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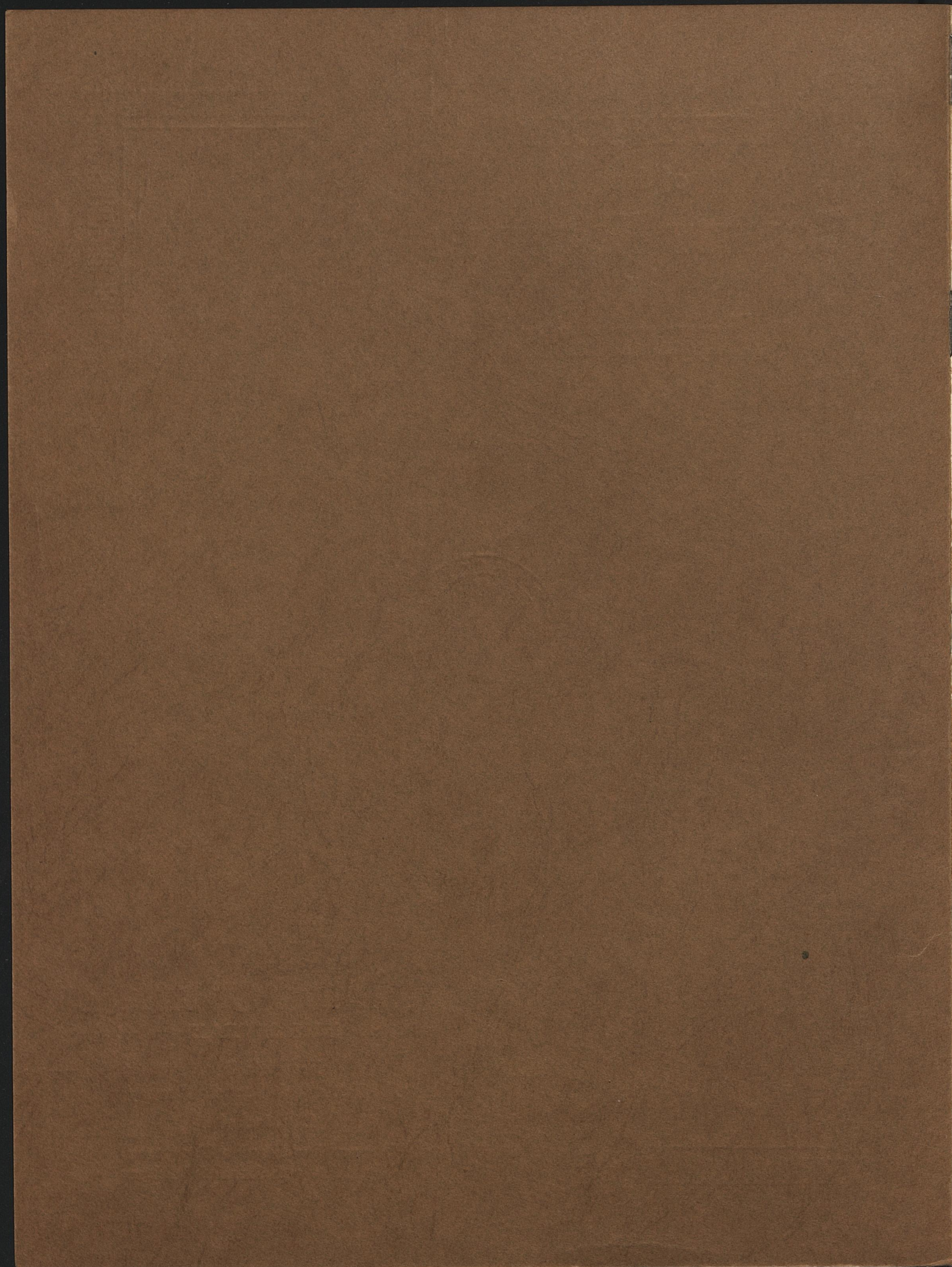
INVENTORY
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COUNTY ARCHIVES
of
ARKANSAS

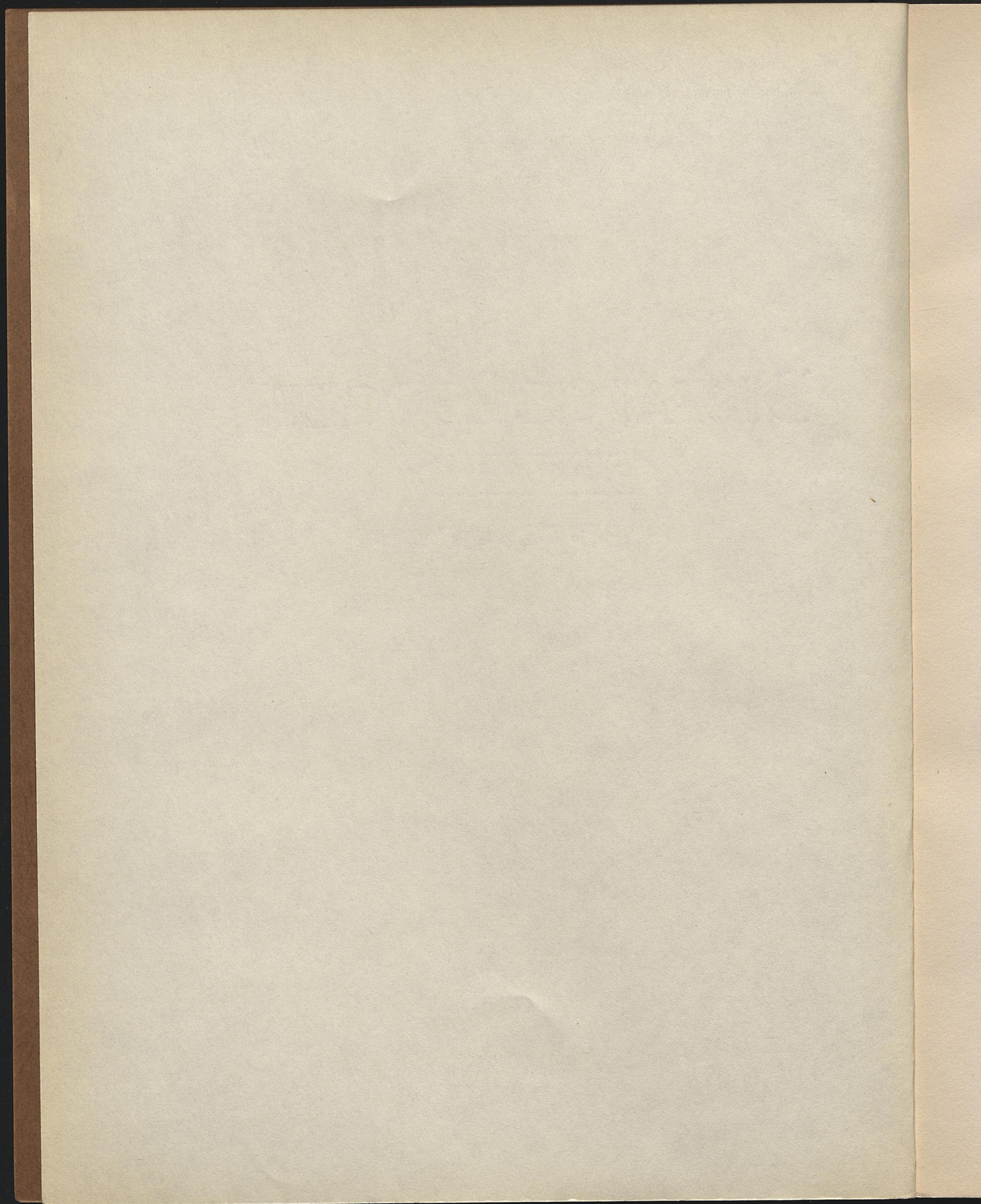


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NUMBER 4
BENTON COUNTY
(BENTONVILLE)

Prepared By
The Historical Records Survey
Division of
Community Service Programs
Work Projects Administration





INVENTORY OF THE COUNTY ARCHIVES

OF ARKANSAS

No. 4 Benton County (Bentonville)

Prepared by

The Arkansas Historical Records Survey
Division of Community Service Program
Work Projects Administration

SPONSOR

University of Arkansas
College of Arts and Sciences

Little Rock, Arkansas
The Arkansas Historical Records Survey
December 1941

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"To bring together the records of the past and to house them in buildings where they will be preserved for the use of men living in the future, a nation must believe in three things. It must believe in the past. It must believe in the future. It must, above all, believe in the capacity of its people so to learn from the past that they can gain in judgment for the creation of the future."

FRANKLIN DELANO ROOSEVELT

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FOREWORD

The Inventory of the County Archives of Arkansas 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 Benton County, is number 4 of the Arkansas series.

The Historical Records Survey program was undertaken in the winter of 1935-36 for the purpose of providing useful employment for needy unemployed historians, lawyers, teachers, and research and clerical workers. In carrying out this objective, the project was organized to compile inventories of historical material, particularly the unpublished government documents and records which are basic in the administration of local government, and which provide invaluable data for students of political, economic, and social history. The archival guide herewith presented is intended to meet the requirements of day-to-day administration by the officials of the county, and also the needs of lawyers, 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 the 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. Up to the present time more than 1,500 Survey publications have been issued in the country as a whole.

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
Commissioner of
Work Projects

Preface

classification is directed by law. Under agencies, records have been classified, so far as possible, according to the subjects with which they deal. They are described in entries whose style is formalized to give the following information: Title of record, dates for which available, quantity, labeling of volumes or containers, variant titles, description of record contents, manner of arrangement, indexing, nature of recording, size of volumes or containers, and location.

The inventory of the Benton County archives was begun during the latter part of 1938 and completed in December 1940. The original field workers were Belle P. Fisher and Mattie B. Downer. They were assisted in the recheck of the records by Sam E. Beaseley and Marshall Bennett. All field work was done under the supervision of Rand Barker and Joe W. Watkins, District Supervisors of the Historical Records Survey Project.

The work in the State office included the editing of forms, writing of entries, historical and legal research, writing and editing of essays and publication of the volume. Persons in the State office to whom credit is due are: Albert A. Condray, forms editor; Mary H. Winburne and Jennie Birkhead, entry editors, and Virginia Farley, essay editor. The historical sketch was written by the editorial staff; the governmental essay by Maida Arnold; and the indexes were compiled by Carl E. Ott.

Mabel S. Brodie, editor in charge of public records inventories in the Central office, and Guy P. Timboe, assistant editor, examined the volume in manuscript form and offered helpful editorial criticism. The administrative personnel of Work Projects Administration, of the Division of Community Service Programs, and of Research and Records Programs have cooperated with the Survey in all phases of its program. The helpful suggestions and friendly counsel of John C. L. Andreassen, Regional Supervisor of Historical Records Survey, is gratefully acknowledged.

The Survey's official sponsor, its State-wide Advisory Board, and the Community Advisory Board of Benton County each contributed valuable assistance to the project in the compilation and publication of this volume. Other contributing agencies were: The Arkansas History Commission; the Arkansas Supreme Court Library; the Little Rock Public Library; the Secretary of State; the Arkansas State Library Commission; Arkansas Writers' Project, WPA; and the county officials of Benton County.

ABBREVIATIONS, SYMBOLS, AND EXPLANATORY NOTES

Abbreviations

admr.	.....	administrator
agts.	.....	agent's
alph.	.....	alphabetical(ly)
amend.	.....	amendment
app.	.....	approved
arr.	.....	arrangement
Ark.	.....	Arkansas Reports
A. Ark.	.....	Acts of Arkansas
art.	.....	article
aver.	.....	average
ba.	.....	basement
chron.	.....	chronological(ly)
cir.	.....	circuit
clk.	.....	clerk
co.	.....	county
Const.	.....	Constitution
Crim. Code	.....	Criminal Code
CCC	.....	Civilian Conservation Corps
dist.	.....	district
ed(s).	.....	editor(s)
est.	.....	estimate(d)
f. d.	.....	file drawer(s)
gdn.	.....	guardian
h.	.....	handwritten
hpf.	.....	handwritten on printed form
hph.	.....	handwritten on printed head
ibid.	.....	<u>ibidem</u> (in the same place)
L. A.	.....	Laws of Arkansas
m.	.....	main
ms.	.....	manuscript
mim. bul.	.....	mimeographed bulletin
n. d.	.....	no date
n. p.	.....	no page number
no(s).	.....	number(s)
numer.	.....	numerical(ly)
NYA	.....	National Youth Administration
off.	.....	office
op. cit.	.....	<u>opere citato</u> (in the work cited)
p(p).	.....	page(s)
r.	.....	range
Rev. Stat.	.....	<u>Revised Statutes</u>
sec(s).	.....	section(s)
sher.	.....	sheriff
t.	.....	typed
tpf.	.....	typed on printed form
treas.	.....	treasurer
twp.	.....	township
U. S. Stat.	.....	<u>United States Statutes at Large</u>
v.	.....	vault

Abbreviations, Symbols, and Explanatory Notes

vol(s). volume(s)
WPA Work Projects Administration

Symbols

-- to date and continuing
' foot, feet
" inch(es)
x by (in dimensions)

Explanatory Notes

Titles of Records

Exact titles of records are written in solid capitals without parentheses (as in entry 7). In the absence of titles, descriptive titles have been assigned, which are written in solid capitals and enclosed in brackets (as in entry 46). 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 (as in entry 17). The current or most recent title of a record is used as the entry title and title variation is indicated (as in entry 70).

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, in so far 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.

Abbreviations, Symbols, and Explanatory Notes

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.

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. When all or a 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 8: "1860-87, in County Court Record, entry 7." They are also used in all artificial entries, those set up to cover records which must be shown separately under their proper office even though they are kept in files or records appearing elsewhere in the inventory, as, for example, the title-line reference in entry 106: "In County Court Papers, entry 1." The description of the entry shows the title and entry number of the record from which the cross reference is made, as, for example, these words in entry 50 do: "Also contains chancery docket, 1866-1902, entry 78." Dates shown in the description of the master entry or entry of miscellaneous content are only used for the part or parts of the record contained therein, and are shown only when they vary from those of the master entry.

Citations

A citation of an act of the Legislature of the Territory of Arkansas, or of the General Assembly of the State of Arkansas, or an Act of a legislative body of another Territory or State, refers to the page number of the official publication of the laws.

Abbreviations, Symbols, and
Explanatory Notes

A citation of a decision of the Arkansas State Supreme Court gives the style of the case and the volume and page number of the publication.

A citation of any other published volume is shown in full the first time used and in short-title form subsequently throughout the inventory.

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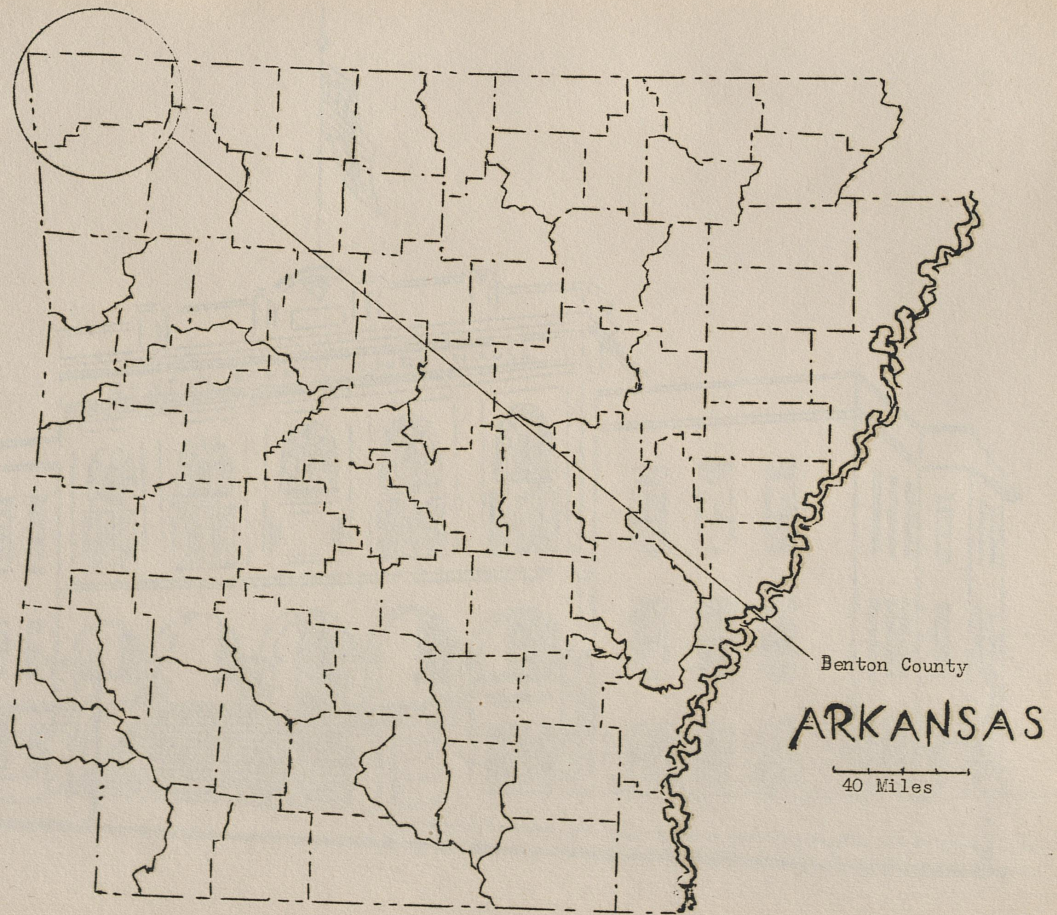
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Cross References

This 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 32, "1880-81, in County Court Records, entry 7." They are also used in all individual entries, those set up to cover records which must be shown separately under their proper office even though they are kept in files or otherwise appearing elsewhere in the inventory. For example, in the title-line reference in entry 108, "in County Court Records, entry 1." The description of the entry shows the title and entry number of the record from which the cross reference is made. As for example, those words in entry 30 are "Also contains chimney documents, 1880-1902, entry 18." Dates shown in the description of the master entry or of miscellaneous content are only used for the part or parts of the record contained therein, and are shown only when they vary from those of the master entry.

Citations

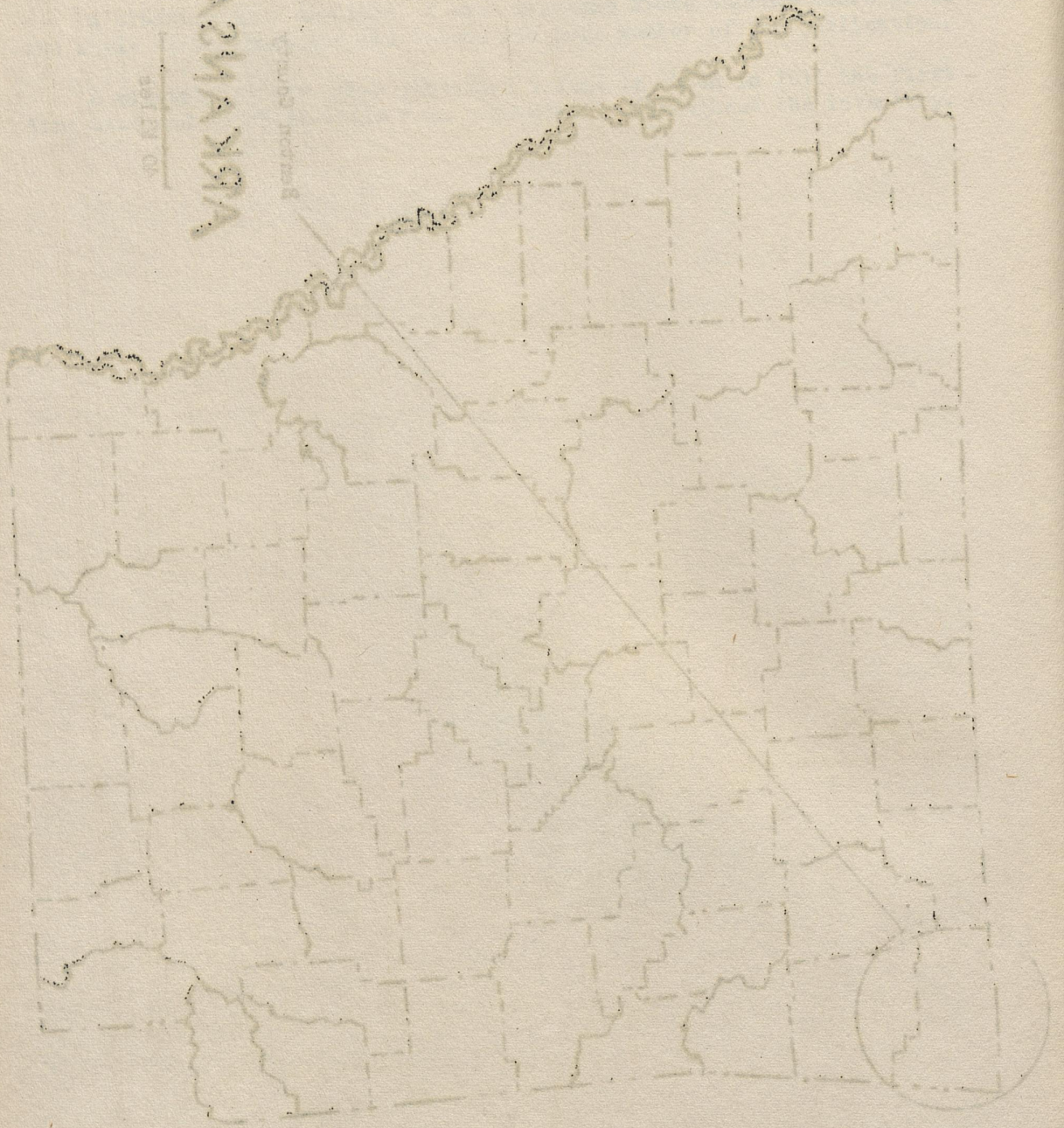
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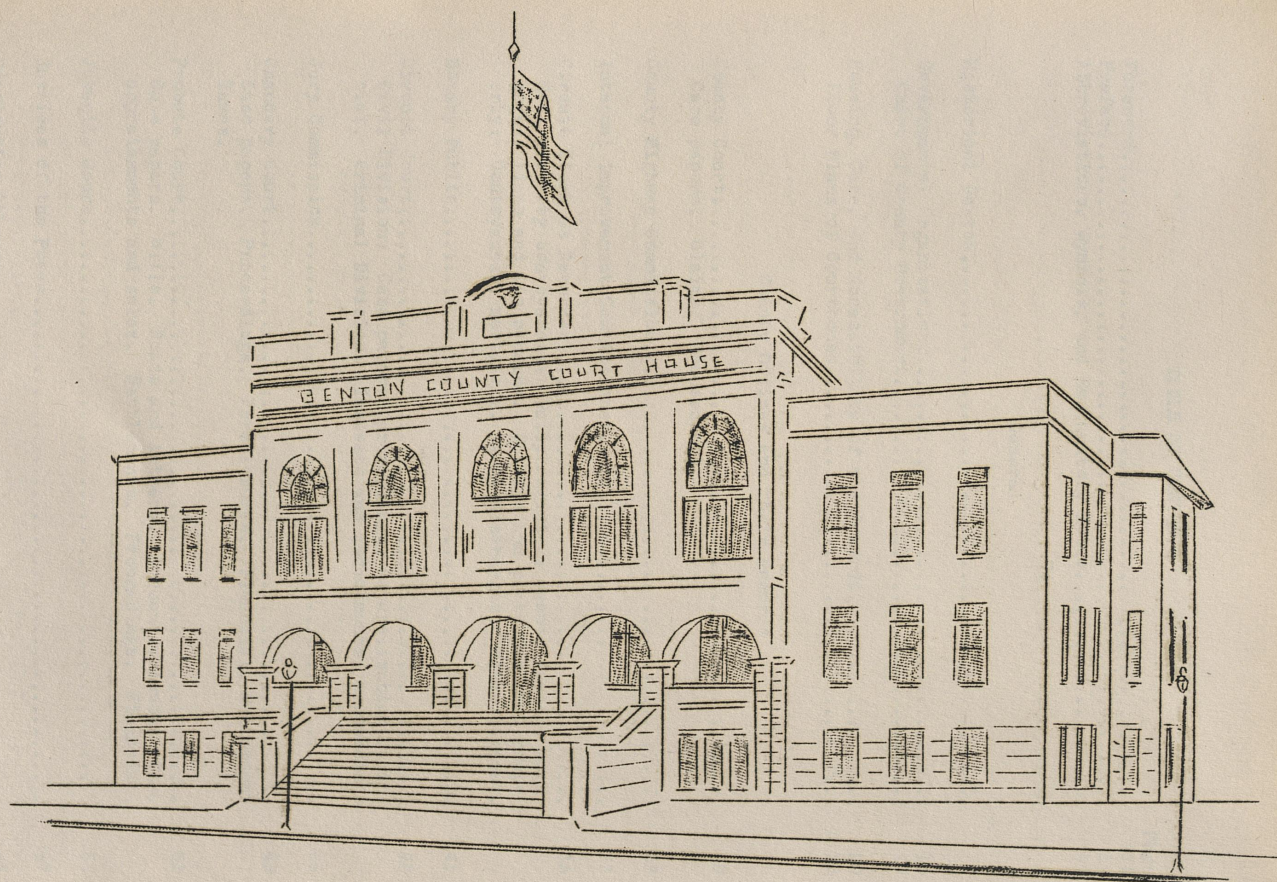


ЗАДАЧА

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ВВЕДЕНИЕ





Benton County Courthouse - 1928

Palace Hotel, Chicago, 1888

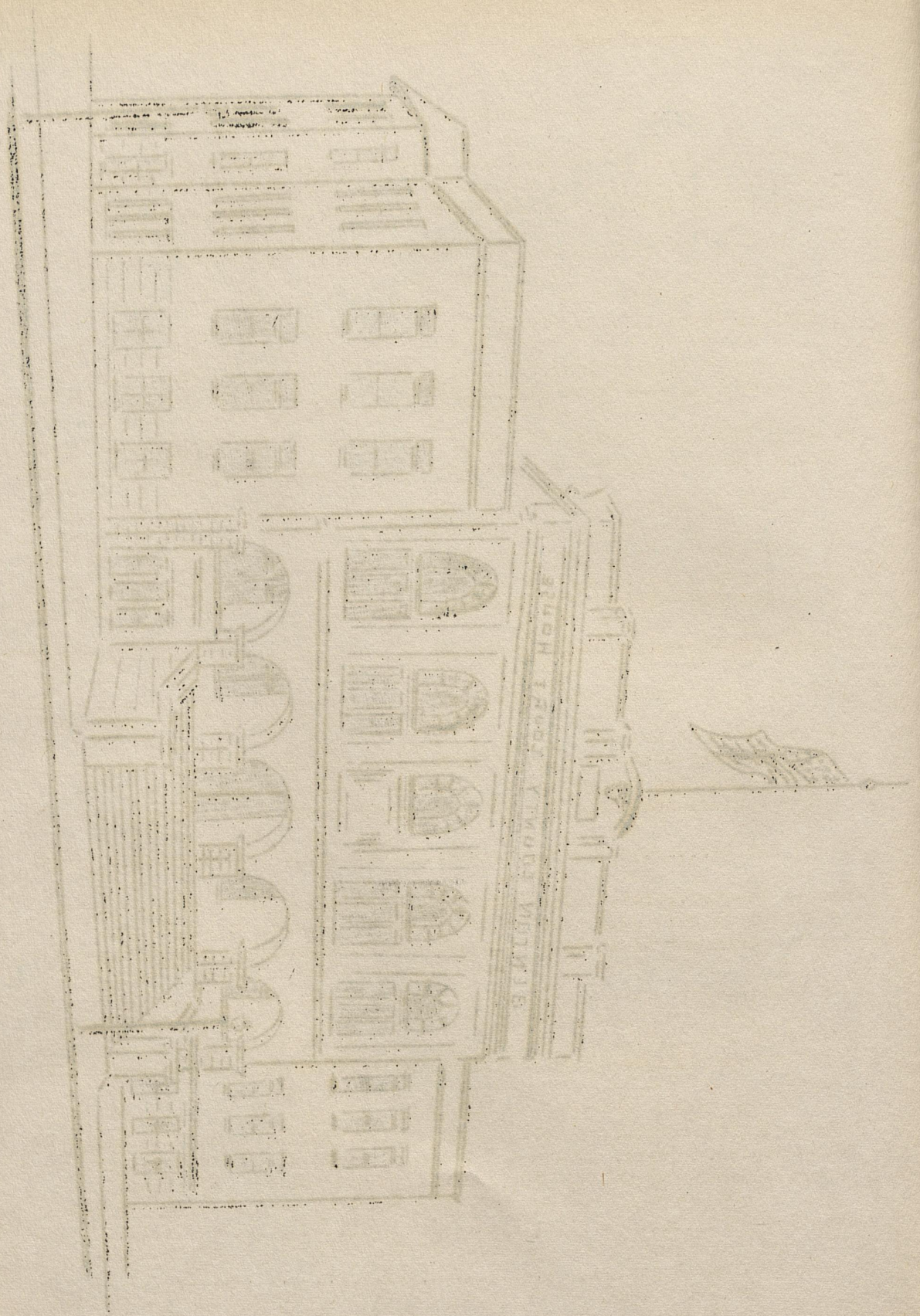


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HISTORICAL SKETCH

Physical Characteristics

Benton County, one of the most picturesque counties in Arkansas, is situated in the Ozark Plateau in the extreme northwest corner of the State. It is bounded on the north by Missouri; on the east by Carroll and Madison Counties; on the south by Washington County; and on the west by Oklahoma. (1)

The greater part of its 876 square miles is covered by the Springfield Plateau (2), ranging in elevation from 908 feet at Sulphur Springs to 1820 on the summit of Poor Mountain (3). In places its mountainous surface is broken by fertile areas known locally as prairies (4). The largest of these are Osage Prairie, south of Bentonville, and Lindsley Prairie, south of Gentry (5). A spur of the Salem Plateau, lower than the Springfield and deeply eroded, extends into the eastern part of the county (6). Blansett Mountain, 1,650 feet above sea level, Devil's Eye Brow and Elkhorn Mountain, each 1,600, and Big Mountain at Pea Ridge, 1,682 feet, are among the highest peaks (7).

The White River on its devious northern route drains the eastern part of the county; the Illinois River, the southwestern; and Spavinaw Creek, a branch of the Grand River, the west-central (8). Distinctive features are the springs, which occur frequently in groups as in Bentonville, Siloam Springs, and Sulphur Springs (9).

Apart from the geological interest with which the Paleozoic deposits, sedimentary in origin, enhance the county, these deposits, especially the Batesville sandstone, limestone of the Boone chert foundation, and

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- | | |
|--|--|
| (1) Arkansas Geological Survey, <u>Topographic Map of the State of Arkansas.</u> | Missouri, Fayetteville Quadrangle. |
| (2) Arkansas State Planning Board, <u>Progress Report, 1936</u> , p. 9. | (6) Arkansas State Planning Board, <u>Progress Report, 1936</u> , pp. 7, 9. |
| (3) Arkansas Geological Survey, <u>Elevations in Arkansas</u> , p. 26. | (7) Arkansas Geological Survey, <u>Elevations in Arkansas</u> , p. 26. |
| (4) Arkansas State Planning Board, <u>Progress Report, 1936</u> , p. 11. | (8) United States Geological Survey, <u>State of Arkansas</u> . [Map.] |
| (5) United States Geological Survey, <u>The Topographic Maps of the United States, Arkansas-</u> | (9) Arkansas State Planning Board, <u>Arkansas Water Resources</u> , p. 16. (Hereinafter cited as Arkansas Planning Board, <u>Water Resources</u> .) |

magnesian limestone possess considerable commercial value (10). Besides, there are lime deposits, clay suitable for brick, silica, and marginal veins of lead and zinc (11).

Cherty, non-magnesian limestone soils are found throughout the greater part of the county. One type, the Baxter Silt Loam, is described as one of the soils in North Arkansas best adapted for diversified farming. Interspersed with this are found gray soils of limestone and sandstone origin. Richer alluvial soil is found along the Illinois and White Rivers. (12) The weathering of the soft shale which underlies the surface limestone has resulted in the formation of numerous caverns, the larger of which often have subterranean drainage (13). In many of these, small apertures open into narrow passages which lead into vaulted rooms and corridors. The mineral contents in the stalactite and stalagmite formations in these caves give them varied and striking colors. (14)

The county boasts of its salubrious climate, emphasizing that diseases prevalent in other sections of the State are conspicuously absent there. (15) The mean annual temperature at Bentonville, the county seat, which is 1,303 feet above sea level, is 57.5 degrees Fahrenheit. During a period of 25 years the records show extreme variations from 106 degrees Fahrenheit to 17 degrees below zero. The average annual precipitation is 44.24 inches. The average snowfall is 17.1 inches. The growing season, as estimated at Bentonville, is about 200 days between April 7 and October 24, the average dates for the last killing frost in spring and the first in fall. (16)

Trees of commercial value, cedar, walnut, Arkansas black hickory, dogwood, beech, and shortleaf pine stud the Ozarks (17). The streams offer unexcelled opportunities for fishing, swimming, and boating (18). Unfortunately, deer, wild turkeys, and lesser game are the only remains of the once abundant wildlife (19). The artistic value of the variegated

(10) Ibid., p. 63

(11) Arkansas Geological Survey, Annual Report of the Geological Survey of Arkansas, 1891, p. 60.

(12) University of Arkansas, College of Agriculture, Agricultural Experiment Station, The Soils of Arkansas, Bulletin No. 187, p. 23.

(13) Arkansas Planning Board, Water Resources, p. 63.

(14) Arkansas Gazette, September 18, 1932.

(15) Arkansas State Planning Board, Progress Report, 1936,

p. 216.

(16) United States Department of Agriculture, Weather Bureau, Climatic Summary of the United States, sec. 59, pp. 11, 21, 25.

(17) University of Arkansas, College of Agriculture, Extension Service, Common Forest Trees of Arkansas, pp. 3, 6, 8, 16, 25.

(18) Arkansas Planning Board, Water Resources, p. 70.

(19) United States Department of Agriculture, Forest Service, Region Eight, Ozark National Forest, Arkansas, n.d., n.p.

landscape is well expressed by the famous artist, Thomas Benton, grand-nephew of Senator Benton for whom the county was named. "In the spring or in the fall of the year there is no more delightful walking ground in the world than the Arkansas Ozarks. The timber is full, the foliage is rich, and the changes in the character of the landscape rapid and varied . . . It has rolling hills, deep valleys, jagged bluffs, rich foliage, and clear streams." (20)

Pre-County History

Neither the fascinating archaeological remains of the primitive bluff dwellers, the earliest known inhabitants of the Ozarks, nor the possible derivation of the name Ozarks from the phrase aux arcs of the French explorers, justifies lengthy treatment of those peoples. When the United States acquired Louisiana in 1803 the present Benton County area was in the possession of the Osage Indians. In 1808 (21) and 1818 (22) they ceded lands along the eastern and southern borders of the present county to the Federal Government. The Government disappointed the Osages by placing Cherokees on former Osage lands in north central Arkansas. Finally the Osages agreed in 1825 (23) to leave the State, but not before their resentment at the Cherokees' intrusion had given rise to inter-tribal war (24). In 1828 the Government removed the Cherokees also from the State, leaving them lands abutting the area marked today by the western boundary of Benton County (25).

