

INVENTORY OF THE COUNTY ARCHIVES
OF TEXAS

No. 166. MILAM COUNTY (CAMERON)

Prepared by

The Texas Historical Records Survey
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FOREWORD

The Inventory of the County Archives of Texas is one of a number of guides to historical materials prepared throughout the United States by workers on Historical Records Survey projects of the Work Projects Administration. The publication herewith presented, an inventory of the archives of Milam County, is number 166 of the Texas series.

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carrying out this objective, the project was organized to compile inventories of historical materials, particularly the unpublished government documents and records which are basic in the administration of local governments, and which provide invaluable data for students of political,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

The inventories produced by Historical Records Survey projects attempt to do more than give merely a list of records - they attempt further to sketch in the historical background of the county or other unit of government, and to describe precisely and in detail the organization and functions of the government agencies whose records they list. The county, town, and other local inventories for the entire country will, when completed, constitute an encyclopedia of local government as well as a bibliography of local archives.

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

The Survey program was organized by Luther H. Evans, who served as Director until March 1, 1940, when he was succeeded by Sargent B. Child. The survey operates as a Nation-wide series of locally sponsored projects in the Division of Community Service Programs, of which Mrs. Florence Kerr, Assistant Commissioner, is in charge.

Howard O. Hunter
Acting Commissioner of
Work Projects

PREFACE

The Texas Historical Records Survey is a unit of the Texas State-wide Records Project which is sponsored by the Bureau of Research in the Social Sciences of The University of Texas, and operates under the Research and Records Section of the Division of Community Service Programs of the Work Projects Administration.

The objective of the Survey in Texas is the preparation of complete inventories of the archives of each county, municipality, and other local governmental unit.

This publication, an inventory of the archives of Milam County, includes, in addition to descriptive entries for each extant records series, a historical sketch of the county and a map of its past and present boundaries; an essay on the present governmental organization, accompanied by a structural chart; a discussion of the conditions under which the records are preserved, accompanied by floor plans of the courthouse; a section devoted to abbreviations and symbols; and a brief statement of the legal status of each office and agency, prefatory to the listing of its records.

The Survey is now engaged in preparing a comprehensive statement of the general law regulating county government, to be entitled County Government in Texas. It is expected that this book will serve as a handbook on the organization, structure, and evolution of county government and records in Texas, and will make it unnecessary to repeat in each inventory information applicable to all counties in the State. The office essays in this inventory are, therefore, limited to the creation of the office and its present status, the manner in which it is filled, the term, and special legislation affecting Milam County. Pending issuance of the volume on County Government in Texas, it is suggested that the reader consult the inventory of the County Archives of Texas, No. 94, Guadalupe County, for more detailed essays than those found in the present inventory.

The Inventory of the County Archives of Texas will, when completed, consist of a separate volume for each county of the State. Each unit of the series is numbered according to the particular county's respective position in the alphabetical list of the 254 counties. Thus, the volume for Milam County, herewith presented, is No. 166. Units of the Inventory are issued in mimeographed form for free distribution to State and local public officials, public libraries in Texas, and to a limited number of libraries and governmental agencies outside the State. See page 131, this inventory, for a list of the publications of the Texas Historical Records Survey Project.

The records of Milam County were listed in 1936 and 1937, and a verification check was made in January 1941. The volume was compiled and edited in the State office of the Texas Historical Records Survey Project.

The courteous cooperation of the Milam County officials, for whom this work was done, is acknowledged.

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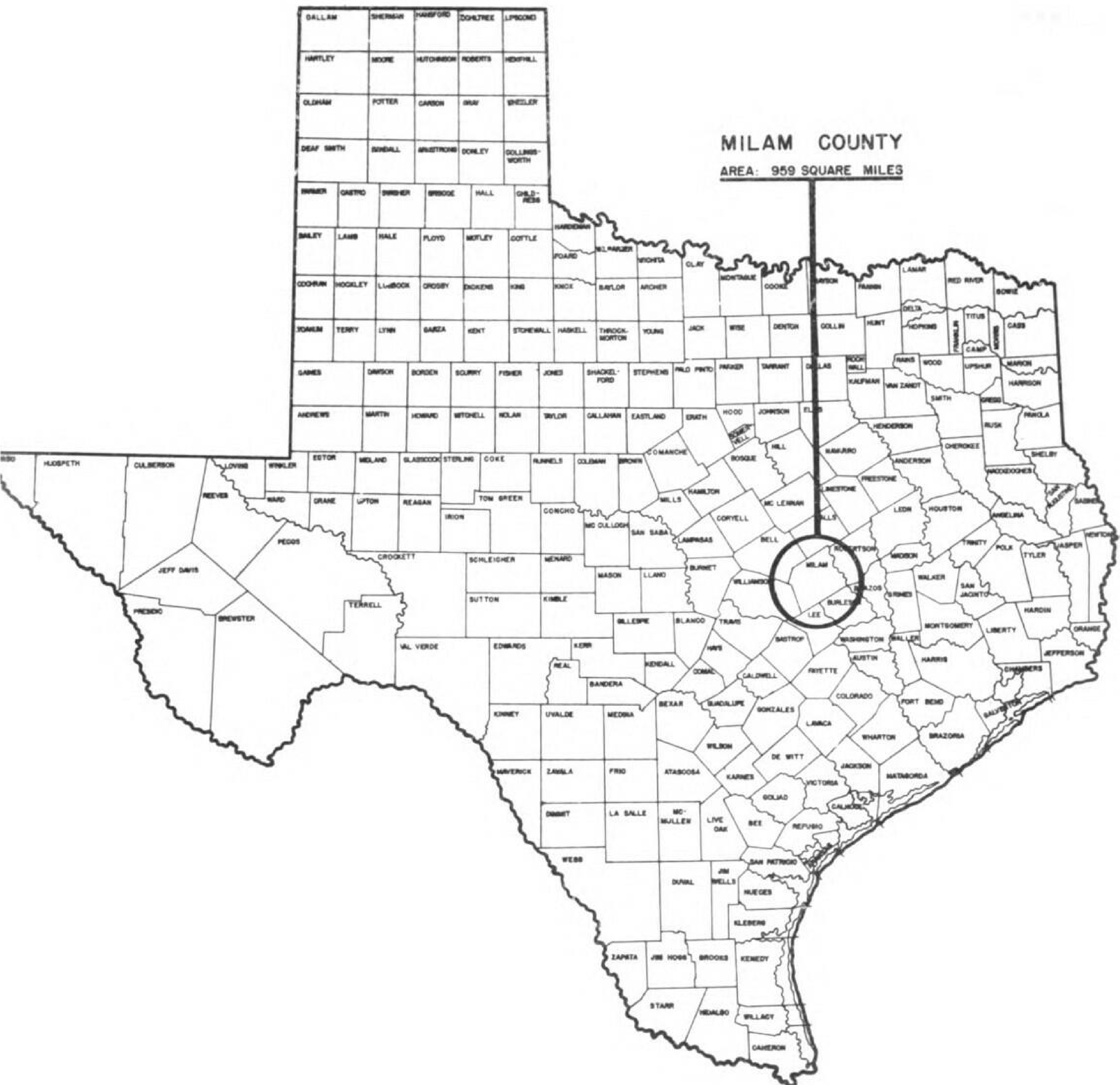
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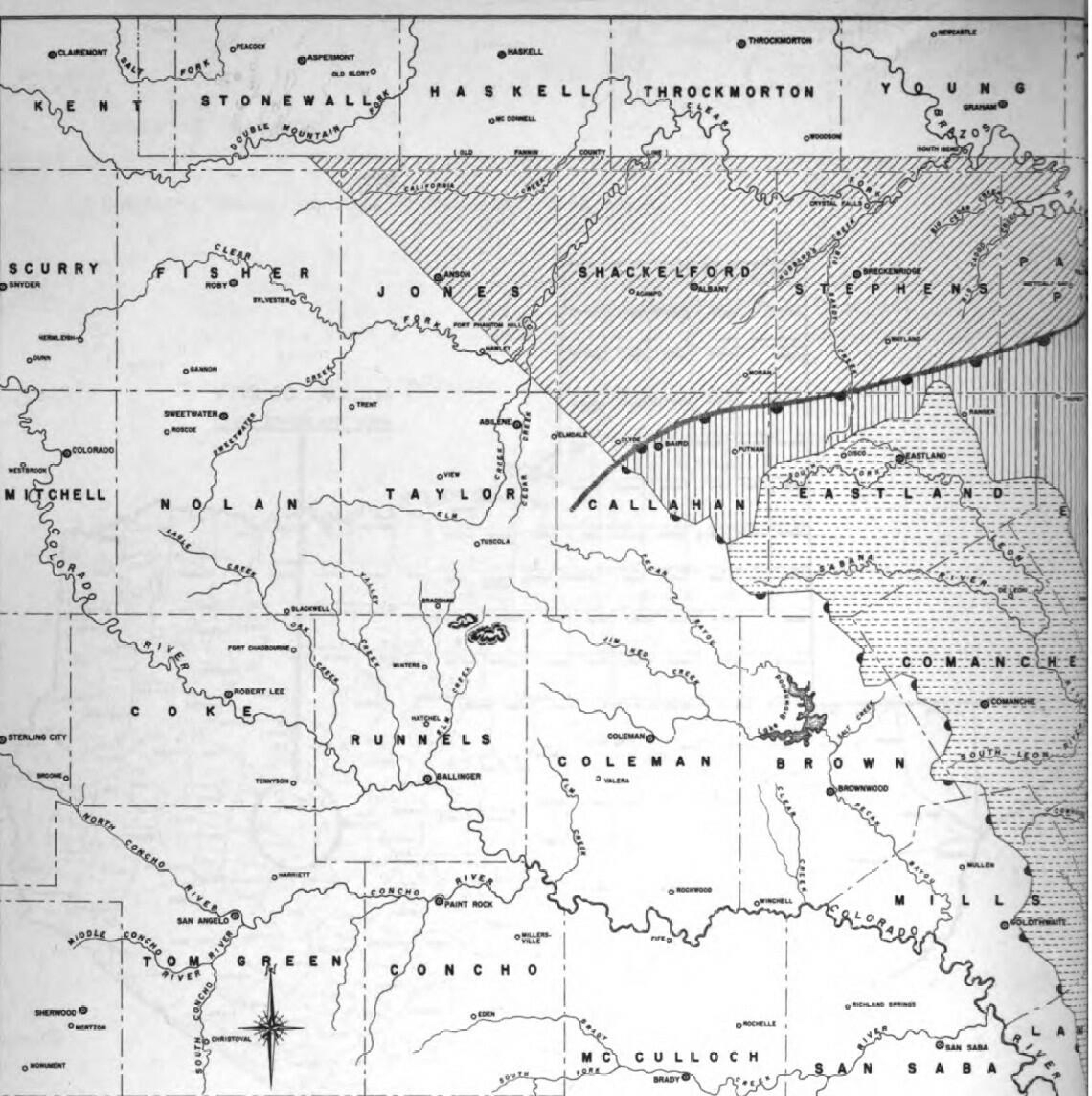
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MILAM COUNTY

AREA: 959 SQUARE MILES



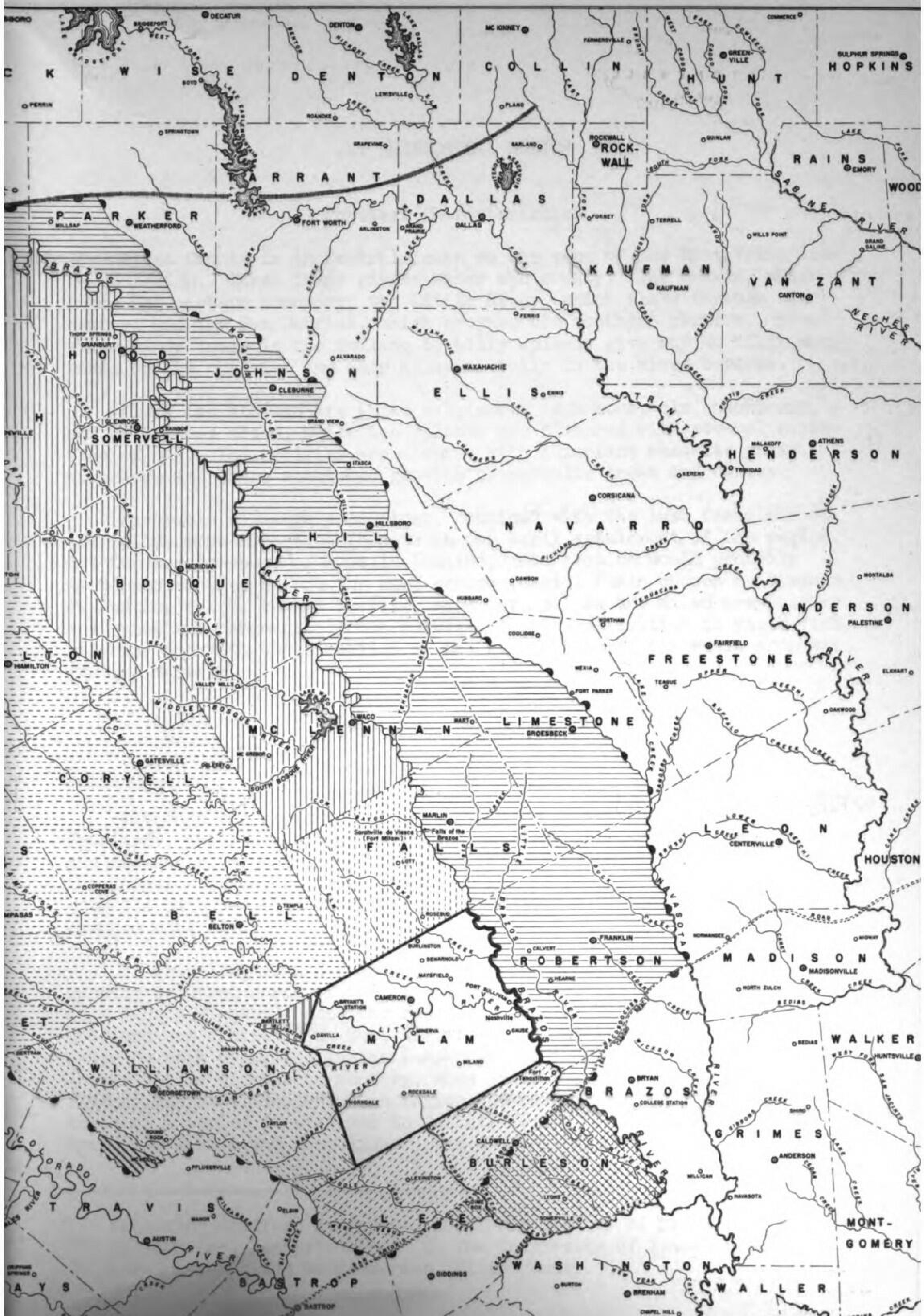


MILAM COUNTY

PAST AND PRESENT BOUNDARIES

| Approximate Boundaries of the Municipality of Viesca at Creation (See page 6) | | | |
|---|--|----------------|---------------|
| | Subtracted | April 24, 1834 | Gammel I, 384 |
| | Subtracted | Dec. 14, 1837 | " I, 1398 |
| | Added | May 24, 1838 | " I, 1519 |
| | Added | Feb. 4, 1840 | " II, 397 |
| | Subtracted | Mar. 24, 1846 | " II, 1322 |
| | Added | May 12, 1846 | " II, 1565 |
| | Subtracted | Mar. 13, 1848 | " III, 76 |
| | Subtracted | Jan. 22, 1850 | " III, 500 |
| | Subtracted | Jan. 22, 1850 | " III, 501 |
| | Subtracted | Jan. 28, 1850 | " III, 525 |
| | Subtracted | April 4, 1861 | " V, 365 |
| | Present Boundaries | | |
| | County lines other than Milam County | | |
| | Approximate trend of the Cross Timbers | | |
| | Land District Lines | | |
| | Ghost Towns | | |





1. HISTORICAL SKETCH

Physical Characteristics

Milam County is in Central Texas on the edge of the East Texas timbered region. Three large rivers water the county: The Brazos, which forms the eastern boundary; the Little River, which flows through the center; and the San Gabriel, which crosses the southern portion. Deep white sandy loams in the rolling to hilly uplands give way to black waxy loams on the prairies and deep alluvial soils in the river bottoms.

Along the streams are white oak, pecan, sycamore, elm, hackberry, and cottonwood trees, while the uplands are timbered with several varieties of oak. The prairies are covered with luxuriant mesquite grass, with here and there scattered growths of mesquite trees and cactus.

Favorable climatic conditions, combined with the lush fertility of the soils, were important factors in the early settlement of the region. But for the presence of hostile Indians, this section would probably have been settled before the more secure Coastal Plain chosen by Stephen F. Austin, which, though fertile, bred fevers. In the Milam area timber and water were abundant; crops required little cultivation to yield rich returns; and with the exception of the river bottoms, the whole area was free of malaria.

Historical Background

Spanish

Although the region of present Milam County was well-known to the Spaniards, their activities here left no permanent imprint. Soldiers and missionaries en route to the Spanish possessions in East Texas named the larger streams, but with the exception of the Brazos River - and even its name has been shortened - these names have been anglicized or changed entirely.¹

In traveling from San Antonio to Nacogdoches, the Spaniards frequently wandered north of the main thoroughfare, called El Camino Real (the King's Highway), into the region of present Milam County - the soldiers and citizenry to hunt buffalo on the prairies and the missionaries to seek among the Indians neophytes for the missions in San Antonio. In the middle eighteenth century, when Spain sought to hold Texas by influence and colonization, this region was chosen for the location of three of a series of missions in Central Texas. In 1748 Mission San Francisco Xavier was established, and the following year the Missions

1. Katherine Bradford Henderson, *The Early History of Milam County*, pp. 6-8 (ms. Master's thesis in The University of Texas Library), hereinafter cited as Henderson, Milam County.

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Historical Sketch -
Historical Background

Nuestra Senora de la Candelaria and San Ildefonso were founded, on the San Gabriel River 9 miles northwest of present Rockdale.²

Trees were felled, irrigation ditches built, and mission buildings erected. A thousand Indians of East and Central Texas tribes gathered to be instructed by the padres and called to their daily tasks by the mellow tones of the mission bells.³

But the missions were doomed to end in failure. Harassed by the fierce Apaches, hounded and martyred by unsympathetic and debased military officers, ravaged by disease, the missionaries were forced to abandon the site in 1757. Today a few stones that once formed a dam on the river and an unfilled portion of an irrigation ditch are the only memorials to the struggles of the missionaries on the San Gabriel River.⁴

Mexican and Anglo-American

Anglo-American colonization of the Milam territory began soon after Mexico won her independence from Spain in 1821.⁵ In 1822 the Texas Association, chartered in Davidson County, Tennessee, sent Robert Leftwich to Mexico to obtain a grant of land in Texas, which the company planned to colonize. Three years later Leftwich received permission to settle 800 families in Texas above the San Antonio Road,⁶ on a land grant which included all of present Milam County.⁷ After some adjustments in the company, Sterling C. Robertson became empresario of the Texas grant.⁸ Various circumstances delayed colonization and created dissension between all parties involved. In 1831 the Mexican Government transferred the grant to Stephen F. Austin and Samuel M. Williams; a bitter controversy between Austin and Robertson ensued. In May 1834 the Government returned the land to Robertson, but in the meanwhile Williams had sold large parcels of it to citizens of Mexico. The Government passed the contract back and forth between Robertson and Austin until the very eve of the Texas Revolution.⁹

In the meantime a few colonists had settled along the Brazos River in the lower reaches of the colony. In 1830 the Mexican Government

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2. Herbert E. Bolton, Texas in the Middle Eighteenth Century, pp. 138-170, passim.
 3. Carlos E. Castaneda, Our Catholic Heritage in Texas, III, 241-245.
 4. Ibid., pp. 250-380.
 5. The Texas Almanac for 1939-40, p. 62, hereinafter cited as 1939-40 Almanac.
 6. Eugene C. Barker, The Life of Stephen F. Austin, Founder of Texas, 1793-1836, pp. 330, 331, hereinafter cited as Barker, Life of Austin.
 7. Translations of Empresario Contracts, p. 22 (ms. in Texas General Land Office, Austin).
 8. Barker, Life of Austin, pp. 336-358.
 9. Ibid., pp. 362-373.

Historical Sketch -
Historical Background

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established Tenoxtitlan, a military post on the Brazos near the crossing of the San Antonio-Nacogdoches Road, to protect the frontier.¹⁰ Although the troops were withdrawn in 1832, a village grew up around the post, and in 1834 half a dozen Anglo-American families and an equal number of Mexican families were said to be living here.¹¹

In the summer of 1834 a number of immigrants from Tennessee, Kentucky, Mississippi, and Louisiana came to the colony. Two towns were laid out in that year. Nashville, named for Nashville, Tennessee, was founded on the west side of the Brazos, 2 miles below the mouth of the Little River, near present Gause. The village consisted of a blockhouse built of cedar logs, with portholes, and a few log and frame houses. Here for a short time, Sterling C. Robertson maintained a land office and transacted business relating to the colony. Nashville was a resting-place for settlers entering the region. Here they procured supplies before moving on to their grants;¹² and, during periodic Indian raids, they returned to the blockhouse, which was protected by a cannon sent by the "ladies" of Nashville, Tennessee.¹³

The second village was at the "falls of the Brazos," about 30 miles north of Nashville, and a few miles south of present Marlin. It was named Sarahville de Viesca for Robertson's mother and Augustin Viesca, Mexican Governor of Coahuila and Texas. This town became the capital of Robertson's Colony following the opening of a land office here on October 1, 1834. William H. Steele, land commissioner, issued titles; and Moses Cummings, "principal and scientific surveyor," measured off the land. Here Robertson made his headquarters and kept the archives of the colony; and here the ayuntamiento, or governing body, met. Like Nashville, however, Viesca's population was of temporary character. The village served merely as a resting-place while settlers chose their lands.¹⁴

It is not definitely known when Robertson's vast colony was organized as the Mexican municipality of Viesca, but it had an ayuntamiento as early as 1830,¹⁵ and was represented at the various meetings of the colonists which preceded the Texas Revolution. Representing Viesca at the San Felipe Convention in 1832 were Jared E. Groce, Joshua Hadly, and

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10. Eugene C. Barker, "A Glimpse of the Texas Fur Trade in 1832," Southwestern Historical Quarterly, XIX (1915-16), 279.
 11. Lucy A. Erath, "Memoirs of Major George Bernard Erath," Southwestern Historical Quarterly, XXVI (1922-23), 226.
 12. George W. Tyler, The History of Bell County, pp. 4-8.
 13. A. J. Sowell, Early Settlers and Indian Fighters of Southwest Texas, p. 297.
 14. Tyler, The History of Bell County, p. 4; Z. N. Morrell, Flowers and Fruits in the Wilderness; or Forty-six Years in Texas and Two Winters in Honduras, p. 41, says that in 1835 he found only one family living at the falls.
 15. Gam. Laws, I, 355.

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Historical Sketch -
Historical Background

William Robinson;¹⁶ and at the Consultation of 1835 were J. G. W. Pierson, J. L. Hood, Samuel T. Allen, A. G. Perry, J. W. Parker, and Alexander Thompson.¹⁷ Following the death of Benjamin Rush Milam, who fell while leading the Texan attack on the Alamo on December 5, 1835, the Provisional Government changed the name of the municipality and the town of Viesca to Milam in his honor.¹⁸ In the Constitutional Convention at Washington on the Brazos, March 1, 1836, Sterling C. Robertson and George C. Childress were delegates from Milam.¹⁹

During the Texas Revolution the settlers of Robertson's Colony were caught in the worst stages of the "Runaway Scrape" of 1836, a general exodus of the colonists before the advance of Santa Anna's Mexican army. The settlers of the southern portion made their way through rain and mud, over roads choked with families, livestock, and loaded carts to Clapp's crossing on the Trinity. Here a rumor reached them that Sam Houston's Texas army had been annihilated, and the few men among the refugees hastily began erecting breastworks for defense. Soon, however, couriers arrived with the news of the Texas victory at San Jacinto on April 21; and the settlers began to return to Nashville.²⁰

The settlers in the northern part of the municipality had not gone to the Trinity but had sought protection at Parker's Fort, on the Navasota, in present Limestone County. These families returned immediately to their homes. Early in June a messenger brought them news of the Comanche raid on Parker's Fort, the massacre of its inhabitants, and the kidnapping of Cynthia Ann Parker. Warned of a coming attack, the colonists loaded their household goods, rounded up their livestock, and struck south for Nashville. On the way they were attacked by the Indians, but after numerous hardships and the loss of two men managed to reach the town. It is said that not one white person remained in the region above Nashville following this second "runaway."²¹

During the vicissitudes of frontier life prior to the annexation of Texas to the United States, the settlers in the upper portion of Milam County wore out their wagons fleeing to Nashville for protection from the Indians and returning to their cabins when the danger was past. Some protection was afforded by a company of Rangers stationed at the falls of the Brazos at a blockhouse called Fort Milam. Later another fort was garrisoned at the three forks of the Little River.²² In the main, however, the burden of protection fell upon the colonists themselves, and almost every community had its own blockhouse. Besides the

16. Gam. Laws, I, 479.

17. Ibid., p. 503.

18. Ibid., p. 1002.

19. Ibid., p. 824.

20. Henderson, Milam County, pp. 109, 110.

21. Tyler, The History of Bell County, pp. 25-36.

22. Ibid., pp. 42, 43, 52.

Historical Sketch - Organization

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stockades at Nashville, Tenoxtitlan, and Milam, there were at least two others in the original territory of Milam County. A. W. Sullivan built a blockhouse on the Brazos above Nashville sometime in the late 1830's;²³ and in 1842, Benjamin Bryant built a blockhouse and stockade at a point on the Little River, about 6 miles west of present Buckholts.²⁴

In October 1844 at the falls of the Brazos a peace treaty was made with the Indians which fixed a line of demarcation between them and the settlers. Depredations were checked somewhat; however, the Indians hunted on Brushy Creek and Little River in violation of the treaty as late as January 1845.²⁵

Organization

Milam is one of the original 23 counties of Texas.²⁶ On December 20, 1836, the Senate of the Republic of Texas confirmed the nomination of Massilon Farley as the first chief justice of Milam County.²⁷ On the same day provision was made by the Congress for the terms of the county court of Milam to be held on the third Mondays of February, May, August, and November.²⁸ District court was to be held there on the third Mondays of March and September and was to continue in session for 6 days.²⁹

On February 23, 1837, the chief justice certified the election of Thomas A. Graves, sheriff, and William Walker and John Bailey, justices of the peace. On April 10, Robert Henry and Joel Moore were added to the list of justices.³⁰

Little further is known concerning the early organization of Milam County. It is said that litigation over land titles resulted in practical disorganization of the county government for a number of years.³¹ Substantiating this statement is the petition of a number of Milam citizens addressed to President Mirabeau Buonaparte Lamar on April 9, 1839,

23. Texas Commission of Control for Centennial Celebrations, Monuments Commemorating the Centenary of Texas Independence, p. 152.

24. Ibid., p. 132.

25. Henderson, Milam County, p. 188.

26. Gam. Laws, I, 1208.

27. E. W. Winkler, ed., Secret Journals of the Senate, Republic of Texas, 1836-1845, p. 34.

28. Gam. Laws, I, 1208.

29. Ibid., p. 1258.

30. Secretary of State, Election Register, vol. 255, p. 75, in Texas State Library, Austin; Henderson, Milam County, p. 189, citing Correspondence of the Secretary of State, XLIX, 83, in Texas State Library, Austin.

31. Frank W. Johnson and Eugene C. Barker, A History of Texas and Texans, II, 1059, hereinafter cited as Johnson and Barker, Texas and Texans.

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Historical Sketch -
Boundaries

asking the appointment of a chief justice for the county. The citizens represented that Farley had been absent from the county for 5 months, and that without a chief justice they could not hold probate or commissioners court, collect taxes, or install recently elected officers.³²

Boundaries

No legal definition of the boundaries of the municipality of Viesca (renamed Milam in 1835) has been found. However, most evidence suggests that this municipality, which became Milam County in 1836, upon the establishment of the Republic of Texas, contained all the territory in Robertson's Colony.

On April 16, 1837, Chief Justice Farley sent to the Secretary of State the following contemporary description of the boundaries of Milam County:

Beginning at the Rio Navasota at the upper crossing of the road that leads from the San Antonio de Bexar to Nacadoches, thence following the said road westwardly until it reaches the extreme heights that divide the waters of the Brazos and Colorado, thence following the said heights northerly to a clump of live oak trees in the cross timbers, thence eastwardly with the said cross timbers to the extreme heights that divide the waters of the Brazos and the Trinity, thence on a south course to the Rio Navasota, thence with the said Navasota to the point of beginning.³³

This description corresponds in almost every respect with that of the boundaries of Robertson's Colony as defined in the original grant.³⁴ From this vast original territory of Milam County, all or parts of 36 present-day counties have been carved.³⁵

The first reduction of the Milam territory was effected by an act of December 14, 1837, which gave all of Milam east of the Brazos to the new county of Robertson created by the act.³⁶

32. Charles Adams Gulick, Jr., and Katherine Elliott, eds., The Papers of Mirabeau Buonaparte Lamar, II, 521.

33. Henderson, Milam County, pp. 189, 190, citing Correspondence of the Secretary of State, Vol. No. 49, pp. 30-31. The cross timbers referred to are the wooded belt running east and west through the present counties of Jones, Shackelford, Stephens, Palo Pinto, Parker, and Tarrant.

34. Translations of Empresario Contracts, pp. 22-24.

35. See map, preceding p. 1.

36. Gam. Laws, I, 1398.

Historical Sketch - County Seats and Courthouses

(First entry, p. 37)

An act of February 4, 1840, annexed to Milam a large part of Washington County, and provided for a new county to be created from part of this annexed territory.³⁷ The new county was created as the judicial county of Burleson on January 25, 1842;³⁸ and on January 29, another judicial county, Waco, was created partly from Milam.³⁹ Early in 1842, however, the Supreme Court of the Republic of Texas declared unconstitutional acts attempting to create judicial counties,⁴⁰ that is, counties with all the constitutional rights of other counties except that of separate representation in the Congress. These areas were not legally subtracted from Milam until later.

A large area was attached to Milam on May 12, 1846, by an act to define "more particularly" its western boundary, which was described thus:

. . . the western boundary of Milam county shall run with the dividing ridge of the waters of the Brazos and the Colorado rivers, from the point where the east boundary line of Bexar county strikes said ridge to the uppermost point of the cross timbers; thence, a north-west course to the Brazos river; and that the territory embraced within said boundaries shall be in the land district of Milam county . . .⁴¹

During the early years of Statehood, Milam's area was greatly reduced by a rapid series of acts creating new counties: In 1846, Burleson County, with boundaries identical with those described in the 1842 act attempting to create it;⁴² in 1848, Williamson;⁴³ and in 1850, Bell,⁴⁴ McLennan,⁴⁵ and Falls; Falls covered approximately the same area as that included in the judicial county of Waco.⁴⁶ Final definition of the Milam-Bell line on April 4, 1861, left the boundaries of Milam as they are today.⁴⁷

County Seats and Courthouses

Upon the suggestion of Chief Justice Farley, who pointed out in a letter to the Secretary of State on April 16, 1837, that all of the

37. Gam. Laws, II, 397.

38. Ibid., p. 708.

39. Ibid., p. 752.

40. Stockton v. Montgomery, James Wilmer Dallam, comp., Opinions of the Supreme Court of Texas from 1840 to 1844 Inclusive, p. 473.

41. Gam. Laws, II, 1565.

42. Ibid., p. 1322.

43. Ibid., III, 76.

44. Ibid., p. 501.

45. Ibid., p. 500.

46. Ibid., p. 525.

47. Ibid., V, 365.

(First entry, p. 37)

Historical Sketch - County
Seats and Courthouses

settlements in Milam County were in its southern portion,⁴⁸ Nashville became the first county seat.⁴⁹ It probably continued to be throughout the period of the Republic of Texas, although it seems that it was never selected as the permanent county seat, and there is reason to believe that court was held at Caldwell on various occasions.⁵⁰

An act of the first legislature of the State provided for the establishment of a permanent county seat by appointing seven commissioners to select the site.⁵¹ The place chosen was in the post oaks $1\frac{1}{2}$ miles east of the Little River on the Daniel Munroe league.⁵² The commissioners named the new seat of justice Cameron in honor of Ewen Cameron, a member of the Mier expedition, who was shot in 1843 by order of Santa Anna.⁵³ It is said that when Cameron faced the firing squad, he bared his breast defiantly and cried: "I will show you how brave an American can die."⁵⁴

Cameron has remained the county seat, and four courthouses have been built here. W. W. Owsheer, district clerk, described the first as follows:

It was thirty feet east and west by twenty feet north and south, about nine feet high to the eaves, built of upright studding mortised into sills and plates, weather-boarded on the outside, floored with plank cut by hand with a whipsaw, and covered with boards rived and shaved. There was a door on the north side and one on the south side and a window in each end. On the south side two shed rooms about ten feet square were added which were used as clerk's offices, there being a passage way between leading to the courtroom. Jacob Gross and Wiley Jones took the contract and erected the building.⁵⁵

How long this building served the county is not known, but it was ultimately moved southeast of the courthouse square and became the

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48. Henderson, Milam County, pp. 189, 190, citing Correspondence of the Secretary of State, Vol. No. 49, pp. 30-31.
 49. *Ibid.*, p. 190, citing Correspondence of the Secretary of State, Vol. No. 49, p. 166.
 50. See Acts 1842, Gam. Laws, II, 708; Acts 1846, Gam. Laws, II, 1322, 1351.
 51. Gam. Laws, II, 135.
 52. Henderson, Milam County, p. 197.
 53. Tyler, The History of Bell County, p. 79.
 54. "Historical Sketch of Cameron and Milam County," Cameron (Tex.) Herald, Dec. 16, 1915.
 55. History of Texas with a Biographical History of Milam, Williamson, Bastrop, Travis, Lee, and Burleson Counties, p. 258.

Historical Sketch - County Seats and Courthouses

(First entry, p. 37)

Phillips Hotel.⁵⁶ Little is known of the second courthouse except that it is said to have been a 2-story brick structure.⁵⁷ On April 9, 1874, this building burned,⁵⁸ and all the archives of the county were destroyed except a few case papers and one volume of surveyor's records.⁵⁹

After the fire the commissioners rented the first courthouse building and moved in,⁶⁰ deferring plans for rebuilding because of the "unsettled condition in the county as to the location and permanent settlement of a county seat."⁶¹ After a county seat election on November 3, 1874, had named Cameron as the choice, Chief Justice J. C. Rogers was instructed to "get some Mechanic to draw a Plan and Specification for a Court House . . . the dimensions to be 50 by 60 feet."⁶² On July 5, 1875, Arnold and Jackson were awarded a contract for the brick and plaster work, and Thomas Booth a contract for "wood trimming and painting." The contracts totaled \$11,250.⁶³

As there was not enough money in the county treasury to pay for building the courthouse, a group of citizens loaned the county approximately \$1,200 to assist in its construction.⁶⁴ Because of the shortage of funds, the main portion of the building was completed and occupied first, and the other portions were completed as funds permitted.⁶⁵

On March 28, 1876, a contract was made with Patterson & Peacock for "Lightning Rods for Court House to be put on as follows to Wit: One at each end of the house and one on north side, to run to top of cupola and to be topped with a weather Vane."⁶⁶ At the May term in 1889 the commissioners court authorized the purchase of an \$8,000 insurance policy covering the courthouse and clerk's records.⁶⁷

In October 1889 the grand jury reported that the courthouse was unsafe, and on November 16 the commissioners decided that a new building should be erected at once.⁶⁸ The plans of A. O. Watson were accepted

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56. Kathryn Robbins, "The History of the Court House in Milam County," The University of Texas Bulletin No. 2546, Texas History Teachers' Bulletin, XIII (1925), 117.
 57. Johnson and Barker, Texas and Texans, II, 1059.
 58. Minutes Commissioners Court, vol. A, p. 18, see entry 1.
 59. See entries 87, 264.
 60. Minutes Commissioners Court, vol. A, p. 25, see entry 1.
 61. Ibid., p. 21.
 62. Ibid., p. 56.
 63. Ibid., p. 58.
 64. Ibid., p. 61.
 65. Robbins, "The History of the Court House in Milam County," The University of Texas Bulletin No. 2546, Texas History Teachers' Bulletin, XIII (1925), 118.
 66. Minutes Commissioners Court, vol. A, p. 78, see entry 1.
 67. Ibid., vol. B, p. 382.
 68. Ibid., p. 411.

