common law cases in circuit court, showing date, names of plaintiff, defendant, attorneys, judge, sheriff, and clerk, cause of action, motions, and proceedings and orders of court. Also contains Judgment Record in Vacation, 1848-95, entry 244; Chancery Record, 1848-66, entry 245, including Divorce Record, entry 246; Criminal Record 1848-71, entry 247, including Indictment Record, entry 248, Bail Bond Record, entry 276, Probation Record, entry 278. Arr. by date of proceedings. Indexed alph. by name of plaintiff; for sep. index, 1857--, see entry 231. 1848-1935, hdw.; 1936--, typed. 580 - 754 p. 18 x 12 x 2 - 18 x 12 x 2½. Cir. clk.'s vlt., 1st fl.

**Circuit Court-Proceedings  
of Court**

(244-249)

- 244. Judgment Record In Vacation, 1896--.** 4 v. (I-L). 1848-95 in Circuit Court Record (Common Law), entry 243.

Record of judgments in court vacation, showing date, names of plaintiff and defendant, amounts of judgment and costs, and signature of clerk. Arr. by date of judgment. Indexed alph. by name of plaintiff; for sep. index, see entry 231. Hdw. on pr. fm. 295 p. 18 x 12 x 2. V. I, J, 1896-1923, common vlt., bsmt.; v. K, L, 1924--, cir. clk.'s vlt., 1st fl.

- 245. Chancery Record, 1867--.** 35 v. (D-Z, 1-12). 1848-66 in Circuit Court Record (Common Law), entry 243.

Record of chancery cases, showing term date, names of plaintiff and defendant, type of case, and orders of court. Also contains Divorce Record, 1867-96, 1936--, entry 246. Arr. by date of court order Indexed alph. by name of plaintiff; for sep. index, see entry 231. 1867-94, 1908-36, hdw.; 1895-1907, hdw. on pr. fm.; 1937--, typed. 580 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

- 246. Divorce Record, 1897-1935.** 3 v. (A-C). 1848-66 in Circuit Court Record (Common Law), entry 243; 1867-96, 1936-- in Chancery Record, entry 245.

Record of divorce decrees, showing date and term of court, names of judge, plaintiff, defendant, and attorneys, abstract of proceedings, and date of decree. Arr. by date of decree. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 437 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

- 247. Criminal Record, 1872--.** 10 v. (1 not lettered, F-N). 1848-71 in Circuit Court Record (Common Law), entry 243.

Record of criminal cases, showing date and term of court, names of plaintiff, defendant, judge, and attorneys, cause of action, motions, abstract of proceedings, and orders of court. Also contains Indictment Record 1872-73, entry 248; Recognizance Record, 1924--, entry 275, including Recognizance Record in Probation, entry 277; Bail Bond Record, 1872-1917, 1919--, entry 276; Probation Record, 1872-1915, 1918--, entry 278. Arr. by date of court order. Indexed alph. by name of plaintiff; for sep. index, see entry 231. Hdw. 592 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

- 248. Indictment Record, 1874--.** 6 v. (1-6). 1848-71 in Circuit Court Record (Common Law), entry 243; 1872-73 in Criminal Record, entry 247.

Record of indictments, showing term of court, names of plaintiff, defendant, witnesses, state's attorney, and judge, nature of charge, amount of bail, date of filing, and signature of grand jury foreman. Arr. by date of filing. Indexed alph. by name of defendant. 1874-1925, hdw. on pr. fm.; 1926--, hdw. 450 p. 18 x 12 x 2½. V. 1-3, 1874-1912, cir. clk.'s vlt., 1st fl.; v. 4-6, 1913--, cir. clk.'s off., 1st fl.

- 249. Praecepta For Execution, 1886--.** 3 v. (2, 2 not numbered).

Record of praecipes for executions, showing names of plaintiff and defendant, cause of action, dates of issue and return, and signatures of judge, sheriff, and plaintiff's attorney. Arr. by date of issue. No index. Hdw. on pr. fm. 150 - 200 p. 13½ x 8 x 1 - 15 x 13½ x 1. V. 2, 1886-1900, attic strm., 3rd fl.; 1 v. not numbered, 1901-22, common vlt., bsmt.; 1 v. not numbered, 1923--, cir. clk.'s off., 1st fl.

**TRANSCRIPTS**

**250. Files of Justice of Peace Transcript Cases, 1887--.** 5 f. b. Files of justice of peace transcripts, including executions, summonses, and transcripts of judgment for execution to sell land. No obvious arr. No index. Hdw. on pr. fm. 10½ x 5 x 14. 3 f. b., 1887-1912, common vlt., bsmt.; 2 f. b., 1913--, cir. clk.'s vlt., 1st fl.

**251. Record of Justice of Peace Transcripts, 1852--.** 3 v. (1 not lettered, B, C).  
Transcripts of justice of peace cases, showing names of justice, plaintiff, defendant, and jurors, cause of action, costs, date, and orders of court. Arr. by date of court order. 1852-75, no index; 1876--, indexed alph. by name of justice. 1852-75, hdw.; 1876--, hdw. on pr. fm. 502 p. 18 x 11- x 1½. 1 v. not lettered, 1852-75, attic strm., 3rd fl.; v. B, C, 1876--, cir. clk.'s vlt., 1st fl.

**DOCKETS**

**252. Judges' Docket (Law), 1848--.** 25 v. (1 not lettered, C-Z).  
Missing: 1857-60.  
Docket of law cases, showing case number, date and term of court, names of plaintiff, defendant, and attorneys, type of action, and abstract of proceedings. Also contains Judges' Docket (Chancery), 1848-1909, entry 253; Judges' Docket (Criminal), 1848-1909, entry 254; Lien and Satisfaction Docket, 1848-86, entry 256. Arr. by case no. No index. 1848-56, hdw.; 1861--, hdw. under pr. hdgs. 300 - 500 p. 18 x 12 x 2 - 14 x 13 x 3. 1 v. not lettered, 1848-56, v. C-R, 1861-1909, common vlt., bsmt.; v. S-Z, 1910--, cir. clk.'s vlt., 1st fl.

**253. Judges' Docket (Chancery) 1910--.** 7 v. (S-Y). 1848-1909 in  
Judges' Docket (Law), entry 252.  
Docket of chancery cases, showing case number, date and term of court, names of plaintiff, defendant, and attorneys, cause of action, and summary of case. Arr. by case no. No index. Hdw. under pr. hdgs. 500 p. 14 x 13 x 3. Cir. clk.'s vlt., 1st fl.

**254. Judges' Docket (Criminal), 1910--.** 3 v. (S-U). 1848-1909 in  
Judges' Docket (Law), entry 252.  
Docket of criminal cases in circuit court, showing case number, date and term of court, names of plaintiff, defendant, and attorneys, cause of action, and summary of case. Arr. by case no. No index. Hdw. under pr. hdgs. 500 p. 14 x 13 x 3. Cir. clk.'s vlt., 1st fl.

**255. Clerk's Issue Docket, 1852--.** 11 v. (2 not lettered, A-F, H-J).  
Missing: 1862-74.  
Process docket showing case number, names of plaintiff and defendant, type of action, date and name of person charged with service of process, date of return, and summary of case. Arr. by case no. 1852-99, indexed alph. by name of defendant; 1900--, no index. Hdw. under pr. hdgs. 240 p. 15 x 12 x 2. 2 v. not lettered, 1852-61, v. E, H, 1902-27, common vlt., bsmt.; v. A-D, F, 1875-1901, attic strm., 3rd fl.; v. I, J, 1928--, cir. clk.'s off., 1st fl.

256. **Lien and Satisfaction Docket**, 1887--. 4 v. (A, 1-3). Title varies: Docket of Mechanics' Liens; Lien Docket. 1848-86 in Judges Docket (Law), entry 252.

Docket of mechanics' liens, showing date, docket number, names of plaintiff and defendant, amount, legal description of property charged with lien, and notation and date of satisfaction. Arr. by date of lien. No index. Hdw. under pr. hdgs. 580 p. 18 x 12 x 3. V. A, 1887-1910, attic strm., 3rd fl.; v. 1, 2, 1911-25, common vlt., bsmt.; v. 3, 1926--, cir. clk.'s vlt., 1st fl.

257. **Judgment and Execution Docket**, 1910--. 5 v. (H, J-M).

Docket of judgments and executions, showing names of plaintiff and defendant, case number, term of court, nature and amount of judgment, total amount of debt, damages, and costs, dates of issue and sheriff's return, and notation and date of satisfaction. 1848-1909, Judgment Docket, entry 258, and Execution Docket, entry 259, kept separately. Arr. by date of issue. Indexed alph. by name of defendant. Hdw. on pr. fm. 300 p. 18 x 12 x 2. V. H, 1910-14, common vlt., bsmt.; v. J-M, 1915--, cir. clk.'s vlt., 1st fl.

258. **Judgment Docket**, 1848-1909. 7 v. (A-G). 1910-- in Judgment and Execution Docket, entry 257.

Docket of judgments, showing term of court, case number, names of plaintiff and defendant, nature and amount of judgment, amount of costs, and dates of issue and satisfaction. Arr. by date of issue. Indexed alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 300 p. 18 x 12 x 2. Common vlt., bsmt.

259. **Execution Docket**, 1848-1909. 3 v. (A-C). 1910-- in Judgment and Execution Docket, entry 257.

Docket of executions in circuit court, showing names of plaintiff, defendant, and sheriff, number and date of execution, amounts of debt or damages and costs, and date of sheriff's return. Arr. by date of execution. Indexed alph. by names of plaintiff and defendant. Hdw. under pr. hdgs. 300 p. 18 x 12 x 2. Common vlt., bsmt.

260. **Master's In Chancery Docket**, 1874-1903. 1 v.

Docket of master in chancery cases, showing names of plaintiff and defendant, date of term of court, cause of action, legal description of property, and date of sale. Arr. by date of court term. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 400 p. 11 x 14 x 2. Attic strm., 3rd fl.

261. **Motion Docket**, 1912-13. 1 v.

Docket of motions, showing names of plaintiff, defendant, and attorneys, case number, date and term of court, type of action, and abstract of proceedings. Arr. by date of motion. No index. Hdw. 200 p. 15 x 12 x 1½. Common vlt., bsmt.

262. **Bar Dockets**, 1895-1934. 6 v. (2 not lettered, C, D, 2 not lettered). Missing: 1900-1908.

Bar docket of common law, criminal, and chancery cases, showing term of court, case number, names of plaintiff, defendant, and attorneys, type of action, and date of hearing. Arr. by date of hearing. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 200 p. 15 x 12 x 1½. Attic strm., 3rd fl.

**Circuit Court- Fee  
Books; Reports to Court**

(263-269)

263. **General Docket, 1891-99.** 1 v.  
General docket of circuit court cases, showing case number, term of court, names of plaintiff, defendant, and attorneys, cause of action, and abstract of proceedings. Arr. by case no. No index. Hdw. under pr. hdgs. 476 p. 18 x 12 x 1½. Attic strm., 3rd fl.

264. **Clerk's Docket, 1863-85.** 6 v. (A-D, F, 1 not lettered). Missing: 1868-71.  
Clerk's docket of circuit court cases, showing date and term of court, case number, names of plaintiff, defendant, and attorneys, cause of action, and abstract of proceedings. Arr. by case no. No index. Hdw. under pr. hdgs. 231 p. 14 x 8 x 1½. Attic strm., 3rd fl.

