

Retention and Classification Report

Agency: Salt Lake County (Utah). Probate Court (959)

2001 south state street
salt lake city, UT 84190

Records Officer: _____

03944	*Civil and criminal case docket books
00373	*Civil and criminal case files
03939	*Civil and criminal case minute books
03946	*Debtor/creditor judgment book
85109	*Declarations of intention and certificates of citizenship re
03934	*Land claim record books
31197	Mental health commitment case files
27372	*Miscellaneous case files

AGENCY: Salt Lake County (Utah). Probate Court

SERIES: 3944

4

TITLE: Civil and criminal case docket books

DATES: i 1852-1887.

ARRANGEMENT:

DESCRIPTION:

These docket books record actions taken in particular cases, on specified dates, by the Salt Lake County Probate Court. The first volumes A-1, and A-2, also constitute a record of proceedings in each case and are more detailed.

These dockets cover civil and criminal cases until 1874, and divorces until 1887. Civil cases include debt and damages, assault, foreclosure, child abuse, embezzlement, fraud, etc. Criminal cases include larceny, burglary, murder, seduction, fornication, etc. In 1874, a federal act limited the probate courts to certain divorce cases, probate, and guardianship matters. When divorce cases were removed entirely from their jurisdiction in 1887, this series was brought to a close.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in Agency Record Center permanently after being microfilmed.

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

Microfilm duplicate: For records beginning in 1852 through 1887. Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in Agency Record Center permanently.

APPRAISAL:

These records have historical value(s).

This disposition is based on the information this series provides on the operation of the county probate court.

RETENTION JUSTIFICATION:

The volumes were retained in hard copy based on intrinsic value with microfilm provided for reference use. These records were transferred to the State Archives by the county before the creation of a county archives. Hard copy was returned to the county archives 26 July 2001.

AGENCY: Salt Lake County (Utah). Probate Court

SERIES: 3944

TITLE: Civil and criminal case docket books

(continued)

PRIMARY DESIGNATION:

Public

AGENCY: Salt Lake County (Utah). Probate Court

SERIES: 373

4

TITLE: Civil and criminal case files

DATES: 1852-1887.

ARRANGEMENT: Chronological.

DESCRIPTION:

In 1852, the Utah Territorial Legislature provided that the Probate Court should have jurisdiction not only in estate and guardianship matters, but original jurisdiction in civil, criminal, and chancery cases. The Probate Court could act as an appellant court to the Justice of the Peace Courts in the County, and decisions made in the Probate Court could be appealed to the District Court. This series includes those cases handled by the Probate Court which are not probate, estate, or guardianship cases. Civil cases include primarily divorce, debt, replevin, damages, delinquent tax collections, contract and property disputes, evictions, and other case types. Criminal cases include murder, larceny, rape, robbery, assault, burglary, and contempt of court charges, as well as others. Other case types include appeals, habeas corpus hearings, and inquests into deaths. In 1874, the federal Poland Act revoked the jurisdiction of the Probate Court over all but divorce and probate act ended Probate Court action in divorce cases, and with it this series. This series also includes items that are not case files as such, but individual documents filed with the court. For example, a few affidavits of slave ownership or other matters may have been filed with the court and are represented in this series. Occasionally documents such as travers jury subpoenas were at some point separated from the case file, and where identification of those records could not be made, the document is filed separately. Documents related to quarterly grand jury proceedings which could not be identified as belonging to a specific case are filed together. Individual pieces of correspondence which are not related to a case file before the court may also be included as a separate file.

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 Agency Record Center. Retain in Agency Record Center permanently.

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

AGENCY: Salt Lake County (Utah). Probate Court

SERIES: 373

TITLE: Civil and criminal case files

(continued)

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

Microfilm duplicate: Retain in Agency Record Center permanently.

APPRAISAL:

These records have historical value(s).

This disposition is based on the value of these records for documenting early criminal and civil court proceedings in Salt Lake County.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 02/2020.

AGENCY: Salt Lake County (Utah). Probate Court

SERIES: 3939

4

TITLE: Civil and criminal case minute books

DATES: i 1860-1887.

ARRANGEMENT: The volumes and their entries are recorded chronologically. The volumes are labeled alphabetically from B through E.

DESCRIPTION:

These minutes record the daily proceedings of the probate court in civil and criminal matters, but are not transcripts of court cases. Cases include naturalizations; divorces; and civil disputes, most frequently over debts. Criminal cases include larceny, burglary, murder, perjury, assault, riot, embezzlement, forgery, pornography, assisting prisoners to escape, and operating without a license. Outside of probate cases (kept separate from the beginning), the probate court's jurisdiction was limited to only some divorce cases after 1874, so after that date, only divorce proceedings are recorded in these minutes. In 1887, a federal act revoked the jurisdiction of the probate court in all but probate matters, thereby bringing this series of minute books to a close. Cases may span multiple dates. The names of plaintiff, defendant, jurors, witnesses, councilors, and judge are noted. The charge or complaint; a statement that councilors presented their cases, including names of witnesses testifying, but not including the testimony; and details of the judgment are recorded as well.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in State Records Center permanently or until processed and then microfilm and transfer to Agency Record Center. Retain in Agency Record Center permanently.