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Historical Sketch - County
Seats and Courthouses

on December 12,⁶⁹ and on January 25, 1890, the judge was asked to rent offices for the county agencies, as the old courthouse was to be razed.⁷⁰

Considerable opposition to the erection of a new courthouse grew in the county. In order to determine whether the old building could be repaired, the commissioners appointed Ben D. Lee, a contractor, to examine the building and report its condition to them. Lee found that the structure was defective in its original workmanship, and recommended that a new building take its place.⁷¹

Pursuant to this report the commissioners ordered that a new courthouse should be erected according to A. O. Watson's plans, and levied a tax of 15 cents on \$100 assessed valuation of property for the next 5 years, 10 cents for the succeeding 5 years, and 5 cents for the following 5 years.⁷² A group of citizens, as yet unconvinced that a new courthouse was needed, filed an injunction restraining the court from razing the old building or erecting a new one. But the commissioners, on March 13, 1890, overrode Judge E. Y. Terral's motion that the sealed courthouse bids be held unopened until after the district court's decision concerning the injunction, and awarded to William Plummer a contract for the construction of a courthouse costing \$82,385.⁷³

A quarrel developed among the members of the commissioners court, and Judge Terral, who was opposed to building a new courthouse, refused to attend sessions.⁷⁴ The commissioners postponed acceptance of Plummer's bond, and Watson and Plummer brought suit against the county for damages.⁷⁵ On May 12, the commissioners finally considered the bond but rejected it on the grounds that Plummer's bondsmen were sureties on other bonds totaling more than they were worth.⁷⁶ The court ordered that the furniture which had been moved out of the courthouse be returned to the building and branded "mc in small letters."⁷⁷

The suit for damages was transferred to the district court in Bell County, and after the litigation had cost Hilam \$1,000 in attorney's fees,⁷⁸ the commissioners effected a compromise with the architect and the contractor. In return for their agreement to abandon the suit, the

69. Minutes Commissioners Court, vol. B, p. 414, see entry 1.

70. Ibid., p. 415.

71. Ibid., pp. 422-425.

72. Ibid., p. 425.

73. Ibid., pp. 436, 438.

74. Ibid., p. 440.

75. Ibid., p. 448.

76. Ibid., p. 454.

77. Ibid., p. 465.

78. Ibid., p. 514.

Historical Sketch - Economic and Social Development

(First entry, p. 37)

county awarded them a new contract for the construction of a courthouse costing \$75,040.⁷⁹

Work was begun immediately, and in 18 months the building was finished. It was accepted on April 20, 1892.⁸⁰ This building, of square design, with outside walls of limestone, and a clock face near the roof on each of the four sides, has served the county since that time. In 1936 it was extensively remodeled.

Economic and Social Development

Agriculture

When the Governor of Coahuila and Texas permitted Robertson to issue land titles in 1834, there was opened to the firstcomers free land in a virgin tract practically as large as any of the States from which they came. It is said that the soil on the "weed prairies" was so fertile that:

All that was necessary was to burn off the old weeds, and procure an ordinary hoe; with this corn or cotton was planted. The weeds were then kept down by the application of the hoe; and under this simple system of husbandry, without the aid of a plow, or harrow or cultivator, horses, mules, or oxen, the industrious farmer would be rewarded with from forty to fifty bushels of corn, or 500 lbs. of clean cotton fit for the market, per acre.⁸¹

Because of the difficulty in obtaining clear titles to the land and the lack of protection from hostile Indians, however, settlement of Milam County was retarded until the middle 1840's. By this time, the Republic had concluded peace treaties with the Indians and had validated titles. Following these events, immigration increased so rapidly that the colonists already in the region found themselves hard put to supply new settlers with farm products.⁸²

Cotton raising on a large scale began with the importation of Negro slaves in the early 1850's and the establishment of large plantations. The Civil War disrupted the plantation system, but cotton has remained the principal crop. So far as is known, there has never been a crop failure in the county. In 1887, when more than half the farm acreage was planted in cotton, 23 percent of the crops was destroyed by worms, and 47 percent was lost because of drought. Even so, the county produced that year

79. Minutes Commissioners Court, vol. B, pp. 508-513, see entry 1.

80. Ibid., p. 580.

81. Jacob de Cordova, Texas: Her Resources and her Public Men, p. 202.

82. Tyler, The History of Bell County, pp. 54, 55.

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Historical Sketch - Economic
and Social Development

14,773 bales of cotton, which was valued at \$576,147.⁸³ By 1935 the county was producing 40 to 77 thousand bales annually.⁸⁴

Since the institution of the National cotton reduction program, cattle, hogs, and poultry have become important products of the region.⁸⁵ In 1939, 578,979 of the county's total 634,240 acres were in cultivation. There were 1,638 farm owners and 3,339 tenants. The area annually produces 30 to 60 thousand bales of cotton and nearly a million bushels of corn.⁸⁶

Numerous heavy rains, often resulting in floods and the overflow of the rivers, have been serious setbacks to farming in Milam County. Successive floods between 1899 and 1929 destroyed millions of dollars' worth of crops, lands, and farm property.⁸⁷ So devastating was a flood in 1902, that the legislature extended the time of payment of taxes in the county until October 1903.⁸⁸ As early as 1913, when an improvement district including approximately 4,000 acres on the Little River was created, efforts were made to cope with the flood menace. However, little was accomplished until after 1934, when Milam County was placed in the Brazos River Conservation and Reclamation District.⁸⁹ Since that time a series of large dams has been constructed on the upper Brazos, and floodwaters have been successfully controlled.⁹⁰

Transportation

As late as 1875 transportation in Milam County was by ox wagon and stagecoach. In 1861 the Houston and Texas Central Railroad reached Millican, a point 50 miles east of Cameron, in Brazos County; and produce from Milam moved through this town to Galveston and Houston.⁹¹

The Brazos and Little Rivers were navigated to some extent prior to the Civil War. A steamboat line was established on the Brazos, with wharves for receiving cargo at Port Sullivan, where the Austin-East Texas and Waco-Houston roads met.⁹²

83. Texas Department of Agriculture, Insurance, Statistics, and History, Agricultural Bureau, Texas Agricultural and Statistical Report 1888, p. 159.

84. Texas Almanac for 1936, p. 432.

85. 1939-40 Almanac, p. 440.

86. Ibid., p. 175.

87. Texas Reclamation Department, Bulletin No. 25, Excessive Rainfall in Texas, pp. 29-74.

88. 28th Leg., pp. 63, 64.

89. 43d Leg., 4th C.S., pp. 3-11.

90. 1939-40 Almanac, p. 136.

91. Johnson and Barker, Texas and Texans, II, 1059.

92. Ibid.

Historical Sketch - Economic and Social Development

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In 1850 the steamboat Washington, with Basil M. Hatfield captain, brought a consignment of merchandise up the Little River to a point near Cameron for McCowan and Company, merchants at the county seat. Although the arrival of the boat was heralded as the beginning of a means of rapid transportation, the Washington was the first and last steamboat to navigate the Little River.⁹³

It was not until 1876 that the first railroad was completed through the county. In that year the International and Great Northern built a line from Hearne to Austin, which crossed the southern portion of Milam County. Trade immediately centered along the railroad, and during the 1870's and 1880's Rockdale became the largest town of the region. In addition to the advantages of being on a railroad, Rockdale was in the center of a coal field where mines were opened during this period. Thorndale, Gause, and Milano, also on the International and Great Northern, became important trading points for farming communities.⁹⁴

Cameron was cut off from the railroad until 1881, when the Gulf, Colorado, and Santa Fe completed a line connecting it with the coast and Fort Worth. In 1890 a third line, the San Antonio and Aransas Pass, gave Rockdale its second railroad. Three new communities, Benarnold, Burlington, and Minerva, grew up along this line.⁹⁵

Milam is an agricultural county and has no large cities. The entire population of the county is 33,120; and the largest town, Cameron, has a population of 5,040. Rockdale, with a population of 2,136 and Thorndale, with 898 residents, are the next largest towns.⁹⁶ The old towns along the Brazos - Tenoxtitlan, Nashville, and Milam - which before the removal of the county seat to Cameron promised to be leading cities of Central Texas, have dwindled away and disappeared from the map.

Schools

As early as 1848 an attempt was made to establish a free school in the county. At this time the Milam Liberal Institute was incorporated, "to be confined to the advancement of the sciences and promotion of useful knowledge and free to all."⁹⁷ Whether the institute ever achieved this high ambition is not known.

The first high school in the county was the Port Sullivan Male and Female College, which was established in the 1850's and incorporated in

93. Texas Commission of Control for Centennial Celebrations, Monuments Commemorating the Centenary of Texas Independence, p. 83.

94. Johnson and Barker, Texas and Texans, II, 1059.

95. Ibid.

96. "Population of the State of Texas," San Antonio Light, Mar. 11, 1941, almanac sec., pp. 24, 26, 30.

97. Gam. Laws, III, 416.

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Governmental Organization

1863.⁹⁸ In 1871 educational centers were at Jones Prairie, Maysfield, Cameron, and Davilla.⁹⁹ On June 2, 1873, the Davilla Institute was incorporated by the Leon and Little River Baptist Association,¹ and this school for a number of years was the largest in the region.²

By 1881 free schools were in operation in Rockdale, and 232 pupils were enrolled at the fall term.³ During the next decade the schools grew rapidly. By 1889 there were 5 county schoolhouses, 102 teachers, and 5,244 pupils.⁴ On August 30, 1890, the commissioners appointed J. F. Thompson to serve as the first superintendent of public instruction and ordered that thereafter a superintendent should be elected regularly.⁵

In the Milam County school system today there are many modern brick and stone buildings. In 1939 the common schools of the county were attended by 6,288 pupils. Six independent school districts that year had a total of 9,358. The total Negro scholastic population was 4,144.⁶

2. GOVERNMENTAL ORGANIZATION

Milam County, one of the original 23 counties of Texas,^{1a} was organized in 1836.^{2a} The keystone of its governmental structure is the county commissioners court, which consists of a county judge and four county commissioners. Each of the latter represents one of the four commissioners' precincts into which the county is divided.^{3a} The court has many diverse functions, the most important dealing with finance, taxation, welfare, public improvements, contracts, and elections. A brief examination of each of these will reveal the interrelationship of the various county offices as they revolve around the court.

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98. Texas Commission of Control for Centennial Celebrations, Monuments Commemorating the Centenary of Texas Independence, p. 152.
 99. "Reminiscences of 45 Years Ago," Cameron (Tex.) Herald, Dec. 16, 1915.
 1. Gam. Laws, VII, 1459.
 2. J. M. Carroll, A History of Texas Baptists, p. 420.
 3. Texas Commission of Insurance, Statistics, and History, The Resources, Soil, and Climate of Texas, p. 222.
 4. Texas Department of Agriculture, Insurance, Statistics, and History, Agricultural Bureau, Texas Agricultural and Statistical Report 1890, p. 176.
 5. Minutes Commissioners Court, vol. B, p. 468, see entry 1.
 6. Texas State Department of Education, Division of Information and Statistics, comp., Public School Directory, 1939-40, p. 106.
 - 1a. Acts 1836, Gam. Laws, I, 1208, 1253; McKissick v. Colquhoun, 18 Tex. 148 (1856).
 - 2a. Winkler, E. W., Secret Journals of Senate Republic of Texas, 1836-1845, p. 34; Secretary of State, Election Register, vol. 255, p. 75.
 - 3a. Const. 1876, art. V, sec. 18.

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Governmental Organization

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The commissioners court has been designated as the custodian of the county's funds,⁴ which may be classified according to source or origin. The first class is set up by the Constitution,⁵ the second by statutes,⁶ and the third by order of the court.⁷ It may transfer money from statutory funds of the various classifications;⁸ it directs the treasurer to make disbursements;⁹ it may, for certain purposes, issue non-negotiable interest-bearing county warrants,¹⁰ independently of the voters' approval;¹¹ it must approve claims against the county;¹² it supervises the keeping of the finance ledger;¹³ it receives reports of collections and of the financial condition of the county;¹⁴ and it may employ public accountants "to audit all or any part of the books, records, or accounts of the county."¹⁵

In order to finance the county, the commissioners court has been empowered to levy certain taxes, which may be divided, according to the purpose for which the disbursement is to be made, into four classes: 1) General, 2) road and bridge, 3) jury, and 4) permanent improvements. The total maximum of these four is 95 cents on the \$100 valuation, distributed as follows: 1) General, 25 cents; 2) road and bridge, 30 cents; 3) jury, 15 cents; and 4) permanent improvements, 25 cents. The maximum rate of the road and bridge fund tax which the court may levy of its own motion is 15 cents; with the approval of a majority of the property tax paying voters, it may levy an additional 15 cents.¹⁶ The court may also, after a majority vote by the voters in the district, levy a tax not to exceed \$1 on the \$100 valuation for the common school districts.¹⁷

In addition, if a majority of the property tax payers participating in an election consent, road and bridge bonds may be issued, for which an additional 15-cent maximum tax shall be levied to pay the interest and create a sinking fund for their redemption.¹⁸

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4. Hurley et al. v. Buchanan et al., 233 SW 590 (1921).
 5. Const. 1876, art. VIII, sec. 9.
 6. Vernon's Texas St. 1936, RCS, art. 1628.
 7. Ibid., art. 1629.
 8. Ibid., art. 1630.
 9. Ibid., art. 1709.
 10. Lasater v. Lopez, 110 Tex. 179, 217 SW 373 (1919).
 11. Commissioners Court of Floyd County et al. v. Nichols et al., 142 SW 37 (1911).
 12. Vernon's Texas St. 1936, RCS, art. 2351, sub. 10.
 13. Ibid., art. 1607.
 14. Ibid., art. 1665.
 15. Ibid., art. 1641.
 16. Const. 1876, art. VIII, sec. 9.
 17. Ibid., art. VII, sec. 3; Vernon's Texas St. 1936, RCS, art. 2784.
 18. Ibid., arts. 718, 719, 722, 723.

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Governmental Organization

In order to equalize "the valuation of all property subject to or rendered for taxation," the court each May meets as a board of equalization.¹⁹

The court is responsible for furnishing the necessary support for,²⁰ and the burial of resident paupers.²¹ It may make contracts for the medical care of indigents.²² While the court is not required to provide hospitalization for the indigent sick, it must extend to them the benefits of such public hospital facilities as the county may possess.²³ The court may, upon the approval of the taxpayers, issue bonds to establish poor houses and farms.²⁴ In 1917 a law was passed permitting counties to pay small pensions to widowed mothers. The commissioners court authorizes their payment from county funds.²⁵

The county health officer is appointed by the court.²⁶ He is required by law to attend sick county prisoners and indigents, to discharge duties relating to quarantines, and to perform such other functions as the State Board of Health may prescribe for the general welfare of the county.²⁷

The power of a county to establish and maintain roads is vested in its commissioners court. The court is empowered and directed to "order the laying out and opening of public roads," and, subject to certain limitations, to discontinue or alter roads when necessary.²⁸

In Milam County each commissioner's precinct is a road district, and each county commissioner is ex-officio road commissioner in his district. It is his duty to superintend the laying out of such new roads and the building of such bridges in his district as the commissioners court may provide for. The court is authorized by Milam County's special road law to "adopt such system of working, laying out, draining and repairing the public roads . . . as it may deem best." It may acquire lands for rights-of-way or road material by purchase or expropriation. In taking property by expropriation, it may appoint a jury of five freeholders (a jury of view) to determine the compensation to be allowed owners, or institute proceedings in the name of the county, under general laws regulating the exercise of the right of eminent domain. The court

19. Const. 1876, art. VIII, sec. 18.

20. Vernon's Texas St. 1936, RCS, art. 2351, sub. 11; Galveston County v. Ducie, 91 Tex. 665, 45 SW 798 (1898); Willacy County v. Valley Baptist Hospital et al., 29 SW (2d) 456 (1930).

21. Vernon's Texas St. 1936, RCS, art. 2351, sub. 12.

22. See footnote 20.

23. Vernon's Texas St. 1936, RCS, art. 4438.

24. Ibid., art. 718, sub. 3.

25. Ibid., art. 6228.

26. Ibid., art. 4423.

27. Ibid., art. 4427.

28. Ibid., art. 2351, secs. 3-6, and art. 6703; Acts 1919, 36th Leg., 2d C.S., Sp. L., p. 138.

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also has authority to purchase such road-building machinery, tools, and equipment as may be needed. It is expressly authorized to adopt the system of working roads through the compulsory service of citizens and convict labor, but in actual practice road work is done under the contract system, or by labor employed by the court, and is paid for from moneys belonging to the road and bridge fund. Contracts for road work may be made only upon competitive bidding. The court has not exercised the power given it under special law to appoint a road superintendent or engineer for the county.²⁹

Only the commissioners court may make contracts binding the county; these must be authorized by formal resolution of the court and recorded in its minutes.³⁰ Other county officials are powerless to make enforceable contracts, unless these be ratified by the court.³¹

The commissioners court also has important electoral functions. It must divide the county into election precincts,³² appoint election officers in each of these precincts,³³ and tabulate the election returns from all the precincts.³⁴ The county judge must, within 48 hours after the returns have been canvassed by the court, report the results to the Secretary of State;³⁵ and he issues certificates of election to the successful candidates.³⁶

In general the county clerk serves as clerk of both the county³⁷ and the commissioners courts³⁸ and as custodian of the records of both courts;³⁹ he issues deposit warrants to the treasurer;⁴⁰ the clerk, together with the county judge and sheriff, serves on the county board which furnishes supplies to election officials;⁴¹ and as recorder for the county he keeps many permanent records.⁴²

29. Acts 1919, 36th Leg., 2d C.S., Sp. L., p. 138.

30. Vernon's Texas St. 1936, RCS, art. 2365; Fayette County v. Krause et al., 73 SW 51 (1903).

31. Germo Mfg. Co. v. Coleman County, 184 SW 1063 (1916).

32. Vernon's Texas St. 1936, RCS, art. 2351, sub. 1, and arts. 2933, 2934.

33. Ibid., arts. 2937, 2938.

34. Ibid., art. 3030.

35. Ibid., art. 3026a.

36. Ibid., art. 3032.

37. Const. 1876, art. V, sec. 20; Vernon's Texas St. 1936, RCS, art. 1935.

38. Const. 1876, art. V, sec. 20; Vernon's Texas St. 1936, RCS, art. 2345.

39. Ibid., art. 1942.

40. Ibid., art. 1657.

41. Ibid., arts. 2984, 2992.

42. Const. 1876, art. V, sec. 20; Vernon's Texas St. 1936, RCS, art. 1941.

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Governmental Organization

The trial courts in Milam County are the district court,⁴³ the county court,⁴⁴ and 8 justice of the peace courts.⁴⁵ Milam County is in the 20th judicial district; it is the only county in the district.⁴⁶ It is in the 3d supreme judicial district,⁴⁷ and the 3d administrative judicial district.⁴⁸

Generally, the jurisdictional powers of the trial courts in civil actions are made to depend either upon the nature of the subject matter of the action or upon the amount in controversy between the parties, but in one instance, the trial of the right of property seized under levy, they depend upon both. Insofar as they depend solely upon the nature of the action, jurisdictional powers in civil cases are distributed among the trial courts of Milam County as follows: The district court has exclusive jurisdiction in cases involving the title to, and for the enforcement of liens upon lands,⁴⁹ for the partition of lands,⁵⁰ for the recovery on behalf of the State of penalties, forfeitures, and escheats, for the recovery of damages for slander or defamation of character, of divorce, contested elections,⁵¹ adoptions,⁵² juvenile dependency,⁵³ and of all other cases over which jurisdiction has not been conferred upon some other court.⁵⁴ The county court has exclusive jurisdiction in probate cases, in apprenticing minors,⁵⁵ and in suits brought under the general law regulating the exercise of the right of eminent domain;⁵⁶ and the justice courts have exclusive jurisdiction in cases of forcible entry and detainer.⁵⁷ As they have been made to depend solely upon the amount in controversy, jurisdictional powers are distributed as follows: Those of the district court extend to all cases involving \$500 or more.⁵⁸ In cases involving amounts ranging from \$500 to \$1,000, the district and county courts have concurrent jurisdiction;⁵⁹ above \$1,000 the jurisdiction of the district court is exclusive.⁶⁰ The jurisdiction of the county

43. Const. 1876, art. V, sec. 7.

44. Ibid., sec. 15.

45. Ibid., sec. 18; Minutes of Election Returns, vol. 2, pp. 84, 85, see entry 25.

46. Vernon's Texas St. 1936, RCS, art. 199, sub. 20.

47. Ibid., art. 198.

48. Ibid., art. 200a.

49. Const. 1876, art. V, sec. 8.

50. Vernon's Texas St. 1936, RCS, art. 6083.

51. Const. 1876, art. V, sec. 8.

52. Vernon's Texas St. 1936, RCS, art. 46a; and 1939 Supp., RCS, art. 46a.

53. Vernon's Texas St. 1936, RCS, art. 2329.

54. Const. 1876, art. V, sec. 8.

55. Ibid., sec. 16.

56. Vernon's Texas St. 1936, RCS, arts. 1960, 3264-3271.

57. Ibid., art. 2385.

58. Const. 1876, art. V, sec. 8.

59. Ibid., sec. 16.

60. Ibid., sec. 8.

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court extends to cases involving not less than \$200 nor more than \$1,000; in cases involving amounts ranging from \$200 to \$500, it is exclusive,⁶¹ but in cases involving \$200 or less, the justice courts are the courts of exclusive jurisdiction.⁶²

In suits for the trial of the right of property seized under levy, the jurisdiction of the district court is exclusive when the value of the property is \$500 or more; when it is less, jurisdictional powers are divided between the county court and the justice courts, as in other cases in which jurisdiction depends upon the amount in controversy alone.⁶³

In Milam County the criminal jurisdiction of the district court is confined to felonies and misdemeanors involving official misconduct, and over these two kinds of offenses its jurisdiction is exclusive;⁶⁴ other misdemeanors fall within the jurisdiction of the county and justice courts. The justice courts are invested with jurisdiction, concurrent with the county courts, over misdemeanors punishable by fine only and in which the fine imposed does not exceed \$200;⁶⁵ in misdemeanors of higher grade, the jurisdiction of the county court is exclusive.⁶⁶ In juvenile delinquency cases, jurisdiction is exercised concurrently by the district and county courts.⁶⁷

The district court has appellate jurisdiction and supervisory control over the county commissioners court, but its appellate jurisdiction over trial courts extends to probate matters only.⁶⁸ The county court has appellate jurisdiction in civil and criminal cases over which the justices of the peace have original jurisdiction, but in civil cases, only when the judgment appealed from or the amount in controversy exceeds \$20, exclusive of costs.⁶⁹

Generally, appeals in civil cases lie from the county and district courts of Milam County, when the amount in controversy or the judgment rendered exceeds \$100, exclusive of interest and costs, to the Court of Civil Appeals of the 3d supreme judicial district.⁷⁰ Under the conditions and in the instances specified by constitutional and statutory provisions, cases may be taken by writ of error from the Court of Civil Appeals to the Supreme Court. The jurisdiction of the Supreme Court extends to questions of law only.⁷¹

61. Const. 1876, art. V, sec. 16.

62. Ibid., sec. 19.

63. Ibid., sec. 8.

64. Ibid.

65. Ibid., sec. 19; Ballew v. State 44 SW 294 (1888).

66. Const. 1876, art. V, sec. 16.

67. Vernon's Texas St. 1936, RCS, art. 2329.

68. Const. 1876, art. V, sec. 8.

69. Ibid., sec. 16.

70. Ibid., sec. 6; Vernon's Texas St. 1936, RCS, art. 1621.

71. Const. 1876, art. V, sec. 3; Vernon's Texas St. 1936, RCS, art. 1728.

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Governmental Organization

Appeals in criminal cases originating in the district and county courts lie to the Court of Criminal Appeals. Cases brought to the county court on appeal may be further appealed to the Court of Criminal Appeals only if the fine imposed by the county court amounts to \$100 or more; otherwise the decision of the county court is final.⁷²

Milam County's criminal district attorney represents the State and the county in all cases in all the courts of the county.⁷³ He is frequently called upon by county and precinct officers for legal advice and counsel.⁷⁴

The sheriff acts as process and attendance officer for the courts;⁷⁵ he is the custodian of the jail⁷⁶ and the courthouse, subject to the rules and regulations of the commissioners court;⁷⁷ and he serves on the board of election supplies.⁷⁸

The judge of the 20th judicial district presides over the district court.⁷⁹ The district clerk serves as its recorder.⁸⁰

Both district and county judges are required to appoint counsel for persons too poor to provide their own.⁸¹

The tax assessor-collector is the assessing officer for State and county ad valorem taxes levied upon physical properties within the county;⁸² in the case of ad valorem taxes upon intangible property, he prorates the State and the county taxes fixed by the State board;⁸³ he must list all property within the county,⁸⁴ and, subject to the approval of the board of equalization, he determines the value of it and the amount of the tax due;⁸⁵ after the approval of the lists of taxable property, he prepares in triplicate the tax roll, one remaining with him, another going to the State Comptroller, and the third to the county clerk;⁸⁶ he may seize and sell the personal property of delinquent taxpayers;⁸⁷

72. Const. 1876, art. V, sec. 5; Vernon's Texas St. 1936, CCP, art. 53.

73. Const. 1876, art. V, sec. 21; Acts 1931, 42d Leg., Sp. L., p. 413.

74. Vernon's Texas St. 1936, RCS, art. 334.

75. Texas Jurisprudence, XXXVIII, 431, sec. 1.

76. Vernon's Texas St. 1936, RCS, art. 6871.

77. Ibid., art. 6872.

78. Ibid., arts. 2984, 2992.

79. Const. 1876, art. V, sec. 7.

80. Ibid., sec. 9.

81. Vernon's Texas St. 1936, RCS, arts. 1917, 1958.

82. Ibid., title 122, ch. 7.

83. Ibid., arts. 7098, 7110-7113.

84. Ibid., art. 7189.

85. Ibid., arts. 7193, 7218.

86. Ibid., art. 7219.

87. Ibid., art. 7266.

Governmental Organization

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and he is required to dispose of money received by him from taxes to accountable officers and depositories.⁸⁸

The treasurer receives all money belonging to the county and pays it out upon orders from the commissioners court, which is responsible for the finances.⁸⁹ The treasurer may receive deposits only upon the authority of warrants issued by the county clerk.⁹⁰ All claims must be registered by the county treasurer in his claim register, in the order of presentation.⁹¹ He may not pay out money except in pursuance of a warrant. Should he doubt the legality of any warrant he must withhold payment and report the matter to the commissioners court.⁹² The county depository serves as the treasury of the county funds.⁹³

The auditor⁹⁴ of Milam County is responsible for its accounting system. He receives and records deposit warrants;⁹⁵ he examines and approves all claims, bills, and accounts before the commissioners court meets to act upon them;⁹⁶ he keeps, under the general supervision of the court, the finance ledger;⁹⁷ he oversees the enforcement of the law governing county finances;⁹⁸ he examines all reports of collections as made to the court;⁹⁹ he counts the cash in the possession of the treasurer and checks up on the money in the depository;¹ and he keeps many records, including a register of warrants issued.² Furthermore, he must make quarterly and annual reports to the court concerning the financial condition of the county;³ each year he must submit to the commissioners court an estimate of all county revenues and expenditures; and he must see that no department exceeds its budgetary appropriation.⁴

Heading the local public school organization is the county school superintendent, who is charged with the immediate supervision of the schools in the county.⁵ He appoints the members of the county board of examiners,⁶ apportions the county's share of the State available school

88. Vernon's Texas St. 1936, RCS, art. 7249a.

89. Ibid., art. 1709.

90. Ibid., art. 1657.

91. Ibid., arts. 1625-1627.

92. Ibid., art. 1713.

93. Ibid., arts. 2828, 2829.

94. Ibid., art. 1646.

95. Ibid., art. 1657.

96. Ibid., art. 1660.

97. Ibid., art. 1663.

98. Ibid., arts. 1651, 1653.

99. Ibid., art. 1654.

1. Ibid., art. 1655.

2. Ibid., arts. 1662, 1666.

3. Ibid., art. 1665.

4. Ibid., art. 1666.

5. Ibid., art. 2690.

6. Ibid., art. 2878.

(First entry p. 37)

Housing, Care, and Accessibility
of Records

fund to the common school districts and the county funds to the common and independent districts,⁷ and distributes free textbooks.⁸ In addition, he serves as secretary to the county board of school trustees,⁹ which consists of five elective members.¹⁰

The board is incorporated and in its corporate capacity, may, for school purposes, acquire and own property, make contracts, sue and be sued, and do all other things necessary in the management of the common schools in the county.¹¹

Each of the common school districts has its own board of trustees elected from the district.¹² Its powers within the district are similar to those of the county board.¹³ It manages and disburses district school funds, directs and controls the public school buildings and grounds in the district, determines the number of schools needed and their locations, employs teachers, passes upon claims for district money,¹⁴ and may make such rules and regulations as are necessary for the government of the district schools.¹⁵

The county surveyor performs important functions relating to boundaries, roads, and highways. His records frequently are invaluable in settling title claims.¹⁶

3. HOUSING, CARE, AND ACCESSIBILITY OF RECORDS

The Milam County Courthouse, in the city of Cameron, has served the county for nearly half a century. Built in 1892 at a cost of \$74,040, it was extensively remodeled in 1936. This native limestone building with outside dimensions of 78 by 85 feet has a half-basement and three floors above ground. It is considered 60 percent fireproof; inside walls and ceilings are of plaster, the ceilings in the basement being reinforced with corrugated iron; floors are of wood, terrazzo, or concrete. With the exception of the general storeroom in the basement, lighting and ventilation are excellent throughout; and with the same exception, all rooms are provided with tables and chairs for the use of visitors and researchers. All depositories have room for some expansion of records.

7. Vernon's Texas St. 1936, RCS, art. 2692.

8. Ibid., arts. 2673, 2675.

9. Ibid., art. 2681.

10. Ibid., art. 2676.

11. Ibid., art. 2683.

12. Ibid., art. 2745.

13. Ibid., art. 2746.

14. Ibid., arts. 2749, 2754.

15. Bishop v. Houston Independent School District, 119 Tex. 403, 29 S.W. (2d) 312 (1930).

16. Vernon's Texas St. 1936, RCS, arts. 5277-5280, 6706.

Housing, Care, and Accessibility of Records

(First entry p. 37)

County Commissioners Court. The commissioners meet in the county courtroom on the first floor (see floor plan, p. 28). Current records volumes and papers of the court are in the county clerk's main, or first floor, office, with the exception of the current docket, which is kept by the county judge on his desk in his office adjoining the courtroom (see floor plan, p. 28). Most of the obsolete records of the court have been retired to the general storeroom in the basement (see floor plan, p. 26), but 2 retired volumes of accounts allowed were found in the auditor's office (see floor plan, p. 29), and 18 volumes have been sent to The University of Texas Library for safekeeping.

County Clerk. This official has in his custody the records of the county and commissioners courts as well as those which he makes and preserves as recorder for the county. His department consists of a large two-room office on the first floor (see floor plan, p. 28), and an office and two large records rooms designated throughout this inventory as "deed room 1" and "deed room 2," in the basement (see floor plan, p. 26). The first floor offices are both vault-like in construction. The outer room has a counter-shelf in the center containing 110 linear feet of steel roller-shelving for bound volumes, and 7 standard-size steel file drawers for unbound materials. The inner office has 2 sections of steel roller-shelving containing a total of 90 linear feet of shelf space for bound volumes, and approximately 300 steel file drawers. The clerk's basement office contains no records, but is equipped with tables and chairs for the use of the public. Deed room 1 contains 408 volumes of property records kept by the clerk as recorder, and 42 volumes of probate records; these are housed in 4 sections of roller-shelving along the walls and in 1 counter-shelf section, totaling 665 linear feet of shelving. Other property records series, totaling 128 volumes, and the current county court execution docket and index are kept in deed room 2, on one section of steel roller-shelving containing 170 linear feet of shelf space. Obsolete records of the clerk as recorder stored in the general storeroom in the basement include 109 volumes, and 9 file drawers and 52 cardboard boxes of papers. Ninety-five volumes have been retired to The University of Texas Library.

District Court. The district court holds sessions in the large courtroom on the second floor (see floor plan, pp. 30, 31), and the district judge has an office on the same floor (see floor plan, p. 30). The records are in the custody of the district clerk, who has a vault adjoining the courtroom on the east (see floor plan, p. 30), and a large storeroom in the center of the north side of the second floor (see floor plan, pp. 30, 31). Most of the records volumes and case papers of the court are in the clerk's vault, where accommodations consist of 275 linear feet of steel roller-shelving in 3 sections and 1 counter-shelf, 200 steel file drawers, and 19 cardboard jackets. One volume of county court naturalization records is in this vault. In the storeroom are 31 cardboard jackets of retired case papers and 25 volumes of disposed of dockets and fee books. The jury room on the second floor adjoining the courtroom to the west (see floor plan, p. 31) is now used for keeping court records. It is equipped with 50 linear feet of steel roller-shelving and about 30 steel file drawers. Records here consist of 30

(First entry p. 37)

Housing, Care, and Accessibility
of Records

file drawers of disposed of civil and criminal case papers, and 23 retired dockets. Thirty-three volumes of retired records are in the basement storeroom, and 46 are in The University of Texas Library.

County Court. This court meets in the county courtroom on the first floor (see floor plan, p. 28). The bulk of its current records is in the county clerk's first-floor office, although the county judge keeps the current beer license docket on his desk in his office, and 42 volumes of probate records are in deed room 1, and the execution docket and index are in deed room 2. Seventy-two retired volumes and 20 file drawers and 3 cardboard boxes of disposed of case papers are in the basement storeroom; 1 volume of naturalization records is in the district clerk's vault; and 21 volumes are in The University of Texas Library.

Justices of the Peace. The justice of the peace of precinct 1 has office space in the southeast corner of the county courtroom (see floor plan, p. 28). He keeps his current books and papers in his desk. Retired records of this precinct and those of some of the outlying precincts are in the basement storeroom. One volume was found in The University of Texas Library.

Criminal District Attorney. This officer has an office in a private building. His records were not inventoried. Two volumes of county attorney's dockets were found in the basement storeroom, and 2 volumes in the surveyor's office (see floor plan, p. 33).

Sheriff. The sheriff has a two-room office in the northwest corner of the second floor (see floor plan, p. 31). No records are kept in the larger of these. In the smaller, current volumes are kept in a wooden cabinet 3 feet long, 4 feet high, and 2 feet deep. Thirty-three retired volumes are in the basement storeroom; one is in The University of Texas Library.

Tax Assessor-Collector. This official has two offices and a vault in the basement (see floor plan, pp. 26, 27). In the large collection office are kept only current receipt books; these are on wooden shelving totaling 20 linear feet of space. In the assessment office, current inventories of property and assessment rolls are stacked on top of a wooden supply cabinet and on two wooden tables; this office has no shelving. In the vault, which adjoins the collection office, 100 linear feet of steel roller-shelving and 70 linear feet of wooden shelving hold 149 bound volumes. Retired tax records were found in various other rooms in the courthouse: 2 cardboard boxes of poll tax receipts in the basement storeroom; 152 volumes of receipts and reports in the surveyor's office; 133 volumes on the floor of the third floor storeroom (see floor plan, p. 33). And 29 volumes are in The University of Texas Library.

County Treasurer. The treasurer's office is in the northwest corner of the first floor (see floor plan, p. 29). Current volumes are in a safe 5½ feet high, 3 feet wide, and 3 feet deep; retired volumes kept in the office are on top the safe. Sixteen retired records books are in the basement storeroom, and 24 are in The University of Texas Library.

Housing, Care, and Accessibility
of Records

(First entry p. 37)

County Auditor. All of the auditor's records are in the inner records room of his office on the first floor (see floor plan, p. 29), which has 25 linear feet of wooden shelving. Also in this room are two volumes of commissioners court records.

County Board of School Trustees. The minutes of this board are in the county school superintendent's bookroom on the first floor (see floor plan, p. 29).

County School Superintendent. The superintendent has an office and an adjoining bookroom on the first floor (see floor plan, p. 29). All of his records and the minutes of the county school trustees are in the bookroom, which contains 28 linear feet of steel roller-shelving in 1 section; 1 wooden cabinet 5 feet long, 5 feet high, and 16 inches deep, with 5 rows of shelves; and several wooden file drawers and cardboard file boxes.

