

Retention and Classification Report

Agency: Davis County (Utah). Probate Court (1789)

, UT

Records Officer: _____

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|-------|--|
| 04700 | *Divorce case files |
| 23694 | *Divorce minute book |
| 04731 | *Divorce register of actions |
| 25013 | *Estate register of actions |
| 04735 | *Land claim records |
| 25012 | *Minute books |
| 25014 | *Probate bonds and letters record book |
| 25004 | *Record books |

AGENCY: Davis County (Utah). Probate Court

SERIES: 4700

4

TITLE: Divorce case files

DATES: 1875-1886.

ARRANGEMENT: Numerical by case number.

TOTAL VOLUME: 4.00 reels.

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. In 1874, the federal Poland Act revoked the jurisdiction of the Probate Court over all but divorce and probate cases. This series includes those cases handled by the Probate Court which are divorce cases. In 1887, the federal Edmunds-Tucker act revoked Probate Court jurisdiction in divorce cases.

Generally, case files include a number of discrete documents. These documents may include an initiating petition, summons and subpoenas issued to the parties in the case and to witnesses, bonds, exhibits, statements of fees, and other documents created and filed with the Court during the process of the trial action. Civil cases may include affidavits of publication of summons in those cases where the defendant was not served personally, as well as decrees detailing the disposition of the case.

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 value of these records in documenting divorces occurring in Davis County.

AGENCY: Davis County (Utah). Probate Court

SERIES: 4700

TITLE: Divorce case files

(continued)

PRIMARY DESIGNATION:

Public

AGENCY: Davis County (Utah). Probate Court

SERIES: 23694

4

TITLE: Divorce minute book

DATES: 1877.

ARRANGEMENT: Chronological by date.

DESCRIPTION:

This series consists of a minute book which documents the court's day to day activities in handling divorce cases. The majority of the entries refer to the court proceedings in which the decree was entered. Entries generally include the names of the parties, the date, the name of the judge, and a transcription of the decree.

RETENTION AND DISPOSITION AUTHORIZATION:

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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 value(s).

This disposition is based on the value of these records in documenting divorces in Davis County.

PRIMARY DESIGNATION:

Public

AGENCY: Davis County (Utah). Probate Court

SERIES: 4731

4

TITLE: Divorce register of actions

DATES: 1877; 1880.

ARRANGEMENT: Numerical by case number.

DESCRIPTION:

This series consists of a register of actions, labelled "Docket A," for divorce cases handled by the Davis County Probate Court. The register of actions documents the case number, the names of the parties, the names of attorneys representing the parties, and the dates on which individual documents in the case were filed with the court. In 1852 the territorial legislature gave county probate courts jurisdiction over divorce cases. In 1887, the federal Edmunds-Tucker act revoked Probate Court jurisdiction in divorce cases.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series is authorized by Archives general schedule Vital records, GRS-285.

AUTHORIZED: 08-29-2018

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 value(s).

This disposition is based on the value of these records in documenting divorce proceedings in Davis County.

AGENCY: Davis County (Utah). Probate Court

SERIES: 4731

TITLE: Divorce register of actions

(continued)

PRIMARY DESIGNATION:

Public

AGENCY: Davis County (Utah). Probate Court

SERIES: 25013

3

TITLE: Estate register of actions

DATES: 1883-1896.

ARRANGEMENT: Chronological.

DESCRIPTION:

This volume, labelled "Probate Judge's Docket 1" constitutes a register of actions in cases regarding the guardianship or probate of estates. The volume records estate name, name of applicant, what action is requested (e.g. petition to admit will, letters of administration, hearing, decree of distribution), date of each request or action, and the court's order in the matter.

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).

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: Davis County (Utah). Probate Court

SERIES: 4735

3

TITLE: Land claim records

DATES: i 1870-1894.

ARRANGEMENT: Chronological.

DESCRIPTION:

These volumes record adjudication of townsite and other land claims before the Davis county probate judge.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: Retain in Office for 9 years and then transfer to State Archives with authority to weed.

APPRAISAL:

These records have historical value(s).

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PRIMARY DESIGNATION:

Public

AGENCY: Davis County (Utah). Probate Court

SERIES: 25012

3

TITLE: Minute books

DATES: 1854-1872.

ARRANGEMENT: Chronological.

DESCRIPTION:

These minutes record the daily proceedings of the probate court in civil and criminal matters, but are not transcripts of court cases. Cases divorces and other civil disputes, most frequently over debts. Criminal cases include larceny, assault, riot, kidnapping, etc. 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 Archives permanently after microfilming.

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APPRAISAL:

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PRIMARY DESIGNATION:

Public

AGENCY: Davis County (Utah). Probate Court

SERIES: 25014

3

TITLE: Probate bonds and letters record book

DATES: 1877-1895.

ARRANGEMENT: Chronological.

DESCRIPTION:

This volume records letters of appointment, oaths, and bonds filed by executors, administrators, and guardians of the estates of the deceased, incompetent, and minors.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

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APPRAISAL:

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PRIMARY DESIGNATION:

Public

AGENCY: Davis County (Utah). Probate Court

SERIES: 25004

3

TITLE: Record books

DATES: 1853-1896.

ARRANGEMENT: Chronological.

DESCRIPTION:

These books record documents filed and proceedings of the probate court in civil, particularly divorce, and probate (the estates of minors, the incompetent, and the deceased) matters. Typical documents recorded include wills, estate inventories, estate distributions, bills of divorce, and railroad land condemnation documents. By 1880, documents recorded appear to apply solely to probate matters.

RETENTION AND DISPOSITION AUTHORIZATION:

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APPRAISAL:

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PRIMARY DESIGNATION:

Public