**FEE BOOKS**

265. **Fee Book (Law, Criminal), 1848--.** 29 v. (1 not labeled, B-U, W-Z, 1, 1-3).  
Circuit clerk's record of fees collected in common law and criminal cases, showing names of plaintiff and defendant, case number, date and amount of payment. Also contains Fee Book (Chancery), 1848-1916, entry 266, including Alimony and Child Support, entry 282. Arr. by date of filing suit. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 550 p. 18 x 12 x 2. 1 v. not labeled, v. B-L, 1848-95, attic strm., 3rd fl.; v. M-U, 1896-1916, common vlt., bsmt.; v. W-Z, 1, 1, 1917-33, cir. clk.'s vlt., 1st fl.; v. 2, 3, 1934--., cir. clk.'s off., 1st fl.

266. **Fee Book (Chancery), 1917--.** 5 v. (W-Z, 1). 1848-1916 in Fee Book (Law, Criminal), entry 265.  
Record of fees received in chancery cases, showing names of plaintiff and defendant, case number, total amount of fees, name of payer, and date of payment. Also contains Alimony and Child Support, 1917-37, entry 282. Arr. by date of filing suit. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 550 p. 18 x 12 x 2. V. W, 1917-22, common vlt., bsmt.; v. X, 1923-28, cir. clk.'s vlt., 1st fl.; v. Y, Z, 1, 1929--., cir. clk.'s off., 1st fl.

**REPORTS TO COURT**

267. **State's Attorney Reports, 1934--.** 1 f. b. 1886-1933 in Miscellaneous Court Writs and Papers, entry 237.  
Quarterly reports of state's attorney to circuit court, showing date of report, amounts received for fines, fees, and forfeitures, amount paid to county treasurer, amounts withheld for official operations and salaries, signature of state's attorney, and notarial acknowledgment. No obvious arr. No index. Typed on pr. fm. 4½ x 4½ x 11. Cir. clk.'s off., 1st fl.

268. **Master in Chancery Reports, 1934--.** 1 f. b. 1886-1933 in Miscellaneous Court Writs and Papers, entry 237.  
Reports of master in chancery, showing date of report, itemized account of receipts and disbursements, balance available, signature of master, and notarial acknowledgment. No obvious arr. No index. Typed. 4½ x 4½ x 11. Cir. clk.'s off., 1st fl.

269. **State's Attorney's and Master's Report Record, 1873--.** 2 v. (A, B).  
Record of state's attorney's reports to circuit court, showing date and



term of court, name of state's attorney, judge, and defendant, nature of indictment, date of conviction, itemized account of fees, fines, and forfeitures, and date of filing; includes some master in chancery reports, 1930--. Arr. by date of report. Indexed alph. by name of state's attorney or master in chancery. Hdw. 604 p. 18 x 13 x 2½. V. A, 1873-1929, common vlt., bsmt.; v. B, 1930--, cir. clk.'s vlt., 1st fl.

**270. Master's Report Record, 1894--.** 4 v. (1, 2, E, G). Title varies: Master's Report of Sales.

Copies of master's reports of sales, showing names of complainant, defendant, judge, and purchaser, legal description of property, and date and amount of sale. Arr. by date of report. Indexed alph. by name of master. Hdw. on pr. fm. 296 p. 18 x 12 x 1½. Cir. clk.'s vlt., 1st fl.

**271. Master's Final Reports, 1895--.** 2 v. (A, B).

Copies of master's final reports to circuit court, showing name of redeemer, legal description of property, reason for sale, redemption period, date of surrender of certificate of purchase, and dates of sale, delivery of deed, and report. Arr. by date of report. Indexed alph. by name of redeemer. Hdw. on pr. fm. 424 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

#### JURY RECORDS

(See also entries 1, 42, 237 [i], 251, 311)

**272. Jury Venires, 1883--.** 1 cardboard box, 5 f. b. (4 f. b., 1883--; 1 f. b., 1934--).

Venires for grand and petit jurors, showing time, date, and place of summons, name and address of summoned person, remarks, and signature of clerk. No obvious arr. No index. Hdw. on pr. fm. Cardboard box 12 x 12 x 14; f. b. 4½ x 4½ x 11 - 10½ x 5 x 14. 1 cardboard box, 1883-1910, common vlt., bsmt.; 2 f. b., 1911-24, cir. clk.'s vlt., 1st fl.; 2 f. b., 1925--, 1 f. b., 1934--, cir. clk.'s off., 1st fl.

**273. Register of Jurors, 1859--.** 5 v. (3 not numbered, 2, 3). Title varies: Grand and Petit Jurors.

Register of grand and petit jurors, showing names of jurors, date of court term, number of days of service, mileage, amount of fees, and signature of juror. Arr. by date of court term. No index. Hdw. under pr. hdgs. 292 p. 17 x 15 x 1½. 2 v. not numbered, 1859-93, v. 2, 1912-28, common vlt., bsmt.; 1 v. not numbered, 1894-1911, attic strm., 3rd fl.; v. 3, 1929--, cir. clk.'s off., 1st fl.

**274. Jurors' Certificate, 1923--.** 4 v.

Stub record of jurors' certificates, showing date, certificate number, name of juror, number of days of service, mileage, amount of payment, and signature of recipient. Arr. by certificate no. No index. Hdw. on pr. fm. 125 p. 18 x 12 x 1. 3 v., 1923-35, common vlt., bsmt.; 1 v., 1936--, cir. clk.'s off., 1st fl.

#### BONDS

(See also entries 235, 236, 237 [iii] )

**275. Recognizance Record, 1870-1923.** 2 v. (A, B). 1924-- in Criminal Record, entry 247.

Recognizance record, showing name of defendant, nature of indictment,

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amount of bond, and signatures of judge, clerk, sheriff, and state's attorney, and date and place of appearance. Also contains Recognizance Record in Probation, 1870-1914, 1917-23, entry 277. Arr. by date of appearance. Indexed alph. by name of defendant. Hdw. on pr. fm. 300 p. 18 x 12 x 1. Common vlt., bsmt.

276. **Bail Bond Record, 1918.** 1 v. 1848-71 in Circuit Court Record (Common Law), entry 243; 1872-1917, 1919-- in Criminal Record, entry 247.

Record of bail bonds, showing names and addresses of defendant and sureties, schedule of property offered as security, date, amount, and obligations of bond, and dates of filing and schedule. Arr. by date of bond. Indexed alph. by name of defendant. Hdw. on pr. fm. 398 p. 18 x 12 x 2. Common vlt., bsmt.

277. **Recognizance Record in Probation, 1915-16.** 1 v. 1870-1914, 1917-23 in Recognizance Record, entry 275; 1924-- in Criminal Record, entry 247.

Record of recognizance bonds for release of prisoners on probation, showing names of defendant and sureties, crime or offense, date of release pending final judgment, and amount, date, and terms of bond. Arr. by date of bond. Indexed alph. by name of defendant. Hdw. on pr. fm. 292 p. 18 x 12 x 1. Common vlt., bsmt.

**PROBATION AND PAROLE**

278. **Probation Record, 1916-17.** 1 v. 1848-71 in Circuit Court Record (Common Law), entry 243; 1872-1915, 1918-- in Criminal Record, entry 247.

Record of probationary releases, showing names of defendant and sureties, nature of crime or offense, date of release pending final judgment, and amount of bond. Arr. by date of release. Indexed alph. by name of defendant. Hdw. on pr. fm. 310 p. 18 x 12 x 1. Common vlt., bsmt.

279. **Parole Record, 1897-98.** 1 v.

Copies of applications for parole, showing date, names of prison and prisoner, nature of crime, term of sentence, and recommendations of state board of pardons. Arr. by date of application. No index. Hdw. on pr. fm. 485 p. 18 x 12 x 2. Common vlt., bsmt.

**NATURALIZATION**

(See also entry 198)

280. **Naturalization Service - Petition and Record, 1875--.** 14 v. (1, 1 not numbered, 2-7, 3-5, 3 not numbered).

Copies of declarations of intention and petitions for naturalization, showing date, names of alien, witnesses, and native land, oath of allegiance, statistical and personal particulars of alien, and court order granting citizenship. Arr. by date of petition. Indexed alph. by name of petitioner. Hdw. on pr. fm. 50 - 100 p. 8 x 6 x 1 - 18 x 12 x 1. Cir. clk.'s off., 1st fl.

**OFFICE TRANSACTIONS**

**281. Witness Affidavits, 1895--. 8 v.**

Stub record of affidavits of witnesses, showing date, case number, term of court, number of days of service, mileage, and amount of claim. Arr. by date of affidavit. No index. Hdw. on pr. fm. 225 p. 17 x 12 x 1. 5 v., 1895-1910, attic strm., 3rd fl.; 3 v., 1911--, cir. clk.'s off., 1st fl.

**282. Alimony and Child Support, 1938--. 1 v. (1). 1848-1916 in Fee Book (Law, Criminal), entry 265; 1917-37 in Fee Book (Chancery), entry 266.**

Register of alimony payments for child support, showing name, date, and amount of payment, case and order book numbers, and fee book and page of entry. Arr. by case no. Indexed alph. by name of recipient. Hdw. under pr. hdgs. 296 p. 18 x 12 x 2. Cir. clk.'s off., 1st fl.

**MEMORIALS**

**283. Memorial Record, 1928--. 1 v.**

Record of memorials to deceased members of bar association, showing date of death, personal statistics, and notes on legal and public service. Arr. by date of death. Indexed alph. by name of deceased. Typed. 640 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

## VII. SHERIFF

The sheriff, by constitutional provision, has been an elected officer in Saline County from the organization of the county, in 1847, 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 reelection 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>
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>11</sup>
3. To serve, execute, and return all writs, warrants, process, orders, and decrees legally directed to him.<sup>12</sup>
4. To sell real or personal property by virtue of execution or other process.<sup>13</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, 426. The citations also include references to duties not included in the general outline noted above.
  9. L. 1923, p. 423.
  10. R. L. 1827, p. 372; R. S. 1845, p. 515; R. S. 1874, p. 990.
  11. *Ibid.*
  12. *Ibid.*
  13. R. L. 1827, p. 334; L. 1838-39, p. 14-18, 20; R. S. 1845, p. 302, 306, 307; L. 1871-72, p. 505, 507; R. S. 1874, p. 622, 623, 627-29

5. To send fingerprints of criminals to the State Bureau of Criminal Identification and Investigation.<sup>14</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 Saline County:

1. Receipts of deliveries of prisoners in changes of venue.<sup>15</sup>
2. Copies of reports to the county court and circuit court.<sup>16</sup>
3. Reports of pawnbrokers on loans and articles pawned.<sup>17</sup>
4. Data of identification of criminals and stolen property.<sup>18</sup>

The following records may be kept and do appear:

1. Register of prisoners.<sup>19</sup>
2. "Book of Accounts," including records of fees and disbursements.<sup>20</sup>
3. Docket of executions.
4. Process docket.

### PROCESS

#### 284. Execution Docket, 1883--. 4 v. (2-5).

Sheriff's docket of executions, showing case number, names of plaintiff and defendant, type of action, amounts of judgment and fees, dates of judgment, execution, and return, and court of issue. Arr. alph. by name of plaintiff. No index. Hdw. under pr. hdgs. 241 p. 12 x 12 x 2. Sh's off., 1st fl.

