

Retention and Classification Report

Agency: District Court (Third District) (275)

451 South 2nd East., Room 411
Salt Lake City, UT 84111

Records Officer: _____

24870	*Abstract of judgment books
29312	*Administrative files
19481	*Articles of incorporation record books
03811	*Attorney's roll book
03814	*Bankruptcy case minute book
06007	*Bankruptcy proceedings abstract book
03223	*Bankruptcy register
14152	*Board of Trade Minute Book
03243	*Case file index
09802	*Case files
85110	*Certificates of citizenship record books
20011	*Civil and criminal registers of action
03225	*Civil case law and motion calendars
01625	*Civil case minutes
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17534	*Clerk appointments and resignations
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17149	*Correspondence
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01656	*Declarations of intention
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01651	*Fee books
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29204	*Historic civil case law and motion calendars
03845	*Incorporation case files

24337	* Judgment docket indexes
24809	* Judgment record book indexes
24336	* Judgment record books
03240	* Marshal's receipt books
04576	* Salt Lake County docket book
01428	* Summit County declarations of intention
06836	* Territorial criminal case files
01649	* Territorial minute books
17148	* Tobin case correspondence
04887	* U.S. Commissioner Harmel Pratt's civil case docket books
04879	* U.S. Commissioner Harmel Pratt's criminal docket book
04891	* U.S. Commissioner John W. Greenman's civil case docket book
30973	* U.S. Commissioner Morris Sommer's civil case docket books
30972	* U.S. Commissioner Morris Sommer's criminal docket
05154	* U.S. Commissioner Salt Lake County warrants
04878	* U.S. Commissioner W.C. Jennings civil and criminal docket bo
82995	* U.S. Commissioner civil and criminal case files
01617	* U.S. Commissioner civil case abstracts and executions
04662	* U.S. Commissioner criminal case docket book
03928	* U.S. Commissioner criminal case record book
26571	* U.S. Commissioner's docket books

AGENCY: District Court (Third District)

SERIES: 24870

4

TITLE: Abstract of judgment books

DATES: 1889-1896.

ARRANGEMENT: Chronological by filing date.

DESCRIPTION:

This series contains judgment abstracts filed with the territorial Third District Court. An abstract of judgment is a court document that states how much the loser of a lawsuit owes. Justice of the peace courts as well as other district courts could file an abstract of judgment with the clerk of the district court to serve as a lien upon the judgment debtor and to allow for execution in that district. The records are bound in volumes beginning with an alphabetical plaintiff index and followed by information relating to specific cases. Individual entries contain names of the plaintiff and defendant, court where judgment was issued and often the name of the judge, and the amount of judgment and prevailing party. That information is then followed by a log of the filing dates for individual documents such as the abstract of judgment, executions, or satisfactions.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives until microfilmed and then destroy provided microfilm has passed inspection.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on historical and legal value of the Third District Court ABSTRACTS OF JUDGMENT BOOKS, as a source of judgment information about parties involved in civil cases tried. The court clerk is required by law [UCA 104-30-12 (1943)] to maintain a judgment book to permanently record the sequence of events leading to a final judgment.

AGENCY: District Court (Third District)

SERIES: 24870

TITLE: Abstract of judgment books

(continued)

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 29312

3

TITLE: Administrative files

DATES: 1879.

ARRANGEMENT: Chronological

DESCRIPTION:

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

'this series has permanent historical value as sample documentation of the administration of the court during this period.

AGENCY: District Court (Third District)

SERIES: 19481

4

TITLE: Articles of incorporation record books

DATES: 1887-1896.

ARRANGEMENT: Chronological by date.

TOTAL VOLUME: 1.40 cubic feet.

DESCRIPTION:

Copies of Articles of Incorporation filed with the Third District Court by newly organized corporations were recorded in these record books, which were kept as the copy available for public use.

The clerk then issued a certificate of incorporation and recorded the final articles of incorporation in these record books. The actual articles of incorporation record the following: names of the incorporators and their places of residence, the length of the corporation's duration, the pursuit of business agreed upon, amount of stock each shareholder receives, description of stock classes, number and kind of corporate officers, and the number of directors necessary to transact corporate business.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical, and/or legal value(s).

Because of the importance of incorporation information in documenting the organization and existence of companies this series is kept permanently.

AGENCY: District Court (Third District)

SERIES: 19481

TITLE: Articles of incorporation record books

(continued)

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 3811

3

TITLE: Attorney's roll book

DATES: 1895.

ARRANGEMENT: Alphanumerical.

DESCRIPTION:

Historic attorney and case information from the Territorial Third District Court.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on documentation about individuals, legal procedure, court history and functions. Book(s) serve as a historically useful record for documenting the operation of the court and its ability to fulfill obligations to the public.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (Third District)

SERIES: 3814

4

TITLE: Bankruptcy case minute book

DATES: i 1874-1888.

ARRANGEMENT: Chronological by date.

DESCRIPTION:

This volume contains the minutes for bankruptcy cases involving bankrupts who resided in the numerous counties of the third district. Hearings were conducted under federal laws enacted in 1867 and amended in 1874. Either an individual (including a business) or his creditors could apply for bankruptcy. Each day's activities are summarized. A typical case will span multiple dates, and several cases may be heard on the same day. The bankrupt's name and the date is included for each entry. Standard entries in a case include the adjudication of bankruptcy; orders to publish notice to creditors; orders to sell property which may specify the type of real or personal property being sold; election of an assignee, by creditors with judicial approval, to coordinate collection and distribution of property or the money from its sale; schedules of distribution showing amounts agreed to by each of the named creditors; etc. Allowances to be paid to the bankrupt by the assignee or exemptions of property may also be noted. If the case was heard by a judicially appointed Register in Bankruptcy, entries may be more brief, with little more than the judge's order to appear before the Register being noted. Final discharge of the case is also included. The book also includes some "Abstracts of Proceedings," which, like a docket, documents the dates of various activities (e.g., filing of petition, judged bankrupt, creditors meeting, claims approved, distribution filed, etc.) in individual cases. In 1878 the bankruptcy law was repealed. Although cases could be completed under the old law, no new petitions could be filed after 1 September. Most cases in this book were completed by 1881, although a rare notation occurs as late as 1888.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Records Center until microfilmed and then destroy provided microfilm has passed inspection.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with

AGENCY: District Court (Third District)

SERIES: 3814

TITLE: Bankruptcy case minute book

(continued)

authority to weed.