A curious episode, Lovely's Purchase, July 16, 1816, unauthorized by the Federal Government (26), led the Territorial Legislature to create Lovely County in 1827. The present Benton County area formed a relatively small part of this extensive area. (27) The attempt was premature. The establishment of Washington County the next year marked the extinction of Lovely County. (28)

The removal of the Indians opened the country to white settlers. Adam Batie is generally believed to have settled before 1830 near the present site of Maysville on the prairie that now bears his name. Martin Mays, William Bird Deith, and John McPhail and his father followed. But as late as 1838 there are said to have been only five persons on Batie

(20) Thomas Benton, "America's Yesterday," Travel, July 1934, p. 11.

(21) Richard Peters and Charles C. Little, eds., Treaties Between the United States and the Indian Tribes, p. 108.

(22) Ibid., p. 183.

(23) Ibid., p. 240.

(24) John Hugh Reynolds, Makers of Arkansas History, p. 298.

(25) Peters and Little, op. cit., p. 311.

(26) Grant Foreman, Pioneer Days in the Early Southwest, p. 38.

(27) L. Ark., 1827, p. 6.

(28) Ibid., 1828, p. 144.

Prairie. Then came Judge English, Robert Cooper, Lemuel Tyson, and others until the entire prairie was settled. In the meantime settlers penetrated the remainder of the county. William Reddick made his home near Elkhorn; Jacob Roller, on Roller's Ridge near Garfield; Henning Pace, father of the first sheriff, on Sugar Creek, a few miles north of Bentonville; George P. Wallace, also near Bentonville. Other pioneers were William Pelham, who later became Surveyor-general of the State; Rev. James Harris, a Cumberland Presbyterian Minister; Col. Hugh A. Anderson; and Judge Alfred B. Greenwood. (29)

Organization and Development of County Government

On September 30, 1836, a few months after Arkansas had been admitted to the Union, the General Assembly created Benton County from a portion of Washington County. The organic act designated the boundaries as follows: "Beginning on the western boundary of the State of Arkansas, where the township line between townships sixteen and seventeen north intersects the same; running east, with said township line to the southeast corner of section number thirty-three in township seventeen north of range thirty-two west; thence north three miles; thence east to the range line between ranges thirty-one and thirty-two west; thence north with said line to the northwest corner of section thirty, in township eighteen north of range thirty-one west; thence east with section line, to the line between ranges twenty-eight and twenty-nine west; thence north, with said line two miles; thence east to the western boundary line of Madison County; thence north, with said line to the northern boundary line of the State; thence west with said line, to the western boundary of the State; thence south with said line, to the place of beginning---." (30) The county was named in honor of Senator Thomas Hart Benton of Missouri because he had supported the bill by which Arkansas was admitted to the Union (31).

The home of George P. Wallace, first county judge (32), was used as a temporary county seat (33), in accordance with provisions of the enabling act (34). The first county officials, in addition to Wallace, were: John B. Dixon, circuit clerk; Gideon Pace, sheriff; Henry C. Hastings, treasurer; Henry Ford, coroner; and A. McKissick, surveyor (35). The following year Robert Cowan, Robert Weaver, and Thomas Swaggerty, who were elected commissioners to locate a permanent county seat (36), selected a

(29) W. A. Goodspeed, ed., History of Northwest Arkansas, pp. 20, 28.

(30) A. Ark., 1836, p. 40.

(31) Arkansas Gazette, September 30, 1836.

(32) Arkansas, .. Secretary of State's Office, Civil Record,

1836-64, p. 12.

(33) Circuit Court Record, vol. A, p. 29, see entry 73.

(34) A. Ark., 1836, p. 40.

(35) Arkansas, Secretary of State's Office, Civil Record, 1836-64, p. 12.

(36) Goodspeed, op. cit., p. 36.

site near the center of the county and named it Bentonville in honor of the Honorable Thomas Hart Benton (37). A small log building, erected in 1837, served as a courthouse for 2 or 3 years until a two-story brick structure could be erected (38). Circuit Judge Joseph N. Hogan held a term of court in the original building, commencing on May 7, 1838 (39).

Following the Battle of Pea Ridge in Benton County on March 7, 1862, troops of the Confederate States of America withdrew and Bentonville was occupied by Federal troops. In retaliation for the slaying of a Federal officer, the troops set fire to the courthouse and burned a great portion of the town. (40) The county records, apparently, were removed to a place of safety, as all records are still in existence, except those of the county court prior to 1857 (41). The invasion brought a sharp interruption of civil government. Apparently no sessions of county court were held between the latter part of 1863 and 1865. (42) On September 19, 1865, the county court ordered the sheriff to rent and equip some suitable place for the holding of the several courts. On January 11, 1866, James Woolsey was appointed by the county court as building commissioner to ascertain the cost of repairing the partially destroyed courthouse, and the sheriff was ordered to summon the justices of the peace to meet at the next term of court for the purpose of levying a special tax to defray this expense (43). The justices voted not to levy this tax and the repairing of the courthouse was postponed for further consideration of the court in January 1867 (44). At the term of court held in July 1866, the county court appointed Fred Green as building commissioner and instructed him to cooperate with the committee representing the Masonic Lodge at Bentonville, on the matter of the repairing of the upper story of the tobacco factory which was used as a courtroom and lodge room. One hundred dollars in county funds was appropriated for this purpose. (45)

In April 1867, the county court after taking recognition of the destitute condition of the people; the fact that the public buildings of the county had been irreparably damaged during the war; and that burdensome taxes had been levied by the general government, expressed its opposition to a tax for public improvements and ordered that the internal improvement commissioner cease to loan money in his hands, and retain those funds to be used in the erection of a courthouse and other necessary buildings, subject to the further orders of the court (46). The fact that such funds were available was probably due to the refusal of the county officials to follow other counties in the State in the appro-

- (37) Circuit Court Record, vol. A, p. 32, see entry 73.
 (38) Goodspeed, op. cit., p. 38.
 (39) Circuit Court Record, vol. A, p. 36, see entry 73.
 (40) Arkansas Democrat, September 2, 1928; David Y. Thomas, Arkansas and Its People, III.

666.
 (41) See entry 7.
 (42) County Court Record, 1861-69, n.p., see entry 7.
 (43) Ibid.
 (44) Ibid.
 (45) Ibid.
 (46) Ibid.

priation of internal improvement funds in 1861 for the defense of the county or for the maintenance of destitute families of Confederate volunteers. This action was taken by the county court in August 1861, 1 month after it had appointed Dysart Woods, who later became county judge, as commander-in-chief of the Home Guards (47). On May 11, 1867, the court ordered the construction of a two-story building to be used as a temporary courthouse (48). Contract for this building was awarded on June 1, 1867. Haley Jackson, who was appointed building commissioner, was authorized to borrow \$500 for the purpose of defraying this expense. The contract was awarded to J. J. Jefferson and J. V. Lee. (49)

In April 1870, the court authorized J. W. Stroud, who had been appointed building commissioner to receive donations of lots upon which it was proposed to build a permanent courthouse (50). Contract for this building was awarded in May 1871 to John N. Neely and Samuel H. Kelton, residents of Bentonville, who bid \$33,000 (51). Plans for the building were drawn by W. T. Ritter, architect (52). The contractors had considerable difficulty financing the construction work, due largely to the fact that the county bonds issued in payment could not be converted into cash. A loan made by Denton N. Starke, who operated a banking house in Fayetteville, Washington County, Arkansas, enabled the work to continue uninterrupted. (53)

The county government apparently moved into these new quarters in 1874, the former building being moved to the county poor farm for the use of its inmates (54). The need for a new courthouse was agitated in 1913; however, the county court refused to endorse a proposal for a new structure and ordered instead that the old building be repaired (55). This building was replaced in 1928 by a modified Gothic structure of yellow brick and white stone, which cost approximately \$200,000. (56)

Economic Development

The prosperity of Benton County has always depended largely upon diversified farming; in 1840, less than 10 years after the first white man settled in the county, the census reported that there were 384 farmers in the county and that in a single year they had produced 130,595

(47) County Court Record, 1861-69, n.p., see entry 7; Arkansas, Secretary of State, Civil Record, 1836-64, p. 12.

(48) County Court Record, 1861-69, n.p., see entry 7.

(49) Ibid.

(50) County Court Record, vol. A, p. 62, see entry 7.

(51) Ibid., p. 124.

(52) Ibid., p. 118.

(53) Ibid., p. 216.

(54) Ibid., p. 222.

(55) Ibid., vol. U, p. 115.

(56) Ibid., vol. Z, p. 120; see "Housing, Care, and Accessibility of the Records," p. 20.

bushels of Indian corn, 5,128 bushels of wheat, and 5,744 bushels of potatoes. At the same time livestock holdings in the county were estimated at more than 1,200 horses and mules, 1,900 sheep, 3,000 neat cattle, and 8,000 swine. (57)

The agricultural development of northwest Arkansas was undoubtedly interrupted by the alternate occupation of the county by the Union and Confederate armies during the Civil War. Nevertheless, by 1870 recovery was almost complete. There were almost 1,500 farms in the county and the average farmer tilled about 35 acres. Statistics for the year show that Benton County produced 340,040 bushels of Indian corn, 84,779 bushels of winter wheat, and 35,280 pounds of tobacco. Livestock holdings had increased at a like rate and there were more than 5,000 horses and mules and more than 3,300 cows. (58) During these years Benton County was one of the most populous and most prosperous counties in the State; farmers, especially, enjoyed a high degree of prosperity and the newly introduced orchard crops promised even greater wealth. The size of the average farm had grown to 94 acres by 1900. Tobacco, corn, wheat, and other crops were grown in considerable quantities, but apples were the principal product. In 1900 there were $1\frac{1}{2}$ million apple trees in Benton County and $\frac{1}{2}$ million bushels of apples were produced. The grape yield came to 35,000 pounds. There were almost 7,000 dairy cows and almost 11,000 horses and mules in the county. (59)

Benton County enjoyed an unprecedented boom during the World War. In 1919 the county produced 784,652 bushels of corn, 339,018 bushels of oats, 290,562 bushels of wheat, $1\frac{1}{2}$ million quarts of berries, and $3\frac{1}{4}$ million bushels of apples. (60) Benton County apples took prizes at exhibitions in New Orleans, Boston, California, and New York. It was claimed that in Benton County as high as \$1,000 had been realized on one acre of apple trees. In fact, Benton County was known as the "Home of the Big Red Apple." (61)

(57) United States Bureau of the Census, A Compendium of the Inhabitants and Statistics of the United States, 1840, pp. 90, 318, 320, 329. (Hereinafter cited as United States Bureau of the Census, Compendium, Sixth Census, 1840).

(58) United States Bureau of the Census, Ninth Census of the United States, 1870, Production of Agriculture, p. 100. (Hereinafter cited as United

States Bureau of the Census, Ninth Census, 1870, Agriculture).

(59) United States Bureau of the Census, Twelfth Census of the United States, 1900, Agriculture, Part I, IV, 575.

(60) United States Bureau of the Census, Fourteenth Census of the United States, 1920, Agriculture, IV, 575.

(61) Arkansas Gazette, Nov. 20, 1919.

The census of agriculture of 1935 noted that Benton County produced less than one bale of cotton and practically no tobacco. (62) Tomatoes have become increasingly profitable and at this time 4,888 acres were devoted to their cultivation. The same report shows the county to have possessed 513,992 apple trees of bearing age, 797,092 chickens, 10,953 horses and mules, and 17,947 cows and heifers more than 2 years old. (63) Benton County is gaining a reputation as one of the leading broiler-producing counties in the country and it is claimed that the first live broiler show ever held in America was conducted in Rogers in 1939 (64).

The average farm in Benton County contains 77.2 acres valued at \$28.43 per acre and 496,030 acres out of 560,640 of land in the county comprise farm land. The total number of farmers in 1935 was 5,920 and the total value of farms, including lands and buildings, was \$12,992,341. (65) The county ranked first in the State in the production of chickens, cattle, horses, and apples, and third in strawberries. (66)

The industrial activity in Benton County has always been a supplement to the agricultural pursuits of the region and as a result the shops are usually small. The first Federal census taken after the founding of the county, that of 1840, reported five gristmills and three sawmills in the county. (67) Such small-scale manufacturing as there was suffered almost complete obliteration during the Civil War, but by 1870 there were 33 manufacturing establishments employing 81 workmen at an annual wage of \$15,950 to turn out goods worth \$159,112 (68). The exploitation of the timber and various other enterprises brought the number of establishments up to 176 by the turn of the century. That the number of employees was only 183, the payroll \$62,825, and the value of goods produced \$872,251 attests the individualistic character of the industries (69). As the timber was cut out more attention was given to the processing of agricultural and dairy products and the small sawmills and gristmills were replaced by condenseries, evaporators, canning factories, vinegar factories, and creameries. This trend resulted in fewer and

(62) United States Bureau of the Census, United States Census of Agriculture: 1935, Arkansas, Statistics by Counties, p. 27. (Hereinafter cited as United States Bureau of the Census, Statistics, 1935).

(63) Ibid., p. 22.

(64) Arkansas Writers' Project, WPA., Arkansas: A Guide to the State, pp. 306-316.

(65) Arkansas State Comptroller, State Comptroller's Report. . . covering Fiscal Years

1936-1937 and 1937-1938.

(66) United States Bureau of the Census, Statistics, 1935, p. 6.

(67) United States Bureau of the Census, Compendium, Sixth Census, 1840, p. 90.

(68) United States Bureau of the Census, Ninth Census, 1870, Agriculture, III, 495.

(69) United States Bureau of the Census, Twelfth Census of the United States, 1900, Manufactures, p. 26.

larger factories so that by 1919 there were only 112 establishments in the county, but the total number of men employed was 377, the annual wage had reached \$282,168 and the market value of goods produced was \$4,224,052. (70) Of late there has been a decrease, in industrial activity in Benton County, but centralization has continued so that by 1937 there were only 29 plants in the county, but 461 workmen received \$113,822 for turning out products worth \$1,724,018. (71) The assessed valuation of real and personal property in Benton County was \$9,244,193 in 1939. (72)

Resorts

Situated in a land of hills, caves, and innumerable springs, Benton County is a recreational center by nature and by development. The streams, lakes, and relatively cool summers are gradually attracting an ever-increasing throng of fishermen, hunters, and vacationists. Public attention was first given to the springs in the present town of Siloam Springs in 1879. The highly acclaimed medicinal value of the waters caused the settlement to grow so rapidly that within 3 years the population had reached 3,000. (73) The settlers crowded around the springs in such numbers that hundreds of people were forced to live in wagons and tents while homes were being built. The initial boom gradually subsided and by 1889 the population had decreased to 1,500. Siloam Springs continued to be a popular resort on account of its springs and fine scenery. (74)

Sulphur Springs, which has maintained its standing as a health resort because of the reputed therapeutic value of its magnesia, lithia, and white and black sulphur springs, has a permanent population of 435. (75) The number of hotels, stores, schools, and churches, however, suggests a far greater population. (76)

Bella Vista, 4 miles north of Bentonville, has been developed commercially as a summer resort. The sides of the mountain are covered with hundreds of privately owned summer homes, as well as the usual camp cottages. Hotels, pavilions, lakes, and parks which offer unexcelled opportunities for golfing, fishing, swimming, horseback riding, and other

(70) United States Bureau of the Census, Fourteenth Census of the United States, 1920, Manufactures, IX, 63.

(71) United States Bureau of Census, Biennial Census of Manufactures, 1939, Part I, p. 1431.

(72) Arkansas State Comptroller, Biennial Report of the State

Comptroller Covering the Fiscal Years 1938-39 and 1939-40, p. 128.

(73) Goodspeed, op. cit., p. 114; County Court Record, vol. C, p. 22, see entry 7.

(74) Goodspeed, op. cit., p. 114.

(75) Arkansas Gazette, January 5, 1941.

(76) Thomas, op. cit., II, 665.

sports make Bella Vista one of the most popular summer resorts in the State. (77) A mammoth limestone cave at the resort has been equipped as a night club, with dance floors a quarter of a mile from the entrance and 500 feet underground. (78)

Rogers' many tourist attractions, among them the municipally owned Lake Atalanta, a spring-fed lake of 100 acres which lies within the corporate limits of the city, bring the city a quarter of a million dollars a year. (79)

Monte Ne, a few miles east of Rogers, is the site of the late William Hope (Coin) Harvey's projected pyramid. Mr. Harvey planned an indestructible monument of limestone and concrete in which were to have been stored records of the achievements of present-day civilization, but only a pavilion and an amphitheater were constructed. The amphitheater is now used by the members of Camp Joyzelle, a private camp for girls. (80)

Other places which have been developed for recreational purposes are Cave Springs, Panorama, Peninsular Valley, Nellyette Ranch, Rocky Fork, Willola, Eden's Bluff, and War Eagle. (81)

The Apple Blossom Pilgrimage Association, organized in 1939 for the promotion of an annual spring pilgrimage to northwest Arkansas, has been one of the most successful ventures in the county. Highway markers are used to direct tourists along trails of apple blossoms, dogwood, and red-bud. (82) In 1940 more than 50,000 people came to the Apple Belt for the Apple Blossom Pilgrimage. (83)

Religion

The early settlers of Benton County were generally Methodists, Baptists, and Cumberland Presbyterians. The pioneer preachers were usually missionaries who served large areas and depended on whatever the settlers were able to contribute for their support. The services were held in the cabin dwellings before churches were erected and the entire community attended, irrespective of denomination affiliations. (84)

The first church in Benton County seems to have been a Cumberland Presbyterian Church organized near the present site of Bentonville about 1830, but other churches of the same denomination were organized at Pea Ridge and Maysville very shortly afterwards. The Methodist Episcopal

(77) Thomas, op. cit., II, 664.

(78) Arkansas Democrat, March 3, 1940.

(79) Arkansas Writers' Project, WPA., Arkansas: A Guide to the State, pp. 306-316.

(80) Ibid.

(81) Thomas, op. cit., II, 665.

(82) Arkansas Democrat, March 3, 1939.

(83) Arkansas Gazette, May 10, 1940.

(84) Goodspeed, op. cit., p. 130.

church gained representation in Benton County when Rev. James Mayfield organized a church of this denomination near War Eagle Mills in the early thirties. The first Baptist society in Benton County was the Twelve Corners Church which was organized by J. F. Mitchell and Charles B. Whitely on the present site of Elkhorn Tavern in 1842. Two years later Rev. Cephas Washburn organized a Presbyterian church 6 miles southwest of Bentonville and preached there 6 years. (85)

The rapid growth in population which northwest Arkansas enjoyed prior to the Civil War brought a commensurate increase in the number of churches in Benton County although only the Methodists, Baptists, and Presbyterians were listed in the census of 1860. At that time the total number of churches in the county was 40, 24 being Methodist, 10 Baptist, and 6 Presbyterian. (86) After the Civil War and Reconstruction, the number of churches grew along with the population, and by 1890 there were 112 churches in Benton County. The only new denomination at this date was the Disciples of Christ which then had 12 churches. (87) At present there are about 165 churches and more than 20 denominational organizations, the most prominent being the American Baptist Association, the Assemblies of God, the Disciples of Christ, the Methodist Church, Church of the Nazarene, the Pentecostal Holiness Church, the Presbyterian Church in the United States of America, Seventh Day Adventist, and the Southern Baptist Convention, each of these having 5 or more churches in Benton County. (88)

Education

Hard upon the heels of the first settlers were itinerant teachers who opened subscription schools. These schools, usually log houses with planks inserted between the logs to serve as desks, made little pretense of teaching more than reading, writing, and arithmetic. (89) Private schools are said to have been opened at Bentonville soon after the county was founded. Cephas Washburn, the noted teacher of the Cherokees, opened a school near his home at Osage Prairie in 1842 to teach reading, spelling, writing, English grammar, arithmetic, chemistry, physiology, and ancient languages. (90) One Mr. Holstein or Holsten taught the first school near the site of Siloam Springs in 1846. The Shelton Academy, under the direction of a Professor Lockhart, operated at Pea Ridge from 1851 to 1858. (91)

(85) Ibid., pp. 121, 145.

(86) United States Bureau of the Census, Eighth Census of the United States, 1860, Statistics of the United States, pp. 355-356.

(87) United States Bureau of the Census, Report of Statistics of Churches in the United States at the Eleventh Cen-

sus, 1890, pp. 53, 333.

(88) Arkansas Historical Records Survey, Church Directory of Benton County.

(89) Stephen B. Weeks, History of Public Education in Arkansas, p. 14.

(90) Arkansas Gazette, June 15, 1936.

(91) Goodspeed, op. cit., p. 141.

The Civil War marked the end of the subscription school, and it was not until the eighties that the public schools began to make real headway, especially in the elementary field. In the meantime numerous small private academies of high-school grade were opened. Pea Ridge Academy, founded in 1874 by Dr. J. R. Roberts, later became Bentonville College and as such existed until 1923. (92) Another of these private academies was the Rogers Academy which was founded in 1884 by the American Home Missionary Society of the Congregational Church (93). In general, however, the growth of the public school system in Benton County paralleled the growth of public education in the State. When the first Federal census was taken after the Civil War there were 2,590 students enrolled in the public schools of Benton County. (94) As the sentiment against public education subsided and public schools replaced the numerous private academies, the public school system grew, until in 1900 there were 8,244 students enrolled in 179 schools which employed 164 teachers, although the average school term was only 83 days. (95) There had long been a trend toward consolidation and by 1920 there were only 146 schools, but the number of teachers had reached 252 and the number of students, 9,897 (96). In recent years there has been a slight decline in the number of students, teachers, and schools, but in 1940 there were 246 teachers employed by 106 schools to teach 7,886 students for a term of 158 days in the white schools and 155 days in the one Negro school (97).

Of special interest in the field of learning are the Julia A. Brown School for Children and the John Brown Academy founded in Sulphur Springs in 1924 and 1937, respectively, and John Brown University, founded at Siloam Springs in 1919. The Brown institutions, launched through the initiative of the president, John E. Brown, represent a new venture in education. Besides the usual courses in the liberal arts, religion, and music, the university gives distinct emphasis to vocational training. The ideal that useful labor does not impair the dignity of man is inculcated. (98)

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| (92) Dallas T. Herndon, <u>A Centennial History of Arkansas, I</u> , 567; <u>Arkansas, Secretary of State's Office, Official Proclamation</u> , April 23, 1923. | <u>ennial Report . . . 1899-1900</u> , pp. 155, 164, 170, 185. |
| (93) Goodspeed, <u>op. cit.</u> , p. 121. | (96) <u>Arkansas State Superintendent of Public Instruction, Biennial Report . . . 1919-1920</u> , pp. 104, 106, 114, 124, 138, 142. |
| (94) <u>United States Bureau of the Census, Ninth Census of the United States, 1870, The Statistics of the Population of the United States, I</u> , 402. | (97) <u>Arkansas State Department of Education, County Examiners' Reports</u> , 1940. |
| (95) <u>Arkansas State Superintendent of Public Instruction, Biennial Report . . . 1899-1900</u> , pp. 155, 164, 170, 185. | (98) <u>Bulletin of John Brown University, Siloam Springs, Arkansas, 1939-1940, IX</u> , 1939, 13-47. |

Population

The homogeneity and consistently steady rate of growth of its population have long been the most outstanding characteristics of Benton County. When the first enumeration of the population was made in 1838 there were 1,486 persons in the county and of that number only 111 were Negroes. (99) By 1850 the total population was 3,710 and only 201 were Negroes (1). The native-born white population has increased so steadily that by the end of the century they numbered 31,333, whereas the number of foreign-born whites was only 278, and the number of Negroes, 112 (2). Preliminary reports of the census of 1940 give the total population as 36,148 (3).

Transportation

The lack of navigable waterways left the early settlers of Benton County dependent upon frontier roads. Small chert and flint provided an abundance of road building material and at an early date a network of crude but efficient roads covered the county. In addition to these frontier roads, two important highways had been carved through Benton County before the Civil War. The "Line Road," a military road linking Fort Scott, Kansas, and Fort Smith, Arkansas, skirted the western boundary of the county and, on occasion, dipped into Indian territory. The "State Road," leading from Fort Smith into southwestern Missouri, passed through the eastern part of the county. This road was a favorite trail over which the great herds of Texas longhorns were driven to market. (4)

The untimely outbreak of the Civil War quashed plans for the construction of a railway through northwest Arkansas into southwestern Missouri and the Civil War and Reconstruction delayed rail transportation in Benton County a quarter of a century. The first railway in the county, the St. Louis-San Francisco, whose line from Paris, Texas, to Monette, Missouri, passed through the eastern part of the county, was completed in 1881. The Bentonville Railway Company completed a short line in 1883 which connected Bentonville with the St. Louis and San Francisco at Rogers. (5) This has since become a branch of the St. Louis-San Francisco Railway and has been extended into Oklahoma. The Kansas City, Ft. Smith,

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| (99) Arkansas Secretary of State's Office, Journal of Second Session of the General Assembly, appendix, p. 4. | Census, Twelfth Census of the United States, 1900, Population, I, 574. |
| (1) United States Bureau of the Census, Seventh Census of the United States, 1850, p. 535. | (3) Arkansas Gazette, January 5, 1941. |
| (2) United States Bureau of the | (4) Goodspeed, <u>op. cit.</u> , pp. 52-53. |
| | (5) Goodspeed, <u>op. cit.</u> , p. 54. |

The highways of Benton County have improved tremendously in the past quarter century because of the demand for high-speed roads for passenger vehicles and solid road beds for truckers. Today there is a total of 258.4 miles of Federal and State highways in Benton County including 21 miles of concrete, 94.1 miles of bituminous surfacing, 138.2 miles of gravel, and 5.1 miles within city limits and unclassified. Principal highways are: State Highway No. 59 running north and south through the western part of the county touching Siloam Springs, Gentry, Decatur, Gravette, and Sulphur Springs, and passing on into Missouri; State Highway No. 69 running east and west across the southern part of Benton County through Siloam Springs and on to Springdale in Washington County; State Highway No. 12 connecting Gravette and Bentonville; State Highway No. 102 which runs east and west linking Decatur and Bentonville; United States Highway No. 71 which is a principal traffic artery between Kansas City and the entire Southwest. There are also 1,367 miles of county roads. (8)

- (6) W. N. Deramus, Letter to Dallas McKown, September 22, 1939. mission, Twelfth Biennial Report . . . 1935-1936, p. 35.
- (7) Arkansas State Highway Com- (8) Ibid., p. 50.

GOVERNMENTAL ORGANIZATION

Benton County, created as a political sub-division of the State on September 30, 1836 (1), acts as an agent of the State in political and judicial affairs, and is invested with powers essential to the welfare and protection of the public within its boundaries (2).

Under the Constitution, the county court is general fiscal agent of the county. It has the power to preserve its funds (3); manage internal affairs (4); manage real and personal property belonging to the county; and to handle matters relating to the construction, repair, and maintenance of public buildings, roads, and bridges. The quorum court has authority over levying and collecting taxes; appropriating funds to meet the county expenses; and the care of the poor, persons of unsound mind, minors, and orphans (5). It supervises the county's eleemosynary (6) and penal institutions (7), and may contract for the services of prisoners (8). The court settles election contests of all county officials, except the county judge, whose office is under the jurisdiction of the circuit court (9).

The county maintains a record of titles to land so that interested parties may obtain knowledge of the state of title to real estate and personal property affected by conveyances, and of all charges and encumbrances against such property (10).

The judicial power of the county is vested in the circuit, chancery, probate, and justice of the peace courts (11). The Arkansas State Supreme Court has appellate and supervisory jurisdiction over all the lower courts (12). The circuit court has original jurisdiction in all civil and criminal cases where exclusive jurisdiction is not vested in some other court. It has appellate jurisdiction and supervisory control over the county court and justice of the peace courts. (13) The chancery court is vested with exclusive original jurisdiction in all equity matters (14). Jurisdiction over the estates of deceased persons, and the persons and estates of minors and incompetents is exercised by the probate court (15). A justice of the peace court has original jurisdiction

- (1) A. Ark., 1836, p. 40.
- (2) Granger v. Pulaski County, [1870], 26 Ark. 37.
- (3) Martin v. State, [1926], 171 Ark. 576.
- (4) Jackson v. Madison County, [1927], 175 Ark. 826.
- (5) Const. 1874, art. VII, sec. 28.
- (6) A. Ark., 1851, p. 99.
- (7) Ibid., 1868, p. 84.
- (8) Ibid., 1939, p. 237.

- (9) Ibid., 1875, p. 32.
- (10) Rev. Stat., p. 654; A. Ark., 1873, p. 121; 1887, p. 143; 1921, p. 574.
- (11) Const. 1874, art. VII, sec. 1.
- (12) Ibid., sec. 4.
- (13) Ibid., secs. 11, 14; Crim. Code, sec. 18, as amended April 24, 1873, 214.
- (14) A. Ark., 1897, p. 90.
- (15) Const. 1874, art. VII, secs. 1, 34.

in all matters of contract or damage to personal property where the amount in controversy does not exceed \$100 exclusive of interest. In misdemeanor cases the justice of the peace sits as an examining court and may commit, discharge or recognize offenders to the court having jurisdiction for further trial. (16) Juvenile courts were established in 1911 for the benefit and protection of dependent and delinquent children (17).

Inquests to establish the cause of violent deaths are to be conducted by the coroner (18). The grand jury may conduct investigations of criminal cases and of the official conduct and records of public officials and institutions. It may return indictments and recommend reforms, providing such are in compliance with existing laws. (19) After an indictment has been returned by the grand jury (20) or information filed by the prosecuting attorney (21), the accused is brought to trial before a petit or trial jury (22).

The county relies upon the prosecuting attorney and his deputies to represent it in criminal and civil legal matters (23).

The county has charge of preservation of the peace and enforcement of the law within its boundaries. The primary enforcement officers are the sheriff, coroner, and constables. They apprehend and jail malefactors and serve warrants, writs, and other processes directed to them by legal authority. Their jurisdiction is county-wide. (24) A person under arrest is placed in the custody of the sheriff, who may lock him up, or release him under bond, providing the offense charged is bailable (25). After a defendant has been found guilty of a crime by a court of competent jurisdiction he is remanded to the custody of the sheriff who is responsible for the execution of the sentence (26). Justices of the peace have county-wide jurisdiction in misdemeanor cases (27), and may conduct a preliminary examination of a defendant charged with a felony, remand him to jail or release him from custody, according to the findings (28).

The county derives its revenue from the general property tax (29); fees from the filing and recording of instruments (30) and the issuance

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| (16) <i>Ibid.</i> , sec. 40. | (23) <i>Ibid.</i> , pp. 131-133, 295; A. Ark., 1917, II, 1847. |
| (17) A. Ark., 1911, p. 167; Underwood v. Farrell, [1927], 175 Ark. 219. | (24) Rev. Stat., p. 728. |
| (18) Rev. Stat., p. 195. | (25) Const. 1874, art. II, sec. 8; A. Ark., 1875, p. 10; Crim. Code, sec. 79. |
| (19) Crim. Code, secs. 99-106, 401-406; A. Ark., 1927, p. 1185. | (26) Rev. Stat., p. 311. |
| (20) Rev. Stat., p. 306. | (27) <i>Ibid.</i> , p. 486. |
| (21) Const. 1874, amend. XXI, app. Nov. 3, 1936. | (28) A. Ark., 1871, p. 358. |
| (22) Rev. Stat., p. 306. | (29) <i>Ibid.</i> , 1883, p. 208. |
| | (30) <i>Ibid.</i> , 1933, p. 489. |

of licenses (31); a share of the gasoline tax (32); a per capita road tax (33); an excise tax on marketed natural resources produced within the county (34); general improvement tax (35); and from fines, penalties, forfeitures, and judgments imposed, adjudged, or rendered in favor of the county by the courts (36). The justices of the peace and the county judge form the quorum court which meets annually to set the amount of the county levy and make appropriations for expenses for each fiscal year (37). The tax assessor sets valuations upon real and personal property (38). Any taxpayer may appeal to the county board of equalization for an adjustment of his assessment (39). The assessor then turns the books over to the county clerk who computes the amount of taxes accrued against each item of property listed on the assessment books (40). Tax payments are made to the tax collector during specified periods (41). The offices of sheriff and collector were separated in Benton County in 1907 (42). Prior to that time the sheriff was ex officio collector (43). Claims against the county court are considered in quasi-judicial proceedings conducted by the county judge before being approved. The treasurer, who is custodian of the funds of the county, townships, and school districts, issues the warrants. He keeps a descriptive record of every warrant issued. The county court, through the county clerk, keeps a record of each appropriation, the warrants drawn against, and the balance remaining in, each fund. (44) When the records have been completed they are returned to the county clerk (45). The books and accounts of county and township officers are audited annually (46).

Any citizen of the United States who is 21 years of age, has lived in the State 12 months, in the county 6 months, in the precinct, town, or ward 1 month, prior to any election, and has a poll tax receipt is a qualified elector in Arkansas. Aliens are prohibited from voting and any felon may be deprived of franchise. (47) Candidates for public office must be electors, and must not have participated in a duel during the 10 years prior to the date of the election. An atheist is denied the right to hold office in Arkansas. (48) General elections are held on the Tuesday following the first Monday in November of each even-numbered year

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| (31) A. Ark., 1883, p. 210. | (41) A. Ark., 1935, pp. 777-782. |
| (32) <u>Ibid.</u> , 1935, p. 452. | (42) A. Ark., 1907, p. 313. |
| (33) <u>Ibid.</u> , 1913, p. 864. | (43) Const. 1874, art. VII, sec. 46. |
| (34) <u>Ibid.</u> , 1923, p. 68. | (44) Rev. Stat., p. 227; A. Ark., 1879, p. 115. |
| (35) <u>Ibid.</u> , 1921, p. 574. | (45) A. Ark., 1883, p. 260. |
| (36) <u>Ibid.</u> , 1883, p. 199. | (46) <u>Ibid.</u> , 1931, p. 210. |
| (37) Const. 1874, art. VII, sec. 30. | (47) Const. 1874, art. II, sec. 1; amend. VIII, app. 1920. |
| (38) <u>Ibid.</u> , sec. 46. | (48) Const. 1874, art. XIX, secs. 1-3. |
| (39) A. Ark., 1929, II, 864. | |
| (40) Rev. Stat., p. 674; Const. 1874, art. VII, sec. 19. | |

(49). General and special elections for State or county offices are conducted by the county board of election commissioners. The county board is appointed by the State Board of Election Commissioners. The county board establishes precincts, appoints judges and clerks, furnishes necessary supplies, and canvasses and certifies election returns (50). In the event of a vacancy in the office of United States Senator and in all elective State, district, circuit, county, and township offices except those of Lieutenant Governor, member of the General Assembly and Representative in Congress of the United States, the Governor appoints a person to fill the unexpired term. Those so appointed are prohibited from succeeding themselves. (51)

The county directs the formation of school districts and the changing of boundaries of the districts (52). It levies and collects the taxes for the schools (53); conducts school elections (54); is custodian of the school funds, which it disburses by warrants drawn by the school district authorities (55); enforces the rules and regulations of the Arkansas State Department of Education; furnishes the department with statistical data concerning the county school system (56), and supervises the distribution of free text books to the schools (57). The county cooperates with the Extension Service of the College of Agriculture in providing education in agriculture and home economics (58).

The county participates with the Arkansas State Board of Health and the United States Public Health Service in maintenance of a public health program (59). The county department of public welfare serves as agent for the State and Federal Governments in administering general relief (60). The county cooperates with State and Federal authorities in the treatment and quarantine of contagious or infectious diseases of animals, eradication of cattle ticks, and burning of carcasses (61).