#### 285. Sheriff's Process Docket, 1933--. 1 v. (1).

Docket of process service, showing case number, names of plaintiff, defendant, attorneys, and process server, dates of issuance, receipt, service, and return, amounts of fees earned and received, court of issue, and remarks. Also contains Register of Fees, 1933--, entry 287, including Journal (Fees for Executions Served), entry 288. Arr. by date of issuance. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 212 p. 16 x 12 x 2. Sh's off., 1st fl.

### JAIL RECORDS

#### 286. Register of Prisoners, 1873--. 9 v. (5 not numbered, 2-5).

Missing: 1890-1912. Title varies: Jail Record.

Register of persons committed to county jail, showing names of sheriff and prisoner, description and number of prisoner, date, term, and type of sentence, dates of commitment and discharge, amount of fees, and remarks. Arr. by prisoner's no. Indexed alph. by name of prisoner. Hdw. under pr. hdgs. 250 p. 18 x 12 x 2. 2 v. not numbered, 1873-89, 1913-14, attic strm., 3rd fl.; 3 v. not numbered, 2-5, 1915--, sh.'s off., 1st fl.

14. L. 1931, p. 465.

15. R. S. 1874, p. 1096.

16. Ibid., p. 617; L. 1923, p. 424; L. 1933, p. 678.

17. L. 1909, p. 301.

18. L. 1931, p. 465.

19. R. S. 1874, p. 617; L. 1923, p. 424.

20. L. 1871-72, p. 450, 451; L. 1873-74, p. 104, 105.

**FEEES, RECEIPTS AND EXPENDITURES**

287. **Register of Fees, 1873-1926.** 6 v. (3 not numbered, 2, 3, 1 not numbered). Title varies: Sheriff's Receipts and Expenditure Account Book. 1927-32, destroyed; 1933-- in Sheriff's Process Docket, entry 285.

Sheriff's register of receipts and expenditures, showing case number, title of cause, name of payer, date and amount of receipt, date, amount, and purpose of payment, and name of payee. Also contains Journal (Fees for Executions Served), 1873-1905, 1909-26, entry 288. Arr. by date of transaction. No index. Hdw. under pr. hdgs. 500 p. 18 x 12 x 2. 3 v. not numbered, 1873-1910, attic strm., 3rd fl.; v. 2, 3, 1 not numbered, 1911-26, sh.'s off., 1st fl.

288. **Journal (Fees for Executions Served), 1906-8.** 1 v. 1873-1905, 1909-26 in Register of Fees, entry 287; 1933-- in Sheriff's Process Docket, entry 285.

Sheriff's record of fees received for service of execution, showing case number, names of plaintiff, defendant, and sheriff, the amount of fee, date, and name of payer. Arr. by date of transaction. No index. Hdw. on pr. fm. 500 p. 14 x 9 x 1. Sh.'s off., 1st fl.

## VIII. CORONER

The coroner's office in Saline County has continued in existence from the organization of the county, in 1847, 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 a 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 record of such testimony.<sup>8</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>9</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>10</sup>

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. 291.
4. R. S. 1874, p. 281.
5. L. 1819, p. 111, 160; L. 1821, p. 20-23; L. 1825, p. 63, 64; R. L. 1827, p. 246-50, 372, 373, 375; R. S. 1845, p. 515, 517; R. S. 1874, p. 281, 282.
6. L. 1821, p. 22-24; R. S. 1845, p. 517, 518; R. S. 1874, p. 282-84; L. 1879, p. 82; L. 1907, p. 213; L. 1919, p. 403, 404; L. 1931, p. 388, 389.
7. L. 1821, p. 24, 25; R. S. 1845, p. 518; R. S. 1874, p. 283.
8. L. 1869, p. 104, 105; R. S. 1874, p. 283; L. 1907, p. 213, 214; L. 1919, p. 293, 294.
9. L. 1821, p. 25, 26; R. S. 1874, p. 283.
10. Constitution of 1870, Art. X, sec. 9; L. 1881, p. 63.

**289. Inquests, 1900. 4 f. b.**

Coroner's inquest papers showing inquest number, name of deceased, witnesses, jurors, and coroner, date, cause, and place of death, sex, age, and residence of deceased, oath and testimony of witnesses, verdict of jury, coroner's certificate of cause of death, and disposition of personal effects. Arr. by inquest no. 1900-1902, 1913--, no index; for index 1903-12, see entry 290. Hdw. on pr. fm. 12 x 18 x 24. 3 f. b., 1900-1936, common vlt., bsmt.; 1 f. b., 1937--, cor.'s residence, Stonefort, Illinois.

**290. Index To Coroner's Inquest, 1903-12. 1 v.**

Index to Inquests, entry 289, showing name of deceased, date, and inquest number. Arr. alph. by name of deceased. Hdw. under pr. hdgs. 600 p. 18 x 12 x 2. Common vlt., bsmt.

**291. Coroner's Record, 1909--. 9 v. (2-10).**

Record of coroner's inquests, showing names of deceased, jurors, and witnesses, place and date of death, date of inquest, oath and testimony of witnesses, verdict of jury, and disposition of personal effects of deceased. Arr. by date of inquest. Indexed alph. by name of deceased. Hdw. under pr. hdgs. 575 p. 18 x 12 x 2. V. 2-6, 1909-20, common vlt., bsmt.; v. 7-10, 1921--, cor.'s residence, Stonefort, Illinois.



## IX. STATE'S ATTORNEY

In Saline County, since its organization in 1847, 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 Saline County the state's attorney receives an annual salary of \$4,500, 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 or criminal, in any court of record in his county in which the people of the state or county may be concerned.
2. To prosecute all forfeited bonds and recognizances and all actions and proceedings for the recovery of debts, revenues, moneys, fines, penalties, and forfeitures accruing to the state or his county, or to any school district in his county; also to prosecute all suits in his county against railroads or transportation companies, which may be prosecuted in the name of the people of the State of Illinois.
3. To commence and prosecute all actions and proceedings brought by any county officer in his official capacity.
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.

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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. 28; Constitution of 1870, Art. VI, sec. 22; R. S. 1874, p. 172.

7. L. 1835, p. 44.

8. Constitution of 1848, Art. V, sec. 21; Constitution of 1870, Art. VI, sec. 22.

9. L. 1871-72, p. 422; L. 1873-74, p. 104, 105; L. 1909, p. 231-33; L. 1929, p. 474-76; L. 1937, p. 607.

## State's Attorney

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>10</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>11</sup>

For reports of state's attorney, see entries 37, 267, 269.

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10. R. S. 1845, p. 76; R. S. 1874, p. 172-74.

11. L. 1909, p. 406; L. 1912, Third Sp. Sess., p. 88, 89; L. 1929, p. 475.

## X. SUPERVISOR OF ASSESSMENTS

The county supervisor of assessments, with the aid of the township assessors in Saline 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 Saline 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 Saline County were made by the county treasurer<sup>3</sup> until 1890 when township organization was instituted,<sup>4</sup> and assessments were made by township assessors, elected one in each township annually.<sup>5</sup>

Between 1849 and 1898, the assessing officers in Saline County received their assessment lists from, and reported assessments to, the county clerk.<sup>6</sup> In the latter year, the legislature provided that the county treasurer should be ex-officio supervisor of assessments.<sup>7</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 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>8</sup>

For other taxation records, see entries 1, 2, 24, 29, 30, 40, 43-64, 87, 170, 171, 295-305, 350-367.

### 292. (Telephone and Telegraph Taxes), 1885--. 2 v.

Schedules of taxes on telephone and telegraph properties, showing name of company, legal description of property, tax spread, valuation, tax rate, and date. Arr. by date of schedule. No index. Hdw. on pr. fm. 236 p. 17½ x 11½ x 1. 1 v., 1885-1918, co. clk.'s vlt., 1st fl.; 1 v., 1919--, treas.'s vlt., 1st fl.

### 293. Corporation Schedules, Railroad Schedules, 1901--. 3 f. b.

Corporation and railroad tax schedules showing name and address of corporation or railroad, date of schedule, amount, location, and legal description of property, amount of personal property and rolling stock, and names of stockholders. No obvious arr. No index. Hdw. on pr. fm. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

1. L. 1871-72, p. 20-22; L. 1879, p. 243; L. 1881, p. 134; L. 1891, p. 187; L. 1898, p. 37, 40, 44; L. 1903, p. 295, 296; L. 1923, p. 491, 492, 501, 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. 1843, p. 231, 237; L. 1853, p. 46; L. 1873, p. 74. From 1827 to 1839 property assessments were made by the county treasurer (R. L. 1827, p. 330), and from 1839 to 1844 by district assessors (L. 1839, p. 4).

4. Saline County adopted township organization in 1889, but the change was not effective until 1890.

5. L. 1851, p. 38, 54-57; L. 1853, p. 14, 15; L. 1855, p. 35, 37; L. 1871-72, p. 20-24.

6. 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.

7. L. 1898, p. 36, 37.

8. Ibid., p. 38, 39; L. 1923, p. 493, 494; L. 1927, p. 743, 744.

**Supervisor of Assessments**

(294)

**294. Schedule of Personal Property, 1919--,** 4 cartons, 1 bdl.,  
3 boxes, 36 f. d.

Personal property schedules showing name of owner, school district number, itemized list and value of property, date of filing, and signature of assessor. Arr. alph. by name of taxpayer. No index. Hdw. and typed on pr. fm. Cartons, 18 x 20 x 15; bdl., 12 x 18 x 12; boxes, 16 x 18 x 12; f. d., 10 x 5 x 12. 4 cartons, 1 bdl., 3 boxes, 1919-35, co. clk.'s vlt., 1st fl.; 36 f. d., 1936--, treas.'s vlt., 1st fl.

## 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 Saline County, appeals were made to that body.<sup>3</sup> This provision remained effective until 1873 when the board of county commissioners became the administrative body and heard all appeals.<sup>4</sup> When township organization was instituted in 1890<sup>5</sup> this jurisdiction was given to the town board composed of the township supervisor, clerk, and assessor.<sup>6</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 valuation 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 in the description of the lands of nonresidents they deemed necessary, and were required to assess the value of any lands omitted by the assessor.<sup>7</sup> In 1890 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>8</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 citizen appointed by the county judge.<sup>9</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>10</sup>

Today, the board of review in Saline 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

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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, 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. 1845, p. 8; L. 1843, p. 237; R. S. 1845, p. 441.
  3. L. 1849, p. 65
  4. L. 1873-74, p. 79, 80.
  5. Saline County adopted township organization in 1889, but the change was not effective until 1890.
  6. L. 1851, p. 56; L. 1871-72, p. 21, 22, 24, 25.
  7. L. 1851, p. 57, 58; L. 1871-72, p. 24, 25.
  8. L. 1871-72, p. 24, 25.
  9. L. 1898, p. 46.
  10. L. 1923, p. 496, 497; L. 1931-32, First Sp. Sess., p. 71, 72.

**Board of Review****(295-298)**

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>11</sup>

For other taxation records, see entries 1, 2, 24, 29, 30, 40, 43-64, 87, 170, 171, 292-294, 299-305, 350-367.