APPRAISAL:

These records have historical value(s).

This series documents the court's proceedings plus provides extensive information on individual (and thereby community) fiscal health. It is in a useable format which provides information not available elsewhere.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 6007

4

TITLE: Bankruptcy proceedings abstract book

DATES: i 1876-1878.

ARRANGEMENT: Chronological by the initial date of action in a case.

DESCRIPTION:

This volume gives the dates of various actions taken in bankruptcy cases heard by the Register in Bankruptcy, E.T. Sprague. The cases begin 19 January 1876 and end 30 August 1878, and may include bankrupts residing in any of the numerous counties of the third district. Sprague was appointed Register in Bankruptcy by the court in January 1876 following the resignation of the former Register, James Beatty. Under federal bankruptcy laws of 1867 and amended in 1874, a Register in Bankruptcy for the court could be appointed by the judge to assist in examining the case and keeping records.

Each case lists parties involved, whether voluntary or involuntary bankruptcy, and the dates various actions were taken in the case by Sprague. Actions include filing bankruptcy petitions and schedules, issuing orders calling a meeting of creditors, proofs of debts filed, minutes of hearings before the Register, report of findings to the court, discharge of assignee, filing of papers with court clerk, etc. The most detail is provided under proofs of debt in which the name of the creditor and the amount involved is listed for each debt. Minutes of hearings before the Register are brief, but do detail the choice of assignee by the creditors and the creditors' decisions regarding the division of the bankrupt's property.

A copy of the 1876 federal House resolution requiring cases not completed by 22 June 1874 be turned over to the district courts by the supreme court is glued in the front of the book. In 1878 the bankruptcy law was repealed. Although cases could be completed under the old law, no new petitions could be filed after 1 September. Thus notations in cases in this book go up to 1880, but the last new case was entered on 30 August.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Records Center until microfilmed and then destroy provided microfilm has passed inspection.

Microfilm master: Retain in State Archives permanently with authority to weed.

AGENCY: District Court (Third District)

SERIES: 6007

TITLE: Bankruptcy proceedings abstract book

(continued)

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

This series is indirectly the result of a Utah court and provides thorough documentation of bankruptcy proceedings. It is in a readily useable format and contains information not readily available elsewhere.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 3223

4

TITLE: Bankruptcy register

DATES: i 1874-1878.

ARRANGEMENT: Chronological by date of initial action.

DESCRIPTION:

This volume contains a register of bankruptcy cases June 16, 1874 through August 31, 1878 in the numerous counties of the third district. Each case gives the name of the party or parties involved and a statement indicating if the bankruptcy is voluntary or involuntary. For each case, dates of various actions are itemized. The actions are only briefly noted, for example: petition for adjudication, order to show cause, warrant of seizure filed, list of creditors filed, notice to assignee filed, etc.

Cases were conducted under federal bankruptcy laws enacted in 1867 and amended in 1874. In 1878 the bankruptcy law was repealed. Although cases could be completed under the old law, no new petitions could be filed after 1 September. Thus while particular actions of later dates may be entered, no new cases were added in this register after August 31.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Records Center until microfilmed and then destroy provided microfilm has passed inspection.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

This series documents court proceedings plus provides information on individual cases. The format is readily useable and provides information not available elsewhere.

AGENCY: District Court (Third District)

SERIES: 3223

TITLE: Bankruptcy register

(continued)

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 14152

3

TITLE: Board of Trade Minute Book

DATES: 1880.

ARRANGEMENT: Chronological by date.

DESCRIPTION:

Historic financial records from the Territorial Third District Court.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on documentation about individuals, legal procedure, court history and functions. Book(s) serve as a historically useful record for documenting the operation of the court and its ability to fulfill obligations to the public.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (Third District)

SERIES: 3243

4

TITLE: Case file index

DATES: 1871-1896.

ARRANGEMENT: Chronological, thereunder alphabetical by initial letter(s) of the plaintiff's surname.

DESCRIPTION:

The territorial CASE INDEX records the names of plaintiffs and defendants involved in court actions and provides assigned case numbers, facilitating clerical management of and access to the case files. Civil cases span the entire period (1871-1896). Criminal cases were indexed in this series from 1871 to 1882, when a separate filing arrangement for criminal case files was implemented. Information about most cases is limited to the name of the plaintiff, the name of the defendant, and the case number. Rarely is the date of filing recorded. The cause of action is mentioned only in proceedings pertaining to court business (grand jury lists and reports, orders summoning persons to serve as jurors, etc.), the probate of an estate, applications (such as name changes or corporate dissolution), and, rarely, petitions for extraordinary writs (habeas corpus, mandamus, and certiorari). The Third District Court is restricted to adjudication of actions involving real property located within the Third Judicial District, those in which the defendant resides in the Third Judicial District, and those involving incidents occurring in the Third Judicial District.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently after microfilming.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical, and/or legal value(s).

This disposition is based on the 1993 records retention policy of the Utah Judicial Council (in UCA, Utah Court Rules Annotated, Appendix F), which has remained unchanged since the 1980 issue of the state Records Retention Schedule (Utah State Archives and Records Service, Department of Finance 1980, page 1). The indexes

AGENCY: District Court (Third District)

SERIES: 3243

TITLE: Case file index

(continued)

have historic value and facilitate access to the case files. The permanent disposition of the case files is based on their historical and legal value.

PRIMARY DESIGNATION:

Public

UCA 63G-2-301 (1) (f) states that all judicial records are public unless a court orders the records restricted under the rules of criminal or civil procedure.

