Retention and Classification Report

Agency: Cache County (Utah). Probate Court (2976)

, UT

Records Officer

23726 *Civil case files

AGENCY: Cache County (Utah). Probate Court

SERIES: 23726 4
TITLE: Civil case files
DATES: 1860-1887.
ARRANGEMENT: Chronological by filing date of petition.

TOTAL VOLUME: 1.00 cubic foot.
DESCRIPTION:

In 1852 the Utah Territorial Legislature provided that the Probate Court should have jurisdiction not only in estate and guardianship matters, but original jurisdiction in civil, criminal, and chancery cases. The Probate Court could act as an appellant court to the Justice of the Peace Courts in the County, and decisions made in the Probate Court could be appealed to the District Court. This series includes those civil cases handled by the Probate Court which are not probate or estate cases. Civil cases include divorce and debt cases. In 1874 the federal Poland Act revoked the jurisdiction of the Probate Court over all but divorce and probate cases. In 1887, the federal Edmunds-Tucker act revoked Probate Court jurisdiction in divorce cases, and with that Act, the creation of this series ended.

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

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in State Archives permanently after microfilming.

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

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(continued)

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

APPRAISAL:

Historical

This series documents divorces and other civil case files from the territorial period for Cache County, Utah.

PRIMARY CLASSIFICATION:
Public