**295. Tax Objections, 1912--.** 3 f. b.

Tax objections and applications for objections to tax sale, showing name and address of applicant or objector, legal description of property, amounts of assessments, payment, and delinquency, reasons for objection, and orders of board. No obvious arr. No index. Hdw. on pr. fm. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**296. (Board of Review Records), 1899--.** 2 v.

Record of proceedings of board of review, showing date, oath of members assuming office, names of board members and complainant, cause for complaint, legal description of property, and action taken by board. Also contains Complaint Docket (Board of Review), 1910--, entry 297. Arr. by date of proceedings. No index. Hdw. 485 p. 17½ x 11½ x 2½. 1 v., 1899-1934, co. clk.'s vlt., 1st fl.; 1 v., 1935--, co. clk.'s off., 1st fl.

**297. Complaint Docket (Board of Review), 1899-1909.** 1 v. 1910-- in (Board of Review Records), entry 296.

Docket of tax complaints, showing number, date, and cause of complaint, name of complainant, legal description of property, assessed value, value as alleged by complainant, and findings and orders of board. Arr. by date of complaint. No index. Hdw. 480 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

**298. Correction of Back Taxes, 1872-82.** 1 v.

Record of corrections in back taxes, showing name and address of owner, legal description of property, total tax, cost, and interest. Arr. by date of correction. No index. Hdw. under pr. hdgs. 300 p. 17 x 14 x 1. Attic strm., 3rd fl.

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11. L. 1898, p. 46-49; L. 1915, p. 566-70; L. 1919, p. 727, L. 1923, p. 496-502; L. 1930, Sp. Sess., p. 85-90; L. 1931-32, First Sp. Sess., p. 70, 71, 75-78; L. 1935, p. 1163-66.

## XII. COLLECTOR

Tax collections in Saline County were made by the sheriff<sup>1</sup> until 1890 when township organization was instituted,<sup>2</sup> when they became the joint responsibility of the townships and the county, with the county treasurer acting as ex-officio county collector.<sup>3</sup>

Under this plan, town collectors, elected one in each township,<sup>4</sup> made collections of resident property taxes,<sup>5</sup> while nonresident and delinquent taxes were collected by the county treasurer.<sup>6</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>7</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, the amount received from each town collector, and the amount collected by himself.<sup>8</sup>

The collection procedure in Saline 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>9</sup> As Saline County never attained this population minimum,<sup>10</sup> the county collector has continued to make collections for the townships as well as for the county.<sup>11</sup>

The county collector is bonded in an amount determined upon by the county board in addition to that bond required of him as county treasurer.<sup>12</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>13</sup> He also settles annually with the county board.<sup>14</sup> He prepares an annual list of delinquent property and files it with the county clerk,<sup>15</sup> advertises his intention of applying for judgment for sale of delinquent lands and lots,<sup>16</sup> and is required to attend, in person

1. L. 1843, p. 234; L. 1853, p. 99. From 1827 to 1839 tax collections were made by the sheriff (R. L. 1827, p. 370, 374), and from 1839 to 1843, by a county collector, an appointee of the county commissioners' court (L. 1838-39, p. 7).
2. Saline County adopted township organization in 1889, but the change was not effective until 1890.
3. L. 1851, p. 38, 59-64; L. 1853, p. 67.
4. L. 1851, p. 38.
5. *Ibid.*, p. 59.
6. *Ibid.*, p. 53.
7. L. 1855, p. 37.
8. L. 1871-72, p. 56, 57; L. 1873-74, p. 56; L. 1930, 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.
9. L. 1917, p. 793.
10. The population of Saline County was 30,204 in 1910; 38,353 in 1920; and 37,100 in 1930 (Population Bulletin, p. 9).
11. L. 1925, p. 605; L. 1929, p. 774, 775; L. 1931, p. 905-8; L. 1933, p. 1115, 1116.
12. L. 1871-72, p. 36; L. 1931, p. 748; L. 1931-32, First Sp. Sess., p. 85, 86; L. 1933-34, Third Sp. Sess., p. 225, 226.
13. L. 1871-72, p. 56-59; L. 1933, p. 922; L. 1935, p. 1156, 1213; L. 1935-36, Fourth Sp. Sess., p. 68, 69.
14. L. 1871-72, p. 55; L. 1935, p. 1155, 1156.
15. L. 1898, p. 51; L. 1931, p. 759.
16. L. 1871-72, p. 44; L. 1937, p. 1010.

or by deputy, all tax sales resulting from this action.<sup>17</sup> The county clerk, in person or by deputy, is also required to attend all tax sales.<sup>18</sup> At such sales, the clerk and collector note and make entry of all tax sales and forfeitures to the state.<sup>19</sup>

The county collector is required to keep his records as collector of taxes separate from his records as county treasurer.<sup>20</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 1, 2, 24, 29, 30, 40, 43-64, 87, 170, 171, 292-298, 350-367.

### COLLECTION AND SETTLEMENT

#### 299. Statement of Taxes, 1904--. 4 v. (1-4).

County collector's account of tax collections paid over by township collectors, showing names of townships and township collectors, total amount to be collected in each township, dates and amounts of payments, and township collectors' signatures for receipts issued by county collector. Arr. by twp. no. No index. Hdw. on pr. fm. 420 p. 18 x 12 x 2. V. 1, 2, 1904-18, attic strm., 3rd fl.; v. 3, 4, 1919--, treas.'s vlt., 1st fl.

#### 300. County Collector's Statements of School Tax, 1904--. 4 v. (1-4).

Collector's statements of school taxes, showing date, school district number, tax spread, amounts of total tax, collection, and delinquency, and receipts of county treasurer. Arr. by school district no. No index. Hdw. on pr. fm. 290 p. 18 x 12 x 1. V. 1, 2, 1904-28, attic strm., 3rd fl.; v. 3, 4, 1929--, treas.'s vlt., 1st fl.

#### 301. Tax Receipts, 1934--. 3 f. b.

Duplicate tax receipts, showing receipt number, name and address of taxpayer, description, location, and valuation of property, interest on delinquent taxes, date, and names of collector and deputy. Arr. alph. by name of taxpayer. No index. Hdw. under pr. hdgs. 6½ x 10 x 25. Treas.'s off., 1st fl.

#### 302. Memoranda of Taxes, 1877-1923. 5 v.

Statement of taxes collected by town collectors, and ledger of distribution of tax moneys to various funds, showing date of statement, amounts of tax collections, delinquency, and allocations, and total collections. Also contains County Treasurer's Appropriation Ledger, entry 307. Arr. by date of statement. Indexed alph. by name of fund. Hdw. under pr. hdgs. 440 p. 16 x 12 x 1½. Attic strm., 3rd fl.

#### 303. Statement of Account With Town Collectors, 1898-1911. 2 v. (1, 2).

Statements of town collectors' accounts with county collector, showing an-

17. L. 1871-72, p. 48; L. 1930, First Sp. Sess., p. 64.

18. L. 1871-72, p. 48.

19. Ibid., L. 1933, p. 886.

20. L. 1917, p. 664, 665; L. 1930, First Sp. Sess., p. 60-62; L. 1935, p. 1149-58.



**Collector-Delinquent  
Tax, Abatement**

(304-305)

nual amounts of taxes due, total amount of collections, tax spread, and dates of settlements. Arr. by date of settlement. No index. Hdw. on pr. fm. 195 p. 17 x 12½ x 1½. Attic strm., 3rd fl.

**DELINQUENT TAX, ABATEMENT**

**304. Abatement List, 1934--.** 3 v.

Lists of tax abatements, showing name of owner, legal description of property, value, equalized value as fixed by state board, road and school district numbers, tax spread, total tax abatements, and remarks. Arr. by district no. No index. Hdw. under pr. hdgs. 120 p. 14 x 34 x ½. Treas.'s off., 1st fl.

**305. Credit Book (Delinquent Taxes), 1927-29.** 2 v. (3, 3).

County collector's lists of delinquent taxes for which he requests credit from county clerk, showing name of property owner, amount of delinquent tax, tax spread, total amount of delinquent taxes, and book, page, and line in assessor's book. Arr. by page and line no. in assessor's books. No index. 470 p. 18 x 13 x 1½. Attic strm., 3rd fl.

### XIII. TREASURER

In Saline County the treasurer has been an elective official since its organization in 1847.<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>

#### GENERAL ACCOUNTS

(See also entries 1, 32, 348)

#### Journals and Ledgers

**306. Ledger, 1871--.** 7 v. (1 not labeled, B-D, 2-4). Missing: 1919-21. Title varies: Cash Book.

Ledger account of receipts and disbursements of all county funds, including record of collector's and treasurer's annual reports, state-aid, 1922-31, motor fuel tax, 1932--, dog license, 1892--, and non-high school, institute, and heirship funds, showing dates, amounts, and purpose of receipts and disbursements, names of payer and payee, total amounts of receipts and disbursements, and balance available. Arr. by date of transaction. 1871-

1. R. L. 1837, p. 48, 274; L. 1845, p. 28; R. S. 1845, p. 137; L. 1851, p. 144; Constitution of 1870, Art. X, sec. 8. From 1827 to 1837, the county treasurer was appointed by the county commissioners' court (R. L. 1827, p. 329, 330; R. L. 1833, p. 515, 516).
2. The term was set at four years in 1837 (R. L. 1837, p. 274); it was later reduced to two years (L. 1845, p. 28; L. 1851, p. 144). The office was made constitutional in 1870 without change of term (Constitution of 1870, Art. X, sec. 8, as amended November, 1880).
3. Constitution of 1870, Art. X, sec. 8, as amended November, 1880.
4. R. L. 1827, p. 329; R. S. 1874, p. 323. The bond is required to be filed in the office of the county clerk.
5. R. L. 1837, p. 582, 583; L. 1843, p. 151; R. S. 1845, p. 137-39; L. 1861, p. 239, 240; R. S. 1874, p. 323, 324.
6. R. L. 1827, p. 330-33; L. 1839, p. 8-10; L. 1845, p. 11; L. 1895, p. 304; L. 1913, p. 516; L. 1933, p. 898.
7. L. 1885, p. 78, 104.

**Treasurer-General  
Accounts**

(307-312)

1918, no index; 1922--, indexed alph. by title of fund. Hdw. on pr. fm. 280 p. 18 x 13 x 2. 1 v. not labeled, v. B-D, 1871-1918, attic strm., 3rd fl.; v. 2-4, 1922--, treas.'s vlt., 1st fl.

**307. County Treasurer's Appropriation Ledger, 1924--.** 1 v. Missing: 1924-37. 1877-1923 in Memoranda of Taxes, entry 302.

Record of appropriations allotted to various county funds, showing date, amount of appropriation, receipts and disbursements of each fund, amount and number of warrants, and balance available in each fund. Also contains Register Coroner's Orders, 1938--, entry 312. Arr. by appropriation no. No index. Hdw. under pr. hdgs. 100 p. 12 x 18 x 1. Treas.'s vlt., 1st fl.

**308. Daily Balances, 1934--.** 1 v.

Daily account ledger showing dates, items, and amounts of debits and credits, daily balance, and signature of clerk working on ledger. Arr. by date of transaction. No index. Hdw. under pr. hdgs. 200 p. 11 x 17 x 2. Treas.'s vlt., 1st fl.