Marks and brands of livestock and timber may be recorded (62). Inspection of weights, measures and scales is provided (63). The county directs the organization of improvement districts for drainage (64), flood protection (65), and fencing (66). Public and private boundary lines may be surveyed and established by the county surveyor (67).

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| (49) A. Ark., 1927, II, 1187. | Health Report, 1940, p. 7. A. |
| (50) A. Ark., 1891, p. 32; 1931, p. 1118; 1935, p. 427. | Ark., 1929, II, 1926. |
| (51) Const. 1874, amend. XXIX, app. Nov. 8, 1938. | (60) A. Ark., 1935, p. 56; 1937, p. 152; 1939, pp. 256, 672. |
| (52) A. Ark., 1931, p. 504. | (61) Ibid., 1925, p. 662. |
| (53) Ibid., p. 555. | (62) Rev. Stat., p. 704; A. Ark., 1901, p. 203. |
| (54) Ibid., 1935, p. 68. | (63) A. Ark., 1913, p. 1057. |
| (55) Ibid., 1931, p. 558. | (64) Ibid., 1911, p. 193; 1921, p. 391. |
| (56) Ibid., p. 494. | (65) Ibid., 1879, p. 117; 1891, p. 297. |
| (57) Ibid., 1937, p. 1100. | (66) Ibid., 1899, p. 166. |
| (58) Ibid., pp. 204, 961. | (67) Ibid., 1909, p. 180. |
| (59) Arkansas State Board of | |

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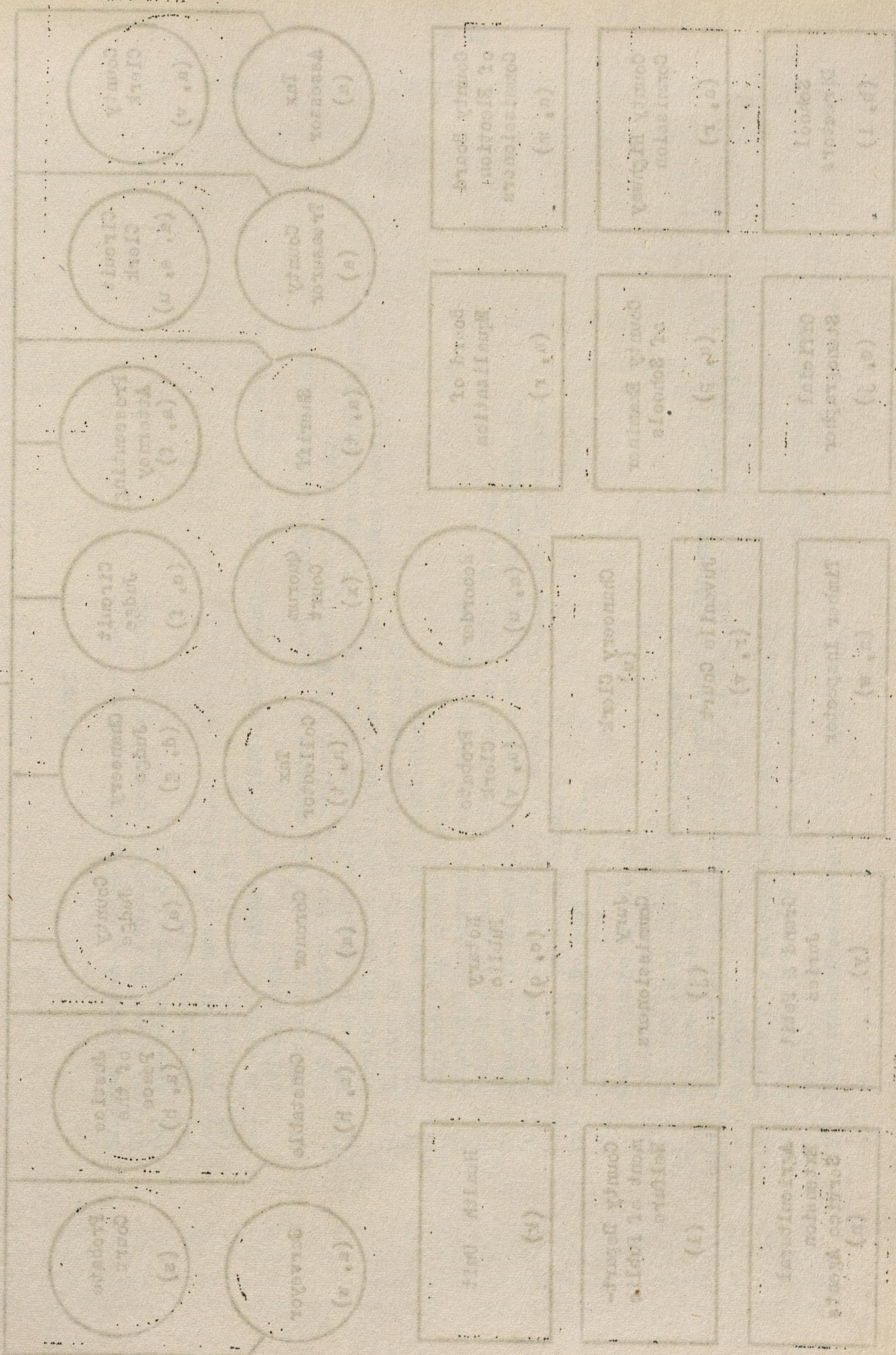
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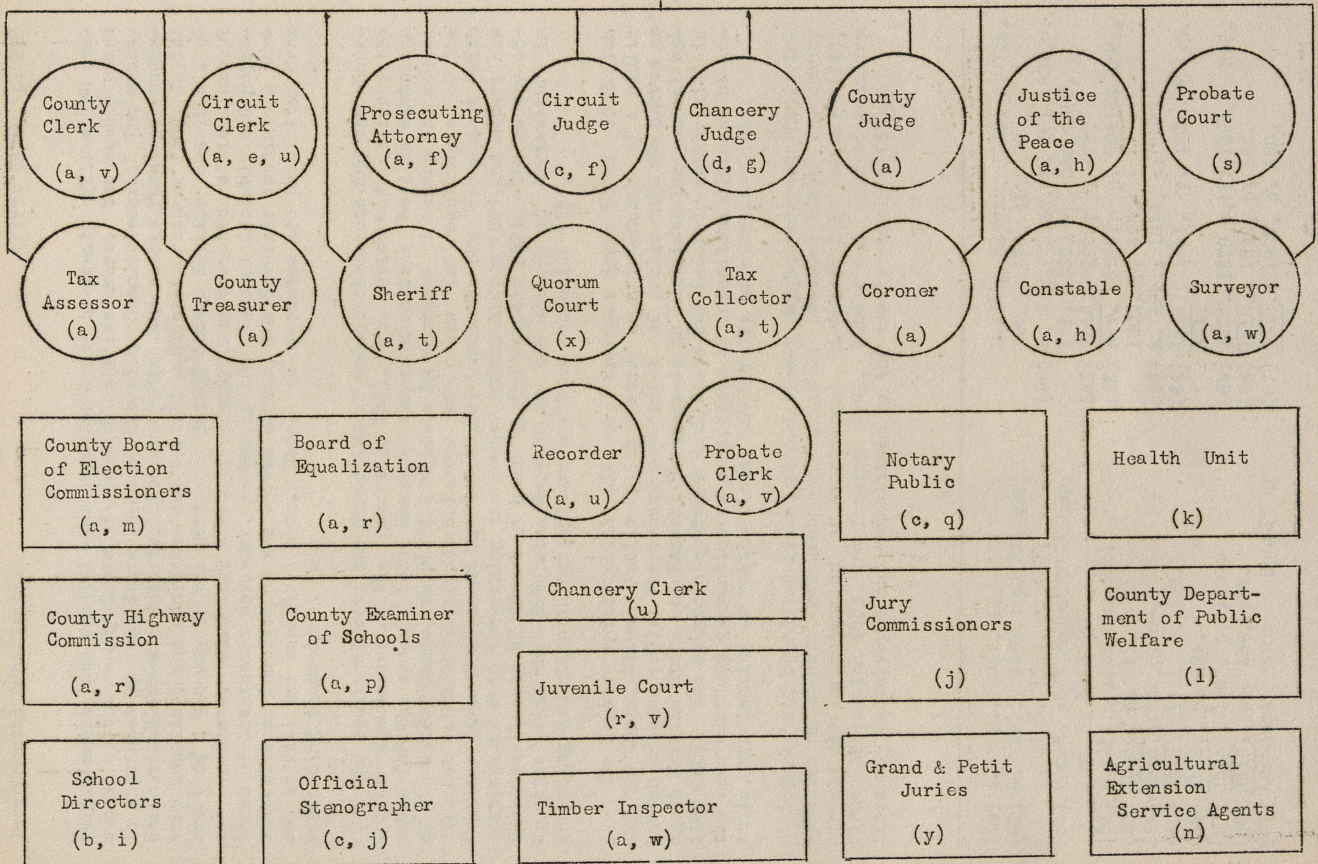
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7.

REFLECTOR



THE ELECTORATE



LEGEND

Offices shown in circles created by Constitution.
Offices shown in rectangles created by statute.

- (a) Two-year term of office.
- (b) Three-year term of office.
- (c) Four-year term of office.
- (d) Six-year term of office.
- (e) Ex officio county clerk 1836-1888; county clerk became elective office 1888.
- (f) Elected by and for all counties in fourth judicial circuit, consisting of Benton, Carroll, Madison and Washington Counties.
- (g) Elected by and for all counties in thirteenth chancery circuit, consisting of Benton, Washington, Carroll and Madison Counties.
- (h) Elected by and for political townships.
- (i) Elected by voters of school districts.
- (j) Appointed by circuit judge.
- (k) Appointed by Arkansas State Board of Health.
- (l) Appointed by Arkansas State Board of Public Welfare.
- (m) Appointed by Arkansas State Board of Election Commissioners.
- (n) Appointed by University of Arkansas, College of Agriculture.
- (o) Appointed by quorum court.
- (p) Appointed by county judge.
- (q) Appointed by Governor.
- (r) County judge presiding.
- (s) Chancery judge presiding.
- (t) Sheriff is ex officio tax collector.
- (u) Circuit Clerk is ex officio recorder and chancery clerk.
- (v) County clerk is ex officio clerk of the probate, juvenile and quorum courts.
- (w) Surveyor is ex officio timber inspector.
- (x) Members are county judge, presiding officer, and justices of the peace.
- (y) Jury venires selected by jury commission.

HOUSING, CARE, AND ACCESSIBILITY OF THE RECORDS

The Benton County courthouse at Bentonville, the fifth to be occupied by the county government, was erected in 1928 at a cost of approximately \$200,000. It is located on the east side of the public square, facing west. The records of all county agencies are housed in the courthouse except the current records of the sheriff and of the justices of the peace. The sheriff's current records are kept in his office at the county jail on North Main Street. Current records of the justices of the peace are kept in the respective offices of the justices serving the several townships of the county.

The courthouse is a two-story building with a basement. It is built of yellow brick, trimmed with white Carthage stone. The outside dimensions are 109' x 70 $\frac{1}{2}$ ' and the structure is approximately 50' high. It is of modified Gothic architecture. The main entrance faces west. The steps and five arches in front of the portico are of stone. A small vestibule and a lobby lead to the first floor rotunda which is 58' x 21', with stairs at the northwest and southwest corners leading to the second floor and the basement. There are separate entrances to the basement on the east and west sides of the building.

All offices and vaults have concrete floors, plastered walls and ceilings. The structure is lighted by electricity, heated by steam, and is considered fireproof. Ventilation and atmospheric conditions are good generally and there are no traces of dampness or dust in the vaults or offices. The ceilings in all rooms and vaults are 12', except the courtroom, which is 24'. For the arrangements of the various offices and their relationship to each other, consult the floor plans, pages 25-28.

A county jail, in which the sheriff's office is located, was erected on North Main Street in 1911. It is a T-shaped, two-story building with basement, and is built of red brick, with white Carthage stone trim. The interior walls and ceilings are plastered and the floors are wood. The outside dimensions of the front part of the building are 30' x 45', and the back part is 36' x 33'. The sheriff's office is in the northwest corner of the first floor.

Facilities are provided for the various county agencies as follows:
County Court. The county judge's suit of offices is on the east side in the basement. No records are kept in those offices. The county clerk is custodian of all court records, which consist of 415 file drawers, containing approximately 1,531 cubic feet of records, and 30 volumes in his basement vault, 77 file drawers, containing approximately 28 cubic feet of records, and 16 volumes in his main vault.

County Highway Commission. The county judge is chairman of this group. No records of the commission were found.

Circuit Clerk as Recorder. This official's office is to the left of the lobby at the main entrance on the first floor. In it there are 48 linear feet of shelving used to facilitate the handling of current records which are in daily use. The recorder's records consist of 159

volumes, 69 steel file drawers and 1 cardboard folder containing approximately 22.65 cubic feet of unbound records, in the circuit clerk's main vault, and 374 volumes and 24 steel drawers containing approximately 11 cubic feet of records in his basement vault.

Notary Public. The county does not provide office space for notaries public.

Circuit Court. The courtroom occupies the central portion of the second floor. There are long corridors on each side of the courtroom and two doors open into each corridor. The judge's stand is at the west end of the room and the jury boxes are on each side of the stand. There are galleries on each side of the room. The records of the circuit court are kept by the circuit clerk and are housed in his vaults. In the main vault there are 112 steel file drawers, 45 volumes and 8 bundles containing 37.44 cubic feet of unbound records. In the basement vault there are 552 steel file drawers, 192 volumes and 168 steel pigeon holes containing 181 cubic feet of unbound records.

Circuit Clerk's Main Vault. This vault is located in the northwest corner of the building on the first floor adjoining the office of the circuit clerk and recorder. It contains 512 linear feet of steel roller shelving in which are stored 248 volumes of bound records of the recorder, circuit court, and chancery court. There are 68 cubic feet of file drawer space, containing unbound records of these same agencies. Other equipment in the vault consists of 3 tables, 4 chairs, and 2 desks. The ventilation is good, and good overhead lighting is provided. Access to the vault may be had from the circuit clerk's office and from the basement vault.

Circuit Clerk's Basement Vault. This vault is located on the west side of the basement immediately under the office of the circuit clerk and recorder. It contains 576 linear feet of adjustable steel roller shelving. This shelving does not provide sufficient space for bound records stored in the vault. Many of the volumes are stacked on top of the tiers of shelving. There are 596 steel file drawers and 168 steel pigeon holes which provide 209.5 cubic feet of storage space for unbound records. Housed in this vault are records of the recorder, the circuit court, the chancery court, and the surveyor. Other equipment consists of 2 tables and 4 chairs. Access to the vault may be had from the basement corridor and the circuit clerk's main vault.

Chancery Court. The circuit courtroom is used by the chancery court. Records of the court are kept by the circuit clerk as ex officio chancery clerk, and are housed in his vaults. In the main vault there are 3 steel file drawers containing 8 cubic feet of unbound records, and 44 volumes. In the basement vault are 1 file drawer containing .32 cubic feet of unbound documents and 29 volumes.

Probate Court. Probate court is held in the circuit courtroom. The records are in the custody of the county clerk, who acts as ex officio probate clerk, and are kept in his vaults. They consist of 41 steel file

drawers, occupying 25 cubic feet, and 53 volumes in the main vault, and 9 file drawers, taking up 3.17 cubic feet, and 28 volumes in the basement vault.

Juvenile Court. Sessions of juvenile court are held in the office of the county judge. Records of this tribunal, consisting of one volume, are in the county clerk's main vault. Unbound records are a part of the county court records, see entries 1 and 106.

Justices of the Peace. Benton County does not provide quarters for the justices of the peace. Their courts are held in the respective townships they serve. Their current records are in the several townships. Non-current records, consisting of 45 volumes are housed in the county clerk's basement vault. See entries 108 and 109.

Prosecuting Attorney. This official does not have an office in the Benton County courthouse. He keeps no records. Criminal information prepared by the prosecuting attorney is filed with the circuit clerk. See entries 69 and 70.

Sheriff. The sheriff's office is in the northwest corner of the first floor of the Benton County jail building. His current records consisting of 5 volumes are housed in his office in 12 linear feet of steel shelving. Non-current records, consisting of 17 volumes, are in the county clerk's basement vault.

Coroner. No space is furnished in the courthouse for this official. His inquisition records are made a part of the circuit court records. See entry 62.

Constable. The county does not furnish quarters for constables. They keep no records.

County Clerk. The county clerk's office is to the right of the lobby at the main entrance on the first floor. There are 50 linear feet of adjustable steel shelving in this office for the convenience of the officials in handling current records which are in daily use.

County Clerk's Main Vault. This vault is located in the southwest corner of the building on the first floor and adjoins the county clerk's office. It contains 250 linear feet of adjustable steel shelving which provides storage for 238 volumes of bound records. There are 88 steel file drawers and 39 bundles which contain approximately 33 cubic feet of unbound records. Housed in this vault are records of the county court, the probate court, the county clerk, and the board of equalization. The vault is well lighted and ventilation is good. Access to it may be had from the clerk's office and the county clerk's basement vault. In addition to the storage facilities for records, the vault is equipped with 3 tables, 4 chairs, and 2 desks.

County Clerk's Basement Vault. This vault is located in the basement immediately under the county clerk's office. It contains 513 linear feet of adjustable steel shelving which is inadequate to provide

storage for the 606 volumes of bound records. Some of the volumes are stacked on top of the tiers of shelving. There are 443 steel file drawers and 56 bundles containing approximately 165.5 cubic feet of unbound records. Housed in this vault are records of the county court, the probate court, the board of equalization, the county clerk, the treasurer, justices of the peace, the sheriff, election commissioners, the county examiner, and the Confederate pension board. The vault is well ventilated and is lighted by artificial light. Access to it may be had from the basement corridor and the clerk's main vault on the first floor. In addition to the records facilities, the vault is equipped with 3 tables and 4 chairs.

Tax Assessor. The tax assessor's office is on the north side of the rotunda on the first floor. There are no permanent records kept by this official. The assessment lists prepared by the assessor are turned over to the county clerk. See entries 130-134.

Board of Equalization. No office space is provided for this agency. The county clerk is ex officio clerk of this board and the records are in his care. They consist of 5 volumes in the clerk's basement vault and 2 volumes in the main vault.

Tax Collector. The tax collector's office is located on the east side of the rotunda on the first floor. There is 20 linear feet of adjustable steel shelving in the office for the convenience of the collector in handling current tax records during the collecting period.

County Treasurer. The office of the treasurer is on the east side of the first floor. The treasurer's vault adjoins the office. There are 50 linear feet of steel shelving containing 28 volumes, and 8 steel file drawers containing 4.63 cubic feet of unbound documents in the treasurer's vault, and 37 volumes in the county clerk's basement vault.

Commissioner of Accounts (Defunct). The duties of this office have been assumed by the Arkansas State Comptroller, acting in the capacity of ex officio director of county audits. There are no regular quarters in the courthouse for this official, but convenient space is provided when audits are being made. Copies of the audits are filed with the county clerk. There are 26 notebooks on the audits stored in the circuit clerk's basement vault.

County Board of Election Commissioners. The county does not provide quarters for this agency. Records pertaining to elections are found in one volume in the county clerk's basement vault.

County Examiner of Schools. This official occupies an office on the southeast corner of the second floor of the courthouse. There are 24 linear feet of steel shelving in a steel cabinet. The records consist of 96 volumes, and 6 steel file drawers, containing 13.41 cubic feet of unbound records, in the examiner's office, and 4 volumes in the county clerk's basement vault.

Housing, Care, and Accessibility of the Records (First entry, p. 29)

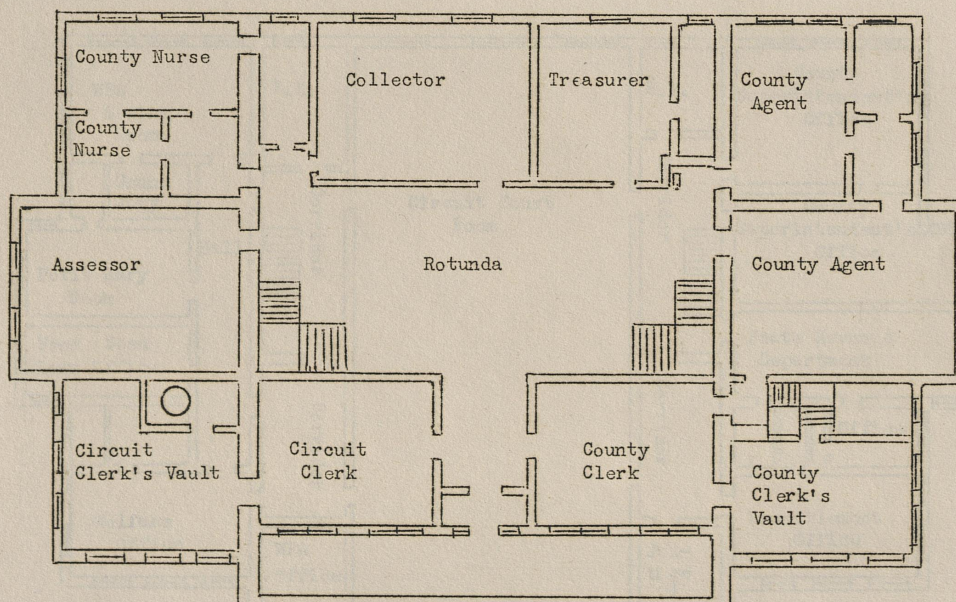
Health Unit. This unit occupies three offices in the northeast corner of the first floor. All records are kept in the county nurse's office. There are 6 wooden file drawers containing 16.67 cubic feet of records.

County Department of Public Welfare. Two rooms on the northwest corner of the second floor are occupied by this department. The records consist of 1 file drawer containing 4.16 cubic feet of space, and 4 steel file boxes containing .73 cubic feet, and 2 bound volumes kept on the desks.

Confederate Pension Board. This agency was rendered inactive by the General Assembly of 1939. Its records, consisting of two volumes, were found in the county clerk's vaults-- one in the basement vault and the other in the clerk's main vault.

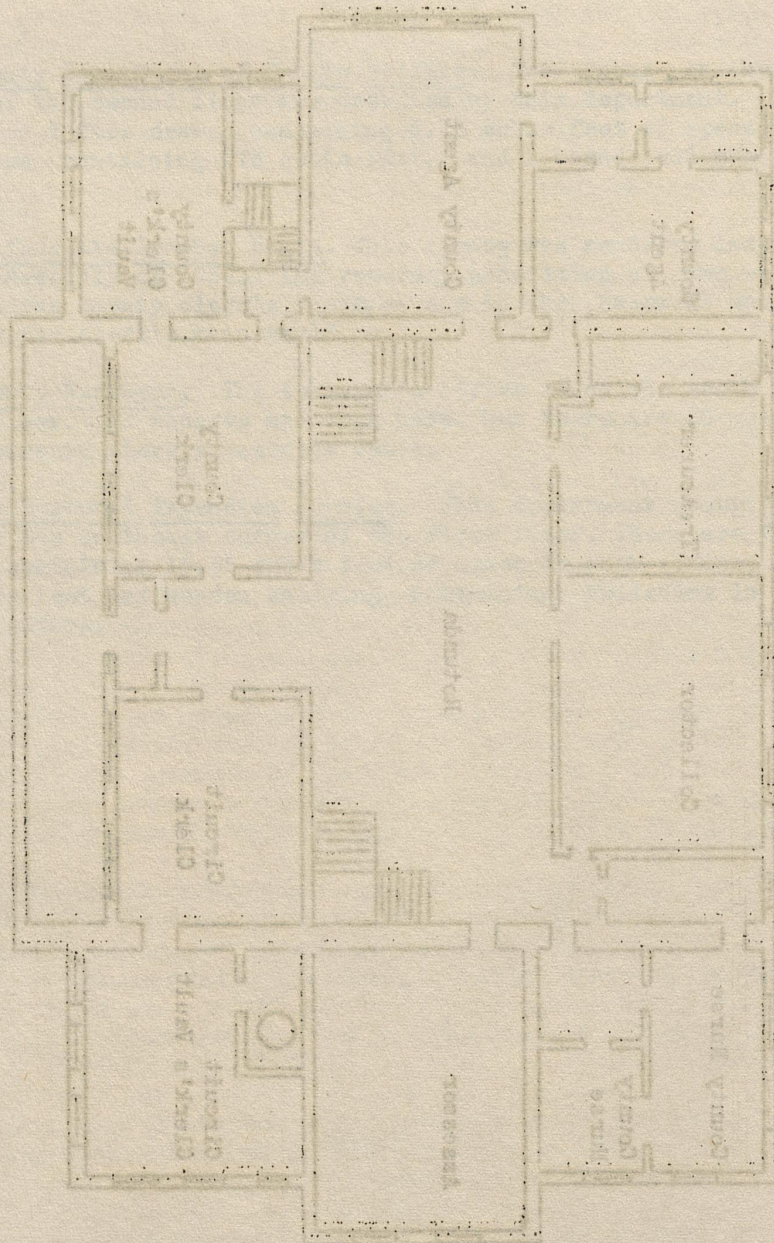
County Surveyor. The surveyor's office is on the south side of the second floor. No records are kept here, but there are 20 volumes stored in the circuit clerk's basement vault.

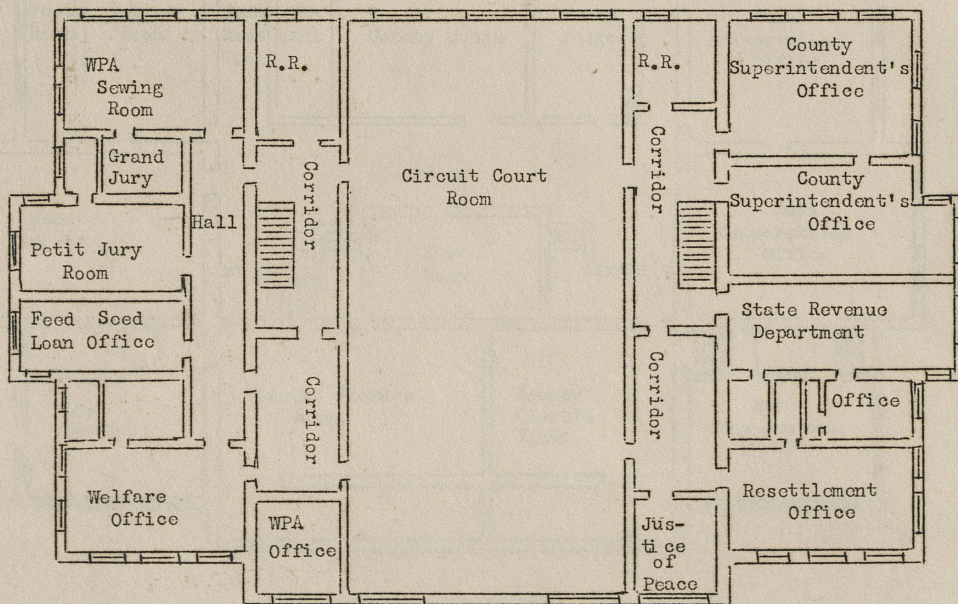
Agricultural Extension Service. This department occupies three offices in the southeast corner of the first floor. There are 7 steel file drawers containing 15.65 cubic feet of space in each office. There are 50 linear feet of wooden shelving containing bulletins in the county agent's office.



FIRST FLOOR PLAN
Scale 1/16"=1'

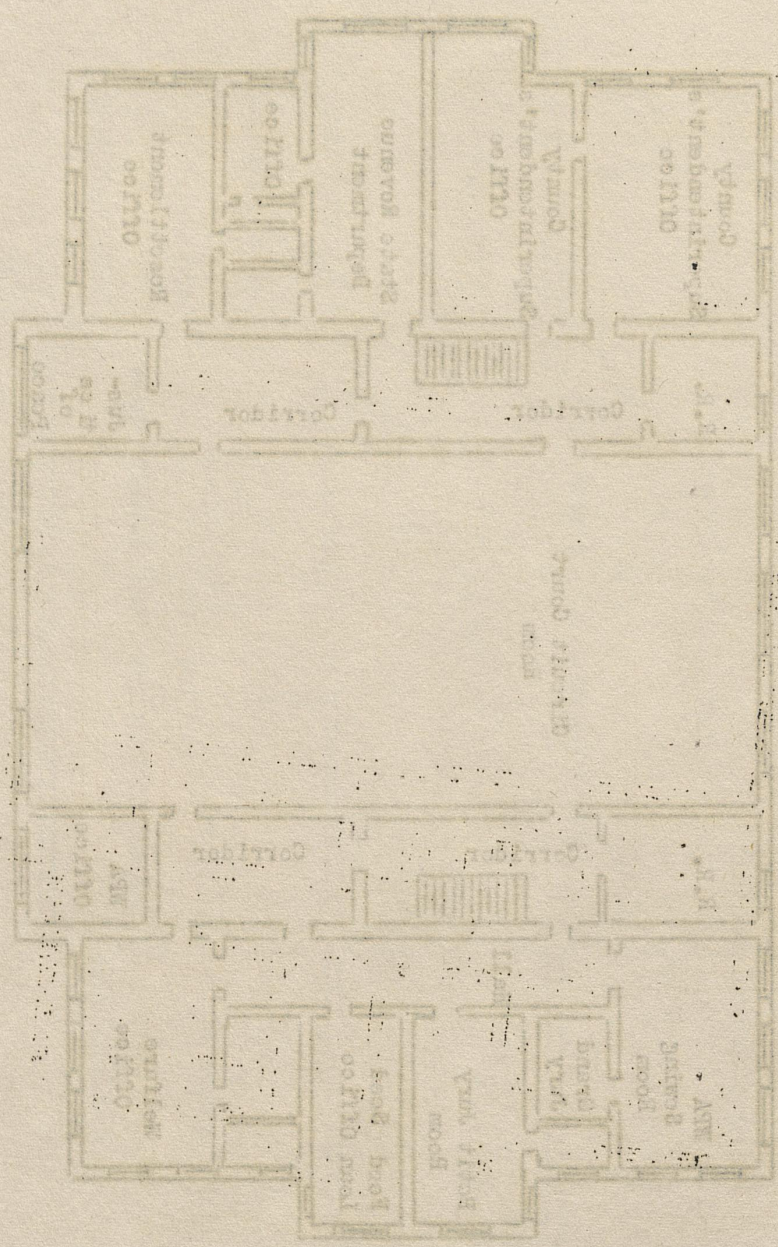
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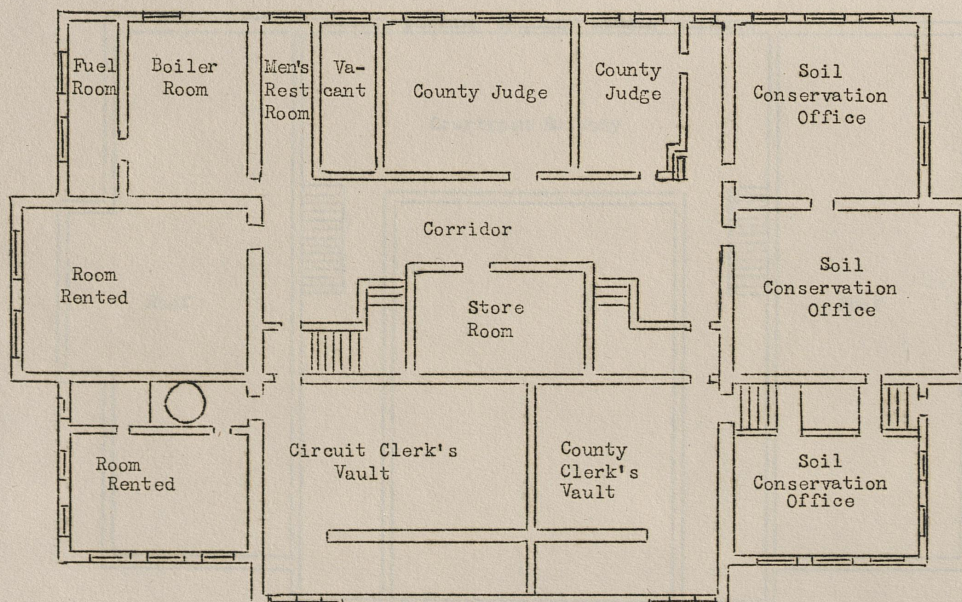




SECOND FLOOR PLAN
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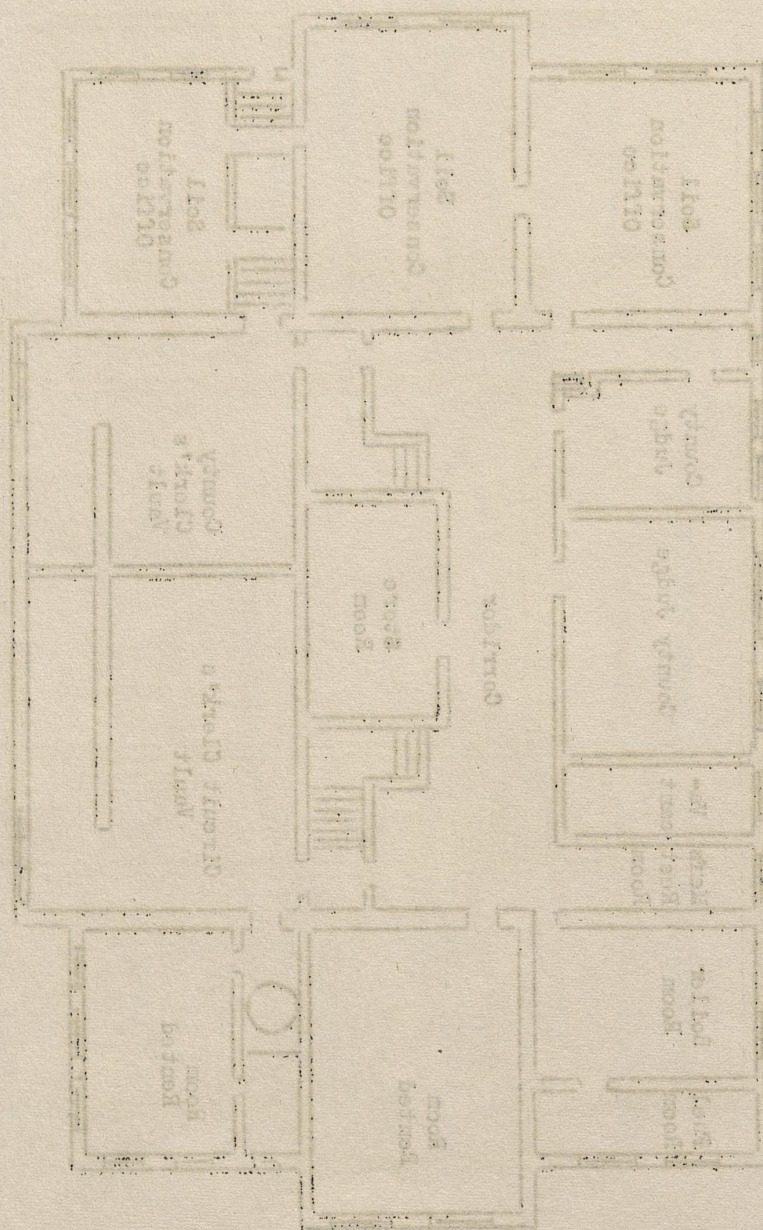
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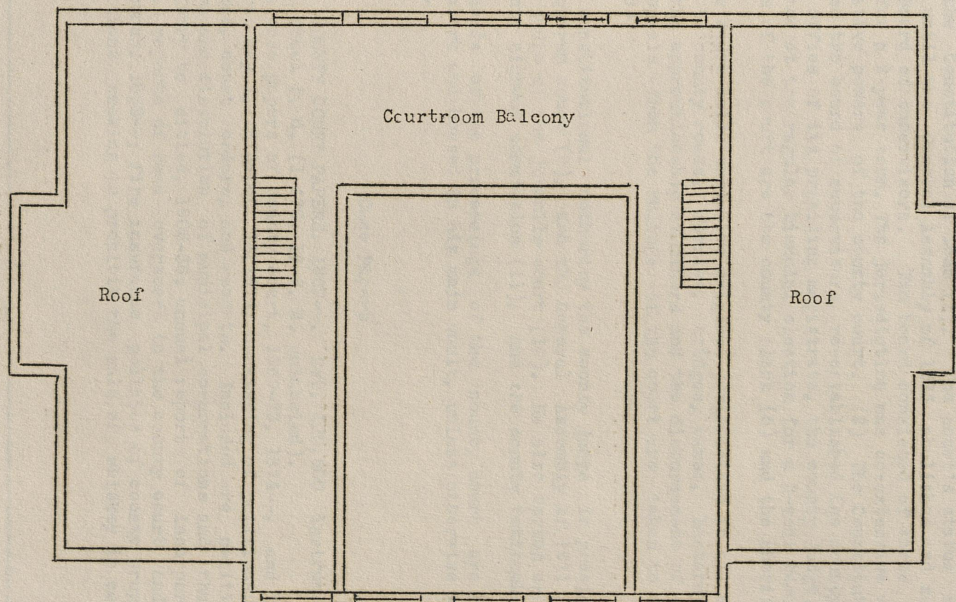