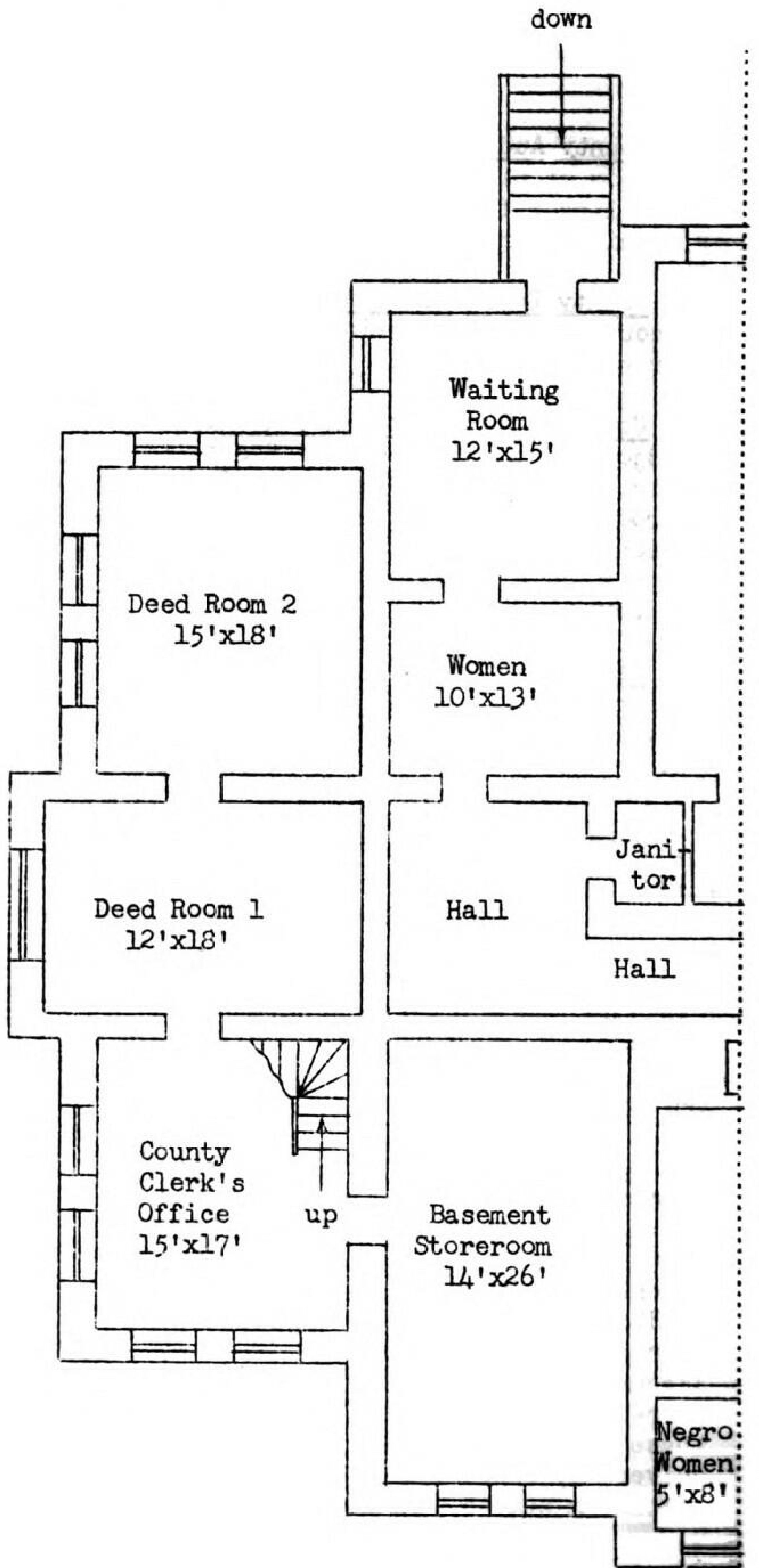
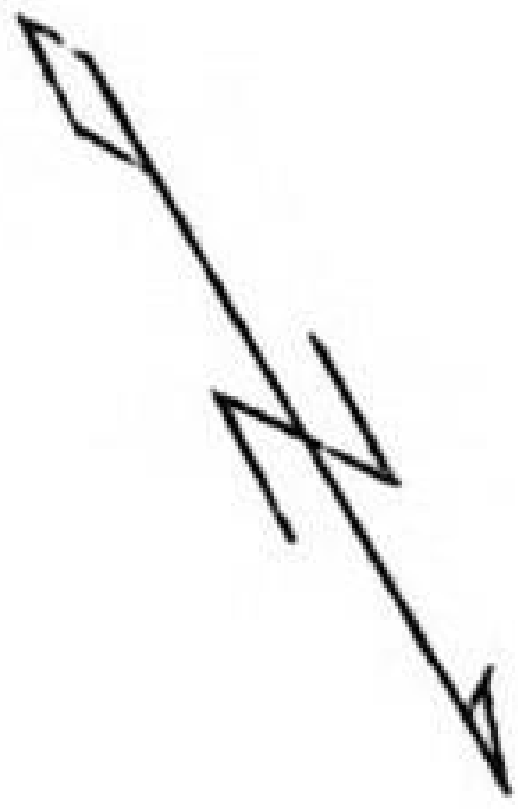
County Surveyor. The surveyor's office is on the third floor (see floor plan, p. 33). He keeps his records on his desk. On the floor are 152 volumes of old tax records, and 2 volumes of county attorney's dockets.

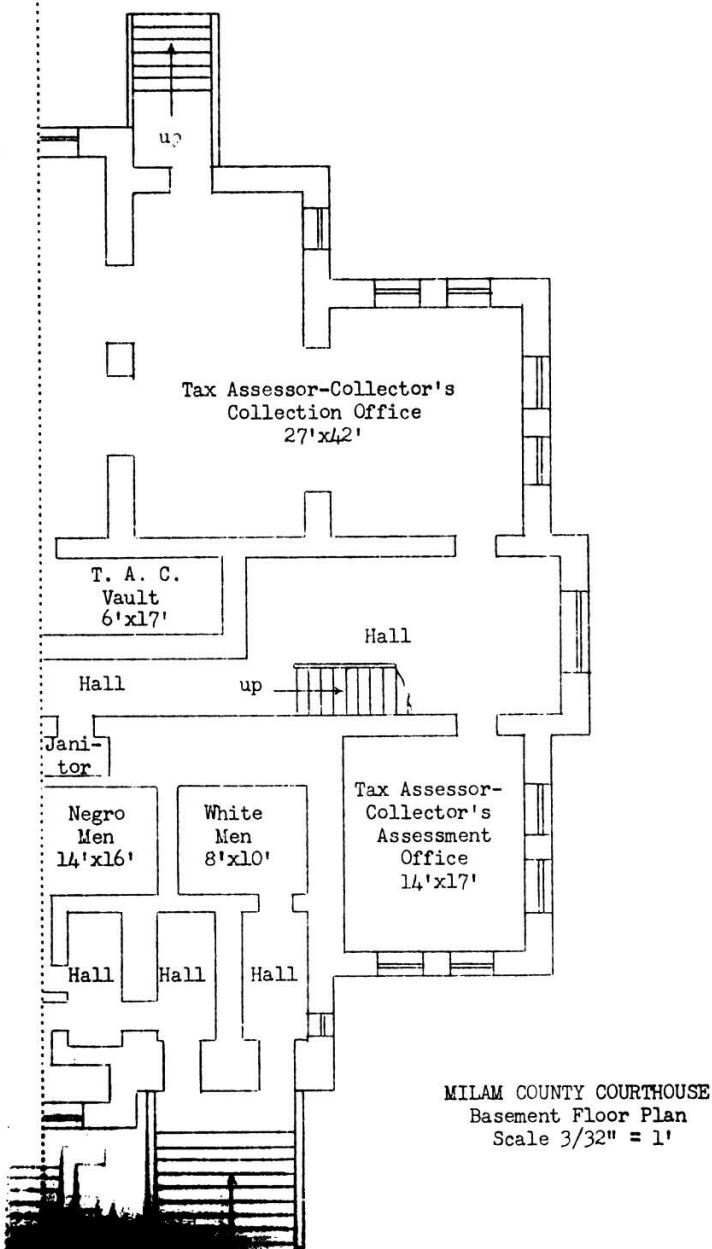
Basement Storeroom. This storeroom (see floor plan, p. 26) is used for housing records retired from the various county agencies, as already noted. Equipment consists of approximately 600 linear feet of wooden shelving built along the east, west, and south walls, and in one large section in the center of the room. The shelves are 18 inches apart, and most of the volumes are placed on them in an upright or vertical position. Approximately 600 cardboard jackets, 80 cardboard boxes, and 7 wooden file boxes of unbound material are also on the shelves. Lighting conditions are poor, since there is only one electric drop light; and there are no accommodations for users of the records.

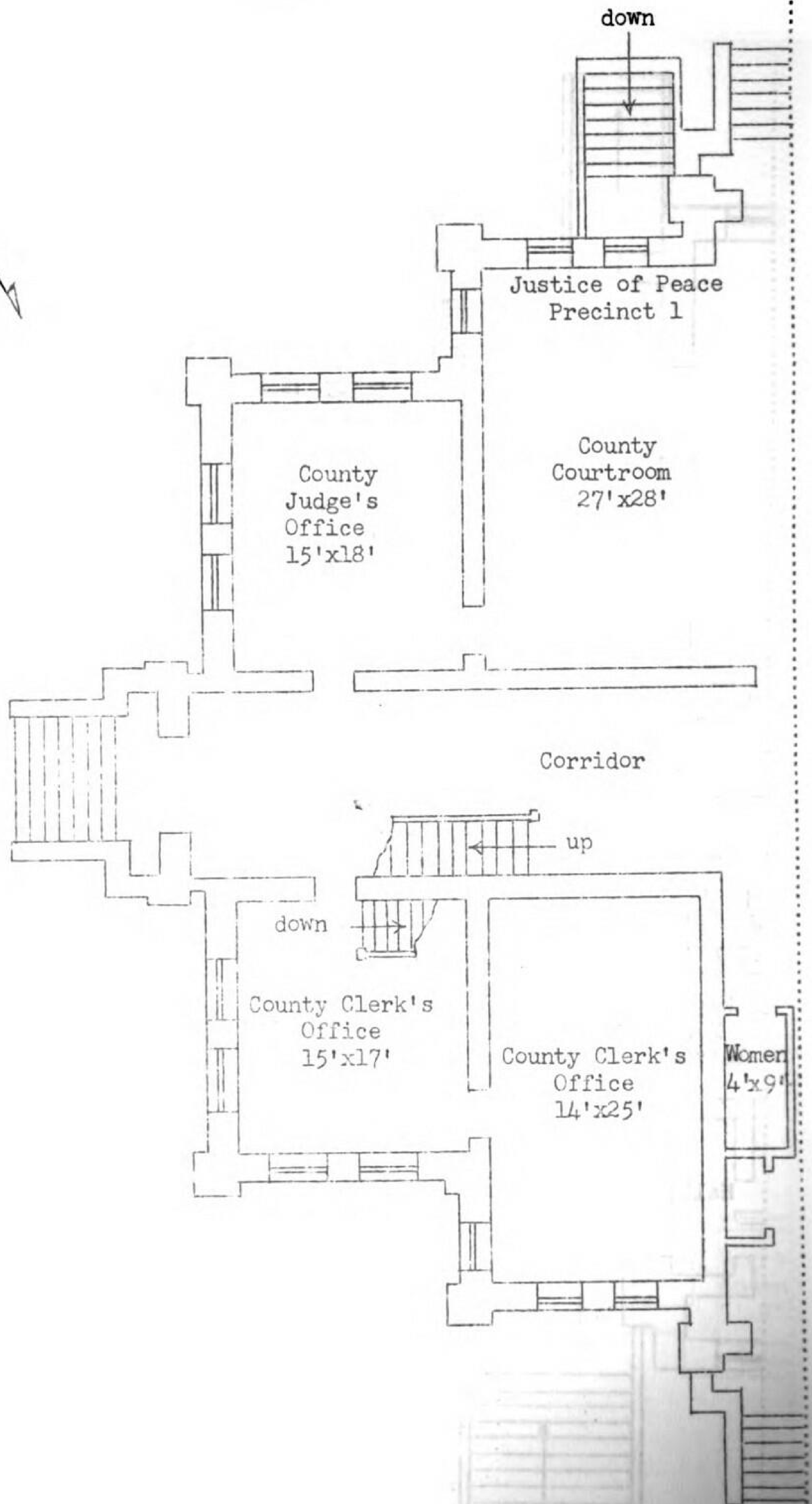
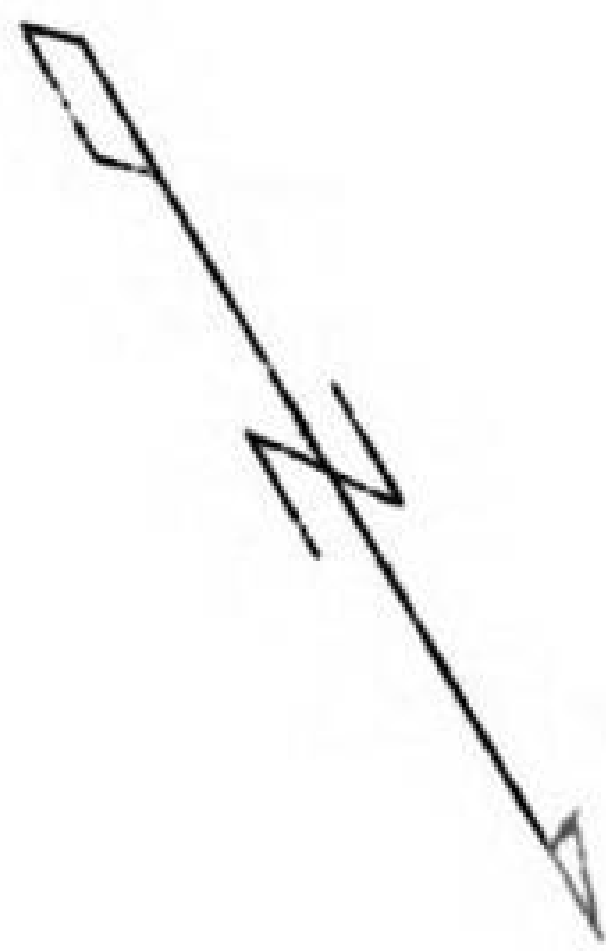
University of Texas Library. County commissioners courts are authorized by statute to lend to the Library of The University of Texas for such length of time and under such conditions as they determine, such parts of their archives as have become chiefly valuable as historical material.¹ Under this provision and "through the mediation of the W. P. A. Historical Records Survey," Milam County sent to the University Library 240 inactive record books in January 1939. By the terms of the agreement, the loan is for an indefinite length of time and is subject to recall by the commissioners, and the Librarian is authorized to make these records available to such persons as are permitted access to the University Library's Archives Collection.² The records are stored in stackroom number 1, on the ground floor of the Library.

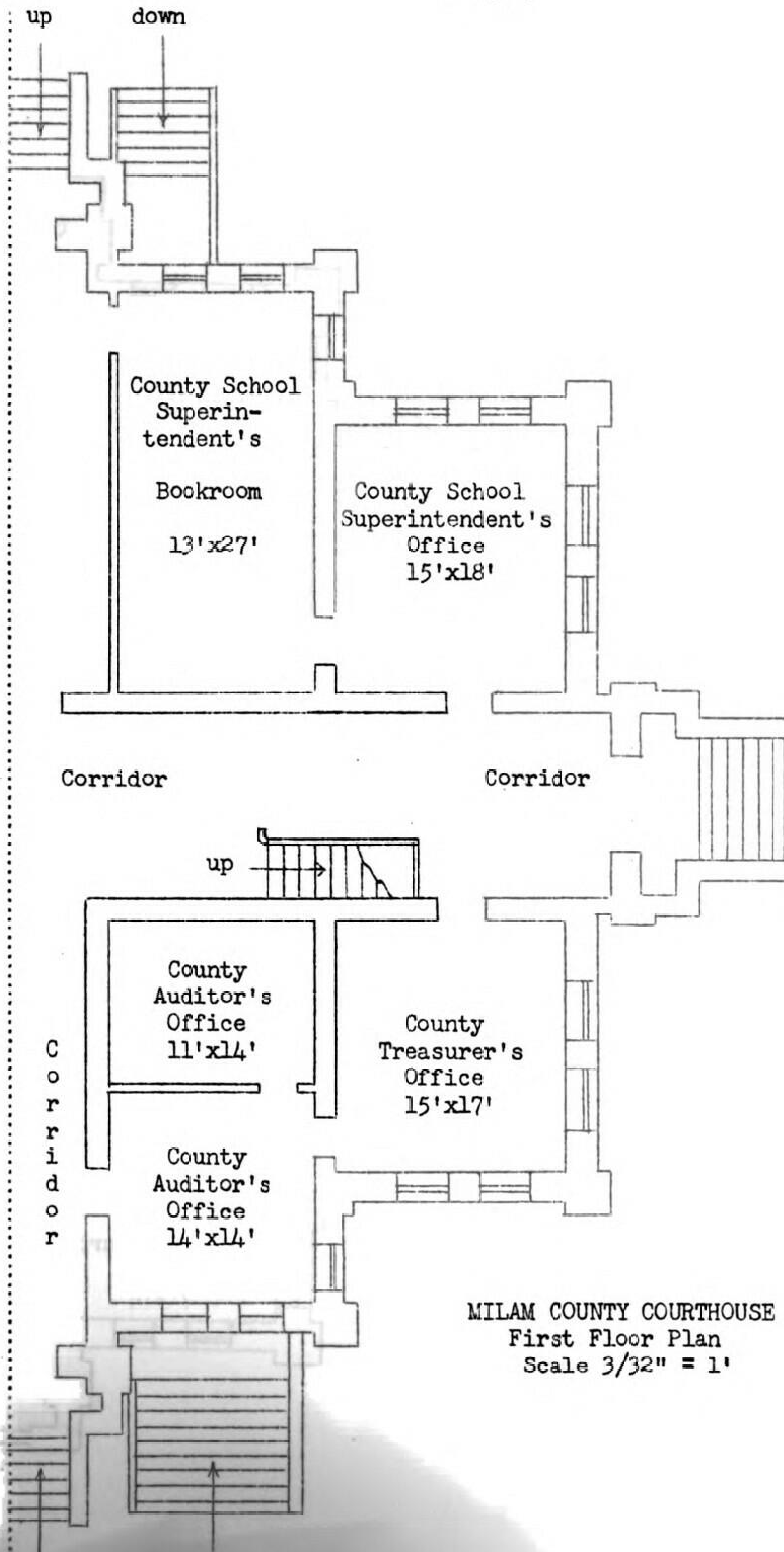
1. Vernon's Texas St. 1936, RCS, art. 260.

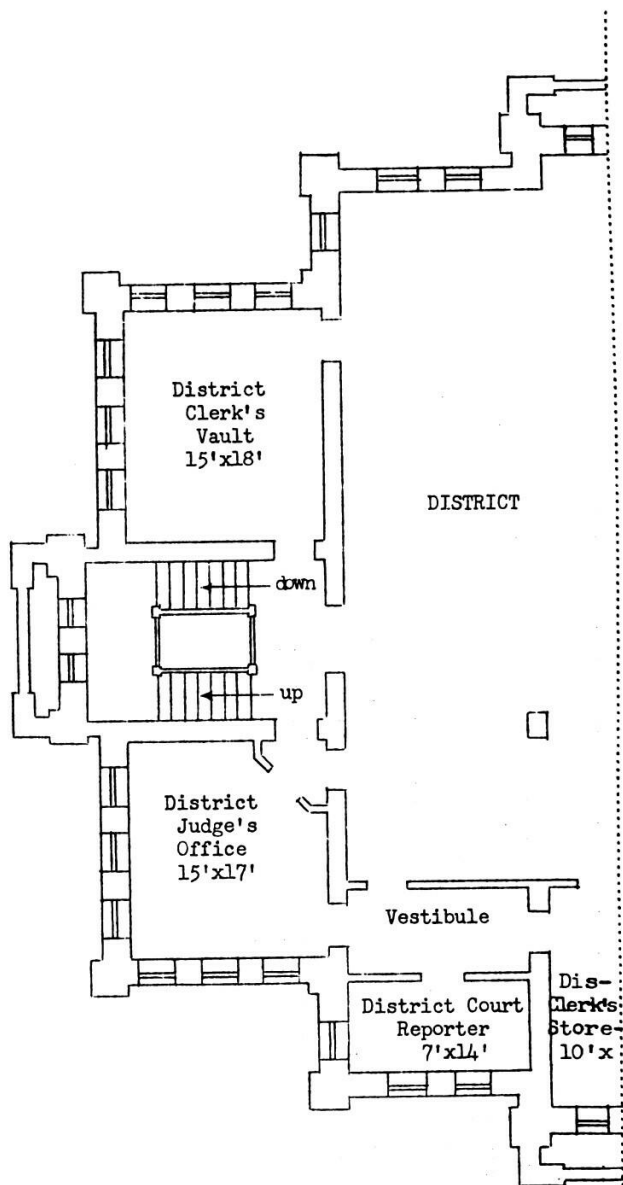
2. Donald Coney, Librarian, to Homer Nabours, County Clerk, Milam County, Jan. 12, 1939.

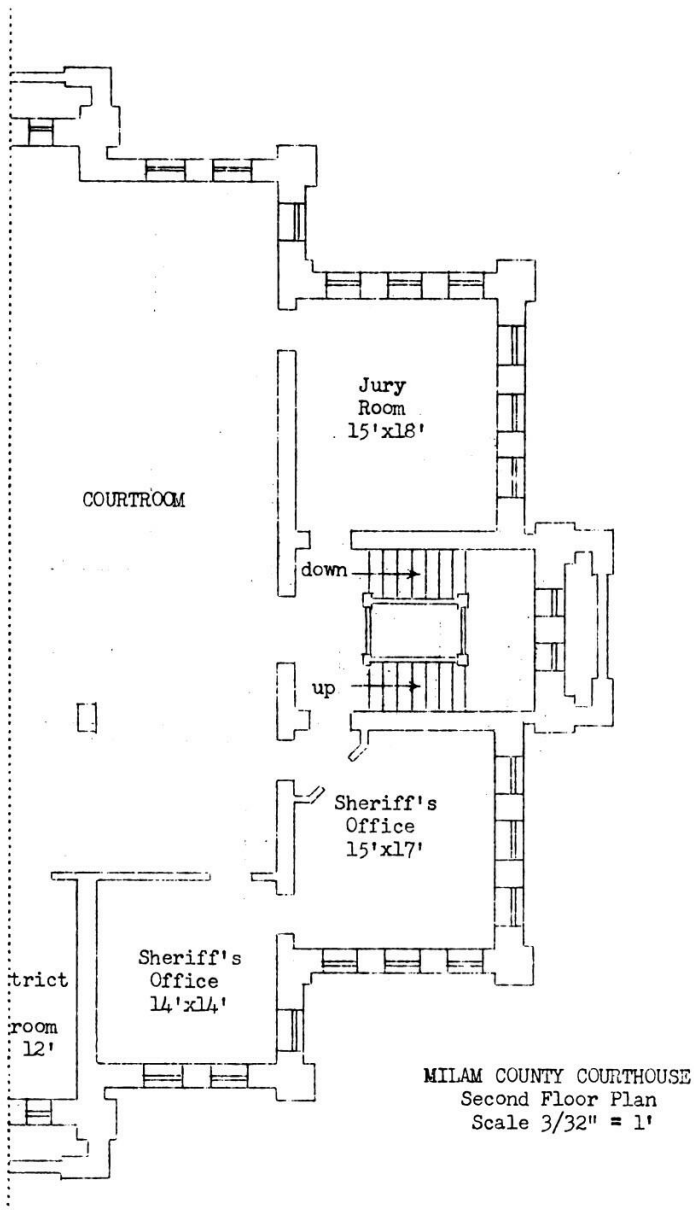


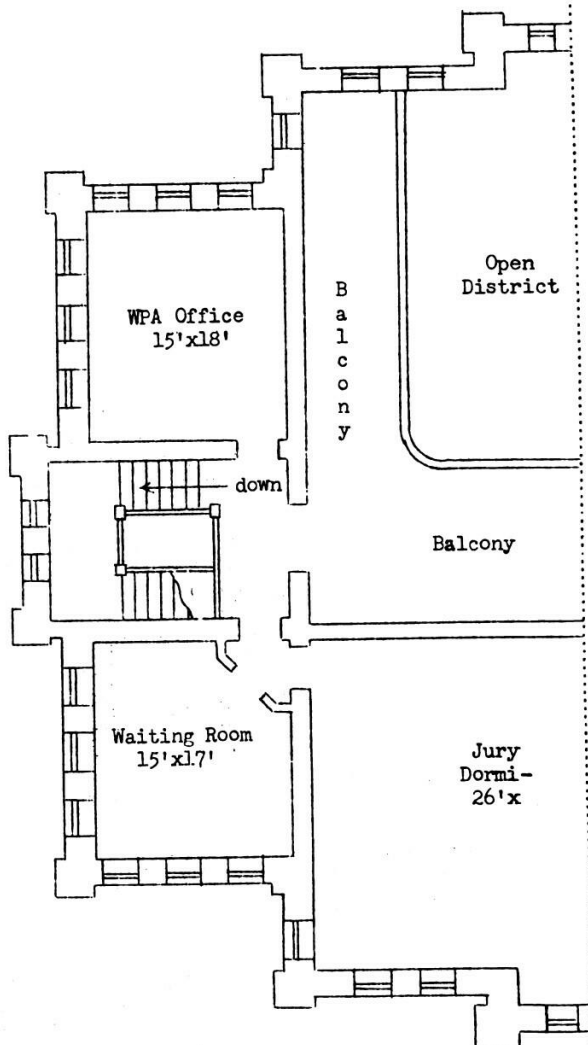


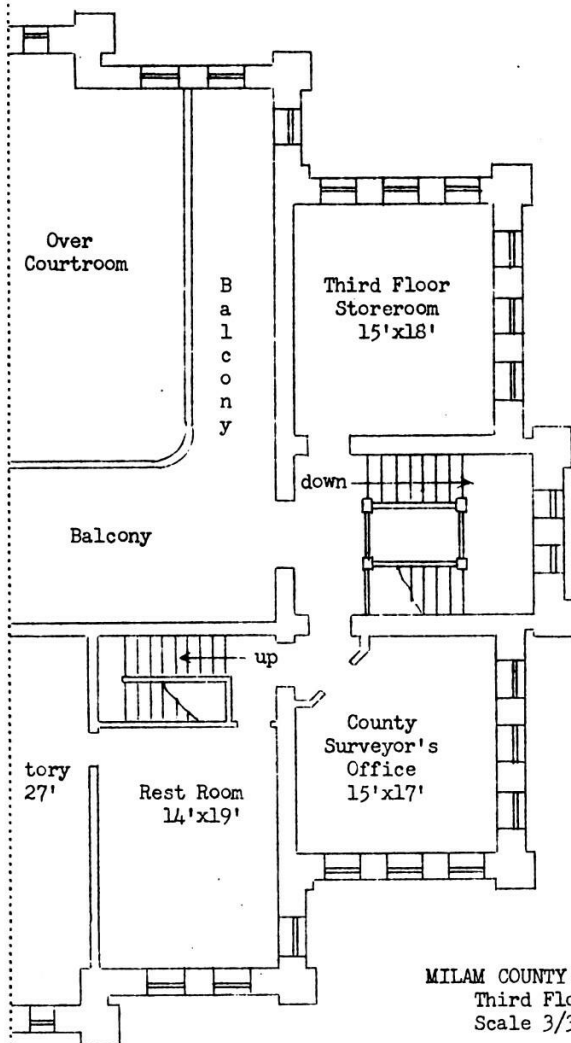












MILAM COUNTY COURTHOUSE
Third Floor Plan
Scale $3/32" = 1'$

(First entry, p. 37)

ABBREVIATIONS, SYMBOLS, AND EXPLANATORY NOTES

Abbreviations and Symbols

| | | |
|----------------|-------|---|
| alph. | ..... | alphabetical(ly) |
| approx. | ..... | approximate(ly) |
| arr. | ..... | arranged, arrangement |
| art(s). | ..... | article(s) |
| aver. | ..... | average |
| bsmt. | ..... | basement |
| c.c. | ..... | county clerk |
| CCP | ..... | Code of Criminal Procedure |
| ch(s). | ..... | chapter(s) |
| chron. | ..... | chronological(ly) |
| c.j. | ..... | county judge |
| comp. | ..... | compiler |
| Const. | ..... | Constitution of Texas |
| Const. Conv. | ..... | Constitutional Convention |
| C.S. | ..... | called session |
| Dallam Tex. | ..... | Dallam's <u>Opinions of the Supreme Court</u> |
| dbl. | ..... | double |
| d.c. | ..... | district clerk |
| ed(s). | ..... | editor(s) |
| <u>et al.</u> | ..... | <u>et alii</u> , <u>et aliae</u> , and others |
| <u>et seq.</u> | ..... | <u>et sequentes</u> , <u>et sequentia</u> , and the following |
| f.b. | ..... | file box(es) |
| f.d. | ..... | file drawer(s) |
| fl. | ..... | floor |
| fm. | ..... | form(s) |
| Gen. Laws | ..... | Gammel's <u>Laws of Texas</u> |
| hd. | ..... | heading(s) |
| hdw. | ..... | handwritten |
| HRS | ..... | Historical Records Survey |
| <u>ibid.</u> | ..... | <u>ibidem</u> , in the same place |
| j.p. | ..... | justice of peace |
| Leg. | ..... | Texas Legislature |
| ms. | ..... | manuscript |
| no(s). | ..... | number(s) |
| numer. | ..... | numerical(ly) |
| off. | ..... | office |
| <u>passim</u> | ..... | here and there |
| PC | ..... | Penal Code |
| p(p). | ..... | page(s) |
| pr. | ..... | printer |
| pt(s). | ..... | part(s) |
| RCS | ..... | Revised Civil Statutes |
| sec(s). | ..... | section(s) |
| ser. | ..... | series |
| shff. | ..... | sheriff |
| Sp. L. | ..... | special laws |
| s.s. | ..... | county school superintendent |

Abbreviations, Symbols, and
Explanatory Notes

(First entry, p. 37)

| | |
|-------------------------------|---|
| strm. | storeroom |
| SW | <u>Southwestern Reporter</u> |
| t.a. | tax assessment |
| t.a.c. | tax assessor-collector |
| t.c. | tax collection |
| Tex. | <u>Texas Supreme Court Reports</u> |
| treas. | county treasurer |
| U.T. | The University of Texas |
| v. | versus |
| va. | vault |
| Vernon's Texas St. 1936 | Vernon's Texas Statutes, <u>Centennial Edition, 1936</u> |
| Vernon's Texas St. 1939 Supp. | <u>Vernon's Texas Statutes, Centennial Edition, 1939 Supplement</u> |
| vol(s). | volume(s) |
| WPA | Work Projects Administration |
| x | by |
| -- | placed after date means from that year on |

Explanatory Notes

Titles of Records. Exact titles of records are written in solid capitals without parentheses. In the absence of titles, descriptive titles have been assigned, which are written in solid capitals and enclosed in parentheses. If a record title is not descriptive of the contents of the record, an assigned explanatory title (or explanatory words), written with initial capitals and enclosed in parentheses, has been added. The current or most recent title of a record is used as the entry title, and title variation is indicated.

Dates. All dates used are inclusive. Missing records are indicated by broken dates.

Quantity. When two or more types of containers are considered in a single entry, the quantity is shown in chronological order, insofar as possible.

Labeling. Figures or letters in parentheses, following the number of volumes, file boxes, or other type of container, indicate the labeling. If no labeling is indicated, it may be assumed that there is none.

Discontinuance. Where no statement is made that the record was discontinued at the last date shown in the entry, it could not be definitely established that such was the case. Where no comment is made on the absence of prior, subsequent, or intermediate records, no definite information could be obtained.

Description of Records. The description of the contents of a record applies only to the current or most recent record unless change in contents is actually shown in a record entry.

(First entry, p. 37)

Abbreviations, Symbols, and
Explanatory Notes

Indexing. All indexes to records, unless otherwise stated, are self-contained.

Condition of Records. Records are in good condition unless otherwise indicated.

Dimensions. Dimensions are always given in inches, unless otherwise indicated, and, therefore, the symbol for inches ("") is omitted.

Location of Records. All records are in the county courthouse unless otherwise noted in the entries. When all or the majority of the records of an office have a common location, the location is indicated in the last sentence of the office essay instead of in each individual entry.

Cross References. Title-line cross references are used to show the continuity of a record series which has been kept separately for a period of time and with other records for different periods of time. An example is that in entry 11: "1879-94, 1910-12 in Supplement to Finance Ledger, entry 10." The description of the master entry shows the title and entry number of the record from which the cross reference is made, as, for example, these words in entry 10 do: "Also contains: Ledger accounts with county treasurer, 1879-94, 1910-12, entry 11." Dates shown in the description of the master entry are only for the part or parts of the record contained therein, and are shown only when they vary from those of the master entry.

I. COUNTY COMMISSIONERS COURT

Since 1836, when Milam County was organized, the governmental functions of Texas counties have been performed and their corporate business has been managed, under the general direction of a governing court or board.¹ Records from the office of the Secretary of State indicate that Milam County's first governing board began to function in December 1836.²

The present governing court, the county commissioners court, was established in 1876. It is composed of the county judge and four county commissioners, all elected at each biennial general election. Each county is divided into four commissioners' precincts, and a commissioner is elected from each.³ The county judge is chosen from the county at large and is the presiding officer of the court.⁴ The county clerk is ex-officio clerk of the court,⁵ and the sheriff its process and attendance officer.⁶

General Proceedings

1. MINUTES COMMISSIONERS COURT, Apr. 13, 1874--. 9 vols. (A, B, 3-9).

Minutes of commissioners court in regular and special meetings, showing date, place, and kind of meeting, names of members present, disposition of business, and signatures of commissioners, county judge, and county clerk; business transacted includes classification and expenditure of county funds, levy of taxes, approval of tax rolls, and equalization of tax valuations, care of paupers, construction and maintenance of public buildings and roads and management of other county works, calling of bids and letting of contracts, designation of election precincts, appointment of election judges, calling of elections, and approval of bonds of county officials. Arr. chron. by court term. For index, see entries 2, 3. Hdw. 1874-1915; typed 1915--. 576 pp. 16 x 11 x 3. C.c. off.

2. INDEX TO COMMISSIONERS COURT MINUTES, 1874--. 2 vols. (1, 2). Index by subject of proceedings to Minutes Commissioners Court, entry 1, showing at top of each page of volume 1, 1874-1930, and on flyleaf of volume 2, 1931--, printed alphabetical list of broad subject headings and beginning page number for each; each entry shows date of proceedings, name of interested party, specific nature of proceedings, and volume and

-
1. Acts 1836, Gam. Laws, I, 1201, 1208; Acts 1837, Gam. Laws, I, 1306; Acts 1846, Gam. Laws, II, 1639; Const. 1866, art. IV, sec. 17, Gam. Laws, V, 868; Const. 1869, art. V, sec. 20, Gam. Laws, VII, 414; Const. 1876, art. V, sec. 18; Vernon's Texas St. 1936, RCS, art. 2339, et seq.
 2. Secretary of State, Election Register, vol. 255, p. 75.
 3. Const. 1876, art. V, secs. 1, 18; Vernon's Texas St. 1936, RCS, arts. 1927, 2339, 2342.
 4. Const. 1876, art. V, sec. 15; Vernon's Texas St. 1936, RCS, art. 2342.
 5. Const. 1876, art. V, sec. 20; Vernon's Texas St. 1936, RCS, art. 2345.
 6. Ibid., art. 2346.

(3-5)

County Commissioners Court -
General Proceedings

page reference. Arr. alph. by subject of proceedings and chron. thereunder. Hdw. pr. hd. 640 pp. 18 x 12 x 3. C.c. off.

3. INDEX TO MINUTES COM(mi)S(sioners) COURT, 1879-91. 1 vol. (A).
Discontinued.

Index by subject of proceedings to Minutes Commissioners Court, entry 1, showing broad subject heading (for example, roads, bridges, accounts allowed), abstracts of orders, showing date and nature of order, and volume and page reference. Arr. alph. by subject heading and thereunder chron. by date of order. Hdw. 450 pp. (183 used) 16 x 10 x 2. C.c. off.

4. COMMISSIONERS' COURT DOCKET, May term 1881-Aug. term 1914, Jan. term 1922--. 5 vols. (1, two unlabeled, 2, 4). Untitled, 1888-95, 1 vol.

Docket of applications, petitions, and claims presented to commissioners court, showing court term, file number, names of principal parties, nature of application, petition, or claim, and abstract of court order. Arr. chron. by court term. No index. Hdw. pr. hd. 320 pp. 16 x 10 x 2. 4 vols., 1881-1914, bsmt. strm.; 1 vol., 1922--, c.j. off.

5. (MISCELLANEOUS PAPERS), 1877-1910. 2,500 papers in 500 jackets. Miscellaneous papers, including:

- i. Assumed name certificates. For register of, see entry 60.
- ii. Bonds of county officials, showing information as in entry 82-i.
- iii. Bonds of notaries public, showing information as in entry 82-iii.
- iv. Canceled county warrants. For stubs, see entry 19.
- v. Chattel mortgages, showing information as in entry 56.
- vi. Contracts for construction and repair of county roads and buildings.
- vii. Convict bonds. For convict bond register, see entry 12.
- viii. County court disposed of civil and criminal case papers, as partially listed in entries 155, 169.
- ix. Estray affidavits and bonds, showing information as in entry 40-i, iii.
- x. Expense accounts of county officials, presented monthly to commissioners court, showing name of reporting officer, year, classification, and amount of fees earned, total amounts earned and collected, and total collected for current year, year preceding, and other years, classification and amount of items of deductible expenses, affidavit of reporting officer, and notarization.
- xi. Justice of the peace court civil and criminal case papers, as partially listed in entry 194.
- xii. Lunacy case papers, as partially listed in entry 149.
- xiii. Paid claims against the county, showing information as in entry 8.
- xiv. Reports of county funds made quarterly by treasurer to commissioners court. For minutes approving reports, see entry 15.
- xv. Road overseers' commissions. For minutes appointing overseers, see entry 24.
- xvi. Road petitions.

No obvious arr. No index. Hdw., hdw. and typed pr. fm., and typed. 4 x 10 x 4. Bsmt. strm.