**309. Cash Book, 1871-1934.** 6 v. (1 not lettered, B-F). Missing: 1925-27.

Treasurer's cash account of county funds, showing names of treasurer and payer or payee, dates and amounts of receipts and disbursements, name of fund credited or debited, and totals. Arr. by date of transaction. No index. Hdw. under pr. hdgs. 500 p. 18 x 12 x 2. Attic strm., 3rd fl.

**Registers of County Orders (See  
also entries 9-13)**

**310. Register of Warrants Countersigned, 1871--.** 8 v. (2 not numbered, 2-7). Title varies: Register of County Orders; Register of County Orders Presented for Payment.

Register of paid county orders, showing date, number, amount, and purpose of warrant, name of payee, and date of cancellation. Also contains Register of Jurors' Certificates Presented for Payment, 1871-80, 1899--, entry 311. Arr. by order no. No index. Hdw. under pr. hdgs. 478 p. 18 x 12 x 2½. 2 v. not numbered, v. 2-5, 1871-1927, attic strm., 3rd fl.; v. 6, 7, 1928--, treas.'s vlt., 1st fl.

**311. Register of Jurors' Certificates Presented For Payment, 1881-98.** 1 v. 1871-80, 1899-- in Register of Warrants Countersigned, entry 310.

Register of paid certificates of jurors and bailiffs, showing date, number, and amount of order, name of claimant, and date of payment. Arr. by date of order. No index. Hdw. under pr. hdgs. 318 p. 16 x 12 x 1½. Attic strm., 3rd fl.

**312. Register Coroner's Orders, 1917-20.** 1 v. Missing: 1921-37. 1938-- in County Treasurer's Appropriation Ledger, entry 307.

Register of coroner's orders countersigned by treasurer, showing order number, date, amount, and purpose of payment. Arr. by name of payee. No index. Hdw. under pr. hdgs. 350 p. 18 x 12 x 2. Attic strm., 3rd fl.

**Treasurer-Checks and  
Deposit Slips; Maps**

(313-320)

313. **County Highway Cancelled Warrant Register, 1934--.** 1 v. Register of cancelled highway and motor fuel tax warrants, showing dates of issue and cancellation, claim number, amount, purpose, and number of warrant, and name of payee. Arr. by warrant no. No index. Hdw. under pr. hdgs. 150 p. 12 x 12 x 1. Treas.'s vlt., 1st fl.

**CHECKS AND DEPOSIT SLIPS**

314. **Cancelled Checks, 1934--.** 3 f. d. Cancelled checks showing date, amount, and names of payer, payee, bank, and fund upon which drawn. Arr. by check no. No index. Hdw. on pr. fm. 10½ x 3½ x 26. Treas.'s vlt., 1st fl.

315. **Deposit Slips, 1934--.** 1 f. d. File of bank deposit slips, showing date and amount of deposit, and name of depositor. Arr. by date of deposit. No index. Hdw. on pr. fm. 4½ x 10½ x 14. Treas.'s vlt., 1st fl.

**MAPS**

316. **Saline County, 1925.** 1 map. Political map of Saline County, showing section lines, and names of property owners. Draftsman, C. B. Drake. Published in Harrisburg, Illinois. Printed. 48 x 54. Treas.'s off., 1st fl.

317. **Carrier Mills, Illinois, 1925.** 1 map. Political map of village of Carrier Mills, showing streets and property lines. Blueprint. 1 in. to 300 ft. 24 x 36. Treas.'s off., 1st fl.

318. **City of Harrisburg, Dorrisville and Gaskins City, March 26, 1925.** 1 map. Political map of Harrisburg, Dorrisville, and Gaskins City, showing city limits, streets, and property lines. Printed. 1 in. to 300 ft. 48 x 48. Treas.'s off., 1st fl.

319. **Village of Galatia, Illinois, 1929.** 1 map. Political map showing boundary lines of village of Galatia, with location of streets, divisions, and subdivisions. Draftsman, C. B. Drake. Published in Harrisburg, Illinois. Blueprint. 1 in. to 200 ft. 24 x 36. Treas.'s off., 1st fl.

320. **Eldorado, Illinois, 1934.** 1 map. Political map of city of Eldorado, showing city limits, streets, divisions, and subdivisions. Draftsmen, W. L. Simpson and Alta Crawford. Blueprint. 1 in. to 200 ft. 48 x 48. Treas.'s off., 1st fl.

#### XIV. SUPERINTENDENT OF SCHOOLS

The first county school official was the county school commissioner.<sup>1</sup> The principal duties of this officer, an appointee of the county commissioners' court, 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> His office became elective in 1841.<sup>4</sup> In 1845 the office of county superintendent of schools was created as an ex-officio office of the county school commissioner.<sup>5</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>6</sup> Beginning with 1847, the year in which Saline County was organized, the school commissioner was elected for a two-year term.<sup>7</sup> In 1865 the office of county superintendent of schools was established as an independent office, and had delegated to it the authority formerly vested in the county school commissioner.<sup>8</sup>

The superintendent of schools is a statutory office, now elective for a term of four years.<sup>9</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>10</sup> The boards of trustees appoint their own treasurers who also act as clerks of the township (or school district) boards.<sup>11</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:

1. To sell township fund lands and issue certificates of purchase.
2. To examine the complete accounts of every township treasurer in his county and report irregularities to the township trustees.
3. To conduct a teachers' institute, hold quarterly examinations for teachers' certificates, and issue such.
4. To hold examinations for normal and university scholarships.
5. To visit the public schools in the county, observe methods of instruction, make recommendations to teachers, and advise school officers; to observe sanitary and safety conditions, and notify trustees and state au-

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1. R. L. 1829, p. 150, 151.

2. Ibid., p. 152, 153; L. 1849, p. 155, 156, 159, 160; L. 1851, p. 130.

3. L. 1831, p. 175.

4. L. 1841, p. 261, 262.

5. L. 1845, p. 54.

6. L. 1849, p. 178; L. 1867, p. 161.

7. L. 1847, p. 120; L. 1849, p. 154.

8. L. 1865, p. 112; L. 1871-72, p. 702; L. 1889, p. 312; L. 1909, p. 343.

9. L. 1871-72, p. 702; L. 1909, p. 343; L. 1915, p. 628; L. 1923, p. 596.

10. L. 1847, p. 126; L. 1909, p. 350; L. 1929, p. 745.

11. L. 1927, p. 843; L. 1929, p. 745.

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Accounts of School Funds; School Districts**

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thorities of unsatisfactory conditions; to inspect plans and specifications, and approve those meeting state regulations.<sup>12</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>13</sup> Twenty years later, the superintendent of schools was required to hold the institute annually.<sup>14</sup> A fund was set up for this purpose which has continued to be made up of the fees received from applicants for teachers' certificates and from teachers' registration. Money from the fund is paid out only on the order of the superintendent to defray the expenses of the annual institute. When the fund exceeds the annual cost of the institute, the excess may be paid out for special meetings of teachers.<sup>15</sup>

**ACCOUNTS OF SCHOOL FUNDS**  
(See also entry 306)

**321. Ledger, 1891--.** 2 v.

Account book of institute and school district supply funds, showing amount and dates of receipts and disbursements, and balance in each fund. Also contains Distribution of State Funds to School Districts, 1891-1934, entry 324. Arr. by date of transaction. No index. Hdw. 187 p. 12 x 9 x 1. Off. of supt. of sch., 2nd fl.

**322. Non-High School Fund Record, 1917--.** 1 v.

Record of proceedings of non-high school board, showing amounts of claims presented by high schools, amounts of orders and allowed claims, and date of meeting of board. Arr. by date of meeting. No index. Hdw. 200 p. 16 x 11 x 1. Off. of supt. of sch., 2nd fl.

**323. Superintendent's Budget Record (Register), 1928--.** 1 v.

County school budget register showing amount of receipts from state fund, amount of claim for each school district, and amounts of paid claims. Arr. by school district no. No index. Hdw. under pr. hdgs. 150 p. 14 x 17 x 1. Off. of supt. of sch., 2nd fl.

**324. Distribution of State Funds To School Districts, 1935--.** 1 v.  
1891-1934 in Ledger, entry 321.

Register of state funds distributed to school districts, showing name and number of school district, number, date, and amount of claim, amount of allotment to each district, and total amount of distribution. Arr. by school district no. Hdw. under pr. hdgs. 75 p. 10 x 14½ x 1. Off. of supt. of sch., 2nd fl.

**SCHOOL DISTRICTS**

**325. Claims For State Aid, 1924--.** 13 envelopes.

Original school district claims for state aid, showing number of school

12. R. S. 1845, p. 498, 499; L. 1847, p. 122; L. 1849, p. 156; L. 1853, p. 246, 247; L. 1855, p. 66, 67; L. 1861, p. 190, 191; L. 1865, p. 119, 120; L. 1909, p. 347-50; L. 1915, p. 636-38.

13. L. 1869, p. 394.

14. L. 1889, p. 312.

15. L. 1905, p. 385; L. 1931, p. 876.

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district, financial statement of district, general information, names of teachers, and amount of allotment. Arr. by district no. No index. Hdw. on pr. fm. 15 x 11 x ½. Off. of supt. of sch., 2nd fl.

**326. Report of Elections On Formation of High School District, 1937.**  
1 folder.

Miscellaneous papers filed in organizing community high school district 103, including petitions for election, notices of election, affidavits of posting notices, and official election returns. No obvious arr. No index. Typed. 12 x 8 x ½. Off. of supt. of sch., 2nd fl.

**TEACHERS' RECORDS**

**327. Teachers' Permanent Record, 1895--.** 3 v. (A-C); 2 f. d.

Permanent record showing name, address, and age of teacher, date of employment, grade and number of certificate, school of attendance, salary, subjects and grade taught, teaching experience, and amount contributed to teachers' pension fund. Subsequent to 1933 kept as card record. 1895-1933, arr. by date of employment; 1934--, arr. alph. by name of teacher. For index, 1895-1933, see entry 328; 1934--, no index. 1895-1933, hdw. under pr. hdgs.; 1934--, hdw. on pr. fm. V. 300 p. 10 x 16 x 1½; f. d. 7½ x 9 x 15. Off. of supt. of sch., 2nd fl.

**328. Index To Teachers' Permanent Record, 1895-1933.** 1 v.

Index to Teachers' Permanent Record, entry 327, showing name and address of teacher, and volume and page of entry. Arr. alph. by name of teacher. Hdw. under pr. hdgs. 27 p. 14 x 10 x 1. Off. of supt. of sch., 2nd fl.

**329. County Superintendent's Teachers' Examination Record, 1914--.**  
1 v.

Superintendent's record of teachers' examinations, showing name, age, and address of teacher, grade of certificate applied for, rating, and date of examination. Arr. by application no. No index. Hdw. under pr. hdgs. 225 p. 14 x 17 x 1. Off. of supt. of sch., 2nd fl.

**PUPIL RECORDS**

**330. Record of Final Examination of 8th Grade and High School Record, 1935--.** 1 f. b.

Lists of elementary school graduates showing name, address, age, and birth date of pupil, name and number of school district, date of graduation, scholarship and attendance record, and name of teacher. Arr. alph. by name of pupil. No index. Hdw. under pr. hdgs. 4 x 7 x 13. Off. of supt. of sch., 2nd fl.