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 9802

4

TITLE: Case files

DATES: 1851-1896.

ARRANGEMENT: Numerical by consecutive case number.

DESCRIPTION:

An original complaint, summons, indictment or arrest warrant which initiate a legal action together with all legal papers subsequently filed in connection with the civil or criminal proceeding through disposition or dismissal of the case make up these case files. Case files document the legal process and the administration of justice in the Third Judicial District. Civil cases span the entire period and include suits to recover money, petitions for divorce, and writs of habeas corpus.

Criminal cases date from 1851 to 1882 and include both felonies and misdemeanors. Recurrent criminal offenses include robbery, burglary, theft, riot, malicious destruction of property, extortion, distribution of unlawful substances, contempt, treason, desertion, assault, murder, etc.

The court was required to hold at least four terms within the district each calendar year. Matters from throughout the district (several counties) were heard in Salt Lake City. Cases from Salt Lake County are most numerous but matters from outlying Summit and Tooele counties are common. During the early days of the territory, the Third Judicial District included current Utah counties (such as Iron and Utah) as well as extinct counties (e.g., Green River and Carson). A small number of case files from these locales are included.

RETENTION:

Retain

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently after microfilming.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

AGENCY: District Court (Third District)

SERIES: 9802

TITLE: Case files

(continued)

APPRAISAL:

These records have historical value(s).

This disposition is based on the 1993 records retention policy of the Utah Judicial Council (in UCA, Utah Court Rules Annotated, Appendix F), which has remained unchanged since the 1980 issue of the state Records Retention Schedule (Utah State Archives and Records Service, Department of Finance 1980, page 1). The territorial case files provide documentation about individuals, legal procedure, court history and functions. The permanent disposition of the case files is based on their historical research value.

RETENTION JUSTIFICATION:

The historical, administrative, and legal value of the case files provide documentation about individuals, legal procedure, court history and functions, and other topics useful to legal researchers and historians.

PRIMARY DESIGNATION:

Public UCA §63G-2-301 (1) (f) provides that judicial records are public unless restricted by the rules of criminal or civil procedure.

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 85110

4

TITLE: Certificates of citizenship record books

DATES: i 1880-1895.

ARRANGEMENT: Chronological by date.

DESCRIPTION:

This series contains copies of certificates of citizenship issued to newly naturalized United States citizens. The volumes have preprinted forms which briefly summarize the naturalization hearing and contain blanks for the date, individual's name, previous country and kingdom, current county of residence, and the judge's signature. Someone has later gone through the volumes and added in the names of the witnesses at the hearing. After statehood in 1896, district courts began keeping records separately in each county.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently after microfilming.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

This disposition is based on the historical value of these records in documenting the process of becoming a U.S. citizen in early Utah.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 20011

3

TITLE: Civil and criminal registers of action

DATES: 1870-1871.

ARRANGEMENT: Chronological.

DESCRIPTION:

Records and documents pertaining to a particular civil or criminal action are filed together by the court clerk and collectively these documents constitute the case file. As these records or actions are filed, the clerk enters them in the registers which comprise this series.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Records Center until microfilmed and then transfer to State Archives with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

Microfilm master: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on documentation about individuals, legal procedure, court history and functions. Historically useful record for documenting the operation of the court and its ability to fulfill obligations to the public.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (Third District)

SERIES: 3225

3

TITLE: Civil case law and motion calendars

DATES: 1873-1892.

ARRANGEMENT: Numerical by docket number.

DESCRIPTION:

Information is recorded under the following column headings: docket number, title of action, attorneys, file number, and judge's minutes. The series records motions, demurrers, etc. made in civil cases and the action taken in them. The actions, noted in the judge's minutes, are extremely brief, for example, "passed."

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Records Center for 1 year and then destroy.

APPRAISAL:

These records have administrative value(s).

The text of the notes is too brief to be of historical value; minutes, case files, and other more comprehensive records of the court have been retained.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (Third District)

SERIES: 1625

3

TITLE: Civil case minutes

DATES: 1874-1875.

ARRANGEMENT: Alphanumerical.

DESCRIPTION:

Clerk's minute book for October term, 5 Oct 1874-1 May 1875.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on documentation about individuals, legal procedure, court history and functions. Book(s) serve as a vital record essential for the operation of the court and its ability to fulfill obligations to the public.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (Third District)

SERIES: 6545

4

TITLE: Civil case trial calendars

DATES: 1871, 1879-1892.

ARRANGEMENT: Chronological by term, thereunder numerical by docket number. Docket numbers begin at number one with each new term.

DESCRIPTION:

These court calendars provide a list of cases to determine their orderly disposition and trial. Each entry gives the docket number, names of parties involved, the attorneys for each party, the file (case) number, and space called "minutes" for the judge's notes. These penciled notes are extremely brief, for example: "withdrawn," "dismissed," "date set for ---," "settled," "continued," "judgments against," etc. Most are for cases of law or equity.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Records Center until microfilmed and then destroy provided microfilm has passed inspection.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

This series documents court proceedings during a time period for which we have limited records and provides some specifics in individual cases not readily available elsewhere.

RETENTION JUSTIFICATION:

The Utah State Courts Records Retention Schedule specifies that the retention for "Court calendars of all types, including civil, criminal, probate, domestic relations, real property, etc." is 1 year in court then destroy.

AGENCY: District Court (Third District)

SERIES: 6545

TITLE: Civil case trial calendars

(continued)

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 24319

4

TITLE: Civil judgment dockets

DATES: 1871-1896.

ARRANGEMENT: Chronological by filing date.

DESCRIPTION:

These judgment dockets function as the court clerk's tracking device for the decision rendered in each civil case. The dockets record the names of judgment debtor and creditor, and frequently the case number; a brief statement regarding the judgment including in whose favor decided and for how much; date of entry; judgment record book and page where the judgment was entered; appeals, if any; notes on the judgment of the appellate court; and notes regarding the satisfaction (payment) of judgment.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

Paper: Retain in State Archives until microfilmed and then destroy provided microfilm has passed inspection.