County Commissioners Court -
Financial Supervision

(6-10)

6. RECORD OF ANIMALS SLAUGHTERED, Feb. 25, 1881-Oct. 24, 1886.
1 vol.

Register of quarterly reports of animals slaughtered, made by butchers to commissioners court, showing name and county of butcher, quarter ending date of report, kinds and quantities of animals, age, sex, earmarks and brands, and date and from whom purchased. Arr. chron. by date of report. Indexed alph. by first letter of butcher's surname and chron. thereunder. Hdw. pr. hd. 215 dbl. pp. (114 used) 16 x 10 x 2. Bsmt. strm.

Financial Supervision

Claims (See also entry 4)

7. MINUTES OF ACCOUNTS ALLOWED, May term 1900--. 14 vols. (4-17). Register of claims against the county approved for payment by commissioners court, showing date of court term, claim number, name of claimant, purpose and amount of claim, date acted on, amount allowed, from what fund paid, number of scrip, and remarks. Arr. chron. by court term. No index. Hdw. pr. hd. 642 pp. 16 x 11 x 3. 9 vols., 1900-1911, 1918-34, bsmt. strm.; 2 vols., 1911-18, aud. off.; 3 vols., 1934--, c.c. off.
For treasurer's claim register, see entry 248.

8. COMMISSIONERS COURT ACCOUNTS, Jan. 1, 1925--. 930 papers in 9 cardboard boxes, 12 f.d. (boxes unlabeled; f.d. dated).
Untitled, Jan. 1, 1925-Dec. 31, 1938, 9 boxes.
Paid claims against the county for labor and material furnished for roads, courthouse, and jail, showing date of claim, name of claimant, itemized account of labor or material, date and amount of payment, and fund credited. Arr. chron. by filing date. No index. Hdw., hdw. and typed pr. fm., and typed. Boxes 18 x 10 x 6; f.d. 11 x 5 x 14. 9 boxes, 1925-38, bsmt. strm.; 12 f.d., 1939--, c.c. off.
For additional paid claims, see entry 5-xiii.

9. (AFFIDAVITS FOR SCALP BOUNTY), Oct. 9, 1891-July 28, 1893. 1 vol. Affidavits made by claimants of scalp bounty for destruction of predatory animals, showing name of claimant, kind and quantity of animals killed, date and place of kill, claimant's affidavit with date, and county clerk's attest; itemized list of animals, showing kind and quantity, amount due for each kind, total amount due, and county judge's certificate of approval. Arr. chron. by date of affidavit. No index. Hdw. pr. fm. 140 pp. (59 used) 14 x 9 x 1. Bsmt. strm.

Ledger Accounts

10. SUPPLEMENT TO FINANCE LEDGER, 1879-95, 1899-1917. 7 vols.
(one unlabeled, 2, one unlabeled, 4, 5, 5, 6). Title varies:
Finance Ledger, 1879-95, 4 vols.
Clerk's ledger accounts with county officers, showing name and title of officer, date of entry, sources and amounts of receipts, and total debits; dates and amounts of payments to treasurer, and total credits. Also

(11-14)

County Commissioners Court -
Financial Supervision

contains: Ledger accounts with county treasurer, 1879-94, 1910-12, entry 11. Arr. one section for each account and thereunder chron. by date of entry. Hdw. pr. hd. 290 pp. 18 x 12 x 4. 1 vol., 1879-89, U.T.; 6 vols., 1889-95, 1899-1917, bsmt. strm.

11. FINANCE LEDGER TREASURER, 1895-96, 1913-17. 3 vols. (1, 7, 8). Title varies: Finance Ledger in Acct. with County Treasurer, 1895-96, 1 vol. 1879-94, 1910-12 in Supplement to Finance Ledger, entry 10.

Clerk's ledger accounts with county treasurer, showing name of treasurer and name of fund; as debits, date of entry, name of payer, source or class of receipt, amount paid, and total debit; as credits, warrant number, name of payee, at what term approved by commissioners court, amount of payment, and total credits. Arr. one section for each fund account and thereunder chron. by date of entry. No index. Hdw. pr. hd. 590 pp. 18 x 12 x 3. Bsmt. strm.

For auditor's accounts with county treasurer, see entry 252-ii.

12. CONVICT BOND REGISTER, Nov. 20, 1876-1904, 1909-18. 5 vols. (two unlabeled, 3-5). Title varies: Convict Labor Book, Nov. 20, 1876-Aug. 24, 1896, 1 vol.

Record of convicts hired to bonded individuals or firms to work out fines and court costs due the county, showing case number, name of convict, name of court and term at which sentenced, total amount of fine and costs, date of contract, labor at which employed, name of employer, term of service and price paid for labor, dates and amounts of payments, and remarks. Arr. chron. by date of contract. Indexed alph. by first letter of convict's surname and chron. thereunder. Hdw. pr. hd. 462 pp. 16 x 11 x 2. Bsmt. strm.

For convict bonds, see entry 5-vii.

13. LIST OF LANDS SOLD IN HOOD COUNTY, 1881-85, 1 vol.

Register of sale of lands granted to Milam County for school purposes and located in Hood County, showing tract number, price per acre, number of acres, name of buyer, date of sale, due dates of notes, rate of interest, amounts of interest and principal due, and amounts paid. Arr. numer. by tract no. Indexed alph. by first letter of buyer's surname and chron. thereunder. Hdw. 175 pp. 13 x 6 x 1. Bsmt. strm.

14. (SCHOOL LAND NOTES), Oct. 13, 1881-May 1, 1892, 1 vol.

Record of notes made for purchase of Milam County school lands located in Hood, Somervell, and Milam Counties, showing tract number, name of buyer, date note due and date paid, and dates and amounts of payments on principal and interest, and sometimes signature of E. M. Bean, agent, to payment, also occasional penciled notes on value of the land and ability of persons to pay the notes. Purchasers include John D. Baker, J. T. Bogwell, A. Browning, J. S. Browning, William R. Cook, H. B. Cassity, L. J. Caraway, D. C. Cogdell, J. E. Crites, T. J. Combs, W. H. Duval, J. N. Doyle, W. H. Duke, B. H. Dennis, E. A. Hannaford, and J. R. Hill. Arr. alph. by first letter of buyer's surname and thereunder chron. by date of note. No index. Hdw. pr. hd. 177 pp. 18 x 14 x 2. U.T.

County Commissioners Court -
Financial Supervision

(15-18)

Reports

15. COMMISSIONERS COURT MINUTES COUNTY FINANCES, Feb. 1896-May 25, 1917. 4 vols. (two unlabeled, 2, 3). Untitled, 1898-1901, 1 vol.; title varies: Commissioners Court Minutes, 1902-8, 1 vol.

Minutes of commissioners court approving treasurer's quarterly reports, showing date of proceedings and names of officers present; copy of order approving report showing date of order, name of treasurer, date of report, statement of examination and comparison of report, of finding it correct, and of approval; exhibit of findings, showing for each fund, balance from last report, total amount received during quarter, total credits, total amount paid out during quarter, and balance to credit of fund; recorded copy of treasurer's report, showing information as exhibit of findings above, and also treasurer's affidavit and county clerk's attest; recorded copy of commissioners' affidavit to examination and correctness of report and to counting the cash in the hands of the treasurer, exhibit for each fund as above and statement of cash balance as shown by actual count, listing of outstanding bonds, showing amounts outstanding for each class of bond, and total bonded indebtedness; signatures of county judge and commissioners, and county clerk's attest. Arr. chron. by court term. No index. Hdw. pr. fm. 391 pp. 16 x 11 x 1 to 18 x 12 x 2. Bsmt. strn. For original reports, see entry 5-xiv.

16. JUSTICE OF PEACE QUARTERLY REPORTS, Aug. 10, 1938--. 35 papers in 1 f.d. Jan. 1, 1933-Aug. 10, 1936 in (Miscellaneous Reports), entry 17.

Reports of fines, fees, and judgments collected, made quarterly by justice of the peace to commissioners court, showing State and county, name of reporting officer, ending date of quarter, list of fees collected, number and style of each case, amount of judgment, fine, or jury fee, name of payer, amount collected, amounts of officer's commissions, dates and amounts of payments to county treasurer, grand totals for quarter, affidavit of reporting officer, and clerk's attest, date report filed, date examined, and county judge's approval. Arr. chron. by filing date. No index. Hdw. pr. fm. 16 x 8 x 6. C.c. off.

For district clerk's and sheriff's reports, see entry 17.

17. (MISCELLANEOUS REPORTS), Jan. 1, 1933-Aug. 10, 1936. 45 reports in 1 cardboard box.

Reports of fines, fees, and judgments collected made quarterly by district clerk and sheriff to commissioners court, showing information as in entry 16. Also contains: Justices' of the peace quarterly reports, entry 16. Arr. chron. by date of report. No index. Hdw. pr. fm. 16 x 10 x 6. Bsmt. strn.

18. ANNUAL SCHOOL DEPOSITORY REPORTS, Sept. 28, 1932-Sept. 28, 1935. 4 reports in 1 f.d.

Copies of annual statements of county school funds made for State Superintendent of Public Instruction by county depository at end of each school year, showing detailed account of receipts and disbursements from

(19-22)

County Commissioners Court -
Welfare

each fund, and balances on hand at beginning and end of year. No obvious arr. No index. Hdw. and typed pr. fm. 11 x 5 x 14. Bsmt. strm.

Warrants

19. WARRANTS (Stubs), Aug. 15, 1888--. 105 vols. (labeled by contained warrant nos.). Title varies slightly. Stubs of warrants issued by county clerk against the various county funds, showing date, number, and amount of warrant, to whom issued, against what fund, for what purpose, term of court at which claim allowed, and payee's receipt. Arr. chron. by date issued, with warrants numbered consecutively. No index. Hdw. pr. fm. 250 pp. 8 x 12 x 1 to 13 x 5 x 2. 15 vols., 1888-1921, U.T.; 87 vols., 1921-38, bsmt. strm.; 3 vols., 1939--., c.c. off.

For canceled warrants, see entry 5-iv.

20. DRAFTS: COUNTY JUDGE, June 30, 1884-Oct. 10, 1891. 1 vol. Stubs of warrants issued by county judge for payment of expenses incidental to the operation of his office, showing number, date, and amount of draft, to whom issued, for what purpose, and on what fund drawn. Arr. chron. by date issued, with drafts numbered consecutively. No index. Hdw. pr. hd. Condition poor. 250 pp. 7 x 3 x 2. U.T.

Welfare

21. CONFEDERATE PENSION DOCKET, Mar. 19-May 14, 1909. 1 vol. Record of applications for Confederate pensions acted upon by commissioners court, showing name and address of applicant, name of Confederate veteran, if applicant a widow, date of application, date recommended for approval by court, names of witnesses to veteran's service, names of witnesses to physical ability, name of applicant's physician, company and regiment of service, and dates of enlistment and discharge, and if widow date of marriage and date of husband's death. No obvious arr. No index. Hdw. pr. fm. 320 pp. (8 used) 16 x 10 x 2. Bsmt. strm.

22. (HEALTH NURSE & HOME DEMONSTRATION REPORTS), Jan. 1, 1937--. 72 reports in 1 cardboard box. Monthly reports of health nurses and home demonstration agents to commissioners court:

- i. Nurse's reports, in narrative form, show population of health jurisdiction, different visits covering a variety of causes or disease, month ending date of report, and signature of nurse.
- ii. Home demonstration agent's reports show date, name of agent, where located, district number, activities, demonstrations made, meetings held and attended, number and kind of visits, and agent's signature.

No obvious arr. No index. Hdw. and typed. 8 x 6 x 4. Bsmt. strm.

County Commissioners Court -
Roads; Elections

(23-25)

Roads

23. ROAD MINUTES COMMISSIONERS COURT, Feb. term 1893--. 4 vols. (4, 5, 8, 9).

Minutes of commissioners court in road matters, including recorded copies of petitions for establishing, locating, or changing roads, and of court orders allowing or rejecting petitions, and appointing juries of view; recorded copies of reports of juries of view, and other orders incident to establishing or changing roads; show date of court term, names of officers present, recorded copies of orders, signature of county judge, and county clerk's attest. Also contains, in vol. 4, pp. 366-540, and vol. 5, pp. 453-684: Record of overseers' commissions, Feb. term 1893-Feb. term 1894, Feb. term 1898-Feb. term 1900, entry 24. Arr. in sections: petitions, orders appointing juries of view, reports of jury of view, road overseers' commissions, and thereunder chron. by court term. No index, 1893-1911; indexed alph. by first letter of first or principal petitioner's surname and chron. thereunder, 1912--. Hdw. and hdw. pr. fm. 1893-97; hdw. pr. fm., and hdw. and typed 1898--. 600 pp. 16 x 10 x 2. C.c. off.

24. RECORD OF ROAD OVERSEERS COMMISSIONS, Feb. term 1880-Feb. term 1894, Feb. term 1900-Feb. term 1935. 10 vols. (one unlabeled, 2, 3, 5-7, 6, 9-11). Title varies: Road Minutes Commissioners Court, 1880-94, 1904-27, 8 vols.; Road Overseers Commissioners Court Minutes, 1900-1904, 1 vol. Feb. term 1893-Feb. term 1894, Feb. term 1896-Feb. term 1900, in Road Minutes Commissioners Court, vol. 4, pp. 366-540, and vol. 5, pp. 453-684, entry 23.

Minutes of commissioners court appointing road overseers, showing court term, name of appointee, expiration date of appointment, name, number, and boundaries of road precinct, and grant of authority to summon all persons liable for work on public roads within precinct. Arr. chron. by court term. Indexed alph. by first letter of overseer's surname, 1880-86, 1923-27; no index, 1887-94, 1900-1922, 1928-35. Hdw. pr. fm. 455 pp. 16 x 10 x 3. 3 vols., 1887-94, 1904-8, c.c. off.; 7 vols., 1880-86, 1900-1904, 1909-35, bsmt. str.

For overseers' commissions, see entry 5-xv.

Elections

25. MINUTES OF ELECTION RETURNS, Nov. 6, 1928--. 1 vol. (2).

Tabulations of results of general and special elections made from commissioners court canvass of returns, showing kind and date of election, State and county, name of office, list of names of candidates opposite each office, name and number of each voting precinct, number of votes cast in each precinct for each candidate, and total number received by each candidate. Arr. chron. by date of election. No index. Hdw. pr. hd. 160 pp. 18 x 16 x 2. C.c. off.

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County Clerk as Recorder -
Registration

26. JUDGES OF ELECTION RECORD, Feb. 14, 1913--. 2 vols. (2, 2).

Title varies: Election Minutes, 1913-39, 1 vol.

Minutes of commissioners court appointing election judges, showing court term, date of proceedings, names of officers present, and copy of order, showing date of order, name of appointee as presiding judge, election precinct number, and names of associate judges. Arr. chron. by court term and thereunder numer. by precinct no. No index. Hdw. pr. fm. 320 pp. 16 x 10 x 2. C.c. off.

II. COUNTY CLERK AS RECORDER

A county clerk was one of the group of officers who composed Milam County's first governmental organization.¹ For a period of about 6 years, when the office of county clerk was discontinued by the Constitution of 1869, the district clerks were the recorders of Texas counties;² with this exception, the county clerk has always served as recorder.³ The clerk is elected from the county at large at each biennial general election.⁴

Registration

General

27. REGISTER OF INSTRUMENTS FILED FOR RECORD, 1882-83, 1890-1925, 1938--. 9 vols. (two unlabeled, 2-7, one unlabeled). Title varies: File Docket Instruments, 1882-83, 1 vol.

Register of instruments filed with county clerk for recording, showing names of grantor, grantee, and person filing, kind and date of instrument, filing date, fees charged, date of payment, and date and to whom instrument delivered. Arr. alph. by first letter of grantor's surname and chron. thereunder, 1882-83; arr. chron. by filing date, 1890-1925, 1938--. No index, 1882-83, 1908-25, 1938--; indexed alph. by first letter of grantor's surname and chron. thereunder, 1890-1908. Hdw. pr. hd. 320 pp. 16 x 10 x 2. 8 vols., 1882-83, 1890-1925, bsnt. strm.; 1 vol., 1938--, c.c. off.

28. GENERAL INDEX TO DEEDS, Apr. 24, 1874--. 20 vols. (1-20).

Index by names of grantor and grantee to Deed Record, entry 29; to Oil and Gas Lease Record, 1919--, entry 36; and to Deed of Trust Record, 1874-81, entry 52; each entry shows name of opposite party, kind and date of instrument, filing date, and volume and page reference. Arr. alph.,

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1. Secretary of State, Election Register, vol. 255, p. 75.
 2. Const. 1869, art. V, sec. 9, Gam. Laws, VII, 412. See Daniel v. Hutcheson, 86 Tex. 51, 22 SW 933 (1893), discussing question as to how long Constitution of 1869 was in force.
 3. Acts 1830, Gam. Laws, I, 1210, 1215; Acts 1846, Gam. Laws, II, 1542; Const. 1866, art. IV, sec. 18, Gam. Laws, V, 869; Const. 1876, art. V, sec. 20.
 4. Const. 1876, art. V, sec. 20.

County Clerk as Recorder -
Registration

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direct by first letter of grantor's surname on left pages, reverse by first letter of grantee's on right, and chron. thereunder. Hdw. pr. hd. 640 pp. 18 x 12 x 3. Deed room 1.

29. DEED RECORD, Apr. 24, 1874--. 236 vols. (A1, A2, B1, B2, C, E1-E6, 7-231).

General registration books of the county, including recorded copies of deeds, patents, mortgages, powers of attorney, wills and codicils, maps, surveys, leases, transfers of land, various contracts, agreements, assignments, and releases affecting title to property and establishing property rights. Instruments, recorded word for word and letter for letter, show clerk's recording certificate, with filing date, recording date, and signature. Arr. chron. by recording date. For index, see entry 28. Hdw. 1874-1912; typed 1912--. 600 pp. 18 x 12 x 4. Deed room 1.

30. WARRANTY DEEDS, Mar. 20, 1876-Mar. 5, 1888. 2 vols. (A, B). Recorded copies of deeds conveying title to lands of the Texas Land and Colonization Company, showing date of instrument, names of grantor, grantee, witnesses, and original grantee, location and description of land, number of acres, consideration, signature and seal of president of company, and clerk's recording certificate. Arr. chron. by recording date. Indexed alph. by first letter of grantee's surname and chron. thereunder. Hdw. pr. fm. 600 pp. 16 x 11 x 3. Bsmt. strm.

31. COUNTY DEEDS, Dec. 23, 1892-Mar. 12, 1906. 100 papers in 2 f.d. Instruments filed for recording and unclaimed by owners, including deeds, warranty deeds, deeds of trust and releases, bills of sale, and leases; papers usually show names of grantor and grantee, date of instrument, description of property, and clerk's recording certificate. Arr. chron. by filing date. No index. Hdw. pr. fm. 11 x 5 x 14. Bsmt. strm.

32. DEEDS TO PROPERTY BELONGING TO MILAM COUNTY, Oct. 18, 1894-Mar. 18, 1924. 320 papers in 2 f.d.

Deeds to land granted to Milam County for roads and other public purposes, showing date and place of execution, name of grantor, Milam County as grantee, amount of consideration, description of land, field notes of survey, grantor's signature, and clerk's recording certificate. Arr. chron. by filing date. No index. Hdw. pr. fm. 11 x 5 x 14. Bsmt. strm.

33. TAX RECEIPT RECORD, Dec. 18, 1915-June 12, 1935. 1 vol. (1). Recorded copies of receipts issued upon payment of property taxes, showing information as in entry 231, and also clerk's recording certificate. Also contains: Certificates of redemption, 1925-35, entry 34. Arr. chron. by recording date. Indexed alph. by first letter of taxpayer's surname and chron. thereunder. Hdw. pr. fm. 640 pp. (34 used) 18 x 12 x 2. C.c. off.

34. RECORD REDEMPTION CERTIFICATES, May 4, 1903-Mar. 25, 1925.

1 vol. 1925-35 in Tax Receipt Record, entry 33. Recorded copies of redemption certificates, showing State Comptroller's number; tax assessor-collector's certificate, giving name of assessor-collector, name of taxpayer, redemption receipt number, date, and amount,

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County Clerk as Recorder -
Registration

description of property, and signature of assessor-collector; Comptroller's certificate canceling delinquency; and clerk's recording certificate. Arr. chron. by filing date. No index. Hdw. pr. fm. 640 pp. 16 x 11 x 3. C.c. off.

For tax assessor-collector's receipts, see entry 243.

35. REPORT OF ALIEN OWNED LANDS, Feb. 13, 1923--. 1 vol. Last entry Sept. 2, 1936.

Recorded copies of affidavits filed by alien landowners to report ownership of land, showing name of alien, occupation and personal description of owner, place of birth, last foreign residence, date and place of arrival in United States and length of residence in State, location and number of acres owned, description of property, date and from whom acquired, residence of alien, signature of alien, notarization, and clerk's recording certificate. Arr. chron. by recording date. Indexed alph. by first letter of alien's surname and chron. thereunder. Hdw. pr. fm. 400 pp. 16 x 12 x 2. C.c. off.

36. OIL AND GAS LEASE RECORD, May 23, 1919--. 49 vols. (1-49).

Recorded copies of oil and gas leases, showing date of execution, names of lessor and lessee, description of property, terms of consideration, duration of lease, signatures of contracting parties, notarization, and clerk's recording certificate. Arr. chron. by recording date. For index, see entry 28. Typed. 240 pp. 16 x 11 x 3. Deed room 1.

37. BILL OF SALE RECORD, July 24, 1878--. 3 vols. (1 unlabeled, B, C).

Recorded copies of bills of sale on personal property, including livestock and stocks of merchandise, showing State and county, date and place of execution, names of vendor and vendee, description of property, amount of consideration, date due, terms of contract, signature of vendor, and clerk's recording certificate. Arr. chron. by recording date. Indexed alph. by first letter of vendor's surname and chron. thereunder. Hdw. 1878-1926; typed 1926--. 312 pp. 16 x 12 x 2. 1 vol., 1878-1900, bsmt. str.; 2 vols., 1900--, deed room 1.

Livestock (See also entry 37)

38. MARKS AND BRANDS RECORD, May 4, 1874--. 2 vols. (one unlabeled, 2).

Register of livestock marks and brands, showing name and address of owner, brand, earmark, location of brand on animal, registration date, and date and to whom sold. Arr. alph. by first letter of owner's surname and chron. thereunder, 1874-83; arr. in sections, alph. for letter brands, numer. for number brands, and one for character brands, 1883--. For index 1874-83, see entry 39; indexed alph. by first letter of owner's surname and chron. thereunder, 1883--. Hdw. pr. hd. 390 pp. 16 x 11 x 3. C.c. off.

39. INDEX TO RECORD OF MARKS & BRANDS, May 4, 1874-Mar. 10, 1883. 1 vol.

Index by brand to Marks and Brands Record, entry 38, showing registration number, brand, earmark, name of owner, and page reference. Arr. in

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Registration

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sections for letter brands, number brands, and character brands, and chron. thereunder. Hdw. pr. hd. 160 pp. 16 x 11 x 1. C.c. off.

40. ESTRAY RECORD, Mar. 6, 1874-Mar. 16, 1922. 3 vols. (A, one unlabeled, 3). Untitled, July 11, 1882-Mar. 5, 1897, 1 vol. Recorded copies of estray papers, including:

- i. Affidavits made by takers-up, showing State and county, name of taker-up, description of stock, affirmation that marks or brands have not been altered, that legal notice has been given, and that owner has not appeared to claim stock, signature and residence of taker-up, date sworn to, and signature of justice of peace. For additional affidavits, see entry 41.
- ii. Appraisals of stock, showing State and county, names of two appraisers, name of taker-up, appraised value, signatures of appraisers, date sworn to, and signature of justice of peace.
- iii. Bonds made by takers-up, showing State and county, names of principal and sureties, name of county judge as obligee, amount and conditions of bond (to comply with estray law), date of execution, signatures of principal and sureties, date of approval, and signature of justice of peace.

Arr. chron. by date of acknowledgment. No index, 1874-82, 1897-1922; indexed alph. by first letter of taker-up's surname and chron. thereunder, 1882-97. Hdw. 1874-82; hdw. pr. fm. 1882-1922. Aver. 467 pp. 16 x 12 x 2. Bsmt. strn.

For additional affidavits and bonds, see entry 5-ix.

41. WITNESS DOCKET (Estray Affidavits), Oct. 24, 1887-Jan. 15, 1889. 1 vol.

Recorded copies of affidavits made by takers-up of estrays, showing information as in entry 40-i. Arr. chron. by date of affidavit. No index. Hdw. pr. fm. 79 dbl. pp. (3 used) 14 x 9 x 1. Bsmt. strn.

Liens

42. ABSTRACT OF JUDGMENT RECORD, Aug. 2, 1879--. 7 vols. (1-7). Title varies slightly.

Abstract of judgment record, showing case number, filing date, recording date, names of plaintiff and defendant, date of judgment, in what court rendered, amounts of judgment and costs, rate of interest, amount of credit at date of recording, amount due at date of recording; and if abstract registered, recorded copy of certificate issued by clerk of court from which judgment issued to effect that the above and foregoing is a true and correct abstract, showing name of clerk, from what court issued and date of court term, number and style of case, volume and page of minute book where judgment recorded, date and place of execution of certificate, and signature and title of clerk; or if abstract recorded, clerk's recording and indexing certificate, showing name and title of clerk, statement of date judgment filed, date recorded, with title, volume, and page of record book, of entry upon index book by names of plaintiff and defendant, showing page number, and signature and title of clerk. Arr. chron. by recording date. For index, see entry 43. Register hdw. 1879-94, hdw. pr. hd. and hdw. pr. fm. 1894-1937, and typed pr. hd. 1937--; certificates

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Registration

hdw. 1894-1936, hdw. pr. fm. 1916-37, and typed 1937--. 427 to 640 pp. 16 x 10 x 2 to 18 x 12 x 2. Deed room 2.

43. GENERAL INDEX TO JUDGMENT RECORD, 1879--. 7 vols. (one unlabeled, 2-7). Untitled, 1879-94, 1 vol.

Index by names of plaintiff and defendant to Abstract of Judgment Record, entry 42, each entry showing name of opposite party and volume and page reference. Arr. alph., direct by first letter of plaintiff's surname on left pages, reverse by first letter of defendant's on right, and chron. thereunder. Hdw. pr. hd. 640 pp. 18 x 12 x 3. Deed room 2.

44. RECORD OF ATTACHMENT LIENS, Dec. 24, 1889--. 2 vols. (1, 2).

Record of attachment liens operating against property, pending settlement of civil suits, consisting of: Abstract or register, showing names of plaintiff and defendant, amount of debt, court from which issued, and date of attachment; recorded copy of writ, showing State and county, name of defendant, value of property to be attached unless replevied, date and place of future court proceedings, and signature of justice of peace or county clerk; and recorded copy of officer's return, showing date writ received, date executed, description of real or personal property attached, amount of fees due, signature of officer, clerk's recording certificate, and clerk's certificate of authentication of recorded copy. Arr. chron. by filing date. For index, see entry 45. Abstracts hdw. pr. hd.; returns and writs hdw. 1889-1931, typed 1931--. 240 dbl. pp. 16 x 10 x 2. Deed room 2.

45. DIRECT AND REVERSE INDEX TO ATTACHMENT LIEN RECORD, Dec. 24, 1889--. 2 vols. (1, 2). Untitled, 1889-1918, 1 vol.

Index by names of plaintiff and defendant to Record of Attachment Liens, entry 44; each entry shows name of opposite party, filing date, and volume and page reference. Arr. alph., direct by first letter of plaintiff's surname, reverse by first letter of defendant's, and chron. thereunder. Hdw. pr. hd. 168 pp. 16 x 11 x 2. Deed room 2.

46. LIS PENDENS RECORD, Sept. 19, 1906--. 3 vols. (1-3).

Recorded copies of notices filed by plaintiffs in civil actions to prevent sale or disposal of property during litigation, showing case number, names of plaintiff and defendant, object of suit, location and description of property, filing date, name of court where suit is pending, signature of plaintiff or attorney, date notice issued, and clerk's recording certificate. Arr. chron. by recording date. Indexed alph., direct by first letter of defendant's surname, reverse by first letter of plaintiff's, and chron. thereunder, 1906-33; for index 1933--, see entry 47. Hdw. pr. fm. 1906-12; hdw. 1913-24; typed 1924--. 400 pp. 18 x 12 x 3. Deed room 2.

47. SUPPLEMENTAL INDEX TO LIS PENDENS RECORD, Sept. 21, 1933--. 1 vol. (3).

Index by names of plaintiff and defendant to volume 3 of Lis Pendens Record, entry 46; each entry shows name of opposite party, filing date, and volume and page reference. Arr. alph., direct by first letter of

County Clerk as Recorder -
Registration

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plaintiff's surname on left pages, reverse by first letter of defendant's on right, and chron. thereunder. Hdw. pr. hd. 225 pp. 18 x 12 x 2. Deed room 2.

48. RECORD OF FEDERAL LIENS, Apr. 2, 1924--. 1 vol. (1). Last entry July 18, 1938.

Recorded copies of notices filed by U. S. Collector of Internal Revenue to establish tax liens for unpaid taxes due the Federal Government, showing district number, date and place of execution of instrument, citation to statutes by virtue of which lien exists, name and residence of taxpayer, nature of tax, inclusive dates of taxable period, amount of tax assessed, amount of additional penalty if any, date assessment list received, signature of Collector, notarization, and clerk's recording certificate; and also, recorded copies of certificates of discharge of liens, showing date and place of execution, statement that lien is discharged in full, name and residence of taxpayer, nature of tax, dates of taxable period, amount assessed, signature of Collector, and clerk's recording certificate. Arr. chron. by recording date. Indexed alph. by first letter of taxpayer's surname and chron. thereunder. Hdw. pr. fm. 1924-29; typed pr. fm. 1929-38. 320 pp. (17 used) 16 x 10 x 2. Deed room 2.

49. MECHANICS & MATERIALMAN'S LIEN RECORD, Aug. 15, 1885--. 3 vols. (1-3). Title varies: Mech's Liens, 1885-96, 1 vol.; Record of Mechanics Liens, 1896-1911, 1 vol.; Labor & Materialmens Liens, 1911-29, 3 vols.

Recorded copies of instruments filed to establish mechanics' liens on real estate, including contracts between property owners and mechanics, showing names of contracting parties, terms of contract specifying improvement to be made, materials to be furnished, description of property, amount and terms of consideration, signatures of contracting parties, notarization, and clerk's recording certificate; and also, affidavits filed by mechanics, showing itemized accounts of material and labor, amount due for each item, total amount due, mechanic's signature, notarization, and clerk's recording certificate. Arr. chron. by recording date. Indexed alph. by first letter of grantor's surname, 1885-95; indexed alph., direct by first letter of grantor's surname, reverse by first letter of grantee's, and chron. thereunder, 1896--. Hdw. 1885-1918; typed 1918--. 583 pp. 16 x 11 x 3. Deed room 2.

50. LANDLORDS LIEN & RENTAL CONTRACT RECORD, June 16, 1927-Nov. 1, 1933. 1 vol. (1).

Recorded copies of itemized statements and supporting affidavits of rent due and unpaid, made by landlords or persons renting or leasing storehouses or other buildings to tenants for commercial purposes, filed to establish and record statutory liens upon chattels owned by tenants and located in the building, showing State and county, names of owner and tenant, description and location of land and premises, amount of rent, and date due, date of contract, signature of owner, notarization, and clerk's recording certificate. Arr. chron. by recording date. Indexed alph., direct by first letter of landlord's surname on left pages, reverse by first letter of tenant's on right, and thereunder chron. by recording date. Hdw., 1927-33; typed 1933. 272 pp. (36 used) 14 x 8 x 1. Deed room 1.

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County Clerk as Recorder -
Registration

51. RECORD OF LIENS ON PROGENY, May 21-June 10, 1904. 1 vol. (1). Record of liens drawn in favor of stock breeders against owners of foaled animals, secured by expected progeny, to insure payment of stud fees, showing date of contract, description of animal bred, amount paid for breeding, owner's signature, and signature of county clerk. Arr. chron. by recording date. Indexed alph. by first letter of owner's surname and chron. thereunder. Hdw. pr. fm. 200 pp. (10 used) 16 x 11 x 2. U.T.

Mortgages

52. DEED OF TRUST RECORD, May 11, 1874--. 32 vols. (1-32). Title varies: Mortgage Record, May 11, 1874-Jan. 8, 1889, 4 vols. Recorded copies of deeds of trust and mortgages on real property, showing date and place of execution, name of mortgagor, name of mortgagee, kind of instrument, description and location of property, amount of lien, terms and date of contract, signature of mortgagor, notarization, and clerk's recording certificate. Also contains: Amortization record, 1919--, entry 55. Arr. chron. by recording date. For index 1874-31, see entry 28; for index 1881--, see entries 53, 54. Hdw. 1874-1911; typed 1911--. 640 pp. 18 x 16 x 3. Deed room 2.

53. GENERAL INDEX TO DEEDS OF TRUST, Sept. 15, 1881--. 4 vols. (1-4).

Index by names of mortgagor and mortgagee to volumes 2-32 of Deed of Trust Record, entry 52, and to Amortization Record, 1918-19, entry 55; each entry shows name of opposite party, date and kind of instrument, filing date, and volume and page reference. Arr. alph., direct by first letter of mortgagor's surname, reverse by first letter of mortgagee's, and chron. thereunder. Hdw. pr. hd. 640 pp. 16 x 11 x 3. Deed room 2.

For obsolete index, 1881-1912, see entry 54.

54. (GENERAL INDEX TO DEED OF TRUST RECORD), Sept. 15, 1881-Apr. 12, 1912. 1 vol. Discontinued.

Obsolete index by names of mortgagor and mortgagee to volumes 2-31 of Deed of Trust Record, entry 52, showing information as in entry 53. Arr. alph., direct by first letter of mortgagor's surname on left pages, reverse by first letter of mortgagee's on right, and chron. thereunder. Hdw. pr. hd. 200 pp. 16 x 13 x 2. U.T.

55. AMORTIZATION RECORD, Jan. 17, 1918-Feb. 17, 1919. 1 vol. (1). 1919--.in Deed of Trust Record, entry 52.

Recorded copies of deeds of trust executed to secure payment of promissory notes held by Federal Land Banks, showing name of grantor, name of trustee, location and description of property, terms and conditions of contract, signature of grantor, notarization, and clerk's recording certificate. Arr. chron. by recording date. For index, see entry 53. Typed pr. fm. 600 pp. (50 used) 16 x 11 x 3. Deed room 2.

56. CHATTEL MORTGAGE, Oct. 9, 1923--. 2,555 papers in 73 f.d. (labeled by contained mortgage nos.).

Chattel mortgages, showing State and county, mortgage number, names of mortgagor and mortgagee, date of instrument, amount secured, date due,

County Clerk as Recorder -
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(57-60)

description of property, terms of agreement, signatures of mortgagor and witnesses, and clerk's registration certificate. Arr. numer. by mortgage no. No index. Hdw., hdw. and typed pr. fm., and typed. 16 x 8 x 6. C.c. off.

For additional mortgages, see entry 5-v.

57. CHATTEL MORTGAGE REGISTER, May 9, 1879--. 103 vols. (one unlabeled, 3, 5-13, 15-22, 24-28, 30-104). Title varies slightly; untitled, 1888-89, 1 vol.

Register of chattel mortgages, showing file number, date and time of reception, names of mortgagor and mortgagee, date of instrument, amount secured, date due, and description of property. Arr. numer. by mortgage no., 1879-96, 1899-1902, 1904-14; arr. alph. by first letter of mortgagor's surname and thereunder chron. by filing date, 1897-98, 1903, 1915--. Indexed alph. by first letter of mortgagor's surname and thereunder chron. by filing date, 1879-81, 1888-89; no index, 1881-83, 1890-93, 1898-1900, 1903, 1915--; for index 1894-97, 1901-2, 1904-14, see entry 58. Hdw. pr. hd. Aver. 500 pp. 18 x 12 x 2. 24 vols., 1879-81, 1888-89, 1896, 1899-1900, 1928-34, bsmt. strn.; 63 vols., 1881-88, 1890-95, 1897-98, 1901-28, U.T.; 17 vols., 1934--, c.c. off.

For chattel mortgages on machinery on realty, see entry 59.

58. INDEX TO CHATTEL MORTGAGE REGISTER, 1894-97, 1901-2, 1904-14. 25 vols. (16-20, 26, 27, 29-46).

Index by name of mortgagor to Chattel Mortgage Register, entry 57; each entry shows name of opposite party and volume and page reference. Arr. alph. by first letter of mortgagor's surname and chron. thereunder. Hdw. pr. hd. 80 pp. 18 x 12 x 1. Bsmt. strn.

59. REGISTER OF CHATTEL MORTGAGE ON REALTY, Aug. 30, 1918, July 2, 1924--. 2 vols. (1, 1). Title varies: Record Chattel Mortgages Machinery, Aug. 30, 1918, 1 vol. No entries except on Aug. 30, 1918, in 1st vol.