BASEMENT FLOOR PLAN
Scale 1/16"=1'

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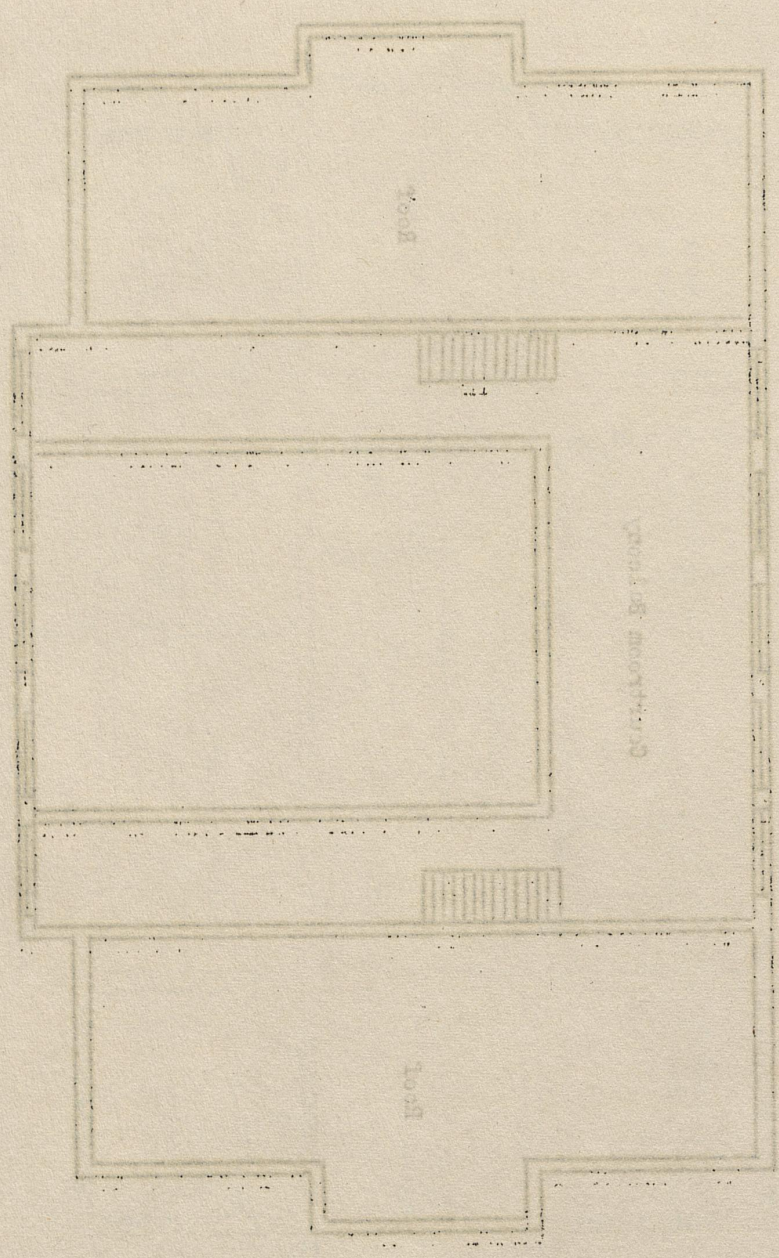




GALLERY FLOOR PLAN

Scale $1/16" = 1'$

PLAN OF THE
SOUTH SIDE



COUNTY COURT

The first county court in Benton County was established by authority of the Constitution of 1836 (1). The court's status remained unchanged until the General Assembly of 1873 abolished and supplanted it with a board of supervisors. The board consisted of three members, elected for a 2-year term. Its jurisdiction was co-extensive with the administrative powers of the county court. (2) The Constitution of 1874 abolished the board of supervisors, re-established the county court (3), and the office of its presiding magistrate, the county judge. The judge is elected at the regular biennial election for a 2-year term. (4) Other officers of the court are the county clerk (5) and the sheriff (6).

The court holds exclusive original jurisdiction in all matters pertaining to county roads, ferries, bridges, taxes, bastardy cases, vagrants, the apprenticeship of minors and the disbursement of county funds (7). Appeals from the rulings of the court are taken to the circuit court (8).

By constitutional authority the county judge is presiding officer of the quorum court (9), and the General Assembly of 1911 made him ex officio judge of the juvenile court (10). He also serves as chairman of the county highway commission (11), and the county textbook board (12).

Records of the proceedings of the county court are kept by the county clerk and housed in his main vault, unless otherwise shown in the entries.

Case Papers

1. COUNTY COURT PAPERS, 1869--. Est. 100,500 instruments in 489 steel f. d. (1-470; 19 f. d. unlabeled).

Original case papers of county court, 1869-73, 1874--, and board of supervisors, May 1, 1873-Oct. 13, 1874, consisting of petitions, claims for allowances, court orders, and reports. Included are petitions for the formation and dissolution of municipal corporations and the annexation of territory to cities, 1906-36; annual reports of incorporated towns, 1922-29; reports of road overseers to the county court and road overseers' bonds, 1882--; fire insurance policies of county property, 1911-37; petitions seeking to prohibit the sale of whiskey in certain spec-

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| (1) Const. 1836, art. VI, sec. 9. | (6) <u>Ibid.</u> , p. 728. |
| (2) A. Ark., 1873, p. 54. | (7) Const. 1874, art. VII, sec. 28. |
| (3) Const. 1874, art. VII, sec. 1. | (8) <u>Ibid.</u> , sec. 14. |
| (4) <u>Ibid.</u> , sec. 29. | (9) Const. 1874, art. VII, sec. 30. |
| (5) Rev. Stat., p. 177. | (10) A. Ark., 1911, p. 167. |
| | (11) <u>Ibid.</u> , 1939, p. 1018. |
| | (12) <u>Ibid.</u> , 1937, p. 1100. |

County Court

ified areas within the county, 1884-1919, 1933-35; petitions seeking the enactment of laws prohibiting livestock running at large, 1910-26; petitions seeking a free range for livestock, 1934; petitions for the construction of roads and bridges, 1882--; contracts for construction work, 1909-25; plans and specifications for construction projects, 1903-36; orders of appointment and oaths of office of appointees of the county court, 1884--; resignations, 1912--; petitions to change township line, 1912-19; claims for allowances, 1882--; petitions for salary account of 1934, and other miscellaneous papers pertaining to matters coming under the general jurisdiction of the county court and board of supervisors, 1869--. Claims show name of claimant, statement of service or supplies furnished, amount claimed, date filed, notation of approval or disapproval. Petitions show names of petitioners, purpose of petition, and date filed. Reports of county officers show name of office, itemized statement of receipts and disbursements, report date, and signature of reporting officer. Miscellaneous papers show names of parties affected, purpose for which instrument was drawn, and date filed. Also contains: Petitions to transfer school children, 1885-1930, entry 2; incidental filings of official bonds and appointments, 1898--, entry 36; reports of grand jury, 1900-1932, entry 64; probate court papers, 1869-1927, and incidental filings, 1928--, entry 87; incidental filings of wills, 1870--, entry 88; juvenile court papers, 1911--, entry 106; quorum court papers, 1887--, entry 114; public utility assessments, 1909-15, entry 126; abstract of tax books, 1876-1937, entry 127; list of voters, 1911-19, entry 149; reports of corporations and articles of incorporation, 1894-1934, entry 156; estray papers, 1904-26, entry 163; reports of sale of 16th section school lands, 1899-1928, entry 167; producers' reports, 1936--, entry 171; official transcripts, 1899--, entry 174; equalization board reports, 1898--, entry 175; reports of commissioners of accounts, 1894-1930, entry 187; birth certificates, 1914-24, entry 213; death certificates, 1914-24, entry 214. No obvious arr. For index, see entry 4. H., 1869-73; hpf., 1874-1908; tpf., 1909--. 19 f. d. 4 x 4 x 10, 470 f. d. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 13 $\frac{1}{2}$. 415 f. d., 1869-1930, in co. clk. ba. v.; 74 f. d., 1931--, in co. clk. m. v.

2. SCHOOL TRANSFERS, 1931--. Est. 500 instruments in 2 steel f. d. Titles vary slightly. 1885-1930 in County Court Papers, entry 1.

Petitions to county judge for transfer of school children, showing name and address of child transferred, numbers and names of districts from which transferred and to which transferred, signature of petitioner, date filed, and date approved. Arr. chron. by date filed. For index, see entry 4. Hpf. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 13 $\frac{1}{2}$.

3. APPEALS (from County Court Decisions), 1918-23. 100 instruments in 1 steel f. d.

Original claims against the county for damages to property due to the construction of public roads, which were disallowed by the county court and appealed to circuit court, showing name of claimant, amount claimed, date disallowed, and date appealed. Arr. chron. by date filed. For index, see entry 4. Hpf. 4 x 4 x 10.

County Court

(4-8)

4. INDEX TO COUNTY COURT PAPERS, 1869--. 2 vols. (A, B).

Index to County Court Papers, entry 1; School Transfers, 1931--, entry 2; Appeals (from County Court Decisions), 1918-23, entry 3, showing name of claimant, petitioner, or title of proceedings, claim number, and file drawer in which original instrument is filed. Arr. in alph. tabbed secs. and chron. thereunder by date filed. Aver. 750 pp. 17 x 12 x 3.

5. COUNTY HIGHWAY CLAIM DOCKET, 1932--. 1 vol. (A).

Record of allowances of claims by the county court for the payment of costs of construction and maintenance of county roads and bridges, showing date of court term, claim number, nature of claim, amount, date filed, order of approval or disapproval, signature of county judge, amount allowed, and number of warrant issued in payment. Arr. numer. by claim no. No index. Hpf. 600 pp. 15 x 18 x 3.

6. COUNTY COURT CLAIM DOCKET, 1932--. 2 vols. (A, B).

Record of allowances of claims by the county court for the payment of general expenses of county government, showing information as in entry 5. Arr. numer. by claim no. No index. Hpf. Aver. 600 pp. 15 x 18 x 3.

Proceedings

7. COUNTY COURT RECORD, 1857-63, 1865--. 20 vols. (first 2 vols. dated, A-D, G, I-K, N, O, Q, S, U, W, X, Z, 1, 3). Titles vary slightly.

Record of proceedings of the county court, 1857-63, 1865-April, 1873, Oct. 14, 1874--, and board of supervisors, May 1, 1873-Oct. 13, 1874, in matters such as appointments, the formation and dissolution of municipal corporations, construction of county buildings, purchase and sale of county property, issuance of bonds, petitions for opening and constructing roads and building bridges, the transfer of school children, the calling of elections, the formation of improvement districts, and allowance of claims. Entries show date of proceedings, names of officers of the court in attendance, names of parties affected by court proceedings, nature of proceedings or claim, court order concerning each action, and signature of presiding judge. Also contains: Road record, 1860-63, 1865-86, entry 8; school record, 1869-86, entry 9; proceedings of building commissioners, 1870-76, 1926-30, entry 11; proceedings in insanity cases, 1870-1918, entry 104; proceedings in juvenile cases, 1911-37, entry 107; proceedings in quorum court, 1875--, entry 115; sale of 16th section lands, 1878-82, and incidental recordings, 1883-1904, entry 168; incidental recordings of proceedings of school commissioners, 1858-60, entry 205. Arr. chron. by date of proceedings. No index, 1857-63, 1865-67; for index 1868--, see entry 10. H., t. Aver. 400 pp. 18 x 12 x 2. 15 vols., 1857-63, 1865-1909, 1912-17, in co. clk. ba. v.; 5 vols., 1910-11, 1918--, in co. clk. m. v.

8. COUNTY COURT ROAD RECORD, 1887--. 8 vols. (E, H, M, P, R, V, Y, 2). Titles vary slightly. 1860-63, 1865-86 in County Court Record, entry 7.

Record of proceedings in county court with reference to the construction and maintenance of county roads, showing date of proceedings, name of

County Highway
Commission

road overseer, road district number, listing of claims allowed, showing claim number, name of claimant, amount claimed, number of warrant issued in payment, and copy of signature of county judge. 1887-1916, arr. in numer. tabbed secs. according to road dist. no. and chron. thereunder by date filed; 1917--, chron. by date of proceedings. For index, see entry 10. Hph., 1887-1916; tph., 1917--. Aver. 640 pp. 18 x 12 x 3. 6 vols., 1887-1916, in co. clk. ba. v.; 2 vols., 1917--, in co. clk. m. v.

9. COUNTY COURT SCHOOL RECORD, 1887--. 4 vols. (F, L, T, 4). Titles vary slightly. 1869-86 in County Court Record, entry 7. A record kept by the county court of the functions, cost, and maintenance of county schools, showing date of proceedings, number and name of each school district, appointment and resignation of school directors, school district transfers, establishment of new and changes in old districts, sale of 16th section land, apportionment of school funds to districts, and appointment of beneficiaries to attend the University of Arkansas. Arr. chron. by date filed. For index, see entry 10. H., t. Aver. 640 pp. 18 x 12 x 3 $\frac{1}{2}$. 2 vols., 1887-1928, in co. clk. ba. v.; 2 vols., 1929--, in co. clk. m. v.

10. INDEX TO COUNTY COURT RECORD, 1868--. 8 vols. (A-H). Index to County Court Record, entry 7; County Court Road Record, 1887--, entry 8; County Court School Record, 1887--, entry 9, showing name of claimant, petitioner or title of proceedings, and book and page of record entry. Arr. in alph. tabbed secs. and chron. thereunder by date filed. H. Aver. 650 pp. 18 x 12 x 3. 6 vols., 1868-1929, in co. clk. ba. v.; 2 vols., 1930--, in co. clk. m. v.

11. JAIL COMMISSIONERS RECORD, 1910-11. 1 vol. 1870-76, 1926-30 in County Court Record, entry 7. Record of proceedings of building commissioners appointed by the county court to construct the county jail, including plans and specifications for the building, contract price, name of contractor, and specified date building to be completed. Each entry shows date of proceedings, or date instrument recorded, names of interested parties, and copy of signatures of the commissioners. Arr. chron. by date filed. No index. H. 152 pp. 12 $\frac{1}{2}$ x 8 x $\frac{1}{2}$. In co. clk. ba. v.

COUNTY HIGHWAY COMMISSION

The General Assembly of 1929 provided for the establishment of a county highway commission if the electorate of the county ratified the provision (1). The setting up of the commission was made mandatory by the 1939 session. The county judge is chairman of the commission and is

(1) A. Ark., 1929, I, 712.

Internal Improvement Commissioner.

(12)

allowed to appoint two other members to serve with him for a 2-year term. These appointments are subject to the approval of the quorum court. The commission is authorized to enforce any reasonable measures for the betterment of roads within the county, except those included in the State or Federal highway systems. (1)

No records of the agency were found in Benton County.

INTERNAL IMPROVEMENT COMMISSIONER (Defunct)

The office of internal improvement commissioner was created in 1850 (2), and supplanted in 1868 by the office of State Improvement Commissioner (3). The county office was re-created in 1873 and made an appointive power of the Board of supervisors. The term was for 2 years and the chief function of the office was the collection of all funds due the county on internal improvements. (4) The Constitution of 1874 made no provisions for the continuation of the office.

No records of this office were found in Benton County.

CIRCUIT CLERK AS RECORDER

In accordance with provisions of the Constitution of 1836, the circuit clerk served as county recorder (5). The Constitution of 1874 made the same provisions. The clerk is elected at the general election and serves a 2-year term. (6) The principal function of the office is the filing, recording, and preserving, of all instruments of writing which affect the titles of real or personal property (7).

Records of the office are in the custody of the circuit clerk and are housed in his main vault, unless otherwise shown in the entries following this essay.

Real Property Conveyances

Daily Register

12. RECORD OF INSTRUMENTS FILED, 1857--. 17 vols. (A-Q).
Chronological listing of instruments filed for record in the recorder's

(1) Ibid., 1939, p. 1018.

(2) A. Ark., 1850, p. 51.

(3) Const. 1868, art. VI, sec. 23.

(4) A. Ark., 1873, p. 54.

(5) Const. 1836, art. VI, sec. 7.

(6) Const. 1874, art. VII, sec. 19.

(7) Rev. Stat., p. 656.

office, showing names of grantor and grantee, nature and date of instrument, consideration, date filed, and book and page of record entry. Arr. alph. by first letter of name of grantor and chron. thereunder by date filed. No index. Hpf. Aver. 640 pp. 18 x 12 x 2. 14 vols., 1857-1936, in cir. clk. ba. v.; 3 vols., 1937--, in cir. clk. m. v.

Deeds

13. DEED RECORD, 1837--. 237 vols. (A-Z, 27-237). Titles vary slightly, being descriptive in some instances of the contents of certain vols. in which conveyances of a standardized or special form may be grouped. Incidental recordings, 1901, 1909, 1911--, in Mortgage Record, entry 21.

Record of instruments executed to convey title to real property by private or public sale, showing date executed, names of grantor and grantee, consideration, legal description of property, copy of signature of grantor, acknowledgment, date filed, and recording certificate. Included also are miscellaneous recordings as follows:

- i. Adoption, record of, 1899-1924, showing date of court term, date of instrument, name of child, copy of certificate from custodian of child, place and date of birth, date of adoption, copies of signatures of adopted parents and persons or agency relinquishing custody, acknowledgment, and recording certificate.
- ii. Affidavits, record of, 1889--, showing date executed, name of affiant, purpose of affidavit, names of persons and/or legal description of property involved, copy of affiant's signature, acknowledgment, date filed, and recording certificate.
- iii. Decrees of courts affecting land titles, record of, 1838--, showing number and style of case, legal description of property involved, names of parties affected by order, date executed, copy of signature of presiding judge, date filed, and recording certificate.
- iv. Emancipation deed liberating Negro slaves, record of, 1853, showing date executed, name and physical description of slave, consideration or reason for granting freedom, copy of signature of owner, acknowledgment, date filed, and recording certificate.
- v. Homestead graduation certificates, record of, 1911-28, showing certificate number, name of grantee, legal description of property, improvements made and other requirements met, date issued, copy of signatures of the President of the United States and Secretary of the Interior, recording certificates of the State Land Commissioner and county recorder.
- vi. Marriage contracts, record of, 1857-1920, executed to show individual property rights of husband and wife, terms of contract, description of property involved, copy of signatures of parties to contract, date filed, and recording certificate.

- vii. Municipal corporations, record of annexations of territory to, 1881-1934, showing description and boundaries of land to be annexed, number of inhabitants, name of town, date of petition, names of petitioners, order of approval of court, date filed, and recording certificate.
- viii. Redemption deeds, record of, 1879-- , showing date executed, name of grantee, legal description of property, consideration, date property sold for taxes, date redeemed, copy of signature of county clerk, date filed, and recording certificate.
- ix. Right-of-way deeds, record of, 1901-- , permitting the building of highways, railroads, power, telephone and telegraph lines across privately owned property, showing names of grantor and grantee, date and terms of grant, legal description of property, copy of signature of grantor, acknowledgment, date filed, and recording certificate.
- x. Royalty deeds, record of, 1881-- , executed to convey mineral rights, showing names of grantor and grantee, amount of royalty interest sold, legal description of property, acknowledgment, copy of signature of grantor, and recording certificate.
- xi. Schedule of married woman's separately owned property, 1850-- , showing itemized list of real and personal property, name of property owner, date executed, copy of signatures of interested parties, acknowledgment, and date recorded.
- Also contains: Timber deeds, 1933-35, and incidental recordings, 1919-32, entry 16; incidental recordings of oil and gas leases, 1920, entry 17; real estate mortgages, 1837-70, entry 21; releases of mortgages, 1837-70, entry 23; liens, 1879-97, and incidental recordings, 1898-1900, entry 25; plats, 1877-80, and incidental recordings, 1881-1927, entry 27; bills of sale, 1837-- , entry 30; chattel mortgages, 1837-82, entry 32; official bonds and appointments, 1840-68, and incidental recordings, 1869-1905, entry 37; ministers' credentials, 1837-1919, entry 40; articles of association, 1882-1923, entry 43; articles of partnership, 1842-75, entry 44; contracts, 1838-- , entry 45; incidental recordings of wills, 1837-- , entry 39; and incidental recordings of physicians' certificates, 1915-31, entry 161. 1837-80, arr. chron. by date recorded; 1881-- , arr. in segregated groups according to type of conveyance and chron. thereunder by date recorded. For index, see entries 14 and 15. H., t. Aver. 600 pp. 18 x 12 x 3. 178 vols., 1837-1928, in cir. clk. ba. v.; 59 vols., 1929-- , in cir. clk. m. v.

14. DIRECT INDEX DEEDS, 1837-- . 23 vols. (A-W). Titles vary slightly.

Direct index to Deed Record, entry 13, showing names of grantor and grantee, nature of instrument, date recorded, and book and page of record entry. Arr. in alph. tabbed secs. by first letter in name of grantor and chron. thereunder by date recorded. Hpf. Aver. 450 pp. 18 x 12 x $2\frac{1}{2}$. 17 vols., 1837-1923, in cir. clk. ba. v.; 6 vols., 1924-- , in cir. clk. m. v.

15. REVERSE INDEX, DEEDS, 1837--. 23 vols. (A-W). Titles vary slightly.

Indirect index to Deed Record, entry 13, showing names of grantee and grantor, nature of instrument, date recorded, and book and page of record entry. Arr. in alph. tabbed secs. by first letter of surname of grantee and chron. thereunder by date recorded. Hpf. Aver. 450 pp. 18 x 12 x 2 $\frac{1}{2}$. 17 vols., 1837-1923; in cir. clk. ba. v.; 6 vols., 1924-- in cir. clk. m. v.

16. (TIMBER DEEDS), 1912-35. 1912-32 in Mortgage Record, entry 21; 1933-35, and incidental recordings, 1919-32, in Deed Record, entry 13.

Record of instruments executed to convey timber rights, showing names of grantor and grantee, date and duration of deed, consideration, legal description of property on which timber is located, copy of signature of grantor, acknowledgment, date filed, and recording certificate.

Leases

17. (Oil and Gas) LEASE RECORD, 1901--. 12 vols. (1 vol. unlabeled, B, 2-11). Incidental recordings, 1920, in Deed Record, entry 13.

Record of instruments executed to convey the right of ingress and egress for the exploration of oil, gas, and minerals, showing date executed, names of lessor and lessee, legal description of property, consideration, terms, copy of signature of lessor, acknowledgment, and recording certificate. Also contains: Notices of mining claim locations, 1910-- entry 19. Arr. chron. by date filed. For index, see entry 18. Hpf., tpf. Aver. 640 pp. 18 x 12 x 3. 10 vols., 1901-30, in cir. clk. ba. v.; 2 vols., 1931-- in cir. clk. m. v.

18. INDEX TO LEASE RECORD, 1901--. 3 vols. (1-3). Titles vary slightly.

Direct index to (Oil and Gas) Lease Record, entry 17, showing names of lessor and lessee, date executed, date filed, legal description of property, and book and page of record entry. Arr. alph. by first letter of surname of lessor. Hph. Aver. 45 pp. 18 $\frac{1}{2}$ x 11 $\frac{1}{2}$ x 1.

19. [MINING RECORD], 1896-1915. 1 vol. 1916-- in (Oil and Gas) Lease Record, entry 17.

Record of notices of mining claim location, showing name of claimant, boundaries by section, township and range, description of lode or vein, date claimed, copy of signature of claimant, acknowledgment, and recording certificate. Arr. chron. by date recorded. For index, see entry 20. H. 350 pp. 15 x 12 x 2. In cir. clk. ba. v.

20. INDEX TO MINING RECORD, 1896-1915. 1 vol.

Direct index to [Mining Record], entry 19, showing name of claimant, location of mine, and book and page of record entry. Arr. alph. by first letter of surname of claimant. Hph. 60 pp. 14 x 8 x $\frac{1}{2}$. In cir. clk. ba. v.

Mortgages

21. MORTGAGE RECORD, 1871--. 133 vols. (A-Z, 27-39, 41-48, 50-59, 61-134, 136, 137). Titles vary slightly, being descriptive in some instances of the contents of certain vols. in which mortgages of a special form may be grouped. 1837-70, in Deed Record, entry 13; incidental recordings, 1909-10, in Release of Mortgages, entry 23.

Record of mortgages on real estate, showing date executed, names of mortgagor and mortgagee, consideration, legal description of property, terms of mortgage, copy of signature of mortgagor, date filed, acknowledgment, and recording certificate. Also contains: Incidental recordings of warranty deeds, 1901, 1909, 1911--, entry 13; timber deeds, 1912-32, entry 16; release of mortgages, 1871-1907, 1921-39, and incidental recordings, 1908-20, entry 23; liens, 1885-97, and incidental recordings, 1898-1909, 1913, 1922-23, entry 25; incidental recordings of bills of sale, 1883-1934, entry 30; chattel mortgages, 1883--, and incidental recordings, 1871-82, entry 32; releases of chattel mortgages, 1900-1936, entry 35; incidental recordings of articles of association, 1910-24, entry 43, and incidental recordings of contracts, 1878-1928, entry 45. 1871-1916, arr. chron. by date recorded; 1917--, in segregated groups according to type of mortgage and chron. thereunder by date recorded. For index, see entry 22. Hpf., tpf. Aver. 640 pp. $18\frac{1}{2} \times 12\frac{1}{2} \times 3$. 78 vols., 1871-1922, in cir. clk. ba. v.; 55 vols., 1923--, in cir. clk. m. v.

22. GENERAL INDEX TO MORTGAGES, 1871--. 19 vols. (A-S).

Direct and indirect index to Mortgage Record, entry 21, and Release of Mortgages, 1908-20, 1940--, entry 23. Direct section of index shows name of mortgagor and mortgagee, date of instrument, legal description of property, date filed, and book and page of record entry. Indirect section shows same information with names of mortgagee and mortgagor reversed. Arr. in alph. tabbed secs. by first letter of surname of mortgagor or mortgagee and chron. thereunder by date recorded. Hpf. Aver. 500 pp. $18\frac{1}{2} \times 12\frac{1}{2} \times 3$. 15 vols., 1871-1924, in cir. clk. ba. v.; 4 vols., 1925--, in cir. clk. m. v.

23. RELEASE OF MORTGAGES, 1908-20, 1940--. 4 vols. (40, 49, 60, 135). Titles vary slightly. 1837-70 in Deed Record, entry 13; 1871-1907, 1921-39, and incidental recordings, 1908-20, in Mortgage Record, entry 21.

Record of releases on real estate mortgages, showing date of execution, date of release, names of mortgagor and mortgagee, legal description of lands mortgaged, copy of mortgagee's signature, acknowledgment, date filed, and recording certificate. Also contains: Incidental recordings of real estate mortgages, 1909-10, entry 21; incidental recordings of bills of sale, 1909-10, entry 30; incidental recordings of chattel mortgages, 1909-10, entry 32; incidental recordings of contracts, 1910, entry 45. Arr. chron. by date filed. For index, see entry 22. Hpf., t. Aver. 640 pp. $18\frac{1}{2} \times 12\frac{1}{2} \times 3$. 3 vols., 1908-20 in cir. clk. ba. v.; 1 vol., 1940--, in cir. clk. m. v.

Liens and Lis Pendens

24. (Materialman's and Mechanic's) LIENS, 1932--. Est. 225 instruments in 3 steel f. d. (dated).

Original liens filed by mechanics and materialmen against the property of another for security of debt, showing nature of lien, name and address of person imposing lien, amount of lien, name of person against whom lien is filed, description of property, signature of lien holder, acknowledgment, and date filed. Arr. chron. by date filed. Indexed alph. by first letter of surname of lien holder. T. tpf. $10\frac{1}{2}$ x $4\frac{1}{2}$ x 12.

25. RECORD OF LIENS, 1898--. 3 vols. (A-C). 1879-97, and incidental recordings, 1898-1900, in Deed Record, entry 13; 1885-97, and incidental recordings, 1898-1909, 1913, 1922-23, in Mortgage Record, entry 21.

Record of liens upon property for security of debt, showing information as in entry 24. Arr. chron. by date filed. Indexed alph. by first letter of name of lien holder. Hpf. Aver. 490 pp. 16 x 11 x 2.

26. LIS PENDENS RECORD, 1904--. 4 vols. (1-4).

Record of notices of suits pending in court declaring a lien may be established against certain designated property to satisfy court judgment, showing names of plaintiff and defendant, purpose and nature of lien, legal description and location of property, copy of signature of person filing notice, acknowledgment, and recording certificate. Arr. chron. by date filed. Indexed alph. by first letter of surname of pltf. H. Aver. 640 pp. 18 x $12\frac{1}{2}$ x 3.

Surveys and Plats

27. PLAT BOOK, 1881--. 2 vols. (A, B). 1877-80, and incidental recordings, 1881-1927, in Deed Record, entry 13.

Individual plats bound in volumes consisting of plats, town sites, additions to, and subdivisions of towns and cities of Benton County, and plats of estates made in accordance with court decrees of heirship. Each plat shows date of survey, name of town site, subdivision or estate, and name of surveyor. Arr. alph. by name of addition or town, subdivision or estate. For index, see entry 28. H. and blueprints. Aver. 200 pp. 19 x 32 x 2.

28. INDEX TO PLAT BOOK, 1881--. 1 vol.

Direct index to Plat Book, entry 27, showing title of plat, and book and page of record entry. Arr. alph. by first letter in title of plat. T. 100 pp. 13 x 10 x 1.

29. PLATS OF SCHOOL DISTRICTS, 1923--. 1 vol.

Record of plats of each school district of Benton County, showing number, size and location of districts with boundary lines, date district formed, dated surveys made, and date recorded. Arr. chron. by date filed. No index. Hpf. 322 pp. $12\frac{1}{2}$ x $17\frac{1}{2}$ x 2. In cir. clk. ba. v.

Personal Property

Conveyances

30. (BILLS OF SALE RECORD), 1837--. In Deed Record, entry 13; incidental recordings, 1883-1934, in Mortgage Record, entry 21; incidental recordings, 1909-10, in Release of Mortgages, entry 23.

Record of instruments executed to convey title of personal property, showing names of grantor and grantee, terms, itemized listing of property sold, copy of grantor's signature, acknowledgment, and recording certificate.

Mortgages

31. [CHATTEL MORTGAGES], 1905--. Est. 15,200 instruments in 81 steel f. d. Subtitled by names of mortgagees.

Original chattel mortgages executed for the purpose of conveying lien upon personal property to secure payment of debt, showing names of mortgagor and mortgagee, date and amount of mortgage, description of property given as security, terms of mortgage, acknowledgment, and certificate of filing. Arr. alph. by first letter of surname of mortgagor or trustee. No index. Tpf. $10\frac{1}{2}$ x $4\frac{1}{2}$ x 12. 20 f. d., 1905-32, in cir. clk. ba. v.; 61 f. d., 1933--, in cir. clk. m. v.

32. (CHATTEL MORTGAGE RECORD), 1837--. 1837-82, in Deed Record, entry 13; 1883--, and incidental recordings, 1871-82, in Mortgage Record, entry 21; incidental recordings, 1909-10, in Release of Mortgages, entry 23.

Record of chattel mortgages, showing information as in entry 31.

33. CHATTEL MORTGAGE RECORD (Minutes of), 1881--. 41 vols. (A-Z, 1-15). Titles vary slightly.

Numerical listing of chattel mortgages filed, showing assigned serial number, names of mortgagor and mortgagee, description of mortgaged property, date executed, date due, and marginal notation of release. Arr. in alph. tabbed secs. according to first letter of name of mortgagor, and chron. thereunder by date filed. No index. Hpf. Aver. 640 pp. 18 x $12\frac{1}{2}$ x 3. 36 vols., 1881-1935, in cir. clk. ba. v.; 5 vols., 1936--, in cir. clk. m. v.

34. ORDER OF RELEASE, 1930--. Est. 400 instruments in 5 steel f. d. (dated).

Original chattel mortgage releases, showing names of mortgagor and mortgagee, legal description of property, consideration, date of mortgage, date released, and date filed. Arr. alph. by first letter of surname of mortgagor. No index. Hpf. $10\frac{1}{2}$ x $4\frac{1}{2}$ x 12. 3 f. d., 1930-39, in cir. clk. ba. v.; 2 f. d., 1940--, in cir. clk. m. v.

35. (RELEASES OF CHATTEL MORTGAGES), 1900-1936. In Mortgage Record, entry 21.

Record of chattel mortgage release, showing date executed, names of mortgagor and mortgagee, date and amount of mortgage, description of chat-

tels mortgaged, copy of signature of mortgagee, acknowledgment, date filed, and recording certificate.

Bonds, Credentials and Commissions

36. OFFICIAL BONDS AND APPOINTMENTS, 1891--. Est. 775 instruments in 2 steel f. d. and 1 cardboard folder. Titles vary slightly. Incidental filings, 1898--, in County Court Papers, entry 1. Bonds filed by county officers guaranteeing faithful performance of duties, showing name of officer, date of bond, name of office to which elected or appointed, names of sureties and amount of bond, duration and term of office, signatures of official and bondsmen, acknowledgment, date filed and approved. Appointments show name and address of officer, title, date of appointment, signature of appointing officer, and date filed. Also contains: Notary public bonds, 1923-36, entry 39. Arr. chron. by date filed. No index. Hpf., tpf., t. File drawers $10\frac{1}{2} \times 4\frac{1}{2} \times 12$, folder $1 \times 4 \times 9\frac{1}{2}$. 1 f. d., 1891-1929, in cir. clk. ba. v.; 1 f. d. and 1 folder, 1930--, in cir. clk. m. v.

37. RECORD OF OFFICIAL BONDS AND APPOINTMENTS, 1869--. 3 vols. (A-C). Titles vary slightly. 1840-68, and incidental recordings, 1869-1905, in Deed Record, entry 13.