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

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

Microfilm duplicate: Retain in Agency Record Center permanently.

AGENCY: Salt Lake County (Utah). Probate Court

SERIES: 3939

TITLE: Civil and criminal case minute books

(continued)

APPRAISAL:

These records have historical value(s).

These records document the actions of the territorial county probate court which became obsolete at statehood. Any information about the probate court and its functions is historically significant.

PRIMARY DESIGNATION:

Public

AGENCY: Salt Lake County (Utah). Probate Court

SERIES: 3946

3

TITLE: Debtor/creditor judgment book

DATES: 1872-1874.

ARRANGEMENT: chronological

DESCRIPTION:

This volume of the Salt Lake County Probate Court is a judgment docket with columns for listing case number, judgment debtor's name, judgment creditor's name, date of entry and book of entry of judgment, date and court of appeals, date of entry of satisfaction of judgment, and remarks.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in Agency Record Center permanently.

Microfilm master: Retain in State Archives permanently.

Microfilm duplicate: Retain in Agency Record Center permanently.

AGENCY: Salt Lake County (Utah). Probate Court

SERIES: 85109

4

TITLE: Declarations of intention and certificates of citizenship record book

DATES: i 1858-1872.

ARRANGEMENT:

DESCRIPTION:

This book contains statements of individuals' intentions to become United States citizens. The volume also contains a record of certificates of citizenship issued to newly naturalized citizens.

The declarations contain blanks for the individual's name, his sovereign, date, and signatures of the individual and court clerk. The certificates give the date, applicant's name, nationality, date of declaration of intention, names of those testifying to the applicant's character, ruler's name, and a standardized summary of the procedures and the applicant's oath of allegiance. Certificates for those who entered the U.S. as adults and those who entered as minors are recorded separately.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: For records beginning in 1858 through 1872. Retain in Agency Record Center permanently after being microfilmed.

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

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

Microfilm duplicate: Retain in Agency Record Center permanently.

APPRAISAL:

These records have historical value(s).

This disposition is based on the value of these records in documenting citizenships granted in Utah's courts.

AGENCY: Salt Lake County (Utah). Probate Court

SERIES: 85109

TITLE: Declarations of intention and certificates of citizenship record book

(continued)

PRIMARY DESIGNATION:

Public

AGENCY: Salt Lake County (Utah). Probate Court

SERIES: 3934

3

TITLE: Land claim record books

DATES: i 1871-1894.

ARRANGEMENT: Chronological

TOTAL VOLUME: 2.70 cubic feet.

DESCRIPTION:

These volumes record the procedure by which occupants of land in Salt Lake City could obtain title to their land which was classified as part of the public domain. The procedure was established under the Federal Townsite Act of 1867 (14 Stat. 541) and amended for Salt Lake City's larger land base in 1870 (16 Stat. 183).

Three volumes of declaratory statements show statements filed by individuals to claim ownership. One volume records a court hearing to determine land ownership. The outcomes of the hearings were recorded in volumes of adjudication records. The final volume in the series constitutes a docket which records a scant summary of all these events in an attenuated form. The volumes include such information as the name of the claimant to the land, the legal description of the land, witnesses or corroborating evidence of the claim, dates, and findings.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in Agency Record Center permanently and then microfilm.

Microfilm master: Retain in State Archives permanently.

Microfilm duplicate: Retain in Agency Record Center permanently.

APPRAISAL:

These records have historical value(s).

This disposition is based on the legal and historical trail provided to how Salt Lake City's first settlers acquired title to their lands.

AGENCY: Salt Lake County (Utah). Probate Court

SERIES: 3934

TITLE: Land claim record books

(continued)

PRIMARY DESIGNATION:

Public

AGENCY: Salt Lake County (Utah). Probate Court

SERIES: 31197

3

TITLE: Mental health commitment case files

DATES: 1892, 1894-1895

ARRANGEMENT: Chronological by hearing date.

DESCRIPTION:

This series contains files documenting the process followed by the court to determine the mental state of an individual and whether or not he/she should be involuntarily committed to the Territorial Insane Asylum. The files typically include such documents an affidavit alleging the insane mental state of an individual, a warrant for the detainment of the named person, an evaluation signed by medical doctors giving their assessment of the individual's mental state, and a commitment order signed by the judge. In some cases there may be a notice of the release of the individual from the asylum and other supporting documents, such as correspondence.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in Office for 50 years and then transfer to State Archives.

APPRAISAL:

These records have historical value(s).

The records in this series have permanent historical value as documentation of the legal process of institutionalizing persons deemed mentally ill. They are valuable in documenting the lives of individuals who experienced mental illness and who were involuntarily deprived of their freedom. The records also have value for genealogists in tracking down the story of ancestors.

PRIMARY DESIGNATION:

Public

AGENCY: Salt Lake County (Utah). Probate Court

SERIES: 27372

3

TITLE: Miscellaneous case files

DATES: 1852-1871.

ARRANGEMENT: Chronological by date.

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. Case files have legal and administrative value to the court through dismissal or satisfaction of the final judgment. They enforce or protect private rights and prevent or redress private wrongs. The value of the judge's decrees and final judgments to parties in an action may well extend beyond their immediate administrative use.

PRIMARY DESIGNATION:

Public