APPRAISAL:

These records have historical value(s).

This disposition is based on the historical and legal value of this series. These records function as the court clerk's primary tracking device for civil cases tried by the Third District Court and facilitate access to other court records. Because of the importance of the judgment docket information the court clerk is required by law [UCA Rule 79 (b) (2)] to maintain a judgment book to permanently record information pertaining to civil cases.

AGENCY: District Court (Third District)

SERIES: 24319

TITLE: Civil judgment dockets

(continued)

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 22610

4

TITLE: Civil registers of actions

DATES: 1871-1896.

ARRANGEMENT: Numerical by case number, thereunder chronological by date.

DESCRIPTION:

Civil cases document the legal process and the administration of justice in conjunction with civil proceedings for the determination of a controversy between parties wherein rights are enforced or protected, or wrongs are prevented or redressed. Records and documents pertaining to a particular civil action are filed together by the court clerk and collectively these documents constitute the case file. As these records or actions are filed, the clerk enters them in the registers which comprise this series. The clerk is required as documents enter the case file to make a notation that shows "the nature of each paper filed or writ issued and the substance of each order or judgment of the court and of the returns showing execution of process. The notation of an order or judgment shall show the date the notation is made. When trial by jury has been properly demanded or ordered the clerk shall enter the word "jury" on the page assigned to that action [UCA 79 (b) (2)]."

A register of actions may contain the following entries for each civil case: name of the attorney for plaintiff and defendant, name of the judge presiding over the case, petitions, complaints, summons, answers to summons, orders from the court, assignment of judges, exhibits, judgment, findings and conclusions, costs, decrees, requests by attorneys for instructions to the jury, verdict, motions for cross complaints or new trials, amendments to previous answers and disclaimers. Matter from throughout the district (several counties) were heard in Salt Lake City. Cases from Salt Lake County are most numerous but matters from outlying Summit and Tooele counties are common. During the early days of the territory, the Third Judicial District included other current Utah counties as well as Box Elder, Cache, Davis, Morgan, Rich and Weber. A small number of case files from locales may be included.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Records Center until microfilmed and then destroy provided microfilm has passed inspection.

Microfilm master: Retain in State Archives permanently with

AGENCY: District Court (Third District)

SERIES: 22610

TITLE: Civil registers of actions

(continued)

authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

This disposition is based on the 1993 records retention policy of the Utah Judicial Council (in UCA, Utah Court Rules Annotated, Appendix F), which has remained unchanged since the 1980 issue of the state Records Retention Schedule (Utah State Archives and Records Service, Department of Finance 1980, page 1). The territorial case files provide documentation about individuals, legal procedure, court history and functions. The permanent disposition of the case files is based on their historical research value.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 17534

3

TITLE: Clerk appointments and resignations

DATES: 1879-1894.

ARRANGEMENT: Chronological by date.

DESCRIPTION:

These are appointments, oaths of office, and resignations for various clerks of the court.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on documentation about individuals, legal procedure, court history and functions. Clerk appointments and resignations help document the history of the course and its ability to fulfill obligations to the public.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (Third District)

SERIES: 82994

4

TITLE: Copyright petitions

DATES: i 1870-1875, 1879.

ARRANGEMENT: Chronological by date of filing.

DESCRIPTION:

An original application for copyright for theatrical plays, books, maps, drawings, medicine preparations, slip inscriptions, and labels make up these petitions. A description of the play, book, or map, or a sample of the label or slip design are usually included.

These petitions document the legal process of securing intellectual property rights in the territorial third judicial district.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently and then microfilm.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

This disposition is based on the 1993 records retention policy of the Utah Judicial Council (in UCA, Utah Court Rules Annotated, Appendix F), which has remained unchanged since the 1980 issue of the state Records Retention Schedule (Utah State Archives and Records Service, Department of Finance 1980, page 1). The copyright petitions provide documentation about the legal process for securing intellectual property rights in Utah. As these petitions are the only known records documenting this function, they are historically valuable and are retained permanently.

RETENTION JUSTIFICATION:

As these petitions are the only known records documenting the function of the district court in connection with copyright registration, they are historically valuable.

AGENCY: District Court (Third District)

SERIES: 82994

TITLE: Copyright petitions

(continued)

PRIMARY DESIGNATION:

Public

Title 17 USC Section 705 (b) states that copyright records and indexes shall be open to public inspection.

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 17149

3

TITLE: Correspondence

DATES: 1878-1889.

ARRANGEMENT: Chronological

DESCRIPTION:

This series contains correspondence to and from the court.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on documentation about individuals, legal procedure, court history and functions. Correspondence helps document the operation of the court and its ability to fulfill obligations to the public.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (Third District)

SERIES: 17903

3

TITLE: Criminal calendars

DATES: 1880-1892.

ARRANGEMENT: Chronological by date, thereunder by docket number.

DESCRIPTION:

Gives docket number, title of action, attorneys (the nature of the charge is often listed in this column), file number and judge's minutes. The minutes are only a few words, e.g. "plea not guilty", "at large", "dismissed", etc. The entries record criminal trials during the court term.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have administrative, and/or historical value(s). These are merely a scheduling aid; more detailed information on actions taken in cases is available in the case files and the minute books of the court. Court general retention schedules have normally kept calendars in-office for 1 year before destruction.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (Third District)

SERIES: 3834

3

TITLE: Criminal case docket book

DATES: s 1890.

ARRANGEMENT: Alphanumerical.

DESCRIPTION:

Covers four months, June to September, 1890.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on documentation about individuals, legal procedure, court history and functions. Book(s) serve as a vital record essential for documenting the operation of the court and its ability to fulfill obligations to the public.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (Third District)

SERIES: 22664

4

TITLE: Criminal registers of actions

DATES: 1882-1896.

ARRANGEMENT: Numerical by case number, thereunder chronological by date.