**331. Superintendent's List of School Officers (Teachers and Pupils), 1935--.** 4 v.

Lists of school teachers and pupils, showing names of school, teachers, and pupils, and estimates of each pupil's ability. Arr. by school district no. No index. Hdw. under pr. hdgs. 225 p. 18 x 12 x 1½. Off. of supt. of sch., 2nd fl.

**REPORTS**

(See also entries 36, 38)

**332. County Superintendent's Annual Report, 1923--.** 7 v.

Copies of annual reports of superintendent of schools to state superintendent of public instruction and county board, showing date of report, school census, enrollments, names, positions, and qualifications of teachers, promotion of health and attendance, school loans, tax levies, annual salaries of elementary and high school teachers, status of district, distributive, and township funds, receipts and expenditures, tuition payments, exhibits, investments, number of one-room schools, and memoranda. Arr. by date of report. No index. Hdw. under pr. hdgs. 38 p. 15 x 11 x ½. Off. of supt. of sch., 2nd fl.

**333. Trustees' Annual Report, 1923--.** 84 pamphlets.

School trustees' annual reports to superintendent, showing names of school trustees and teachers, school census, district number, number of students in each school, qualifications of teachers, income from taxes and other sources, and account of expenditures. Arr. by district no. No index. Hdw. on pr. fm. 15 p. 14 x 8 x ½. Off. of supt. of sch., 2nd fl.

**334. Teachers' Pension List, 1934--.** 5 folders.

Duplicates of superintendent's reports of pension and retirement fund receipts to board of trustees, showing name of teacher, school district number, length of school year, teacher's state service record, monthly salary, pension contributions, date, and signature of superintendent. Arr. by school district no. No index. Hdw. under pr. hdgs. 12 p. 14 x 9 x ½. Off. of supt. of sch., 2nd fl.

**EXPENDITURES**

**335. Distribution of County Funds (Check Book), 1935--.** 1 v.

Stub record of distribution of county school funds, showing date, amount, number, and purpose of check, and name of recipient. Arr. by check no. No index. Hdw. on pr. fm. 100 p. 12 x 9 x ½. Off. of supt. of sch., 2nd fl.

**336. Institute Fund, 1935--.** 1 v.

Stub record of checks issued on institute fund, showing date, check number, names of payer and payee, and amount and purpose of check. Arr. by check no. No index. Hdw. on pr. fm. 100 p. 3 x 12 x ½. Off. of supt. of sch., 2nd fl.



## XV. SUPERINTENDENT OF HIGHWAYS

From 1847 to 1849 the county commissioners' court exercised jurisdiction over roads and bridges in Saline 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 1873, the county court in Saline 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 1890, when township organization was instituted in Saline 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 to determine the person best fitted for the office.<sup>8</sup> The successful candidate

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1. L. 1819, p. 175; R. L. 1827, p. 340.

2. *Ibid.*, 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 1889, was not effective until 1890. The Constitution of 1870 had provided that in counties not under township organization, the county board should be composed of three commissioners who should possess those powers delegated to them by law. Subsequent legislation vested supervision of highways, roads, and bridges in the board and entrusted the maintenance and superintendence of these public facilities to three highway commissioners elected in each road district for a term of three years. From 1874 to 1890 county affairs in Saline were administered by the board of county commissioners (Constitution of 1870, Art. X, sec. 6; L. 1871-72, p. 679, 680; L. 1873-74, p. 79).

6. L. 1849, p. 212.

7. L. 1913, p. 524.

8. L. 1921, p. 781; L. 1933, p. 961. From 1913 to 1917 the list was submitted to the State Highway Commission. In 1917 this state agency was abolished, and its rights, powers and duties were vested in the Department of Public Works and Buildings, created in the same year (L. 1913, p. 524; L. 1917, p. 4, 16, 24).

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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>9</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 purchases in excess of \$200 for materials, machinery, or apparatus to be used in road construction in any town or district.<sup>10</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>11</sup>

**CONSTRUCTION AND MAINTENANCE RECORDS**

**337. (Superintendent's General File), 1928--.** 5 f. d.

Miscellaneous papers concerning motor fuel tax, including reports of expenditures of motor fuel tax funds for contracts and maintenance of highways, miscellaneous correspondence, and proposal for \$450,000 bond issue of 1928. Arr. by date of filing. No index. Hdw. on pr. fm. 12 x 17-x 24. Off. of supt. of hwys., bsmt.

**338. Contracts, 1930--.** 1 f. d.

Contracts with various firms for gravel, bridges, and roads, showing name of firm, date, terms, amount, and nature of contract, and signatures of contracting parties. Arr. by date of contract. No index. Hdw. 12 x 17-x 24. Off. of supt. of hwys., bsmt.

9. L. 1921, p. 782; L. 1933, p. 961.

10. L. 1913, p. 523-26.

11. *Ibid.*, p. 525.

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**339. Time Sheets, 1930--.** 1 f. d.

Time reports of highway department employees, showing dates of payroll period, name and address of employee, number of hours work per day, total number of hours of work, rate per hour, and amount of earnings. Arr. by date of report. No index. Hdw. under pr. hdgs. 12 x 17 x 24. Off. of supt. of hwys., bsmt.

**340. Miscellaneous Record, 1930--.** 1 v.

Miscellaneous record including contract, construction, and maintenance records, showing items and amounts of receipts and disbursements. Arr. by section no. No index. Hdw. under pr. hdgs. 120 p. 12 x 18 x 1. Off. of supt. of hwys., bsmt.

**341. Sewer District, 1924--.** 64 plans.

Road construction plans for north and south part of Harrisburg sewer district, showing profile of grades and elevations, and type of construction to be followed. Hand-drawn and blueprint. 1 in. to 300 ft. 24 x 48. Off. of supt. of hwys., bsmt.

**342. Saline County Roads, 1927--.** 1000 plans.

Detailed construction plans of county roads, showing profiles of grades and elevations, materials to be used, and type of construction to be followed. Hand-drawn. 1 in. to 100 ft. 24 x 30. Off. of supt. of hwys., bsmt.

**343. State-Aid Road, 1933--.** 10 plans.

Construction plans for state-aid highways, showing profile of grades and elevations, materials to be used, and type of construction to be followed. Blueprint. 1 in. to 100 ft. 30 x 24. Off. of supt. of hwys., bsmt.

**ALLOTMENTS AND CLAIMS**

(See also entries 6-8, 10, 11, 19, 306, 313)

**344. Highway Claims, 1930--.** 1 f. d.

County highway claims showing name and address of claimant, date, purpose, amount, and number of claim, and certificate of approval. Arr. by date of claim. No index. Hdw. on pr. fm. 12 x 17 x 24. Off. of supt. of hwys., bsmt.

**345. Claim Register, 1932--.** 1 v.

Register of highway claims showing name and address of claimant, date and number of claim, requisition number, itemized account of claim, and total payment. Arr. by date of claim. No index. Hdw. under pr. hdgs. 120 p. 12 x 18 x 1. Off. of supt. of hwys., bsmt.

**346. County Motor Fuel Allotment Record, 1933--.** 1 v.

Allotment record of motor fuel tax funds, including record of resolutions, claims, and requests, showing estimated cost, date, number, purpose, and amount of warrant, total disbursements, name of recipient, balance available, and itemized estimate of necessary material. Arr. by date of war-

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rant. No index. Hdw. under pr. hdgs. 100 p. 8 x 12 x 1. Off. of  
supt. of hwys., bsmt.

**347. Accounts Receivable - Invoice Register, 1936--.** 1 v.

Record of accounts receivable and register of invoices, showing date, receipts for state-aid fund, date of deposit, date, amount, and number of invoice, to whom issued, purpose, and amount. Arr. by date of filing. No index. Hdw. under pr. hdgs. 50 p. 10 x 12 x ½. Off. of supt. of hwys., bsmt.

**REPORTS**

**348. Condition of Highway Funds, 1934-36.** 1 v.

Copies of county treasurer's monthly report to county clerk and superintendent of highways on condition of highway funds, showing date, amounts of deposits, paid and unpaid obligations, totals, balances available, and signature of treasurer. Arr. by date of report. No index. Hdw. on pr. fm. 35 p. 8 x 12 x ½. Treas.'s vlt., 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 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 recorder's record of surveys, see entry 145.

### 349. Surveyor's Record, 1891--. 1 v. (B).

Surveyor's record with plats of surveys, showing name and address of owner, legal description of property, date, and certification of surveyor. Arr. by sec. no. No index. Hdw. 479 p. 18 x 12 x 2. Cir. clk.'s vlt., 1st fl.

1. L. 1821, p. 62; R. L. 1829, p. 172; R. L. 1833, p. 591.

2. *ibid.*

3. L. 1835, p. 166; L. 1837, p. 558; R. S. 1845, p. 523; R. S. 1874, p. 456, 1050; L. 1903, p. 349.

4. L. 1933, p. 1104. Effective in 1936.

5. L. 1821, p. 63, 64; R. L. 1829, p. 173; R. L. 1833, p. 591-93, 599, 600; L. 1845, p. 201; R. S. 1845, p. 524; R. S. 1874, p. 1050; L. 1885, p. 248; L. 1915, p. 575; L. 1933, p. 1104.

## XVII. DRAINAGE COMMISSIONERS

For the purpose of aiding in public welfare and health, the constitution has delegated to the General Assembly broad power to provide laws in regard to drainage.<sup>1</sup> By statutory provision these activities are exercised by drainage commissioners in districts of Saline 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 districts.<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 districts acts as the clerk of the district.<sup>7</sup> The county clerk and county treasurer in cases of the special drainage districts are, respectively, ex-officio clerk,<sup>8</sup> and treasurer,<sup>9</sup> of each district. Regular, union and special drainage districts are maintained in Saline 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

1. Constitution of 1870, Art. IV, sec. 31.

2. First amendment to the constitution, ratified November 29, 1878, incorporated in the Constitution of 1870, Art. IV, sec. 31; L. 1879, p. 124-39.

3. L. 1871-72, p. 356-58; R. S. 1874, p. 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.

8. L. 1885, p. 95; L. 1915, p. 390; L. 1919, p. 468.

9. L. 1885, p. 78, 104.

estimates; office transactions.<sup>10</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.

**350. Saline Valley Special Drainage District, 1905--.** 1 f. b. Last entry 1935.

Miscellaneous papers of Saline Valley special drainage district, including petitions for special assessments, reports of commissioner, affidavits, estimates, bids, contracts, bonds of contractors and officers, tax levies, damage claims, and court orders. Arr. by date of filing. No index. Typed. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**351. North Fork and Black Land District Drainage, 1905--.** 1 f. b. Last entry 1933.

Miscellaneous papers of North Fork and Black Land drainage districts, including petitions, affidavits, engineers' reports, estimates, bids, contracts, tax levies, claims for damages, bonds of contractors and officers, and court orders. Arr. by date of filing. No index. Typed. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**352. West Harrisburg, Eldorado, and Black Branch Drainage District, 1905--.** 2 f. b. Last entry 1932.

West Harrisburg, Eldorado, and Black Branch drainage district papers, including petitions for special assessments, affidavits, profile maps of district, engineers' reports, estimates, bids, tax levies, contractors' and officers' bonds, claims for damages, and court orders. Arr. by date of filing. No index. Typed. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**353. Middle Fork Drainage District Number 1, 1905--.** 2 f. b. Last entry 1925.