Register of chattel mortgages against machinery attached to realty, showing information as in entry 57. Arr. chron. by date of reception. No index. Hdw. pr. hd. 300 pp. (1, 16 used) 18 x 12 x 2. 1 vol., 1918, U.T.; 1 vol., 1924--, c.c. off.

Business Records

60. REGISTER OF ASSUMED NAMES, June 8, 1921--. 1 vol. (1).

Register of certificates filed by owners of unincorporated business firms, showing certificate number, name and address of firm or business, real names of owners and post office address of each, filing date, names of members withdrawing from firm or business, and date of withdrawal certificate. Arr. numer. by certificate no. Indexed alph. by first letter of first word of firm name and chron. thereunder. Hdw. pr. hd. 400 pp. (40 used) 16 x 10 x 2. C.c. off.

For certificates, see entry 5-i.

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County Clerk as Recorder -
Professional Records

61. (RECORD OF PUBLIC UTILITY REPORTS), Feb. 14, 1907-Feb. 13, 1911.
1 vol.

Recorded copies of annual financial reports of the Cameron Water Power & Light Company made to the Secretary of State, showing balance sheet of assets and liabilities of the corporation, utility notes, signatures of corporation officers, notarization, and clerk's recording certificate. Arr. chron. by recording date. No index. Hdw. pr. fm. Pages torn. 100 pp. (5 used) 16 x 12 x 1. U.T.

62. RECORD OF DRUMMERS LICENSE, Mar. 31, 1881-July 1, 1882.
1 vol. (1).

Recorded copies of commercial travelers' special \$50 occupation tax receipts issued by State Comptroller as licenses, showing receipt number, name of licensee, inclusive dates of license, date issued, signatures of Comptroller and chief tax clerk, and clerk's recording certificate. Arr. chron. by filing date. Indexed alph. by first letter of licensee's surname and chron. thereunder. Hdw. pr. fm. 592 pp. 16 x 11 x 3. Bsmt. strm.

63. OCCUPATION LICENSES (Stubs), Apr. 25, 1882-Jan. 23, 1897. 1 vol.
Stubs of occupation tax licenses issued by county clerk, showing license number, date issued, name and address of licensee, nature of occupation, terms of license, amounts of State and county tax, amount paid, and signature of county clerk. Arr. chron. by date issued. No index. Hdw. pr. fm. 100 pp. 18 x 12 x 2. U.T.

64. RETAIL LIQUOR DEALER'S BOND RECORD, Sept. 7, 1893-Oct. 10, 1903, Oct. 22, 1907-Sept. 22, 1911, Dec. 9, 1913-Mar. 2, 1918. 7 vols.
Recorded copies of bonds made by retail dealers in malt and spirituous liquors, showing county, name and business address of dealer, county of residence, names of principal and sureties, amount and conditions of bond, signatures of principal and sureties, notarization, county judge's certificate of approval, and clerk's recording certificate. Arr. chron. by recording date. Indexed alph. by first letter of dealer's surname and chron. thereunder, 1893-1903, 1907-11; no index, 1913-18. Hdw. pr. fm. 160 to 300 pp. 16 x 12 x 2. 4 vols., 1893-1903, 1907-11, U.T.; 3 vols., 1908-9, 1913-18, bsmt. strm.

Professional Records

65. (RECORD OF DENTISTS' LICENSES), July 14, 1893--. 1 vol.
Recorded copies of licenses issued to dentists by State Board of Dental Examiners, showing license number, name of dentist, recital of examination and authorization to practice, signatures of board members, filing date, and county clerk's certificate of authentication and of filing and recording. Arr. chron. by filing date. Indexed alph. by first letter of applicant's surname and chron. thereunder. Hdw. pr. fm. 304 pp. 16 x 11 x 1. C.c. off.

66. RECORD EMBALMERS CERTIFICATES, Apr. 19-May 28, 1907. 1 vol. (1).
Recorded copies of certificates issued to embalmers by State Board of Embalming, showing certificate number, grant of authority to practice,

County Clerk as Recorder -
Vital Statistics

(67-70)

name and residence of embalmer, date certificate issued, signatures of board members, and county clerk's certificate of registration. Arr. chron. by date of registration. No index. Hdw. pr. fm. 320 pp. (2 used) 16 x 10 x 2. Bsmt. strm.

67. OPTOMETRY RECORD, Oct. 30, 1922--. 1 vol. (1).

Register of optometrists, 1922, shows name and post office address of optometrist; register of declarations, 1922, shows name of declarant, declaration, and address of declarant; recorded copies of licenses issued by State Board of Examiners in Optometry, 1922--, show citation to laws, name of licensee and county of residence, grant of authority to practice, date issued, signatures of board members, license number, and clerk's recording certificate; and also, certificates of cancelation of licenses, showing name of optometrist, reason for cancelation, effective date of cancelation notice from State board, and clerk's certificate. Arr. chron. by recording date. Indexed alph. by first letter of optometrist's surname and chron. thereunder. Register hdw. pr. hd.; licenses hdw. pr. fm. 280 pp. (10 used) 16 x 10 x 2. C.c. off.

68. RECORD REGISTERED NURSES, June 1, 1923--. 1 vol. (1).

Clerk's record of registered nurses, consisting of recorded copies of certificates issued to nurses by State Board of Nurse Examiners, showing date and number of certificate, name and address of nurse, place and date of examination, declaration of State board as to qualifications of nurse, and signatures of board members; recorded copies of affidavits made by two acquaintances as to identity of person to whom certificate was issued, show school of graduation, State certificate number, and signatures and addresses of acquaintances; and clerk's recording certificate. Arr. chron. by recording date. Indexed alph. by first letter of nurse's surname and chron. thereunder. Hdw. pr. fm. 132 pp. 16 x 11 x 1. C.c. off.

Vital Statistics

Marriages

69. PHYSICIANS CERTIFICATES, Jan. 5, 1933--. 560 certificates in 2 cardboard boxes, 1 f.d.

Health certificates presented by male applicants for marriage licenses, showing State and county, certificate number, date issued, name of applicant, date and result of examination, and physician's signature. Arr. chron. by filing date. No index. Hdw. pr. fm. Boxes 18 x 8 x 6; f.d. 11 x 5 x 14. 2 boxes, 1933-36, bsmt. strm.; 1 f.d., 1933--, c.c. off.

70. MARRIAGE LICENSES (Stubs), Oct. 22-Dec. 24, 1894, Nov. 5, 1896-July 3, 1897, Mar. 14-Nov. 28, 1898, Sept. 16-Nov. 15, 1898, Mar. 10-July 24, 1899, Nov. 18, 1899-Jan. 12, 1900, Mar. 23, 1901-Aug. 18, 1903, May 20-Dec. 27, 1918, July 10-Oct. 23, 1920, Dec. 29, 1926--. 36 vols. Untitled, through 1920, 15 vols.

Stubs of marriage licenses issued by county clerk, showing license number, names of contracting parties, date issued, affidavit to fact that applicants

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County Clerk as Recorder -
Vital Statistics

are of legal age or consent of parent or guardian to marriage, and clerk's signature. Arr. chron. by date issued, with licenses numbered consecutively. No index. Hdw. pr. fm. 100 to 200 pp. 16 x 5 x 1. 14 vols., 1894, 1896-1903, 1918, 1920, U.T.; 20 vols., 1898, 1926-38, bsmt. strn.; 2 vols., 1939--, c.c. off.

71. MARRIAGE LICENSES, 1877--. 50 cardboard boxes, 1 f.d. Marriage licenses returned for recording after performance of ceremony, showing date license issued, license number, names and ages of contracting parties, authorization for performance of ceremony, and clerk's signature; return of officiating clergyman or magistrate, showing date of ceremony, names of contracting parties, and signature of clergyman or magistrate; and clerk's recording certificate. Arr. chron. by date issued. No index. Hdw. pr. fm. Boxes 24 x 8 x 6; f.d. 11 x 5 x 14. 50 boxes, 1877-1938, bsmt. strn.; 1 f.d., 1939--, c.c. off.

For recorded copies, see entry 72.

72. MARRIAGE RECORD, Mar. 26, 1874--. 22 vols. (one unlabeled, 2-22). Title varies: Marriage License Dist. Court, Mar. 26, 1874-Aug. 6, 1877, 1 vol. Recorded copies of marriage licenses, showing information as in entry 71. Arr. chron. by recording date. Indexed alph. by first letters of surnames of both parties and chron. thereunder, 1874-77, 1886-96; indexed alph. by first letter of male's surname and chron. thereunder, 1877-86; for index 1896--, see entry 73. Hdw. pr. fm. 639 pp. 18 x 16 x 2. C.c. off.

73. INDEX TO MARRIAGE RECORDS, 1896--. 3 vols. (3, 4, 7-12). Index by names of male and female to Marriage Record, entry 72, showing volume and page reference. Arr. alph., direct by first letter of male's surname in left columns, reverse by first letter of female's in right, and chron. thereunder. Hdw. pr. hd. 500 pp. 16 x 10 x 2. C.c. off.

74. NOTICE OF INTENTION TO MARRY, June 13, 1929-Aug. 23, 1933. 4 vols. (1-4).

Recorded copies of applications by contracting parties, third parties, parents, or guardians for marriage licenses, or copies of consent executed by county judge for minors without parents or guardians; applications show filing date, name or names of applicants, ages and places of residence of contracting parties, signatures of applicants, and clerk's attest, date license issued, and name of physician issuing health certificate; statement of consent by county judge shows name of judge, name of county, name and age of minor, and judge's signature. Arr. chron. by filing date. Indexed alph. by first letter of male's surname and chron. thereunder. Hdw. pr. fm. 500 pp. 16 x 10 x 3. Bsmt. strn.

Births

75. BIRTH CERTIFICATES, Sept. 1, 1925--. 8,000 certificates in 5 f.d. (labeled by contained certificate nos.). Copies of birth certificates issued by local registrars, showing place of birth, full name of child, sex, whether single or multiple birth,

County Clerk as Recorder -
Vital Statistics

(76-78)

premature or full term, legitimate, date of birth; name, residence, color or race, age, birthplace, and occupation of father; maiden name, residence, color or race, age, birthplace, and occupation of mother; number of children of mother including this birth, and number still living; if still-born, length of gestation period; certificate of attending physician or midwife or other competent person present when birth occurred, showing date of birth; exact date of filing with local registrar, registrar's attest and registration number; whether prophylactic precautions were taken to prevent ophthalmia. Arr. numer. by certificate no. No index. Hdw. and typed pr. fm. 11 x 5 x 14. C.c. off.

For recorded copies, see entry 76-iv.

76. BIRTH RECORD, May 16, 1874-Nov. 17, 1876, 1903--. 14 vols. (one unlabeled, 1-13). Title varies: Register of Births, May 16, 1874-Nov. 17, 1876, 1 vol.; untitled, 1928--, 11 vols.

Clerk's record of births in the county, consisting of:

- i. Register of births, May 16, 1874-Nov. 17, 1876, showing name of child, date of birth, names of father and mother, date of registration, and color of child.
- ii. Register of births reported, 1903-15, showing clerk's file number, recording date, date of report, name, sex, and race of child, legitimate or otherwise, date and place of birth, nationalities and names of father and mother, and name and address of person reporting birth.
- iii. Register of birth certificates, Feb. 17, 1915-Apr. 25, 1928, showing file number, date of birth, name, sex, and color of child, legitimate or otherwise, stillborn or alive, place of birth, names and nationalities of father and mother, residence of parents, father's occupation, and name and residence of physician, accoucheur, or attendant reporting.
- iv. Recorded copies of birth certificates issued by local registrars, 1928--, showing information as in entry 75.

Arr. chron. by registration date, 1874-76; arr. alph. by first letter of child's surname and thereunder chron. by recording date, 1903-15; arr. numer. by file no., 1915-28; arr. numer. by certificate no., 1928--. No index, 1874-76, 1903-15; indexed alph. by first letter of child's surname and chron. thereunder, 1915-28; for index 1928--, see entry 77. Hdw. pr. hd. 1874-76, 1903-28; hdw. pr. fm. 1928--. 220 to 1,000 pp. 16 x 10 x 2 to 7 x 9 x 6. 1 vol., 1874-76, bsmt. strm.; 13 vols., 1903--, c.c. off.

77. INDEX TO BIRTHS, 1928--. 1 vol. (1).

Index by name of child to volumes 3-13 of Birth Record, entry 76, showing certificate number, name of child, names of father and mother, sex, race, year of birth, and volume number. Arr. alph. by first letter of child's surname and chron. thereunder. Hdw. pr. hd. 300 pp. 16 x 11 x 2. C.c. off.

Deaths

78. DEATH CERTIFICATES, Mar. 28, 1912--. 7,000 certificates in 3 f.d. (labeled by contained certificate nos.).

Copies of death certificates issued by local registrars, showing place of death, name of deceased person, sex, color or race, marital status, date

(79-81)

County Clerk as Recorder -
Official Bonds and Deputations

of birth, age, occupation, birthplace, name and birthplace of father; maiden name and birthplace of mother; signature and address of informant; signature of registrar, date filed, and registration number; date of death; certification as to medical attendance, fact, time, and particulars of death, and signature of physician or official making certificate; length of residence at place of death and in State; place and date of burial or removal; signature and address of undertaker; if U. S. veteran, military record, and date of filing with county clerk. Arr. numer. by certificate no. No index. Hdw. and typed pr. fm. 11 x 5 x 14. C.c. off.

For recorded copies, see entry 79-iii.

79. DEATH RECORD, 1903--. 6 vols. (1-6).

Clerk's record of deaths in the county, consisting of:

- i. Register of deaths reported, 1903-15, showing clerk's file number, recording date, and date of report, name, sex, race, age, place of birth, residence, whether alien or citizen, date, place, and cause of death, and name and residence of physician or person reporting.
- ii. Register of death certificates, 1915-28, showing clerk's file number, date of death, name, place of death, and residence of deceased, whether alien or citizen, sex, color, age, marital status, place of birth, occupation, immediate and contributory causes of death, name and residence of physician, surgeon, or accoucheur reporting, and name of undertaker.
- iii. Recorded copies of death certificates issued by local registrars, 1928--., showing information as in entry 78.

Arr. alph. by first letter of deceased person's surname and chron. thereunder, 1903-15; arr. numer. by clerk's file no., 1915-28; arr. numer. by certificate no., 1928--. No index, 1903-15; indexed alph. by first letter of deceased person's surname and chron. thereunder, 1915-28; for index 1928--., see entry 80. Hdw. and typed pr. fm. 320 to 1,000 pp. 16 x 10 x 2 to 7 x 9 x 6. C.c. off.

80. INDEX TO DEATHS, 1928--. 1 vol. (1).

Index by name of deceased person to volumes 3-6 of Death Record, entry 79, showing certificate number, name of deceased person, residence and precinct number of registrar, sex and race of deceased person, year date of death, and volume number. Arr. alph. by first letter of deceased person's surname and chron. thereunder. Hdw. pr. hd. 200 pp. 16 x 10 x 2. C.c. off.

Official Bonds and Deputations

81. OFFICIAL BOND RECORD, Oct. 14, 1874--. 11 vols. (one unlabeled, B, 2, 3, 3-9). Title varies slightly.

Recorded copies of bonds and qualifying oaths of county officials, showing information as in entry 82-i. Arr. chron. by recording date. No index, 1874-1902, 2 vols. (one unlabeled, B); indexed alph. by first letter of principal's surname and chron. thereunder, 1886--., 9 vols. (2, 3, 3-9). Hdw. 1874-1902; hdw. pr. fm. 1886--. 584 pp. 16 x 11 x 3. 8 vols., 1874-1929, bsmt. strm.; 3 vols., 1929--., c.c. off.

County Clerk as Recorder -
Miscellaneous

(82-84)

82. OFFICIAL BONDS (and Deputations), 1905-38. 2,300 papers in 16 cardboard jackets, 5 f.d. Title varies slightly.

Official bonds and deputations:

- i. County officials' bonds and qualifying oaths, showing State and county, names of principal, sureties, and obligee, amount and conditions of bond, signatures of principal and sureties, and notarization; oath endorsed on bond shows name and title of official, signature, notarization, and county judge's approval; and clerk's recording certificate. For recorded copies, see entry 81; for additional bonds, see entry 5-ii.
- ii. Deputations and qualifying oaths of deputy county officials, showing State and county, name of appointing officer, name of deputy, recital of authority to perform duties of office, signature of appointing official, acknowledgment of county clerk or notary, oath endorsed on deputation shows name of deputy, title of office to which appointed, recital of oath, signature of deputy, attest of county clerk, and clerk's recording certificate. For recorded copies, see entry 83.
- iii. Notaries' public bonds and oaths, showing State and county, names of principal and sureties, amount and conditions of bond, to whom payable, signatures of principal and sureties, clerk's acknowledgment, oath of office, signed by notary with clerk's attest, and county clerk's certificate of approval and filing. For additional bonds, see entry 5-iii.

Arr. chron. by filing date. No index. Hdw. pr. fm. Jackets 4 x 3 x 11; f.d. 24 x 8 x 6. Bsmt. strm.

83. DEPUTATION RECORD, June 25, 1889--. 4 vols. (1, 1-3). Untitled, Dec. 20, 1915--, 1 vol.

Recorded copies of deputations and qualifying oaths of office of deputy county officials, showing information as in entry 82-ii. Arr. chron. by recording date. Indexed alph. by first letter of deputy's surname and chron. thereunder, 1889--, 3 vols. (1-3); no index, 1915--, 1 vol. (1). Hdw. pr. fm. 532 pp. 16 x 10 x 1. 2 vols., 1889-1924, bsmt. strm.; 2 vols., 1915--, c.c. off.

Miscellaneous

84. RECORD OF SOLDIERS AND SAILORS DISCHARGES, June 11, 1918--. 3 vols. (1-3).

Recorded copies of certificates of discharge from U. S. Army and Navy, and from the Texas National Guard, and of certificates issued by the Secretary of War in lieu of lost or destroyed certificates, showing branch of service, name, authority or military order under which issued, place of birth, occupation, physical condition, place and date of discharge, and signature of commanding officer; date and place of enlistment, prior service, rank, special qualifications, nature of engagements or expeditions, vocation, wounds, physical condition, date of completion of typhoid and paratyphoid prophylaxis, marital status, character, signature of medical officer; date and amount of payment of bonus and transportation

(85, 86)

District Court

costs; and clerk's recording certificate. Indexed alph. by first letter of veteran's surname and chron. thereunder. Hdw., hdw. pr. fm., and typed. 600 pp. 16 x 10 x 2. C.c. off.

85. RECORD OF ACKNOWLEDGMENT (Notaries Public and County Clerk), May 26, 1874-Mar. 11, 1927. 8 vols. Untitled, Aug. 6, 1874-Sept. 24, 1906, 2 vols.

Record of acknowledgments or proofs of instruments taken by notaries public, 1874-1927, and by clerks, 1874-1906, showing number, kind, and date of instrument, description and location of land, original grantee, name and residence of grantor, name and residence of introducer of grantor, name of grantee, name and residence of witness, date of acknowledgment, amount of fees, and signature of notary public or clerk. Arr. chron. by date of acknowledgment. No index. Hdw. pr. hd. 39 to 240 pp. 16 x 11 x 1. 3 vols., 1874-1906, bsmt. str.; 5 vols., 1874-1901, 1903-27, U.T.

86. FEE RECORD, Dec. 1, 1914-Aug. 17, 1923. 6 vols. (1, three unlabeled, 2 vols. dated).

Clerk's record of fees due for filing and recording instruments other than court papers, showing date of entry, kind of instrument, itemized statement of fees charged, amount and by whom paid, and total daily collections. Arr. chron. by date of entry. No index. Hdw. pr. hd. 305 pp. 17 x 15 x 2. 4 vols., 1914-22, U.T.; 2 vols., 1919-23, bsmt. str.

III. DISTRICT COURT

A district court was established in Milam County upon its organization in 1836.¹ The district courts in Texas have always been the superior courts of general original jurisdiction.²

The district court of the 20th judicial district is presided over by a district judge elected for a term of 4 years by the voters of Milam County, the only county in the district.³ Other officers of the court are the district clerk, who is elected by the voters of the county at each biennial general election,⁴ the sheriff,⁵ and the criminal district attorney of the 20th district.⁶ The court, in addition to its original

1. Acts 1836, Gam. Laws, I, 1258.

2. Const. 1836, art. IV, sec. 3, Gam. Laws, I, 1073; Const. 1845, art. IV, sec. 10, Gam. Laws, II, 1286; Const. 1866, art. IV, sec. 6, Gam. Laws, V, 866; Const. 1869, art. V, sec. 7, Gam. Laws, VII, 411; Const. 1876, art. V, sec. 8.

3. Ibid., sec. 7; Vernon's Texas St. 1936, RCS, art. 199, sub. 20.

4. Const. 1876, art. V, sec. 9.

5. Ibid., sec. 23; Vernon's Texas St. 1936, RCS, arts. 2022, 2333, 6873; Texas Jurisprudence, XI, 939.

6. Const. 1876, art. V, sec. 21; Acts 1931, 42d Leg., Sp. L., p. 413.

District Court - General Civil

(87-90)

jurisdiction, has appellate jurisdiction over the commissioners court, and, in probate cases, over the county court.⁷

All of the records of the district court are in the district clerk's vault except as otherwise indicated in the entries.

General Civil

Case Papers

87. CIVIL CASE PAPERS, May 13, 1867--. Approx. 11,000 cases in 193 f.d., 51 cardboard jackets. (190 f.d. labeled by contained case nos.; 3 f.d., 51 jackets unlabeled). Untitled, 1911-40, 51 jackets.

Papers of civil cases including tax and divorce suits, disposed of in district court, including plaintiffs' petitions, defendants' answers, citations, motions, verdicts, writs, depositions, and bonds. Also contains: Criminal case papers disposed of, 1911-40, entry 120. Arr. numer. by case no., 1867--; no obvious arr., 1906-40. No index. Hdw., hdw. and typed pr. fm., and typed. 11 x 5 x 14. 190 f.d., 19 jackets, 1867--, d.c. va., 3 f.d., 1906-40, jury room; 32 jackets, 1911-30, d.c. strm.

For pending civil cases, see entry 88; for pending divorce papers, see entry 103; for additional disposed tax papers, see entry 107.

88. CIVIL PENDING, 1923--. 300 cases in 2 f.d.

Papers of civil cases pending in district court, as partially listed in entry 87. Arr. chron. by filing date. No index. Hdw., hdw. and typed pr. fm., and typed. 11 x 5 x 14.

Dockets and Fees

89. CLERK'S FILE DOCKET AND FEE BOOK, 1874-85, June 15, 1887--. 34 vols. (four unlabeled, 2-16, 16-30). Title varies: Fee Book, 1874-85, 1 vol.

Clerk's original entry docket of civil cases filed in district court and of fees due thereon, showing case number, names of parties and attorneys, filing date, cause of action, and items of fees due district clerk and sheriff, and other fees, total fees due, and recapitulation. No obvious arr., 1874-85; arr. chron. by filing date, with cases numbered consecutively, 1887--. No index, 1874-85; indexed alph. by first letter of plaintiff's surname and chron. thereunder, 1887--. Hdw. pr. hd. Aver. 400 pp. 16 x 11 x 2. 2 vols., 1874-85, bsmt. strm.; 1 vol., 1887-91, U.T.; 1 vol., 1891-95, d.c. strm.; 20 vols., 1895-1924, jury room; 10 vols., 1924--, d.c. va.

90. RECORD OF FEES NO. 1, Dec. 1, 1898-Dec. 8, 1903. 1 vol. (1). Clerk's accounts of fees and commissions collected in civil and criminal cases in district court, showing number and style of case, filing date,

(91-95)

District Court - General Civil

source and amount of fee, and volume and page reference to fee book.
Arr. chron. by date of collection. No index. Hdw. pr. hd. 250 pp.
(19 used) 16 x 14 x 2. U.T.

91. CIVIL DOCKET (Disposed Cases), Jan. term-Aug. term 1875, fall term 1879-Oct. term 1902, Oct. term 1905-Oct. term 1912, Apr. 5, 1917--. 10 vols. (three unlabeled, 1-3, 5-7, one unlabeled).
Untitled, Apr. 5, 1917--., 1 vol.

Court docket of civil cases disposed of in district court, showing number and style of case, names of attorneys, cause of action, filing date, and abstracts of court orders. Arr. chron. by court term, 1875, 1879-1902, 1905-12; arr. chron. by date of final order, 1917--. No index. Hdw. pr. hd. 320 to 3,000 pp. 18 x 12 x 4 to 9 x 12 x 14. 7 vols., 1875, 1879-1900, bsmt. strn.; 2 vols., 1900-1902, 1905-12, jury room; 1 vol., 1917--., d.c. strn.

For pending cases, see entry 92.

92. CIVIL DOCKET (Pending Cases), Feb. 7, 1923--. 1 vol.

Court docket of civil cases pending in district court, showing information as in entry 91. Arr. chron. by filing date. No index. Hdw. pr. hd. 250 pp. (75 used) 8 x 15 x 2.

93. JURY TRIAL DOCKET, fall term 1877--. 3 vols. (one unlabeled, 2, 3).

Docket of civil cases set for trial by jury in district court, showing case number, names of parties and attorneys, cause of action, filing date, date jury demanded and by whom, and notations of court orders. Arr. chron. by court term. No index. Hdw. pr. hd. 320 pp. 16 x 11 x 3. 2 vols., 1877-1904, bsmt. strn.; 1 vol., 1905--., d.c. va.

94. CIVIL (and Criminal Motion) DOCKET, Jan. term 1875-May 1898, 1921--. 3 vols. Title varies: Motion Docket, Jan. term 1875-May 1898, 2 vols.

Docket of motions filed in civil and criminal cases in district court, showing court term, number and style of case, names of attorneys, nature of motion, date of motion, and abstracts of orders. Arr. chron. by court term, 1875-98; arr. in civil-criminal sections and thereunder chron. by date of motion, 1921--. No index. Hdw. pr. hd. Aver. 300 pp. 16 x 11 x 2 to 9 x 14 x 2. 1 vol., 1875-83, bsmt. strn.; 1 vol., 1883-98, U.T.; 1 vol., 1921--., d.c. va.

Minutes

95. CIVIL MINUTES, May 19, 1874--. 14 vols. (A-N). Title varies: Minutes Dist. Ct. 1874-83, 1 vol.

Minutes of civil cases in district court and of all other acts and proceedings, except in certain actions recorded for various periods of time in separate volumes, including divorce decrees, except as recorded separately, 1873--., see entry 106. Shows court term, names of officers present, number and style of case, cause of action, recital of proceedings, verdict, plea, final judgment, judge's approval of minutes, and clerk's attest. Arr. chron. by court term. For index, see entry 96. Hdw. 1874-1912; typed 1913--. 638 pp. 18 x 12 x 3.

District Court - General Civil

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96. INDEX TO CIVIL MINUTES, May 19, 1874--. 2 vols. (1, 2). Index by names of plaintiff and defendant to Civil Minutes, entry 95; each entry shows name of opposite party, case number, and volume and page references to proceedings and to judgment entry. Arr. alph., direct by first letter of plaintiff's surname, reverse by first letter of defendant's, and chron. thereunder. Hdw. pr. hd. 400 pp. 18 x 12 x 3.

Process

97. EXECUTION DOCKET, June 17, 1874--. 2 vols. (A, B). Register of executions issued to enforce collection of civil judgments, showing number and style of case, date of judgment, date execution issued, amount of judgment, and recorded copy of officer's return, showing date writ received, date executed, description of property seized, and officer's signature. Arr. chron. by date judgment issued. For index, see entry 99. Register hdw. pr. hd.; returns hdw. 450 pp. 18 x 12 x 3.

98. EXECUTION & ORDER OF SALE DOCKET, Dec. 6, 1921--. 1 vol. (C). Register of executions and orders of sale issued to collect judgments in civil cases in district court, showing number and style of case, date of judgment, date judgment issued, amount of judgment, and recorded copy of officer's return, showing date order of sale received, date executed, description of property seized, date of sale, amount received, disposition of proceeds of sale, and officer's signature. Arr. chron. by date judgment issued. For index, see entry 99. Register typed pr. hd.; returns typed. 640 pp. (182 used) 18 x 12 x 3.

99. INDEX EXECUTION DOCKET, 1874--. 1 vol. (1). Index by names of plaintiff and defendant to Execution Docket, entry 97, and to Execution & Order of Sale Docket, 1921--, entry 98; each entry shows name of opposite party and volume and page reference. Arr. alph., direct by first letter of plaintiff's surname on left pages, reverse by first letter of defendant's on right, and chron. thereunder. Hdw. pr. hd. 300 pp. 15 x 9 x 2.

100. SUBPOENAS CIVIL (Stubs), Mar. 3, 1923--. 5 vols. Stubs of subpoenas issued by district clerk to summon witnesses in civil cases in district court, showing number and style of case, date applied for, name and address of witness, date issued, to whom delivered, date returned, and district clerk's signature. Arr. chron. by date issued. No index. Hdw. pr. fm. 200 pp. 18 x 12 x 1.

For stubs of subpoenas instanter, see entry 101.

101. CIVIL SUBPOENAS INSTANTER (Stubs), Aug. 26, 1882-May 1, 1883, Feb. 18, 1891-Aug. 11, 1899. 2 vols. Stubs of subpoenas instanter issued by district clerk to summon witnesses in civil cases in district court, showing information as in entry 100. Arr. chron. by date issued. No index. Hdw. pr. fm. Condition poor. 200 pp. 8 x 4 x 2. U.T.

102. CIVIL ATTACHMENTS (Stubs), Oct. 26, 1906-Jan. 20, 1932. 1 vol. Stubs of attachments issued by district clerk for witnesses in civil cases in district court, showing number and style of case, date issued

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District Court - Divorces;
Tax Suits

and in whose behalf, name and address of witness, signatures of attorney and district clerk. Arr. chron. by date issued. No index. Hdw. pr. fm. 120 pp. 16 x 10 x 1.

Divorces

103. DIVORCE PENDING, 1917--. 300 cases in 2 f.d. Papers of divorce suits pending in district court, including plaintiffs' petitions, citations with returns, defendants' answers, motions, decrees, and judgments as to division of property and custody of children. Arr. chron. by filing date. No index. Hdw. pr. fm. 11 x 5 x 14.

For disposed divorce papers, see entry 87.

104. TRANSFER DOCKET LEAVES DIVORCE DOCKET, Oct. term 1905-Oct. term 1909, Oct. 30, 1916--. 2 vols. Title varies: Divorce Docket, Oct. term 1905-Oct. term 1909, 1 vol.

Docket of divorce suits disposed of in district court, showing case number, names of attorneys, names of parties to suit, cause of action, filing date, and abstracts of court orders. Arr. chron. by court term, 1905-9; arr. chron. by date of final order, 1916--. No index. Hdw. pr. hd. 400 to 2,000 pp. 16 x 10 x 3 to 12 x 14 x 12. 1 vol., 1905-9, d.c. va.; 1 vol., 1916--, d.c. strm.

For pending suits, see entry 105.

105. DIVORCE DOCKET (Pending), Oct. 19, 1915--. 2 vols.

Docket of divorce suits pending in district court, showing information as in entry 104. Arr. chron. by filing date. No index. Typed pr. hd. 250 pp. 8 x 12 x 2.

106. DIVORCE MINUTES, Apr. 17, 1893--. 5 vols. (1-5).

Minutes of district court in divorce cases, showing court term and names of officers present; recorded copies of orders granting divorces, 1893--; orders granting divorces in cases involving custody of children, 1893--; orders granting divorces in cases in which division of property is settled, 1893-1919, for orders, 1920--, see entry 95; orders refusing divorces, 1893-1903, for orders, 1903--, see entry 95; and district judge's approval of minutes. Arr. in sections by kind of decree and thereunder chron. by date of court term. Indexed alph. by first letter of plaintiff's surname and chron. thereunder. Hdw. pr. fm. 497 pp. 16 x 10 x 2.

Tax Suits

107. (TAX SUITS DISPOSED), 1917-30. 9 f.d.

Papers of tax suits disposed of in district court, including plaintiffs' petitions for foreclosure of tax liens, tax notices, citations, defendants' answers, schedules of property owned by taxpayers, judgments, and orders of sale. Arr. chron. by filing date. No index. Hdw. and typed pr. fm., and typed. 11 x 5 x 14.

For additional disposed tax papers, see entry 87; for pending tax papers, see entry 108.

District Court - Tax Suits

(108-113)

108. TAX SUITS PENDING, 1916--. 500 cases in 3 f.d.

Papers of tax suits pending in district court, as partially listed in entry 107. Arr. chron. by filing date. No index. Hdw. and typed pr. fm., and typed. 11 x 5 x 14. Jury room.

109. DELINQUENT TAX FEE BOOK, Aug. 5, 1916--. 4 vols. (1, 2, 2, 3).

Account of fees in delinquent tax suits in district court, showing county, number and style of case, filing date, items of fees due district clerk, sheriff, and others, recapitulation, totals of fees due, and signature of person receiving fees. Arr. numer. by case no. and thereunder chron. by date of accrual of fee. Indexed alph. by first letter of defendant's surname and chron. thereunder. Hdw. pr. hd. 620 pp. 16 x 11 x 2.

110. DELINQUENT TAX DOCKET, Aug. 5, 1916--. 3 vols. (1-3).

Court docket of delinquent tax suits in district court, showing judicial district number, court term, case number, names of defendant and attorneys, filing date, and court orders. Arr. chron. by filing date, with cases numbered consecutively. No index. Hdw. pr. hd. 321 pp. 16 x 11 x 2.

111. TAX MINUTES JUDGMENTS, Oct. 3, 1896-May 13, 1912, Nov. 28, 1916--. 4 vols. (F, 1-3).

Minutes of tax suits in district court in which the State recovers judgment for delinquent taxes, showing court term, names of officers present, county, judicial district number, number and style of case, date of hearing, amount of indebtedness, years delinquent, description of property, amount of judgment, district judge's approval of minutes, and district clerk's attest. Arr. chron. by court term. No index, 1896-1912; indexed alph. by first letter of defendant's surname and chron. thereunder, 1916--. Hdw. pr. fm. 636 pp. 16 x 11 x 3.

112. MINUTES DISMISSED TAX SUITS, Oct. 16, 1916--. 2 vols. (1, 2).

Minutes of tax suits dismissed in district court, showing court term, date of action, case number, name of defendant, reason for dismissal, district judge's approval, and district clerk's attest. Arr. chron. by court term. Indexed alph. by first letter of defendant's surname and chron. thereunder. Hdw. pr. fm. 620 pp. 16 x 11 x 3.

113. EXECUTION DOCKET DELINQUENT TAX SUITS, Jan. 29, 1917--.
1 vol. (1).

Register of execution of orders of sale issued to collect judgments in tax suits in district court, showing number and style of case, amount of judgment, rate of interest, amount of costs, date order of sale issued and to whom, and recorded copy of sheriff's return, showing date order of sale received, date executed, description of property, date advertised, date of sale, amount received, name of buyer, amount of court costs, amount of sheriff's fee, amount paid to tax assessor-collector, and sheriff's affidavit; and district clerk's acknowledgment of receipt of proceeds of sale. Arr. chron. by date issued. Indexed alph. by first letter of defendant's surname and chron. thereunder. Register hdw. pr. hd., returns and receipts hdw. pr. fm. 640 pp. (52 used) 16 x 10 x 3.

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District Court - Naturalization
Recognizance and Scire Facias

Naturalization

114. RECORD OF DECLARATION OF INTENTION, Jan. 2, 1891-June 29, 1929, July 19, 1932--. 4 vols. Untitled, July 19, 1932--,
1 vol.

Declarations of intention to become citizens (recorded copies, Jan. 2, 1891-June 29, 1929; originals, July 19, 1932--), showing State, county, and court, name of alien, age, occupation, color, complexion, height, weight, color of hair and eyes, place and date of birth, present residence, country from which emigrated, name of vessel on which immigrant arrived, last foreign residence, statement of intention to renounce allegiance to foreign power, port and date of arrival in Texas, alien's affidavit, and district clerk's attest. Arr. chron. by date sworn to. Indexed alph. by first letter of alien's surname and chron. thereunder. Hdw. pr. fm. 1891-1929; typed pr. fm. 1932--. 296 to 40 pp. 16 x 11 x 2 to 12 x 8 x 1.

For triplicates attached to petitions, 1930--, see entry 115.

115. PETITION AND RECORD, Oct. 19, 1891--. 7 vols. (A, 1, 1-4, one unlabeled). Title varies: Naturalization Minutes District Court, Oct. 19, 1891-1903; Final Naturalization Record, 1903-6, 1 vol.; untitled, 1930--, 1 vol.

Record of action taken by district court on petitions for citizenship by aliens who have previously filed declarations of intention, with supporting evidence. 1891-1906 shows court term, names of court officers present, recital of filing of alien's petition and of supporting affidavit, and also recorded copy of petition signed by alien and attested by clerk, of affidavit signed by two character witnesses and attested by clerk, of oath of allegiance signed by alien and attested by clerk, and of final court order, signed by district judge, reciting the filing of petition, oaths of witnesses, and oath of allegiance, and admitting alien to citizenship; Nov. 4, 1907-Nov. 15, 1929, consists of instruments as above, with the final order an original; 1930--, consists of instruments as above, all being originals, and also triplicate copy of declaration of intention, showing information as in entry 114. Arr. chron. by court term, 1891-1906; arr. chron. by date of final order, 1907--. Indexed alph. by alien's surname and chron. thereunder. Hdw. pr. fm. 1891-1929; typed 1930--. Aver. 200 pp. 16 x 10 x 2 to 12 x 8 x 1.