Record of official bonds and appointments, showing information as in entry 36. Arr. chron. by date filed. Indexed alph. by first letter of surname of officer. H., t. Aver. 615 pp. $18 \times 12 \times 3$. 2 vols., 1869-1912, in cir. clk. ba. v.; 1 vol., 1913--, in cir. clk. m. v.

38. REGISTER OF COMMISSIONS, 1881-1925. 1 vol. (1). Register of county officers' commissions, showing name of officer, title of office, date of commission, date of qualification, post office address, amount of fee paid to Secretary of State of Arkansas, when and where collected, and date remitted. Arr. chron. by date elected or appointed. No index. Hpf. 300 pp. $16 \times 11\frac{1}{2} \times 1\frac{3}{4}$. In cir. clk. ba. v.

39. NOTARY PUBLIC BONDS, 1891-1922, 1937--. Est. 300 documents in 2 steel f. d. Incidental filings, 1923-36, in Official Bonds and Appointments, entry 36.

Original bonds of notaries public filed to guarantee faithful performance of official duties, showing name of notary or constable, amount of bond, term of office, signatures of officer and sureties, acknowledgment, certificate of approval, and filing certificate. Arr. alph. by first letter of surname of notary and chron. thereunder by date filed. No index. H., t. $10\frac{1}{2} \times 4\frac{1}{2} \times 12$.

40. REGISTER OF MINISTERS' CREDENTIALS, 1920--. 1 vol. 1837-1919 in Deed Record, entry 13.

Record of credentials issued to ministers authorizing performance of marriage ceremonies and all necessary duties of ministers, showing name of minister, date credentials granted, denomination with which he is affiliated, date ordained, copy of signature of church official who issued certificate, date filed, and recording certificate. Arr. chron. by date filed. Indexed alph. by first letter of surname of minister. T. 650 pp. $17 \times 11 \times 3$.

Circuit Clerk as Recorder;
Notary Public

(41-45)

Discharges

41. SAILOR'S AND SOLDIER'S DISCHARGE RECORD, 1919--. 2 vols. (1, 2).

Record containing verbatim copies of discharge certificates of citizens who served, or were called into service, in military or naval forces of the United States during the World War, showing name of discharged person, reason for discharge, place of birth, age at enlistment, civilian occupation, physical description, commanding officer's certificate of discharge, date of discharge, enlistment record, giving details, including name, grade, whether enlisted or inducted, length of service, rank, skill in marksmanship and horsemanship, engagements in which he served, wounds received, physical condition, marital status, character, date filed, and recording certificate. Arr. chron. by date filed. For index, see entry 42. Hpf. Aver. 450 pp. 18 x 12 $\frac{1}{2}$ x 3.

42. (Index to) SAILOR'S AND SOLDIER'S DISCHARGE RECORD, 1919--. 1 vol. (1).

Direct index to Sailor's and Soldier's Discharge Record, entry 41, showing name of sailor or soldier, classification, book and page of record entry. Arr. alph. by first letter of surname of soldier or sailor. Hpf. 390 pp. 18 x 12 $\frac{1}{2}$ x 2 $\frac{1}{2}$.

Miscellaneous

43. (RECORD OF ARTICLES OF ASSOCIATION), 1882-1928. In Deed Record, entry 13; incidental recordings, 1910-24, in Mortgage Record, entry 21.

Record of the formation of a non-profit association, showing regulations and purpose, name, place of meeting, date organized, names of officers, articles of incorporation, date filed, and recording certificate.

44. (RECORD OF ARTICLES OF PARTNERSHIP), 1842-75. In Deed Record, entry 13.

Record of articles of partnership filed, showing date of instrument, names of parties entering into partnership, kind of business to be transacted, amount invested by each partner, place where business is to be conducted, acknowledgment, copy of signatures of partners, and date recorded.

45. (RECORD OF CONTRACTS), 1838--. In Deed Record, entry 13; incidental recordings, 1878-1928, in Mortgage Record, entry 21; incidental recordings, 1910, in Release of Mortgages, entry 23.

Record of agreement between two or more parties, showing names of contracting parties, date of contract, terms, copy of signature of contracting parties, acknowledgment, and recording certificate.

NOTARY PUBLIC

The General Assembly of 1837 authorized the Governor to appoint one

notary public for each county (1). At present, in accordance with an act of the 1874 General Assembly, the Governor appoints a discretionary number of notaries public in the county, whose terms are 4 years (2). The chief function of the notary public is to take acknowledgment of all instruments of writing which require legal authentication (3).

At present (1941) there are 140 commissioned notaries public in Benton County (4).

CIRCUIT COURT

The establishment of a circuit court was authorized by the Constitution of 1836 (5), and was continued by subsequent constitutions (6). The presiding judge is elected by the voters of the fourth judicial circuit (7), for a 4-year term (8). Counties comprising the fourth judicial circuit are Benton, Carroll, Madison, and Washington (9).

Two terms of court are held each year in Benton County, beginning on the third Monday of March and September (10). Members of the court, other than the judge, are the circuit clerk (11), and the sheriff of the county (12).

The circuit court holds exclusive, original jurisdiction in all matters, both civil and criminal, not assigned to another court. It holds appellate jurisdiction over the county and justice of the peace courts. (13) Appeals from the rulings of the court are carried to the Arkansas State Supreme Court (14).

An act of the General Assembly of 1897 authorized the circuit judge to appoint an official court stenographer to serve the courts of the circuit. The stenographer's tenure of office is concurrent with that of the judge making the appointment. (15)

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| (1) Rev. Stat., p. 588. | (7) A. Ark., 1887, p. 47. |
| (2) A. Ark., 1874-75, p. 61. | (8) Const. 1874, art. VII, sec. 17. |
| (3) <u>Ibid.</u> , p. 588. | (9) A. Ark., 1887, p. 47. |
| (4) Notary Public Record, 1941, p. 9. | (10) <u>Ibid.</u> , p. 89. |
| (5) Const. 1836, art. VI, sec. 1. | (11) Rev. Stat., p. 177. |
| (6) Const. 1861, art. VI, sec. 1; | (12) <u>Ibid.</u> , p. 728. |
| Const. 1864, art. VII, sec. 1; | (13) Const. 1874, art. VII, sec. 11. |
| Const. 1868, art. VII, sec. 1; | (14) <u>Ibid.</u> , sec. 4. |
| Const. 1874, art. VII, sec. 1. | (15) A. Ark., 1897, p. 63. |

The first circuit clerk in Benton County was elected by authority of the Constitution of 1836 (1). The present Constitution provides for the election of the clerk for a 2-year term, and further provides that he serve as ex officio county recorder (2). The General Assembly of 1903, in establishing separate chancery courts, named the circuit clerk ex officio clerk of that tribunal (3).

Records of proceedings of the circuit court are kept by the circuit clerk and housed in his main vault, unless otherwise shown in the entries.

Civil Division

Case Papers

46. [CIRCUIT COURT PAPERS], 1866--. Est. 131,400 instruments in 658 steel f. d. (1-658), 2 steel f. d. and 168 steel pigeon holes (unlabeled).

Original papers of civil and criminal cases tried in the circuit court, such as petitions, subpoenas, answers, motions, pleadings, list of witnesses, court orders, notices of appeal, transcripts of testimony, exhibits, and mandates of the Arkansas State Supreme Court. Each document shows the nature of the instrument, number and style of case, names of attorneys, date filed and, if recorded, book and page of record entry. Also contains: Appeal transcripts, 1866-1921, entry 48; coroner's inquisitions, 1881-1936, entry 62; abstract of misdemeanors, 1881--, entry 71; disposed of chancery court case papers, 1866-1931, and incidental filings, 1932--, entry 75. 1866-1940, no obvious arr.; 1941--, arr. alph. according to first letter of name of pltf. For index, see entry 47. H., t., hpf., tpf. 658 f. d. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 12; 2 f. d. 12 x 16 x 24; pigeon holes 4 x 4 x 9. 552 f. d. and 168 pigeon holes, 1866-1936, in cir. clk. ba. v.; 108 f. d., 1937--, in cir. clk. m. v.

47. INDEX TO (Circuit) COURT PAPERS, 1868--. 3 vols. (1 vol. unlabeled, C, D).

Index to [Circuit Court Papers], entry 46; [Appeal Transcripts], 1922, entry 48, showing case number, nature of the case, box number in which papers are filed, trial date, and, if recorded, book and page of record entry. Arr. alph. by first letter of name of pltf. and chron. thereunder by date filed. Hpf. Aver. 450 pp. 18 x 12 x 3. In cir. clk. ba. v.

(1) Const. 1836, art. VI, sec. 7. (2) Const. 1874, art. VII, sec. 3. (3) A. Ark., 1903, p. 326.

Circuit Court

48. [APPEAL TRANSCRIPTS], 1922--. 80 instruments in 1 steel f. d. 1866-1921 in [Circuit Court Papers], entry 46. Copies of transcripts of circuit court cases which were appealed to Arkansas State Supreme Court, showing date of proceedings, name of plaintiff and defendant, case number, names of witnesses, testimony of each, and pleadings of attorneys in case. No obvious arr. For index, see entry 47. T. $10\frac{1}{2}$ x $4\frac{1}{2}$ x 12.

49. BANKRUPTCY PAPERS, 1934--. 150 instruments in 1 steel f. d. Original notices filed by the Federal Court to stop proceedings in the State court that affect property of bankruptcy petitioners, showing name of person, firm or corporation, date of petition, place of business, signatures of conciliator's committee, and date filed. Arr. alph. by first letter of surname of bankrupt, and chron. thereunder by date filed. No index. Tpf. $10\frac{1}{2}$ x $4\frac{1}{2}$ x 12.

Proceedings

50. CLERK'S BAR DOCKET (Civil and Criminal), 1866-83. 3 vols. (A, B; 1 vol. unlabeled). Titles vary slightly. Minutes of proceedings in civil cases in circuit court, showing information as in entry 51. Minutes of proceedings in criminal cases showing information as in entry 72. Also contains: Chancery docket, 1866-83, entry 78. Arr. numer. by case no. No index. Hpf. Aver. 450 pp. 16 x 11 x $2\frac{1}{2}$. In cir. clk. ba. v.

51. COMMON LAW DOCKET, 1898--. 6 bound and 4 loose-leaf vols. (F-K; 4 vols. unlabeled). Titles vary slightly. Minutes of proceedings in civil cases tried in circuit court, showing number and style of case, name of attorneys, date of proceedings, order of court, process issued, amount of jury fees accumulated in each case, and book and page of record entry. Arr. numer. by case no. No index. Hpf. Aver. 450 pp. 16 x 11 x $2\frac{1}{2}$. 6 vols., 1898-1918, in cir. clk. ba. v.; 4 vols., 1919--., in cir. clk. m. v.

52. LAW RECORD, 1893--. 8 vols. (A-H). 1837-92 in Circuit Court Record (Criminal Cases), entry 73. Record of proceedings in civil cases tried in the circuit court, showing term of court, case number, date of trial, names of plaintiff and defendant, cause of action, names of attorneys, plea of defendant, court judgments and penalty, order of custody of person or property, and date recorded. Also contains: Declarations of intention, 1893-1907, and incidental recordings. 1908-12, entry 58. Arr. chron. by trial date. For index, see entry 53. H., t. Aver. 650 pp. 18 x 12 x 3.

53. INDEX TO COMMON LAW RECORD, 1893--. 3 vols. (A-C). Index to Law Record, entry 52, showing names of plaintiff and defendant, case number, date filed, and book and page of record entry. Arr. alph. by name of pltf. Hpf. Aver. 550 pp. 18 x $12\frac{1}{2}$ x 3.

54. JUDGMENT DOCKET, 1858--. 5 vols. (B-F). Record of judgments and decrees entered or filed in the circuit court for execution, showing number of case, names of litigants and attorneys,

name of judgment debtor, amount of judgment, itemized statement of costs, and date paid. Arr. chron. by judgment date. For index, see entry 55. H., hpf. Aver. 450 pp. 18 x 12 x 2 $\frac{1}{2}$. 3 vols., 1858-1919, in cir. clk. ba. v.; 2 vols., 1920--, in cir. clk. m. v.

55. INDEX TO JUDGMENT DOCKET, 1858--. 4 vols. Index to Judgment Docket, entry 54, showing names of plaintiff and defendant, date of instrument, style of case, and book and page of record entry. Arr. alph. by first letter of surname of judgment debtor. Hpf. Aver. 150 pp. 17 $\frac{1}{2}$ x 11 $\frac{1}{2}$ x $\frac{1}{2}$. 2 vols., 1858-1910, in cir. clk. ba. v.; 2 vols., 1911--, in cir. clk. m. v.

56. EXECUTION DOCKET, 1872--. 2 vols. (A, B). Record of execution orders issued by the circuit court for the collection of judgments in civil cases and fines and costs in criminal cases, showing number and style of case, amount of judgment lien, accrued interest, date filed, name of sheriff, name of judgment debtor or defendant, copy of signature of circuit clerk, itemized statement of fees due sheriff for execution, and copy of signature of sheriff. Arr. chron. by date issued. Indexed alph. by first letter of surname of pltf., 1927--; for index, 1872-1926, see entry 57. Hpf. Aver. 250 pp. 18 x 12 x 2. 1 vol., 1872-1926, in cir. clk. ba. v.; 1 vol., 1927--, in cir. clk. m. v.

57. INDEX TO EXECUTION DOCKET, 1872-1926. 1 vol. Direct index to Execution Docket, 1872-1926, entry 56, showing names of plaintiff and defendant, and book and page of record entry. Arr. alph. by first letter of surname of pltf. H. Aver. 75 pp. 16 x 11 $\frac{1}{2}$ x $\frac{1}{2}$. In cir. clk. ba. v.

Naturalization

58. RECORD OF DECLARATION OF INTENTION, 1908--. 1 vol. Last entry 1925. 1875-92 in Circuit Court Record (Criminal Cases), entry 73; 1893-1907, and incidental recordings, 1908-12, in Law Record, entry 52.

Record of declaration by aliens of their intention to become citizens of the United States, showing name, age, occupation, physical description, place of birth, last foreign residence and allegiance, date of arrival in the United States, name of vessel on which voyage was made, present place of residence therein and oath of intention to renounce allegiance to all Governments other than that of the United States and in good faith to become a citizen of, and permanently reside therein. Arr. chron. by date filed. Indexed alph. by first letter of surname of alien. Hpf. 100 pp. 14 x 9 x $\frac{1}{2}$. In cir. clk. ba. v.

59. PETITION FOR NATURALIZATION, 1907-29. 1 vol. Record of petitions to the circuit court for naturalization of aliens, showing name of applicant for citizenship, date application made, place of residence within the United States, occupation, nationality, date of birth, date and place of entry to the United States, name of wife or husband, oath of intention to become a citizen of the United States, length of residence in the United States, affidavit of witnesses as to the correctness of statements, oath of allegiance, order of court on petition,

and notice of investigation by United States Department of Labor. Arr. chron. by date filed. Indexed alph. by first letter of surname of petitioner. Hpf. 100 pp. 14 x 9 x $\frac{1}{2}$. In cir. clk. ba. v.

Financial

60. WITNESS FEE BOOK, 1872-90, 1893-1903. 7 vols. (A-C, E-H). 1904-- in Fee Book (Civil and Criminal), entry 61. Record of fees paid to various parties for services as witnesses, showing date of court term, style of suit, names of witnesses, number of days served, amount claimed per diem and for mileage, and amount paid. Arr. chron. by date of court term and numer. thereunder by case no. No index. Hpf. Aver. 400 pp. 18 x 14 x 2. In cir. clk. ba. v.

61. FEE BOOK (Civil and Criminal), 1872--. 30 vols. (A-H; 22 vols. dated). Itemized record of fees assessed in civil and criminal cases in circuit court, showing number and style of case, nature of offense, names of attorneys and witnesses, date fee incurred, total amount, statement of cost, and date paid. Also contains: Witnesses fees, 1904--, entry 60; chancery fee book, 1894-96, 1901-2, entry 83. Arr. chron. by proceedings date. Civil fee book indexed alph. by first letter of surname of pltf.; criminal fee book, by first letter of surname of deft. H., hpf. Aver. 450 pp. 16 x 12 x $2\frac{1}{2}$. 29 vols., 1872-1939, in cir. clk. ba. v.; 1 vol., 1940--, in cir. clk. m. v.

Criminal Division

(See also entries 46, 48, 50, 56, 61)

Inquests and Indictments

62. (CORONER'S INQUESTS), 1881-1936. In [Circuit Court Papers], entry 46. Coroner's report of inquests, showing name of deceased person, date of death, date and place of inquisition, list of witnesses, digest of testimony, certificate of examining physician, verdict of jury, and signatures of foreman of jury and coroner.

63. MINUTES OF GRAND JURY, 1880-1935, 1941--. 111 vols. (dated). Titles vary slightly. Minutes of proceedings before the circuit court grand jury, showing date of court term, names of witnesses who testified, digest of testimony, brief statement of investigation made, number of indictments returned, and date filed in court. Arr. chron. by court term. No index. H. Aver. 200 pp. 12 x $7\frac{1}{2}$ x $\frac{1}{2}$. 110 vols., 1880-1935, in cir. clk. ba. v.; 1 vol., 1941--, in cir. clk. m. v.

64. (REPORTS OF GRAND JURY), 1900-1932. In County Court Papers, entry 1. Reports of grand jury, showing number of cases investigated, number of true bills of indictment, report of investigation of county offices and

institutions, recommendations, report on sanitary conditions of county property, specific recommendations, and signature of grand jury foreman.

65. WITNESS BEFORE GRAND JURY, 1881-89, 1905-8. 2 vols. Record of witnesses summoned before grand jury, showing date and court term, number of days witness served, number of miles traveled, fees due each witness, date of examination and allowance, signature of circuit clerk, dates paid and filed. Arr. chron. by date of court term. No index. H. Aver. 220 pp. 12 x 7 x $\frac{1}{2}$. In cir. clk. ba. v.

66. CIRCUIT CLERK'S (Juror's) CERTIFICATE FOR WARRANTS, 1936-37. 50 instruments in 1 steel f. d. Original certificates given by the circuit clerk authorizing issuance of county warrants in payment of juror's fees, showing date issued, name of juror, date of court term, number of days in attendance, amount of fees and mileage, signature and seal of the circuit clerk. Arr. chron. by date issued. No index. Hpf. $10\frac{1}{2}$ x $4\frac{1}{2}$ x 12.

67. (Grand and Petit) JURY CERTIFICATE BOOK, 1881-1906. 2 vols. Recorded lists of grand and petit jurors selected by the jury commissioners, showing term of court, name of juror, number of days in attendance at court, amount of fees and mileage due, copy of signature of clerk, date filed, and date recorded. Arr. chron. by date of court term. No index. H. Aver. 300 pp. 18 x 12 x 2. In cir. clk. ba. v.

68. INDICTMENTS, 1878-1932. Est. 1,250 instruments in 8 bundles. 1933-39, and incidental filings, 1927-32, in Chancery Court Papers (Pending Cases), entry 76. Original indictments voted by the grand jury and filed with the circuit clerk for recording after apprehension of person charged in indictment with violation of law, showing number and style of case, crime charged, date and place of alleged crime, names of prosecuting attorney, grand jury foreman and clerk, date filed, amount of bond, name of trial judge, names of witnesses, and filing certificate. No obvious arr. No index. Hpf. $3\frac{1}{3}$ x 3 x $8\frac{1}{2}$.

69. (Criminal) INFORMATION, 1938--. 350 instruments in 1 steel f. d. Original papers of criminal information and grand jury indictments filed by the prosecuting attorney. Criminal information shows case number, name of defendant, nature of offense, date of alleged crime, signature of prosecuting attorney, and date filed. Indictments show information as in entry 68. Arr. numer. by case no. No index. Hpf., tpf. $10\frac{1}{2}$ x $4\frac{1}{2}$ x 12.

70. INFORMATION AND INDICTMENT RECORD, 1880-1936, 1940--. 8 vols. (A-H). No record, 1937-40. Titles vary slightly. Recorded copies of criminal informations, showing information as in entry 69, and true bills of indictment voted by the grand jury and filed with the circuit clerk for recording after apprehension of person charged with violation of law, showing information as in entry 68. Arr. chron. by date filed. Indexed alph. by first letter of surname of deft. Hpf. Aver. 640 pp. 18 x 12 x 3. 7 vols., 1880-1936, in cir. clk. ba. v.; 1 vol., 1940--, in cir. clk. m. v.

Jury Commission

(71-74)

71. (ABSTRACT OF MISDEMEANORS), 1881--. In [Circuit Court Papers], entry 46.

Reports of justices of the peace to circuit court of misdemeanor cases tried in justice of peace courts, showing name of justice of the peace, name of township in which he has jurisdiction, date of court term, style of case, nature of offense, costs, date filed, and signature of justice of the peace.

Proceedings

72. BAR DOCKET, CRIMINAL, 1883--. 12 bound and 2 loose-leaf vols. (B-M; 2 vols. unlabeled).

Minutes of proceedings of circuit court in criminal cases, showing number of case, name of defendant, names of attorneys, offense charged, motions and demurrers, court rulings, verdict, judgment, and court sentence. Arr. numer. by case no. No index. Hpf. Aver. 450 pp. 16 x 11 x 2 $\frac{1}{2}$.

73. CIRCUIT COURT RECORD (Criminal Cases), 1837--. 13 vols. (A-M). Record of proceedings in cases tried in circuit court, showing date of term of court, names of court officers, case number, trial date, offense charged, names of litigants, and court order. Also contains: Proceedings in circuit court civil cases, 1837-92, entry 52; declarations of intention, 1875-92, entry 58; proceedings in chancery court cases, 1837-40, entry 79. Arr. chron. by proceedings date. For index, see entry 74. Hpf. Aver. 640 pp. 18 x 12 $\frac{1}{2}$ x 3. 9 vols., 1837-1915, in cir. clk. ba. v.; 4 vols., 1916--., in cir. clk. m. v.

74. INDEX TO CIRCUIT COURT RECORD, 1837--. 9 vols. (dated). Index to Circuit Court Record (Criminal Cases), entry 73, showing number and style of case, names of plaintiff and defendant, and book and page of record entry. Arr. alph. by first letter of surname of deft. H. Aver. 400 pp. 18 x 12 x 2 $\frac{1}{2}$. 5 vols., 1837-1912, in cir. clk. ba. v.; 4 vols., 1913--., in cir. clk. m. v.

JURY COMMISSION

The jury commission exists by authority of the Criminal Code, adopted by the General Assembly of 1869 (1). The commission is composed of three members, appointed by the circuit judge for the duration of the term of court for which the jurors are selected (2).

Grand and petit juries are provided for in Benton County by authority of the Criminal Code of 1869 (3). Eighteen grand jurors and twenty-

(1) Crim. Code, 1869, secs. 401, 405, 406.

(2) A. Ark., 1871, p. 264.

(3) Crim. Code, 1869, sec. 98.

four petit jurors are selected by the jury commission from lists of voters of the county. The panel is submitted to the court, where the final selection of 16 grand and 12 petit jurors is made. (1)

Records of appointments of the members of the jury commission and the proceedings of both juries are parts of the circuit court records. See entries 63, 64, 67.

CHANCERY COURT

The establishment of a separate chancery court was left to the discretion of the General Assembly by all constitutions of the State. Until such time, equity jurisdiction was vested in the circuit courts. (2) No chancery court was created in Benton County, until a general law of 1903 made its establishment mandatory in all counties. Benton was attached to the 11th chancery circuit (3), where it remained until 1925, when it was made a part of the 13th circuit (4). The chancery judge is elected by the voters of his circuit, for a term of 6 years. Other officers of the court are the circuit clerk, in the capacity of clerk of the chancery court, and the sheriff of the county as ministerial officer. (5) A constitutional amendment, approved in 1938, made the chancery judge the presiding magistrate of the probate court (6). Chancery court holds exclusive, original jurisdiction in all cases of equity.

Appeals from the rulings of the chancery court are taken to the Arkansas State Supreme Court (5).

Records of proceedings of the chancery court are kept by the circuit clerk in his ex officio capacity as clerk of the chancery court, and housed in his main vault, unless otherwise shown in the entries.

Case Papers

75. CHANCERY COURT PAPERS (Disposed of Cases), 1932--. 250 instruments in 1 steel f. d. 1866-1931, and incidental filings, 1932--, in [Circuit Court Papers], entry 46.

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|-----------------------------------|-------------------------------|
| (1) A. Ark., 1881, p. 92. | (3) A. Ark., 1903, p. 314. |
| (2) Const. 1836, art. VI, sec. 6; | (4) Ibid., 1925, p. 279. |
| Const. 1861, art. VII, sec. 6; | (5) Ibid., 1903, p. 314. |
| Const. 1864, art. VII, sec. 6; | (6) Const. 1874, amend. XXIV, |
| Const. 1868, art. VII, sec. 5; | sec. 2, approved November, |
| Const. 1874, art. VII, sec. 15. | 1938, declared effective Jan- |
| | uary 1, 1939. |

Papers of cases heard in chancery court, including petitions, subpoenas, motions, pleadings, official transcripts, list of witnesses, summons and court orders, notices of appeal, exhibits and mandates of the Arkansas Supreme Court. Each document shows kind of instrument, case number, style of case, names of persons affected, names of attorneys, and date filed. Arr. alph. by first letter of name of pltf. No index. H., tpf. 12 x 16 x 24.

76. CHANCERY COURT PAPERS (Pending Cases), 1927--. Est. 298 instruments in 2 steel f. d. (labeled by contained letters of alphabet).

Papers of cases pending in chancery court, showing information as in entry 75. Also contains: Indictments, 1933-39, and incidental filings, 1927-32, entry 68. Arr. alph. by first letter of surname of pltf. No index. T. 12 x 16 x 24.

Proceedings

77. [TRANSCRIPTS OF APPEALED CHANCERY CASES], 1923--. 80 instruments in 1 steel f. d.

Original transcripts of cases heard in chancery court which were appealed, showing date of proceedings, digest of testimony, number of case, names of witnesses and attorneys, date filed, and date appealed. No obvious arr. No index. T. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 12. In cir. clk. ba. v.

78. CHANCERY DOCKET, 1903--. 1 vol. (A-K). Titles vary slightly. 1866-83 in Clerk's Bar Docket (Civil and Criminal), entry 50. Minutes of proceedings in cases tried in chancery court, giving trial date, number and style of case, nature of proceedings, and notations of court order. Arr. chron. by trial date. Indexed alph. by first letter of surname of pltf. and chron. thereunder by case no. Hpf. Aver. 260 pp. 16 $\frac{1}{2}$ x 11 x 2. 9 vols., 1903-36, in cir. clk. ba. v.; 2 vols., 1937--, in cir. clk. m. v.

79. CHANCERY (Court) RECORD, 1841--. 33 vols. (1 vol. unlabeled; A-K, M, N, P, Q, S-V, X-Z, 27, 29-31, 33, 34, 36-40). 1837-40 in Circuit Court Record (Criminal Cases), entry 73.

Record of proceedings of cases tried in chancery court, showing date of proceedings, case number, style of case, names of officers of the court, litigants and attorneys, names of witnesses, trial date, nature of proceedings, and orders of the court. Also contains: Record of foreclosure sales, 1841-1906, entry 81. Arr. chron. by trial date. No index, 1841-1902; for index, 1903--, see entry 80. Aver. 650 pp. 18 x 12 x 2 $\frac{1}{2}$.

80. INDEX CHANCERY COURT RECORD, 1903--. 5 vols. (A-E).

Direct index to Chancery (Court) Record, entry 79, and Record of Sales Chancery, 1907--, entry 81, showing names of plaintiff and defendant and book and page of record entry. Arr. alph. by first letter of surname of pltf. Hpf. Aver. 75 pp. 16 $\frac{1}{2}$ x 11 x $\frac{1}{2}$.

Foreclosure

81. RECORD OF SALES CHANCERY, 1907--. 7 vols. (L, O, R, W, 28, 32, 35). Titles vary slightly. 1841-1906 in Chancery (Court) Record, entry 79.

Record of lands sold by the chancery commissioner to satisfy judgments of the chancery court, showing date of decree, names of plaintiff and defendant, legal description of property, date of sale, name of purchaser, consideration, and case number. Arr. chron. by sale date. For index, see entry 80. Hpf. Aver. 650 pp. 18 x 12 $\frac{1}{2}$ x 3. 5 vols., 1907-30, in cir. clk. ba. v.; 2 vols., 1931--, in cir. clk. m. v.

82. COMMISSIONERS SALE RECORD, 1903-25. 4 vols. (A-D). Subsequent records not found.

Record of foreclosure sales conducted by chancery clerk, as commissioner in chancery, showing purchase price, with principal and interest itemized, name of purchaser, and method of payment, order of distribution with costs itemized, names of persons to whom payments were made, date executed, name of grantee, date deed delivered, and name of person receiving it. Arr. chron. by date of sale. Indexed alph. by first letter of name of purchaser. Hpf. Aver. 400 pp. 18 x 12 x 2 $\frac{1}{2}$. In cir. clk. ba. v.

Financial

83. FEE BOOK, CHANCERY, 1903-30. 8 vols. Titles vary slightly. 1894-96, 1901-2 in Fee Book (Civil and Criminal), entry 61.

Record of fees in chancery court, showing number of case, date and term of court, style of case, names of witnesses, number of days served, names of plaintiff and defendant, clerk's cost, by whom paid, and statement of costs. Arr. chron. by proceedings date. Indexed alph. by first letter of surname of pltf. Hpf. Aver. 484 pp. 15 $\frac{1}{2}$ x 11 x 2 $\frac{1}{2}$. In cir. clk. ba. v.

84. DISPOSED OF CHANCERY FEE DOCKET, 1930--. 1 loose-leaf vol.

Record of fees in chancery court, disposed of cases, showing information as in entry 83. Arr. alph. by first letter of surname of pltf. and chron. thereunder by date instituted. No index. Hpf. 400 pp. 9 $\frac{1}{2}$ x 14 $\frac{1}{2}$ x 2 $\frac{1}{2}$.

85. CHANCERY FEE DOCKET (Cases Pending), 1939--. 1 loose-leaf vol.

Record of fees in chancery court, cases pending, showing information as in entry 83. Arr. by first letter of surname of pltf. and chron. thereunder by date instituted. No index. Hpf. 600 pp. 9 $\frac{1}{2}$ x 14 $\frac{1}{2}$ x 3 $\frac{1}{2}$.

Delinquent Taxes

86. DELINQUENT LANDS ROAD IMP(rovement) DIST(rikt), 1919-25. 3 vols. (1-3). Titles vary slightly.

Record of lands in special road improvement districts on which taxes have become delinquent, showing name of land owner, legal description of property, area, tax and penalty, clerk's fee, court cost, commissioner's

fee, attorney's fee, advertising cost, number of acres sold, date of sale, by whom purchased, where and by whom redeemed, amount of purchase price, copy of officer's signature attesting redemption of lands, when redeemed, and to whom. Arr. chron. by delinquent date and numer. thereunder by land description. No index. Hpf. Aver. 156 pp. $16\frac{1}{2} \times 12 \times 1\frac{1}{2}$. In cir. clk. ba. v.

PROBATE COURT

The probate court in Benton County was established under a provision of the Constitution of 1836 (1), and continued by the present constitution. Both instruments made the county judge the presiding magistrate of probate (2). This practice continued until 1939, when a constitutional amendment transferred the duties to the chancery judge (3). The probate court holds exclusive, original jurisdiction in matters concerning the estate of deceased persons, and the persons and estates of incompetents and minors (4). Appeals from the probate court are made to the Arkansas State Supreme Court (5). The county clerk serves, in an ex officio capacity, as clerk of the probate court (6), and the sheriff is enforcement officer (7).

Records of probate proceedings are kept by the county clerk and housed in his main vault, unless otherwise shown in the entries.

Case Papers

87. [PROBATE COURT PAPERS], 1928--. Est. 2,600 instruments in 41 steel f. d. 1869-1927, and incidental filings, 1928--, in County Court Papers, entry 1.
- Original case papers of the probate court, such as court orders and decrees, motions, pleadings, petitions of executors or guardians, disposition of case, notices of sale of property, and reports and final settlements of administrators, executors or guardians, showing names of estates, claimants, heirs and attorneys, number of case, and nature of proceedings. Included are applications for sanity hearings and petitions for adoption. Each instrument shows case number and title, nature of instrument, and date filed. Arr. numer. by case no. No index. H., t., hpf., tpf. 36 f. d. $10 \times 4\frac{1}{2} \times 13\frac{1}{2}$; 5 f. d. $10\frac{1}{2} \times 16\frac{1}{2} \times 24$.

(1) Const. 1836, art. VI, sec. 10.

(2) Ibid.; Const. 1874, art. VII, sec. 34.

(3) Const. 1874, amend. XXIV, adopted 1938, declared effective

January 1, 1939.

(4) Ibid., art. VII, sec. 34.

(5) Ibid., amend. XXIV.

(6) Ibid.

(7) Rev. Stat., p. 728.

Wills

88. WILLS - ESTATES; 1865--. Est. 2,250 instruments in 9 steel f. d. (labeled alph. according to contents). Incidental filing, 1870--, in County Court Papers, entry 1.

Original wills filed with the probate court making provision for the disposition of the estate of deceased persons. Each instrument shows date executed, names of testator and beneficiaries, itemized bequests, signatures of testator and witnesses, acknowledgment, and filing certificate. Arr. alph. by first letter of name of testator. No index. H. 10 x 4 $\frac{1}{2}$ x 13 $\frac{1}{2}$. In co. clk. ba. v.

89. (Record of) WILLS, 1837--. 8 vols. (A-H). Incidental recordings, 1837--, in Deed Record, entry 13.

Record of wills filed in the probate court, showing information as in entry 88. Arr. chron. by date recorded. Indexed alph. by first letter of surname of testator. Hpf., tpf. Aver. 600 pp. 16 x 12 x 2.

Bonds and Letters

90. ADMINISTRATORS BONDS AND AFFIDAVITS, 1858--. 7 vols. (A-G).

Record of administrators' bonds and affidavits filed in the probate court to guarantee faithful performance of official duties, showing name of deceased, date of death, names of administrator and bondsmen, date executed, copy of signatures of administrator, bondsmen and witnesses, order of approval by probate judge, and filing certificate. Also contains: Bonds and letters of executors, 1858-88, entry 92. Arr. chron. by date recorded. Indexed alph. by first letter of surname of admr. Hpf. Aver. 580 pp. 17 x 12 x 3.

91. GUARDIANS BONDS AND CERTIFICATES, 1858--. 4 vols. (B-E).

Record of guardians' bonds and certificates. Bond of guardian shows name, age, and residence of ward, statement of guardian guaranteeing faithful discharge of duties according to law, copy of signatures of guardian and sureties, date of approval by probate court, copy of signature of probate judge attested by clerk, qualifications of sureties, date filed, and date recorded. Certificates show names of guardian and ward, qualifications and duties of guardian, copy of signature of probate clerk, date executed, and date recorded. Arr. chron. by date recorded. Indexed alph. by first letter of surname of ward. Hpf. Aver. 580 pp. 18 x 11 $\frac{1}{2}$ x 3. 2 vols., 1858-1908, in co. clk. ba. v.; 2 vols., 1909--, in co. clk. m. v.