DESCRIPTION:

This series documents the individual criminal cases tried by the Third District Court. Actions taken in each case are recorded on separate documents and then filed together to become the case file. As these documents enter the case file they are recorded in the Criminal registers of Actions.

Registers function as a chronological list of the actions taken in each criminal cases. A register of actions can contain the following: attorney for plaintiff and defendant, name of the judge presiding over the case, petitions, complaint, summons, answers to summons, orders from the court, assignment of judges, exhibits, judgment, findings and conclusions, costs, decrees, requests by the attorneys for instructions to the jury, verdict, motions for cross complaints or new trials, amendments to previous answers, and disclaimers.

Matters from throughout the district (several counties) were heard in Salt Lake City. Cases from Salt Lake County are most numerous but matters from outlying Summit and Tooele counties are common. During the days of the territory, the Third Judicial District also included Davis County. A small number of case files from this county may be included.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Records Center until microfilmed and then destroy provided microfilm has passed inspection.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have administrative, historical, and/or legal value(s).

This disposition is based on the historical value of the Registers of Actions since they document individuals and topics useful to legal researchers and historians. This series also has

AGENCY: District Court (Third District)

SERIES: 22664

TITLE: Criminal registers of actions

(continued)

administrative and legal value since it documents the functions of the Third District Court and continues to serve current and future administrative needs [UCA 79 (d) (6)].

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 1656

3

TITLE: Declarations of intention

DATES: 1866-1871.

ARRANGEMENT: Chronological by date.

DESCRIPTION:

To become a citizen of the United States, an individual normally filed a "declaration of intention to become a citizen" at least two years prior to applying for citizenship. The next step was the naturalization hearing at which the candidate and witnesses either made oral statements or filed written petitions and affidavits attesting to the applicant's character, worthiness to become a citizen, and the validity of statements made to the court. If the judge found the applicant eligible to become a citizen, an oath was administered and the individual renounced his former citizenship. At this point a certificate of citizenship was issued documenting the fact. These volumes contain recorded copies of the declarations of individuals' intentions to later become United States citizens and to renounce current citizenship. The first forms contain little more than the declarant's name and native country, but forms after 1906 contain more detailed information about both the individual and his family.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

This disposition is based on the record's secondary informational value to researchers. These naturalization records are important sources for both the family historian and historical scholar studying immigration and ethnic settlement in Utah.

AGENCY: District Court (Third District)

SERIES: 1656

TITLE: Declarations of intention

(continued)

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (Third District)

SERIES: 85111

4

TITLE: Declarations of intention record books

DATES: i 1869-1895.

ARRANGEMENT: Chronological by date.

DESCRIPTION:

These volumes record individuals' declarations of their intentions to become United States citizens. During this period, an individual could file for citizenship in any court of the territory, but most declarations were from residents of counties in the third district. The volumes have standardized forms allowing for insertions of the individual's name, sovereign, date, and signatures of the individual and the court clerk witnessing the statement. After statehood in 1896, the district courts began keeping records separately in each county.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently after microfilming.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

Microfilm master: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

This disposition is based on the record's secondary informational value to researchers. These naturalization records are important sources for both the family historian and historical scholar studying immigration and ethnic settlement in Utah.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 6058

3

TITLE: Declaratory adjudicated statement

DATES: 1872-1894.

ARRANGEMENT: Numerical.

DESCRIPTION:

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Records Center until microfilmed and then destroy provided microfilm has passed inspection.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

AGENCY: District Court (Third District)

SERIES: 3238

3

TITLE: Equity rule book and index

DATES: 1873-1874.

ARRANGEMENT: Alphanumerical.

DESCRIPTION:

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on documentation about individuals, legal procedure, court history and functions. Book(s) serve as a historically useful record for documenting the operation of the court and its ability to fulfill obligations to the public.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (Third District)

SERIES: 3218

3

TITLE: Execution docket

DATES: 1876-1880.

ARRANGEMENT: Alphanumerical.

DESCRIPTION:

Records date of issue, file number, title of case, number of days to run, amount returning to clerk, date of payment, remarks, and amount paid.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on documentation about individuals, legal procedure, court history and functions. Book(s) serve as a vital record essential for documenting the operation of the court and its ability to fulfill obligations to the public.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (Third District)

SERIES: 1651

3

TITLE: Fee books

DATES: 1858-1896.

ARRANGEMENT: Alphanumerical.

DESCRIPTION:

Fee books note dates, document type, and fees charged by judge and clerk for various filings and issuings within a case.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have administrative, historical, and/or legal value(s).

This disposition is based on the 1988 schedule p. iv #9 which states all territorial records are considered to have historical value and the 1986 schedule p. 40 which says district court fee books may be destroyed after 3 years.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (Third District)

SERIES: 1635

3

TITLE: Grand jury minute books

DATES: 1878-1896.

ARRANGEMENT: Chronological by date.

DESCRIPTION:

These handwritten, bound volumes record grand jury inquiries into public offenses committed or triable in the Third Judicial District, including indictments charging a person with a public offense presented to the court. (See "Compiled Laws of Utah, 1888," vol. 2, Criminal Procedure, Title III, Chapters 1-2, pp. 680-685, and Title IV, Chapters 1-2, pp.685-690.). Crimes under consideration for indictment include murder, assault, rape, embezzlement , polygamy, fornication, burglary, larceny, etc.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on documentation about individuals, legal procedure, court history and functions. Book(s) serve as a vital record essential for documenting the operation of the court and its ability to fulfill obligations to the public.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (Third District)

SERIES: 29204

3

TITLE: Historic civil case law and motion calendars

DATES: 1873-1892.

ARRANGEMENT:

DESCRIPTION:

Information is recorded under the following column headings: docket number, title of action, attorneys, file number, and judge's minutes. The series records motions, demurrers, etc. made in civil cases and the action taken in them. The actions, noted in the judge's minutes, are extremely brief, for example, "passed."