Recognizance and Scire Facias

116. DEFENDANTS RECOGNIZANCE MINUTES, Mar. term 1879-Oct. term 1892. 1 vol.

Minutes of district court in which defendants make recognizance bonds to insure appearance in criminal cases, showing court term, names of court officers present, number and style of criminal action, names of defendants and attorneys, names of principal and sureties, amount and conditions of bond, and signature of district clerk. Arr. chron. by court term. No index. Hdw. pr. fm. 300 pp. 16 x 10 x 2. Bsnt. strm.

For witnesses' recognizance minutes, see entry 117.

District Court - Criminal

(117-121)

117. RECOGNIZANCE MINUTES (Witnesses'), Apr. term 1879-Oct. term 1892. 4 vols. Untitled, 1879-89, 2 vols.

Minutes of district court in which witnesses make recognizance bonds to insure appearance in criminal cases, showing information as in entry 116. Arr. chron. by court term. No index. Hdw. pr. fm. 300 pp. 16 x 12 x 2. Bsm. str.

118. MOTION DOCKET DIST. COURT (Scire Facias Docket), Jan. term 1875-spring term 1880. 1 vol.

Court docket of cases in district court in which action is brought by State for forfeiture of defendants' and witnesses' bonds in criminal cases, showing court term, number and style of case, attorneys for defense, cause of action, amount of bond, and abstracts of court orders. Arr. chron. by court term. No index. Hdw. 240 pp. 16 x 10 x 2. Bsm. str.

119. SCIRE FACIAS MINUTES, Nov. 6, 1879-Nov. term 1906. 3 vols. (two unlabeled, 1). Title varies: Judgments Nisi & Final, Nov. 6, 1879-May 4, 1892, 1 vol.; Judgment Nisi & Final against Witness, May 15, 1890-Nov. 29, 1892, 1 vol.

Minutes of district court wherein judgments nisi and final are taken by the State on bonds made in criminal cases by defendants, witnesses, and their sureties, for failure to appear, showing court term, case number, date of proceedings, names of principal and sureties, amount of bond, declaration of conditional judgment or order of final judgment and issuance of scire facias writ, judge's approval of minutes, and district clerk's attest. Arr. chron. by date of judgment, 1879-93; arr. in sections: Recognizance witness, recognizance defendant, final judgments, and thereunder chron. by court term, 1893-1906. No index, 1879-92; indexed alph. by first letter of defendant's surname and chron. thereunder, 1893-1906. 2 vols., 1879-1906, d.c. va.; 1 vol., 1890-92, U.T.

Criminal

Case Papers

120. (CRIMINAL CASES DISPOSED OF), 1927-40. 18 f.d. 1911-26, also 1927-40 in Civil Case Papers, entry 87.

Papers of criminal cases disposed of in district court, including complaints, indictments, warrants of arrest, capias, witness subpoenas and attachments, bonds, verdicts, and judgments. Arr. chron. by filing date. No index. Hdw., hdw. and typed pr. fm., and typed. 11 x 5 x 14. Jury room.

For pending criminal cases, see entry 121.

121. CRIMINAL CASES (Pending), 1936--. 150 cases in 2 f.d.

Papers of criminal cases pending in district court, as partially listed in entry 120. Arr. chron. by filing date. No index. Hdw., hdw. and typed pr. fm., and typed. 11 x 5 x 14.

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District Court - Criminal

Dockets (See also entries 94, 126)

122. TRANSFER DOCKET LEAVES (Criminal Disposed), Sept. term 1873-May term 1875, spring term 1877--. 12 vols. Untitled, 1873-74, 1 vol.; title varies: Motion Docket Dist. Ct., Jan. term-May term 1875, 1 vol.; Criminal Docket Dist. Ct., 1877-1905, 8 vols.; Criminal Docket, 1906-12, 1 vol.

Docket of criminal cases disposed of in district court, showing court term, number and style of case, names of attorneys, filing date, nature of offense, and abstracts of court orders. Arr. chron. by court term. No index. Hdw. pr. hd. 400 to 3,000 pp. 18 x 12 x 2 to 12 x 14 x 4. 10 vols., 1873-75, 1877-1905, bsmt. strm.; 1 vol., 1906-12, jury room; 1 vol., 1913-- , d.c. strm.

For criminal cases pending, see entry 123.

123. CRIMINAL DOCKET (Pending Cases), Apr. 23, 1906--. 1 vol. Docket of criminal cases pending in district court, showing information as in entry 122. Arr. chron. by filing date. No index. Hdw. pr. hd. 200 pp. 15 x 9 x 1.

Minutes

124. CRIMINAL MINUTES DISTRICT COURT, May 19, 1874--. 13 vols. (A-i).

Minutes of criminal cases in district court, showing court term, number and style of case, names of witnesses and State's and defendant's attorneys, offense charged and date of charge, plea, date of trial, verdict, judgment of court, district judge's approval of minutes, and district clerk's attest. Arr. chron. by court term. For index, see entry 125. Hdw. 1874-1914; typed 1914--. Aver. 641 pp. 18 x 12 x 3.

125. INDEX TO CRIMINAL MINUTES, May 19, 1874--. 1 vol. (1). Index by name of defendant to Criminal Minutes District Court, entry 124, showing case number, name of defendant, volume and page reference, and date of judgment. Arr. alph. by first letter of defendant's surname and chron. thereunder. Hdw. pr. hd. 450 pp. 16 x 11 x 2.

126. JUVENILE DOCKET (and Orders), July 22, 1925--. 1 vol. (1). Docket and orders of district court in cases of juvenile delinquency, showing case number, name of defendant, date complaint filed, date case set for hearing, and court order committing defendant to State juvenile school, placing defendant on probation, or otherwise disposing of case. Arr. chron. by date of proceedings. No index. Docket hdw. pr. fm.; court orders typed. 156 pp. 16 x 11 x 2.

Process

127. CAPIAS (Stubs), Mar. 7, 1892-Oct. 29, 1897, June 25, 1903-Dec. 13, 1906. 5 vols.

Stubs of capias issued for arrest of persons indicted for criminal offenses, showing case number, name of defendant, offense charged, date issued, date delivered, and date returnable. Arr. chron. by date issued. No index. Hdw. pr. fm. Condition poor. 250 pp. 8 x 4 x 2. U.T.

District Court - Criminal

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128. CRIMINAL SUBPOENAS INSTANTER (Stubs), Mar. 1, 1882-Nov. 14, 1901, Aug. 7, 1916-Feb. 18, 1918. 14 vols.

Stubs of subpoenas issued to summon witnesses to appear in criminal cases in district court, showing court term, case number, name of defendant, and name of witness subpoenaed, in whose behalf summoned, date issued, and date returnable. Arr. chron. by date issued. No index. Hdw. pr. fm. Condition poor. 250 pp. 20 x 4 x 1. U.T.

129. ATTACHMENT FOR WITNESS CRIMINAL (Stubs), Oct. 30, 1882-Nov. 23, 1895, Nov. 12, 1907--. 11 vols. Title varies slightly.

Stubs of attachments issued for witnesses in criminal cases in district court, showing court term, number and style of case, name and address of witness, in whose behalf summoned, date to appear, date issued, and date returnable. Arr. chron. by date issued. No index. Hdw. pr. fm. Condition poor, 1882-95, 9 vols. Aver. 40 pp. 5 x 5 x 1 to 13 x 12 x 1. 9 vols., 1882-95, U.T.; 1 vol., 1883, bsmt. strm.; 1 vol., 1907--, d.c. va.

Fees and Costs (See also entry 90)

130. CRIMINAL FEE BOOK, Apr. 21, 1887-Nov. 15, 1888. 1 vol.

Accounts of fees in criminal cases in district court, showing number and style of case, items of fees, and date accrued. No obvious arr. No index. Hdw. pr. hd. 145 pp. 16 x 11 x 2. U.T.

131. DISTRICT CLERKS ACCOUNTS, Oct. 1911-Nov. 1935. 14 vols. (one unlabeled, 3-7, 9-15, 5).

Minutes of district court approving district clerk's fees in criminal cases, showing name of clerk, judicial district number, term of court, number and style of case, nature of offense, disposition of case, items and amounts of fees, total due clerk, clerk's affidavit, and district judge's approval. Arr. chron. by court term. No index. Hdw. pr. fm. 14 x 9 x 1. D.c. strm.

132. SHERIFFS FELONY FEE BOOK (In-County), 1882-1925. 9 vols.

Untitled, 1882-87, 1891-96, 2 vols.; title varies: Minutes of Sheriff's Accounts, 1888-91, 1897-1904, 4 vols.; Sheriff's Fee Book Witnesses Felony Cases, 1898-1905, 1 vol.; Felony Fee Book, 1905-15, 1 vol.

Minutes of district court approving fees of in-county sheriff for arresting defendants, summoning witnesses and attending felony cases in district court, showing court term, names of court officers present; statement of fees for each case shows name and address of sheriff, term of court in which case disposed of, number and style of case, nature of offense, disposition of case, place of arrest, amount due sheriff for mileage and per diem, names of witnesses summoned or attached and amounts due for summoning or attaching each, total amount due; recapitulation shows case numbers, names of defendants, amounts of fees for each case, total for term, sheriff's affidavit, district clerk's attest, and district judge's approval. Arr. chron. by date of approval. No index. Hdw. pr. fm. Mouldy, 1888-91, 2 vols. 150 pp. 16 x 11 x 2. 7 vols., 1882-87, 1891-1925, bsmt. strm.; 2 vols., 1888-91, U.T.

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District Court - Trust Funds

133. CLERK'S CERTIFICATE SHERIFF'S PAY (Out-County), 1889-1903, 1911--. 9 vols. Title varies: Minutes of Sheriff's Foreign Accounts, 1889-91, 1 vol.; Minutes of Sheriff's Accounts, 1891-1903, 3 vols.

Minutes of district court allowing out-county sheriffs' fees for summoning, attaching, or conveying non-resident witnesses to criminal cases in district court or for appearance before grand jury, showing certificate number, name and county of sheriff, number and style of case, nature of charge, names and addresses of witnesses, dates of service, amounts due for serving subpoenas, number of miles traveled, amounts due for mileage, total amount due, district clerk's attest, and district judge's approval. Arr. chron. by court term. No index. Hdw. pr. fm. 250 pp. 7 x 11 x 1. 4 vols., 1889-1903, bsmt. strn.; 5 vols., 1911--, d.c. va.

134. OUT COUNTY WITNESS ACCOUNTS, July 11, 1883-May 27, 1895, Apr. 13, 1912--. 14 vols. Untitled, Oct. 21, 1889-Nov. 20, 1890, 1 vol.

Minutes of district court certifying fees of non-resident witnesses for attendance in criminal cases in district court and for appearance before grand jury, showing court term, name of witness, number and style of case, nature of offense, number of miles traveled, number of days absent from home, amount of per diem, total amount due, witness's affidavit, district clerk's attest, and district judge's approval. Arr. chron. by court term. No index. Hdw. pr. fm. Aver. 310 pp. 16 x 10 x 2. 3 vols., 1883-95, bsmt. strn.; 1 vol., 1889-90, U.T.; 7 vols., 1912-36, d.c. strn.; 3 vols., 1931--, d.c. va.

135. WITNESS AFFIDAVITS (Stubs), May 4, 1894-June 3, 1896. 1 vol. Stubs of affidavits made by witnesses in criminal trials in district court, showing court term, name of witness, number and style of case, nature of offense, number of days' attendance, amount for mileage, date of affidavit, and signatures of witness and district clerk. Arr. chron. by date issued. No index. Hdw. pr. fm. Condition poor. 200 pp. 8 x 8 x 1. U.T.

136. JURY CERTIFICATES (Stubs), Apr. 13, 1884-Nov. 6, 1898, Nov. 21, 1903-May 26, 1906, 1925--. 19 vols. Stubs of certificates for pay issued to jurors for service in district court, showing date, number, and amount of certificate, date issued, court term, name of juror, whether petit or grand, number of days served, volume and page reference to minutes, and receipt of payee. Arr. numer. by certificate no. No index. Hdw. pr. fm. Torn, 1884-98, 1903-6, 7 vols. 275 pp. 12 x 10 x 2. 7 vols., 1884-98, 1903-6, U.T.; 12 vols., 1925--, d.c. va.

Trust Funds

137. TRUST FUND RECORD, Dec. 9, 1887--. 4 vols. (1, one unlabeled, 3, 4). Clerk's accounts of money, property, and other articles of value placed in custody of district clerk pending proceedings in district court, showing case number, date, from whom received, amount, description, and

County Court

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disposition of deposit. Arr. chron. by date received. No index, 1867-1940; indexed alph. by first letter of plaintiff's surname and chron. thereunder, 1940--. Hdw. pr. hd. 130 pp. 16 x 11 x 1.

District Clerk Ex-Officio

138. MEDICAL REGISTER, Apr. 3, 1874--. 4 vols. (two unlabeled, 2, 3). Title varies: Register of Physicians Dist. Court Milan, Apr. 3, 1874-July 10, 1907, 1 vol.; Register of Physicians, Oct. 7, 1881-Apr. 2, 1908, 1 vol.

Record of physicians authorized to practice in county, consisting of:

- i. Register of physicians' diplomas and of certificates issued by authorized boards of medical examiners, 1874-1907, showing clerk's file number, name and address of physician, kind of instrument (diploma or certificate), date, place, and by whom issued, and date of registration.
- ii. Recorded copies of licenses issued to physicians by authorized boards, 1881--, showing name of physician, State and county, statement of authority to practice by reason of examination and qualification, date and place issued, signatures of board members, and clerk's recording certificate.
- iii. Recorded copies of affidavits executed by physicians applying for registration of licenses, 1908--, showing license number, name and address of applicant, age, date and place of birth, date and by whom license issued, kind of degree, name of college, date of graduation, kind of school of practice, post office address, and signature of applicant, notarization, and clerk's recording certificate.

Arr. chron. by registration date, 1874-1907; arr. chron. by recording date, 1881--. No index, 1874-1907; indexed alph. by first letter of physician's surname and chron. thereunder, 1881--. Hdw. pr. hd. 1874-1907; hdw. 1881-1908; hdw. pr. fm. 1908--. Aver. 240 np. 14 x 9 x 1 to 16 x 11 x 2.

IV. COUNTY COURT

An inferior trial court called the county court was established in Milan County upon its organization in 1836,¹ and with the exception of two brief periods, when this tribunal was discontinued by general law,²

1. Const. 1836, art. IV, sec. 10, Gam. Laws, I, 1074; Acts 1836, Gam. Laws, I, 1208.

2. During the first 2 years of statehood, 1846-48, when jurisdiction in probate matters was vested in a special probate court (Acts 1846, Gam. Laws, II, 1614); and for about 6 years while the Constitution of 1869 was in force (Const. 1869, art. V, secs. 1-26; Acts 1870, Gam. Laws, VI, 282).

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County Court - Probate

has had uninterrupted existence. Throughout its history as a trial court, the county court has exercised exclusive original probate jurisdiction, and from time to time has had limited original civil and criminal jurisdiction and appellate jurisdiction over cases brought up from the justices' and other inferior courts in the county.³ The jurisdiction of Milam County's county court has never been affected by local legislation.⁴

The county judge is the judge of the county court.⁵ Other officers are the county clerk, who serves as clerk of the court,⁶ the sheriff,⁷ and the criminal district attorney.⁸

Probate

Case Papers

139. PROBATE CASE PAPERS (Disposed), 1874--. 4,000 cases in 101 f.d. (labeled by contained case nos.). Papers of probate cases disposed of, including wills; applications to probate wills, for letters testamentary, letters of administration, and letters of guardianship; judgments of heirship; appraisals for inheritance tax; inventories of estates; letters of administrations; administrators' and executors' bonds and reports; and bonds of guardianship. Arr. numer. by case no. No index. Hdw., hdw. and typed pr. fm., and typed. 11 x 5 x 14. C.c. off.

For pending cases, see entry 140.

140. PROBATE PENDING, 1932--. 100 cases in 3 f.d. (labeled by contained letters of alphabet). Papers of probate cases, as partially listed in entry 139. Arr. alph. by first letter of principal's surname and thereunder chron. by filing date. No index. Hdw., hdw. and typed pr. fm., and typed. 11 x 5 x 14. C.c. off.

141. RECORD OF WILLS, Nov. 29, 1873-July 26, 1918. 1 vol. (A). 1918-- in Probate Minutes, entry 147. Recorded copies of wills filed for probate, showing State and county, name of testator, provisions of will, and testator's signature, notarization, and clerk's recording certificate. Arr. chron. by recording date. No index. Hdw. 162 pp. 15 x 9 x 1. Deed room 1.

3. Acts 1836, Gam. Laws, I, 1208, 1213, 1214; Acts 1837, Gam. Laws, I, 1385; Acts 1848, Gam. Laws, III, 113; Const. 1866, art. IV, sec. 16, Gam. Laws, V, 868; Const. 1876, art. V, sec. 16.

4. Vernon's Texas St. 1936, and 1939 Supp., RCS, art. 1970, sub. 310; and see Const. 1876, art. V, sec. 22.

5. Const. 1876, art. V, sec. 15.

6. Ibid., sec. 20; Vernon's Texas St. 1936; RCS, art. 1936.

7. Const. 1876, art. V, sec. 23; Texas Jurisprudence, XI, 939.

8. Const. 1876, art. V, sec. 21; Acts 1931, 42d Leg., Sp. L., p. 413.

County Court - Probate

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Dockets and Fees

142. PROBATE DOCKET, May term 1874-Nov. term 1879, July 1, 1881-Mar. 17, 1891, Mar. 9, 1903--. 7 vols. (A, B, 2-6). Title varies: Probate Docket Dist. Court, May term 1874-Nov. term 1879, 1 vol.

Court docket of probate cases, showing case number and name of estate, list of instruments filed, showing for each, kind of instrument, filing date, and court order. Also contains: Guardians' docket, 1891--; entry 144. Arr. chron. by filing date, 1874-79, 1881-91; arr. numer. by case no., 1903--. No index, 1874-79, 1881-89; indexed alph. by first letter of principal's surname and chron. thereunder, 1889-91, 1903--. Hdw. pr. hd. 210 to 590 pp. 16 x 12 x 3. 3 vols., 1874-79, 1881-91, bsmt. strm.; 4 vols., 1903--; c.c. off.

143. CLAIM DOCKET PROBATE, Mar. 25, 1873--. 2 vols. (1 vol. dated; 2). Title varies: Claim Docket, Mar. 25, 1873-Mar. 14, 1927, 1 vol.

Docket of claims filed against estates, showing case number and name of estate, list of claims, showing for each, name of claimant, amount and date of claim, date due, date from which claim bears interest, rate of interest, date and amount allowed, filing date, date and amount approved, and class of claim. Arr. one case to each page and thereunder chron. by filing date. Indexed alph. by first letter of principal's surname and chron. thereunder. Hdw. pr. hd. 281 dbl. pp. 16 x 12 x 3. 1 vol., 1873-1927, bsmt. strm.; 1 vol., 1927--; c.c. off.

144. GUARDIANS DOCKET, Sept. 20, 1876-May 1, 1891. 2 vols. (A, 2). 1391-- in Probate Docket, entry 142.

Docket of guardianship cases; 1876-86 shows case number, name of guardian, name of estate, date letters granted, dates of previous and next settlements of accounts, date citation issued, and abstracts of court orders; 1886-91 shows case number, name of guardian, date of application, and abstracts of court orders. Arr. one case to each page. Indexed alph. by first letter of principal's surname and chron. thereunder. Hdw. pr. hd. 400 pp. 16 x 10 x 2. Bsmt. strm.

145. PROBATE FEES BOOK, June 8, 1876--. 11 vols. (three unlabeled, 4-11). Untitled, 1883-93, 1 vol.

Account of fees in probate cases, showing case number, name of estate, name of administrator, executor, or guardian, name of attorney, date of entry, items of fees due clerk, judge, and sheriff, and totals. Arr. one case to each page and thereunder chron. by date of entry. Indexed alph. by first letter of principal's surname and chron. thereunder. Hdw. pr. hd. 479 pp. 16 x 11 x 3. 7 vols., 1876-1919, bsmt. strm.; 4 vols., 1920--; c.c. off.

146. COUNTY JUDGES FEES, Dec. 31, 1931. 1 vol. (1). No entries except on Dec. 31, 1931.

Account of county judge's fees in probate and civil cases and in lunacy and pension hearings, commissions on cash receipts, and miscellaneous fees. No obvious arr. No index. Hdw. pr. hd. 158 pp. (1 used) 16 x 11 x 1. Bsmt. strm.

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County Court -- Lunacy, Epilepsy,
and TuberculosisMinutes

147. PROBATE MINUTES, May 5, 1874--. 36 vols. (A-E, 6-36). Title varies: Probate Record, 1925-31, 1934-36, 11 vols. Minutes in probate cases, showing term of court, date of meeting, names of officers present, case number, names of estate and interested parties, nature of proceedings, filing date, court orders, judge's approval, and clerk's attest. Also contains: Record of wills, 1918--, entry 141. Arr. chron. by court term. For index, see entry 148. Hdw. 1874-1906; typed 1906--. 639 pp. 18 x 11 x 3. Deed room 1.
148. INDEX TO PROBATE MINUTES, May 5, 1874--. 3 vols. (one unlabeled, 1, 2). Title varies: Ledger, May 5, 1874-Dec. 3, 1880, 1 vol. Index by names of principal and administrator, executor, or guardian to Probate Minutes, entry 147; each entry shows name of opposite party, case number, and volume and page reference. Arr. alph. by first letter of principal's surname on left pages, reverse by first letter of administrator's, executor's, or guardian's on right, and chron. thereunder. Hdw. pr. hd. 170 pp. 16 x 12 x 3. 1 vol., 1874-80, bsmt. strm.; 2 vols., 1880--, deed room 1.

Lunacy, Epilepsy, and Tuberculosis

149. LUNACY CASE PAPERS, Jan. 18, 1890--. 3 cardboard boxes, 4 f.d. (labeled by contained case nos.). Papers of lunacy hearings in county court, including complaints, witness testimony, warrants, jury lists, and affidavits. Also contains: Papers in epileptic cases, approx. 1899-1938, entry 153. Arr. chron. by filing date, with cases numbered consecutively. No index. Hdw. pr. fm. Boxes 18 x 24 x 12; f.d. 16 x 8 x 6. 3 boxes, 1890-1938, bsmt. strm.; 4 f.d., 1932--, c.c. off.

For additional lunacy papers, see entry 5-xii.

150. PROBATE MINUTES IN LUNACY CASES, June 29, 1901-13, 1917--. 2 vols. (A, 2). Last entry July 23, 1937. Minutes of jury trials of lunacy cases in county court, showing date of hearing, names of court officers present, case number, name of defendant, recorded copy of jury verdict with answers to special issues, signatures of jurors, judgment of the court, county judge's approval and clerk's attest. Arr. chron. by court term. Indexed alph. by first letter of defendant's surname and chron. thereunder, 1901-13, 1917-25; no index, 1925-37. Hdw. pr. fm. 251 pp. 16 x 11 x 2. Deed room 1.

For minutes, 1913-16, see entry 151.

151. LUNACY RECORD (Commission Hearings), Aug. 11, 1913-Feb. 7, 1916. 1 vol. Discontinued; law repealed. Minutes in lunacy trials in county court conducted under commission form of hearing, showing date of proceedings, names of respondent and county

County Court - Civil

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judge; recorded copy of the report of the commissioners, showing name of respondent, case number, names of commissioners, findings and recommendations as to mental condition, treatment, restraint, age, causes of mental condition, amount of property owned, signatures of commissioners, and county judge's affidavit; court order discharging respondent, or adjudging a lunatic and ordering conveyance to State asylum; recorded copies of fee bills, showing amounts due judge, clerk, attorney, sheriff, and commissioners, and total amount of fees. Arr. chron. by date of proceedings. No index. Hdw. pr. fm. 80 pp. 16 x 11 x 1. Deed room 1.

For minutes, 1901-13, 1917--, see entry 150.

152. JUVENILE & FEEBLE MINDED, Mar. 11, 1927--. 1 f.d. (labeled by contained case nos.).

Papers of cases of juvenile delinquency and feeble-mindedness in-county court, including affidavits, complaints, and orders. Arr. numer. by case no. No index. Hdw. pr. fm. 11 x 5 x 14. C.c. off.

153. EPILEPTIC, Dec. 31, 1938--. 52 papers in 1 f.d. (labeled by contained case nos.). Approx. 1899-1938 in Lunacy Case Papers, entry 149.

Applications submitted to county judge to be adjudged an epileptic and admitted to a State institution, showing name of county, date, name of person making petition, name, sex, and age of epileptic; also list of property if any; report and signature of physician; and county judge's order of commitment. Arr. numer. by case no. No index. 11 x 5 x 14. C.c. off.

154. TUBERCULOSIS PAPERS, Mar. 17, 1934--. 141 applications in 3 f.d.

Applications to county judge for admission to State sanatoriums for treatment of tuberculosis, showing date of application, name, sex, age, and residence of applicant; and examining physician's report. No obvious arr. No index. Hdw. pr. fm. 11 x 5 x 14. C.c. off.

Civil

Case Papers

155. CIVIL CASE PAPERS, 1881--. 20 cardboard f.b., 65 steel f.d. (20 f.b. unlabeled; 65 f.d. labeled by contained case nos.). Title varies: County Court Cases, 1881-1923, 20 f.b.

Papers of civil cases disposed of in county court, including plaintiffs' petitions, defendants' answers, citations, motions, writs, depositions, and bonds. Also contains: Criminal case papers, 1886-1923, entry 169. No obvious arr., 1881-1923; arr. numer. by case no., 1893--. No index. Hdw., hdw. and typed pr. fm., and typed. F.b. 10 x 18 x 20; f.d. 11 x 5 x 14. 20 f.b., 1881-1923, bsmt. strm.; 65 f.d. 1893--., c.c. off.

For additional disposed of papers, see entry 5-viii; for papers in pending cases, see entry 156.

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County Court - Civil

156. CIVIL CASES PENDING, 1939--. 25 cases in 1 f.d. Papers of civil cases pending in county court, as partially listed in entry 155. Arr. chron. by filing date. No index. Hdw., hdw. and typed pr. fm., and typed. 11 x 5 x 14. C.c. off.

Dockets and Fees

157. CLERK'S CIVIL FILE DOCKET & FEE BOOK, July 24, 1876--. 15 vols. (three unlabeled, 3-14). Title varies: Civil Fee Book, 1876-1909, 7 vols. Clerk's original entry docket of civil cases in county court and account of fees due thereon; 1876-1909 shows number and style of case, date and amount of entry, items of fees due county clerk, sheriff, county judge, and witnesses, and signature of person receiving fees; 1909--, shows case number, names of attorneys, names of plaintiff and defendant, filing date, cause of action, and itemized account of fees due county clerk, sheriff, witnesses, and county judge. Arr. one case to each page and thereunder chron. by date of entry, 1876-1909; arr. numer. by case no., 1909--. Indexed alph. by first letter of plaintiff's surname and chron. thereunder. Hdw. pr. hd. 1876-1909; hdw. pr. fm. 1909--. 600 pp. 16 x 10 x 4. 7 vols., 1876-1909, bsnt. strn.; 8 vols., 1909--, c.c. off.

158. FEE BOOK, 1882-86. 1 vol. Accounts of fees in civil cases in county court, showing number and style of case, items and amounts of fees due county clerk, sheriff, witnesses, and whether payable by plaintiff or defendant. Arr. chron. by date of receipt. Indexed alph. by first letter of plaintiff's surname and chron. thereunder. Hdw. pr. hd. 444 pp. 18 x 14 x 2. U.T.

159. CIVIL DOCKET COUNTY COURT, Sept. term 1876--. 11 vols. Title varies: Judge's Civil Docket, Sept. term 1876-Sept. term 1881, 1 vol.; Civil & Criminal Docket, Apr. 1, 1914-Aug. 7, 1917, 2 vols.; Civil, Apr. 14, 1925-Apr. 20, 1929, 1 vol. Court docket of civil cases disposed of in county court, showing court term, case number, names of parties and attorneys, cause of action, filing date, and abstract of court orders. Also contains: Criminal docket disposed cases, Apr. 1, 1912-Aug. 30, 1917, entry 173. Arr. chron. by court term, 1876-1912; arr. in civil-criminal sections and thereunder chron. by date of final order, 1912-17; arr. chron. by date of final order, 1925-29; arr. chron. by filing date, 1917--. No index. Hdw. pr. hd. 250 to 1,400 pp. 16 x 10 x 3 to 9 x 16 x 2. 10 vols., 1876-1917, 1925-29, bsnt. strn.; 1 vol., 1917--, c.c. off.
For pending civil cases, see entry 160.

160. CIVIL DOCKET COUNTY COURT (Pending) Jan. 3, 1930--. 2 vols. Court docket of civil cases pending in county court, showing information as in entry 159. Arr. chron. by filing date. No index. Hdw. pr. hd. 168 pp. 10 x 16 x 1. C.c. off.

County Court - Civil

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161. MOTION DOCKET, Sept. term 1876--. 3 vols. (two unlabeled, 2).
 Untitled, June 7, 1881-Oct. 4, 1898, 1 vol.

Docket of motions filed in civil and criminal cases in county court, showing court term, number and style of case, names of attorneys, nature of motion, filing date, and disposition of motion. Arr. chron. by court term. No index. Hdw. pr. hd. 318 pp. 16 x 11 x 2. 1 vol., 1876-1904, bsmt. str.; 1 vol., 1881-98, U.T.; 1 vol., 1905--., c.c. off.

162. JURY TRIAL DOCKET - COUNTY COURT, May term 1877-June term 1906.
 2 vols. (one unlabeled, 2). Title varies: Jury Case Docket,
 May term 1877-Oct. term 1900, 1 vol.

Docket of civil cases filed in county court in which trial by jury is demanded, showing court term, names of attorneys, names of parties, cause of action, when and by whom jury demanded, and court orders. Arr. chron. by court term. No index. Hdw. pr. hd. 156 pp. 16 x 16 x 2. Bsmt. str.

Minutes

163. CIVIL MINUTES, Sept. 18, 1876--. 6 vols. (B, 3-7). Title
 varies: Minutes Civil Business, Sept. 18, 1876-Aug. 23, 1900,
 2 vols.

Minutes of civil cases in county court, showing court term, names of officers present, subject of proceedings, county judge's approval of minutes, and county clerk's attest. Arr. chron. by court term. For index, see entry 164. Hdw. 1876-1923; typed 1924--. 604 pp. 16 x 11 x 3. C.c. off.

164. INDEX CIVIL MINUTES, Sept. 18, 1876--. 2 vols. (one unlabeled,
 2). Title varies: Direct & Reverse Index to Co. Court Min-
 utes, Sept. 18, 1876-1941, 1 vol.

Index by names of plaintiff and defendant to Civil Minutes, entry 163; each entry shows case number, name of opposite party, and volume and page reference to judgment entry. Arr. alph., direct by first letter of plaintiff's surname, reverse by first letter of defendant's, and chron. thereunder. Hdw. pr. hd. 640 pp. 16 x 11 x 3. C.c. off.

Process

165. EXECUTION DOCKET, Feb. 7, 1877--. 3 vols. (1 vol. dated,
 1, 2).

Record of executions issued to enforce collection of judgments in civil cases in county court, showing case number, names of parties, date and amount of judgment, amount of costs, date issued and to whom, and officer's return, showing date received, and time, place, and manner of execution. Arr. chron. by date issued. No index, 1877-83; for index 1883--., see entry 166. Hdw. pr. hd. and some returns typed and attached. 400 pp. 18 x 12 x 3. 1 vol., 1877-83, bsmt. str.; 2 vols., 1883--., deed room 2.

166. GENERAL INDEX TO EXECUTION DOCKET, 1883--. 2 vols. (1, 2).

Index by names of plaintiff and defendant to volumes 1 and 2 of Execution Docket, entry 165; each entry shows name of opposite party and volume and

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County Court - Criminal

page reference. Arr. alph., direct by first letter of plaintiff's surname on left pages, reverse by first letter of defendant's on right, and chron. thereunder. Hdw. pr. hd. 250 pp. 16 x 9 x 1. Deed room 2.

167. FILE DOCKET AND FEE BOOK - COUNTY COURT, Dec. 31, 1895-Mar. 25, 1896. 1 vol. (1).

General civil process docket, showing number and style of case, filing date, cause of action, date process issued and to what county; sheriff's returns, showing date process received, date executed, and amount of fees due. Arr. chron. by filing date. No index. Hdw. pr. hd. 420 pp. (20 used) 16 x 11 x 2. Bsmt. strm.

168. CIVIL SUBPOENAS INSTANTER (Stubs), Nov. 28, 1886-June 6, 1900. 4 vols.

Stubs of subpoenas issued by county clerk to summon witnesses in civil cases in county court, showing court term, number of case, names of plaintiff and defendant, name of witness subpoenaed, and date and at whose request issued. Arr. chron. by date issued. No index. Hdw. pr. fm. Torn. 250 pp. 7 x 13 x 2. U.T.

Criminal

Case Papers (See also entry 152)

169. CRIMINAL CASE PAPERS (Disposed), Aug. 22, 1923--. 12 f.d. (labeled by contained case nos.). 1886-1923-- in Civil Case Papers, entry 155.

Papers of criminal cases disposed of in county court, including complaints, indictments, warrants of arrest, capias, witness subpoenas and attachments, bonds, verdicts, and judgments. Arr. numer. by case no. No index. Hdw., hdw. and typed pr. fm., and typed. 11 x 5 x 14. C.c. off.

For pending criminal cases, see entry 170; for additional disposed papers, see entry 5-viii.

170. CRIMINAL PENDING, 1939--. 50 cases in 1 f.d.

Papers of criminal cases pending in county court, as partially listed in entry 169. Arr. chron. by filing date. No index. Hdw., hdw. and typed pr. fm., and typed. 11 x 5 x 14. C.c. off.

Dockets (See also entry 161)

171. CLERK'S CRIMINAL DOCKET AND FEE BOOK, Feb. 14, 1880-1912, 1916--. 18 vols. (three unlabeled, 4-15, 17-19). Title varies: State Fee Book, Feb. 14-Sept. 7, 1880, 1 vol.; Criminal Fee Book, 1880-90, 1892-1912, 12 vols.

Clerk's original entry docket of criminal cases in county court and account of fees due thereon, showing number and style of case, nature of offense, items and amounts of fees due clerk, sheriff, witnesses, county attorney, county judge, and jury, amounts of fees accruing in justice court, and total costs, and also, 1909--, filing date of case. Arr. numer. by case no. No index, 1880-81, 1896-1900; indexed alph. by first

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letter of defendant's surname and chron. thereunder, 1880-96, 1900-1912, 1916--. Hdw. pr. hd. 296 to 590 pp. 16 x 12 x 2 to 18 x 12 x 3. 3 vols., Feb. 14-Sept. 7, 1880, 1881-82, 1894-May 5, 1896, U.T.; 15 vols., Nov. 11, 1880-Oct. 5, 1881, Mar. 10, 1883-94, Oct. 21, 1896-1912, 1916-27, bsmt. strm.; 1 vol., 1926--, c.c. off.

172. FINES & JURY FEES, June 1877-Apr. 16, 1884. 1 vol.

Account of fines and jury fees collected in criminal cases in county court, showing date of collection, number and style of case, on what docket, and at what term assessed, amount of jury fees, amount of fines and total, at what term reported, amount paid to treasurer, and treasurer's receipt. Arr. chron. by date of collection. No index. Hdw. pr. hd. 150 pp. 13 x 19 x 1. Bsmt. strm.

173. CRIMINAL DOCKET COUNTY COURT (Disposed), Aug. term 1876-Oct. term 1911, Feb. 1, 1926--. 12 vols. Title varies: Judges State Docket, Aug. term 1876-Sept. 22, 1880, 1 vol.; State Docket, Mar. 22, 1880-June 1891, Feb. 1894-Oct. term 1911, 8 vols.; Criminal, Feb. 1, 1926-June 25, 1939, 1 vol. Apr. 1, 1912-Aug. 30, 1917 in Civil Docket County Court, entry 159.

Court docket of criminal cases disposed of in county court, showing court term, number and style of case, nature of offense, filing date, and abstracts of court orders. Arr. chron. by court term, 1876-1911; arr. chron. by date of final order, 1926-39; arr. chron. by filing date, 1928--. No index. Hdw. pr. hd. 250 to 1,400 pp. 16 x 11 x 2 to 10 x 16 x 4. 11 vols., 1876-1911, 1926-39, bsmt. strm.; 1 vol., 1928--, c.c. off.

For pending cases, see entry 174.

174. CRIMINAL DOCKET COUNTY COURT (Pending Cases), June 20, 1939--. 2 vols.

Court docket of criminal cases pending in county court, showing information as in entry 173. Arr. chron. by filing date. No index. Hdw. pr. hd. 50 to 365 pp. 10 x 16 x 1. C.c. off.