Miscellaneous papers of Middle Fork drainage district, including petitions, affidavits, profile maps, reports of commissioners, estimates, bids, contracts, tax levies, bonds of commissioners and contractors, and court orders. Arr. by date of filing. No index. Typed. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**354. Black Land and Bankston Fork Drainage District, 1905--.** 1 f. b. Last entry 1925.

Files of original papers of Black Land and Bankston Fork drainage districts, including petitions for special assessments, affidavits, commissioners' and engineers' reports, estimates, bids, contracts, tax levies, bonds of contractors and officers, and court orders. Arr. by date of filing. No index. Typed. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**355. Rector Drainage District, 1, 2, 3, 4, 1906--.** 2 f. b. Last entry 1927.

Miscellaneous papers of Rector drainage district, including petitions, affidavits, profile maps of district, reports of commissioners, estimates, bids, contracts, claims, tax levies, bonds of contractors and officers, and court orders. Arr. by date of filing. No index. Typed. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**356. Pankey Branch Drainage District, 1912--.** 1 f. b. Last entry 1919.

Pankey Branch drainage district papers including petitions for organiza-

10. L. 1879, p. 120-34; L. 1885, p. 79-104.

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tion, engineers' reports, estimates, bids, contracts, bonds of contractors and officers, tax levies, claims for damages, and court orders. Arr. by date of filing. No index. Typed. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**357. Levies and Maps, 1914--.** 1 f. b.

File of drainage district maps, statements of drainage district tax levies and outstanding bonds, and auditor's reports. No obvious arr. No index. Hdw. on pr. fm. 10½ x 5 x 14. Co. clk.'s vlt., 1st fl.

**358. Black Land Special Drainage District, 1904--.** 1 v. (1). Last entry 1933.

Record of proceedings of Black Land drainage district, including petitions to organize drainage district, elect commissioners, and condemn land, minutes of meetings, tax levies, engineers' reports of survey, commissioners' oaths and bonds, right-of-way deeds, and treasurer's reports to county court. Arr. by date of proceedings. No index. Hdw. 590 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

**359. North Fork Special Drainage District, 1905--.** 1 v. (1). Last entry 1933.

Record of proceedings and reports of North Fork drainage district, including petitions to organize drainage districts, elect commissioners, and condemn land, minutes of meetings, tax levies, commissioners' oaths and bonds, right-of-way deeds, and treasurer's reports to county court. Arr. by date of proceedings. No index. Hdw. 590 p. 18 x 12 x 2½. Co. clk.'s vlt., 1st fl.

**360. Rector Special Drainage District 1, 2, 3, 4, 1910--.** 2 v. (1, 2), Last entry 1936.

Record of proceedings and reports of the Rector special drainage district, including petitions to organize drainage district, elect commissioners, and condemn land, minutes of meetings, tax levies, engineers' reports of survey, commissioners' oaths and bonds, right-of-way deeds, and treasurer's reports to county court. Arr. by date of proceedings. No index. Hdw. 474 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

**361. Eldorado Drainage District, 1910--.** 2 v. (1 not numbered, 2). Last entry 1932.

Record of proceedings and reports of the Eldorado drainage district, including petitions to organize district, elect commissioners, and condemn land, minutes of meetings, commissioners' bonds and oaths, tax levies, engineers' reports of survey, right-of-way deeds, and treasurer's reports to county court. Arr. by date of proceedings. No index. Hdw. 399 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

**362. Bankston Special Drainage District, 1910--.** 1 v. (1). Last entry 1922.

Record of proceedings and reports of Bankston special drainage district, including petitions to organize district, elect commissioners, and condemn land, minutes of meetings, commissioners' bonds and oaths, tax levies, engineers' reports of survey, right-of-way deeds, and treasurer's reports to county court. Arr. by date of proceedings. No index. Hdw. 399 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.



**Drainage Commissioners**

(363-368)

- 363. West Harrisburg Drainage District, 1911--.** 1 v. (1). Last entry 1932.

Record of proceedings and reports of West Harrisburg drainage district, including petitions to organize district, elect commissioners, and condemn land, minutes of meetings, commissioners' bonds and oaths, tax levies, engineers' reports of survey, right-of-way deeds, and treasurer's reports to county court. Arr. by date of proceedings. No index. Hdw. 390 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

- 364. Middle Fork Drainage District 1, 1911--.** 1 v. Last entry 1930.

Records of organization proceedings and reports of Middle Fork drainage district, including petitions to organize drainage district, elect commissioners, and condemn land, tax levies, commissioners' oaths and bonds, right-of-way deeds, and treasurer's reports to county court. Arr. by date of proceedings. No index. Hdw. 379 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

- 365. Pankey Branch Drainage District, 1912--.** 1 v. (1). Last entry 1919.

Record of proceedings and reports of the Pankey Branch drainage district, including petitions to organize drainage district, elect commissioners, and condemn land, affidavits, minutes of meetings, tax levies, claims for damages, commissioners' bonds and oaths, right-of-way deeds, and treasurer's reports to county court. Arr. by date of proceedings. No index. Hdw. 320 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

- 366. Black Branch Drainage District, 1913--.** 1 v. (1). Last entry 1934.

Record of proceedings and reports of the Black Branch drainage district, including petitions to organize district, elect commissioners, and condemn land, minutes of meetings, commissioners' bonds and oaths, tax levies, engineers' reports of survey, right-of-way deeds, and treasurer's reports to county court. Arr. by date of proceedings. No index. Hdw. 399 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

- 367. Saline Valley Special Drainage District, 1913--.** 2 v. (1, 2). Last entry 1921.

Record of proceedings of Saline Valley special drainage district, including petitions to organize drainage districts, elect commissioners, and condemn land, affidavits, minutes of meetings, tax levies, claims for damages, commissioners' bonds and oaths, right-of-way deeds, and treasurer's reports to county court. Arr. by date of proceedings. No index. Hdw. 399 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

- 368. Swamp Land Records, 1854-60.** 1 v.

Record of sales of swamp land, showing name and address of purchaser, legal description of property, acreage, value, date and amount of sale, and date of filing. Arr. by date of sale. No index. Hdw. on pr. fm. 240 p. 18 x 12 x 1. Co. clk.'s vlt., 1st 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 regulations 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.

The department of public welfare administers old age assistance and is subject to the rules and regulations of the state department.<sup>5</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>6</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>7</sup>

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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.

5. L. 1935, p. 259, 260; L. 1935-36, First Sp. Sess., p. 54, 55; L. 1937, p. 265.

6. L. 1935-36, First Sp. Sess., p. 57-59; L. 1937, p. 267, 268.

7. L. 1937, p. 268, 269.

**369. Card Record and Index To Files, 1936--.** 3 f. b.

Card index to Old Age Assistance Files, entry 370, Deceased (Files), entry 372, showing name and address of applicant, application number, amount of award, name of investigator, and date of filing application. Arr. alph. by name of applicant. Hdw. on pr. fm. 4 x 4 x 12. Old age assistance off., bsmt.

**370. Old Age Assistance Files, 1936--.** 4 f. d.

Papers relating to applications for old age assistance including applications, investigators' reports and recommendations, withdrawals, transfers, rejections, cancellations, and state approvals. Arr. by application no. For index, see entry 369. Hdw. on pr. fm. 12 x 16 x 24. Old age assistance off., bsmt.

**371. Investigators' Cases, 1936--.** 1 f. d.

Investigators' case records of old age assistance applicants, showing name, address, and financial status of applicant, and amount and date of award. Arr. alph. by name of applicant. No index. Hdw. on pr. fm. 12 x 16 x 24. Old age assistance off., bsmt.

**372. Deceased (Files), 1936--.** 1 f. d.

Case records of recipients of old age assistance now deceased, including investigator's reports and recommendations, state approval, and notice of death. Arr. by application no. For index, see entry 369. Hdw. on pr. fm. 12 x 16 x 24. Old age assistance off., bsmt.

**373. Record of Old Age Assistance Applicants (Register), 1936--.**  
1 v.

Register of applicants for old age assistance, showing name, address, sex, financial status, and age of applicant, application number, amount of award, and dates of application, investigation, and approval. Arr. by date of application. No index. Hdw. under pr. hdgs. 200 p. 10 x 16 x 1½. Old age assistance off., bsmt.

**374. Correspondence, 1936--.** 1 f. d.

Correspondence file of superintendent of old age assistance regarding monthly statistical reports, requisition of office supplies, and payroll matters. Arr. by date of filing. No index. Typed. 12 x 16 x 24. Old age assistance off., bsmt.

## 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 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>

### 375. Cash Book (Record of Inmates), 1936--. 1 v.

Record of inmates of county farm, showing name, age, sex, last residence, marital status, physical and mental condition, previous occupation, and date of admission of inmate. Arr. by date of admission. No index. Hdw. 80 p. 12 x 7½ x ½. Off. of supt., county home.

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1. L. 1919, p. 699; L. 1935, p. 1058.

2. L. 1839, p. 139; R. S. 1845, p. 404, 405; L. 1861, p. 180; R. S. 1874, p. 757; L. 1917, p. 638, 639; L. 1919, p. 698, 699; L. 1935, p. 1057, 1058.

3. R. S. 1874, p. 758.

## XX. COUNTY MINE INSPECTOR

Legislation in regard to health and safety in the mining industry originally made the county surveyor ex-officio inspector of mines.<sup>1</sup> As such inspector he was to be assisted by a practical miner, to act under oath, and to receive a salary fixed by the county board and paid out of the county treasury. His duties were to see that safety measures were observed in the mines and to collect facts relative to coal mining and mining land. The inspector reported to the Governor annually on the condition of mines in regard to safety and ventilation and the result of examination of causes of accidents.

In 1877 the legislature authorized the county board, in each county in which mining is carried on, to appoint an inspector of mines.<sup>2</sup> This county inspector, who had to give evidence of practical mining experience, was required to take an oath of office, and to furnish a bond to the county board in an amount fixed by the latter body. The amount of the bond was fixed in 1879 at not less than \$1,000 nor more than \$3,000.<sup>3</sup> Where a competent inspector was not appointed, or where the inspector did not properly perform his duties then the circuit judge, at the request of ten citizens of the county, and upon proper proof of incompetency, was empowered to remove the inspector and appoint a properly qualified person to act during the unexpired term.<sup>4</sup>

The State Mining Board was created in 1899, and the state divided into seven inspection districts, with a State Inspector of Mines in each.<sup>5</sup> The county also was fitted into this new organization with the requirement that the county board appoint a county inspector of mines upon the written request of the State Inspector for the district in which the particular county was located.<sup>6</sup> The intention of the legislature to maintain centralization in mine inspection was indicated by this statute which made the county inspector an assistant to the State Inspector. In accordance with this act, a county mine inspector was appointed in Saline County in 1903.<sup>7</sup>

Provision was made in 1915 for petition by the State Inspector to the county court upon failure of the county board to appoint a suitable county mine inspector.<sup>8</sup> If necessary, the court will appoint an inspector, and order the county board to appropriate money for his compensation. This provision was recently reenacted.<sup>9</sup>

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1. L. 1871-72, p. 572.

2. L. 1877, p. 141, 142.

3. L. 1879, p. 208.

4. *Ibid.*, p. 209.

5. L. 1899, p. 306, 308.

6. *Ibid.*, p. 314, 315.