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).
this series was appraised on May 1, 2017 and deemed of permanent historical value as sample documentation of cases brought before the court.

AGENCY: District Court (Third District)

SERIES: 3845

4

TITLE: Incorporation case files

DATES: 1887-1896.

ARRANGEMENT: Numerical by case number.

DESCRIPTION:

Incorporation Case Files contain at a minimum the original articles of incorporation and any subsequent amendments. Some files also contain notices to pay licensing fees and taxes, oaths of office for corporate officers, annual reports, correspondence, or other miscellaneous documents. Case files are created during the length of a corporation's duration. The case file is generated when companies incorporate and serve as evidence of "due incorporation of the corporation [UCA 16-2]. Most of these are incorporations of mining and natural resource companies." Articles of incorporation constitute a contract between the state and corporation, between corporation and stockholders, and between the stockholders and state. The articles of incorporation record the following: names of the incorporators and their places of residence, the length of the corporation's duration, the pursuit of business agreed upon, amount of stock each shareholder receives, description of stock classes, number of kind of corporate officers, and the number of directors necessary to transact corporate business. There are three case files numbers that were never assigned or were not filed with the other case files.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Records Center until processed and then microfilm and transfer to State Archives with authority to weed.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical, and/or legal value(s).

Because of the importance of incorporation information, which documents the organization and existence of companies, the county clerk is required by law [UCA sections 3 and 16] to maintain

AGENCY: District Court (Third District)

SERIES: 3845

TITLE: Incorporation case files

(continued)

incorporation case files and record books (and likewise their corresponding indexes).

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 24337

4

TITLE: Judgment docket indexes

DATES: 1871-1896.

ARRANGEMENT: Chronological by corresponding docket book, thereunder alphabetical by initial letter or two of plaintiff surname.

DESCRIPTION:

These volumes provide access to judgment dockets produced by the territorial Third District Court. The indexes provide surname, first, and middle names or initials of the plaintiff and defendants involved in the civil case. For each entry, the page number where the judgment appears in the corresponding docket book is given.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have administrative, historical, and/or legal value(s).
These indexes provide access to a permanent series of judgment dockets.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 24809

4

TITLE: Judgment record book indexes

DATES: 1891-1895.

ARRANGEMENT: The indexes are chronological by the record book indexed. Entries are alphabetical by initial letter of plaintiff

DESCRIPTION:

These indexes provide access by plaintiff name to the territorial JUDGMENT RECORD BOOKS of the Third District Court. They give plaintiff name, defendant name, and page number in the record books where a summary of the conclusions of each civil case is recorded.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

Paper: Retain in State Records Center until microfilmed and then destroy provided microfilm has passed inspection.

APPRAISAL:

These records have historical value(s).

These index books are necessary for providing access to permanent judgment record books from the court and should be preserved permanently for this purpose.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 24336

4

TITLE: Judgment record books

DATES: 1870-1896.

ARRANGEMENT: Chronological by filing date.

DESCRIPTION:

This series contains the judgment record and summarized case information of individual civil cases, including divorces, processed and filed in the various counties of the territorial Third District Court. A few of the last entries after statehood in 1896 pertain to the Third District Court in and for the county of Salt Lake. These records function as an abstracted reference source for all materials affecting the final judgment. A record typically includes the names of the parties, case number by the time the court started regularly assigning numbers to cases, stipulations and orders, findings of facts and conclusions of law, and a copy of the judgment or decree stating the results of the case including which party prevailed. Satisfaction of judgment may also be recorded. The judge, clerk, and filing date are noted as well.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives until microfilmed and then destroy provided microfilm has passed inspection.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

These record books summarize the results of permanent civil cases.

AGENCY: District Court (Third District)

SERIES: 24336

TITLE: Judgment record books

(continued)

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 3240

3

TITLE: Marshal's receipt books

DATES: 1882-1895.

ARRANGEMENT: Alphanumerical.

DESCRIPTION:

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on documentation about individuals, legal procedure, court history and functions. Book(s) serve as a historically useful record for documenting the operation of the court and its ability to fulfill obligations to the public.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (Third District)

SERIES: 4576

3

TITLE: Salt Lake County docket book

DATES: 1889-1908.

ARRANGEMENT: Alphanumerical.

DESCRIPTION:

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on the value of these records in documenting the types of cases handled by justice courts during this period. It is important for the study of local history and community studies.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (Third District)

SERIES: 1428

4

TITLE: Summit County declarations of intention

DATES: i 1871-1878.

ARRANGEMENT: Chronological.

DESCRIPTION:

These volumes contain declarations of individual's intentions to become United States citizens.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Microfilm master: For records beginning in 1871 through 1878.
Retain in State Archives permanently.

Microfilm duplicate: For records beginning in 1871 through 1878.
Retain in State Archives permanently.

APPRAISAL:

These records have historical value(s).

Disposition based on documentation about individuals, legal procedure, court history and functions. Historically useful record for documenting the operation of the court and its ability to fulfill obligations to the public.

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (Third District)

SERIES: 6836

4

TITLE: Territorial criminal case files

DATES: 1882-1896.

ARRANGEMENT: Numerical by case number.

DESCRIPTION:

Case files act as documentation that tracks criminal cases as they proceed through the court system and subsequently become the official files in reference to individual cases. The records usually contain the following information: case number, defendants name, filing date, charges, names of witnesses, and court actions taken. These records may also contain information about the counsel for defendant, names of jurors, verdicts, statements of witnesses, and judgments. Some case files may include these documents: petitions to the court, transcripts, warrants of execution and confinement, warrants of death, notices of appeal, complaints, orders to show cause, court orders to the jury or defendant, and trial evidence. Documents such as warrants, subpoenas, and affidavits may also be included. The vast majority of these cases involving polygamy and related charges have been removed at some time in the past and are no longer a part of this series. The National Archives, Denver Branch, has copies of these cases. The cases may have originated in any of the counties in the territory with the majority of the cases originating in the counties that made up the 3rd District: Salt Lake, Tooele, Summit, and Davis. Random cases are missing throughout the series with large gaps between case numbers 1385-1399.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

AGENCY: District Court (Third District)

SERIES: 6836

TITLE: Territorial criminal case files

(continued)

APPRAISAL:

These records have administrative, historical, and/or legal value(s).