175. SCIRE FACIAS DOCKET, Dec. term 1876-Sept. term 1880. 1 vol.

Docket of cases involving bond forfeitures in county court, showing court term, case number, name of defendant (defendant, witness, or surety on bond), number and style of original action, date scire facias writ issued and to what county sent, date returned executed or date answer filed, and clerk's abstracts of subsequent court actions. Arr. chron. by court term. No index. Hdw. pr. hd. 351 dbl. pp. (23 used) 18 x 12 x 2. Bsmt. strm.

Minutes

176. CRIMINAL MINUTES, Aug. term 1876-June term 1920, 1922--.

4 vols. (one unlabeled, 2-4). Title varies: Minutes Criminal Business, Aug. term 1876-Aug. term 1882, 1 vol.

Minutes of criminal cases in county court, except judgments as recorded separately, 1891--; see entry 177, and 1896, 1902, see entry 178, showing court term, case number, names of defendant, attorneys, and jurymen, charge or offense, filing date, date of trial, and disposition of case.

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County Court - Criminal

Arr. chron. by court term. No index, 1876-1920; indexed alph. by first letter of defendant's surname and chron. thereunder, 1922--. Hdw. 1876-1920; typed 1922--. 600 pp. 16 x 11 x 2. C.c. off.

177. CRIMINAL MINUTES PLEAS OF GUILTY, Oct. 5, 1891--. 3 vols. (1-3).

Minutes of criminal cases in county court in which defendants enter pleas of guilty and waive trial by jury, showing date of proceedings, names of court officers present, copy of judgment, showing date of judgment, number and style of case, recital of pleas, amount of fine or jail sentence, and county judge's approval of minutes and clerk's attest. Arr. chron. by date of proceedings. Indexed alph. by first letter of defendant's surname and chron. thereunder, 1891-1902, 1922--; no index, 1903-21. Hdw. pr. fm. 550 pp. 16 x 11 x 3. 1 vol., 1891-1902, bsmt. strm., 2 vols., 1903--, c.c. off.

For general criminal minutes, see entry 176.

178. RECOGNIZANCE AND CRIMINAL JUDGMENTS (Pleas of Not Guilty), Oct. 3, 1898, Apr. 7, 1902. 1 vol. (4).

Minutes of criminal cases in county court in which defendants enter pleas of not guilty, showing date of proceedings, names of court officers present, copy of judgment showing number and style of case, offense, recital of plea, copy of jury verdict, order recovering fine and costs in favor of State and confining defendant in jail until paid and county judge's approval of minutes and clerk's attest. Arr. chron. by court term. No index. Hdw. pr. fm. 324 pp. (2 used) 16 x 11 x 1. Bsmt. strm.

For general criminal minutes, see entry 176.

179. SCIRE FACIAS MINUTES COUNTY COURT, June term-Dec. term 1881, Oct. 5, 1891-Dec. 7, 1896. 2 vols. (1, 1).

Minutes of criminal cases in county court in which recognizance bonds are taken to insure appearance of defendants or witnesses at trial and minutes in which judgments nisi are taken by State upon non-appearance of defendants or witnesses:

- i. Recognizance minutes showing date of proceedings, names of officers present, number and style of case, name of defendant or witness making recognizance bond, amount of acknowledged indebtedness, date of subsequent appearance in court, county judge's approval of minutes, and county clerk's attest.
- ii. Judgments nisi show date of proceedings, names of officers present, number and style of case, name of defendant or witness, date of judgment, recital of forfeiture of bond unless cause be shown at next term of court, county judge's approval of minutes, and county clerk's attest.

Arr. in three sections: Witness, defendant, judgment nisi, and thereunder chron. by date of proceedings. No index. Hdw. pr. fm. 464 pp. (293 used) 18 x 12 x 2. Bsmt. strm.

180. DEPENDENT (Delinquent only) JUVENILE RECORD, Dec. 16, 1903--. 1 vol. (1). Last entry Dec. 20, 1937.

Minutes of county court in cases of juvenile delinquency, showing State and county, number and style of case, date set for hearing, date petition

County Court - Jury Service

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filed, date citation issued, names of witnesses, court orders, and judge's signature. Arr. chron. by filing date. Indexed alph. by first letter of defendant's surname and chron. thereunder. Hdw. pr. fm., and typed copies of orders. 146 pp. 16 x 11 x 2. C.c. off.

Witness Attendance

181. CRIMINAL SUBPOENA INSTANTER (Stubs), July 24, 1882, Mar. 12, 1883, June 13, 1889, Sept. 5, 1901. 2 vols.

Stubs of subpoenas issued to summon witnesses in criminal cases in county court, showing case number, name of defendant, name and address of witness, at whose request summoned, date issued, and court term. Arr. chron. by date issued. No index. Hdw. pr. fm. Pages torn. 200 pp. 7 x 4 x 2. U.T.

182. WITNESS ATTACHMENT DOCKET, June 18, 1883-Nov. 23, 1896. 1 vol. Docket of attachments issued for witnesses in criminal cases in county court, showing case number, name of defendant, name and address of witness, date issued, to what county sent, date returned, and amount of fees due officer for service. Arr. chron. by date issued. No index. Hdw. pr. hd. 60 dbl. pp. 8 x 10 x 1. U.T.

183. WITNESS ATTACHMENT (Stubs), Mar. 31-Nov. 22, 1893. 1 vol. Stubs of attachments issued for witnesses in criminal cases in county court, showing case number, name of defendant, name and address of witness, court term, date issued, to whom delivered, date returnable, amount of bail, and county clerk's signature. Arr. chron. by date issued. No index. Hdw. pr. fm. 250 pp. 8 x 12 x 2. U.T.

184. CRIMINAL WITNESS FEE BOOK, spring term 1881, Dec. term 1917-Dec. term 1934. 3 vols. Title varies: Witness Affidavits, spring term 1881, 1 vol.

Affidavits of witnesses to appearance in criminal cases in county court, showing number and style of case, court term, number of days served, miles traveled, witness's affidavit, and county clerk's attest. Arr. chron. by court term. No index. Hdw. pr. fm. 250 pp. 12 x 16 x 2. Bsm't. strn.

For stubs of affidavits, see entry 185.

185. WITNESS AFFIDAVITS (Stubs), Feb. 21, 1892, Apr. 6, 1895-Oct. 10, 1899, 1900, Oct. 6, 1913-Oct. 1, 1917. 5 vols.

Stubs of affidavits of witnesses to appearance in criminal cases in county court, showing information as in entry 184, and also date issued. Arr. chron. by date issued. No index. Hdw. pr. fm. Condition poor, 1895-99, 1 vol. 250 pp. 12 x 7 x 2. U.T.

Jury Service

186. JURY LIST JURY FEES FINES, May 22, 1877-Oct. 8, 1892, Dec. 28, 1918--. 2 vols.

Lists of persons selected for jury service in county court, showing name, age, address, and occupation, date of service, and court term; and fees

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County Court - Beer and Liquor
Hearings

due jurors for service, showing number of days served, name of court, amount of fees due, amount of fines assessed, and county judge's signature. Arr. chron. by court term. No index. Hdw. pr. hd. 163 pp. 16 x 11 x 2. 1 vol., 1877-92, bsmt. str.; 1 vol., 1918--, c.c. off.

187. (STUBS OF JURY CERTIFICATES), Aug. 7, 1889-May 4, 1892, Feb. 1, 1919-Oct. 2, 1922. 2 vols.

Stubs of certificates for pay issued by county clerk to jurors for service in county court, showing number, date, and amount of certificates, to whom issued, number of days served, court term, and juror's receipt. Arr. chron. by date issued. No index. Hdw. pr. fm. Condition poor. 250 pp. 16 x 5 x 1. U.T.

Beer and Liquor Hearings

188. LIQUOR DEALERS DOCKET, Sept. 23, 1907-Dec. 10, 1917.
1 vol. (1).

Docket of applications for retail liquor licenses, showing file number, name of petitioner, name of contestant (if any), character of license applied for, filing date, and court orders. Arr. chron. by filing date. No index. Hdw. pr. fm. 164 pp. 15 x 10 x 1. U.T.

189. RETAIL LIQUOR LICENSE RECORD, Sept. 23, 1907-July 15, 1912.
1 vol. (1).

Minutes of county court on applications for retail liquor licenses, showing case number, name of applicant, and date of proceedings, copy of judgment, showing name of county judge, name of applicant, recital of findings of court as to truth of facts stated in petition as to name, residence, age, sex, whether applicant law abiding, if license has been revoked within 2-year period next before filing of petition, business address, order granting or rejecting application, county judge's approval of minutes, and clerk's attest. Arr. chron. by date of proceedings. Indexed alph. by first letter of applicant's surname and chron. thereunder. Hdw. pr. fm. 200 pp. 16 x 10 x 2. Bsmt. str.

190. APPLICATION TO SELL BEER, Sept. 1, 1933--. 144 applications in 3 f.d. (labeled by contained file nos.). Applications for licenses to sell beer, showing date, name of applicant, kind of license, business address, applicant's affidavit, notarization; and also, notices of application by publication. Arr. chron. by filing date, with applications numbered consecutively. No index. Typed pr. fm. 16 x 8 x 6. C.c. off.

191. BEER LICENSE DOCKET, Sept. 1, 1933--. 1 vol. Record of hearings on applications for beer licenses, showing file number, filing date, name of applicant, kind of license applied for, business address, name of city or town, date set for hearing, and county judge's order granting license. Arr. chron. by date application filed. No index. 155 dbl. pp. 18 x 12 x 1. C.j. off.

Justices of the Peace

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Naturalization

192. RECORD OF DECLARATIONS COUNTY COURT, July 29, 1887-Aug. 23, 1906. 1 vol. (1).

Recorded copies of declarations of intention to become citizens filed by aliens in county court, showing court and county, name of alien, name of country to which allegiance is owed, place of birth, age, port of arrival and date of emigration to Texas, statement of intention to become a citizen, of renunciation of allegiance to foreign powers, alien's affidavit, clerk's attest, and clerk's recording certificate. Arr. chron. by filing date. Indexed alph. by first letter of alien's surname and chron. thereunder. Hdw. pr. fm. 296 pp. (55 used) 16 x 10 x 2. D.c. va.

Trust Funds

193. TRUST FUND RECORD, Jan. 1, 1925--. 1 vol. (1).

Clerk's record of funds deposited, showing case number, date and from whom received, nature of deposit, on what account and amount received, to whom paid, and amount and date of payment. Arr. chron. by date of deposit. No index. Hdw. pr. hd. 159 dbl. pp. (113 used) 16 x 10 x 2. C.c. off.

V. JUSTICES OF THE PEACE

Justices of the peace have held office in their respective precincts in Milam County since its organization in 1836.¹ Their courts are the tribunals for the trial of minor civil cases and petty misdemeanors.² As committing magistrates, the justices hold examining trials for the purpose of making inquiry into criminal accusations to determine whether persons charged with crime should be discharged or bailed.³ They are also ex-officio coroners,⁴ and registrars of births and deaths in their precincts.⁵

One justice is elected in each precinct, at each biennial general election; the number of precincts in the county must be not more than

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1. Const. 1836, art. IV, sec. 12, Gam. Laws, I, 1074; Const. 1845, art. IV, secs. 17, 31, Gam. Laws, II, 1287; Const. 1866, art. IV, sec. 19, Gam. Laws, V, 869; Const. 1869, Art. V, secs. 19, 20, Gam. Laws, VII, 414; Const. 1876, art. V, sec. 19. Secretary of State, Election Register, vol. 255, p. 75.
 2. Const. 1876, art. V, sec. 19; Vernon's Texas St. 1936, RCS, art. 2385, and CCP, art. 60.
 3. Vernon's Texas St. 1936, CCP, art. 35; Childers v. State, 16 SW 903 (1891).
 4. Vernon's Texas St. 1936, CCP, arts. 968, 990.
 5. Ibid., RCS, art. 4477, rule 36a.

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Justices of the Peace - Precinct 1

eight, not less than four.⁶ In 1940 there were eight precincts in Milam County, and a justice of the peace was elected in each.⁷

Precinct 1

Civil and Criminal

194. (CIVIL AND CRIMINAL CASES), Jan. 1, 1881--. 725 papers in 7 cardboard boxes, 3 wooden pigeonholes.

Papers of civil and criminal cases in justice court precinct 1, including plaintiffs' petitions, defendants' answers, writs, bonds, citations, subpoenas, complaints, and warrants of arrest. No obvious arr. No index. Hdw., and hdw. and typed pr. fm. Boxes 18 x 10 x 6; pigeonholes 4 x 5 x 10. 7 boxes, 1881-1938, bsmt. str.; 3 pigeonholes, 1939--., j.p. off. For additional papers, see entry 5-xi.

195. JUSTICE CIVIL DOCKET, May 4, 1874-July 29, 1883, Apr. 2, 1885-June 28, 1887, Dec. 6, 1893-Nov. 22, 1926, Oct. 1, 1933--. 17 vols. Untitled, May 4, 1874-July 29, 1883, Apr. 2, 1885-Mar. 3, 1886, Dec. 6, 1893-Dec. 3, 1894, Oct. 29, 1895-Oct. 9, 1896, June 16, 1897-Mar. 12, 1898, 5 vols.

Docket of civil cases in justice court precinct 1 and account of fees due thereon, showing number and style of case, names of attorneys and witnesses, filing date, disposition, items of fees, and remarks. Also contains: Justice criminal docket, Nov. 19, 1886-June 23, 1887, entry 198. Arr. chron. by filing date, with cases numbered consecutively. Indexed alph. by first letter of plaintiff's surname, and on some pages by first letters of plaintiff's and defendant's surnames, and chron. thereunder, 1874-83, 1885-87, 1893-96; indexed alph., direct by first letter of plaintiff's surname, reverse by first letter of defendant's, and chron. thereunder, 1897-1926; no index, 1933--. Hdw. pr. hd. 300 pp. 17 x 11 x 2. 16 vols., 1874-83, 1885-87, 1893-1926, bsmt. str.; 1 vol., 1933--., j.p. off.

196. SCIRE FACIAS MINUTES DIST. COURT (Justice Court Minutes), Sept. 11, 1876-Sept. 23, 1886. 1 vol.

Minutes of justice court precinct 1, in civil, criminal, and inquest proceedings, showing date of proceedings, number and style of case, orders continuing or disposing of civil or criminal cases, or setting out findings in inquest hearings, and signature of the justice of the peace. Arr. chron. by date of proceedings. No index. Hdw. 320 pp. 16 x 10 x 2. Bsmt. str.

197. EXECUTION DOCKET, Feb. 10, 1923--. 1 vol.

Record of executions issued to enforce collection of judgments in civil cases in justice court precinct 1, showing case number, names of parties

6. Const. 1876, art. V, sec. 18; Vernon's Texas St. 1936, RCS, art. 2373.

7. Minutes of Election Returns, vol. 2, pp. 84, 85, see entry 25.

Justices of the Peace - Precinct 1

(198-200)

to suit, amount of judgment, amount due, rate of interest, amount of costs, date issued, to whom delivered, date delivered, and officer's return, showing date of return, time and place of execution, description of property levied upon, and officer's signature. Arr. chron. by date execution issued. Indexed alph. by first letter of plaintiff's surname and chron. thereunder. Hdw. pr. hd. 312 pp. 12 x 10 x 2. J.p. off.

198. JUSTICE CRIMINAL DOCKET, Sept. 26, 1898-Apr. 21, 1906, Feb. 13, 1908-May 17, 1919, Aug. 16, 1928-Apr. 8, 1933, July 17, 1937--. 15 vols. (labeling varies). Title varies: Justices Criminal Docket Milan County Ed. F. English, J. P., Feb. 6, 1899-Feb. 26, 1900, Feb. 13, 1908-Aug. 13, 1911, 3 vols.; untitled, Feb. 27, 1900-Oct. 14, 1901, 1 vol. Nov. 19, 1886-June 28, 1887 in Justice Civil Docket, entry 195.

Docket of criminal cases in justice court precinct 1 and account of fees due thereon, showing case number, names of defendant and attorneys, offense, disposition of case, amount of costs, itemized account of fees due justice, constable, and sheriff, and recapitulation of costs and fees. Arr. numer. by case no. No index, 1898-1903, 1908-9, 1912, 1928-29, 1937--; indexed alph. by first letter of defendant's surname and chron. thereunder, 1904-6, 1909-11, 1912-19, 1929-33. 13 vols., 1898-1906, 1908-19, 1928-33, bsmt. strm.; 2 vols., 1937--, j.p. off.

For criminal docket precinct 2, see entry 202; precinct 3, see entry 204; precinct 4, see entry 206; precinct 5, see entry 207; precinct 6, see entry 208.

199. JUSTICE EXAMINING TRIAL DOCKET, Sept. 18, 1920-June 11, 1930, June 15, 1939--. 3 vols. (labeled by contained case nos.).

Docket of examining trials in justice court precinct 1, showing number and style of case, name of State's attorney, date complaint filed and by whom, charge, dates warrants and subpoenas issued, dates returnable, and dates executed, date of hearing, and court order granting and setting amount of bail, discharging defendant, or committing defendant to jail. Arr. numer. by case no. No index. Hdw. pr. fm. 350 pp. 13 x 11 x 2 to 16 x 11 x 2. Bsmt. strm.

For examining trial docket precinct 2, see entry 203.

Inquests (See also entry 196)

200. INQUEST DOCKET, Oct. 13, 1894-May 21, 1916, May 16, 1938--. 5 vols. Title varies: Inquest Record Ed. F. English, Oct. 13, 1894-Dec. 9, 1902, 2 vols.; untitled, May 16, 1938--, 1 vol.

Record of proceedings in inquests held to determine cause of death, showing date and place of hearing, date and place body found, name and description of deceased person, information concerning death, findings of justice of peace; name and residence of suspect, date of arrest, where confined, date and amount of bail, names and addresses of sureties, name of court and term designated for trial, amount of costs and fees, and justice's of peace affidavit. Arr. chron. by date of inquest. No index. Hdw. pr. hd. 142 pp. 16 x 11 x 1. 4 vols., 1894-1916, bsmt. strm.; 1 vol., 1938--, j.p. off.

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Justices of the Peace - Precinct 2;
Precinct 3

Vital Statistics - Births

201. BIRTH RECORD, Sept. 2, 1938--. 1 vol.

Births registered by justice of the peace of precinct number 1, showing date of birth, name, sex, race, and child, names of parents, and date of registration. Arr. chron. by registration date. Indexed alph. by first letter of child's surname and chron. thereunder. Hdw. pr. hd. 325 pp. 18 x 12 x 4. J.p. off.

Precinct 2

202. JUSTICE CRIMINAL DOCKET, Nov. 12, 1884-Dec. 21, 1893, Dec. 1, 1900-Dec. 26, 1901. 2 vols. Untitled, Nov. 12, 1884-Dec. 21, 1893, 1 vol.

Docket of criminal cases in justice court precinct 2, showing information as in entry 198. Arr. numer. by case no. Indexed alph. by first letter of defendant's surname and chron. thereunder. Hdw. pr. fm. 160 to 296 pp. 14 x 9 x 1. Bsmt. strm.

203. JUSTICES CRIMINAL DOCKET EXAMINING TRIALS, Apr. 9, 1896-Aug. 5, 1907, 2 vols. Untitled, Apr. 9, 1896-Dec. 11, 1900, 1 vol.

Docket of examining trials in justice court precinct 2, showing information as in entry 199. Arr. number. by case no. Indexed alph. by first letter of defendant's surname and chron. thereunder. Hdw. pr. fm. 300 pp. 16 x 11 x 2. Bsmt. strm.

Precinct 3

204. JUSTICES CRIMINAL DOCKET, Dec. 25, 1880-Aug. 15, 1883, Aug. 11, 1897-Aug. 11, 1898. 4 vols. Untitled, Dec. 25, 1880-Aug. 15, 1883, 2 vols.

Docket of criminal cases in justice court precinct 3, showing information as in entry 198. Arr. numer. by case no. Indexed alph. by first letter of defendant's surname and chron. thereunder, 1880-81, 1898; no index, 1882-83, 1897-98. Hdw. pr. fm. 250 pp 16 x 11 x 1. Bsmt. strm.

205. (ACKNOWLEDGMENTS), Nov. 14, 1878-Jan. 4, 1883. 1 vol.

Record of acknowledgments taken by Justice of the Peace W. D. Hill as ex-officio notary public, showing kind of instrument, description and location of land, original grantee, name and residence of grantor, name and residence of introducer of grantor, date of acknowledgment, and attest. No index. Hdw. pr. fm. Torn and mouldy. 100 pp. 16 x 11 x 1. U.T.

Criminal District Attorney

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Precinct 4

206. J. P. CRIMINAL DOCKET, Aug. 13, 1883-Aug. 1, 1885, Jan. 8-Oct. 24, 1894, Aug. 18, 1897-Apr. 9, 1898, Feb. 25, 1903-Oct. 15, 1904, Nov. 5, 1914-Mar. 10, 1917. 5 vols.

Docket of criminal cases in justice court precinct 4, showing information as in entry 198. Arr. numer. by case no. Indexed alph. by first letter of defendant's surname and chron. thereunder, 1883-85, 1903-4, 1914-17; no index, 1894, 1897-98. Hdw. pr. fm. 400 pp. 16 x 11 x 2. Bsmt. strm.

Precinct 5

207. JUSTICES CRIMINAL DOCKET, Sept. 29, 1890-June 15, 1891, Sept. 29, 1894-July 22, 1895. 2 vols. Untitled, Sept. 29, 1894-July 22, 1895, 1 vol.

Docket of criminal cases in justice court precinct 5, showing information as in entry 198. Arr. numer. by case no. Indexed alph. by first letter of defendant's surname and chron. thereunder. Hdw. pr. fm. 150 pp. 16 x 11 x 1. Bsmt. strm.

Precinct 6

208. CRIMINAL DOCKET, Jan. 16, 1892-July 30, 1896. 4 vols.

Docket of criminal cases in justice court precinct 6, showing information as in entry 198. Arr. numer. by case no. No index. Hdw. pr. fm. 160 pp. 16 x 11 x 1. Bsmt. strm.

209. CRIMINAL FEE BOOK, Aug. 6, 1912-Apr. 27, 1916. 1 vol. (16). Account of fees in criminal cases in justice court precinct 6, showing number and style of case, offense, filing date, items of fees due clerk, sheriff, justice of the peace, witnesses, and county attorney, trial costs, and total fines and costs. Arr. numer. by case no. Indexed alph. by first letter of defendant's surname and chron. thereunder. Hdw. pr. fm. 640 pp. 16 x 12 x 2. Bsmt. strm.

VI. CRIMINAL DISTRICT ATTORNEY

Provision has always been made for a State attorney to represent the State and its subdivisions in each of the counties of Texas. Prior to 1932, the State and county had been represented in Milam County at times by a district attorney,¹ at others by a county attorney,² and at still

1. Const. 1836, art. IV, sec. 5, Gam. Laws, I, 1074; Const. 1845, art. IV, sec. 12, Gam. Laws, II, 1286; Const. 1866, art. IV, sec. 14, Gam. Laws, V, 868; Const. 1869, art. V, sec. 12, Gam. Laws, VII, 413; Const. 1876, art. V, sec. 21; Ordinance Const. Conv. 1875, Gam. Laws, VIII, 761; Acts 1879, Gam. Laws, VIII, 1383, 1394.
2. Const. 1876, art. V, sec. 21.

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Sheriff

others by both a district and a county attorney,³ but since 1932 the State attorney has been the criminal district attorney.⁴ This officer represents the State and county in all the courts of the county and performs all other duties imposed by law upon district and county attorneys, including the giving of legal advice and counsel to county and precinct officers when requested to do so.⁵

The criminal district attorney is elected for a term of 2 years by the voters of the 20th judicial district, in which Milam County is situate.⁶

210. COUNTY ATTORNEY'S DOCKET, Nov. 12, 1877-Apr. 16, 1878, Aug. 1889-Apr. 1896, Dec. 1913-Dec. 1922 4 vols. (one unlabeled, 1-3). Title varies: County Attorneys Docket & Register, Nov. 12, 1877-Apr. 16, 1878, Aug. 1889-Apr. 1896, 2 vols.

Record of criminal cases to be prosecuted, showing number and style of case, charge, names of State's witnesses, and disposition of case. No obvious arr. Indexed alph. by first letter of defendant's surname and chron. thereunder, 1877-78; no index, 1889-96, 1913-22. Hdw. pr. hd. 868 pp. 16 x 11 x 2. 2 vols., 1877-78, 1889-96, bsmt. strn.; 2 vols., 1913-22, surveyor's off.

VII. SHERIFF

A sheriff was among the group of officers composing Milam County's first governmental organization,⁷ and the office has since been filled continuously.⁸ The sheriff is the county's chief conservator of the peace⁹ and process officer,¹⁰ the custodian of the jail,¹¹ and, subject to certain powers of the commissioners court, of the courthouse.¹² He is elected from the county at large, and the term of office is 2 years.¹³

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3. Const. 1876, art. V, sec. 21; Ordinance Const. Conv. 1875, Gam. Laws, VIII, 761; Acts 1879, Gam. Laws, VIII, 1383, 1394.
 4. Minutes of Election Returns, vol. 2, p. 26, see entry 25; Acts 1931, 42d Leg., Sp. L., p. 413.
 5. Ibid.; Vernon's Texas St. 1936, RCS, art. 334.
 6. Ibid., arts. 199, sub. 20, and 321.
 7. Const. 1836, art. IV, sec. 12, Gam. Laws, I, 1074; Secretary of State, Election Register, vol. 255, p. 75.
 8. Const. 1845, art. IV, sec. 13, Gam. Laws, II, 1286; Const. 1866, art. IV, sec. 19, Gam. Laws, V, 869; Const. 1869, art. V, sec. 12, Gam. Laws, VII, 414; Const. 1876, art. V, sec. 23.
 9. Vernon's Texas St. 1936, CCP, art. 41, and RCS, art. 6876.
 10. Ibid., RCS, arts. 2022, 2333, 2346, 2400, 2401, 6873.
 11. Ibid., art. 6871.
 12. Ibid., art. 6872.
 13. Const. 1876, art. V, sec. 23.

Sheriff - Process and Fees

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Process and Fees

211. SHERIFFS CIVIL DOCKET & FEE BOOK DISTRICT COURT, Dec. 19, 1896--. 4 vols. (dated). Title varies: Civil Docket Fee Book Dist. Court, 1905-14, 1 vol. 1881-86, 1890-96 in Sheriff's Civil Docket & Fee Book County Court, entry 214.

Sheriff's record of district court civil process served and of fees due thereon, showing number and style of case, kind of process, from what court issued, date received, date executed, date returned, items and amounts of fees and costs, remarks, and receipts. Arr. chron. by date process received. Indexed alph. by first letter of plaintiff's surname and chron. thereunder. Hdw. pr. hd. 190 to 295 pp. 16 x 11 x 2. 2 vols., 1896-1914, bsmt. strm.; 2 vols., 1914--., shff. off.

212. SHERIFF'S CRIMINAL DOCKET AND FEE BOOK, Jan. 25, 1879-Nov. 17, 1880, Sept. 5, 1881-May 2, 1901, Dec. 3, 1914--. 7 vols.

Sheriff's record of district court criminal process served and of fees due thereon, showing number and style of case, kind of process, name of officer executing, date received, date executed, date returned, items and amount of costs, receipts, and remarks. Also contains: Sheriff's criminal docket county court, 1879-80, 1929--., entry 215; sheriff's foreign docket, 1879-80, entry 217. Arr. chron. by date process received. Indexed alph. by first letter of defendant's surname and chron. thereunder. Hdw. pr. hd. 227 pp. 18 x 16 x 2. 1 vol., 1879-80, U.T.; 5 vols., 1881-1901, 1914-29, bsmt. strm.; 1 vol., 1929--., shff. off.

213. SHERIFF'S PROBATE DOCKET & FEE BOOK, Nov. 2, 1889-Apr. 18, 1912, Jan. 9, 1915--. 5 vols. Untitled, Nov. 2, 1889-Dec. 8, 1896, 1 vol.

Sheriff's record of county court probate process served and of fees due thereon, showing number and style of case, kind of process, name of officer executing, date received, date executed, date returned, items and amount of fees, receipts, and remarks. Arr. chron. by date process received. Indexed alph. by first letter of principal's surname and chron. thereunder. Hdw. pr. hd. 148 dbl. pp. 16 x 11 x 2. 3 vols., 1889-1912, bsmt. strm.; 2 vols., 1915--., shff. off.

214. SHERIFF'S CIVIL DOCKET & FEE BOOK COUNTY COURT, Aug. 24, 1881-Oct. 4, 1886, Nov. 25, 1890--. 6 vols.

Sheriff's record of county court civil process served and of fees thereon, showing number and style of case, kind of process, name of serving officer, court from which issued, date received, date executed, date returned, items and amount of fees, and remarks. Also contains: Sheriff's civil docket and fee book district court, 1881-86, 1890-96, entry 211; sheriff's foreign docket, 1881-86, 1890-96, entry 217. Arr. chron. by date received. Indexed alph. by first letter of plaintiff's surname and chron. thereunder. Hdw. pr. hd. 210 dbl. pp. 16 x 11 x 2. 5 vols., 1881-86, 1890-1920, bsmt. strm.; 1 vol., 1921--., shff. off.

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Sheriff - Jail Register

215. SHERIFF'S CRIMINAL DOCKET AND FEE BOOK (County Court), May 19, 1881-Oct. 5, 1886, Nov. 10, 1890-Oct. 29, 1914, 1916-21.
8 vols. (dated). 1879-80, 1929-- in Sheriff's Criminal Docket and Fee Book, entry 212.

Sheriff's record of county court criminal process served and of fees due thereon, showing number and style of case, kind of process, name of officer executing, date process received, date executed, and date returned, items and amounts of fees and costs, remarks, and receipts. Arr. chron. by date received. Indexed alph. by first letter of defendant's surname and chron. thereunder. Hdw. pr. hd. 227 pp. 18 x 16 x 2. Bsmt. strm.

216. SHERIFF'S JUSTICE COURT CITATION DOCKET, Dec. 2, 1914--.
1 vol. (dated).

Sheriff's record of justice court process served and of fees due thereon, showing number and style of case, kind of process, date received, date executed, date returned, by whom executed, items of fees, amount charged, by whom sent, and remarks. Arr. chron. by date received. No index. Hdw. pr. hd. 157 dbl. pp. 16 x 11 x 2. Shff. off.

217. SHERIFF'S FOREIGN DOCKET AND FEE BOOK, Nov. 17, 1902-Nov. 12, 1904, Dec. 2, 1914--. 4 vols. (2 vols. dated; 3; 1 vol. dated). 1879-80 in Sheriff's Criminal Docket and Fee Book, entry 212; 1881-86, 1890-96 in Sheriff's Civil Docket & Fee Book County Court, entry 214.

Sheriff's record of process from foreign counties served and of fees due thereon, showing number and style of case, kind of process, date received, date executed, date returned, by whom executed, items of fees, amount paid, and remarks. Arr. chron. by date process received. No index. Hdw. pr. hd. 241 dbl. pp. 16 x 11 x 2. 1 vol., 1902-4, bsmt. strm.; 3 vols., 1914--., shff. off.

218. SHERIFFS EXECUTION DOCKET, Apr. 1, 1884-June 24, 1896, May 9-Aug. 5, 1904, Sept. 24, 1917--. 6 vols. (1 vol. dated; 1; 4 vols. dated).

Sheriff's record of executions of judgments in civil cases, showing number and style of case, State and county, date and amount of judgment, rate of interest, date judgment received, date of levy, date returned, amounts received from sale, and amount of sheriff's fees. Arr. chron. by date received. Indexed alph. by first letter of defendant's surname and chron. thereunder. Hdw. pr. hd. 321 pp. 16 x 11 x 2. 4 vols., 1884-96, 1904, 1917-30, bsmt. strm.; 2 vols., 1930--., shff. off.

Jail Register

219. PRISON REGISTER, Feb. 2, 1885--. 5 vols. Title varies: Register of Prisoners Confined in County Jail, 1885-1900, 1914-28, 2 vols.

Register of prisoners in county jail, showing case number, name of prisoner, race, sex, description, date of commitment, by whose authority committed, offense, date discharged, and authority for discharge. Arr.

Constables

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chron. by date of commitment. No index. Hdw. pr. hd. 239 pp. 16 x 11 x 2. 3 vols., 1885-1928, bsmt. strn.; 2 vols., 1928--; shff. off.

Reports

220. SHERIFF'S QUARTERLY REPORTS, 1897-1912. 2 vols. (1 vol. dated; 1 unlabeled). Title varies: Quarterly Report, 1903-4, 1 vol. Recorded copies of sheriff's quarterly reports of collections of fines, judgments, and jury fees in criminal cases, made to commissioners court, showing name of sheriff, quarter ending date of report, list of criminal cases, showing for each case, number and style of case, amounts of fines, fees, or judgments, total collections, and amount paid county treasurer. (1897-1902, 1905-12, record kept by R. Todd; 1903-4, record kept by G. C. Arriett. Todd shot and killed Arriett in the hall of the courthouse during a political argument: He was acquitted and continued to serve as sheriff). Arr. chron. by date of report. No index. Hdw. pr. fm. 465 pp. 16 x 11 x 3. Bsmt. strn.

221. (SHERIFF'S REPORTS OF LIQUOR SEIZED), June 18, 1925-Apr. 6, 1935. 35 reports in 1 f.b.

Sheriff's reports of liquor seized, showing name of sheriff, State and county, case number, date of report, description of property, and amount of liquor seized. Arr. chron. by date of report. No index. Hdw. pr. fm. 16 x 6 x 4. Bsmt. strn.

VIII. CONSTABLES

The office of constable has been provided for by each of Texas' constitutions.¹ Constables are conservators of the peace;² process officers of all the courts, with authority to serve civil and criminal process throughout the county;³ and the attendance officers of the justice courts.⁴ It is required that a constable be elected in each of the justice precincts by the voters of the precinct for 2-year terms.⁵ At the general election of 1940, a constable was elected in each of Milam County's 8 justice precincts.⁶

Records of the constables were not inventoried.

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1. Const. 1836, art. IV, sec. 12, Gam. Laws, I, 1074; Const. 1845, art. IV, sec. 13, Gam. Laws, II, 1286; Const. 1866, art. IV, sec. 19, Gam. Laws, V, 869; Const. 1869, art. V, sec. 21, Gam. Laws, VII, 415; Const. 1876, art. V, sec. 18.
 2. Vernon's Texas St. 1936, CCP, arts. 36, 95-103; RCS, art. 6886.
 3. Ibid., arts. 2346, 6885, 6889.
 4. Ibid., art. 6885.
 5. Const. 1876, art. V, sec. 18.
 6. Minutes of Election Returns, vol. 2, pp. 84, 85, see entry 25.

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Tax Assessor-Collector-
Assessments

IX. TAX ASSESSOR-COLLECTOR

When Milam County was organized in 1836, taxes levied by the county governing boards were assessed by the assessing officers of the Republic of Texas,¹ and the sheriffs were the collectors of taxes.² In 1837, provision was made for the appointment by the county boards of county assessors.³

Subsequently, the assessing and collecting functions have been combined in one office, separated, and again combined.⁴ At present, in counties, like Milam County, that have 10,000 or more population it is required that an assessor-collector be elected; the sheriff serves ex-officio as assessor-collector in the smaller counties. The assessor-collector is elected from the county at large at each biennial general election.⁵

Assessments

222. ASSESSOR'S ABSTRACTS OF LANDS, 1880--. 24 vols.

Abstracts of lands, showing abstract number, original grantee, list of property owners, showing for each owner, year of rendition, number of acres in each owner's tract, and valuation of each tract. Arr. numer. by abstract no. and thereunder chron. by year of rendition. No index. Hdw. pr. hd. 1680-1918; typed pr. hd. 1919--. T.a.c. va.

For county school superintendent's abstracts of school district lands, see entry 260.

223. INVENTORY OF PROPERTY, 1933--. 61 vols.

Inventories of real and personal property rendered for taxation by owners or their agents, showing name and address of owner, year of assessment, description of real estate by number of acres and valuation, itemized list of personal property with valuation of each item, total value of real estate, total value of personal property, and grand total of all property; signature of person making rendition, and assessor-collector's attest. Arr. alph. by first letter of owner's surname and thereunder chron. by date of rendition. No index. Hdw. pr. fm. 640 pp. 14 x 8 x 3. T.a. off.

224. TAX ROLLS (Assessor's), 1928--. 8 vols.

Annual assessment rolls of real and personal property, rendered (form B) and unrendered (form D), including the property of railroads (form E,

1. Acts 1836, Gam. Laws, I, 1206.

2. Acts 1836, Gam. Laws, I, 1246.

3. Acts 1837, Gam. Laws, I, 1319.

4. Const. 1845, art. VII, sec. 29, Gam. Laws, II, 1294; Acts 1846, Gam. Laws, II, 1653; Const. 1869, art. XII, sec. 28, Gam. Laws, VII, 424; Const. 1876, art. VIII, secs. 14, 16.