92. EXECUTOR'S BONDS AND LETTERS, 1889--. 3 vols. (A-C). 1858-88 in Administrators Bonds and Affidavits, entry 90.

Record of bonds and letters of executors, showing date of instrument, name of deceased, names of executor and sureties, amount of bond, statement guaranteeing faithful performance of duties, copy of signatures of executor and sureties, date letters and bond approved, date filed, and date recorded. Arr. chron. by date filed. Indexed alph. by first letter of surname of executor. Hpf. Aver. 350 pp. 16 $\frac{1}{2}$ x 11 $\frac{1}{2}$ x 3. 1 vol., 1889-1910, in co. clk. ba. v.; 2 vols., 1911--, in co. clk. m. v.

Probate Court

Claims

93. DEMANDS (Claims) AGAINST DECEASED ESTATES, 1861-1910. 3 vols. (1 vol. dated; A, B). 1911-- in Probate Record, entry 102.
Record of Claims filed with the probate clerk against estates of deceased persons, showing name of estate, name of claimant, amount claimed, class of claim, whether of first, second, third or fourth class, according to legal definition, and date filed. Arr. chron. by date of claim. Indexed alph. by name of estate. Hpf. Aver. 376 pp. 18 x 12 x 2. In co. clk. ba. v.

Accounts

94. RECORD OF ACCOUNTS CURRENT, 1867-92. 1 vol. (A). 1893-- in Probate Record, entry 102.
Record of accounts current submitted by administrators and guardians to the probate court for approval, showing date of court term, name of guardian or administrator, name of ward or deceased, itemized account of property, valuation, amount of indebtedness against estate, listing of all assets, cash, stock and bonds, copy of signature of guardian or administrator, confirmation and signature of probate judge, date recorded, and signature of probate clerk. Arr. chron. by date filed. Indexed alph. by first letter of surname of admr. or gdn. Hpf. 478 pp. 14 x 9 x 2. In co. clk. ba. v.

Inventories, Appraisements, and Sales

95. INVENTORY RECORD, 1882-- 6 vols. (A, B, 1-4).
Record of inventories of cash assets and estates of deceased persons, showing name of deceased, itemized valuation of real and personal property, copy of signature of administrator or executor, acknowledgment, date approved by court, copy of signature of probate judge, and recording certificate. Also contains: Record of appraisements, 1920-- entry 96. Arr. chron. by date recorded. For index, see entry 98: H.; t. Aver. 450 pp. 18, x 12 $\frac{1}{2}$ x 2 $\frac{1}{2}$.
96. APPRAISEMENT RECORD, 1883-1919. 3 vols. (A, B, 1). 1920-- in Inventory Record, entry 95.
Record of appraisements of estates of deceased persons, showing name of deceased, names, qualifications, oaths, and signatures of appraisers, itemized listing and valuation of assets, copy of signatures of appraisers, acknowledgment, date filed, order of approval by probate court and certificate of appraisers, date filed, date examined and approved, where recorded, and copy of signature of probate judge. Indexed alph. by first letter of surname of admr. Hpf. Aver. 425 pp. 18 x 12 x 2 $\frac{1}{2}$. In co. clk. ba. v.
97. SALES BILL RECORD, 1883-1921, 1 vol. (A). 1922-- in Probate Record, entry 102.
Record of assets of estates, showing name of deceased, date of sale, itemized list of articles sold, amount received, and names of appraisers,

Probate Court

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copy of signature of administrator, acknowledgment, date filed, order of approval by probate court, and recording certificate. Arr. chron. by date recorded. For index, see entry 98. Hpf. 376 pp. 18 x 12 x 2 $\frac{1}{2}$. In co. clk. ba. v.

98. INDEX TO INVENTORIES AND SALES BILLS, 1882--. 1 vol. Index to Inventory Record, entry 95, and Sales Bill Record, 1883-1921, entry 97, showing name of estate, and book and page of record entry. Arr. in alph. tabbed secs. by first letter of surname of deceased and chron. thereunder by date of sale. 50 pp. 18 x 11 x $\frac{1}{2}$.

Settlements

99. SETTLEMENT RECORD, 1881-1901. 2 vols. (A, B). 1902-- in Probate Record, entry 102.

Record of annual settlements of administrators, executors, and guardians, showing name of estate or ward, itemized statement of receipts and disbursements, balance due wards or estates, copy of signature of administrator, executor or guardian, confirmation and copy of signature of probate judge, date recorded, and copy of signature of probate clerk. Arr. chron. by date recorded. Indexed alph. by first letter of surname of admr. executor, or gdn., 1890-1901; for index, 1881-89, see entry 100. Hpf. Aver. 550 pp. 17 $\frac{1}{2}$ x 12 x 3. In co. clk. ba. v.

100. INDEX TO SETTLEMENT RECORD, 1881-89. 1 vol. Index to Settlement Record, entry 99, showing names of estate or ward, administrator, executor or guardian, and book and page of record entry. Arr. alph. by first letter of surname of deceased or ward. H. 75 pp. 15 x 9 $\frac{1}{2}$ x $\frac{1}{2}$. In co. clk. ba. v.

Proceedings

101. PROBATE DOCKET, 1869-92, 1909-11, 1914-17, 1923--. 6 bound and 2 loose-leaf vols. (A, A, B, A-C, 2 vols. unlabeled). Titles vary slightly.

Minutes of proceedings in cases tried in probate court, showing case number and title, names of administrator and deceased, or guardian and ward, date and nature of proceedings, and orders of court. Arr. chron. by trial dates. Indexed alph. by first letter of name of estate. Hpf. Aver. 475 pp. 18 x 12 x 2 $\frac{1}{2}$. 6 vols., 1869-92, 1909-11, in co. clk. ba. v.; 2 vols., 1914-17, 1923--., in co. clk. m. v.

102. PROBATE RECORD, 1859-62, 1865--. 20 vols. (A-M, O-U). Record of proceedings in probate court, showing number and title of case, names of estate, guardian, administrator or executor, and attorneys, trial date, findings of court, orders of custody of person or property, prayer for new trial, motions, petitions, and pleadings. Also contains: Claims against estates, 1911--., entry 93; accounts current, 1893--., entry 94; sales bills, 1922--., entry 97, and annual settlements, 1902--., entry 99. Arr. chron. by trial dates. Indexed alph. by first letter of surname of deceased or ward, 1859-83; for index, 1884--., see entry 103. H., 1859-1914; t., 1915--. Aver. 600 pp. 18 x 12 x 3.

Probate Court;
Juvenile Court

103. INDEX TO PROBATE COURT (Record), 1884--. 2 vols.
Index to Probate Record, entry 102, showing name of deceased or ward, name of guardian, administrator or executor, case number, and book and page of record entry. Arr. alph. by first letter of surname of deceased or ward. Aver. 600 pp. 18 x 11 $\frac{1}{2}$ x $\frac{1}{2}$.

104. PROBATE RECORD INSANE CASES, 1919--. 1 vol. (N). 1870-1918 in County Court Record, entry 7.

Record of proceedings in probate court in sanity cases, showing case number, name of incompetent, names of complaining witnesses and examining physicians, date of proceedings, court order, date of order, and date filed. Arr. chron. by trial dates. Indexed alph. by first letter of surname of deft. H. 476 pp. 16 $\frac{1}{2}$ x 11 $\frac{1}{2}$ x 2 $\frac{1}{2}$.

Financial.

105. COUNTY AND PROBATE FEES, 1894--. 10 vols. (dated).
Record of fees earned by probate clerk, showing name of administrator or guardian, name of deceased or ward, name of person paying fee, date and amount of payment, service for which fee was charged, and amount paid to county treasurer. Arr. chron. by date paid. Indexed alph. by first letter of name of estate or ward. Hpf. Aver. 425 pp. 18 x 12 $\frac{1}{2}$ x 2 $\frac{1}{2}$. 8 vols., 1894-1936, in co. clk. ba. v.; 2 vols., 1937--, in co. clk. m. v.

JUVENILE COURT

Jurisdiction over dependent and delinquent children was vested in the probate court (1) until 1911, when the General Assembly created the juvenile court as a separate tribunal. The creative act specified that the county judge and county clerk act as judge and clerk, respectively, of the court and that any officer authorized to serve process might enforce the mandates of the court. (2)

106. (JUVENILE COURT PAPERS), 1911--. In County Court Papers, entry 1.
Original papers of cases heard in juvenile court, consisting of petitions, motions, subpoenas, and court orders. Each paper shows kind of instrument, number and style of case, names of parties affected, and date filed.

107. JUVENILE COURT RECORD, 1938--. 1 vol. (1). 1911-37 in County Court Record, entry 7.
Record of proceedings in the juvenile court, showing trial date, names

(1) Rev. Stat., p. 102.

(2) A. Ark., 1911, p. 167.

of court officials and parties affected, and number and style of case. Arr. chron. by date filed. Indexed alph. by first letter of surname of minor. T. 320 pp. $16\frac{1}{2} \times 10\frac{1}{2} \times 2$. In co. clk. m. v.

JUSTICES OF THE PEACE

Justices of the peace, township offices, were provided for by the Constitution of 1836 (1), and the present Constitution allows the election of one justice for every 200 voters in a township, for a 2-year term of office (2). The justice of the peace court has exclusive, original jurisdiction in matters involving personal property and contract up to \$100 and concurrent jurisdiction with the circuit court in similar matters up to the amount of \$300. Its criminal jurisdiction is limited to misdemeanor cases, and binds offenders to the proper court for trial. (3) The justice of the peace serves, with the county judge, as a member of the quorum court (4).

There are at present (1941) 71 commissioned justices of the peace in Benton County (5). Because of similarity of justice of the peace records and the expense of making a full inventory of these records in each township, only those records which were found in the courthouse are included in this inventory.

108. JUSTICE DOCKET (Civil and Criminal), 1883-1936. 21 vols. 1873-76 in Marks and Brands Record, entry 165.

Minutes of proceedings in civil and criminal cases in justice of peace courts in the townships of Osage, 1883-86, 1887-97, 1932-33; Brightwater, 1894-1932; Boll, 1894-1920; War Eagle, 1896-1924; Garland, 1896-1931; El Dorado, 1897-1912; Yell, 1899-1936; Big Springs, 1909-23; Sulphur Springs, 1913-33; Round Prairie, 1894-1934. Records show name of justice of peace, names of plaintiff and defendant, names of attorneys, trial date, cause of action, court costs, and final disposition of case. Arr. chron. by date instituted. No index. Hpf. Aver. 292 pp. $16 \times 10\frac{1}{2} \times 2$. In co. clk. ba. v.

109. [JUSTICE OF PEACE FEE BOOK], 1883-93. 24 vols. Sub-titled by names of townships.

Record of fees earned in justice of peace courts, showing name of township where court was held, date of trial, names of plaintiff and defendant, cause of action, names of witnesses, amount of fines, and various fees assessed. Arr. chron. by date fee assessed. No index. Aver. 150 pp. $12\frac{1}{2} \times 8 \times 1$. In co. clk. ba. v.

(1) Const. 1836, art. VI, sec. 15.

(2) Const. 1874, art. VII, sec. 38.

(3) Ibid., sec. 40.

(4) Ibid., sec. 30.

(5) Arkansas, Secretary of State's Office, Civil Record, 1941-42, pp. 27-35.

Prosecuting Attorney;
County Attorney;
Sheriff

(Next entry, p. 59)

PROSECUTING ATTORNEY

The Constitution of 1836 authorized the General Assembly, by joint vote, to elect a prosecuting attorney for each judicial circuit in the State (1). The present Constitution authorizes the voters of each judicial circuit to elect a prosecuting attorney, at the regular biennial election for a 2-year term (2). Benton County is attached to the fourth judicial circuit (3).

The Arkansas State Supreme Court, in a decision made in 1907, ruled that the prosecutor is a State officer, but that his chief function is to represent the State and county in all judicial proceedings within his circuit (4). By authority of a constitutional amendment adopted in 1937, the prosecuting attorney is allowed to file information with the circuit court which is used in lieu of grand jury indictment (5).

COUNTY ATTORNEY (Defunct)

The General Assembly of 1859 authorized the county judge to appoint a county attorney for a 2-year term. The chief function of the attorney was to defend the State and county in all civil and criminal cases. (6) The office passed out of existence when the Constitution of 1874 failed to provide for its continuance.

No records of the office were found in Benton County.

SHERIFF

The first sheriff of Benton County was elected for a 2-year term in accordance with provisions of the Constitution of 1836 (7). The Constitution of 1874 made the same provision and also named the sheriff ex officio tax collector until otherwise provided by the General Assembly (8). The offices were separated in Benton County in 1907 (9). Since that time, the sheriff's chief duties have been limited to law enforcement functions.

Records of the sheriff are housed in his office, unless otherwise indicated in the entries.

(1) Const. 1836, art. VI, sec. 13.

(2) Const. 1874, art. VII, sec. 24.

(3) A. Ark., 1837, p. 89.

(4) Griffin v. Rhoden, 85 Ark. 89, [1907].

(5) Const. 1874, amend. XXI, app. 1936.

(6) A. Ark., 1859, p. 101.

(7) Const. 1836, art. VI, sec. 17.

(8) Const. 1874, art. VII, sec. 46.

(9) A. Ark., 1907, p. 313.

Sheriff;
Coroner

(110-113)

Prisoners

110. REGISTER OF PRISONERS, 1917--. 6 vols. (1 vol. dated; A-E). Register of prisoners confined in county jail, showing number and name of prisoner, age, height, color of hair and eyes, complexion, special marks and peculiarities of prisoner, case history, date received, by whose authority confined and discharged, time of sentence, date discharged, and amount of board due. Arr. chron. by date filed. Indexed alph. by first letter of surname of prisoner. Hpf. Aver. 275 pp. 16 x 11½ x 1½. 2 vols., 1917-20, in co. clk. ba. v.; 4 vols., 1921--, in sher. off.

Fees

111. SHERIFF'S CIVIL DOCKET AND FEE BOOK, 1907-11, 1916-34. 9 vols. (2 vols. unlabeled, 2 dated, B, C, E-G). Record of fees recorded by sheriff in civil cases, showing style of case, date, amount, from whom received, kind of process, date received, by whom served, date returned, and by whom paid. Arr. chron. by date received. Indexed alph. by first letter of surname of pltf. Hpf. Aver. 35 pp. 16 x 11 x 2. In co. clk. ba. v.

112. SHERIFF'S CRIMINAL DOCKET AND FEE BOOK, 1907-12, 1917-32. 5 vols. (2 vols. unlabeled, 1 dated, B, C). Record of fees received in criminal cases, showing number and style of case, name of sheriff, date received, date executed, date returned, items of and total costs, and by whom paid. Arr. chron. by date filed. Indexed alph. by first letter of surname of deft. Hpf. Aver. 250 pp. 16 x 11 x 2. In co. clk. ba. v.

113. [SHERIFF'S DAY BOOK], 1935--. 1 bound and 1 loose-leaf vol. Sheriff's day book of fees collected in civil and criminal cases. Civil day book shows information as in entry 111. Criminal day book shows information as in entry 112. Arr. chron. by date filed. No index. Hpf. Aver. 175 pp. 1 vol., 1935-38, in co. clk. ba. v.; 1 vol., 1939--, in sher. off.

CORONER

The Constitution of 1836 authorized the election of a coroner for a 2-year term (1). The present constitution makes the same provision (2). The principal duty of the coroner is the investigation of sudden or vio-

(1) Const. 1836, art. VI, sec. 16. (2) Const. 1874, art. VII, sec. 46.

Constable;
Quorum Court

lent death (1). He is also classified as a peace officer and is authorized to serve as sheriff in the event of that official's absence or disqualification (2).

The coroner does not keep records but reports his findings in inquests to the circuit clerk. See entry 62.

CONSTABLE

The election of a constable in each township in the county was authorized by the Constitution of 1836 (3). The present constitution provides that one constable for each township be elected at the regular biennial election, for a 2-year term (4). All process issuing out of the justice of the peace courts is directed to the township constable, whose jurisdiction in this matter is county-wide. In the event of the disqualification of both the sheriff and the coroner, the constable is authorized to serve as ministerial officer in the circuit court (5).

The constable keeps no records.

QUORUM COURT

The Constitution of 1874 created the quorum court in its present form. The court is composed of the county judge and the justices of the peace of the county, with the judge as presiding officer. It is not a judicial court, but a directorial body which levies taxes and appropriates funds for the county. (6) The court convenes once annually, but special sessions may be called by the judge (7).

The county clerk serves as clerk of the court and the sheriff attends all sessions (8).

114. (QUORUM COURT PAPERS), 1887-- In County Court Papers, entry 1.

Original instruments filed with the quorum court, such as reports of county officials, petitions to the court, amount of tax levied in incorporated towns and school districts, and other papers relating to the discharge of the duties of the quorum court. Each instrument shows names of interested persons or political subdivisions and their officials,

(1) A. Ark., 1893, p. 260.

(2) Rev. Stat., p. 193.

(3) Const. 1836, art. VI, sec. 16.

(4) Const. 1874, art. VII, sec. 47.

(5) A. Ark., 1874, p. 64.

(6) Const. 1874, art. VII, sec. 30.

(7) A. Ark., 1937, p. 1318.

(8) A. Ark., 1879, p. 111.

source of funds from which appropriations were made, nature of instrument, date filed, and notation of approval or disapproval.

115. (QUORUM COURT RECORD), 1875--. In County Court Record, entry 7.

Record of proceedings in the quorum court, showing names of county officials and justices of the peace who composed the court, date of proceedings, listing of taxes levied, proceedings for the county, State and political subdivisions of the county, listing appropriations made for county offices and institutions, and record of actions of the court in other matters in which it has jurisdiction.

COUNTY CLERK

The Constitution of 1836 provided that the office of county clerk be filled by the circuit clerk (1). The present Constitution sustained the office with the same provision but authorized the election of a separate county clerk when the population of the county reached 15,000 (2). Consequently, the office has been an elective one in Benton County since 1890 (3). The clerk is elected at the regular biennial election and serves a 2-year term (4). The clerk serves ex officio as quorum court clerk (5), probate clerk (6), clerk of the board of equalization (7), and clerk of the juvenile court (8).

Records kept by the county clerk will be found in this inventory following the several courts and boards which he serves. The records immediately following this text are financial records of the county and other records required by law to be kept by the county clerk. All records are housed in his main vault, unless otherwise designated in the entries.

Financial

Accounts (See also entry 174)

116. RECORD OF OFFICER'S ACCOUNTS, 1871--. 11 vols. (6 vols. unlabeled; 1-4, 1). Titles vary: County Clerk's Accounts, 1871-95; Treasurer's Accounts, 1896-1934.

Record of county clerk's accounts with collecting officers and special funds of the county and its political subdivisions, such as county gen-

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| (1) Const. 1836, art. VI, sec. 7. | (4) Const. 1874, art. VII, sec. 19. |
| (2) Const. 1874, art. VII, sec. 19. | (5) A. Ark., 1879, p. 111. |
| (3) U. S. Bureau of the Census, <u>Fifteenth Census of the United States</u> , Population, I, 103. | (6) Const. 1874, art. VII, sec. 19. |
| | (7) A. Ark., 1883, p. 245. |
| | (8) <u>Ibid.</u> , 1911, p. 167. |

eral fund, school district general fund, school district bond retirement fund, revolving loan fund, State land redemption fund, game protective fund, county bond retirement fund, sheriffs' accounts, and constables' accounts. Record shows dates and items of debits and credits, and amount of each. Arr. chron. by date filed. No index. Hpf. Aver. 500 pp. 16 x 10 x 3. 6 vols., 1871-95, in co. clk. ba. v.; 5 vols., 1896-- , in co. clk. m. v.

Audits

117. COMPTROLLER'S REPORT, AUDIT OF BENTON COUNTY, ARKANSAS, 1930-- . 9 vols. (dated).

Recorded copies of report of the audit of county offices, including the letter of transmittal, statement of conditions of records and accounts of various county officials, and itemized transcript of audit. Arr. chron. by date of audit. No index. T. Aver. 160 pp. 15 x 9 x $\frac{1}{2}$.

Warrants

118. LIST OF WARRANTS ISSUED FOR COURTHOUSE BUILDING, 1928. 15 instruments in 1 steel f. d.

Original list of warrants issued to pay courthouse bonds, showing date of warrant, serial number, and denomination of each yearly payment, specified amounts to apply on interest and principal, and total amount to be paid from 1928-47. Arr. chron. by date filed. No index. T. 4 x 4 x 10.

119. WARRANTS TO BE RE-ISSUED-WARRANTS THAT HAVE BEEN RE-ISSUED, 1933-- . 75 instruments in 1 steel f. d.

Warrants re-issued by the county because of loss or error in issuance of warrant, showing number and amount of warrant, to whom issued, date of order by county court, record in which warrant is entered, and fund to which charged, signature of county clerk, and "Re-issued by order of county court", noted on face of warrant. Arr. numer. by warrant no. No index. H. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 13 $\frac{1}{2}$.

120. WARRANTS-NEW, 1934-- . 2,000 warrants in 1 steel f. d.

Canceled warrants paying claims against the county, showing name of person to whom issued, date of issue and amount, register number, fund upon which issued, date of delivery, and to whom delivered. Arr. chron. by date filed. No index. Tpf. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 13 $\frac{1}{2}$.

121. RECORD OF COUNTY WARRANTS (Issued, Redeemed or Canceled), 1869-- . 15 vols. (A-D, A-E, G-L).

Record of county warrants issued and redeemed or canceled, showing date and number of warrant, amount, fund upon which drawn, warrant number, to whom issued, date of delivery, to whom delivered, date redeemed or canceled, and fund to which credited. Also contains: Register of road warrants, 1869-1902, entry 123. Arr. numer. by warrant no. Hpf. No index, Aver. 500 pp. 16 x 11 $\frac{1}{2}$ x 3. 13 vols., 1869-1933, in co. clk. ba. v.; 2 vols., 1934-- , in co. clk. m. v.

122. REGISTER OF SCHOOL WARRANTS, 1869-- . 5 vols. (A-E).

Register of school warrants by county clerk, showing number of warrant, amount, fund upon which drawn, date issued, date paid, in whose favor

drawn, and date canceled by county clerk. Arr. numer. by warrant no. No index. Hpf. Aver. 450 pp. 17 x 12 x 3. 4 vols., 1869-1935, in co. clk. ba. v.; 1 vol., 1936--, in co. clk. m. v.

123. ROAD WARRANT REGISTER, 1903--. 4 vols. (F, G, H, L). 1869-1902 in Record of County Warrants (Issued, Redeemed or Canceled), entry 121. Record of road warrants issued, showing number and date of warrant, to whom issued, amount, road district number, to whom delivered, and when redeemed or canceled. Arr. chron. by date filed and numer. thereunder by warrant no. No index. Hpf. Aver. 638 pp. 15 x 14 x 2 $\frac{1}{2}$. 3 vols., 1903-38, in co. clk. ba. v.; 1 vol., 1939--, in co. clk. m. v.

124. REGISTER OF WARRANTS, ROAD IMP(rovement) DIST(rikt), 1919-27. 1 vol. Register of warrants issued in payment of supplies needed in the collection of taxes on road improvement districts, showing number of warrant, date issued, to whom issued, for what purpose, amount, to whom delivered, and when canceled. Arr. numer. by warrant no. No index. H. 250 pp. 16 x 12 x 1 $\frac{1}{2}$. In co. clk. ba. v.

125. RECEIPTS FOR COUNTY WARRANTS, 1873-75. 1 vol. (1). Receipts for county warrants issued, showing warrant number, amount of warrant, name of person to whom warrant was issued, date, and copy of signature of person receiving payment. Arr. numer. by warrant no. No index. H. 120 pp. 6 x 12 x $\frac{5}{8}$. In co. clk. ba. v.

Assessment and Taxation

126. (PUBLIC UTILITY ASSESSMENTS), 1909-15. In County Court Papers, entry 1. Original documents showing assessments by the Arkansas State Tax Commission of property owned by public utility companies in Benton County, showing total valuation of real and personal property located in each of the political subdivisions of the county, certificate of tax commission, and date filed.

127. ABSTRACT OF TAX BOOKS, 1938--. 60 instruments in 1 steel f. d. 1876-1937 in County Court Papers, entry 1. Original instruments listing real and personal property owned in the county for the use of the assessor in preparation of assessment records, shows valuation of personal and real property, tax rates, total tax to be collected, date received by collector, collector's signature, separate listing of properties of public utilities corporations assessed by Arkansas State Tax Commission, and date filed. Arr. chron. by date filed. No index. Hpf. 10 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 13 $\frac{1}{2}$.

128. (Record of) LANDS ENTERED, 1903--. 3 vols. Titles vary slightly. Record of lands deeded by the United States Government to homesteaders with specified requirements, listed with the county clerk to show that property has become subject to taxation. Record shows date of United States patent, owner's name, number of acres, legal description of prop-

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erty, and date recorded. Arr. numer. by twp. no. of legal description. Indexed alph. by first letter of surname of landowner. Hpf. Aver. 100 pp. 18 x 12 x 1.

129. STATE LAND ENTRIES, 1937--: 20 instruments in 1 steel f. d. Original certificates issued by the Arkansas State Land Commissioner, showing lands purchased and redeemed from the State by individuals and notifying the county clerk that the property involved is subject to taxation. Instruments show date of deed, name of purchaser, legal description of property, consideration, signature and seal of State Land Commissioner, and date filed. No obvious arr. No index. Hpf. $10\frac{1}{2}$ x $4\frac{1}{2}$ x $13\frac{1}{2}$.

130. REAL ESTATE ASSESSMENTS (Record), 1893--: 29 vols. (dated). 1868-92 in Real Estate Tax Book, entry 131. Record of real estate assessments made by assessor on all real property, both rural and town lots, showing name of owner, legal description of property, assessed valuation, and number of road and school districts in which property is located. Arr. in tabbed secs. according to twp. no. of legal description, if rural property; alph. by names of town sites and subdivisions and numer. thereunder by block and lot nos., if town property. No index. Hpf. Aver. 560 pp. 18 x 12 x 3. 18 vols., 1893-1929, in co. clk. ba. v.; 11 vols., 1930-- , in co. clk. m. v.

131. REAL ESTATE TAX BOOK, 1868--: 112 vols. (dated). Record of lands assessed with taxes extended, showing name of owner, legal description of property, assessed valuation, numbers of school and road districts, rate of school tax, itemized listing of road, State, county and city taxes, total tax, amount delinquent, and date paid. Also contains: Real estate assessments, 1868-92, entry 130. Arr. numer. by twp. and r. nos. of legal description. No index. Hpf. Aver. 600 pp. 18 x 12 x 3. 82 vols., 1868-1924, in co. clk. ba. v.; 30 vols., 1925-- , in co. clk. m. v.

132. PERSONAL ASSESSMENT, 1868-1916. 50 vols. (dated). Titles vary slightly.

Record of personal property assessments, showing name of property owner and address, township, municipality, school and road districts in which property is located, poll tax assessment, itemized list of personal property owned, assessed valuation of each item, total assessment, date assessed, and copy of signatures of assessor and property owner. Arr. in tabbed secs. by school dist. no. or name, and alph. thereunder by first letter in surname of property owner. No index. Hpf. Aver. 500 pp. 18 x 12 x 3. In co. clk. ba. v.

133. PERSONAL TAX BOOK, 1868-1916. 50 vols. (dated). Titles vary slightly.

Personal property tax rolls, showing number of receipt book and receipt, name and address of property owner, date tax paid, description of personal property, valuation of various items of personal property, total valuation, penalty for delinquent assessment, if any, valuation as equal-

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ized, numbers of school and road districts, itemized listing of State, county, road, school, and municipal taxes, and total tax. Arr. in tabbed secs. by names of towns and political twp. and alph. thereunder by first letter of surname of taxpayer. No index. Hpf. Aver. 500 pp. 18 x 12 x 3. In co. clk. ba. v.

134. PERSONAL ASSESSMENT TAX BOOK, 1917--. 30 vols. (dated). Record of personal assessments and tax rolls, showing information as in entries 132 and 133. Arr. in tabbed secs. by school dist. and towns and alph. thereunder by first letter of surname of taxpayer. No index. Hpf. Aver. 500 pp. 18 x 12 x 3. 16 vols., 1917-30, in co. clk. ba. v.; 14 vols., 1931--, in co. clk. m. v.

Collections

135. TAX RECEIPTS (COUNTY COLLECTOR'S DUPLICATE TAX RECEIPTS), 1883--. 123 vols. (dated). Titles vary slightly. Duplicate copies of tax receipts issued by the collector to taxpayers, showing name of collectors, year for which taxes are paid, receipt number, legal description of real property, valuation of real and personal property, amount of State, county, municipal, school and improvement district taxes, penalties, total tax, date paid, and signatures of collector and deputy. Arr. numer. by receipt no. No index. Hpf. Aver. 900 pp. 17½ x 13 x 3. 108 vols., 1883-1925, 1931-34, in co. clk. ba. v.; 15 vols., 1926-30, 1935--, in co. clk. m. v.

136. DELINQUENT LAND RECORD, 1895--. 14 vols. (5 vols. unlabeled; A-I). Record of lands upon which ad valorem tax has not been paid, showing name of land owner, legal description of property, assessed valuation, itemized listing of general and special taxes, total tax, penalties and costs, years for which taxes were not paid, and date sold. Arr. chron. by date of delinquency. No index. Hpf. Aver. 200 pp. 15 x 21 x 2 to 18 x 28 x 2. 10 vols., 1895-1935 in co. clk. ba. v.; 4 vols., 1936--, in co. clk. m. v.

137. DELINQUENT LANDS ADVERTISED, 1907-31. 4 vols. (C-F). Subsequent records not found. Record of lands advertised for sale for payment of delinquent taxes showing information as in entry 138, and date of advertisement. Arr. chron. by date advertised. No index. Hpf. 18 x 12 x 3. 3 vols., 1907-29, in co. clk. ba. v.; 1 vol., 1930-31, in co. clk. m. v.

Tax Sales

138. FORFEITED LANDS (Record), 1841-1936. 10 vols. (A-J). Recorded lists of lands subject to sale to enforce collection of delinquent ad valorem tax, showing information as in entry 136. Arr. chron. by sale date and numer. thereunder by twp. no. of legal description. No index. Hpf. Aver. 450 pp. 18 x 12 x 3. 2 vols., 1841-51, in co. clk.

ba. v.; 8 vols., 1852-1936, in co. clk. m. v.

139. DELINQUENT LANDS (Sold to State), 1868--. 8 vols. (A-H).
Titles vary slightly.

Record of lands sold to State for non-payment of taxes, showing total delinquent tax, penalty and costs, years for which taxes are delinquent, legal description of property, date and number of acres sold. Arr. chron. by date delinquent and numer. thereunder by twp. and r. nos. of legal description. No index. Hpf. Aver. 350 pp. 20 x 17 x $2\frac{1}{2}$. 7 vols., 1868-1936, in co. clk. ba. v.; 1 vol., 1937--., in co. clk. m. v.

140. DELINQUENT LANDS SOLD TO INDIVIDUALS, 1896--. 11 vols. (9 vols. dated; E, F).

Record of lands sold to individuals for the collection of delinquent taxes, showing years for which taxes are delinquent, number of acres and legal description of property sold, amount of taxes, penalties and costs due, and name of purchaser. Arr. chron. by date delinquent and numer. thereunder by twp. and r. nos. of legal description. No index. Hpf. Aver. 550 pp. 18 x 12 x 3. 9 vols., 1896-1934, in co. clk. ba. v.; 2 vols., 1935--., in co. clk. m. v.

141. ABSTRACT OF TAX DEEDS, 1880-94. 1 vol. (A).

Chronological listing of tax deeds issued by the clerk to convey title to lands sold to individuals at delinquent tax sales. Record shows date of delinquency, legal description of property sold, taxes, penalties and costs, name of purchaser, date sold, and date of tax deed. Arr. chron. by date of deed. No index. H. 206 pp. 16 x 11 x $1\frac{1}{2}$. In co. clk. ba. v.

142. RECORD OF LAND SOLD UNDER ACT 365 (1923), 1927-28. 1 vol. (1).

Record of sale by the collector of lands forfeited to the State for non-payment of taxes, showing date of sale, name of purchaser, legal description of property, number of acres sold, appraised value, serial number of application for purchase, and book and page of court order confirming sale. Arr. chron. by date filed. No index. Hpf. 201 pp. 15 x $17\frac{1}{2}$ x 2. In co. clk. ba. v.

143. SHERIFF'S CERTIFICATE OF PURCHASE, 1919--. 55 instruments in 1 steel f. d.

Original certificates of purchase issued by the sheriff as ex officio collector to individuals purchasing land at delinquent tax sales and subsequently filed with county clerk, showing date of sale, years for which taxes are delinquent, legal description of property, name of landowner, name of purchaser, total tax, penalties and costs, signature of collector, and filing certificate. Arr. chron. by date filed. No index. Hpf. $10\frac{1}{2}$ x $4\frac{1}{2}$ x $13\frac{1}{2}$.

Redemptions

144. REDEMPTION CERTIFICATES, 1923--. Est. 4,800 instruments in 1 steel f. d. and 95 bundles.

Original certificates issued by the county clerk to persons redeeming land, showing name, date of redemption, legal description of property, date of sale, amount of taxes, penalty and costs, distributing of taxes, treasurer's receipt attached to and forming a part of the redemption certificate, showing amount of receipt, purpose for which paid, date of receipt, and signature of treasurer. Arr. chron. by date filed. No index. Hpf. $10\frac{1}{2}$ x $4\frac{1}{2}$ x $13\frac{1}{2}$. Steel f. d., 39 bundles, 1923-34, in co. clk. ba. v.; 56 bundles 1935--, in co. clk. m. v.

145. DELINQUENT LANDS REDEEMED, 1915--. 5 vols. (1-5).

Record of lands sold for payment of delinquent ad valorem taxes and subsequently redeemed, showing date redeemed, legal description of property, amount of taxes and penalties, and name of person redeeming property. Arr. chron. by date redeemed. No index. Hpf. 16 x 16 x 3.

146. LAND COMMISSIONERS' CANCELLATION CERTIFICATE, 1918-31. 500 instruments in 1 steel f. d.

Original certificates issued by Arkansas State Land Commissioner to cancel erroneous forfeiture of lands to the State because of non-payment of taxes, showing legal description of land, amount of taxes, sale date, date of forfeiture, date of certificate, to whom issued, signature of land commissioner, and date filed. Arr. chron. by date of certificate. No index. Hpf. $10\frac{1}{2}$ x $4\frac{1}{2}$ x $13\frac{1}{2}$. In co. clk. ba. v.

Improvement Districts

147. ASSESSMENT RECORD, ROAD IMPROVEMENT DISTRICTS, 1919-23. 25 vols. (24 vols. labeled by imp. dist. name or no., 1 vol. unlabeled).

Record of assessments of property in Road Improvement Districts 1 to 6, and Rogers-Eastern Road Improvement District, showing names of property owners, legal description of property, assessed valuation, valuation with improvements added, amount of assessment, and dates paid. Arr. numer. according to twp. no. of legal description. No index. Hpf. Aver. 480 pp. 25 x 18 x 2. In co. clk. ba. v.

Elections

148. VOTERS RECORD, 1892--. 4 vols. (1-4).

Record of names of citizens who have qualified as electors by payment of the poll tax, showing name of precinct, name and address of voter, and school district number in which voter resides. Arr. numer. by voting precinct no. and alph. thereunder by first letter of surname of voter. No index. H., t. Aver. 600 pp. 16 x 12 x 3. 2 vols., 1892-1913, in co. clk. ba. v.; 2 vols., 1914--, in co. clk. m. v.