This disposition is based on the historical value of this series since it documents the functions of the Third District Court during the territorial period. Case files document individuals, legal procedures, court history, and other topics, useful to legal researchers and historians. Technically this series has administrative and legal value but, due to the age of the documents and the parties involved, these values are negligible.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 1649

4

TITLE: Territorial minute books

DATES: i 1858-1896.

ARRANGEMENT: Chronological by date.

DESCRIPTION:

District courts had original jurisdiction in civil, criminal, and chancery or equity cases. They also had the power to grant citizenship. They heard appeals from the lower probate courts. The minute books document the daily proceedings of the court but are not transcripts of court cases. Business matters include court site and officers present, jury selection, judicial appointments, and expense claims as well as entries noting the day's proceedings on various cases. A typical case will span multiple dates. A case will include an indictment or indication of a filed complaint; procedural issues; a statement that the case was presented including witnesses' names but not their testimony; the verdict; and precise sentencing or settlement. The most information occurs in various property disputes (eg. mining claims, land disputes with the railroad, water rights, debt, etc.)

Cases include those for murder, larceny, robbery, burglary, theft, embezzlement, assault, purchasing public property from soldiers, riot, polygamy (esp. after 1874 and in the 1880s), gambling, liquor law violations, prostitution, etc. Also included are property claims, foreclosure, receivership, and dissolution of corporation.

Probate cases are not included except in the case of contested estates such as the civil case revolving around Brigham Young's estate 1879-1883. Divorce and alimony cases are included, notably the one of Ann Eliza Young vs. Brigham Young in the mid-1870s. Also included are commitments to reform school. Naturalizations are one of the most frequent entries in the books, and appear under 'N' in the indices.

Conflicts between the federally appointed district courts and the local Mormon population resulted in the territorial legislature giving original jurisdiction in the same type cases to the county probate courts. Therefore, the probate court minutes should also be consulted.

The boundaries of the third district court were redefined frequently, containing from one to a dozen counties, through the years. Among the counties included at various times are Salt Lake, Tooele, Davis, Weber, Box Elder, Cache, Summit, and Morgan.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

AGENCY: District Court (Third District)

SERIES: 1649

TITLE: Territorial minute books

(continued)

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently and then microfilm.

Microfilm duplicate: Retain in State Archives permanently.

Microfilm master: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

This disposition is based on the information provided on the operation of the territorial court and the individual cases heard by it.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 17148

3

TITLE: Tobin case correspondence

DATES: 1871-1877.

ARRANGEMENT: None.

DESCRIPTION:

This series contains correspondence pertaining to the Tobin case.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on documentation about individuals, legal procedure, court history and functions. Records help document the operation of the court and its ability to fulfill obligations to the public.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (Third District)

SERIES: 82995

3

TITLE: U.S. Commissioner civil and criminal case files

DATES: 1889-1895.

ARRANGEMENT: None.

DESCRIPTION:

Primarily civil and criminal court matters from Salt Lake County.
Includes a few items from Summit County.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on the value of these records in documenting the types of cases handled by the U.S. Commissioner courts during this period. It is important for the study of local history and community studies.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (Third District)

SERIES: 1617

3

TITLE: U.S. Commissioner civil case abstracts and executions

DATES: 1889-1895.

ARRANGEMENT: Alphabetical by plaintiff surname.

DESCRIPTION:

RETENTION:

Permanent. Retain for 1 year(s)

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on documentation about individuals, legal procedure, court history and functions. Book(s) serve as a historically useful record for documenting the operation of the court and its ability to fulfill obligations to the public.

AGENCY: District Court (Third District)

SERIES: 4662

3

TITLE: U.S. Commissioner criminal case docket book

DATES: 1889-1895.

ARRANGEMENT: Numerical by case number.

DESCRIPTION:

This is J.W. Greenman's, U.S. Commissioner , criminal docket book. It serves as a register of actions for criminal cases, noting defendant, offense, name of complainant, and a record of proceedings showing date and a summary of actions in the case. Cases include unlawful cohabitation, adultery, fornication, counterfeiting, perjury, housebreaking, polygamy, etc.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on the value of these records in documenting the types of cases handled by the U.S. Commissioner courts during this period. It is important for the study of local history and community studies.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 3928

3

TITLE: U.S. Commissioner criminal case record book

DATES: 1890-1895.

ARRANGEMENT: Chronological by date.

DESCRIPTION:

This record book documents actions taken in the U.S. Commissioner's Court in Salt Lake County. The Commissioner's Court in territorial Utah had the same powers as federal circuit courts and as justice of the peace courts. Most of the cases entered here are U.S. or The People vs. an individual. Cases include polygamy, unlawful cohabitation, larceny, disturbing peace, etc. For each case, there are columns to list costs of each action (complaint, warrant, subpoenas, etc.), style of charge, nature of action, witnesses, processes issued, process returned, and judgement of court. A.G. Norrell is listed as Commissioner; he was one appointed in Salt Lake.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on the value of these records in documenting the types of cases handled by the U.S. Commissioner courts during this period. It is important for the study of local history and community studies

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.

AGENCY: District Court (Third District)

SERIES: 4887

3

TITLE: U.S. Commissioner Harmel Pratt's civil case docket books

DATES: 1889-1894.

ARRANGEMENT: Chronological by date.