5. Ibid.

Tax Assessor-Collector -
Collections

(225-227)

also for rolling stock and intangible assets), State and National Banks (form G), and all public utilities other than railroads (form H); shows line number, name and post office address of owner; and under heading of real estate, abstract or lot number, certificate, tract, or block number, survey, division, or outlot, original grantee or city or town; and under subhead acreage property, number of acres rendered, valuation, valuation of that portion designated as homestead, and value of city property, total value of real and personal property for county tax and total value for State tax; amounts of State, county, road district, and district school taxes, and total amount of property taxes; amount of State poll tax and of county poll tax; date payment received, tax receipt number, and page totals for each column. Recapitulation (form Z) shows tax roll page numbers, page totals of each page of roll, page totals of individual recapitulation sheets, grand totals for each subdivision of rolls, grand totals for all subdivisions, assessor-collector's affidavit, and signature of county judge and county commissioners to certificate of approval and examination of rolls and of correction of valuations. Rolls bound by years and thereunder sometimes arr. in sections in accordance with character of owner as individual or organization and thereunder alph. by owner's name. No index. Typed pr. hd. Aver. 400 pp. 19 x 25 x 2. T.a. off.

For collector's copies, see entry 226; for supplemental rolls, see entry 238-ii; for errors in assessments, see entry 242-ii.

225. TAX ROLLS (City of Cameron), Jan. 1, 1901-Apr. 4, 1904.
2 vols.

Annual assessment rolls of real and personal property rendered for taxation in the city of Cameron, showing name of owner, number of acres, original grantee or addition, lot and block number, value of real estate, value of personal property, total taxable property; amount of tax for general fund, sinking fund, school fund, special fund; amount of poll tax; and total tax; amount of delinquent tax, date paid, and receipt number. Arr. alph. by name of taxpayer. No index. Hdw. pr. hd. Torn. 150 pp. 14 x 20 x 1. U.T.

Collections

226. TAX ROLLS (Collector's), 1874--. 55 vols. (dated).

Tax collector's copies of annual assessment rolls of real and personal property, showing information as in entry 224. Rolls bound by years and thereunder sometimes arr. in sections in accordance with character of owner as individual or organization and thereunder alph. by owner's name. No index. Hdw. and typed pr. hd. 30 vols., 1874-1915, 3d fl. strm.; 25 vols., 1916--, t.a.c. va.

227. CASH (Collections), Aug. 22, 1933--. 4 vols.

Items of cash collections, showing date of entry, items of accounts, amounts, and totals; individual expenditures; debits and credits of various accounts. Arr. chron. by date of entry. No index. Hdw. Aver. 360 pp. 19 x 12 x 1. T.a.c. va.

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Tax Assessor-Collector -
Collections

228. TAXES COLLECTED, Dec. 31, 1880-Mar. 31, 1884. 1 vol.

Quarterly statements of State and county taxes collected, showing date and number of tax receipt, name of taxpayer, amount of poll and ad valorem tax, State and county taxes, amount of special tax, total tax paid by individual taxpayer, and total for each page; and recapitulation of collections during quarter, as taken from totals of each page used during the quarter. Arr. chron. by date of entry, with receipts numbered consecutively. No index. Hdw. pr. hd. 330 pp. 18 x 14 x 2. U.T.

229. MONTHLY REPORTS, 1906--. 22 vols. (dated).

Copies of assessor-collector's sworn monthly reports to State Comptroller, examined and verified by county clerk:

- i. Form 113, State and county taxes collected from regular rolls, showing collections for the current year of ad valorem taxes and poll taxes collected where voting poll tax not issued, penalties, and interest.
- ii. Form 113A, State and county taxes collected from supplemental rolls, showing information as in i above.
- iii. Form 113C, 113D (used Oct.-Jan. only), voting poll taxes collected, showing number and date of receipt, amount paid, and name, age, race, occupation, and address of voter.
- iv. Form 113E (used Oct.-Jan. only), exemption certificates issued, showing number and date of certificate, name, age, race, occupation, and address of voter, and reason for exemption.
- v. Form 113F (used Oct.-Jan. only), assessor-collector's affidavit verifying reports of poll taxes collected, and exemption certificates issued during month covered by report.
- vi. Form 114, delinquent taxes collected from insolvent lists, showing number and date of receipt, name of taxpayer, kind and classes of taxes with amounts of each, year for which collected, penalties, interest, and grand total.
- vii. Form 115, redemptions, showing number and date of receipt, name of person redeeming, kinds of taxes with amounts of each, penalty, interest, and grand total.
- viii. Form 116, occupation taxes collected, showing month covered by report, date, number, and series of receipt, name of person to whom issued, nature of occupation, term of license, and amount of tax.
- ix. Form 117, summary of taxes collected during the month, showing total State taxes and total county taxes as shown on above Forms 113-116, and affidavit of county auditor or of county clerk to examination and check of reports.
- x. Form 118, inheritance taxes collected, showing date of tax receipt, receipt number, name of estate, amount of tax, penalty, total tax and penalty, county judge's commission, collector's fee, and net amount due State.
- xi. Form 110, disposition of all State taxes collected for month, showing as debits, posting of all collections, as credits, discount on early payments, commissions and fees, special credits if any, and final remittance to balance debits.

Arr. chron. by date of report. No index. Typed pr. hd. 400 pp. 13 x 19 x 2. 2 vols., 1906-10, surveyor's off., 20 vols., 1911--, t.a.c. va.

Tax Assessor-Collector -
Collections

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230. (WEEKLY REPORTS), 1935--. 2 vols.

Copies of reports (form 158), made each Monday to Texas State Highway Department, of collections for county road and bridge fund and for State Highway Department from motor vehicle licenses, showing week ending date of report, name of assessor-collector, county, license receipt form numbers, including passenger vehicles (form 1), commercial (form 2), farm trucks (form 2a), motor busses (form 3), etc., number of vehicles of each class; inclusive receipt numbers of each class, and amount received from each, amount due county from each and due State, deductions for refunds and assessor-collector's commissions, net remittances to county and to State Highway Department; and assessor-collector's affidavit subscribed to before county clerk with clerk's attest. Arr. chron. by date of report. No index. Aver. 150 pp. 13 x 16 x 1. T.a.c. va.

231. TAX RECEIPTS, Oct. 21, 1890-Jan. 29, 1894, 1897--. 196 vols. (dated).

Copies of receipts issued upon payment of real and personal property taxes, showing place and date issued, receipt number, page and line of tax roll, name and address of party assessed, abstract or lot number, certificate or block number, survey or division, original grantee or city or town, number of acres and value, value of personal property, total valuation, distribution of taxes, amounts due for State ad valorem, county ad valorem, county road, and district school taxes, total amount of taxes, and signature of assessor-collector and deputy. Arr. numer. by receipt no. No index. Hdw. pr. fm. 100 to 390 pp. 18 x 12 x 1. 4 vols., 1890-94, 1900, U.T.; 125 vols., 1897-1939, surveyor's off.; 42 vols., 1920-22, 1925, 1927, 1930-31, 3d fl. strm.; 25 vols., 1940--. T.c. off.

For recorded copies, see entry 33.

232. TAX RECEIPTS (City of Cameron), Apr. 10, 1889-Mar. 31, 1906, Jan. 23, 1909-Apr. 18, 1910. 14 vols.

Stubs of tax receipts issued upon payment of property taxes due the city of Cameron. Arr. chron. by date issued with receipt stubs numbered consecutively. No index. Hdw. pr. fm. Torn. 250 pp. 8 x 14 x 2. U.T.

233. POLL TAX RECEIPTS, Oct. 5, 1908-Jan. 30, 1909, 1934--. 154 vols., 2 cardboard boxes.

Copies of poll tax receipts issued, showing State and county, precinct number, page and line of tax roll, number and date of receipt and town where issued; name and address of taxpayer, amount of poll tax paid, age, length of residence in State, county, and city, whether native-born or naturalized citizen, birth place, sex, race, and occupation; place receipt issued, signature of deputy to jurat, and assessor-collector's signature. Arr. numer. by receipt no. No index. Hdw. pr. fm. Vols. 18 x 10 x 1; boxes 24 x 6 x 6. 4 vols., 1908-9, U.T.; 125 vols., 1934-39, surveyor's off.; 2 boxes, 1936-38, bsmt. strm.; 25 vols., 1940--, t.c. off.

234. AUTOMOBILE REGISTER RECEIPTS (Stubs), Sept. 19, 1912-July 1, 1915. 2 vols. 1 vol. undated.

Stubs of receipts issued upon payment of 50¢ fee for registration of motor vehicles, showing receipt number, name of owner, date issued,

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Tax Assessor-Collector - Delinquents
and Insolvents

description and make of car. Arr. numer. by receipt no. No index. Hdw. pr. fm. Condition poor. 150 pp. 8 x 12 x 1. U.T.

235. TRANSFER, Jan. 1, 1928-Dec. 31, 1938. 16 vols. Transfers of motor vehicles, showing old and new license numbers, date, make, model, engine number, name of vendor, name of purchaser and address, and name of tax collector. Arr. chron. by date of transfer. No index. Hdw. pr. fm. 150 pp. 16 x 8 x 1. 3d fl. strn.

Delinquents and Insolvents

236. DELINQUENT TAX NOTICES, Aug. 1, 1916-Aug. 1, 1935. 75 vols. Copies of delinquent tax notices, showing date and place issued, name and address of person to whom mailed, name of person against whom assessed; page and line of roll and of delinquent tax record, years sold or delinquent, amounts of State, county, road district, and district school taxes, redemption costs, and total amount due; description of acreage or city property; and recapitulation of taxes due, showing amounts of State, county, road district, district school, and other district taxes, redemption costs, and grand total, and assessor-collector's certification. Arr. chron. by date issued. No index. Hdw. pr. fm. 150 pp. 10 x 12 x 1. 3d fl. strn.

237. DELINQUENT TAX RECORD, June 1-Oct. 26, 1896. 1 vol. (2). Record of reports of land and town lots assessed on tax rolls for the year 1896 and delinquent, showing name of owner, description of land, amounts of State and county taxes due, interest, and total; and redemptions, showing date and by whom redeemed. Arr. alph. by property owner's name. No index. Hdw. pr. hd. 4 dbl. pp. 16 x 14 x 1. U.T.

For current reports of delinquents, see entry 236-i.

238. SUPPLEMENTAL ROLL AND FORM 18, 1904--. 8 vols. Title varies: Delinquent Lands Form 18, 1904-17, 1 vol.; Supplemental Tax Rolls, 1919-23, 1 vol. Copies of assessor-collector's annual reports to the State Comptroller, including:

- i. Form 16, lands and lots delinquent for year, showing county, year, name of assessor-collector, page number of report, line numbers of report, year, page, and line of roll on which assessed, name of owner; abstract or lot number; certificate, tract, or block number; survey, division, or outlot; original grantee or city or town; number of acres reported sold or delinquent; amount of assessed value, amounts of State ad valorem and poll taxes, amounts of county ad valorem, poll, road district, and district school taxes, total amount of taxes; and if redeemed, date and number of assessor-collector's redemption receipt and Comptroller's certificate number; assessor-collector's certificate, and commissioner's court certificate of approval. For 1896 report, see entry 237; for cumulative record, see entry 239; for redemption receipts, see entry 243.

Tax Assessor-Collector -
Redemptions

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- ii. Form F, supplemental assessment rolls of real and personal property not assessed on regular rolls, 1919--, showing information as in entry 224.

Arr. chron. by year. No index. Hdw. pr. fm. 1904-17; typed pr. fm. 1918--. 550 pp. 18 x 30 x 2. T.a.c. va.

239. DELINQUENT TAX ROLLS, 1885--. 8 vols. (dated). Last compilation 1937.

Compiled cumulative record of lands returned delinquent or reported sold to State and not redeemed for years covered by compilation, showing information in entry 238-i. Arr. alph. by owner's surname. No index. Hdw. pr. hd. 400 pp. 19 x 25 x 2. T.a.c. va.

240. INSOLVENT LISTS, 1919-39. 2 vols.

Lists of delinquent or insolvent taxpayers assessed on the rolls and advertised and reported (form 16), submitted annually to commissioners court and State Comptroller for credit as uncollected taxes, showing county, year date of report, year, roll, and page and line of roll on which assessed, name of taxpayer, amounts of State ad valorem and poll taxes and county ad valorem, special poll and district taxes, total taxes due, and column totals; recapitulation shows page numbers, amounts from each page and total for year; assessor-collector's certificate subscribed to before county clerk, and clerk's attest; commissioners court certificate that lists have been examined in open court and that persons listed have no property "out of which to take the taxes assessed against them or have moved from county," and schedule of credits allowed, date of certificate, and signature of county judge and commissioners, and county clerk's attest. Arr. chron. by year of report and thereunder alph. by name of person owing taxes. No index. Typed pr. fm. 200 pp. 18 x 12 x 2. T.a.c. va.

241. (LIST OF LANDS SOLD FOR TAXES), July 16, 1880-Aug. 15, 1881. 1 vol.

Tax collector's record of lands sold at public auction for delinquent taxes, showing name of owner, number of acres, years delinquent, name of purchaser, amount of taxes, and amount paid by purchaser. No obvious arr. No index. Hdw. in pencil. Condition poor. 93 pp. 12 x 7 x 1. U.T.

Redemptions

242. FORM 93 (Redemptions and) FORM 17 (Errors in Assessments), 1905--. 7 vols. Title varies: Redeemed Lands, 1905-18. 1 vol.

Copies of assessor-collector's annual reports to State Comptroller, including:

- i. Form 93, lands and town lots redeemed, compiled from stubs of redemption receipts, entry 243, showing year delinquent, in whose name assessed, name of person making payment; abstract or lot number, certificate, tract, or block number; survey, division or outlet; original grantee or city or town, subdivision or addition; number of acres redeemed; amounts of

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Board of Equalization

State ad valorem and poll taxes, penalty and interest; county ad valorem and district taxes, penalty and interest; total State and county taxes, penalty and interest; total costs; date of redemption, assessor-collector's redemption receipt number, and Comptroller's certificate number; assessor-collector's affidavit sworn to before county clerk, and clerk's attest; commissioners court certificate to examination and approval.

- ii. Form 17, errors in assessments, showing page and line on tax roll, name of owner, abstract or lot number, certificate, tract, or block number; survey, division, or outlot, original grantee or city or town, subdivision or addition, number of acres assessed in error, value of property, amounts of State ad valorem and State poll taxes, amounts of county ad valorem, road district, poll, and school district taxes, and character of error, such as (does not own, over age, deceased, homestead). For assessment rolls, see entry 224.

Arr. numer. by collector's receipt no. No index. Hdw. pr. hd., 1905-18; typed pr. hd. 1918--. Aver. 398 pp. 19 x 25 x 2. T.a.c. va.

243. REDEMPTION RECEIPTS, 1922--. 19 vols. (dated).

Copies of redemption receipts issued by assessor-collector, showing name and county of assessor-collector, name of person to whom issued, number, date, and amount of receipt, page and line as shown on form 18, annual report of lands and lots delinquent, entry 238-i; name of person assessed, years sold or delinquent, amounts of State taxes, penalty and interest, amounts of county taxes, penalty and interest, amount of costs, grand total, date and place of payment, and signature of assessor-collector. Arr. numer. by receipt no. No index. Hdw. pr. fm. 290 pp. 12 x 14 x 3. T.a.c. va.

For annual reports of redemptions, see entry 242-i; for recorded copies of Comptroller's redemption certificates, see entry 34.

X. BOARD OF EQUALIZATION

Since 1876 the county commissioners court has served ex-officio as a board of tax equalization.¹ For the purpose of receiving "the assessment lists or books of the assessors of their counties for inspection, correction, or equalization and approval," the boards meet in May of each year.²

For equalization minutes, see entry 1; for record of correction of tax valuations, see entries 224, 226.

1. Const. 1876, art. VIII, sec. 18.

2. Vernon's Texas St. 1936, RCS, art. 7206.

County Treasurer

(244-246)

XI. COUNTY TREASURER

Originally, the county clerks were ex-officio treasurers of Texas counties,¹ but the separate office of county treasurer was created in 1840,² and has been elective since 1850.³ The treasurer receives and disburses county funds under the direction of the commissioners court.⁴ He is elected from the county at large for a 2-year term.⁵

244. TREASURER'S ACCOUNT BOOK, Apr. 18, 1876-Oct. 1, 1881, Jan. 1, 1885--. 22 vols. (one unlabeled, 3, 2-4, 3-8, 8-16).

Treasurer's ledger accounts with county funds; debit entries show date received and from whom, on what account, amount, and total debits; credit entries show date and amount of payment, to whom paid, purpose of payment, on what account, and total credits. Arr. in sections by funds and thereunder chron. by date of entry. No index. Hdw. pr. hd. 225 dbl. pp. 16 x 11 x 3. 1 vol., 1876-81, U.T.; 4 vols., 1885-96, bsmt. strm.; 17 vols., 1897--, treas. off.

245. LEDGER, 1913--. 10 vols.

Treasurer's accounts of daily totals of amounts expended and received, and monthly balances on hand in county funds; credit entries show name of fund, date of entry, name of depository, total daily expenditures, and total monthly expenditures; debit entries show date of entry, nature or source of receipt, amounts received, and total monthly receipts. Arr. in sections by funds and thereunder chron. by date of entry. No index. Hdw. 500 pp. 16 x 10 x 3. Treas. off.

246. TREASURER'S ACCOUNT ROAD DISTRICTS, 1913-15. 1 vol. (1).

Treasurer's accounts with road districts for construction and for retirement of bonds by sinking funds; debit entries show road district number, amounts and dates of receipts from taxes and sale of bonds, total debits, and dates and amounts of debit balances; credit entries show dates and amounts of expenditures, to whom paid, purpose of payment, voucher number, and total credits, and dates and amounts of credit balances. Arr. in two sections, road and bridge construction and sinking fund, thereunder in sections by road districts, and thereunder chron. by date of entry. No index. Hdw. pr. hd. 300 pp. (40 used) 18 x 12 x 2. Bsmt. strm.

1. Acts 1836, Gam. Laws, I, 1211.

2. Acts 1840, Gam. Laws, II, 200.

3. Acts 1850, Gam. Laws, III, 521; Const. 1876, art. XVI, sec. 44.

4. Vernon's Texas St. 1936, RCS, art. 1709.

5. Const. 1876, art. XVI, sec. 44; Vernon's Texas St. 1936, RCS, art. 1703.

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County Treasurer

247. COUNTY TREASURER'S RECORD SCHOOL FUNDS, Dec. 9, 1871-Nov. 10, 1875, Dec. 28, 1877-1909. 28 vols. Title varies: Treasurer's Book, 1871-75, 1877-81, 2 vols.; County Treasurer's School Account Register, 1877-92, 13 vols.; County Treasurer's School Account Register Districts, 1893-94, 1 vol.; School Fund Register, Sept. 1, 1894-Aug. 31, 1899, Sept. 1, 1902-Aug. 31, 1903, Sept. 1, 1907-Aug. 31, 1908, 4 vols.; Treasurer's School Fund, 1899-1902, 1 vol.

Treasurer's accounts with the general school fund, 1877-94; with the available school fund, 1894-1909; with school communities, 1877-92; with school districts, 1871-75, 1877-81, 1884-85, 1893-1909.

- i. Accounts with the general or available school fund, show for debit entries, name of fund, date and amount of receipts from taxes, transfers, and other sources, and total debits; for credit entries, date of payment, voucher number, school district or community number, name of payee, date voucher issued, purpose of expenditure, and total credits.
- ii. Accounts with school districts or communities show for debit entries, name and number of district or community, date, source, and amount of receipt, total debits; for credit entries, date of payment, name of payee, amount, and total credits.

Arr. in sections by accounts and thereunder chron. by date of entry. No index. Hdw. pr. hd. Aver. 300 pp. 16 x 11 x 1. 18 vols., 1871-75, 1877-91, 1894-95, 1898-99, 1902-3, 1907-8, U.T.; 10 vols. 1884-85, 1891-94, 1896-97, 1899-1902, 1904-7, bsmt. strm.

248. TREASURER'S CLAIM REGISTER, 1879-87, 1899-1907. 3 vols. (1-3).

Register of claims filed against the county and paid by the treasurer, showing name of fund, claim number, date of registration, from what fund paid, name of payee, date and amount of claim, warrant number, for what service, and date of payment. Arr. in sections by funds and thereunder chron. by date of registration. No index. Hdw. pr. hd. Illegible, mouldy, 1879-85, 1 vol. 240 dbl. pp. 16 x 10 x 2. 1 vol., 1879-85, U.T.; 2 vols., 1885-87, 1899-1907, treas. off.

For register of claims approved by commissioners court, see entry 7.

249. REGISTER OF BONDS, 1911--. 2 vols.

Register of bonds issued by county, showing name of bonds, by whom owned, rate of interest, number, amount, and date of bond, and dates and amounts of interest payments. Arr. one section for each bond issue. No index. Hdw. pr. hd. 200 pp. 16 x 18 x 2. Treas. off.

250. (REGISTER OF SCHOOL BONDS), July 1, 1877-Apr. 10, 1893. 1 vol. Treasurer's register of bonds owned by county permanent school fund, showing date issued, nature and number of bond, amounts of principal and interest, rate of interest, and when due. No obvious arr. No index. Hdw. pr. hd. 105 dbl. pp. (40 used) 16 x 14 x 1. Bsmt. strm.

County Auditor

(251, 252)

251. TREASURER'S RECEIPTS (Stubs), Jan. 21, 1889-Apr. 22, 1891, May 27, 1897-Jan. 4, 1899, Jan. 8, 1904-Feb. 23, 1907. 4 vols. Stubs of receipts issued to county officers by county treasurer for money deposited, showing number, date, and amount of receipt, amount in cash, amount in scrip, from whom received, from what source, fund debited, and treasurer's signature. Arr. numer. by receipt no. No index. Hdw. pr. fm. Condition poor. 250 pp. 8 x 5 x 2. U.T.

XII. COUNTY AUDITOR

Milam County has had an auditor since 1916.¹ The auditor not only examines and audits the books and accounts of such county, district, and State officers as handle county funds,² but also prescribes the system of accounting used by the county,³ assists in the preparation of budgets, and performs other acts essential in the orderly planning of county expenditures.⁴ The auditor of Milam County is the appointee of the judge of the 20th judicial district (the district in which the county is situate), and his term of office is 2 years.⁵

All of the records of the county auditor are located in his office.

252. LEDGER, 1917--. 4 vols.

Auditor's itemized accounts with the county funds: Courthouse and jail, road and bridge for commissioners precincts 1, 2, 3, 4 (receipts from statutory tax levy), and road district sinking funds of 23 road districts; and account against the county treasurer.

- i. Fund accounts show name of fund, date, numbers, and amounts of warrants issued, and total expenditures; dates and sources of receipts, deposit warrant numbers, amounts received, and total receipts. For accounts with general fund, see entry 253; with jury fund, see entry 254.
- ii. Treasurer's account shows name of county depository, dates and amounts of deposits, and total deposits; dates, sources, and amounts of money received, and total receipts. For clerk's accounts with treasurer, see entry 11.

Arr. in sections by accounts and thereunder chron. by date of entry. Indexed alph. by first letter of first word in name of account. Hdw. 480 pp. 16 x 10 x 2.

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1. Information obtained from County Auditor D. Isaacs, April 25, 1941, by Perry Davis, HRS Supervisor.
 2. Vernon's Texas St. 1936, RCS, art., 1651.
 3. Ibid., art. 1656.
 4. Ibid., arts. 689a-9, 1652-1655, 1657-1665.
 5. Ibid., art. 1647.

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County Board of School Trustees

253. GENERAL FUND DISTRIBUTION, 1917--. 5 vols. (1-5).

Auditor's itemized accounts with the general fund, showing information as in entry 252-i. Arr. chron. by date of entry. No index. Hdw. pr. hd. 250 dbl. pp. 16 x 20 x 2.

254. JURY FUND DISTRIBUTION, 1917--. 2 vols. (2, 2).

Auditor's itemized accounts with the jury fund, showing information as in entry 252-i. Arr. chron. by date of entry. No index. Hdw. pr. hd. 350 dbl. pp. 18 x 16 x 2.

255. ROAD & BRIDGE FUND DISTRIBUTION, 1917--. 1 vol. (1).

Auditor's itemized accounts with the county-wide road and bridge fund (from the county-wide constitutional tax levy), showing as disbursements, date of warrant, to whom issued, for what purpose, warrant number, and total expenditures; as receipts, date of receipt, from whom received, source or kind of receipt (taxes, fines, etc.), amount of receipt, deposit warrant number, and total receipts. Arr. chron. by date of entry. No index. Hdw. pr. hd. 640 pp. 18 x 16 x 2.

XIII. COUNTY BOARD OF SCHOOL TRUSTEES

The act of 1840 granting lands from the public domain to the several counties for educational purposes, Texas' first general school law, placed the public free schools under the general supervision of the chief justice and the two associate justices, as a board of school commissioners.¹ In 1845 management of the county schools became the responsibility of the governing court,² and so remained until it passed to a separate board of school directors in 1873.³ The board of directors was abolished in 1876, and from that time until 1911 duties involved in the supervision of county schools were divided between the county judge and the commissioners court.⁴

The present central board of school trustees was created in 1911,⁵ and has served in Milam County since June 16 of that year.⁶ It is a corporate body,⁷ and has general control of the schools of the county.⁸ There are five county school trustees, one elected from the county at

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1. Acts 1840, Gam. Laws, II, 320.
 2. Acts 1845, Gam. Laws, II, 1156; Acts 1854, Gam. Laws, III, 1461; Acts 1866, Gam. Laws, V, 1068.
 3. Acts 1873, Gam. Laws, VII, 540.
 4. Acts 1876, Gam. Laws, VIII, 1035; Revised Statutes of Texas, 1895, RCS, arts. 3929a, 3930, 3938, 3938a; Revised Civil Statutes of the State of Texas, 1911, arts. 2763, 2815, 2827, 2837.
 5. Acts 1911, 32d Leg., p. 34.
 6. See entry 256.
 7. Vernon's Texas St. 1936, RCS, art. 2683.
 8. Ibid., arts. 2676, 2681, 2741.

County School Superintendent

(256, 257)

large and the other four from their respective commissioners' precincts; their term of office is 2 years.⁹ The county school superintendent is secretary of the board.¹⁰

256. COUNTY SCHOOL MINUTES, June 16, 1911--. 2 vols. (1, 2). Title varies: County School Board Minutes, 1911-35, 1 vol.

Minutes of county board of school trustees, showing date of meeting, names of members present, nature of business transacted, determination of school district boundaries, bus schedules, salaries, school terms, land purchases, material and supplies, and classification of schools, signature of president of board, and attest to recording by school superintendent as secretary. Arr. chron. by date of proceedings. No index. Hdw. 1911-35; typed 1935--. 640 pp. 18 x 12 x 3. S.s. bookroom.

For recorded copies of field notes of school districts, see entry 261.

XIV. COUNTY SCHOOL SUPERINTENDENT

The office of county school superintendent was first provided for in 1873, when the president of the board of school directors became ex-officio superintendent.¹¹ When the board was abolished in 1876, the county judge became ex-officio school superintendent.¹² In 1887 the commissioners courts, when they deemed it necessary, were authorized to provide for the election of a full-time superintendent.¹³ Milam County has had a full-time superintendent since 1890.¹⁴ The superintendent has immediate supervision of the schools of the county.¹⁵ He is elected from the county at large and his term of office is 4 years.¹⁶

All of the records of the superintendent are in his bookroom.

257. SUPERINTENDENT ACCOUNT BOOK, 1922--. 14 vols. (5 vols. dated, 9 vols. unlabeled). Untitled, 1928--, 9 vols.

County school superintendent's accounts with school districts. 1922-27 shows name and number of school district, dates of entries, names of payees or payers, name of fund credited or debited, source of receipt or purpose of payment, amounts received or paid, and debit and credit balances. Budgetex accounting system, 1928--, shows name and number of district, inclusive dates, net number of scholastics including transfers to

9. Vernon's Texas St. 1936, RCS, art. 2676.

10. Ibid., art. 2681.

11. Acts 1873, Gam. Laws, VII, 540.

12. Acts 1876, Gam. Laws, VIII, 1035.

13. Acts 1887, Gam. Laws, IX, 924.

14. Minutes Commissioners Court, vol. B, p. 466, see entry 1.

15. Vernon's Texas St. 1936, RCS, art. 2690.

16. Ibid., art. 2683.

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County School Superintendent

and from other districts, assessed property valuation, tax rate for local maintenance purposes, local tax collectible, amount of rural aid granted district, net amount due, current State available fund, amount due local maintenance fund, amount due transfers (independent, county line, common schools, and other counties), total State and county available fund, date received, date of voucher, voucher number, from what source, to whom payable, and date paid; State and county available fund (debit, credit, and balance); local maintenance fund (debit, credit, and balance); and rural aid fund (debit, credit, and balance). Arr. numer. by school district no. and thereunder chron. by date of entry. No index. Hdw. pr. hd. 160 to 600 pp. 16 x 11 x 1 to 16 x 24 x 4.

258. VOUCHERS (Stubs), 1936--. 10,500 stubs in 10 compartments of 1 wooden cabinet, 7 f.d.

Stubs of paid and canceled vouchers issued for the operation and maintenance of county schools, showing number, date, and amount of voucher, name of payee, school district number, and itemized account of supplies or material. Arr. chron. by date issued. No index. Hdw. pr. fm. F.d. 12 x 5 x 16.

259. COUNTY SUPT. BOND REGISTER, Apr. 10, 1913--. 1 vol.

Register of bonds issued by school districts, showing name of bond issue, school district number, name of owner of bonds, serial numbers, amount and date of each bond, dates principal due and dates paid, and amounts of interest payments. Arr. one section for each bond issue. No index. Hdw. pr. hd. 200 dbl. pp. (62 used) 14 x 20 x 2.

260. SPECIAL SCHOOL ABSTRACT, 1919--. 12 vols. (dated).

Abstracts of school district lands, showing school district number, year date, name of owner, abstract number, original grantee, number of acres rendered and value, name of city or town, value of city lots and value of personal property, total amount of taxes due. Arr. numer. by district no. and thereunder alph. by owner's name. No index. Hdw. pr. hd. 640 pp. 17 x 15 x 3.

For tax assessor-collector's abstracts of lands, see entry 222.

261. COUNTY SUPERINTENDENT'S RECORD SCHOOL DISTRICTS, July 14, 1913-Aug. 1, 1932. 1 vol.

Recorded copies of field notes of school districts, showing name and number of district, description of boundary lines, names of original grants included within districts and number of acres from each grant or tract, signature of surveyor and signature of county school superintendent as secretary of county board of school trustees to certification of adoption of notes by board and to volume and page reference to recording in County School Minutes, entry 256. Arr. chron. by date of certificate of adoption. No index. Typed. 600 pp. (182 used) 18 x 12 x 2.

262. CENSUS, 1932--. 9,000 papers in 5 wooden f.d., 6 cardboard f.b. Untitled, 1935--. 6 f.b.

Family census blanks, showing school district number, name of county, last and first names of children (white and Negro), birth date, age as of Sept. 1st, name of county in which parents resided on Apr. 1st

County Health Officer; County Surveyor

(263)

last, length of residence in school district, nationality as indicated by language spoken at home, names of parents, signature of person rendering, and census trustee's attest. Arr. chron. by years. No index. Hdw. pr. fm. 4 x 8 x 12.

263. REGISTER OF TEACHERS' CERTIFICATES, Sept. 21, 1893--. 3 vols. (1, 2, one unlabeled).

Register of teachers' certificates, showing name, post office address, color, and sex of teacher, class and grade of certificate, by whom issued, date issued, and date of registration. Arr. chron. by registration date, 1893-1920; arr. alph. by first letter of teacher's surname and thereafter chron. by registration date, 1921--. No index. Hdw. pr. hd. 232 pp. 15 x 9 x 1.

XV. COUNTY HEALTH OFFICER

The county health officer, first provided for in 1909,¹ is the appointee of the commissioners court, and is appointed for a term of 2 years.² Besides duties discharged in caring for county prisoners and indigents, and in connection with county quarantines, he performs many others required of him from time to time by the commissioners court, and other officers of the county, and by the rules and regulations of the State Board of Health.³

The health officer in Milam County also performs important duties in cooperation with the county health unit. The unit is maintained and operated jointly by Milam County, the adjoining County of Robertson, and the State Board of Health. The unit consists of a director, a sanitary engineer, and the county health nurses of Milam and Robertson Counties. The director is the appointee of the State Board of Health.⁴

The records of the health officer were not inventoried.

XVI. COUNTY SURVEYOR

The office of county surveyor was created in 1837,⁵ and was made elective in 1840.⁶ A county surveyor was among the officers who composed Milam County's first governmental organization,⁷ and records of his services extend as far back as March 8, 1838.⁸ The surveyor is elected from

1. Acts 1909, 31st Leg., 1st C.S., p. 340.

2. Vernon's Texas St. 1936, RCS, art. 4423.

3. Ibid., art. 4427.

4. Information obtained from County Judge Milam County, April 25, 1941, by Perry Davis, HRS Supervisor.

5. Acts 1837, Gam. Laws, I, 1406.

6. Acts 1840, Gam. Laws, II, 437.

7. Secretary of State, Election Register, vol. 255, p. 75.

8. See entry 264.

(264.)

Board of Land Commissioners
(Defunct)

the county at large at each biennial general election.⁹ He is, as his official title implies, the official land surveyor of the county.¹⁰ He plays an important part in establishing boundaries,¹¹ including county boundaries,¹² and in the laying out of roads and highways.¹³ His records are often essential in the deraignment of land titles.¹⁴

264. RECORD OF LAND SURVEYS & PERMITS, Mar. 8, 1838-1930. 6 vols. 1st vol., 1838-94, transcribed 1894; pp. 1-232, 1838-50, of 2d vol. (1838-93), transcribed, no transcription date. Untitled, 1838-94, 1 vol.

Recorded copies of field notes of surveys, accompanied by plats, showing State and county, number of acres, name of person for whom survey is made, original grantee, beginning points and bounds of survey, and surveyor's recording certificate. Arr. chron. by date of survey, 1838-94; arr. chron. by recording date, 1894-1930. No index. Hdw. 1838-1926; hdw. and typed 1917-27; typed 1926-30. 463 pp. 16 x 10 x 1. Surveyor's off.

XVII. BOARD OF LAND COMMISSIONERS (Defunct)

A board of land commissioners began serving in Milam County shortly after the county was organized.¹⁵ At first the board was composed of three commissioners, one of whom was designated president, and a clerk, all elected by joint vote of both houses of the Congress,¹⁶ but in 1839 these separate offices were discontinued, and the board was thereafter composed of the members of the county governing court and the county clerk.¹⁷ These boards were discontinued in 1856.¹⁸ It was the board's duty to investigate all claims to lands from the public domain and to issue land certificates upon proper proof.¹⁹

-
9. Const. 1876, art. XVI, sec. 44; Vernon's Texas St. 1936, RCS, art. 5283.
 10. Ibid., arts. 5277, 5280, 5290, 5291, 5293, 6706.
 11. Ibid., arts. 5290, 5291.
 12. Ibid., art. 5293.
 13. Ibid., art. 6706.
 14. Ibid., arts. 5277, 5280.
 15. Acts 1837, Gam. Laws, I, 1407; Secretary of State, Election Register, vol. 255, p. 75.
 16. Acts 1837, Gam. Laws, I, 1407.
 17. Acts 1839, Gam. Laws, II, 112; Acts 1843, Gam. Laws, III, 1324; Acts 1854, Gam. Laws, III, 1563.
 18. Acts 1854 (effective Feb. 1, 1856), Gam. Laws, III, 1563.
 19. Acts 1837, Gam. Laws, I, 1407; Acts 1839, Gam. Laws, II, 112; Acts 1843, Gam. Laws, III, 1324; Acts 1854, Gam. Laws, III, 1563.

Inspector of Hides and Animals
(Defunct); Coroner (Defunct)

XVIII. INSPECTOR OF HIDES AND ANIMALS (Defunct)

A law of 1871, passed for the protection of stock raisers and designed to prevent the illegal slaughter, sale, or removal of livestock from the county, as amended in 1876, makes each county an inspection district and provides for the election of an inspector of hides and animals in each district.¹ Milam County, however, has been exempt from the provisions of this law since 1889.²

XIX. CORONER (Defunct)

The office of coroner was created in 1836 by an act which required the election in each county of one coroner to hold office for 2 years. It was the coroner's duty to hold inquests in cases of all violent and sudden deaths in the county which came to his knowledge. When there was a vacancy in the office of sheriff, or when the sheriff was disqualified to act in a particular case, the coroner could perform all the duties of sheriff.³ The office of coroner was discontinued in 1869, when the justices of the peace became ex-officio coroners.⁴

-
1. Acts 1871, Gam. Laws, VI, 1014; Acts 1876, Gam. Laws, VIII, 1131; Vernon's Texas St. 1936, RCS, art. 6972.
 2. Acts 1889, Gam. Laws, IX, 1074; Acts 1937, 45th Leg., 807.
 3. Acts 1836, Gam. Laws, I, 1243-1245; Acts 1846, Gam. Laws, II, 1666.
 4. Const. 1869, art. V, sec. 20, Gam. Laws, VII, 415; Acts 1870, Gam. Laws, VI, 278.

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