149. [LIST OF POLL TAX PAYERS], 1911-19. In County Court Papers, entry 1.

Lists of names of citizens who have paid the poll tax and qualified as electors, showing name and address of person, years for which poll tax is paid, name or number of township in which person is certified to vote.

150. DELINQUENT POLL TAX ASSESSMENTS, 1939--. 500 instruments in 1 steel f. d.

Original lists of persons who have assessed for payment of poll tax after close of the regular assessment period, showing name and address of taxpayer, name of township or ward, school district in which voter resides, and date list was prepared. Arr. chron. by assessment date. No index. Hpf. $10\frac{1}{2}$ x $4\frac{1}{2}$ x $13\frac{1}{2}$.

Marriages

151. MARRIAGE LICENSE, 1882-1931. Est. 250 documents in 2 steel f. d. (labeled by contained letters of alphabet).

Original marriage licenses filed with the county clerk for recording and not returned to owners, showing name, addresses, and ages of contracting parties, date of license, signature and seal of county clerk. Arr. alph. according to first letter of surname of bridegroom. No index. Hpf. $10\frac{1}{2}$ x $4\frac{1}{2}$ x $13\frac{1}{2}$. In co. clk. ba. v.

152. (Record of) MARRIAGE LICENSE BONDS, 1901--. 26 vols. (dated). Record of marriage license bond executed by applicant for marriage license, showing names of bridegroom and surety, amount of bond, date of application, names of contracting parties, and copy of signatures of principal and bondsman. No index. Hpf. Aver. 498 pp. 11 x $9\frac{1}{2}$ x 3 . 16 vols., 1901-34, in co. clk. ba. v.; 10 vols., 1935--, in co. clk. m. v.

153. MARRIAGE RECORD, 1861--. 17 vols. (2 vols. unlabeled; 1 vol. dated; A-N).

Record of marriage licenses, and certificates of marriage. License shows information as in entry 151. Certificate of marriage shows names of contracting parties, name of person performing ceremony, date of ceremony, copy of signature of person performing ceremony and, if a minister, book and page of record in which credentials are recorded. Arr. chron. by date recorded. Indexed alph. by first letter of surname of bridegroom, 1906--; for index, 1861-1905, see entry 154. H., 1861-74; hpf., 1875--. Aver. 550 pp. 18 x $12\frac{1}{2}$ x 3 .

154. INDEX TO MARRIAGE LICENSE RECORD, 1861-1905. 3 vols. (A-C). Titles vary slightly.

Index to Marriage Record, entry 153, showing names of contracting parties and book and page of record entry. Arr. alph. by first letter of surname of bridegroom or bride. H. Aver. 40 pp. 12 x $9\frac{1}{2}$ x $\frac{1}{2}$. 1 vol., 1861-78, in co. clk. ba. v.; 2 vols., 1879-1905, in co. clk. m. v.

Corporations

155. ANNUAL REPORTS INCORPORATED TOWNS, ASSESSOR'S CERTIFICATE AND TRANSFER OF BANK STOCK, 1928-32. 70 instruments in 1 steel f. d.

Miscellaneous papers filed with the county clerk, including:

- i. Annual reports of incorporated towns, 1928-29, showing balance in treasury of named town, amount of taxes collected, fines and other items, expense incurred, number and date of warrants issued, to whom issued, amount and for what purpose, signature of reporting officer, and date filed.
- ii. Assessor's certificates, certify to the delinquency of taxes on certain parcels of land and forfeiture to the State for non-payment of taxes, showing years for which taxes are delinquent, name and address of property owner, legal description of land, valuation as assessed, amount of taxes, penalty and costs, signature of assessor, and date filed.
- iii. Transfer of bank stock, 1928, shows name and address of person making transfer, certificate number, and number of shares transferred, amount, names of bank president and secretary, place of residence, date of transfer, signatures of president and cashier of bank, date filed, and signature of county clerk.

Arr. chron. by date filed. No index. Hpf. $10\frac{1}{2} \times 4\frac{1}{2} \times 13\frac{1}{2}$.

156. REPORTS OF CORPORATION AND ARTICLES OF INCORPORATION, 1935--. 12 instruments in 1 steel f. d. 1894-1934 in County Court Papers, entry 1.

Original annual reports of corporation and articles of incorporation filed with the county clerk. Annual reports show amount of paid up capital stock, cash value of assets, total liabilities, names of stockholders, and numbers of shares held by each, name of corporation, report date, signatures of corporation officials, acknowledgment, and date filed. Articles of incorporation show name of corporation, names of stockholders, amount of stock subscribed by each, place of business, copy of by-laws, and date filed. Arr. chron. by date filed. No index. Hpf., tpf. $10\frac{1}{2} \times 4\frac{1}{2} \times 13\frac{1}{2}$.

157. INCORPORATION RECORD, 1888-89, 1891--. 8 vols. (B-I). Record of articles of incorporation, showing information as in entry 156. Arr. chron. by date filed. Indexed alph. by first letter of name of corporation, 1919--; for index, 1888-89, 1891-1918, see entry 158. H., tpf. Aver. 640 pp. $16\frac{1}{2} \times 11 \times 3$.

158. INDEX TO CORPORATION RECORD, 1888-89, 1891-1918. 2 vols. Direct index to Incorporation Record, entry 157, showing name of corporation, book and page of record entry. Arr. alph. by first letter of name of corporation. H. Aver. 60 pp. $16 \times 11 \times \frac{1}{2}$.

159. RECORD OF BANK STOCK TRANSFERS, 1914--. 1 vol. (A).
Record of transfers of bank stock filed with the county clerk, showing information as in entry 155iii. Arr. chron. by date filed. Indexed alph. by first letter of surname of assignee. Hpf. 398 pp. 18 x 12 x $2\frac{1}{2}$.

Professional Licenses

160. RECORD OF PHYSICIANS CERTIFICATES, 1881--. 4 vols. (2 vols. unlabeled; C, D).

Register of licenses of physicians and surgeons, showing name and address of physician, former address, license date, name of examining board, and date filed and recorded. Arr. chron. by date filed. Indexed alph. by first letter of surname of physician. Hpf. Aver. 350 pp. 16 x 11 x 2. 2 vols., 1881-1902, in co. clk. ba. v.; 2 vols., 1903--, in co. clk. m. v.

161. REGISTER OF PHYSICIANS CERTIFICATES, 1903--. 1 vol. Incidental recording, 1915-31, in Deed Record, entry 13.

Record of re-registration of licenses of physicians and surgeons as required by an act of the General Assembly of 1903 and subsequent registration of professional licenses. Re-registration record shows name of examining board, physician's name, certificate of qualification, date of certificate, name of officers and members of examining board, and date recorded. Record of professional licenses shows information as in entry 160. Arr. alph. by first letter of surname of physician and chron. thereunder by date filed. No index. Hpf., tpf. 195 pp. 16 x 11 x 2.

162. REGISTER (of) DENTISTS, 1887--. 1 vol. (A).

Register of licenses of dentist to practice, showing date of license, name, address and sex of dentist, copies of signatures of members of examining board, and date filed and recorded. Arr. chron. by date filed. No index. Hpf. 236 pp. 16 x $11\frac{1}{2}$ x $1\frac{1}{2}$.

Livestock

163. (ESTRAY PAPERS), 1904-26. In County Court Papers, entry 1. Original instruments pertaining to the impounding of stray livestock by individuals, and reported by justices of the peace to the county clerk, showing description of animals impounded, name of person in possession of stock, name of justice of the peace, names of appraisers appointed to determine value of impounded stock, appraised value, total expense incurred, and date filed.

164. RECORD OF ESTRAY, 1871--. 2 vols. (A, B). Last entry 1924. Incidental recordings, 1873-76, in Marks and Brands Record, entry 165.

Record of estray livestock impounded by individuals and reported by justices of the peace to the county clerk, showing information as in entry 163. Arr. chron. by date filed. Indexed alph. by first letter of surname of person in possession of stock. H., hpf. Aver. 560 pp. 17 x 12 x 3.

165. MARKS AND BRANDS RECORD, 1873--. 2 vols. (A, B).
Registration of brands and earmarks of livestock filed with the county clerk to identify ownership, showing name and address of owner, facsimile of earmarks and brands, and date recorded. Also contains: Proceedings in justice of the peace courts, 1873-76, entry 108; incidental recordings of estrays, 1873-76, entry 164. Arr. chron. by date recorded. Indexed alph. by first letter of surname of owner. Hpf. Aver. 480 pp. $16\frac{1}{2}$ x $11\frac{1}{2}$ x $2\frac{1}{2}$.

Firearms

166. REGISTER OF PISTOLS, 1923-25. 1 vol. (1).
Record of registration of pistols required by an act of the General Assembly of 1923 which was repealed in 1925. Record shows name and address of owner, make, caliber and serial number of pistol, permit number, date issued, expiration date, and date recorded. Arr. chron. by date registered. No index. Hpf. 202 pp. 16 x $11\frac{1}{2}$ x 2 . In co. clk. ba. v.

School Lands

167. (REPORTS OF SALE OF 16TH SECTION SCHOOL LANDS), 1899-1928.
In County Court Papers, entry 1.
Original reports of sale of 16th section lands in each township set aside by the United States government for the use and benefit of public schools, showing sale date, legal description of property, name of purchaser, consideration, and date filed.

168. (Record of Sale of) 16TH SECTION (Lands), 1883--. 2 vols.
1878-82, and incidental recordings, 1883-1904, in County Court Record, entry 7.
Record of sale of 16th section lands in each township for the use and benefit of public schools, showing information as in entry 167. Arr. numer. by township no. of legal description. No index. Hpf. Aver. 320 pp. 14 x 9 x 2 . 1 vol., 1883-1929, in co. clk. ba. v.; 1 vol., 1930--, in co. clk. m. v.

Roads and Highways

169. REGISTER OF ROAD DISTRICTS, 1889-90. 1 vol. (A).
Record of road construction and maintenance carried on under the supervision of township road overseers, showing name of township, road district number, name of overseer, date appointed and term of office, location of sections of road concerned, date filed, and recording certificate. Arr. alph. by name of twp. and chron. thereunder by report date. No index. 320 pp. $16\frac{1}{2}$ x 11 x 2 . In co. clk. ba. v.

170. ROAD IMPROVEMENT DISTRICT (Proceedings), 1919-23. 4 vols.
Record of proceedings of commissioners of road improvement districts, showing date of meeting, nature of business transacted, and names of road

commissioners. Arr. chron. by date of proceedings. Indexed alph. by title of proceedings. T. Aver. 100 pp. $10\frac{1}{2} \times 9 \times \frac{1}{2}$. In co. clk. ba. v.

Miscellaneous

171. (PRODUCER'S REPORT), 1936--. In County Court Papers, entry 1. Original reports of oil, gas, coal, and timber registered by producers, giving permit number, kind of resources, quantity sold, valuation, and attestation and signature of deponent.

172. RECORD OF GASOLINE SALES AND GASOLINE TAX RECORD, 1922-24. 2 vols. (A, A).
Record of monthly reports of gasoline sold in the county by distributing companies, showing report date, number of gallons sold, amount of tax due, and name of person receiving receipt for gasoline tax payment. Arr. alph. by first letter of surname of dealer and chron. thereunder by report date. No index. Hpf. Aver. 284 pp. $17 \times 15\frac{1}{2} \times 1\frac{1}{2}$. 1 vol., 1922-23, in co. clk. ba. v.; 1 vol., 1924, in co. clk. m. v.

173. LIST OF AUTOMOBILE OWNERS, 1916-17. 1 vol. (dated).
Record of names of persons owning automobiles, showing name and address of owner, make of car, motor serial and license numbers, and license date. Arr. alph. by first letter of surname of owner. No index. Hpf. 238 pp. $16 \times 12 \times 1\frac{1}{2}$. In co. clk. ba. v.

174. (JUSTICE OF THE PEACE TRANSCRIPTS), 1899--. In County Court Papers, entry 1.
Original reports made by justices of the peace of fines assessed in criminal cases, showing style of case, trial date, amount of fines and costs, report date, and signature of justice of the peace.

TAX ASSESSOR

At the time of the creation of Benton County, the tax assessment function was delegated to the sheriff (1). The office, as it exists at present, was created by the General Assembly of 1868 (2), and incorporated in the Constitution of 1874. The assessor is elected at the regular general election and serves a 2-year term. (3) The principal function of the office is to set valuations upon real and personal property for the purpose of ad valorem taxation (4).

The assessment lists prepared by the assessor are delivered to the county clerk, who extends the taxes. See entries 130-134.

(1) Rev. Stat., p. 678.

(2) A. Ark., 1868, p. 262.

(3) Const. 1874, art. VII, sec. 46.

(4) A. Ark., 1929, II, 855.

Board of Equalization;
Tax Collector

(175-176)

BOARD OF EQUALIZATION

The General Assembly of 1883, in revising the existing revenue laws of the State, created a three-man board of equalization. Members of the board were appointed by the Governor and served 2-year terms. (1) The board functioned until 1917 when it was supplanted by township boards of assessment and valuation. The assessor was required to serve on all township boards, together with two appointees of the county judge. (2) The 1929 General Assembly abolished the township boards and re-created the county board of equalization. The board is composed of three members appointed by the quorum court for a 2-year term. The county clerk serves as clerk of the equalization board. The chief function of the board is the hearing of complaints of taxpayers and the lowering or raising of assessments. (3)

Records of the proceedings of the board of equalization are kept by the county clerk.

175. (REPORTS OF EQUALIZATION BOARD), 1898--. In County Court Papers, entry 1.

Original reports by the equalization board on adjusted tax assessments of real estate, showing names of members of equalization board, years for which tax is equalized, valuation as set by assessor, and value as equalized by the board.

176. MINUTES OF EQUALIZATION BOARD, 1898-1917, 1929--. 7 vols. Minutes of meetings of the board of equalization, showing meeting date, names and addresses of property owners, legal description of property, valuations by assessor, value as equalized by board, and names of board members. Arr. chron. by date of meeting and alph. thereunder by first letter of surname of property owner. No index. T. Aver. 720 pp. 18½ x 13 x 3½. 5 vols., 1898-1917, in co. clk. ba. v.; 2 vols., 1929-- in co. clk. m. v.

TAX COLLECTOR

At the time of the creation of Benton County the sheriff was ex officio tax collector, in accordance with existing laws (4). The present constitution made the same provision, but gave the General Assembly power to separate the offices and make the office of tax collector elective (5). This was done in 1907. The collector is elected at the biennial election and serves a 2-year term. The chief function of the office is the collection of all taxes assessed and equalized. (6)

(1) A. Ark., 1883, p. 245.

(2) Ibid., 1917, II, 1238.

(3) Ibid., 1929, II, 865.

(4) Rev. Stat., p. 678.

(5) Const. 1874, art. VII, sec. 46.

(6) A. Ark., 1907, p. 313.

The tax collector keeps no records as such, but delivers his books to the county clerk. All collection records are housed in the clerk's vault, unless otherwise shown in the entries.

COUNTY TREASURER

The Constitution of 1836 provided for the election of a county treasurer (1). The present constitution made the same provision and set the term at 2 years. The treasurer is elected at the biennial general election and serves as treasurer of the common school fund of the county. (2)

Records of the office are housed in the treasurer's vault, unless otherwise shown in the entries.

Papers

177. [MISCELLANEOUS FILES], 1934--. Est. 800 documents in 8 steel f. d. (labeled alph. by contained subjects).

Original instruments filed with the county treasurer, such as treasurer's contracts, school budgets, duplicate deposit slips, and canceled county, highway, and school warrants. Arr. chron. by date of instrument. No index. Hpf., tpf. 12 x 6 x 14.

Accounts

178. TREASURER'S ACCOUNTS, 1883--. 9 vols. (1 vol. unlabeled; B-I). Treasurer's account of all money collected from all sources, showing date of collection, from what source, amount, to what fund charged, and total amount in each fund. Arr. alph. by name of fund and chron. thereunder by date entered. No index. Hpf. Aver. 600 pp. 18 x 15-x 2½. 5 vols., 1883-1930, in co. clk. ba. v.; 4 vols., 1931-- in treas. v.

179. TREASURER'S CASH BOOK, 1909-30. 3 vols. (A-C). 1931-- in Treasurer's Record and Cash Journal, entry 180. Record of moneys received and disbursed, showing date received, from what source, amount, fund debited, amounts disbursed, accounts credited, to whom paid, date, and purpose. Arr. chron. by date entered. No index. Hpf. Aver. 320 pp. 16 x 12 x 3. In co. clk. ba. v.

180. TREASURER'S RECORD AND CASH JOURNAL, 1909--. 8 vols. (A-H). Titles vary slightly. Record of treasurer's accounts with county officers and various county funds, such as general road fund, school fund, redemption fund, county general fund, poll, city and state taxes, and justice of the peace set-

(1) Const. 1836, art. VI, sec. 17. (2) Const. 1874, art. VII, sec. 46.

tlements. Each account shows amount received, amount expended, and balance on hand. Also contains: Treasurer's cash book, 1931--, entry 179. Arr. in tabbed secs. by name of acct. and chron. thereunder by date entered. No index. Aver. 630 pp. 17 x 15 x 3. 4 vols.; 1909-24, in co. clk. ba. v.; 4 vols.; 1925--, in treas. v.

181. TREASURER'S SCHOOL DISTRICT ACCOUNTS, 1871--. 22 vols. (18 vols. dated, A-D). Titles vary slightly.

Treasurer's accounts with various school districts, showing receipt of moneys by each district, disbursement date, to whom warrant is issued, amount, for what purpose, on what account the warrant is drawn, and from what source the revenue of each district is received. Also contains: Register of school warrants, 1903--, entry 183. Arr. numer. by school district no. and chron. thereunder by date filed. No index. Hpf. Aver. 642 pp. 18 x 12 x 3. 18 vols., 1871-1922, in co. clk. ba. v.; 4 vols., 1923--, in treas. v.

182. TREASURER'S HIGHWAY DISTRICT ACCOUNTS, 1900--. 4 vols. (1-3, B). Titles vary slightly.

Record of various road district accounts kept by the county treasurer, showing road district number, amount credited to each district, date received, date and amount disbursed, and for what purpose. Arr. numer. by road dist. nos. No index. Hpf. Aver. 640 pp. 18 x 12 x 3. 3 vols., 1900-1930, in co. clk. ba. v.; 1 vol., 1931--, in treas. v.

Warrants

183. NUMERICAL REGISTER OF SCHOOL WARRANTS, 1888-1903. 1 vol. (1). 1903-- in Treasurer's School District Accounts, entry 181.

Chronological listing of school district warrants registered with the county treasurer for payment, showing register number, date registered, amount of warrant, for what purpose drawn, to whom issued, and date paid. Arr. chron. by date registered. No index. Hpf. 350 pp. 16½ x 11½ x 2. In co. clk. ba. v.

184. REGISTER OF COUNTY WARRANTS, 1898--. 6 vols. (A-F).

Register of county warrants issued and redeemed, showing warrant number, name of payee, name of account upon which warrant is drawn, amount and date, reference to book and page of county court record authorizing issuance of warrant, date delivered, by whom delivered, and dates redeemed and canceled. Arr. numer. by warrant no. No index. Hpf. Aver. 200 pp. 16 x 12 x 2.

Receipts

185. TREASURER'S RECEIPTS, 1931--. 6 vols.

Duplicate receipts issued by the county treasurer for cash and warrants redeemed, showing receipt number, date, name of person to whom receipt is issued, amount, and copy of signature of county treasurer. Arr. numer. by receipt no. No index. Hpf. Aver. 350 pp. 17½ x 11 x 2.

Commissioner of Accounts;
County Board of Election
Commissioners

(186-188)

Land Redemptions

186. TREASURER'S (Record of) DELINQUENT LANDS REDEEMED, 1886--. 6 vols. (A-C, C-E). Titles vary slightly.

Treasurer's record of redemption of lands sold for taxes, showing number of certificate, to whom sold, date redeemed, by whom redeemed, years for which taxes were delinquent, legal description of lands, penalties, cost, and total tax. Arr. numer. by date filed and numer. thereunder by certificate no. No index. Hpf. Aver. 642 pp. $22\frac{1}{2} \times 16\frac{1}{2} \times 3$. 3 vols., 1886-1921, in co. clk. ba. v.; 3 vols., 1922, in treas. v.

COMMISSIONER OF ACCOUNTS

The office of commissioner of accounts was created in 1885, and consisted of three members, an accountant, a justice of the peace, and one other member; all appointed by the circuit judge for a 1-year term (1). In 1917 the term of office was lengthened to 2 years (2). The office was abolished in 1931 when the State Comptroller was made director of county audits (3).

187. (COMMISSIONER OF ACCOUNTS REPORTS), 1894-1930. In County Court Papers, entry 1.

Original reports of commissioners of accounts, showing name of office audited, itemized statement of debits and credits, and signature of commissioner.

188. [RECORD OF CANCELED WARRANTS], 1911-17, 1920-28. 26 notebooks (dated).

Chronological listing of canceled warrants made by commissioner of accounts, showing warrant number, date, purpose for which issued, to whom issued, amount, and copy of signature of issuing officer. Arr. numer. by warrant no. No index. H. Aver. 90 pp. $12\frac{1}{2} \times 7\frac{1}{2} \times 1$. In cir. clk. ba. v.

COUNTY BOARD OF ELECTION COMMISSIONERS

The General Assembly of 1891 authorized the State Board of Election Commissioners to appoint, not more than 90 nor less than 30 days before each general election, three members in each county to serve 2 years as a county board of election commissioners (4). The election commissioners have general supervision of all general and special elections in the

(1) A. Ark., 1885, p. 78.

(2) Ibid., 1917, II, p. 1613.

(3) Ibid., 1931, p. 120.

(4) A. Ark., 1891, p. 33; ibid., 1931, p. 1119; ibid., 1935, p. 426.

Board of Registration;
County Board of Education

(189)

county. They are authorized to appoint judges and clerks for each voting precinct, make a record of such appointments, canvass and certify election results, and file the same with the county clerk (1).

Records of the appointments of the county board of election commissioners will be found in entry 189.

189. ELECTION (Commissioners') RECORD, 1898-1904. 1 vol. Record of proceedings of the county board of election commissioners, showing date of meeting, names of commissioners, transcription of oaths of office and notices of appointment of each, copies of official ballots of each election, itemized listing of election expense, and official returns. Arr. chron. by date of proceedings. No index. H. 400 pp. 14 $\frac{1}{2}$ x 8 $\frac{1}{2}$ x 3. In co. clk. ba. v.

BOARD OF REGISTRATION (Defunct)

The General Assembly of 1868 authorized the Governor to appoint three members to serve on a board of registration. All appointments were required to be affirmed by the Senate and term of office was 2 years. The chief function of the board was the supervision of elections and passing on the eligibility of voters. (2) An act of the General Assembly of 1874 rendered the board inactive (3), and it passed out of existence when the Constitution of 1874 failed to provide for it.

No records of the board were found in Benton County. A uniform records system was used by this agency in all counties. For an example see Inventory of The County Archives of Arkansas, Number 23, Faulkner County (Conway), entry 165, p. 160.

COUNTY BOARD OF EDUCATION (Defunct)

The county board of education was created in 1919 to take over supervision of county schools. Five members were elected by the voters of the county for terms ranging from 1 to 5 years. (4) The General Assembly of 1931 changed the membership to six, and the term of office to 3 years, two members being elected each year (5). The board was abolished in 1933 (6).

(1) A. Ark., 1931, p. 117.

(2) Ibid., 1868, pp. 51, 57.

(3) Ibid., 1874, p. 5.

(4) Ibid., 1919, Gen. p. 178.

(5) Ibid., 1931, p. 494.

(6) Ibid., 1933, p. 60.

County Superintendent of
Schools; County Examiner
of Schools

(190)

COUNTY SUPERINTENDENT OF SCHOOLS

The office of county superintendent of schools was created by the General Assembly of 1853 (1), abolished in 1868 (2), re-created in 1873 (3), and again abolished in 1875 (4). In 1919 the county board of education was authorized to appoint a county superintendent of schools for a 1-year term of office (5). The office of county superintendent of schools was abolished simultaneously with the county board of education in 1933 (6).

COUNTY EXAMINER OF SCHOOLS

The office of county examiner was created by the General Assembly of 1875 (7), abolished in 1919 (8), and re-created in 1933 (9).

At present the county examiner, after being endorsed by a majority of the licensed teachers of the county, is appointed by the county judge, for a term of 2 years (10). He may, but is not required, to visit all the schools of the county, and is not required to devote all of his time to his employment as county examiner. He is required to hold examinations for persons making application for licenses to teach school, and to keep his office open every Saturday and make all records required by law. (11) He is executive secretary of the county text book board. In this capacity he is in charge of the requisition, distribution, and care of the free text books of the county. (12)

Reports

190. ANNUAL REPORTS OF COUNTY EXAMINERS, 1912--. 36 vols. (28 vols. unlabeled; 8 vols. (dated).

Copies of annual reports of county examiner, 1912-19, 1933--, and county superintendent, 1920-33, to the Arkansas State Department of Education, showing date of report, school enumeration, race, enrollment by grades, average number, total days attendance, average daily attendance, number of pupils promoted, age-grade table, classification by grade and age, teaching positions, valuation of school property, assessment and mills voted, receipts for support of schools, itemized expenditures and balance

(1) A. Ark., 1853, p. 148.

(2) Ibid., 1868, p. 181.

(3) Ibid., 1873, p. 409.

(4) Ibid., 1875, p. 54.

(5) Ibid., 1919, Gen., p. 178.

(6) Ibid., 1933, p. 778.

(7) Ibid., 1875, p. 67.

(8) Ibid., 1919, Gen., p. 178.

(9) Ibid., 1933, p. 61.

(10) Ibid., 1935, p. 496.

(11) Ibid., pp. 498, 400.

(12) Ibid., p. 1100.

County Superintendent
of Schools

(191-195)

in treasury, indebtedness, report of blind, deaf, and other handicapped children, summary, list of directors, number of teachers, and grades of teachers' certificates. Arr. numer. by dist. no. No index. Hpf. Aver. 75 pp. 12 x 9 $\frac{1}{2}$ x $\frac{1}{2}$.

191. ENUMERATION REPORT, 1936--. Est. 392 folders in 4 steel f. d. (dated).

Original enumeration reports from school districts, showing number and name of district, names of children of scholastic age listed alphabetically, age, race, sex, and address, and names of parents or guardians entering child. Census blanks for individual families in each district show name, age, date of birth and sex of each child. Each list is verified by enumerator and parents or guardians. Arr. numer. by school dist. no. No index. Hpf. 11 $\frac{1}{2}$ x 14 x 24.

192. (Teachers') MONTHLY REPORTS, 1939. 98 reports in 1 steel f. d.

Original monthly reports of school teachers, showing name of teacher, report date, district number, whether white or colored school, number of pupils in each grade, age, sex, attendance per month, number of pupils transported and number not transported, number of days pupils absent and days teacher absent, number of visits by school directors and by patrons, days in school term, percentage of attendance, and teacher's signature. Arr. numer. by school dist. no. No index. Hpf. 11 $\frac{1}{2}$ x 14 x 24.

193. RECORD OF TEACHER'S REPORT TO COUNTY SUPERINTENDENT, 1929-33. 1 vol. (dated).

Record of teacher's report to county superintendent, showing name of teacher, number of months taught, district number, school address, opening and closing dates of school, summary card, term and classification report, examination or test grade, special report on home readings, attendance at teacher's meetings, total number of reports received, and grade of certificate. Arr. numer. by school dist. no. No index. Hpf. 200 pp. 14 $\frac{1}{2}$ x 9 $\frac{1}{2}$ x 1.

Licenses and Contracts.

194. RECORD OF TEACHER'S LICENSES (County), 1903--. 13 vols. (dated). Titles vary slightly.

Record of licenses of teachers in the county, showing name of teacher, sex, post office address, nativity, scholastic preparation, experience, date and grade of certificate, date license issued, license number, date of expiration, special subjects, and endorsement from other counties, attendance at institute and normal school. Arr. numer. by license no. For index, see entry 196. Hpf. Aver. 75 pp. 12 x 9 $\frac{1}{2}$ x $\frac{1}{2}$.

195. RECORD OF TEACHERS STATE LICENSE, 1898--. 1 vol.

Record of State licenses issued to teachers holding college degrees and passing the State examination, showing name of applicant, address, age, sex, nationality, native state, scholastic preparation, experience, amount and kind, and date issued. Arr. chron. by date entered. For index, see entry 196. Hpf. 75 pp. 12 x 9 $\frac{1}{2}$ x $\frac{1}{2}$.

County Superintendent
of Schools

(196-201)

196. (INDEX TO TEACHER'S LICENSES), 1898--. 1 vol.
Direct index to Record of Teacher's Licenses (County), 1903--, entry 194,
and Record of Teachers State License, 1898--, entry 195, showing name of
teacher, number and grade of license, book and page of record entry.
Arr. alph. by first letter of surname of teacher. H. 100 pp. $8\frac{1}{2}$ x 5 x
 $\frac{1}{2}$.

197. RECORD OF (Teachers') CONTRACTS FOR THE SCHOOL YEAR, 1933--.
6 vols. (dated).
Record of teachers' contracts, showing name and number of school dis-
trict, teacher's name and address, district tax levy, names and addresses
of directors in each district, teacher's license grade, and salary per
month, duration of term in months, and opening and closing dates of
school. Arr. numer. by school dist. no. No index. Hpf. Aver. 200 pp.
20 x 14 x 1.

Financial

198. RECEIPTS AND DISBURSEMENTS (Record of School Districts),
1921--. 17 vols. (13 vols. dated and sub-labeled by school dist.
no.; 4 vols. unlabeled). Titles vary slightly.
Original record kept by county examiner, 1933--, and records of county
superintendent, 1921-32, showing financial accounts and statistical sum-
mary of each school district in the county. Financial accounts show a-
mount received for salaries, maintenance of buildings, and expenditures
for same. Statistical summary shows names and addresses of directors,
beginning and expiration dates of school term, names, addresses, school
preparation, age, sex, race, nativity, grade of license and salary of
teachers, date school term begins, and number of months taught. Arr.
numer. by school dist. no. and chron. thereunder by date of entry. No
index. Hpf. Aver. 400 pp. $17\frac{1}{2}$ x $15\frac{1}{2}$ x 2.

199. RECORD OF SCHOOL ACCOUNTS, 1871--. 18 vols. (dated).
Accounts with school districts and record of proceedings of the county
board of education in the consolidation of school districts, annexing
territory to districts, and transferring pupils from one district to an-
other. Also shows apportionment of State funds made to the county,
school district taxes voted, and list of school directors elected. Arr.
chron. by date filed. No index. Aver. 400 pp. 16 x 11 x 2.

200. REQUISITIONS FOR FREE TEXT BOOKS, 1937--. 98 folders in 1
steel f. d.
Files containing receipts for free text books to be used in each school
in the county, showing number and kind of book furnished each district,
date requisitioned, number of district and name of school, name and num-
ber of each kind of book in school, date returned, and signature of
school teacher. Arr. numer. by school dist. no. No index. Hpf. $11\frac{1}{2}$ x
14 x 24.

201. (Record of) REQUISITIONS FOR FREE TEXT BOOKS, 1937--. 1
loose-leaf vol.
Record of free text books requisitioned in each school in the county,

showing information as in entry 200. Arr. numer. by school dist. no.
No index. Hpf. 320 pp. $19\frac{1}{2}$ x $14\frac{1}{2}$ x 2.

Miscellaneous

202. ROSTER OF SCHOOL DIRECTORS, 1889-1928. 2 vols. (A, B).

Record of school directors, showing name, post office address, whether elected or appointed, date of election or appointment, date of qualification, and expiration of term for which elected. Arr. numer. by school dist. no. and alph. thereunder by name of director. No index. H., t. Aver. 400 pp. 17 x 12 x 2. In co. clk. ba. v.

203. (RECORD OF) 8th GRADE GRADUATES, 1918-33, 1937--. 1 vol.

Record of eight-grade graduates, showing name of school, postoffice address, name of graduate, age, grade in each subject, average made, graduation date, and name of teacher. Arr. chron. by date graduated. No index. H. 100 pp. $12\frac{1}{2}$ x $8\frac{1}{2}$ x 2.

204. SCHOOL DISTRICT PLAT BOOK, 1923--. 1 vol. (dated).

Plat book containing the location of the different school districts, outlining boundaries of each district and section covered, name and number of township, and date of formation. Arr. numer. by no. of school dist. No index. Hpf. 322 pp. $17\frac{1}{2}$ x $12\frac{1}{2}$ x 2.

205. SCHOOL COMMISSIONER'S RECORD, 1850-69. 2 vols. (A, B). Inci-

dental recordings, 1858-60, in County Court Record, entry 7. Record of receipts and disbursements by the county board of school commissioners, showing amount on hand, amount due the county school fund, and each township, including list of notes and bonds belonging to county school funds, legal description of school lands offered for sale, date and place of sale, consideration, and terms of payment. Arr. chron. by date filed. No index. H. Aver. 150 pp. $12\frac{1}{2}$ x 9 x $\frac{1}{2}$. In co. clk. ba. v.

COUNTY TEXTBOOK BOARD

The General Assembly of 1937 provided that the county judge, county examiner of schools, and the county treasurer serves as a county textbook board. The county judge is chairman, the examiner is executive secretary, and the treasurer is treasurer of the board. The chief functions of the board are to provide adequate storage for the free textbooks issued the county, and to properly distribute them to the several school districts within the county. (1)

Records of this board are kept by the county examiner of schools.

(1) A. Ark., 1937, p. 1100.

School Directors ;
Health Unit

(206)

SCHOOL DIRECTORS

The General Assembly of 1869 authorized the election of six school directors in each school district. Their terms of office were from 1 to 4 years. (1) Prior to this time the affairs of the county schools had been under the supervision of school trustees (2), and school commissioners (3).

The present status of school directors was fixed by the 1935 General Assembly. The rural districts have 3 directors, elected for a 3-year term; the school districts containing a city of the first class have six directors, two elected annually to serve 3-year terms. All other districts have five directors, one elected each year for a 5-year term. (4)

The chief function of school directors is the selection of school teachers for their respective districts. They are also custodians of all school property within their districts. (5)

Records of the election of school directors may be seen in entry 202.

HEALTH UNIT

The General Assembly of 1913 authorized the State Board of Health to set up rules and regulations for the county health program (6). Benton County maintains a full-time county health unit. There is a medical director who has charge of the entire county, a health nurse, a sanitarian, and clerical assistants. The personnel is selected by the State Board of Health, with the approval of the county judge. (7)

Records of the unit are housed in the office of the county health nurse.

Index

206. INDIVIDUAL CARD INDEX, 1936--. Est. 2,000 cards in 4 steel f. d. (labeled by contained letter of alph.).

Card index to Venereal Disease, entry 207; Communicable Disease, entry 208; Family Roster, entry 209; Tuberculosis, entry 210; Immunization,

(1) A. Ark., 1869, p. 20.

(2) Ibid., 1843, p. 130.

(3) Ibid., 1840, p. 89.

(4) Ibid., 1935, p. 69.

(5) Ibid., 1931, p. 436.

(6) Ibid., 1913, p. 354.

(7) Arkansas State Board of Health, Report, 1940, p. 12.

entry 211, and School Records, entry 212, showing name and address of individual, date of birth, sex, color, names of parents, type of record, and where filed. Arr. numer. by school dist. no. and alph. thereunder by first letter in surname of patient. Hpf. 4 x 5 $\frac{1}{2}$ x 15.