DESCRIPTION:

Under the 1887 Edmunds-Tucker Law, commissioners appointed by the supreme court and district courts in the Territory of Utah had and could exercise all the powers and jurisdiction held by justices of the peace in the Territory. Harmel Pratt was one of the United States Commissioners appointed in Salt Lake. Dockets document various actions taken in civil cases such as non-payment of wages, promissory notes, personal property claims, etc. The names of the plaintiffs and defendants are given along with the attorney. For each case the date and actions taken, e.g. filing complaint, issuing summons, hearings held, etc., are given. After statehood in 1896, jurisdiction passed to the justices of the peace. Pratt's successor was J.P. Alexander McMaster.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on the value of these records in documenting the types of cases handled by the U.S. Commissioner courts during this period. It is important for the study of local history and community studies.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 4879

3

TITLE: U.S. Commissioner Harmel Pratt's criminal docket book

DATES: 1889-1892.

ARRANGEMENT: Alphanumerical.

DESCRIPTION:

This volume docketed actions taken in criminal cases before Commissioner Pratt. Each case recorded includes parties' names, date and actions taken; charges are usually stated with notation of the complaint being filed. Cases pertain to adultery, unlawfully taking fish from public waters, rape, larceny, gambling, selling liquor, unlawful cohabitation, etc.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on the value of these records in documenting the types of cases handled by the U.S. Commissioner courts during this period. It is important for the study of local history and community studies.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 4891

3

TITLE: U.S. Commissioner John W. Greenman's civil case docket book

DATES: 1889-1890.

ARRANGEMENT: Chronological by date.

DESCRIPTION:

Under the 1887 Edmunds-Tucker Law, commissioners appointed by the supreme court and district courts in the Territory of Utah had and could exercise all the powers and jurisdiction held by justices of the peace in the Territory. John W. Greenman was one of the United States Commissioners appointed in Salt Lake. This volume documents various actions taken in civil cases such as non-payment of wages, promissary notes, personal property claims, etc. The names of the plaintiffs and defendants are given along with the attorney and the type of suit. For each case the date and actions taken, e.g. filing complaint, issuing summons, hearings held, etc.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on the value of these records in documenting the types of cases handled by the U.S. Commissioner courts during this period. It is important for the study of local history and community studies.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 30973

3

TITLE: U.S. Commissioner Morris Sommer's civil case docket books

DATES: 1895-1896.

ARRANGEMENT: Chronological by date.

DESCRIPTION:

Under the 1887 Edmunds-Tucker Law, commissioners appointed by the supreme court and district courts in the Territory of Utah had and could exercise all the powers and jurisdiction held by justices of the peace in the Territory. Morris Sommer was one of the United States Commissioners appointed in Salt Lake. Dockets document various actions taken in civil cases such as non-payment of wages, promissory notes, personal property claims, etc. The names of the plaintiffs and defendants are given along with the attorney. For each case the date and actions taken, e.g. filing complaint, issuing summons, hearings held, etc., are given. After statehood in 1896, jurisdiction passed from U.S. Commissioners to local justices of the peace.

RETENTION:

Permanent. Retain until administrative need ends

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series is authorized by Archives general schedule Agency history records, GRS-1723.

AUTHORIZED: 11-28-2018

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on the value of these records in documenting the types of cases handled by the U.S. Commissioner courts during this period. It is important for the study of local history and community studies.

AGENCY: District Court (Third District)

SERIES: 30973

TITLE: U.S. Commissioner Morris Sommer's civil case docket books

(continued)

PRIMARY DESIGNATION:

Public

AGENCY: District Court (Third District)

SERIES: 30972

3

TITLE: U.S. Commissioner Morris Sommer's criminal docket

DATES: 1895.

ARRANGEMENT: Chronological by date.

DESCRIPTION:

Under the 1887 Edmunds-Tucker Law, commissioners appointed by the supreme court and district courts in the Territory of Utah had and could exercise all the powers and jurisdiction held by justices of the peace in the Territory. After statehood in 1896, jurisdiction passed from U.S. Commissioners to local justices of the peace. This volume docketed actions taken in criminal cases before U.S. Commissioner Morris Sommer. Each case recorded includes parties' names, date and actions taken. Charges are usually stated with notation of the complaint being filed.

RETENTION:

Permanent. Retain until administrative need ends

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series is authorized by Archives general schedule Agency history records, GRS-1723.

AUTHORIZED: 11-28-2018

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on the value of these records in documenting the types of cases handled by the U.S. Commissioner courts during this period. It is important for the study of local history and community studies.

AGENCY: District Court (Third District)

SERIES: 30972

TITLE: U.S. Commissioner Morris Sommer's criminal docket

(continued)

PRIMARY DESIGNATION:

Public

AGENCY: District Court (Third District)

SERIES: 5154

3

TITLE: U.S. Commissioner Salt Lake County warrants

DATES: 1886-1896.

ARRANGEMENT: Alphanumerical.

DESCRIPTION:

These are warrants, complains, bonds, and subpoenas.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on documentation about individuals, legal procedure, court history and functions. Book(s) serve as a historically useful record for documenting the operation of the court and its ability to fulfill obligations to the public.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 05/2019.

AGENCY: District Court (Third District)

SERIES: 4878

3

TITLE: U.S. Commissioner W.C. Jennings civil and criminal docket book

DATES: 1894-1895.

ARRANGEMENT: Chronological by date.

DESCRIPTION:

This volume docketed actions taken in civil and criminal cases before Commissioner W. C. Jennings in Salt Lake County. Each case recorded includes parties' names, charge, date and actions taken. Criminal cases pertain to adultery, rape, disturbing the peace, embezzlement, petit larceny, etc.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Disposition based on the value of these records in documenting the types of cases handled by the U.S. Commissioner courts during this period. It is important for the study of local history and community studies.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 07/2017.

AGENCY: District Court (Third District)

SERIES: 26571

3

TITLE: U.S. Commissioner's docket books

DATES: 1885-1896.

ARRANGEMENT: Chronological.

DESCRIPTION:

This series contains various docket books created by assorted U.S. Commissioners with jurisdiction in the Salt Lake City area.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Archives permanently with authority to weed.

APPRAISAL:

These records have historical value(s).

Books have historical value as evidence of federal judicial intervention during Utah's territorial period.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 06/2017.