7. Supervisors' Records, v. D, p. 213.

8. L. 1915, p. 509, 510.

9. L. 1939, p. 727, 728.

## XXI. FARM BUREAU

Saline County farm bureau was organized in 1917 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>1</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>2</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>3</sup>

The General Assembly appropriated money in 1917 for the payment of county agricultural advisors.<sup>4</sup> The money was to be appropriated to the Department of Agriculture to be distributed equally among the several county agricultural advisors of the state, to apply upon their salaries. The vouchers approved by the Department of Agriculture for payment were to be accompanied by the certificate of the agricultural college of the University of Illinois that the requirements of the act relative to the employment of county advisors had been substantially applied. In 1928, to further develop the cooperative extension system in agriculture and home economics, Congress appropriated additional sums of money, eighty per cent of which was to be utilized for the payment of salaries of extension agents in counties of the several states.<sup>5</sup>

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1. 38 U. S. S. L. 372.

2. *Ibid.*, 373.

3. L. 1915, Joint Resolutions, p. 732.

4. L. 1917, p. 85.

5. 45 U. S. S. L. 711.

## XXII. 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 8, 1938,<sup>10</sup> for the levying of a tax to establish such an institution; the first board of directors was appointed on February 16, 1939.<sup>11</sup>

Today the powers and duties of the board of directors are essentially the same as in 1915. The directors have been given broad powers in the control and management of any sanitarium, all dispensaries, or auxiliary institutions and activities established or carried on under the provisions of the act of 1915 and subsequent legislation.<sup>12</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

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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 of each director was to serve was decided by lot (L. 1915, p. 347).

9. L. 1915, p. 347.

10. Supervisors' Record, v. G, p. 376.

11. *Ibid.*, p. 398.

12. L. 1915, p. 346-49; L. 1923, p. 302, 303; L. 1929, p. 304, 305. Cf. R. S. 1937, p. 956-59.

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>13</sup>

Since 1923, to insure greater working efficiency, counties maintaining tuberculosis sanitariums have been permitted to convey property 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>14</sup> The Tuberculosis Sanitarium Fund of Saline County is distributed under this latter provision, as no county sanitarium is maintained.

The directors are required to return to the county board monthly a list of the names of all persons making contributions and donations, the amount and nature of the property so received, and the date of its receipt. On or before the second Monday in June in each year, the directors make an annual report to the county board, stating the condition of their trust on the first day of June, the various sums of money received from all sources and how and for what purposes expended, the number of patients, and other pertinent statistics, information, and suggestions.<sup>15</sup>

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13. L. 1915, p. 347-49.

14. L. 1923, p. 303.

15. L. 1915, p. 348, 349.



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Guide to Public Vital Statistics Records in Illinois 1941 138 p.

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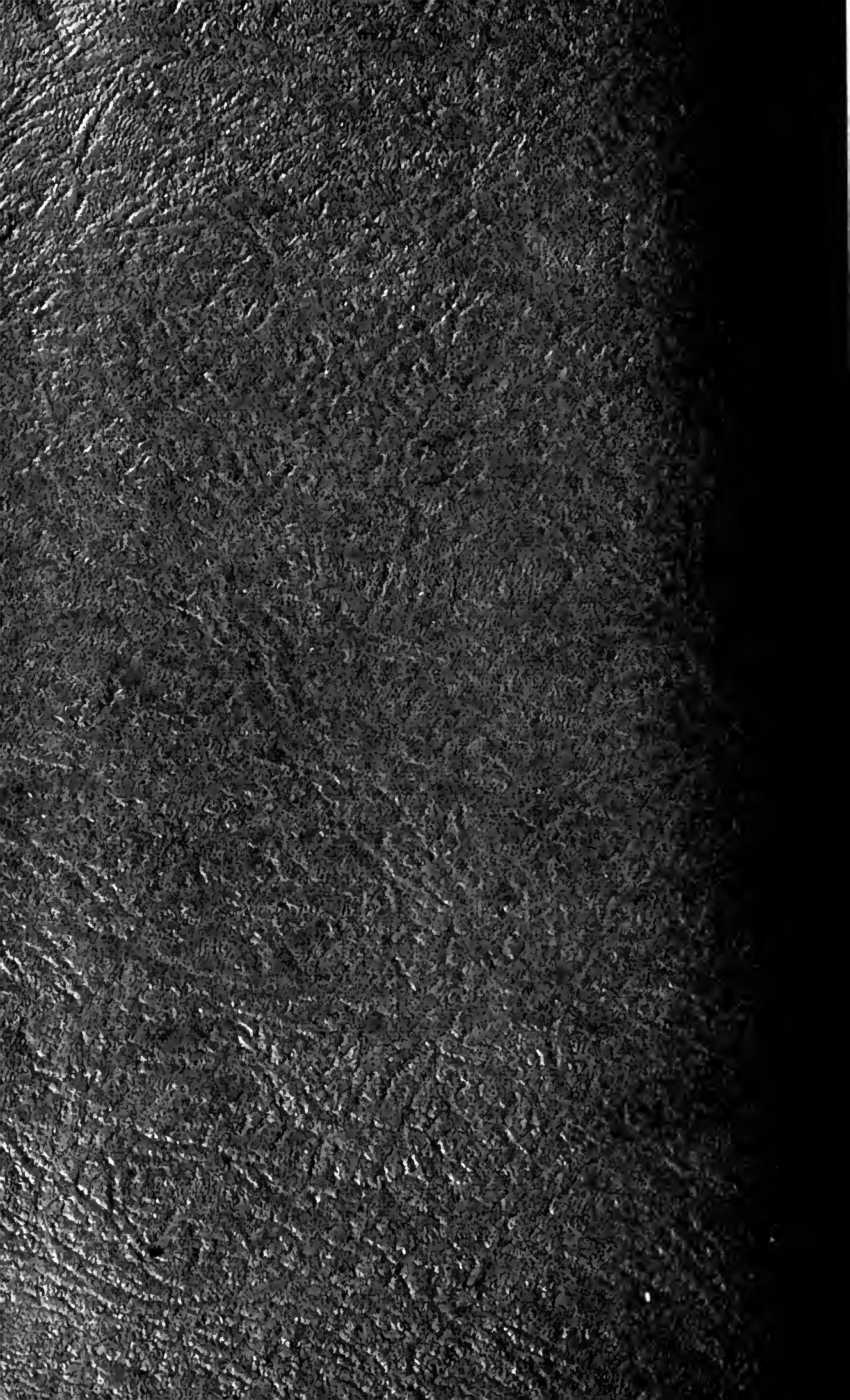
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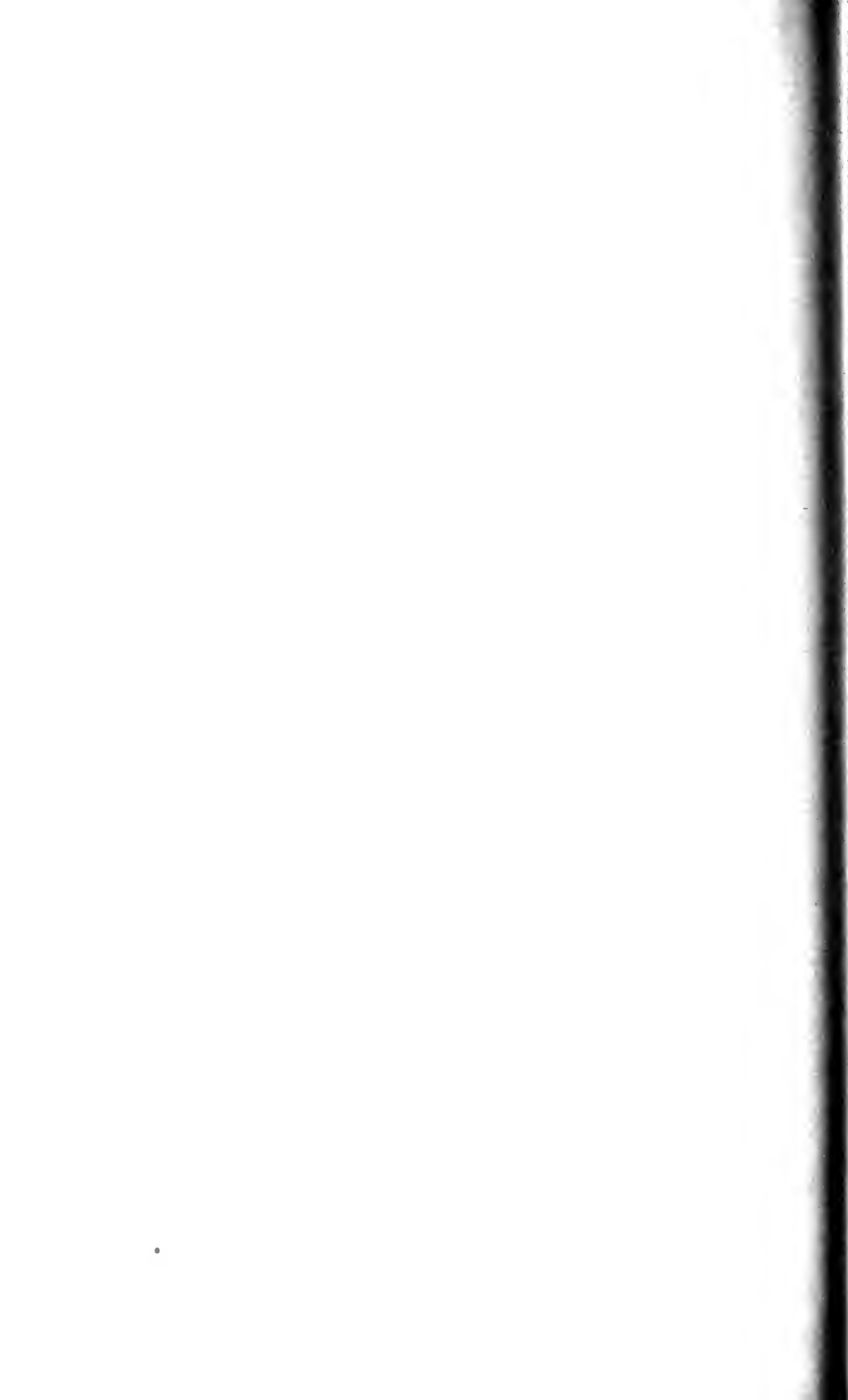
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8. Alabama, 1807-1840	1939	159 p.
9. New Jersey, 1784-1800	1939	189 p.
10. Kansas, 1854-1876	1939	773 p.
11. Kellogg Collection of "Patent Inside" Newspapers of 1876	1939	99 p.
12. Sag Harbor, Long Island, N. Y., 1791-1820	1939	61 p.
13. Idaho, 1839-1890	1940	74 p.
14. West Virginia, 1791-1830	1940	62 p.
15. Iowa, 1838-1860	1940	84 p.
16. List of Tennessee Imprints, 1793-1840, in Tennessee Libraries	1941	97 p.
A Bibliography of Books, Pamphlets and Broadsides Printed at Canandaigua, New York, 1799-1850 (v. 21, No. 4 of the Grosvenor Library Bulletin, Buffalo, N. Y.)	1939	47 p.
Location Symbols for Libraries in the United States	1939	258 p.
....., Additions and January, 1941	1941	36 p.













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