Reports

207. VENEREAL DISEASE, 1936--. Est. 2,200 cards in 2 steel f. d. Original information cards showing name, age, sex, color, marital status and address of patient, previous contact to Wassermann test, date, result, and name of reporting physician. Arr. alph. first letter of surname of patient. For index, see entry 206. Hpf. 4 x 5 $\frac{1}{2}$ x 15.

208. COMMUNICABLE DISEASE, 1936--. 2,000 cards in 1 steel f. d. Individual report of each case of communicable and reportable disease, made by the attending physician to county health officer, showing name and address of person, nature of disease, date reported, age, sex, color, occupation or school, source of milk, and date of notice. Arr. alph. by name of disease and alph. thereunder by first letter of surname of patient. For index, see entry 206. Hpf. 4 x 5 $\frac{1}{2}$ x 15.

209. FAMILY ROSTER, 1936--. 90 folders in 1 steel f. d. Folders containing medical record of family coming under the observation of the health department, showing household register with date born, age at death, cause of death, date, significance, economic and social data, address and directions, excreta disposal, water, screening, property owner; summary of open cases, showing name, service, and date case opened and date closed. Also contains the following forms: Epidemiological records; tuberculosis records; infant and preschool records; maternity records; and general medical records. Arr. alph. by first letter of family name. For index, see entry 206; Hpf. 11 $\frac{1}{2}$ x 14 x 24.

210. TUBERCULOSIS, 1936--. 80 cards in 1 f. d. Record of tuberculosis tests and treatments, giving name, address, age, color, and sex of patient, names of physician and sanatorium, date admitted, date discharged, diagnosis and summary of clinical findings, sputum examination, significant facts, members of household, extra household contacts, summary of physician's orders, services rendered, and comments on progress. Arr. alph. by type of tuberculosis. For index, see entry 206. Hpf. 4 x 5 $\frac{1}{2}$ x 15.

Immunization

211. IMMUNIZATION, 1936--. Est. 2,000 cards in 5 steel f. d. (labeled by contained letters of alph.).

Reports of all immunizations made by county health doctor and county health nurse, showing name, age, address, sex, color, school, and name of parents of client, kind of immunizations or test, date treatment given, remarks and results. Arr. alph. by first letter of surname of applicant. For index, see entry 206. Hpf. 4 x 5 $\frac{1}{2}$ x 15.

County Board of Medical
Examiners

(212-215)

School Records

212. SCHOOL RECORDS, 1936--. 3,000 cards in 1 steel f. d. Individual health record of each school child, showing name, age, address, sex, and color of child, name and birthplace of parents, general record of child, showing results of tests and immunization given, summary of infant and preschool record, note on clinical conference, field visits, and notices to parents suggesting the correction of certain defects in child. Arr. numer. by school dist. and alph. thereunder by first letter of surname of child. For index, see entry 206. Hpf. 11 $\frac{1}{2}$ x 14 x 24.

Vital Statistics

213. BIRTH CERTIFICATES, 1925--. Est. 600 instruments in 10 steel f. d. 1914-24 in County Court Papers, entry 1. Original birth certificates, showing date and place of birth, registration number, name of child, names, address and ages of parents, signature of attending physician, and date filed. Arr. chron. by birth date and alph. thereunder by first letter of surname of family. No index. Hpf. 5 x 12 $\frac{1}{2}$ x 13.

214. DEATH CERTIFICATES, 1925--. Est. 600 instruments in 10 steel f. d. 1914-24 in County Court Papers, entry 1. Original reports of deaths issued by attending physician or undertaker, showing name, address and age of deceased, cause of death, names of parents, registration number, place of burial, and date filed. Arr. chron. by date of death and alph. thereunder by first letter of surname of deceased. No index. Hpf. 5 x 12 $\frac{1}{2}$ x 13.

215. RECEIPTS (For Vital Statistics Reports), 1935--. 50 instruments in 1 steel f. d. Original receipts issued by Arkansas State Department of Public Health to county registrar of vital statistics for vital statistics report filed in the State office, showing name of registrar, address, number of certificates received, date received, and signature of State Health Commissioner. Arr. chron. by receipt date. No index. Hpf. 4 $\frac{1}{2}$ x 10 $\frac{1}{2}$ x 12.

COUNTY BOARD OF MEDICAL EXAMINERS (Defunct)

A county board of medical examiners was authorized by the General Assembly of 1881. The board consisted of three members, appointed by the county judge for a term of 4 years. The principal function of the board was to examine and license persons who wished to practice medicine or surgery in the county. (1) The 1893 session of the General Assembly a-

(1) A. Ark., 1881, p. 42.

County Department of
Public Welfare

(216-219)

polished the county board and transferred its duties to a simultaneously created State Board of Medical Examiners (1).

No records of the board were found in Benton County.

COUNTY DEPARTMENT OF PUBLIC WELFARE

The county board of public welfare was established by an act of the General Assembly of 1935 (2). The present county board, as provided by the 1937 General Assembly, consists of five members, selected by designated officers of the county, approved by the State Department of Public Welfare. The members serve 5-year terms and they, in turn, select the personnel of the county department of public welfare, whose administrative officer is a county director. (3)

Records of the department are housed in its office.

216. CORRESPONDENCE, 1938--. 200 instruments in 1 steel f. d. Letters of instruction and general correspondence relating to the county welfare office, showing date and names of addressee and writer. Arr. alph. by first letter of surname of addressee. H., t. 12 x 20 x 30.

217. OLD AGE PENSION (Applications), 1935--. 300 cards in 1 steel f. d. (1). Record containing applications for old age pensions, showing name and address of applicant, date of application, and date of approval or rejection. Arr. alph. by first letter of surname of applicant. Hpf. 3 x 9½ x 11.

218. [CHRONOLOGICAL RECORD OF APPLICATIONS], 1936--. 1 loose-leaf vol. Chronological record of old age assistance, aid for dependent children, National Youth Administration, Work Projects Administration, Civilian Conservation Corps, and general relief, showing date of application, case number, name and address of head of family, address and number of children under 16 years, assignment of work, date forwarded to State office. Disposition of case shows approval or disapproval date, amount granted, status (whether new or reopened case), and reason for disapproval. Arr. alph. by first letter in surname of applicant and chron. thereunder by date filed. Tpf. 400 pp. 16 x 12 x 1½.

219. RECORD OF VISITATIONS, ACTIVE AND INACTIVE CASES, 1935--. Est. 3,000 cards in 3 steel f. d. (labeled by name of case worker).

(1) A. Ark., 1893, p. 333.

(2) Ibid., 1935, p. 56.

(3) Ibid., 1937, p. 152; ibid., 1939, p. 672.

Confederate Pension Board;
County Surveyor

(220-221)

Card record of visits made by welfare investigator to clients, active and inactive cases, showing name and address of client, date of visit, classification, race, sex, names of members of household, birth date, relation to head of family, date of interview, whether certified to WPA, CCC, NYA or other Federal work, and date of certification. Arr. alph. by first letter of surname of client. No index. T. 3 x 9½ x 11.

220. [VOUCHER REGISTER AND CASH JOURNAL], 1937--. 1 vol.
Register of checks issued by county welfare department to general relief clients between ages of 16 and 65, showing name and address of payee, date, number of check, code, name and address of bank, amount of check, checks credit, deposits debit, memorandum, and amount carried forward. Arr. alph. by first letter of surname of payee and chron. thereunder by voucher date. No index. Hpf. 200 pp. 12 x 7 x 2.

CONFEDERATE PENSION BOARD (Inactive)

The Confederate pension board was established by an act of the General Assembly of 1891. The county judge, the county clerk, and the sheriff constituted the board, (1) until 1901, when the General Assembly empowered the judge to appoint a board of three members for a 2-year term (2). While still in existence, the board was rendered inactive when supervision of the Confederate pension fund was transferred to the State Welfare Department in 1939 (3).

Records of the board were found in the county clerk's vault.

221. PENSION BOARD RECORD, 1901-32. 2 vols. (dated).
Record of board of Confederate pensions, showing application for pension, name of Confederate veteran or his widow to whom clerk delivers pension warrant, and amount and date of warrant, Arr. chron. by date of application. Indexed alph. by first letter of surname of veteran or widow. H., t. Aver. 300 pp. 12 x 9 x 2. 1 vol., 1901-30, in co. clk. ba. v.; 1 vol., 1931-32, in co. clk. m. v.

COUNTY SURVEYOR

The election of a county surveyor was authorized by the Constitution of 1836 (4). The present Constitution continued the office. The surveyor is elected at the regular biennial election for a 2-year term.

(1) A. Ark., 1891, p. 162.
(2) Ibid., 1901, p. 86.

(3) Ibid., 1939, p. 512.
(4) Const. 1836, art. VI, sec. 17.

(1). The surveyor is required to execute all orders directed to him by any court of record for the survey of any tract of land within the county, and, if requested, to accompany viewers of roads for the purpose of running or measuring any proposed new road (2). Since 1901 the surveyor has served as timber inspector (3).

Records of the office were found in the circuit clerk's basement vault.

222. SURVEYOR'S RECORD, 1866--. 20 vols. (A, A-G, I, KK, L, U, 1, 2, 6 vols. unlabeled).

Record of land surveys, showing all lines run out, corner posts determined, name of property owner, location of property, brooks, creeks, and intersections, where survey began, direction proceeded toward and distance, setting of temporary centers and posts, distance, and in what direction temporary posts were moved, date of survey, copy of signatures of surveyor and chainmen. Arr. numer. by sec., twp., and r. no. and chron. thereunder by date of survey. Indexed alph. by first letter of surname of property owner. H. Aver. 425 pp. 16 x 11½ x 2½. In cir. clk. ba. v.

AGRICULTURAL EXTENSION SERVICE AGENTS

County Farm Agent

The appointment of county farm agents was authorized by the General Assembly of 1915, in accordance with provisions of the Congressional Smith-Lever Act of the previous year. The agent is selected by the Federal Extension Service and the University of Arkansas, College of Agriculture. Appointments are for indefinite periods, but must be reaffirmed annually. (4)

Home Demonstration Agent

The office of home demonstration agent was created by the General Assembly of 1915 to meet the requirements of the Smith-Lever Act. The home demonstration agents are selected by the Federal Extension Service and the University of Arkansas, College of Agriculture, in accordance with the provisions of the Smith-Lever Act, for an indefinite period and their contracts are renewed each year. (5)

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|-------------------------------------|--|
| (1) Const. 1874, art. VII, sec. 46. | (4) A. Ark., 1915, p. 1078; U.S. Stat., 1913-1915, XXXVIII, 372. |
| (2) Rev. Stat., p. 219. | (5) A. Ark., 1915, p. 1070; U.S. Stat., 1913-1915, XXXVIII, 372. |
| (3) A. Ark., 1901, p. 203. | |

Agricultural Extension
Service Agents

(223-227)

Correspondence

223. CORRESPONDENCE (County Agricultural Agent and Home Demonstration Agent), 1938--. Est. 500 folders in 2 steel f. d.
Miscellaneous correspondence of county agricultural agent and county home demonstration agent, consisting of letters of instruction from various specialists of the United States Department of Agriculture. Arr. alph. by name of correspondent and chron. thereunder by date of letter. No index. H., t. $11\frac{1}{2}$ x 14 x 24.

Information

224. GENERAL INFORMATION FILE, 1937--. Est. 3,200 folders in 4 steel f. d.
General information on agriculture, economics, farm management, general marketing, farm and home forum, county agricultural work, fairs and exhibits, home demonstration agent's work, camps and short courses, annual plans, bills paid and unpaid, enrollment, illustrative material, and other information connected with work of county agricultural agent and county home demonstration agent. Arr. alph. by subject title of folders. No index. $11\frac{1}{2}$ x 14 x 24.

225. COMBINED ANNUAL REPORT OF COUNTY EXTENSION WORKERS, 1930--.
Est. 150 instruments in 3 steel f. d.
Annual summary of extension activities in county, showing progress made during year, general activities, report of legumes and forage crops, all other special crops, forestry, wild life, agricultural engineering, poultry and bees, cattle, swine, horses, food and nutrition, parent education, summary of activities and accomplishments, special events, and outstanding county-wide meetings and activities. Arr. chron. by report date. Hpf. $11\frac{1}{2}$ x 14 x 24.

4-H Clubs

226. 4-H CLUB RECORD FILE, 1930--. Est. 200 folders in 2 steel f. d.
Card record of 4-H Club members, showing name and address of member, date of birth, name of parent or guardian, kind of project, size, work done, value, cost, net profit or loss, notation if project not completed and why, grade in school, outstanding achievements, offices held, special awards, and 4-H Club trips. Arr. alph. by first letter of surname of club member. No index. Hpf. $11\frac{1}{2}$ x 14 x 24.

227. 4-H CLUB FILE, 1930--. Est. 705 folders in 3 steel f. d.
Reports of county plan or work in 4-H Clubs, showing record of attendance, budgets, programs, county clubs, council, rallies, demonstrations, program material, games, parliamentary practices, and miscellaneous publications. Arr. in secs. alph. by first letter of name of activity. H., t. $11\frac{1}{2}$ x 14 x 24.

Timber Inspector

TIMBER INSPECTOR

The General Assembly of 1901 created the office of timber inspector and specified that it be filled by the county surveyor whose term is fixed at 2 years. The timber inspector is authorized to estimate and keep a record of the lumber, logs, or timber of any owner who requests this service. The record is to establish legal ownership in the event of a sale or transfer of title. (1)

No records were found in Benton County.

(1) A. Ark., 1901, p. 203.

Bibliography

- Arkansas State Planning Board, Arkansas Water Resources, (Little Rock, 1939)
- Arkansas State Planning Board, Progress Report, 1936, (Little Rock, 1936)
- Arkansas State Superintendent of Public Instruction, Biennial Report of the Superintendent of Public Instruction, 1919-1920, (Conway, Ark., Conway Printing Company, 1920)
- Arkansas State Superintendent of Public Instruction, Sixteenth Biennial Report of the Superintendent of Public Instruction of the State of Arkansas, 1899-1900, (Little Rock, Democrat Publishing Company, 1900)
- Arkansas Writers' Project, WPA, Arkansas: A Guide to the State, (New York, Hastings House, 1941)
- Code of Practice in Civil and Criminal Cases for the State of Arkansas, together with the Constitution of the United States and the Constitution of the State of Arkansas, (Printed by authority of the General Assembly, Little Rock, 1869) NOTE: cited herein as Criminal Code
- Constitutions of the State of Arkansas, 1836, 1861, 1864, 1868, 1874
- Deramus, W. N., Letter to Dallas McKown, Arkansas Writers' Project, WPA, Sept. 22, 1939, (In files of Arkansas Writers' Project, Little Rock)
- Peters, Richard, and Charles C. Little, eds., Treaties Between the United States and the Indian Tribes, (Boston, Charles C. Little and James Brown, 1846)
- Revised Statutes of the State of Arkansas, adopted at the October Session of the General Assembly of Said State, Revised by William McK. Ball and Sam C. Roane. (Notes and index by Albert Pike. (Published by authority of the General Assembly, Boston, Weeks, Jordan and Company, 1838)
- U. S. Bureau of the Census, A Compendium of the Inhabitants and Statistics of the United States, 1840, as obtained from the Returns of the Sixth Census, by Counties and Principal Towns, (Washington, 1841)
- U. S. Bureau of the Census, Biennial Census of Manufactures, 1939, (Washington, 1940)
- U. S. Bureau of the Census, Eighth Census of the United States, 1860, Statistics of the United States, (Washington, 1861)

Bibliography

- U. S. Bureau of the Census, Fifteenth Census of the United States, 1930, Population; I (Washington, 1931)
- U. S. Bureau of the Census, Fourteenth Census of the United States 1920, Agriculture, IV, (Washington, 1921)
- U. S. Bureau of the Census, Fourteenth Census of the United States, 1920, Manufactures, (Washington, 1921)
- U. S. Bureau of the Census, Ninth Census of the United States, 1870, Production of Agriculture, (Washington, 1872)
- U. S. Bureau of the Census, Ninth Census of the United States, The Statistics of the Population of the United States, (Washington, 1871)
- U. S. Bureau of the Census, Report of Statistics of Churches in United States at the Eleventh Census, 1890, (Washington, 1891)
- U. S. Bureau of the Census, Seventh Census of the United States, 1850, (Washington, 1852)
- U. S. Bureau of the Census, Twelfth Census of the United States, 1900, Agriculture, (Washington, 1902)
- U. S. Bureau of the Census, Twelfth Census of the United States, 1900, Manufactures, (Washington, 1902)
- U. S. Bureau of the Census, Twelfth Census of the United States, Taken in the year 1900, Population, Part I, (Washington, 1901)
- U. S. Bureau of the Census, United States Census of Agriculture: 1935, Arkansas, Statistics by Counties, (Washington, 1936)
- U. S. Department of Agriculture, Forest Service, Region Eight, Ozark National Forest, Arkansas, (Washington, 1939)
- U. S. Department of Agriculture, Weather Bureau, Climatic Summary of the United States, (Washington, n.d.)
- United States Statutes at Large, vol. 38
- University of Arkansas, College of Agriculture, Agricultural Experiment Station, The Soils of Arkansas, Bulletin No. 187, (Fayetteville, 1928)
- University of Arkansas, College of Agriculture, Extension Service, Common Forest Trees of Arkansas, (Fayetteville, 1924)

II.. Maps

- Arkansas Geological Survey, Topographic Map of the State of Arkansas, (Little Rock, 1930)

Bibliography

U. S. Geological Survey, The Topographic Maps of the United States, Arkansas-Missouri, Fayetteville Quadrangle, (Washington, 1924)

United States Geological Survey, State of Arkansas, (Washington, 1928)

III. Newspapers

Little Rock (Ark.) Arkansas Democrat

Little Rock (Ark.) Arkansas Gazette

IV. Periodicals

Benton, Thomas, "America's Yesterday", Travel, July 1934

Bulletin of John Brown University, 1939-40, (Siloam Springs, Ark., 1940)

Secondary Works

Foreman, Grant, Pioneer Days in the Early Southwest, (Cleveland, Arthur H. Clarke Company, 1926)

Goodspeed, W. A., History of Northwest Arkansas, (Chicago, Goodspeed Publishing Company, 1889)

Herndon, Dallas T., A Centennial History of Arkansas, 3 vols., (Chicago, S. J. Clarke Publishing Company, 1922)

Reynolds, John Hugh, Makers of Arkansas History, (New York-Boston-Chicago-Atlanta-Dallas, The Silver-Burdette Company, 1905)

Thomas, David Y., Arkansas and Its People, 4 vols., (New York, The American Historical Society, Inc., 1930)

Weeks, Stephen B., History of Public Education in Arkansas, (Washington, 1912)

LIST OF COUNTY OFFICIALS

CIRCUIT JUDGES

(4th Judicial Circuit, 1836-1861;
8th Judicial Circuit, 1861-1868;
5th Judicial Circuit, 1868-1873;
4th Judicial Circuit, 1873--)

Joseph M. Hoge,	1840-1844	James M. Pittman,	1874-1878
Sebron G. Sneed,	1844-1851	J. H. Berry,	1878-1882
Alfred B. Greenwood,	1851-1853	James H. Patterson,	1882 (6)
Felix J. Batson,	1853-1859 (1)	J. M. Pittman,	1882-1890
John M. Wilson,	1859-1860 (2)	E. S. McDaniels,	1890-1898
Joseph J. Green,	1860-1861	J. M. Pittman,	1898-1900
James D. Walker,	1861-1864 (3)	John K. Tillman,	1900-1905 (7)
Elias Harrell,	1864-1867 (4)	J. S. Maples,	1905-1919 (8)
William Storey,	1867-1868 (5)	W. A. Dickson,	1919-1927
Elisha D. Ham,	1868-1873	J. S. Maples,	1927-1931
James H. Huckleberry,	1873	Jno. S. Combs,	1931-1939
J. W. Trimble,	1939--		

PROSECUTING ATTORNEYS

William K. Sebastian,	1836-1840	J. P. Walker,	1886-1888
Alfred M. Wilson,	1840-1845	S. M. Johnson,	1888-1890
A. B. Greenwood,	1845-1851	J. M. Peel,	1890-1892
Hugh F. Thomason,	1851-1856	J. N. Tillman,	1892-1898
Lafayette Gregg,	1856-1865	James W. Walker,	1898-1900
Claiborn G. Reagan,	1865-1866	J. S. Maples,	1900-1905
T. M. Gunter,	1866-1868	D. B. Horsley,	1905-1910 (10)
Newton J. Temple,	1868-1872	C. A. Fuller,	1910-1914
Archibald Young,	1872-1873 (9)	J. S. Combs,	1914-1919
Samuel W. Peel,	1873-1876	J. W. Nance,	1919-1925
E. I. Stirman,	1876-1878	John S. Combs,	1925-1931
H. A. Dinsmore,	1878-1884	J. W. Trimble,	1931-1939
J. F. Wilson,	1884-1886	John K. Butt,	1939--

(1) Vice Greenwood (2) Vice Batson, resigned (3) Special election
(4) Impeached (5) Vice Harrell (6) Vice Berry, resigned (7) Vice Pittman,
died (8) Vice Tillman, resigned (9) Vice Temple, resigned (10) Vice Maples,
resigned

List of County Officials

CIRCUIT CLERK, EX OFFICIO RECORDER, 1836--; EX OFFICIO
CHANCERY COURT CLERK, 1903--; EX OFFICIO COUNTY
CLERK AND PROBATE CLERK, 1836-1880

John B. Dixon,	1837-1842	W. H. Cowan,	1890-1892 (3)
John Smith,	1842-1846	J. D. Covey,	1892-1896
J. D. Dickson,	1846-1852	W. O. Young,	1896-1900
A. G. Williams,	1852-1856	John Black,	1900-1901
John Galbreath,	1856-1858	F. P. Galbreath,	1901-1902 (4)
R. S. Williams,	1858-1859	D. B. Horseley,	1902-1904
John Galbreath,	1859-1860 (1)	F. P. Galbreath,	1905-1906 (5)
J. R. Woods,	1860-1866	W. T. Maxwell,	1906-1910
J. W. Sikes,	1866-1868	W. M. Heaslet,	1910-1914
J. R. Rutherford,	1868-1872	Sam Beasley,	1914-1919
John Black,	1872-1873	Ira D. Swearingen,	1919-1925
H. A. Dinsmore,	1873-1880	Marion Douglas,	1925-1929
B. F. Dunn,	1880-1886	Fred Douglas,	1929-1933
C. C. Huffman,	1886-1890	Fred Allred,	1933-1941
M. L. Williams, (2)	1890	Miss Mary Chiles,	1941--

(1) Vice Williams (2) Suspended (3) Vice Williams (4) Vice Black, died
(5) Vice Horseley, resigned

CHANCERY JUDGES

(11th Chancery Circuit, 1903-1925;
13th Chancery Circuit, 1925--)

T. H. Humphries,	1903-1916	Sam Williams,	1919-1925
Ben F. McMahan,	1916-1919 (1)	Lee Seamster,	1925--

(1) Vice Humphries, resigned

COUNTY CLERKS

John Black,	1880-1888	W. E. Hill,	1908-1912
E. L. Taylor,	1888-1890	E. K. Hale,	1912-1919
John Black,	1890-1892	J. C. Casey,	1919-1923
C. A. Rogers,	1892-1896	Miss H. Casey,	1923-1923 (1)
Harry Rust,	1896-1900	Anna Patton,	1923-1931 (2)
J. C. Casey,	1900-1904	Fred Berry,	1931-1935
Marion Douglas,	1904-1908	Bess Pace,	1935-1941
		E. F. Buttram,	1941--

(1) Vice J. C. Casey, deceased (2) Vice Miss H. Casey, resigned

List of County Officials

SURVEYORS (EX OFFICIO TIMBER INSPECTOR, 1901--)

Alexander McKisick,	1837-1838	S. B. Robertson,	1886-1888
William H. McLean,	1838-1840	J. A. Murray,	1888-1900
James White,	1840-1842	W. T. Patterson,	1900-1904
William H. Woods,	1842-1844	D. L. Wheat,	1904-1910
Dr. Hayden,	1844-1846	M. Hays,	1910-1914
David Chandler,	1846-1852	J. A. Robertson, Jr.,	1914-1916
Henry Lane,	1852-1854	H. T. Lambeth,	1916-1917
M. B. Maxwell,	1854-1856	E. G. Pond,	1917-1923 (2)
Jacob Caudill,	1856-1858	Paul B. Lee,	1923-1925
M. B. Maxwell,	1858-1872	J. A. Robertson, Jr.,	1925-1926
S. Peak,	1872- (1)	Wilson Brown,	1926-1933 (3)
M. B. Maxwell,	1872-1882	M. Hays,	1933-1939
D. W. Geiman,	1882-1884	Wilson Brown,	1939-
M. B. Maxwell,	1884-1886	M. Hays,	1939-- (4)

(1) Moved from state (2) Vice Lambeth, resigned (3) Vice Robertson, died
(4) Vice Brown, died

COUNTY JUDGES

Henry C. Hastings,	1837-1839	T. D. Bates,	1882-1886
Matthew English,	1839-1840	S. A. Cordell,	1886-1890
Thomas M. Duckworth,	1840-1841	T. D. Bates,	1890-1892
David Mitchell,	1841-1843	R. Y. Nance,	1892-1894
John A. P. Carr,	1843-1845	F. H. Foster,	1894-1900
Thomas M. Duckworth,	1845-1846	E. L. Taylor,	1900-1904
James Jackson,	1846-1847 (1)	Lon Williams,	1904-1908
James M. Rogers,	1847-1850	Leander Norris,	1908-1910
W. J. Howard,	1850-1854	W. A. O. Jones,	1910-1912
William McDaniel,	1854-1856	N. C. Smith,	1912-1914
Enoch Troll,	1856-1858	W. S. Floyd,	1914 (4)
John Kinchloe,	1858-1860	W. E. Hill,	1914-1916
James W. Cowan,	1860 (2)	Leander Norris,	1916-1919
H. Marly,	1860-1866	Joe Beasley,	1919-1923
D. Woods,	1866-1868	David Compton,	1923-1925
James McPherson,	1868 (3)	W. R. Edwards,	1925-1929
Dysart Woods,	1873-1874	David Compton,	1929-1936
H. Marly,	1874-1876	Fred Berry,	1936-1939 (5)
S. N. Elliott,	1876-1882	Joe Beasley,	1939--

(1) Vice Duckworth, resigned (2) Vice Kinchloe (3) Vacated by conviction and sentence for man slaughter (4) Vice Smith (5) Vice Compton, resigned

List of County Officials

SHERIFFS

Gideon B. Pace,	1837-1840	F. P. Galbreath,	1884-1886
Wm. B. Wooddy,	1840	W. H. Cloe,	1886-1888
Gideon B. Pace,	1840-1842 (1)	F. P. Galbreath,	1888-1896
John H. Hammock,	1842-1846	J. G. McAndrews,	1896-1900
John Galbreath,	1846-1856	R. A. Pickens,	1900-1904
John H. Hammock,	1856-1858	James Hickman,	1904-1908
J. R. Woods,	1858-1860	A. J. Russell,	1908-1912
Joe Henry,	1860-1862	T. T. Blake,	1912-1916
R. E. Doak,	1862-1866	Sid Johnson,	1916-1921
J. W. Simmons,	1866-1868	George Maples,	1921-1925
W. C. Lefors,	1868-1874	Joe Gailey,	1925-1929
J. W. Simmons,	1874-1878	Edgar Fields,	1929-1933
J. H. McClinton,	1878-1882	George Maples,	1933-1935
R. A. Hickman,	1882-1884	Earl Austin,	1935-1939
		W. A. Black,	1939--

(1) Vice Gideon, failed to comply with Act 7 of Revenue Law.

CORONERS

Henry Ford,	1837-1838	J. C. January,	1868-1872 (3)
James Beasman,	1838-1840	J. E. Plummer,	1872-1874
Sam'l P. Woods,	1840 (1)	J. H. Hogan,	1874-1876
John Hammock,	1840 (2)	J. W. Bland,	1876-1878
James Jackson,	1840-1848	P. H. Frone,	1878-1880
B. Covey,	1848-1850	R. W. Hansard,	1880-1882
Harris O. Gilbert,	1850-1854	R. N. Corley,	1882-1900
John Wilcox,	1854-1856	Geo. L. Bates,	1900-1906
Hardy Wilson,	1856-1858	J. A. Petty,	1906-1908
Wm. Morgan,	1858-1860	John N. Stokes,	1908-1912
Alfred Dean,	1860-1862	J. T. Clegg,	1912-1916
John Galbreath,	1862-1866	A. D. Callison,	1916-1933
J. S. Reynolds,	1866-1868	Leon A. Wasson,	1933-1935
		A. D. Callison,	1935--

(1) Refused to serve

(2) Vice Woods

(3) Died

INTERNAL IMPROVEMENT COMMISSIONERS

J. D. Dickson, 1866-1868

COMMON SCHOOL COMMISSIONER

Wm. Smith, 1866-1868

List of County Officials

TREASURERS

Henry C. Hastings,	1837-1846	H. C. Smith,	1886-1890
Singleton Langston,	1846-1848	J. J. Jefferson,	1890-1892
William McDaniel,	1848-1854	H. C. Smith, Jr.,	1892-1894
H. C. Hastings,	1854-1858	J. J. Jefferson,	1894-1896
Ed M. Smith,	1858-1860	W. L. Marley,	1896-1900
S. Langston,	1860-1862	H. C. Smith, Jr.,	1900-1902
E. W. Smith,	1862-1866	J. N. Stokes,	1902-1906
S. Langston,	1866-1868	Will Neely,	1906-1908
Joseph Thomas,	1868-1872	W. L. Marley,	1908 (1)
John Galbreath,	1872-1873	N. S. Henry,	1909-1916 (2)
W. C. Lafors,	1873-1874	Marshall Bennett,	1916-1921
Haley Jackson,	1874-1876	E. K. Hale,	1921-1927
B. F. Dunn,	1876-1880	W. C. Deason,	1927-1935
T. H. Wood,	1880-1886	J. S. Murray,	1935-1941
	W. H. Knox,	1941--	

(1) Vice Neely, died

(2) Elected by special election

TAX ASSESSORS

J. N. Curtis,	1868-1873	W. H. Haines,	1902-1906
W. L. Cowen,	1873-1878	Sam Edwards,	1906-1910
H. Higfill,	1878-1880	D. L. Wheat,	1910-1914
A. G. Gamble,	1880-1884	Geo. N. Gearhart,	1914-1921
W. H. Haines,	1884-1890	A. S. McGinnis,	1921-1923
J. E. Bussey,	1890-1894	Geo. N. Gearhart,	1923-1929
A. E. Kindley,	1894-1898	Sam Banks,	1929-1935
J. W. Puckett,	1898-1902	R. O. Cook,	1935--

TAX COLLECTORS

Marion Douglas,	1908-1912	A. S. McGinnis,	1923-1927
T. P. Galbreath,	1912-1914	W. L. Mosley,	1927-1931
A. B. Webb,	1914-1919	Joe Gailey,	1931-1935
Marion Douglas,	1919-1923	Reed Adcock,	1935-1941
	Bruce Douglas,	1941--	

List of County Officials

STATE SENATORS

	(11th Senatorial District, 1838-1840;		
	2nd Senatorial District, 1840-1856;		
	1st Senatorial District, 1856-1864;		
	3rd Senatorial District, 1864-1866;		
	1st Senatorial District, 1866-1868;		
	7th Senatorial District, 1868-1874;		
	24th Senatorial District, 1874-1903;		
	34th Senatorial District, 1903-1939;		
	1st Senatorial District, 1939--)		
O. Evans,	1838	J. T. Walker,	1883-1887
A. Whinnery,	1838-1842	D. H. Hammons,	1887-1891
J. G. Walker,	1842-1846	M. D. Lucas,	1891-1895
J. B. Dickson,	1846-1850	J. A. C. Blackburn,	1895-1899
John Berry,	1850-1856	Nelson J. Carlock,	1899-1903
Isaac Murphy,	1856-1858	John P. Logan,	1903-1907
Madison Douglass,	1858-1862	Richard L. Nance,	1907-1909 (2)
J. Dunnegan,	1862-1864	F. F. Freeman,	1909-1911 (3)
E. D. Ham,	1864-1865 (1)	P. A. Rogers,	1911-1915
J. Dunegan,	1866-1868	John R. Duty,	1915-1919
F. J. Hunt,	1868-1871	Jesse McFarland,	1919-1923
Alick Caraloff,	1871-1874	W. H. Austin,	1923-1927
J. Dunegan,	1874	Sam Beasley,	1927-1931
C. J. Reagan,	1874-1879	Storm O. Whaley,	1931-1935
E. P. Watson,	1879-1883	Clyde T. Ellis,	1935-1939
		J. Wesley Sampier,	1939--

(1) Resigned

(2) Deceased

(3) Appointed

CHRONOLOGICAL INDEX

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- 1) Inventory of the County Archives of Arkansas, No. 12, Cleburne County (Heber Springs). Historical Records Survey, Little Rock, Arkansas, March, 1939. mim. (217 pp.)
- 2) Inventory of the County Archives of Arkansas, No. 23, Faulkner County (Conway). Historical Records Survey, Little Rock, Arkansas, December, 1939. mim. (251 pp.)
- 3) Inventory of the County Archives of Arkansas, No. 30, Hot Spring County (Malvern). Historical Records Survey, Little Rock, Arkansas, March, 1940. mim. (vii, 121 pp.)
- 4) Inventory of the County Archives of Arkansas, No. 65, Searcy County (Marshall). Historical Records Survey, Little Rock, Arkansas, June, 1940. mim. (x, 112 pp.)
- 5) Inventory of the County Archives of Arkansas, No. 19, Cross County (Wynne). Historical Records Survey, Little Rock, Arkansas, July, 1940. mim. (xi, 114 pp.)
- 6) Inventory of the County Archives of Arkansas, No. 13, Cleveland County (Rison). Historical Records Survey, Little Rock, Arkansas, April, 1941. mim. (~~xv~~, 113 pp.)
- 7) Inventory of the Church Archives of Arkansas. Church of Christ, Scientist. Historical Records Survey, Little Rock, Arkansas. 1941. mim. (iii, 35 pp.)

PUBLICATIONS RECEIVED BY THE
ARKANSAS HISTORICAL RECORDS SURVEY PROJECT
DIVISION OF COMMUNITY SERVICE PROGRAMS
MORRIS PROJECTS ADMINISTRATION

- 1) Inventory of the County Archives of Arkansas
Franklin County (Hester Survey). Historical Records Survey, Little Rock, Arkansas, March, 1932. 112 pp.
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Garland County (Hester Survey). Historical Records Survey, Little Rock, Arkansas, March, 1932. 112 pp.
- 3) Inventory of the County Archives of Arkansas
Hot Spring County (Hester Survey). Historical Records Survey, Little Rock, Arkansas, March, 1932. 112 pp.
- 4) Inventory of the County Archives of Arkansas
Madison County (Hester Survey). Historical Records Survey, Little Rock, Arkansas, March, 1932. 112 pp.
- 5) Inventory of the County Archives of Arkansas
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- 6) Inventory of the County Archives of Arkansas
Madison County (Hester Survey). Historical Records Survey, Little Rock, Arkansas, March, 1932. 112 pp.
- 7) Inventory of the County Archives of Arkansas
Madison County (Hester Survey). Historical Records Survey, Little Rock, Arkansas, March, 1932. 112 pp.



